

Post-Workshop Comments

Theme 3: Miscellaneous

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

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

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

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

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

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

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

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

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

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

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

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

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

Sincerely,
Ann Preston

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

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Hello Mr. Hilton

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

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

Sincerely,

Betti-jean Jacobson

Sent from my iPhone

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

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

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

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

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

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

[Sent from Yahoo Mail for iPad](#)

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

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[Sent from Yahoo Mail for iPad](#)

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

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

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

[Sent from Yahoo Mail for iPad](#)



CITY OF
BIG BEAR LAKE *California*

ORDINANCE NO. 2021-495

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

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

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

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

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

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

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

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

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

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

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

Bear Lake General Plan; and

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

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

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

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

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

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

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

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

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

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


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

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



Rick Herrick, Mayor

ATTEST:



Erica Stephenson, City Clerk

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

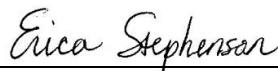
I, Erica Stephenson, City Clerk of the City of Big Bear Lake, California, do hereby certify that the whole number of the City Council of the said City is five; that the foregoing Ordinance No. 2021-495 is a full, true and correct original of Ordinance No. 2021-495 of the City of Big Bear Lake entitled:

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

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

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

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



Erica Stephenson, City Clerk

ORDINANCE ATTACHMENT B

CHAPTER 4.01

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

Title 4 Visitor-serving uses and tourism

Chapter 4.01 Vacation Rentals

Section 4.01.010. Purpose

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

Section 4.01.020. Definitions

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

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

sharing property.

Section 4.01.030. License Required

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

Section 4.01.040. Licensing Procedure

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

Section 4.01.050. Transient Occupancy Tax

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

Section 4.01.060. Operational Requirements

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

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

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

Section 4.01.070. Agency and Certification

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

Section 4.01.080. Inspection and Audit.

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

Section 4.01.090. Hosting Platform Responsibilities.

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

Section 4.01.100. Violations and Penalties

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

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

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

ORDINANCE ATTACHMENT C

VACATION RENTAL ELIGIBILITY TABLE

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

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

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

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

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

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

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

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

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

therefore:

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

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

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

eliminate this section.

Thank you for your time.

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

STU outline

1. Third party platform participation:

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

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

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

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

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

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

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

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

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



September 21st, 2023

PRESIDENT

Bryn Coriell

PRESIDENT-ELECT

Ruthie Jones

SECRETARY/TREASURER

Heather Bergen

PAST PRESIDENT

Joshua Cook

DIRECTOR

Alissa Woods

Darin Price

Hannah Winans

Jeremy Stanfield

Joanie Frederick

Kathi Ray

Lauren Smith

Mike Novak

Somer Wallan

Suzy Smith

Tina Christensen-Kable

Victoria Copeland

AFFILIATE LIAISON

Lisa Hall

EXECUTIVE OFFICER

Kristen Kelley

HC Planning & Building Department

ATTN: Keenan Hilton

3015 H Street

Eureka, CA 95501

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

Dear Humboldt County Planning & Building,

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

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

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

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

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

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

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

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

Respectfully,



Bernie Garrigan
Short Term Rental Sub Committee Chair
Government Relations Committee
The Humboldt Association of Realtors

James A. Smith
1177 Hayes Rd.,
McKinleyville, CA 95519
707-599-7253



Short Term Rentals

1. **Economic benefits:** Short-term rentals can contribute to the local economy by attracting tourists who spend money on accommodations, dining, shopping, and other local services. This can support local businesses and create job opportunities.
2. **Flexibility for travelers:** Airbnb offers a wide range of accommodation options for travelers, allowing them to choose from various styles, locations, and price points. This flexibility can attract a diverse range of tourists to McKinleyville, boosting tourism revenue.
3. **Utilization of existing resources:** Many homeowners in McKinleyville may have extra space or spare rooms that are suitable for short-term rentals. Utilizing these resources can generate additional income for homeowners and make efficient use of the existing housing stock.
4. **Cultural exchange:** By welcoming visitors from different parts of the world, short-term rentals can promote cultural exchange and provide opportunities for locals to learn about different cultures and perspectives. This can foster a sense of openness and tolerance in the community.
5. **Government revenue:** Implementing regulations and taxes on short-term rentals can generate additional revenue for the local government. These funds can be used to improve local infrastructure, services, and public spaces, benefiting both residents and tourists.
6. **Competitive advantage:** Many cities and regions already embrace short-term rentals as part of their tourism strategies. By allowing and regulating Airbnb in McKinleyville, the town can stay competitive with other destinations that offer similar accommodation options.
7. **Strengthening community ties:** Some Airbnb hosts become ambassadors for their neighborhoods, offering recommendations, local tips, and fostering connections between visitors and the local community. This can enhance community engagement and pride.
8. **Regarding noise, safety, and property values.** It's essential to strike a balance between the economic benefits associated with short-term rentals and the well-being of the community. There are already laws and regulations about noise and safety which can remedy neighbors' concerns.
9. **Short term rentals offer accommodations to tourists and travelers that would have to go another town such as Arcata, Eureka or Trinidad.** McKinleyville offers one place to stay which is at the airport away from the city center. Some of my relatives and friends that want to come visit me prefer to stay in a home in a neighborhood.

* see over

* as a serial I need the room rental to augment my income

From: [Jocelyn Chapman](#)
To: [Ford, John](#); [Hilton, Keenan](#)
Subject: STR regulations input
Date: Wednesday, September 20, 2023 2:00:35 PM

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

Hello!

I don't have new ideas for you to consider, but I would hope that you will consider working on the issue in phases/with grandfathering.

The STR should have some sort of grandfather component for homes in compliance with rules and taxes. Anything else is destructive to homeowners and often drives the situation underground as creative people find work arounds and potentially create unsafe spaces for guests and neighbors.

Concentration and permitting should take into account how well the home is managed and maintained. I make sure that my home is well managed and safe for guests.

I support STR regulations and I have watched the development of fair restrictions in many communities. STR is a way people travel now. They will not come to Trinidad like they do if they are not here. This option is crucial for those with diet restrictions and children.... I use STR when I travel because I like to have a kitchen.

I have owned my home at 430 Westgate Drive in Trinidad for 30 years. I became a single mom and needed to leave the area 20 years ago. First I had LTR and one of them was a marijuana grower. In 2009 I decided to try the vacation rental market, surely these people would not set up a grow operation. And I have not had any issues with guests for the large part.

My home is well loved and brings many people to the area annually. This situation works for my family and I as it allows me to keep and use the home while sharing it. I am hoping that I can retire there. It is unaffordable for me right now.

Jocelyn Chapman 415.750.1360

From: [john rotter](#)
To: [Ford, John](#); [Hilton, Keenan](#)
Subject: Fwd: Automatic Sprinkler Systems CRC §R313.2
Date: Wednesday, September 06, 2023 9:07:17 PM
Attachments: [image001.png](#)

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

Hi John and Keenan,

I caught the workshop tonight and here is the conclusion of a "seeking alternatives" email I had with Kieth.

I listened to John Lee who had a similar problem with sprinklers. There is another option for him and for others if they meet the *Exceptions* outlined in the current 2022 CRC R313.2. However, following the 2022 building codes may offer other problems. Hope this helps.

Still Pro AOB,

John

<!--[if !supportAnnotations]--> <!--[endif]-->
Hi John

As I mentioned earlier, the permit pathway using the time during the original construction of your AOB ADU would be in accordance with the 2013 California Residential Code, which mandates the use of fire sprinklers. However, you have another option available to you, which is to follow the current code. If you choose this path, you won't have to install fire sprinklers for your project.

Here's the relevant language from the current 2022 California Residential Code:

R313.2 One- And Two-Family Dwellings Automatic Sprinkler Systems

An automatic sprinkler system shall be installed in one- and two-[family](#) [dwellings](#).

Exceptions:

<!--[if !supportLists]-->1. <!--[endif]-->An automatic residential fire sprinkler system shall not be required for [additions](#) or [alterations](#) to [existing buildings](#) that are not already provided with an automatic residential sprinkler system.

<!--[if !supportLists]-->2. <!--[endif]-->[Accessory Dwelling Unit](#), provided that all of the following are met:

<!--[if !supportLists]-->1. <!--[endif]-->The unit meets the definition of an [Accessory Dwelling Unit](#) as defined in the Government Code Section 65852.2.

<!--[if !supportLists]-->2. <!--[endif]-->The existing primary residence

does not have automatic fire sprinklers.

<!--[if !supportLists]-->3. <!--[endif]-->The accessory detached dwelling
unit does not exceed 1,200 square feet in size.

<!--[if !supportLists]-->4. <!--[endif]-->The unit is on the same lot as the
primary residence.

Thank you



Keith Ingersoll

Chief Building Official

County of Humboldt

[Planning and Building Department](#)

Building Inspection Division

3015 H Street | Eureka, CA 95501

Phone: 707-445-7245 | Fax: 707-445-7446

Email: kingersoll@co.humboldt.ca.us

Email: buildinginspections@co.humboldt.ca.us

From: john rotter <rotter1948@gmail.com>

9/19/23

I would like to comment on an AOB use as a STR specifically: 61.05.10.1.4.1 61.05.10.1.4.1 AOB dwellings may be permitted after-the-fact, pursuant the building code in effect at the time of permit issuance.

At each of the draft STR meetings a district wide constituency of long term AOB owners have voiced concerns that their AOB dwelling are being denied a STR permit. This district wide voice has been presented with one of two options from the AOB code which will allow their AOB to obtain a STR permit. The one offered in the STR draft would require an AOB dwelling to obtain an after the fact permit. The requirements and steps necessary to obtain an after the fact permit are not detailed and the cost is not addressed. I have reached out to building regarding an after-the-fact permit. It is not a hurdle, rather an insurmountable brick wall, unless you are wealthy or have the expertise, time, and can come up with the permit fees. However the AOB code provides a second provision that address liability where the owner of the AOB dwelling will assume all liability with a Hold Harmless Agreement between the dwelling owner and the County. This has not been put forward for review and consideration. Additionally there is a third option not put forward and that will allow those AOB dwellings that have been used as a STR and who meet the standards set forth in STR Ordinance to continue such use.

AOB dwellings used as a STR are being perceived as a disruptive element to the balance the ordinance seeks to create. This is far from the truth and is the one single issue that will have the greatest impact on folks whose livelihoods depends on the income from having a STR. AOB dwellings used as a STR are well-established as an asset that truly balances community needs and provides economic stability to residents of our community. For 40 years planning has not interfered with AOB dwellings being rented and recognizes that AOB dwellings serve families who have had lost income due to lost jobs from struggling industries including the collapses of the cannabis industry.

Existing AOB dwellings allowed as a STR will not saturate the market and will be subject to ordinance standards of health and safety as well as neighborhood compatibility. Just as other existing STR, AOB/STR who are non-compliant or unable to meet STR standards or those saddled with numerous complaints will be weeded out by the provisions of the ordinance. The STR Ordinance should move forward allowing the existing AOB/STR practice to continue and adhere to the new STR ordinance. Hopefully planning and those who support removing the established use of AOB dwellings as a STR will consider the impacts to the district wide consistency of AOB owners and see that existing AOB dwellings used as a STR are necessary for many, pose no problems and will be subject to the STR ordinance. They should not be treated differently that other STR dwellings.

Thanks for your time and consideration.

John Rotter

Jrotter1948@gmail.com

Dear Planning Director Ford and Planning Department:

Please submit this written response into the public record for this planning department meeting which I am unable to attend because I no longer live in Humboldt County. I feel completely disheartened that after hearing an outpouring of attendance on a Zoom meeting where over 200 people logged on and at least 30 people or more spoke out for a more lenient, flexible, easier to implement and enforce STR ordinance, the county planning department's proposed additions make this seem even more complicated, confusing, restrictive, punitive and in all likelihood exceedingly time consuming to both implement and enforce. By hosting a follow up meeting as an in-person only meeting lacks transparency, does not allow for wider discussion and feels purposely restrictive. In this current day and age meetings like these should be done in a hybrid fashion where locals without technology can attend in person but those who prefer Zoom meetings and who own property but live outside of the county or who simply are traveling for leisure or business can attend.

My husband, Reid Kitchen and I have owned and continue to operate Trinidad Retreats, a local Humboldt vacation rental management company for the past 12 years. We manage 28 vacation rentals, 16 of which are located in the unincorporated county with most of them concentrated in the Westhaven to greater Trinidad area. The STR ordinance and proposed revisions has the potential to negatively impact the homes we manage as vacation rentals and will likely put a lot of owner managed homes out of business. Of the 16 STR's we "operate" but do not "own", 25% (4) are owner occupied during the low season for 8 or 9 months of the year. If not given an STR permit these would not convert into available housing. Another 50% (8) may not qualify because of the various restrictions written into these proposed additions. These owners also would not sell nor convert to long term rentals. These are 2nd homes that would sit vacant which is not great for the "healthy, safety and welfare" of any neighborhood and only be used by owners, their friends and family and the county would miss out on a very valuable transient occupancy tax. Maybe 25% or 4 of the homes we manage would consider either selling or converting to a long term rental but they would likely not provide "affordable" housing as fully furnished rentals. Owners have made a capital investment generally of at least \$20,000 to furnish an STR. They will likely not easily give up a good rent revenue stream. These are established STR's with strong TOT revenue histories that we have been paying the county for over a decade. This will result in loss of income to the county in the form of TOT's as well as job loss in the community. What is tragic is that a lot of people in Humboldt operating STR's were already crushed by Humboldt County's over restrictive, cost prohibitive and punitive cannabis ordinance. The collapse of the cannabis industry in Humboldt has devastated our local economy with job and income loss, businesses shuttered, ghost towns like Garberville and families struggling to stay in this community. We employ anywhere from 9 - 12 local people at any given time during the year including seasonal staff, contractors and employees who provide property management, housekeeping, handyman services, hot tub maintenance and waste management services. The guests who pay to stay in these homes pay 12% transient occupancy tax and spend a lot of money in this county.

Limiting STR's will NOT guarantee that those properties will become available or affordable rental housing. Most of these owners will simply let their homes sit vacant if they are unable to secure an STR permit since most are 2nd homes and they want the continued ability to visit and stay in the furnished home they own.

STR Permit Requirements - *Business license required. Administrative Permit Required. Special Permit Required. Conditional Use Permit Required. In order to secure a Special Permit or a Conditional Use Permit the STR would not adversely impact the health, safety, and welfare of the community and would not adversely affect the quality of the neighborhood.*

Why so many different categories? I understand a business license is required but why not simplify the others into an "STR permit" which is what it is? Whether applying for a "special permit" or a "conditional use permit" what factors and who exactly will determine if an STR would "adversely impact the health, safety, and welfare of the community" as well as the "quality of the neighborhood"? This seems highly subjective. In my opinion,

Humboldt County did a very poor job in regulating cannabis in this same highly restrictive, overly time consuming, punitive, way which has “adversely affected the health, safety, and welfare of the community” as well as affected the “quality of the neighborhoods”. Just consider Garberville, now a ghost town, overrun with unemployment, mental health and safety issues. Take a look at all of the commercial blight! Humboldt County CANNOT afford to kill another industry! Tourism is one of the last standing sustainable industries in our local economy due to our majestic Redwoods and the county has benefitted from its revenue stream in the form of transient occupancy taxes for decades. By capping STR’s and making the STR permitting process so difficult it will likely crush another industry. Unfortunately, the motels in this county are located in areas that have been negatively impacted by poverty stricken, drug addicted, mentally ill people and have definitely affected the “health, safety, and welfare of the community” and the “quality of neighborhoods”. STR’s do just the opposite. They give visitors, traveling professionals and families of Cal Poly Humboldt students the opportunity to “live like a local” if even for 2 nights and stay in a home in the Redwoods that feels far healthier, safer and in better welfare than in a rundown motel. Because STR’s are marketed on platforms where user reviews reign King, these properties must be kept to a much higher standard than any long term rental property or regular owner occupied residence since negative user reviews will quickly impact their ability to do business. STRs tend to have the best curb appeal in any given neighborhood! They are using a residence as a residence - to cook, gather for meals, relax and sleep. [How does this impact the health, safety and welfare of a community? Can you please explain how a short term rental affects the quality of a neighborhood more than a terrible, long term tenant who becomes a permanent bad neighbor?](#) My friend converted their short term rental into a long term rental and got stuck with a heroin user who they had to pay off to move out! Over the past decade, the number of motels that have been closed and rundown to a point of sheer scariness is astounding. The Ocean Grove Motel is a prime example. Bishop Pines Lodge is another example of what was once a cute collection of cabins that is now permanently closed. The greater Trinidad area, especially along Patrick’s Point Drive has an excessive amount of shuttered up motels. The county really needs to take a deeper look at the lodging options available to visitors in the various areas and consider the negative impact they are going to have on the local economy when limiting some of the best lodging options this county has to offer.

Non-Transferable - *STR permits shall not be transferred between operators nor between property owners.*

Short term rental owners SHOULD be able to be transferred between operators. [Why would this not be allowed?](#) Example - a homeowner secures an STR permit and hires a vacation rental management company to “operate” their STR. The management company changes their terms, does a poor job, or even stops doing business so the owner decides to “transfer” the management to a different “operator”/management company. This should not impact the permit. I recommend this be striked from the proposed additions.

Standards for all STRs

1. **Building, Fire and Health.** Meet California Building Code Standards for the intended occupancy to the satisfaction of the Chief Building Official”.

The amount of staff time required to physically visit the STR’s and do building inspections on 600 - 700 properties is beyond what I imagine the county is adequately equipped to do and will likely cause an economic traffic jam that takes years. Add to this work load the staff time needed to review property deeds, water supply provisions and septic systems and it takes even longer.

[Does it mean the building code standards for when the home was built or for current standards?](#)

b) Potable domestic water supply w/ bacteriological test results and verification of adequate quantity of potable water if onsite well or spring

[How much water is considered “adequate quantity” and who will determine this?](#)

c) On-site septic system - Onsite septic system or swerve connection necessary to accommodate the STR to the satisfaction of the Division of Environmental Health.

[What criteria specifically is the county going to require to “satisfy” this requirement.](#) This section is vague. [Why not require a septic inspection that shows a septic system is functioning and how often it should be pumped?](#) The city of Trinidad requires septic inspections with reinspection and pumping dependent upon how the system is functioning - poor, fair, good or excellent. This works well.

4. Good Neighbor Guide - The STR owner or operator must sign an affidavit certifying the delivery of a Good Neighbor Guide to all neighbors in the closest 10 dwellings as the crow flies and to all neighbors within 300 feet up and down the street.

This is absurd. The burden of responsibility should be on the county to provide this guide and distribute a registry of STR Owner/Operators to neighbors as well as list it on the county website like the city of Trinidad does. STR owners will be paying a business license and likely a STR permit fee. That money should be used to help subsidize some of these requirements. Why doesn't the county take best practices from the local cities who are already doing a great job managing STR's? This doesn't make any practical sense! What the county is calling a “Good Neighbor Guide” is a misnomer. It is more of a STR permit registry with contact information.

The county should be responsible for creating a real “Good Neighbor Guide” that it then provides to all STR permit holders, require this guide be posted in the STR and distribute this to the applicable neighbors. A “Good Neighbor Guide” should provide the basic tenets so that STR permit holders and their visitors know what rules must be followed so that the “health, safety and welfare” of a neighborhood can be upheld! I have provided the county with the city of Trinidad's “Good Neighbor Guide” which it provides to all STR permit holders and requires it be provided and acknowledged by all visitors. It reviews maximum occupancy, # of visitors allowed, noise curfew, etc. Leaving this provision up to STR permit holders to each create their own Good Neighbor Guide and not creating any continuity is a huge misstep. The county has collected millions and millions of dollars over the past 2 decades for this “unpermitted” activity. It is time they invest some of this money back into developing materials that will help facilitate best practices and allow all STR operators/owners to play by the same rules. It should also be responsible for figuring out which neighbors to distribute this to and not leave it up to “as the crow flies”. The city of Trinidad has written in their STR Ordinance that the city will notify all property owners within 300 ft. of an STR property within 10 working days of an STR permit issuance or reissuance. It includes the permit number, STR address, local contact person, maximum occupancy and 24 hour contact phone number. The city also places this registry of information on their website.

5. Access. The access road for an STR shall meet a minimum of category 4.

[What does this mean?](#)

7. Neighborhood Concentration. Each STR may not exceed the following neighborhood concentration limitations except within the Shelter Cove Community Plan Area:

- a) STRS shall not exceed 10% of the dwellings on a given street; and
- b) As the crow flies (really?), the nearest ten dwellings shall not be STR's.
- c)

[Does the county know if this is even an issue and if so, in which neighborhoods is this concentration creating an issue? How is the county going to manage existing neighborhood concentrations where these limits are currently being exceeded?](#) I currently manage 4 in a neighborhood on a given street. [Will it be limited by attrition overtime similar to the city of Trinidad?](#) If an STR is being a “Good Neighbor” and following the permit guidelines why not allow it to continue to do business. This seems like an unnecessary restriction. Many of the neighborhoods that have these concentrations are owned by more affluent owners who if unable to secure an STR permit would not convert their 2nd home into a long term rental. Their home would simply sit vacant a

good portion of the year, which has a far bigger impact on the potential “health, safety and welfare” of a neighborhood.

8. Private Gatherings Prohibited. Private gatherings, including but not limited to parties, weddings, receptions, baby showers or other special events shall be prohibited.

This is absurd. Many visitors are families and friends who come to visit local Humboldt County residents or visit their Cal Poly Humboldt students and want to have a barbecue. Adopt the city of Trinidad’s STR ordinance section that allows the same number of visitors as maximum occupancy allowed. Example - if a house has a maximum occupancy of 4 then it can host up to 4 visitors. Visitors are not allowed onsite between 11 pm and 7 am and shall not stay overnight at the premises. Regardless of the allowable maximum occupancy there shall not be more than 20 combined occupants and visitors on the premises at any time. This makes good sense, is easy to follow and very clear. There are several holidays and graduations when gatherings are going to happen. This is unreasonable. Residents and long term tenants gather on holidays and graduations.

Application. A complete application for an STR permit shall include the following:

1. *Current grant deed for the subject parcel. Why? This seems time consuming for the county to review. Why not have the owner sign an affidavit saying there are no deed restrictions for the subject parcel? Wouldn't this save time and money for the county and release them of liability should an owner be dishonest?*
2. *Affidavit signed by the operator confirming the delivery of the Good Neighbor Guide to all neighbors in the closest 10 dwellings and within 300 feet up and down the street. As mentioned before, this should be the responsibility of the county, not the owner/operator.*
3. *For STRs operated by someone other than the property owner, evidence of property owner consent. The county should include on an STR permit application a section asking if the owner operates the STR themselves or if they authorize an operator other than themselves and include the operator’s name, email and phone number. Again, the city of Trinidad does this on their STR permit application.*
4. *For STR of 2 or fewer bedrooms of a dwelling unit that is occupied by the operator, evidence of operator occupancy. (e.g. driver’s license, employment record, etc.) Again, include this provision on the STR application and by signing the STR application the owner hereby certifies under penalty of perjury their application is accurate.*

In conclusion, I suggest once again that the county planning director and his team meet with the city manager in Trinidad as well as the other incorporated cities within Humboldt County who have STR ordinances and find out what is working well with their STR permit application, renewal process and ordinance implementation and enforcement in general. This ordinance as written is far too complicated. In my opinion less is more, keep it simple and see if something simple, clear and straightforward works. You can always add more regulation if needed but you will likely never take it away. This ordinance will require an inordinate amount of county staff time. Is the county looking to create jobs or are they looking to create a workable pathway to STR permitting and balance in housing? Hard to tell.

From: [Kim Bynum](#)
To: [Hilton, Keenan](#)
Subject: Short-Term Rental Ordinance related to ADUs
Date: Tuesday, August 15, 2023 12:34:42 PM

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

Hello-

As the owner of a brand new ADU, I write to represent my situation with STR rentals. I invested in building my ADU as a means to house my and my spouse's now-retired, older parents who do not live in the state but would like to spend more time with us and their grandchild. Having this home allows them to spend longer stretches with us and takes the stress of traveling off them. However, no matter how long they spend with us, the rest of the time the house would sit vacant as I need to have it available when they decide to visit. To be able to participate in STRs allows me to control the calendar and utilize my home more flexibly.

My ADU makes for a perfect STR because I am on the property to regulate anything that might be perceived as a disturbance to my neighborhood. We have had other STRs in the neighborhood suffer complaints and be shut down whereas I have been encouraged by my neighbors because I am onsite and like them, I do not want a rolling party next door to my home. The exclusion of ADUs seems to be based on situations arising in urban areas that do not remotely resemble the situation in Humboldt and seems reactive to an issue we do not have.

I do not intend to rent exclusively as an STR. Tourism is very seasonal, as friend and family visits would be. I would like to offer my ADU to my neighbor's friends and families, possibly traveling healthcare workers, and month-to-month renters. Ideally, I could have my ADU available for STR for the high season. ADUs would seem the better alternative than allowing SFR with no managers within a specified radius to be used as STRs.

I live in an area of Humboldt County that is in the sphere of influence of a tourist hot spot that does not currently have a hotel in town. The money that I am given for STR rental stays within the county vs. a large hotel chain. I promote local businesses, tourist attractions, and artists in my home. I contribute to the tax base with not only my property tax but my TOT earnings. My guests utilize the local grocery stores and restaurants and I can hire local people to help with cleaning and landscaping. The only thing that prevents me from participating in what is essentially a mom & pop approach to tourism, is that my home is an ADU, I find this very unfair.

Although my ADU was permitted after January 1, 2020, it was built to code therefore it has already demonstrated health and safety guidelines. If my business permit is issued and I already have a TOT number, and I can meet other criteria of the draft ordinance as written. Perhaps ADUs and JADUs on properties with a Homestead Exemption could be allowed.

--

Thanks,
Kim Bynum
(404) 428-3289
Trinidad, CA

From: [Lisa Lefevre](#)
To: [Hilton, Keenan](#); [Ford, John](#)
Subject: Support for STR Ordinance Amendments
Date: Monday, August 28, 2023 10:18:54 PM

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

Dear Keenan Hilton and John Ford,

We are writing to express our strong support for the proposed amendments to the vacation rental ordinance in Humboldt County. As a vacation rental owners, We believe these changes are crucial for maintaining a fair and viable environment for all stakeholders involved. Here are three major points that we believe will greatly benefit our community:

Point 1: Provisional Permits with Good Neighbor Affidavit

Drawing a parallel to the creation of the cannabis ordinance in our county, it's worth noting that provisional permits were granted during the interim period before the ordinance was fully adopted. This pragmatic approach recognized the need to balance economic activity with community interests. Similarly, for vacation rental owners, a provisional permit during the transitional phase would ensure continuity and stability while the new ordinance is being finalized. The inclusion of a "Good Neighbor Affidavit" as a requirement underlines our commitment to responsible operation and positive community engagement, just as it did with the cannabis ordinance. By following this precedent, we maintain consistency and fairness across various industries while ensuring that our neighborhoods remain vibrant and harmonious.

Point 2: Revision of Neighborhood Concentration Limit

The proposed neighborhood concentration limit, while well-intentioned, may inadvertently lead to an overwhelming number of special permits. Instead, we propose a more balanced approach by changing the wording to exempt properties with over 1 acre from the neighborhood concentration limit. This adjustment recognizes that larger properties have more space to accommodate guests without compromising the fabric of residential neighborhoods. This will encourage responsible property usage while minimizing administrative burdens on both the county and vacation rental owners.

Point 3: Flexible Vacation Rental Cap and Exclusion

Setting a cap on vacation rentals is essential to strike a balance between preserving the character of our neighborhoods and allowing vacation rental businesses to thrive. I propose a minimum cap of 3% of available housing stock, which takes into consideration the varying sizes and dynamics of different neighborhoods. Additionally, excluding the area north of Trinidad city limits from the cap recognizes the unique nature of this region and supports its economic growth without affecting other neighborhoods.

In conclusion, these proposed amendments to the vacation rental ordinance take a pragmatic approach that respects the interests of both property owners and the community at large. By introducing provisional permits, revising the neighborhood concentration limit, and implementing a flexible cap, we can foster a thriving vacation rental industry while maintaining the charm and integrity of our neighborhoods.

Thank you for your time and consideration.


Sincerely,
Lisa and Taylor Lefevre
(707)599-1892
Lefevrrentals@gmail.com


Sent from my iPhone




Draft Short-term Rental Ordinance_Inland 9.1.23

Proposed additions, proposed deletions








314-60.05 SHORT-TERM RENTALS


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

60.05.2 Applicability. These provisions apply to the rental of dwelling units used as Short-term Rentals. 


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


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

- A. Current grant deed for the subject parcel. 
- B. Affidavts signed by the permit holder GO affirming delivery of the Good Neighbor Guide to all neighbors in the closest 10 dwellings and within 300 feet up and down the street, if applicable. 
- C. Evidence of property-owner consent if the permit-holder is someone other than the property owner.     

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

60.05.6. Permit Requirements.

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

60.05.6.2 Special Permit Required. A Short-term Rental seeking exception from standards identified in §60.05.7.1 and §60.05.8.3 may only be allowed upon issuance of a Special Permit. 

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

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

60.05.7 Hosted Short-term Rental. 


60.05.7.1 Standards for Hosted Short-term Rentals.

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

A. Building, Fire and Health.


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


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


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

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

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


A. Resident Caretaker. The caretaker shall reside  within the dwelling unit and be present when rooms are occupied by guests.

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


C. Parking. Each Short-term Rental shall provide one off-street parking space per rented bedroom. Where legal on-street parking is available, one on-street parking space may count toward the minimum number of parking spaces required. 


60.05.8 Unhosted Short-term Rental


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

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


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


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


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


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

60.05.8.2 **Unhosted Short-term Rental Permit Limitations.** 

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

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


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


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

60.05.8.3 **Standards for Unhosted Short-term Rentals.** 

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

A. **Building and Fire.**

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

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



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



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

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

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

A. Good Neighbor Guide. Prior to the operation of the Short-term Rental, the permit holder shall submit to the Planning and Building Department a signed affidavit certifying the delivery of a Good Neighbor Guide to all neighbors with dwellings within 300 feet of the Short-term Rental as the crow flies, and to the nearest five (5) neighbors up and down the access road. The Good Neighbor Guide must contain, at a minimum, the following:

i. Name and telephone number for a caretaker who shall:

a. Respond to all questions or concerns timely

b. Remedy complaints related to health and safety (e.g., gas leak or power outage), as well as any violations of Humboldt County Code timely

ii. Location of the approved parking spaces.

iii. Permit standards.

B. Lighting. No direct light shall spill onto adjacent properties or create glare above the property.

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

D. Neighborhood Concentration. Each Short-term Rental may not exceed the following neighborhood concentration limitations, except within the Shelter Cove Community Plan Area where this standard does not apply.

i. Parcels with a General Plan density of one (1) or fewer acres per dwelling unit:

a. Short-term Rentals shall not exceed 10% of the dwellings on the access road; and

b. As the crow flies, the nearest ten (10) dwellings shall not be Short-term Rentals.

ii. Parcels with a General Plan density of more than one (1) acre per dwelling unit:

a. Short-term Rentals shall not exceed 20% of the dwellings on the access road.

E. **Private Gatherings and Parties.** Gatherings and parties shall have no more than 20 attendees.

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

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

G. **Parking.** Each Short-term Rental shall provide one off-street parking space per rented bedroom. Where legal on-street parking is available, one on-street parking space may count toward the minimum number of parking spaces required.

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

A. The permit holder shall submit a Statement of Continued Operation as provided by the Planning & Building Department

B. There are no outstanding violations associated with the Short-term Rental

6.6 RA: RURAL RESIDENTIAL AGRICULTURE

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

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

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

314-6.6	RA: RURAL RESIDENTIAL AGRICULTURE
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Development Standards

Minimum Lot Size and Minimum Lot Width

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

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

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

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

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

314-9 Mixed Use Zone Districts

9.1 MU1: MIXED USE (URBAN)

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

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

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

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

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

9.2 MU2: MIXED USE (RURAL)

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

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

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

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

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

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314-37 "V" Combining Zone Designations

~~37.1 V VACATION HOME RENTAL~~

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

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

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

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

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

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

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

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

Ch. 4 Regulations Outside the Coastal Zone | Humboldt County Code Page 102 of 298

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

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

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

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

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

...

~~314-44.1 BED AND BREAKFAST ESTABLISHMENTS~~

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

~~44.1.2 Occupancy Standards.~~

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

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

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

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

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

...

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

...

314-138 Definitions (C).

Cannabis Farm Stay. See, Farm Stay



314-141 DEFINITIONS (F).

Farm Stay. Farm stays are a form of Short-term Rental which includes the option and focus for guests to participate in educational, recreational, or social activities on the property that features agricultural use.

...

314-143 Definitions (H)

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

314-153 Definitions (R)

Recreation:



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

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

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

...

314-154 DEFINITIONS (S).


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

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

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

...

314-156 Definitions (U)

Unhosted Short-term Rental. Short-term Rental of a whole dwelling unit. 

314-157

Definitions (V)

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

...

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

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

Heavy Commercial (allowed in C-3)

Neighborhood Commercial (allowed in C-3, RA)

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

Private Recreation (allowed in RA)

Retail Sales (allowed in C-3, MB)

Retail Service (allowed in C-3, MB)

Transient Habitation (allowed in MB)

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

...

~~172.2 BED AND BREAKFAST ESTABLISHMENT~~

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

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

177.6 SINGLE FAMILY RESIDENTIAL

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

From: [Michael McKaskle](#)
To: [Hilton, Keenan](#); [Wilson, Mike](#); [Arroyo, Natalie](#)
Subject: Try again with STR stuff
Date: Wednesday, September 20, 2023 7:06:07 PM

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

I am sorry my comments are so late. Please add them to the record if possible. I included 2 supes just to seed some ideas if they get involved.

I was saddened to see that all existing short term rentals are to be grandfathered in. Not only does this not address the already existing lack of workforce housing but, by what I heard said (at the really depressing meeting I attended where a stream of entitled whiners made contra-factual statements about current local housing availability and threw out made up statistics about hwy 101 traffic) there are legal questions about doing that. Mainly, it is poor public policy to reward those who broke the law and caused the problem by giving them special privileges.

There are too many STRs already. A number should be decided on and a market mechanism used to apportion the scarce resource. Create x number of 3 year permits and auction them off. Perhaps use one of the auction formats where everyone pays the lowest winning bid. If you got sustained complaints then you can't renew your permit the year it expires. **Any Person shall have a beneficial interest in only 1 permit or if no permit system in only 1 STR.**

None of this should apply to STRs in a person's primary residence or on the same lot as their home where there is on site management.

Thank you, Michael McKaskle, Redway

September 26, 2023

**TO: Humboldt County Planning Commission
John H. Ford, Director of Planning and Building Department
Keenan Hilton, Associate Planner**

**SUBJECT: 5th Letter: Workshop on the Draft Short-term Rental Ordinance
Record No. LRP-2022-17963 & LRP-2023-18254
“PUBLIC COMMENTS”**

Dear Commissioners, Director Ford and Associate Keenan:

I attended the Planning Commission Meeting on Thursday evening, September 21, 2023 by way of Zoom. I have participated in the prior workshops re: the proposed STR Ordinance.

I signed up to speak at the Workshop with the Commissioners; unfortunately there was not sufficient time to allow all who attended the meeting to speak

This memo memorializes what I wanted to say at the meeting as follows:

My name is Neil Cleveland. I own a 3 acre parcel in Trinidad on the east side of Hwy 101 at 111 Adler Lane. The property improvements consist of a main residence and an ADU unit. The fully operational STR has no code violations, no complaints from neighbors and all TOT's are current.

I have attended the prior workshops and have also delivered 4 previous letters to Keenan Hilton addressing my comments to the proposed STR ordinance.

The STR I own has been operational since 2019 and I took over operation in early 2023.

The workshops have been very informational, properly conducted and Staff made sure that everyone who wanted to talk was given the opportunity.

I did see much of the public's input made a part of the most recent draft. The majority of participants who spoke at these prior workshops were STR owners and operators.

I have two proposed revisions to the most recent draft.

1st Revision: 60.05.10.1.4 Alternate Owner Builder:

The additional proposed provision number 60.05.10.1.4.1 provides the right to mitigate such AOB factors which is fair and reasonable, however in the case where a “Certificate of Occupancy” has been previously granted and issued, the AOB denial should not apply as it is unreasonable nor fair, nor should AOB units where prior TOT fees have been collected should not be denied as well.

2nd Revision: Paragraph 60.05.10.2.2 Non-Transferable: Add a “Transferable” Provision:

I suggest allowing STR Permits to be transferable, provided the STR permit is tied to the subject property with certain restrictions to be incorporated into proposed Provision.

I understand Staff is concerned with increasing home values and lowering the housing stock. I believe the Non-Transferable provision should not be arbitrary, but instead include some clear terms, conditions and restrictions with any STR Permit holder that wishes to sell the property and transfer the STR permit with the property.

I suggest further changes to this important provision as it will open up housing by providing owners of real estate to help their children purchase a property and also provides additional income to support the cost of home ownership by way of a STR.

My suggested changes to this Non-Transferable provision is to include the right to Transfer as follows:

1). Immediate family members who purchase a home from their parents or grandparents or an entity held by either the parents or grandparents, that includes an approved STR Permit shall be permitted to transfer the STR Permit, provided the sale or transfer is granted to the Seller’s children or immediate grandchildren.

2). Such children (and their spouses) of the parents / grandparents who purchase the property shall reside in the main residential structure during the term of the Permit.

3). Non-family transfers to non-related 3rd parties shall be permitted to transfer; however the permit may only be transferred one time every 4 years.

4). Add a special transfer fee for each category.

5). Should a material default occur more than 3 times during the term of the Permit, and should the violation not be cured, such STR permit transfers shall not be allowed.

Again, thank you for providing the people a say in this new ordinance.

Please consider my recommendations.

Respectfully Submitted,

Neil M. Cleveland

neilmcleve@gmail.com

951-232-3077

From: [T Burdick](#)
To: [Hilton, Keenan](#)
Subject: Comments on Draft STR Ordinance Inland 9.15.23
Date: Thursday, September 21, 2023 12:31:53 PM

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Mr. Hilton, Board of Supervisors, and To Whom It May Concern:

For provision 60.05.10.2.2:

This provision should not apply to those property titles that have more than one owner, if one owner drops off title due to a buy out by the remaining owner or owners. How does this provision apply to a STR operating under a state registered LLC? Perhaps this needs to be clarified for those cases.

For provision 60.5.10.3.2(E):

An exception should be made if the property owner(s) want to use their property for a special family event, such as a wedding or funeral wake.

For provisions 60.05.4(B) and 60.05.10.3.2(A):

There is a technical conflict between the requirements for these provisions.

The application process under 60.05.4(B) requires proof, in the form of an affidavit, that the Good Neighbor Guide has been delivered "*to all neighbors in the closest 10 dwellings and within 300 feet up and down the street, if applicable.*"

Whereas provision 60.05.10.3.2(A) provides a requirement, in the form of an affidavit, that the Good Neighbor Guide has been delivered "*to all neighbors with dwellings within 300 feet of the Short-term Rental as the crow flies, and to the nearest five (5) neighbors up and down the access road.*"

In a response to a question at the September 6th meeting, you envisioned the cost of an Administrative Permit to be around a couple of hundred dollars. This is probably not your final decision to make, but if this is the intent of the Board of Supervisors, this fee is exorbitant. How is such a cost justified?

Finally, for those of us who use our homes as a short-term rental (renting the entire home), there are several of us who also use it as a second home and not just a means of making income. We take exception to our homes being characterized as "housing stock".

If the county has a housing shortage it should be making efforts to build more housing for those who need it, such as acquiring old hotel properties and renovating them to meet other housing needs.

Sincerely,
Timolin Burdick

From: f.lockett
To: skavdalz11@gmail.com; hrh707@outlook.com; noah@landwaterconsulting.com; lonyx.landry@humboldt.edu; sregon@aol.com
Cc: [Ford, John](#); [Hilton, Keenan](#)
Subject: trinidad rentals
Date: Wednesday, September 20, 2023 1:51:32 PM

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Humboldt County Planning Commission et al. ,

We live in Trinidad . I have an operating vacation rental in the unincorporated County. My TOT Registration Certificate # is 012278. I have reviewed the Drafts and have some concerns as it relates to my rental property and the ability to sustain my home as a rental given the wording of the draft.

I support STR regulations, the Good Neighbor Guidelines and supporting the housing stock in the County. I have always used management companies with strict guest guidelines to ensure that my house resides harmoniously in my neighborhood ,with 24 hours service if any issues or concerns. In the event there are any issues my neighbors also have our cell number and can call me at anytime

I do agree with the 2% Cap. I also feel that the reduction of ADUs and AOBs, and rentals operating without paying TOT will automatically lower the number of rentals that may contribute to the cap.

While I do not feel the cap is an issue, my concern is the concentration. Unless the home is in poor standing (many complaints), is an ADU or AOB, the established homes, in the established neighborhood clusters should be allowed to exist in the current concentration. These are already working and there is no need to break up the combination of homes and create a scatter into areas that may not currently have or want rentals. In turn, this will also prevent the disruption of business and the abrupt stop to all those with pre-existing reservations to come and visit our Coastal areas, which is encouraged by the Coastal Commission.
And of course local businesses benefit as well,

My recommendation is the grandfathering of current homes registered and paying TOT in their respective locations, and applying any new vacation rentals to the neighborhoods to go through the hearing process.

This is very important tous and I do hope you will take this into consideration.

Sincerely,
Tom and Francene lockett
459 5th Ave
Trinidad , ca 95570