



COUNTY OF HUMBOLDT

For the meeting of: 10/5/2023

File #: 23-1357

Inland and coastal zone ordinances to allow the use of residences for short-term rentals within the unincorporated areas of Humboldt County. The ordinance does the following:

- a) Creates two tiers of rentals consisting of units partially rented by the occupants of the residence and rental of the whole unit;
- b) Establishes performance criteria for the operation of short term rentals;
- c) Creates an Administrative Permit to authorize rentals which comply with the ordinance and allows approval of a discretionary permit when deviations from standards are requested;
- d) Creates a cap for the number of units allowed around the Humboldt Bay Area



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
LONG RANGE PLANNING

3015 H Street • Eureka CA 95501
Phone: (707) 445-7541 • Fax: (707) 268-3792

Date: Meeting of October 5, 2023
To: Humboldt County Planning Commission
From: John H. Ford, Director of Planning and Building Department
Subject: **Workshop on the Draft Short-term Rental Ordinance
Record No. LRP-2022-17963 & LRP-2023-18254**

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Please contact Cade McNamara, at 707-268-3777 or cmcnamara@co.humboldt.ca.us, if you have any questions about the Short-term Rental Ordinance.

AGENDA ITEM TRANSMITTAL

Meeting Date	Subject	Contact
October 5, 2023	Draft Short-term Rental Ordinance	Cade McNamara

Project Description: Inland and coastal zone ordinances to allow the use of residences for short-term rentals within the unincorporated areas of Humboldt County. The ordinance does the following:

- a) Creates two tiers of rentals consisting of units partially rented by the occupants of the residence and rental of the whole unit;
- b) Establishes performance criteria for the operation of short term rentals;
- c) Creates an Administrative Permit to authorize rentals which comply with the ordinance and allows approval of a discretionary permit when deviations from standards are requested;
- d) Creates a cap for the number of units allowed around the Humboldt Bay Area

The new ordinance would affect the following code sections:

1. Inland: Adds section 314-60.05, amends the tables in section 314-6 and 314-9, amends sections 314-37, 314-44, 314-55, 314-138, 314-141, 314-143, 314-153, 314-154, 314-157, 314-158, 314-163, 314-174 and 314-177 in Chapter 4 of Division 1 of Title III of the County Code for the inland areas of the County.
2. Coastal: Adds section 313-61.05, amends the tables in section 313-6, and amends sections 313-44, 313-50, 313-55, 313-141, 313-143, 313-154, 313-157, 313-163, 313-172, and 313-177 in Chapter 3 of Division 1 of Title III of the County Code for the coastal areas of the County.

Project Location: All of the unincorporated areas of Humboldt County.

Present Plan Designations: All land use designations where residences are allowed as a principal use.

Present Zoning: All zoning districts where residences are allowed as a principal use.

Environmental Review: Exempt from CEQA

State Appeal Status: n/a for workshop

SHORT-TERM RENTAL ORDINANCE

Recommended Commission Action

1. Request that staff provide introduction to the continued workshop.
3. Deliberate and comment on the draft Short-term Rental Ordinance.
4. Provide guidance to Planning & Building Staff on any desired amendments to the draft ordinance prior to a public hearing

EXECUTIVE SUMMARY:

During the Planning Commission Workshop held September 21, 2023, the Short-term Rental Workshop was opened. The Planning Commission heard a staff presentation of the draft Short-term Rental Ordinance and received public comment. However, there was no time for the Planning Commission to engage with questions or direction to staff. The Workshop was continued to the meeting of October 5, 2023. The next step is to walk through the ordinance section-by-section with time for questions and comments.

During the September 21 meeting, the commission made three specific requests: 1) provide the excel sheet that was included as part of the staff oral presentation; 2) provide the powerpoint slide deck for the September 21 meeting; and 3) organize the written public comments by theme. A PDF of the excel sheet can be found as Attachment 2; the powerpoint slides are included as Attachment 3; public comments are found in Attachment 8.

The comments are organized at several levels. Those comments that were included in the supplemental packet provided to the Planning Commission in advance of the September 21 Workshop are separated from comments that have been received between the Workshop and the date of publication of this staff report. Beyond this, the comments are split between themes which include Alternative Owner Builder (AOB), Housing Stock & Cap, Neighborhood Concerns, and Miscellaneous. The Miscellaneous category include wide ranging comments that often include many concerns making them difficult to categorize.

These written comments reflect a wide array of views and differ in focus somewhat from the oral comments received during the 5 community meetings. Oral comments made at these meetings were disproportionately attended by members of the public who own and operate Short-term Rentals. The oral comments found a center of gravity in the draft procedures and requirements of the ordinance. Members of the public shined a light on standards and processes that they found too broad and not tailored to the diverse communities of the unincorporated county. This feedback led to refinement of the proposed permitting process and targeted standards, including differentiation between urban and rural areas.

By contrast, the written comments gravitate more around the values which animate the ordinance – protection of housing stock, preserving neighborhood quality, providing residents with economic opportunity. Comments came from a mix of Short-term Rental owners, neighbors and members of the public concerned about housing within the community. The themes that were strongest in the written comments were housing stock (e.g., making the cap more stringent and even limiting Short-term Rentals to home-share only), and neighborhood character (e.g., amend the neighborhood concentration standards).

The staff report for the September 21, 2023 meeting has been included as attachment 1 and includes more context and information about the draft regulations.



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PLANNING AND BUILDING DEPARTMENT
LONG RANGE PLANNING

3015 H Street • Eureka CA 95501
Phone: (707) 445-7541 • Fax: (707) 268-3792

Date: Meeting of September 21, 2023
To: Humboldt County Planning Commission
From: John H. Ford, Director of Planning and Building Department
Subject: **Workshop on the Draft Short-term Rental Ordinance**
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Executive Summary

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Attachment 1	Workshop Staff Report
Attachment 2	Draft Short-term Rental Ordinance - Inland
Attachment 3	Draft Short-term Rental Ordinance - Coastal
Attachment 4	Draft Amendments to Chapter 2 Administration, Procedures, Amendments and Enforcement

Please contact Keenan Hilton, at 707-268-3722 or khilton@co.humboldt.ca.us, if you have any questions about the Short-term Rental Ordinance.

AGENDA ITEM TRANSMITTAL

Meeting Date	Subject	Contact
September 21, 2023	Draft Short-term Rental Ordinance	Keenan Hilton

Project Description: Inland and coastal zone ordinances to allow the use of residences for short-term rentals within the unincorporated areas of Humboldt County. The ordinance does the following:

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The new ordinance would affect the following code sections:

1. Inland: Adds section 314-60.05, amends the tables in section 314-6 and 314-9, amends sections 314-37, 314-44, 314-55, 314-138, 314-141, 314-143, 314-153, 314-154, 314-157, 314-158, 314-163, 314-174 and 314-177 in Chapter 4 of Division 1 of Title III of the County Code for the inland areas of the County.
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Project Location: All of the unincorporated areas of Humboldt County.

Present Plan Designations: All land use designations where residences are allowed as a principal use.

Present Zoning: All zoning districts where residences are allowed as a principal use.

Environmental Review: Exempt from CEQA

State Appeal Status: n/a for workshop

SHORT-TERM RENTAL ORDINANCE

Recommended Commission Action

1. Request that staff present the staff report.
2. Receive public comments.
3. Deliberate and comment on the draft Short-term Rental Ordinance.
4. Provide guidance to Planning & Building Staff on any desired amendments to the draft ordinance prior to a public hearing

EXECUTIVE SUMMARY:

Short-term Rentals (STR) have the capacity to adversely affect available Housing stock and the quality of neighborhoods. On the other hand, short-term rentals do provide economic opportunity to property owners and by having units that attract tourists from outside the area. The aim of developing an

ordinance to regulate short-term rentals is to set a limit on the number of housing units which can be converted to short-term rentals and set performance criteria to limit the impact to neighborhoods. Conversely it is important that people operating short-term rentals have a stable environment in which to operate. The short-term rental ordinance has been written and refined with the intention of achieving this balance.

Five public meetings were held to review three drafts of the proposed ordinance. Attachment 2 and Attachment 3 are the fourth iteration of the draft ordinance, having been shaped significantly by what was heard from the community. These provisions are responsive to several themes of public comment:

- 1) Differentiation between home-share and STR;
- 2) Differentiation between areas where housing availability is impacted and those areas where housing is more widely available; and
- 3) Streamlining of process to the maximum extent feasible.

In order to control the effects on housing stock, the draft ordinance includes a cap within the Greater Humboldt Bay Area which includes the Trinidad-Westhaven Community Plan Area [CPA], McKinleyville CPA, Fieldbrook-Glendale CPA, Blue Lake CPA, Arcata CPA, Jacoby Creek CPA, Freshwater CPA, Eureka CPA, Fortuna CPA, Hydesville-Carlotta CPA and the Rio Dell-Scotia CPA in the inland zone and the Trinidad Area Plan [AP], McKinleyville AP, Humboldt Bay AP and the Eel River AP in the coastal zone. This represents an area within a reasonable commute distance to the principal economic hubs of Eureka, Arcata and McKinleyville. This is where housing availability has been impacted and housing costs have risen ahead of the pace of wage growth.

To protect neighborhood quality, the draft ordinance creates a streamlined permitting approach for those STRs which are home-share, and those STRs which meet appropriate standards. Any deviation from the standards, which include controls on community concentration, private events and quiet hours, are only allowable upon issuance of a Special Permit. Special Permits may only be granted if the decision-maker can find that the project is protective of health safety and welfare and would not result in significant adverse impact on neighborhood quality.

To create the streamlined process discussed above, Chapter 2 of the Zoning Ordinance which governs Administration, Procedures, Amendments and Enforcement would be modified. These draft amendments propose the creation of a new Administrative Permit, a ministerial permit that could be issued over the counter for a significantly reduced fee.

The proposed approach allows a clear pathway for many projects to be approved administratively. These projects would be required to meet the performance standards identified in the ordinance. Any project seeking exceptions to a performance standard would require a Special Permit, giving the community the opportunity to provide input on potential neighborhood impacts.

DISCUSSION

Proposed approach

This ordinance seeks to provide a clear, streamlined, and nuanced regulatory framework for the permitting and operation of STRs within Humboldt County. The ordinance responds to community needs of protecting housing stock in areas with impacted housing markets, preserving neighborhood quality, and providing an assurance to STR owners and caretakers that their business is permitted, reducing uncertainty and financial risk. Several sections of existing county code address the STR use, but none is adequate for meeting the community values and needs.

One manifestation of the inadequacy of the existing approach is the vast number of operations that are currently operating outside the bounds of the permitting system. According to the service Host Compliance, there are 792 units used as STRs within the unincorporated areas of the County. Consistent with the approach to code enforcement more generally in Humboldt County, the Code Enforcement Unit has only abated those operations that receive a complaint. Recently the Code Enforcement Unit has received about one complaint per week. Although harder to quantify, another manifestation of the inadequacy of the current regulatory approach is the increasing cost of long-term rentals within the county. As more units are converted to a STR business model, this decreases the supply of housing stock. Although not experienced uniformly throughout the unincorporated areas, this decrease in supply coincides with an increase in demand for housing, particularly in the areas surrounding Humboldt Bay. It is important to acknowledge that conversion of units to STR is part of a suite of challenges for housing in the region.

Existing Regulations

Short-term Rental of residential units is addressed by several sections of existing County Code including section 314-37 "V" Combining Zone for Vacation Home Rentals in the inland zone, section 314-44.1 Bed and Breakfast Establishments in the inland zone, and section 313-44.1 Bed and Breakfast Establishments in the coastal zone.

"V" Combining Zone

The Vacation Home Rental "V" Combining Zone was adopted by the Board of Supervisors for the inland and coastal zones in 1997. The code became applicable in the inland area thirty days following the adoption. The Coastal Commission, however, did not take action on the "V" Combining Zone for the coastal area until 2005. At that time, the changes that the Coastal Commission made to the ordinance were significant enough that they would have required amendments to the Local Coastal Plans. Consequently, they were never adopted by the County in the coastal zone.

The "V" Combining Zone only applies where it is mapped. It was only mapped in the inland portion of Shelter-Cove. The "V" Combining Zone creates a pathway for the use upon issuance of a Special Permit. The ordinance includes performance standards addressing parking, advertising, and number of occupants.

The Planning & Building Department estimates that only fourteen permits have been issued under these provisions. It is recognized that the number of STRs in the inland area of Shelter Cove significantly exceeds this figure. The "V" Combining Zone does not meet the needs of the County in several ways. The first limitation is the very limited scope of the mapped area where it is applied; although the inland portion of Shelter Cove is a popular location for STRs, most occur outside of this area. Second, the standards of the ordinance do not adequately address safety and community quality concerns. For instance, there are no standards related to access or noise, among others. Third, the provisions are overly cumbersome requiring a Special Permit in all cases.

Bed and Breakfast Establishment

The ordinance governing residences used as a Bed and Breakfast Establishments was originally adopted in 1989. Similar provisions are found in the coastal and inland codes.

Bed and Breakfast Establishments may be permitted upon the issuance of a Special Permit in Residential Suburban (RS), Residential One-Family (R-1), Residential Two-Family (R-2), Residential Multiple Family (R-3) and Apartment Professional (R-4) Unclassified (U), Forest Recreation (FR), Timberland Production Zone (TPZ), Agriculture Exclusive (AE), and Agriculture General (AG) in the inland zone, and Neighborhood Commercial (CN), Commercial General (CG), Residential Single Family (RS), Mixed Residential (R2),

Residential Agriculture (RA), Agriculture Exclusive (AE), Commercial Timber (TC), Timberland Production Zone (TPZ) in the coastal zone.

Many Bed and Breakfast Establishments have been permitted throughout the county. The section of code has met a community need. However, it does not meet the need to address STRs in Humboldt County in several ways. First, it only applies when there is an “owner/operator” residing on the premises. Second, there are not robust performance standards including noise and parking, among others. Third, the provisions are overly cumbersome, requiring a Special Permit in all cases.

While it would be possible to leave these regulations intact and attempt to govern STRs separately, this would be inefficient and confusing. The natural boundaries between a home-share STR and a Bed and Breakfast are provision of breakfast, which is not a land use concern. The fundamental land use questions are identical between STRs and Bed and Breakfast Establishments, and so staff recommends replacing this code section with the more nuanced and complete draft STR regulations.

Alternative Owner-Builder

The Modified Limited Density Owner-Built Rural Dwelling Regulations for Alternative Owner-Builder Ordinance (AOB) was adopted in 1984. The ordinance applies to owner-built, owner-occupied dwellings, owner-built accessory dwelling units and appurtenant structures in rural areas of Humboldt County. The Application section of the ordinance reads, “Such dwellings and appurtenant structures shall include seasonally or permanently occupied dwellings, hunting shelters, vacation homes, recreational shelters and detached bedrooms used solely by the owner of the dwelling except for owner-built accessory dwelling units which may be used by persons other than the owner of the dwelling.”

AOB residences are not held to the structural requirements of the current California Building and Residential Code and are not required to install a fire sprinkler system. The regulations allow for the use of substitute materials and alternative construction methods if they meet a reasonable degree of health and safety. The Chief Building Official has the authority to exercise judgment in determining compliance with these regulations.

Given that the intent of the AOB code was to allow for relaxed standards for use solely by the owner of the dwelling and given that the County has performed no structural inspection of these residences, the STR use is incompatible.

A proposed pathway for AOB homes would be as-built permitting, applying the building code standards in effect at the time the AOB permit was issued.

Accessory Dwelling Unit

The Accessory Dwelling Unit (ADU) ordinance was adopted in 2020 in alignment with significant updates in state law governing the construction of ADUs. Section 314-69.05.3.4 of the inland ordinance reads, “Short-Term Lodging Prohibited. The ADU shall not be rented for periods of thirty (30) days or less.” Section 313-69.05.3.4 of the coastal ordinance reads, “Neither the ADU nor the primary residence shall be rented for periods of 30 days or less. Prior to obtaining a building permit for an ADU or JADU, a deed restriction approved by the County shall be recorded with the County Recorder’s office, which shall include the prohibition on the use of any dwelling for transient habitation.”

If an accessory dwelling unit (or “second unit”) was permitted prior to Jan. 1, 2020, this prohibition does not apply.

Proposed Approach

Humboldt County is large and diverse – each of the communities has different needs and concerns. Sometimes the differences are subtle, sometimes they are significant. The community values that drive the regulations – protection of housing stock, protection of neighborhood quality and economic opportunity for residents – are not experienced the same in the different communities. To address these diverse experiences and priorities, the draft ordinance includes nuances on the basis of type of rental (Home-share versus Whole-unit), on the basis of Community Plan Area (separating the Greater Humboldt Bay Area from the rest of the County), on the basis of parcel size and on the basis of proximity to neighbors. These nuances within the draft regulations would allow for a streamlined, ministerial process for those projects less likely to have impacts and allow for public review when the potential for impacts is higher.

Administrative Permit

In addition to the universally required materials like an application form, site plan and fees, a complete application for an Administrative Permit would look like a one- or two-page checklist. The staff time required to review the permit would be minimal. We anticipate that staff will be able to perform a quick verification of the information provided and issue the permit within days. We anticipate that this permit might cost about one to two hundred dollars.

The administrative permit type could have other applications for the Planning & Building Department, including the processing of applications for development under SB-9, SB-6 multifamily housing and potentially Cottage Industry and Home Occupation Permits.

Special Permit

An application for a Special Permit would require a clear description of the operation and how it would deviate from the standards, and evidence that supports the finding that the STR would be protective of health, safety and welfare as well as neighborhood quality.

Suspension

The amendments to Chapter 2 include a provision for the suspension of a permit by the director if the permit was issued in error or to stop any activity that violates any requirement of the permit and/or Zoning Ordinance. The suspension could be appealed. The permit would be re-activated when the violation has been resolved. This section would apply to all development permits.

Public participation

The Planning & Building Department has hosted five public meetings on the draft regulations. In aggregate, the meetings have had 400+ attendees (though not necessarily unique attendees). The involvement and discussion have been robust. The STR webpage, which features all drafts of the ordinance, and all available recordings of meetings has been visited thousands of times; recordings of past meetings have been viewed and listened to hundreds of times.

The input provided by the community has been invaluable in the development of these draft regulations.

Area	# Housing Units	# home-share	# STRs	% STR of total Housing stock	Vacancy Rate
Unincorporated Humboldt County	34,093		567	1.66%	
Coastal Zone Area Plans	7,743	12	225	2.90%	
Northcoast Area Plan	192	0	11	5.70%	32.80%
Trinidad Area Plan	933	3	65	6.97%	20.30%
McKinleyville Area Plan	1,158	1	18	1.55%	4%
Humboldt Bay Area Plan	3,942	6	62	1.57%	7.40%
Eel River Area Plan	1,002	0	9	0.90%	10.40%
South Coast Area Plan	10	0	0	0%	30%
Shelter Cove (Coastal)	506	2	60	11.86%	38%
Inland Community Plan Areas	21,062	23	301	1.40%	
Orleans CPA	242	0	2	0.83%	15.30%
Orick CPA	166	0	11	6.63%	13.30%
Willow Creek CPA	941	0	23	2.44%	20.60%
Trinidad-Westhaver CPA	192	0	16	8.33%	13.50%
McKinleyville CPA	6,096	6	82	1.34%	6.30%
Fieldbrook-Glendale CPA	700	1	15	2.14%	8.30%
Blue Lake CPA	447	0	9	2.01%	8.30%
Arcata CPA	599	1	11	1.84%	7.80%
Jacoby Creek CPA	829	1	18	2.17%	7.10%
Freshwater CPA	1,018	2	17	1.66%	6.60%
Eureka CPA	5,658	7	39	0.68%	6%
Fortuna CPA	581	0	7	1.20%	10.80%
Hydesville-Carlotta CPA	900	0	2	0.22%	9.10%
Rio Dell - Scotia CPA	321	0	2	0.62%	17.40%
Avenues CPA	712	4	13	1.83%	19.80%
GRBAP	1,505	1	27	1.79%	15%
Shelter Cove (Inland)	155	0	7	4.52%	40.60%
Inland Areas Outside CPAs	5,288	5	41	0.78%	

Area	# Housing Units	# home-share	# STRs	% STR of total Housing stock	Vacancy Rate
Coastal Greater Humboldt Bay Cap Area					
Trinidad Area Plan	7,035	10	154	2.19%	20.30%
McKinleyville Area Plan	933	3	65	6.97%	4%
Humboldt Bay Area Plan	1,158	1	18	1.55%	7.40%
Eel River Area Plan	3,942	6	62	1.57%	10.40%
	1,002	0	9	0.90%	
Inland Greater Humboldt Bay Cap Area					
Trinidad-Westhave CPA	17,341	18	218	1.25%	13.50%
McKinleyville CPA	192	0	16	8.33%	6.30%
Fieldbrook-Glendale CPA	6,096	6	82	1.34%	8.30%
Blue Lake CPA	700	1	15	2.14%	8.30%
Arcata CPA	447	0	9	2.01%	7.80%
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Rio Dell - Scotia CPA	900	0	2	0.22%	17.40%
	321	0	2	0.62%	

Short-term Rental Ordinance Workshop

September 21, 2023



Roadmap

Introduction

- Values
- Data
- Public Outreach

Ordinance

- Staff presentation of the ordinance

Planning Commission

- Questions & comments from P.C., by section

Public input

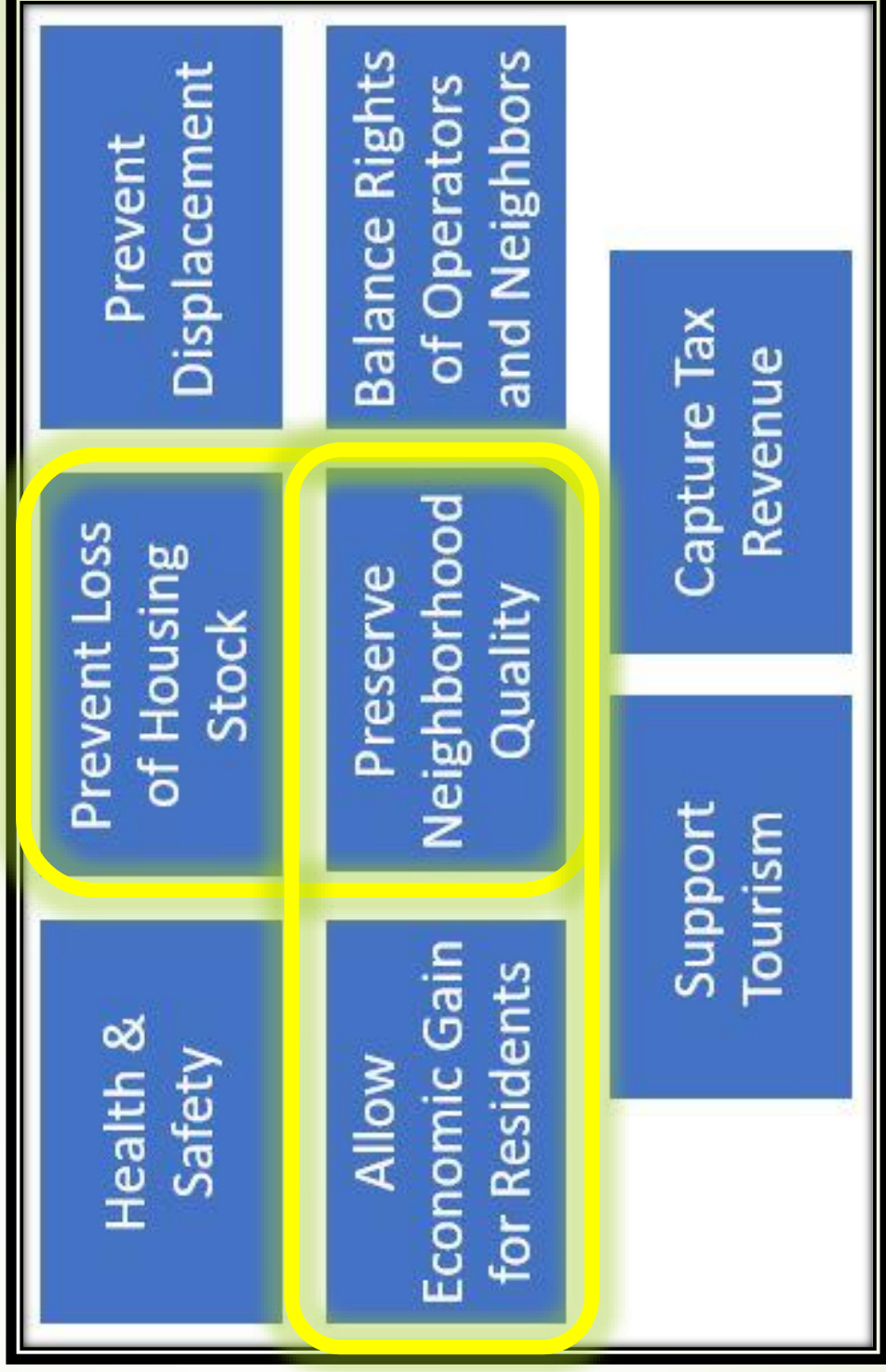
- Questions & comments from public

Opportunities for Engagement

- ▶ Planning Commission Hearing – October 5, 2023
- ▶ Board of Supervisors Hearing – Fourth Quarter
- ▶ Coastal Commission – tbd
- ▶ You can always email or call me with questions or comments at khilton@co.humboldt.ca.us or (707) 268-3722

Protecting the Values of the Community

- ▶ Create a legal pathway for Short-term Rentals with the following values in mind:



Data

- ▶ STRs – Host Compliance data
 - ▶ Unincorporated Area
 - ▶ Inland / Coastal
 - ▶ Humboldt Bay Area Cap Area
- ▶ Housing – 2020 Census data
 - ▶ Number of Units
 - ▶ Vacancy
- ▶ Rental Data – American Community Survey, 2022
 - ▶ Percentage of Renters in Humboldt County
 - ▶ Share of income to rent



Public Outreach

- ▶ 5 Community Meeting, attendance of 400+
 - ▶ 100+ written comments
 - ▶ Webpage with over 3,000 visits
- 

Public Outreach

Alternative Owner Builder (AOB)

- Create pathway for AOB

Existing Operations

- Deference to operations in existence

Urban / Rural

- Housing & neighborhood concerns differ

Housing Stock Impacts

- STRs impact housing availability

Amend/Delete Standards

- Owners want fewer, neighbors want more

Home-share and Short-term Rental

- Differentiation

Q&A

Website: humboldt.gov.org/3387

Assigned Planner: Keenan Hilton

khilton@co.humboldt.ca.us








(707) 268-3722

Humboldt County

Short Term Rentals Density

Legend

Advertised STR Density

-  Sparse
-  Dense
-  State HWY
-  Major River or Stream
-  Public Lands
-  Native American Reservation
-  County Boundary

Pacific Ocean

Cape Mendocino



Humboldt County Planning and Building Department. September 2023.

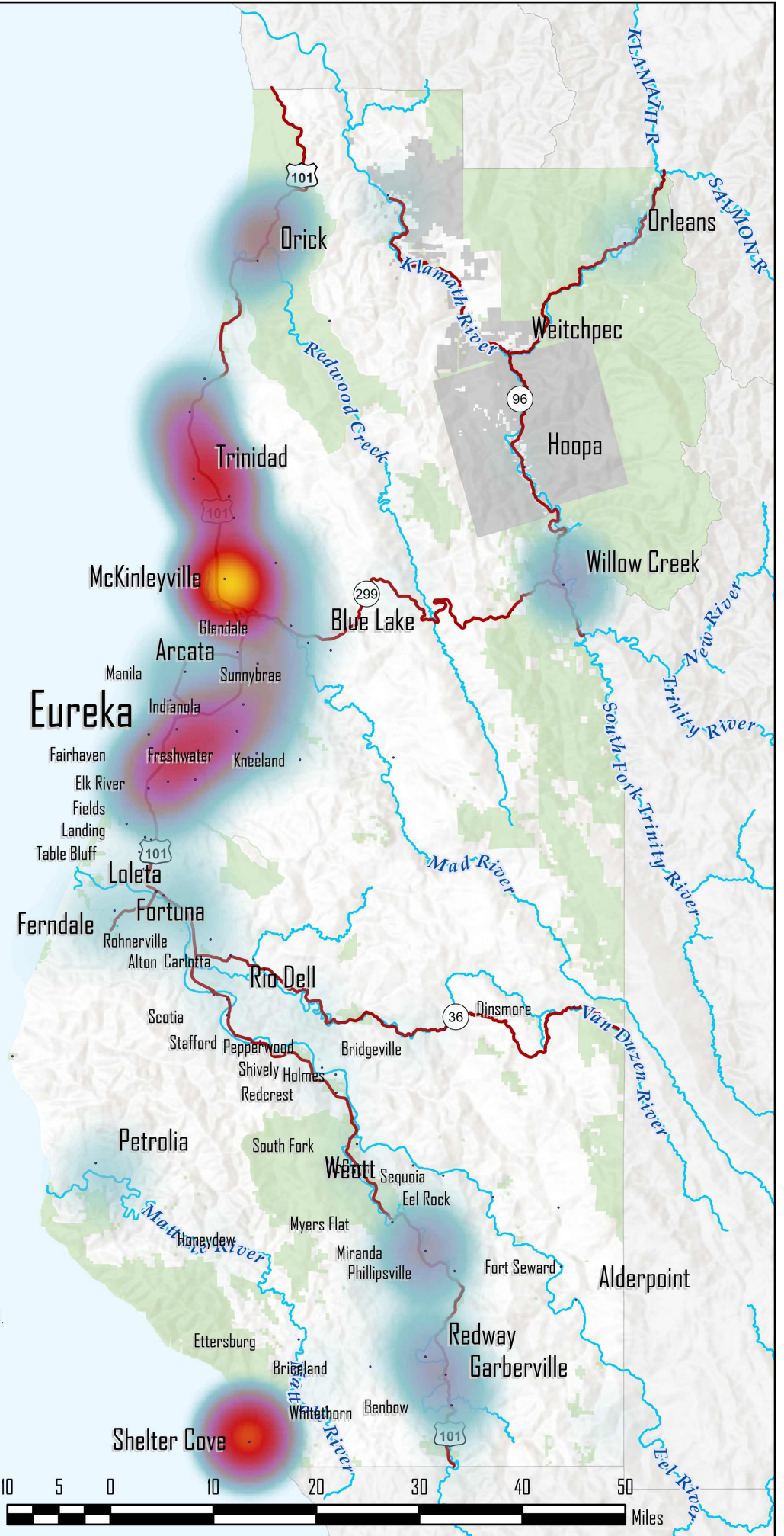
This map is intended for planning purposes only and should not be used for precise measurement or legal boundary delineation.

Original map size is 8 1/2"X11".

Plots Directory: H:\Plots\STR\

Contact: jvandohlen@co.humboldt.ca.us

Scale: 1:900,000
1 inch equals 14 miles



Humboldt County

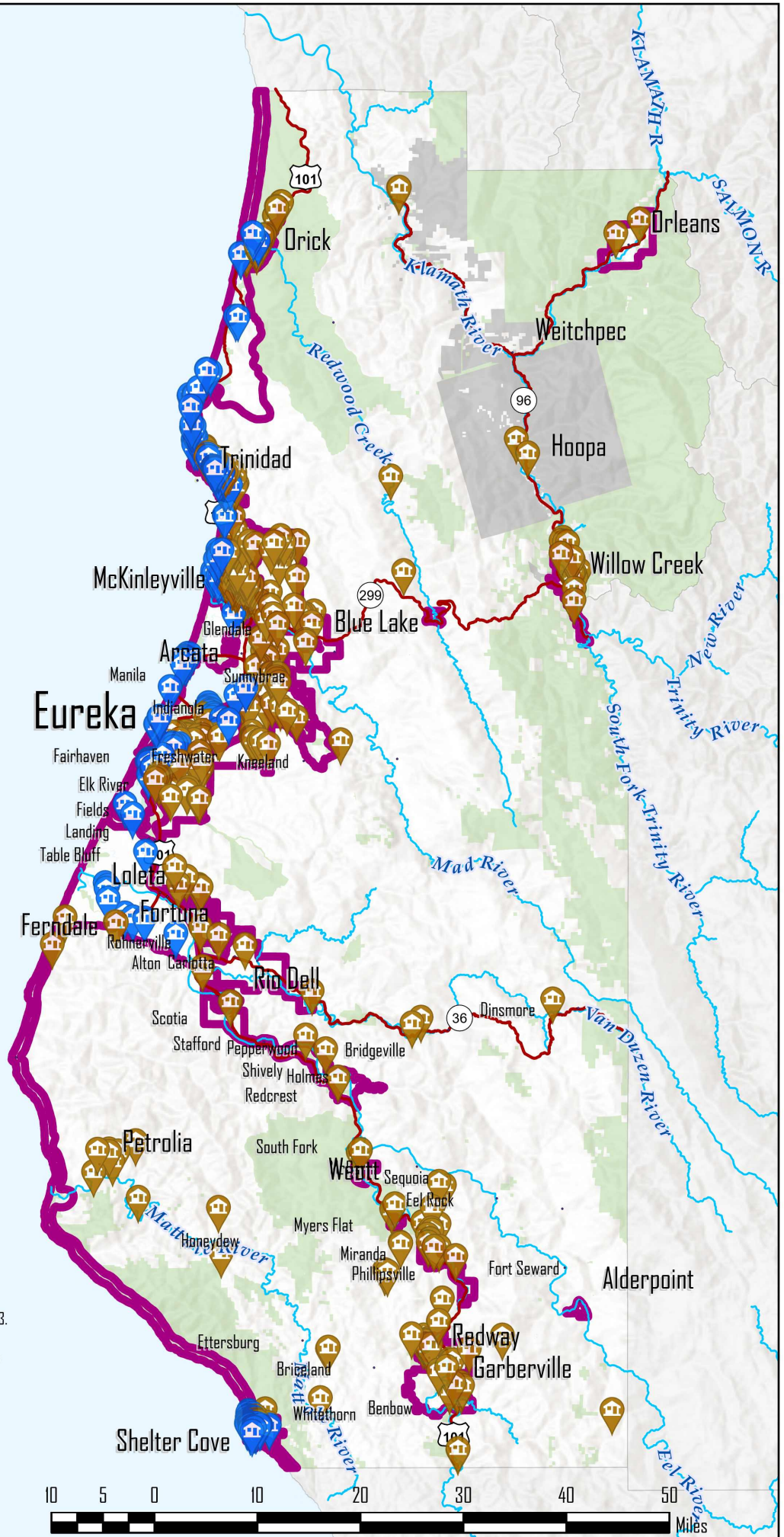
Short Term Rentals

Coastal and Inland Zones

Legend

Location

-  Coastal (237)
-  Inland (370)
-  State HWY
-  Major River or Stream
-  Community Planning Area
-  Public Lands
-  Native American Reservation
-  County Boundary



Pacific Ocean

Cape Mendocino



Humboldt County Planning and Building Department. September 2023.

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Draft Short-term Rental Ordinance Inland 9.15.23

Proposed additions, ~~proposed deletions~~

314-60.05 SHORT-TERM RENTALS

60.05.1 Purpose. The purpose and intent of this Section (the “Short-term Rental Ordinance”) is to protect and promote the public health, safety and welfare, support tourism and economic development, protect housing stock, preserve the quality of neighborhoods, and balance the needs of property owners, tenants, and neighbors.

60.05.2 Applicability. These provisions apply when dwelling units are used as Short-term Rentals.

60.05.3 Allowed Zones. Short-term Rentals may be permitted in zoning districts where residential use is a permitted use subject to these regulations.

60.05.4 Application. In addition to all materials required for a permit pursuant to 312-5.2, a complete application for a Short-term Rental Permit shall include the following:

- A. Current grant deed for the subject parcel.
- 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.
- C. Evidence of property-owner consent if the permit-holder is someone other than the property owner. If the property owner withdraws consent at any time when the permit is active, the permit is immediately revoked.
- D. Haul route, if seeking a Special Permit and the site is accessed via a shared private road system.

60.05.5 Existing Operations. No permits for whole dwelling unit Short-term Rentals shall be issued during the first two (2) months following the effective date of this section but applications from individuals operating existing short-term rentals will be received. Two months after the effective date of this ordinance the department will issue permits for qualifying locations with existing Short-term Rentals. An existing Short-term Rental shall be determined based on evidence of operation prior to the effective date of this ordinance. If the number of permits issued for existing Short-term Rentals exceeds the cap identified in §60.05.10.2.1, then no permits will be issued for new Short-term Rentals until the number of permitted Short-term Rentals in the County falls below the cap.

60.05.6 Permit Requirements.

60.05.6.1 Administrative Permit Required. A Short-term Rental meeting the requirements herein shall be permitted with an Administrative Permit.

60.05.6.2 Special Permit Required. A Short-term Rental seeking exception from standards identified in §60.05.9.1 and §60.05.10.3 may only be allowed upon issuance of a Special Permit.

60.05.6.2.1 Required findings. A Special Permit for a Short-term Rental may be approved only if the following findings are made:

- 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.

60.05.6.2.2 Special Noticing Requirements. In addition to following the procedures identified in §312-8.1 Notice of Application Submittal, notice shall be sent to all owners and occupants of property accessed through shared private road system.

60.05.7 Permit Term for Short-term Rentals. All Short-term Rental Permits shall lapse two years after the effective date of the permit unless the following requirements are met:

- A. The permit holder shall submit a Statement of Continued Operation as provided by the Planning & Building Department; and
- B. There are no outstanding violations associated with the permit.

60.05.8 Violations. Continuous use of a Short-term Rental without resolution of the violation(s) of this section may result in Code Enforcement action, Permit Suspension or Permit Revocation.

60.05.8.1 Suspension or Revocation. Consistent with the procedures in Section 312-14 of the Zoning Ordinance a Short-term Rental permit may be suspended or revoked for violations of the Short-term Rental Ordinance and/or violations of permit terms or conditions.

60.05.9 Home-share Rental. This section applies to Home-share Rentals which are a short-term rental of a portion of a dwelling unit where the caretaker remains in residence.

60.05.9.1 Standards for Home-share Rentals.

60.05.9.1.1 Health and Safety Standards. Exception to Standards C and D may be sought with a Special Permit.

- A. **Building, Fire and Health.**
 - i. Dwellings shall be permitted or legal nonconforming.
 - ii. Fire extinguishers, smoke detectors and carbon monoxide detectors shall be maintained in working order, and information related to all emergency exits shall be provided inside the Dwelling Unit.
- B. **Solid Waste, Recycling and Compost.** Trash, recycled materials, and organic compost shall be appropriately disposed of at least weekly.

- C. Access. The access road shall be built to a Category 3 standard.
- D. Maximum overnight occupancy. Overnight occupancy shall not exceed two per bedroom plus one, excluding children under 12.

60.05.9.1.2 Neighborhood Quality and Public Nuisance Standards. Exception to Standard C may be sought with a Special Permit.

- A. Resident Caretaker. The caretaker shall reside within the dwelling unit and be present when rooms are occupied by guests.
- B. 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.
- C. Parking. Each Short-term Rental shall provide one off-street parking space per rented bedroom. Where legal on-street parking is available, one on-street parking space may count toward the minimum number of parking spaces required.

60.05.10 Short-term Rental. This section applies to short-term rental of whole dwelling units.

60.05.10.1 Short-term Rentals Prohibited. Short-term Rentals are not allowed in dwellings with any of the following limitations:

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.

60.05.10.1.2 SB9 California H.O.M.E. Act. Dwellings on lots approved pursuant to Section 66411.7 of Chapter 1 of Division 2 of Title 7 of the California Government Code (SB 9 – “The California H.O.M.E. Act”) shall not be permitted as Short-term Rentals.

60.05.10.1.3 Accessory Dwelling Unit. ADUs permitted after January 1, 2020, shall not be permitted as Short-term Rentals.

60.05.10.1.4 Alternative Owner Builder. Dwellings permitted pursuant to the Alternative Owner Builder (AOB) provisions of Section 331.5-4 of Division 3 of Title III of Humboldt County Code shall not be permitted as Short-term Rentals.

60.05.10.1.4.1 AOB dwellings may be permitted after-the-fact, pursuant the building code in effect at the time of permit issuance.

60.05.10.2 Short-term Rental Permit Limitations.

60.05.10.2.1 Short-term Rental Cap. The total number of Short-term Rentals shall be limited.

60.05.10.2.1.1 Not more than 2% of the housing stock may be permitted as Short-term Rentals in the Greater Humboldt Bay Area Short-term Rental Cap Area which is comprised of the following Community Plan Areas: Trinidad-Westhaven Community Plan Area [CPA], McKinleyville CPA, Fieldbrook-Glendale CPA, Blue Lake CPA, Arcata CPA, Jacoby Creek CPA, Freshwater CPA, Eureka CPA, Fortuna CPA, Hydesville-Carlotta CPA and the Rio Dell-Scotia CPA.

60.05.10.2.2 **Non-Transferable.** Short-term Rental Permits shall not be transferred between property owners.

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

60.05.10.2.4 **Resource Zone Districts.** Short-term Rentals in Agriculture Exclusive Zone, Agriculture General Zone, Forestry Recreation Zone, and Timberland Production Zone may only be permitted as farm stays.

60.05.10.3 Standards for Short-term Rentals.

60.05.10.3.1 **Health and Safety.** Exception to Standards C and D may be sought with a Special Permit.

A. **Building and Fire.**

- i. Dwellings shall be permitted or legal nonconforming.
- ii. Fire extinguishers, smoke detectors and carbon monoxide detectors shall be maintained in working order, and information related to all emergency exits shall be provided inside the Short-term Rental.

B. **Solid Waste, Recycling and Compost.** Trash, recycled materials, and organic compost shall be appropriately disposed of at least weekly.

C. **Access.** The access road shall be built to a Category 3 standard.

- i. **Road Maintenance Association (RMA).** If a private access road has an established RMA, the permit-holder shall be a member in good standing.

D. **Maximum overnight occupancy.** Overnight occupancy shall not exceed two per bedroom plus one, excluding children under 12.

60.05.10.3.2 **Neighborhood Quality and Public Nuisance.** These provisions apply to parcels that are within a Community Plan Area, parcels that are 10 acres or fewer, and parcels where the Short-term Rental is located within 1,000 of the nearest neighboring residence. Exception to Standards C - G may be sought with a Special Permit.

A. **Good Neighbor Guide.** Prior to the operation of the Short-term Rental, the permit holder shall submit to the Planning and Building Department a signed affidavit certifying the delivery of a Good Neighbor Guide to all neighbors with

dwelling 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 Good Neighbor Guide must contain, at a minimum, the following:

- i. Name and telephone number for a caretaker who shall:
 - a. Respond to all questions or concerns timely.
 - b. Remedy complaints related to health and safety (e.g., gas leak or power outage), as well as any violations of Humboldt County Code timely.
 - ii. Location of the approved parking spaces.
 - iii. Permit standards.
- B. **Lighting.** No direct light shall spill onto adjacent properties or create glare above the property.
- C. **Per Parcel Limit.** One Short-term Rental may be permitted per legal parcel.
- D. **Neighborhood Concentration.** Each Short-term Rental may not exceed the following neighborhood concentration limitations, except within the Shelter Cove Community Plan Area where this standard does not apply.
- i. Parcels with a General Plan density of one (1) or fewer acres per dwelling unit:
 - a. Short-term Rentals shall not exceed 10% of the dwellings on the access road; and
 - b. As the crow flies, the nearest ten (10) dwellings shall not be Short-term Rentals.
 - ii. Parcels with a General Plan density of more than one (1) acre per dwelling unit:
 - a. Short-term Rentals shall not exceed 20% of the dwellings on the access road.
- E. **Private Gatherings and Parties.** Gatherings and parties shall have no more than 20 attendees.
- 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.
- G. **Parking.** Each Short-term Rental shall provide one off-street parking space per rented bedroom. Where legal on-street parking is available, one on-street parking space may count toward the minimum number of parking spaces required.

6.6 RA: RURAL RESIDENTIAL AGRICULTURE

Principal Permitted Uses. The following use types are permitted pursuant to the Development Permit Procedures in Chapter [2](#) of this Division. (Former Section INL#314-20; Added by Ord. [2205](#), Sec. 1, 4/11/00)

314-6.6	RA: RURAL RESIDENTIAL AGRICULTURE
Use Type	Principal Permitted Use
Residential Use Types	Single Family Residential Accessory Dwelling Unit (Amended by Ord. 2167 , Sec. 16, 4/7/98)
Civic Use Types	Minor Utilities
Agricultural Use Types	General Agriculture
Industrial Use Types	Cottage Industry; subject to the Cottage Industry Regulations (Amended by Ord. 2167 , Sec. 16, 4/7/98)
Use Type	Conditionally Permitted Use
Residential Use Types	Guest House
Civic Use Types	Essential Services Community Assembly Public Recreation and Open Space Solid Waste Disposal; subject to the Solid Waste Disposal Regulations Oil and Gas Pipelines; subject to the Oil and Gas Pipeline Regulations Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations Minor Generation and Distribution Facilities
Commercial Use Types	Neighborhood Commercial Bed and Breakfast Establishment; subject to the Bed and Breakfast Establishment Regulations

314-6.6	RA: RURAL RESIDENTIAL AGRICULTURE
	Private Recreation
Agricultural Use Types	Stables and Kennels Intensive Agriculture
Commercial Timber Use Type	Timber Production
Extractive Use Type	Surface Mining - 2; subject to the Surface Mining Regulations
Natural Resource Use Types	Fish and Wildlife Management Watershed Management Wetland Restoration Coastal Access Facilities
Use Types Not Listed in This Table	Any use not specifically enumerated in this division, if it is similar to and compatible with the uses permitted in the RA zone.

314-6.6	RA: RURAL RESIDENTIAL AGRICULTURE
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Development Standards

Minimum Lot Size and Minimum Lot Width

Zone Designation	Minimum Lot Size	Minimum Lot Width
RA-1	1.0 acre	150 feet
RA-2	2.0 acres	175 feet
RA-2.5	2.5 acres	175 feet
RA-5	5.0 acres	250 feet

314-6.6	RA: RURAL RESIDENTIAL AGRICULTURE	
RA-10	10.0 acres	350 feet
RA-20	20.0 acres	475 feet
RA-40	40.0 acres	750 feet
Maximum Lot Depth	Four (4) times the lot width.	
Maximum Density	<p>Either one dwelling unit per lawfully created lot or two dwelling units per lawfully created lot if a Special Permit is secured for a second residential unit.</p> <p>(Amended by Ord. 2167, Sec. 16, 4/7/98)</p>	
Minimum Yard Setbacks*	Minimum Lot Size Less Than 2.5 Acres	Minimum Lot Size 2.5 Acres or Greater
Front	Twenty (20) feet	Twenty (20) feet; Thirty (30) feet for flag lots
Rear	Ten (10) feet	Thirty (30) feet
Interior Side	Five (5) feet	Thirty (30) feet
Exterior Side	Twenty (20) feet	Thirty (30) feet
Flag Lots	The Director, in consultation with the Public Works Department, shall establish the minimum yard that is required for vehicular turn around on the lot.	The Director, in consultation with the Public Works Department, shall establish the minimum yard that is required for vehicular turn around on the lot.
Double Frontage Lots	Front and rear yards shall be twenty (20) feet, except that the rear yard setback may be reduced to ten (10) feet where	Front and rear yards shall be twenty (20) feet, except that the rear yard setback may be reduced to ten (10) feet where

314-6.6	RA: RURAL RESIDENTIAL AGRICULTURE	
	such yard abuts an alley.	such yard abuts an alley.
Maximum Ground Coverage	Thirty-five percent (35%)	
Maximum Structure Height	Thirty-five (35) feet.	
Permitted Main Building Types	Residential Single Detached Limited Mixed Residential - Nonresidential Nonresidential Detached or Multiple/Group	

* **Note:** Setbacks may be modified by other provisions of this Code or State law. For example, see Section [314-22.1](#), “Alquist-Priolo Fault Hazard” and the “Fire Safe” Regulations at Title III, Division 11.

(From Sections CZ#A313-17(A)(1-4); CZ#A313-17(B)(1-7); CZ#A313-17(C)(1-6); Amended by Ord. [2167](#), Sec. 16, 4/7/98) (Ord. 2678, § 4, 7/13/2021; Ord. 2693, § 9, 6/7/2022)

314-9 Mixed Use Zone Districts

9.1 MU1: MIXED USE (URBAN)

The purpose of the Mixed Use (Urban) or MU1 Zone is to provide for pedestrian-oriented, mixed use development (commercial, office, and higher density residential). The permitted uses and other regulations may be modified through community specific planning by the application of the appropriate Special Area Combining Zone, such as a D – Design Control or Q – Qualified Combining Zone.

314-9.1	MU1: MIXED USE (URBAN)
Use Type	Principal Permitted Use
Residential Use Types	Two (2) Family Dwellings and Multiple Dwellings and Dwelling Groups Single-Family Residential Accessory Dwelling Unit Guest House Emergency Shelter
Commercial Use Types	Neighborhood Commercial Retail Sales and Retail Services

314-9.1	MU1: MIXED USE (URBAN)
	<p>Transient Habitation</p> <p>Office and Professional Service</p> <p>Bed and Breakfast Establishment; Subject to the Bed and Breakfast Establishment Regulations</p> <p>Commercial and Private Recreation</p>
Civic Use Types	<p>Minor Utilities</p> <p>Essential Services Conducted Entirely Within an Enclosed Building</p> <p>Community Assembly</p> <p>Public and Parochial Parks, Playgrounds and Playing Fields</p> <p>Noncommercial Recreation</p>
Industrial Use Types	Cottage Industry; Subject to the Cottage Industry Regulations
Use Type	Conditionally Permitted Use
Civic Use Types	<p>Public Recreation and Open Space</p> <p>Minor Generation and Distribution Facilities</p>
Natural Resource Use Types	<p>Fish and Wildlife Management</p> <p>Watershed Management</p> <p>Wetland Restoration</p> <p>Coastal Access Facilities</p>
Use Types Not Listed in This Table	Any use not specifically enumerated in this division, if it is similar to and compatible with the uses permitted in the MU zone.
Development Standards	
Minimum Lot Area	Two thousand (2,000) square feet.

314-9.1	MU1: MIXED USE (URBAN)
Minimum Lot Width	Twenty-five feet (25').
Minimum Yard Setbacks*	
Front	None, except that where frontage is in a block which is partially in a residential zone (RS, R-1, R-2, R-3, R-4) the front yard shall be the same as that required in such residential zone.
Rear	Fifteen feet (15'), except that where a rear yard abuts on an alley, such rear yard may be not less than five feet (5').
Side	None, except that a side yard of an interior lot abutting on a residential zone (RS, R-1, R-2, R-3, R-4) or agricultural zone (AE, AG) shall be not less than the front yard required in such residential zone or agricultural zone.
Maximum Ground Coverage	One hundred percent (100%).
Maximum Structure Height	Seventy-five feet (75').

* **Note:** Setbacks may be modified by other provisions of this Code or State law. For example, see Section [314-22.1](#), “Alquist-Priolo Fault Hazard” and the “Fire Safe” Regulations at Title III, Division 11.

9.2 MU2: MIXED USE (RURAL)

The purpose of the Mixed Use (Rural) or MU2 Zone is to provide for small-scale mixed use development (commercial, office, and residential) for smaller population bases. The permitted uses and other regulations may be modified through community specific planning by the application of the appropriate Special Area Combining Zone, such as a D – Design Control or Q – Qualified Combining Zone.

314-9.2	MU2: MIXED USE (RURAL)
Use Type	Principal Permitted Use
Residential Use Types	Two (2) Family Dwellings Single-Family Residential Accessory Dwelling Unit

314-9.2	MU2: MIXED USE (RURAL)
	<p>Guest House</p> <p>Emergency Shelter</p>
Commercial Use Types	<p>Neighborhood Commercial</p> <p>Retail Sales and Retail Services</p> <p>Office and Professional Service</p> <p>Bed and Breakfast Establishment; Subject to the Bed and Breakfast Establishment Regulations</p> <p>Commercial and Private Recreation</p>
Civic Use Types	<p>Minor Utilities</p> <p>Essential Services Conducted Entirely Within an Enclosed Building</p> <p>Community Assembly</p> <p>Public and Parochial Parks, Playgrounds and Playing Fields</p> <p>Noncommercial Recreation</p>
Industrial Use Types	Cottage Industry; Subject to the Cottage Industry Regulations
Agricultural Use Types	General Agriculture
Use Type	Conditionally Permitted Use
Residential Use Types	<p>Multiple Dwellings Containing Four (4) or Fewer Units per Building</p> <p>Manufactured Home Parks</p>
Commercial Use Types	<p>Heavy Commercial</p> <p>Transient Habitation</p>
Civic Use Types	<p>Public Recreation and Open Space</p> <p>Minor Generation and Distribution Facilities</p>

314-9.2	MU2: MIXED USE (RURAL)
Natural Resource Use Types	Fish and Wildlife Management Watershed Management Wetland Restoration Coastal Access Facilities
Use Types Not Listed in This Table	Any use not specifically enumerated in this division, if it is similar to and compatible with the uses permitted in the MU zone.
Development Standards	
Minimum Lot Area	Five thousand (5,000) square feet.
Minimum Lot Width	Fifty feet (50').
Minimum Yard Setbacks*	
Front	Fifteen feet (15').
Rear	Ten feet (10').
Interior Side	Five feet (5').
Exterior Side	Same as front or one-half (1/2) the front if all parts of the main building are more than twenty-five feet (25') from the rear lot line, and the exterior side yard does not abut a collector or higher order street. (In questionable cases, the Public Works Director shall classify the subject street.)
Maximum Ground Coverage	Fifty percent (50%).
Maximum Building Height	Fifty feet (50').

* **Note:** Setbacks may be modified by other provisions of this Code or State law. For example, see Section [314-22.1](#), “Alquist-Priolo Fault Hazard” and the “Fire Safe” Regulations at Title III, Division 11.

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314-37 "V" Combining Zone Designations

~~37.1 V VACATION HOME RENTAL~~

~~37.1.1 Purpose. The purpose of these regulations is to increase and enhance coastal public access, access to other County visitor serving facilities, to preserve the residential character of neighborhoods by controlling and regulating transient uses which may be incompatible with the character of the neighborhood. (Former Section INL#315-10(A); Added by Ord. 2154, Sec. 2, 12/9/97)~~

~~37.1.2 Applicability. These regulations shall apply to all lands designated "V" on the zoning maps. (Former Section INL#315-10(B); Added by Ord. 2154, Sec. 2, 12/9/97)~~

~~37.1.3 Principally Permitted Uses. The following uses may be permitted upon obtaining a Special Permit on all lands designated with the "V" or Vacation Home Rental Combining Zone:~~

~~37.1.3.1 Vacation Home Rentals as defined in Section C: Index of Definitions of Language and Legal Terms. (Former Section INL#315-10(C)(1); Added by Ord. 2154, Sec. 2, 12/9/97)~~

~~37.1.4 Performance Standards. All vacation home rentals are subject to the following performance standards:~~

~~37.1.4.1 Compliance with residential parking standards as required by Section 314-109.1 of this code; (Former Section INL#315-10(D)(1); Added by Ord. 2154, Sec. 2, 12/9/97)~~

~~37.1.4.2 The number of occupants shall not exceed ten (10) persons. (Former Section INL#315-10(D)(2); Added by Ord. 2154, Sec. 2, 12/9/97)~~

~~37.1.4.3 Availability of the rental unit to the public shall not be advertised on site; (Former Section INL#315-10(D)(3); Added by Ord. 2154, Sec. 2, 12/9/97)~~

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The Humboldt County Code is current through Ordinance 2667, passed February 9, 2021.

~~37.1.4.4 Owners of rental units must provide the name, address and telephone number of a contact person for the unit to all occupied residences within a 300 foot radius of the rental unit. The notice shall be mailed to property owners prior to renting the unit and thereafter as contact information changes. An owner of a rental unit who does not reside in a five-mile radius of the residence being rented, shall designate a person within a 5-mile radius of the rental unit, as the local contact person. The owner or contact person must be available 24 hours a day to respond to tenant and neighborhood questions or concerns and to otherwise be responsible for assuring that the rental unit complies with the requirements of this Section and other applicable provisions of the code; (Former Section INL#315-10(D)(4); Added by Ord. 2154, Sec. 2, 12/9/97)~~

~~37.1.4.5 Prior to commencing vacation home rentals, the applicant shall obtain a Business license from the Humboldt County Tax Collector. The owner/Operator shall collect and remit to the Humboldt County Tax Collector the transient occupancy tax; (Former Section INL#315-10(D)(5); Added by Ord. 2154, Sec. 2, 12/9/97)~~

~~37.1.4.6 It is the responsibility of the property owner to ensure that trash will be disposed of (picked up) on a weekly basis. (Former Section INL#315-10(D)(6); Added by Ord. 2154, Sec. 2, 12/9/97)~~

~~37.1.4.7 Compliance with the requirements of this Section shall be considered conditions of approval. Noncompliance will constitute a nuisance subject to administrative penalties and revocation of the business license. (Former Section INL#315-10(D)(7); Added by Ord. 2154, Sec. 2, 12/9/97)~~

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~~314-44.1 BED AND BREAKFAST ESTABLISHMENTS~~

~~44.1.1 Applicability. Bed and Breakfast Inns as a cottage industry may be permitted in all those zones which allow cottage industries, as well as R-2, R-3, and R-4 zones, upon the issuance of a Special Permit. (Former Section INL#316.3-5(a); Added by Ord. 1876, Sec. 10, 9/26/89; Amended by Ord. 2166, Sec. 30, 4/7/98)~~

~~44.1.2 Occupancy Standards.~~

~~44.1.2.1A maximum of four (4) guest bedrooms or eight (8) guests at one time shall be permitted by a Bed and Breakfast establishment. (Former Section INL#316.3-5(b)(1); Added by Ord. 1876, Sec. 10, 9/26/89)~~

~~44.1.2.2The owner/operator shall reside on the premises. (Former Section INL#316.3-5(b)(2); Added by Ord. 1876, Sec. 10, 9/26/89)~~

~~44.1.2.3Any rooms used for rooming or boarding shall be included in the total number of permitted guest rooms. (Former Section INL#316.3-5(b)(3); Added by Ord. 1876, Sec. 10, 9/26/89)~~

~~44.1.2.4The guest rooms shall not include kitchen facilities. (Former Section INL#316.3-5(b)(4); Added by Ord. 1876, Sec. 10, 9/26/89)~~

~~44.1.3 Provisions for Meals. Meals shall only be served to overnight guests of the establishment. (Former Section INL#316.3-5(c)(1); Added by Ord. 1876, Sec. 10, 9/26/89)~~

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314-55.4.10.7 Cannabis Farm Stays. Cannabis farm stays may be permitted in conjunction with a cannabis cultivation permit on properties in conformance with the public accommodation performance standards with a special permit as specified in Section [314-44.1](#) applicable to bed and breakfast establishments. as specified in Section 314-60.05 of the Zoning Ordinance (“Short-term Rentals”).

...

314-138 Definitions (C).

Cannabis Farm Stay. See, [Farm Stay](#)

314-141 DEFINITIONS (F).

Farm Stay. Farm stays are a form of Short-term Rental that provides activities and experiences that educate guests about local agriculture and are located on parcels where the primary use of the land is

agriculture.

...

314-143 Definitions (H)

Home-share Rental. Short-term Rental of a portion of a dwelling unit where the caretaker remains in residence.

314-153 Definitions (R)

Recreation:

a. *Recreation Commercial.* Recreation facilities open to the general public for a fee, or, if restricted to members when operated for profit as a business. (Former Section INL#312-60(a); Ord. [542](#), Sec. 2, 2/8/66; Amended by Ord. [1741](#), Sec. 1, 7/8/86)

b. *Recreation, Private, Noncommercial.* Clubs or recreation facilities operated by a non-profit organization and open only to bona fide members of such non-profit organization and their guests. (Former Section INL#312-60(b); Ord. [542](#), Sec. 2, 2/8/66; Amended by Ord. [1741](#), Sec. 1, 7/8/86)

c. *Recreational Accommodations.* Transient and tourist-related habitation that support on-site recreation activities such as dude ranches, ski lodges, health spas, ~~bed and breakfast inns~~, transient habitation and other similar accommodations that provide recreational related lodging to guests. (Former Section INL#312-60(c); Ord. [542](#), Sec. 2, 2/8/66; Amended by Ord. [1741](#), Sec. 1, 7/8/86)

...

314-154 DEFINITIONS (S).

Short-term Rental. Permitted or legal non-conforming dwelling units, rented to guests for 30 consecutive days or fewer.

Short-term Rental Caretaker. The person or persons that lives in the subject dwelling unit attends to day-to-day operations associated with the maintenance of the Short-term Rental and who is the point of contact for neighborhood concerns.

Short-term Rental Permit Holder (“Permit Holder”). The person or persons that has control and responsibility for the Short-term Rental of a dwelling unit and that is responsible for ensuring compliance with all applicable laws and regulations.

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314-157

Definitions (V)

~~Vacation Home Rental: Vacation Home Rental includes the transient use of single and two family (duplex) dwelling units. Vacation home rentals are subject to the provisions in Section 314-22.2, Greenway and Open Space Combining Zone. (Former Section INL#312-75.5; Added by Ord. 2154, Sec. 1, 12/9/97)~~

...

163.1.3 Commercial Use Types. Automotive Sales, Service and Repair (allowed in C-3)

~~Bed and Breakfast Establishment (allowed in RA)~~

Heavy Commercial (allowed in C-3)

Neighborhood Commercial (allowed in C-3, RA)

Office and Professional Service (allowed in C-3, MB)

Private Recreation (allowed in RA)

Retail Sales (allowed in C-3, MB)

Retail Service (allowed in C-3, MB)

Transient Habitation (allowed in MB)

Warehousing, Storage and Distribution (allowed in C-3, MB)

...

~~172.2 BED AND BREAKFAST ESTABLISHMENT~~

~~172.2.1 The Bed and Breakfast Establishment Use Type refers to a residential structure with one family in permanent residence where a maximum of four (4) bedrooms without individual cooking facilities are rented for overnight lodging, and where at least one meal daily is provided. (From Section CZ#A313-7(K); Added to INL by Ord. 2205, Sec. 1, 4/11/00)~~

~~172.2.2 This use type does not include "hotels and motels" which are included in the Transient Habitation Use Type; nor does this use type include rooming and boarding houses which are included under the Group Residential Use Type. (From Section CZ#A313-7(K); Added to INL by Ord. 2205, Sec. 1, 4/11/00)~~

177.6 SINGLE FAMILY RESIDENTIAL

The Single Family Residential Use Type includes the residential occupancy of a single detached main building by one family on a non-transient basis, ~~except for rental of single family dwellings as vacation homes, where the use would not be otherwise different than the uses allowed to be made of single family dwellings. (See also, Vacation Home Rental)~~ and accessory uses necessarily and customarily associated with residential use. (From Section CZ#A313-5(B); Added to INL by Ord. [2205](#), Sec. 1, 4/11/00)

Draft Short-term Rental Ordinance_Coastal 9.15.23

Proposed additions, ~~proposed deletions~~

313-61.05 SHORT-TERM RENTALS

61.05.1 Purpose. The purpose and intent of this Section (the “Short-term Rental Ordinance”) is to protect and promote the public health, safety and welfare, protect and maintain the overall quality of the coastal zone environment and its natural and human made resources, assure orderly, balanced utilization and conservation of coastal zone resources, maximize public access to and along the coast, support tourism and economic development, minimize the loss of housing stock available to long-term renters, preserve the quality of neighborhoods, and balance the needs and rights of property owners, tenants, and neighbors.

61.05.2 Applicability. These provisions apply when dwelling units are used as Short-term Rentals.

61.05.3 Allowed Zones. Short-term Rentals may be permitted in zoning districts where residential use is a permitted use subject to these regulations.

61.05.4 Application. In addition to all materials required for a permit pursuant to 312-5.2, a complete application for a Short-term Rental Permit shall include the following:

- A. Current grant deed for the subject parcel.
- 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.
- C. Evidence of property-owner consent if the permit-holder is someone other than the property owner.
- D. Haul route, if seeking a Special Permit and the site is accessed via a shared private road system.

61.05.5 Existing Operations. No permits for whole dwelling unit Short-term Rentals shall be issued during the first two (2) months following the effective date of this section but applications from individuals operating existing short-term rentals will be received. Two months after the effective date of this ordinance the department will issue permits for qualifying locations with existing Short-term Rentals. An existing Short-term Rental shall be determined based on evidence of operation prior to the effective date of this ordinance. If the number of permits issued for existing Short-term Rentals exceeds the cap identified in §61.05.10.2.1, then no permits will be issued for new Short-term Rentals until the number of permitted Short-term Rentals in the County falls below the cap.

61.05.6. Permit Requirements.

61.05.6.1 Administrative Permit Required. A Short-term Rental meeting the requirements herein shall be permitted with an Administrative Permit.

61.05.6.2 **Special Permit Required.** A Short-term Rental seeking exception from standards identified in §61.05.9.1 and §61.05.10.3 may only be allowed upon issuance of a Special Permit.

61.05.6.2.1 **Required findings.** A Special Permit for a Short-term Rental may be approved only if the following findings are made:

- 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.

61.05.6.2.2 **Special Noticing Requirements.** In addition to following the procedures identified in §312-8.1 Notice of Application Submittal, notice shall be sent to all owners and occupants of property accessed through shared private road system.

6.05.6.3 **Conditional Use Permit Required.** Whole dwelling unit Short-term Rentals within the Tsunami Hazard Zone of the Humboldt Bay Area Plan may only be allowed upon the issuance of a Conditional Use Permit.

61.05.6.3.1 **Required Findings.** A Conditional Use Permit for Short-term Rental may be approved only if the following findings are made:

- A. The Short-term Rental would not adversely impact the health, safety, and welfare of the community; and
- B. The Short-term Rental would not adversely affect the quality of the neighborhood.

60.05.7 **Permit Term for Short-term Rentals.** All Short-term Rental Permits shall lapse two years after the effective date of the permit unless the following requirements are met:

- A. The permit holder shall submit a Statement of Continued Operation as provided by the Planning & Building Department; and
- B. There are no outstanding violations associated with the permit.

60.05.8 **Violations.** Continuous use of a Short-term Rental without resolution of violation(s) of this section may result in Code Enforcement action, Permit Suspension or Permit Revocation.

60.05.8.1 **Suspension or Revocation.** Consistent with the procedures in Section 312-14 of the Zoning Ordinance a Short-term Rental permit may be suspended or revoked for violations of the Short-term Rental Ordinance and/or violations of permit terms or conditions.

61.05.9 **Home-share Rental.** This section applies to Home-share Rentals which are a short-term rental of a portion of a dwelling unit where the caretaker remains in residence.

61.05.9.1 Standards for Home-share Rentals.

61.05.9.1.1 Health and Safety Standards. Exception to Standards C and D may be sought with a Special Permit.

- A. **Building, Fire and Health.**
 - i. Dwellings shall be permitted or legal nonconforming.
 - ii. Fire extinguishers, smoke detectors and carbon monoxide detectors shall be maintained in working order, and information related to all emergency exits shall be provided inside the Dwelling Unit.
- B. **Solid Waste, Recycling and Compost.** Trash, recycled materials, and organic compost shall be appropriately disposed of at least weekly.
- C. **Access.** The access road shall be built to a Category 3 standard.
- D. **Maximum overnight occupancy.** Overnight occupancy shall not exceed two per bedroom plus one, excluding children under 12.

61.05.9.1.2 Neighborhood Quality and Public Nuisance Standards. Exception to Standard C may be sought with a Special Permit.

- A. **Resident Caretaker.** The caretaker shall reside within the dwelling unit and be present when rooms are occupied by guests.
- B. **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.
- C. **Parking.** Each Short-term Rental shall provide one off-street parking space per rented bedroom. Where legal on-street parking is available, one on-street parking space may count toward the minimum number of parking spaces required.

61.05.10 Short-term Rental. This section applies to short-term rental of whole dwelling units.

61.05.10.1 Short-term Rentals Prohibited. Short-term Rentals are not allowed in dwellings with any of the following limitations:

61.05.10.1.1 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.

61.05.10.1.2 SB9 California H.O.M.E. Act. Dwellings on lots approved pursuant to Section 66411.7 of Chapter 1 of Division 2 of Title 7 of the California Government Code (SB 9 –

“The California H.O.M.E. Act”) shall not be permitted as Short-term Rentals.

61.05.10.1.3 **Accessory Dwelling Unit.** ADUs permitted after January 1, 2020, shall not be permitted as Short-term Rentals.

61.05.10.1.4 **Alternative Owner Builder.** Dwellings permitted pursuant to the Alternative Owner Builder (AOB) provisions of Section 331.5-4 of Division 3 of Title III of Humboldt County Code shall not be permitted as Short-term Rentals.

61.05.10.1.4.1 AOB dwellings may be permitted after-the-fact, pursuant the building code in effect at the time of permit issuance.

61.05.10.2 **Short-term Rental Permit Limitations.**

61.05.10.2.1 **Short-term Rental Cap.** Not more than 2% of the housing stock may be permitted as Short-term Rentals in the Coastal Greater Humboldt Bay Area Short-term Rental Cap Area which is comprised of the following Community Plan Areas: Trinidad Area Plan [AP], McKinleyville AP, Humboldt Bay AP and the Eel River AP.

61.05.10.2.2 **Non-Transferable.** Short-term Rental Permits shall not be transferred between property owners.

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

61.05.10.2.4 **Resource Zone Districts.** Short-term Rentals in Agriculture Exclusive Zone, Commercial Timberland Zone, and Timberland Production Zone may only be permitted as farm stays.

61.05.10.3 **Standards for Short-term Rentals.**

61.05.10.3.1 **Health and Safety.** Exception to Standards C and D may be sought with a Special Permit.

A. **Building and Fire.**

- i. Dwellings shall be permitted or legal nonconforming.
- ii. Fire extinguishers, smoke detectors and carbon monoxide detectors shall be maintained in working order, and information related to all emergency exits shall be provided inside the Short-term Rental.

B. **Solid Waste, Recycling and Compost.** Trash, recycled materials, and organic compost shall be appropriately disposed of at least weekly.

C. **Access.** The access road shall be built to a Category 3 standard.

- i. **Road Maintenance Association (RMA).** If a private access road has an established RMA, the permit-holder shall be a member in good standing.

- D. **Maximum overnight occupancy.** Overnight occupancy shall not exceed two per bedroom plus one, excluding children under 12.

61.05.10.3.2 Neighborhood Quality and Public Nuisance. These provisions apply to parcels that are within the Trinidad AP, McKinleyville AP, Humboldt Bay AP and the Eel River AP, parcels that are 10 acres or fewer, and parcels where the Short-term Rental is located within 1,000 of the nearest neighboring residence. Exception to Standards C - G may be sought with a Special Permit.

- A. **Good Neighbor Guide.** Prior to the operation of the Short-term Rental, the permit holder shall submit to the Planning and Building Department a signed affidavit certifying the delivery of a Good Neighbor 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 Good Neighbor Guide must contain, at a minimum, the following:
- i. Name and telephone number for a caretaker who shall:
 - a. Respond to all questions or concerns timely.
 - b. Remedy complaints related to health and safety (e.g., gas leak or power outage), as well as any violations of Humboldt County Code timely.
 - ii. Location of the approved parking spaces.
 - iii. Permit standards.
- B. **Lighting.** No direct light shall spill onto adjacent properties or create glare above the property.
- C. **Per Parcel Limit.** One Short-term Rental may be permitted per legal parcel.
- D. **Neighborhood Concentration.** Each Short-term Rental may not exceed the following neighborhood concentration limitations, except within the Shelter Cove Community Plan Area where this standard does not apply.
- i. Parcels with a Coastal Area Plan density of one (1) or fewer acres per dwelling unit:
 - a. Short-term Rentals shall not exceed 10% of the dwellings on the access road; and
 - b. As the crow flies, the nearest ten (10) dwellings shall not be Short-term Rentals.
 - ii. Parcels with a Coastal Area Plan density of more than one (1) acre per dwelling unit:

- a. Short-term Rentals shall not exceed 20% of the dwellings on the access road.
- E. **Private Gatherings and Parties.** Gatherings and parties shall have no more than 20 attendees.
- 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.
- G. **Parking.** Each Short-term Rental shall provide one off-street parking space per rented bedroom. Where legal on-street parking is available, one on-street parking space may count toward the minimum number of parking spaces required.

313-6 Residential Zone Districts

313-6.1	RS: Residential Single Family
	Principal Permitted Use
	Residential Single Family Principal Permitted Use (See Section 313-163.1.9 for description)
Use Type	Conditionally Permitted Use
Residential Use Types	Manufactured Home Park; subject to the Manufactured Home Park Regulations Guest House
Civic Use Types	Essential Services Community Assembly Public Recreation and Open Space Oil and Gas Pipelines; subject to the Oil and Gas Pipelines Regulations Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations Minor Generation and Distribution Facilities
Commercial Use Types	Bed and Breakfast Establishments; subject to the Bed and Breakfast Establishment Regulations Neighborhood Commercial Private Institution Private Recreation
Commercial Timber Use Type	Timber Production

313-6.1	RS: Residential Single Family
Industrial Use Types*	Cottage Industry; subject to the Cottage Industry Regulations
Extractive Use Type	Surface Mining - 2; subject to the Surface Mining Regulations
Natural Resource Use Type	Fish and Wildlife Management Watershed Management Wetland Restoration Coastal Access Facilities
Use Types Not Listed in This Table**	Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the RS zone.

* See, Industrial Performance Standards, Section [313-103.1](#).

** See, "Classifying Uses Not Specifically Mentioned in Use Type Descriptions," Section [313-165](#).

(Former Section CZ#A313-16(A-C); amended by Ord. [1853](#), 12/20/88; amended by Ord. [2167](#), Sec. 13, 4/7/98; amended by Ord. [2367A](#), 7/25/06)

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313-6.2	RM: Residential Multi-Family
	Principal Permitted Use
	Residential Multi Family Principal Permitted Use (See Section 313-163.1.9 for description)

313-6.2	RM: Residential Multi-Family
Use Type	Conditionally Permitted Use
Residential Use Types	<p>Single Family Residential where it can be shown that the property could be developed in the future with multifamily dwellings. The Hearing Officer may require submittal of a development plan which shows how the multifamily dwelling units could be sited on the property in conformance with County requirements.</p> <p>Manufactured Home Parks; subject to the Manufactured Home Park Regulations</p>
Civic Use Types	<p>Essential Services</p> <p>Community Assembly</p> <p>Non-Assembly Cultural</p> <p>Public Recreation and Open Space</p> <p>Oil and Gas Pipelines; subject to the Oil and Gas Pipelines Regulations</p> <p>Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations</p>
Commercial Use Types	<p>Bed and Breakfast Establishments; subject to the Bed and Breakfast Establishment Regulations</p> <p>Transient Habitation</p> <p>Private Recreation</p> <p>Neighborhood Commercial</p> <p>Office and Professional Service</p> <p>Private Institution</p>

313-6.2	RM: Residential Multi-Family
Commercial Timber Use Type	Timber Production
Natural Resource Use Type	Fish and Wildlife Management Watershed Management Wetland Restoration Coastal Access Facilities
Use Types Not Listed in This Table**	Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the RM zone.
Development Standards	
Minimum Lot Size	5,000 square feet.
Minimum Lot Width	Fifty feet (50').
Maximum Lot Depth	Three (3) times the lot width.
Maximum Density	The maximum density as specified on the adopted zoning maps. A minimum of one dwelling unit (1du) per lawfully created lot is permitted, even if the specified maximum dwelling unit density is exceeded, if it meets all other development standards. The maximum density shall be calculated as the total number of dwelling units divided by the total area within the lot and within one-half of any adjacent street.

** See, "Classifying Uses Not Specifically Mentioned in Use Type Descriptions," Section [313-165](#).

(Former Section CZ#A313-14(A-C); amended by Ord. [2167](#), Sec. 13, 4/7/98 ; amended by Ord. [2367A](#), 7/25/06)

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313-6.3	R2: Mixed Residential
	Principal Permitted Use
	Mixed Residential Principal Permitted Use (See Section 313-163.1.9 for description)
Use Type	Conditionally Permitted Use
Residential Use Types	<p>Manufactured Home Park; subject to the Manufactured Home Park Regulations</p> <p>Guest House</p>
Civic Use Types	<p>Essential Services</p> <p>Community Assembly</p> <p>Public Recreation and Open Space</p> <p>Oil and Gas Pipelines; subject to the Oil and Gas Pipelines Regulations</p> <p>Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations</p> <p>Minor Generation and Distribution Facilities</p>
Commercial Use Types	<p>Bed and Breakfast Establishments; subject to the Bed and Breakfast Establishment Regulations</p> <p>Neighborhood Commercial</p> <p>Private Institution</p> <p>Private Recreation</p>

313-6.3	R2: Mixed Residential
Commercial Timber Use Type	Timber Production
Industrial Use Types*	Cottage Industry; subject to the Cottage Industry Regulations
Extractive Use Type	Surface Mining - 2; subject to the Surface Mining Regulations
Natural Resource Use Type	Fish and Wildlife Management Watershed Management Wetland Restoration Coastal Access Facilities
Use Types Not Listed in This Table**	Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the R2 zone.

* See, Industrial Performance Standards, Section [313-103.1](#).

** See, "Classifying Uses Not Specifically Mentioned in Use Type Descriptions," Section [313-165](#).

(Former Section CZ#A313-15(A)(1-2); amended by Ord. [1853](#), 12/20/88; amended by Ord. [1875](#), Sec. 2, 9/26/89 amended by Ord. [2167](#), Sec. 16, 4/7/98, amended by Ord. [2367A](#), 7/25/06)

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313-6.4	RA: Rural Residential Agriculture
	Principal Permitted Use
	Rural Residential Agriculture Principal Permitted

313-6.4	RA: Rural Residential Agriculture
	Use (See Section 313-163.1.9 for description)
Use Type	Conditionally Permitted Use
Residential Use Types	Guest House
Civic Use Types	Essential Services Community Assembly Public Recreation and Open Space Solid Waste Disposal; subject to the Solid Waste Disposal Regulations Oil and Gas Pipelines; subject to the Oil and Gas Pipeline Regulations Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations Minor Generation and Distribution Facilities
Commercial Use Types	Neighborhood Commercial Bed and Breakfast Establishment; subject to the Bed and Breakfast Establishment Regulations Private Recreation
Industrial Use Types*	Cottage Industry; subject to the Cottage Industry Regulations
Agricultural Use Types	Stables and Kennels Intensive Agriculture

313-6.4	RA: Rural Residential Agriculture
Commercial Timber Use Type	Timber Production
Extractive Use Type	Surface Mining - 2; subject to the Surface Mining Regulations
Natural Resource Use Types	Fish and Wildlife Management Watershed Management Wetland Restoration Coastal Access Facilities
Use Types Not Listed in This Table**	Any use not specifically enumerated in this Division, if it is similar to and compatible with the uses permitted in the RA zone.

* See, Industrial Performance Standards, Section [313-103.1](#).

** See, "Classifying Uses Not Specifically Mentioned in Use Type Descriptions," Section [313-165](#).

(Former Section CZ#A313-17(A-C); amended by Ord. [1853](#), 12/20/88, amended by Ord. [2167](#), Sec. 16, 4/7/98, amended by Ord. [2367A](#), 7/25/06)

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313-44

~~44.1 BED AND BREAKFAST ESTABLISHMENTS~~

~~44.1.1 **Purpose.** The purpose of these regulations is to establish standards to ensure compatibility of these commercial lodging establishments with the residential character of the surrounding neighborhoods. (Former Section CZ#A314-4(A))~~

~~44.1.2 **Applicability.** These regulations shall apply in all zones in which the Bed and Breakfast use type is permitted. (Former Section CZ#A314-4(B))~~

~~44.1.3 **Occupancy Standards.** A maximum of four (4) guest bedrooms or eight (8) guests at one time shall be provided by a Bed and Breakfast Establishment. The owner/operator shall reside on the premises. The~~

calculation of total permitted guest rooms shall include any rooms used for rooming or boarding. The guest rooms shall not include kitchen facilities. (Former Section CZ#A314-4(C))

~~44.1.4 **Provision of Meals for Guests.** Meals shall not be provided to other than guests of the establishment. (Former Section CZ#A314-4(D))~~

~~44.1.5 **Signs.** One sign is permitted advertising the Bed and Breakfast establishment. Notwithstanding any other provision of this Code, such sign shall not exceed four square feet (4sf) in the aggregate, shall be non-moving, and shall have, if any, only illumination which is indirect and non-flashing and shielded to prevent illumination off-site. (Former Section CZ#A314-4(E))~~

~~44.1.6 **Required Findings.** A Bed and Breakfast Establishment may be approved only if the applicable Commercial Use findings Chapter 2: Procedures, Supplemental Findings ([312-2.19](#)), are made. (Former Section CZ#A314-4(F))~~

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313-50.1.4 **Exclusions.** The following activities shall not in any case qualify as a “home occupation:” (Former Section CZ#A314-17(D)(13))

50.1.4.1 Teaching of organized classes totaling more than six (6) persons at one time. (The total number is applicable to the aggregate of all home occupations in the dwelling if more than one (1) home occupation exists); (Former Section CZ#A314-17(D)(1))

50.1.4.2 ~~Bed and Breakfast Inns; (Former Section CZ#A314-17(D)(2))~~ Short-term Rentals;

50.1.4.3 Care, treatment, boarding or breeding of animals for profit; (Former Section CZ#A314-17(D)(3))

50.1.4.4 Operation of a barbershop; (Former Section CZ#A314-17(D)(4))

50.1.4.5 Operation of food handling, processing or packing; (Former Section CZ#A314-17(D)(5))

50.1.4.6 Operation of an eating or drinking establishment or licensed premises; (Former Section CZ#A314-17(D)(6))

50.1.4.7 Operation of an antique shop or similar retail use; (Former Section CZ#A314-17(D)(7))

50.1.4.8 Operation of hospitals or sanitariums; (Former Section CZ#A314-17(D)(8))

50.1.4.9 Auto or other motor vehicle repair shop, junk or secondhand merchandise yard storage. (Former Section CZ#A314-17(D)(9))

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~~313-55.4.10.6 **Cannabis Bed and Breakfast Use.** Cannabis bed and breakfasts may be permitted in conjunction with a cannabis cultivation permit on RA-zoned properties in conformance with the public accommodation performance standards with a coastal development permit and a use permit when~~

meeting all the requirements specified in Section 313-44.1 applicable to bed and breakfast establishments. **Cannabis Farm Stays.** Cannabis farm stays may be permitted in conjunction with a cannabis cultivation permit on properties in conformance with the public accommodation performance standards in Section 313-61.05 of the Zoning Ordinance (“Short-term Rentals”).

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313-137 Definitions (B)

Bed and Breakfast Establishments: (See, Commercial Use Types in Section D: Use Types.)

313-138 Definitions (C).

Cannabis Farm Stay. See, Farm Stay

...

313-141 DEFINITIONS (F).

Farm Stay. Farm stays are a form of Short-term Rental that provides activities and experiences that educate guests about local agriculture and are located on parcels where the primary use of the land is agriculture.

...

313-143 Definitions (H)

Home-share Rental. Short-term Rental of a portion of a dwelling unit where the caretaker remains in residence.

...

313-154 DEFINITIONS (S).

Short-term Rental. Permitted or legal non-conforming dwelling units, rented to guests for 30 consecutive days or fewer.

Short-term Rental Caretaker. The person or persons that lives in the subject dwelling unit attends to day-to-day operations associated with the maintenance of the Short-term Rental and who is the point of contact for neighborhood concerns.

Short-term Rental Permit Holder (“Permit Holder”). The person or persons that has control and responsibility for the Short-term Rental of a dwelling unit and that is responsible for ensuring compliance with all applicable laws and regulations.

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163.1.3 Commercial Use Types. Automotive Sales, Service and Repair

~~Bed and Breakfast Establishment~~

~~Coastal-Dependent Commercial Recreation~~

~~Commercial Recreation~~

~~Heavy Commercial~~

~~Neighborhood Commercial~~

~~Office and Professional Service~~

~~Private Institution~~

~~Private Recreation~~

~~Recreational Vehicle Park~~

~~Retail Sales~~

~~Retail Service~~

~~Transient Habitation~~

~~Visitor Serving Facilities~~

~~Warehousing, Storage and Distribution (Former Section CZ#A313-2(C))~~

~~...~~

~~172.2 BED AND BREAKFAST ESTABLISHMENT~~

~~172.2.1 The Bed and Breakfast Establishment Use Type refers to a residential structure with one family in permanent residence where a maximum of four (4) bedrooms without individual cooking facilities are rented for overnight lodging, and where at least one meal daily is provided. (Former Section CZ#A313-7(K))~~

~~172.2.2 This use type does not include "hotels and motels" which are included in the Transient Habitation Use Type; nor does this use type include rooming and boarding houses which are included under the Group Residential Use Type. (Former Section CZ#A313-7(K))~~

~~...~~

172.18 VISITOR SERVING FACILITIES

The Visitor Serving Facilities Use Type includes public and private developments that provide accommodations, food and services for tourists, including, for example, transient habitation facilities, hotels, motels, tent camps, restaurants, vacation home rentals, and commercial-recreation developments such as art galleries, antique shops, curio shops, eating and amusement areas. (Former Section CZ#A313-7(L); Amended by Ord. [2153](#), Sec. 2, 12/9/97; Amended by Ord. [2167](#), Sec. 7, 4/7/98)

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177.10 MULTI FAMILY RESIDENTIAL

The Multi Family Residential Use Type includes the residential occupancy of a duplex, or multiple main building or buildings by individuals or families on a non-transient basis and accessory uses necessarily and customarily associated with residential use. The specific types of multi-family uses allowed on a lot are specified in the Zoning Designations contained in this Chapter 3, Section A: Regulations for Zoning Districts. (Former Section CZ#A313-5(C))

177.14 SINGLE FAMILY RESIDENTIAL

The Single Family Residential Use Type includes the residential occupancy of a single detached main building by one family on a non-transient basis, ~~except for rental of single family dwellings as vacation homes, where the use would not be otherwise different than the uses allowed to be made of single family dwellings. (See also, Vacation Home Rental)~~ and accessory uses necessarily and customarily associated with residential use. (Former Section CZ#A313-5(B))

Draft Amendments 8.2.23

Chapter 2 Administration, Procedures, Amendments and Enforcement

Proposed additions, proposed deletions

312-1 GENERAL PROVISIONS AND ADMINISTRATION

1.1 GENERAL PROVISIONS

1.1.1 **Applicability.** These procedures shall apply throughout the unincorporated territory of Humboldt County. (Former Section INL#311-3; CZ#A315-1(A); Ord. [519](#), Sec. 1, 2, 5/11/65; Ord. [1705](#), 9/10/85)

1.1.2 **Legal Lot Requirement.** Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations. (Former Section CZ#A315-1(B); Ord. [1705](#), 9/10/85)

1.2 DUTIES AND RESPONSIBILITIES OF THE ZONING ADMINISTRATOR

1.2.1 Pursuant to Title 7, Chapter 4, Article 3 of the Government Code of the State of California (commencing with Section [65900](#)), there is hereby created in the County of Humboldt the office of Zoning Administrator. (Former Section INL#318-1(a); Ord. [946](#), 10/2/73)

1.2.2 The Director of the ~~Community Development Services~~ Planning and Building Department shall be assigned the duties of the office of Zoning Administrator. (Former Section INL#318-1(b); Ord. [946](#), 10/2/73; Amended by Ord. [2214](#), 6/6/00)

1.2.3 The Director of the ~~Community Development Services~~ Planning and Building Department shall have the authority to appoint a person in the Department to serve as Zoning Administrator and also an Assistant Zoning Administrator to serve in the capacity as Administrator in the absence of the Zoning Administrator. The Director shall also have the authority to replace and/or remove the above persons from office. (Former Section INL#318-1(c); Ord. [946](#), 10/2/73; Amended by Ord. [2214](#), 6/6/00)

1.2.4 The Zoning Administrator shall be a Hearing Officer. ~~The Zoning Administrator~~ is authorized to investigate, consider and approve, conditionally approve or deny all applications for special permits, use permits and variances etc., as specified herein. (See, Section [312-9](#)) (Former Section INL#318-1(d); Ord. [946](#), 10/2/73)

1.2.5 At any time prior to opening the public hearing on an application, the Zoning Administrator is authorized to refer any application with or without recommendations to the Planning Commission. In such cases, the Planning Commission shall hear and decide the matter. An appeal from the decision of the Planning Commission may be made to the Board of Supervisors. (See, Section [312-13](#), Appeal Procedures.) (Former Section INL#318-1(e); Ord. [946](#), Sec. 1, 10/2/73; amended by Ord. [1726](#), Sec. 7, 3/4/86)

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312-3 REQUIRED PERMITS AND VARIANCES

3.1 REQUIRED PERMITS

In addition to any other permits or approvals required by the County, including grading and building permits, any permit required by this Chapter shall be secured prior to the development of any lot in the unincorporated territory of Humboldt County. The following permits shall be required: (Former Section CZ#A315-3(A); Ord. [1705](#), 9/10/85; Amended by Ord. [2214](#), 6/6/00)

3.1.1 Administrative Permit (AP). An Administrative Permit must be secured, pursuant to all requirements of this Code, prior to the initiation, modification or expansion of a use or development that is permitted with an Administrative Permit.

3.1.12 Special Permit (SP). A Special Permit must be secured, pursuant to all requirements of this Code, prior to the initiation, modification or expansion of a use or development that is permitted with a Special Permit. (Former Section CZ#A315-3(A)(1); Ord. [1705](#), 9/10/85; Amended by Ord. [2214](#), 6/6/00)

3.1.23 Use Permit (UP). A Use Permit must be secured, pursuant to all requirements of this Code, prior to the initiation, modification or expansion of a use or development that is:

3.1.23.1 permitted only as a conditionally permitted use, or (Former Section CZ#A315- 3(A)(2); Ord. [1705](#), 9/10/85)

3.1.23.2 for any use not specifically enumerated in these regulations, if it is similar to and compatible with the same uses permitted in the zone in which the subject property is situated. (Ord. [2214](#), 6/6/2000)

3.1.34 Planned Unit Development Permit (PDP). A Planned Unit Development Permit must be secured, pursuant to all requirements of this Code, prior to the initiation of a planned unit development. (Former Section INL#315-4(b); CZ#A315-3(A)(3))

3.1.45 Coastal Development Permit (CDP). A Coastal Development Permit must be secured, pursuant to the requirements of these regulations, prior to the commencement of any development within the Coastal Zone of the County, including development by State and local public agencies, unless the development is exempted or excluded under the California Public Resources Code (Section [30000](#), and following) or the California Code of Regulations. (See also, Section [312-15](#), Waiver of Procedures for Emergencies. (Former Section CZ#A315-3(A)(4); ; Amended by Ord. [2214](#), 6/6/00)

...

3.3 CONCURRENT PERMIT REQUIREMENTS

3.3.1 Concurrent/Combined Permit Requirements. Whenever a development proposal requires the issuance of more than one permit for approval, the applicable permit procedures shall be applied simultaneously. (Former Section CZ#A315-4(A))

3.3.1.1 A proposed development or use that requires an Administrative Permit and a Special Permit shall be processed as a Special Permit.

3.3.1.12 A proposed development or use that requires an Administrative Permit or a Special Permit and a Use Permit shall be processed as a Use Permit. (Former Section CZ#A315-4(A)(1))

3.3.1.23 A proposed development or use that requires a Planned Unit Development Permit and a Use Permit shall be processed as a Planned Unit Development Permit. (Former Section CZ#A315-4(A)(2))

3.3.1.34 A proposed development or use that requires a Special Permit, Use Permit, or Planned Unit Development Permit and a Coastal Development Permit shall be processed as a Coastal Development Permit. (Former Section CZ#A315-4(A)(3))

312-6 Processing Applications for Permits and Variances

Upon receipt of an application for a permit or variance, the application shall be processed by the ~~Community Development Services~~ Planning and Building Department as follows:

...

6.3 PUBLIC REVIEW

Following project review of applications requiring a public hearing, the written report prepared by the Director, or designee, shall be mailed or delivered to the Hearing Officer and the applicant. Public notice shall be given in accordance with Section 312-8, Public Notice Procedures. Public hearings shall be held as required by Section 312-9, Public Hearing Requirements and Authorized Hearing Officer. (Former Section CZ#A315-6(C)(3))

...

6.5 PROJECT APPROVAL

6.5.1 For Administrative Permits, the Planning Director shall be the approving authority and shall ministerially approve permit applications which meet all requirements of the Zoning Ordinance and shall deny permit applications which do not meet all requirements of the Zoning Ordinance.

6.5.24 For Special Permits, Conditional Use Permits, Planned Unit Development Permits, Coastal Development Permits and Variances:

6.5.12.1 Following public review, the Hearing Officer shall approve, conditionally approve, or deny the proposed project in accordance with the particular requirements of this Code as they apply to the project, and in accordance with the required findings of this Code. (See, Sections 312-17, Required Findings, and Sections 312-18 through 312-49, Supplemental Findings.) The Hearing Officer's decision shall be expressed in writing. (Former Section INL#317-25, 317-35, 317-40.6; CZ#A315-6(C)(4); Ord. 1007, Sec. 1, 11/9/76; Amended by Ord. 1418, Sec. 1, Sec. 2, 8/26/80; added by Ord. 1726, Sec. 4, 3/4/86; Amended by Ord. 2214, 6/6/00)

6.5.2.2 If the Hearing Officer does not grant or deny the permit or variance within thirty (30) working days of the conclusion of the hearing, it shall be deemed to be denied on that date. The decision of the Hearing Officer on all permits and variances shall become final ten (10) working days from the date of the decision, unless an appeal has been filed within that time. Appeals on subdivisions that require a Coastal Development Permit shall be filed within 10 calendar days of the decision of the Hearing Officer. (Former Section INL#317-25, 317-35, 317-40.6; CZ#A315-6(C)(4); Ord. 1007, Sec. 1, 11/9/76; Amended by Ord. 1418, Sec. 1, Sec. 2, 8/26/80; added by Ord. 1726, Sec. 4, 3/4/86; Amended by Ord. 2214, 6/6/00)

6.5.32.3 Decisions of the Hearing Officer may be appealed to the Board of Supervisors in accordance with the appeal procedures of Section 312-13. (Former Section CZ#A315- 6(C)(4))

6.5.2.4 The ~~Community Development Services~~ Planning and Building Department shall notify all appellants, prior to filing, that the Board of Supervisors will not hear appeals of the Planning Commission's or Zoning Administrator's decision if said appellant has not given written or oral testimony at the Planning Commission or the Zoning Administrator's hearing level. (From Hearing Policy adopted by the Humboldt County Board of Supervisors, 6/16/81; Added by Ord. [2214](#), 6/6/00)

...

6.7 NOTICE OF FINAL ACTION

Notice of final action on an application for a permit or variance shall be given as follows: (Former Section CZ#A315-13(A-E))

6.7.1 Notice shall be provided within five (5) working days of the Planning Director's action on an Administrative Permit or Hearing Officer's action on any discretionary permit. (Former Section CZ#A315-13(A-E); Amended by Ord. [2214](#), 6/6/00)

6.7.2 Notice shall be provided by first class mail to:

6.7.2.1 The Applicant;

6.7.2.2 Any person who specifically requested, in writing, notice of such final action;

6.7.2.3 For development proposed within the coastal zone, the Coastal Commission.

6.7.3 The notice for an Administrative Permit shall include the following information:

6.7.3.1 Copy of the Administrative Permit

6.7.3.2 Procedures for Renewal, if applicable

6.7.3.4 The notice for any discretionary permit shall include the following information:

6.7.4.1 Written findings;

6.7.4.2 Conditions of approval;

6.7.4.3 Procedures for appeal if applicable.

...

9.1 PUBLIC HEARINGS REQUIRED UNLESS WAIVED

Public Hearings are required for all ~~development permits~~ Special Permits, Conditional Use Permits, Planned Unit Development Permits, Coastal Development Permits, variances, and exceptions, unless waived pursuant to these regulations. The following table, "Public Hearing Requirements and Authorized Hearing Officer," specifies the Hearing Officer who is authorized to approve, approve with conditions, or deny applications for permits or variances. The table also indicates when the Public Hearing requirement may be waived by the Hearing Officer. (Former Section CZ#A315-5)

...

312-10 RIGHTS ATTACHED TO PERMITS AND VARIANCES

10.1 EFFECT OF PERMIT OR VARIANCE

The issuance of a permit authorizes the property owner to undertake the proposed development immediately upon the effective date of the permit subject to all conditions or restrictions imposed by the Planning Director or Hearing Officer; provided, however, that all other permits, licenses, certificates and other grants of approval to which the proposed development project is subject must be secured before the development may be commenced. (Former Section CZ#A315-19(A))

10.2 EFFECTIVE DATE OF PERMIT OR VARIANCE

10.2.1 The Planning Director's action on administrative permits shall be effective immediately. Administrative permits shall not be appealable.

10.2.2 Except as specified below, the Hearing Officer's decision on an application shall become effective after the ten (10) working day appeal period unless an appeal is filed in accordance with Section [312-13](#), Appeal Procedures. For development permits involving projects which are appealable to the Coastal Commission, the effective date shall coincide with the close of the Coastal Commission's ten (10) working day appeal period, unless either of the following occur. (Former Section CZ#A315-19(B); Amended by Ord. [2214](#), 6/6/00)

10.2.2.1 an appeal is filed in accordance with Section [312-13.11](#);

10.2.2.2 the notice of final action does not meet the requirements of Section [312-6.7](#).

When either of the circumstances in section [10.2.1](#) or [10.2.2](#) occur, the Coastal Commission shall, within five(5) calendar days of receiving notice of that circumstance, notify the Department and the applicant that the effective date of the Hearing Officer's action has been suspended.

10.3 ASSIGNMENTS OF PERMITS AND VARIANCES

Unless otherwise specified in the Zoning Ordinance or in the approved permit, a A permit or variance is assignable to subsequent property owners, but an assignment does not discharge any conditions or obligations of the permit or variance. (Former Section CZ#A315- 19(C); Amended by Ord. [2214](#), 6/6/00)

...

10.6 RENEWAL OF DEVELOPMENT PERMITS AND VARIANCES

Where specifically allowed by the Zoning Ordinance, development permits may be renewed consistent with the provisions of the Zoning Ordinance.

...

312-14 SUSPENSION AND REVOCATION PROCEDURES

14.1 SUSPENSION.

A development permit may be suspended by the Planning Director immediately, without prior notice or hearing following the procedures in this Section.

14.1.1 Grounds for Suspension. The Planning Director may suspend a development permit if the permit was issued in error, or to stop any activity that violates any requirement of the permit and/or Zoning Ordinance.

14.1.2 Cost Recovery. For confirmed violations, the cost of county staff time dedicated to inspection and resolution shall be borne by the permittee.

14.1.3 Notice of Suspension. The Planning Director shall provide written notice of the suspension to the property owner and permit holder identifying all of the following:

14.1.3.1 The violation of the permit and/or Zoning Ordinance;

14.1.3.2 The duration of the suspension;

14.1.3.3 The steps the property owner and permit holder must take to remedy the violation and re-activate the permit; and

14.1.3.4 Appeal procedures.

14.1.4 Effect of Suspension. For the duration of suspension, the property owner and permit holder shall cease all activity allowed by the permit.

14.1.5 Right to Appeal. The action of the Planning Director to suspend a development permit may be appealed to the Board of Supervisors, pursuant to Section 312-13 (Appeal Procedures).

14.1.6 Re-activation of a Suspended Permit. The permit suspension shall end, and the permit shall be re-activated by the Planning Director after making written findings based on substantial evidence that all violations of the permit and/or Zoning Ordinance have been corrected.

14.2 REVOCATION

14.2.1 GROUNDS FOR REVOCATION

A development permit or variance may be revoked or modified by the Board of Supervisors after a Public Hearing, upon finding that: (Former Section INL#317-42; CZ#A315-25(A); Ord. [894](#), Sec. 5, 12/19/72; Amended by Ord. [1726](#), Sec. 5, 3/4/86; Amended by Ord. [2214](#), 6/6/00)

14.2.1.1 The permit or variance was obtained or extended by fraud, material omissions or misstatements of fact. (Former Section INL#317-42(a); CZ#A315-25(A)(1))

14.2.1.2 The permit or variance granted is being, or recently has been, exercised contrary to the terms or conditions of such approval, or in violation of any statute, Code section, law or regulation. (Former Section INL#317-42(c); CZ#A315-25(A)(2); Amended by Ord. [2214](#), 6/6/00)

14.2.1.3 The use for which the permit or variance was granted is so conducted as to be a nuisance. (Former Section INL#317-42(d); CZ#A315-25(A)(3); Ord. [894](#), Sec. 6, 12/19/72; Amended by Ord. [1726](#), Sec. 5, 3/4/86)

14.2.1.4 The use for which such permit or variance was granted has ceased to exist or has been suspended for one (1) year or more. (Former Section INL#317-42(b); Amended by Ord. [2214](#), 6/6/00)

14.2.2 COST RECOVERY.

The cost of staff time dedicated to inspection and revocation of a permit that is revoked or modified by the Board of Supervisors shall be borne by the permittee.

14.2.3 PROCEEDINGS

Proceedings to revoke a development permit or variance may be initiated by the Board of Supervisors, Planning Commission, or the Planning Division of the ~~Community Development Services-Planning and Building~~ Department. (Former Section INL#317-41; CZ#A315-25(B); Ord. [894](#), Sec. 5, 12/19/72; Amended by Ord. [1726](#), Sec. 5, 3/4/86; Amended by Ord. [2214](#), 6/6/00)

14.2.4.3 REVOCATION HEARING

Any proceeding to revoke a development permit or variance shall be before the Board of Supervisors. The property owner or permit applicant shall have an opportunity to show cause why the permit or variance should not be revoked. (Former Section INL#317-41; CZ#A315-25(C); Ord. [894](#), Sec. 5, 12/19/72; Amended by Ord. [1726](#), Sec. 5, 3/4/86; Amended by Ord. [2214](#), 6/6/00)

14.2.5.4 NOTICE OF INTENTION TO REVOKE

The Department shall give notice to the holder of a development permit or variance of its intention to revoke such development permit or variance. Notice need be given only to the holder of the development permit or variance, and any other person who has requested such notice. (Former Section INL#317-41; Ord. [894](#), Sec. 5, 12/19/72; Amended by Ord. [1726](#), Sec. 5, 3/4/86; Amended by Ord. [2214](#), 6/6/00)

14.2.6.5 NOTICE OF REVOCATION HEARING

Notice of a Revocation Hearing shall be given not less than ten (10) working days prior to the date of the Hearing by either personal service of a copy of said notice on the holder of the development permit or variance, or by sending a copy of the notice by certified or registered mail, return receipt requested, to said holder at the address given on the application. The notice shall include the information required by Section [312-8.2](#) and shall state the reason or reasons why action is being taken for revocation of the permit or variance. (Former Section INL#317-41; Ord. [894](#), Sec. 5, 12/19/72; Amended by Ord. [1726](#), Sec. 5, 3/4/86; Amended by Ord. [2214](#), 6/6/00)

...

32.2 BED AND BREAKFAST ESTABLISHMENTS

~~32.2.1 That the proposed use at the size and intensity contemplated, and at the proposed location, will provide a development that is compatible with the neighborhood or the community, including but not limited to: (Former Section CZ#A315-16(B)(2)(a))~~

~~32.2.2 The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures; and (Former Section CZ#A315-16(B)(2)(a)(i))~~

~~32.2.3 Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, lighting and signs. (Former Section CZ#A315-16(B)(2)(a)(ii))~~

Post-Workshop Comments

Theme 1: Housing Stock & Permit Cap

From: [Adam Johnston](#)
To: [Planning Clerk](#)
Subject: STR Ordinance Comments
Date: Thursday, September 28, 2023 4:11:50 PM

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

To whom it may concern,

Please see my comments below in regards to the latest draft STR ordinance.

But first, a personal note:

I am under 30 years old and was born and raised in Humboldt. Throughout my young adult life it has become increasingly obvious that the local government hardly cares about the younger generations and their economic situation and stability. It hurts to admit and took awhile for a younger me to understand, but it's clear that there are certain interests that the county and municipalities cater to and the working class is not one of them. (Credit where credit's due: fortunately, this seems to be changing with recent elections, investment, and policy)

I have lost track of the number of peers, friends, and family who love Humboldt and desperately want to stay, but have no chance at a future here due to a lack of housing and upward mobility and are forced to move elsewhere. The sheer amount of brain drain that I have seen firsthand is truly depressing and nearly all of it can be attributed to housing shortages, which are clearly exacerbated by short term rentals. And to be clear, the population that is leaving the county is more than students and service workers: it includes teachers, entrepreneurs, tradespeople, engineers, doctors, and everything in between.

If short term rentals are given any more leeway whatsoever, it's nothing more than a blatant middle finger to the working class and younger generations. It sincerely hurts to watch the government of my home repeatedly shoot itself in the foot and have the populace beg for it to stop, only to see another round loaded and fired time and time again. Please just put the gun down, at least long enough to see that those in favor of short term rentals are simply looking to widen the wealth gap and the other side just wants a chance to own a 2bed/1bath home before they're 50.

Thank you for reading this, I hope it's taken to heart.

Now onto the more concrete numbers and solutions:

STR Remove Housing Stock for the community. It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.

1.

STR are not being regulated appropriately to prevent "mom-and-pop" hotel chains from developing. The latest text includes

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

This would allow property owners five individual homes to rent out as short term rentals. I

believe this is far too great of a number and should be reduced to 1 or 2. The regulations make no designation on the limit when compared in family trusts, organizations owned by the same entity or individual and leaves a loophole open for larger STR owners to divide holdings between different companies to continue to operate large numbers of STRs. Cumulatively, the number of STRs in our county represent:

381 active listings in Eureka, average **annual revenue of \$43.3K per rental**
317 active listings in Arcata, average **annual revenue of \$41.4K per rental**
192 active listings in Trinidad, average **annual revenue of \$82.9K per rental**
197 active listings in McKinleyville, average **annual revenue of \$54.5K per rental**

(data from AirDNA.co)

This represents a total of **1087 homes that could re-enter the market as long term rentals or homes for first time homebuyers.**

I support an ordinance that only allows for "Home-share" STR and would eliminate

61.05.10 Short-term Rentals defined as entire homes without a caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.

2.

If Short term rentals are continued to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.

3.

*61.05.5 Existing Operations. No permits for whole dwelling unit Short-term Rentals shall be issued during the first two (2) months following the effective date of this section but applications from individuals operating existing short-term rentals will be received. Two months after the effective date of this ordinance the department will issue permits prioritizing applications for locations with existing Short-term Rentals. An existing Short-term Rental shall be determined based on evidence of operation from January 2022 through May of 2023. **If the number of permits issued for existing Short-term Rentals exceeds the cap identified in §60.05.10.2.1, then no permits will be issued for new Short-term Rentals until the number of permitted Short-term Rentals in the County falls below the cap.***

This text would cause a huge rush in new UNREGULATED STR to enter the market in order for their application to be considered. This is because the current cap set for STRs is below the current number of STRs in existence

>> Looking at other areas of the nation and world that have dealt with the issues of STRs, it is in our best interest as a community to eliminate STRs entirely. Short of that, no preferences should be made for existing short term rentals and we should seek to limit the number of short term rentals as much as possible in order to **increase the amount of housing stock available to our community for first time home buyers and for long term rentals to re-enter the market.**

Thank you for your consideration.

Adam Johnston
Eureka Resident

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW: Concerns regarding STRs
Date: Tuesday, September 26, 2023 8:54:33 AM

Please see the public comment below.

Laura McClenagan

From: Alissa Clear <alissa.d.clear@gmail.com>
Sent: Sunday, September 24, 2023 10:48 AM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: Concerns regarding STRs

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

Hello, I am a Humboldt resident (McKinleyville) who is saving to buy our first home here next year. We're concerned that STRs will disrupt this opportunity as well as the family-oriented local community.

Please see my comments below in regards to the latest draft STR ordinance [STR Remove Housing Stock for the community](#). It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.

1. [STR are not being regulated appropriately to prevent "mom-and-pop" hotel chains from developing](#). The latest text includes

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

This would allow property owners five individual homes to rent out as short term rentals. I believe this is far too great of a number and should be reduced to 1 or 0. The regulations make no designation on the limit when compared in family trusts, organizations owned by the same entity or individual and leaves a loophole open for larger STR owners to divide holdings between different companies to continue to operate large numbers of STRs. Cumulatively, the number of STRs in our county represent:

381 active listings in Eureka, average **annual revenue of \$43.3K per rental**

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(data from AirDNA.co)

This represents a total of **1087 homes that could re-enter the market as long term rentals or homes for first time homebuyers.**

I support an ordinance that only allows for "Home-share" STR and would eliminate 61.05.10 Short-term Rentals defined as entire homes without a caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.

2. If Short term rentals are continued to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.
3. *61.05.5 Existing Operations. No permits for whole dwelling unit Short-term Rentals shall be issued during the first two (2) months following the effective date of this section but applications from individuals operating existing short-term rentals will be received. Two months after the effective date of this ordinance the department will issue permits prioritizing applications for locations with existing Short-term Rentals. An existing Short-term Rental shall be determined based on evidence of operation from January 2022 through May of 2023. **If the number of permits issued for existing Short-term Rentals exceeds the cap identified in §60.05.10.2.1, then no permits will be issued for new Short-term Rentals until the number of permitted Short-term Rentals in the County falls below the cap.***

This text would cause a huge rush in new UNREGULATED STR to enter the market in order for their application to be considered. This is because the current cap set for STRs is below the current number of STRs in existence

>> Looking at other areas of the nation and world that have dealt with the issues of STRs, it is in our best interest as a community to eliminate STRs entirely. Short of that, no preferences should be made for existing short term rentals and we should seek to limit the number of short term rentals as much as possible in order to **increase the amount of housing stock available to our community for first time home buyers and for long term rentals to re-enter the market.**

Thank you for your consideration.

Alissa Clear

McKinleyville Resident

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW:
Date: Tuesday, September 26, 2023 9:05:22 AM

Please see the public comment below.

Laura McClenagan

From: Brad Whitt <meadowofbones@gmail.com>
Sent: Monday, September 25, 2023 8:18 PM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject:

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

Hello,

Please see my comments below in regards to the latest draft STR ordinance

STR Remove Housing Stock for the community. It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.

STR are not being regulated appropriately to prevent "mom-and-pop" hotel chains from developing. The latest text includes

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

This would allow property owners five individual homes to rent out as short term rentals. I believe this is far too great of a number and should be reduced to 1 or 0. The regulations make no designation on the limit when compared in family trusts, organizations owned by the same entity or individual and leaves a loophole open for larger STR owners to divide holdings between different companies to continue to operate large numbers of STRs. Cumulatively, the number of STRs in our county represent:

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This represents a total of 1087 homes that could re-enter the market as long term rentals or homes for first time homebuyers.

I support an ordinance that only allows for "Home-share" STR and would eliminate 61.05.10 Short-term Rentals defined as entire homes without a caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.

If Short term rentals are continued to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.

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Thank you for your consideration.

Bradly Whitt of Whitethorn California

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW:
Date: Tuesday, September 26, 2023 9:04:45 AM

Please see the public comment below.

Laura McClenagan

From: Brianna Hale <brihalee@gmail.com>
Sent: Monday, September 25, 2023 8:13 PM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject:

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

Hello,

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I support an ordinance that only allows for "Home-share" STR and would eliminate 61.05.10 Short-term Rentals defined as entire homes without a caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.

If Short term rentals are continued to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.

61.05.5 Existing Operations. No permits for whole dwelling unit Short-term Rentals shall be issued during the first two (2) months following the effective date of this section but applications from individuals operating existing short-term rentals will be received. Two months after the effective date of this ordinance the department will issue permits prioritizing applications for locations with existing Short-term Rentals. An existing Short-term Rental shall be determined based on evidence of operation from January 2022 through May of 2023. If the number of permits issued for existing Short-term Rentals exceeds the cap identified in §60.05.10.2.1, then no permits will be issued for new Short-term Rentals until the number of permitted Short-term Rentals in the County falls below the cap.

This text would cause a huge rush in new UNREGULATED STR to enter the market in order for their application to be considered. This is because the current cap set for STRs is below the current number of STRs in existence

>> Looking at other areas of the nation and world that have dealt with the issues of STRs, it is in our best interest as a community to eliminate STRs entirely. Short of that, no preferences should be made for existing short term rentals and we should seek to limit the number of short term rentals as much as possible in order to increase the amount of housing stock available to our community for first time home buyers and for long term rentals to re-enter the market.

Thank you for your consideration.

Brianna Hale

Whitethorn, CA

From: [Bridget McGraw](#)
To: [Hilton, Keenan](#); [Planning Clerk](#)
Subject: STR ordinance workshop comments
Date: Thursday, September 21, 2023 10:36:20 AM

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

Hello,

Please see my comments below in regards to the latest STR ordinance (coastal ordinance) and the proposed workshop on Thursday, September 21, 2023. I would like to include the following points in the event I am not able to attend or if the workshop is unable to be held due to a large number of items on the consent calendar.

STR Remove Housing Stock for the community. It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.

STR are not being regulated appropriately to prevent "mom-and-pop" hotel chains from developing. The latest text includes

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

This would allow property owners five individual homes to rent out as short term rentals. I believe this is far too great of a number and should be reduced to 1. The regulations make no designation on the limit when compared in family trusts, organizations owned by the same entity or individual and leaves a loophole open for larger STR owners to divide holdings between different companies to continue to operate large numbers of STRs. Cumulatively, the number of STRs in our county represent:

381 active listings in Eureka, average **annual revenue of \$43.3K per rental**
317 active listings in Arcata, average **annual revenue of \$41.4K per rental**
192 active listings in Trinidad, average **annual revenue of \$82.9K per rental**
197 active listings in McKinleyville, average **annual revenue of \$54.5K per rental**

(data from AirDNA.co)

This represents a total of **1087 homes that could re-enter the market as long term rentals or homes for first time homebuyers.**

I support an ordinance that only allows for "Home-share" STR and would eliminate 61.05.10 Short-term Rentals defined as entire homes without a caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.

If Short term rentals are continued to be regulated, I support additional STR

permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.

61.05.5 Existing Operations. No permits for whole dwelling unit Short-term Rentals shall be issued during the first two (2) months following the effective date of this section but applications from individuals operating existing short-term rentals will be received. Two months after the effective date of this ordinance the department will issue permits prioritizing applications for locations with existing Short-term Rentals. An existing Short-term Rental shall be determined based on evidence of operation from January 2022 through May of 2023. If the number of permits issued for existing Short-term Rentals exceeds the cap identified in §60.05.10.2.1, then no permits will be issued for new Short-term Rentals until the number of permitted Short-term Rentals in the County falls below the cap.

This text would cause a huge rush in new UNREGULATED STR to enter the market in order for their application to be considered. This is because the current cap set for STRs is below the current number of STRs in existence

>> Looking at other areas of the nation and world that have dealt with the issues of STRs, it is in our best interest as a community to eliminate STRs entirely. Short of that, no preferences should be made for existing short term rentals and we should seek to limit the number of short term rentals as much as possible in order to **increase the amount of housing stock available to our community for first time home buyers and for long term rentals to re-enter the market.**

Thank you for your consideration.

Bridget McGraw
Eureka/Humboldt County Resident

From: [Colin Fiske](#)
To: [Hilton, Keenan](#)
Subject: Short-Term Rental Ordinance
Date: Wednesday, September 27, 2023 11:36:40 AM

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

Hi Keenan,

I'm writing to express my support for the county taking action to regulate the number of short-term rentals, particularly in the more urban areas around Humboldt Bay. There is a severe housing crisis in this area, and taking units off the long-term rental and/or owner-occupied housing market by offering them for short-term rentals increases already high housing costs. This is an even bigger problem in areas with better access to transit and walkable/bikeable destinations, because providing long-term housing that does not require car ownership is key to addressing both climate change and economic inequities.

Thank you for developing this ordinance. To make it even more effective, please consider lowering the caps further, as well as assessing fees that could generate revenue for addressing the housing crisis.

Thank you.

Colin Fiske

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW: STR Ordinance
Date: Tuesday, September 26, 2023 8:55:22 AM

Please see the public comment below.

Laura McClenagan

From: Dale Visser <nikeair2800@gmail.com>
Sent: Sunday, September 24, 2023 11:20 AM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: STR Ordinance

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

Hello,

Please see my comments below in regards to the latest draft STR ordinance

STR Remove Housing Stock for the community. It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.

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28. (data from AirDNA.co)

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46. to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily

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54. *permits for whole dwelling unit Short-term Rentals shall be issued during the first two (2) months following the effective date of this section but applications from individuals operating existing short-term rentals will be received. Two months after the*

55. *effective date of this ordinance the department will issue permits prioritizing applications for locations with existing Short-term Rentals. An existing Short-term Rental shall be determined based on evidence of operation from January 2022 through May of*

56. 2023. *If the number*

57. *of permits issued for existing Short-term Rentals exceeds the cap identified in §60.05.10.2.1, then no permits will be issued for new Short-term Rentals until the number of permitted Short-term Rentals in the County falls below the cap.*

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59. **This text would cause**

60. **a huge rush in new UNREGULATED STR to enter the market in order for their application to be considered.**

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62. **current cap set for STRs is below the current number of STRs in existence**

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66. of the nation and world that have dealt with the issues of STRs, it is in our best interest as a community to eliminate STRs entirely. Short of that, no

preferences should be made for existing short term rentals and we should seek to limit the number of short

67. term rentals as much as possible in order to **increase**

68. the amount of housing stock available to our community for first time home buyers and for long term rentals to re-enter the market.

69.

Thank you for your consideration.

Dale Visser

Arcata Resident

From: [De Zig](#)
To: [Hilton, Keenan](#)
Subject: Rental Ordinance
Date: Wednesday, September 20, 2023 6:04:13 PM

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

HELLO!

I am unable to zoom.

However, I think any ordinance to restrict short-term rentals is over-reach on private property. THE county benefits tax-wise more from short term rentals. As it is now, landlords have some of the most constraining laws to abide by- due to a few bad apples. Now the county was to restrict short-term rentals because of a few bad apples. This is ridiculous.

It will not help the homeless population- most of which screwed local landlords. It will not help "tight housing" as rents are going down and there are more properties available. THERE are a ton of apartments available- unfortunately, during covid, large property management companies stopped advertising on the usual websites (ie craigslist) and did not start back up again, wanting people to go directly to their websites instead of general online searches.

Call any large apartment complex and ask the number of available rentals. I have seen that people complaining of housing shortage are demanding houses instead of apartments. I have also noticed these same people cannot afford these houses, but can easily afford an apartment. BUt they "want it and want it now".

So restricting short-term rentals in the county will do little, if anything to help any housing situation in Humboldt County.

THE road is paved with good intentions.

Thank you for your time

Denise Ziegler

From: [Donald J Verwayen](#)
To: [Hilton, Keenan](#)
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 3:43:47 PM
Attachments: [image001.png](#)
[image001.png](#)

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

Dear Mr. Hilton,

Please share this comment with the Planning Commission and relevant staff - RE: STR Ordinance

Respectfully,

Donald J. Verwayen

Dear Planning Commissioners,

The current draft STR ordinance places the Willow Creek area under Short-Term Rental Ordinance Inland.

I strongly suggest that the Willow Creek area be placed under Short-Term Rental Ordinance Coastal.

Reasoning:

The Willow Creek area has a severe housing shortage unlike Southern Humboldt and Southeast Humboldt. Employees at the Hoopa Hospital, Hoopa and Willow Creek schools, Orleans Schools and Forest Service constantly have problems finding housing. This hurts with recruitment and retention. Why? For one, most of the land in the area belongs to the U.S. Forest Service and Bureau of Land Management unlike Southern Humboldt. Three of the largest Native American tribes in California are in the greater Willow Creek area or have large populations in the area. These are the Hupa, Karuk, and Yurok. There is also the smaller Tsnungwe Tribe. The Hupa and Yurok have some land and there are private inholdings but most is not available to non-tribal members, teachers, or medical workers. I would suggest careful and deep consultation with the tribes before applying the Inland Ordinances to the greater Willow Creek area. I have spoken to Yurok and Hupa people who want to own land along the river, particularly in their territories and are priced out or are confronted with no availability.

The riverine geography of the Willow Creek area has more similarities the coast. The Trinity and South Fork of the Trinity are strong recreation attractions. This puts constant pressure on Willow Creek area housing. (On Craigslist There is rarely much for rent or sale where a family or employee could live.) There are attractive rivers in Southern Humboldt but lacking the easy 35-45 minute from Arcata-Blue Lake. This brings in Cal Poly Humboldt where the easy commute for students, staff and faculty, full time or part time, puts more pressure on housing. There are also the effects of fire on housing in the Orleans area. Simply, the area does not need to lose housing to short-term rentals, where short-term rental entrepreneurs are attracted to the resort-like area to make investments.

I suggest that the ordinance not put more housing pressure on the Willow Creek area, that the similarities of the situation in Willow Creek to the coastal area are recognized, and that there is legally adequate consultation with the tribes.

Thank you for considering this comment,
Donald Verwayen

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: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW: Short term rentals
Date: Tuesday, September 26, 2023 8:57:16 AM

Please see the public comment below.

Laura McClenagan

From: Ellen Pimentel <ellentpimentel@gmail.com>
Sent: Sunday, September 24, 2023 3:40 PM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: Short term rentals

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

Hello,

Please see my comments below in regards to the latest draft STR ordinance [STR Remove Housing Stock for the community](#). It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.

1. [STR are not being regulated appropriately to prevent "mom-and-pop" hotel chains from developing](#). The latest text includes

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

This would allow property owners five individual homes to rent out as short term rentals. I believe this is far too great of a number and should be reduced to 1 or 0. The regulations make no designation on the limit when compared in family trusts, organizations owned by the same entity or individual and leaves a loophole open for larger STR owners to divide holdings between different companies to continue to operate large numbers of STRs. Cumulatively, the number of STRs in our county represent:

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I support an ordinance that only allows for "Home-share" STR and would eliminate 61.05.10 Short-term Rentals defined as entire homes without a caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.

2. If Short term rentals are continued to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their properties.

3. >> Looking at other areas of the nation and world that have dealt with the issues of STRs, it is in our best interest as a community to eliminate STRs entirely. Short of that, no preferences should be made for existing short term rentals and we should seek to limit the number of short term rentals as much as possible in order to **increase the amount of housing stock available to our community for first time home buyers and for long term rentals to re-enter the market.**

Thank you for your consideration.
Ellen Pimentel, resident of Eureka

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW: Str
Date: Tuesday, September 26, 2023 8:57:53 AM

Please see the public comment below.

Laura McClenagan

From: Erin Corona <erincorona@gmail.com>
Sent: Sunday, September 24, 2023 4:16 PM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: Str

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

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Thank you for your consideration.

Your Name

(Place) Resident

Sent from my iPhone

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW: Public Commentary on the Short Term Rental Ordinance
Date: Friday, September 22, 2023 3:02:47 PM

Please see the public comment below.

Laura McClenagan

From: Hollis Muenster <hollis.a.muenster@gmail.com>
Sent: Thursday, September 21, 2023 4:26 PM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: Public Commentary on the Short Term Rental Ordinance

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

I am a Eureka resident and have been for the last six years. This place has become my home. It's people have become my people, and I have no desire to ever move away. I say as someone who has lived all over the country that this place is very special. I hope that is an opinion shared by the members of the city council.

With that said, I have been at or close to the poverty line for most of my time here. While I have never been homeless, I have had a lot of luck with my housing situations. Most of the housing in the area is wildly unaffordable to me. Between that and my disability limiting me to ground floor dwellings, the options for viable places to live are few and far between.

Every house someone buys and rents out to rich vacationers for a few days or weeks at a time is a house that isn't being occupied by someone who makes their life here in Humboldt. This house will sit empty for weeks and months at a time while hundreds of Humboldt residents sleep in hedges and on street corners.

I urge the county to enforce the Short Term Rental Ordinance. Humboldt county homes are for Humboldt county residents. Let those who come to visit us patronize our hotels and campgrounds. The people who own these short term rentals will simply have to make due on the income from regular landlording, rather than short term landlording. I doubt they will wind up sleeping in a gutter like so many Humboldt residents currently do.

From: [Jessi Floto](#)
To: [Planning Clerk](#)
Subject: STR Ordinance
Date: Thursday, September 28, 2023 12:28:20 PM

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

Hello,

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I support an ordinance that only allows for "Home-share" STR and would eliminate 61.05.10 Short-term Rentals defined as entire homes without a caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.

If Short term rentals are continued to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.

61.05.5 Existing Operations. No permits for whole dwelling unit Short-term Rentals shall be issued during the first two (2) months following the effective date of this section but applications from individuals operating existing short-term rentals will be received. Two months after the effective date of this ordinance the department will issue permits prioritizing applications for locations with existing Short-term Rentals. An existing Short-term Rental shall be determined based on evidence of operation from January 2022 through May of 2023. If the number of permits issued for existing Short-term Rentals exceeds the cap identified in §60.05.10.2.1, then no permits will be issued for new Short-term Rentals until the number of permitted Short-term Rentals in the County falls below the cap.

This text would cause a huge rush in new UNREGULATED STR to enter the market in order for their application to be considered. This is because the current cap set for STRs is below the current number of STRs in existence

>> Looking at other areas of the nation and world that have dealt with the issues of STRs, it is in our best interest as a community to eliminate STRs entirely. Short of that, no preferences should be made for existing short term rentals and we should seek to limit the number of short term rentals as much as possible in order to increase the amount of housing stock available to our community for first time home buyers and for long term rentals to re-enter the market.

Thank you for your consideration.

Jessi von Floto

Eureka Resident & Homeowner

From: [Kai Flores](#)
To: [Hilton, Keenan](#); [Planning Clerk](#)
Subject: Housing in Humboldt County
Date: Thursday, September 21, 2023 10:05:15 AM

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

Hello,

Please see my comments below in regards to the latest STR ordinance (coastal ordinance) and the proposed workshop on Thursday, September 21, 2023. I would like to include the following points in the event I am not able to attend or if the workshop is unable to be held due to a large number of items on the consent calendar.

STR Remove Housing Stock for the community. It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.

STR are not being regulated appropriately to prevent "mom-and-pop" hotel chains from developing. The latest text includes

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

This would allow property owners five individual homes to rent out as short term rentals. I believe this is far too great of a number and should be reduced to 1 or 0. The regulations make no designation on the limit when compared in family trusts, organizations owned by the same entity or individual and leaves a loophole open for larger STR owners to divide holdings between different companies to continue to operate large numbers of STRs. Cumulatively, the number of STRs in our county represent:

381 active listings in Eureka, average **annual revenue of \$43.3K per rental**
317 active listings in Arcata, average **annual revenue of \$41.4K per rental**
192 active listings in Trinidad, average **annual revenue of \$82.9K per rental**
197 active listings in McKinleyville, average **annual revenue of \$54.5K per rental**

(data from AirDNA.co)

This represents a total of **1087 homes that could re-enter the market as long term rentals or homes for first time homebuyers.**

I support an ordinance that only allows for "Home-share" STR and would eliminate 61.05.10 Short-term Rentals defined as entire homes without a caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.

If Short term rentals are continued to be regulated, I support additional STR

permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.

61.05.5 Existing Operations. No permits for whole dwelling unit Short-term Rentals shall be issued during the first two (2) months following the effective date of this section but applications from individuals operating existing short-term rentals will be received. Two months after the effective date of this ordinance the department will issue permits prioritizing applications for locations with existing Short-term Rentals. An existing Short-term Rental shall be determined based on evidence of operation from January 2022 through May of 2023. If the number of permits issued for existing Short-term Rentals exceeds the cap identified in §60.05.10.2.1, then no permits will be issued for new Short-term Rentals until the number of permitted Short-term Rentals in the County falls below the cap.

This text would cause a huge rush in new UNREGULATED STR to enter the market in order for their application to be considered. This is because the current cap set for STRs is below the current number of STRs in existence

>> Looking at other areas of the nation and world that have dealt with the issues of STRs, it is in our best interest as a community to eliminate STRs entirely. Short of that, no preferences should be made for existing short term rentals and we should seek to limit the number of short term rentals as much as possible in order to **increase the amount of housing stock available to our community for first time home buyers and for long term rentals to re-enter the market.**

Thank you for your consideration.

*Kaitlynn Alexandra Flores
Manila resident*

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW: STR Ordinance
Date: Tuesday, September 26, 2023 8:59:48 AM

Please see the public comment below.

Laura McClenagan

From: katrina mosler <kmosler1@att.net>
Sent: Monday, September 25, 2023 8:57 AM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: STR Ordinance

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

Hello,

Please see my comments below in regards to the latest draft STR ordinance

STR Remove Housing Stock for the community. It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.

1. STR are not being regulated appropriately to prevent "mom-and-pop" hotel chains from developing. The latest text includes

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

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I support an ordinance that only allows for "Home-share" STR and would eliminate 61.05.10 Short-term Rentals defined as entire homes without a caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.

2. If Short term rentals are continued to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.
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Thank you for your consideration.

Katrina Mosler

Mckinleyville

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW: Drastic need for representation on STR Ordinance
Date: Tuesday, September 26, 2023 9:06:21 AM

Please see the public comment below.

Laura McClenagan

From: Michael M. <kmcnane@gmail.com>
Sent: Tuesday, September 26, 2023 1:51 AM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: Drastic need for representation on STR Ordinance

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

Hello,

Please see my comments below in regards to the latest draft STR ordinance [STR Remove Housing Stock for the community](#). It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.

1. [STR are not being regulated appropriately to prevent "mom-and-pop" hotel chains from developing](#). The latest text includes

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(data from AirDNA.co)

This represents a total of **1087 homes that could re-enter the market as long term rentals or homes for first time homebuyers.**

I support an ordinance that only allows for "Home-share" STR and would eliminate 61.05.10 Short-term Rentals defined as entire homes without a caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.

2. If Short term rentals are continued to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.
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This text would cause a huge rush in new UNREGULATED STR to enter the market in order for their application to be considered. This is because the current cap set for STRs is below the current number of STRs in existence

>> Looking at other areas of the nation and world that have dealt with the issues of STRs, it is in our best interest as a community to eliminate STRs entirely. Short of that, no preferences should be made for existing short term rentals and we should seek to limit the number of short term rentals as much as possible in order to **increase the amount of housing stock available to our community for first time home buyers and for long term rentals to re-enter the market.**

Thank you for your consideration.

Kelsey McNanie
Eureka Resident

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW: STR ORDINANCE
Date: Tuesday, September 26, 2023 8:58:58 AM

Please see the public comment below.

Laura McClenagan

From: Kylie Mack <kyrebma@icloud.com>
Sent: Sunday, September 24, 2023 8:22 PM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: STR ORDINANCE

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

Hello,

Please see my comments below in regards to the latest draft STR ordinance [STR Remove Housing Stock for the community](#). It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.

1. [STR are not being regulated appropriately to prevent "mom-and-pop" hotel chains from developing](#). The latest text includes

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This would allow property owners five individual homes to rent out as short term rentals. I believe this is far too great of a number and should be reduced to 1 or 0. The regulations make no designation on the limit when compared in family trusts, organizations owned by the same entity or individual and leaves a loophole open for larger STR owners to divide holdings between different companies to continue to operate large numbers of STRs. Cumulatively, the number of STRs in our county represent:

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per rental

(data from AirDNA.co)

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I support an ordinance that only allows for "Home-share" STR and would eliminate 61.05.10 Short-term Rentals defined as entire homes without a caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.

2. If Short term rentals are continued to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.
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This text would cause a huge rush in new UNREGULATED STR to enter the market in order for their application to be considered. This is because the current cap set for STRs is below the current number of STRs in existence.

>> Looking at other areas of the nation and world that have dealt with the issues of STRs, it is in our best interest as a community to eliminate STRs entirely. Short of that, no preferences should be made for existing short term rentals and we should seek to limit the number of short term rentals as much as possible in order to **increase the amount of housing stock available to our community for first time home buyers and for long term rentals to re-enter the market.**

Thank you for your consideration.

Your Name

Kylie Mack
Arcata, CA

Sent from my iPhone

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW: Short term rental ordinance
Date: Friday, September 22, 2023 3:11:38 PM

Please see the public comment below.

Laura McClenagan

From: Lissie Rydz <lissierydz@gmail.com>
Sent: Thursday, September 21, 2023 5:44 PM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: Short term rental ordinance

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

Hi there I just wanted to add my comment as someone who has worked with the public and watched things unfold this past year. I now know so many people who are living in their cars or who have had to move away or stay with an abusive partner or people getting kicked out even on disability. Students unable to stay in school. It has broken my heart holding these stories.

We need our housing policy to change and a first step is limiting the amount of speculative investment that is happening with the rush to turn all of our housing into airbnbs. Who will actually get to afford to live here if it's a playground for the wealthy? Who will be able to be near multigenerational grandparents and children when no one can afford to have kids? When no one can afford to stay near their families? New York City successfully passed an Airbnb limit because it's destroying that city too.

Another step is rent control. Another step is guaranteed housing first. Another step is a UBI pilot program. There are so many policies that have a proven history of working and we need change now.

Thank you,
Lissie Rydz
thedonothingsociety.org

--

Lissie Rydz
web design | graphic design | illustration
(707) 267-1686
lissierydz.com

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW: STR ordinance
Date: Tuesday, September 26, 2023 8:51:36 AM

Please see the public comment below.

Laura McClenagan

From: vialcomics@gmail.com <vialcomics@gmail.com>
Sent: Saturday, September 23, 2023 11:02 AM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: STR ordinance

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

Hello,

Please see my comments below in regards to the latest draft STR ordinance [STR Remove Housing Stock for the community](#). It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.

1. [STR are not being regulated appropriately to prevent "mom-and-pop" hotel chains from developing](#). The latest text includes

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

This would allow property owners five individual homes to rent out as short term rentals. I believe this is far too great of a number and should be reduced to 1 or 0. The regulations make no designation on the limit when compared in family trusts, organizations owned by the same entity or individual and leaves a loophole open for larger STR owners to divide holdings between different companies to continue to operate large numbers of STRs. Cumulatively, the number of STRs in our county represent:

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(data from AirDNA.co)

This represents a total of **1087 homes that could re-enter the market as long term rentals or homes for first time homebuyers.**

I support an ordinance that only allows for "Home-share" STR and would eliminate 61.05.10 Short-term Rentals defined as entire homes without a caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.

2. If Short term rentals are continued to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.
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This text would cause a huge rush in new UNREGULATED STR to enter the market in order for their application to be considered. This is because the current cap set for STRs is below the current number of STRs in existence

>> Looking at other areas of the nation and world that have dealt with the issues of STRs, it is in our best interest as a community to eliminate STRs entirely. Short of that, no preferences should be made for existing short term rentals and we should seek to limit the number of short term rentals as much as possible in order to **increase the amount of housing stock available to our community for first time home buyers and for long term rentals to re-enter the market.**

Thank you for your consideration.

Liz Valasco
Fortuna resident

Sent from my iPhone

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW: Short Term Rental Public Comment
Date: Wednesday, September 27, 2023 5:07:54 PM

Please see the public comment below.

Laura McClenagan

From: Lucius <laa95501@gmail.com>
Sent: Wednesday, September 27, 2023 5:02 PM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: Short Term Rental Public Comment

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

Hello,

Please see my comments below in regards to the latest draft STR ordinance

STR Remove Housing Stock for the community. It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.

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If Short term rentals are continued to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.

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Thank you for your consideration.

Lucius Arnold

Eureka Resident

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW: Short Term Rental Ordinance
Date: Friday, September 22, 2023 3:03:39 PM

Please see the public comment below.

Laura McClenagan

From: Lulu Mickelson <lulu.mickelson@gmail.com>
Sent: Thursday, September 21, 2023 4:32 PM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: Short Term Rental Ordinance

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

Hello,

As a renter in Humboldt County and a professional who has worked on housing policy, I strongly support the County's efforts to regulate the number of Short Term Rentals in the Coastal Area.

Like all of California, the County is currently experiencing a housing crisis with a shortage of quality, affordable housing units available to rent. [Recent research from the Economic Policy Institute](#) shows that short term rentals reduce the supply of housing as properties shift from serving local residents to serving short-term travelers, which hurts local residents by raising housing costs.

With this in mind, I want to express my strong support for the ordinance, especially the short-term rental cap and per person limit currently included in the ordinance. I also encourage the County to consider placing an increased tax on short-term rental (similar to those in hotels) that can be used to help fund local programs focused on housing insecurity and homelessness.

Best,
Lulu

Lulu Mickelson (she/her)
+1-310-266-9884
Learn [more about me](#)

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW: STR Ordinance
Date: Tuesday, September 26, 2023 9:03:09 AM

Please see the public comment below.

Laura McClenagan

From: Luna Garrard <luna.garrard@gmail.com>
Sent: Monday, September 25, 2023 3:24 PM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: STR Ordinance

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

Hello,

Please see my comments below in regards to the latest draft STR ordinance: STR remove housing stock for the community. It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.

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This represents a total of **1087 homes that could re-enter the market as long term rentals or homes for first time homebuyers.**

I support an ordinance that only allows for "Home-share" STR and would eliminate 61.05.10 Short-term Rentals defined as entire homes without a caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.

2. If Short term rentals are continued to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.
3. *61.05.5 Existing Operations. No permits for whole dwelling unit Short-term Rentals shall be issued during the first two (2) months following the effective date of this section but applications from individuals operating existing short-term rentals will be received. Two months after the effective date of this ordinance the department will issue permits prioritizing applications for locations with existing Short-term Rentals. An existing Short-term Rental shall be determined based on evidence of operation from January 2022 through May of 2023. **If the number of permits issued for existing Short-term Rentals exceeds the cap identified in §60.05.10.2.1, then no permits will be issued for new Short-term Rentals until the number of permitted Short-term Rentals in the County falls below the cap.***

This text would cause a huge rush in new UNREGULATED STR to enter the market in order for their application to be considered. This is because the current cap set for STRs is below the current number of STRs in existence

>> Looking at other areas of the nation and world that have dealt with the issues of STRs, it is in our best interest as a community to eliminate STRs entirely. Short of that, no preferences should be made for existing short term rentals and we should seek to limit the number of short term rentals as much as possible in order to **increase the amount of housing stock available to our community for first time home buyers and for long term rentals to re-enter the market.**

Thank you for your consideration.

Luna Garrard,
Eureka Resident

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW: Short Term Rentals in Humboldt
Date: Tuesday, September 26, 2023 9:03:42 AM

Please see the public comment below.

Laura McClenagan

From: Maria Morrow <humboldtscience@gmail.com>
Sent: Monday, September 25, 2023 5:59 PM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: Short Term Rentals in Humboldt

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

Hello there,

I am a resident of Eureka and would like to write in support of regulating short term rentals and empty houses. The number of units listed on sites like airbnb and vrbo in our area has increased dramatically over the past few years, most of these are for the entire home. This is contributing to housing insecurity, rent hikes, and increased houselessness and risk of houselessness for the most vulnerable members of our community. Additionally, I have seen how hard it can be for financially secure folks to find and maintain housing here, forcing many of them out of the area. It is also hard to find people for services within the community, we always seem short on folks who do the jobs we need (dentists, doctors, trades people, childcare...). We need to have more housing open for folks to live in so that they can contribute to and be a part of our community.

A second regulation that could help our housing shortage is increasing taxes on secondary houses and/or empty residences. I think taxes should be increased so that maintaining an empty property is less preferable/profitable than getting it back out on the market.

Thank you for your time and hearing my concerns,

Maria Morrow
2001 Wrigley Rd
Eureka, CA 95503

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW:
Date: Tuesday, September 26, 2023 9:06:47 AM

Please see the public comment below.

Laura McClenagan

From: Shea M <mmcphearson320@gmail.com>
Sent: Tuesday, September 26, 2023 6:10 AM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject:

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

Hello,

Please see my comments below in regards to the latest draft STR ordinance [STR Remove Housing Stock for the community](#). It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.

1. [STR are not being regulated appropriately to prevent "mom-and-pop" hotel chains from developing](#). The latest text includes

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

This would allow property owners five individual homes to rent out as short term rentals. I believe this is far too great of a number and should be reduced to 1 or 0. The regulations make no designation on the limit when compared in family trusts, organizations owned by the same entity or individual and leaves a loophole open for larger STR owners to divide holdings between different companies to continue to operate large numbers of STRs. Cumulatively, the number of STRs in our county represent:

381 active listings in Eureka, average **annual revenue of \$43.3K per rental**

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(data from AirDNA.co)

This represents a total of **1087 homes that could re-enter the market as long term rentals or homes for first time homebuyers.**

I support an ordinance that only allows for "Home-share" STR and would eliminate 61.05.10 Short-term Rentals defined as entire homes without a caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.

2. If Short term rentals are continued to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.
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Thank you for your consideration.

Mariya "Shea" McPhearson
Arcata resident

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW: Short Term Rental Ordinance
Date: Tuesday, September 26, 2023 8:58:24 AM

Please see the public comment below.

Laura McClenagan

From: Martin Fusek <tvisawaste@gmail.com>
Sent: Sunday, September 24, 2023 7:22 PM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: Short Term Rental Ordinance

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

Hello,

Please see my comments below in regards to the latest draft STR ordinance

STR Remove Housing Stock for the community. It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.

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9. *Per Person Limit. An individual or business shall not own more than five (5)*

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30. AirDNA.co)

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34. **homes that could re-enter the market as long term rentals or homes for first time homebuyers.**

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38. **support an ordinance that only allows for "Home-share" STR and would eliminate**

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59. *Rental shall be determined based on evidence of operation from January 2022 through May of 2023.*

60. *If*

61. *the number of permits issued for existing Short-term Rentals exceeds the cap identified in §60.05.10.2.1, then no permits will be issued for new Short-term Rentals until the number of permitted Short-term Rentals in the County falls below the cap.*

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71. limit the number of short term rentals as much as possible in order to increase

72. the amount of housing stock available to our community for first time home buyers and for long term rentals to re-enter the market.

73.

Thank you for your consideration.

Martin Fusek
Eureka Resident

9-26-23

Comments regarding Humboldt County Planning Department Short-Term Vacation Rentals

Submitted by: Mary Hurley, 5098 Mitchell Road, Eureka, CA 95503, hurleymch@gmail.com, (707) 273-3951 – Cell, (707) 445-2693 – Landline

I urge the Humboldt County planning commission to curtail the number of short term vacation rentals allowed in Humboldt County for both incorporated and unincorporated parts of the County. I believe the current number of 1.66 percent of such rentals in the unincorporated part of Humboldt County is too high of a cap. This is due to:

- a.) The critical shortage of affordable housing in Humboldt County;
- b.) The projected future growth rate in Humboldt County due to increased economic projects, increased student population at Cal Poly Humboldt and climate refugees;
- c.) The imperative need for careful land use planning in the unincorporated parts of the County to protect forests, watersheds, and wildlife populations.

The current ballot effort to derail building affordable housing units in downtown Eureka and lose out on State funding is another threat in Humboldt County on meeting housing needs. Our County has high rates of mental illness, addiction, food scarcity and childhood poverty and trauma. All of these problems can be improved with greater affordable housing.

In order to foster carbon neutral economic growth, we need to have a larger stock of affordable housing to encourage making our area an affordable place to live for the increased number of lower and middle income wage earners that will come to this area to live and hopefully take part in the jobs offered through the wind energy and fish farm projects, increased teaching positions at Cal Poly Humboldt, and more physicians and health care workers willing to relocate here which will improve access to health care for all.

We must carefully plan where this growth will occur in the County to protect our natural resources as a buffer against increasing adverse climate changes including wildfires and sea level rise. This limits the areas where affordable housing can be built if we are to avoid sprawling growth in wildlife urban interface areas.

These needs must take precedence over the profit requirements of the Airbnb industries. I encourage the planning department to work with the individual homeowners to convert their short term rental units to regular rentals for individuals and families so we can move forward to help resolve our housing crisis. This needs to be decided now rather than delayed, and additional clear and concise regulations governing the short term rental industry need to be implemented with a much lower cap allowed of total housing units in all of Humboldt County.

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW: STR complaint
Date: Tuesday, September 26, 2023 8:56:18 AM

Please see the public comment below.

Laura McClenagan

From: Matthew Dodge <mattdodge@att.net>
Sent: Sunday, September 24, 2023 12:19 PM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: STR complaint

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

Im addition to the following, I must ask why residential neighborhoods should become commercial hotel zones? Where I live in Big Lagoon it is a tight neighborhood and the few STRs bring every time an element of disregard and disrespect. The noise, the driving with speed, the fireworks, the dogs. There is no reason why a neighborhood should become a commercial motel zone. Fuck this shit already, ban it outright.

Hello,

Please see my comments below in regards to the latest draft STR ordinance

STR Remove Housing Stock for the community. It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.

1. STR are not being regulated appropriately to prevent "mom-and-pop" hotel chains from developing. The latest text includes

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

This would allow property owners five individual homes to rent out as short term rentals. I believe this is far too great of a number and should be reduced to 1 or 0. The regulations make no designation on the limit when compared in family trusts, organizations owned by the same entity or

individual and leaves a loophole open for larger STR owners to divide holdings between different companies to continue to operate large numbers of STRs. Cumulatively, the number of STRs in our county represent:

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This represents a total of **1087 homes that could re-enter the market as long term rentals or homes for first time homebuyers.**

I support an ordinance that only allows for "Home-share" STR and would eliminate 61.05.10 Short-term Rentals defined as entire homes without a caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.

2. If Short term rentals are continued to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.
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>> Looking at other areas of the nation and world that have dealt with the issues of STRs, it is in our best interest as a community to eliminate STRs entirely. Short of that, no preferences should be made for existing short term

rentals and we should seek to limit the number of short term rentals as much as possible in order to **increase the amount of housing stock available to our community for first time home buyers and for long term rentals to re-enter the market.**

Thank you for your consideration.

Your Name
(Place) Resident

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW: Item H: Short term rental ordinance Workshop
Date: Friday, September 22, 2023 3:00:11 PM

Please see the public comment below.

Laura McClenagan

From: Misael Ramos <mrcarrasco83@gmail.com>
Sent: Thursday, September 21, 2023 2:08 PM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: Item H: Short term rental ordinance Workshop

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

Good day,

Homes are for living in.

I feel I have been very lucky in my housing journey in HumCo as I have never experienced homelessness and currently find myself party to homeownership vis a vis my partner in Eureka proper. I have nevertheless found myself in unideal housing situations caused by a lack of diverse housing options that can accommodate people of limited means, who have pets, and who would prefer to live alone or with just their partner. In my current line of work I have seen homes that would be perfect for a family to purchase or rent turned into short term rentals (STR)s. There are of course many properties in unincorporated county that are ideal for STR use but these are properties that wouldn't provide a resident with a reasonable commute to work or school and are also scenic and have something special about them. Properties like some in northern coastal county or ranches are good candidates in my opinion.

My perspective is that housing is first and foremost for living in and only secondarily is it appropriate to use a home as a passive income investment. It's important that the opportunity to buy or rent a home be available to as many people as possible. Housing accessibility is a core component of building an economy that works for it's average participant, not just the ownership class.

STRs should be on located where your average resident wouldn't seek to live. Perhaps people who have second homes in the area could use them as STRs as this wouldn't cause further displacement and have econ. benefits.

At the end of the day: hotels exist.

That's all I have to say about that.

- A Eureka Guy
220 W Buhne St
Eureka CA 95501

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW: STR ORDINANCE
Date: Tuesday, September 26, 2023 8:56:48 AM

Please see the public comment below.

Laura McClenagan

From: n707bail@gmail.com <n707bail@gmail.com>
Sent: Sunday, September 24, 2023 2:14 PM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: STR ORDINANCE

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

Hello,

Please see my comments below in regards to the latest draft STR ordinance

STR Remove Housing Stock for the community. It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.

1. STR are not being regulated appropriately to prevent "mom-and-pop" hotel chains from developing. The latest text includes

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

This would allow property owners five individual homes to rent out as short term rentals. I believe this is far too great of a number and should be reduced to 1 or 0. The regulations make no designation on the limit when compared in family trusts, organizations owned by the same entity or individual and leaves a loophole open for larger STR owners to divide holdings between different companies to continue to operate large numbers of STRs. Cumulatively, the number of STRs in our county represent:

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I support an ordinance that only allows for "Home-share" STR and would eliminate 61.05.10 Short-term Rentals defined as entire homes without a caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.

2. If Short term rentals are continued to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.
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>> Looking at other areas of the nation and world that have dealt with the issues of STRs, it is in our best interest as a community to eliminate STRs entirely. Short of that, no preferences should be made for existing short term rentals and we should seek to limit the number of short term rentals as much as possible in order to increase the amount of housing stock available to our

community for first time home buyers and for long term rentals to re-enter the market.

Thank you for your consideration.

Nolan Bailey

McKinleyville Resident

From: [Ro E. Lozano](#)
To: [Planning Clerk](#); [Hilton, Keenan](#)
Subject: STR
Date: Wednesday, September 20, 2023 9:57:34 PM

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

Hello,

Please see my comments below in regards to the latest STR ordinance (coastal ordinance) and the proposed workshop on Thursday, September 21, 2023. I would like to include the following points in the event I am not able to attend or if the workshop is unable to be held due to a large number of items on the consent calendar.

STR Remove Housing Stock for the community. It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.

STR are not being regulated appropriately to prevent "mom-and-pop" hotel chains from developing. The latest text includes

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If Short term rentals are continued to be regulated, I support additional STR

permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.

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Thank you for your consideration.

Ro Lozano
Arcata Resident

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW: Comments on Short-Term Rental (STR) Ordinance
Date: Tuesday, September 26, 2023 8:52:16 AM

Please see the public comment below.

Laura McClenagan

From: Ryder Dschida <dschidar@gmail.com>
Sent: Sunday, September 24, 2023 9:14 AM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: Comments on Short-Term Rental (STR) Ordinance

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

Hello,

Please see my comments below in regards to the latest draft STR ordinance

STR Remove Housing Stock for the community. It is proven that short-term rentals remove opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community. I was lucky as a first-time homebuyer to secure housing in McKinleyville through a family acquaintance. I would not have been able to afford my first home--in my mid thirties--were it not for this connection. I probably would not have been able to afford a home ever, given current market prices.

- 1.
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21. annual revenue of \$82.9K per rental

22. 197 active listings in McKinleyville, average

23. annual revenue of \$54.5K per rental

24.

25. (data from AirDNA.co)

26.

27.

28. This represents a total of

29. 1087 homes that could re-enter the market as long term rentals

30. or homes for first time homebuyers.

31.

32. I support an ordinance that only allows for "Home-share" STR and

33. would eliminate 61.05.10 Short-term Rentals defined as entire homes without a

34. caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.

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41. If Short term rentals are continued to be regulated, I support additional STR permit

42. fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or

43. sell their STR properties.

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49. *61.05.5 Existing Operations. No permits for whole dwelling unit Short-term*

50. *Rentals shall be issued during the first two (2) months following the effective date of this section but applications from individuals operating existing short-term rentals will be received. Two months after the effective date of this ordinance the department*

51. *will issue permits prioritizing applications for locations with existing Short-term Rentals. An existing Short-term Rental shall be determined based on evidence of operation from January 2022 through May of 2023.*

52. ***If the number of permits issued for existing Short-term Rentals***

53. ***exceeds the cap identified in §60.05.10.2.1, then no permits will be issued for new Short-term Rentals until the number of permitted Short-term Rentals in the County falls below the cap.***

54.

55. **This text would cause a huge rush in new UNREGULATED STR to**

56. **enter the market in order for their application to be considered. This is**

57. **because the current cap set for STRs is below the current number of STRs in existence**

58.

59.

60. >> Looking at other areas of the nation and world that have dealt with the issues

61. of STRs, it is in our best interest as a community to eliminate STRs entirely. Short of that, no preferences should be made for existing short term rentals and we should seek to limit the number of short term rentals as much as possible in order to

62. **increase the amount of housing stock available to our community**

63. **for first time home buyers and for long term rentals to re-enter the**

market.

64.

Thank you for your consideration.

Ryder Dschida

McKinleyville Resident

From: [SDS Humboldt](#)
To: [Hilton, Keenan](#); [Planning Clerk](#)
Subject: Comments
Date: Friday, September 22, 2023 9:02:14 PM

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

By Thursday, September 21, 2023 - 6:00pm

Hello,

Please see our comments below in regards to the latest STR ordinance (coastal ordinance) and the proposed workshop on Thursday, September 21, 2023. We would like to include the following points in the event as we are not able to attend or if the workshop is unable to be held due to a large number of items on the consent calendar.

STR Remove Housing Stock for the community. It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.

STR are not being regulated appropriately to prevent "mom-and-pop" hotel chains from developing. The latest text includes

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

This would allow property owners five individual homes to rent out as short term rentals. I believe this is far too great of a number and should be reduced to 1 or 0. The regulations make no designation on the limit when compared in family trusts, organizations owned by the same entity or individual and leaves a loophole open for larger STR owners to divide holdings between different companies to continue to operate large numbers of STRs. Cumulatively, the number of STRs in our county represent:

381 active listings in Eureka, average **annual revenue of \$43.3K per rental**
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(data from AirDNA.co)

This represents a total of **1087 homes that could re-enter the market as long term rentals or homes for first time homebuyers.**

I support an ordinance that only allows for "Home-share" STR and would eliminate 61.05.10 Short-term Rentals defined as entire homes without a caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.

If Short term rentals are continued to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.

61.05.5 Existing Operations. No permits for whole dwelling unit Short-term Rentals shall be issued during the first two (2) months following the effective date of this section but applications from individuals operating existing short-term rentals will be received. Two months after the effective date of this ordinance the department will issue permits prioritizing applications for locations with existing Short-term Rentals. An existing Short-term Rental shall be determined based on evidence of operation from January 2022 through May of 2023. If the number of permits issued for existing Short-term Rentals exceeds the cap identified in §60.05.10.2.1, then no permits will be issued for new Short-term Rentals until the number of permitted Short-term Rentals in the County falls below the cap.

This text would cause a huge rush in new UNREGULATED STR to enter the market in order for their application to be considered. This is because the current cap set for STRs is below the current number of STRs in existence

>> Looking at other areas of the nation and world that have dealt with the issues of STRs, it is in our best interest as a community to eliminate STRs entirely. Short of that, no preferences should be made for existing short term rentals and we should seek to limit the number of short term rentals as much as possible in order to **increase the amount of housing stock available to our community for first time home buyers and for long term rentals to re-enter the market.**

Thank you for your consideration.

Students for a Democratic Society
Cal Poly Humboldt Chapter

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW: STR Ordinance
Date: Tuesday, September 26, 2023 9:04:14 AM

Please see the public comment below.

Laura McClenagan

From: Tiffany Tran <tiffie1029@gmail.com>
Sent: Monday, September 25, 2023 7:07 PM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: STR Ordinance

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

Hello,

Below is a copy and paste of an email which has points I absolutely agree with. This part is to include my personal experience of recently moving into Humboldt County. My family of four intended on moving to Arcata in July. We were looking for a home to rent and were recommended to start looking in May for up coming rentals. If we found one it was recommended we rent right away which would cost us money for a unit we would not be ready to occupy. Because that's how tight the rental market is.

Ultimately we decided on purchasing a mobile home. Then spent over a month living between hotels, camp grounds, and air bnbs while we waited for move in day to our new home. (Don't even get me started on how inflated mobile homes are.) There are an abundance of air bnb options. Hosts own multiple homes and rent them out for way over fair market value in rent. It seems like every 2 bedroom in Eureka is an air bnb. But were scarce in the rental market. At these prices, housing is being treated as a privilege. It should not be a privilege that my family had a safe place to stay.

Air bnb is a cash grab for people in the know; at the expense of average working people needing housing they can afford.

Please see my comments below in regards to the latest draft STR ordinance STR Remove Housing Stock for the community. It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.

1. STR are not being regulated appropriately to prevent "mom-and-pop" hotel chains from developing. The latest text includes

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

This would allow property owners five individual homes to rent out as short term rentals. I believe this is far too great of a number and should be reduced to 1 or 0. The regulations make no designation on the limit when compared in family trusts, organizations owned by the same entity or individual and leaves a loophole open for larger STR owners to divide holdings between different companies to continue to operate large numbers of STRs. Cumulatively, the number of STRs in our county represent:

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This represents a total of **1087 homes that could re-enter the market as long term rentals or homes for first time homebuyers.**

I support an ordinance that only allows for "Home-share" STR and would eliminate 61.05.10 Short-term Rentals defined as entire homes without a caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.

2. If Short term rentals are continued to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.
3. *61.05.5 Existing Operations. No permits for whole dwelling unit Short-term Rentals shall be issued during the first two (2) months following the effective date of this section but applications from individuals operating existing short-term rentals will be received. Two months after the effective date of this ordinance the department will issue permits prioritizing applications for locations with existing Short-term Rentals. An existing Short-term Rental shall be determined based on evidence of operation from January 2022 through May of 2023. **If the number of permits issued for existing Short-term Rentals exceeds the cap identified in §60.05.10.2.1, then no permits will be issued for new Short-term Rentals until the number of permitted Short-term Rentals in the County falls below the cap.***

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enter the market in order for their application to be considered. This is because the current cap set for STRs is below the current number of STRs in existence

>> Looking at other areas of the nation and world that have dealt with the issues of STRs, it is in our best interest as a community to eliminate STRs entirely. Short of that, no preferences should be made for existing short term rentals and we should seek to limit the number of short term rentals as much as possible in order to **increase the amount of housing stock available to our community for first time home buyers and for long term rentals to re-enter the market.**

Thank you for your consideration.

Tiffany Tran

Arcata, CA

From: [Planning Clerk](#)
To: [Hilton, Keenan](#)
Subject: FW: STR comment
Date: Tuesday, September 26, 2023 9:05:57 AM

Please see the public comment below.

Laura McClenagan

-----Original Message-----

From: tony <tsymanovich@hotmail.com>
Sent: Monday, September 25, 2023 8:56 PM
To: Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject: STR comment

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

Hi,

I'd like to voice my opposition to allowing short-term rentals that are not owner-occupied in Humboldt County. As housing affordability hits crisis levels, regulation of STR's is necessary to provide critical housing supply for the community. Please consider policies that only allow owner-occupied STR's.

Thanks,

Tony Symanovich

From: [Ursula Newman](#)
To: [Hilton, Keenan](#)
Subject: Re:
Date: Thursday, September 21, 2023 5:54:45 PM
Attachments: [image001.png](#)

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

Thank you ! My main belief and point is in relation to the point listed as point #2. I want to express that I believe an individual should be allowed maybe 1-3 rental units maximum. 5 feels very high. Even 3 feels high, but I would just like the number to at least drop below 4. I fear any number above 3 encourages people to buy up houses that could be a home for our community members.

Thank you again!!

On Thu, Sep 21, 2023 at 9:48 AM Hilton, Keenan <KHilton@co.humboldt.ca.us> wrote:

Hi Ursula,

Thank you for providing the comment. It will be included in the project record.

Best,

Keenan



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

From: Ursula Newman <ursulanewman422@gmail.com>
Sent: Wednesday, September 20, 2023 11:27 PM
To: Hilton, Keenan <KHilton@co.humboldt.ca.us>; Planning Clerk <planningclerk@co.humboldt.ca.us>
Subject:

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

Hello,

Please see my comments below in regards to the latest STR ordinance (coastal ordinance) and the proposed workshop on Thursday, September 21, 2023. I would like to include the following points in the event I am not able to attend or if the workshop is unable to be held due to a large number of items on the consent calendar.

I am 20 years old and I have grown up here, I currently attend HSU and have a strong interest in speaking up for what I and many others in the community believe in when it comes to housing in Humboldt county. We have had a housing crisis for years now in Humboldt county. I believe that our area is a beautiful place for tourism and living. However, the reality in recent years has felt like houses are being bought up and put on the market as Short term rentals/ airBnb. While I personally believe a small amount of these is ok, we are giving up the heart and soul of our community if we do not put a limit in place. Thank you and please consider this information gathered by others in the community.

1. STR Remove Housing Stock for the community. It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.

2. STR are not being regulated appropriately to prevent "mom-and-pop" hotel chains from developing. The latest text includes

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

This would allow property owners five individual homes to rent out as short term rentals. I believe this is far too great of a number and should be reduced to 1 or 0. The regulations make no designation on the limit when compared in family trusts, organizations owned by the same entity or individual and leaves a loophole open for larger STR owners to divide holdings between different companies to continue to operate large numbers of STRs. Cumulatively, the number of STRs in our county represent:

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3. If Short term rentals are continued to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.

4. *61.05.5 Existing Operations. No permits for whole dwelling unit Short-term Rentals shall be issued during the first two (2) months following the effective date of this section but applications from individuals operating existing short-term rentals will be received. Two months after the effective date of this ordinance the department will issue permits prioritizing applications for locations with existing Short-term Rentals. An existing Short-term Rental shall be determined based on evidence of operation from January 2022 through May of 2023. If the number of permits issued for existing Short-term Rentals exceeds the cap identified in §60.05.10.2.1, then no permits will be issued for new Short-term Rentals until the number of permitted Short-term Rentals in the County falls below the cap.*

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with the issues of STRs, it is in our best interest as a community to eliminate STRs entirely. Short of that, no preferences should be made for existing short term rentals and we should seek to limit the number of short term rentals as much as possible in order to **increase the amount of housing stock available to our community for first time home buyers and for long term rentals to re-enter the market.**

Thank you for your consideration.

Ursula Newman
Arcata Resident

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](#)

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

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

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

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

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: [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](#)

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

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



Post-Workshop Comments

Theme 3: Miscellaneous

From: apres5@aol.com
To: [Hilton, Keenan](#)
Subject: roads and hosted STRs
Date: Tuesday, September 19, 2023 4:55:31 PM

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

Hello Mr. Hilton, or may I call you Keenan?

I was the last one to try to speak at the zoom meeting you recently had, but my reception wasn't good enough to be heard so you recommended emailing.

I have a wing of my house that I'm refurbishing as a STR to help supplement my social security so I can keep my property. I've rented it out before on occasion, and my daughter and a friend lived there when she was at HSU til 2005.

I'd only just found out about the permitting plan, had no time to read up on it, but want to be sure I can get a permit.

I live on West End Road so I was alarmed to hear the description of a class 4 road, as I'm four miles out, and there are several places where the road is not 18 feet wide, while still being wide enough for two vehicles to easily pass each other.

I only know of two households who AirB&B; one is on West End Road like me and the other on Essex lane, and both would be hosts also, as their rental units are attached to their houses. I let them know about this and they're also concerned.

It seems to me that to not permit hosted rentals in the more rural areas due to the width of the County road that accesses them, would be to put more pressure on siting STRs in the urban and suburban areas, which is where the long term rental housing crunch is.

Please will you consider changing the plans to include well-travelled rural roads like mine even if they are Class 3 (which I'm hoping West End Road is!) As it's a County road, you don't have any concerns with dealing with private road maintenance issues.

Also, I see driving the rural road as part of the experience for renters coming from the city, which they wouldn't get with a STR in one of our urban areas.

I remember a mention in the zoom meeting about a workshop this week, but haven't managed to find information on the county website. Is that something I could attend? If so, would you please be so kind as to give me date/time/place information?

Thank you for your assistance. I greatly appreciated the zoom meeting you had as it gave me a lot of initial information.

Sincerely,
Ann Preston

From: beejfree@yahoo.com
To: [Hilton, Keenan](#)
Subject: Oppose Short Term Rental Moratorium
Date: Thursday, September 21, 2023 9:12:52 AM

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

Hello Mr. Hilton

We have been vacation renting our home in McKinleyville since 2017 May through mid October with Trinidad Retreats. We live in Truckee during these months of renting in Humboldt . This is a big part of our retirement. The McKinleyville home has welcomed many people to our beautiful area bringing revenue to stores , restaurants, even bringing new students to Cal Poly Humboldt and College of the Redwoods through guests who have stayed here.

We would like to continue hosting guests at our home on the Hammond trail. Please support our continuing ability to have our STR .

Sincerely,

Betti-jean Jacobson

Sent from my iPhone

From: [Carole Hurst](#)
To: [Hilton, Keenan](#)
Subject: Input Short Term Rentals
Date: Wednesday, September 20, 2023 6:33:54 PM

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

I am a stakeholder in Humboldt County, owning and managing a vacation rental home north of Orick for 12 years.

For health reasons, after a ten year residency, I moved to a dry sunny climate. I was very involved with the City of Big Bear Lake for the process of updating the STR regulations. The link below takes you to the new regulations. I believe they will be informative to your process. I will also write further comments. My major point of disagreement is with Section 60.05.10.2.3 —An individual or business shall not own more than five (5) parcels with Short-term Rental Permits.

The number should be two (2). It is the corporate world and the wealthy who are buying up property and cutting into the housing supply needed for viable communities. This greed is antithetical to the values of Humboldt County.

I believe our work process models much of what you are trying to balance and achieve. Please see:

<https://www.citybigbearlake.com/index.php/services-main/transient-private-home-rentals>

[Sent from Yahoo Mail for iPad](#)

From: [Carole Hurst](#)
To: [Hilton, Keenan](#)
Subject: Policy limiting individual ownership of STR
Date: Wednesday, September 20, 2023 6:43:12 PM
Attachments: [IMG_5786.PNG](#)

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



[Sent from Yahoo Mail for iPad](#)

From: [Carole Hurst](#)
To: [Hilton, Keenan](#)
Subject: Actual Ordinance—Short Term Rentals
Date: Wednesday, September 20, 2023 6:51:11 PM
Attachments: [Ordinance No. 2021-495 Vacation Rental Ordinance .pdf](#)

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

See Section 4.01.040. B—An owner may not hold more than two licenses.....(preexisting grandfathered)

https://www.citybigbearlake.com/images/DOWNLOADS/CITY_DEPARTMENTS/Vacationrentalprogram/Ordinance_No._2021-495_Vacation_Rental_Ordinance_.pdf

[Sent from Yahoo Mail for iPad](#)



CITY OF
BIG BEAR LAKE *California*

ORDINANCE NO. 2021-495

ORDINANCE ADOPTING MUNICIPAL CODE AND DEVELOPMENT CODE AMENDMENT 2020-103 TO AMEND DEVELOPMENT CODE SECTION 17.25.070 PERTAINING TO RESIDENTIAL PARKING STANDARDS AND AMEND CHAPTER 4.01 PERTAINING TO VACATION RENTALS, AND FINDING THESE ACTIONS TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the City of Big Bear Lake, California (the “City”) is a municipal corporation and Charter City, duly organized under the constitution and laws of the State of California; and

WHEREAS, the City of Big Bear Lake is a four-season resort community where tourists visit to escape everyday urban life in order to enjoy a unique mountain experience, including recreation activities, rest, and relaxation; and

WHEREAS, the City of Big Bear Lake desires to preserve the residential character of neighborhoods that enhance the quality of life for our residents and provide a peaceful retreat for our visitors; and

WHEREAS, the City has a legitimate governmental interest in appropriately regulating the transitory use of residential properties to preserve the long-term residential character of its residential neighborhoods; and

WHEREAS, according to the Big Bear Lake General Plan, the local economy is primarily based on tourism, therefore, a guiding principle of the City of Big Bear Lake is to encourage a year-round, well-balanced economic base while recognizing the importance of tourism in the local economy; and

WHEREAS, due to Big Bear Lake’s status as a resort community that offers unique vacation opportunities for large families, the City desires to maintain the ability for visitors to rent family homes for their vacation accommodations; and

WHEREAS, the City Council adopted Ordinance No. 99-300 on August 9, 1999, establishing regulations for Transient Private Home Rentals (vacation rentals); and

WHEREAS, the City Council adopted Ordinance No. 2007-375 on December 10, 2007, amending the Development Code to include provisions for enforcing regulations on Transient Private Home Rentals (vacation rentals); and

WHEREAS, the City Council adopted Urgency Ordinance No. 2021-488 on January 11, 2021, deleting references to Transient Private Home Rentals from Chapter 17 and adding Chapter 4.01 to the Municipal Code regulating vacation rentals; and

WHEREAS, the protection of public health, safety, and welfare is a primary objective of the Big

Bear Lake General Plan; and

WHEREAS, under Public Resources Code section 21065, adoption of this ordinance is not a project subject to the California Environmental Quality Act (CEQA), and, alternatively, adoption of the ordinance is exempt from CEQA under CEQA Guidelines section 15061(b)(3), the general rule that states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. This Municipal Code Amendment does not have the potential to cause a significant effect on the environment; and

WHEREAS, all legal prerequisites to the adoption of this ordinance have occurred.

NOW, THEREFORE, the City Council does ordain as follows:

Section 1. The recitals above are each incorporated by reference and adopted as findings by the City Council.

Section 2. The City Council hereby finds that, based on the public testimony and substantial evidence in the record, under Public Resources Code section 21065, adoption of this ordinance is not a project subject to the California Environmental Quality Act (CEQA), and, alternatively, the adoption of the ordinance is exempt from CEQA under CEQA Guidelines section 15061(b)(3), the “common sense” rule that states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. This Municipal Code Amendment does not have potential to cause a significant effect on the environment.

Section 3. Based on the evidence presented to the City Council, including oral and written agenda reports and public testimony, the City Council finds as follows with respect to the Municipal Code Amendment and Development Code Amendment 2020-103:

1. The Municipal Code amendment is consistent with all other related provisions thereof because the amendment does not conflict with other standards and provisions of the Municipal Code and adding provisions to regulate vacation rentals elsewhere in the Municipal Code is in the City’s best interest.
2. The Development Code amendment is reasonable and beneficial at this time because it will remove any potential conflict arising from legally established gravel parking spaces located on vacation rental properties, and is consistent with the City’s General Plan.


Section 4. Based on the findings and conclusions set forth in Sections 1 and 2, above, the City Council hereby adopts the amendments identified in Attachments A, B, C to this ordinance, which are attached hereto and incorporated herein by reference.

Section 5. The City Clerk shall certify to the adoption of this ordinance. The Clerk shall timely file a notice of exemption under CEQA.

Section 6. If any section, sentence, clause or phrase of this ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. The City Council hereby declares that they would have adopted


this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

PASSED, APPROVED AND ADOPTED THIS 16th day of August, 2021.



Rick Herrick, Mayor

ATTEST:



Erica Stephenson, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF BIG BEAR LAKE)

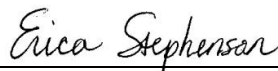
I, Erica Stephenson, City Clerk of the City of Big Bear Lake, California, do hereby certify that the whole number of the City Council of the said City is five; that the foregoing Ordinance No. 2021-495 is a full, true and correct original of Ordinance No. 2021-495 of the City of Big Bear Lake entitled:

ORDINANCE ADOPTING MUNICIPAL CODE AND DEVELOPMENT CODE AMENDMENT 2020-103 TO AMEND DEVELOPMENT CODE SECTION 17.25.070 PERTAINING TO RESIDENTIAL PARKING STANDARDS AND AMEND CHAPTER 4.01 PERTAINING TO VACATION RENTALS, AND FINDING THESE ACTIONS TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

was duly passed and adopted by the said City Council, approved and signed by the Mayor of said City, and attested by the Clerk of Said City, all at a regular meeting of the said Council on the 16th day of August 2021, and that the same was so passed and adopted by the following vote:

AYES: Putz, Melnick, Mote
NOES: Lee
ABSTAIN: Herrick
ABSENT: None

I do hereby further certify that pursuant to the provisions of Section 36933 of the Government Code of the State of California that the foregoing Ordinance No. 2021-495 was duly and regularly published according to law and the order of the City Council and circulated within the said City.



Erica Stephenson, City Clerk

ORDINANCE ATTACHMENT B

CHAPTER 4.01

Municipal Code Title 4, Section 1, is amended to read in its entirety as follows:

Title 4 Visitor-serving uses and tourism

Chapter 4.01 Vacation Rentals

Section 4.01.010. Purpose

This chapter is intended to provide a procedure to allow the rental of private homes to visitors on a short-term basis as vacation rentals. The city seeks to promote vacation rentals, promote responsible visitor behavior, and protect the residential character of its neighborhoods.

Section 4.01.020. Definitions

For purposes of this chapter, the following words and phrases are defined as follows:

- A. “Agent” means a person or entity, who does not hold any interest in the property and who has authority to act on behalf of the owner
- B. “Bedroom” means a room designed primarily for sleeping that meets the definition of the California Building Codes currently adopted by the city.
- C. “Check in” means the arrival of a guest at a vacation-rental property or agent’s office.
- D. “Home-sharing” or “home-sharing property” means the rental of no more than two bedrooms in a detached single-family unit for a term of 28 or fewer consecutive days while the owner of the unit is present and living in the unit.
- E. “Hosting platform” means a person or entity who participates in home-sharing or vacation rentals by collecting or receiving a fee, directly or indirectly through an agent or intermediary, for conducting a booking transaction using any medium of facilitation. Examples include, but are not limited to, VRBO.com, Airbnb.com, homestay.com and other internet and non-internet based services that facilitate bookings for a fee.
- F. “Owner” means a person or entity, who holds record fee title to the property, except that “owner” does not include the holder of a leasehold interest in the property.
- G. “Responsible party” means the lessee of a vacation-rental property.
- H. “Vacation rental” or “vacation-rental property” means either (1) a residential dwelling unit that is leased for a term of 28 or fewer consecutive days or (2) a home-

sharing property.

Section 4.01.030. License Required

A current, valid annual license issued by the city to the owner is required for each property prior to advertising, offering to lease, or leasing the property as a vacation-rental property. The license shall be posted inside of the vacation-rental property.

Section 4.01.040. Licensing Procedure

- A. An owner shall apply to the city for a license annually for each vacation-rental property and pay a fee established by resolution of the city council. The city shall provide an application form and list of application and insurance requirements
- B. An owner may not hold more than two licenses, except that an owner holding more than two licenses as of September 16, 2021, may renew those licenses unless they have been revoked or not renewed within 30-days of expiration.

Section 4.01.050. Transient Occupancy Tax

- A. Except as provided in Paragraph B below, the owner is responsible for collecting and remitting transient occupancy tax and tourism business improvement district assessments to the city and shall comply with all provisions of Chapter 3.20 of this code concerning transient occupancy taxes.
- B. Beginning January 1, 2022, hosting platforms shall be responsible for collecting all applicable transient occupancy taxes and tourism business improvement district assessments and remitting the same to the city. The hosting platform shall be considered an agent of the host for purposes of transient occupancy tax collections and remittance pursuant to Chapter 3.20.
- C. Owners shall be responsible for submitting transient occupancy tax forms reporting nightly stays and gross receipts even if a hosting platform is remitting the taxes due on their behalf.
- D. Licensees making two or more late submittals in a 12-month period shall not have their license renewed upon expiration.

Section 4.01.060. Operational Requirements

- A. The owner and owner's agent shall ensure that the vacation-rental property complies with all applicable codes regarding fire, building and safety, health and safety, zoning, lighting, and all other laws and regulations.
- B. All guest check-ins must be performed in person by the owner or the owner's agent. The responsible party must be present in person at the check-in. The responsible party must sign a copy of the City's Good Neighbor Policy prior to or during check-

in. A copy of the signed policy shall be provided to the city by the owner or owner's agent upon request. An owner or agent may provide an electronic process for guests to sign and acknowledge the City's Good Neighbor Policy at check-in.

- C. Occupancy of the vacation-rental property shall always be limited to the limit stated on the license. Such occupancy shall not exceed two adults per bedroom, plus two additional adults, not including persons under 18 years of age; but the total number of persons, including persons under 18 years of age, may not exceed one person per 200 square feet of living space or 16 persons, whichever is less. Properties without all the parking spaces that are required by Section 17.25.070 are limited to two adults per parking space provided.
- D. No party, wedding, or other gathering exceeding occupancy limits is permitted without prior written approval by the city manager or the city manager's designee at least 30 days in advance. City approval is discretionary and may be subject to reasonable conditions.
- E. Off-street parking spaces shall be provided on the vacation-rental property sufficient for all vehicles and trailers associated with the vacation-rental property or its occupants in accordance with Section 17.25.070. Parking is allowed only in designated driveways and garages and is not allowed in the yard or street at any time. The maximum number of vehicles at a vacation-rental property at any time is also the minimum number of parking spaces required. Gravel parking spaces approved for vacation-rental properties licensed before January 11, 2021, and originally constructed after January 1, 2004, shall continue to be allowed until January 1, 2026. Properties licensed before January 11, 2021, that do not contain off-street parking spaces shall continue to be allowed until January 1, 2026.
- F. Upon the request of the city, the owner or the owner's agent shall respond in person at the vacation-rental property within 30 minutes of dispatch of notice by the city to correct a violation of this chapter or any other provision of this code.
- G. No radio receiver, musical instrument, phonograph, loudspeaker, sound amplifier, or other any machine or device for the producing or reproducing of any sound may be operated on the vacation-rental property unless it is within a fully enclosed structure and is not audible at the property line of the vacation-rental property.
- H. Outdoor activity that disturbs the peace and the use of an outdoor spa are prohibited between the hours of 10:00 p.m. and 7:00 a.m.
- I. Each vacation-rental property shall be equipped with no more than one informational sign as described in the registration materials.
- J. Trash may not be stored at a vacant vacation-rental property at any time.
- K. Incessant barking from dogs heard beyond the property line is prohibited.
- L. The owner shall include notice to lessee of the requirements of this section in all leases and post a visible notice at the entrance to the vacation-rental property.

Section 4.01.070. Agency and Certification

An owner may grant authority to an agent to act on behalf of the owner for purposes of fulfilling some or all the requirements of this chapter. The owner shall give prior written notice to the city of any grant of authority to a notice, including the identity and contact information for the agent. The owner shall promptly give the city written notice of any change to any such grant of authority of making such change. The use of an agent shall not excuse the owner from the owner's obligations of this chapter. Agents and owners fulfilling any of the requirements of this chapter shall be annually certified by the city.

Section 4.01.080. Inspection and Audit.

Each owner and owner's agent shall provide the city with access to the vacation-rental property and to such related records, documents, tax returns, and bank accounts at any time during normal business hours as the city may determine are necessary for the purpose of inspection or audit to determine that the objectives and conditions of this chapter are being fulfilled.

Section 4.01.090. Hosting Platform Responsibilities.

- A. Subject to applicable laws, hosting platforms shall, upon written request by the city, promptly disclose to the city each vacation-rental property listing located in the city, the host ID, listing ID, and names of the persons responsible for each such listing, the address of each such listing, the length of stay for each such listing, and the price paid for each stay.
- B. A hosting platform shall promptly remove any listing upon receipt of a take-down notice from the city indicating that a listing violates applicable legal requirements.
- C. A hosting platform is responsible for collecting and remitting transient occupancy taxes and tourism business improvement district assessments on behalf of their hosts beginning January 1, 2022, in accordance with Section 1.01.050 above.
- D. A hosting platform shall require all hosts to include a valid license number in a designated field dedicated to the license number no later than January 1, 2022.

Section 4.01.100. Violations and Penalties

- A. The city may issue an administrative citation to any person who operates a vacation-rental property without a license. The administrative fine for the first citation shall be in the amount of \$5,000.00. Any person operating an unlicensed vacation-rental property shall be permanently ineligible to operate a vacation-rental property in the city, and any property that is operated as a vacation property without the required license shall be ineligible for vacation-rental property license for a period of one year from the most recent citation issued for operating without a license. If the person continues to operate a vacation-rental property without a license, the city may issue an additional administrative citation, with an administrative fine in the amount of \$10,000.00. Any additional violation shall be subject to additional citations with escalating fines provided in a schedule established by the city council

by resolution. A person operating an unlicensed vacation-rental property is liable to the city for the payment of transient occupancy tax in accordance with the provisions of Chapter 3.20 of this code, including without limitation penalties and interest.

- B. For any violation of this chapter that is not subject to subsection A above and D below, the city may impose an administrative fine for the first violation in the amount of \$500.00. The fine for each subsequent violation shall be \$1,000.00.
- C. Each administrative citation for a violation of any provision of this chapter may be levied or assessed against one or more of: the owner, the owner's agent, a hosting platform, and the responsible party. The city may initiate revocation of a license after one violation. Each day that a violation occurs is a separate violation, for which the city may issue a separate administrative citation and fine.
- D. Any person who advertises a vacation-rental property with false occupancy information, offering self-check-in, or without including a valid license number for the property in the advertisement shall pay a fine in the amount of \$2,500.00, and the owner's license may be revoked. The owner's license shall be revoked for a second offense, if not revoked already.
- E. The failure of an owner or the owner's agent to comply with an order of any police officer shall result in the revocation of the license.
- F. The appeal and hearing provisions of Section 1.17.070 of this code apply to any revocation or suspension of a license. In lieu of revocation or suspension of a license, the City Manager, at his or her discretion, may place additional operating conditions on a vacation-rental property.
- G. In addition to, and not in lieu of, any other remedy allowed by law, all remedies prescribed under this chapter are cumulative, and the election of one or more remedies does not bar the city from pursuing any other remedy, whether criminal, civil, or administrative, through which the city may enforce this chapter or address any violation of this code or to remedy any other public nuisance.
- H. Owners and agents must accept all city vacation-rental-related correspondence, including, but not limited to, notices of violation, administrative citations, registration materials, notices of regulatory changes, and transient occupancy tax notices via email delivery. It is the responsibility of the owner and agent to ensure that the email address provided on the license application is active and monitored regularly.

ORDINANCE ATTACHMENT C

VACATION RENTAL ELIGIBILITY TABLE

Zoning District	Improvements on Property	Vacation Rental Eligibility
R-L & R-1 Zones	1 Single-Family Unit	Eligible
	1 Single-Family Unit & Detached Guest House (no kitchen)	Eligible, as one unit combined. Must rent the entire property to same party. No kitchen allowed in Guest House.
	1 Single-Family Unit & ADU**	Not eligible
	1+ Detached Single-Family Units	Only 1 unit is eligible
	1+ Attached Single-Family Units	Only 1 unit is eligible
R-3 Zone	1 Single-Family Unit	Eligible
	1 Single-Family Unit & Detached Guest House (no kitchen)	Eligible, as one unit combined. Must rent the entire property to same party. No kitchen allowed in Guest House.
	1 Single Family Unit & ADU**	Not eligible
	1+ Detached Single-Family Units	Only 1 unit is eligible
	2-4 Attached Single-Family Units	All are eligible
	>4 Attached Single-Family Units Under Single Ownership (Apartments)	None are eligible
	>4 Attached Single-Family Units Under Multiple Ownership (Condominiums)	All are eligible
Commercial Zones (including Village Commercial)	1 Single-Family Unit	Village Commercial = Eligible. Commercial Zones = Not eligible.
	Mixed-use building 1+ Detached Single-Family Units 1+ Attached Single-Family Units	None are eligible.

*Owners of licensed properties as of January 11, 2021 that are not in compliance with the above table can continue to renew license unless it has been revoked or expired more than 30 days.

** No property is eligible for a vacation rental license if the property has an ADU on it, regardless of zone.

From: [Heather Kornberg](#)
To: [Hilton, Keenan](#); [Bushnell, Michelle](#); [Heather Kornberg](#)
Subject: Re: Short term Rental input
Date: Thursday, September 21, 2023 1:19:21 PM

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

and eliminate the per parcel limit- this is very important.

On Thu, Sep 21, 2023 at 1:11 PM Heather Kornberg <hkornberg@gmail.com> wrote:
Hello Keenan Hilton,

Firstly, I would like to thank you for your work. Per our conversation the other day, I will be making an appointment to come into the office next week. In the mean time, these are my questions/comments for tonight's meeting.

I do not believe that this draft ordinance is ready to be adopted. It is important to know that the third party platforms are very strict in the regulations pertaining to safety and security, parking etc. and we pay a large percentage to them for their platforms. I believe that this ordinance is redundant. That being said, I understand that we have a major economic and mental health problem in our community. This has not been caused by tourists. If anything, tourism is keeping this county alive. Making certain rentals unable to be STR 's because of AOB permits or other issues will lead to more locals leaving, a continuing drop of real estate prices for sale and thusly a further vacancy of long term locals that decided to invest in our community by buying real estate here. The problems that exist here are not from vacationers. They come to see the the Redwoods, the river and the ocean and then leave. Without them, what economy do we have?

There is an ongoing discussion about taxes that are or are not being paid to the county. Because I am officially on 3rd party platforms for my rentals, I automatically pay an occupancy tax to the third party which then pays it to Humboldt county along with adding on their own administrative fees. it is very expensive to list with a third party, but necessary because of the scope and reach of their audiences.

therefore:

1. I think that if we, as homeowners, can show proof of the third party participation, thusly exemplifying that we pay taxes to the county and that we are upheld to safety standards, neighborhood welfare etc, we should be automatically exempt from this ordinance.

If the county still believes that we need an ordinance, I have further changes to recommend:

1. Benbow needs to be made into a Resort District for STR permitting due to its nature of amenities. The Benbow Inn, the KOA and the eel river access can be seen as resort amenities. Originally, Benbow was a resort area and there are many vacation rentals still in the area. The hotel serves as a hub for many of these renter/guests
2. 60.05.10.3.1 inland and 61.05.9.1 coastal: Eliminate section D in its entirety. Supply and demand will self regulate this section and it makes things less complicated.
3. 61.05.9.1.1 D Coastal ND 60.05.10.3.1 section D maximum overnight occupancy:

eliminate this section.

Thank you for your time.

Sincerely,
Heather Kornberg
Benbow and Shelter Cove
707-888-8632

STU outline

1. Third party platform participation:

A- if we can show proof of third party participation, we should be exempt from the ordinance as a whole therefor showing:

- a. taxes being paid to the county
- b. health and safety measures that are being followed because third party affiliates like Air bnb etc are complaint driven

2. If the county chooses to do across the board ordinances for Coastal and inland properties:

A. Benbow should be defined as a Resort area per the amenities that are there- the KOA Campground, Benbow state park, Eel river access and the Redwoods. It was originally a resort community and should be designated as one. Garberville acts as our fire department and we have HTA transportation from the KOA on a daily basis.

B. 61.05.10.3.2 Coastal and 60.05.10.3.2 Inland Per parcel limit needs to be eliminated or reworded so that guest houses (bedroom and bath only) can be rented separately from the main house thusly accommodating tourists or overnight travelers needs

C. Same section , letter D Neighborhood Concentration eliminate portions ia, ib referring to amount of dwellings in a neighborhood. This puts too many limitations on rental types. Having a large home next to a small guesthouse, each for rent as a STR leads to more selection for the travelers.

D. 61.05.9.1.1 Coastal and 60.05.10.3.1. section D eliminate completely. Occupancy is a self regulating device based upon the

renters need. This eliminated the possibility of a bedroom with two sets of bunkbeds that could be slept in by adults (anyone over the age of 18.....)

E. The establishment of a payment relief system for STR owners, somewhat like TRELIS for cannabis farms, because I do not think that STR rental owners, even if they turn their houses into long term rentals, will be able to afford monthly payments with the additional fees and will therefore have to forfeit their homes. ALL of my profit from last year is being put back into the houses for maintenance and upkeep this year, which is down in rentals by 82% from last year and interest rates on my home loans are increasing.



HUMBOLDT

ASSOCIATION OF REALTORS, INC.

September 21st, 2023

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PRESIDENT-ELECT

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SECRETARY/TREASURER

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Victoria Copeland

AFFILIATE LIAISON

Lisa Hall

EXECUTIVE OFFICER

Kristen Kelley

HC Planning & Building Department

ATTN: Keenan Hilton

3015 H Street

Eureka, CA 95501

RE: The Humboldt Association of Realtors® offers points of consideration for Humboldt County's Draft Short Term Rental Ordinance and Draft Suspension and Revocation Procedures.

Dear Humboldt County Planning & Building,

The Humboldt Association of Realtors® (HAR) acknowledges and appreciates the unique situation the County of Humboldt currently finds itself in regarding short-term vacation rentals (STRs) and the associated concerns surrounding the topic. We are confident the Humboldt County Planning & Building Department can create an ordinance that will transition our community into this new administrative STR process efficiently and effectively for everyone's best benefit.

The Humboldt Association of Realtors®, our Government Relations Committee, and our Short-Term Rental Subcommittee were honored to be selected as one of the first stakeholders addressed by the county pertaining to this ordinance. HAR places extreme value on our collaborative working relationship with Humboldt County officials and is excited to continue providing input during the creation and maturing of this ordinance and we hope our input is considered.

Some of the positive and supportive takeaways from the most recent ordinance include:

- The open and responsive approach the Humboldt County Building and Planning Department has taken during the development of this ordinance should be the method of development moving forward for all County Ordinances. The changes happening in real time from meeting to meeting were a great comfort and really is evidence that what people were saying is being heard, considered, and put to action.
- The updated process to permit Alternative Owner Builder and Accessory Dwelling Unit structures as short-term rental units is a much needed and crucial piece to the success of the STR Ordinance. Because so many STR properties throughout the County do fall into these dwelling types, it is imperative that the required permitting load on owners be as minimal as possible.
- The updated and proposed plan to transition existing operational STRs to permitted STRs after two months, pending the 2% cap, is an intelligent and creative method to allow those currently operating to remain operating and become “legal”. Consideration should be given however, to additional explanation of requirements in the event the property should need a special permit.

Our main outstanding concerns and recommendations regarding this ordinance are as follows:

- The complaint process should have amplifying procedures and/or language to outline more clearly what a complaint is and a process to solution. The public currently sees the complaint process as the means to the end of operations. The STR ordinance should address this fear by outlining more clearly what operators and complaint providers can expect. The revision should include a procedure for complaint investigation and mitigation that is comprehensive and considers all parties involved equally.
- The County should work with stakeholders to develop a “Good Neighbor Guide” that meets the County’s standards and expectations. Leaving this responsibility to the permit applicants creates space for ambiguity and vagueness in guidance. This would also be a perfect document to outline the complaint process!
- STR concentration is a primary concern as it has the potential to have the largest impact on the fabric of neighborhoods and communities. With that being said, the current proposed concentration density of 10% is not an acceptable “one size fits all” solution to the existing STR operations around the County. It is recommended a County-wide STR density survey is conducted prior to adoption of this Ordinance. It is also recommended the delineation of STR concentration numbers should be allotted by Community Planning Areas. This would more appropriately account for and align with areas of high STR density outside city limits.

Thank you for taking the time to listen and read through this letter. We look forward to ongoing discussion and information from all offices of Humboldt County regarding the sensitive issue. Our recommendation is to delay adoption of the Short-Term Rental ordinance until full clarity in the

ordinance can be achieved and measures can be taken to protect community members and their rights as property owners.

Respectfully,



Bernie Garrigan
Short Term Rental Sub Committee Chair
Government Relations Committee
The Humboldt Association of Realtors

James A. Smith
1177 Hayes Rd.,
McKinleyville, CA 95519
707-599-7253



Short Term Rentals

1. **Economic benefits:** Short-term rentals can contribute to the local economy by attracting tourists who spend money on accommodations, dining, shopping, and other local services. This can support local businesses and create job opportunities.
2. **Flexibility for travelers:** Airbnb offers a wide range of accommodation options for travelers, allowing them to choose from various styles, locations, and price points. This flexibility can attract a diverse range of tourists to McKinleyville, boosting tourism revenue.
3. **Utilization of existing resources:** Many homeowners in McKinleyville may have extra space or spare rooms that are suitable for short-term rentals. Utilizing these resources can generate additional income for homeowners and make efficient use of the existing housing stock.
4. **Cultural exchange:** By welcoming visitors from different parts of the world, short-term rentals can promote cultural exchange and provide opportunities for locals to learn about different cultures and perspectives. This can foster a sense of openness and tolerance in the community.
5. **Government revenue:** Implementing regulations and taxes on short-term rentals can generate additional revenue for the local government. These funds can be used to improve local infrastructure, services, and public spaces, benefiting both residents and tourists.
6. **Competitive advantage:** Many cities and regions already embrace short-term rentals as part of their tourism strategies. By allowing and regulating Airbnb in McKinleyville, the town can stay competitive with other destinations that offer similar accommodation options.
7. **Strengthening community ties:** Some Airbnb hosts become ambassadors for their neighborhoods, offering recommendations, local tips, and fostering connections between visitors and the local community. This can enhance community engagement and pride.
8. **Regarding noise, safety, and property values.** It's essential to strike a balance between the economic benefits associated with short-term rentals and the well-being of the community. There are already laws and regulations about noise and safety which can remedy neighbors' concerns.
9. **Short term rentals offer accommodations to tourists and travelers that would have to go another town such as Arcata, Eureka or Trinidad.** McKinleyville offers one place to stay which is at the airport away from the city center. Some of my relatives and friends that want to come visit me prefer to stay in a home in a neighborhood.

* see over

* as a serial I need the room rental to augment my income

From: [Jocelyn Chapman](#)
To: [Ford, John](#); [Hilton, Keenan](#)
Subject: STR regulations input
Date: Wednesday, September 20, 2023 2:00:35 PM

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

Hello!

I don't have new ideas for you to consider, but I would hope that you will consider working on the issue in phases/with grandfathering.

The STR should have some sort of grandfather component for homes in compliance with rules and taxes. Anything else is destructive to homeowners and often drives the situation underground as creative people find work arounds and potentially create unsafe spaces for guests and neighbors.

Concentration and permitting should take into account how well the home is managed and maintained. I make sure that my home is well managed and safe for guests.

I support STR regulations and I have watched the development of fair restrictions in many communities. STR is a way people travel now. They will not come to Trinidad like they do if they are not here. This option is crucial for those with diet restrictions and children.... I use STR when I travel because I like to have a kitchen.

I have owned my home at 430 Westgate Drive in Trinidad for 30 years. I became a single mom and needed to leave the area 20 years ago. First I had LTR and one of them was a marijuana grower. In 2009 I decided to try the vacation rental market, surely these people would not set up a grow operation. And I have not had any issues with guests for the large part.

My home is well loved and brings many people to the area annually. This situation works for my family and I as it allows me to keep and use the home while sharing it. I am hoping that I can retire there. It is unaffordable for me right now.

Jocelyn Chapman 415.750.1360

From: [john rotter](#)
To: [Ford, John](#); [Hilton, Keenan](#)
Subject: Fwd: Automatic Sprinkler Systems CRC §R313.2
Date: Wednesday, September 06, 2023 9:07:17 PM
Attachments: [image001.png](#)

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

Hi John and Keenan,

I caught the workshop tonight and here is the conclusion of a "seeking alternatives" email I had with Kieth.

I listened to John Lee who had a similar problem with sprinklers. There is another option for him and for others if they meet the *Exceptions* outlined in the current 2022 CRC R313.2. However, following the 2022 building codes may offer other problems. Hope this helps.

Still Pro AOB,

John

<!--[if !supportAnnotations]--> <!--[endif]-->
Hi John

As I mentioned earlier, the permit pathway using the time during the original construction of your AOB ADU would be in accordance with the 2013 California Residential Code, which mandates the use of fire sprinklers. However, you have another option available to you, which is to follow the current code. If you choose this path, you won't have to install fire sprinklers for your project.

Here's the relevant language from the current 2022 California Residential Code:

R313.2 One- And Two-Family Dwellings Automatic Sprinkler Systems

An automatic sprinkler system shall be installed in one- and two-[family](#) [dwellings](#).

Exceptions:

<!--[if !supportLists]-->1. <!--[endif]-->An automatic residential fire sprinkler system shall not be required for [additions](#) or [alterations](#) to [existing buildings](#) that are not already provided with an automatic residential sprinkler system.

<!--[if !supportLists]-->2. <!--[endif]-->[Accessory Dwelling Unit](#), provided that all of the following are met:

<!--[if !supportLists]-->1. <!--[endif]-->The unit meets the definition of an [Accessory Dwelling Unit](#) as defined in the Government Code Section 65852.2.

<!--[if !supportLists]-->2. <!--[endif]-->The existing primary residence

does not have automatic fire sprinklers.

<!--[if !supportLists]-->3. <!--[endif]-->The accessory detached dwelling
unit does not exceed 1,200 square feet in size.

<!--[if !supportLists]-->4. <!--[endif]-->The unit is on the same lot as the
primary residence.

Thank you



Keith Ingersoll

Chief Building Official

County of Humboldt

[Planning and Building Department](#)

Building Inspection Division

3015 H Street | Eureka, CA 95501

Phone: 707-445-7245 | Fax: 707-445-7446

Email: kingersoll@co.humboldt.ca.us

Email: buildinginspections@co.humboldt.ca.us

From: john rotter <jtrotter1948@gmail.com>

9/19/23

I would like to comment on an AOB use as a STR specifically: 61.05.10.1.4.1 61.05.10.1.4.1 AOB dwellings may be permitted after-the-fact, pursuant the building code in effect at the time of permit issuance.

At each of the draft STR meetings a district wide constituency of long term AOB owners have voiced concerns that their AOB dwelling are being denied a STR permit. This district wide voice has been presented with one of two options from the AOB code which will allow their AOB to obtain a STR permit. The one offered in the STR draft would require an AOB dwelling to obtain an after the fact permit. The requirements and steps necessary to obtain an after the fact permit are not detailed and the cost is not addressed. I have reached out to building regarding an after-the-fact permit. It is not a hurdle, rather an insurmountable brick wall, unless you are wealthy or have the expertise, time, and can come up with the permit fees. However the AOB code provides a second provision that address liability where the owner of the AOB dwelling will assume all liability with a Hold Harmless Agreement between the dwelling owner and the County. This has not been put forward for review and consideration. Additionally there is a third option not put forward and that will allow those AOB dwellings that have been used as a STR and who meet the standards set forth in STR Ordinance to continue such use.

AOB dwellings used as a STR are being perceived as a disruptive element to the balance the ordinance seeks to create. This is far from the truth and is the one single issue that will have the greatest impact on folks whose livelihoods depends on the income from having a STR. AOB dwellings used as a STR are well-established as an asset that truly balances community needs and provides economic stability to residents of our community. For 40 years planning has not interfered with AOB dwellings being rented and recognizes that AOB dwellings serve families who have had lost income due to lost jobs from struggling industries including the collapses of the cannabis industry.

Existing AOB dwellings allowed as a STR will not saturate the market and will be subject to ordinance standards of health and safety as well as neighborhood compatibility. Just as other existing STR, AOB/STR who are non-compliant or unable to meet STR standards or those saddled with numerous complaints will be weeded out by the provisions of the ordinance. The STR Ordinance should move forward allowing the existing AOB/STR practice to continue and adhere to the new STR ordinance. Hopefully planning and those who support removing the established use of AOB dwellings as a STR will consider the impacts to the district wide consistency of AOB owners and see that existing AOB dwellings used as a STR are necessary for many, pose no problems and will be subject to the STR ordinance. They should not be treated differently that other STR dwellings.

Thanks for your time and consideration.

John Rotter

Jrotter1948@gmail.com

Dear Planning Director Ford and Planning Department:

Please submit this written response into the public record for this planning department meeting which I am unable to attend because I no longer live in Humboldt County. I feel completely disheartened that after hearing an outpouring of attendance on a Zoom meeting where over 200 people logged on and at least 30 people or more spoke out for a more lenient, flexible, easier to implement and enforce STR ordinance, the county planning department's proposed additions make this seem even more complicated, confusing, restrictive, punitive and in all likelihood exceedingly time consuming to both implement and enforce. By hosting a follow up meeting as an in-person only meeting lacks transparency, does not allow for wider discussion and feels purposely restrictive. In this current day and age meetings like these should be done in a hybrid fashion where locals without technology can attend in person but those who prefer Zoom meetings and who own property but live outside of the county or who simply are traveling for leisure or business can attend.

My husband, Reid Kitchen and I have owned and continue to operate Trinidad Retreats, a local Humboldt vacation rental management company for the past 12 years. We manage 28 vacation rentals, 16 of which are located in the unincorporated county with most of them concentrated in the Westhaven to greater Trinidad area. The STR ordinance and proposed revisions has the potential to negatively impact the homes we manage as vacation rentals and will likely put a lot of owner managed homes out of business. Of the 16 STR's we "operate" but do not "own", 25% (4) are owner occupied during the low season for 8 or 9 months of the year. If not given an STR permit these would not convert into available housing. Another 50% (8) may not qualify because of the various restrictions written into these proposed additions. These owners also would not sell nor convert to long term rentals. These are 2nd homes that would sit vacant which is not great for the "healthy, safety and welfare" of any neighborhood and only be used by owners, their friends and family and the county would miss out on a very valuable transient occupancy tax. Maybe 25% or 4 of the homes we manage would consider either selling or converting to a long term rental but they would likely not provide "affordable" housing as fully furnished rentals. Owners have made a capital investment generally of at least \$20,000 to furnish an STR. They will likely not easily give up a good rent revenue stream. These are established STR's with strong TOT revenue histories that we have been paying the county for over a decade. This will result in loss of income to the county in the form of TOT's as well as job loss in the community. What is tragic is that a lot of people in Humboldt operating STR's were already crushed by Humboldt County's over restrictive, cost prohibitive and punitive cannabis ordinance. The collapse of the cannabis industry in Humboldt has devastated our local economy with job and income loss, businesses shuttered, ghost towns like Garberville and families struggling to stay in this community. We employ anywhere from 9 - 12 local people at any given time during the year including seasonal staff, contractors and employees who provide property management, housekeeping, handyman services, hot tub maintenance and waste management services. The guests who pay to stay in these homes pay 12% transient occupancy tax and spend a lot of money in this county.

Limiting STR's will NOT guarantee that those properties will become available or affordable rental housing. Most of these owners will simply let their homes sit vacant if they are unable to secure an STR permit since most are 2nd homes and they want the continued ability to visit and stay in the furnished home they own.

STR Permit Requirements - *Business license required. Administrative Permit Required. Special Permit Required. Conditional Use Permit Required. In order to secure a Special Permit or a Conditional Use Permit the STR would not adversely impact the health, safety, and welfare of the community and would not adversely affect the quality of the neighborhood.*

Why so many different categories? I understand a business license is required but why not simplify the others into an "STR permit" which is what it is? Whether applying for a "special permit" or a "conditional use permit" what factors and who exactly will determine if an STR would "adversely impact the health, safety, and welfare of the community" as well as the "quality of the neighborhood"? This seems highly subjective. In my opinion,

Humboldt County did a very poor job in regulating cannabis in this same highly restrictive, overly time consuming, punitive, way which has “adversely affected the health, safety, and welfare of the community” as well as affected the “quality of the neighborhoods”. Just consider Garberville, now a ghost town, overrun with unemployment, mental health and safety issues. Take a look at all of the commercial blight! Humboldt County CANNOT afford to kill another industry! Tourism is one of the last standing sustainable industries in our local economy due to our majestic Redwoods and the county has benefitted from its revenue stream in the form of transient occupancy taxes for decades. By capping STR’s and making the STR permitting process so difficult it will likely crush another industry. Unfortunately, the motels in this county are located in areas that have been negatively impacted by poverty stricken, drug addicted, mentally ill people and have definitely affected the “health, safety, and welfare of the community” and the “quality of neighborhoods”. STR’s do just the opposite. They give visitors, traveling professionals and families of Cal Poly Humboldt students the opportunity to “live like a local” if even for 2 nights and stay in a home in the Redwoods that feels far healthier, safer and in better welfare than in a rundown motel. Because STR’s are marketed on platforms where user reviews reign King, these properties must be kept to a much higher standard than any long term rental property or regular owner occupied residence since negative user reviews will quickly impact their ability to do business. STRs tend to have the best curb appeal in any given neighborhood! They are using a residence as a residence - to cook, gather for meals, relax and sleep. [How does this impact the health, safety and welfare of a community? Can you please explain how a short term rental affects the quality of a neighborhood more than a terrible, long term tenant who becomes a permanent bad neighbor?](#) My friend converted their short term rental into a long term rental and got stuck with a heroin user who they had to pay off to move out! Over the past decade, the number of motels that have been closed and rundown to a point of sheer scariness is astounding. The Ocean Grove Motel is a prime example. Bishop Pines Lodge is another example of what was once a cute collection of cabins that is now permanently closed. The greater Trinidad area, especially along Patrick’s Point Drive has an excessive amount of shuttered up motels. The county really needs to take a deeper look at the lodging options available to visitors in the various areas and consider the negative impact they are going to have on the local economy when limiting some of the best lodging options this county has to offer.

Non-Transferable - *STR permits shall not be transferred between operators nor between property owners.*

Short term rental owners SHOULD be able to be transferred between operators. [Why would this not be allowed?](#) Example - a homeowner secures an STR permit and hires a vacation rental management company to “operate” their STR. The management company changes their terms, does a poor job, or even stops doing business so the owner decides to “transfer” the management to a different “operator”/management company. This should not impact the permit. I recommend this be striked from the proposed additions.

Standards for all STRs

1. **Building, Fire and Health.** Meet California Building Code Standards for the intended occupancy to the satisfaction of the Chief Building Official”.

The amount of staff time required to physically visit the STR’s and do building inspections on 600 - 700 properties is beyond what I imagine the county is adequately equipped to do and will likely cause an economic traffic jam that takes years. Add to this work load the staff time needed to review property deeds, water supply provisions and septic systems and it takes even longer.

[Does it mean the building code standards for when the home was built or for current standards?](#)

b) Potable domestic water supply w/ bacteriological test results and verification of adequate quantity of potable water if onsite well or spring

[How much water is considered “adequate quantity” and who will determine this?](#)

c) On-site septic system - Onsite septic system or swerve connection necessary to accommodate the STR to the satisfaction of the Division of Environmental Health.

[What criteria specifically is the county going to require to “satisfy” this requirement.](#) This section is vague. [Why not require a septic inspection that shows a septic system is functioning and how often it should be pumped?](#) The city of Trinidad requires septic inspections with reinspection and pumping dependent upon how the system is functioning - poor, fair, good or excellent. This works well.

4. Good Neighbor Guide - The STR owner or operator must sign an affidavit certifying the delivery of a Good Neighbor Guide to all neighbors in the closest 10 dwellings as the crow flies and to all neighbors within 300 feet up and down the street.

This is absurd. The burden of responsibility should be on the county to provide this guide and distribute a registry of STR Owner/Operators to neighbors as well as list it on the county website like the city of Trinidad does. STR owners will be paying a business license and likely a STR permit fee. That money should be used to help subsidize some of these requirements. Why doesn't the county take best practices from the local cities who are already doing a great job managing STR's? This doesn't make any practical sense! What the county is calling a “Good Neighbor Guide” is a misnomer. It is more of a STR permit registry with contact information.

The county should be responsible for creating a real “Good Neighbor Guide” that it then provides to all STR permit holders, require this guide be posted in the STR and distribute this to the applicable neighbors. A “Good Neighbor Guide” should provide the basic tenets so that STR permit holders and their visitors know what rules must be followed so that the “health, safety and welfare” of a neighborhood can be upheld! I have provided the county with the city of Trinidad's “Good Neighbor Guide” which it provides to all STR permit holders and requires it be provided and acknowledged by all visitors. It reviews maximum occupancy, # of visitors allowed, noise curfew, etc. Leaving this provision up to STR permit holders to each create their own Good Neighbor Guide and not creating any continuity is a huge misstep. The county has collected millions and millions of dollars over the past 2 decades for this “unpermitted” activity. It is time they invest some of this money back into developing materials that will help facilitate best practices and allow all STR operators/owners to play by the same rules. It should also be responsible for figuring out which neighbors to distribute this to and not leave it up to “as the crow flies”. The city of Trinidad has written in their STR Ordinance that the city will notify all property owners within 300 ft. of an STR property within 10 working days of an STR permit issuance or reissuance. It includes the permit number, STR address, local contact person, maximum occupancy and 24 hour contact phone number. The city also places this registry of information on their website.

5. Access. The access road for an STR shall meet a minimum of category 4.

[What does this mean?](#)

7. Neighborhood Concentration. Each STR may not exceed the following neighborhood concentration limitations except within the Shelter Cove Community Plan Area:

- a) STRS shall not exceed 10% of the dwellings on a given street; and
- b) As the crow flies (really?), the nearest ten dwellings shall not be STR's.
- c)

[Does the county know if this is even an issue and if so, in which neighborhoods is this concentration creating an issue? How is the county going to manage existing neighborhood concentrations where these limits are currently being exceeded?](#) I currently manage 4 in a neighborhood on a given street. [Will it be limited by attrition overtime similar to the city of Trinidad?](#) If an STR is being a “Good Neighbor” and following the permit guidelines why not allow it to continue to do business. This seems like an unnecessary restriction. Many of the neighborhoods that have these concentrations are owned by more affluent owners who if unable to secure an STR permit would not convert their 2nd home into a long term rental. Their home would simply sit vacant a

good portion of the year, which has a far bigger impact on the potential “health, safety and welfare” of a neighborhood.

8. Private Gatherings Prohibited. Private gatherings, including but not limited to parties, weddings, receptions, baby showers or other special events shall be prohibited.

This is absurd. Many visitors are families and friends who come to visit local Humboldt County residents or visit their Cal Poly Humboldt students and want to have a barbecue. Adopt the city of Trinidad’s STR ordinance section that allows the same number of visitors as maximum occupancy allowed. Example - if a house has a maximum occupancy of 4 then it can host up to 4 visitors. Visitors are not allowed onsite between 11 pm and 7 am and shall not stay overnight at the premises. Regardless of the allowable maximum occupancy there shall not be more than 20 combined occupants and visitors on the premises at any time. This makes good sense, is easy to follow and very clear. There are several holidays and graduations when gatherings are going to happen. This is unreasonable. Residents and long term tenants gather on holidays and graduations.

Application. A complete application for an STR permit shall include the following:

1. *Current grant deed for the subject parcel. Why? This seems time consuming for the county to review. Why not have the owner sign an affidavit saying there are no deed restrictions for the subject parcel? Wouldn't this save time and money for the county and release them of liability should an owner be dishonest?*
2. *Affidavit signed by the operator confirming the delivery of the Good Neighbor Guide to all neighbors in the closest 10 dwellings and within 300 feet up and down the street. As mentioned before, this should be the responsibility of the county, not the owner/operator.*
3. *For STRs operated by someone other than the property owner, evidence of property owner consent. The county should include on an STR permit application a section asking if the owner operates the STR themselves or if they authorize an operator other than themselves and include the operator’s name, email and phone number. Again, the city of Trinidad does this on their STR permit application.*
4. *For STR of 2 or fewer bedrooms of a dwelling unit that is occupied by the operator, evidence of operator occupancy. (e.g. driver’s license, employment record, etc.) Again, include this provision on the STR application and by signing the STR application the owner hereby certifies under penalty of perjury their application is accurate.*

In conclusion, I suggest once again that the county planning director and his team meet with the city manager in Trinidad as well as the other incorporated cities within Humboldt County who have STR ordinances and find out what is working well with their STR permit application, renewal process and ordinance implementation and enforcement in general. This ordinance as written is far too complicated. In my opinion less is more, keep it simple and see if something simple, clear and straightforward works. You can always add more regulation if needed but you will likely never take it away. This ordinance will require an inordinate amount of county staff time. Is the county looking to create jobs or are they looking to create a workable pathway to STR permitting and balance in housing? Hard to tell.

From: [Kim Bynum](#)
To: [Hilton, Keenan](#)
Subject: Short-Term Rental Ordinance related to ADUs
Date: Tuesday, August 15, 2023 12:34:42 PM

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

Hello-

As the owner of a brand new ADU, I write to represent my situation with STR rentals. I invested in building my ADU as a means to house my and my spouse's now-retired, older parents who do not live in the state but would like to spend more time with us and their grandchild. Having this home allows them to spend longer stretches with us and takes the stress of traveling off them. However, no matter how long they spend with us, the rest of the time the house would sit vacant as I need to have it available when they decide to visit. To be able to participate in STRs allows me to control the calendar and utilize my home more flexibly.

My ADU makes for a perfect STR because I am on the property to regulate anything that might be perceived as a disturbance to my neighborhood. We have had other STRs in the neighborhood suffer complaints and be shut down whereas I have been encouraged by my neighbors because I am onsite and like them, I do not want a rolling party next door to my home. The exclusion of ADUs seems to be based on situations arising in urban areas that do not remotely resemble the situation in Humboldt and seems reactive to an issue we do not have.

I do not intend to rent exclusively as an STR. Tourism is very seasonal, as friend and family visits would be. I would like to offer my ADU to my neighbor's friends and families, possibly traveling healthcare workers, and month-to-month renters. Ideally, I could have my ADU available for STR for the high season. ADUs would seem the better alternative than allowing SFR with no managers within a specified radius to be used as STRs.

I live in an area of Humboldt County that is in the sphere of influence of a tourist hot spot that does not currently have a hotel in town. The money that I am given for STR rental stays within the county vs. a large hotel chain. I promote local businesses, tourist attractions, and artists in my home. I contribute to the tax base with not only my property tax but my TOT earnings. My guests utilize the local grocery stores and restaurants and I can hire local people to help with cleaning and landscaping. The only thing that prevents me from participating in what is essentially a mom & pop approach to tourism, is that my home is an ADU, I find this very unfair.

Although my ADU was permitted after January 1, 2020, it was built to code therefore it has already demonstrated health and safety guidelines. If my business permit is issued and I already have a TOT number, and I can meet other criteria of the draft ordinance as written. Perhaps ADUs and JADUs on properties with a Homestead Exemption could be allowed.

--

Thanks,
Kim Bynum
(404) 428-3289
Trinidad, CA

From: [Lisa Lefevre](#)
To: [Hilton, Keenan](#); [Ford, John](#)
Subject: Support for STR Ordinance Amendments
Date: Monday, August 28, 2023 10:18:54 PM

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

Dear Keenan Hilton and John Ford,

We are writing to express our strong support for the proposed amendments to the vacation rental ordinance in Humboldt County. As a vacation rental owners, We believe these changes are crucial for maintaining a fair and viable environment for all stakeholders involved. Here are three major points that we believe will greatly benefit our community:

Point 1: Provisional Permits with Good Neighbor Affidavit

Drawing a parallel to the creation of the cannabis ordinance in our county, it's worth noting that provisional permits were granted during the interim period before the ordinance was fully adopted. This pragmatic approach recognized the need to balance economic activity with community interests. Similarly, for vacation rental owners, a provisional permit during the transitional phase would ensure continuity and stability while the new ordinance is being finalized. The inclusion of a "Good Neighbor Affidavit" as a requirement underlines our commitment to responsible operation and positive community engagement, just as it did with the cannabis ordinance. By following this precedent, we maintain consistency and fairness across various industries while ensuring that our neighborhoods remain vibrant and harmonious.

Point 2: Revision of Neighborhood Concentration Limit

The proposed neighborhood concentration limit, while well-intentioned, may inadvertently lead to an overwhelming number of special permits. Instead, we propose a more balanced approach by changing the wording to exempt properties with over 1 acre from the neighborhood concentration limit. This adjustment recognizes that larger properties have more space to accommodate guests without compromising the fabric of residential neighborhoods. This will encourage responsible property usage while minimizing administrative burdens on both the county and vacation rental owners.

Point 3: Flexible Vacation Rental Cap and Exclusion

Setting a cap on vacation rentals is essential to strike a balance between preserving the character of our neighborhoods and allowing vacation rental businesses to thrive. I propose a minimum cap of 3% of available housing stock, which takes into consideration the varying sizes and dynamics of different neighborhoods. Additionally, excluding the area north of Trinidad city limits from the cap recognizes the unique nature of this region and supports its economic growth without affecting other neighborhoods.

In conclusion, these proposed amendments to the vacation rental ordinance take a pragmatic approach that respects the interests of both property owners and the community at large. By introducing provisional permits, revising the neighborhood concentration limit, and implementing a flexible cap, we can foster a thriving vacation rental industry while maintaining the charm and integrity of our neighborhoods.

Thank you for your time and consideration.


Sincerely,
Lisa and Taylor Lefevre
(707)599-1892
Lefevrrentals@gmail.com


Sent from my iPhone




Draft Short-term Rental Ordinance_Inland 9.1.23

Proposed additions, ~~proposed deletions~~










314-60.05 SHORT-TERM RENTALS


60.05.1 Purpose. The purpose and intent of this Section (the “Short-term Rental Ordinance”) is to protect and promote the public health, safety and welfare, support tourism and economic development, protect housing stock, preserve the quality of neighborhoods, and balance the needs of property owners, tenants, and neighbors. 

60.05.2 Applicability. These provisions apply to the rental of dwelling units used as Short-term Rentals. 


60.05.3 Allowed Zones. Short-term Rentals may be permitted in zoning districts where residential use is a permitted use subject to these regulations.   


60.05.4 Application. In addition to all materials required for a permit pursuant to 312-5.2, a complete application for a Short-term Rental Permit shall include the following:

- A. Current grant deed for the subject parcel. 
- B. Affidav signed by the permit holder affirming 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. 
- C. Evidence of **property** owner consent if the permit-**holder is someone other than the property owner.**     

60.05.5 Suspension or Revocation. Consistent with the procedures in Section 312-14 of the Zoning Ordinance a Hosted or Unhosted Short-term Rental permit may be suspended or revoked for violations of the Short-term Rental Ordinance and/or violations of permit terms or conditions. 

60.05.6. Permit Requirements.

60.05.6.1 Administrative Permit Required. A Short-term Rental meeting the requirements herein shall be permitted with an Administrative Permit. 

60.05.6.2 Special Permit Required. A Short-term Rental seeking exception from standards identified in §60.05.7.1 and §60.05.8.3 may only be allowed upon issuance of a Special Permit. 

60.05.6.2.1 Required findings. A Special Permit for a Short-term Rental may be approved only if the following findings are made:

- 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.

60.05.7 Hosted Short-term Rental. 


60.05.7.1 Standards for Hosted Short-term Rentals.

60.05.7.1.1 Health and Safety Standards. Exception to Standards C and D may be sought with a Special Permit.

A. Building, Fire and Health.


- i. Dwellings shall be permitted or legal nonconforming.
- ii. Fire extinguishers, smoke detectors and carbon monoxide detectors shall be maintained in working order, and information related to all emergency exits shall be provided inside the Dwelling Unit.


B. Solid Waste, Recycling and Compost. Trash, recycled materials, and organic compost shall be appropriately disposed of at least weekly.


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

D. Maximum overnight occupancy. Overnight occupancy shall not exceed two per bedroom plus one, excluding children under 12.

60.05.7.1.2 Neighborhood Quality and Public Nuisance Standards. Exception to Standard C may be sought with a Special Permit.


A. Resident Caretaker. The caretaker shall reside  within the dwelling unit and be present when rooms are occupied by guests.

B. 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. 


C. Parking. Each Short-term Rental shall provide one off-street parking space per rented bedroom. Where legal on-street parking is available, one on-street parking space may count toward the minimum number of parking spaces required. 


60.05.8 Unhosted Short-term Rental


60.05.8.1 Unhosted Short-term Rentals Prohibited. Short-term Rentals are not allowed in dwellings with any of the following limitations:

60.05.8.1.1 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. 



60.05.8.1.2 **SB9 California H.O.M.E. Act.** Dwellings on lots approved pursuant to Section 66411.7 of Chapter 1 of Division 2 of Title 7 of the California Government Code (SB 9 – “The California H.O.M.E. Act”) shall not be permitted as Short-term Rentals.


60.05.8.1.3 **Accessory Dwelling Unit.** ADUs permitted after January 1, 2020, shall not be permitted as Short-term Rentals. 


60.05.8.1.4 **Alternative Owner Builder.** Dwellings permitted pursuant to the Alternative Owner Builder (AOB) provisions of Section 331.5-4 of Division 3 of Title III of Humboldt County Code shall not be permitted as Short-term Rentals. 


60.05.8.1.4.1 AOB dwellings may be permitted after-the-fact, pursuant the building code in effect at the time of permit issuance. 


60.05.8.2 **Unhosted Short-term Rental Permit Limitations.** 

60.05.8.2.1 **Short-term Rental Cap.** Not more than 2% of the housing stock may be permitted as Unhosted Short-term Rentals in the Greater Humboldt Bay Area Short-term Rental Cap Area which is comprised of the following Community Plan Areas: Trinidad-Westhaven Community Plan Area [CPA], McKinleyville CPA, Fieldbrook-Glendale CPA, Blue Lake CPA, Arcata CPA, Jacoby Creek CPA, Freshwater CPA, Eureka CPA, Fortuna CPA, Hydenville-Carlotta CPA and the Rio Dell-Scotia CPA. 


60.05.8.2.2 **Non-Transferable.** Short-term Rental Permits shall not be transferred between property owners. 


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 


60.05.8.2.4 **Resource Zone Districts.** Short-term Rentals in Agriculture Exclusive Zone, Agriculture General Zone, Forestry Recreation Zone, and Timberland Production Zone may only be permitted as farm stays. 

60.05.8.3 **Standards for Unhosted Short-term Rentals.** 

60.05.8.3.1 **Health and Safety.** Exception to Standards C and D may be sought with a Special Permit.

A. **Building and Fire.**

- i. Dwellings shall be permitted or legal nonconforming.
- ii. Fire extinguishers, smoke detectors and carbon monoxide detectors shall be maintained in working order, and information related to all emergency exits shall be provided inside the Short-term Rental. 

B. **Solid Waste, Recycling and Compost.** Trash, recycled materials, and organic compost shall be appropriately disposed of at least weekly. 



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



i. Road Maintenance Association (RMA). If a private access road has an established RMA, the permit-holder shall be a member

D. Maximum overnight occupancy. Overnight occupancy shall not exceed two per bedroom plus one including children under 12.

60.05.8.3.2 Neighborhood Quality and Public Nuisance. These provisions apply to parcels that are within a Community Plan Area, parcels that are 10 acres or fewer, and parcels where the unhosted Short-term Rental is located within 1,000 of the nearest neighboring residence. Exception to Standards C - G may be sought with a Special Permit.

A. Good Neighbor Guide. Prior to the operation of the Short-term Rental, the permit holder shall submit to the Planning and Building Department a signed affidavit certifying the delivery of a Good Neighbor 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 Good Neighbor Guide must contain, at a minimum, the following:

i. Name and telephone number for a caretaker who shall:

a. Respond to all questions or concerns timely

b. Remedy complaints related to health and safety (e.g., gas leak or power outage), as well as any violations of Humboldt County Code timely

ii. Location of the approved parking spaces.

iii. Permit standards.

B. Lighting. No direct light shall spill onto adjacent properties or create glare above the property.

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

D. Neighborhood Concentration. Each Short-term Rental may not exceed the following neighborhood concentration limitations, except within the Shelter Cove Community Plan Area where this standard does not apply.

i. Parcels with a General Plan density of one (1) or fewer acres per dwelling unit:

a. Short-term Rentals shall not exceed 10% of the dwellings on the access road; and

b. As the crow flies, the nearest ten (10) dwellings shall not be Short-term Rentals.

ii. Parcels with a General Plan density of more than one (1) acre per dwelling unit:

a. Short-term Rentals shall not exceed 20% of the dwellings on the access road.

E. **Private Gatherings and Parties.** Gatherings and parties shall have no more than 20 attendees.

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.

G. **Parking.** Each Short-term Rental shall provide one off-street parking space per rented bedroom. Where legal on-street parking is available, one on-street parking space may count toward the minimum number of parking spaces required.

60.05.8.4 Permit Term for Unhosted Short-term Rentals. Unhosted Short-term Rental Permits shall lapse two years after the effective date of the permit unless the following requirements are met

A. The permit holder shall submit a Statement of Continued Operation as provided by the Planning & Building Department

B. There are no outstanding violations associated with the Short-term Rental

6.6 RA: RURAL RESIDENTIAL AGRICULTURE

Principal Permitted Uses. The following use types are permitted pursuant to the Development Permit Procedures in Chapter [2](#) of this Division. (Former Section INL#314-20; Added by Ord. [2205](#), Sec. 1, 4/11/00)

314-6.6	RA: RURAL RESIDENTIAL AGRICULTURE
Use Type	Principal Permitted Use
Residential Use Types	Single Family Residential Accessory Dwelling Unit (Amended by Ord. 2167 , Sec. 16, 4/7/98)
Civic Use Types	Minor Utilities
Agricultural Use Types	General Agriculture
Industrial Use Types	Cottage Industry; subject to the Cottage Industry Regulations (Amended by Ord. 2167 , Sec. 16, 4/7/98)
Use Type	Conditionally Permitted Use
Residential Use Types	Guest House
Civic Use Types	Essential Services Community Assembly Public Recreation and Open Space Solid Waste Disposal; subject to the Solid Waste Disposal Regulations Oil and Gas Pipelines; subject to the Oil and Gas Pipeline Regulations Major Electrical Distribution Lines; subject to the Electrical Distribution Lines Regulations Minor Generation and Distribution Facilities
Commercial Use Types	Neighborhood Commercial Bed and Breakfast Establishment; subject to the Bed and Breakfast Establishment Regulations

314-6.6	RA: RURAL RESIDENTIAL AGRICULTURE
	Private Recreation
Agricultural Use Types	Stables and Kennels Intensive Agriculture
Commercial Timber Use Type	Timber Production
Extractive Use Type	Surface Mining - 2; subject to the Surface Mining Regulations
Natural Resource Use Types	Fish and Wildlife Management Watershed Management Wetland Restoration Coastal Access Facilities
Use Types Not Listed in This Table	Any use not specifically enumerated in this division, if it is similar to and compatible with the uses permitted in the RA zone.

314-6.6	RA: RURAL RESIDENTIAL AGRICULTURE
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Development Standards

Minimum Lot Size and Minimum Lot Width

Zone Designation	Minimum Lot Size	Minimum Lot Width
RA-1	1.0 acre	150 feet
RA-2	2.0 acres	175 feet
RA-2.5	2.5 acres	175 feet
RA-5	5.0 acres	250 feet

314-6.6	RA: RURAL RESIDENTIAL AGRICULTURE	
RA-10	10.0 acres	350 feet
RA-20	20.0 acres	475 feet
RA-40	40.0 acres	750 feet
Maximum Lot Depth	Four (4) times the lot width.	
Maximum Density	<p>Either one dwelling unit per lawfully created lot or two dwelling units per lawfully created lot if a Special Permit is secured for a second residential unit.</p> <p>(Amended by Ord. 2167, Sec. 16, 4/7/98)</p>	
Minimum Yard Setbacks*	Minimum Lot Size Less Than 2.5 Acres	Minimum Lot Size 2.5 Acres or Greater
Front	Twenty (20) feet	Twenty (20) feet; Thirty (30) feet for flag lots
Rear	Ten (10) feet	Thirty (30) feet
Interior Side	Five (5) feet	Thirty (30) feet
Exterior Side	Twenty (20) feet	Thirty (30) feet
Flag Lots	The Director, in consultation with the Public Works Department, shall establish the minimum yard that is required for vehicular turn around on the lot.	The Director, in consultation with the Public Works Department, shall establish the minimum yard that is required for vehicular turn around on the lot.
Double Frontage Lots	Front and rear yards shall be twenty (20) feet, except that the rear yard setback may be reduced to ten (10) feet where	Front and rear yards shall be twenty (20) feet, except that the rear yard setback may be reduced to ten (10) feet where

314-6.6	RA: RURAL RESIDENTIAL AGRICULTURE	
	such yard abuts an alley.	such yard abuts an alley.
Maximum Ground Coverage	Thirty-five percent (35%)	
Maximum Structure Height	Thirty-five (35) feet.	
Permitted Main Building Types	Residential Single Detached Limited Mixed Residential - Nonresidential Nonresidential Detached or Multiple/Group	

* **Note:** Setbacks may be modified by other provisions of this Code or State law. For example, see Section [314-22.1](#), “Alquist-Priolo Fault Hazard” and the “Fire Safe” Regulations at Title III, Division 11.

(From Sections CZ#A313-17(A)(1-4); CZ#A313-17(B)(1-7); CZ#A313-17(C)(1-6); Amended by Ord. [2167](#), Sec. 16, 4/7/98) (Ord. 2678, § 4, 7/13/2021; Ord. 2693, § 9, 6/7/2022)

314-9 Mixed Use Zone Districts

9.1 MU1: MIXED USE (URBAN)

The purpose of the Mixed Use (Urban) or MU1 Zone is to provide for pedestrian-oriented, mixed use development (commercial, office, and higher density residential). The permitted uses and other regulations may be modified through community specific planning by the application of the appropriate Special Area Combining Zone, such as a D – Design Control or Q – Qualified Combining Zone.

314-9.1	MU1: MIXED USE (URBAN)
Use Type	Principal Permitted Use
Residential Use Types	Two (2) Family Dwellings and Multiple Dwellings and Dwelling Groups Single-Family Residential Accessory Dwelling Unit Guest House Emergency Shelter
Commercial Use Types	Neighborhood Commercial Retail Sales and Retail Services

314-9.1	MU1: MIXED USE (URBAN)
	<p>Transient Habitation</p> <p>Office and Professional Service</p> <p>Bed and Breakfast Establishment; Subject to the Bed and Breakfast Establishment Regulations</p> <p>Commercial and Private Recreation</p>
Civic Use Types	<p>Minor Utilities</p> <p>Essential Services Conducted Entirely Within an Enclosed Building</p> <p>Community Assembly</p> <p>Public and Parochial Parks, Playgrounds and Playing Fields</p> <p>Noncommercial Recreation</p>
Industrial Use Types	Cottage Industry; Subject to the Cottage Industry Regulations
Use Type	Conditionally Permitted Use
Civic Use Types	<p>Public Recreation and Open Space</p> <p>Minor Generation and Distribution Facilities</p>
Natural Resource Use Types	<p>Fish and Wildlife Management</p> <p>Watershed Management</p> <p>Wetland Restoration</p> <p>Coastal Access Facilities</p>
Use Types Not Listed in This Table	Any use not specifically enumerated in this division, if it is similar to and compatible with the uses permitted in the MU zone.
Development Standards	
Minimum Lot Area	Two thousand (2,000) square feet.

314-9.1	MU1: MIXED USE (URBAN)
Minimum Lot Width	Twenty-five feet (25').
Minimum Yard Setbacks*	
Front	None, except that where frontage is in a block which is partially in a residential zone (RS, R-1, R-2, R-3, R-4) the front yard shall be the same as that required in such residential zone.
Rear	Fifteen feet (15'), except that where a rear yard abuts on an alley, such rear yard may be not less than five feet (5').
Side	None, except that a side yard of an interior lot abutting on a residential zone (RS, R-1, R-2, R-3, R-4) or agricultural zone (AE, AG) shall be not less than the front yard required in such residential zone or agricultural zone.
Maximum Ground Coverage	One hundred percent (100%).
Maximum Structure Height	Seventy-five feet (75').

* **Note:** Setbacks may be modified by other provisions of this Code or State law. For example, see Section [314-22.1](#), “Alquist-Priolo Fault Hazard” and the “Fire Safe” Regulations at Title III, Division 11.

9.2 MU2: MIXED USE (RURAL)

The purpose of the Mixed Use (Rural) or MU2 Zone is to provide for small-scale mixed use development (commercial, office, and residential) for smaller population bases. The permitted uses and other regulations may be modified through community specific planning by the application of the appropriate Special Area Combining Zone, such as a D – Design Control or Q – Qualified Combining Zone.

314-9.2	MU2: MIXED USE (RURAL)
Use Type	Principal Permitted Use
Residential Use Types	Two (2) Family Dwellings Single-Family Residential Accessory Dwelling Unit

314-9.2	MU2: MIXED USE (RURAL)
	<p>Guest House</p> <p>Emergency Shelter</p>
Commercial Use Types	<p>Neighborhood Commercial</p> <p>Retail Sales and Retail Services</p> <p>Office and Professional Service</p> <p>Bed and Breakfast Establishment; Subject to the Bed and Breakfast Establishment Regulations</p> <p>Commercial and Private Recreation</p>
Civic Use Types	<p>Minor Utilities</p> <p>Essential Services Conducted Entirely Within an Enclosed Building</p> <p>Community Assembly</p> <p>Public and Parochial Parks, Playgrounds and Playing Fields</p> <p>Noncommercial Recreation</p>
Industrial Use Types	Cottage Industry; Subject to the Cottage Industry Regulations
Agricultural Use Types	General Agriculture
Use Type	Conditionally Permitted Use
Residential Use Types	<p>Multiple Dwellings Containing Four (4) or Fewer Units per Building</p> <p>Manufactured Home Parks</p>
Commercial Use Types	<p>Heavy Commercial</p> <p>Transient Habitation</p>
Civic Use Types	<p>Public Recreation and Open Space</p> <p>Minor Generation and Distribution Facilities</p>

314-9.2	MU2: MIXED USE (RURAL)
Natural Resource Use Types	Fish and Wildlife Management Watershed Management Wetland Restoration Coastal Access Facilities
Use Types Not Listed in This Table	Any use not specifically enumerated in this division, if it is similar to and compatible with the uses permitted in the MU zone.
Development Standards	
Minimum Lot Area	Five thousand (5,000) square feet.
Minimum Lot Width	Fifty feet (50').
Minimum Yard Setbacks*	
Front	Fifteen feet (15').
Rear	Ten feet (10').
Interior Side	Five feet (5').
Exterior Side	Same as front or one-half (1/2) the front if all parts of the main building are more than twenty-five feet (25') from the rear lot line, and the exterior side yard does not abut a collector or higher order street. (In questionable cases, the Public Works Director shall classify the subject street.)
Maximum Ground Coverage	Fifty percent (50%).
Maximum Building Height	Fifty feet (50').

* **Note:** Setbacks may be modified by other provisions of this Code or State law. For example, see Section [314-22.1](#), “Alquist-Priolo Fault Hazard” and the “Fire Safe” Regulations at Title III, Division 11.

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314-37 "V" Combining Zone Designations

~~37.1 V VACATION HOME RENTAL~~

~~37.1.1 Purpose. The purpose of these regulations is to increase and enhance coastal public access, access to other County visitor serving facilities, to preserve the residential character of neighborhoods by controlling and regulating transient uses which may be incompatible with the character of the neighborhood. (Former Section INL#315-10(A); Added by Ord. 2154, Sec. 2, 12/9/97)~~

~~37.1.2 Applicability. These regulations shall apply to all lands designated "V" on the zoning maps. (Former Section INL#315-10(B); Added by Ord. 2154, Sec. 2, 12/9/97)~~

~~37.1.3 Principally Permitted Uses. The following uses may be permitted upon obtaining a Special Permit on all lands designated with the "V" or Vacation Home Rental Combining Zone:~~

~~37.1.3.1 Vacation Home Rentals as defined in Section C: Index of Definitions of Language and Legal Terms. (Former Section INL#315-10(C)(1); Added by Ord. 2154, Sec. 2, 12/9/97)~~

~~37.1.4 Performance Standards. All vacation home rentals are subject to the following performance standards:~~

~~37.1.4.1 Compliance with residential parking standards as required by Section 314-109.1 of this code; (Former Section INL#315-10(D)(1); Added by Ord. 2154, Sec. 2, 12/9/97)~~

~~37.1.4.2 The number of occupants shall not exceed ten (10) persons. (Former Section INL#315-10(D)(2); Added by Ord. 2154, Sec. 2, 12/9/97)~~

~~37.1.4.3 Availability of the rental unit to the public shall not be advertised on site; (Former Section INL#315-10(D)(3); Added by Ord. 2154, Sec. 2, 12/9/97)~~

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The Humboldt County Code is current through Ordinance 2667, passed February 9, 2021.

~~37.1.4.4 Owners of rental units must provide the name, address and telephone number of a contact person for the unit to all occupied residences within a 300 foot radius of the rental unit. The notice shall be mailed to property owners prior to renting the unit and thereafter as contact information changes. An owner of a rental unit who does not reside in a five-mile radius of the residence being rented, shall designate a person within a 5-mile radius of the rental unit, as the local contact person. The owner or contact person must be available 24 hours a day to respond to tenant and neighborhood questions or concerns and to otherwise be responsible for assuring that the rental unit complies with the requirements of this Section and other applicable provisions of the code; (Former Section INL#315-10(D)(4); Added by Ord. 2154, Sec. 2, 12/9/97)~~

~~37.1.4.5 Prior to commencing vacation home rentals, the applicant shall obtain a Business license from the Humboldt County Tax Collector. The owner/Operator shall collect and remit to the Humboldt County Tax Collector the transient occupancy tax; (Former Section INL#315-10(D)(5); Added by Ord. 2154, Sec. 2, 12/9/97)~~

~~37.1.4.6 It is the responsibility of the property owner to ensure that trash will be disposed of (picked up) on a weekly basis. (Former Section INL#315-10(D)(6); Added by Ord. 2154, Sec. 2, 12/9/97)~~

~~37.1.4.7 Compliance with the requirements of this Section shall be considered conditions of approval. Noncompliance will constitute a nuisance subject to administrative penalties and revocation of the business license. (Former Section INL#315-10(D)(7); Added by Ord. 2154, Sec. 2, 12/9/97)~~

...

~~314-44.1 BED AND BREAKFAST ESTABLISHMENTS~~

~~44.1.1 Applicability. Bed and Breakfast Inns as a cottage industry may be permitted in all those zones which allow cottage industries, as well as R-2, R-3, and R-4 zones, upon the issuance of a Special Permit. (Former Section INL#316.3-5(a); Added by Ord. 1876, Sec. 10, 9/26/89; Amended by Ord. 2166, Sec. 30, 4/7/98)~~

~~44.1.2 Occupancy Standards.~~

~~44.1.2.1A maximum of four (4) guest bedrooms or eight (8) guests at one time shall be permitted by a Bed and Breakfast establishment. (Former Section INL#316.3-5(b)(1); Added by Ord. 1876, Sec. 10, 9/26/89)~~

~~44.1.2.2The owner/operator shall reside on the premises. (Former Section INL#316.3-5(b)(2); Added by Ord. 1876, Sec. 10, 9/26/89)~~

~~44.1.2.3Any rooms used for rooming or boarding shall be included in the total number of permitted guest rooms. (Former Section INL#316.3-5(b)(3); Added by Ord. 1876, Sec. 10, 9/26/89)~~

~~44.1.2.4The guest rooms shall not include kitchen facilities. (Former Section INL#316.3-5(b)(4); Added by Ord. 1876, Sec. 10, 9/26/89)~~

~~44.1.3 Provisions for Meals. Meals shall only be served to overnight guests of the establishment. (Former Section INL#316.3-5(c)(1); Added by Ord. 1876, Sec. 10, 9/26/89)~~

...

314-55.4.10.7 Cannabis Farm Stays. Cannabis farm stays may be permitted in conjunction with a cannabis cultivation permit on properties in conformance with the public accommodation performance standards with a special permit as specified in Section [314-44.1](#) applicable to bed and breakfast establishments. as specified in Section 314-60.05 of the Zoning Ordinance (“Short-term Rentals”).

...

314-138 Definitions (C).

Cannabis Farm Stay. See, Farm Stay



314-141 DEFINITIONS (F).

Farm Stay. Farm stays are a form of Short-term Rental which includes the option and focus for guests to participate in educational, recreational, or social activities on the property that features agricultural use.

...

314-143 Definitions (H)

Hosted Short-term Rental. Short-term Rental of a portion of a dwelling unit where the caretaker remains in residence.

314-153 Definitions (R)

Recreation:



a. *Recreation Commercial.* Recreation facilities open to the general public for a fee, or, if restricted to members when operated for profit as a business. (Former Section INL#312-60(a); Ord. [542](#), Sec. 2, 2/8/66; Amended by Ord. [1741](#), Sec. 1, 7/8/86)

b. *Recreation, Private, Noncommercial.* Clubs or recreation facilities operated by a non-profit organization and open only to bona fide members of such non-profit organization and their guests. (Former Section INL#312-60(b); Ord. [542](#), Sec. 2, 2/8/66; Amended by Ord. [1741](#), Sec. 1, 7/8/86)

c. *Recreational Accommodations.* Transient and tourist-related habitation that support on-site recreation activities such as dude ranches, ski lodges, health spas, ~~bed and breakfast inns~~, transient habitation and other similar accommodations that provide recreational related lodging to guests. (Former Section INL#312-60(c); Ord. [542](#), Sec. 2, 2/8/66; Amended by Ord. [1741](#), Sec. 1, 7/8/86)

...

314-154 DEFINITIONS (S).

Short-term Rental. Permitted or legal **non-conforming** dwelling units, rented to guests for 30 consecutive days or fewer.  

Short-term Rental Caretaker. The person or persons that lives in the subject dwelling unit attends to day-to-day operations associated with the maintenance of the Short-term Rental and who is the point of contact for neighborhood concerns.

Short-term Rental Permit Holder (“Permit Holder”). The person or persons that has control and responsibility for the Short-term Rental of a dwelling unit and that is responsible for ensuring compliance with all applicable laws and regulations.

...

314-156 Definitions (U)

Unhosted Short-term Rental. Short-term Rental of a whole dwelling unit. 

314-157

Definitions (V)

~~Vacation Home Rental: Vacation Home Rental includes the transient use of single and two family (duplex) dwelling units. Vacation home rentals are subject to the provisions in Section 314-22.2, Greenway and Open Space Combining Zone. (Former Section INL#312-75.5; Added by Ord. 2154, Sec. 1, 12/9/97)~~

...

163.1.3 **Commercial Use Types.** Automotive Sales, Service and Repair (allowed in C-3)

~~Bed and Breakfast Establishment (allowed in RA)~~

Heavy Commercial (allowed in C-3)

Neighborhood Commercial (allowed in C-3, RA)

Office and Professional Service (allowed in C-3, MB)

Private Recreation (allowed in RA)

Retail Sales (allowed in C-3, MB)

Retail Service (allowed in C-3, MB)

Transient Habitation (allowed in MB)

Warehousing, Storage and Distribution (allowed in C-3, MB)

...

~~172.2 BED AND BREAKFAST ESTABLISHMENT~~

~~172.2.1 The Bed and Breakfast Establishment Use Type refers to a residential structure with one family in permanent residence where a maximum of four (4) bedrooms without individual cooking facilities are rented for overnight lodging, and where at least one meal daily is provided. (From Section CZ#A313-7(K); Added to INL by Ord. 2205, Sec. 1, 4/11/00)~~

~~172.2.2 This use type does not include "hotels and motels" which are included in the Transient Habitation Use Type; nor does this use type include rooming and boarding houses which are included under the Group Residential Use Type. (From Section CZ#A313-7(K); Added to INL by Ord. 2205, Sec. 1, 4/11/00)~~

177.6 SINGLE FAMILY RESIDENTIAL

The Single Family Residential Use Type includes the residential occupancy of a single detached main building by one family on a non-transient basis, ~~except for rental of single family dwellings as vacation homes, where the use would not be otherwise different than the uses allowed to be made of single family dwellings. (See also, Vacation Home Rental)~~ and accessory uses necessarily and customarily associated with residential use. (From Section CZ#A313-5(B); Added to INL by Ord. [2205](#), Sec. 1, 4/11/00)

From: [Michael McKaskle](#)
To: [Hilton, Keenan](#); [Wilson, Mike](#); [Arroyo, Natalie](#)
Subject: Try again with STR stuff
Date: Wednesday, September 20, 2023 7:06:07 PM

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

I am sorry my comments are so late. Please add them to the record if possible. I included 2 supes just to seed some ideas if they get involved.

I was saddened to see that all existing short term rentals are to be grandfathered in. Not only does this not address the already existing lack of workforce housing but, by what I heard said (at the really depressing meeting I attended where a stream of entitled whiners made contra-factual statements about current local housing availability and threw out made up statistics about hwy 101 traffic) there are legal questions about doing that. Mainly, it is poor public policy to reward those who broke the law and caused the problem by giving them special privileges.

There are too many STRs already. A number should be decided on and a market mechanism used to apportion the scarce resource. Create x number of 3 year permits and auction them off. Perhaps use one of the auction formats where everyone pays the lowest winning bid. If you got sustained complaints then you can't renew your permit the year it expires. **Any Person shall have a beneficial interest in only 1 permit or if no permit system in only 1 STR.**

None of this should apply to STRs in a person's primary residence or on the same lot as their home where there is on site management.

Thank you, Michael McKaskle, Redway

September 26, 2023

**TO: Humboldt County Planning Commission
John H. Ford, Director of Planning and Building Department
Keenan Hilton, Associate Planner**

**SUBJECT: 5th Letter: Workshop on the Draft Short-term Rental Ordinance
Record No. LRP-2022-17963 & LRP-2023-18254
“PUBLIC COMMENTS”**

Dear Commissioners, Director Ford and Associate Keenan:

I attended the Planning Commission Meeting on Thursday evening, September 21, 2023 by way of Zoom. I have participated in the prior workshops re: the proposed STR Ordinance.

I signed up to speak at the Workshop with the Commissioners; unfortunately there was not sufficient time to allow all who attended the meeting to speak

This memo memorializes what I wanted to say at the meeting as follows:

My name is Neil Cleveland. I own a 3 acre parcel in Trinidad on the east side of Hwy 101 at 111 Adler Lane. The property improvements consist of a main residence and an ADU unit. The fully operational STR has no code violations, no complaints from neighbors and all TOT's are current.

I have attended the prior workshops and have also delivered 4 previous letters to Keenan Hilton addressing my comments to the proposed STR ordinance.

The STR I own has been operational since 2019 and I took over operation in early 2023.

The workshops have been very informational, properly conducted and Staff made sure that everyone who wanted to talk was given the opportunity.

I did see much of the public's input made a part of the most recent draft. The majority of participants who spoke at these prior workshops were STR owners and operators.

I have two proposed revisions to the most recent draft.

1st Revision: 60.05.10.1.4 Alternate Owner Builder:

The additional proposed provision number 60.05.10.1.4.1 provides the right to mitigate such AOB factors which is fair and reasonable, however in the case where a “Certificate of Occupancy” has been previously granted and issued, the AOB denial should not apply as it is unreasonable nor fair, nor should AOB units where prior TOT fees have been collected should not be denied as well.

2nd Revision: Paragraph 60.05.10.2.2 Non-Transferable: Add a “Transferable” Provision:

I suggest allowing STR Permits to be transferable, provided the STR permit is tied to the subject property with certain restrictions to be incorporated into proposed Provision.

I understand Staff is concerned with increasing home values and lowering the housing stock. I believe the Non-Transferable provision should not be arbitrary, but instead include some clear terms, conditions and restrictions with any STR Permit holder that wishes to sell the property and transfer the STR permit with the property.

I suggest further changes to this important provision as it will open up housing by providing owners of real estate to help their children purchase a property and also provides additional income to support the cost of home ownership by way of a STR.

My suggested changes to this Non-Transferable provision is to include the right to Transfer as follows:

1). Immediate family members who purchase a home from their parents or grandparents or an entity held by either the parents or grandparents, that includes an approved STR Permit shall be permitted to transfer the STR Permit, provided the sale or transfer is granted to the Seller’s children or immediate grandchildren.

2). Such children (and their spouses) of the parents / grandparents who purchase the property shall reside in the main residential structure during the term of the Permit.

3). Non-family transfers to non-related 3rd parties shall be permitted to transfer; however the permit may only be transferred one time every 4 years.

4). Add a special transfer fee for each category.

5). Should a material default occur more than 3 times during the term of the Permit, and should the violation not be cured, such STR permit transfers shall not be allowed.

Again, thank you for providing the people a say in this new ordinance.

Please consider my recommendations.

Respectfully Submitted,

Neil M. Cleveland

neilmcleve@gmail.com

951-232-3077

From: [T Burdick](#)
To: [Hilton, Keenan](#)
Subject: Comments on Draft STR Ordinance Inland 9.15.23
Date: Thursday, September 21, 2023 12:31:53 PM

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

Mr. Hilton, Board of Supervisors, and To Whom It May Concern:

For provision 60.05.10.2.2:

This provision should not apply to those property titles that have more than one owner, if one owner drops off title due to a buy out by the remaining owner or owners. How does this provision apply to a STR operating under a state registered LLC? Perhaps this needs to be clarified for those cases.

For provision 60.5.10.3.2(E):

An exception should be made if the property owner(s) want to use their property for a special family event, such as a wedding or funeral wake.

For provisions 60.05.4(B) and 60.05.10.3.2(A):

There is a technical conflict between the requirements for these provisions.

The application process under 60.05.4(B) requires proof, in the form of an affidavit, that the Good Neighbor Guide has been delivered "*to all neighbors in the closest 10 dwellings and within 300 feet up and down the street, if applicable.*"

Whereas provision 60.05.10.3.2(A) provides a requirement, in the form of an affidavit, that the Good Neighbor Guide has been delivered "*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.*"

In a response to a question at the September 6th meeting, you envisioned the cost of an Administrative Permit to be around a couple of hundred dollars. This is probably not your final decision to make, but if this is the intent of the Board of Supervisors, this fee is exorbitant. How is such a cost justified?

Finally, for those of us who use our homes as a short-term rental (renting the entire home), there are several of us who also use it as a second home and not just a means of making income. We take exception to our homes being characterized as "housing stock".

If the county has a housing shortage it should be making efforts to build more housing for those who need it, such as acquiring old hotel properties and renovating them to meet other housing needs.

Sincerely,
Timolin Burdick

From: f.lockett
To: skavdalz11@gmail.com; hrh707@outlook.com; noah@landwaterconsulting.com; lonyx.landry@humboldt.edu; sregon@aol.com
Cc: [Ford, John](#); [Hilton, Keenan](#)
Subject: trinidad rentals
Date: Wednesday, September 20, 2023 1:51:32 PM

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

Humboldt County Planning Commission et al. ,

We live in Trinidad . I have an operating vacation rental in the unincorporated County. My TOT Registration Certificate # is 012278. I have reviewed the Drafts and have some concerns as it relates to my rental property and the ability to sustain my home as a rental given the wording of the draft.

I support STR regulations, the Good Neighbor Guidelines and supporting the housing stock in the County. I have always used management companies with strict guest guidelines to ensure that my house resides harmoniously in my neighborhood ,with 24 hours service if any issues or concerns. In the event there are any issues my neighbors also have our cell number and can call me at anytime

I do agree with the 2% Cap. I also feel that the reduction of ADUs and AOBs, and rentals operating without paying TOT will automatically lower the number of rentals that may contribute to the cap.

While I do not feel the cap is an issue, my concern is the concentration. Unless the home is in poor standing (many complaints), is an ADU or AOB, the established homes, in the established neighborhood clusters should be allowed to exist in the current concentration. These are already working and there is no need to break up the combination of homes and create a scatter into areas that may not currently have or want rentals. In turn, this will also prevent the disruption of business and the abrupt stop to all those with pre-existing reservations to come and visit our Coastal areas, which is encouraged by the Coastal Commission.
And of course local businesses benefit as well,

My recommendation is the grandfathering of current homes registered and paying TOT in their respective locations, and applying any new vacation rentals to the neighborhoods to go through the hearing process.

This is very important tous and I do hope you will take this into consideration.

Sincerely,
Tom and Francene lockett
459 5th Ave
Trinidad , ca 95570

Pre-Workshop Comments

Theme 1: Alternative Owner Builder (AOB)

From: [Gayle Arnoul](#)
To: [Hilton, Keenan](#); [Bushnell, Michelle](#)
Subject: STR Proposed Ordinance
Date: Friday, August 11, 2023 9:07:53 AM

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

Re: AOB and other blanket restrictions.

The AOB is not a sacred unchangeable document. The US Constitution has amendments, the CA Building code gets updated every couple of years, the IRS tax code changes every year.

AOB code was written by people and can be enhanced by people. It can have safe harbor provisions, like if an owner occupies part of the property, they are allowed an STR. It can have a seasonal provision, like summer stays are allowed. It can have a de minimis use provision based on the number of days used as STR or amounts of net revenue collected. These are only examples

Please take a drive to Garberville. It is severely economically depressed, numerous closed businesses, untreated mental illness, open air drug use and drug dealing all around. People visit SoHum to experience peace and quiet, to let their children play freely outside, to hear bird sounds, to see the night sky, maybe see a horse in a pasture or deer grazing in the morning sun.

These positive experiences are provided by small "curators" of STR's on rural properties. These are the people who will be put out of business by the STR ordinance as proposed, which starts and ends with only what you CANNOT do, instead of what you SHOULD do. These small STR's are relatively inexpensive for guests with small profit margins for operators.

Putting them out of business is a lose/lose for the county. No permitting fees, no bed tax, no revenue for struggling homeowners trying to pay mortgages and property taxes, no revenue for stores and restaurants in town.

The only people who will survive this ordinance are people with deep pockets who probably don't even live here. Sounds sadly like the evolution of our cannabis ordinance.

Facts and circumstances should guide decision making. Be creative. Be a problem solver. If there are complaints, address the violators. One size does not fit all. We live in a big county. Let's embrace every aspect of it and help it thrive.

Planning and Building - that is your mission? This ordinance does neither.

Keenan, thanks for listening. Michelle, you know what Garberville is like, but maybe share with other supes? Off to work. Have a good weekend.

Gayle Arnoul

From: [John Lee](#)
To: [Hilton, Keenan](#)
Subject: STR ordinance
Date: Friday, August 25, 2023 3:29:33 PM

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

Keenan,

I hope you take time to read these emails. I could not attend the Mckinleyville meeting last night but will participate in the Sep 6 zoom meeting and if given the chance to speak, will revisit the content of this email

- I own an AOB home, built in 2014, on 10 acres, 1 mile north of Trinidad. Because of the size of the property, my neighbors are minimally affected by my STR. In fact, one of them also runs an Airbnb and their STR does not affect me.
- I live in the home full time but for 4 years have also rented out a private bedroom and bathroom, minimum 2 nights, maximum 7 nights, sealed off from the rest of the home and with a private entrance. It is limited to 2 people maximum. There is ample on site/off street parking and the home is 650' from the road, secluded by forest. Noise is not a problem.
- I run a tight ship and do not tolerate or allow any shenanigans. My neighbors have never complained nor has there ever been a reason to complain.

On the initial STR zoom meeting, you or John mentioned the reason for the AOB restriction was primarily due to the relaxed structural standards of AOB permits/builds.

- When I designed my home, I had a structural engineer perform all the load calcs on my plans so it would meet all load, wind shear and seismic standards. The foundation, floor joists, trusses, etc are excellent. My home is built like a fortress.
 - Even though AOB does not require railing on stairways or decks, of course I installed all of those safety measure.
 - I did not install a fire suppression sprinkler system. But if required to pass an STR permit inspection, I would be willing to install a ceiling mounted heat triggered fire extinguisher module (they are available) in my STR bedroom.
 - My rental is inappropriate for a LTR since I don't offer kitchen or laundry facilities. If forced to cease my STR I have no interest in an LTR.
 - Tourism is the only industry we have since timber, fishing and cannabis are all on life support. If every STR that doesn't meet your ordinance qualifications were to cease, there would not be enough bed inventory to support the tourism that this county so vitally needs. And if tourism in the north part of the county were to diminish, the ripple effect to all businesses (restaurants, stores, etc) could be devastating.
 - My STR generates \$4-5k in TOT revenue a year.
 - I am semi retired and rely on STR revenue to pay my property tax, PG&E bills and put food on my table. Losing that revenue would inflict a dire hardship on my continuing to live in Humboldt county.

I would really appreciate you considering an exception to the "No AOB" STR provision if the homeowners can meet an inspection that would convince planners the home is structurally safe. And I am very disappointed that your follow up revisions to the ordinance have steadfast ignored the need to have a path for AOB STRs to be permitted.

I also hope that you would not require a CDP for any STR in the coastal zone. The Coastal Commission does not want or have the resources to issue separate CDPs for every STR in the coastal zone of the county. I did not see any language in your ordinance draft revisions acknowledging this, but perhaps I overlooked that.

I would hope that you and John consider the ramifications to our county citizens lives, if your ordinance and actions eliminate hundreds of STRs. Those lives not only include the people who rely on STR revenue, but all the business that exist because of the tourism dollars that come into our county (in addition to the TOT). From the outside looking in, it seems the county planning team is apathetic to the consequences of this ordinance. Everyone should have a path to be able to comply

Thank you for reading my letter and I look forward to speaking out Sep 6. From what I've heard, my concerns are echoed by so many others.

John R. Lee

From: [johnlee](#)
To: [Hilton, Keenan](#)
Subject: RE: STR ordinance
Date: Wednesday, September 06, 2023 3:11:59 PM
Attachments: [image001.png](#)

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

Keenan,

I read the newest posted inland draft (9.1), because the coastal draft has not been posted. It was mentioned that it won't differ significantly from the inland version.

In response to what I've read and your response a few weeks ago to my email (below), as they pertain to my rental. But first, to reiterate details (in italics) on my home/rental:

- *I own an AOB home, built in 2014, on 10 acres, 1 mile north of Trinidad. Because of the size of the property, my neighbors are minimally affected by my STR. In fact, one of them also runs an Airbnb and their STR does not affect me.*

- *I live in the home full time but for 4 years have also rented out a private bedroom and bathroom, minimum 2 nights, maximum 7 nights, sealed off from the rest of the home and with a private entrance. It is limited to 2 people maximum. There is ample on site/off street parking and the home is 650' from the road, secluded by forest. Noise is not a problem.*

- *I run a tight ship and do not tolerate or allow any events, parties or crowds. 2 people maximum. My neighbors have never complained nor has there ever been a reason to complain. I like it quiet here, as do my guess and neighbors.*

- *When I designed my home, I had a structural engineer perform all the load calcs on my plans so it would meet all load, wind shear and seismic standards. The foundation, floor joists, trusses, etc are excellent. My home is built like a fortress.*

- *Even though AOB does not require railing on stairways or decks, of course I installed all of those safety measure.*

- *I did not install a fire suppression sprinkler system. But if required to pass an STR permit inspection, I would be willing to install a ceiling mounted heat triggered fire extinguisher module (they are available) in my STR bedroom.*

- *My rental is inappropriate for a LTR since I don't offer kitchen or laundry facilities. If forced to cease my STR I have no interest in an LTR.*

1. If I interpreted your response to me correctly (and the 9.1 draft), an AOB could gain a permit if the home met normal building permit qualifications at the time of the permit (in my case, 2014). However a special permit might also be granted if the property met a litany of other qualifications (owner lives in the home, large enough parcel size, no events, maximum of 4 guests, no infringement on adjacent neighbors etc)

a. I am confident I could meet all qualifications except fire suppression sprinkler system. I could possibly install a fire suppression sprinkler system in the rental bedroom & bathroom. But it would not be realistic to install a sprinkler system in the rest of the house. And I would actually prefer NOT to install a sprinkler system in the rental room. Have I interpreted this correctly?

I know you won't have time to respond to this email before tonight's meeting as you are undoubtedly trying to prepare for the meeting.

Perhaps I can ask this question tonight and possibly this question would be applicable to other host listening in. Otherwise, please respond sometime later when your schedule allows.

Thank you in advance.

Regards,
John R. Lee

From: "Hilton, Keenan" <KHilton@co.humboldt.ca.us>
Sent: 8/25/23 4:51 PM
To: John Lee <johnlee@apluselectronics.com>
Subject: RE: STR ordinance

Hi John,

Thank you for the thoughtful message. It has been added to the record. Below are several responses to points that you raised.

- Regarding AOB. We've worked with the Chief Building Official to find a solution: we propose that AOB owners would be able to seek an after-the-fact building permit pursuant to the building code in place at the time of AOB approval. So this means, for instance, if you got the AOB permit prior to when sprinklers were required by the building code, they would not be required for your after-the-fact permit.

-We've heard from the community a call for differentiation based on parcel size and based on owner-occupancy. We'll be looking at ways to include these updates in the next draft.

Thanks again for reaching out. I look forward to your continued participation in this important process.

Best,

Keenan



Keenan Hilton ([he/him](#))
Associate Planner
[Humboldt County Planning & Building](#)

Office: 707-445-7541

| Direct: 707-268-3722

-----Original Message-----

From: John Lee <johnlee@apluselectronics.com>

Sent: Friday, August 25, 2023 3:29 PM

To: Hilton, Keenan <KHilton@co.humboldt.ca.us>

Subject: STR ordinance

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

Keenan,

I hope you take time to read these emails. I could not attend the Mckinleyville meeting last night but will participate in the Sep 6 zoom meeting and if given the chance to speak, will revisit the content of this email

- I own an AOB home, built in 2014, on 10 acres, 1 mile north of Trinidad. Because of the size of the property, my neighbors are minimally affected by my STR. In fact, one of them also runs an Airbnb and their STR does not affect me.

- I live in the home full time but for 4 years have also rented out a private bedroom and bathroom, minimum 2 nights, maximum 7 nights, sealed off from the rest of the home and with a private entrance. It is limited to 2 people maximum. There is ample on site/off street parking and the home is 650' from the road, secluded by forest. Noise is not a problem.

- I run a tight ship and do not tolerate or allow any shenanigans. My neighbors have never complained nor has there ever been a reason to complain.

On the initial STR zoom meeting, you or John mentioned the reason for the AOB restriction was primarily due to the relaxed structural standards of AOB permits/builds.

- When I designed my home, I had a structural engineer perform all the load calcs on my plans so it would meet all load, wind shear and seismic standards. The foundation, floor joists, trusses, etc are excellent. My home is built like a fortress.

- Even though AOB does not require railing on stairways or decks, of course I installed all of those safety measure.
- I did not install a fire suppression sprinkler system. But if required to pass an STR permit inspection, I would be willing to install a ceiling mounted heat triggered fire extinguisher module (they are available) in my STR bedroom.
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- Tourism is the only industry we have since timber, fishing and cannabis are all on life support. If every STR that doesn't meet your ordinance qualifications were to cease, there would not be enough bed inventory to support the tourism that this county so vitally needs. And if tourism in the north part of the county were to diminish, the ripple effect to all businesses (restaurants, stores, etc) could be devastating.
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- I am semi retired and rely on STR revenue to pay my property tax, PG&E bills and put food on my table. Losing that revenue would inflict a dire hardship on my continuing to live in Humboldt county.

I would really appreciate you considering an exception to the "No AOB" STR provision if the homeowners can meet an inspection that would convince planners the home is structurally safe. And I am very disappointed that your follow up revisions to the ordinance have steadfast ignored the need to have a path for AOB STRs to be permitted.

I also hope that you would not require a CDP for any STR in the coastal zone. The Coastal Commission does not want or have the resources to issue separate CDPs for every STR in the coastal zone of the county. I did not see any language in your ordinance draft revisions acknowledging this, but perhaps I overlooked that.

I would hope that you and John consider the ramifications to our county citizens lives, if your ordinance and actions eliminate hundreds of STRs. Those lives not only include the people who rely on STR revenue, but all the business that exist because of the tourism dollars that come into our county (in addition to the TOT). From the outside looking in, it seems the county planning team is apathetic to the consequences of this ordinance. Everyone should have a path to be able to comply

Thank you for reading my letter and I look forward to speaking out Sep 6. From what I've heard, my concerns are echoed by so many others.

John R. Lee

From: [john rotter](#)
To: [Hilton, Keenan](#)
Subject: 60.05.7.4 Alternative Owner Builder
Date: Thursday, June 22, 2023 12:13:07 PM

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

Greetings;

I will not be able to participated in the incoming June 28 at 6 p.m. zoom meeting, however I would like to offer the following exception to 60.05.7.4.

My argument is that many AOB permitted structures are in compliance with HCZR and the Humboldt County Building Codes.

In coastal areas within CC jurisdiction and those in areas of non-certification building permits are subject to the HCZR and require a CDP from the County and the CC.

Additionally AOB permits when issued do not have a condition of approval that would exclude an AOB from becoming a Short term Rental.

If so, an applicant could of made the decision to go AOB or go with a standard building permit.

It would seem reasonable to make the following exception to 60.05.7.4

Exempt AOB's prior to the adoption of the moratorium or the proposal below.

60.05.7.4 Alternative Owner Builder. Dwellings permitted pursuant to the Alternative Owner Builder provisions of Section 331.5-4 of Division 3 of Title III of Humboldt County Code shall not be permitted as Short-term_Rentals_ **unless 60.05.8.1 and all Humboldt County Building Codes for a standard building permit are met and construction is approved by the building Department .**

60.05.8 Standards. Short-term Rentals shall meet the following standards

60.05.8.1 Inspection. **All Short-term Rentals shall be inspected for safety and approved for use as a Short-term Rental by the Chief Building Official or designee**

Thanks,
John Rotter

From: [Ford, John](#)
To: [Hilton, Keenan](#)
Subject: FW: AOB-STR Hardships
Date: Tuesday, August 01, 2023 3:09:31 PM
Attachments: [image001.png](#)

John H. Ford
Director of Planning and Building
(707) 268-3738



From: john rotter <jrotter1948@gmail.com>
Sent: Thursday, July 27, 2023 11:06 AM
To: Ford, John <JFord@co.humboldt.ca.us>
Cc: Madrone, Steve <smadrone@co.humboldt.ca.us>; Bohn, Rex <RBohn@co.humboldt.ca.us>; Bushnell, Michelle <mbushnell@co.humboldt.ca.us>; Wilson, Mike <Mike.Wilson@co.humboldt.ca.us>; Arroyo, Natalie <narroyo@co.humboldt.ca.us>
Subject: AOB-STR Hardships

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

Dear Planning Director John Ford and members of the Board of Supervisors,
SUBJECT:

Draft Short-Term Rental ordinance is inconsistent with Section 331.5-3 of Division 3 of the AOB code

I would like to comment on 61.05.7.4. (Coastal) and 60.05.7.4 (Inland) *Alternative Owner Builder* of the Draft STR Proposal.

61.05.7.4. (Coastal) and 60.05.7.4 (Inland) *Alternative Owner Builder. Dwellings permitted pursuant to the Alternative Owner Builder provisions of Section 331.5-3 of Division 3 of Title III of Humboldt County Code shall not be permitted as Short-term Rentals.*

I contacted planning requesting more information as to why AOB dwellings shall not be permitted as Short Term Rentals. I was told that an AOB dwelling *is to be used solely by the owner of the dwelling, therefore cannot receive a STR permit...*

The section of 331.5-3 of the AOB code used to define 61.05.7.4. (Coastal) and 60.05.7.4

(Inland) Alternative Owner Builder reads:

“Such dwellings and appurtenant structures shall include seasonally or permanently occupied dwellings, hunting shelters, vacation homes, recreational shelters and detached bedrooms used solely by the owner of the dwelling...”

However, the entirety of 331.5-3 contains an exception and reads as follows:

*.... Such dwellings and appurtenant structures shall include seasonally or permanently occupied dwellings, hunting shelters, vacation homes, recreational shelters and detached bedrooms used solely by the owner of the dwelling **except for owner-built accessory dwelling units which may be used by persons other than the owner of the dwelling. (Ord. 1644, § 2, 7/17/1984; Ord. 2656, § 1, 10/27/2020)***

Although the proposed draft Short-Term Rental ordinance does not create a new prohibition on use of AOB structures being used as short-term rentals nor does it propose changes to the AOB code, the omission of this exception creates a hardship for AOB owners. It prohibits anyone who has AOB dwelling from obtaining a STR permit. This would hold true for all future AOB applicants as well. The exclusion of this exception is inconsistent with the intent of Section 331.5-3 of Division 3 of Title III of Humboldt County Code and only serves as a means to restrict an AOB from obtaining a STR permit

If the Alternative Owner Builder Code is to be specific to the Short Term Rental Ordinance, then the ordinance should read as follows:

*61.05.7.4. (Coastal) and 60.05.7.4 (Inland) Alternative Owner Builder. Dwellings permitted pursuant to the Alternative Owner Builder provisions of Section 331.5-3 of Division 3 of Title III of Humboldt County Code shall not be permitted as Short-term Rentals **except for owner-built accessory dwelling units which may be used by persons other than the owner of the dwelling.***

Hopefully this will be put on the table as the Draft STR Proposal moves forward.

Thank you,

John Rotter

From: [Hilton, Keenan](#)
To: [Madrone, Steve](#); [john rotter](#)
Cc: [Ford, John](#); [Russell, Robert](#); [McNamara, Cade](#); [Richardson, Michael](#)
Subject: RE: Short Term Rental /AOB
Date: Monday, June 26, 2023 2:46:00 PM

Good afternoon Mr. Rotter and Supervisor Madrone,

Thank you both for the comment and for the response. I want to echo the point you made Supervisor Madrone, and add a little more for consideration.

1. Short-term rentals are not a permitted use in the unincorporated areas of Humboldt County except for in the inland area of Shelter Cove
2. The proposed draft Short-term Rental ordinance does not create a new prohibition on use of AOB structures being used as short-term rentals. The intent of AOB as it exists today is for owners to have relaxed standards for their own use an enjoyment. This is made clear in section 331.5-3 of the AOB code itself which reads: "Such dwellings and appurtenant structures shall include seasonally or permanently occupied dwellings, hunting shelters, vacation homes, recreational shelters and detached bedrooms **used solely by the owner of the dwelling**..." Staff is not proposing changes to the AOB code at this time.
3. An available option might be to go through the building permit process to make the structure fully permitted, not subject to AOB regulations and therefore eligible for use as a STR.

If you aren't able to attend the zoom meeting, we will record it and make it available on the Short-term rental webpage as well as the county youtube channel. There will also be more opportunities to participate in the public process as the ordinance goes before the Planning Commission and eventually before the Board of Supervisors.

Please don't hesitate to reach out with further questions or concerns. Thank you,
Keenan

Keenan Hilton, Associate Planner
Long Range Planning
Humboldt County Planning and Building Department
(707) 268-3722

From: Madrone, Steve <smadrone@co.humboldt.ca.us>
Sent: Monday, June 26, 2023 10:00 AM
To: john rotter <jrotter1948@gmail.com>; Hilton, Keenan <KHilton@co.humboldt.ca.us>
Subject: Re: Short Term Rental /AOB

Hello John. I assume you know that STR are not permittable at this time any where in the county but a small zone in Shelter Cove. That being said we are developing an ordinance to allow for them under certain circumstances. There are pros and cons. Zoom input mtg this Weds. See Planning Dept notice at their website. Steve

Steve Madrone

County of Humboldt

Supervisor, District 5

(707) 476-2395

From: john rotter <jrotter1948@gmail.com>

Sent: Sunday, June 25, 2023 2:10 PM

To: Madrone, Steve <smadrone@co.humboldt.ca.us>; Hilton, Keenan <KHilton@co.humboldt.ca.us>

Subject: Short Term Rental /AOB

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

Hi Steve,

60.05.7.4 Alternative Owner Builder. Dwellings permitted pursuant to the Alternative Owner Builder provisions of Section 331.5-4 of Division 3 of Title III of Humboldt County Code shall not be permitted as Short-term Rentals.

I have a small AOB permitted cabin in Trinidad that I use at times for a short term rental. I have a concerns about the changes to my AOB permit by a proposed after the fact restriction of use.

The place to define or add restrictions and conditions of use for an AOB permit should be addressed when the AOB permitting process is before the Board.

The Board could propose a path forward for a permit conversion from AOB to Regular Permit.

Thanks,

John Rotter

.

Pre-Workshop Comments

Theme 2: Housing Stock & Permit Cap

McClenagan, Laura

From: Betty Machi <machibetty@gmail.com>
Sent: Tuesday, June 27, 2023 2:40 PM
To: Hilton, Keenan
Subject: Re: Vacation rental restrictions

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

Here's a link to my STR on Airbnb: <https://airbnb.com/h/sheltercovevistacabin>

On Tue, Jun 27, 2023 at 2:38 PM Betty Machi <machibetty@gmail.com> wrote:

Dear Khilton, My name is Betty Machi, I own and manage one 3 bed 2 bath vacation rental at Shelter Cove on Machi Road. I have been open since 2018. I have 145 reviews, (since I took over management 3 years ago) and a 499 star rating out of 5. I have earned 5*s for communication on every stay. I am a "super host" on Airbnb. I have never gotten a complaint of any kind for any neighbor and I wouldn't even if I had some close by. I cannot imagine not emptying the garbage or not responding in a timely manner to any situation that needed my attention. My success depends on it!! Poor guest experience tends to take care of itself in ratings. Folks will stop booking low rated STRs and they won't be in business for long. So at least at the Cove, the County getting involved in that is unnecessary in my opinion.

Renting my place short term allows my family to continue using our family home so renting long term is not an option. Having STRs makes it possible to accommodate enough visitors to support all the other businesses at Shelter Cove.

I believe most owners would sell before they rented full time and if they did rent full time you can bet there wouldn't be any increase in "affordable" housing. Shelter Cove is a resort/vacation destination and always has been.

The problem as I see it is that there are now too many STRs at the Cove so everybody is getting a much smaller piece of the "pie". Moratorium way too late. My income will be down about \$15,000 this year as a result of market oversaturation. Some are closing, selling, or going to long term. The economy has a way of taking care of too many and I am seeing that to a certain extent.

Regarding noise and light at night, residents are at least, probably more, likely to be offenders. If this ordinance is for STRs it should be for all. Light pollution is a huge problem, barking, loose, aggressive dogs are numerous. Loud music is common. Plenty of folks at the Cove have terrible neighbors FULL TIME, probably wish they were short term...

Finally, regarding owner builder STRs, Airbnb is full of them, even tents and trailers are accepted, sometimes preferred. As long as there is full disclosure, (an accurate description) I do not see a problem. Again, if there is a problem their ratings and longevity will reflect that.

Inspections? Whatever. Certainly no surprise. Probably unnecessary. Again, the system is set up to weed out the bad places in no time. Airbnb will even intervene where appropriate.

Thank you for reading this, khilton, I appreciate the opportunity to be heard.

Sincerely,

Betty Machi

From: [Ford, John](#)
To: [Hilton, Keenan](#)
Subject: FW: Support for Short Term Rental 45 Day Moratorium
Date: Friday, June 30, 2023 12:47:02 PM
Attachments: [image001.png](#)

John H. Ford
Director of Planning and Building
(707) 268-3738



From: Madrone, Steve <smadrone@co.humboldt.ca.us>
Sent: Monday, June 26, 2023 2:46 PM
To: Brianna Buell <Brie-Brie@outlook.com>; Ford, John <JFord@co.humboldt.ca.us>
Subject: Re: Support for Short Term Rental 45 Day Moratorium

Thanks

Steve Madrone
County of Humboldt
Supervisor, District 5
(707) 476-2395

From: Brianna Buell <Brie-Brie@outlook.com>
Sent: Thursday, June 22, 2023 3:50 PM
To: Madrone, Steve <smadrone@co.humboldt.ca.us>
Subject: Support for Short Term Rental 45 Day Moratorium

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

Dear Supervisor,

My name is Brianna Buell, I am a renter in Humboldt County. I fully support the 45-moratorium to the vacation rental ordinance. As stated in previous BOS meetings, whenever there is legislation regulating certain activities, there is a rush to establish that activity by individuals who have yet to participate. In respect to the short term vacation rental ordinance, the moratorium prevents a rush of current housing stock to be converted into vacation rentals.

As a renter, I do not wish to see possible housing for myself and my community be converted to support tourists to our area. Airbnb and VRBO displace community members because of the lucrative nature of running short term rentals. Many landlords opt for the perceived ease of running a short term rental over having long term tenants. We cannot have a functioning local economy without housing and most importantly workforce housing for the industries which ironically support the tourism industry as a whole.

I support the moratorium and furthermore, more stringent regulations and taxes for vacation rentals in order to dissuade home owners to convert their homes into unregulated hotels and preserve current housing stock for our community.

Please consider enacting a high tax for vacation rentals after the moratorium period to support things like our local housing trust fund, housing voucher programs, or new construction for multi-family housing and specifically housing which allows for ownership such as condos, and townhomes. In addition, I believe homeowners who convert vacation rentals back into long term housing should be rewarded. Let's create legislation that makes the right choice easier and attractive.

We desperately need housing in our community and this is just one first step to ensure the housing we have now can continue to serve our community.

Thank you for your consideration,

Brianna Buell

From: [Ford, John](#)
To: [Hilton, Keenan](#)
Subject: FW: short term rental comment
Date: Friday, June 30, 2023 12:46:56 PM
Attachments: [image001.png](#)

John H. Ford
Director of Planning and Building
(707) 268-3738



From: Madrone, Steve <smadrone@co.humboldt.ca.us>
Sent: Monday, June 26, 2023 2:45 PM
To: cemone@reninet.com; Ford, John <JFord@co.humboldt.ca.us>
Subject: Re: short term rental comment

Thanks

Steve Madrone
County of Humboldt
Supervisor, District 5
(707) 476-2395

From: cemone@reninet.com <cemone@reninet.com>
Sent: Thursday, June 22, 2023 5:42 PM
To: Madrone, Steve <smadrone@co.humboldt.ca.us>
Subject: short term rental comment

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

Dear Supervisor Madrone,

I own two houses in Humboldt County. I live in one and rent the other to a family. I also accommodate touring cyclists through WarmShowers, which is a reciprocal hospitality program which does not require payment for lodging (only that the participants pedal to the destination). I only mention that because I could have an Airbnb, but I don't.

Looking at Trinidad as an example, I don't want to see family housing converted to support tourism. That is what hotels, motels and inns are for, and these establishments provide jobs. This is why I support the Trinidad Rancheria's plan to build a hotel (but not necessarily the current environmentally questionable plan for it!)

Whole-house Airbnbs and VRBOs displace community members. It is a misplaced perception that running a short-term rental is easier than having long-term tenants. It is simply more lucrative. At bare minimum, if homeowners want to rent out a room in their house through Airbnb or such, there should be *a required on-site tenant*. More stringent regulations and taxes for vacation rentals might well dissuade home owners from converting their homes into unregulated hotels.

Please consider enacting a high tax for vacation rentals after the moratorium period to support housing options such as housing voucher programs, new construction for multi-family housing and housing options which allow for ownership (like condos). Perhaps homeowners who convert vacation rentals back into long-term housing should be rewarded in some way.

Thank you for representing us.

Carol Moné

Trinidad

From: [Ford, John](#)
To: [Hilton, Keenan](#)
Subject: FW: Vacation rentals
Date: Friday, June 30, 2023 12:47:42 PM
Attachments: [image001.png](#)

John H. Ford
Director of Planning and Building
(707) 268-3738



From: Madrone, Steve <smadrone@co.humboldt.ca.us>
Sent: Monday, June 26, 2023 2:21 PM
To: Carrie Vonier <ms_vonier@yahoo.com>; Ford, John <JFord@co.humboldt.ca.us>
Subject: Re: Vacation rentals

Thank you.

Steve Madrone
County of Humboldt
Supervisor, District 5
(707) 476-2395

From: Carrie Vonier <ms_vonier@yahoo.com>
Sent: Friday, June 23, 2023 7:46 AM
To: Madrone, Steve <smadrone@co.humboldt.ca.us>
Subject: Vacation rentals

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

Dear Supervisor,

My name is Carrie Vonier, I am a renter in Humboldt County. I fully support the 45-moratorium to the vacation rental ordinance. As stated in previous BOS meetings, whenever there is legislation regulating certain activities, there is a rush to establish that activity by individuals who have yet to participate. In respect to the short term vacation rental ordinance, the moratorium prevents a rush of current housing stock to be converted into vacation rentals.

As a renter, I do not wish to see possible housing for myself and my community be converted to support tourists to our area. Airbnb and VRBO displace community members because of the lucrative nature of running short term rentals. Many landlords opt for the perceived ease of running a short term rental over having long term tenants. We cannot have a functioning local economy without housing and most importantly workforce housing for the industries which ironically support the tourism industry as a whole.

I support the moratorium and furthermore, more stringent regulations and taxes for vacation rentals in order to dissuade home owners to convert their homes into unregulated hotels and preserve current housing stock for our community.

Please consider enacting a high tax for vacation rentals after the moratorium period to support things like our local housing trust fund, housing voucher programs, or new construction for multi-family housing and specifically housing which allows for ownership such as condos, and townhomes. In addition, I believe homeowners who convert vacation rentals back into long term housing should be rewarded. Let's create legislation that makes the right choice easier and attractive.

We desperately need housing in our community and this is just one first step to ensure the housing we have now can continue to serve our community.

Thank you for your consideration,

Carrie

From: [C.E. Fait](#)
To: [Hilton, Keenan](#)
Cc: [Bohn, Rex](#); [Bushnell, Michelle](#); [Arroyo, Natalie](#); [Madrone, Steve](#); [Wilson, Mike](#)
Subject: Short-term ordinance statement
Date: Tuesday, September 19, 2023 4:11:30 AM

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

Hi Keenan,

First off, I would like to express my gratitude to the Planning Department and The Board of Supervisors. for considering local renters' opinions in this short-term rental discussion. According to a 2022 *Time Standard* article, long-term renters make up 43% of this county's population. I believe our current housing shortage will likely be exacerbated by more residences turning into the mini-hotels called AirBnB and VRBO. A Wire.com article from 2022 spoke about how large U.S. cities like Dallas, San Diego, and New York City-places that had much more available housing than we do- experienced a housing shortage spike due to "the AirBnB effect." So please, continue to prioritize Humboldt citizens' housing needs over property investments that target short-term renters.

Thank you,

Chris Vasquez- *Eureka*

From: [Ford, John](#)
To: [Hilton, Keenan](#)
Subject: FW: Resolving Competing Interests in Housing
Date: Tuesday, August 01, 2023 3:42:07 PM
Attachments: [image001.png](#)

John H. Ford
Director of Planning and Building
(707) 268-3738



From: Madrone, Steve <smadrone@co.humboldt.ca.us>
Sent: Monday, July 24, 2023 3:14 PM
To: Elizabeth Kernahan <ek5776@gmail.com>; Ford, John <JFord@co.humboldt.ca.us>
Subject: Re: Resolving Competing Interests in Housing

Thank you for your ideas. I am sharing with our planning director. Steve

Steve Madrone
County of Humboldt
Supervisor, District 5
(707) 476-2395

From: Elizabeth Kernahan <ek5776@gmail.com>
Sent: Tuesday, July 18, 2023 7:50 PM
To: Madrone, Steve <smadrone@co.humboldt.ca.us>
Subject: Resolving Competing Interests in Housing

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

Hello Supervisor Madrone,

I'm writing to you as a constituent living in unincorporated Humboldt. I am also a County employee of five years, resident of Humboldt for ten years, a tenant, a union member, and a person who has

wanted to put down roots here for some time. With the short term rental ordinance in the works and the area continuing to experience a housing crunch in some areas, I've come across a possibly elegant solution to resolve some of the competing interests in the housing market. There are so many competing interests. People who own property and want to leverage it to make money, people who don't have housing and can't afford it, people who have housing but are trying attain property ownership rather than rent forever. Then there are people who are just in it for the money and don't care about the community impacts, verses the people who want to see natural growth, verses the habitats and open spaces that could be damaged or over run by unfettered development.

The county wants to see increases in housing to address need, but I'm sure also wants to see more availability of housing for people to buy (not just to rent), and has to continue to figure out how to help keep people from living on the street, and keep low income housing available. There is the real potential for people to be displaced when people and business entities can rapidly gobble up housing stock and turn it over to vacation rental. A number of the members of the board spoke about this today.

The solution I have may seem radical, but I think is a reasonable counter to other members of the public who are calling for the flood gates to be opened. Consider this keeping in mind Humboldt is still primed for a run away housing market with big money eyeing the coastal areas for vacation homes or rentals, and increased development. During the public meeting on the short term rental ordinance someone made a comment to that effect, that "the best vacation homes are on the coast". Consider the following through that lens.

Inland Restriction:

- For a period not more than 2 years from the date of purchase or construction, whichever is later, prohibition on the use of any residential dwelling as a rental.
- For a period not more than 5 years from the date of purchase or construction, whichever is later, prohibition on the use of any residential dwelling as a short term rental.

Coastal Restriction:

- For a period not more than 5 years from the date of purchase or construction, whichever is later, prohibition on the use of any residential dwelling as a rental.
- For a period not more than 7 years from the date of purchase or construction, whichever is later, prohibition on the use of any residential dwelling as a short term rental.

Exceptions:

- Use of a dwelling is exempt from the rental restriction on properties with mixed uses, or where a tenants income is less than or equal to 200% of the poverty line on the first date of occupancy.
- Use of a dwelling is exempt from the short term rental restriction where a tenants income is less than or equal to 100% of the poverty line on the first date of occupancy, or where the business licensee resides in the dwelling.

This essentially requires any newly built or purchased property to be allocated toward lower income housing or shelter for a period of time, or allows the short term rental where the owner is on site. This prioritizes those in need. It also should add a cooling effect to the industry and prevent people from building new construction targeted toward vacation homes or expensive rentals. It also makes it infeasible to buy up coastal land or developed properties without committing to being invested in the community for a substantial amount of time, and would allow vacation rentals to come online slowly unless they are people who have owned the property for some time. This also I hope would give people who want to use housing first and foremost as a business enough pause to allow individuals who want to use housing as a house to live in a fighting chance.

When you think about the natural incentives this creates in the market, it adds a financial pressure on people that are buying and flipping properties. We have laws already in this state that are supposed to do the same thing, where sale of a residence that has not been your primary for two of the last five years requires you pay capital gains tax. In the modern market with internet home buying, that law apparently no longer slows or stops people from buying up housing stock in speculation or building new purely for vacation rentals. Unless of course they turn those properties toward assisting low income, impoverished, and housing insecure people, or themselves need the added income to make their mortgage. This also slows growth in areas where people are trying to create significant development pressures purely to make money.

If this went into effect today, there would be a bunch of people that wouldn't be effected by it because of the length of time they've owned their property. As people decide to sell it would be less appealing to landlords or investors which would give people who actually want to live in the house and be apart of the community a chance.

Enforcement would be straight forward. When someone applies for their business license, the deed and building permits are checked. If they're too early then they are denied unless the use meets the exceptions. This is something they could check off and commit to on the business license application and when applying for the short term rental permit. If they claim the exceptions they would need to keep records which could be audited. The wording of the exceptions also make it so that if someone starts renting and then their income suddenly crosses the threshold their landlord wouldn't be forced to evict them or shut down. This allows people to gain housing and have stability while their lives improve.

This could be defeated by corporate property ownership or property held in trust where the entity never changes, but the people running it do. I don't know how that would be resolved short of requiring the business license be secured by the property owner and limiting the business licensure to only natural persons, with it clearly spelled out in the law that it is the intent that properties owned by corporations or held in trust not be allowed to participate in this industry in Humboldt County

I know this is probably radical but we live in somewhat radical times. If you made it to this point thank you for your time and consideration.

Warm Regards,

Liz

From: [Ford, John](#)
To: [Hilton, Keenan](#)
Subject: FW: Letter about STRs
Date: Monday, August 21, 2023 8:06:24 AM

From: Madrone, Steve <smadrone@co.humboldt.ca.us>
Sent: Saturday, August 19, 2023 2:43 PM
To: Jack Kennard <jackvkennard@gmail.com>; Ford, John <JFord@co.humboldt.ca.us>
Subject: Re: Letter about STRs

Thanks Jack. Sharing with planners.

Get [Outlook for iOS](#)

From: Jack Kennard <jackvkennard@gmail.com>
Sent: Saturday, August 19, 2023 1:39:48 PM
To: Madrone, Steve <smadrone@co.humboldt.ca.us>
Subject: Letter about STRs

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

I rent in Mckinleyville and have been living here for 10 years. I am a young professional and make \$78k/yr, which is considered high for Humboldt County and with a down payment I still am unable to afford a home here (anywhere in Humboldt County, not necessarily Mckinleyville). I spent close to six months attempting to move from my last rental, with an excellent rental history & recommendations, monthly income over 4x rent, great credit, no evictions. The 2bd condo I live in now below market rate, which is a falling down poorly maintained condo (my landlord owns the entire neighborhood), had 40+ applicants many of which were new families. I cannot even imagine how scary it is for someone making less than me (ie: majority of humboldt county who are local and not remote workers) to find housing anywhere in Humboldt County. But if you pull up VRBO or AIRBNB, there's PLENTY of single family homes (NOT MIL units) available at all times in the middle of Mckinleyville. Not million dollar homes mind you, but average single family homes. Finding a rental here is near impossible, and Mckinleyville is actually better off due to new apartment (pierson project?) housing coming up. I love it in Mckinleyville, I am lgbt and feel safe here and the people are great, but what's the point of staying in Humboldt if I'm going to be a renter? Why not move to a nice city and rent if I'm not going to ever own a home?

There need to be strong restrictions on STR housing and no new single family homes being allowed to have short term rentals. A MIL unit seems acceptable when the main house has a home owner or

long term renter occupying. Allowing STRs only benefits investors, we need housing to benefit real working Humboldt people— professionals, families, and low-income renters. A median income family should be able to own a home in Humboldt county.

Jack
Mckinleyville Ave.

McClenagan, Laura

From: Len Wolff <riverwolf1951@gmail.com>
Sent: Tuesday, September 19, 2023 1:11 PM
To: Hilton, Keenan
Subject: STR ordinance

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

Hello,

Please see my comments below in regards to the latest STR ordinance (coastal ordinance) and the proposed workshop on Thursday, September 21, 2023. I would like to include the following points in the event I am not able to attend or if the workshop is unable to be held due to a large number of items on the consent calendar.

1. STR Remove Housing Stock for the community. It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.
2. STR are not being regulated appropriately to prevent "mom-and-pop" hotel chains from developing. The latest text includes

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

This would allow property owners five individual homes to rent out as short term rentals. I believe this is far too great of a number and should be reduced to 1 or 0. The regulations make no designation on the limit when compared in family trusts, organizations owned by the same entity or individual and leaves a loophole open for larger STR owners to divide holdings between different companies to continue to operate large numbers of STRs. Cumulatively, the number of STRs in our county represent:

381 active listings in Eureka, average **annual revenue of \$43.3K per rental**
317 active listings in Arcata, average **annual revenue of \$41.4K per rental**
192 active listings in Trinidad, average **annual revenue of \$82.9K per rental**
197 active listings in McKinleyville, average **annual revenue of \$54.5K per rental**

(data from AirDNA.co)

This represents a total of **1087 homes that could re-enter the market as long term rentals or homes for first time homebuyers.**

I support an ordinance that only allows for "Home-share" STR and would eliminate 61.05.10 Short-term Rentals defined as entire homes without a caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.

3. If Short term rentals are continued to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.

4. *61.05.5 Existing Operations. No permits for whole dwelling unit Short-term Rentals shall be issued during the first two (2) months following the effective date of this section but applications from individuals operating existing short-term rentals will be received. Two months after the effective date of this ordinance the department will issue permits prioritizing applications for locations with existing Short-term Rentals. An existing Short-term Rental shall be determined based on evidence of operation from January 2022 through May of 2023. If the number of permits issued for existing Short-term Rentals exceeds the cap identified in §60.05.10.2.1, then no permits will be issued for new Short-term Rentals until the number of permitted Short-term Rentals in the County falls below the cap.*

This text would cause a huge rush in new UNREGULATED STR to enter the market in order for their application to be considered. This is because the current cap set for STRs is below the current number of STRs in existence

>> Looking at other areas of the nation and world that have dealt with the issues of STRs, it is in our best interest as a community to eliminate STRs entirely. Short of that, no preferences should be made for existing short term rentals and we should seek to limit the number of short term rentals as much as possible in order to **increase the amount of housing stock available to our community for first time home buyers and for long term rentals to re-enter the market.**

Thank you for your consideration.

Len Wolff, Arcata Ca

McClenagan, Laura

From: LH <leh@eth123.com>
Sent: Thursday, June 22, 2023 8:06 PM
To: Hilton, Keenan; Bohn, Rex; Bushnell, Michelle; Wilson, Mike; Arroyo, Natalie; Madrone, Steve
Subject: Re:Draft Short-term Rental Ordinance_Inland and Draft Coastal Short-term Rental Ordinance_Coastal 6.16.23

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

Re: Draft Short-term Rental Ordinance_Inland and Draft Coastal Short-term Rental Ordinance_Coastal 6.16.23

in lieu of Zoom, as I cannot participate, please enter this comment at the meeting.

Dear Ms Hilton and members of the Board of Supervisors,

Thank you for addressing this very important issue.

Regarding section 60.05.6.1 of the Short Term Rental Ordinances Draft; "*Short-term Rental Cap. The total number of Short-term Rental permits issued shall not exceed the cap established by resolution of the Board of Supervisors.*"

Please make the cap as restrictive as possible as to the number of STRs allowed in the county where the owner does not live on the property and use the property as a primary residence.

When rents and mortgages are too high workers leave as they cannot afford rents. Insurances companies leave as it is no longer viable to insure such very expensive properties in disaster zones. People have less money after paying rent or mortgages and so less to spend in their communities, and so businesses go out of business. Anything which increases rents and mortgages further decays our economies. ST rentals do this and displace communities.

We desperately need affordable housing. We could easily end up like Fort Bragg where most working people including doctors, nurses, plumbers, electricians, gas station and home health workers have had to move away because of high housing costs. Areas which do not mitigate housing costs for their own people end up with less working people and are left with only a few rich people and a great deal more homeless people. Like Fort Bragg and the town of Mendocino - which has a great deal of difficulty recruiting people for it's volunteer fire dept. Most younger people have had to leave the area. Artists have had to leave. Those communities will become cultural ghost towns if it continues, much as the artists and creative communities have had to leave San Francisco. At one point both Fort Bragg and San Francisco had good sized artists' communities- but that is no longer.

On a related note, please also consider this in the future; Large corporate and foreign investors are estimated to own 20% of all single family homes in the country right now. It has been accumulative. That is a HUGE percentage. It ruins the rest of the economy. It also kills a good percentage of competition from smaller local landlords. Some estimate they will own 40% of all single family residences by 2030 if their purchases continue at the same rate. It also needs to be capped so that local communities will survive.

Please be as restrictive as possible regarding the above.

Best regards,
Lynn Harrington

PO box 1792, Redway, Ca 95560



Virus-free. www.avast.com

McClenagan, Laura

From: LH <leh@eth123.com>
Sent: Saturday, July 01, 2023 1:46 PM
To: Hilton, Keenan; Bohn, Rex; Bushnell, Michelle; Wilson, Mike; Arroyo, Natalie; Madrone, Steve
Subject: Re: Vacant homes taxes successful

Follow Up Flag: Follow up
Flag Status: Flagged

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

Dear members of the Humboldt BOS,

Vacant homes taxes are successful in putting more housing on the market.

<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fstoreys.com%2Fcity-of-vancouver-empty-homes-tax-report-2021-year%2F&data=05%7C01%7Ckhilton%40co.humboldt.ca.us%7Cb559797510024ec8dc8a08db7a7434e5%7Cc00ae2b64fe844f198637b1adf4b27cb%7C0%7C0%7C638238411952017176%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IklhaWwiLCJXVCi6Mn0%3D%7C2000%7C%7C%7C&sdata=PAN4zxHwHhID7g9b5KNIG9iSHmYHRL04xO6DIOqhWjU%3D&reserved=0>

Large corporate and foreign investors are estimated to own 20% of all single family homes in the country right now. Many of them are held empty as "investments" or just places to park large amounts of international money. It has been accumulative and some are held empty and rotting for many years. Some estimate large corporations and foreign absentee owners will own 40% of all single family residences by 2030 if their purchases continue at the same rate. It needs to be capped so that local communities will survive. It ruins the rest of the economy as prices for shelter become unaffordable for working people. It also kills a good percentage of competition from smaller local landlords who provide workers with housing they can afford. Please consider taxing vacant and foreign owned homes well above and beyond what is already in place.

Best regards,

Lynn Harrington

PO box 1792, Redway, Ca 95560

--

This email has been checked for viruses by Avast antivirus software.

<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.avast.com%2F&data=05%7C01%7Ckhilton%40co.humboldt.ca.us%7Cb559797510024ec8dc8a08db7a7434e5%7Cc00ae2b64fe844f198637b1adf4b27cb%7C0%7C0%7C638238411952017176%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IklhaWwiLCJXVCi6Mn0%3D%7C2000%7C%7C%7C&sdata=QLQEi8fk8jexncjEWqrb%2FOXYgXoHBYvi2KQ757ZcV%3D&reserved=0>

From: [Morgan March](#)
To: [Hilton, Keenan](#)
Subject: Comment on STR Ordinance
Date: Wednesday, September 20, 2023 10:11:11 AM

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

I live in rural Humboldt County, and I write you as a constituent urging you to put a strict and low cap on short term rentals, and to enforce this cap. There is a massive shortage of long term rentals preventing folks from moving to communities like Petrolia. We need those who are willing to rent their houses out to rent them to people who can live and work here, get more children in our schools, and to still give income to the property owners.

Morgan March
Petrolia, CA

McClenagan, Laura

From: nicael leistikow <nicaelleistikow@gmail.com>
Sent: Tuesday, September 19, 2023 6:27 PM
To: Hilton, Keenan
Subject: STR Ordinance

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

Hello,

Please see my comments below in regards to the latest STR ordinance (coastal ordinance) and the proposed workshop on Thursday, September 21, 2023. I would like to include the following points in the event I am not able to attend or if the workshop is unable to be held due to a large number of items on the consent calendar.

- 1.
- 2.
3. STR
4. Remove Housing Stock for the community. It
5. is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close
6. by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
13. STR
14. are not being regulated appropriately to prevent "mom-and-pop" hotel chains from developing.
15. The
16. latest text includes
- 17.
18. "61.05.10.2.3
19. *Per Person Limit. An individual or business shall not own more than five (5) parcels with Short-term Rental permits."*
- 20.

21. This
22. would allow property owners five individual homes to rent out as short term rentals. I believe this is far too great of a number and should be reduced to 1 or 0. The regulations make no designation on the limit when compared in family trusts, organizations
23. owned by the same entity or individual and leaves a loophole open for larger STR owners to divide holdings between different companies to continue to operate large numbers of STRs. Cumulatively, the number of STRs in our county represent:
- 24.
- 25.
26. 381
27. active listings in Eureka, average **annual**
28. **revenue of \$43.3K per rental**
29. 317
30. active listings in Arcata, average **annual**
31. **revenue of \$41.4K per rental**
32. 192
33. active listings in Trinidad, average **annual**
34. **revenue of \$82.9K per rental**
35. 197
36. active listings in McKinleyville, average **annual**
37. **revenue of \$54.5K per rental**
- 38.
39. (data
40. from AirDNA.co)
- 41.
42. This
43. represents a total of **1087**
44. **homes that could re-enter the market as long term rentals or homes for first time homebuyers.**
- 45.
- 46.
47. I
48. **support an ordinance that only allows for "Home-share" STR and would eliminate**
49. 61.05.10
50. Short-term Rentals defined as entire homes without a caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.
- 51.
- 52.
- 53.
- 54.
- 55.
- 56.

- 57. If
- 58. Short term rentals are continued to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax
- 59. benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.
- 60.
- 61.
- 62.
- 63.
- 64.
- 65.
- 66. 61.05.5
- 67. *Existing Operations. No permits for whole dwelling unit Short-term Rentals shall be issued during the first two (2) months following the effective date of this section but applications from individuals operating existing short-term rentals will be received.*
- 68. *Two months after the effective date of this ordinance the department will issue permits prioritizing applications for locations with existing Short-term Rentals. An existing Short-term Rental shall be determined based on evidence of operation from January*
- 69. 2022 through May of 2023. **If**
- 70. **the number of permits issued for existing Short-term Rentals exceeds the cap identified in §60.05.10.2.1, then no permits will be issued for new Short-term Rentals until the number of permitted Short-term Rentals in the County falls below the cap.**
- 71.
- 72. **This**
- 73. **text would cause a huge rush in new UNREGULATED STR to enter the market in order for their application to be considered.**
- 74. **This**
- 75. **is because the current cap set for STRs is below the current number of STRs in existence**
- 76.
- 77.
- 78. >>
- 79. Looking at other areas of the nation and world that have dealt with the issues of STRs, it is in our best interest as a community to eliminate STRs entirely. Short of that, no preferences should be made for existing short term rentals and we should seek to
- 80. limit the number of short term rentals as much as possible in order to **increase**

81. **the amount of housing stock available to our community for first time home buyers and for long term rentals to re-enter the market.**

82.

Thank you for your Time,

Nicael Leistikow
Arcata, CA., resident

From: [nicael.leistikow](#)
To: [Planning Clerk](#)
Subject: STR Ordinance
Date: Tuesday, September 19, 2023 6:25:45 PM

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

Hello,

Please see my comments below in regards to the latest STR ordinance (coastal ordinance) and the proposed workshop on Thursday, September 21, 2023. I would like to include the following points in the event I am not able to attend or if the workshop is unable to be held due to a large number of items on the consent calendar.

1.

STR Remove Housing Stock for the community. It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.

2.

STR are not being regulated appropriately to prevent "mom-and-pop" hotel chains from developing. The latest text includes

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

This would allow property owners five individual homes to rent out as short term rentals. I believe this is far too great of a number and should be reduced to 1 or 0. The regulations make no designation on the limit when compared in family trusts, organizations owned by the same entity or individual and leaves a loophole open for larger STR owners to divide holdings between different companies to continue to operate large numbers of STRs. Cumulatively, the number of STRs in our county represent:

381 active listings in Eureka, average **annual revenue of \$43.3K per rental**
317 active listings in Arcata, average **annual revenue of \$41.4K per rental**
192 active listings in Trinidad, average **annual revenue of \$82.9K per rental**
197 active listings in McKinleyville, average **annual revenue of \$54.5K per rental**

(data from AirDNA.co)

This represents a total of **1087 homes that could re-enter the market as long**

term rentals or homes for first time homebuyers.

I support an ordinance that only allows for "Home-share" STR and would eliminate 61.05.10 Short-term Rentals defined as entire homes without a caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.

3.

If Short term rentals are continued to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.

4.

*61.05.5 Existing Operations. No permits for whole dwelling unit Short-term Rentals shall be issued during the first two (2) months following the effective date of this section but applications from individuals operating existing short-term rentals will be received. Two months after the effective date of this ordinance the department will issue permits prioritizing applications for locations with existing Short-term Rentals. An existing Short-term Rental shall be determined based on evidence of operation from January 2022 through May of 2023. **If the number of permits issued for existing Short-term Rentals exceeds the cap identified in §60.05.10.2.1, then no permits will be issued for new Short-term Rentals until the number of permitted Short-term Rentals in the County falls below the cap.***

This text would cause a huge rush in new UNREGULATED STR to enter the market in order for their application to be considered. This is because the current cap set for STRs is below the current number of STRs in existence

>> Looking at other areas of the nation and world that have dealt with the issues of STRs, it is in our best interest as a community to eliminate STRs entirely. Short of that, no preferences should be made for existing short term rentals and we should seek to limit the number of short term rentals as much as possible in order to **increase the amount of housing stock available to our community for first time home buyers and for long term rentals to re-enter the market.**

Thank you for your consideration.

Nicael Leistikow
Arcata, CA., Resident

From: [Raelina Krikston](#)
To: [Planning Clerk](#)
Subject: Comments on STR Ordinance Workshop
Date: Monday, September 18, 2023 1:40:06 PM

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

Hello,

Please see my comments below in regards to the latest STR ordinance (coastal ordinance) and the proposed workshop on Thursday, September 21, 2023. I would like to include the following points in the event I am not able to attend or if the workshop is unable to be held due to a large number of items on the consent calendar.

1. STR Remove Housing Stock for the community. It is proven that short-term rentals take away opportunities for community members to purchase starter homes and find affordable rentals which has a rippling effect in the fabric of our community and our local economy. If our workforce can't afford to live close by, it means more money and time is being spent commuting, and our neighborhoods become devoid of community.
2. STR are not being regulated appropriately to prevent "mom-and-pop" hotel chains from developing. The latest text includes

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

This would allow property owners five individual homes to rent out as short term rentals. I believe this is far too great of a number and should be reduced to 1 or 0. The regulations make no designation on the limit when compared in family trusts, organizations owned by the same entity or individual and leaves a loophole open for larger STR owners to divide holdings between different companies to continue to operate large numbers of STRs. Cumulatively, the number of STRs in our county represent:

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192 active listings in Trinidad, average **annual revenue of \$82.9K per rental**
197 active listings in McKinleyville, average **annual revenue of \$54.5K per rental**
(data from AirDNA.co)

This represents a total of **1087 homes that could re-enter the market as long term rentals or homes for first time homebuyers.**

I support an ordinance that only allows for "Home-share" STR and would eliminate 61.05.10 Short-term Rentals defined as entire homes without a caretaker or resident. This would open hundreds if not thousands of homes up to first time home buyers and long-term renters in our community who currently need homes or are seeking upward home mobility.

3. If Short term rentals are continued to be regulated, I support additional STR permit fees and additional taxes should be levied to support a housing trust fund to directly support community members including: rental assistance, first-time home buyers and tax benefits for STR owners who voluntarily convert their STR into long-term rentals or sell their STR properties.
4. *61.05.5 Existing Operations. No permits for whole dwelling unit Short-term Rentals shall be issued during the first two (2) months following the effective date of this section but applications from individuals operating existing short-term rentals will be received. Two months after the effective date of this ordinance the department will issue permits prioritizing applications for locations with existing Short-term Rentals. An existing Short-term Rental shall be determined based on evidence of operation from January 2022 through May of 2023. If the number of permits issued for existing Short-term Rentals exceeds the cap identified in §60.05.10.2.1, then no permits will be issued for new Short-term Rentals until the number of permitted Short-term Rentals in the County falls below the cap.*

This text would cause a huge rush in new UNREGULATED STR to enter the market in order for their application to be considered. This is because the current cap set for STRs is below the current number of STRs in existence

>> Looking at other areas of the nation and world that have dealt with the issues of STRs, it is in our best interest as a community to eliminate STRs entirely. Short of that, no preferences should be made for existing short term rentals and we should seek to limit the number of short term rentals as much as possible in order to **increase the amount of housing stock available to our community for first time home buyers and for long term rentals to re-enter the market.**

Thank you for your consideration.

Raelina Krikston
Eureka Resident

From: [Ford, John](#)
To: [Hilton, Keenan](#)
Subject: FW: Humboldt County Short Term Rental 45 Day Moratorium
Date: Friday, June 30, 2023 12:47:25 PM
Attachments: [image001.png](#)

John H. Ford
Director of Planning and Building
(707) 268-3738



From: Madrone, Steve <smadrone@co.humboldt.ca.us>
Sent: Monday, June 26, 2023 2:43 PM
To: Rhonda Ballance <ballance.rhonda@gmail.com>; Ford, John <JFord@co.humboldt.ca.us>
Subject: Re: Humboldt County Short Term Rental 45 Day Moratorium

Thanks

Steve Madrone
County of Humboldt
Supervisor, District 5
(707) 476-2395

From: Rhonda Ballance <ballance.rhonda@gmail.com>
Sent: Thursday, June 22, 2023 6:32 PM
To: Madrone, Steve <smadrone@co.humboldt.ca.us>
Subject: Humboldt County Short Term Rental 45 Day Moratorium

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

Dear Supervisor Madrone,

I am a renter in Humboldt County. I fully support the 45-moratorium to the vacation

rental ordinance. As stated in previous BOS meetings, whenever there is legislation regulating certain activities, there is a rush to establish that activity by individuals who have yet to participate. In respect to the short term vacation rental ordinance, the moratorium prevents a rush of current housing stock to be converted into vacation rentals.

As a renter, I do not wish to see possible housing for myself and my community be converted to support tourists to our area. Airbnb and VRBO displace community members because of the lucrative nature of running short term rentals. Many landlords opt for the perceived ease of running a short term rental over having long term tenants. We cannot have a functioning local economy without housing and most importantly workforce housing for the industries which ironically support the tourism industry as a whole.

I support the moratorium and furthermore, more stringent regulations and taxes for vacation rentals in order to dissuade home owners to convert their homes into unregulated hotels and preserve current housing stock for our community.

Please consider enacting a high tax for vacation rentals after the moratorium period to support things like our local housing trust fund, housing voucher programs, or new construction for multi-family housing and specifically housing which allows for ownership such as condos, and townhomes. In addition, I believe homeowners who convert vacation rentals back into long term housing should be rewarded. Let's create legislation that makes the right choice easier and attractive.

We desperately need housing in our community and this is just one first step to ensure the housing we have now can continue to serve our community.

Thank you for your consideration,

-Rhonda Ballance

From: [Trevor Allen](#)
To: [Hilton, Keenan](#)
Subject: Follow the data, this is economic terrorism
Date: Friday, June 30, 2023 12:31:51 AM

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

With all due respect, the data clearly shows this STR ordinance will do nothing to solve the issues this county has caused for housing stalk. Nor is it the incorporated tax payer's responsibility to solve for the county's CITY issues. This STR ordinance is nothing short of Economic Terrorism against the independence and liberty of the individual property owners that support this community. The planning department has assaulted this community enough. The data is clear and this ordinance is a disgraceful overreach. It's not the tax payer's responsibility to fix the county's mistakes. "With great power comes great responsibility". This county had no right to ruin lives at the rate it has and continues to do so. This ordinance is an attack, and an assault and does nothing but ruin lives and liberty. Stop this madness. We beg you, stop the "pay to play" system and let simple people that support this community have the liberty and freedom to live here. Just stop, it's evil. Our community doesn't deserve this.

Sincerely,
Your Tax Payers

[Sent from Yahoo Mail for iPhone](#)

Pre-Workshop Comments

Theme 3: Neighborhood Concerns

Hello to Keegan and our Supervisors,

August 29th, 2023

Thank you for starting this work to help our community make the most sense out of vacation rentals and the roll they play in our overall housing dynamics here in Humboldt.

My name is Bo Day, I'm a general contractor, property owner, and father to two teenage sons currently enrolled in Arcata High and McKinleyville high. I attended the meeting held on August 24th in McKinleyville and was struck by the turn out, the clarity of the speakers, and the emotional intensity around this issue.

The draft ordinance we were presented with at the meeting was clear about establishing a hard-cap for the total number of permitted vacation rentals at 2% of the existing housing stock and also that neighborhood concentration limits would be in place to determine how many short-term rentals could be in any neighborhood. I appreciate the clarity that property owners who live on the property where they have a short-term rental that is two-or-less bedrooms of the house where they live are exempt from the overall 2% cap but I hope future drafts of this ordinance can create even more clarity for **people who live on the property where they have a short-term rental:**

In particular I hope my thoughts here are understood to be focused on ***those properties where the owner lives AND where he/she is operating a short term rental.*** My feeling is that much of the tension around this ordinance comes from this type of property.

1. **Please make it clear that property owners who live in the same house that they use as a vacation rental are exempt from the neighborhood concentration limits.** It was clear to me at the meeting that people are very concerned about these concentration limits because they see a situation where one neighbor has a permitted short-term rental in her home and, therefore, the other neighbor cannot. Even though neither of these property owners are removing long-term rentals from the market. This situation, with the concentration limits, has the potential to put neighbors in conflict and competition with each other. It also presents the possibility that the highest functioning, wealthiest, best connected members of a neighborhood will get their permits first and the rest, who may have other struggles or who are simply busy at work, will be trying to catch up only to see that they are not able to get a permit because of the concentration limits.

2. The fact of the matter is that many people are currently using various outbuildings and ADUs that have existed for years as vacation rentals and that these people rely on income from these rentals to survive. So the language that in order to be exempt from the 2% cap a property owner needs to live within the same house as the rooms that are renting is frightening and confusing. Additionally, the neighborhood concentration limits further confuse the concept of permitting a short-term rental in an existing second unit or back-yard cottage. Forcing property

owners to give up income from short-term rentals in various cottages and buildings on their properties will cause serious damage to many people. I hope that the readers of this note understand that income from many short-term rentals is not some “extra profits” set aside for frivolous vacations it is essential income to help people survive the day-to-day. **I feel that the best way forward with the ordinance is to simple make it clear that property owners who live on the same property where they are hosting a short-term rental are exempt from permitting whether the rented space is physically inside their home or elsewhere on the property.**

3. How will this ordinance address **seasonal short-term rental use**? Particularly when the short-term rental is located on the property where the owner lives. I can see many situations where a homeowner chooses to rent a part of their property during the summer months but uses the same structure for personal/ family use during the other parts of the year.

I do not currently run a short-term rental but I plan to transition one of our long-term rentals to a short-term seasonal rental when my mother ages to a place where she needs help (she is 81 today). This is a very common situation as so many of the boomers are well into their senior years and many are now in need of support. Like many families we have a plan that my mother will split her time between living here in Humboldt and living in the areas where my two siblings live. She will spend 4-months living in my small unit in Manila then on to my brother or sisters. The other 8-months I plan to use the unit as a short-term rental to make money to support her. I fear that the 2% cap as well as the concentration limits as they are written in this draft would likely make this plan impossible if one of my neighbors gets a permit before I do. That will really screw up our plans and put my mother in a tough position.

4. How will Humboldt County **work to promote and celebrate our local people who are running short term rentals** and bringing tourists and revenue into our county? Like any small business owner all of these individuals are taking on risk and putting in work to bring economic activity to our community. Any ordinance creating hurdles for them to overcome should also create supports and rewards for those who overcome the hurdles.

5. **Strengthen opportunities for “the little guy” in this arena.** The draft we were presented with at the meeting omitted the language that limited the total number of units that any one entity can permit. We were told that was a clerical oversight. I hope so. I’m sure you agree that every effort needs to be made to protect this industry so that regular home owners can thrive here and not be pushed out by wealthier companies or groups. I understand the ordinance will contain language limiting the number of permits any single entity can have to FIVE. Even that seems like a lot. The real focus of this ordinance should be to prevent businesses and individuals from buying up property in our beautiful area and turning existing long-term rentals into vacation rentals. I would encourage the ordinance to focus directly on that and leave actual, local homeowners alone.

5. **How is Humboldt County incentivizing the creation of long-term rentals?** This ordinance creates a few hurdles for people seeking to create short-term rentals. What is the county doing to encourage property owners to create long-term rentals?

- A. Reduction in property taxes for long-term rental properties.
- B. Reduction in sewer/ water rates for long-term rentals.
- C. Streamlined permitting and reduction in permitting costs for building long-term rentals.
- D. Work with the state/ federal government to create favorable tax incentives that encourage individual property owners to create long-term rentals. In other words tax the income from long-term rentals differently than you tax income from short-term rentals particularly for individuals who own less than 5 rentals.
- E. Grant a permit that allows for a short-term rental to individuals for every 5 long-term rentals they maintain. Even if that property is out of step with your density and concentration limits.**
- F. Create a specialized lending office that can write equity-based loans at reasonable rates to builders who want to build long-term rentals. In other words write loans that are secured by the equity in the property being developed (not by the builder's income) and create deed restrictions on those properties that guarantee that they remain rentals for some extended period of time (10-years say). The ADU guidelines on your website are nice but your work there doesn't create actionable help for property owners.
- G. Fix workman's comp. The costs and administration involved in maintaining employees is a huge percentage of the cost of construction. For a small company like mine I pay nearly 30% of what I pay my guys to the workman's compensation company. That is disgusting and I would rather pay my guys than the insurance company. If you really want to encourage builders to build rental property find a way to offer reduced rate workman's comp to companies building rental units. Lend us money and reduce our costs and we will build rentals for people.

That's it for my actual ideas now I'm just rambling-

I own four properties in Humboldt, each of which has two units on it and none of them are short term rentals. I provide long-term housing to seven families in McKinleyville, Arcata and Manila and I have done so for 15 years and I have no plan to stop doing so. Three of these long-term rentals I built with my own hands. In addition my efforts as a small-time developer have

created an 8-lot subdivision as well as a three-lot subdivision in McKinleyville all of which are currently developed with homes lived in by regular, long-term people. I am someone who has created and maintained real housing in Humboldt and I'm currently starting to investigate creating another 3-lot subdivision off of Hiller rd. that will be developed with two homes on each unit all adding to the general housing stock in this county. I have created this housing simply as an active contractor hustling the best I can with the limited resources I have. How can you help me with this new project on Hiller so I can do a three-lot subdivision and build six new rental houses?

Even though I am a provider of long-term rentals I fear that the current draft of the ordinance will do real harm to many people in our community and do real harm to neighborhoods. **In particular I'm concerned with the county's insistence that individual property owners who want to run a vacation rental as part of their own property, where they live, will be required to go through the permitting process and that they may be refused a permit because of the concentration limits. Those concentration limits should not apply to people running short term rentals anywhere on the property where they live either in the house, in the garage, or in the yard. People running short-term rentals on their own property, where they live, should be exempt from the permitting process.**

Thanks for your time,

Bo Day
Equity Building and Design
www.ebd1.com
boday@ebd1.com
707-496-3095

From: [Dan Berman](#)
To: [Hilton, Keenan](#)
Cc: [Jim Cotton](#); [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 10:29:32 AM
Attachments: [image001.png](#)
[image001.png](#)

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

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: [Dan Berman](#)
To: [Planning Clerk](#)
Cc: [Jim Cotton](#); [don verwayen](#)
Subject: public comment for PC meeting 9/21/23 - Item H - STR Ordinance
Date: Wednesday, September 20, 2023 1:02:24 PM

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

Please share this comment with the Planning Commission and relevant staff - RE: STR Ordinance

Respectfully,
Daniel Berman

Dear Planning Commissioners,

The current draft STR ordinance includes the following 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.

I strongly support this commonsense limitation - the County should not permit STRs where they are already prohibited on the deed/title. Except the current language only applies when the County is a party to the document. This would mean it is almost never applied, and most such prohibitions would be ignored by the County.

I believe the draft should be amended as follows:

1) the words '*...to which the county is a party...*' should be stricken from Section 60.05.10.1.1 (above) AND

2) Section 60.05.4 (Application) 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."

Reasoning:

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.

Many neighborhoods have recorded CC&Rs (covenants conditions and restrictions) that limit certain land uses. The county is almost never a party to these documents. 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, as in the current language, seems entirely irrelevant, and would mean this Section almost never comes into play.

This would be relatively easy to implement by requiring applicants to provide an 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 proposed Affidavit in considering permits - and this issue would only come into play if someone brings a complaint that presents the existence of a recorded document that clearly prohibits STRs. The County would evaluate the complaint and revoke or deny the permit if such use is clearly prohibited on the parcel, based on the proposed section above. Applicants are required 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 or similar requirements, they can share the information with the County in a complaint, the documents in question can be reviewed, and the permit denied if STR use on the parcel violates binding recorded CC&Rs or similar documents.

If the recorded restrictions are ambiguous, or their legal status is in question, the County could use its discretion and a) issue a permit and let the neighbors try to 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.

If you leave the language as is, neighbors will get notice that their neighbor is applying for a STR Permit, and in spite of knowing and documenting that such use is prohibited by deed/title restrictions - the County would ignore that and issue a permit.

In conclusion:

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

Permitting STRs that 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.

Thank you for considering this comment,

Daniel Berman

From: [Diane Des Marets](#)
To: [Hilton, Keenan](#)
Subject: STR draft ordinance
Date: Friday, September 01, 2023 10:10:28 AM

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

Hello,

I attended the 8/24/2023 community input meeting regarding the draft STR ordinance in McKinleyville.

A number of residents in my small rural residential neighborhood have been in contact with the Planning and Building Department repeatedly over the past year regarding a triplex at end of the dead end road that was purchased, families evicted, and converted to short term rentals.

Despite the fact that the owner of this illegal business has been given two notices to, basically, "cease and desist" , the last one a 10 day order, the operator of this business continues to carry on with this illegal business.

After a phone conversation I had with Sara Quenelle on August 31st, I am very concerned about the ability of the County to enforce the proposed STR ordinance.

My understanding is:

- even with the new STR ordinance, the County will not be able to physically close down an illegal STR business. The reason given is that the person who bought the residential property with the intension of conversion to STR, and does so in an area of the county where this is illegal, has "property rights".

- what this indicates to me is that the County has determined that the person who creates an illegal business in a small rural neighborhood, at the end of a dead end on a private road, has "property rights" that supersede property rights of all other residents on the road.

- as a result of this interpretation of "property rights", it appears that an illegal business can continue to operate in perpetuity if the cease and desist order, implemented in compliance with the county code, is ignored by the operator of the business. It appears that the only penalty for this behavior would be a future monetary penalty that could potentially be delayed while the illegal operation continues uninterrupted, impacting the stated purpose of the draft ordinance: "preserve the quality of neighborhoods, and balance the needs and rights of property owners, tenants, and neighbors."

This lack of an adequate means of code enforcement leaves residents in neighborhoods being impacted by STR's with no recourse to "preserve the quality of neighborhoods, and balance the needs and rights of property owners, tenants, and neighbors."

This must be dealt with in a significant manner in order to create an ordinance that will provide appropriate, fair, and adequate enforcement capabilities to provide the ability to "preserve the quality of neighborhoods, and balance the needs and rights of property owners, tenants, and neighbors."

Thank you for your consideration of this important aspect of the ordinance proposal.

Sincerely, Diane Des Marets

From: [Donald J Verwayen](#)
To: [Hilton, Keenan](#)
Subject: Short-term rentals prohibited by CC&R as businesses
Date: Wednesday, July 12, 2023 2:17:32 PM
Attachments: [CC&R full Trinity Acres.pdf](#)

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Associate Planner Keenan Hiton

RE: Short-term rentals prohibited by CC&R as businesses.

Dear Mr. Hilton,

I called the other day but I thought that I would follow up with an email. I am asking for clarification of 60.05.7.1 **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.

I refer to the last phrase in the above paragraph, “or otherwise prohibits use as a Short-term-Rental”. Our CC&Rs for Trinity Acres, a common interest community, located along Trinity Acres Road in Willow Creek, California in its CC&Rs states in Section 6 (document attached) that, “...no business enterprise shall be conducted thereon except as to Lots 14 and 15 which front on Highway 299.” Short-term rentals manifestly are a business; they require a county business license; they must file with the IRS on Schedule C for business not on Schedule E for long-term rentals, and they are for making a profit.

I might add that our CC&Rs predate the short-term rental issue so that term is not specifically used but is clearly implied. Short-term rentals must fall under “or otherwise prohibits use as a Short-term-Rental”. If not, it is going to be a mess for retire communities and all the CC&R and homeowners associations in the county with business prohibitions.

These restrictions are deeded because anyone who buys must sign acknowledgment in the preliminary title report.

Thank you for your consideration of this matter.

BTW, we are now complying with

Yours, Donald Verwayen 707.498.0866

Ella Holiday
1656 Fischer Ave
McKinleyville, CA 95519
707.273.7420 *ella.holiday@suddenlink.net*



August 24, 2023

Re: Short Term Rental Ordinance

Thank you for your work on this ordinance. I appreciate the iterative process and many of the changes you have already made, though I still have several concerns.

I currently rent out two or fewer bedrooms in the home I live in as a short term rental in McKinleyville.

I see under 61.05.5.1 Short term Rental Cap that I will be exempt from the 2% of housing stock short term rental cap. I appreciate that this reflects an awareness that operator occupied rentals should be given precedence in permitting.

Again under 61.05.9 #6 Per parcel limit. you also provide special exceptions to operator occupied rentals by allowing us to have two or more rentals on one parcel under certain circumstances without the burden of applying for a special permit.

However, when it comes to 61.05.9 #7. Neighborhood Concentration there is no provision which prioritizes operator occupied properties. I believe there should be.

I believe owner operated rentals should either be exempt from the concentration standards or given priority over non-operator occupied properties if there are more permits applied for than allowed under the Neighborhood Concentration standards.

In my own case, my home with the short term rental is on Fischer Avenue on the Hammond Trail. There is currently at least one duplex within my nearest 10 dwellings that is non-operator occupied and both units are short term rentals. There is also at least one other duplex on the same street where one of the units is operator occupied and the other a rental. I have no idea how many other short term rentals may currently operate within the nearest 10 dwelling units as the crow flies, or if there are more than 10% on my street.

How will you decide which currently operating rentals will be provided an administrative permit and which must apply for a special permit when there are already more rentals than are allowed under this Neighborhood Concentration requirement?

If this section is truly about protecting the integrity of neighborhoods shouldn't operator occupied properties be given precedence here as well?

As an owner occupied property, it also concerns me that you've removed from the ordinance the limit on how many short term rentals can be owned and operated by the same entity, which I believe in your first draft was 5. I personally feel it should be even less. It seems to me that the individuals and businesses that make this their primary business will be at an advantage in navigating the permitting process and operator occupied properties could be disadvantaged by this industry.

Owner occupied properties should be prioritized in all aspects of this ordinance, if the goal is to reduce the impacts that these non-operator occupied rentals are having on our communities by buying up our housing stock or converting long-term rentals to serve this market.

Lastly, I would like to know the current status regarding the grandfathering in of currently operating rentals, which should be given priority over new ones, as we have invested money and time in developing our businesses, and our County has been benefiting from the occupancy taxes collected. Again, operator occupied properties should be given priority when grandfathering in.

Thank you for your time and I'd appreciate anything you can offer in response to these concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ella', written in a cursive style.

Ella Holiday

From: [Erik Garcia](#)
To: [Hilton, Keenan](#)
Subject: Re: Short-Term Rental Ordinance Community Meetings on Wednesday, Aug. 9 and Wednesday, Aug. 16
Date: Thursday, August 03, 2023 1:01:14 PM
Attachments: [image001.png](#)

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Hi Keenan,

I had written a comment regarding the proposed ordinance. I'm not sure if it was received and reviewed or not, but I figured I would also pass along to you as well. I see that the Good Neighbor section has been revised, but I'm still not a huge fan of distributing my personal contact information to the parties in the neighborhood. Again, I will reiterate that the City of Arcata has completely removed the requirement for the phone number to be displayed. (Ordinance: https://www.cityofarcata.org/DocumentCenter/View/13024/3_-Ord-1559-SSVR See Section 6303 B which is now removed.)

I do not agree with publishing a phone number for contact and response. There may be neighbors that simply don't like the idea of having a vacation rental in their area and will "find things" to call you for due to the fact that they don't like having a vacation rental in their area. It's a definite concern that if this provision remains in the final ordinance it could definitely be abused.

I understand what the county is trying to accomplish with this, but it seems like a remedy to a problem that is generally just not applicable. Vacation rental owners do not want to rent their homes to people who are destructive or cause havoc at the house and in the neighborhood. It's not good business for hosts to do something like that. Speaking personally, I make it a point to rent to those who have already been vetted with a five star rating by another host, and I don't allow one night stays which tends to help filter out those who are just using the residence to throw a party. I've found that a majority of people who are short-term guests fall into three categories: They are visiting the redwoods/Humboldt with their family, checking out Cal Poly with a perspective student, or working here on a project for a short time. Great people who are looking for a place to rest while they enjoy our community!

Also, I didn't get to stay through the whole first meeting, but I was able to sit in for the first part of it. One thing that I believe you had mentioned was that the vacation rentals have been largely unpermitted. I do operate an AirBNB in Arcata (county limits), and I did receive a short-term license when we began operating. Was that not valid? I went and pulled the license out to double check, and it specifically mentioned short-term stay. Is that a different type of license?

Thank you for your help, and for your hard work on this ordinance!

Erik Garcia
PO Box 4510
Arcata, CA 95518

Sent from [Outlook](#)

From: Hilton, Keenan <KHilton@co.humboldt.ca.us>

Sent: Thursday, August 3, 2023 9:54 AM

To: Hilton, Keenan <KHilton@co.humboldt.ca.us>

Subject: Short-Term Rental Ordinance Community Meetings on Wednesday, Aug. 9 and Wednesday, Aug. 16

Greetings,

You are receiving this email because you registered for the June 28, 2023 Public Meeting on Zoom regarding the Short-term Rental (STR) Ordinance.

The County of Humboldt's Planning & Building Department has revised the draft ordinance based on community feedback received at the first STR ordinance public meeting. The proposed revisions include administrative permit and business license requirements only for most projects, a cap on STRs in the greater Humboldt Bay area where housing is more scarce, and deference to existing operations. To learn more and review the revised draft ordinance, please visit the county's [Short-Term Rental Ordinance web page](#).

To receive public feedback on the revised draft STR ordinance, the Planning & Building Department will host two community meetings.

Community Meetings

A [Southern Humboldt community meeting](#) will take place on Wednesday, Aug. 9 from 5 to 7 p.m. at the Redwood Playhouse, located at 286 Sprowl Creek Rd. in Garberville, CA. This meeting will be hosted in partnership with the Southern Humboldt Chamber of Commerce and the Southern Humboldt Business & Visitor's Bureau.

A [community meeting for Humboldt Bay area](#) residents will be held on Wednesday, Aug. 16 from 6 to 8 p.m. at the Humboldt County Agricultural Center, located at 5630 South Broadway St. in Eureka, CA.

The purpose of the draft STR Ordinance is to allow some residences in unincorporated Humboldt County to be used for STRs while protecting the character of the neighborhoods where they are located and to preserve residential units for people and families who live and work in Humboldt County. The draft ordinance proposes a permitting process for rental of residential dwelling units for a period of 30 days or fewer, including homes listed on Airbnb and Vrbo. Those who operate these types of STR units in unincorporated Humboldt County and all interested members of the public are encouraged to attend. Attendees will have the opportunity to learn about the revisions made to the draft ordinance and ask questions and share concerns, ideas, and input.

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.

[Short-Term Rental Ordinance web page](#)



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

From: [Erik Garcia](#)
To: [Hilton, Keenan](#)
Subject: Re: Public Input Sought for Revised Draft Short-term Rental Ordinance Wednesday, Sept. 6
Date: Wednesday, September 06, 2023 3:14:44 PM
Attachments: [image001.png](#)

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

Hi Keenan,

I didn't see the coastal version available yet online. However, I did review the inland version.

I really appreciated the meeting you put on in McKinleyville, and I don't envy your position in trying to balance all of the competing concerns. Unfortunately, I will not be able to make the Zoom meeting tonight. In looking at the proposed ordinance that is available online, I'm seeing further restrictions about the concentration of short-term rentals (i.e. as the crow flies, nearest 10 dwellings shall not be short-term rentals). If there is a conflict, will there be any provision made for those who are already operating and have been for some time? I don't know if the situation will apply to me or not, but I'm definitely concerned if it does.

I will continue to voice my opposition for the good neighbor guide. As a gentleman brought up at the McKinleyville meeting, there are times where not all of your neighbors themselves are "good" neighbors. With my short-term rentals, I do my best to not draw attention to them as short-term rentals; rather I want them to appear as if they're part of the neighborhood and lived in full-time. I don't like advertising to potentially not great neighbors that there could be long periods of time in which the dwelling is vacant and perhaps a prime opportunity for those with unsavory motives to break-in during those times.

Thank you so much for the consideration, and for all of the work that you are doing on this ordinance.

Sincerely,

Erik Garcia

Sent from [Outlook](#)

From: Hilton, Keenan <KHilton@co.humboldt.ca.us>
Sent: Friday, September 1, 2023 6:50 PM
To: Hilton, Keenan <KHilton@co.humboldt.ca.us>
Subject: Public Input Sought for Revised Draft Short-term Rental Ordinance Wednesday, Sept. 6

Greetings,

You are receiving this email because you registered for or attended a previous Short-term Rental Ordinance public meeting.

New draft of the Short-term Rental Ordinance is now available for review September 1, 2023 on the Planning and Building [Short-Term Rental Ordinance web page](#). The new draft differentiates between Hosted and Unhosted Short-term Rentals and more finely differentiates between urban and rural settings.

The ordinance would permit the use residences as Short-term Rentals (STRs) in unincorporated Humboldt County.

The ordinance aims to provide economic opportunity, to protect the quality of the neighborhoods, and to preserve residential units for people and families who live and work in Humboldt County.

September 6 Zoom Meeting

A zoom meeting to present the changes made in response to comments received during the Southern Humboldt, Humboldt Bay Area and Northern Humboldt Community Meetings will be held on Wednesday, Sept. 6 from 6 to 8 p.m. Community members can register and join the zoom call at the following address by visiting bit.ly/HumSTRO1

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

McClenagan, Laura

From: Greg Sidoroff <greg.sidoroff@gmail.com>
Sent: Tuesday, September 19, 2023 8:24 PM
To: Hilton, Keenan
Cc: Madrone, Steve
Subject: Short Term Rental Ordinance Public Comment

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

Dear Humboldt County Planning Department and Board of Supervisors,

Thank you for seeking public comment on this very important issue that is trying to find the right balance between property owners rights and community demographics. I am particularly concerned about the neighborhood density issues in regards to un-hosted STVR's. In the Big Lagoon Estates area there are 40, 1/3 acre lots that currently contain 4 STVR's- 2 whole home and 2 that are in ADU's on the main house's property. I encourage you to consider capping the amount at this and to potentially add this area into the Trinidad Area Plan so that the 2% Cap would apply going forward, if all qualifying existing STVR's are allowed permits as the ordinance is currently proposed.

Why:

Our community is provided water by the Big Lagoon Community Services District- that additionally serves the Big Lagoon Elementary School and 3 other private residences. It is an all volunteer organization that is currently short one board member and struggles to attract volunteers as it is to keep the system going. There is one well, and a limited water supply. This well could fail at any time and has in the past, leading to days without any water service.

The local school has only approximately 20 students, only one of which resides in Big Lagoon Estates. The school board is currently short one board member and volunteers are in short supply.

The Big Lagoon area is in high demand year round for STVR's - it is not as noted by others an area where the homes sit vacant 7-8 months a year. Therefore there is a high demand on all utilities.

There are frequent power outages in our area- year to date we have had no power for 11 days in total. Most of the current STVR's do not have a backup generator or secondary heat source, and this leaves most without any internet or phone service for emergencies.

Finally, there is the increased demands on emergency services and the local safety issues that come into play with more STVR's. The community is situated on a perilous bluff, i can't tell you how many times I've seen unsupervised children from short term renters dangerously close to the edge.

In summary, in order for this community to continue to thrive we need to preserve the ability for more full time occupants to live here that can get involved and volunteer, potentially have their children attend the local school, and keep some sense of a neighborhood vs. a commercial hotel zone.

Thank you for your time and consideration

,
Greg Sidoroff
Trinidad, CA (Big Lagoon)

From: [Jesse Noell](#)
To: [Hilton, Keenan](#)
Subject: Fwd: PLN-2022-17962 Nancy Young B&B - 7538 Elk River Ct. [UPDATE]
Date: Thursday, June 01, 2023 6:19:46 PM

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

----- Forwarded message -----

From: **Jesse Noell** <noelljesse@gmail.com>
Date: Thu, Jun 1, 2023 at 6:16 PM
Subject: Re: PLN-2022-17962 Nancy Young B&B - 7538 Elk River Ct. [UPDATE]
To: Lazar, Steve <SLazar@co.humboldt.ca.us>

It simply doesn't seem useful to distinguish Bed & Breakfast from any other home-based lodging business in a residential neighborhood that rents for less than 30 days: both are just a form of Short Term Rentals resulting in identical impacts. We should know; we've got an "Airbnb" STR on one side of us and "B&B" STR on the other. They both exacerbate the serious health and safety concerns we have out here. Compatibility with the established community is the issue.

A far more useful distinction is whether a neighborhood is populated by long term residents exclusively, or whether a neighborhood has short term renters as neighbors, also. That distinction tells you what to expect from your neighbors and whether you can expect to see strangers every day or not. Neighbors need to know who lives nearby, especially in rural communities like ours.

Essentially short term rentals create a "commercial district" however small, in a residential neighborhood. Commercial activities create different impacts than non-commercial (just living in your home). . That information could be critical to law enforcement and emergency services. Residents in each discrete community are secure in knowing what to expect from their neighbors. This reduces neighborhood conflict and insecurities.

We need to understand what the County's ordinances are regarding Short Term Rentals in general. Then we can discuss how these ordinances specifically relate to Upper Elk River. It depends on whether the community is about growing families or about growing a business. Sometimes those two interests are just not compatible. Who decides?

The County must have transparent, relevant, and accountable criteria for analyzing the suitability of new uses proposed in our unique neighborhoods. So far, there appears to be a tremendous amount of discretion and not much investigation when granting these special permits. That kind of governing is arbitrary and capricious and expensive.

We look forward to hearing more about the County's efforts to update its ordinances regarding Short Term Rentals given the global and now very local headaches being generated by lack of cohesive policies and lack of effective enforcement.

Sincerely,
Jesse and Stephanie

PS: Several beach communities in Orange County (Hermosa Beach, Manhattan Beach, & others) have finally banned any and all forms of STRs because the proliferation and abuses became unmanageable!

On Thu, Jun 1, 2023 at 1:26 PM Lazar, Steve <SLazar@co.humboldt.ca.us> wrote:

It is important to note that Cottage Industries and Bed & Breakfast establishments are treated separately under the zoning code, with explicit requirements provided for each. While the Bed & Breakfast regulations make note of the use being a type of cottage industry, it is clear in the language of its section that an owner **or** an operator may manage the establishment. Additionally, serving meals is not requirement under the code but where performed, must be exclusive to guests.

<https://humboldt.county.codes/Code/314-44>

The language of the Cottage Industry provisions is intended to operate in a more generalized fashion and govern a broader range of residential accessory uses that are not explicitly enumerated and treated elsewhere in the code.

<https://humboldt.county.codes/Code/314-45>

The Cottage Industry use type description included in the code (provided by Keenan below) further helps clarify this. Examples of this include: ceramics studios, woodworking shops, etc.

Put simply, Bed & Breakfast proposals are not subject to conformance with the Cottage Industry provisions of the code.

I hope that helps clarify things.

Steven Lazar

Senior Planner

Humboldt County Planning &

Building Department

3015 H St. | Eureka, CA 95501

707/268-3741

slazar@co.humboldt.ca.us

From: Hilton, Keenan <KHilton@co.humboldt.ca.us>

Sent: Thursday, June 01, 2023 1:21 PM

To: Matthew Turner <applfrmr@gmail.com>; Stephanie Bennett <chamillyb@gmail.com>

Cc: Lazar, Steve <SLazar@co.humboldt.ca.us>; noelljesse@gmail.com

Subject: RE: PLN-2022-17962 Nancy Young B&B - 7538 Elk River Ct. [UPDATE]

Hello Stephanie and Matt,

I've signed both of you up to receive notifications about meetings and hearings. Look for an email from our Notify Me service.

With regard to these different terms, perhaps I can help shed a little light.

314-172.2 BED AND BREAKFAST ESTABLISHMENT

The Bed and Breakfast Establishment Use Type refers to a residential structure with one family in permanent residence where a maximum of four (4) bedrooms without individual cooking facilities are rented for overnight lodging, and where at least one meal daily is provided.

314-175.1 COTTAGE INDUSTRY

The Cottage Industry Use Type refers to establishments primarily engaged in the on-site production of goods by hand manufacturing which involves only the use of hand tools or

domestic mechanical equipment or a single kiln, and the incidental direct sale to consumers of only those goods produced on-site. Typical uses include ceramic studios, custom jewelry or small furniture and cabinet manufacturers.

Bed and Breakfast is considered a commercial use, but it is allowed as a cottage industry where that use is allowed as well as a few additional zones.

In the draft regulations that I'm working on, short-term rental is currently defined as dwelling units, or portions thereof, that are rented to guests for 30 consecutive days or less. This seems to describe a bed and breakfast as well as vrbo/airbnb. One of the things I'm working on with management right now is drawing a clearer line between the rules that exist on the books (Bed and Breakfast), and the rules we're developing (Short-term rental ordinance).

Regarding the schedule for the regulations, we're hoping to have a public facing draft in about 2 weeks. We're targeting a public workshop at the end of the month. When dates are finalized an email will be sent out via Notify Me. In the meantime, feel free to reach out with questions that you may have.

Best,

Keenan

Keenan Hilton, Associate Planner

Long Range Planning

Humboldt County Planning and Building Department

(707) 268-3722

From: Matthew Turner <applfmr@gmail.com>

Sent: Thursday, June 01, 2023 11:56 AM

To: Stephanie Bennett <chamillyb@gmail.com>

Cc: Lazar, Steve <SLazar@co.humboldt.ca.us>; noelljesse@gmail.com; Hilton, Keenan <KHilton@co.humboldt.ca.us>

Subject: Re: PLN-2022-17962 Nancy Young B&B - 7538 Elk River Ct. [UPDATE]

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

Removed Laura (Planning Clerk) from the chain as I assume she doesn't need her inbox cluttered with this stuff.

A short term rental is like a hotel, motel, or NO HOST home rental. A cottage industry short term rental as you describe it is a Bed and Breakfast Establishment as defined in the Code. The definition includes that the owner of the B&B lives on premises, among other things.

Best,

Matt

On Jun 1, 2023, at 10:54 AM, Stephanie Bennett <chamillyb@gmail.com> wrote:

Hello Steve (and Matt):

I concur with Matt's above missive. Jesse and I would also appreciate communicating with those who are working on short term rentals and cottage industries in our rural area.

Also, what's the functional distinction between a short term rental and a "cottage industry" whose sole purpose is to provide short term rentals?

Thank you for including us in this process,

Stephanie

On Thu, Jun 1, 2023 at 9:15 AM Matthew Turner <applfrmr@gmail.com> wrote:

Hi Steve,

Thank you for this update. I'll surely keep my eye on the process and continue to be involved.

And hello, Keenan. A pleasure to e-meet. If there is an email list (formal or informal) for your work on short-term rentals, please add me to it.

Kindly,

Matt

On May 31, 2023, at 4:19 PM, Lazar, Steve
<SLazar@co.humboldt.ca.us> wrote:

Matt, Stephanie, and Jesse-

Thank you all for providing comment on the Nancy Young project on Elk River Court.

I wanted to let you know that due the controversy and opposition to the project, the Zoning Administrator will not be taking action tomorrow on Mrs. Young's Special Permit application for the Bed & Breakfast. Instead the Director has asked that the hearing on the item be rescheduled to occur before the Planning Commission at their July 6th meeting. A separate public notice will be circulated ahead of the meeting with deadlines for providing additional public comment and information on how to attend the meeting virtually or in person. Planning Commission meetings are held on the first and third Thursdays of each month in the Board of Supervisors Chambers at the County Courthouse. The agenda for the PC meeting will be posted [here](#) on the legistar

page on Friday June 30th. An updated staff report will be available thru the agenda links and legistar at that time. All public comments received by noon on Wednesday June 28th will be provided to the Commission with their hearing packet.

Lastly, I spoke this week with colleagues in our Long Range Planning Division and learned that we are continuing to work on bringing forward regulations governing short-term rentals. Keenan Hilton is the planner assigned to that project, and is cc'd on this message. He can also be reached at (707)268-3722.

Additionally, next Tuesday the Board of Supervisors will be considering adopting an urgency ordinance establishing a moratorium on short-term rentals while our staff bring forward regulations for review by the Planning Commission and adoption by the Board of Supervisors in the coming months. I am assured by our Director and Long Range Planning Staff that the ordinance is not intended to limit proposals seeking permits under the Bed & Breakfast provisions found in 314-44.1 of the code. You'll find a copy of the public notice for this item below, with relevant sections highlighted. I encourage you to reach out to Keenan Hilton to participate in this process as it further unfolds.

Steven Lazar

Senior Planner

Humboldt County Planning &

Building Department

3015 H St. | Eureka, CA 95501

707/268-3741

slazar@co.humboldt.ca.us

PUBLIC NOTICE

HUMBOLDT COUNTY BOARD OF SUPERVISORS

NOTICE OF PUBLIC HEARING

On **Tuesday, June 06, 2023 at 9:00 a.m.**, or as soon thereafter as the matter can be heard, the Humboldt County Board of Supervisors will hold a public hearing in the Board of Supervisors' Chamber, Humboldt County Courthouse, 825 Fifth Street, Eureka, California, and virtually via Zoom to consider the matter listed below.

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Further instructions on how to access the Zoom meeting can be found when the agenda is posted on Friday, June 02, 2023 by using the following link: <https://humboldt.legistar.com>

Email Public Comment:

To submit public comment to the Board please email cob@co.humboldt.ca.us. provide your name and the agenda item number(s) on which you wish to comment. All public comment submitted after the agenda has been published will

be included with the administrative record after the fact.

Record Number PLN-18174: Adoption of a temporary (45-day) interim urgency ordinance placing a moratorium on 1) the construction of / acceptance of applications for, and issuance of any permit, registration or entitlement for any off-premise signs/billboards or illuminated signs within the unincorporated areas of Humboldt County, and 2) establishment of, acceptance of any application for, or issuance of any registration, permit or entitlement, or approval of any type, that authorizes the establishment, operation, maintenance, development or construction of any short-term rental in the unincorporated area of the county outside of the areas mapped with a V – Vacation Home Rental Combining Zone. The purpose of these temporary interim urgency ordinances is to protect the public safety, health, and welfare of the community by temporarily prohibiting these uses which might conflict with new draft requirements the Planning and Building Department is bringing forward in the coming months for consideration by the Planning Commission and Board of Supervisors. The Board of Supervisors intends to make a determination that adoption of the ordinances is not subject to further environmental review pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility that the proposed amendments may have a significant effect on the environment. The ordinances will apply to all the unincorporated areas of Humboldt County including the Coastal Zone. Specific questions regarding this project can be directed to Jacob Dunn, Associate Planner at (707)267-3930 or via email at jdunn@co.humboldt.ca.us

Consistent with instructions for public comment noted above, any person may appear and present testimony in regard to this matter at or before the hearing. If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public

hearing described in this notice, or in written correspondence delivered to the Board of Supervisors, at, or prior to, the public hearing.

Documentation to be filed on this matter for the official record is to be submitted to the Clerk of the Board of Supervisors, by noon on **Tuesday, May 30, 2023**, for the documents to be placed in the Board's hearing packets. All public comment submitted after the agenda has been published will be included with the administrative record after the fact.

Humboldt County Board of Supervisors

Kathy Hayes, Clerk of the Board

May 19, 2023

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"I've never lived with balance, but I've always liked the notion." --Bruce Cockburn

From: [jim.cotton](#)
To: [Hilton, Keenan](#)
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: Tuesday, September 19, 2023 6:42:28 PM
Attachments: [image001.png](#)
[image001.png](#)

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

Dear Keenan,

Our neighborhood in Willow Creek, which consists of 23 parcels, has amended our CC&Rs to prohibit Short Term Rentals (STRs). Our original CC&Rs, written and recorded with the county in May of 1951, excluded businesses from operating in the neighborhood. Had STRs been an issue in 1951, they would very likely have been included in the covenant that excluded businesses. According to our attorney, these CC&Rs still have legal standing. Additionally, these covenants have been enforced in recent years.

The families in our small "common use community" in Willow Creek have been peacefully coexisting with their neighbors for almost 75 years. With recent ownership transfers, two VRBO began operating several months ago and now, two other parcels stated their intent to operate a STR. The STRs have created a polarization in our formerly placid neighborhood between those neighbors who want to maintain a non-commercial neighborhood atmosphere where we all know one another and those seeking financial gain through STRs.

The overwhelming majority of our neighborhood community adamantly oppose STRs and we implore the planning department to add language to the ordinance to prohibit STRs where existing CC&Rs prohibit them.

Sincerely,
Jim Cotton and Kim Puckett

On Tue, Sep 19, 2023, 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

McClenagan, Laura

From: Ford, John
Sent: Monday, August 21, 2023 8:36 AM
To: Hilton, Keenan
Subject: FW: comments on the draft STR regulations

From: Kate Green <katesgreen14@gmail.com>
Sent: Saturday, August 19, 2023 8:42 AM
To: Ford, John <JFord@co.humboldt.ca.us>; Hilton, Keenan <KHilton@co.humboldt.ca.us>; Madrone, Steve <smadrone@co.humboldt.ca.us>; Bohn, Rex <RBohn@co.humboldt.ca.us>; Wilson, Mike <Mike.Wilson@co.humboldt.ca.us>; Bushnell, Michelle <mbushnell@co.humboldt.ca.us>; Arroyo, Natalie <narroyo@co.humboldt.ca.us>
Subject: comments on the draft STR regulations

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

Greetings. My name is Kate Green, and I am a long-time homeowner (since 1973) of coastal property north of Trinidad. As I wrote in a previous e-mail, I currently reside in assisted living and have a fixed income. As a result, I depend heavily on the additional income earned from renting my Trinidad home to short-term visitors to support my health care needs.

I wrote previously to share my concerns regarding the proposed ordinance for short-term rentals in Humboldt County. While I appreciate some of the recent revisions to the original ordinance, I still have a number of concerns. They include:

1. An excessive regulatory burden on homeowners/property managers. It appears that the revised regulations would require that property owners or managers, among other things, (a) get a business license, administrative permit, conditional use permit, and/or special permit; (b) write and distribute "good neighbor guides" to neighbors (even if they are miles distant -- see point #4 below), (c) provide an affidavit attesting that such a guide had been distributed, and (d) provide a "current grant deed of the subject parcel." Why are all of these requirements necessary? Is there not a way to reduce this regulatory and paperwork burden on would-be renters?
2. Limiting short term rentals to 10% of dwellings on a street, and no more than one out of the nearest ten dwellings. Why should there be a low ceiling on the number of STRs in rural areas where houses are spread far apart from each other? Why should the same 10% cap be imposed on both a long road in a rural area and on a shorter road in a more urban area? It's also not clear to me where the 10% figure came from, which seems arbitrary. My concern is that this low cap may prohibit me from renting my property, which is in a rural area.

3. Limiting the total number of STRs in the County to 2%. This number also seems arbitrary. Has any data been collected on what would constitute a "healthy" percentage of STRs in our County? This cap also may prohibit me from renting my property.

4. Distribution of "Good Neighbor Guide" to "closest 10 dwellings as the crow flies." Again, there should be a distinction between urban and rural areas. In rural areas (such as where my home is located), houses may have few (or no) immediate neighbors, and the ten closest dwellings may be a mile or more away. Why would this guide need to be distributed to people who live so far from a rental property?

In short, I strongly encourage the county to revise the current regulations so they are not too burdensome or prohibitive for me to rent my property to short-term renters for much-needed income.

Sincerely,

Kate Green
1480 Stagecoach Road, Trinidad
katesgreen14@gmail.com

From: [Kate Green](#)
To: [Hilton, Keenan](#); [Ford, John](#)
Subject: comment on latest revision to STR ordinance
Date: Wednesday, September 20, 2023 4:52:18 AM

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

Greetings. My name is Kate Green, and I am a long-time homeowner (since 1973) of coastal property north of Trinidad. I have written to County decision-makers previously about my situation, i.e. I live in assisted living and have a fixed income, so I rely heavily on the additional income earned from renting my Trinidad home to short-term visitors to support my health care needs.

I have reviewed the latest revisions of the proposed ordinance for short-term rentals in Humboldt County, and am grateful for the adoption of changes that I believe will make the STR process fair for both those who do and do not rent. For example, I appreciate the two-month period during which only existing STR owners may apply for a permit. I also understand the desire to prevent an overabundance of STRs, especially to the extent that they reduce the overall stock of non-STR housing in the County.

However, I still have a number of concerns with the current draft. They include:

1. An excessive regulatory burden on homeowners and property managers. It appears that the revised regulations would require that property owners or managers, among other things, (a) get an administrative permit, conditional use permit, and/or special permit; (b) write and distribute "good neighbor guides" to neighbors (even if they are miles distant) (c) provide an affidavit attesting that such a guide had been distributed, and (d) provide a "current grant deed of the subject parcel." Why are all of these requirements necessary? Is there not a way to reduce this regulatory and paperwork burden on would-be renters? For example, the three types of permits (administrative, conditional use, and special) could be merged into a single permit.

2. Limiting short term rentals to 10% of dwellings on a street, and no more than one out of the nearest ten dwellings. As I wrote in a previous e-mail, I do not understand why there would be a low ceiling on the number of STRs in rural areas where houses are spread far apart from each other. Why should the same 10% cap be imposed on both a long road in a rural area and on a shorter road in a more urban area? It's also not clear to me where the 10% figure came from, which seems arbitrary. My concern is that this low cap may prohibit me from renting my property, which is in a rural area.

3. Limiting the total number of STRs in the County to 2%. As I have mentioned previously, this number seems arbitrary. Has any data been collected on what would constitute a "healthy" percentage of STRs in our County?

Also, with regards to points #2 and #3: it is my view that some of the proposed restrictions on what properties can be STRs will automatically reduce the number of rentals in the County without need for these additional (and seemingly arbitrary) caps. That, plus a natural attrition process, will further achieve that objective. (In my own case, my family does not plan to keep the property as a STR once I pass away.)

In short, I strongly encourage the county to revise the current regulations so they are not too burdensome or prohibitive for me to rent my property to short-term renters for much-needed income.

Sincerely,

Kate Green
1480 Stagecoach Road, Trinidad
katesgreen14@gmail.com

McClenagan, Laura

From: Kim Puckett <kimleepuckett@gmail.com>
Sent: Wednesday, September 20, 2023 12:38 PM
To: Hilton, Keenan
Subject: Short-term rental ordinance

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

I am writing to express my hope that the planning commission will please consider the negative impact short-term rentals have on small neighborhoods. We have a small neighborhood in Willow Creek and recently a few new property owners have started STRs which has had a detrimental influence on the character of the neighborhood in just a few short months before they were shut down. If the new STR ordinance allows for unlimited STRs in small neighborhoods, regular residents will no longer have a neighborhood and will be surrounded by strangers that have no vested interest in the neighborhood. It will also mean an ever dwindling supply of long-term rentals and affordable homes for purchase for those actually living in the community given STRs can bring in so much more money. This in turn means wealthier folks/out of town/state/country folks will buy up properties and to make money which will drive up the cost of housing even further and limit affordable housing even more. This is critical in a small community like Willow Creek. Please, please take this into consideration.

Kim Puckett
Trinity Acres
Willow Creek

McClenagan, Laura

From: Louise Minor/Bob Fischer <loubob155@gmail.com>
Sent: Friday, September 15, 2023 7:28 AM
To: Hilton, Keenan
Subject: How to find planning layers from jurisdiction layer

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

and then the Community plan layer. When I open GIS Jurisdiction layer is checked, but how do I get to the next (Planning and then community plan) layers. Sorry to take your time but I am really concerned that there won't be enough water from our single well to support very many more short term rentals that use at least 50% more than permanent residents.

Sincerely

Louise Minor

From: [Louise Minor/Bob Fischer](#)
To: [Hilton, Keenan](#)
Subject: Re: How to find planning layers from jurisdiction layer
Date: Monday, September 18, 2023 2:07:33 PM
Attachments: [image001.png](#)

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

Thanks.

I finally got it. We are in the North Area Plan, which includes areas mostly with large lot sizes. Our area is quite densely populated, so much so we cannot drill our own wells. We already have many short term rentals and the problem looks fixed to get a lot worse, especially when investors are blocked out of the Trinidad area. Is there any way for our neighborhood to vote to be included in the Trinidad Area Plan, which stops about a mile south of us? We are way more demographically similar to them than we are to areas further north. I am not sure who picked the northern boundary for the plan. What can I do along these lines?

Thank-you

Louise A. Minor, PhD, MD

On 9/15/2023 4:47 PM, Hilton, Keenan wrote:

Hello Louise,

You must select *and* expand the "Jurisdiction Boundaries & Land Use" layer, then select *and* expand the "Planning Layers." Then you can select CPA.

Thanks for providing the comments. I'll add them to the record.

Best,
Keenan



Keenan Hilton ([he/him](#))
Associate Planner
[Humboldt County Planning & Building](#)

Office: 707-445-7541
Direct: 707-268-3722

-----Original Message-----

From: Louise Minor/Bob Fischer loubob155@gmail.com
Sent: Friday, September 15, 2023 7:28 AM
To: Hilton, Keenan KHilton@co.humboldt.ca.us
Subject: How to find planning layers from jurisdiction layer

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and then the Community plan layer. When I open GIS Jurisdiction layer is checked, but how do I get to the next (Planning and then community plan) layers. Sorry to take your time but I am really concerned that there won't be enough water from our single well to support very many more short term rentals that use at least 50% more than permanent residents.

Sincerely

Louise Minor

McClenagan, Laura

From: Louise Minor/Bob Fischer <loubob155@gmail.com>
Sent: Wednesday, September 20, 2023 7:26 AM
To: Hilton, Keenan
Subject: Fwd: Trinidad Area Plan Question

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

Hi Keenan

Can you please add this request to the official pile? Many residents are hesitant to comment for obvious reasons.

Thanks

Louise

----- Forwarded Message -----

Subject:Trinidad Area Plan Question

Date:Tue, 19 Sep 2023 07:13:02 -0700

From:Louise Minor/Bob Fischer <loubob155@gmail.com>

To:Madrone, Steve <smadrone@co.humboldt.ca.us>

Dear Steve

There is widespread concern about our neighborhood being in the North Area plan rather than the Trinidad Area Plan. Our lots are very small, just like the more urban areas to the south (no wells are allowed) and unlike most of the area in the North Area Plan (where people can have their own wells). What would it take to move the northern boundary of the TAP to the south tip of Big Lagoon? We are already very precarious with the water situation and need another well and storage for fires, but there is nowhere to put them that we have access to. A lot of time has been spent on this problem. Short term rentals use at least 50% more water and lessen the number of permanent residents available to serve on the water board. We are already down one member and can't find a replacement. It seems like this would be the moment to make this small change for us, and it would save this neighborhood from the large problem that we have now becoming completely unaffordable for many among us in the not to distant future.

I know you are crazy busy, but if there is something I can do to help, please let me know.

Thanks for your time.

Louise

To: **Humboldt County Planning Commission**

Date: Wednesday, September 19, 2023

From: Midori Fulk, P.O. Box 174, Trinidad, CA 95570

Re: **Draft STR Ordinance - Planning Commission Workshop 09/21/2023**

As a career short-term rental property manager in Humboldt County, I understand the benefits and the impacts STR's have in the community. I participated directly in the City of Trinidad's STR ordinance development, and supported the City's authority to develop regulations creating standards that provide safe, responsive, and orderly operation of the industry in the community.

I support the County in their effort as well, but my primary concern is focused on Neighborhood Concentration, specifically, as it relates to the overall cap. The "as the crow flies..." policy is arbitrary, and should be evaluated under a microscope for its purpose and effectiveness. There should be a very transparent and open discussion about what metrics or analysis was used to reach this conclusion. In fact, if applied it may very well scatter activity unnecessarily in some neighborhoods that may prefer having some of them clustered, in particular along the coastal bluffs.

The Coastal Commission considers such resources as assets that provide people who may not otherwise have the opportunity to experience the ocean in such a personal way. Without sufficient visitor-serving overnight accommodations in the area, these resources are true assets and should be recognized as such.

I support the use of discretionary permits to address issues and mitigate possible impacts for existing, clustered STR's operating in good standing pre-January 2022. These STR's should be protected and prioritized if they're able to submit a complete application and meet the desired performance standards.

I believe that by granting the existing coastal STR's a priority regardless of "how the crow flies", it will relieve an already burdened Planning Department from undue challenges of having to determine who gets a permit first. The City of Trinidad has proven that the attrition process is the answer to achieving the overall cap goal, not by placing overwhelmed staff members in the firing line.

I recommend the following modifications be made to the draft ordinance (revised/additions underlined):

D. Neighborhood Concentration. Each NEW Short-term Rental may not exceed the following neighborhood concentration limitations, except within the Shelter Cove Community Plan Area where this standard does not apply, and EXCEPT FOR ALL EXISTING SHORT-TERM

RENTALS DETERMINED TO BE IN GOOD STANDING WITH THE COUNTY, BASED ON EVIDENCE OF OPERATION FROM JANUARY 2022 THROUGH MAY OF 2023, CONTINGENT UPON ISSUANCE OF ANY DISCRETIONARY PERMITS THAT MAY BE APPLICABLE.

- Parcels with a Coastal Area Plan density of one (1) or fewer acres per dwelling unit:
- Short-term Rentals shall not exceed 10% of the dwellings on the access road; and
- As the crow flies, the nearest ten (10) dwellings shall not be Short-term Rentals.

Considering this language will relieve many concerned, existing STR homeowners of their good-standing fate being placed in the hands of a single staff member, and make everyone's job a little bit easier. We haven't touched on the economic impacts of this particular policy, but I'll save that for the Board of Supervisors.

Please ask your staff the hard questions, and demand clear and concise reasoning for their recommendations.

I appreciate your service to the residents of Humboldt County.

Midori Fulk
PO Box 174
Trinidad, CA 95570
midorifulk@gmail.com

McClenagan, Laura

From: Robin Jordan <robinjordan1@sbcglobal.net>
Sent: Wednesday, September 06, 2023 2:44 PM
To: Hilton, Keenan
Subject: Short Term Rentals

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

Hi Keenan,

I went to the front office at the Building and Planning Department yesterday to see about this zoom meeting and short-term rentals. The front desk gave me your card and said I should email you.

I live on a private road in Cutten (Landreth Lane) there's 8 houses on this lane. About 4 months ago a buyer bought the property known as 2021 Landreth Lane next to me (mine is 1989 Landreth Lane). He immediately turned it into a short-term rental (Airbnb). The owner did not ask for our opinion or say anything to anyone of us (the neighborhood). Now we don't know the neighbors, they come and go quite frequently. The road is no longer a private lane. My neighbors and myself have to deal with the renters' children playing in our yards, throwing rocks and running around unsupervised. We've become babysitters. The renters have taken up parking spots on the lane (I've seen 4 vehicles there at one time). Landreth Lane wasn't meant for heavy traffic it's a small private lane. Folks in the neighborhood have had to pick up trash 3x because the renters next door didn't put the garbage can out the morning the truck comes to pick up the trash. They put it out days in advance. The noise level has been high late at night. I feel that the renters don't care about the neighbors around them. They're here to have fun and not care about being noisy or having to respect one another.

I would like to see that short term rentals are not allowed on private lanes. Landreth Lane families respect one another and want to keep this a small private lane.

I'm going to attend part of the zoom meeting this evening. I have another meeting that I can't get out of.

Thank you for your time.

Robin Jordan
707-499-2302

Robin Jordan Professional Services
Eureka, CA 95503
707.499.2302
rrjprofservices.com

Keenan Hilton
Planner II
Humboldt County, CA
825 5th St.
Eureka, CA 95501

RE: RB&B 1735 Bernie Road/Chaffin Road APN# 511-271-083

The Tri-plex at the end of the Chaffin Road and Bernie Lane Easement is not an appropriate location for a Residential Short-term Rental or airbnb

I was a realtor with Coldwell Banker in Arcata for many years. I actually was and still am an advocate for Short -term rental where appropriate in Humboldt. I was on the original ADU design committee to help the county adopt and publish ADU house designs in order to facilitate the ADU process and **add more housing**.

Chaffin and Bernie are not county roads. In 2007 Chaffin and Bernie Road residents formed a Road Maintenance association (Chaffin Road Maintenance Association) with By-laws which is recognized and recorded with the County. It also has a bank account at Redwood Capital Bank to collect road funds. Since then, and since forming our road maintenance association, we have paved it twice, have a 10MPH Speed limit posted, and had speed bumps installed. Chaffin and Bernie Roads service a family neighborhood of 30 homes. **It is a private dead-end road**. This Triplex is at the end of Bernie with no way out except back through the entire neighborhood.

I am not against short term Residential B&B's where appropriate. The 1735 Bernie Road triplex has been here in this neighborhood for many years. It is a month to rental. We had no problems. Most living here were families and working people. They lived in the Tri-plex and worked locally. During COVID the tri-plex sold to Ms.Nuzhat. She immediately evicted the 3 families in the Tri-plex saying she was going to re-model and they couldn't stay. (I thought there were ordinances against evicting tenants during the Covid pandemic???)

Ms. Nuzhat went ahead with her remodel and told residents on Chaffin and Bernie that she was going to turn the tri-plex into short term rentals. The neighbors told her that short term rentals were not allowed by the county. She evicted the tenants anyway and went ahead with her extensive remodeling adding patios, hot tubs, lights and security cameras, etc, to each of the 3 units. If you saw it today, you would think it was a motel! We found out later from the county that she did this without permits and the county confirmed short term rentals were not allowed here by the county.

In closing, I oppose the Tri plex @ 1735 Bernie Road being approved and converted to a short Rental because of the following:

Reading through the Draft County Ordinance for Short-Term Rentals, **** Purpose 16.05.1** to “minimize the loss of the housing stock available to long-term renters, preserve the quality of neighborhoods, and balance the needs and rights of property owners, tenants, and neighbors.”
******This Triplex takes away 3 homes from the housing stock for long-term renters.**

**** TRAFFIC:** This would adversely affect the quality of the neighborhood. **Traffic already has increased with the speculation of another Short Term Rental.**

****Chaffin and Bernie Roads do not meet the County ACCESS minimums for Short Term Rentals because they are not Category 4 roads. They are 2 lane and dead end-roads.**

****Ms. Nuzhat is operating as a business with no acceptance from the county or the Chaffin Road Association.**

Before last week Ms Nuzhat did not live on the property.

**** The 1735 Bernie Tri-plex is not located 1000 feet from the nearest neighbor and the fence that Ms. Nuzhat installed for this tri-plex encroaches on Bernie road creating a blind spot for people driving or walking along Bernie. County Code enforcement was notified of the fence encroachment but nothing was done.**

****This property is in violation as Ms. Nuzhat did not obtain permits for remodeling this tri-plex.**

**** Violated the Good Neighbor Guide for Short-term rentals.**

Chaffin Road has a road Association for the purpose of funding and maintaining our road. The owner did not notify the residents that a short term rental was going in at the end of Chaffin Road.

**** Per Parcel Limit.** One Short-term Rental shall be permitted per legal parcel. This parcel has three.

In closing, reading again though the Draft County Ordinance for Short-Term Rentals, **Purpose 16.05.1** to “minimize the loss of housing stock available to long-term renters, preserve the quality of neighborhoods, and balance the needs and rights of property owners, tenants, and neighbors.”

Converting 1735 Bernie to Short-term rentals **does adversely affect the quality of the neighborhood, and also our county because it subtracts 3 homes** from the available housing stock. I thought the over-riding purpose of the draft County planning on Accessory Dwelling units was to create **more** homes for people in Humboldt County. What happened?

Sincerely,

Terence Roberts

4425 Chaffin Road

McKinleyville, CA. 95519

707-599-3255 terry@terryroberts.net

Pre-Workshop Comments

Theme 4: Miscellaneous

Considerations on the proposed Short-term rentals ordinance for Humboldt County and its impact on the Mattole Valley community

In the Mattole Valley, several families have been running successful STR businesses, some for years, others only recently and in response to the economic downturn in the area. The news that the County was developing an ordinance to restrict the operation of STRs has been greeted with dismay, for it is felt that the goals of this rule-making address problems that largely do not apply to the local community, while the measures as currently conceived would impose such high burdens as to make operating STRs as a family business impossible. Having followed the public consultation of June 28th online, we feel that it is necessary to share our concerns directly. The following are our most pressing issues with the proposed ordinance.

1. Goals of the measure as presented by the Humboldt County Planning Department

– Preserving housing stock for residents

The Mattole Valley is a very isolated area in Southern Humboldt. Access to Highway 101 is more than an hour's drive away in both directions. As such, residing in the Valley and commuting to work in the major population centers of the County is essentially unfeasible. Hence, the housing stock in the Mattole Valley, whatever use it is destined to, cannot contribute to balancing housing shortages in other parts of the County. With regard to purely local conditions, the recent implosion of the cannabis industry has led to an outflow of population from our community, both in terms of residents and of seasonal workers. To claim that the operation of local STR businesses is precipitating a housing shortage within the community is completely unfounded. The main rationale, explicitly stated by the Planning Department, for a cap on the number of STR businesses in the County finds no corroboration in the actual conditions of the Mattole Valley.

– Maintaining neighborhood quality

In rural and remote areas such as the Mattole Valley, many of the concerns the ordinance proposes to address (e.g. parking, sound levels, lights...) have little or no bearing. In a general context in which the services and utilities provided to residents are exceedingly scarce in quantity and quality (consider: road repair, power outages, phone outages, unavailability of affordable broadband internet connectivity, recycling...) the main driver of neighborhood quality is the maintenance of existing economic activity. The area has significant natural attractions (Lost Coast Trail, redwood stands...) but hardly any private infrastructural investment in tourism (hotels, motels, etc.). Given these conditions, having several STR businesses operating in the Valley actually produces public goods (to bring an example among many, the possibility to lower costs for calls to electricians or plumbers from town by pooling requests). To claim that on balance the public welfare of residents in the Mattole Valley is worse off for the operation of STRs in our community is wholly inaccurate.

2. Aspects of the proposed ordinance

– Obtaining a permit

The proposed rules are extremely opaque on the issues that are the central focus of concern for STR operators: how much will permits cost? What will the process of obtaining one look like practically? How low will the cap be set? What kind of inspections will be required? How long will they take? How much will they cost? Without the ability to estimate reliably the investment of time, effort, and money required by the proposed permitting process it is impossible to form an overall view of the impact of the regulation on individual cases, and to respond accordingly. Information asymmetries between well-connected large businesses and small family-owned operations will only make the consequences of this uncertainty more serious. These aspects of the proposal must be clarified immediately and in full, before the next step of the public review schedule. If such clarification does not take place, citizens and businesses will understandably expect the worst, and search for avenues to directly oppose the

rulemaking process instead of engaging with it in the hope of making the resulting ordinance better for all involved.

– Geographic balance of permits issued under the cap

Especially given the fact that the rationale for the cap finds no application locally, it is very concerning that no provisions have been made in the ordinance for a geographic balance of the permits issued between different parts of the county. The fear is that the areas where professional property management companies operate will manage to obtain a lion's share of permits available under the cap, even though those areas are precisely the ones in which the negative effects of the STR industry are more readily felt.

– Timing of permitting process

As mentioned in the public consultation, the ability of the County to issue future STR permits in a timely fashion is going to be key for the economic viability of the process for small family businesses. In light of foreseeable problems on this front, it would be more than reasonable to consider some form of interim permits for already-operating STR businesses.

– Limits on number of units, as related to parcel size, population density, etc.

The absence of an underlying structural housing shortage in our community fundamentally undercuts the rationale for these provisions: market forces should be more than sufficient to discourage excessively large STR projects. In any case, to add to the rich discussion developed on this topic during the public consultation, it is important to consider that there should not be a conflation between rural settings and larger parcel size: different limits should not be dictated merely by the size of the property under consideration. In the Mattole Valley there are bigger and smaller parcels, but the key factor is the very low population density. This consideration is the cornerstone for the correct understanding of the impact of the STR industry locally.

– Good neighbor guide requirements and their feasibility for family businesses

These rules, as they stand, imply that no STR may be run as a family business. To specify explicitly that a responsible party must be on call 24 hours a day to respond to any complaint within 30 minutes simply means that the only possibility for compliance is to have a property management company that employs caretakers in shifts. Such a hardwired requirement is even more outlandish in the context of the Mattole Valley: first responders cannot be deployed here in 30 minutes for a medical or law enforcement emergency of the highest urgency, yet the ordinance would have STR managers guarantee better responsiveness than the police or EMS ambulances.

– Types of properties allowed for STRs

The proposed ordinance mentions very stringent requirements for buildings to be used for STRs. While of course health and safety are in everyone's interest, we are convinced that the current proposal goes too far. There is a wide variety of unconventional structures that house STRs in our County: tents, tepees, treehouses, yurts, caravans, and so forth. These are indisputably a tourist magnet. In fact, it would be incorrect to think that they are in competition with more traditional hospitality venues such as motels. If the County does not offer a pathway to compliance for this variety of structures, the guests they currently house will not all opt for a stay in less picturesque lodgings: many will simply take their business elsewhere, with a net loss to the County's tourism industry. We think that some form of hospitality arrangement must be made possible in these situations. In particular, businesses that have been operating safely and without complaint for years should automatically obtain special consideration. If for equity reasons a general grandfathering clause of currently-operating STRs is not viable, we think a specific one should be introduced as an exception for this specific case.

– Seasonality

Our area has a very clear seasonal distinction between a dry summer and a wet winter. The attractions in the Mattole Valley that draw the clientele of the local STR businesses are exclusively tied to the area's natural beauty. Consequently, the STR market is almost exclusively seasonal. The fact that there is no acknowledgement of this fact in the ordinance (for instance, in the creation of a different cost tiers

for permits that are yearlong vs. summer-only ones, or in qualifying the rules for permit revocation due to inactivity) is one more indication that the regulatory proposal has not sufficiently taken local conditions into account. Moreover, the fact that many of the structures that are used for STR are not habitable during the winter (e.g. for lack of heating) further demonstrates that prohibiting their use as STRs would do nothing to increase the housing stock for permanent, yearlong residents.

From: [Bushnell, Michelle](#)
To: [Ford, John](#); [Hilton, Keenan](#)
Subject: Fwd: STR ordinance
Date: Thursday, September 07, 2023 9:43:33 PM

FYI

Get [Outlook for iOS](#)

From: Betty Machi <machibetty@gmail.com>
Sent: Saturday, September 2, 2023 10:43:00 AM
To: Bushnell, Michelle <mbushnell@co.humboldt.ca.us>
Subject: STR ordinance

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

Dear Ms. Bushnell,

The STR draft makes a distinction between hosted and "unhosted" STRs. I would like to point out that all STRs are hosted, most remotely because who really wants to spend their vacation with strangers? I host my Shelter Cove STR remotely from Eureka and my sister who acts as caretaker lives next door to the rental. We've been open since 2018 with a 4.99 rating and 157 reviews. We are legally registered with the county and have always paid our TOT.

Here's what my last guests had to say about their experience and my hosting:

" This home is absolutely amazing. Elizabeth was one of the best hosts I've had on air bnb. She was very attentive, quick to respond, and so kind. The views from this home are unmatched and allow you to embrace the true beauty shelter cove has to offer. The deck was a great place for my friends and family to hangout. I will definitely be staying again and thank you again Elizabeth for your hospitality."

Here's another one from August: " Our stay at the Vista Cabin in Shelter Cove was a dream come true. The enchanting view from every window left us speechless, a true painting of natural beauty. The warmth and coziness of the cabin made us feel instantly at home. Comfortable beds, well-stocked kitchen, and top-notch laundry facilities made our stay convenient. The thoughtful touches like games for the kids added extra joy. The host's warmth, responsiveness, and passion for our experience were remarkable. Shelter Cove itself felt like a mystical paradise, the most beautiful place we've seen.

These reviews are typical for me, so, (planning dept) please don't tell me my place is "UNHOSTED"!! Hosting is a full time job for me and I take it very seriously. Also I resent being treated like a child who has to be told to "empty the garbage", etc. Really???

Please retain guest choice in Humboldt County. Some visitors would

choose alternative or unusual accommodations and they should be allowed to. Now they will go elsewhere.

I am barely breaking even right now. Additional fees and hassle for permitting, etc. will cause hardship and for no apparent reason but greed and job security for the building department and county bureaucrats. My STR allows us to keep our family home and have use of it for ourselves. The income makes the difference between me being able to retire or not. I am 68 and retired from Humboldt County.

I and many like me are providing an important service to the Humboldt County economy and should be REWARDED not PENALIZED.

Thank you, Ms. Bushnell,
Elizabeth (Betty) Machi

Sent from [Mail](#) for Windows

From: [Betty Machi](#)
To: [Hilton, Keenan](#)
Subject: Re: "un-hosted" versus "remotely hosted"
Date: Saturday, September 02, 2023 9:47:39 AM

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

As you can see, I and many like me are providing an important service to the Humboldt County economy and should be REWARDED not PENALIZED.

On Sat, Sep 2, 2023 at 9:43 AM Betty Machi <machibetty@gmail.com> wrote:

Here's another typical review: " Our stay at the Vista Cabin in Shelter Cove was a dream come true. The enchanting view from every window left us speechless, a true painting of natural beauty. The warmth and coziness of the cabin made us feel instantly at home. Comfortable beds, well-stocked kitchen, and top-notch laundry facilities made our stay convenient. The thoughtful touches like games for the kids added extra joy. The host's warmth, responsiveness, and passion for our experience were remarkable. Shelter Cove itself felt like a mystical paradise, the most beautiful place we've seen. Our family vacation was unforgettable, and we'll forever cherish the memories made at the Vista Cabin. Thank you for this magical experience - we can't wait to return!

On Sat, Sep 2, 2023 at 9:39 AM Betty Machi <machibetty@gmail.com> wrote:

Also, I am barely breaking even right now. Additional fees and hassle for permitting, etc. will cause hardship and for no apparent reason but greed and job security for the building department and county beaurocrats. My STR allows us to keep our family home and have use of it for ourselves. The income makes the difference between me being able to retire or not. I am 68 and retired from Humboldt County.

On Sat, Sep 2, 2023 at 9:12 AM Betty Machi <machibetty@gmail.com> wrote:

I would like to point out that all STRs are hosted, most remotely because who really wants to spend their vacation with strangers? I host my Shelter Cove STR remotely from Eureka and my sister who acts as caretaker lives next door to the rental. Here's what my last guests had to say about their experience and my hosting. " This home is absolutely amazing. Elizabeth was one of the best hosts I've had on air bnb. She was very attentive, quick to respond, and so kind. The views from this home are unmatched and allow you to embrace the true beauty shelter cove has to offer. The deck was a great place for my friends and family to hangout. I will definitely be staying again and thank you again Elizabeth for your hospitality."

This quality of review is the morm for me, so please don't tell me my place is "UNHOSTED"!! Hosting is a full time job for me and I take it very seriously. Also I resent being treated like a child who has to be told to "empty the garbage". Really??? Also, you are taking away guest choice in Humboldt County. Some would choose alternative or unusual accomodations and they should be allowed to.

From: [Betty Machi](#)
To: [Hilton, Keenan](#)
Subject: Re: "un-hosted" versus "remotely hosted"
Date: Wednesday, September 13, 2023 12:05:27 PM

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

Hi Keenan, here's a review from a so-called "hosted" STR in Shelter Cove. It illustrates my point that they are not automatically better just because the host lives in, and are in fact sometimes worse. This listing seems to have stopped taking reservations, illustrating that reviews go a long way in weeding out the less desirable STRs without any help from "official" sources.

"The window in the living room has an excellent view of the ocean.

The guest area is the bottom floor of a house.

You won't see the hosts, but you can hear them living every aspect of their life, clear as day.

Expect to hear their TV, them loading washer and dryer, their muffled conversation etc.

Until midnight the hosts were running around chasing their dog, dropping things, slamming doors.

Our goal when driving out to Shelter Cove was to get some peace and quiet. Unfortunately we didn't get either.

It was clean, but the bathroom could do with a good scrubbing.

The TV wasn't available to guests because the owners were recording an old episode of Futurama.

Shelter Cove is beautiful. The Gypos brewery had some great Fish and Chips and the beach by the lighthouse is beautiful."

Bottom line, this "hosted" STR provided a poor experience to visitors. Will they be back? What is the impact to the local economy? Thank you.

On Tue, Sep 5, 2023 at 2:29 PM Betty Machi <machibetty@gmail.com> wrote:

They left me my 158th 5* review.

On Tue, Sep 5, 2023 at 2:25 PM Betty Machi <machibetty@gmail.com> wrote:

Thank you for your kind response, Keenan. Not so much disparaging as inaccurate. My most recent guests reported a plumbing issue to me immediately. I responded immediately asking if they wanted someone to look at it right away or would rather wait until they checked out next morning to respect their privacy. Since there was another shower they opted to wait. I had a team member complete the repair next morning in just a few minutes with a spare part. Un-hosted? Hardly. Some of the best hosts do so remotely with great skill and efficiency while delivering the privacy visitors to our area want.

On Tue, Sep 5, 2023 at 1:16 PM Hilton, Keenan <KHilton@co.humboldt.ca.us> wrote:

Ms. Machi,

Thank you for the comment. It will be included in the record.

I certainly didn't mean to be disparaging with the term "unhosted!" Thanks for the

feedback on that.

Let me know if there are any other specific questions or concerns that you have.

Best,

Keenan



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

From: Betty Machi <machibetty@gmail.com>
Sent: Saturday, September 02, 2023 9:47 AM
To: Hilton, Keenan <KHilton@co.humboldt.ca.us>
Subject: Re: "un-hosted" versus "remotely hosted"

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

As you can see, I and many like me are providing an important service to the Humboldt County economy and should be REWARDED not PENALIZED.

On Sat, Sep 2, 2023 at 9:43 AM Betty Machi <machibetty@gmail.com> wrote:

Here's another typical review: " Our stay at the Vista Cabin in Shelter Cove was a dream come true. The enchanting view from every window left us speechless, a true painting of natural beauty. The warmth and coziness of the cabin made us feel instantly at home. Comfortable beds, well-stocked kitchen, and top-notch laundry facilities made our stay convenient. The thoughtful touches like games for the kids added extra joy. The host's warmth, responsiveness, and passion for our experience were remarkable. Shelter Cove itself felt like a mystical paradise, the most beautiful place we've seen.

Our family vacation was unforgettable, and we'll forever cherish the memories made at the Vista Cabin. Thank you for this magical experience - we can't wait to return!

On Sat, Sep 2, 2023 at 9:39 AM Betty Machi <machibetty@gmail.com> wrote:

Also, I am barely breaking even right now. Additional fees and hassle for permitting, etc. will cause hardship and for no apparent reason but greed and job security for the building department and county beaurocrats. My STR allows us to keep our family home and have use of it for ourselves. The income makes the difference between me being able to retire or not. I am 68 and retired from Humboldt County.

On Sat, Sep 2, 2023 at 9:12 AM Betty Machi <machibetty@gmail.com> wrote:

I would like to point out that all STRs are hosted, most remotely because who really wants to spend their vacation with strangers? I host my Shelter Cove STR remotely from Eureka and my sister who acts as caretaker lives next door to the rental. Here's what my last guests had to say about their experience and my hosting. " This home is absolutely amazing. Elizabeth was one of the best hosts I've had on air bnb. She was very attentive, quick to respond, and so kind. The views from this home are unmatched and allow you to embrace the true beauty shelter cove has to offer. The deck was a great place for my friends and family to hangout. I will definitely be staying again and thank you again Elizabeth for your hospitality."

This quality of review is the morm for me, so please don't tell me my place is "UNHOSTED"!! Hosting is a full time job for me and I take it very seriously. Also I resent being treated like a child who has to be told to "empty the garbage". Really??? Also, you are taking away guest choice in Humboldt County. Some would choose alternative or unusual accomodations and they should be allowed to.

From: [PlanningBuilding](#)
To: [Richardson, Michael](#); [Hilton, Keenan](#)
Subject: FW: STR question
Date: Thursday, June 29, 2023 3:39:16 PM
Attachments: [image001.jpg](#)
[image002.png](#)

dmoxon (3)



Delilah Moxon

Administrative Services Manager
[Planning and Building Department](#)
3015 H Street | Eureka, CA 95501
Phone: 707-445-7541 | Fax: 707-445-7446
Email: dmoxon@co.humboldt.ca.us

From: Brooke Sandberg <sandbergproperty@gmail.com>
Sent: Wednesday, June 28, 2023 10:29 AM
To: [PlanningBuilding](#) <planningbuilding@co.humboldt.ca.us>
Subject: STR question

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

In the summer of 2020, I reached out to the county regarding obtaining a business license to operate a short term rental next door to our home and was told the following. (The blue are directly from an email I received from the county Treasury and Tax Assistant.)

Ok, so you can run the short term rental business from your home as a property management business. You just need to complete the Mobile Application (Home based business application) and a TOT Registration Form. I have attached everything for your convenience. Be sure to use your business location as your home address.

You need to use your home address of 172, because you would manage the property from your home. Bookings etc... If you choose to use the physical address of the rental it will most likely be denied because the county does not have a code to support the business license for the actual location of the rental. Additionally our fees are nonrefundable and I would not like to see you lose that money for nothing. The planning department may require a home occupation permit, but they will notify you if they do once I send the application for review. That's just a heads up and that permit is \$100.00.

My application was approved and I was issued a business license that I have renewed when it became due again. Additionally, I submit TOT for applicable bookings. The planning department did not require additional permits from me at the time. I am curious how those of us who have been operating a STR with a business license issued by the county will be grandfathered in under the new ordinance.

From: [Richardson, Michael](#)
To: [Hilton, Keenan](#); [Dunn, Jacob](#)
Cc: [McNamara, Cade](#)
Subject: FW: Short term rentals
Date: Monday, June 12, 2023 9:22:00 AM
Attachments: [Eco Camp ordinance .doc](#)
[image001.jpg](#)
[image002.png](#)

Fyi

No action is required on your part.

- m

From: PlanningBuilding <planningbuilding@co.humboldt.ca.us>
Sent: Friday, June 9, 2023 4:06 PM
To: Ford, John <JFord@co.humboldt.ca.us>; Richardson, Michael <MRichardson@co.humboldt.ca.us>
Subject: FW: Short term rentals

Good afternoon,

The email below is addressed to both of you, but you are not on the recipient list. The information is forwarded for your consideration.

Thank you,

dmoxon (3)



Delilah Moxon

Administrative Services Manager
[Planning and Building Department](#)
3015 H Street | Eureka, CA 95501
Phone: 707-445-7541 | Fax: 707-445-7446
Email: dmoxon@co.humboldt.ca.us

From: Chip Tittmann <chip.tittmann@gmail.com>
Sent: Friday, June 9, 2023 2:19 PM
To: Milner, Mary <MMilner1@co.humboldt.ca.us>; PlanningBuilding <planningbuilding@co.humboldt.ca.us>
Cc: Madrone, Steve <smadrone@co.humboldt.ca.us>; Michelle Bushnell <mbushnell@co.humboldt.ca.gov>; Wilson, Mike <Mike.Wilson@co.humboldt.ca.us>; Bohn, Rex <RBohn@co.humboldt.ca.us>; Arroyo, Natalie <narroyo@co.humboldt.ca.us>
Subject: Short term rentals

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

Mary, Michael and John, The attached letter was developed before the 45 day moratorium on short term rentals, thus making this issue more immediate. Please consider Eco Camps. As we have proposed, Eco Camps will not despoil neighborhoods, but enhance and enriched them.

As you know, there are many current subscribers and visitors on short term rental platforms. With the moratorium being enacted, many thousands of dollars will not be spent in Humboldt and those lost thousands will not be supporting the families, investors, staff, business owners and general commerce. Please reconsider this moratorium until the public has a chance to weigh in on this. Just because the government has not develop regulations for a growing business should not be reason to penalize those current innovators. Existing business should be allowed to continue operations until ordinances are fully approved.

Just as the tourist season is blossoming, don't stop the flowering with a choking moratorium.

Thanks for you attention and action..ct

Chip Tittmann, Owner
Arco Iris Woodworking, Design and Consulting
PO Box 49, Miranda, California 95553
707-599-2549 Cell
www.arcoiriswoodworking.com
chip.tittmann@gmail.com

ARCO IRIS CONSULTING¹
WOODWORK CONG,
DESIGN AND CONSULTING

Chip Tittmann
P.O Box 49
Miranda, Cal 95553
707-943-3879
tittmann@asis.com

Humboldt County Planning, June 27, 2023

I am representing Lenny Ozar who is a current short term rental owner in Miranda. We have several suggestions for the county while currently developing short term rental (STR) and Tiny Home ordinances.

Mr Ozar's proposed development is in Southern Humboldt, located on 30+ acres of land zoned for Ag. on a paved county road. The development will propose permitting for 4-10 RV sites, 4-10 tent platforms, 1-2 short-term rental homes and accommodations for small private parties and weddings. All of this will be in conjunction with a grape vineyard, a fruit and nut orchard and vegetable gardens (non-cannabis). This Eco Camp will feature a permaculture education and visitor information center on a working regenerative agricultural site. This type of Eco Camp will be good for tourism, good for the local transition of the economy away from cannabis and will set an example of this transition.

In developing the new housing ordinances, we ask the County Planning to propose lenient, simple and yet safe regulations for this type of Eco Camp under your "Farm Stay" (314-154).

We ask that RVs and tent pads be approved and inserted into this Farm Stay ordinance section.

These Eco Camps will bring in tourists and visitors, will educate the public, and create jobs for staff, housing hosts and agricultural workers. This is the type of enterprise that Humboldt County should be encouraging, not restricting nor putting moratoriums upon.

Such a proposed Eco Camp (Farm Stay) should allow for small-scale short-term rentals, RV sites and tent platforms. Permitted

activities could be educational workshops, overnight and short-term stays for tourists, including facilities for weddings, private parties and workshops. Themes for these Eco Camps should be based around regenerative agriculture, sustainable forestry and permaculture education using organic gardening, forestry and farming practices.

Eco Camps would follow all state and county health and safety regulations. But these regulations should be flexible and encouraging for experimentation to site-specific conditions including rain water catchments, solar and regenerative energy systems, gray water recycling, composting toilets and experimental OSWS (On Site Waste Systems). Collaboration projects with colleges, non-profits, tribes or universities should be encouraged to facilitate this type of use permitting.

We are concerned about the wording “**inspected for safety**” in the ordinance. What standards of safety will be applied? We propose those standards be lenient, flexible and site specific, not one size fits all. **We propose a self-certification program that will conform to basic guidelines outlined by the county.** The proposed Good Neighbor Guide does not require county inspections. The “safety inspections” of STRs should also be self-certified rather than requiring repeated inspections by multiple agencies. The over-regulation of the STR industry should not be a second cannabis roll out disaster.

If the Building Department is to administer this program, some iteration and alterations of the Safe Homes Program could be adopted for Short Term Rentals. Health, public safety and neighborhood buy-in need to be provided, but KISS (Keep It Simple Stupid) and don’t drown initiative with over regulations.

ARCO IRIS CONSULTING³

WOODWORKING,
DESIGN AND CONSULTING

Chip Tittmann
P.O. Box 49
Miranda, Cal 95553
707-943-3879
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We propose a Short Term Rental self certification system, similar to the Safe Homes Program be administered by the proposed “Zoning Administrator” within the Building Department.

We also propose the term limit for STR permits be extended to at least 5 years. In addition, allow for transference of those permits to follow property ownership and not require new owners to reapply upon change of ownership. The new owner would be required to reapply when the 5 years has expired.

Because the county is also looking to develop sites for smaller, simpler housing suitable for the houseless (Tiny Homes), we propose a fund be administered by the county that would tax the Eco Camps and short term rentals, which are intended and suitable for more upscale visitors, to help fund Tiny Homes that are suitable for the houseless.

We will participate in the public scoping session on June 28 to propose these suggestions and appreciate your attention to our concerns.

Signed in absence: Lenny Ozar

Chip Tittmann

Chip Tittmann, P.O. Box 49, Miranda, California 95553
707-599-2549 chip.tittmann@gmail.com

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From: [Chip Tittmann](#)
To: [Wilson, Mike](#); [Bushnell, Michelle](#); [Madrone, Steve](#); [Bohn, Rex](#); [Arroyo, Natalie](#)
Cc: [PlanningBuilding](#); [Milner, Mary](#); [Hilton, Keenan](#)
Subject: Public Comment on the Short Term Rental
Date: Thursday, July 20, 2023 11:33:00 PM
Attachments: [STR Ordinance input.docx](#)

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

Gentlepeople: The quick summary of our attached letter and its comments on the proposed Short Term Rental Ordinance:

*Allow self-certification of Good Neighbor Program and self-certification of Public Safety requirements from STR operators

*Apply Ordinance only to neighborhood regions such as Zones R-1, Multiple Housing and Commercial Zoning. Outside those Zones, STRs would be principally approved with self certified Good Neighbor and Public Safety Agreements filed annually with the County Zoning Administrator

*Term lengths for STR permits be 5 years, convertible to any change of owners

*Modify Safe Homes and AOB ordinances to allow for STRs

*Include Eco Camps as permit-able STRs

Thank you for your attention. VRBO and Airb&b operators deserve to be heard before any Ordinance is passed.

Chip Tittmann, Owner
Arco Iris Consulting
chip.tittmann@gmail.com

Leonard Ozar, Owner
Morgan Holding, LLC
lakeleenny@aol.com

From: [Chip Tittmann](#)
To: [Hilton, Keenan](#); [PlanningBuilding](#)
Cc: mcclenagan2@co.humboldt.ca.us; [Madrone, Steve](#); [Bohn, Rex](#); [Wilson, Mike](#); [Bushnell, Michelle](#); [Arroyo, Natalie](#)
Subject: STR Ordinance proposal
Date: Wednesday, September 20, 2023 12:33:51 PM

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Keenan and John,

Thank you for allowing the public to continue to comment of the Short Term Rental (STR) ordinance you are proposing. The current Ordinance proposal is certainly better than originally proposed. But a “Two Tiered Approach” has not been addressed: one for urban areas one for rural and coastal areas.

The information below, about Santa Barbara has just come to our attention. I hope it will be convincing to you not to impose the proposed restrictions on rural STRs in Humboldt County. You have already agreed that Shelton Cove STRs have special considerations relative to the STR ordinance. As the Coastal Commission has insisted Santa Barbara comply for public access to the coast, please consider the argument that access to State Parks, BLM sites, the Avenue of the Giants and other rural parts of Humboldt County should be encouraged, not restricted as the current ordinance proposal is doing.

Why not allow the existing rural STR operators to continue as “unregulated”, as the Coastal Commission has insisted of Santa Barbara? The Coastal Commission legal precedent could open up the County for law suits to protect existing STR’s not only in the Humboldt coastal areas, but also in rural Humboldt. One size does not fit all. As you have heard in every public meeting, this is a life line for small, rural STR operators, an economic engine for tourism and a gateway beyond the cannabis economy.

Please, make the rural permit process be simple, without building codes or road restrictions:

*Collect the bed tax, yes.

*Require a business license, yes.

*Have operators sign noise, light and parking agreements, yes.

*The Good Neighbor Agreement for immediate neighbors within 500 ft is sensible, yes.

Let the rural STR market regulate itself. If egregious operators or problems arise, through Code Enforcement, you will still have the control to shut them down if there are credible and substantive complaints.

There are rumblings that the existing STR operators are mounting a significant lawyer money chest to oppose the ordinance if it is not less restrictive than even this newest iteration of the Ordinance. These law suits would cost the County to defend the ordinance. They would delay implementation of any ordinance and not achieve your desires of urban neighborhood stability and maintaining housing stocks in critical areas. In your very first Zoom meeting, a “Lawyer from Trinidad” suggested this two tiered approach: permits for urban neighborhoods and

“unregulated” for rural. Another presenter at the Garberville public meeting also suggested that all of Southern Humboldt is a “recreation zone similar to Shelton Cove” and should have less restrictive permit regulations to allow for greater tourism, an economic rebound and continued STR operator livelihoods.

It is our understanding, in Santa Barbara, STRs aren’t allowed in most inland areas of the city because, by their County ordinance, they’re mostly prohibited.

However, short-term rentals in the coastal area are allowed, following a [2021 California appeals court ruling](#) overturning a 2015 law banning most STRs from coastal areas of the city. According to the California Coastal Commission, Santa Barbara’s previous ban violated the California Coastal Act, which requires affordable accommodations to be available to the public in the coastal zone. The Coastal Commission has [become more involved in local regulation of vacation rentals](#) in recent years, often supporting short-term rentals as essential to public access.

Regulation of short-term vacation rentals in the coastal zone was limited by a court judgement by California Appeals Court Judge Steven Perren in a 2021 ruling. As such, Santa Barbara now limits STR’s in their inland zones, but STRs in the Coastal zone remain “unregulated”.

Thank you for your consideration of these suggestions. I look forward to a robust conversation tonight with the Planning Commission tonight and hope you will consider a “two tiered approach” to the ordinance...ct

Chip Tittmann, Owner
Arco Iris Consulting
PO Box 49, Miranda, California 95553
chip.tittmann@gmail.com

Proposed Humboldt County Short Term Rental Ordinance

Please accept our Public Comments, 7-20-23:

We propose including Self-certification as a basic aspect to the Short Term Rental ordinances. Such a program will allow for confirmation to basic guidelines outlined by the county, but not require on-site County inspections. The proposed Good Neighbor Guide does not require county inspections, only self certification. The “safety inspections” of STRs should also be self-certified.

We propose such a Short Term Rental self-certification system be similar as to how the Safe Homes Program provides for self certifications. The proposed “Zoning Administrator”, within the Building Department, would administer this STR system. We propose that the Zoning Administrator have authority over “urban neighborhoods” such as Land Use Zones: Zones 1-A, Multiple Housing and Commercial. Included in these Zones will be restrictions on sound decibels, parking and density to ensure neighborhood public safety. Outside these neighborhood zones, STRs would be principally approved with an over-the-counter, one page “Application to Operate a Short Term Rental” while agreeing to self certify: a “Good Neighbor Agreement” and “A Health and Safety Agreement” with annual reports to be submitted to the Zoning Administrator.

We also propose that the term limit for STR permits be extended to at least 5 years. In addition, allow for transference of those permits to follow property ownership and not require new owners to reapply upon change of ownership. The new owner would still be required to submit annual reports and then reapply when the 5 years has expired.

We understand that the existing AOB Ordinance only allows for owner occupancy, thus disqualifying AOB owners from the STR industry. This aspect, as well as several other improvements, needs to be part of a Safe Homes Program review and rewriting.

We ask that the County Ordinances include Eco Camps under your “Farm Stay” (314-154). We also ask that RVs and tent pads be approved into this Farm Stay ordinance section.

Such a proposed Eco Camp (Farm Stay) should allow for small-scale short-term rentals, RV sites and tent platforms. Permitted activities could be educational workshops, overnight and short-term stays for tourists, including facilities for weddings, private parties and workshops. Themes for these Eco Camps should be based around regenerative agriculture, sustainable forestry and permaculture education using organic gardening, forestry and farming practices.

Thank you for considering these suggestions. We look forward to more discourse and to your responses to these proposals. Please keep us informed of any future workshops or Zoom conferences on this subject of STRs....

**Chip Tittmann, Arco Iris Consulting
Chip.tittmann@gmail.com
Leonard Ozar, Owner, Morgan Holding, LLC
lakelenny@aol.com**

From: [Christiana Gomez-Frye](#)
To: [Ford, John](#); [Hilton, Keenan](#)
Subject: Short term rental comments and question
Date: Thursday, September 07, 2023 10:16:45 AM

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

Director Ford and Kennan Hilton,

Thank you for allowing opportunities for community feedback regarding short term rentals. I appreciate your thoughtfulness and commitment to creating a policy that considers all of the complexities related to short term rentals.

Hosted Short Term Rental- Stand Alone Structure

I would like to urge that a "*hosted short term rental*" category be added for a unit that is *not* connected to the home, and is also ***not affecting the rental housing inventory** by existing as a STR. The state rules that apply to ADUs would also apply in this case.

*As others have expressed, I would not be renting the space to a long term renter since we don't want someone living there all of the time. Since this is the case, we are not affecting the housing inventory by using the space as a short term rental. If we cannot rent the space as a short term rental we will use it as an office space, which is how we used it previously. The space was never a long term rental.

Policies to Support Local Onsite Owners

Please also heavily consider policies that support locals folks who reside on the same property as the STR. A family or single person who lives onsite and owns the property is very different than a STR property that is owned by someone who does not live onsite. Policies created through this lense will alleviate many of the problems associated with STRs, while at the same time help locals and the local economy survive in a rural area where tourism can help support local people.

There are many local people in my situation who rent one or two units on their property and have never received complaints due to the fact that the owner lives on the the property. I am certain that the folks who are only able to afford their mortgages by leveraging the income from on onsite STR will fall in this category.

Question

I am hoping you will be able to advise regarding my specific situation:

Our guest house was originally constructed in the 1980s. We updated the space in 2016 to replace damaged drywall, add a new septic pump, and update electrical to code as installed by the licensed reputable electrician and plumber who we hired. Before embarking on the remodel I called the county to get the updates permitted, but was told that since my septic was installed in 1975 (before a septic was required to be permitted) my only option was to install a new septic. This is cost prohibitive (\$40,000-\$60,000) and not necessary. Steve's Septic inspected the septic and confirmed that the septic is in excellent condition and does not require repairs or replacement. In addition, they confirmed that the septic tank is large enough to support the number of bathrooms that we have. Since the unit has never been permitted since it was built in the 19080s I am hoping we can grandfather the space. Last piece of information is that I will also need a special permit since our road is not a category 4 road, so the STR would be a special permitted rental anyway.

Thank you,
Christi

From: [Bushnell, Michelle](#)
To: [Ford, John](#); [Hilton, Keenan](#)
Subject: FW: FW: str
Date: Tuesday, August 15, 2023 4:52:16 PM
Attachments: [Humboldt STR Letter.docx](#)

From: C Simon <simonworld68@gmail.com>
Sent: Tuesday, August 15, 2023 4:13 PM
To: Bushnell, Michelle <mbushnell@co.humboldt.ca.us>
Subject: Fwd: FW: str

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

Dear Supervisor Bushnell,

We are writing to you today as very concerned homeowners in Redway, Southern Humboldt County. We feel the decision to limit or restrict short-term rentals should be carefully considered, while taking into account local circumstances and community priorities.

As the current draft of the STR Ordinance reads, we understand its purpose and intent. However, there are several issues that need to be addressed in the decisions being considered.

Business License Required: A license to rent one's home long term is not required, nor should one be mandatory for short term purposes. If a business license is required, then said business should be legally transferable to a new owner.

Building Fire and Health: Many homes in Southern Humboldt were built prior to permits being required. It should not be mandatory to have an inspection for STRs given that there are no inspections needed for long-term rentals. In addition, when we purchased our home less than two years ago, electrical, structural, pest, and general home inspections were completed for loan approval.

Neighborhood Concentration: In our opinion, the quality of the neighborhood vastly improves with STRs. Owners who rent short-term maintain their homes to higher standards than many long-term rentals or owner-residents. Positive reviews from guests are critical to the success of the listing. Some areas, like ours along the Eel River in Lower Redway, are primarily vacation homes. The latest draft is too restrictive for tourism to thrive in this part of the County. Existing neighbors would not be able to rent out their vacation properties if their homes are too close in proximity.

Permit Term: A term should be a minimum of five years. Two years is simply not long enough given the fees and processes involved.

Special Permit: Many homeowners in Southern Humboldt would not qualify for an administrative permit under the stringent terms of the proposed ordinance. Furthermore, the option of obtaining a special permit seems to us to be an arduous, expensive, subjective, and unfair process.

If the Ordinance were to be adopted as written, it would not only be financially devastating for homeowners, but also the businesses and residents who rely on tourism for their livelihood. Restricting STRs in Southern Humboldt would lead to very limited family-friendly lodging. Restaurants, retail shops, and other small businesses in our area are in desperate need of tourists. We have the natural resources and beauty that could support a strong tourism industry. Short-term rentals are an integral part of filling the lodging demand in our community. With the overabundance of long-term rentals in Southern Humboldt, having the ability to rent short-term allows homeowners to keep their home, while meeting this need for alternative lodging.

As we are heavily invested in Humboldt County, we have carefully read both drafts of the proposed ordinance. We appreciate the considerations made in the second draft that lessen the economic impact on both homeowners and the local community. However, we would like to propose some alternatives that would provide a system of responsible and sustainable tourism management:

- Implement a tourism impact fee (tourist tax) on the nightly rate
- Encourage collaboration with local businesses
- Support community-based tourism initiatives
- Implement noise monitoring, if necessary
- Encourage responsible hosting practices

We appreciate that you are listening to the many voices of our community. As currently written, the Ordinance would not be beneficial to all parties involved. Humboldt County will thrive with the implementation of thoughtful resident and tourist-friendly short-term rental policies.

Thank you for taking the time to read this letter. We kindly ask you to consider our viewpoint. Please feel free to reach out to us if you would like our further input.

Sincerely,

Christian and Angela Simon

538 Eel River Lane, Redway
simonworld68@gmail.com
am_simon@icloud.com

From: [Claire Josefine](#)
To: [Hilton, Keenan](#)
Subject: short term rental concern
Date: Wednesday, June 28, 2023 6:51:49 PM

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

I am concerned that only standard, permitted dwellings will be available. One of the many charms of Airbnb is the ability to experience unique stays, including tiny houses, yurts, sailboats, etc. In that these structures are not viable as year-round dwellings, allowing them as short term rentals does not take away from available housing. They are also not structures that would typically be passed by your proposed inspections.

Please consider making an exception for these nontraditional options! They add to the available experiences that tourists can cherish.

Thank you,

Claire Josefine

From: [Daisy Cockburn](#)
To: [Becky Grant](#); [Hilton, Keenan](#); [Matteo Giglioli](#); [darlene santner](#)
Subject: Follow up on Mtg with Mattole Valley Residents July 27th 2023
Date: Sunday, July 30, 2023 6:38:24 PM
Attachments: [image_67159041.JPG](#)
[Bullet points HumCo STR ordinance.pdf](#)

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Hi Keenan,

Many thanks for meeting with us last week. It was very informative and we hope to keep up this dialogue as things proceed.

Just to recap, we thought it would be useful to share this brief list of the contents of the meeting as we heard it.

At the meeting we focussed most strongly on showing how the rationale for the ordinance does not respond to local conditions in the Mattole Valley and how economically STRs are beneficial to our community.

We brought up some further points not included in the document we pre-shared with you:

- the advantage of having large platforms such as airbnb coordinate STRs is that they offer insurance for the tenants while long term renters face huge hurdles in obtaining renters insurance. (Properties are having their fire insurance cancelled etc.)
- examples of why the local housing market is not crowded, namely the outflow of families with children of school age as evidenced by school enrollment and the difficulties in finding seasonal renters for the winter months and indeed renters and house sitters in general.
- The role of STRs in promoting local businesses in the Valley by showcasing products and services

We learned from you a few new facts and developments:

- In the drafted revised ordinance the Cap will only apply in the area displayed in the map you showed us - and within that area existing airbnbs will be given 6 months to apply outside the Cap.
- Multiple ways of handling inspections in the permitting process were discussed, including the complaints-based model currently in place in Arcata. It was suggested that this might be an avenue for advocacy for us at the board of supervisor's level if we deemed it in our interest.
- Regarding buildings that are not up to code, you mentioned that there's been a lot of push back especially in SoHum so the proposal might evolve going forward.
- Structures such as teepees, treehouses, caravans, tents etc are not considered dwellings for planning purposes, therefore they are not covered by the proposed ordinance.

- There's going to be an in-person public commentary in Garberville in a few weeks, date and venue TBA

Thanks again and look forward to keeping in touch.

Sincerely,
Daisy Cockburn



From: [Dan Berman](#)
To: [Hilton, Keenan](#)
Subject: RE: Draft STR ordinance
Date: Tuesday, June 27, 2023 10:34:30 AM

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

Hi Keenan,

I have a question and concern after reviewing the draft STR ordinance -

I am concerned and confused to see that STRs are being prohibited in ADUs? (section 60.05.7.3)?

What is the rationale for this? Why would I be able to STR some or all of my primary residence, but not my ADU, on the same parcel? I don't see the public benefit in the County dictating which of the two legal dwelling units on my property is appropriate for an STR?

as context

We just recently went through the (expensive) proper County permitting, planning, and building process to build a detached garage with an ADU upstairs at our residence. (In McKinleyville - so County rules)

We did everything with proper permits with the County with the reasonable expectation that we would have the option to short-term rent the resulting ADU, once the County finalized new rules..

I understood that STRs were in legal limbo at the County - and future rules were coming - but I expected the opposite - that legally and properly permitted ADUs would be exactly the sort of location that STRs would be encouraged?

ADUs are dwellings that have gone through all the permitting, planning, and building review to be legal and safe dwelling units? why would they not be appropriate for an STR?

I would greatly appreciate any info you can provide about the rationale behind this particular draft restriction -

thank you
Dan Berman

From: [Ford, John](#)
To: [Hilton, Keenan](#)
Subject: FW: Oppose the short-term rental moratorium
Date: Tuesday, August 29, 2023 8:37:12 AM
Attachments: ~WRD3611.jpg

From: Bushnell, Michelle <mbushnell@co.humboldt.ca.us>
Sent: Monday, June 12, 2023 3:45 PM
To: Ford, John <JFord@co.humboldt.ca.us>
Subject: FW: Oppose the short-term rental moratorium

From: ERROL PREVIDE <eprevide@advocatesmessage.com>
Sent: Monday, June 12, 2023 3:43 PM
To: Bushnell, Michelle <mbushnell@co.humboldt.ca.us>
Subject: Oppose the short-term rental moratorium

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

Hello Supervisor Michelle Bushnell,

My wife is a long-time Humboldt County educator and now administrator and I have owned a business in Arcata for 20 years. We are writing to express our concern over the possibility of placing limits on short term rentals in Humboldt County. We own three long-term rentals in addition to our home which has a couple of extra houses on it. We have been using these houses as Airbnb units since we don't want long-term residents on our personal property. It has been a wonderful experience being able to share our property when we want and still have the ability to host family and friends when they are in town. These short-term rentals have also been a huge help paying our mortgage payments every month. We hope that you will reconsider limiting short-term rentals.

Sincerely,
ERROL PREVIDE

|

From: [Gage Duran](#)
To: [Hilton, Keenan](#)
Cc: [Lazar, Steve](#); [Naomi Roche](#); [amy duran](#)
Subject: Comments on Draft of Proposed STR Regulations
Date: Tuesday, September 05, 2023 9:47:37 AM
Attachments: [Draft Short-term Rental Ordinance inland 9.1.23.pdf](#)

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

Keenan,

Thanks for taking my call a few weeks ago and listening to my concerns on these pending regulations. As discussed, here's a summary of the issues I see as well as some that affect our Former Scotia Hospital project.

1. They should also not retroactively apply to ADU's as some homeowner's may have built their ADU's prior to announcing of the STR regulation efforts while considering use part-time or full-time as an STR to offset the costs and ensure a ROI.
2. The definition should be changed from 30 days or less to 29 or less as to note overlap to where a STR stay would be long enough to have the Rental Protections kick-in.
3. The 10% and nearest 10 dwelling requirements might be better applicable for less dense areas if it said or instead of and or better read as if these 2 conditions both exist, then you can't have another STR. An example you gave is a home in Garberville may be 1000 feet from their next neighbor so there would be minimal impact and it would be unreasonable to also apply the 10 nearest also.
4. The wholesale Private Gatherings prohibition goes against what would be a positive for larger properties and homes where families may use it as their event gathering place while some other family members may stay in hotels. For example, a private home on several acres might be rented to host Thanksgiving Dinner. So perhaps having the prohibition also be governed by the 1,000 feet or home or acreage size might be more appropriate.

As it applies to our project:

1. The STR rental regulations should be focused only to SFR properties.
2. The various "Operator Onsite" exceptions should be removed as a Multi-Room or Multi-Unit that has an on-site operator is called a Hotel/Motel or a Bed and Breakfast which you have other regulations for in the code.
3. The disparity of Unit Types should be considered, for example, a few STR units within an apartment complex or building will have minimal if not unnoticeable increased impact on the adjacent home parcels.
4. The parking requirement should have an exception subject to the same approved density of the apartment complex or structure. In our example. We have approval for 15 spaces for our mutli-tude of use types because the historic requirement density comparison is being applied. So more parking spaces just being required for a STR use but not for a Month-to-month use doesn't make sense.
5. I'm unclear how MU1 or 2 would apply to our C-2 zoned property.

Lastly, I perceive the goals of the ordinance is to reduce STRs further impacting housing availability, reducing neighbor impact while also allowing economically depressed rural homeowner's the legal opportunity to capitalize on their properties; to help them. This shotgun approach though is excessively prohibitive to too many conditions such that it will not

encourage compliance thus suppressing transit tax collection.

Thank you,
Gage Duran AIA
Owner of the former Scotia Hospital
562-852-4664

From: [Gage Duran](#)
To: [Ford, John](#)
Cc: [Hilton, Keenan](#)
Subject: STR Suggested Hardship Path
Date: Thursday, September 07, 2023 7:40:23 AM

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

John,

Thanks for the meeting last night. My suggestion came from some heartache I felt in hearing why some homeowners had turned to STR.

I don't have any specific suggestions on how to establish hardship but know that when I managed rehab incentive programs in Philadelphia for a Community Development Corp., we used Are Median Income and last years' taxes and current pay stubs. I fear though that some of the need is more immediate and acute.

Perhaps a letter from a Dr. stating only, due to HIPPA laws, that they have a (recent) condition or future treatment that will limit or eliminate their ability to work. Perhaps, whatever process the Unemployment Office has might be the easiest to fold in.

I'd also thought, showing that they are in some stage of foreclosure but felt that maybe some folks might miss some payments on purpose to get approved.

Some folks might also have bitten off too much house or payments or gotten fired rather than laid off so the just is that they will somehow need to substantiate their hardship rather than just self-report loss of income.

None of this helps our pending planning approval but I thought I might suggest formalizing an alternate path,,perhaps one that can be administratively modified from time to time by updating the form or approved hardship reasons.

Lastly, if those that paid the TOT get bumped, I bet some or a class of them might sue for reimbursement for loss of income. I don't envy you guys ;)

Gage
562-852-4664

McClenagan, Laura

From: Gage Duran <g@scohos.com>
Sent: Wednesday, September 20, 2023 8:27 AM
To: Hilton, Keenan
Cc: Ford, John; Lazar, Steve
Subject: Re: Comments on Draft of Proposed STR Regulations
Attachments: image001.png; image001.png

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

Hiya Keenan,

I also had made some notes from the last meeting which I didn't share due to time.

1. Nothing prohibits STR owners from renting to folks for greater than 30 days so not all will be not contributing to housing stock all the time.
2. Owner's making new STR therefore does create some new housing stock, at least housing options.
3. The language might be better for owner hosted if the unit is in the same structure (not property) as they reside. For AirBNB, an out-building (not ADU after 2020 or whenever) would be considered a whole place (have a kitchen) so that would put it in-line with that.
4. Allow 2/Bedroom +2 not +1 as a pull-out in the living area could sleep 2. Again, this would be a more likely scenario of how many people the AirBNB listing would say it could sleep.
5. Investments by owners into STR's means the housing stock quality would improve.
6. It seems like HumCo is also trying to depress housing cost and not just availability of units. As another commenter said, someone paying 'extra' for a property that can be STR'd means that it becomes a comp for homeowners hoping to take out HELOC's from their increased home value. In other words, a STR property could affect the surrounding 1/4 mile radius of properties by allowing them to monetize their value without going through the trouble of making their own properties STRs in close proximity to the original STR.

Off the STR record but on our application for you, Steve and John,

For our apartment conversion project, the reality is we reached out to all the apartment managers in the region (six rivers property management etc.), and no one said they'd manage it other than the STR operators. As out-of-towners, who plan on living there 6 months or less a year, STR seems to be our only option to have it be managed other than hiring someone ourselves which is more cost prohibitive. We're under 10 units which the code allows to only have a management office rather than a manned management office. Should we expand to converting the main level also to apartments, we'd then hire on-site managers. At the suggestion of Steve Lazar at the time we applied, we applied for hotel/motel which was the multi-family path available in the code at the time of application. We spent extra money to meet the building code's R-1 fire ratings and fire-protections requirements over the less restrictive R-2 requirements that just apartments would require. We did this to have flexibility to provide rental options as the market ebbs and flows and stabilizes to ensure our significant investment has freedom to utilize options without having to come back to the county every time we need to pivot. Hotel/motel is allowed in the zoning code and would also be subject to the 12% TOT. Also, we've done a bunch of things to not be out of towners carpet baggers like allowing the town and historical to do several more clean out after closing to protect historical records, paying for containers for almost 2 years now to store them on site, and delaying starting construction until the clinic was able to fully take over their new space at the hardware store. For us, being able to bring new affordable units while also saving a historic and dilapidated building is no small feat. However, because we were generous in the rehab timing, we're not running up against a broad reaching short term rental ordinance. Since we applied at the end of last year, we believe we should not be subject to these new

regulations as they proceeded the mid-year moratorium and ask our planning application's approval be expedited to be granted prior to their STR regulations being codified.

Thank you, again, for all your work and receptiveness as I've made input to the pending STR regulations that, at times, would hurt our application but felt that it made the STR regulations fairer and more in-line with how AirBNB etc. list and market units.

Gage & Amy Duran
562-852-4664

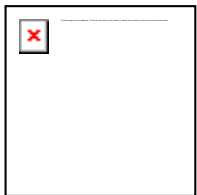
On Tue, Sep 19, 2023 at 5:24 PM Hilton, Keenan <KHilton@co.humboldt.ca.us> wrote:

Hi Gage,

Thanks for your patience. I just wanted to confirm that this message was received and added to the record.

Thanks,

Keenan



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

From: Gage Duran <g@scohos.com>
Sent: Tuesday, September 05, 2023 9:47 AM
To: Hilton, Keenan <KHilton@co.humboldt.ca.us>
Cc: Lazar, Steve <SLazar@co.humboldt.ca.us>; Naomi Roche <n@gdarch.space>; amy duran <amylynduran@gmail.com>
Subject: Comments on Draft of Proposed STR Regulations

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

Keenan,

Thanks for taking my call a few weeks ago and listening to my concerns on these pending regulations. As discussed, here's a summary of the issues I see as well as some that affect our Former Scotia Hospital project.

1. They should also not retroactively apply to ADU's as some homeowner's may have built their ADU's prior to announcing of the STR regulation efforts while considering use part-time or full-time as an STR to offset the costs and ensure a ROI.
2. The definition should be changed from 30 days or less to 29 or less as to note overlap to where a STR stay would be long enough to have the Rental Protections kick-in.
3. The 10% and nearest 10 dwelling requirements might be better applicable for less dense areas if it said or instead of and or better read as if these 2 conditions both exist, then you can't have another STR. An example you gave is a home in Garberville may be 1000 feet from their next neighbor so there would be minimal impact and it would be unreasonable to also apply the 10 nearest also.
4. The wholesale Private Gatherings prohibition goes against what would be a positive for larger properties and homes where families may use it as their event gathering place while some other family members may stay in hotels. For example, a private home on several acres might be rented to host Thanksgiving Dinner. So perhaps having the prohibition also be governed by the 1,000 feet or home or acreage size might be more appropriate.

As it applies to our project:

1. The STR rental regulations should be focused only to SFR properties.
2. The various "Operator Onsite" exceptions should be removed as a Multi-Room or Multi-Unit that has an on-site operator is called a Hotel/Motel or a Bed and Breakfast which you have other regulations for in the code.
3. The disparity of Unit Types should be considered, for example, a few STR units within an apartment complex or building will have minimal if not unnoticeable increased impact on the adjacent home parcels.
4. The parking requirement should have an exception subject to the same approved density of the apartment complex or structure. In our example. We have approval for 15 spaces for our mutli-tude of use types because the historic requirement density comparison is being applied. So more parking spaces just being required for a STR use but not for a Month-to-month use doesn't make sense.
5. I'm unclear how MU1 or 2 would apply to our C-2 zoned property.

Lastly, I perceive the goals of the ordinance is to reduce STRs further impacting housing availability, reducing neighbor impact while also allowing economically depressed rural homeowner's the legal opportunity to capitalize on their properties; to help them. This shotgun approach though is excessively prohibitive to too many conditions such that it will not encourage compliance thus suppressing transit tax collection.

Thank you,

Gage Duran AIA

Owner of the former Scotia Hospital

562-852-4664

From: [Jill Korte](#)
To: [Hilton, Keenan](#)
Subject: Comments on the Short Term Rental Ordinance
Date: Tuesday, September 19, 2023 7:08:50 PM

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

Dear Mr. Hilton,

I've been "loosely" following the County's process of revising the short term rental ordinance, as I haven't been available to attend the public hearings.

I didn't see any formal means of providing written comments on the latest version of the ordinance before it goes to the Public Workshop with the Board of Supervisors in two days time, so I'm writing to you. (I am out of town and also unable to attend the Zoom meeting on 9/21.)

I'm not currently engaged in the short term rental business, but I do have an in-law/guest cottage on my property in unincorporated county that I was considering renting for short periods in late Spring and early Fall to help pay my ever skyrocketing insurance premium.

I find that there are 3 requirements in the current draft that I could not meet:

60.05.10.2.2 . Resource Zone Districts. I don't see a definition for "farm stay," but the implication is that the guests/renters would be staying at the property for the purpose of volunteering labor for the learning experience. I am uncomfortable with this requirement because I would be worried about injury and my insurer's willingness to appropriately compensate an injured guest. I'm already very conservative when arranging for outside workers to come onto my property. I only employ workers who hold a business license and their own insurance.

My parcel is zoned TPZ, but in my mind, it is not a Timber Production Zone, but decidedly a Timber Preservation/Protection Zone. My timber has served as a good screen from the real ravages of logging that have happened beyond it. I would want my guests to experience and love this maturing second growth redwood/fir forest and its wildlife and to foster an ethos of ecological conservation. I don't want guests working my small orchard or pulling invasive plants. Get rid of this "farm stay" requirement. Let the rents pay for hiring local people to work.

60.05.10.3.1. Access. This section of the rule requires a Category 3 road. My road has turnouts to allow passing, but it does not have the 16 ft width required for a Category 3. It has served my property well for 50 years, and I work hard to keep it up, but it would not be wide enough to qualify for a STR permit. Cutting and filling for additional road width would be costly and would disrupt wetland. Is this requirement absolutely necessary?

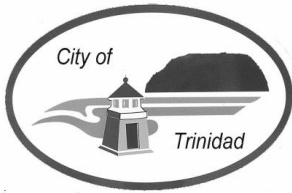
60.05.10.3. B. Solid Waste, Recycling, Compost. Many folks in unincorporated county don't have weekly garbage pickup service and go to the transfer station less frequently than once per week. I make a point of going to the transfer station every two weeks and have a trash bin with an electrified wire around it to keep bears out. You'd probably never be able to enforce this provision, so perhaps rewrite it to be more of a "performance standard?" There are folks

who can't/won't keep bears out of their garbage, even with weekly pickup.

Thank you for the opportunity to comment.

Sincerely,

Jill Korte
Eureka, CA (Freshwater Corners area)



SHORT-TERM RENTAL (STR) GOOD NEIGHBOR CONTRACT

Rental Name: _____

Rental Address: _____

Guest Name(s): _____

Reservation Dates: _____

GENERAL RULES OF CONDUCT - *Please read and initial after each policy listed below.*

You will be staying in a residential neighborhood where residents are asking that you be considerate and respectful. _____

Occupancy Limit: The maximum number of occupants in this home is _____: _____

Visitor Limit: The maximum number of visitors at one time is equal to the maximum occupancy: _____

Visitor Hours: No visitors are allowed between the hours of 11pm and 7:00am: _____

Quiet Hours: Quiet Hours are from 10:00 p.m. to 7:00 a.m.; keep noise inside during this time: _____

Designated Parking: Guests are required to park in designated off-street parking locations prior to parking on the street: _____

Vehicle Traffic: Guest traffic generated shall not unreasonably interfere with quiet use and enjoyment of neighboring residences: _____

Vehicle List and Guest Registry: Managers must keep a list of occupants and vehicles for each reservation. _____

Leash Law: Dogs must be on leash whenever they are off the rental property (streets, beaches & trails).

Septic Systems: Help protect our septic systems (flush only toilet paper & what nature provides)
NO baby wipes, paper towels, condoms, disposable diapers, tampons, medications. _____

Fires and Fireworks: Fires and Fireworks are prohibited on all City beaches. _____

Acknowledgement: *I have read and agree to the general rules of conduct above, and understand that violations may result in fines, loss of security deposit, and/or eviction.*

Signature _____ **Date:** _____

6/27/2023

Dear County Board of Supervisors, Planning Commissioners & Planning & Building Department:

We hope you will consider our thoughts and recommendations outlined below. We come from years of experience as key stakeholders and respected business owners in the community.

Background:

My husband and I own Trinidad Retreats, a local short term rental (STR) management company that has been around for over 25 years. We have had an active business license with the county since we purchased Trinidad Retreats over 12 years ago, registered all of the homes we manage (currently 16) with the county tax collector's office and have paid quarterly transient occupancy taxes (TOT) to the county during this time of over \$300,000. We, along with the homeowner's whose homes we manage have been an active participant as key stakeholders in the process of STR Ordinance development in the city of Trinidad and the city of Arcata where we also do business and currently manage another 12 homes.

History of Short Term Rentals (STRs):

Seven years ago we participated with a group of other STR managers and owners in filing a petition with the county board of supervisors in revising the then STR ordinance that only applied and permitted Shelter Cove to have STR's. At that time the county board of supervisors was a pro-economic development/pro tourism board that unanimously agreed to create a pathway toward permitting STRs in the rest of the county with some type of conditional use permit. That never came to fruition as cannabis was legalized and took the forefront and resources of the county planning office. Despite the county considering STRs "unpermitted activity" they have happily accepted and profited handsomely from TOT's. After all of these years to finally release an STR draft ordinance and announce a public meeting with less than a week's notice in the middle of summer is worth noting. If the county truly welcomes participation on this matter they would have given more notification.

Revenue/Transient Occupancy Tax (TOT):

The county has continued to collect what must amount to at least a million dollars in TOT's **each** year, if not more over the past 7 years since it agreed to create a permitting process, let alone for the past couple decades. We would venture a guess that over the past 2 decades since Trinidad Retreats has been in operation, the county has likely collected upwards of over 10 million dollars in TOTs. Where has that money gone...mostly to the general fund and how will the county manage this fiscal loss should it limit STRs with a cap? Imagine if that money had been spent on building more housing or affordable housing! It has been reported that 18% of the TOT goes to the Visitor's Bureau which divides it out to the local film commission, Humboldt Lodging Alliance and Gateway Communities/Chambers of Commerce. The 2% tourism tax goes primarily to the Ink People, Sheriff's Department and Local Affordable Housing. The remainder which appears to be a significant revenue stream goes into the general fund.

Economics/Industry:

We cannot discuss STRs in Humboldt County without mentioning the cannabis industry. The local cannabis industry has now virtually collapsed leaving behind a big loss in circulating money in Humboldt County and job losses that are immeasurable. A lot of people from that industry are scrambling to figure out how to make ends meet and have pivoted to turning their homes into STRs. The STR draft ordinances for both the inland and coastal areas proposed are reminiscent of an overreaching, complicated, time consuming and resource intensive permitting process similar to what was presented to cannabis growers that will be a massive undertaking by the county and will once again likely drive both business and tourism away. The industries and economic driving forces in Humboldt County like all things have changed overtime. Logging is no longer the main industry nor is fishing and now cannabis. The Redwood forests are still the lifeblood of this county and

draw people from all over the world to visit our towns making tourism one of the counties leading industries. We should be thankful for these trees for all that they do for this community! With travelers comes diversity and a lot of dollars spent not just in STRs but in our restaurants, shops, markets, etc.

Real Issues:

Over the 25 years we have lived in Humboldt County the level of poverty, crime, homelessness, drug addiction and mental health issues seem to have only grown worse. These are the real issues that the county should be investing their time, energy, resources and money towards not STR's. We mean no disrespect to the owners of the motels in the county, we actually feel for them but due to the nature of the aforementioned issues I wouldn't feel safe staying at nearly any of them. Please take a moment and be honest with yourself, when you have friends or family come visit where do you recommend they stay? Would you send them to a motel on Hwy. 101 in Eureka or on Giuntoli in Arcata or do you prefer sending them to a vacation rental in the greater Trinidad or Arcata area? I doubt prospective parents of Cal Poly students will want to send their kid to school here after staying in one of the motels in our downtrodden areas in Eureka or Arcata or even worse, the oppressive gateway to the Redwoods Orick. However, after a stay at an STR in a quiet neighborhood, possibly in one of the coastal zones, in a charming home where they can cook a meal and comfortably gather, they may feel more inclined to not only send their child to college here. Which means they will return over 4 years and spend money in our communities and who knows they may even invest in a home. Guests who stay in the STRs we manage often fall in love with Humboldt and want to buy property so that they can return here to retire. Staying like a local gives a traveler a much more enriching experience and allows them to consider what life might be like if they moved here. A significant number of our travelers come from Redding as they head over Hwy. 299 to beat the heat and cool off on the coast. They love staying in STRs where they can gather as families.

Long Term Rental vs. Short Term Rental Model:

Many of the homeowners whose homes we manage have had very negative experiences with long term rentals and pivoted to the short term rental model not just as a way to earn revenue but as a way to better maintain their property and avoid bad long term tenants which for decades was a common byproduct of the cannabis industry. The law tends to favor tenants and has burned out a lot of landlords. Homeowners with second homes/investment properties also want to be able to come and stay in their home as well as share it with their friends and family which they cannot do with a long term rental. Several of the STRs we manage have owners who live in their primary residence 8 months out of the year and move out for the high tourist season of May - August when a majority of revenue is generated. Many of our homeowners can afford to keep their 2nd home without the income of a vacation rental and if they were unable to obtain an STR permit would simply let their home sit vacant. It is ideal to think that by limiting STRs you automatically create more housing and an even bigger fallacy to think that it would create affordable housing.

Local STR Ordinances:

The cities of Fortuna, Eureka, Ferndale, Trinidad and Arcata all have STR ordinances that make far more sense and whose application process is more clearly stated and far more straightforward. Trinidad probably has the most comprehensive and time consuming of the ordinances but in general it has proven to be effective. In reviewing the county's proposed ordinance it seems as though none of these other local ordinances best practices were adopted. Did the county planning department meet with the city planners in those other cities to hear how they feel their ordinance is working? Did the county ask the city staff in those cities how the application and renewal process is going? Did the county ever consider gathering key stakeholders like existing STR owners/operators and local realtors, community members from the coastal and inland areas to participate in an STR committee to assist with developing their ordinance. Hearing from key stakeholders and reviewing evidenced based, best practices creates a better understanding, creates buy in and ultimately creates a more effective ordinance.

Recommended changes to the STR draft ordinances and administrative procedures

Given our experience being involved in the process of STR ordinance development we see this draft as one of the most time-consuming, cumbersome, labor intensive, complicated, difficult to understand STR ordinances we have ever read. The amount of time, energy, money and staff resources that will be required for the county to implement, monitor and enforce is unrealistic. Below are our suggestions for simplifying the process.

CAP:

Before a cap is determined we would like the county to report how many STR's are currently operating in the inland zone vs. the coastal zone and share what percentage of the housing stock that number represents in each of those zones. This will help determine if there is in fact a significant issue and whether a cap is indeed needed in each of these areas. When recently contacting the county tax collector's office to inquire how many STRs are currently registered with their office the answer was 349 but this number also included motels and bed & breakfasts. This may not account for additional STR's whose owners haven't registered with the county tax collectors office but who are operating on Airbnb and/or VRBO's booking platforms. What is the county considering in terms of a cap? Will there be one cap for the coastal zone and another for the inland area? We believe in creating balance within our communities. Typically if market forces are left alone supply and demand will take care of leveling things out organically. However in many cities with STR ordinances caps have been established either as a flat cap or a percentage of the housing stock. By choosing a percentage method of capping, growth over time will be considered as more housing is developed and the population increases which also increases the need for lodging. A flat cap method will not allow for any growth and should be a discouraged method.

Recommendation: Determine how many STR's are currently doing business in the unincorporated county via the county tax collector's office. If the county feels a cap is needed to maintain a balance of housing, long term and short term rentals then we feel a percentage of the housing stock in the 2 different zones should be the considered method. For example if there are 10,000 homes in the coastal zones then the county may suggest capping at a predetermined % of the housing stock and allow up to that number of STRs. The same or a different percentage may be determined for the inland areas. Give existing STRs that were registered with the county tax collector's office prior to the moratorium and paying quarterly TOTs the opportunity to apply for STR permits before opening it up to all new applicants.

Permits:

The wide array of permits listed in these ordinances is far too complicated and confusing. Why do the homeowners in Shelter Cove get to operate STRs in a far simpler process with an Administrative Permit? What is being proposed with 5 - 7 permit types is far too complicated. Do we need an administrative permit, special permit, use permit, planned development permit or coastal development permit? Do we need concurrent or combined permits? It is enough to make one's head spin! Why not issue what it is an "STR Permit" to all applicants including those in Shelter Cove and Owner occupied and then possibly cap the number of STR permits allowed in those categories or local areas similarly to what the city of Trinidad and the city of Arcata both issue. It seems convoluted. If the properties applying for the STR Permit are in the coastal zone then the STR Ordinance for the Coastal Zone would need to be approved by the California Coastal Commission just like the city of Trinidad did.

Recommendation: Limit the type of permits, and simplify to an "STR Permit".

Business License:

Why limit a business from holding more than 5 permits? Trinidad Retreats currently has a business license with the county and manages 16 STRs. I do not understand the rationale for limiting a business unless it is simply a way for the county to make money on business licenses in which case homeowners will be forced to obtain business licenses for their STR in addition to the business that manages them..

Recommendation: remove the cap on the # of STR permits a business can operate.

Deeds: Owners should not have to provide a current deed to confirm ownership for an STR permit application or a renewal process. Too cumbersome and unnecessary.

Recommendation: Simply have the owner sign on their STR Permit application attesting to being the current homeowner with a checkbox as to whether they have or do not have any deed restrictions which may also release the county of potential liability.

Good Neighbor Guide:

We feel it is in the county's best interest to develop the "Good Neighbor Guide" so that there is consistency and continuity among all STR owners/operators. Owners/operators of all STRs should be required to have their guests sign and agree to this guide. The county has collected enough revenue in TOTs that it should be responsible for creating, printing and mailing this guide to all STR owner/operators and require this be posted in an STR once a permit is issued. Asking owners/operators to provide their own Good Neighbor Guide and determine which neighboring properties are located 300 ft. away as well as figure out how and where to notify those neighbors is impractical, arbitrary and difficult. The county should also be held responsible for providing a copy of this Good Neighbor Guide along with a registry of STR owner/operators located within 300 feet of their property with contact names and telephone numbers. ThisThe city of Trinidad developed an excellent "Good Neighbor Guide" that must be posted in all permitted STRs, signed by the responsible party for a reservation and adhered to by all guests as well as STR owner/operators. The city of Trinidad sends out notification within 7 days of any new STR permit issued to neighbors living within 100 ft. of that STR. This has been a very effective tool and process.

Recommendation:

The county develops a "Good Neighbor Guide" to be used by all permitted STRs (see the city of Trinidad's version attached) as well as an "STR registry with owner/operator contact names and information". The county prints and distributes the "Good Neighbor Guide" to all permit holders as well as neighbors and provides an "STR registry" to all neighbors within 300 ft. of a permitted STR.

Maximum Occupancy:

The maximum occupancy of a home has far too many criteria that make determining this number difficult, namely the wastewater treatment criteria which then would fall in the lap of environmental health.

Recommendation: Adopt the city of Trinidad's method which is to require that all STR permit applicants/holders have a septic inspection and pumping if needed and have this as part of the application and renewal process if needed.

Inspection:

This will be a very time consuming process for the county. The city of Arcata does not perform inspections for their STR permits but the city of Trinidad does. The county could require certain safety criteria be met such as CO detectors, smoke alarms and fire extinguishers be placed in all homes and have the owner/operator certify with a check box that this has been done. Again putting the onus on the owner/operator or it could require short term rentals be inspected upon application for safety criteria such as CO and smoke detectors as well as septic signage where applicable letting guests know what is safe for septic which is also what the city of Trinidad has as part of their STR Ordinance.

Recommendations: Identify what the county will be looking for in terms of safety criteria so that applicants can be prepared to meet those requirements.

Public Hearings:

Why must all special permit and coastal development permit applicants have to go through a public hearing following project review and why does one person the “hearing officer” determine their fate? This seems like a very labor intensive, time consuming, potentially unfair process that could take years. The city of Arcata and city of Trinidad both created relatively straightforward applications that were reviewed in a far simpler fashion that appears more far more efficient and cost effective. This process looks like it could take years.

Recommendations: Use public hearings only for those STR applicants who have operated prior to the urgency moratorium and who the county has received significant complaints. Eliminate public hearings for all other applicants.

Lighting:

For safety reasons being able to leave a porch light on for the safe arrival of guests is important. Requiring that residential homes being used as short term rentals adhere to rules regarding lighting that is not applied to all residences seems unfair and unreasonable especially when it applies to the safety of visitors/guests. If neighbors don't like lights on they can close their own blinds.

Remove this entire section. It is unnecessary.

Events:

Prohibiting all parties, including but not limited to parties, weddings, receptions or other social events is unreasonable. Many visitors come rent an STR to visit with local friends or family or 2 families may rent 2 STRs and want to gather. This is a frequent occurrence especially on holidays and graduation weekends. The city of Trinidad allows the same number of visitors as maximum occupants permitted at an STR for a gathering until 11 pm. Example - if an STR is permitted for a maximum occupancy of 6 overnight guests then it can allow up to 6 visitors to the home.

Recommendation:

Define the # of visitors allowed to an STR and base it on the # of maximum overnight guests allowed. Set a reasonable curfew such as 11 pm to help compliance with noise.

Cost Recovery:

The cost of county staff time dedicated to inspection and resolution should not be incurred by the permittee. It should be borne by whomever violated the ordinance set forth by the county which will likely be the guest but may sometimes be the permittee or the STR manager. Quite often a neighbor complains that there is a loud party and we as managers go to the STR and find a family outside barbecuing listening to music and talking at a reasonable sound level before 10 pm. There are some neighbors who simply hate STRs and will complain about nearly everything including lights on in a house! Given the millions of dollars the county has collected in TOTs for the past several decades it seems that the county could also bear the burden of this cost potentially as well.

Recommendation: Consider removing the cost recovery section all together and perform a study over the first 2 years of permitting to see how many confirmed violations and staff time gets used. Charge the person who actually violated the ordinance which may be the permittee, an STR manager or a guest.

Respectfully,

Jonna and Reid Kitchen
Owners - Trinidad Retreats

From: [Trinidad Retreats~Vacation Rentals on the Redwood Coast](#)
To: [Hilton, Keenan](#)
Subject: STR Survey Idea
Date: Thursday, June 29, 2023 10:44:16 AM

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

Hello Keenan,

Thank you again for running what felt like a very productive professional public meeting. I am sure you and director Ford have a lot on your plate to consider given all of the feedback. It left me thinking that the county truly doesn't know what is really out there in terms of STRs which is very important data. Michelle at the county tax collector's office will attest to the fact that when she receives the payment for TOT from Airbnb quarterly it is a lump sum check that does not itemize which properties the tax payment represents. The fact that the county tax collector cannot figure out how many STRs exist is a problem that does need to get solved. In the meanwhile, I suggest the county put together an anonymous digital survey via Google or Survey Monkey where you can get STR owner/operators to come out of the shadows without fear of being shutdown to find out where these STRs are located and the variety of types that currently exist. Here are the questions I think would be most helpful in a survey:

1. - Which zipcode is your STR located in? Have a checkbox with all of the county zip codes so that you can then see which areas the STRs are concentrated in. This is crucial information.
2. Is the STR operated full time (year round) or part time (seasonal)? Give checkboxes.
3. If checked part time, how is the STR used during the rest of the year? check boxes - Owner occupied, month to month rental or other?
4. Does the owner live onsite? Yes or No
5. If so, does the owner rent out bedrooms in the home? Yes or No
6. If so, how many? checkboxes for 1 - 2 - 3 or 4 or more?
7. Does the owner live onsite but operate an STR in a MIL or ADU? Yes or No
8. If yes, was the ADU or MIL built after Jan. 1 2020? Yes or No
9. What zones apply to the STR being operated? List all the applicable zones with check boxes - SR, UR, Coastal, etc. Again, this is crucial information.
10. What is the average gross income generated by this STR annually? checkboxes <\$25,000, \$25K - \$50K, 50K - 75K, 75 K - 100K or >100. This will help the county see the potential income lost to local homeowners and the potential impact on the economy. It will also help them estimate the TOT impact.

I hope you find this suggestion helpful. I always like to be part of the solution and not part of the problem. Please feel free to contact me if you want to chat further.

Sincerely,

Jonna Kitchen, General Manager
Trinidad Retreats
707.599.6249

From: [Mallory Dollarhide](#)
To: [Hilton, Keenan](#)
Subject: Concerned about the future of airbnb
Date: Monday, July 10, 2023 8:57:33 AM

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Hello, My name is Mallory. I am an owner of a parcel in the southern Humboldt area. I am concerned about the future of short term rentals in regards to our AirBnB's. I would like to give you a brief summary of what my parcel looks like. On one acre of land sits 12 units side by side. Half of the cottages are long term rentals, all 2+ bedrooms and 2 bathrooms, the other 5 are short term rentals with 1 bedroom and 1 bath. With one unit being my personal dwelling. I live in on premises. With the changing local economy, 3 years ago I decided to turn my small unit into Airbnb because there was a need for short term rentals in our area. The property sits right on the Avenue of the giants, the perfect gateway to start an amazing tour of the redwoods & the lost coast. Gradually as long term tenants moved & we had difficulty finding replacements, we turned a few more units into AirBnB's. I put so much energy and effort into these Airbnb's it would be heartbreaking to see the county sweep it away with the new regulations. I do hope that you consider either grandfathering us in, or look at different regulations for us in the southern Humboldt area. Especially since there is a serious lack of quality places to stay while visiting this area. We are having a housing crisis in southern humboldt, filling a rental long term has become difficult since people are moving out of the area due to the job shortage down here. For example, I had a family of 5 move to southern humboldt from the Los Angeles area to be near family. They rented one of my long term rentals, signed a 6 month lease and planned on staying long term. However, after 4 months of being here, registering their children in schools & beginning to establish their lives, they picked up and moved back to Los Angeles and broke their lease with me because they couldn't find jobs and had run out of saving. After they moved out, my cottage sat empty for 3 months without being rented, therefore providing zero income for my family. That is what is going on in southern humboldt for housing. If it wasn't for our short term rentals, I would be struggling to make ends meet. My property taxes and property insurance, alone, are \$25,000 a year (roughly). Short term rentals give us the freedom to make an income and give back to our community by bringing in revenue by tourists & keeping the money in our community. Our economy has crashed since marijuana legalization and strict permitting process. Tourism is a way to grow our economy again. I love where I live and taking care of my business, but if you make these new regulations this strict, I am not sure what my next step will be and it is will devastating to myself and my family. Please reconsider all options and make them fair for all the different & diverse parts of Humboldt county.

Thank you Mallory
(707)672-6516

From: [Mark Sommer](#)
To: [Ford, John](#); [Hilton, Keenan](#)
Subject: Humboldt County draft ordinance re vacation rentals in unincorporated areas
Date: Monday, September 18, 2023 11:19:23 AM

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

Dear John and Keenan,

Re: Transient Occupancy Registration Certificate (TOT) #012154

I am writing in reference to the draft county ordinance concerning vacation rentals in unincorporated areas. I am a 45-year resident of Humboldt county, having moved to the southern part of the county in 1977, when my wife and I built a self-reliant homestead in the hills west of Miranda. In 1995 we moved north to Trinidad and built a home at 230 Loop Place in Westhaven off Sixth Avenue. This remains my primary residence and was my full-time home for our first 18 years in Northern Humboldt. When I retired in 2012, Social Security became my sole income and covered only a third of my expenses. To make ends meet I began renting my home to guests for between 80-110 days a year. This revenue has enabled me to continue living in my home. Without it I would be hard-pressed to meet my expenses. At age 78 I have no realistic alternative source of income.

I support the planning department's initiative to establish regulations governing the vacation rental market in those parts of the county not covered by existing ordinances in incorporated zones. I also support the county's efforts to make more housing available to those who wish to rent or buy here. There is an acute shortage of affordable housing here as across the country. I have expended considerable time and energy developing proposals to provide alternative means for Humboldt county to make better use of vacancies within existing houses for long-term rentals and work-for-lodging exchanges.

I would ask only that those of us who have rented out our homes part-time for years as our sole means of continuing to live here be granted permission to continue as before. If in order to meet my expenses I need to sell the home that my wife and I built ourselves and that I still maintain as my primary residence, its location and ocean view would make it too expensive for most longtime locals to buy. It would most likely be purchased instead by a wealthy individual with no roots in the area, who might then keep it primarily as a financial investment and contribute little or nothing to the community. By contrast, offering my home as a short-term rental for the past decade has enabled many hundreds of families from around the world the opportunity to spend time in this unique coastal environment at an affordable cost. Like others who have offered short-term rentals of their homes, I have faithfully paid my TOT for the entire time I have rented my home. TOT has provided the county with much-needed income. I have received only highly positive comments from guests. I haven't received a single complaint from neighbors in

the eleven years I've been offering my home for rentals. Since I leave all my furnishings in place, including artifacts from travels around the world, guests often comment on how much they enjoy spending time in a home and garden being lovingly maintained and still occupied by its owner.

I would therefore offer the following suggestions to the county planning department and commission as you consider revisions to the draft STR ordinance:

- Consider making a distinction between those of us whose homes are their primary residence and those who do not live in their rental properties and whose primary residence is elsewhere. For those in the vacation rental market for whom it is primarily a financial investment, the situation is rather different, though still valid in offering additional lodging. For those of us who wouldn't offer our home as a part-time rental if we could meet our expenses without doing so, disqualifying us would force us to sell or rent out our home full-time. As I age I look to the home I have built and maintained for nearly 30 years not as a financial investment but as my final resting place and my legacy to my daughter and descendants. I will eventually need help with certain maintenance tasks and at that time will make modifications to enable a caregiver to live in my home, thus providing long-term lodging for them.
- For those of us who are retired with limited income, perhaps a category of elderly STR homeowners could be established that enables them to continue living in their primary residence while renting their them part-time to help meet expenses.
- My home is located in the coastal zone and is thus governed by Coastal Commission regulations. There is a shortage of guest lodgings in the Trinidad/Westhaven neighborhood. Without STR's, Westhaven would have none. In a 2021 case in Santa Barbara county, a superior court judge ruled that the county's highly restrictive regulations on STR's were superseded by the Coastal Commission's explicit priority to make more lodgings in the coastal zone available for guest rentals. I believe the same priority exists for STR's in Humboldt county's coastal zone. For more on this case, see <https://calcoastnews.com/2021/05/santa-barbaras-vacation-rental-ban-deemed-illegal/>
- The current draft's restriction of STR's in any given neighborhood to 10% or one in every ten homes may work for some inland neighborhoods but those in the coastal zone are necessarily more concentrated because their exceptional scenic qualities generate higher levels of rental interest. I note that the Shelter Cove subdivision has been granted an exception. Perhaps the Westhaven/Trinidad CAP could also be granted an exception. The Coastal Commission's ruling on coastal zone STR's allowing for higher concentrations in coastal zone neighborhoods applies here and the county's STR ordinance needs to reflect that realization.
- Incorporated municipalities in the county have allowed existing STR's to

continue as before as long as they conform with all requirements stipulated in their ordinances. They have also allowed attrition to reduce the total number of STR's within their jurisdictions rather than pre-emptively eliminating them. These ordinances might serve as models for the county's proposed ordinance.

- Simplify the permitting process and paperwork, consolidating permits into a manageable package that makes it easier for both STR homeowners and planning department staff to track and complete required documents.

In conclusion, I would like to express my appreciation for the planning department's thoughtful consideration of this complicated issue and its solicitation of public input to help inform the drafting of its ordinance. The 9/15/23 draft appears to be a significant improvement on previous versions in that it enables existing STR homeowners to apply for and receive permits to continue operation as before as long as they conform to all county regulations. I look forward to seeing further revisions of the draft ordinance as citizens and homeowners offer additional suggestions for improvement.

Respectfully yours,

Mark Sommer
707-498-6512

McClenagan, Laura

From: Mary Freiberg <mfreiberg@seadance.net>
Sent: Wednesday, June 28, 2023 8:06 PM
To: Hilton, Keenan
Subject: Questions & Comments on STR Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

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

Hello,

I am a homeowner in Shelter Cove. This is our second home that we rent out when not staying at the house. I understand we will fall under the coastal version as Shelter Cove homeowner.

Regarding the 6/28 Zoom call, the following are my questions and comments:

- Inspections 61.05.8.2.1
 - Being our home is in Shelter Cove, it's difficult to get county personnel down into the Cove, what considerations will the inspectors have with scheduling around rentals that are not owner occupied? Scheduling around guests can be challenging for our property as we are fortunate to be rented at least 50-60% of the year.
 - What considerations will the inspection process offer if there is a violation? Will we be shut down immediately, will there be a path to remedy without impacting the scheduled rentals? We maintain our home and I'm not worried, but there could be some minor infraction that I'm not thinking of that could cause a violation.
- Under the various Events Prohibited sections - the word Parties is vague. We have families and friends rent to celebrate a birthday. It's hard to say what celebration they may be having, but this could fall under the 'Party' tag. We have language in our rental agreement about no parties allowed and we also specify the occupancy of the home on the rental agreement shall never be exceeded at any time for any reason.
- Outdoor noise - our home is ocean front. While we have not had any noise complaints, if there was and we were forced to install noise monitors, the outdoor area would be challenging as the sound of the ocean can become quite loud periodically.
- As an oceanfront property owner in Shelter Cove, does this mean I will have three different permitting processes to go through?
- I inherited our home from my father. My father rented the home and I continued after his passing. Overall our business license (I think that is what we have) has been in play for at least 8-10 years. Will we be grandfathered into the cap?
- Is there any additional information based on the Shelter Cove Planning Area that differs from this proposed ordinance?
- Regarding the 30 minute response time under the Good Neighbor Guide, this is a challenging timeframe for our property manager to respond to for a few reasons. First, she and her husband may be in Eureka shopping, or overnight and they don't hear the phone (they are off grid and their power is not exactly reliable).
 - Furthermore, under 61.05.8.2.1 (3) listing power outages as a need to remedy for a complaint, that's a challenging complaint to remedy when the power into Shelter Cove goes out frequently. We are

fortunate to have the Cove generators but we cannot remedy it. We do include in our rental agreement, the power may go out.

- 61.05.10 Permit Term and Permit Renewal: Please consider a path to auto renewal every two years. Perhaps a zero complaint and compliance consideration.
- 61.05.5 Non-Transferable: Please consider a temporary transfer of permits. If I want to sell my home and market it as a rental, I would need to cease rentals before selling which then reduces the marketability of the property. I propose a temporary permit issued to the new owner so that existing reservations may be honored by the prospective new owner. And should the permit process become backlogged and cannot be finalized before the temp permit expires, an automatic extension is applied.
- Regarding any permitting and related process fees, please consider a cap on the total fees assessed against the property owner. Being in the coastal zone and in Shelter Cove could mean three different related fees which could potentially become significant.
- Finally, with this ordinance, will this have any redirection of the TOT funds collected back into the Shelter Cove community? Our roads are crap, the RID has an infrastructure problem and there are community needs that could be helped by directing funds back into this community.

Thank you all for working on this very hot topic.

Mary Freiberg
Seadance on the Lost Coast
mfreiberg@seadance.net
<https://Seadance.net>
775-690-3635

August 9, 2023

Comments on proposed Short-term Rental Ordinance, Garberville meeting

Melvin and Holly Kreb
31117 State Highway 254
Scotia, CA 95565
707-722-4330

Thank you Planning Director Ford, planning staff, Supervisor Bushnell and any other county officials who traveled here today for this meeting.

My name is Melvin Kreb. My wife, Holly, and I have lived in the community of Pepperwood on the Avenue of the Giants since 1982. We opened our farm stand, Flood Plain Produce in 1983 and are in our fortieth year of business. In 1991 our immediately adjacent neighbor wanted to return to city life in Eureka and sold his property to us. We wanted the agricultural land on it to increase our produce sales.

We pondered what to do with the house on the property. We hired licensed contractors to give us written verification that the wiring and plumbing were safe and took that information to the Planning Department and were told that the house could not be permitted in a flood plain unless we unbolted it from the cement slab and raised it twelve feet in the air. Since the flood plain makes us not a good fit for long term rental we did not pursue the county process. Our reasoning is that as a short-term rental only our property can be damaged, not our guests, because if we knew a flood was coming we would refund our guests' money and they could leave with the small amount of personal property they came with. We have never had any guest leave for weather problems. We do not rent the house when we are not present.

We have stacks of guest book comments thanking us for providing a quiet vacation getaway. Many of these are families with children who return every year until their children grow up and leave home. Guests are allowed to pick any vegetables that they can eat while they stay with us. We have installed an aggregated solar system providing all power for our principal residence, wells, and short-term rental and putting excess electricity back into the grid.

We have been in business a long time and to the best of our ability done everything we can to meet the County's requirements. We have been faithfully paying our transient occupancy tax twenty one years, contributing thousands of dollars to the County's general fund. A review of a County Revenue and Tax print out of our tax payments from October 2011 to present shows approximately \$25,000 going to the county. For some reason 2022 is not showing so the amount is even more.

I am here tonight because I am concerned that your good intentions in crafting this ordinance may put us out of business if you require us to meet every detail of county code. We have never followed business practices that harmed any of our guests. We sincerely hope you will not harm us by providing enough flexibility in this ordinance's language for non urban parts of the county. Thank you for your time.

CLEVELAND INVESTMENT COMPANY, INC
28046 Del Rio Road Suite C
Temecula, CA 92590

neilmcleve@gmail.com
951-232-3077

ELECTRONIC MAIL ONLY

June 28, 2023

Associate Planner, Keenan Hilton
County of Humboldt, Planning & Building Department
825 5th Street
Eureka, CA 95501

**RE: Temporary Moratorium on Short-term rentals
Draft of various Short-term Rental Ordinances
Public Meeting – June 28, 2023**

Dear Keenan:

Yesterday, I discovered the announcement of a meeting sponsored by the Humboldt County Planning and Building Department pertaining to short-term rentals. I appreciate the notification being posted, however it comes as a bit of a shock hearing about the Temporary Moratorium and seeing a Draft of the Coastal Short Term Rental Ordinance. Such a draft seems to be premature without extensive public workshops and input, especially when it appears that certain property rights are being restricted and in some cases revoked. What I do not see is a fair and equitable balance of provisions between those who support such usages and those who do not. Such an ordinance must include a balance of input from Staff, the public, and the stakeholders who have made investments in the County.

This is a huge leap by the County, especially considering the enormity of such a move that can greatly impact property ownership and the rights that come with it. I do support the idea of making sure property owners and operators are not disturbing neighborhoods and that TOT taxes are being paid.

In December of 2022, I entered into a contract to purchase a property that consisted of a main house and a short-term rental. The short-term rental was approved and such usage was posted on the Premises described as a "Certificate of Authority To Collect Transient Occupancy Tax," issued in November of 2019. We have been in contract to purchase the property since December of 2022 and began co-hosting the short term rental with the property owners in March of 2023.

This transition process has been in place since 2022 and so were discussions with the County. We were not in a position to finalize a change of ownership as a new applicant, as we did not become owners of record until June 14, 2023.

My son spoke with a Staff member in the County Treasures office about a transfer of the license for the Airbnb in Trinidad (the subject property while has a Trinidad address is not in the City of Trinidad). I understood that once I obtained title to the property, I would simply be required to complete an application for a change of owner. Now there appears to be the formation of a new ordinance that is daunting, however not yet adopted. That said, any delay with obtaining the authority to collect transient occupancy tax and the inability to obtain a Business license appear to be over-reaching. Any delay in my approval in an effort to pass a new ordinance, seems imprudent and punitive. I have been operating the Airbnb since March as a co-host and have bookings through the summer. This Airbnb has been in operation since 2019 and has a good track record with zero complaints from neighbors and /or any other jurisdictional agencies. There must be provisions for short-term owners/operators who respect neighborhoods.

I purchased the property to help my son and his family with a home in this competitive market. He and his wife are long time residents of the area, and plan to move into the main house and keep the Airbnb running to offset the cost of living. It was never our intention to speculate on the short term rental market. We believe that a transfer of such rights should be honored that grants the short-term rental usage and should a business license be required, we will comply. I did not see any other provisions in the draft that considers these types circumstances, nor did I see any fair assessment criteria that takes into consideration the operational history of a property and other performance factors that are deemed fair and equitable instead of just an arbitrary process.

Hopefully you can recognize and appreciate that this is not a new short term rental that removes housing from the area but instead is a continuance of a family property which provides accommodations to visitors. Moreover, the short term rental is operated out of a county permitted ADU that has paid its TOT since Oct 2019 that should be respected.

Please forward this letter to the Planning Director. Thank you for your time and consideration,



Neil M. Cleveland
Cleveland Investment Co. Inc.
neilmcleve@gmail.com
951-232-3077

CLEVELAND INVESTMENT COMPANY, INC
P.O. Box 1123
Trinidad, CA 95570
North CA Office

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ELECTRONIC MAIL ONLY

August 9, 2023

Associate Planner, Keenan Hilton
County of Humboldt, Planning & Building Department
825 5th Street
Eureka, CA 95501

RE: 2nd Letter from Cleveland Investment Co. Inc.
“Proposed Additions” pertaining to revised Draft Coastal Short-term Ordinance Coastal
8.2.23

Dear Keenan:

Thank you for providing me with the updated “Proposed Additions” pertaining to the Draft Coastal Short-term Rental Ordinance. Also sent was notice of the future Workshop on August 16, 2023.

I own a property (111 Alder Lane) in Trinidad where a STR is in place and has been in operation since 2019. I also hold a Transient Occupancy Registration Certificate for Strawberry Rock Hideaway—Trinidad (Certificate No. 014155). In addition, I have paid the County TOT Transient Occupancy Tax that was due. The STR remains in full operation and with that I consider the subject property as an Existing Operation.

I have reviewed the Draft Coastal Short-term Rental Ordinance Coastal 8.2.23 “Proposed Additions.” It is my understanding that Staff is encouraging comments from the public.

Below, I have set forth comments pertaining to the various Proposed Additions as follows:

61.05.1 Purpose. Please consider additional language that recognizes the need for STR’s in Humboldt County and that such diversification provides economic benefit to the County while encouraging property owners to provide diverse housing options related to tourism and visitors. In light of the first hearing, the public expressed a strong sentiment of the following: (i) Those who either owned or operated an STR want to retain the STR component as a viable rental pool and (ii) The STR component is an asset to the County as it provides an assortment choices and options for housing related to tourism and those visitors who want choices. Strong support from property owners and operators of STR’s was evident. Every speaker expressed the need for STR’s as a viable business platform and would serve to benefit the County economics.

61.05.5 Short-term Rental Cap. Please provide more information as to how a 2% cap was determined. Was the diversification of tourism considered? Has there been any stress testing as to what percentage of the STR property owners who will be negatively impacted with this 2% restriction? Is the existing pool of STR properties less than 2%? Is there any data that available that will quantify and measure this impact?

61.05.5.1 Exemption. This exemption supports owner/operator occupied properties and does not consider tourists and visitors who want to occupy an STR that does not include an onsite operator. Most families and visitors want their privacy. Renters seeking a 2 bedroom home prefer occupying the entire house and do not desire a STR where the operator resides. This provision by its very nature burdens a property by requiring an operator to be onsite. Again there is a large segment of population who desire to occupy the entire residence. There should be some room here to accommodate property owners and not simply make such a condition that restricts the property usage allowing only one (1) STR. The provision should be expanded to permit 2 STR's on one (1) parcel.

61.05.7. Non-Transferable. Please elaborate as to how an operator and/or property owner transfers a Permit. Clearly, this will come up and deserves consideration. Inter-family transfers should be transferable. A fair and meaningful transfer provision should be included in these proposed ordinances.

61.05.9-4 Good Neighbor Guide. By way of checks and balances, there must be included in such a provision, guidelines and remedies to address unfounded and/or arbitrary claims from neighbors. In addition under paragraph c), What does this paragraph include as it appears to be an all-encompassing statement related to performance standards and COA's? Is there a schedule of performance standards? Please elaborate on the types of conditions of approval will operators be subject to other than what is set forth in this Draft of Ordinances?

61.05.9-6 Per Parcel Limit. This type of encumbrance may be applicable where increased housing densities exist, however some very desirable STR properties are sought after by visitors and tourism where STR's are separated by geological features and / or trees and / or natural riparian features. There should be a provision that takes into consideration these types of properties and as result such properties should be permitted to have two (2) STR per parcel.

61.05.9-7 a) & b). Neighborhood Concentration. a) 10% Rule: The calculations do not consider acreage; they seem to apply to higher density neighbors. Example: A road servicing 4 parcels consisting of approximately 12 acres is very different when using the 10% rule. Such a calculation is extremely restrictive when applying across the board on properties that consist of more than an acre. c) Crow flies Rule re nearest ten dwellings: This again is very restrictive, especially when considering acreage.

61.05.11 Permit Term. Two Years should be required only if there has been material violation in the past. Three (3) years is appropriate. 1). Such Statement of Operations "form" as provided by the Planning & Building Department should be disclosed now and made a part of this hearing process. Will the form be subject to the County issuing additional conditions of approval?

Keenan, please consider these comments with Staff and the Planning Director. I look forward to hearing back from you regarding my comments.

Respectfully,



Neil M. Cleveland

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ELECTRONIC MAIL ONLY

September 2, 2023

Associate Planner, Keenan Hilton
County of Humboldt, Planning & Building Department
825 5th Street
Eureka, CA 95501

**RE: 3rd Letter from Cleveland Investment Co. Inc.
“Proposed Additions” pertaining to revised Draft Short-term Inland 9.1.23**

Dear Keenan:

Thank you for sending the latest draft on 9-1-2023 pertaining to the Short-term Rental Ordinance-Inland. In addition, I appreciate you taking a time a couple of weeks ago to discuss my 2nd Letter from Cleveland Investment Co. Inc. pertaining to proposed ordinance. I thought our conversation was productive and informative.

Please consider my additional comments set forth below with Staff and the Planning Director as I believe my recommendations help to balance the ordinance and provide a broader scope of inclusiveness to the existing owners and operators of STR's as well as future STR's owner / operators.

ADDITIONAL PROVISIONS TO THE PROPOSED ORDINANCE:

Grandfathered Permit: I believe it is reasonable to include in the proposed Ordinance a “*Grandfathered Permit*” as a provision that allows for those Existing STR Operations to be deemed Permitted upon adoption of the ordinance. Below are a few reasonable and fair conditions regarding a Grandfathered Permit as follows:

- 1). The Existing STR was in existence prior to the Moratorium;
- 2). The Existing STR has an assigned Transient Occupancy Registration Certificate Number;
- 3). Transient Occupancy Tax (TOT) related to the Existing STR, that was due no later than July 31, 2023 has been paid;
- 4). There are no outstanding code violations and/or neighborhood complaints related to the Existing STR;
- 5). Any STR Operator and / or Owner that has been collecting rental fees prior to

the Moratorium shall be acceptable;

- 6). Such Properties that were transferred prior to the Moratorium will receive the benefit of this Grandfathered Permit Provision as well as those Properties, prior to the Moratorium, that were either subject to a lease agreement and / or in contract to sell and / or in escrow to sell and closed Escrow either before or after June 6, 2023 (date of Implementation of the Moratorium) shall be subject to the Grandfathered Permit Provision;
- 7). Those applicants that fall into the Grandfathered Permit Provision shall be required to complete a specific Grandfathered Permit application, obtain a business license and pay both the Permit Fees and Business license fee.

This proposed Grandfathered Permit Provision provides an equitable and fair approach to those owners and / or operators that were in operation prior to the Moratorium and it also takes into account property owners who were in an ownership transition (under contract prior to the Moratorium and prior to the adoption of the Ordinance). This provision should eliminate a “horserace” or rush of applicants.

Has the Existing Operations provision been abandoned?

I have prepared below additional comments as a result of our conversation and to the most recent draft of the Draft Short-term Rental Ordinance sent out 9-1-2023.

REVISED COMMENTS RE: THE PROPOSED ADDITONS:

61.05.1 Purpose. As demonstrated in the 1st Web Meeting, the constituents who operated and / or owned STR’s, overwhelmingly expressed concern for their existing STR operations in light of the proposed ordinance. The **majority of people** speaking expressed clearly that the STR is an asset to the County and provides an assortment and options for housing for tourism and those visitors who want choices, especially from those local owners and operators.

61.05.4 Application. “B”. Affidavit. How is this Application Process managed? To Avoid a “horse race” between the applicants to get applications completed / submitted (i.e. sufficient time to deliver such Good Neighbor Guides and allowing for discussions with neighbors) is an important step in the process). There must be sufficient time for all applicants. This process should not be on a first-come, first-served basis, especially in light of the “Short-term rental Cap” that has been proposed. Is there equity here for existing STR operators and owners?

60.05.7.1.1 Health and Safety Standards. “C”. Access. It would be helpful to include an actual definition of the Category 4 Standard Access Road embedded in the proposed ordinance.

60.05.8.2.2. Short-term Rental Cap. This ordinance appears to be very restrictive, especially in that “housing stock” has not been clearly defined in these specific CPA districts. The optics of this provision requires further disclosure and consideration. The Inland CPA for Trinidad and Westhaven have restrictive boundaries by way of Hwy 101 and large blocks of land to the east and clearly limits the housing that can be established in the future. Having said that, I have concern that the 2% Rental Cap will be extremely limiting; based upon the total housing of these two areas. Is it possible that the 2% will not even accommodate the existing STR’s? How much room and/or capacity will remain for those other property owners who wish to seek an STR? With these two constrained CPA’s, there needs to be a full disclosure as to how 2% will impact these two areas? I believe it is reasonable to “stress test” the capacity and see what the actual numbers look like before adopting a Short-term cap of 2%. I suggest that it would helpful to know the capacity of the actual housing stock for Trinidad (Inland) and for Westhaven, and determine the acreage of the housing stock. Once that is established in relationship to the actual

number of STR's, it will help to bring more clarity with the metrics of the area as it relates to the proposed ordinance on many levels.

60.05.8.2.2 Non-Transferable. The “Non-transferable” is over-reaching and must provide for transfers at least between family members.

60.05.8.3.1 Health and Safety. “C” i. Access. It would be helpful to include the definition of the Category 4 Road Standard made a part of the ordinance.

60.05.8.3.2. “C” Per Parcel Limit. This should be reconsidered, especially in areas where the parcel sizes are greater than one (1) acre and where topographic features create natural barriers. I suggest that this be reconsidered with additional form and substance.

60.05.8.3.2 Neighborhood Quality and Public Nuisance. “D” Neighborhood Concentration. Sub-paragraph, ii. a: Parcels consisting of over one (1) acre per dwelling unit where the proposed ordinance is stating that “Short-term rentals shall not exceed 20% of the dwellings on the access road” requires much more discussion. What is this really saying? For example: Presently my property is on an Access Road that serves four (4) parcels that consist of a total of 15 +/- acres. There is a home on each parcel and my parcel has a STR above the garage. In this example, if one calculates using the proposed factor of 20 % of 4 dwellings, that equals point eight (.8) STR's (which isn't even a full STR)? I suspect Staff would consider this one (1) STR, instead of point eight (.8), however, this would result in only one (1) STR being permitted on the collective 15 +/- acres. This is very restrictive. This particular ordinance requires further analysis and the number of STR's should be greater, especially when average acreage of the parcels in this case is 4 acres (much larger than a one (1) acre lot). I suggest further discussion and broader language that brings clarity and would result in more reasonable number than 1 STR for the 15 acres.

Keenan, please review this 3rd Letter with Staff and the Planning Director. I look forward to hearing back from you regarding my comments.

Is it possible to discuss with you my concerns prior to the hearing?

Respectfully,

Neil M. Cleveland

951-232-3077

neilmcleve@gmail.com

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ELECTRONIC MAIL ONLY

September 15, 2023

Associate Planner, Keenan Hilton
County of Humboldt, Planning & Building Department
825 5th Street
Eureka, CA 95501

RE: 4th Letter from Cleveland Investment Co. Inc.

**-Further Comments pertaining to the “Proposed Additions” found in the revised
Draft Coastal Short-term Ordinance Coastal 8.2.23** -

-Post comments re: most recent Webinar Meeting with the County on 9-6-2023

Dear Keenan:

Again, thank you for the open forum and welcoming the public’s comments at the last Webinar forum meeting on September 6, 2023 regarding the proposed new ordinance for the STR.

There appears to be progress made in some areas of the ordinance, however the most recent meeting discussion also evoked and shed further light on new information and concerns pertaining to a few very critical aspects of these proposed ordinances. Please consider the following suggestions.

1. **Applications:** The application process appears designed to create a situation and an unfair outcome that could result in a “horserace” between applicants as to who gets their application in first and who doesn’t. The way this could be solved is to have an “Application Period” say at least thirty (30) days whereby applicants submit their applications, pay fees and then upon the end of the 30 day period those applications are reviewed collectively.

2. **Cap on 2% STR Permits:** We learned in the forum that there is only room for approximately 350 +/- STR Permits based upon this proposed 2% rule and with the current number of existing STRs that collectively the number could be 800 +/- . It doesn’t appear that these numbers have been substantiated and I think the public wants to know so they can understand the impact of these numbers, especially those owners and operators who have an existing STR. If the numbers are correct, then the 2% Cap rule is a game changer and serves to deny the public a sense of fairness and reasonableness and will merely result in an automatic solution to immediately thin down the number of applicants without a fair and equitable process;

3. **Transfers:** Taking the stance that all transfers shall be denied defeats one of your goals of creating more housing stock and also dismisses a reasonable and fair treatment to families. Staff is

sensitive about making sure “Permits” do not become a “commodity” and drive up the value of Permits and I understand this, however sweeping ordinances can do harm and eliminate a sense of reasonable and fairness here. This provision should include for transfers especially where families want to pass on the STR to an immediate family member and / or where families are helping their children enter home ownership a goal that is apparently desired by the Supervisors. Property ownership that has an STR will serve to stabilize by adding additional income to help pay for the cost of housing. I am not advocating that family includes extended family, I am focused on parent(s) who own the subject property either by way of their name / trust / LLC / Corporation / partnership and they deed the subject property to one of their children (and of course including the spouse of the child).

4. **Category 4 Standard Road Requirement:** There are many areas of the County where this road requirement does not exist and especially in rural conditions; this is very common. This Condition of Approval will again merely serve to thin down the number of applicants and doesn't take into consideration where existing housing has operated very safely for years without a Category 4 Road Condition. Using this as a Condition of Approval is unfair and doesn't take into consideration particular differences found in any situation. Taking into account where the proximity to a County Road and proximately on the private road to the homeowners driveway connects to the road easement should be considered as well as trip counts and history.

5. **Neighborhood Concentrations:** This is a slippery slope if only one uses the mathematical approach when calculating a cap of housing units and STRs in a given area and relying on distances seem to distort the practical approaches as well. Attempting to push a form over substance approach appears to take away the anomalies and / or particular circumstances found in any situation.

6. **Special Permit Required:** I can appreciate having this provision and should something not fit into the Administrative Permit process, then it was discussed that the applicant would then fall into the Special Permit Requirement where discretion by Staff would be implemented. The issue here is what will be the guidelines, policies and practices to determine the degree of discretion using fairness and a reasonable approach? Based upon what I see in the basic proposed ordinances there could be many applicants and properties that will simply not be subject to Administrative review (in other words such properties will simply fail) and applicants will find themselves now in a Special Permit Requirement category where special conditions of approval may be used to give the applicant a choice to cure (example tearing up the environment to build a bigger road), yet could be costly and impractical and subject to simply enforcing the ordinances required in a Administrative Permit.

Each of these proposed ordinances requires more consideration to help protect the public as they have clearly stated that such ordinances need to be practical and fair and they have expressed their concerns. Staff has done a good job with conducting the forums and with that there simply needs additional refinement and fairness to ordinances that has been expressed by the public.

I am not saying the ordinances should be abandoned; however they should not serve as a “cleansing tool” to decrease the applicant base to those owners and operators that have been in place for years. It would be unfortunate to see the quantity and quality of available stock of housing is reduced by an unexpected event, nor anticipated by closing down STRs (a viable cottage industry) that will cause a ripple effect to the businesses (not dismissing tourism in highly desired areas in Humboldt County).

Adopting a “Grandfather” Provision: I have previously outlined in detail a adopting a Grandfather Provision as set forth in my 3rd Letter to you. After the 9-6-2023 meeting, adopting a Grandfather Provision seems more relevant than ever, especially considering what may be a very reduced number of STR Permits available and leaving no room for those properties that have been operation prior to the Moratorium that are likely to be eliminated. Please reconsider this Grandfather provision approach.

There is no question that regulating how the STR's operate in neighborhoods is very important by regulating noise, occupancy caps and operational regulations for the STR's will stabilize the neighborhood communities. I think we can achieve these types of provisions without harming existing operations.

Keenan, please review this 4th Letter with Staff and the Planning Director at your earliest convenience. I look forward to hearing back from you regarding my comments.

Please also send me the next webinar forum and / or meeting date that is scheduled as I wish to attend by way of the webinar.

Thank you for your consideration.

Respectfully,

Neil M. Cleveland

951-232-3077

neilmcleve@gmail.com

McClenagan, Laura

From: Neil Cleveland <neilmcleve@gmail.com>
Sent: Monday, September 18, 2023 8:47 PM
To: Hilton, Keenan
Subject: Re: 4th Letter from Neil M. Cleveland re Proposed Ordinance to STR
Attachments: image001.png

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

Thank you Keenan.

I have taken a brief look at the new draft. At first glance, many of the recent changes seem very fitting to what the public was expressing.

Will the public have the right to speak at this meeting? And if so how does the protocol work for speaking?

Also, I see that "transfers" of a permit remain prohibited. Is there some type of structure we can address that includes deeding to a direct family member only as I suggested earlier and that the direct family member has to occupy the property as well? It would seem logical to include a transition of this type, especially if one makes the transfer condition on the new owner living in the main residence.. Or at least incorporate some type of reasonable transfer protocols that must take place and require administrative approval? Please reconsider.

Thank you for the communication.

Neil M. Cleveland

On Mon, Sep 18, 2023 at 4:49 PM Hilton, Keenan <KHilton@co.humboldt.ca.us> wrote:

Hi Neil,

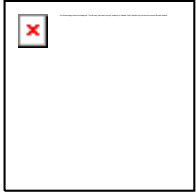
Please see the details in the Planning Commission agenda which can be found here:

<https://humboldt.legistar.com/DepartmentDetail.aspx?ID=25787&GUID=C79B4BC4-E3F3-4AE2-BA90-5618ED18BCB5>

Best,

Keenan

Keenan Hilton ([he/him](#))
Associate Planner
[Humboldt County Planning & Building](#)



Office: 707-445-7541

Direct: 707-268-3722

From: Neil Cleveland <neilmcleve@gmail.com>
Sent: Monday, September 18, 2023 12:02 PM
To: Hilton, Keenan <KHilton@co.humboldt.ca.us>
Subject: Re: 4th Letter from Neil M. Cleveland re Proposed Ordinance to STR

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

Hi Keenan: please send me info on thr upcoming webinars.

Thanks

Neil

On Fri, Sep 15, 2023, 4:43 PM Hilton, Keenan <KHilton@co.humboldt.ca.us> wrote:

Hi Neil,

Thank you for the comments. They have been included in the record.

Best,

Keenan

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

Direct: 707-268-3722

From: Neil Cleveland <neilmcleve@gmail.com>
Sent: Friday, September 15, 2023 11:55 AM
To: Hilton, Keenan <KHilton@co.humboldt.ca.us>
Subject: 4th Letter from Neil M. Cleveland re Proposed Ordinance to STR

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

Good Afternoon Keenan:cc

I have prepared a 4th Letter pertaining to focusing on several critical elements to the proposed ordinances.

Please let me know that you received the email.

Early next week it would be great to discuss this letter prior to the next hearing date.

In my letter I also asked for an update as to the next meeting where I can attend by way of webinar..

Thank you,

Neil Cleveland

From: [Ross Nusser](#)
To: [Hilton, Keenan](#); [Andrew Ballard](#)
Subject: Follow up STR ordinance Coastal
Date: Monday, August 21, 2023 12:43:35 PM

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

Hey Keenan,

I just wanted to follow up here. Andrew and I looked over the draft ordinance again, and the only items that we feel are perhaps unnecessarily burdensom are:

61.05.9 - subsection 6 as well as subsection 7

Thank you,

Ross

--



Ross Nusser, REALTOR®, ABR, Broker,
Founding Partner, Developer
Urban Acres Real Estate / [319-331-5206](tel:319-331-5206)



[250 Holiday Road, Coralville, IA 52241](#)

Licensed to sell real estate in the State of Iowa

From: [Samantra Montoya](#)
To: [Hilton, Keenan](#)
Cc: [Grant Johnson](#)
Subject: STR: Public Comment from Tonight Meeting
Date: Wednesday, September 06, 2023 9:42:11 PM

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

Good Evening Keenen,

Thank you for hosting tonight's Zoom meeting regarding the Short-Term Rental [Draft] Ordinance

Below are the points that I would like to reemphasize brought forward by myself and other participants.

1.) In an effort to keep permits for STRs in the unincorporated areas of Humboldt County for Humboldt County Residents:

- STR permits will be issued to Property Managers who are Humboldt County Residents only (so as to not extract capital outside of the county for Property Managers, and, Private, and, Corporate Entities from obtaining STR permits in the Humboldt County Tax Region.)

2.) In an effort to be in compliance with COVID-19 Cleaning Procedures

-All STR permit holders must comply with Humboldt County Health Dept. COVID-19 Cleaning Procedures by owner/operators, contractors, and, subcontractors, and, property managers.

3.) In an effort to have safe and fair "Good Neighbor Guidelines"

-All STR permit holders and their neighbors must comply with any noise-related disturbance issues and remain within a set amount of allowable decibel readings, and/or noise-related issues for those with STR permits, and their immediate neighbors.

4.) In an effort to predict and allow existing STR units to be given priority with STR permits given

-Any existing STR that meets, and, or, exceeds the finalized ordinance guidelines will be issued an STR Permit as existing, and, or Legacy Operators of STR units for those who were in operation before the moratorium was set into place, including those who were granted Business Licenses from the Humboldt County Tax Collectors Office with those properties who are [preexisting] as registered Vacation Rental Properties in Humboldt County, and, those who have filed TOT Quarterly Taxes with the Humboldt County Tax Collector (on time and without penalty).

Thank you for receiving this public comment.

Best,

Samantha Wilson

Vacation Rental Property Manager

The Groves at Redway Beach

Registered Vacation Property Certificates in Humboldt County #014169 and #014184

From: [Sara Landry](#)
To: [Hilton, Keenan](#)
Subject: STRs
Date: Wednesday, June 28, 2023 6:17:32 PM

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

This is an email to address the moratorium on StRs in Humboldt county.

My name is Sara Landry and I recently (11/22) started hosting on AirBnB to supplement my income. I am a single mother to an 8 year old daughter. I'm a yoga instructor with a mobile yoga service and I offer academic tutoring. Most of my clientele are or were cannabis farmers. With the recent downturn in the cannabis economy, I was forced to think outside of the box in order to make ends meet for my small household. Hosting has allowed me to do this.

I know many in Southern Humboldt and Northern as well that are thinking outside the cannabis box and turning to short term rentals to boost their dwindling incomes. I urge the county to end the moratorium because if the market is inundated with short term rentals, the market will force out those that cannot maintain their competitive edge.

Thank you for taking time to consider this letter.

Sincerely,

Sara Landry

From: [Sarah Corliss](#)
To: [Hilton, Keenan](#)
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 9:38:26 AM
Attachments: [image001.png](#)
[image001.png](#)

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

Hi Keenan,

I have been able to attend 2 of the meetings via Zoom. The only input I'd like to give is the non transferable permits. Homeowners invest a significant amount of money preparing properties to be an STR (furnishings, linens, utensils, etc), not allowing them to include the permit in a sale is basically like telling any business they are not allowed to include the value of the business in a sale.

Thank You,
Sarah Corliss
Forbes & Associates -
Sarah Corliss
Broker/Owner
Independent
DRE #01405905
707.677.1600

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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: [Stephanie Bennett](#)
To: [Hilton, Keenan](#)
Subject: Re: Public Input Sought for Revised Draft Short-term Rental Ordinance Wednesday, Sept. 6
Date: Monday, September 04, 2023 11:32:40 AM
Attachments: [image001.png](#)

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

Hello:

I may have raised this issue before but will raise it again:

Liability insurance. Living next door to the timber industry who is immune from all liability for their destruction to their neighbors, I am rather sensitive to now have neighbors on the other sides of me also being immune from liability due to them not holding valid business permits. Elk River is faced with a 500 million dollar restoration bill, caused 100% by my timber neighbors who have been privileged to enjoy full immunity. We rural residents know too well how those privileges have destroyed our homes, our livelihoods, and our rights.

We rural landowners need assurances that yet another industry (STR) isn't also going to damage us.

Do the revised Humco STR ordinances mandate that all STR operators hold liability insurance? If not, why not?

I understand that Airbnb provides some coverage for its operators but what about those operators that do not have a legal permit to operate (as 2/3rds of all STRs are not permitted in Humco)? Will Airbnb insurance cover an operator who is not legally permitted?--I doubt it.

Will a homeowner's personal insurance policy cover liability for an illegal business?--I doubt it.

So who pays to repair my property when an illegal STR business damages it?

Humco must demand that all businesses, especially timber, are responsible to hold sufficient liability insurance should damage occur. Most contractors hold bonds; so should STRs and the timber industry. Why would Humco provide privileges to pollute & damage neighbors' property?

STR operators must be better than timber operators or else we risk the same "gold rush" outcomes that already plague this county.

And will the taxpayers pay to restore my timber-damaged property just as they are now expected to pay to restore timber-damaged Elk River? If the taxpayers aren't going to clean up the timber industry's mess (i.e. restore my damaged water supply & property rights) then when will my property taxes be reduced to reflect these ongoing damages?

Sincerely,

Stephanie Bennett

On Fri, Sep 1, 2023 at 6:50 PM Hilton, Keenan <KHilton@co.humboldt.ca.us> wrote:

Greetings,

You are receiving this email because you registered for or attended a previous Short-term Rental Ordinance public meeting.

New draft of the Short-term Rental Ordinance is now available for review September 1, 2023 on the Planning and Building [Short-Term Rental Ordinance web page](#). The new draft differentiates between Hosted and Unhosted Short-term Rentals and more finely differentiates between urban and rural settings.

The ordinance would permit the use residences as Short-term Rentals (STRs) in unincorporated Humboldt County.

The ordinance aims to provide economic opportunity, to protect the quality of the neighborhoods, and to preserve residential units for people and families who live and work in Humboldt County.

September 6 Zoom Meeting

A zoom meeting to present the changes made in response to comments received during the Southern Humboldt, Humboldt Bay Area and Northern Humboldt Community Meetings will be held on Wednesday, Sept. 6 from 6 to 8 p.m. Community members can register and join the zoom call at the following address by visiting bit.ly/HumSTRO1

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

--

"I've never lived with balance, but I've always liked the notion." --Bruce Cockburn

From: [Hilton, Keenan](#)
To: [Suzi Hendry](#)
Subject: RE: short term ordinance
Date: Thursday, July 13, 2023 1:47:00 PM

Hi Suzy,

Thank you for your patience. I was on vacation for about a week and a half and received quite a few emails that I've had to catch up on. Please see my responses below [in blue](#).

Sincerely,
Keenan

Keenan Hilton, Associate Planner
Humboldt County Planning and Building Department
Main: (707) 445-7541
Desk: (707) 268-3722

From: Suzi Hendry <suzhyq@suddenlink.net>
Sent: Monday, July 10, 2023 2:49 PM
To: Hilton, Keenan <KHilton@co.humboldt.ca.us>
Subject: short term ordinance

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

Hello

I sent this email to you about 2 weeks ago and have not heard back from you. A courtesy reply is requested - thanks, Suzi & Richard Hendry

Dear Keena Hilton, Humboldt County Planning Dept.

We'd like to raise concerns regarding the proposed Short-Term Rental ordinance. We own a small vacation rental unit in the county. We use it for our own personal leisure as well as contract out a proportion of time during the year on short-term basis. The maximum number people allowed at our vacation house are 4.

Having read through the proposed regulations, here are our questions/concerns:

What are your overall goals to achieve in creating this ordinance? Monetary, stricter uniform regulations, limiting number of short-term rentals?

[We aim to protect housing stock, preserve the quality of neighborhoods, balance the needs and rights of property owners, tenants, and neighbors, support tourism and economic development, and generally to protect and promote the public health, safety and welfare.](#)

Is it tied to increasing low-income housing? If my vacation unit became vacant and I didn't want to use it, I would not rent it long-term to anyone*.

[Protecting housing stock for long-term rentals is definitely a central goal, though not the only goal.](#)

If short-term rentals are your focus, why aren't Bed & Breakfast establishments included in the regulations? What makes a 3 room B & B any different than a three bedroom vacation home?

We aim to maintain fidelity to the existing code that addresses Bed and Breakfast. To achieve this goal, the code must distinguish between Short-term Rentals and Bed and Breakfast. The proposed

Good neighbor policy is too strict as to make someone available 24/7 and respond within 30 minutes. If this is intended to prevent disturbance in the neighborhood, it is no different than your own neighbor (who you may not know or have phone#) throwing a party. Most online rental sites suggest that short-term rental owners have a house policy and noise guidebook to enforce guests to adhere. Additionally, the noise complaint is not tied to any verified violation by local enforcement.

Thanks for the comment. This email will be included in the record.

If a permit is required, how long will this take to process? If it is in the coastal zone, their regulations want to encourage short-term rentals – “Coastal Act section 30213 protects lower cost visitor serving uses, including STRs, and the County has an obligation to accommodate those uses.”

The short answer is: it depends. One of the clear messages we heard during the public meeting on June 28 was that many folks wanted to see a more straightforward process. In the next draft we will be expanding which projects would require only an administrative permit (a less expensive and less time-intensive process).

In the coastal zone the upcoming revised draft will proposed coastal development permits in fewer cases. It is important to note that we will have to work with the coastal commission on those regulations. But we did hear the message that many think that a CDP is a heavy-handed approach.

What will the costs be for obtaining vacation rezoning, permits and building inspection?

The ordinance proposes to replace the v combining zone. Currently the ordinance proposes that the use could be permitted in any zone that principally allows residences. One of the important pieces of the ordinance is the creation of an Administrative Permit which would cost significantly less than a Special Permit. Because this permit type does not currently exist, I cannot give a precise guess as to the cost.

If STR unit needs inspection by building official, how long will that take to accomplish and can owner continue to operate until process is complete?

Exactly what rules will govern the transition of pre-existing operations into the permit system remains to be seen. I would expect that an existing operation that is getting permitted would be allowed to continue through the permitting process unless an inspection uncovered a threat to health safety and welfare.

As an owner, I take offense to regulating no parties, weddings, receptions, or social events. My friends, relatives, or guests may use this location as I deem appropriate and as my guests will adhere to my standards.

Thank you for the comment, the email will be included as part of the record. The current draft of the ordinance proposes that if you wish to host events that go beyond normal residential uses, you make seek that permission with a Special Permit.

The lighting regulation is counterproductive to keep the neighborhood safe. There is no requirement

that any private property owner to keep their lights shielded and prevent a glare in other houses. If my vacation rental was on a 5-acre property, why would it need noise or lighting restrictions?

Thanks for the comment. Reduction of light pollution is a neighborhood quality concern and is considered best practice in areas with more wildlife, so it may be appropriate in a broad set of contexts. That said, this provision (along with the rest) can be revised.

Given that other cities have enacted their own STR ordinances, it seems reasonable to follow their lead for regulations. Note the City of Arcata ordinance has gone through multiple drafts and after passing law has also been changed to accommodate input and discrepancies.

You are correct. I had a meeting with Arcata Community Development Deputy Director Jennifer Dart just yesterday about Arcata's experience administering their ordinance thus far.

We plan to listen in on the Zoom meeting June 28, 2023. As there are numerous concerns, we would like a personal response to the above questions and concerns.

*As a side note to add to the housing stock in county, perhaps looking at ways to keep people housed by offering a subsidy to tenants is more efficient than thinking private homeowners want to rent their vacant units.

Thanks for the comment.

Regards, Susanne & Richard Hendry

From: [Ford, John](#)
To: [Bushnell, Michelle](#); [Hilton, Keenan](#)
Subject: RE: Proposed short term rental ordinance
Date: Monday, August 21, 2023 8:03:04 AM
Attachments: [image001.png](#)

Hi Michelle:

This is a commercial activity and no longer a residence. The General Plan on this property has been changed to Commercial Recreation, and the Zoning is slated to be changed to Commercial Highway. This is not the type of facility we are concerned with relative to Short Term Rentals. Additionally, a commercial site with a Conditional Use Permit that is already operating as an event venue with Transient Occupancy is not going to be subject to the Short-Term Rental regulations.

Hope this helps.

John

John H. Ford
Director of Planning and Building
(707) 268-3738



From: Bushnell, Michelle <mbushnell@co.humboldt.ca.us>
Sent: Sunday, August 20, 2023 7:50 AM
To: Ford, John <JFord@co.humboldt.ca.us>; Hilton, Keenan <KHilton@co.humboldt.ca.us>
Subject: Fwd: Proposed short term rental ordinance

FYI

Get [Outlook for iOS](#)

From: Tanya Musgrave <tanya.i.musgrave@gmail.com>
Sent: Saturday, August 19, 2023 4:17:24 PM
To: Bohn, Rex <RBohn@co.humboldt.ca.us>; Bushnell, Michelle <mbushnell@co.humboldt.ca.us>; Wilson, Mike <Mike.Wilson@co.humboldt.ca.us>; Arroyo, Natalie <narroyo@co.humboldt.ca.us>; Madrone, Steve <smadrone@co.humboldt.ca.us>
Subject: Proposed short term rental ordinance

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

This email is to communicate concern for the new short term rental proposed ordinance and the negative financial impact this may have on the Southern Humboldt County region that is already struggling economically.

SoHum tourism relies on the ability to offer "non-traditional" lodging options as the area does not have a lot of hotel options for travelers to draw from. Additionally, the ability to host private events in some of these unique short term lodging locations is the preferred experience for travelers.

As the business owner for the historic Julia Morgan Redwood Grove facility, we rely on the short term lodging income in-between event bookings to help offset the costs of the Estate maintenance. We often host traveling doctors, nurses, teachers, and other professionals who are staying longer than a weekend and do not wish to stay in a hotel/motel. The comfort of having a kitchen and the ability to cook rather than eat out every night helps offset their travel costs.

I personally prefer the flexibility to only offer short term housing through Airbnb when it does not impact our personal use or professional use of our property. We do not wish to have month-to-month neighbors as this restricts the use of our property and negatively impacts the business we purchased as an event venue.

Additionally, many event bookings wish to utilize the property's lodging options for their event as honeymoon lodging and bridal party lodging.

While we do hold a Use Permit for property events, additional administrative fees imposed by this proposed ordinance will create another roadblock to affordable short term housing as this would increase pricing and limit availability for short-term lodging.

I support the expectation of safe options for travelers but additional regulation only creates more roadblocks to persons trying to supplement their income through hosting short term lodging in an already depressed economy.

As an Airbnb & VRBO traveler myself, I specifically look to these options when traveling with my family and the need for multiple rooms & a kitchen to support my travel experience. I utilize pictures and previous guest experiences along with Airbnb vetting to ensure I am staying in a safe environment.

If the greater concern is to address existing housing shortages, perhaps the County should make the ability to develop land for more affordable housing the priority instead of restriction of existing housing used to supplement a person's income. Streamline the building & planning department process needed for building permits and zoning needs to support growth. Leave the County's limited tourism options for short term housing and small venue events out of the planning department's already overwhelmed staff.

Respectfully,
Tanya Musgrave
Julia Morgan Redwood Grove
255 Benbow Dam Road
Garberville, CA 95542
707.272.8668



8/24/23

To Whom it May Concern:

Below is my feedback on the development of Humboldt County's Ordinance regulating STRS in unincorporated areas.

Thank you for your time and positive leadership in developing this ordinance.

1. Include a grandfather clause :

We purchased 6 acres in Trinidad in 2019. Part of what factored into our ability to afford or want them was that the previous owner had created 4 AirBnBs on the property.

We had ZERO awareness of the "illegality" of operating AirBnBs as they were ubiquitous.

Everyone and their brother had an AirBnB in their backyard. As you can imagine, 6 acres of redwoods with 4 dwellings in the Trinidad area was quite pricey. We pay:

- 1) An exorbitant monthly mortgage
- 2) Contribute to County occupancy taxes
- 3) A HUGE property tax bill
- 4) Insurance which began at \$1600 a month and is now \$16,000 year (redwood trees closer than 150 ft from the buildings have put the property into a high-fire risk category)

The math would have never worked out for us, if we would not have assumed we could get AirBnB income with which to make this dream property come true. The stipulations of your current draft ordinance feels as if the carpet is being pulled out from under our feet. What a shock to individual STR operators in an industry that has such value to tourists, our economy, and the County.

If you do not honor a grandfather clause and we have to scramble to get a permit competing with all folks scrambling to get into the market, it could not be a pretty picture for us. We could lose the property as the conditions in which we went into contract with to purchase it are being altered without full regard of the impact to Humboldt County STR operators.

I'm not asking you to honor my specific situation over any others as I appreciate your need to balance the opportunity for Humboldt County citizens to make an honest income, to keep the valuable tourist dollars that come into this County and your desire to increase housing stock. I'm just being straightforward in telling you how detrimental this will be to me and my family.

If you need more housing stock---please don't devastate the honest income we are making, contributing to County taxes and sharing the nature of our beautiful County with the world---develop more effective support and policy to build more houses in the County!!!

2. 2% of mapped area?

Is that 2% of the entire Humboldt County unincorporated area or...? At the last meeting I THOUGHT I heard that there are 826 AirBnBs in unincorporated Humboldt County and 26,000 housing units. That is 3.1%. Is this correct? And if you re-included the grandfather clause, how would this be addressed?

3. As the crow flies

We are in rural Trinidad on 6 acres. 'As the crow flies' there very well could be one AirBnB that is a short term rental within ten dwellings away. But, that could mean miles and miles and miles away. Is this fair when compared to more urban settings? Thank you for re-considering this addition to the ordinance.

4. Complaint Driven Cease and Desist

I understand that complaint driven cease and desist orders are not part of the draft ordinance, but they are under your purvey. As they are currently being carried out, they are poorly designed, unprofessional and unfair in their delivery. I beseech of you to amend this practice.

In what sound business, public agency, organization or Human Resource Dept would such harsh action as requesting someone to cease and desist an entire operation that may be their livelihood be based on **one** complaint with no requirement of proof or substantiation? This is poor practice, rife for opportunities for abuse.

Even AirBnB, when we call them to complain that guests have damaged things or made excessive noise first always ask: Where's your proof? Pictures? Recordings? Other written messages from other guests? They will never take action on hearsay or unsubstantiated reports. This is sound practice. Please step up your respect for STR operators and amend this unfair policy. At minimum ask the complainant for proof or evidence. In fairness, allow the hosts to submit proof or evidence as well. Ask AirBnB if they have any evidence of the alleged complaint.

Our AirBnBs are within close proximity to each other. We have our phone numbers posted clearly in all of them asking our guests to contact us if there is *anything* that gets in the way of a 100% satisfactory experience. And they do. If there are loud, disruptive or safety issues on the property, they contact us. And they contact AirBnB as this is their required avenue to substantiate a refund for less than satisfactory conditions. And AirBnB *always* requires data, photos, recordings etc. as proof of the allegation. Otherwise, it's a no go. Take your cue from them.

I'm saying this to let you know that gathering other evidence to substantiate a complaint is more balanced, out there and easily accessible. Adding this practice to your implementation of your complaint policy would be a more fair and reasonable process compared to your current poorly thought out practice.

Thank you for hearing my concerns.

We have never wanted to
complaint this

From: [victoria schanzle](#)
To: [Hilton, Keenan](#)
Subject: STR owned by our of state interests.
Date: Thursday, July 20, 2023 1:56:11 PM

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

H P and B,

I am a resident in southern Humboldt county and I have a concern regarding the STRs here in my area.

My concern is that some of these properties are owned by out of state people, in comparison to locals. As I see it these out of state land holders are not contributing to our local economy, as their money does not stay here in Humboldt but goes back to the state they live in. This is a big concern financially for our county. These rentals are only concerned with their bottom line and not our local economy.

Our local STR help local families stay on their land and contribute to our local economy. These people donate to local non profits such as volunteer fire depts, etc. Our local economy is hanging by a thread with the down turn of the cannabis economy partially due to over regulation by local and state government.

As a licenced cultivator we have had to spend thousands of dollars to remain compliant and I think it's only fair that other industries should do so as well. Yet I stress that too much regulations have driven our economy into the basement . It's a fine line here ; I feel regulations and permit fees should be significantly higher for those out of state operators.

Thank you,

Sincerely,

Victoria Schanzle