

Pre-Workshop Comments

Theme 3: Neighborhood Concerns

Hello to Keegan and our Supervisors,

August 29th, 2023

Thank you for starting this work to help our community make the most sense out of vacation rentals and the roll they play in our overall housing dynamics here in Humboldt.

My name is Bo Day, I'm a general contractor, property owner, and father to two teenage sons currently enrolled in Arcata High and McKinleyville high. I attended the meeting held on August 24th in McKinleyville and was struck by the turn out, the clarity of the speakers, and the emotional intensity around this issue.

The draft ordinance we were presented with at the meeting was clear about establishing a hard-cap for the total number of permitted vacation rentals at 2% of the existing housing stock and also that neighborhood concentration limits would be in place to determine how many short-term rentals could be in any neighborhood. I appreciate the clarity that property owners who live on the property where they have a short-term rental that is two-or-less bedrooms of the house where they live are exempt from the overall 2% cap but I hope future drafts of this ordinance can create even more clarity for **people who live on the property where they have a short-term rental:**

In particular I hope my thoughts here are understood to be focused on ***those properties where the owner lives AND where he/she is operating a short term rental.*** My feeling is that much of the tension around this ordinance comes from this type of property.

1. **Please make it clear that property owners who live in the same house that they use as a vacation rental are exempt from the neighborhood concentration limits.** It was clear to me at the meeting that people are very concerned about these concentration limits because they see a situation where one neighbor has a permitted short-term rental in her home and, therefore, the other neighbor cannot. Even though neither of these property owners are removing long-term rentals from the market. This situation, with the concentration limits, has the potential to put neighbors in conflict and competition with each other. It also presents the possibility that the highest functioning, wealthiest, best connected members of a neighborhood will get their permits first and the rest, who may have other struggles or who are simply busy at work, will be trying to catch up only to see that they are not able to get a permit because of the concentration limits.

2. The fact of the matter is that many people are currently using various outbuildings and ADUs that have existed for years as vacation rentals and that these people rely on income from these rentals to survive. So the language that in order to be exempt from the 2% cap a property owner needs to live within the same house as the rooms that are renting is frightening and confusing. Additionally, the neighborhood concentration limits further confuse the concept of permitting a short-term rental in an existing second unit or back-yard cottage. Forcing property

owners to give up income from short-term rentals in various cottages and buildings on their properties will cause serious damage to many people. I hope that the readers of this note understand that income from many short-term rentals is not some “extra profits” set aside for frivolous vacations it is essential income to help people survive the day-to-day. **I feel that the best way forward with the ordinance is to simple make it clear that property owners who live on the same property where they are hosting a short-term rental are exempt from permitting whether the rented space is physically inside their home or elsewhere on the property.**

3. How will this ordinance address **seasonal short-term rental use**? Particularly when the short-term rental is located on the property where the owner lives. I can see many situations where a homeowner chooses to rent a part of their property during the summer months but uses the same structure for personal/ family use during the other parts of the year.

I do not currently run a short-term rental but I plan to transition one of our long-term rentals to a short-term seasonal rental when my mother ages to a place where she needs help (she is 81 today). This is a very common situation as so many of the boomers are well into their senior years and many are now in need of support. Like many families we have a plan that my mother will split her time between living here in Humboldt and living in the areas where my two siblings live. She will spend 4-months living in my small unit in Manila then on to my brother or sisters. The other 8-months I plan to use the unit as a short-term rental to make money to support her. I fear that the 2% cap as well as the concentration limits as they are written in this draft would likely make this plan impossible if one of my neighbors gets a permit before I do. That will really screw up our plans and put my mother in a tough position.

4. How will Humboldt County **work to promote and celebrate our local people who are running short term rentals** and bringing tourists and revenue into our county? Like any small business owner all of these individuals are taking on risk and putting in work to bring economic activity to our community. Any ordinance creating hurdles for them to overcome should also create supports and rewards for those who overcome the hurdles.

5. **Strengthen opportunities for “the little guy” in this arena.** The draft we were presented with at the meeting omitted the language that limited the total number of units that any one entity can permit. We were told that was a clerical oversight. I hope so. I’m sure you agree that every effort needs to be made to protect this industry so that regular home owners can thrive here and not be pushed out by wealthier companies or groups. I understand the ordinance will contain language limiting the number of permits any single entity can have to FIVE. Even that seems like a lot. The real focus of this ordinance should be to prevent businesses and individuals from buying up property in our beautiful area and turning existing long-term rentals into vacation rentals. I would encourage the ordinance to focus directly on that and leave actual, local homeowners alone.

5. **How is Humboldt County incentivizing the creation of long-term rentals?** This ordinance creates a few hurdles for people seeking to create short-term rentals. What is the county doing to encourage property owners to create long-term rentals?

- A. Reduction in property taxes for long-term rental properties.
- B. Reduction in sewer/ water rates for long-term rentals.
- C. Streamlined permitting and reduction in permitting costs for building long-term rentals.
- D. Work with the state/ federal government to create favorable tax incentives that encourage individual property owners to create long-term rentals. In other words tax the income from long-term rentals differently than you tax income from short-term rentals particularly for individuals who own less than 5 rentals.
- E. Grant a permit that allows for a short-term rental to individuals for every 5 long-term rentals they maintain. Even if that property is out of step with your density and concentration limits.**
- F. Create a specialized lending office that can write equity-based loans at reasonable rates to builders who want to build long-term rentals. In other words write loans that are secured by the equity in the property being developed (not by the builder's income) and create deed restrictions on those properties that guarantee that they remain rentals for some extended period of time (10-years say). The ADU guidelines on your website are nice but your work there doesn't create actionable help for property owners.
- G. Fix workman's comp. The costs and administration involved in maintaining employees is a huge percentage of the cost of construction. For a small company like mine I pay nearly 30% of what I pay my guys to the workman's compensation company. That is disgusting and I would rather pay my guys than the insurance company. If you really want to encourage builders to build rental property find a way to offer reduced rate workman's comp to companies building rental units. Lend us money and reduce our costs and we will build rentals for people.

That's it for my actual ideas now I'm just rambling-

I own four properties in Humboldt, each of which has two units on it and none of them are short term rentals. I provide long-term housing to seven families in McKinleyville, Arcata and Manila and I have done so for 15 years and I have no plan to stop doing so. Three of these long-term rentals I built with my own hands. In addition my efforts as a small-time developer have

created an 8-lot subdivision as well as a three-lot subdivision in McKinleyville all of which are currently developed with homes lived in by regular, long-term people. I am someone who has created and maintained real housing in Humboldt and I'm currently starting to investigate creating another 3-lot subdivision off of Hiller rd. that will be developed with two homes on each unit all adding to the general housing stock in this county. I have created this housing simply as an active contractor hustling the best I can with the limited resources I have. How can you help me with this new project on Hiller so I can do a three-lot subdivision and build six new rental houses?

Even though I am a provider of long-term rentals I fear that the current draft of the ordinance will do real harm to many people in our community and do real harm to neighborhoods. **In particular I'm concerned with the county's insistence that individual property owners who want to run a vacation rental as part of their own property, where they live, will be required to go through the permitting process and that they may be refused a permit because of the concentration limits. Those concentration limits should not apply to people running short term rentals anywhere on the property where they live either in the house, in the garage, or in the yard. People running short-term rentals on their own property, where they live, should be exempt from the permitting process.**

Thanks for your time,

Bo Day
Equity Building and Design
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boday@ebd1.com
707-496-3095

From: [Dan Berman](#)
To: [Hilton, Keenan](#)
Cc: [Jim Cotton](#); [don verwayen](#); [Bryce Kenny](#)
Subject: Re: Time Running Out to Provide Input Into Short-Term Rental Ordinance - Planning Commission to Hold Workshop on Thursday at 6 p.m.
Date: Wednesday, September 20, 2023 10:29:32 AM
Attachments: [image001.png](#)
[image001.png](#)

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

Hi Keenan,

I have a comment for you and the Planning Commission on the STR Ordinance about this section:

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

My comment:

The County should not permit STRs where there is a binding, recorded prohibition of such use on the deed/title of the property, regardless of whether the County is a party to the document. If an applicant does not have the legal right to use your parcel as an STR based on a valid recorded restriction tied to the parcel, then the County should not issue a permit.

Therefore I strongly suggest that the words '*...to which the county is a party...*' should be stricken from Section 60.05.10.1.1

AND

the Permit Application (Section 60.05.4) should be amended to require the applicant to submit an affidavit stating that "there is no recorded covenant, agreement, deed restriction or other recorded document that limits the use of the dwelling to affordable housing, or otherwise prohibits use as a Short-term Rental."

Many neighborhoods have recorded CC&Rs (covenants conditions and restrictions) that limit certain land uses. The County is almost never a party to these legally binding restrictions. The County should not issue permits that enable and legitimize property owners to directly violate the recorded terms of their deed and title. Property owners are responsible for knowing the recorded documents that apply to their property. Whether the County is a party to the restriction seems entirely irrelevant. The issue is whether the use is legally prohibited on that parcel.

This would be relatively easy to implement by requiring applicants to provide an additional affidavit as part of **Section 60.05.4 (Application)** stating that "there is no recorded covenant, agreement, deed restriction or other recorded document that limits the use of the dwelling to affordable housing, or otherwise prohibits use as a Short-term Rental."

The county can rely on this Affidavit in considering permits - and only get involved if someone brings a complaint that presents the existence of a recorded document that clearly

prohibits STRs. Then the County would have to evaluate the complaint and should revoke or deny the permit if such use is clearly prohibited on the parcel. Applicants have to inform their neighbors of a permit application - so such issues would typically come to light prior to permit issuance. If the neighbors are aware that this use is prohibited in the neighborhood by CCRs, they can share the information with the County in a complaint, the documents in question can be reviewed and the permit denied if it is clearly prohibited by such documents.

If the recorded restrictions are ambiguous, or their legal status is in question, the County could use its discretion and a) choose to issue a permit and let the neighbors enforce the CC&Rs, or b) let the applicant make a case as to why the documents in question are not binding before making a decision.

Permitting STRs where they are in violation of recorded CC&Rs or other recorded components of the deed and title will fuel neighborhood conflict, serve as the County legitimizing a legally prohibited use, and could even potentially put the County in legal jeopardy for facilitating the violation of legal land use restrictions.

Please require STR Applicants to attest that they have the legal right to the Permit they are requesting on their parcel, and reject applicants that do not have such a right.

Thank you
Daniel Berman

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On Tue, Sep 19, 2023 at 4:49 PM Hilton, Keenan <KHilton@co.humboldt.ca.us> wrote:

Greetings,

The revised draft Short-Term Rental Ordinance will be presented to the Humboldt County Planning Commission on Thursday, Sept. 21 at 6 p.m., or shortly thereafter. This is one of the last opportunities for the public to share their thoughts and concerns regarding short-term rentals (STRs) in Humboldt County before it moves on in the process of being adopted.

The Humboldt County Planning & Building Department has been actively working on a draft Short Term Rental ordinance to allow residences to be used as short-term rentals in unincorporated Humboldt County. The purpose of the draft STR Ordinance is to protect the character of the neighborhoods where they are located, to preserve residential units for people and families who live and work in Humboldt County, and to allow for economic gain.

Public Outreach

The County of Humboldt acknowledges that people are sometimes disappointed with

ordinances adopted by the county and feel left out of the decision-making process, even when the county has invited the public to share their input.

To ensure Humboldt County residents are provided with the opportunity to share feedback on the draft ordinance, county staff have hosted five public meetings where 400 community members have attended. Additionally, over 60 written public comments have been received and the county's [Short-Term Rental Ordinance webpage](#) has been visited over 3,000 times.

The input received has been valuable and given shape to the current draft ordinance. However, county staff have noted that most of the feedback received has come from individuals who own and operate existing short-term rentals. A limited number of people have expressed concern about the impact of short-term rentals in their neighborhoods or how STRs could affect their ability to find affordable housing in Humboldt County. The Planning & Building Department desires balanced input and encourages participation if you have concerns or thoughts about short-term rentals that you have not yet shared with staff.

Planning Commission Workshop

The draft Short Term Rental Ordinance will be presented to the Planning Commission on Thursday, Sept. 21. Community members are invited to attend this workshop in person at the Board of Supervisors Chamber, located at 825 Fifth St. in Eureka, or on [Zoom](#). The meeting will start at 6 p.m. To review the meeting agenda, please visit: <https://humboldt.legistar.com/Calendar.aspx>.

If you wish to participate in the process of crafting this ordinance, this is the time to do so. Following this meeting, the draft STR ordinance will enter the public hearing stage. The Planning Commission will make a recommendation to the Humboldt County Board of Supervisors and the Board will decide to approve or deny the ordinance as it is written. It is anticipated that this process will conclude before the end of the year.

The revisions in the most recent draft include permitting for all existing short-term rentals, and the expansion of what is allowed with an Administrative Permit to include sites on category 3 roadways. To learn more and review the revised draft ordinance, please visit the county's [Short-Term Rental Ordinance web page](#).

How to Watch or Listen to the Planning Commission Meeting

- Join online at <https://zoom.us/j/87544807065> and enter the password: 200525.
- Call in via telephone at (346) 248-7799, enter the meeting id: 875 4480 7065 and password: 200525.

- A live stream of the meeting can be found by using the following link: <https://humboldt.legistar.com> or by watching [Access Humboldt on cable](#).

The County of Humboldt is committed to providing equal access to all county programs, services and activities through the provision of accommodations for individuals with qualified disabilities as required under the Americans with Disabilities Act (ADA). With 72 hours prior notice, a request for reasonable accommodation for this meeting can be made by calling (707) 268-3722.

For more information, please call (707) 268-3722, email khilton@co.humboldt.ca.us, or visit the Planning & Building Department office located at 3015 H St. in Eureka.

Sincerely,

Keenan



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

From: [Dan Berman](#)
To: [Planning Clerk](#)
Cc: [Jim Cotton](#); [don verwayen](#)
Subject: public comment for PC meeting 9/21/23 - Item H - STR Ordinance
Date: Wednesday, September 20, 2023 1:02:24 PM

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

Respectfully,
Daniel Berman

Dear Planning Commissioners,

The current draft STR ordinance includes the following Section:

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

I strongly support this commonsense limitation - the County should not permit STRs where they are already prohibited on the deed/title. Except the current language only applies when the County is a party to the document. This would mean it is almost never applied, and most such prohibitions would be ignored by the County.

I believe the draft should be amended as follows:

1) the words '*...to which the county is a party...*' should be stricken from Section 60.05.10.1.1 (above) AND

2) Section 60.05.4 (Application) should be amended to require the applicant to submit an affidavit stating that "there is no recorded covenant, agreement, deed restriction or other recorded document that limits the use of the dwelling to affordable housing, or otherwise prohibits use as a Short-term Rental."

Reasoning:

The County should not permit STRs where there is a binding, recorded prohibition of such use on the deed/title of the property, regardless of whether the County is a party to the document.

Many neighborhoods have recorded CC&Rs (covenants conditions and restrictions) that limit certain land uses. The county is almost never a party to these documents. The County should not issue permits that enable and legitimize property owners to directly violate the recorded terms of their deed and title. Property owners are responsible for knowing the recorded documents that apply to their property. Whether the County is a party to the restriction, as in the current language, seems entirely irrelevant, and would mean this Section almost never comes into play.

This would be relatively easy to implement by requiring applicants to provide an affidavit as part of **Section 60.05.4 (Application)** stating that "there is no recorded covenant, agreement,

deed restriction or other recorded document that limits the use of the dwelling to affordable housing, or otherwise prohibits use as a Short-term Rental."

The county can rely on this proposed Affidavit in considering permits - and this issue would only come into play if someone brings a complaint that presents the existence of a recorded document that clearly prohibits STRs. The County would evaluate the complaint and revoke or deny the permit if such use is clearly prohibited on the parcel, based on the proposed section above. Applicants are required to inform their neighbors of a permit application - so such issues would typically come to light prior to permit issuance. If the neighbors are aware that this use is prohibited in the neighborhood by CCRs or similar requirements, they can share the information with the County in a complaint, the documents in question can be reviewed, and the permit denied if STR use on the parcel violates binding recorded CC&Rs or similar documents.

If the recorded restrictions are ambiguous, or their legal status is in question, the County could use its discretion and a) issue a permit and let the neighbors try to enforce the CC&Rs, or b) let the applicant make a case as to why the documents in question are not binding before making a decision.

If you leave the language as is, neighbors will get notice that their neighbor is applying for a STR Permit, and in spite of knowing and documenting that such use is prohibited by deed/title restrictions - the County would ignore that and issue a permit.

In conclusion:

Please require STR Applicants to attest that they have the legal right to the Permit they are requesting on their parcel, and reject applications that do not have such a right.

Permitting STRs that are in violation of recorded CC&Rs or other recorded components of the deed and title will fuel neighborhood conflict, serve as the County legitimizing a legally prohibited use, and could even potentially put the County in legal jeopardy for facilitating the violation of legal land use restrictions.

Thank you for considering this comment,

Daniel Berman

From: [Diane Des Marets](#)
To: [Hilton, Keenan](#)
Subject: STR draft ordinance
Date: Friday, September 01, 2023 10:10:28 AM

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

Hello,

I attended the 8/24/2023 community input meeting regarding the draft STR ordinance in McKinleyville.

A number of residents in my small rural residential neighborhood have been in contact with the Planning and Building Department repeatedly over the past year regarding a triplex at end of the dead end road that was purchased, families evicted, and converted to short term rentals.

Despite the fact that the owner of this illegal business has been given two notices to, basically, "cease and desist" , the last one a 10 day order, the operator of this business continues to carry on with this illegal business.

After a phone conversation I had with Sara Quenelle on August 31st, I am very concerned about the ability of the County to enforce the proposed STR ordinance.

My understanding is:

- even with the new STR ordinance, the County will not be able to physically close down an illegal STR business. The reason given is that the person who bought the residential property with the intension of conversion to STR, and does so in an area of the county where this is illegal, has "property rights".

- what this indicates to me is that the County has determined that the person who creates an illegal business in a small rural neighborhood, at the end of a dead end on a private road, has "property rights" that supersede property rights of all other residents on the road.

- as a result of this interpretation of "property rights", it appears that an illegal business can continue to operate in perpetuity if the cease and desist order, implemented in compliance with the county code, is ignored by the operator of the business. It appears that the only penalty for this behavior would be a future monetary penalty that could potentially be delayed while the illegal operation continues uninterrupted, impacting the stated purpose of the draft ordinance: "preserve the quality of neighborhoods, and balance the needs and rights of property owners, tenants, and neighbors."

This lack of an adequate means of code enforcement leaves residents in neighborhoods being impacted by STR's with no recourse to "preserve the quality of neighborhoods, and balance the needs and rights of property owners, tenants, and neighbors."

This must be dealt with in a significant manner in order to create an ordinance that will provide appropriate, fair, and adequate enforcement capabilities to provide the ability to "preserve the quality of neighborhoods, and balance the needs and rights of property owners, tenants, and neighbors."

Thank you for your consideration of this important aspect of the ordinance proposal.

Sincerely, Diane Des Marets

From: [Donald J Verwayen](#)
To: [Hilton, Keenan](#)
Subject: Short-term rentals prohibited by CC&R as businesses
Date: Wednesday, July 12, 2023 2:17:32 PM
Attachments: [CC&R full Trinity Acres.pdf](#)

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Associate Planner Keenan Hiton

RE: Short-term rentals prohibited by CC&R as businesses.

Dear Mr. Hilton,

I called the other day but I thought that I would follow up with an email. I am asking for clarification of 60.05.7.1 **Recorded Limitation**. Dwellings subject to a recorded covenant, agreement, deed restriction or other recorded document to which the county is a party that limits the use of the dwelling to affordable housing, or otherwise prohibits use as a Short-term-Rental.

I refer to the last phrase in the above paragraph, “or otherwise prohibits use as a Short-term-Rental”. Our CC&Rs for Trinity Acres, a common interest community, located along Trinity Acres Road in Willow Creek, California in its CC&Rs states in Section 6 (document attached) that, “...no business enterprise shall be conducted thereon except as to Lots 14 and 15 which front on Highway 299.” Short-term rentals manifestly are a business; they require a county business license; they must file with the IRS on Schedule C for business not on Schedule E for long-term rentals, and they are for making a profit.

I might add that our CC&Rs predate the short-term rental issue so that term is not specifically used but is clearly implied. Short-term rentals must fall under “or otherwise prohibits use as a Short-term-Rental”. If not, it is going to be a mess for retire communities and all the CC&R and homeowners associations in the county with business prohibitions.

These restrictions are deeded because anyone who buys must sign acknowledgment in the preliminary title report.

Thank you for your consideration of this matter.

BTW, we are now complying with

Yours, Donald Verwayen 707.498.0866

Ella Holiday
1656 Fischer Ave
McKinleyville, CA 95519
707.273.7420 *ella.holiday@suddenlink.net*



August 24, 2023

Re: Short Term Rental Ordinance

Thank you for your work on this ordinance. I appreciate the iterative process and many of the changes you have already made, though I still have several concerns.

I currently rent out two or fewer bedrooms in the home I live in as a short term rental in McKinleyville.

I see under 61.05.5.1 Short term Rental Cap that I will be exempt from the 2% of housing stock short term rental cap. I appreciate that this reflects an awareness that operator occupied rentals should be given precedence in permitting.

Again under 61.05.9 #6 Per parcel limit. you also provide special exceptions to operator occupied rentals by allowing us to have two or more rentals on one parcel under certain circumstances without the burden of applying for a special permit.

However, when it comes to 61.05.9 #7. Neighborhood Concentration there is no provision which prioritizes operator occupied properties. I believe there should be.

I believe owner operated rentals should either be exempt from the concentration standards or given priority over non-operator occupied properties if there are more permits applied for than allowed under the Neighborhood Concentration standards.

In my own case, my home with the short term rental is on Fischer Avenue on the Hammond Trail. There is currently at least one duplex within my nearest 10 dwellings that is non-operator occupied and both units are short term rentals. There is also at least one other duplex on the same street where one of the units is operator occupied and the other a rental. I have no idea how many other short term rentals may currently operate within the nearest 10 dwelling units as the crow flies, or if there are more than 10% on my street.

How will you decide which currently operating rentals will be provided an administrative permit and which must apply for a special permit when there are already more rentals than are allowed under this Neighborhood Concentration requirement?

If this section is truly about protecting the integrity of neighborhoods shouldn't operator occupied properties be given precedence here as well?

As an owner occupied property, it also concerns me that you've removed from the ordinance the limit on how many short term rentals can be owned and operated by the same entity, which I believe in your first draft was 5. I personally feel it should be even less. It seems to me that the individuals and businesses that make this their primary business will be at an advantage in navigating the permitting process and operator occupied properties could be disadvantaged by this industry.

Owner occupied properties should be prioritized in all aspects of this ordinance, if the goal is to reduce the impacts that these non-operator occupied rentals are having on our communities by buying up our housing stock or converting long-term rentals to serve this market.

Lastly, I would like to know the current status regarding the grandfathering in of currently operating rentals, which should be given priority over new ones, as we have invested money and time in developing our businesses, and our County has been benefiting from the occupancy taxes collected. Again, operator occupied properties should be given priority when grandfathering in.

Thank you for your time and I'd appreciate anything you can offer in response to these concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ella', written in a cursive style.

Ella Holiday

From: [Erik Garcia](#)
To: [Hilton, Keenan](#)
Subject: Re: Short-Term Rental Ordinance Community Meetings on Wednesday, Aug. 9 and Wednesday, Aug. 16
Date: Thursday, August 03, 2023 1:01:14 PM
Attachments: [image001.png](#)

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

Hi Keenan,

I had written a comment regarding the proposed ordinance. I'm not sure if it was received and reviewed or not, but I figured I would also pass along to you as well. I see that the Good Neighbor section has been revised, but I'm still not a huge fan of distributing my personal contact information to the parties in the neighborhood. Again, I will reiterate that the City of Arcata has completely removed the requirement for the phone number to be displayed. (Ordinance: https://www.cityofarcata.org/DocumentCenter/View/13024/3_-Ord-1559-SSVR See Section 6303 B which is now removed.)

I do not agree with publishing a phone number for contact and response. There may be neighbors that simply don't like the idea of having a vacation rental in their area and will "find things" to call you for due to the fact that they don't like having a vacation rental in their area. It's a definite concern that if this provision remains in the final ordinance it could definitely be abused.

I understand what the county is trying to accomplish with this, but it seems like a remedy to a problem that is generally just not applicable. Vacation rental owners do not want to rent their homes to people who are destructive or cause havoc at the house and in the neighborhood. It's not good business for hosts to do something like that. Speaking personally, I make it a point to rent to those who have already been vetted with a five star rating by another host, and I don't allow one night stays which tends to help filter out those who are just using the residence to throw a party. I've found that a majority of people who are short-term guests fall into three categories: They are visiting the redwoods/Humboldt with their family, checking out Cal Poly with a perspective student, or working here on a project for a short time. Great people who are looking for a place to rest while they enjoy our community!

Also, I didn't get to stay through the whole first meeting, but I was able to sit in for the first part of it. One thing that I believe you had mentioned was that the vacation rentals have been largely unpermitted. I do operate an AirBNB in Arcata (county limits), and I did receive a short-term license when we began operating. Was that not valid? I went and pulled the license out to double check, and it specifically mentioned short-term stay. Is that a different type of license?

Thank you for your help, and for your hard work on this ordinance!

Erik Garcia
PO Box 4510
Arcata, CA 95518

Sent from [Outlook](#)

From: Hilton, Keenan <KHilton@co.humboldt.ca.us>

Sent: Thursday, August 3, 2023 9:54 AM

To: Hilton, Keenan <KHilton@co.humboldt.ca.us>

Subject: Short-Term Rental Ordinance Community Meetings on Wednesday, Aug. 9 and Wednesday, Aug. 16

Greetings,

You are receiving this email because you registered for the June 28, 2023 Public Meeting on Zoom regarding the Short-term Rental (STR) Ordinance.

The County of Humboldt's Planning & Building Department has revised the draft ordinance based on community feedback received at the first STR ordinance public meeting. The proposed revisions include administrative permit and business license requirements only for most projects, a cap on STRs in the greater Humboldt Bay area where housing is more scarce, and deference to existing operations. To learn more and review the revised draft ordinance, please visit the county's [Short-Term Rental Ordinance web page](#).

To receive public feedback on the revised draft STR ordinance, the Planning & Building Department will host two community meetings.

Community Meetings

A [Southern Humboldt community meeting](#) will take place on Wednesday, Aug. 9 from 5 to 7 p.m. at the Redwood Playhouse, located at 286 Sprowl Creek Rd. in Garberville, CA. This meeting will be hosted in partnership with the Southern Humboldt Chamber of Commerce and the Southern Humboldt Business & Visitor's Bureau.

A [community meeting for Humboldt Bay area](#) residents will be held on Wednesday, Aug. 16 from 6 to 8 p.m. at the Humboldt County Agricultural Center, located at 5630 South Broadway St. in Eureka, CA.

The purpose of the draft STR Ordinance is to allow some residences in unincorporated Humboldt County to be used for STRs while protecting the character of the neighborhoods where they are located and to preserve residential units for people and families who live and work in Humboldt County. The draft ordinance proposes a permitting process for rental of residential dwelling units for a period of 30 days or fewer, including homes listed on Airbnb and Vrbo. Those who operate these types of STR units in unincorporated Humboldt County and all interested members of the public are encouraged to attend. Attendees will have the opportunity to learn about the revisions made to the draft ordinance and ask questions and share concerns, ideas, and input.

The County of Humboldt is committed to providing equal access to all county programs, services and activities through the provision of accommodations for individuals with qualified disabilities as

required under the Americans with Disabilities Act (ADA). With 72 hours prior notice, a request for reasonable accommodation for this meeting can be made by calling (707) 268-3722.

For more information, please call (707) 268-3722, email khilton@co.humboldt.ca.us, or visit the Planning & Building Department office located at 3015 H St. in Eureka.

[Short-Term Rental Ordinance web page](#)



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

From: [Erik Garcia](#)
To: [Hilton, Keenan](#)
Subject: Re: Public Input Sought for Revised Draft Short-term Rental Ordinance Wednesday, Sept. 6
Date: Wednesday, September 06, 2023 3:14:44 PM
Attachments: [image001.png](#)

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

Hi Keenan,

I didn't see the coastal version available yet online. However, I did review the inland version.

I really appreciated the meeting you put on in McKinleyville, and I don't envy your position in trying to balance all of the competing concerns. Unfortunately, I will not be able to make the Zoom meeting tonight. In looking at the proposed ordinance that is available online, I'm seeing further restrictions about the concentration of short-term rentals (i.e. as the crow flies, nearest 10 dwellings shall not be short-term rentals). If there is a conflict, will there be any provision made for those who are already operating and have been for some time? I don't know if the situation will apply to me or not, but I'm definitely concerned if it does.

I will continue to voice my opposition for the good neighbor guide. As a gentleman brought up at the McKinleyville meeting, there are times where not all of your neighbors themselves are "good" neighbors. With my short-term rentals, I do my best to not draw attention to them as short-term rentals; rather I want them to appear as if they're part of the neighborhood and lived in full-time. I don't like advertising to potentially not great neighbors that there could be long periods of time in which the dwelling is vacant and perhaps a prime opportunity for those with unsavory motives to break-in during those times.

Thank you so much for the consideration, and for all of the work that you are doing on this ordinance.

Sincerely,

Erik Garcia

Sent from [Outlook](#)

From: Hilton, Keenan <KHilton@co.humboldt.ca.us>
Sent: Friday, September 1, 2023 6:50 PM
To: Hilton, Keenan <KHilton@co.humboldt.ca.us>
Subject: Public Input Sought for Revised Draft Short-term Rental Ordinance Wednesday, Sept. 6

Greetings,

You are receiving this email because you registered for or attended a previous Short-term Rental Ordinance public meeting.

New draft of the Short-term Rental Ordinance is now available for review September 1, 2023 on the Planning and Building [Short-Term Rental Ordinance web page](#). The new draft differentiates between Hosted and Unhosted Short-term Rentals and more finely differentiates between urban and rural settings.

The ordinance would permit the use residences as Short-term Rentals (STRs) in unincorporated Humboldt County.

The ordinance aims to provide economic opportunity, to protect the quality of the neighborhoods, and to preserve residential units for people and families who live and work in Humboldt County.

September 6 Zoom Meeting

A zoom meeting to present the changes made in response to comments received during the Southern Humboldt, Humboldt Bay Area and Northern Humboldt Community Meetings will be held on Wednesday, Sept. 6 from 6 to 8 p.m. Community members can register and join the zoom call at the following address by visiting bit.ly/HumSTRO1

The County of Humboldt is committed to providing equal access to all county programs, services and activities through the provision of accommodations for individuals with qualified disabilities as required under the Americans with Disabilities Act (ADA). With 72 hours prior notice, a request for reasonable accommodation for this meeting can be made by calling (707) 268-3722.

For more information, please call (707) 268-3722, email khilton@co.humboldt.ca.us, or visit the Planning & Building Department office located at 3015 H St. in Eureka.

Sincerely,



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

McClenagan, Laura

From: Greg Sidoroff <greg.sidoroff@gmail.com>
Sent: Tuesday, September 19, 2023 8:24 PM
To: Hilton, Keenan
Cc: Madrone, Steve
Subject: Short Term Rental Ordinance Public Comment

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

Dear Humboldt County Planning Department and Board of Supervisors,

Thank you for seeking public comment on this very important issue that is trying to find the right balance between property owners rights and community demographics. I am particularly concerned about the neighborhood density issues in regards to un-hosted STVR's. In the Big Lagoon Estates area there are 40, 1/3 acre lots that currently contain 4 STVR's- 2 whole home and 2 that are in ADU's on the main house's property. I encourage you to consider capping the amount at this and to potentially add this area into the Trinidad Area Plan so that the 2% Cap would apply going forward, if all qualifying existing STVR's are allowed permits as the ordinance is currently proposed.

Why:

Our community is provided water by the Big Lagoon Community Services District- that additionally serves the Big Lagoon Elementary School and 3 other private residences. It is an all volunteer organization that is currently short one board member and struggles to attract volunteers as it is to keep the system going. There is one well, and a limited water supply. This well could fail at any time and has in the past, leading to days without any water service.

The local school has only approximately 20 students, only one of which resides in Big Lagoon Estates. The school board is currently short one board member and volunteers are in short supply.

The Big Lagoon area is in high demand year round for STVR's - it is not as noted by others an area where the homes sit vacant 7-8 months a year. Therefore there is a high demand on all utilities.

There are frequent power outages in our area- year to date we have had no power for 11 days in total. Most of the current STVR's do not have a backup generator or secondary heat source, and this leaves most without any internet or phone service for emergencies.

Finally, there is the increased demands on emergency services and the local safety issues that come into play with more STVR's. The community is situated on a perilous bluff, i can't tell you how many times I've seen unsupervised children from short term renters dangerously close to the edge.

In summary, in order for this community to continue to thrive we need to preserve the ability for more full time occupants to live here that can get involved and volunteer, potentially have their children attend the local school, and keep some sense of a neighborhood vs. a commercial hotel zone.

Thank you for your time and consideration

,
Greg Sidoroff
Trinidad, CA (Big Lagoon)

From: [Jesse Noell](#)
To: [Hilton, Keenan](#)
Subject: Fwd: PLN-2022-17962 Nancy Young B&B - 7538 Elk River Ct. [UPDATE]
Date: Thursday, June 01, 2023 6:19:46 PM

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

----- Forwarded message -----

From: **Jesse Noell** <noelljesse@gmail.com>
Date: Thu, Jun 1, 2023 at 6:16 PM
Subject: Re: PLN-2022-17962 Nancy Young B&B - 7538 Elk River Ct. [UPDATE]
To: Lazar, Steve <SLazar@co.humboldt.ca.us>

It simply doesn't seem useful to distinguish Bed & Breakfast from any other home-based lodging business in a residential neighborhood that rents for less than 30 days: both are just a form of Short Term Rentals resulting in identical impacts. We should know; we've got an "Airbnb" STR on one side of us and "B&B" STR on the other. They both exacerbate the serious health and safety concerns we have out here. Compatibility with the established community is the issue.

A far more useful distinction is whether a neighborhood is populated by long term residents exclusively, or whether a neighborhood has short term renters as neighbors, also. That distinction tells you what to expect from your neighbors and whether you can expect to see strangers every day or not. Neighbors need to know who lives nearby, especially in rural communities like ours.

Essentially short term rentals create a "commercial district" however small, in a residential neighborhood. Commercial activities create different impacts than non-commercial (just living in your home). . That information could be critical to law enforcement and emergency services. Residents in each discrete community are secure in knowing what to expect from their neighbors. This reduces neighborhood conflict and insecurities.

We need to understand what the County's ordinances are regarding Short Term Rentals in general. Then we can discuss how these ordinances specifically relate to Upper Elk River. It depends on whether the community is about growing families or about growing a business. Sometimes those two interests are just not compatible. Who decides?

The County must have transparent, relevant, and accountable criteria for analyzing the suitability of new uses proposed in our unique neighborhoods. So far, there appears to be a tremendous amount of discretion and not much investigation when granting these special permits. That kind of governing is arbitrary and capricious and expensive.

We look forward to hearing more about the County's efforts to update its ordinances regarding Short Term Rentals given the global and now very local headaches being generated by lack of cohesive policies and lack of effective enforcement.

Sincerely,
Jesse and Stephanie

PS: Several beach communities in Orange County (Hermosa Beach, Manhattan Beach, & others) have finally banned any and all forms of STRs because the proliferation and abuses became unmanageable!

On Thu, Jun 1, 2023 at 1:26 PM Lazar, Steve <SLazar@co.humboldt.ca.us> wrote:

It is important to note that Cottage Industries and Bed & Breakfast establishments are treated separately under the zoning code, with explicit requirements provided for each. While the Bed & Breakfast regulations make note of the use being a type of cottage industry, it is clear in the language of its section that an owner **or** an operator may manage the establishment. Additionally, serving meals is not requirement under the code but where performed, must be exclusive to guests.

<https://humboldt.county.codes/Code/314-44>

The language of the Cottage Industry provisions is intended to operate in a more generalized fashion and govern a broader range of residential accessory uses that are not explicitly enumerated and treated elsewhere in the code.

<https://humboldt.county.codes/Code/314-45>

The Cottage Industry use type description included in the code (provided by Keenan below) further helps clarify this. Examples of this include: ceramics studios, woodworking shops, etc.

Put simply, Bed & Breakfast proposals are not subject to conformance with the Cottage Industry provisions of the code.

I hope that helps clarify things.

Steven Lazar

Senior Planner

Humboldt County Planning &

Building Department

3015 H St. | Eureka, CA 95501

707/268-3741

slazar@co.humboldt.ca.us

From: Hilton, Keenan <KHilton@co.humboldt.ca.us>

Sent: Thursday, June 01, 2023 1:21 PM

To: Matthew Turner <applfrmr@gmail.com>; Stephanie Bennett <chamillyb@gmail.com>

Cc: Lazar, Steve <SLazar@co.humboldt.ca.us>; noelljesse@gmail.com

Subject: RE: PLN-2022-17962 Nancy Young B&B - 7538 Elk River Ct. [UPDATE]

Hello Stephanie and Matt,

I've signed both of you up to receive notifications about meetings and hearings. Look for an email from our Notify Me service.

With regard to these different terms, perhaps I can help shed a little light.

314-172.2 BED AND BREAKFAST ESTABLISHMENT

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

314-175.1 COTTAGE INDUSTRY

The Cottage Industry Use Type refers to establishments primarily engaged in the on-site production of goods by hand manufacturing which involves only the use of hand tools or

domestic mechanical equipment or a single kiln, and the incidental direct sale to consumers of only those goods produced on-site. Typical uses include ceramic studios, custom jewelry or small furniture and cabinet manufacturers.

Bed and Breakfast is considered a commercial use, but it is allowed as a cottage industry where that use is allowed as well as a few additional zones.

In the draft regulations that I'm working on, short-term rental is currently defined as dwelling units, or portions thereof, that are rented to guests for 30 consecutive days or less. This seems to describe a bed and breakfast as well as vrbo/airbnb. One of the things I'm working on with management right now is drawing a clearer line between the rules that exist on the books (Bed and Breakfast), and the rules we're developing (Short-term rental ordinance).

Regarding the schedule for the regulations, we're hoping to have a public facing draft in about 2 weeks. We're targeting a public workshop at the end of the month. When dates are finalized an email will be sent out via Notify Me. In the meantime, feel free to reach out with questions that you may have.

Best,

Keenan

Keenan Hilton, Associate Planner

Long Range Planning

Humboldt County Planning and Building Department

(707) 268-3722

From: Matthew Turner <applfmr@gmail.com>

Sent: Thursday, June 01, 2023 11:56 AM

To: Stephanie Bennett <chamillyb@gmail.com>

Cc: Lazar, Steve <SLazar@co.humboldt.ca.us>; noelljesse@gmail.com; Hilton, Keenan <KHilton@co.humboldt.ca.us>

Subject: Re: PLN-2022-17962 Nancy Young B&B - 7538 Elk River Ct. [UPDATE]

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

Removed Laura (Planning Clerk) from the chain as I assume she doesn't need her inbox cluttered with this stuff.

A short term rental is like a hotel, motel, or NO HOST home rental. A cottage industry short term rental as you describe it is a Bed and Breakfast Establishment as defined in the Code. The definition includes that the owner of the B&B lives on premises, among other things.

Best,

Matt

On Jun 1, 2023, at 10:54 AM, Stephanie Bennett <chamillyb@gmail.com> wrote:

Hello Steve (and Matt):

I concur with Matt's above missive. Jesse and I would also appreciate communicating with those who are working on short term rentals and cottage industries in our rural area.

Also, what's the functional distinction between a short term rental and a "cottage industry" whose sole purpose is to provide short term rentals?

Thank you for including us in this process,

Stephanie

On Thu, Jun 1, 2023 at 9:15 AM Matthew Turner <applfrmr@gmail.com> wrote:

Hi Steve,

Thank you for this update. I'll surely keep my eye on the process and continue to be involved.

And hello, Keenan. A pleasure to e-meet. If there is an email list (formal or informal) for your work on short-term rentals, please add me to it.

Kindly,

Matt

On May 31, 2023, at 4:19 PM, Lazar, Steve
<SLazar@co.humboldt.ca.us> wrote:

Matt, Stephanie, and Jesse-

Thank you all for providing comment on the Nancy Young project on Elk River Court.

I wanted to let you know that due the controversy and opposition to the project, the Zoning Administrator will not be taking action tomorrow on Mrs. Young's Special Permit application for the Bed & Breakfast. Instead the Director has asked that the hearing on the item be rescheduled to occur before the Planning Commission at their July 6th meeting. A separate public notice will be circulated ahead of the meeting with deadlines for providing additional public comment and information on how to attend the meeting virtually or in person. Planning Commission meetings are held on the first and third Thursdays of each month in the Board of Supervisors Chambers at the County Courthouse. The agenda for the PC meeting will be posted [here](#) on the legistar

page on Friday June 30th. An updated staff report will be available thru the agenda links and legistar at that time. All public comments received by noon on Wednesday June 28th will be provided to the Commission with their hearing packet.

Lastly, I spoke this week with colleagues in our Long Range Planning Division and learned that we are continuing to work on bringing forward regulations governing short-term rentals. Keenan Hilton is the planner assigned to that project, and is cc'd on this message. He can also be reached at (707)268-3722.

Additionally, next Tuesday the Board of Supervisors will be considering adopting an urgency ordinance establishing a moratorium on short-term rentals while our staff bring forward regulations for review by the Planning Commission and adoption by the Board of Supervisors in the coming months. I am assured by our Director and Long Range Planning Staff that the ordinance is not intended to limit proposals seeking permits under the Bed & Breakfast provisions found in 314-44.1 of the code. You'll find a copy of the public notice for this item below, with relevant sections highlighted. I encourage you to reach out to Keenan Hilton to participate in this process as it further unfolds.

Steven Lazar

Senior Planner

Humboldt County Planning &

Building Department

3015 H St. | Eureka, CA 95501

707/268-3741

slazar@co.humboldt.ca.us

PUBLIC NOTICE

HUMBOLDT COUNTY BOARD OF SUPERVISORS

NOTICE OF PUBLIC HEARING

On **Tuesday, June 06, 2023 at 9:00 a.m.**, or as soon thereafter as the matter can be heard, the Humboldt County Board of Supervisors will hold a public hearing in the Board of Supervisors' Chamber, Humboldt County Courthouse, 825 Fifth Street, Eureka, California, and virtually via Zoom to consider the matter listed below.

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Further instructions on how to access the Zoom meeting can be found when the agenda is posted on Friday, June 02, 2023 by using the following link: <https://humboldt.legistar.com>

Email Public Comment:

To submit public comment to the Board please email cob@co.humboldt.ca.us. provide your name and the agenda item number(s) on which you wish to comment. All public comment submitted after the agenda has been published will

be included with the administrative record after the fact.

Record Number PLN-18174: Adoption of a temporary (45-day) interim urgency ordinance placing a moratorium on 1) the construction of / acceptance of applications for, and issuance of any permit, registration or entitlement for any off-premise signs/billboards or illuminated signs within the unincorporated areas of Humboldt County, and 2) establishment of, acceptance of any application for, or issuance of any registration, permit or entitlement, or approval of any type, that authorizes the establishment, operation, maintenance, development or construction of any short-term rental in the unincorporated area of the county outside of the areas mapped with a V – Vacation Home Rental Combining Zone. The purpose of these temporary interim urgency ordinances is to protect the public safety, health, and welfare of the community by temporarily prohibiting these uses which might conflict with new draft requirements the Planning and Building Department is bringing forward in the coming months for consideration by the Planning Commission and Board of Supervisors. The Board of Supervisors intends to make a determination that adoption of the ordinances is not subject to further environmental review pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility that the proposed amendments may have a significant effect on the environment. The ordinances will apply to all the unincorporated areas of Humboldt County including the Coastal Zone. Specific questions regarding this project can be directed to Jacob Dunn, Associate Planner at (707)267-3930 or via email at jdunn@co.humboldt.ca.us

Consistent with instructions for public comment noted above, any person may appear and present testimony in regard to this matter at or before the hearing. If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public

hearing described in this notice, or in written correspondence delivered to the Board of Supervisors, at, or prior to, the public hearing.

Documentation to be filed on this matter for the official record is to be submitted to the Clerk of the Board of Supervisors, by noon on **Tuesday, May 30, 2023**, for the documents to be placed in the Board's hearing packets. All public comment submitted after the agenda has been published will be included with the administrative record after the fact.

Humboldt County Board of Supervisors

Kathy Hayes, Clerk of the Board

May 19, 2023

--

"I've never lived with balance, but I've always liked the notion." --Bruce Cockburn

From: [jim.cotton](#)
To: [Hilton, Keenan](#)
Subject: Re: Time Running Out to Provide Input Into Short-Term Rental Ordinance - Planning Commission to Hold Workshop on Thursday at 6 p.m.
Date: Tuesday, September 19, 2023 6:42:28 PM
Attachments: [image001.png](#)
[image001.png](#)

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

Dear Keenan,

Our neighborhood in Willow Creek, which consists of 23 parcels, has amended our CC&Rs to prohibit Short Term Rentals (STRs). Our original CC&Rs, written and recorded with the county in May of 1951, excluded businesses from operating in the neighborhood. Had STRs been an issue in 1951, they would very likely have been included in the covenant that excluded businesses. According to our attorney, these CC&Rs still have legal standing. Additionally, these covenants have been enforced in recent years.

The families in our small "common use community" in Willow Creek have been peacefully coexisting with their neighbors for almost 75 years. With recent ownership transfers, two VRBO began operating several months ago and now, two other parcels stated their intent to operate a STR. The STRs have created a polarization in our formerly placid neighborhood between those neighbors who want to maintain a non-commercial neighborhood atmosphere where we all know one another and those seeking financial gain through STRs.

The overwhelming majority of our neighborhood community adamantly oppose STRs and we implore the planning department to add language to the ordinance to prohibit STRs where existing CC&Rs prohibit them.

Sincerely,
Jim Cotton and Kim Puckett

On Tue, Sep 19, 2023, 4:49 PM Hilton, Keenan <KHilton@co.humboldt.ca.us> wrote:

Greetings,

The revised draft Short-Term Rental Ordinance will be presented to the Humboldt County Planning Commission on Thursday, Sept. 21 at 6 p.m., or shortly thereafter. This is one of the last opportunities for the public to share their thoughts and concerns regarding short-term rentals (STRs) in Humboldt County before it moves on in the process of being adopted.

The Humboldt County Planning & Building Department has been actively working on a

draft Short Term Rental ordinance to allow residences to be used as short-term rentals in unincorporated Humboldt County. The purpose of the draft STR Ordinance is to protect the character of the neighborhoods where they are located, to preserve residential units for people and families who live and work in Humboldt County, and to allow for economic gain.

Public Outreach

The County of Humboldt acknowledges that people are sometimes disappointed with ordinances adopted by the county and feel left out of the decision-making process, even when the county has invited the public to share their input.

To ensure Humboldt County residents are provided with the opportunity to share feedback on the draft ordinance, county staff have hosted five public meetings where 400 community members have attended. Additionally, over 60 written public comments have been received and the county's [Short-Term Rental Ordinance webpage](#) has been visited over 3,000 times.

The input received has been valuable and given shape to the current draft ordinance. However, county staff have noted that most of the feedback received has come from individuals who own and operate existing short-term rentals. A limited number of people have expressed concern about the impact of short-term rentals in their neighborhoods or how STRs could affect their ability to find affordable housing in Humboldt County. The Planning & Building Department desires balanced input and encourages participation if you have concerns or thoughts about short-term rentals that you have not yet shared with staff.

Planning Commission Workshop

The draft Short Term Rental Ordinance will be presented to the Planning Commission on Thursday, Sept. 21. Community members are invited to attend this workshop in person at the Board of Supervisors Chamber, located at 825 Fifth St. in Eureka, or on [Zoom](#). The meeting will start at 6 p.m. To review the meeting agenda, please visit: <https://humboldt.legistar.com/Calendar.aspx>.

If you wish to participate in the process of crafting this ordinance, this is the time to do so. Following this meeting, the draft STR ordinance will enter the public hearing stage. The Planning Commission will make a recommendation to the Humboldt County Board of Supervisors and the Board will decide to approve or deny the ordinance as it is written. It is anticipated that this process will conclude before the end of the year.

The revisions in the most recent draft include permitting for all existing short-term rentals,

and the expansion of what is allowed with an Administrative Permit to include sites on category 3 roadways. To learn more and review the revised draft ordinance, please visit the county's [Short-Term Rental Ordinance web page](#).

How to Watch or Listen to the Planning Commission Meeting

- Join online at <https://zoom.us/j/87544807065> and enter the password: 200525.
- Call in via telephone at (346) 248-7799, enter the meeting id: 875 4480 7065 and password: 200525.
- A live stream of the meeting can be found by using the following link: <https://humboldt.legistar.com> or by watching [Access Humboldt on cable](#).

The County of Humboldt is committed to providing equal access to all county programs, services and activities through the provision of accommodations for individuals with qualified disabilities as required under the Americans with Disabilities Act (ADA). With 72 hours prior notice, a request for reasonable accommodation for this meeting can be made by calling (707) 268-3722.

For more information, please call (707) 268-3722, email khilton@co.humboldt.ca.us, or visit the Planning & Building Department office located at 3015 H St. in Eureka.

Sincerely,

Keenan



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

McClenagan, Laura

From: Ford, John
Sent: Monday, August 21, 2023 8:36 AM
To: Hilton, Keenan
Subject: FW: comments on the draft STR regulations

From: Kate Green <katesgreen14@gmail.com>
Sent: Saturday, August 19, 2023 8:42 AM
To: Ford, John <JFord@co.humboldt.ca.us>; Hilton, Keenan <KHilton@co.humboldt.ca.us>; Madrone, Steve <smadrone@co.humboldt.ca.us>; Bohn, Rex <RBohn@co.humboldt.ca.us>; Wilson, Mike <Mike.Wilson@co.humboldt.ca.us>; Bushnell, Michelle <mbushnell@co.humboldt.ca.us>; Arroyo, Natalie <narroyo@co.humboldt.ca.us>
Subject: comments on the draft STR regulations

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

Greetings. My name is Kate Green, and I am a long-time homeowner (since 1973) of coastal property north of Trinidad. As I wrote in a previous e-mail, I currently reside in assisted living and have a fixed income. As a result, I depend heavily on the additional income earned from renting my Trinidad home to short-term visitors to support my health care needs.

I wrote previously to share my concerns regarding the proposed ordinance for short-term rentals in Humboldt County. While I appreciate some of the recent revisions to the original ordinance, I still have a number of concerns. They include:

1. An excessive regulatory burden on homeowners/property managers. It appears that the revised regulations would require that property owners or managers, among other things, (a) get a business license, administrative permit, conditional use permit, and/or special permit; (b) write and distribute "good neighbor guides" to neighbors (even if they are miles distant -- see point #4 below), (c) provide an affidavit attesting that such a guide had been distributed, and (d) provide a "current grant deed of the subject parcel." Why are all of these requirements necessary? Is there not a way to reduce this regulatory and paperwork burden on would-be renters?
2. Limiting short term rentals to 10% of dwellings on a street, and no more than one out of the nearest ten dwellings. Why should there be a low ceiling on the number of STRs in rural areas where houses are spread far apart from each other? Why should the same 10% cap be imposed on both a long road in a rural area and on a shorter road in a more urban area? It's also not clear to me where the 10% figure came from, which seems arbitrary. My concern is that this low cap may prohibit me from renting my property, which is in a rural area.

3. Limiting the total number of STRs in the County to 2%. This number also seems arbitrary. Has any data been collected on what would constitute a "healthy" percentage of STRs in our County? This cap also may prohibit me from renting my property.

4. Distribution of "Good Neighbor Guide" to "closest 10 dwellings as the crow flies." Again, there should be a distinction between urban and rural areas. In rural areas (such as where my home is located), houses may have few (or no) immediate neighbors, and the ten closest dwellings may be a mile or more away. Why would this guide need to be distributed to people who live so far from a rental property?

In short, I strongly encourage the county to revise the current regulations so they are not too burdensome or prohibitive for me to rent my property to short-term renters for much-needed income.

Sincerely,

Kate Green
1480 Stagecoach Road, Trinidad
katesgreen14@gmail.com

From: [Kate Green](#)
To: [Hilton, Keenan](#); [Ford, John](#)
Subject: comment on latest revision to STR ordinance
Date: Wednesday, September 20, 2023 4:52:18 AM

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

Greetings. My name is Kate Green, and I am a long-time homeowner (since 1973) of coastal property north of Trinidad. I have written to County decision-makers previously about my situation, i.e. I live in assisted living and have a fixed income, so I rely heavily on the additional income earned from renting my Trinidad home to short-term visitors to support my health care needs.

I have reviewed the latest revisions of the proposed ordinance for short-term rentals in Humboldt County, and am grateful for the adoption of changes that I believe will make the STR process fair for both those who do and do not rent. For example, I appreciate the two-month period during which only existing STR owners may apply for a permit. I also understand the desire to prevent an overabundance of STRs, especially to the extent that they reduce the overall stock of non-STR housing in the County.

However, I still have a number of concerns with the current draft. They include:

1. An excessive regulatory burden on homeowners and property managers. It appears that the revised regulations would require that property owners or managers, among other things, (a) get an administrative permit, conditional use permit, and/or special permit; (b) write and distribute "good neighbor guides" to neighbors (even if they are miles distant) (c) provide an affidavit attesting that such a guide had been distributed, and (d) provide a "current grant deed of the subject parcel." Why are all of these requirements necessary? Is there not a way to reduce this regulatory and paperwork burden on would-be renters? For example, the three types of permits (administrative, conditional use, and special) could be merged into a single permit.

2. Limiting short term rentals to 10% of dwellings on a street, and no more than one out of the nearest ten dwellings. As I wrote in a previous e-mail, I do not understand why there would be a low ceiling on the number of STRs in rural areas where houses are spread far apart from each other. Why should the same 10% cap be imposed on both a long road in a rural area and on a shorter road in a more urban area? It's also not clear to me where the 10% figure came from, which seems arbitrary. My concern is that this low cap may prohibit me from renting my property, which is in a rural area.

3. Limiting the total number of STRs in the County to 2%. As I have mentioned previously, this number seems arbitrary. Has any data been collected on what would constitute a "healthy" percentage of STRs in our County?

Also, with regards to points #2 and #3: it is my view that some of the proposed restrictions on what properties can be STRs will automatically reduce the number of rentals in the County without need for these additional (and seemingly arbitrary) caps. That, plus a natural attrition process, will further achieve that objective. (In my own case, my family does not plan to keep the property as a STR once I pass away.)

In short, I strongly encourage the county to revise the current regulations so they are not too burdensome or prohibitive for me to rent my property to short-term renters for much-needed income.

Sincerely,

Kate Green
1480 Stagecoach Road, Trinidad
katesgreen14@gmail.com

McClenagan, Laura

From: Kim Puckett <kimleepuckett@gmail.com>
Sent: Wednesday, September 20, 2023 12:38 PM
To: Hilton, Keenan
Subject: Short-term rental ordinance

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I am writing to express my hope that the planning commission will please consider the negative impact short-term rentals have on small neighborhoods. We have a small neighborhood in Willow Creek and recently a few new property owners have started STRs which has had a detrimental influence on the character of the neighborhood in just a few short months before they were shut down. If the new STR ordinance allows for unlimited STRs in small neighborhoods, regular residents will no longer have a neighborhood and will be surrounded by strangers that have no vested interest in the neighborhood. It will also mean an ever dwindling supply of long-term rentals and affordable homes for purchase for those actually living in the community given STRs can bring in so much more money. This in turn means wealthier folks/out of town/state/country folks will buy up properties and to make money which will drive up the cost of housing even further and limit affordable housing even more. This is critical in a small community like Willow Creek. Please, please take this into consideration.

Kim Puckett
Trinity Acres
Willow Creek

McClenagan, Laura

From: Louise Minor/Bob Fischer <loubob155@gmail.com>
Sent: Friday, September 15, 2023 7:28 AM
To: Hilton, Keenan
Subject: How to find planning layers from jurisdiction layer

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and then the Community plan layer. When I open GIS Jurisdiction layer is checked, but how do I get to the next (Planning and then community plan) layers. Sorry to take your time but I am really concerned that there won't be enough water from our single well to support very many more short term rentals that use at least 50% more than permanent residents.

Sincerely

Louise Minor

From: [Louise Minor/Bob Fischer](#)
To: [Hilton, Keenan](#)
Subject: Re: How to find planning layers from jurisdiction layer
Date: Monday, September 18, 2023 2:07:33 PM
Attachments: [image001.png](#)

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Thanks.

I finally got it. We are in the North Area Plan, which includes areas mostly with large lot sizes. Our area is quite densely populated, so much so we cannot drill our own wells. We already have many short term rentals and the problem looks fixed to get a lot worse, especially when investors are blocked out of the Trinidad area. Is there any way for our neighborhood to vote to be included in the Trinidad Area Plan, which stops about a mile south of us? We are way more demographically similar to them than we are to areas further north. I am not sure who picked the northern boundary for the plan. What can I do along these lines?

Thank-you

Louise A. Minor, PhD, MD

On 9/15/2023 4:47 PM, Hilton, Keenan wrote:

Hello Louise,

You must select *and* expand the "Jurisdiction Boundaries & Land Use" layer, then select *and* expand the "Planning Layers." Then you can select CPA.

Thanks for providing the comments. I'll add them to the record.

Best,
Keenan



Keenan Hilton ([he/him](#))
Associate Planner
[Humboldt County Planning & Building](#)

Office: 707-445-7541
Direct: 707-268-3722

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

From: Louise Minor/Bob Fischer loubob155@gmail.com
Sent: Friday, September 15, 2023 7:28 AM
To: Hilton, Keenan KHilton@co.humboldt.ca.us
Subject: How to find planning layers from jurisdiction layer

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

and then the Community plan layer. When I open GIS Jurisdiction layer is checked, but how do I get to the next (Planning and then community plan) layers. Sorry to take your time but I am really concerned that there won't be enough water from our single well to support very many more short term rentals that use at least 50% more than permanent residents.

Sincerely

Louise Minor

McClenagan, Laura

From: Louise Minor/Bob Fischer <loubob155@gmail.com>
Sent: Wednesday, September 20, 2023 7:26 AM
To: Hilton, Keenan
Subject: Fwd: Trinidad Area Plan Question

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

Hi Keenan

Can you please add this request to the official pile? Many residents are hesitant to comment for obvious reasons.

Thanks

Louise

----- Forwarded Message -----

Subject:Trinidad Area Plan Question

Date:Tue, 19 Sep 2023 07:13:02 -0700

From:Louise Minor/Bob Fischer <loubob155@gmail.com>

To:Madrone, Steve <smadrone@co.humboldt.ca.us>

Dear Steve

There is widespread concern about our neighborhood being in the North Area plan rather than the Trinidad Area Plan. Our lots are very small, just like the more urban areas to the south (no wells are allowed) and unlike most of the area in the North Area Plan (where people can have their own wells). What would it take to move the northern boundary of the TAP to the south tip of Big Lagoon? We are already very precarious with the water situation and need another well and storage for fires, but there is nowhere to put them that we have access to. A lot of time has been spent on this problem. Short term rentals use at least 50% more water and lessen the number of permanent residents available to serve on the water board. We are already down one member and can't find a replacement. It seems like this would be the moment to make this small change for us, and it would save this neighborhood from the large problem that we have now becoming completely unaffordable for many among us in the not to distant future.

I know you are crazy busy, but if there is something I can do to help, please let me know.

Thanks for your time.

Louise

To: **Humboldt County Planning Commission**

Date: Wednesday, September 19, 2023

From: Midori Fulk, P.O. Box 174, Trinidad, CA 95570

Re: **Draft STR Ordinance - Planning Commission Workshop 09/21/2023**

As a career short-term rental property manager in Humboldt County, I understand the benefits and the impacts STR's have in the community. I participated directly in the City of Trinidad's STR ordinance development, and supported the City's authority to develop regulations creating standards that provide safe, responsive, and orderly operation of the industry in the community.

I support the County in their effort as well, but my primary concern is focused on Neighborhood Concentration, specifically, as it relates to the overall cap. The "as the crow flies..." policy is arbitrary, and should be evaluated under a microscope for its purpose and effectiveness. There should be a very transparent and open discussion about what metrics or analysis was used to reach this conclusion. In fact, if applied it may very well scatter activity unnecessarily in some neighborhoods that may prefer having some of them clustered, in particular along the coastal bluffs.

The Coastal Commission considers such resources as assets that provide people who may not otherwise have the opportunity to experience the ocean in such a personal way. Without sufficient visitor-serving overnight accommodations in the area, these resources are true assets and should be recognized as such.

I support the use of discretionary permits to address issues and mitigate possible impacts for existing, clustered STR's operating in good standing pre-January 2022. These STR's should be protected and prioritized if they're able to submit a complete application and meet the desired performance standards.

I believe that by granting the existing coastal STR's a priority regardless of "how the crow flies", it will relieve an already burdened Planning Department from undue challenges of having to determine who gets a permit first. The City of Trinidad has proven that the attrition process is the answer to achieving the overall cap goal, not by placing overwhelmed staff members in the firing line.

I recommend the following modifications be made to the draft ordinance (revised/additions underlined):

D. Neighborhood Concentration. Each NEW Short-term Rental may not exceed the following neighborhood concentration limitations, except within the Shelter Cove Community Plan Area where this standard does not apply, and EXCEPT FOR ALL EXISTING SHORT-TERM

RENTALS DETERMINED TO BE IN GOOD STANDING WITH THE COUNTY, BASED ON EVIDENCE OF OPERATION FROM JANUARY 2022 THROUGH MAY OF 2023, CONTINGENT UPON ISSUANCE OF ANY DISCRETIONARY PERMITS THAT MAY BE APPLICABLE.

- Parcels with a Coastal Area Plan density of one (1) or fewer acres per dwelling unit:
- Short-term Rentals shall not exceed 10% of the dwellings on the access road; and
- As the crow flies, the nearest ten (10) dwellings shall not be Short-term Rentals.

Considering this language will relieve many concerned, existing STR homeowners of their good-standing fate being placed in the hands of a single staff member, and make everyone's job a little bit easier. We haven't touched on the economic impacts of this particular policy, but I'll save that for the Board of Supervisors.

Please ask your staff the hard questions, and demand clear and concise reasoning for their recommendations.

I appreciate your service to the residents of Humboldt County.

Midori Fulk
PO Box 174
Trinidad, CA 95570
midorifulk@gmail.com

McClenagan, Laura

From: Robin Jordan <robinjordan1@sbcglobal.net>
Sent: Wednesday, September 06, 2023 2:44 PM
To: Hilton, Keenan
Subject: Short Term Rentals

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

Hi Keenan,

I went to the front office at the Building and Planning Department yesterday to see about this zoom meeting and short-term rentals. The front desk gave me your card and said I should email you.

I live on a private road in Cutten (Landreth Lane) there's 8 houses on this lane. About 4 months ago a buyer bought the property known as 2021 Landreth Lane next to me (mine is 1989 Landreth Lane). He immediately turned it into a short-term rental (Airbnb). The owner did not ask for our opinion or say anything to anyone of us (the neighborhood). Now we don't know the neighbors, they come and go quite frequently. The road is no longer a private lane. My neighbors and myself have to deal with the renters' children playing in our yards, throwing rocks and running around unsupervised. We've become babysitters. The renters have taken up parking spots on the lane (I've seen 4 vehicles there at one time). Landreth Lane wasn't meant for heavy traffic it's a small private lane. Folks in the neighborhood have had to pick up trash 3x because the renters next door didn't put the garbage can out the morning the truck comes to pick up the trash. They put it out days in advance. The noise level has been high late at night. I feel that the renters don't care about the neighbors around them. They're here to have fun and not care about being noisy or having to respect one another.

I would like to see that short term rentals are not allowed on private lanes. Landreth Lane families respect one another and want to keep this a small private lane.

I'm going to attend part of the zoom meeting this evening. I have another meeting that I can't get out of.

Thank you for your time.

Robin Jordan
707-499-2302

Robin Jordan Professional Services
Eureka, CA 95503
707.499.2302
rrjprofservices.com

Keenan Hilton
Planner II
Humboldt County, CA
825 5th St.
Eureka, CA 95501

RE: RB&B 1735 Bernie Road/Chaffin Road APN# 511-271-083

The Tri-plex at the end of the Chaffin Road and Bernie Lane Easement is not an appropriate location for a Residential Short-term Rental or airbnb

I was a realtor with Coldwell Banker in Arcata for many years. I actually was and still am an advocate for Short -term rental where appropriate in Humboldt. I was on the original ADU design committee to help the county adopt and publish ADU house designs in order to facilitate the ADU process and **add more housing**.

Chaffin and Bernie are not county roads. In 2007 Chaffin and Bernie Road residents formed a Road Maintenance association (Chaffin Road Maintenance Association) with By-laws which is recognized and recorded with the County. It also has a bank account at Redwood Capital Bank to collect road funds. Since then, and since forming our road maintenance association, we have paved it twice, have a 10MPH Speed limit posted, and had speed bumps installed. Chaffin and Bernie Roads service a family neighborhood of 30 homes. **It is a private dead-end road**. This Triplex is at the end of Bernie with no way out except back through the entire neighborhood.

I am not against short term Residential B&B's where appropriate. The 1735 Bernie Road triplex has been here in this neighborhood for many years. It is a month to rental. We had no problems. Most living here were families and working people. They lived in the Tri-plex and worked locally. During COVID the tri-plex sold to Ms.Nuzhat. She immediately evicted the 3 families in the Tri-plex saying she was going to re-model and they couldn't stay. (I thought there were ordinances against evicting tenants during the Covid pandemic???)

Ms. Nuzhat went ahead with her remodel and told residents on Chaffin and Bernie that she was going to turn the tri-plex into short term rentals. The neighbors told her that short term rentals were not allowed by the county. She evicted the tenants anyway and went ahead with her extensive remodeling adding patios, hot tubs, lights and security cameras, etc, to each of the 3 units. If you saw it today, you would think it was a motel! We found out later from the county that she did this without permits and the county confirmed short term rentals were not allowed here by the county.

In closing, I oppose the Tri plex @ 1735 Bernie Road being approved and converted to a short Rental because of the following:

Reading through the Draft County Ordinance for Short-Term Rentals, **** Purpose 16.05.1** to “minimize the loss of the housing stock available to long-term renters, preserve the quality of neighborhoods, and balance the needs and rights of property owners, tenants, and neighbors.”
******This Triplex takes away 3 homes from the housing stock for long-term renters.**

**** TRAFFIC:** This would adversely affect the quality of the neighborhood. **Traffic already has increased with the speculation of another Short Term Rental.**

****Chaffin and Bernie Roads do not meet the County ACCESS minimums for Short Term Rentals because they are not Category 4 roads. They are 2 lane and dead end-roads.**

****Ms. Nuzhat is operating as a business with no acceptance from the county or the Chaffin Road Association.**

Before last week Ms Nuzhat did not live on the property.

**** The 1735 Bernie Tri-plex is not located 1000 feet from the nearest neighbor and the fence that Ms. Nuzhat installed for this tri-plex encroaches on Bernie road creating a blind spot for people driving or walking along Bernie. County Code enforcement was notified of the fence encroachment but nothing was done.**

****This property is in violation as Ms. Nuzhat did not obtain permits for remodeling this tri-plex.**

**** Violated the Good Neighbor Guide for Short-term rentals.**

Chaffin Road has a road Association for the purpose of funding and maintaining our road. The owner did not notify the residents that a short term rental was going in at the end of Chaffin Road.

**** Per Parcel Limit.** One Short-term Rental shall be permitted per legal parcel. This parcel has three.

In closing, reading again though the Draft County Ordinance for Short-Term Rentals, **Purpose 16.05.1** to “minimize the loss of housing stock available to long-term renters, preserve the quality of neighborhoods, and balance the needs and rights of property owners, tenants, and neighbors.”

Converting 1735 Bernie to Short-term rentals **does adversely affect the quality of the neighborhood, and also our county because it subtracts 3 homes** from the available housing stock. I thought the over-riding purpose of the draft County planning on Accessory Dwelling units was to create **more** homes for people in Humboldt County. What happened?

Sincerely,

Terence Roberts

4425 Chaffin Road

McKinleyville, CA. 95519

707-599-3255 terry@terryroberts.net

