

## **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 28<sup>th</sup> 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

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FYI

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**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

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**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](mailto: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](mailto: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](mailto: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

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**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](mailto: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](mailto: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](mailto: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

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**From:** Betty Machi <[machibetty@gmail.com](mailto:machibetty@gmail.com)>  
**Sent:** Saturday, September 02, 2023 9:47 AM  
**To:** Hilton, Keenan <[KHilton@co.humboldt.ca.us](mailto:KHilton@co.humboldt.ca.us)>  
**Subject:** Re: "un-hosted" versus "remotely hosted"

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**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](#)

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***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](mailto:dmoxon@co.humboldt.ca.us)

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**From:** Brooke Sandberg <[sandbergproperty@gmail.com](mailto:sandbergproperty@gmail.com)>  
**Sent:** Wednesday, June 28, 2023 10:29 AM  
**To:** [PlanningBuilding](#) <[planningbuilding@co.humboldt.ca.us](mailto: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](#)

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Fyi

No action is required on your part.

- m



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**From:** PlanningBuilding <[planningbuilding@co.humboldt.ca.us](mailto:planningbuilding@co.humboldt.ca.us)>  
**Sent:** Friday, June 9, 2023 4:06 PM  
**To:** Ford, John <[JFord@co.humboldt.ca.us](mailto:JFord@co.humboldt.ca.us)>; Richardson, Michael <[MRichardson@co.humboldt.ca.us](mailto: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,

<b><i>dmoxon (3)</i></b>	
	
	<b><i>Delilah Moxon</i></b> Administrative Services Manager <a href="#">Planning and Building Department</a> 3015 H Street   Eureka, CA 95501 Phone: 707-445-7541   Fax: 707-445-7446 Email: <a href="mailto:dmoxon@co.humboldt.ca.us">dmoxon@co.humboldt.ca.us</a>

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**From:** Chip Tittmann <[chip.tittmann@gmail.com](mailto:chip.tittmann@gmail.com)>  
**Sent:** Friday, June 9, 2023 2:19 PM  
**To:** Milner, Mary <[MMilner1@co.humboldt.ca.us](mailto:MMilner1@co.humboldt.ca.us)>; PlanningBuilding <[planningbuilding@co.humboldt.ca.us](mailto:planningbuilding@co.humboldt.ca.us)>  
**Cc:** Madrone, Steve <[smadrone@co.humboldt.ca.us](mailto:smadrone@co.humboldt.ca.us)>; Michelle Bushnell <[mbushnell@co.humboldt.ca.gov](mailto:mbushnell@co.humboldt.ca.gov)>; Wilson, Mike <[Mike.Wilson@co.humboldt.ca.us](mailto:Mike.Wilson@co.humboldt.ca.us)>; Bohn, Rex <[RBohn@co.humboldt.ca.us](mailto:RBohn@co.humboldt.ca.us)>; Arroyo, Natalie <[narroyo@co.humboldt.ca.us](mailto: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  
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ARCO IRIS CONSULTING<sup>1</sup>  
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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 CONSULTING<sup>3</sup>

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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](#)

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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](mailto:chip.tittmann@gmail.com)

Leonard Ozar, Owner  
Morgan Holding, LLC  
[lakeleenny@aol.com](mailto:lakeleenny@aol.com)

**From:** [Chip Tittmann](#)  
**To:** [Hilton, Keenan](#); [PlanningBuilding](#)  
**Cc:** [mcclenagan2@co.humboldt.ca.us](mailto: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](mailto: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

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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](#)

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**From:** C Simon <[simonworld68@gmail.com](mailto:simonworld68@gmail.com)>  
**Sent:** Tuesday, August 15, 2023 4:13 PM  
**To:** Bushnell, Michelle <[mbushnell@co.humboldt.ca.us](mailto: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](mailto:simonworld68@gmail.com)  
[am\\_simon@icloud.com](mailto:am_simon@icloud.com)

**From:** [Claire Josefine](#)  
**To:** [Hilton, Keenan](#)  
**Subject:** short term rental concern  
**Date:** Wednesday, June 28, 2023 6:51:49 PM

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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

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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

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**From:** Bushnell, Michelle <[mbushnell@co.humboldt.ca.us](mailto:mbushnell@co.humboldt.ca.us)>  
**Sent:** Monday, June 12, 2023 3:45 PM  
**To:** Ford, John <[JFord@co.humboldt.ca.us](mailto:JFord@co.humboldt.ca.us)>  
**Subject:** FW: Oppose the short-term rental moratorium

**From:** ERROL PREVIDE <[eprevide@advocatesmessage.com](mailto:eprevide@advocatesmessage.com)>  
**Sent:** Monday, June 12, 2023 3:43 PM  
**To:** Bushnell, Michelle <[mbushnell@co.humboldt.ca.us](mailto: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](#)

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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

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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

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**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

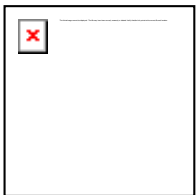
On Tue, Sep 19, 2023 at 5:24 PM Hilton, Keenan <[KHilton@co.humboldt.ca.us](mailto:KHilton@co.humboldt.ca.us)> wrote:

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

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**From:** Gage Duran <[g@scohos.com](mailto:g@scohos.com)>  
**Sent:** Tuesday, September 05, 2023 9:47 AM  
**To:** Hilton, Keenan <[KHilton@co.humboldt.ca.us](mailto:KHilton@co.humboldt.ca.us)>  
**Cc:** Lazar, Steve <[SLazar@co.humboldt.ca.us](mailto:SLazar@co.humboldt.ca.us)>; Naomi Roche <[n@gdarch.space](mailto:n@gdarch.space)>; amy duran <[amylynduran@gmail.com](mailto: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

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**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?

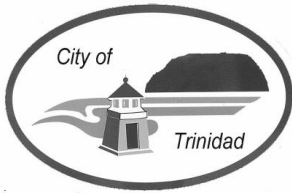
**60.05.10.3. B. Solid Waste, Recycling, Compost.** Many folks in unincorporated county don't have weekly garbage pickup service and go to the transfer station less frequently than once per week. I make a point of going to the transfer station every two weeks and have a trash bin with an electrified 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. \_\_\_\_\_

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**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

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

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

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**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

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**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  
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<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.

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**ELECTRONIC MAIL ONLY**

June 28, 2023

Associate Planner, Keenan Hilton  
County of Humboldt, Planning & Building Department  
825 5<sup>th</sup> 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  
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951-232-3077

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**ELECTRONIC MAIL ONLY**

August 9, 2023

Associate Planner, Keenan Hilton  
County of Humboldt, Planning & Building Department  
825 5<sup>th</sup> Street  
Eureka, CA 95501

**RE: 2<sup>nd</sup> 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 5<sup>th</sup> Street  
Eureka, CA 95501

**RE: 3<sup>rd</sup> 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 2<sup>nd</sup> 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 1<sup>st</sup> 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 3<sup>rd</sup> 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

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**ELECTRONIC MAIL ONLY**

September 15, 2023

Associate Planner, Keenan Hilton  
County of Humboldt, Planning & Building Department  
825 5<sup>th</sup> Street  
Eureka, CA 95501

**RE: 4<sup>th</sup> 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 3<sup>rd</sup> 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 4<sup>th</sup> 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](mailto:neilmcleve@gmail.com)

## McClenagan, Laura

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**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](mailto:KHilton@co.humboldt.ca.us)> wrote:

Hi Neil,

Please see the details in the Planning Commission agenda which can be found here:

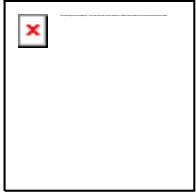
<https://humboldt.legistar.com/DepartmentDetail.aspx?ID=25787&GUID=C79B4BC4-E3F3-4AE2-BA90-5618ED18BCB5>

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](mailto:neilmcleve@gmail.com)>  
**Sent:** Monday, September 18, 2023 12:02 PM  
**To:** Hilton, Keenan <[KHilton@co.humboldt.ca.us](mailto: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](mailto: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](mailto:neilmcleve@gmail.com)>  
**Sent:** Friday, September 15, 2023 11:55 AM  
**To:** Hilton, Keenan <[KHilton@co.humboldt.ca.us](mailto: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

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**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

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**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](#)

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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](mailto: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](mailto: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](#)

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**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](mailto: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](https://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](mailto: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](mailto:suzhyq@suddenlink.net)>  
**Sent:** Monday, July 10, 2023 2:49 PM  
**To:** Hilton, Keenan <[KHilton@co.humboldt.ca.us](mailto: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](#)

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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](mailto:mbushnell@co.humboldt.ca.us)>  
**Sent:** Sunday, August 20, 2023 7:50 AM  
**To:** Ford, John <[JFord@co.humboldt.ca.us](mailto:JFord@co.humboldt.ca.us)>; Hilton, Keenan <[KHilton@co.humboldt.ca.us](mailto:KHilton@co.humboldt.ca.us)>  
**Subject:** Fwd: Proposed short term rental ordinance

FYI

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---

**From:** Tanya Musgrave <[tanya.i.musgrave@gmail.com](mailto:tanya.i.musgrave@gmail.com)>  
**Sent:** Saturday, August 19, 2023 4:17:24 PM  
**To:** Bohn, Rex <[RBohn@co.humboldt.ca.us](mailto:RBohn@co.humboldt.ca.us)>; Bushnell, Michelle <[mbushnell@co.humboldt.ca.us](mailto:mbushnell@co.humboldt.ca.us)>; Wilson, Mike <[Mike.Wilson@co.humboldt.ca.us](mailto:Mike.Wilson@co.humboldt.ca.us)>; Arroyo, Natalie <[narroyo@co.humboldt.ca.us](mailto:narroyo@co.humboldt.ca.us)>; Madrone, Steve <[smadrone@co.humboldt.ca.us](mailto:smadrone@co.humboldt.ca.us)>  
**Subject:** Proposed short term rental ordinance



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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

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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