

To: Humboldt County Planning Commissioners

From: Nancy Young

Re: My application for a special permit to run a Bed & Breakfast Business at 7538 Elk River Court, Eureka, CA 95503

June 2022023

Personal Background:

I am Nancy Young, the owner of 7538 Elk River Court, Eureka 95503. I am seeking to get a special permit to run a Bed and Breakfast using 2 rooms on my property. After some background information, I will address some of the concerns that have been raised about my application being approved.

In late March of 2021, before the second Covid surge in India, I moved to Eureka because this is where my son, Shaun Walker, lives. For the previous 4 1/2 years, as a volunteer. I was responding to the Dalai Lama's initiative to empower Tibetan women and girls. Highly inspired by this pivotable commitment, I catapulted myself to Dharamsala, India, interviewed more than 40 Tibetan women and girls, designed and then led empowerment groups for 3 1/2 years for Tibetan girls in a middle school and then at Sarah College for Tibetan Higher Studies. An amazing, challenging and growth-full experience.

I bought the property on Elk River Court in April 2021. My other son, Scott Walker, his wife, Katt, and my grandson, Alex, came from Thailand to live with me 2 weeks later. We had not thought of renting any part of our property for several months. We were getting settled, moving what was stored in my 30-foot storage unit, and enjoying getting to know the beauty and wonders of Humboldt County. Coming from Asia, we also were shocked and unprepared for prices of everything in the US, including the very high utilities for the home I had bought. And then of course inflation made it worse.

In June we transformed the yard by the patio of the cottage behind the house from being a chicken run - dirt and occasional clumps of field grass - into a beautiful meditation garden with pond. Having become more aware of the costs of upkeep on this property, **in July of 2021, we began renting the cottage via AirBnB. Scott and Katt managed the bookings and Katt did the cleaning. In June of 2022, again for financial reasons, we started renting the master bedroom in the house as well as well as the cottage.**

I am 83 years old and on a relatively low fixed income (\$4350/month) given my \$2256 mortgage and utility costs greater than \$1000 in cooler months. (Electricity was \$600 in April.) \$4350/month doesn't go very far.

The county received 10% of all rental fees charged to our AirBnB customers. I didn't receive any notice about needing a permit and I didn't even think about it as 2 decades ago I short-term-rented part of the house I then owned in West Marin. Only the 10% occupancy fee was required. In January 2023, with a truck that gets 8 miles/gallon, my son, Scott, and his family moved into an apartment closer to my grandson's school in Arcata. **I currently live in the Elk River house alone though my family from Thailand continue to help with property upkeep and rental management, and cleaning. Katt and Shaun are now doing the property management.**

History regarding this application and the original complaint:

Much to my surprise, **in late August 2022, I received a letter from the Humboldt Planning Department saying they had received an anonymous complaint and I could no longer do short term rentals. The name of the person complaining and why they were complaining were not shared. (Is this the due process which is a bedrock for democracies?)** I guessed the complaints were ones I had heard regarding two different guests who did not follow the driving speed posted limit. Several of my neighbors have good reasons to want to avoid the dust that blows toward their houses when fast drivers pass.

The day following the arrival of the letter I was standing at the Planning Department counter in tears, pleading that there must be something that could be done. **The security of being able to keep my house was being threatened.** The kind woman on the other side of the counter excused herself to talk with her boss. **Her Planning Dept boss suggested that I apply for a special permit to have a Bed and Breakfast business** which is not illegal in Humboldt County as short-term rentals are.

I received a letter the following week with instructions and **my business was closed down on Sept 9**, after the near-term-renter reservations were honored. All other reservations had to be cancelled. The application process had been communicated and **I was told I could rent to people as long as it was for 30 days or more. My focus was on getting the BnB permit.** Having completed all application requirements, I waited for an appointment with a planner. **Shaun and I met with planner, Trevor Estlow, on October 3, 2022, paid the \$2165 application fee and began the process** for getting the permit. When asked about timing, **Trevor said he had more than 40 applications ahead of mine and permits usually take about 4-6 months.** My heart sank again.

From July of 2021 to Sept 9, 2022, I hosted 444 short-term vacationers in my cottage and 43 in the master bedroom. The provided sample of guest reviews will allow you to assess the quality of people who came to our property and what was typically shared in our guest books. We had 186 reviews all of which expressed guests were very happy and grateful for being here.

From Sept through December of 2021, my AirBnB receipts for the short-term guest bookings for the cottage rentals were \$14, 256. When I was closed down, **my income from long-term rentals for the same 4-month period in 2022 was \$4,612, only one third of previous year's earnings.**

I had been able to pay all my bills on time when I was renting short-term with AirBnB. **My long-term rental income from Oct 2022 through June 2023 has been 38% of previous short term rental income for the same time period,** and along with my fixed income has been **insufficient to pay my living expenses.**

I've gone in debt every month since Sept of 2022 and **now am in my 9th month of the process with the Planning Dept. The planners I have worked with have been really great,** but the department is drastically understaffed for the workload planners carry which results in what feels to this citizen like an **unreasonable, and for me costly, processing time. I just got a bill for an additional \$2,438.04 for work done by Steve Lazar through June 6, in large part a result of work he needs to do to respond to people opposing my application who don't even live in the Elk River Court community.** I have been told I can anticipate at least \$1600 to cover the July 6 meeting.

Concerns raised in the 7 letters sent before the June meeting time to protest my application being approved:

Last month, well before the letters opposing my application had been received, I called Kristie about my application for the special permit to ask what she would like me to do to honor her request for guests not going into her property. She informed me she would be fighting to have my application turned down as a matter of principle. Planner, Steve Lazar will address issues of zoning, ordinances, local laws, etc. I will respond to the issues I can.

Concern that if my application is approved, it will open a flood gate of applications in the Elk River area.

There already is a flood of unpermitted AirBnB offerings in Humboldt County, including in the Elk River area. With the time and financial cost of my trying to get a permit, I expect many will choose **not** to undergo this process.

Concern about traffic impact and renters driving above the 10 mile/hr or less speed limit:

Prior to the complaint filed with the Planning Dept, I had had 2 Elk River Court community neighbors complain about 2 renters driving over 10 miles/hour. After the first complaint, my property manager began sending a “welcome letter” that emphasized the 10 miles/hour or less limit and reasons for it. Several months later, another neighbor complained about a renter who had driven over 10 miles/hr. I began calling every prospective guest the day before they were scheduled to come to personally emphasize the importance of the driving speed limit. This has made a difference. I also went the second time to everyone living on Elk River Court to get their input, ask if there was anything else needed and ask them to please call me right away with any concerns in the future. I was met with considerable appreciation for my efforts and care.

There is one additional **unexpected point regarding traffic impact. Eighty percent of my 30+ day renters in the cottage have had 2 cars, 60% in the master bedroom.** It was fairly rare, for short term renters place to have more than one car, no more than 10-15%. For the Elk River Court community and others living on or off of Elk River Rd, it's clear my **having long term renters has had greater traffic impact** and probably will have in the future.

I have been genuinely caring and responsive to my neighbors' concerns about dust and driving speed and have been engaged in our small community. I helped co-owner of the road, Steve Painter who mostly resides in Southern California, by being his liaison with the Fire Chief about the bridge. My family and I supported the bridge upgrade done by the community, and I have helped Katy Gurin make contact with neighbors regarding the Caltrout survey. I have good relations with all neighbors. **When I went around and talked to my neighbors before what I thought would be the May 2023 completion of the B&B decision, neighbors in all 7 other occupied houses in the community signed a note in support of my getting the BnB permit. The Franceschis who live on Elk River Road where ER Court enters also signed in support. (See map included) Steve Painter has the 8th ER Court residence though is here infrequently because of his job in Temecula. I reached him by phone, and he said, “I don't have any problem with what you are doing.” The Elk River Court community IS the community most potentially impacted by my having a BnB and I will continue to take care to make sure my renters comply with the rules that protect the community and make sure my neighbors remain comfortable and supportive. The one neighbor who was least enthusiastic about my renting**

particularly didn't like new renters coming late on their first night. **I am now communicating check in must be before 9 pm to accommodate this neighbor's concern.**

Renters trespassing on Kristie Wrigley's redwood forest:

The redwood forest on the south side of my property is owned by Kristi Wrigley. When we first arrived, she let us know we were welcome to walk in her forest. **I so appreciated Kristie's welcoming us, her friendliness and generosity.** As owner, I take responsibility for what happened next. Scott and Katt assumed given what good people were staying with us that they too could go in the woods. **I screwed up because after my initial input, I wasn't paying attention to what was said on the AirBnB website. Also, Shaun had communicated at one point that Kristie didn't want renters going into her property. I thought I had communicated that to Scott and Katt, but I hadn't. I felt really bad when Kristie contacted us understandably angry about several guests trespassing. We immediately made sure there was nothing on our listing mentioning the redwoods and began sharing with guests that the redwood forest south of our property was private and no trespassing. This weekend I will put up a sign stating that.** I regret my family and I didn't get all aligned on making sure Kristie's wishes were known by all and honored from the start. Also, In June I started **giving all guests "House Rules". They reinforce the very slow driving required and they make explicit the "Private – NO TRESPASSING" south of our property.**

Issues of public safety and access: "Add to already distressed crime threats" "unaware short-term guests, increase fire threats."

For two years we have been renting, 14 months to short term guests, 9 months long term. I called the sheriff once because Scott and Alex were run off Elk River Rd Road by a speeding logging truck when they turned onto it from Elk River Court. Otherwise, **we have not needed the police nor other emergency services. No crimes, no emergencies.**

What needs to be understood is WHO ARE GUEST ARE simply doesn't fit the assumptions made by those opposing my application. 440/444 have been mature, thoughtful caring people delighted with what they experienced in our cottage or master bedroom and mindful about taking care inside and out. (Four were 2 sets of young immature women, driving fast and one driving into the fence and not paying for the damage.) This property simply does not attract bad actors or criminals. The people who have been drawn to stay at our property have been of very high quality and grateful for the peace and

quiet and beauty of the gardens and surrounding nature. Please check out the sample reviews in this packet.

Ambulances can cross the bridge. Verizon works in both rental areas and renters with different cell carriers can use wifi-calling very successfully given our strong Starlink internet.

Fire Safety: Yes, my neighbor did have a fire in his house and the fire department did the best they could. With my help, Steve Painter will be pursuing a solution to resource the ER Court community with adequate access for water to fight fires in our community.

This spring I helped Steve to obtain from the fire department **a copy of the recertification document that verifies the bridge is confirmed to be able to hold the Humboldt County's one small fire engine.** Since it is sometimes loaned to other communities experiencing a wildfire, is not permanently manned, and is housed across from Redwood Acres (15 min away), Steve is planning to propose when he comes back this summer that he/we all dig a trench for a water line from the Elk River Rd side of the bridge to within the needed proximity to all of the houses. (This will be coordinated with proper authorities.) **This community initiative would allow the fire station's water truck to provide water for firefighters in case of a blaze.** (I have a close friend who was the HR Manager for Santa Rosa for years. She is of the opinion that it should be the Fire Chief's job to figure out how to resource his department so he can effectively serve all those who pay taxes to support Fire Department services.)

Increased demand for & burden on county services: It seems illogical, given the quality of people who have come as AirBnB renters and our track record, that there would be any greater demand for county services, particularly since I am now and will be renting long term when not able to rent short term.

My having a BnB would be a detriment to the greater Elk River Community and "fragile ecosystem":

I don't understand, given the quality of guests we attract and their thoughtfulness, how they can be seen as negatively impacting anyone else up stream or downstream on Elk River, or the river itself, especially given I will have long term renters in the two rooms if I am not doing a B&B. **In our House Rules, we welcome our guests to walk across our field to the high bank above the river on our side to see the river but not to climb down to the river (same for their dogs).** I've let Katy Gurin know that I am eager to do whatever I am advised for supporting the river's restoration. She arranged for the

engineer to come talk with me later this month and Elizabeth Pope whom I met at the Watershed presentation at the Grange interviewed me at my home on June 20. I look forward to my awareness growing so I can make sure I understand how to protect the river, the ecosystem and hasten its restoration as best I can. My family and I model care for the environment, and the people who have picked this place to stay, have also seemed to be environmentally sensitive and thoughtful.

Impact on the greater Humboldt County community:

My short-term rental guests have positively impacted the greater Humboldt community in three different ways. First, the tourist revenues received by businesses in Eureka, Arcata, Trinity and other close by communities are substantial. We provide many brochures that inspire guests to experience the wide varieties of beauty, nature, food and experiences our greater community offers. As Shaun was Photographer or Photo Editor of the Times Standard for 26 years, he has been a superb resource about the community for guests. **The second benefit is the occupancy tax I have paid to the county. Third is the impact of who we are with our guests and the beauty, tranquility and peace we provide that have led most guests to want to come back to the area** and to our special places as their home bases. I keep a guest book in both rooms in which most guests have chosen to write entries. There are 186 reviews in total. Most guests speak of how grateful they are for the peace, quiet and beauty they experience staying here and the friendliness and helpfulness of my property managers and myself. A couple of couples have referred to what we have created as a sanctuary in which they could relax and recover from their highly stressful lives. Our guests' energy of appreciation and increased sense of well-being gets extended out and multiplied when they venture into the greater community. I'm including a sampling of their entries in this packet. **The positive feedback on the AirBnb website has resulted in our being designated a "Super Host" with ratings on our two offerings of 5.0 and 4.8, both out of 5.0 as the highest.**

Other suggested potential health concerns related to living in the Elk River Valley and The ER Court community – Septic, Flood, Water

Septic: A staff member from the Environmental Health Section of the Planning Dept visited the property and said the system we have is adequate for 3 bedrooms. Any higher occupancy would require a new system. The previous owner was a family of three who upgraded the cottage and had friends and relatives stay when visiting. He said they never had a problem with the septic system, nor have we. He had it pumped right before I moved in. Our House

Rules request guests put toilet paper, diapers, etc. In the plastic bag in the covered container provided given a “relatively old septic system”.

Water: I had the well water tested and the storage tank and filtration system evaluated. There were problems which resulted in a **new UV filtration System being Installed and an ozone component installed in the water tank** after it was thoroughly cleaned. I also installed under the sink **additional drinking water purification in the cottage kitchen and the house kitchen. Guests in the master bedroom are supplied bottled drinking water.** I forwarded the details of our new system to Elizabeth Pope from the Water Quality Board.

Flood: I’m told the land where my house sits is the highest in Elk River Court community. The previous owner had a survey done and the **ground on which the house sits is not in the flood zone.** The field to the east of the gardens and house property is 8 or 9 feet lower than the ground floor of the house. The last time the field flooded this spring, it was still 2 ½-3 feet below garden grounds and 3 more to the house. The renters in my cottage at the time. weren’t alarmed but were excited to see the transformation from field to a 200-foot wide, fast-moving river that mother nature created for a portion of the 1 ½ days before the river receded back to its original banks.

Thank you for taking the time to read this and for your consideration of what I have shared and my application for a special permit.

Respectfully,
Nancy Young