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**Subject:** Comments on Sep 15, 2023 Draft STR Ordinance (Oct 5, 2023 PC Mtg)  
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Dear Planning Commissioners:

Thank you for considering my comments as you review the September 15, 2023 draft of the Short-Term Rental (STR) Ordinance. My perspective is that of a neighbor to two non-owner-occupied STRs, a view that seems to be underrepresented in this process, however I'm sure is not unique.

I live next door to a duplex in the coastal zone that was formerly a long-term rental. For 25 years the same tenant lived in one of the units and for many years two tenants lived in the other. In 2019 the duplex was purchased by a real estate business owner for the express purpose of turning both units into short-term rentals. After 3 years of construction the conversion was completed and the property marketed through "AirBnB." Three local tenants lost their long-term housing and I learned what it is like to live next door to two short term rentals, not owner-occupied.

<!--[if !supportLists]-->1. <!--[endif]-->**Please Continue to Focus Clear Restrictions on Non-Owner-Occupied STRs to Preserve the Quality of Neighborhoods**

Preserving the quality of neighborhoods means more than regulating sewer capacity, parking etc. When a non-owner-occupied short-term rental is allowed into a residential neighborhood it's like a mini hotel has taken the place of a residence. *Non-owner-occupied STRs are businesses, not homes.* They intrude upon a neighborhood rather than enhance it.

Construction is designed to attract visitors not blend in with the neighborhood, more lights appear, and a steady stream of different occupants come and go with varying degrees of respect for the peace and quiet of the neighbors. Some are unobtrusive, some are not, but they all have one thing in common: *They are on vacation, they are letting off steam, and their behavior is not restrained by the presence of an onsite owner.*

When the STR rentals next to me are at full capacity, I have experienced the relentless sounds of people partying, socializing, drinking, playing noisy yard games for hours on end, hanging out in the hot tub till late at night talking loudly over the noise of the jets, oblivious to the quiet peaceful atmosphere of this neighborhood. The house is awash in lights. The guests are having fun, which is wonderful for them, they have escaped their homes and all the mundane things being at home requires. However, for the neighbors this means the vacation energy

never stops. It just transfers to the next set of guests. The character of the neighborhood is changed. The once reliable rhythms of known neighbors is replaced by the erratic unpredictable energy of those just passing through.

Neighbors have relationships that enable mutual reliance and respect. We form friendships. We have an investment in neighborhood tranquility because we *live here*. This is not the case with a non-owner-occupied STR. When the guests of a non-owner-occupied STR disturb the peace a neighbor who chooses to confront these strangers takes a considered risk. Do you approach the unknown people who have traveled here from some other place? Or do you suffer in silence? Either way, there is no longer someone you know with whom you can have a relaxed conversation about issues that arise. No longer a known neighbor whom you can rely on for mutual aid if an emergency comes up. No longer a friendly face equally interested in neighborhood concerns.

The non-owner-occupied STR is a business. It is not a home-share where the on-site owner welcomes guests for extra income and serves as a natural restraint on disturbances. At the meetings many of these on-site owners expressed the fact that their neighbors did not even know an AirBnB rental existed on their property. These situations are ideal. Hopefully the Ordinance can facilitate them with less restrictions. In a practical sense allowing multiple non-owner-occupied STRS in neighborhoods is like the equivalent of rezoning residential property to commercial without due process.

Please consider imposing sufficient regulations on non-owner-occupied STRs to mitigate if not completely reduce the negative impacts on neighborhood quality that they create.

<!--[if !supportLists]-->2. <!--[endif]-->**Parties Prohibited in Previous Drafts Are Now Allowed for Non-Owner-Occupied STRs – Why?**

The revised draft suddenly allows parties of up to 20 people for all non-owner-occupied STRs without limitation. Previously, *in all prior drafts*, private events and gatherings “including but not limited to parties, weddings, receptions . . . or other social events” were prohibited without a special permit. This sudden change was surprising and without adequate notice. Please return to the prior language.

Here’s a practical example of problems this language could create. In the case of a duplex, both units of which are STRs, this means the duplex could entertain parties of up to 40 people every day with no limit. Why allow this kind of neighborhood impact for non-owner-occupied STRs? A provision that allows large parties without limit can only result in more complaints and neighborhood conflict than less. If a party is to be allowed in a non-owner-occupied STR it should be pursuant to a special permit where appropriate limitations can be imposed and the neighbors will receive notice.

<!--[if !supportLists]-->**3. <!--[endif]-->Noise Requirements Are Unreasonable for Residential Neighborhoods and Do Not Have Adequate Enforcement Provisions**

The current noise provisions are not reasonable for densely populated neighborhoods where properties are separated by minimal setbacks. Instead of measuring noise artificially by decibels, please consider requiring STRs to establish “quiet hours.” Decibel levels are good for measuring potential damage to a person’s hearing, but they do nothing to measure the lived experience of having sleep disturbed by people talking in a hot tub 10 feet from a bedroom window. The county should not be in the role of artificially quantifying whether a given noise level is annoying to a neighbor who is trying to sleep.

Ideally quiet hours could be worked out between owners of STRs and the immediate neighbors depending on circumstances but be no later than between 10 pm and 8 am by the county’s Ordinance. Hotels, bed & breakfasts, etc, all have quiet hours that are commonly after 10 pm and before 8 am.

It’s unclear why the county decided to allow outdoor noise to begin at 6 am. Most people are sleeping at that time. Even construction sites have to refrain from making noise until 7 am and those at least can be expected to end at some point. Rural areas may require less restrictive standards, but people living in homes next to one another should be able to expect that an adjacent STR will not disturb their peace and quiet at 6:00 in the morning.

If efforts between the parties cannot establish reasonable quiet hours, then a complaint to the county and evidence of decibel breaches may be necessary. However, what if the noise sensor indicates decibel levels have been breached? What then? How do you enforce this provision? What would you require the owner to do to remedy the situation? The offending tenants would have likely checked out by then and/or the noise could have continued as the complaint process, procurement, installment and measurement of a noise sensor played out.

<!--[if !supportLists]-->**4. <!--[endif]-->Lighting Standards Need to More Clearly Follow International Dark-Sky Standards**

The current draft has the following language regarding lighting: “*No direct light shall spill onto adjacent properties or create glare above the property.*” This language is helpful but more detail would make the requirement consistent with universally recognized ‘Dark Sky’ protections designed to reduce light pollution and protect the night sky. That specificity existed in the first draft but disappeared in the second and third drafts. Please return to the original language which was as follows:

*“All exterior lighting shall be on-demand and shielded downward,” AND  
“No direct light shall spill onto adjacent properties or create glare above the property.”*

Unlike an owner-occupied STR where an overabundance of lights would impact the owner living there and thus be less likely, non-owner-occupied STRs seem to include excessive lighting. The duplex next door to me went from having one simple porch light in front to being lit up with dozens of lights in front and in back, many of which stay on all night long. At my request the owner of the duplex is attempting to mitigate the impact of these lights, however the lights have obscured my ability to see the stars at night, shine into the windows of my home, and have negatively altered the nighttime environment. Please help owners of STRs in Humboldt County understand how to comply with International Dark Sky Association standards for lighting with clear provisions that require lighting to be shielded downward, be on-demand, AND cast no direct light onto adjacent property or create glare above the property.

<!--[if !supportLists]-->5. <!--[endif]-->**Good Neighbor Guide Language Regarding Response Time to Complaints is Now Too Vague - Please Return to the Original Language in the First Draft and Address Inconsistencies**

The language in the Good Neighbor Guide has been diluted. It is now too vague to be useful. It was loosened to address the concerns of the on-site owners who objected to needing to be available to answer complaints within 30 minutes and be available 24 hours a day. Now it only requires a “timely” response. A “timely” response is too subjective. It will not serve owners or neighbors. Please return to the original language, or something more objective that will be effective to resolve immediate issues.

In addition, the Good Neighbor Guide language throughout the draft is inconsistent. The application requires proof it’s been provided by both owner-occupied and non-owner occupied but it is missing in the owner-occupied section. And, the application requires delivery of the Guide to the closest 10 dwellings, but the non-owner-occupied section it says delivery is only to the closest 5 dwellings.

Thank you for your careful review of this important Ordinance. The staff has done an admirable job of trying to address the many viewpoints expressed during community meetings. They have been professional, respectful and patient. I look forward to following this process as it continues to unfold.

Sincerely,

Carolyn Ruth  
Resident of McKinleyville