

## MEMORANDUM

To: Marin County Planning Commission  
From: Kathleen Kilgariff, Planner  
Date: October 31, 2023

**Subject: Short Term Rental Ordinance**

The proposed Short Term Rental (STR) regulations have been developed after months of engagement with community members, short term rental owners, emergency service providers, and other agencies responsible for ensuring health and safety. During the Planning Commission workshop on October 23, 2023, members of the public and the Planning Commission provided additional comments, which have been carefully considered before finalizing the proposed draft Short Term Rental Ordinance (attachment 1).

Prior to the Planning Commission hearing on October 23, 2023, Planning Division staff prepared STR standards for review and comment. Following the hearing, staff has modified those standards as shown in track changes format (attachment 2).

Numerous minor revisions have been made to the text of the standards for clarity and internal consistency. Listed below are the key substantive changes made to the standards.

1. The exemptions from the STR Chapter were broadened to include agricultural properties that are at least 10 acres in size.
2. The STR caps have been revised to aggregate both hosted and unhosted short term rentals.
3. A countywide cap of 923 STR licenses has been established, based on the current number of STRs registered with the Department of Finance.
4. The definitions were revised for content and moved closer to the beginning of the Chapter.
5. The text has been clarified to indicate that the appeal and due process rights established in Marin County Code Chapters 1.05 (Nuisance Abatement), 1.06 (Recordation of Notice of Violation), and 1.07 (Imposition of Administrative Fines for Ordinance Violations) apply to short term rentals.
6. The application submittal requirements have been relaxed so that only a schematic (not to scale) site plan showing basic information and onsite parking spaces will be required. The schematic showing the location of onsite parking spaces will also be provided to guests so that parking is orderly and contained on site during visits.
7. The text has been clarified to indicate that it is ultimately the property owners' responsibility to ensure that the standards are being followed, even if they hire a manager for the short

term rental. Under existing code, legal judgements and citations issued for code enforcement violations are secured by the value of the property.

8. The license terms have been changed to a two year term for an initial license and four year terms for subsequent renewals.
9. The number of code enforcement violations it would take to result in a license not being renewed has been increased from two to three to reflect the longer renewal term. This relates only to violations of the STR standards, not to code enforcement violations related to other aspects of a property.
10. Grandparent clauses have been added in multiple instances where activities that are currently allowed and do not pose health and safety issues will continued to be allowed, including the following:
  - STR operators that currently have multiple STRs would continue to be able to operate up to three STRs.
  - The death of a spouse would not require that a new STR license be obtained.
  - An ADU created before January 1, 2020, when the State law went into effect prohibiting the use of statewide exemption ADUs for STRs, could be used as an STR.
  - Apartments and condos that are currently being used for STRs could continue being used as STRs.
  - If there are multiple STRs currently being operated on a single property, those STRs could continue being used as STRs.

### **Recommendation**

Adopt a Resolution (Attachment 3) recommending that the Board of Supervisors do the following:

1. Adopt a Resolution authorizing the Community Development Agency to submit a Local Coastal Program amendment application related to the draft STR Ordinance to the California Coastal Commission; and
2. Subsequent to receiving California Coastal Commission approval of the Local Coastal Program amendment, adopt the STR Ordinance amending Marin County Code Chapter 5.41.

### **Attachments**

1. Draft Short Term Rental Ordinance
2. Revisions to Short Term Rental Standards
3. Resolution recommending that the Board authorize the CDA to submit an LCP amendment and subsequent to California Coastal Commission approval adopt the draft Ordinance amending MCC Chapter 5.41
4. Comments received during and after the Planning Commission hearing on October 23, 2023.

**MARIN COUNTY BOARD OF SUPERVISORS**

**ORDINANCE NO. \_\_\_\_\_**

**A DRAFT ORDINANCE ESTABLISHING LICENSING REQUIREMENTS FOR SHORT TERM RENTALS BY AMENDING CHAPTER 5.41 OF THE MARIN COUNTY CODE**

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The Board of Supervisors ordains as follows:

**SECTION I: FINDINGS**

The Board of Supervisors makes the following findings in support of this ordinance:

1. On August 7, 2018 the Marin County Board of Supervisors found that the growth of Short Term Rentals may lead to neighborhood conflicts unless appropriate rules are established and understood by property owners, community members, and decision makers and adopted the County’s first Short Term Rental Ordinance (Ord. No. 3695) to remain in effect for 24 months, unless extended by the Marin County Board of Supervisors.
2. On July 28, 2020, before the sunset of Ord. No. 3695, the Marin County Board of Supervisors found that the Ordinance had successfully met many of its original objectives and extended the Short Term Rental Ordinance in perpetuity (Ord. No. 3739). However, at this time, the Board did acknowledge that additional changes would be necessary in the future. Given the fact that this was the height of the COVID-19 pandemic, it was agreed that the County would revisit regulations when better public outreach could be conducted.
3. On May 24, 2022, the Marin County Board of Supervisors found that an affordable housing shortage for middle- and lower-income working families has continued to worsen in the greater San Francisco Bay Area, impacting the ability of these families to live in or near the communities where they work. Middle- and lower-income families in the West Marin Area are experiencing these housing impacts. Short term rentals exacerbate these problems, and their impact is particularly magnified in the West Marin Area, because of the lack of housing stock. Conversion of housing units to vacation rentals further reduces housing stock and contributes to increased housing costs for both renters and buyers. In response, the Board adopted an Interim Ordinance (Ord. No. 3768) placing a moratorium on the registration of new short term rentals in West Marin.
4. On June 21, 2022, the Marin County Board of Supervisors extended the Interim Ordinance (Ord. No. 3769) in conformance with State law and acknowledged that the Board and County staff plan to study and evaluate policies and contemplated zoning proposals to improve the availability of middle- and lower-income housing in the West Marin Area, while maintaining existing coastal access.
5. Since the Fall of 2022, County staff has worked to draft a new Short Term Rental Ordinance. This work included robust public outreach and engagement, including district-wide listening sessions, community meetings, empirical data collection in the form of a survey, facilitated group discussions with stakeholders, and Marin County Planning Commission workshops. Nearly 400 public comments have been shared with County staff as part of this process.

6. It is necessary that short term rental activity does not adversely impact the health and safety of residents and visitors, and that such activity is conducted in a manner that preserves existing housing and communities while balancing the protection of private property rights and public access.

7. Changes to the regulation of short term rentals in the Coastal Zone requires a Local Coastal Program Amendment, which must be certified by the California Coastal Commission.

8. Pursuant to Section 13551 (b) of Title 14 of the California Code of Regulations, the County Resolution for resubmittal may specify that a Local Coastal Program Amendment will either require formal local government adoption after the Commission approval, or is an amendment that will take effect automatically upon the Commission's approval pursuant to Public Resources Code Sections 30512, 30513, and 30519. The County will exercise its authority to determine that the Amendment shall not become effective unless and until the Board of Supervisors takes further action to adopt the ordinance amending Marin County Code.

9. The project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to the common sense exemption, Section 15061(b)(3) of the State CEQA Guidelines, because CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

10. On October 23, 2023, the Marin County Planning Commission held a duly noticed public hearing, heard public testimony, and directed staff to make changes to the draft Short Term Rental standards, to be included in Marin County Code (MCC) Chapter 5.41.

11. On November 13, 2023 the Marin County Planning Commission held a duly noticed public hearing to take public testimony and consider a Resolution to recommend to the Board of Supervisors that they authorize the Community Development Agency to submit a Local Coastal Program amendment application to the California Coastal Commission and upon their approval subsequently amend MCC Chapter 5.41.

12. **WHEREAS**, on \_\_\_\_\_ the Marin County Board of Supervisors held a duly noticed public hearing and adopted this Ordinance. .

## **SECTION II: ACTION**

Chapter 5.41 of the Marin County Code is hereby amended, to read as follows:

### **5.41 SHORT TERM RENTAL LICENSE REQUIREMENTS**

#### **5.41.010 Purpose of Chapter.**

This Chapter establishes standards that regulate short term rentals. This Chapter is enacted to reduce the negative impacts of short term rental activity, assure the health and safety of residents and visitors, preserve existing housing and communities while

balancing the protection of private property rights, provide economic opportunities for Marin County residents, and provide visitor serving accommodations for coastal tourists.

This Chapter is administered by the Marin County Community Development Agency.

#### **5.41.020 Definitions**

Terms used in this Chapter are defined below, or when undefined below are subject to the definitions in Marin County Code Titles 20 and 22.

Change of ownership: A change in ownership of the property as defined in California Revenue and Taxation Code section 60 et seq., or its successor.

Guest or Guests: The individual(s) occupying the short term rental for the purpose of overnight lodging, including any individual(s) invited to a short term rental by those occupying the unit for the purposed of overnight lodging.

Host: A host is a person identified by a short term rental property owner to reside at the property at which a short term rental is located.

Hosted Short Term Rental: A short term rental that is the primary residence of a short term rental property owner or host.

Local Contact Person: The person or business designated by the short term rental property owner to receive and respond to communications regarding a short term rental.

Long Term Tenant: A property lessee who occupies a unit as a primary residence for a period exceeding 30 days.

Natural Person: A human being; the term natural person does not include a legal entity of any kind.

Primary Residence: The dwelling in which a person lives for at least six months each year.

Property: A single legal lot of record.

Property owner: The owner(s) of record of the real property on which the short term rental is operated, and to the extent any such owner is a legal entity, any and all natural persons with an interest in such legal entity.

Short Term Rental (STR): A rental of a residential unit, or a portion of a residential unit, for a time period of less than 30 consecutive nights. Short term rentals are a residential use of property. Rental of commercial lodging including a hotel, motel, agricultural homestay, bed and breakfast inn, or campground, is not considered a short term rental.

Townships: Geographic areas in Marin County’s unincorporated jurisdiction shown on that certain map entitled “Townships of the County of Marin” kept on file by the Marin County Community Development Agency.

Unhosted Short Term Rental: Short-term rental occupancy of a residential unit on a property that does not provide a primary residence for the property owner or a long term tenant.

**5.41.030 Applicability.**

This Chapter shall apply to short term rentals in unincorporated Marin County, except as exempt per Section 5.41.040.

**5.41.040 Exemptions.**

- A. This Chapter does not apply to any commercial lodging use including a hotel, motel, agricultural homestay, bed and breakfast inn, or campground.
- B. This Chapter does not apply to a short term rental unit located on an agriculturally zoned property that is at least 10 acres in size and where the primary use of the property is commercial agriculture.

**5.41.050 Short Term Rental Licenses.**

- A. License Required.** Advertising or operating a short term rental without a valid and current short term rental license issued pursuant to the requirements of this Chapter are prohibited. Once a license expires or is revoked or suspended, the short term rental operation must immediately cease.
- B. License For Property Owner.** The short term rental licensee must own the property where the short term rental is located. Only one license shall be issued per short term rental property owner. However, short term rental licensees who have multiple legal short term rentals as of January 1, 2024 shall be allowed to continue to operate up to three short term rental units as long as they otherwise conform to this Chapter.
- C. License Term.** The initial short term rental license for a property expires two years after the date of issuance unless the license is renewed by the property owner for an additional four-year term. The term of the license expires immediately and automatically upon any change of ownership of the property, except if the change of ownership results from the death of one of the spouses of a short term rental property owned by two spouses.
- D. Administrative Procedures.** Administrative procedures for short term rental licenses shall be made publicly available by the Community Development Agency. Applications for short term rentals shall not be accepted until these procedures have been made publicly available. These administrative procedures shall set forth the process to apply for, obtain, maintain, monitor, and renew short term rental licenses. The administrative procedures shall set forth a ministerial licensing process based on objective criteria and shall be updated periodically by the Community Development Agency. The administrative procedures shall be consistent with the license framework set forth in the sections below.
  - 1. Application Process.** An application for a short term rental license shall be submitted by the property owner or their agent (written property owner authorization and contact information is required for an agent to file the application) to the Community Development Agency.

No license application shall be accepted until the Community Development Agency has made publicly available the administrative procedures.

Only license applications for legal short term rentals in existence on January 1, 2024 will be accepted before July 1, 2025. Applications for properties where there is no legal short term rental in existence on January 1, 2024, will be placed on a wait list until all existing short term rental property owners have had the opportunity to apply for a license.

**2. License Suspensions and Revocations.** Short term rental licenses may be temporarily suspended or permanently revoked if the short term rental property owner violates the standards set forth in this Chapter or the requirements of the license, as determined through the code enforcement process. All the provisions for legal due process and appeal rights provided for in Marin County Code Chapters 1.05 (Nuisance Abatement), 1.06 (Recordation of Notice of Violation), and 1.07 (Imposition of Administrative Fines for Ordinance Violations) shall apply.

**3. License Wait Lists.** The Community Development Agency will maintain short term rental license wait lists for townships where the number of short term rental license applicants exceed the number of available licenses for that township, and county wide when the total number license applicants exceed the number of available licenses county wide. Licenses for qualifying properties on the wait list shall be issued on a first come first serve basis.

**4. Application Materials.** No short term rental license or renewal shall be issued unless the application has first been deemed complete. The administrative procedures shall specify all the information necessary for a complete application, including, but not necessarily limited to, the following:

- i. The name(s) and contact information for all property owners. If the property owner(s) applying for the license own/s less than a 100% fee interest in the property, then such property owner(s) must provide proof that all persons and/or entities with an interest in the property consent to such application and license. All adults for whom the property provides a permanent residence shall be listed.
- ii. The name of the local contact person or host for short term rentals, if different from the property owner, and an email and telephone number at which that party may be reached.
- iii. Address and Assessor's parcel number for the property where the short term rental is located.
- iv. Rental unit type (i.e., hosted or unhosted short term rental).
- v. Number of bedrooms and bathrooms.
- vi. A schematic site plan showing property lines, all buildings on the site, the driveway, and the location and dimensions of on-site parking spaces.

- vii. If the rental property is served by a private water supply (well or spring), provide proof of a water supply permit with the County's Environmental Health Services Division or appropriate regulatory agency and proof of water potability with a current bacteriological test.
- viii. If the rental property is served by a private sewage disposal system, provide proof that the system is documented with the County of Marin Environmental Health Services Division or appropriate regulatory agency and provide an inspection report demonstrating proper operation of the system by an approved licensed professional.
- ix. Bills from a hauler as proof of a minimum level of service with an authorized waste collector that is sufficient to handle the volume of garbage, recyclable materials and organic materials generated or accumulated.
- x. Documentation attesting to the existence of a working landline phone, Voice Over Internet Protocol, or National Oceanic and Atmospheric Administration (NOAA) radio.
- xi. All short term rental applicants shall provide a self-certified building safety inspection upon license or license renewal application.
- xii. All short term rental applicants shall provide a self-certified fire-life safety inspection upon license or license renewal application.
- xiii. All short term rental applicants shall provide a self-certified defensible space inspection, conducted within the preceding twelve months, upon license or license renewal application.
- xiv. All short term rental applicants with properties served by a local water provider must provide water use bills or some other documentation from the water provider if volume based bills are not available. If the water use documentation demonstrates short term rental water use exceeding an average of 250 gallons per day, or a lower limit established by the local water provider, the short term rental license or license renewal application shall include strategies to reduce water use to below an average of 250 gallons per day during the next year. If water use is not reduced as required, the license shall not be subsequently renewed.

**5. Public Notification.** Within five days after issuance of a short term rental license, the Community Development Agency will provide written notification to all properties within a radius of three hundred feet of the property with the short term rental.

The notice shall indicate that the subject property will be the location of a short term rental and provide the name of the local contact person or host, the phone number and email address for the local contact person or host, and the street address of the short term rental.

**6. Tenant notification of County Rules.** The host or local contact person of the short term rental shall post a County-prepared information sheet inside the unit



and provide the tenants with a "good neighbor" brochure, developed by the County, at the time of their arrival. The schematic site plan showing the location of parking spaces shall also be provided to the guests. The purpose of the brochure is to apprise guests of County regulations and relevant safety information.

**7. Exterior Signage.** Each short term rental shall be identified with a single exterior sign that includes the name of the local contact person or host, the phone number and email address for the local contact person or host, and the street address of the short term rental. At a minimum, the sign shall be posted while the unit is being used as a short term rental. The sign shall be made of durable materials and securely placed in the front of the property or unit (where there are multiple units on the property), at a height of three to five feet as measured from the top of the sign to grade, in such a way that it is readily visible to the public upon inspection.

**8. Requirements for Advertisements.** All short term rentals shall include the following information in any online or printed advertisement:

- i. Valid Marin County short term rental license number.
- ii. The number of parking spaces available for the short term rental.
- iii. Further information where applicable as specified in the license requirements, such as water use restrictions.

#### **E. License Issuance**

A Short Term Rental license will be issued on a ministerial basis by the Community Development Agency based on a review of whether the short term rental would satisfy all the applicable requirements. Licenses can be issued with conditions ensuring compliance with the applicable requirements.

#### **F. License Term and Renewal.**

- i. An initial short term rental license issued under this Chapter shall expire immediately and automatically two years from the date of license issuance, unless revoked earlier. A short term rental license renewal shall last for a term of four years, unless revoked earlier. The license authorizes the property owner to conduct only such services as are described in this Chapter and in accordance with the terms and conditions of the license.
- ii. A complete short term rental license renewal application for an existing short term rental license must be submitted at least sixty days prior to the expiration date of the license. Upon timely submittal of a renewal application, the license will remain effective until such time as the license renewal application is approved or denied.
- iii. Failure to submit a timely application for a renewal of an existing short term rental license shall result in that license not being renewed. An unrenewed license will not be reinstated to the property owner unless there are

available licenses within the cap. A property owner who fails to renew a license may join the wait list for the next available license under the cap.

- iv. Once a license expires, a new license is required to operate the short term rental. Renewals can only be issued for an existing license, and in compliance with this section. The administrative procedures issued by the Community Development Agency pursuant to this chapter may describe modifications to short term rental operations that are eligible for consideration within a license renewal.
- v. A short term rental license renewal application shall be denied if there have been more than three verified substantial violations of this Chapter or of the license requirements related to the short term rental during the previous license term. Substantial violations are violations for which a complaint has been received and a code enforcement case opened with an investigation verifying the existence of the violation. Code Enforcement determinations are subject to the appeals and legal due process requirements provided in Marin County Code Chapters 1.05 (Nuisance Abatement), 1.06 (Recordation of Notice of Violation), and 1.07 (Imposition of Administrative Fines for Ordinance Violations).

#### **G. License Fee.**

- i. Each short term rental license or renewal application shall be accompanied by the applicable short term rental license fee.
- ii. The fee schedule shall be established by resolution of the Board of Supervisors following a public hearing. Said fee schedule may be adjusted by resolution of the Board following a public hearing. Permits and fees required are non-refundable and are in addition to any license, permit, certificate or fee required by any other chapter of the Marin County Code or other applicable law.

#### **5.41.060 Short Term Rental Property Standards**

- 1. **Undeveloped Properties.** A property where there is no existing legal residential unit is not eligible for a short term rental license.
- 2. **Restricted Structures.** A short term rental is not allowed in any of the following:
  - i. A structure subject to a recorded governmental restriction, including covenants or agreements for an affordable housing unit, agricultural employee unit, or farmworker housing.
  - ii. An accessory dwelling unit or junior accessory dwelling unit created or legalized after January 1, 2020.
  - iii. A multi-family dwelling or condominium unit. This standard does not apply to short term rentals being legally operated as of January 1, 2024.

iv. Non-residential areas within buildings, such as storage areas, and living/sleeping quarters added in garages.

v. Recreation vehicles (RVs), including non-motorized travel trailers.

vi. Other structures without permanent foundations, including but not limited to tipis/teepees, yurts, tents, and treehouses.

**3. One Short Term Rental Per Property.** Only one short term rental is allowed per property. However, this standard does not apply if there were multiple legal short term rentals on the property on January 1, 2024, in which case the existing short term rentals can continue to be operated.

**4. Short Term Rental Parking Requirements.** Parking spaces must be provided for properties with short term rentals as follows:

i. Two onsite parking spaces must be provided while the property is in use as a short term rental, with at least one of the parking spaces reserved for guests of the short term rental. This standard does not apply to short term rentals being legally operated as of January 1, 2024.

ii. Parking for short term rentals shall comply with Marin County Code Section 24.04.380 (Dimensional Standards), as verified by the Department of Public Works.

**5. Noise.** The short term rental property owner is responsible for ensuring that any and all guests of a short term rental comply with the noise standards of Section 6.70.030 (Loud and Unnecessary Noises).

**6. Solid Waste.**

i. With the exception of waste properly deposited in and fully contained within collection containers with secure lids, accumulation of solid waste outside of the short term rental at any time is prohibited. No collection container other than those consistent with Chapter 7.00 (Solid Waste, Collection, Diversion and Disposal) shall be placed or kept in or on any public street, sidewalk, footpath, or any public place whatsoever, but shall be maintained on the property, except as may be provided for removing and emptying by the authorized collector on the day and in the location designated for collection.

The short term rental property owner is responsible for ensuring that short term renters comply with Chapter 7.00 (Solid Waste Collection, Diversion, and Disposal).

ii. A minimum service level must be maintained that is sufficient for the short term rental. If the Community Development Agency determines the minimum service level is insufficient to accommodate all waste (including garbage, recyclable materials, and organic materials) generated by the short term rental, the property owner shall arrange for a higher level of

service which will accommodate all waste generated by the short term rental.

**7. Municipal Services.** The short term rental property shall have adequate water and sewer connections and shall be served by local utility agencies for water and sewer service wherever such utilities are provided.

- i. In the event that the short term rental is served by a private water supply (well or spring), the property owner will need to possess a domestic water supply permit from the Marin Community Development Agency Environmental Health Services Division or other appropriate public agency and prove potability with a current bacteriological test.
- ii. In the event that the short term rental is served by a private sewage disposal system, then that system must be documented with the Community Development Agency Environmental Health Services Division or other appropriate public agency, shall be inspected for proper operation by an approved licensed professional, and shall be sized appropriately for the short term rental and any other combined use.

**8. Emergency Preparedness.**

- i. **Visible Address.** Each short term rental shall have an address identification. The address identification must be maintained and shall be legible, measuring no less than four inches in height with a 3/8 inch stroke, and placed in a position that is visible from the street or road fronting the property. Whenever the address on the short term rental will not be clearly visible from the street or access road fronting the property, the address shall also be placed at the public street or access road in a manner which is clearly visible from both directions of travel on the frontage road or street.
- ii. **Smoke Alarms.** Smoke alarms, in good working order, shall be installed in accordance with the California Building Code and at a minimum shall be installed in each bedroom, and at least one alarm on every level of the short term rental, including basements and habitable attics.
- iii. **Carbon Monoxide Alarms.** Carbon monoxide alarms, in good working order, shall be installed in accordance with the California Building Code and at a minimum shall be installed outside each bedroom, on every level of the rental unit, including basements and habitable attics, and bedrooms or attached bathrooms with a fuel-burning appliance, and shall be installed in accordance with the manufacturer's installation instructions.
- iv. **Fire Extinguisher.** Each short term rental shall be equipped with one five-pound fire extinguisher, type 3-A:40-B:C, installed at a readily available location near the kitchen. If the short term rental has more than one level, an extinguisher must be mounted within each level.
- v. **Emergency Communications.** Each short term rental shall contain at least one working landline phone, Voice Over Internet Protocol (VOIP), or a National Oceanic and Atmospheric Administration (NOAA) radio as a

means of receiving emergency communications. Locations with a working landline and/or VOIP should have the direct phone number and address listed near the device. If NOAA radios are employed, a set of directions for use of the radio shall be accessible.

vi. **Evacuation Routes.** The short term rental property owner must provide vehicular evacuation route maps, provided by Fire Safe Marin or the County of Marin, for the rental area. Evacuation routes must be posted near the front door, with a QR code or link to the County's online evacuation map, of the short term rental. Further, a vehicular evacuation routes map must be provided as a handout so guests can take the map with them in the case of an emergency.

**9. Construction Requiring a Building Permit.** Short term rentals shall not be rented while the building they are in is undergoing any form of construction that requires a building permit.

**10. Code Enforcement Cases.** Short term rentals shall not be rented while a verified code enforcement case is open on the property.

**11. Commercial Special Events.** Commercial special events including weddings, corporate events, commercial functions, and any other similar events shall not be held on a property with a short term rental license.

**12. Local Contact Person Responsibilities.** A short term rental property owner must identify a local contact person for every unhosted short term rental. The local contact person shall respond to any complaint received regarding the conduct of the short term rental guests or the condition or operation of the short term rental and take any necessary remedial action to resolve violations of Marin County Code requirements in a timely manner. The short term rental property owner is responsible for the local contact person's compliance with all provisions of this Chapter.

**13. Host Responsibilities.** A short term rental property owner must identify a host for every hosted short term rental if the host is different from the property owner. This host shall respond to any complaint received regarding the conduct of the short term rental guests or the condition or operation of the short term rental and take any necessary remedial action to resolve violations of Marin County Code requirements in a timely manner. The short term rental property owner is responsible for this host's compliance with all provisions of this Chapter.

#### **5.41.070 Caps on the Number of Short Term Rental Licenses**

The total number of short term rental licenses allowable in unincorporated Marin County is limited to 923.

Further, the number of short term rental licenses for short term rentals in the townships of Marin County shall be capped at the limits indicated in Table Short Term Rental Caps below.

**Table 1 – Short Term Rental Caps**

<u>Township</u>	<u>Initial Number of Short Term Rentals</u>	<u>Ultimate Number of Short Term Rentals</u>
<u>Bolinas</u>	<u>63</u>	<u>54</u>
<u>Dillon Beach</u>	<u>125</u>	<u>110</u>
<u>Forest Knolls</u>	<u>8</u>	<u>8</u>
<u>Inverness</u>	<u>93</u>	<u>86</u>
<u>Lagunitas</u>	<u>6</u>	<u>4</u>
<u>Marshall</u>	<u>28</u>	<u>27</u>
<u>Muir Beach</u>	<u>20</u>	<u>19</u>
<u>Nicasio</u>	<u>11</u>	<u>8</u>
<u>Olema</u>	<u>3</u>	<u>3</u>
<u>Petaluma</u>	<u>6</u>	<u>6</u>
<u>Point Reyes Station</u>	<u>32</u>	<u>26</u>
<u>San Geronimo</u>	<u>10</u>	<u>7</u>
<u>Stinson beach</u>	<u>192</u>	<u>174</u>
<u>Tomales</u>	<u>12</u>	<u>11</u>
<u>Woodacre</u>	<u>12</u>	<u>8</u>

The “Initial Number of Short Term Rentals” referenced above in Table 1 establishes the number of licenses available for issuance for the valid applications submitted before July 1, 2025 (first round licenses).

First round licenses may be renewed. However, subsequent to these first round licenses being issued, the number of new licenses being issued shall decrease to the “Ultimate Number of Short Term Rentals” established in Table 1. The cap on the ultimate number of short term rental licenses in each township shall be eventually achieved as license applications or renewals decline over time.

No new short term licenses shall be issued that would result in the number of short term rental licenses exceeding the county wide license cap of 923.

**5.41.080 Violations.**

Any violation of the provisions in this Chapter shall be enforced through any legal remedies available to correct and/or abate a nuisance or violation of the Marin County Code, as provided in Marin County Code Chapters 1.05 (Nuisance Abatement), 1.06 (Recordation of Notice of Violation), and 1.07 (Imposition of Administrative Fines for Ordinance Violations) as they pertain to violations related to real property. All the provisions for legal due process and appeal rights provided for in Marin County Code Chapters 1.05, 1.06, and 1.07 shall apply.

Short term rental licenses may be suspended or revoked if the short term rental property owner fails to meet the standards set forth in this Chapter and/or the requirements of the

license. Short term rental licenses shall not be renewed if there have been more than three verified violations of the standards or license requirements during the previous licensing term, as determined through the code enforcement process.

#### **~~5.41.010 RESTRICTION~~**

~~No Short Term Rental shall take place in unincorporated Marin County except in conformance with the requirements set forth below.~~

#### **~~5.41.020 DEFINITIONS~~**

~~A. The word “Short Term Rental” is defined herein as a rental of residential property for a lease term of 30 days or less.~~

~~A. The term “Local Contact Person” is defined herein as a person who is available to respond to Short Term Rental complaints.~~

~~B. The term “Enforcement Officer” is defined herein as the Community Development Agency Director or his/her designee.~~

~~C. The term “Hearing Officer” is defined herein as the Community Development Agency Director or his/her designee. However, the CDA Director shall not act as both the Enforcement Officer and Hearing Officer or designate any CDA employee as the Hearing Officer if that person was the Enforcement Officer, with respect to that particular violation.~~

#### **~~5.41.030 BUSINESS LICENSE AND TRANSIENT OCCUPANCY TAX~~**

~~Owners and Operators of Short Term Rentals shall comply with Chapter 5.54 Business License and comply with Chapter 3.05 uniform Transient Occupancy Tax as administered by the Marin County Department of Finance and Marin County Code.~~

~~The name of the Local Contact Person as well as the phone number and email address for the Local Contact Person shall be provided at the time of application for the Transient Occupancy Tax certificate number and when reporting the Transient Occupancy Tax. The Local Contact Person information will be used by the County or its compliance agent and the Local Contact Person’s information will be made available to the general public.~~

#### **~~5.41.040 SHORT TERM RENTAL COMPLAINT HOTLINE~~**

~~Marin County shall maintain a Short Term Rental complaint hotline. Hotline staff will accept complaints about Short Term Rentals received by calls and emails and notify the Local Contact Person or property owner about the complaints.~~

#### **~~5.41.050 LOCAL CONTACT PERSON RESPONSE~~**

~~The Local Contact Person shall respond to any complaint received by either Marin County Short Term Rental Hotline staff and/or County staff regarding the conduct of the Short Term Rental occupants or the condition or operation of the Short Term Rental, and take any necessary remedial action to resolve violations of Marin County Code requirements in a timely manner.~~

## **5.41.060 SIGNAGE**

The public shall be notified that a Short Term Rental is available on a particular property using at least one of the following two methods: (1) Exterior signage, or (2) Delivery of written notice to adjacent properties. The mandatory standards for these methods are set forth below.

### **A. Exterior Signage**

- 1) Each Short Term Rental shall be identified with a single exterior sign, issued by the Department of Finance, that includes the name of the Local Contact Person, the phone number and email address for the Local Contact Person, the phone number and the email address of the Marin County Short Term Rental Hotline, and the street address of the Short Term Rental. At the owner's discretion, an alternative design for the sign from that provided by the Department of Finance is allowed provided the size and font of the sign is no smaller than those of the sign provided by the Department of Finance and the sign is made of at least as durable a material. At a minimum, the sign shall be posted while the unit is being used as a Short Term Rental.
- 1) The sign shall be securely placed in the front of the property or unit (where there are multiple units on the property), at a height of three to five feet as measured from the top of the sign to grade, in such a way that it is readily visible to the public.

A. Written notification shall be provided to all properties within a radius of 300 feet of the property with the Short Term Rental using either door handle hangers or letters.

- 1) The notice, whether a door handle hanger or letter, shall indicate that the subject property will be the location of a Short Term Rental and provide the name of the Local Contact Person, the phone number and email address for the Local Contact Person, the phone number and the email address of the Marin County Short Term Rental Hotline, and the street address of the Short Term Rental.
- 1) An affidavit from the property owner and a copy of the notice shall be submitted to the Marin County Department of Finance certifying that the notice has been provided in conformance with this chapter at least 10 days prior to the owner applying for a new Transient Occupancy Tax certificate number. A Transient Occupancy Tax certificate number shall not be issued in the absence of such an affidavit.

## **5.41.070 TENANT NOTIFICATION OF COUNTY RULES**

The owner of the Short Term Rental shall post a copy of the "house rules" inside the unit or provide the tenants with a "good neighbor" brochure at the time of their arrival. The house rules or brochure shall include site specific instructions on how to comply with the following County regulations:

A. Loud and Unnecessary Noises (Marin County Code 6.70.030)

Between 11:00pm and 7:00am:

- No operation of any noise-generating instrument (e.g. television, radio, loudspeaker, musical instrument) that generates noise audible 50 yards from the building.



- ~~No yelling, shouting, whistling, or singing on public roads.~~

~~B. Parking (Marin County Code 24.04.340)~~

- ~~Typically, two off-street parking spaces shall be provided for each residence. However, where on-street parking is limited, four off-street parking spaces are required.~~

~~C. Emergency Access (California Fire Code 503.4 referenced)~~

- ~~Parking shall not obstruct roadways less than 20 feet wide.~~

~~D. Garbage (Marin County Code 7.00.020)~~

- ~~Garbage placed outside shall be in a suitable covered container.~~

**~~5.41.080 ADMINISTRATIVE CITATION OF PROPERTY OWNER(S) FOR FAILURE TO COMPLY WITH SHORT TERM RENTAL NOTIFICATION REQUIREMENTS~~**

~~A. Property owner(s) failing to comply with Section 5.41.060 are subject to an administrative citation issued by the Community Development Agency pursuant to the authority granted to the Board of Supervisors by Government Code Section 53069.4, et seq. Violations will be handled in the following manner:~~

- ~~1. The penalties assessed for each violation shall not exceed the following amounts:
  - ~~a) \$100.00 for a first violation;~~
  - ~~b) \$200.00 for a second violation of this Ordinance within one year;~~
  - ~~c) \$500.00 for each additional violation of this Ordinance within one year; and~~
  - ~~d) The fourth and subsequent violation within one year shall constitute a nuisance and be subject to the nuisance abatement procedures in Marin County Code Chapter 1.05, including payment of civil penalties of up to \$2,500 per violation per day and enforcement and other abatement costs incurred by the County.~~~~

~~2. Payment of the penalty shall not excuse the failure to correct the violation nor shall it bar further enforcement action.~~

~~B. Nonpayment of any assessed violation for longer than one year shall constitute a nuisance and be subject to the nuisance abatement procedures in Marin County Code Chapter 1.05, including payment of civil penalties of up to \$2,500 per violation per day and enforcement and other abatement costs incurred by the County.~~

~~C. The penalties assessed shall be payable to the County of Marin.~~

~~D. Service of Citation~~

~~1. If the property owner(s) who has violated the Ordinance is present at the scene of the violation, the Enforcement Officer shall attempt to obtain their signature on the administrative citation and shall deliver a copy of the administrative citation to them.~~

~~1. If the Enforcement Officer is unable to serve the property owner(s) on the premises, the administrative citation may be left with the occupant(s) of the property. If left with the occupant(s) of the property, a copy of the administrative citation shall also be mailed to the property owner(s) by certified mail, return receipt requested.~~

~~2. If no one can be located at the property, then the administrative citation shall be posted in a conspicuous place on or near the property and a copy mailed by certified mail, return receipt requested to the owner(s), occupant(s) or other person~~

~~who has violated the Ordinance. The citation shall be mailed to the property address and/or the address listed for the owner(s) on the latest County Assessment Roll.~~

~~3. The failure of any interested person to receive the citation shall not affect the validity of the proceedings.~~

~~E. The remedies provided by this chapter are cumulative and are in addition to any other remedies available at law or in equity, including withholding the issuance of any building and construction permit.~~

~~F. Whenever evidence of a violation of this chapter is obtained in any part through the participation of a person under the age of eighteen years old, such a person shall not be required to appear or give testimony in any civil or administrative process brought to enforce this chapter and the alleged violation shall be adjudicated based upon the sufficiency and persuasiveness of the evidence presented.~~

#### **5.41.090 ADMINISTRATIVE REVIEW ON THE IMPOSITION OF ADMINISTRATIVE FINES FOR FAILURE TO COMPLY WITH SHORT TERM RENTAL NOTIFICATION REQUIREMENT; APPEAL**

~~A. Any person subject to an administrative fine pursuant to this Chapter shall have the right to request an administrative review within forty-five days of the issuance of a citation for an administrative violation of this ordinance pursuant to the authority granted to the Board of Supervisors by Government Code Section 53069.4, et seq. To request such a review, the person requesting the review shall notify the Enforcement Officer in writing within forty-five days of the issuance of the citation.~~

~~A. The Hearing Officer may conduct a hearing on the matter within ninety days of the request for the hearing unless one of the parties requests a continuance for good cause. The Hearing Officer shall render a decision within thirty days of the conclusion of the hearing, or from the receipt of the review request (if no hearing is held).~~

~~B. The person upon whom an administrative fine is imposed pursuant to this Chapter may appeal the decision of the Hearing Officer to the Superior Court. No appeal to the Superior Court can lie unless the party filing the appeal has first properly requested the administrative review under Subsection 5.41.090(A).~~

~~C. The appeal must be filed within twenty days after service of the final decision issued by the Enforcement Officer pursuant to California Government Code Section 53069.4, subdivision (b). The procedures outlined in Government Code 53069.4 shall apply.~~

#### **5.41.100 SEVERABILITY**

~~The provisions of this chapter are declared to be severable. If any provision, clause, word, sentence, or paragraph of this chapter or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this chapter.~~

### **SECTION III: EFFECTIVE DATE AND PUBLICATION**

This Ordinance shall be and is hereby declared to be in full force and effect as of thirty days from and after the date of its passage and shall be published once before the expiration of fifteen days after its passage, with the names of the Supervisors voting for and against the same, in the *Marin Independent Journal*, a newspaper of general circulation published in the County of Marin.

**SECTION IV: VOTE**

Introduced at a regular meeting of the Board of Supervisors held on the \_\_\_\_ day of \_\_\_\_ and adopted by the Board of Supervisors of the County of Marin, State of California, on the \_\_\_\_ day of \_\_\_\_\_, by the following vote to wit:

AYES:        SUPERVISORS

NOES:

ABSENT:

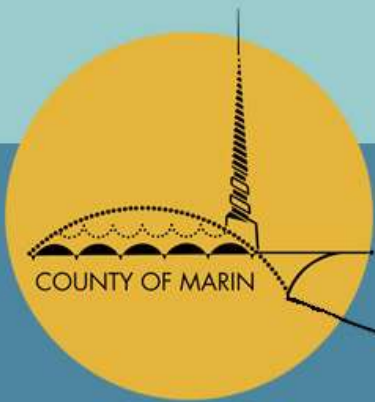
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PRESIDENT  
MARIN COUNTY BOARD OF  
SUPERVISORS

ATTEST:

---

Matthew H. Hymel  
Clerk of the Board of Supervisors



# Short Term Rentals



## DRAFT SHORT TERM RENTAL STANDARDS REVISED OCTOBER 2023

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### 5.41 SHORT TERM RENTAL LICENSE REQUIREMENTS

#### 5.41.010 Purpose of Chapter.

This Chapter establishes standards that regulate short term rentals. This Chapter is enacted to reduce the negative impacts of~~ensure that~~ short term rental activity, assure the ~~does not adversely impact the~~ health and safety of residents and visitors, ~~and that such activity is conducted in a manner that~~ preserves existing housing and communities while balancing the protection of private property rights, provide economic opportunities for Marin County residents, and provide visitor serving accommodations for coastal tourists. !

This Chapter is administered by the Marin County Community Development Agency.

#### 5.41.020 Definitions

Terms used in this Chapter are defined below, or when undefined below are subject to the definitions in Marin County Code Titles 20 and 22.

Change of ownership: A change in ownership of the property as defined in California Revenue and Taxation Code section 60 et seq., or its successor.

Guest or Guests: The individual(s) occupying the short term rental for the purpose of overnight lodging, including any individual(s) invited to a short term rental by those occupying the unit for the purposed of overnight lodging.

Host: A host is a person identified by a short term rental property owner to reside at the property at which a short term rental is located.

Hosted Short Term Rental: A short term rental that is the primary residence of a short term rental property owner or host.

Local Contact Person: The person or business designated by the short term rental property owner to receive and respond to communications regarding a short term rental.

Long Term Tenant: A property lessee who occupies a unit as a primary residence for a period exceeding 30 days.

Natural Person: A human being; the term natural person does not include a legal entity of any kind.

Primary Residence: The dwelling in which a person lives for at least six months each year.

Property: A single legal lot of record.

Property owner: The owner(s) of record of the real property on which the short term rental is operated, and to the extent any such owner is a legal entity, any and all natural persons with an interest in such legal entity.

Short Term Rental (STR): A rental of a residential unit, or a portion of a residential unit, for a time period of less than 30 consecutive nights. Short term rentals are a residential use of property. Rental of commercial lodging including a hotel, motel, agricultural homestay, bed and breakfast inn, or campground, is not considered a short term rental.

Townships: Geographic areas in Marin County's unincorporated jurisdiction shown on that certain map entitled "Townships of the County of Marin" kept on file by the Marin County Community Development Agency.

Unhosted Short Term Rental: Short-term rental occupancy of a residential unit on a property that does not provide a primary residence for the property owner or a long term tenant.

#### **5.41.0320 Applicability.**

This Chapter shall apply to short term rentals in unincorporated Marin County, except as exempt per Section 5.41.0430.

#### **5.41.0430 Exemptions.**

A. This Chapter does not apply to any commercial lodging use including a hotel, motel, agricultural homestay, bed and breakfast inn, or campground.

A.B. This Chapter does not apply to a short term rental unit located on an agriculturally zoned property that is at least 10 acres in size and where the primary use of the property is commercial agriculture.

#### **5.41.0540 Short Term Rental Licenses.**

**A. License Required.** Advertising or operating a short term rental without a valid and current short term rental license issued pursuant to the requirements of this Chapter ~~are~~ prohibited. ~~A license allows the operation of a single short term rental. Short term rental licenses are not transferable.~~ Once a license expires or is revoked or suspended, the short term rental operation must immediately cease.

**B. License For Property Owner.** The short term rental licensee must own the property where the short term rental is located. Only one license shall be issued per short term rental property owner. However, short term rental licensees who have multiple legal short term rentals as of January 1, 2024 shall be allowed to continue to operate up to three short term rental units as long as they otherwise conform to this Chapter.

C. **License Term.** ~~The initial~~A short term rental license for a property expires two years after the date of issuance unless the license is renewed by the property owner~~licensee~~ for an additional ~~four~~two-year term. The term of the license expires immediately and automatically upon any change of ownership of the property, except if the change of ownership results from the death of one of the spouses of a short term rental property owned by two spouses.

D. **Administrative Procedures.** Administrative procedures for short term rental licenses shall be ~~prepared and~~made publicly available by the ~~Agency Director~~Community Development Agency. Applications for short term rentals shall not be accepted until these procedures have been made publicly available. These administrative procedures shall set forth the process to apply for, obtain, maintain, monitor, and renew short term rental licenses. The administrative procedures shall set forth a ministerial licensing process based on objective criteria and shall be updated periodically by the Community Development Agency~~Agency Director~~. The administrative procedures shall be consistent with the license framework set forth in the sections below.

1. **Application Process.** An application for a short term rental license shall be submitted by the property owner or their agent (written property owner authorization and contact information is required for an agent to file the application) to the Community Development Agency.

No license application shall be accepted until the Community Development Agency ~~Agency Director~~ has ~~prepared and~~made publicly available the administrative procedures.

~~In townships where there is a cap limiting the number of short term rentals, o~~Only license applications for legal ~~unhosted~~short term rentals in existence on January 1, 2024 will be accepted before July 1, 2025. Applications for properties where there is no legal ~~unhosted~~short term rental in existence on January 1, 2024, will be placed on a wait list until all existing short term rental property owners have had the opportunity to apply for a license.

2. **License Suspensions and Revocations.** Short term rental licenses may be temporarily suspended or permanently revoked if the ~~licensee short term rental property owner fails to meet~~violates the standards set forth in this Chapter or the requirements of the license, as determined through the code enforcement process. All the provisions for legal due process and appeal rights provided for in Marin County Code Chapters 1.05 (Nuisance Abatement), 1.06 (Recordation of Notice of Violation), and 1.07 (Imposition of Administrative Fines for Ordinance Violations) shall apply.~~Suspension or revocation pursuant to this subsection will be imposed according to the process described in the administrative procedures.~~

3. **License Wait Lists.** The Community Development Agency will maintain short term rental license wait lists for townships where the number of ~~unhosted~~short term rental license applicants exceeds the number of available licenses for that township, and county wide when the total number license applicants exceed the number of available licenses county wide. Licenses for qualifying properties on the wait list shall be issued on a first come first serve basis.

4. **Application Materials.** No short term rental license or renewal shall be issued unless the application has first been deemed complete. The administrative procedures shall specify all the information necessary for a complete application, including, but not necessarily limited to, the following:

- i. The name(s) and contact information for all property owners. If the property owner(s) applying for the license own/s less than a 100% fee interest in the property, then such property owner(s) must provide proof that all persons and/or entities with an interest in the property consent to such application and license. ~~If the host is different from the property owner, their contact information must be listed as well.~~ All adults for whom the property provides a permanent residence shall be listed.
- ii. The name of the local contact person or host for ~~unhosted~~ short term rentals, if different from the property owner, and an email and telephone number at which that party may be reached.
- iii. Address and Assessor's parcel number for the property where the short term rental is located.
- iv. Rental unit type (i.e., hosted or unhosted short term rental).
- v. Number of bedrooms and bathrooms.

~~vi. A schematic Total number and dimensions of onsite parking spaces.~~

~~vii.vi. sSite pPlan showing property lines, all buildings on the site, the driveway, and the location and dimensions of on-site parking spaces.:~~

- ~~a. Location of all existing buildings and location and dimensions of on-site parking.~~
- ~~b. Floor plan showing all rooms with each room labeled as to room type, and location of fire extinguishers, smoke and carbon monoxide alarms.~~
- ~~c. Location of waste containers.~~
- ~~d. If the rental property is served by a private water supply (well or spring) and/or a private sewage disposal system, the location of any existing or proposed septic system, including dimensions and sizes of the septic tank, disposal fields, and reserve area, and wells and water systems on the subject property.~~

~~viii.vii. If the rental property is served by a private water supply (well or spring), provide proof of a water supply permit with the County's Environmental Health Services Division or appropriate regulatory agency and proof of water potability with a current bacteriological test.~~

~~ix.viii. If the rental property is served by a private sewage disposal system, provide proof that the system is documented with the County of Marin Environmental Health~~

Services Division or appropriate regulatory agency and provide an inspection report ~~demonstrating~~ proper operation of the system by an approved licensed professional.

- ~~xix.~~ Bills from a hauler as proof of a minimum level of service with an authorized waste collector that is sufficient to handle the volume of garbage, recyclable materials and organic materials generated or accumulated.
- ~~xi.x.~~ Proof of Documentation attesting to the existence of a working landline phone, Voice Over Internet Protocol, or National Oceanic and Atmospheric Administration (NOAA) radio.
- ~~xii.~~ Documentation of a vehicular evacuation route from the short term rental property to an area of safety in case of an emergency, including proof that the evacuation route is posted near the door of the short term rental.
- ~~xiii.xi.~~ All short term rental applicants shall provide a self-certified building safety inspection upon license permit or license renewal application ~~or renewal~~.
- ~~xiv.xii.~~ All short term rental applicants shall provide a self-certified fire-life safety inspection upon license permit or license renewal application ~~or renewal~~.
- ~~xv.xiii.~~ All short term rental applicants shall provide a self-certified defensible space inspection, conducted within the preceding twelve months, upon license or license renewal permit application ~~or renewal~~.
- ~~xvi.xiv.~~ All short term rental applicants with properties served by a local water provider must provide water use bills or some other documentation from the water provided if volume based bills are not available. If the water use documentation demonstrates short term rental water use exceeding an average of 250 gallons per day, or a lower limit established by the local water provider, the short term rental license or license renewal application shall include strategies to reduce water use to below an average of 250 gallons per day during the next year. If water use is not reduced as required, the license shall not be subsequently renewed.

- 5. Public Notification.** Within five days after issuance of a short term rental license, the Community Development Agency will provide written notification to all properties within a radius of three hundred feet of the property with the short term rental.

The notice shall indicate that the subject property will be the location of a short term rental and provide the name of the local contact person or host, the phone number and email address for the local contact person or host, and the street address of the short term rental.

- 6. Tenant notification of County Rules.** The ~~owner or operator of the host or local contact person of the~~ short term rental shall post a County-prepared information sheet inside the unit and provide the tenants with a "good neighbor" brochure, developed by the County, at the time of their arrival. The schematic site plan showing the location of parking spaces shall also be provided to the guests. The purpose of the brochure is to apprise guests of County regulations and relevant safety information.



7. **Exterior Signage.** Each short term rental shall be identified with a single exterior sign that includes the name of the local contact person or host, the phone number and email address for the local contact person or host, and the street address of the short term rental. At a minimum, the sign shall be posted while the unit is being used as a short term rental. The sign shall be made of durable materials and securely placed in the front of the property or unit (where there are multiple units on the property), at a height of three to five feet as measured from the top of the sign to grade, in such a way that it is readily visible to the public upon inspection.

8. **Requirements for Advertisements.** All ~~permitted~~ short term rentals shall include the following information in any online or printed advertisement:

- i. Valid Marin County short term rental license number.
- ii. The number of parking spaces available for the short term rental.~~All permitted parking locations and the quantity of vehicles that fit on said locations.~~
- iii. ~~Further information where applicable as specified in the~~ license requirements~~administrative procedures~~, such as water use restrictions.

**~~E. License for Hosted Short Term Rental.~~**

~~iv.iii. The host of a hosted short term rental can be either the property owner or a long term tenant of the property. The property must be the primary residence of the host. To prove that the hosted short term rental is the primary residence of the host, the host must provide at least three of the following five types of documents at the time of initial application and renewal application: motor vehicle registration; driver's license; voter registration; a utility bill sent to the subject property; tax documents showing the property as the property owner's primary residence for the purposes of a homeowner's tax exemption; a lease showing that a host other than the property owner is renting a unit on the property on a long term basis.~~

**~~F. License for Unhosted Short Term Rental.~~**

~~A license for a unhosted short term rental shall be issued with no requirement for an onsite host, but a local contact person meeting the requirements specified in the administrative procedures shall be identified.~~

**~~G.E. License Issuance~~**

A Short Term Rental license will be issued on a ministerial basis by the Community Development Agency based on a review of whether the sShort tTerm rRental would satisfy all the applicable requirements. Licenses can be issued with conditions ensuring compliance with the applicable requirements.

**~~H.F. License Term and Renewal.~~**

- 1. An initial short term rental license issued under this Chapter shall expire immediately and automatically two years from the date of license issuance, unless revoked earlier. A short term rental license renewal shall last for a term of four

years, unless revoked earlier. The license authorizes the property owner to conduct only such services as are described in this Chapter and in accordance with the terms and conditions of the license.

2. A complete short term rental license renewal application for an existing short term rental license must be submitted at least sixty days prior to the expiration date of the license. Upon timely submittal of a renewal application, the license will remain effective until such time as the license renewal application is approved or denied.
3. Failure to submit a timely application for a renewal of an existing short term rental license shall result in that license not being renewed. ~~In locations where there is a cap on the number of unhosted short term rentals, A~~an unrenewed license will not be reinstated to the property owner unless there are available licenses within the cap. A property owner who fails to renew a license may join the wait list for the next available license under the cap.
4. Once a license expires, a new license is required to operate the short term rental. Renewals can only be issued for an existing license, and in compliance with this section. ~~Conversion from a hosted to an unhosted short term rental shall require a new license.~~—The administrative procedures issued by the Community Development Agency pursuant to this chapter may describe modifications to short term rental operations that are eligible for consideration within a license renewal.
5. A short term rental license renewal application shall be denied if there have been more than ~~three~~ two verified substantial violations of this Chapter or of the license requirements administrative procedures related to the short term rental during the previous license term two year license period. Substantial violations are violations for which a complaint has been received and a code enforcement case opened with an investigation verifying the existence of the violation. Code Enforcement determinations are subject to the appeals and legal due process requirements provided in Marin County Code Chapters 1.05 (Nuisance Abatement), 1.06 (Recordation of Notice of Violation), and 1.07 (Imposition of Administrative Fines for Ordinance Violations).

#### **I.G. License Fee.**

- i. Each short term rental license or renewal application shall be accompanied by the applicable short term rental license fee.
- ii. The fee schedule shall be established by resolution of the Board of Supervisors following a public hearing. Said fee schedule may be adjusted by resolution of the Board following a public hearing. Permits and fees required are non-refundable and are in addition to any license, permit, certificate or fee required by any other chapter of the Marin County Code or other applicable law.

#### **5.41.0650 Short Term Rental Property Standards**

- A. **Undeveloped Properties.** A property where there is no existing legal residential unit is not eligible for a short term rental license.

**B. Restricted Structures.** A short term rental is not allowed in any of the following:

1. A structure subject to a recorded governmental restriction, including covenants or agreements for an affordable housing unit, agricultural employee unit, or farmworker housing.
2. An accessory dwelling unit or junior accessory dwelling unit created or legalized after January 1, 2020.
3. A multi-family dwelling or condominium unit. This standard does not apply to short term rentals being legally operated as of January 1, 2024.
4. Non-residential areas within buildings, such as storage areas, and living/sleeping quarters added in garages.
5. Recreation vehicles (RVs), including non-motorized travel trailers.
6. Other structures without permanent foundations, including but not limited to tipis/teepees, yurts, tents, and treehouses.

**C. One Short Term Rental Per Property.** Only one short term rental is allowed per property. However, this standard does not apply if there were multiple legal short term rentals on the property on January 1, 2024, in which case the existing short term rentals can continue to be operated. If a property contains both a main dwelling and an accessory dwelling unit, only the main dwelling unit may be rented on a short-term basis.

**D. Short Term Rental Parking Requirements.** Parking spaces must be provided for properties with short term rentals as follows:

1. Two onsite parking spaces must be provided while the property is in use as a short term rental, with at least one of the parking spaces reserved for guests of thea hosted short term rental ~~and two reserved for guests of an unhosted short term rental.~~ This standard does not apply to short term rentals being legally operated as of January 1, 2024.
2. Parking for short term rentals shall comply with Marin County Code Section 24.04.380 (Dimensional Standards), as verified by the Department of Public Works.

**E. Noise.** The short term rental property owner is responsible for ensuring that any and all guests of a short term rental comply with the noise standards of Section 6.70.030 (Loud and Unnecessary Noises).

**F. Solid Waste.**

1. With the exception of waste properly deposited in and fully contained within collection containers with secure lids, accumulation of solid waste outside of the short term rental at any time is prohibited. No collection container other than those consistent with Chapter 7.00 (Solid Waste, Collection, Diversion and Disposal) shall be placed or kept in or on any public street, sidewalk, footpath, or any public

place whatsoever, but shall be maintained on the property, except as may be provided for removing and emptying by the authorized collector on the day and in the location designated for collection.

The short term rental property owner is responsible for ensuring that short term renters comply with Chapter 7.00 (Solid Waste Collection, Diversion, and Disposal).

2. A minimum service level ~~\_per short term rental per week~~ must be maintained that is sufficient for the unhosted short term rentals. If the Community Development Agency ~~Agency Director~~ determines the minimum service level is insufficient to accommodate all waste (including garbage, recyclable materials, and organic materials) generated by the short term rental, the property owner shall arrange for a higher level of service which will accommodate all waste generated by the short term rental.

**G. Municipal Services.** The short term rental property shall have adequate water and sewer connections and shall be served by local utility agencies for water and sewer service wherever such utilities are provided.

1. In the event that the short term rental is served by a private water supply (well or spring), the property owner will need to possess a domestic water supply permit from the Marin Community Development Agency Environmental Health Services Division or other appropriate public agency and prove potability with a current bacteriological test.
2. In the event that the short term rental is served by a private sewage disposal system, then that system must be documented ~~as legal~~ with the Community Development Agency Environmental Health Services Division or other appropriate public agency, shall be inspected for proper operation by an approved licensed professional, and shall be sized appropriately for the short term rental and any other combined use.

**H. Emergency Preparedness.**

1. **Visible Address.** Each short term rental shall have an address identification. The address identification must be maintained and shall be legible, measuring no less than four inches in height with a 3/8 inch stroke, and placed in a position that is visible from the street or road fronting the property. Whenever the address on the short term rental will not be clearly visible from the street or access road fronting the property, the address shall also be placed at the public street or access road in a manner which is clearly visible from both directions of travel on the frontage road or street.
2. **Smoke Alarms.** Smoke alarms, in good working order, shall be installed in accordance with the California Building Code and at a minimum shall be installed in each bedroom, and at least one alarm on every level of the short term rental, including basements and habitable attics.

3. **Carbon Monoxide Alarms.** Carbon monoxide alarms, in good working order, shall be installed in accordance with the California Building Code and at a minimum shall be installed outside each bedroom, on every level of the rental unit, including basements and habitable attics, and bedrooms or attached bathrooms with a fuel-burning appliance, and shall be installed in accordance with the manufacturer's installation instructions.
  4. **Fire Extinguisher.** Each short term rental shall be equipped with one five-pound fire extinguisher, type 3-A:40-B:C, installed at a readily available location near the kitchen. If the short term rental has more than one level, an extinguisher must be mounted within each level. ~~Fire extinguishers shall be inspected annually by a certified professional to ensure the extinguishers are in good working order.~~
  5. **Emergency Communications.** Each short term rental shall contain at least one working landline phone, Voice Over Internet Protocol (VOIP), or a National Oceanic and Atmospheric Administration (NOAA) radio as a means of receiving emergency communications. Locations with a working landline and/or VOIP should have the direct phone number and address listed near the device. If NOAA radios are employed, a set of directions for use of the radio shall be accessible.
  6. **Evacuation Routes.** The short term rental ~~owner or operator~~property owner must provide vehicular evacuation route maps, provided by Fire Safe Marin or the County of Marin, for the rental area. Evacuation routes must be posted near the front door, with a QR code or link to the County's online evacuation map, of the short term rental. Further, a vehicular evacuation routes map must be provided as a handout so guests can take the map with them in the case of an emergency.
- I. **Construction Requiring a Building Permit.** Short term rentals shall not be rented while the building they are in is undergoing any form of construction that requires a building permit.
  - J. **Code Enforcement Cases.** Short term rentals shall not be rented while a verified code enforcement case is open on the property.
  - K. **Commercial Special Events.** Commercial special events including ~~W~~weddings, corporate events, commercial functions, and any other similar events shall not be held on a property with a short term rental license.
  - L. **Local Contact Person Responsibilities.** A short term rental property owner~~licensee~~ must identify a local contact person for every unhosted short term rental. The local contact person shall respond to any complaint received regarding the conduct of the short term rental guests or the condition or operation of the short term rental and take any necessary remedial action to resolve violations of Marin County Code requirements in a timely manner. The short term rental property owner~~licensee~~ is responsible for the local contact person's compliance with all provisions of this Chapter.
  - M. **Host Responsibilities.** A short term rental property owner~~licensee~~ must identify a host for every hosted short term rental if the host is different from the property owner~~that is not an unhosted short term rental. A host shall be on the premises between the hours of 10 PM and 5 AM every night when the short term rental is rented.~~ These host shall respond

to any complaint received regarding the conduct of the short term rental guests or the condition or operation of the short term rental and take any necessary remedial action to resolve violations of Marin County Code requirements in a timely manner. The short term rental property owner is responsible for this host's compliance with all provisions of this Chapter.~~The short term rental licensee is responsible for the host's compliance with all provisions of this Chapter.~~

**5.41.0760 Caps on the Number of ~~Unhosted~~ Short Term Rental Licenses**

The total number of short term rental licenses allowable in unincorporated Marin County is limited to 923.

Further, ~~T~~the number of short term rental licenses for ~~unhosted~~ short term rentals in the townships of Marin County shall be capped at the limits indicated in Table Short Term Rental Caps below. Limits are based on the geographic areas in Marin County's unincorporated jurisdiction shown on that certain map entitled "Townships of the County of Marin" kept on file by the Marin County Community Development Agency.

**Table 1 – Short Term Rental Caps**

Township	Initial Number of <del>Unhosted</del> Short Term Rentals	Ultimate Number of <del>Unhosted</del> Short Term Rentals
Bolinas	63	54
Dillon Beach	125	110
Forest Knolls	8	8
Inverness	93	86
Lagunitas	6	4
Marshall	28	27
Muir Beach	20	19
Nicasio	11	8
Olema	3	3
Petaluma	6	6
Point Reyes Station	32	26
San Geronimo	10	7
Stinson beach	192	174
Tomales	12	11
Woodacre	12	8

The "Initial Number of ~~Unhosted~~ Short Term Rentals" referenced above in Table 1 establishes the number of licenses available for issuance for the valid applications submitted before July 1, 2025 (first round licenses).

First round licenses may be renewed. However, subsequent to these first round licenses being issued, the number of new licenses being issued shall decrease to the "Ultimate Number of

~~Unhosted~~ Short Term Rentals” established in Table 1. The cap on the ultimate number of short term rental licenses in each township shall be eventually achieved as license applications or renewals decline over time.

No new short term licenses shall be issued that would result in the number of short term rental licenses exceeding the county wide license cap of 923.

#### **5.41.0870 Violations.**

Any violation of the provisions in this Chapter shall be enforced through any legal remedies available to correct and/or abate a nuisance or violation of the Marin County Code, as provided in Marin County Code Chapters 1.05 (Nuisance Abatement), 1.06 (Recordation of Notice of Violation), and 1.07 (Imposition of Administrative Fines for Ordinance Violations) as they pertain to violations related to real property. All the provisions for legal due process and appeal rights provided for in Marin County Code Chapters 1.05, 1.06, and 1.07 shall apply.

Short term rental licenses may be suspended or revoked if the short term rental property owner/licensee fails to meet the standards set forth in this Chapter and/or the requirements of the license. Short term rental licenses shall not be renewed if there have been more than three~~two~~ verified violations of the standards or administrative procedures~~license requirements~~ during the previous ~~two-year~~ licensing term, as determined through the code enforcement process~~period~~.

**MARIN COUNTY PLANNING COMMISSION**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION RECOMMENDING THAT THE BOARD OF SUPERVISORS AUTHORIZE THE CDA TO SUBMIT A LOCAL COASTAL PROGRAM AMENDMENT APPLICATION AND AMEND THE SHORT TERM RENTAL ORDINANCE (CHAPTER 5.41 OF THE MARIN COUNTY CODE) SUBSEQUENT TO THE CALIFORNIA COASTAL COMMISSION ADOPTING THE LCP AMENDMENT.**

\*\*\*\*\*

The Planning Commission resolves as follows:

**SECTION I: FINDINGS**

The Planning Commission makes the following findings in support of this resolution:

1. On August 7, 2018, the Marin County Board of Supervisors found that the growth of Short Term Rentals may lead to neighborhood conflicts unless appropriate rules are established and understood by property owners, community members, and decision makers and adopted the County's first Short Term Rental Ordinance (Ord. No. 3695) to remain in effect for 24 months, unless extended by the Marin County Board of Supervisors.
2. On July 28, 2020, before the sunset of Ord. No. 3695, the Marin County Board of Supervisors found that the Ordinance had successfully met many of its original objectives and extended the Short Term Rental Ordinance in perpetuity (Ord. No. 3739). However, at this time, the Board did acknowledge that additional changes would be necessary in the future.
3. On May 24, 2022, the Marin County Board of Supervisors found that an affordable housing shortage for middle- and lower-income working families has continued to worsen in the greater San Francisco Bay Area, impacting the ability of these families to live in or near the communities where they work. Middle- and lower-income families in the West Marin Area are experiencing these housing impacts. The Board found that short term rentals exacerbate these problems, and their impact is particularly magnified in the West Marin Area, because of the lack of housing stock. Conversion of housing units to vacation rentals further reduces housing stock and contributes to increased housing costs for both renters and buyers. In response, the Board adopted an Interim Ordinance (Ord. No. 3768) placing a moratorium on the registration of new short term rentals in West Marin.
4. On June 21, 2022, the Marin County Board of Supervisors extended the Interim Ordinance (Ord. No. 3769) in conformance with State law and acknowledged that the Board and County staff plan to study and evaluate policies and contemplated proposals to improve the availability of middle- and lower-income housing in the West Marin Area, while maintaining existing coastal access.
5. Since the Fall of 2022, County staff has worked to draft a new Short Term Rental Ordinance. This work included robust public outreach and engagement, including district-wide listening sessions, community meetings, empirical data collection in the form of a survey, facilitated group discussions with stakeholders, and Marin County Planning Commission workshops. Nearly 400 public comments have been shared with County staff as part of this process.



6. It is necessary that short term rental activity does not adversely impact the health and safety of residents and visitors, and that such activity is conducted in a manner that preserves existing housing and communities while balancing the protection of private property rights and public access.

7. Changes to the regulation of short term rentals in the Coastal Zone requires a Local Coastal Program Amendment, which must be certified by the California Coastal Commission.

8. The Local Coastal Program Amendment is intended to be carried out in a manner fully in conformity with the Coastal Act (Coastal Act Section 30510) as outlined in Exhibit B.

9. Pursuant to Section 13551 (b) of Title 14 of the California Code of Regulations, the County Resolution for submittal may specify that a Local Coastal Program Amendment will either require formal local government adoption after the Commission approval, or is an amendment that will take effect automatically upon the Coastal Commission's approval pursuant to Public Resources Code Sections 30512, 30513, and 30519. The County will exercise its authority to determine that the Amendment shall not become effective unless and until the Board of Supervisors takes further action adopt the Ordinance.

10. The project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to the common sense exemption, Section 15061(b)(3) of the State CEQA Guidelines, because CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

11. On October 23, 2023, the Marin County Planning Commission held a duly noticed public hearing, heard public testimony, and directed staff to make changes to the draft Short Term Rental standards, to be included Marin County Code (MCC) Chapter 5.41.

12. On November 13, 2023 the Marin County Planning Commission held a duly noticed public hearing to take public testimony and consider this Resolution.

## **SECTION II: ACTION**

The Marin County Planning Commission recommends that the Board of Supervisors adopts a Resolution that authorizes the Community Development Agency to submit an application for a Local Coastal Program Amendment to amend Marin County Code Chapter 5.41 and subsequent to the Coastal Commission's approval adopt an Ordinance amending Marin County Code Chapter 5.41 as shown in the draft Ordinance attached hereto as Exhibit A.

## **SECTION III: VOTE**

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Marin held on this 13<sup>th</sup> day of November, 2023 by the following vote:

AYES: COMMISSIONERS

NOES:

ABSENT:

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MARGOT BIEHLE, CHAIR  
MARIN COUNTY PLANNING COMMISSION

Attest:

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Sindy Palencia  
Planning Commission Recording Secretary

**MARIN COUNTY BOARD OF SUPERVISORS**

**ORDINANCE NO. \_\_\_\_\_**

**A DRAFT ORDINANCE ESTABLISHING LICENSING REQUIREMENTS FOR SHORT TERM RENTALS BY AMENDING CHAPTER 5.41 OF THE MARIN COUNTY CODE**

\*\*\*\*\*

The Board of Supervisors ordains as follows:

**SECTION I: FINDINGS**

The Board of Supervisors makes the following findings in support of this ordinance:

1. On August 7, 2018 the Marin County Board of Supervisors found that the growth of Short Term Rentals may lead to neighborhood conflicts unless appropriate rules are established and understood by property owners, community members, and decision makers and adopted the County’s first Short Term Rental Ordinance (Ord. No. 3695) to remain in effect for 24 months, unless extended by the Marin County Board of Supervisors.
2. On July 28, 2020, before the sunset of Ord. No. 3695, the Marin County Board of Supervisors found that the Ordinance had successfully met many of its original objectives and extended the Short Term Rental Ordinance in perpetuity (Ord. No. 3739). However, at this time, the Board did acknowledge that additional changes would be necessary in the future. Given the fact that this was the height of the COVID-19 pandemic, it was agreed that the County would revisit regulations when better public outreach could be conducted.
3. On May 24, 2022, the Marin County Board of Supervisors found that an affordable housing shortage for middle- and lower-income working families has continued to worsen in the greater San Francisco Bay Area, impacting the ability of these families to live in or near the communities where they work. Middle- and lower-income families in the West Marin Area are experiencing these housing impacts. Short term rentals exacerbate these problems, and their impact is particularly magnified in the West Marin Area, because of the lack of housing stock. Conversion of housing units to vacation rentals further reduces housing stock and contributes to increased housing costs for both renters and buyers. In response, the Board adopted an Interim Ordinance (Ord. No. 3768) placing a moratorium on the registration of new short term rentals in West Marin.
4. On June 21, 2022, the Marin County Board of Supervisors extended the Interim Ordinance (Ord. No. 3769) in conformance with State law and acknowledged that the Board and County staff plan to study and evaluate policies and contemplated zoning proposals to improve the availability of middle- and lower-income housing in the West Marin Area, while maintaining existing coastal access.
5. Since the Fall of 2022, County staff has worked to draft a new Short Term Rental Ordinance. This work included robust public outreach and engagement, including district-wide listening sessions, community meetings, empirical data collection in the form of a survey, facilitated group discussions with stakeholders, and Marin County Planning Commission workshops. Nearly 400 public comments have been shared with County staff as part of this process.

6. It is necessary that short term rental activity does not adversely impact the health and safety of residents and visitors, and that such activity is conducted in a manner that preserves existing housing and communities while balancing the protection of private property rights and public access.

7. Changes to the regulation of short term rentals in the Coastal Zone requires a Local Coastal Program Amendment, which must be certified by the California Coastal Commission.

8. Pursuant to Section 13551 (b) of Title 14 of the California Code of Regulations, the County Resolution for resubmittal may specify that a Local Coastal Program Amendment will either require formal local government adoption after the Commission approval, or is an amendment that will take effect automatically upon the Commission's approval pursuant to Public Resources Code Sections 30512, 30513, and 30519. The County will exercise its authority to determine that the Amendment shall not become effective unless and until the Board of Supervisors takes further action to adopt the ordinance amending Marin County Code.

9. The project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to the common sense exemption, Section 15061(b)(3) of the State CEQA Guidelines, because CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

10. On October 23, 2023, the Marin County Planning Commission held a duly noticed public hearing, heard public testimony, and directed staff to make changes to the draft Short Term Rental standards, to be included in Marin County Code (MCC) Chapter 5.41.

11. On November 13, 2023 the Marin County Planning Commission held a duly noticed public hearing to take public testimony and consider a Resolution to recommend to the Board of Supervisors that they authorize the Community Development Agency to submit a Local Coastal Program amendment application to the California Coastal Commission and upon their approval subsequently amend MCC Chapter 5.41.

12. **WHEREAS**, on \_\_\_\_\_ the Marin County Board of Supervisors held a duly noticed public hearing and adopted this Ordinance. .

## **SECTION II: ACTION**

Chapter 5.41 of the Marin County Code is hereby amended, to read as follows:

### **5.41 SHORT TERM RENTAL LICENSE REQUIREMENTS**

#### **5.41.010 Purpose of Chapter.**

This Chapter establishes standards that regulate short term rentals. This Chapter is enacted to reduce the negative impacts of short term rental activity, assure the health and safety of residents and visitors, preserve existing housing and communities while

balancing the protection of private property rights, provide economic opportunities for Marin County residents, and provide visitor serving accommodations for coastal tourists.

This Chapter is administered by the Marin County Community Development Agency.

#### **5.41.020 Definitions**

Terms used in this Chapter are defined below, or when undefined below are subject to the definitions in Marin County Code Titles 20 and 22.

Change of ownership: A change in ownership of the property as defined in California Revenue and Taxation Code section 60 et seq., or its successor.

Guest or Guests: The individual(s) occupying the short term rental for the purpose of overnight lodging, including any individual(s) invited to a short term rental by those occupying the unit for the purposed of overnight lodging.

Host: A host is a person identified by a short term rental property owner to reside at the property at which a short term rental is located.

Hosted Short Term Rental: A short term rental that is the primary residence of a short term rental property owner or host.

Local Contact Person: The person or business designated by the short term rental property owner to receive and respond to communications regarding a short term rental.

Long Term Tenant: A property lessee who occupies a unit as a primary residence for a period exceeding 30 days.

Natural Person: A human being; the term natural person does not include a legal entity of any kind.

Primary Residence: The dwelling in which a person lives for at least six months each year.

Property: A single legal lot of record.

Property owner: The owner(s) of record of the real property on which the short term rental is operated, and to the extent any such owner is a legal entity, any and all natural persons with an interest in such legal entity.

Short Term Rental (STR): A rental of a residential unit, or a portion of a residential unit, for a time period of less than 30 consecutive nights. Short term rentals are a residential use of property. Rental of commercial lodging including a hotel, motel, agricultural homestay, bed and breakfast inn, or campground, is not considered a short term rental.

Townships: Geographic areas in Marin County’s unincorporated jurisdiction shown on that certain map entitled “Townships of the County of Marin” kept on file by the Marin County Community Development Agency.

Unhosted Short Term Rental: Short-term rental occupancy of a residential unit on a property that does not provide a primary residence for the property owner or a long term tenant.

**5.41.030 Applicability.**

This Chapter shall apply to short term rentals in unincorporated Marin County, except as exempt per Section 5.41.040.

**5.41.040 Exemptions.**

- A. This Chapter does not apply to any commercial lodging use including a hotel, motel, agricultural homestay, bed and breakfast inn, or campground.
- B. This Chapter does not apply to a short term rental unit located on an agriculturally zoned property that is at least 10 acres in size and where the primary use of the property is commercial agriculture.

**5.41.050 Short Term Rental Licenses.**

- A. License Required.** Advertising or operating a short term rental without a valid and current short term rental license issued pursuant to the requirements of this Chapter are prohibited. Once a license expires or is revoked or suspended, the short term rental operation must immediately cease.
- B. License For Property Owner.** The short term rental licensee must own the property where the short term rental is located. Only one license shall be issued per short term rental property owner. However, short term rental licensees who have multiple legal short term rentals as of January 1, 2024 shall be allowed to continue to operate up to three short term rental units as long as they otherwise conform to this Chapter.
- C. License Term.** The initial short term rental license for a property expires two years after the date of issuance unless the license is renewed by the property owner for an additional four-year term. The term of the license expires immediately and automatically upon any change of ownership of the property, except if the change of ownership results from the death of one of the spouses of a short term rental property owned by two spouses.
- D. Administrative Procedures.** Administrative procedures for short term rental licenses shall be made publicly available by the Community Development Agency. Applications for short term rentals shall not be accepted until these procedures have been made publicly available. These administrative procedures shall set forth the process to apply for, obtain, maintain, monitor, and renew short term rental licenses. The administrative procedures shall set forth a ministerial licensing process based on objective criteria and shall be updated periodically by the Community Development Agency. The administrative procedures shall be consistent with the license framework set forth in the sections below.
  - 1. Application Process.** An application for a short term rental license shall be submitted by the property owner or their agent (written property owner authorization and contact information is required for an agent to file the application) to the Community Development Agency.

No license application shall be accepted until the Community Development Agency has made publicly available the administrative procedures.

Only license applications for legal short term rentals in existence on January 1, 2024 will be accepted before July 1, 2025. Applications for properties where there is no legal short term rental in existence on January 1, 2024, will be placed on a wait list until all existing short term rental property owners have had the opportunity to apply for a license.

**2. License Suspensions and Revocations.** Short term rental licenses may be temporarily suspended or permanently revoked if the short term rental property owner violates the standards set forth in this Chapter or the requirements of the license, as determined through the code enforcement process. All the provisions for legal due process and appeal rights provided for in Marin County Code Chapters 1.05 (Nuisance Abatement), 1.06 (Recordation of Notice of Violation), and 1.07 (Imposition of Administrative Fines for Ordinance Violations) shall apply.

**3. License Wait Lists.** The Community Development Agency will maintain short term rental license wait lists for townships where the number of short term rental license applicants exceed the number of available licenses for that township, and county wide when the total number license applicants exceed the number of available licenses county wide. Licenses for qualifying properties on the wait list shall be issued on a first come first serve basis.

**4. Application Materials.** No short term rental license or renewal shall be issued unless the application has first been deemed complete. The administrative procedures shall specify all the information necessary for a complete application, including, but not necessarily limited to, the following:

- i. The name(s) and contact information for all property owners. If the property owner(s) applying for the license own/s less than a 100% fee interest in the property, then such property owner(s) must provide proof that all persons and/or entities with an interest in the property consent to such application and license. All adults for whom the property provides a permanent residence shall be listed.
- ii. The name of the local contact person or host for short term rentals, if different from the property owner, and an email and telephone number at which that party may be reached.
- iii. Address and Assessor's parcel number for the property where the short term rental is located.
- iv. Rental unit type (i.e., hosted or unhosted short term rental).
- v. Number of bedrooms and bathrooms.
- vi. A schematic site plan showing property lines, all buildings on the site, the driveway, and the location and dimensions of on-site parking spaces.

- vii. If the rental property is served by a private water supply (well or spring), provide proof of a water supply permit with the County's Environmental Health Services Division or appropriate regulatory agency and proof of water potability with a current bacteriological test.
- viii. If the rental property is served by a private sewage disposal system, provide proof that the system is documented with the County of Marin Environmental Health Services Division or appropriate regulatory agency and provide an inspection report demonstrating proper operation of the system by an approved licensed professional.
- ix. Bills from a hauler as proof of a minimum level of service with an authorized waste collector that is sufficient to handle the volume of garbage, recyclable materials and organic materials generated or accumulated.
- x. Documentation attesting to the existence of a working landline phone, Voice Over Internet Protocol, or National Oceanic and Atmospheric Administration (NOAA) radio.
- xi. All short term rental applicants shall provide a self-certified building safety inspection upon license or license renewal application.
- xii. All short term rental applicants shall provide a self-certified fire-life safety inspection upon license or license renewal application.
- xiii. All short term rental applicants shall provide a self-certified defensible space inspection, conducted within the preceding twelve months, upon license or license renewal application.
- xiv. All short term rental applicants with properties served by a local water provider must provide water use bills or some other documentation from the water provider if volume based bills are not available. If the water use documentation demonstrates short term rental water use exceeding an average of 250 gallons per day, or a lower limit established by the local water provider, the short term rental license or license renewal application shall include strategies to reduce water use to below an average of 250 gallons per day during the next year. If water use is not reduced as required, the license shall not be subsequently renewed.

**5. Public Notification.** Within five days after issuance of a short term rental license, the Community Development Agency will provide written notification to all properties within a radius of three hundred feet of the property with the short term rental.

The notice shall indicate that the subject property will be the location of a short term rental and provide the name of the local contact person or host, the phone number and email address for the local contact person or host, and the street address of the short term rental.

**6. Tenant notification of County Rules.** The host or local contact person of the short term rental shall post a County-prepared information sheet inside the unit



and provide the tenants with a "good neighbor" brochure, developed by the County, at the time of their arrival. The schematic site plan showing the location of parking spaces shall also be provided to the guests. The purpose of the brochure is to apprise guests of County regulations and relevant safety information.

**7. Exterior Signage.** Each short term rental shall be identified with a single exterior sign that includes the name of the local contact person or host, the phone number and email address for the local contact person or host, and the street address of the short term rental. At a minimum, the sign shall be posted while the unit is being used as a short term rental. The sign shall be made of durable materials and securely placed in the front of the property or unit (where there are multiple units on the property), at a height of three to five feet as measured from the top of the sign to grade, in such a way that it is readily visible to the public upon inspection.

**8. Requirements for Advertisements.** All short term rentals shall include the following information in any online or printed advertisement:

- i. Valid Marin County short term rental license number.
- ii. The number of parking spaces available for the short term rental.
- iii. Further information where applicable as specified in the license requirements, such as water use restrictions.

#### **E. License Issuance**

A Short Term Rental license will be issued on a ministerial basis by the Community Development Agency based on a review of whether the short term rental would satisfy all the applicable requirements. Licenses can be issued with conditions ensuring compliance with the applicable requirements.

#### **F. License Term and Renewal.**

- i. An initial short term rental license issued under this Chapter shall expire immediately and automatically two years from the date of license issuance, unless revoked earlier. A short term rental license renewal shall last for a term of four years, unless revoked earlier. The license authorizes the property owner to conduct only such services as are described in this Chapter and in accordance with the terms and conditions of the license.
- ii. A complete short term rental license renewal application for an existing short term rental license must be submitted at least sixty days prior to the expiration date of the license. Upon timely submittal of a renewal application, the license will remain effective until such time as the license renewal application is approved or denied.
- iii. Failure to submit a timely application for a renewal of an existing short term rental license shall result in that license not being renewed. An unrenewed license will not be reinstated to the property owner unless there are

available licenses within the cap. A property owner who fails to renew a license may join the wait list for the next available license under the cap.

- iv. Once a license expires, a new license is required to operate the short term rental. Renewals can only be issued for an existing license, and in compliance with this section. The administrative procedures issued by the Community Development Agency pursuant to this chapter may describe modifications to short term rental operations that are eligible for consideration within a license renewal.
- v. A short term rental license renewal application shall be denied if there have been more than three verified substantial violations of this Chapter or of the license requirements related to the short term rental during the previous license term. Substantial violations are violations for which a complaint has been received and a code enforcement case opened with an investigation verifying the existence of the violation. Code Enforcement determinations are subject to the appeals and legal due process requirements provided in Marin County Code Chapters 1.05 (Nuisance Abatement), 1.06 (Recordation of Notice of Violation), and 1.07 (Imposition of Administrative Fines for Ordinance Violations).

**G. License Fee.**

- i. Each short term rental license or renewal application shall be accompanied by the applicable short term rental license fee.
- ii. The fee schedule shall be established by resolution of the Board of Supervisors following a public hearing. Said fee schedule may be adjusted by resolution of the Board following a public hearing. Permits and fees required are non-refundable and are in addition to any license, permit, certificate or fee required by any other chapter of the Marin County Code or other applicable law.

**5.41.060 Short Term Rental Property Standards**

- 1. Undeveloped Properties. A property where there is no existing legal residential unit is not eligible for a short term rental license.
- 2. Restricted Structures. A short term rental is not allowed in any of the following:
  - i. A structure subject to a recorded governmental restriction, including covenants or agreements for an affordable housing unit, agricultural employee unit, or farmworker housing.
  - ii. An accessory dwelling unit or junior accessory dwelling unit created or legalized after January 1, 2020.
  - iii. A multi-family dwelling or condominium unit. This standard does not apply to short term rentals being legally operated as of January 1, 2024.

iv. Non-residential areas within buildings, such as storage areas, and living/sleeping quarters added in garages.

v. Recreation vehicles (RVs), including non-motorized travel trailers.

vi. Other structures without permanent foundations, including but not limited to tipis/teepees, yurts, tents, and treehouses.

**3. One Short Term Rental Per Property.** Only one short term rental is allowed per property. However, this standard does not apply if there were multiple legal short term rentals on the property on January 1, 2024, in which case the existing short term rentals can continue to be operated.

**4. Short Term Rental Parking Requirements.** Parking spaces must be provided for properties with short term rentals as follows:

i. Two onsite parking spaces must be provided while the property is in use as a short term rental, with at least one of the parking spaces reserved for guests of the short term rental. This standard does not apply to short term rentals being legally operated as of January 1, 2024.

ii. Parking for short term rentals shall comply with Marin County Code Section 24.04.380 (Dimensional Standards), as verified by the Department of Public Works.

**5. Noise.** The short term rental property owner is responsible for ensuring that any and all guests of a short term rental comply with the noise standards of Section 6.70.030 (Loud and Unnecessary Noises).

**6. Solid Waste.**

i. With the exception of waste properly deposited in and fully contained within collection containers with secure lids, accumulation of solid waste outside of the short term rental at any time is prohibited. No collection container other than those consistent with Chapter 7.00 (Solid Waste, Collection, Diversion and Disposal) shall be placed or kept in or on any public street, sidewalk, footpath, or any public place whatsoever, but shall be maintained on the property, except as may be provided for removing and emptying by the authorized collector on the day and in the location designated for collection.

The short term rental property owner is responsible for ensuring that short term renters comply with Chapter 7.00 (Solid Waste Collection, Diversion, and Disposal).

ii. A minimum service level must be maintained that is sufficient for the short term rental. If the Community Development Agency determines the minimum service level is insufficient to accommodate all waste (including garbage, recyclable materials, and organic materials) generated by the short term rental, the property owner shall arrange for a higher level of

service which will accommodate all waste generated by the short term rental.

**7. Municipal Services.** The short term rental property shall have adequate water and sewer connections and shall be served by local utility agencies for water and sewer service wherever such utilities are provided.

- i. In the event that the short term rental is served by a private water supply (well or spring), the property owner will need to possess a domestic water supply permit from the Marin Community Development Agency Environmental Health Services Division or other appropriate public agency and prove potability with a current bacteriological test.
- ii. In the event that the short term rental is served by a private sewage disposal system, then that system must be documented with the Community Development Agency Environmental Health Services Division or other appropriate public agency, shall be inspected for proper operation by an approved licensed professional, and shall be sized appropriately for the short term rental and any other combined use.

**8. Emergency Preparedness.**

- i. **Visible Address.** Each short term rental shall have an address identification. The address identification must be maintained and shall be legible, measuring no less than four inches in height with a 3/8 inch stroke, and placed in a position that is visible from the street or road fronting the property. Whenever the address on the short term rental will not be clearly visible from the street or access road fronting the property, the address shall also be placed at the public street or access road in a manner which is clearly visible from both directions of travel on the frontage road or street.
- ii. **Smoke Alarms.** Smoke alarms, in good working order, shall be installed in accordance with the California Building Code and at a minimum shall be installed in each bedroom, and at least one alarm on every level of the short term rental, including basements and habitable attics.
- iii. **Carbon Monoxide Alarms.** Carbon monoxide alarms, in good working order, shall be installed in accordance with the California Building Code and at a minimum shall be installed outside each bedroom, on every level of the rental unit, including basements and habitable attics, and bedrooms or attached bathrooms with a fuel-burning appliance, and shall be installed in accordance with the manufacturer's installation instructions.
- iv. **Fire Extinguisher.** Each short term rental shall be equipped with one five-pound fire extinguisher, type 3-A:40-B:C, installed at a readily available location near the kitchen. If the short term rental has more than one level, an extinguisher must be mounted within each level.
- v. **Emergency Communications.** Each short term rental shall contain at least one working landline phone, Voice Over Internet Protocol (VOIP), or a National Oceanic and Atmospheric Administration (NOAA) radio as a

means of receiving emergency communications. Locations with a working landline and/or VOIP should have the direct phone number and address listed near the device. If NOAA radios are employed, a set of directions for use of the radio shall be accessible.

vi. **Evacuation Routes.** The short term rental property owner must provide vehicular evacuation route maps, provided by Fire Safe Marin or the County of Marin, for the rental area. Evacuation routes must be posted near the front door, with a QR code or link to the County's online evacuation map, of the short term rental. Further, a vehicular evacuation routes map must be provided as a handout so guests can take the map with them in the case of an emergency.

**9. Construction Requiring a Building Permit.** Short term rentals shall not be rented while the building they are in is undergoing any form of construction that requires a building permit.

**10. Code Enforcement Cases.** Short term rentals shall not be rented while a verified code enforcement case is open on the property.

**11. Commercial Special Events.** Commercial special events including weddings, corporate events, commercial functions, and any other similar events shall not be held on a property with a short term rental license.

**12. Local Contact Person Responsibilities.** A short term rental property owner must identify a local contact person for every unhosted short term rental. The local contact person shall respond to any complaint received regarding the conduct of the short term rental guests or the condition or operation of the short term rental and take any necessary remedial action to resolve violations of Marin County Code requirements in a timely manner. The short term rental property owner is responsible for the local contact person's compliance with all provisions of this Chapter.

**13. Host Responsibilities.** A short term rental property owner must identify a host for every hosted short term rental if the host is different from the property owner. This host shall respond to any complaint received regarding the conduct of the short term rental guests or the condition or operation of the short term rental and take any necessary remedial action to resolve violations of Marin County Code requirements in a timely manner. The short term rental property owner is responsible for this host's compliance with all provisions of this Chapter.

#### **5.41.070 Caps on the Number of Short Term Rental Licenses**

The total number of short term rental licenses allowable in unincorporated Marin County is limited to 923.

Further, the number of short term rental licenses for short term rentals in the townships of Marin County shall be capped at the limits indicated in Table Short Term Rental Caps below.

**Table 1 – Short Term Rental Caps**

<u>Township</u>	<u>Initial Number of Short Term Rentals</u>	<u>Ultimate Number of Short Term Rentals</u>
<u>Bolinas</u>	<u>63</u>	<u>54</u>
<u>Dillon Beach</u>	<u>125</u>	<u>110</u>
<u>Forest Knolls</u>	<u>8</u>	<u>8</u>
<u>Inverness</u>	<u>93</u>	<u>86</u>
<u>Lagunitas</u>	<u>6</u>	<u>4</u>
<u>Marshall</u>	<u>28</u>	<u>27</u>
<u>Muir Beach</u>	<u>20</u>	<u>19</u>
<u>Nicasio</u>	<u>11</u>	<u>8</u>
<u>Olema</u>	<u>3</u>	<u>3</u>
<u>Petaluma</u>	<u>6</u>	<u>6</u>
<u>Point Reyes Station</u>	<u>32</u>	<u>26</u>
<u>San Geronimo</u>	<u>10</u>	<u>7</u>
<u>Stinson beach</u>	<u>192</u>	<u>174</u>
<u>Tomales</u>	<u>12</u>	<u>11</u>
<u>Woodacre</u>	<u>12</u>	<u>8</u>

The “Initial Number of Short Term Rentals” referenced above in Table 1 establishes the number of licenses available for issuance for the valid applications submitted before July 1, 2025 (first round licenses).

First round licenses may be renewed. However, subsequent to these first round licenses being issued, the number of new licenses being issued shall decrease to the “Ultimate Number of Short Term Rentals” established in Table 1. The cap on the ultimate number of short term rental licenses in each township shall be eventually achieved as license applications or renewals decline over time.

No new short term licenses shall be issued that would result in the number of short term rental licenses exceeding the county wide license cap of 923.

**5.41.080 Violations.**

Any violation of the provisions in this Chapter shall be enforced through any legal remedies available to correct and/or abate a nuisance or violation of the Marin County Code, as provided in Marin County Code Chapters 1.05 (Nuisance Abatement), 1.06 (Recordation of Notice of Violation), and 1.07 (Imposition of Administrative Fines for Ordinance Violations) as they pertain to violations related to real property. All the provisions for legal due process and appeal rights provided for in Marin County Code Chapters 1.05, 1.06, and 1.07 shall apply.

Short term rental licenses may be suspended or revoked if the short term rental property owner fails to meet the standards set forth in this Chapter and/or the requirements of the

license. Short term rental licenses shall not be renewed if there have been more than three verified violations of the standards or license requirements during the previous licensing term, as determined through the code enforcement process.

#### **~~5.41.010 RESTRICTION~~**

~~No Short Term Rental shall take place in unincorporated Marin County except in conformance with the requirements set forth below.~~

#### **~~5.41.020 DEFINITIONS~~**

~~A. The word “Short Term Rental” is defined herein as a rental of residential property for a lease term of 30 days or less.~~

~~A. The term “Local Contact Person” is defined herein as a person who is available to respond to Short Term Rental complaints.~~

~~B. The term “Enforcement Officer” is defined herein as the Community Development Agency Director or his/her designee.~~

~~C. The term “Hearing Officer” is defined herein as the Community Development Agency Director or his/her designee. However, the CDA Director shall not act as both the Enforcement Officer and Hearing Officer or designate any CDA employee as the Hearing Officer if that person was the Enforcement Officer, with respect to that particular violation.~~

#### **~~5.41.030 BUSINESS LICENSE AND TRANSIENT OCCUPANCY TAX~~**

~~Owners and Operators of Short Term Rentals shall comply with Chapter 5.54 Business License and comply with Chapter 3.05 uniform Transient Occupancy Tax as administered by the Marin County Department of Finance and Marin County Code.~~

~~The name of the Local Contact Person as well as the phone number and email address for the Local Contact Person shall be provided at the time of application for the Transient Occupancy Tax certificate number and when reporting the Transient Occupancy Tax. The Local Contact Person information will be used by the County or its compliance agent and the Local Contact Person’s information will be made available to the general public.~~

#### **~~5.41.040 SHORT TERM RENTAL COMPLAINT HOTLINE~~**

~~Marin County shall maintain a Short Term Rental complaint hotline. Hotline staff will accept complaints about Short Term Rentals received by calls and emails and notify the Local Contact Person or property owner about the complaints.~~

#### **~~5.41.050 LOCAL CONTACT PERSON RESPONSE~~**

~~The Local Contact Person shall respond to any complaint received by either Marin County Short Term Rental Hotline staff and/or County staff regarding the conduct of the Short Term Rental occupants or the condition or operation of the Short Term Rental, and take any necessary remedial action to resolve violations of Marin County Code requirements in a timely manner.~~

## **5.41.060 SIGNAGE**

~~The public shall be notified that a Short Term Rental is available on a particular property using at least one of the following two methods: (1) Exterior signage, or (2) Delivery of written notice to adjacent properties. The mandatory standards for these methods are set forth below.~~

### ~~A. Exterior Signage~~

- ~~1) Each Short Term Rental shall be identified with a single exterior sign, issued by the Department of Finance, that includes the name of the Local Contact Person, the phone number and email address for the Local Contact Person, the phone number and the email address of the Marin County Short Term Rental Hotline, and the street address of the Short Term Rental. At the owner's discretion, an alternative design for the sign from that provided by the Department of Finance is allowed provided the size and font of the sign is no smaller than those of the sign provided by the Department of Finance and the sign is made of at least as durable a material. At a minimum, the sign shall be posted while the unit is being used as a Short Term Rental.~~
- ~~1) The sign shall be securely placed in the front of the property or unit (where there are multiple units on the property), at a height of three to five feet as measured from the top of the sign to grade, in such a way that it is readily visible to the public.~~

~~A. Written notification shall be provided to all properties within a radius of 300 feet of the property with the Short Term Rental using either door handle hangers or letters.~~

- ~~1) The notice, whether a door handle hanger or letter, shall indicate that the subject property will be the location of a Short Term Rental and provide the name of the Local Contact Person, the phone number and email address for the Local Contact Person, the phone number and the email address of the Marin County Short Term Rental Hotline, and the street address of the Short Term Rental.~~
- ~~1) An affidavit from the property owner and a copy of the notice shall be submitted to the Marin County Department of Finance certifying that the notice has been provided in conformance with this chapter at least 10 days prior to the owner applying for a new Transient Occupancy Tax certificate number. A Transient Occupancy Tax certificate number shall not be issued in the absence of such an affidavit.~~

## **5.41.070 TENANT NOTIFICATION OF COUNTY RULES**

~~The owner of the Short Term Rental shall post a copy of the "house rules" inside the unit or provide the tenants with a "good neighbor" brochure at the time of their arrival. The house rules or brochure shall include site specific instructions on how to comply with the following County regulations:~~

~~A. Loud and Unnecessary Noises (Marin County Code 6.70.030)~~

~~Between 11:00pm and 7:00am:~~

- ~~• No operation of any noise-generating instrument (e.g. television, radio, loudspeaker, musical instrument) that generates noise audible 50 yards from the building.~~



- ~~No yelling, shouting, whistling, or singing on public roads.~~

~~B. Parking (Marin County Code 24.04.340)~~

- ~~Typically, two off-street parking spaces shall be provided for each residence. However, where on-street parking is limited, four off-street parking spaces are required.~~

~~C. Emergency Access (California Fire Code 503.4 referenced)~~

- ~~Parking shall not obstruct roadways less than 20 feet wide.~~

~~D. Garbage (Marin County Code 7.00.020)~~

- ~~Garbage placed outside shall be in a suitable covered container.~~

**~~5.41.080 ADMINISTRATIVE CITATION OF PROPERTY OWNER(S) FOR FAILURE TO COMPLY WITH SHORT TERM RENTAL NOTIFICATION REQUIREMENTS~~**

~~A. Property owner(s) failing to comply with Section 5.41.060 are subject to an administrative citation issued by the Community Development Agency pursuant to the authority granted to the Board of Supervisors by Government Code Section 53069.4, et seq. Violations will be handled in the following manner:~~

- ~~1. The penalties assessed for each violation shall not exceed the following amounts:
  - a) \$100.00 for a first violation;
  - b) \$200.00 for a second violation of this Ordinance within one year;
  - c) \$500.00 for each additional violation of this Ordinance within one year; and
  - d) The fourth and subsequent violation within one year shall constitute a nuisance and be subject to the nuisance abatement procedures in Marin County Code Chapter 1.05, including payment of civil penalties of up to \$2,500 per violation per day and enforcement and other abatement costs incurred by the County.~~

~~2. Payment of the penalty shall not excuse the failure to correct the violation nor shall it bar further enforcement action.~~

~~B. Nonpayment of any assessed violation for longer than one year shall constitute a nuisance and be subject to the nuisance abatement procedures in Marin County Code Chapter 1.05, including payment of civil penalties of up to \$2,500 per violation per day and enforcement and other abatement costs incurred by the County.~~

~~C. The penalties assessed shall be payable to the County of Marin.~~

~~D. Service of Citation~~

~~1. If the property owner(s) who has violated the Ordinance is present at the scene of the violation, the Enforcement Officer shall attempt to obtain their signature on the administrative citation and shall deliver a copy of the administrative citation to them.~~

~~1. If the Enforcement Officer is unable to serve the property owner(s) on the premises, the administrative citation may be left with the occupant(s) of the property. If left with the occupant(s) of the property, a copy of the administrative citation shall also be mailed to the property owner(s) by certified mail, return receipt requested.~~

~~2. If no one can be located at the property, then the administrative citation shall be posted in a conspicuous place on or near the property and a copy mailed by certified mail, return receipt requested to the owner(s), occupant(s) or other person~~

~~who has violated the Ordinance. The citation shall be mailed to the property address and/or the address listed for the owner(s) on the latest County Assessment Roll.~~

~~3. The failure of any interested person to receive the citation shall not affect the validity of the proceedings.~~

~~E. The remedies provided by this chapter are cumulative and are in addition to any other remedies available at law or in equity, including withholding the issuance of any building and construction permit.~~

~~F. Whenever evidence of a violation of this chapter is obtained in any part through the participation of a person under the age of eighteen years old, such a person shall not be required to appear or give testimony in any civil or administrative process brought to enforce this chapter and the alleged violation shall be adjudicated based upon the sufficiency and persuasiveness of the evidence presented.~~

#### **~~5.41.090 ADMINISTRATIVE REVIEW ON THE IMPOSITION OF ADMINISTRATIVE FINES FOR FAILURE TO COMPLY WITH SHORT TERM RENTAL NOTIFICATION REQUIREMENT; APPEAL~~**

~~A. Any person subject to an administrative fine pursuant to this Chapter shall have the right to request an administrative review within forty-five days of the issuance of a citation for an administrative violation of this ordinance pursuant to the authority granted to the Board of Supervisors by Government Code Section 53069.4, et seq. To request such a review, the person requesting the review shall notify the Enforcement Officer in writing within forty-five days of the issuance of the citation.~~

~~A. The Hearing Officer may conduct a hearing on the matter within ninety days of the request for the hearing unless one of the parties requests a continuance for good cause. The Hearing Officer shall render a decision within thirty days of the conclusion of the hearing, or from the receipt of the review request (if no hearing is held).~~

~~B. The person upon whom an administrative fine is imposed pursuant to this Chapter may appeal the decision of the Hearing Officer to the Superior Court. No appeal to the Superior Court can lie unless the party filing the appeal has first properly requested the administrative review under Subsection 5.41.090(A).~~

~~C. The appeal must be filed within twenty days after service of the final decision issued by the Enforcement Officer pursuant to California Government Code Section 53069.4, subdivision (b). The procedures outlined in Government Code 53069.4 shall apply.~~

#### **~~5.41.100 SEVERABILITY~~**

~~The provisions of this chapter are declared to be severable. If any provision, clause, word, sentence, or paragraph of this chapter or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this chapter.~~

### **SECTION III: EFFECTIVE DATE AND PUBLICATION**

This Ordinance shall be and is hereby declared to be in full force and effect as of thirty days from and after the date of its passage and shall be published once before the expiration of fifteen days after its passage, with the names of the Supervisors voting for and against the same, in the *Marin Independent Journal*, a newspaper of general circulation published in the County of Marin.

**SECTION IV: VOTE**

Introduced at a regular meeting of the Board of Supervisors held on the \_\_\_\_ day of \_\_\_\_ and adopted by the Board of Supervisors of the County of Marin, State of California, on the \_\_\_\_ day of \_\_\_\_\_, by the following vote to wit:

AYES:        SUPERVISORS

NOES:

ABSENT:

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PRESIDENT  
MARIN COUNTY BOARD OF  
SUPERVISORS

ATTEST:

---

Matthew H. Hymel  
Clerk of the Board of Supervisors

# Short Term Rentals



COUNTY OF MARIN

## MARIN COUNTY SHORT TERM RENTAL ORDINANCE UPDATE COASTAL ACT CONSISTENCY ANALYSIS

### INTRODUCTION

Since the Fall of 2022, County staff has been working to update the Short Term Rental (STR) Ordinance for the unincorporated areas of Marin. Proposed regulations would apply in the Coastal Zone and therefore, would require an amendment to the County's Local Coastal Program (LCP), which is a land use plan for Marin County's Coastal Zone that guides land use and development in accordance with the California Coastal Act.

As noted in the LCP, assuring housing choices at prices within reach is also important indirectly in carrying out Coastal Act resource protection goals. The Coastal Act places a high priority on maintaining agriculture and mariculture as viable land uses in the Coastal Zone and encourages provision of visitor-serving facilities including overnight accommodations. These land uses depend on the availability of local labor and pay scales for workers in these industries tend to be relatively low. Provision of housing opportunities for those employed in the Coastal Zone is thus essential if these high-priority land uses are to be maintained.

Because of these factors, the following policy and programs are included in the LCP, which was certified by the California Coastal Commission (CCC) in 2019:

**C-HS-6 Regulate Short-Term Rental of Primary or Accessory Dwelling Units.** Regulate the use of residential housing for short term vacation rentals.

**Program C-HS-6.a Vacation Rental Ordinance:**

1. Work with community groups to develop an ordinance regulating short-term vacation rentals.
2. Research and report to the Board of Supervisors on the feasibility of such an ordinance, options for enforcement, estimated program cost to the County, and the legal framework associated with rental properties.

To ensure that STR regulations are applicable in the Coastal Zone, the County must modify its LCP, through a process referred to as an LCP Amendment (LCPA).

The County must conduct a Coastal Act consistency analysis as it relates to Chapter 3 of the Coastal Act, which must be included in local decision-making materials for an LCPA.

In general, Chapter 3 of the California Coastal Act, titled "Coastal Resources Planning and Management Policies," outlines key policies and objectives for the management and protection of California's coastal resources. The chapter emphasizes the importance of preserving and enhancing the natural and scenic beauty of the coastline while promoting sustainable development. It sets forth policies to ensure public access to coastal areas and protect environmentally sensitive habitats.

This Chapter also establishes the CCC as the primary agency responsible for implementing and enforcing these policies. Overall, Chapter 3 of the Coastal Act underscores the state's commitment to responsible coastal development and the preservation of its unique coastal environment.

## **THE CALIFORNIA COASTAL ACT**

The Coastal Act guides how the land along the coast of California is developed or protected from development. It emphasizes the importance of the public being able to access the coast, and the preservation of sensitive coastal and marine habitat and biodiversity. The Coastal Act defines the area of the coast that comes under the jurisdiction of the California Coastal Commission, which is called the "Coastal Zone."

The Marin County Coastal Zone is a strip of land and water defined by the California Coastal Act of 1976 that extends along the Pacific Ocean coastline. Each coastal city and county in California is required by that law to prepare and implement a Local Coastal Program (LCP) for its portion of the Coastal Zone to carry out the coastal resource protection policies of the Coastal Act. The villages of Bolinas, Dillon Beach, Inverness, Marshall, Olema, Point Reyes Station, Stinson Beach, Tomales are located within the Coastal Zone. As such, STR regulations put forward in these areas must be certified by the California Coastal Commission (CCC) as part of an LCP Amendment.

As required by Coastal Act Section 30500, an LCP is comprised of a Land Use Plan, an Implementation Program, accompanying land use and zoning maps, and, where necessary, other implementing actions including those represented in the Appendices. The Land Use Plan contains written policies that indicate which land uses are appropriate in the various parts of the Coastal Zone. The LUP policies and programs also guide how natural resources shall be protected when land is developed, how public access to the coast shall be preserved, and how other coastal resources shall be maintained and enhanced.

The Appendices contain elements that are essential to the interpretation and application of Land Use Plan policies. Proposed STR regulations would be included in Chapter 5.41 of the Marin County Code and incorporated into the LCP as an appendix item (as proposed, Appendix 11).

## **CHAPTER 3**

Included in the LCP are specific references to the following Coastal Act sections as they relate to visitor-serving accommodations, which are further addressed in the Consistency section of this document..

### **Section 30213 Lower cost visitor and recreational facilities; encouragement and provision; overnight room rentals**

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible,

provided. Developments providing public recreational opportunities are preferred. The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

### **30220 Protection of certain water-oriented activities**

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

### **30222 Private lands; priority of development purposes**

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

## **ROLE OF THE LOCAL COASTAL PROGRAM**

The role of an LCP is to manage and regulate land use and development within a specific coastal zone in accordance with the policies and provisions set forth by the California Coastal Act. The LCP serves as the standard of review because it represents a comprehensive and locally tailored approach to coastal management and land use planning. The LCP was developed in collaboration with the California Coastal Commission, and it is specifically designed to align with the goals and policies of the California Coastal Act while addressing the unique needs and characteristics of the local coastal area.

## **STANDARD OF REVIEW**

The proposed amendment affects the Land Use Plan and Appendices of the LCP only and must be consistent with the policies outlined in the Land Use Plan as described below.

## **CONSISTENCY ANALYSIS**

For the purpose of this analysis, please note that the proposed definition of a Short Term Rental is:

A rental of a residential unit, or a portion of a residential unit, for a time period of less than 30 consecutive nights. Short term rentals are a residential use of property. Rental of commercial lodging including a hotel, motel, agricultural homestay, bed and breakfast inn, or campground, is not considered a short term rental.

Because a STR is defined as a residential use, it is not considered a commercial use or enterprise. As such, certain policies in the LUP that are associated with the typical visitor-serving enterprises and over-night accommodations noted in the LUP as not applicable to this analysis. That said, all residential property owners have the ability to apply for the necessary Coastal Development Permit to turn their property into a Bed and Breakfast, a land use that is specifically called out in the LCP to be protected and encouraged, subject to specific regulations.

## THE COASTAL COMMISSION AND SHORT TERM RENTALS

The CCC has long recognized that STRs provide a unique and important source of visitor-serving accommodations in the Coastal Zone, especially for larger families and groups, and has found that outright bans are inconsistent with Coastal Act policies prioritizing public access and visitor-serving uses.

However, given the rise of popularity in STRs in recent years and the current housing crisis in the State, the CCC has begun to question whether unlimited, unregulated STRs are an appropriate use when so many coastal communities are facing housing shortages. In response, the CCC has asked their Housing Subcommittee to further investigate the impact of STRs on available housing for long-term residents and to report back on their findings to better inform policy decisions related to the topic.

Coastal Commission guidance to local governments has emphasized the need to allow, but regulate, STRs in a manner that balances the important public access and visitor-serving benefits of STRs with reasonable regulations to limit adverse impacts on coastal communities.

In response, proposed STR regulations aim to strike a balance between ensuring the continued use of STRs in Marin’s coastal communities, subject to reasonable regulations and limits that will protect the County’s available housing stock for long-term residents.

### SHORT TERM RENTALS IN THE COASTAL ZONE

There are currently 568 registered STRs in the Coastal Zone. This amounts to 16% of the parcels that are developed with living units, meaning a high percentage of the available housing stock in the Coastal Zone is currently used on a short-term basis. While the average is 16%, as shown in the below table, the communities of Marshall, Stinson Beach, and Dillon Beach have much higher percentages (25%, 27%, and 31%, respectively).

Proposed regulations limit the overall number of STRs to 510 in the Coastal Zone (11% of the of residentially developed parcels).

Township	Initial Number of STRS	Number of Parcels Developed with Living Units	Percentage of Parcels Used as STRs	Number of TOT Certificates Added Before the Moratorium	Ultimate Number of STRs	Ultimate Percentage of Parcels Used as STRs	Percentage Change
Dillon Beach	125	408	31%	15	110	27%	4%
Stinson beach	192	704	27%	18	174	25%	3%
Marshall	28	110	25%	1	27	25%	1%
Muir Beach	20	147	14%	1	19	13%	1%
Bolinas	63	624	10%	9	54	9%	1%
Inverness	93	939	10%	7	86	9%	1%
Pt. Reyes Station	32	350	9%	6	26	7%	2%
Olema	3	33	9%	0	3	9%	0%

<b>Tomales</b>	12	135	9%	1	11	8%	1%
<b>Total</b>	<b>568</b>	<b>3450</b>	<b>16%</b>	<b>58</b>	<b>510</b>	<b>11%</b>	<b>5%</b>

## LAND USE PLAN POLICIES ANALYSIS

The LCP notes that, although Marin County’s coastal communities reflect a long-standing commitment to maintain the characteristics that draw residents and visitors to them, changing economics and land development practices could threaten community character. Achieving a balance between local- and visitor-serving businesses continues to be a challenge in Marin County, as elsewhere along California’s coast. At the same time, the Coastal Act places a high priority on visitor-serving facilities, particularly lower-cost facilities, and visitors as an important part of the local economy.

The policies listed below reaffirm the need to strike a balance between both the residential character of the coastal communities, and the need to welcome visitors to the Coast. Staff has reviewed all CCC certified STR regulations in other jurisdictions (for example, San Diego, Half Moon Bay, City of Trinidad, Santa Cruz County, etc.) and does not find the proposed regulations to be inconsistent with past approvals. Proposed regulations conform to the below listed policies as follows:

- No STR ban is proposed.
- Establish a STR License with the following limits:
  - For new STRs, only one license is permitted per owner and per property. Said differently, if someone has two properties, the County would only issue one license for one of the properties, not both. See exceptions noted below.
  - STR license priority would be given to those who currently have the required licenses (Business License and Transient Occupancy Tax Certificate) to operate an STR.
  - License terms include a two year term for an initial license and four year terms for subsequent renewals.
  - STR license may be revoked if there are three documented Code violations in the two-year license term.
- Grandparent clauses have been added in multiple instances where activities that are currently allowed and do not pose health and safety issues will continued to be allowed, including the following:
  - STR operators that currently have multiple STRs would continue to be able to operate up to three STRs.
  - The death of a spouse would not require that a new STR license be obtained.
  - An ADU created before January 1, 2020, when the State law went into effect prohibiting the use of statewide exemption ADUs for STRs, could be used as an STR.
  - Apartments and condos that are currently being used for STRs could continue being used as STRs.
  - If there are multiple STRs currently being operated on a single property, those STRs could continue being used as STRs.
- Limit number of STRs to 510 in the Coastal Zone
- Ensure basic life and health safety standards for rentals, including basic emergency preparedness requirements.
- Ensure compliance with existing County regulations related to noise, trash, and allowed STR unit types, and administrative penalties.



Further, over-night accommodations are not limited to STRs, and other lodging options include hotels, motels, inns, bed and breakfasts, farm stays, and campgrounds. Appendix 2 in the LCP contains an exhaustive inventory of visitor-serving, commercial, and recreation facilities in the coastal zone. While it does not include all licensed Short Term Rentals, it is the most comprehensive list developed to date and is summarized in the below table.

<b>Overnight Accommodations in the Coastal Zone</b>	
Hotel/ Motel/ Inn/ Bed and Breakfast (rooms)	279
Private Rentals (units)	357
Campsites	830
Trailer RV (spaces)	80
Hostel (beds)	56
Capacity (number of people)	4659

As such, the County believes that it can continue to provide the necessary over-night accommodations and preserve existing housing by implementing the proposed STR regulations.

## **LIST OF APPLICABLE LCP POLICIES**

### **Housing**

**C-HS-1 Protection of Existing Affordable Housing.** Continue to protect and provide affordable housing opportunities for very low, low, and moderate income households. Prohibit demolition of existing deed restricted very low, low, and moderate income housing except when:

1. Demolition is necessary for health and safety reasons; or
2. Costs of rehabilitation would be prohibitively expensive and impact affordability of homes for very low, low and moderate income households; and
3. Units to be demolished are replaced on a one-for-one basis with units of comparable rental value on site or within the immediate Coastal Zone area.

**C-HS-6 Regulate Short-Term Rental of Primary or Second Units.** Regulate the use of residential housing for short term vacation rentals.

#### **Program C-HS-6.a Vacation Rental Ordinance**

1. Work with community groups to develop an ordinance regulating short-term vacation rentals.
2. Research and report to the Board of Supervisors on the feasibility of such an ordinance, options for enforcement, estimated program cost to the County, and the legal framework associated with rental properties.

### **Community Character**

**C-MB-1 Community Character of Muir Beach.** Maintain the small-scale character of Muir Beach as a primarily residential community with recreational, small scale visitor, and limited agricultural use.

**C-SB-1 Community Character of Stinson Beach.** Maintain the existing character of residential, small-scale commercial and visitor-serving recreational development in Stinson Beach. New development must be designed to be consistent with community character and protection of scenic resources.

**C-BOL-1 Community Character of Bolinas.** Maintain the existing character of residential, small-scale commercial and visitor-serving, and agricultural uses in Bolinas.

**C-OL-1 Community Character of Olema.** Maintain Olema's existing mix of residential, small-scale commercial and visitor-serving, and open space land uses and small-scale, historic community character...

**C-PRS-1 Community Character of Point Reyes Station.** Maintain the existing mix of residential and small-scale commercial and visitor-serving development and small-scale, historic community character in Point Reyes Station.

**C-PRS-3 Visitor-Serving and Commercial Facilities.** Encourage development of additional visitor-serving and commercial facilities, especially overnight accommodations. Establish overnight accommodations in the Grandi Building (Assessor Parcel Number 119-234-01) and Assessor Parcel Built Environment 64 Community Development Land Use Plan Amendments Number 119-240-55, located at the junction of Highway One and Point Reyes – Petaluma Road (See also C-PRS-4 below).

**C-INV-1 Community Character of Inverness.** Maintain the existing character of residential and small-scale commercial and visitor-serving development in the Inverness Ridge communities.

**C-ES-1 Community Character of the East Shore of Tomales Bay.** Maintain the existing character of low-density, residential, agriculture, mariculture, visitor-serving, and fishing or boating-related uses. Allow expansion or modification of development for visitor-serving or commercial development on previously developed lots along the east shore of Tomales Bay, provided that such expanded uses are compatible with the small scale and character of existing development along the Bay.

**C-TOM-1 Community Character of Tomales.** Maintain the existing character of residential and small-scale commercial and visitor-serving development in the community of Tomales. No expansion of commercial zoning is recommended since there is adequate undeveloped land zoned for visitor-serving and commercial development for anticipated future needs. Encourage development of overnight accommodations such as a motel, cottages, and a hostel. New development shall reflect the historic character of the town's architecture and shall be set back from the creek which flows through commercially zoned areas.

**C-DB-1 Community Character of Dillon Beach.** Maintain the existing character of residential and small-scale commercial and visitor-serving development in Dillon Beach and Oceana Marin. Dillon Beach Resort, including all properties zoned C-RCR and C-RMPC between Dillon Beach Road and Dillon Creek, would be an appropriate site to consider for new development of a modest scale motel, cafe, delicatessen, or restaurant, and/or day-use facilities. Due to its proximity to the shoreline, the former Pacific Marine Station is an especially suitable area for facilities where many people can enjoy its prime location. The site offers opportunities, for example, for community services, a conference center, and/or a youth hostel. Limited residential development would be appropriate at the Dillon Beach Resort, provided it were developed as a secondary use in conjunction with visitor-serving uses. All development shall demonstrate adequate water supply

and sewage disposal, and shall be sited out of sand dunes and other environmentally-sensitive areas. Building heights shall be limited to that which is compatible with the scale and character of the area. Existing CRCR and C-RMPC zoning shall be maintained. Maintain existing C-RCR and C-APZ-60 zoning at Lawson's Landing.

### **Parks, Recreation and Visitor-Serving Uses**

**C-PK-4. Balance of Visitor-Serving and Local-Serving Facilities.** Support a level of local-serving facilities such that an adequate infrastructure can be maintained to ensure the health, vitality, and survival of the visitor-serving segment of the coastal economy.

**C-PK-6 Bed and Breakfast Inns.** Support bed and breakfast facilities in the Coastal Zone as a means of providing visitor accommodations, while minimizing their impacts on surrounding communities. Restrict the conversion of second units and affordable housing to bed and breakfast inns. In addition, support the location of bed and breakfast inns in areas that are easily and directly accessible from usual tourist travel routes and where there is adequate off-street parking for guests and where the problem of nearby residents being inconvenienced by noise and increased transient traffic is minimized. Bed and breakfast inns shall be permitted to host or provide facilities for gatherings, such as weddings, receptions, private parties, or retreats if located in the C-APZ, C-ARP or C-R-A and if such activities are otherwise LCP consistent. Each bed and breakfast inn must be operated by a householder who is the sole proprietor of the enterprise and whose primary residence is on the premises where the inn accommodations are located.

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** STR West Marin, Marin County  
**Date:** Monday, October 23, 2023 5:54:48 PM

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Heather Janssen with email address [trezjanssen@icloud.com](mailto:trezjanssen@icloud.com) would like information about:  
Hello, and thank you for fielding community sentiments.

We are just one of many families trying to meet the very high cost of life and home ownership in Marin, which is considerable with insurance, mortgage, taxes, and home maintenance, etc.  
A STR is much different than a hotel room.

I am able to provide a place that feels like home and support the local economy. I pay taxes on any income that is produced.

My guests are mature & respectful, usually attending Spirit Rock, or in town to hike and explore West Marin and take in the coastal beauty.

My neighbors have never complained and they are aware of the small rental.

I provide parking, do not accept pets, and otherwise have zero negative impact on my neighborhood.

Quite the opposite, my guests frequent the local businesses that I recommend.

We are net positive for the local economy, please do not increase fees, require stricter regulations and motel-like signage.

Please support small local businesses.

**From:** [Mary Kay Patton](#)  
**To:** [STR](#)  
**Subject:** STR Draft requirements comments  
**Date:** Tuesday, October 24, 2023 1:11:33 PM

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You don't often get email from mk.patton@gmail.com. [Learn why this is important](#)

After visiting Dillon Beach for many years, we were fortunate enough to be able to purchase our home at 112 Cypress Ave in 2014 and count ourselves as one of the lucky ones to call this beautiful vacation community our full time home. If you look at the history of this community you will see that it began as a vacation community in the late 1800's and it continues to be. We knew this when we moved here; in fact, we think that the vacation "vibe" adds to the charm of the place and when our life situation required us to be in the Sacramento area part time we were grateful for the opportunity to place our home on the vacation rental market part time so we could offset some costs but still have the house available for us to use. We now have the perspective of full time residents AND a vacation rental owner. Both can live in this community and we support reasonable guidelines to protect neighborhoods but it must be fair and not create hardships for owners. Many owners such as ourselves continue to use our homes with occasional short term rentals when we are not here. Our property would never be available for long term housing.

In response to your draft Short Term Rental guidelines which were distributed recently, we have the following specific comments itemized by section:

1. Section 5.41.060 Caps on the Number of Unhosted Short Term Rental Licenses

**Dillon Beach should be exempt from this requirement.** Dillon Beach was established as and continues to be a vacation community. Most people do not choose to live here full time because of its distance from employment, schools and daily activities/services. Limiting rentals would NOT add to the availability of long term rental housing since it does not meet the needs of most people seeking long term housing. People searching for long term housing usually have two criteria for their decision; location and cost. Dillon Beach has a poor location for working people AND is expensive.

2. Section 5.41.040 Short Term Rental Licenses

By putting specific conditions on this business license that are different from other business licenses (such as transferability, immediate operation cessation following a suspended license, etc) STR businesses are being treated differently from other businesses in the County. This violates equal protection clauses.

**If a license is suspended, where is the due process for an owner pleading their case to reinstate a license? Other business licenses do not operate that way and opens the county to a class action lawsuit.**

**The section on Administrative procedures does not include due process for owners.**

Generally, the purported reason for limiting STRs is that communities want this based on the citing of complaint data (which is statistically insignificant). If a community overwhelmingly does not want it, how can they "opt out". Is there a process for a waiver or exemption?

Lastly, in a community such as Dillon Beach where owners may only be able to afford a home purchase here if they can rent it out on occasion, the real estate market has been seriously impacted by the moratorium on STRs and the new proposed guidelines will only make it worse. The inability to transfer a license to an heir means that children inheriting a home may not be able to keep it. Many of the homes here are owned by children, grandchildren and great

grandchildren of the original owners who knew what a special place Dillon Beach was. This overreaching of the county will destroy decades of enjoyment without adding any benefit here. Please consider my suggestions for communities being exempt.

Thank you.

Mary Kay Patton

**From:** [sophia.setrakian](mailto:sophia.setrakian)  
**To:** [Rodoni, Dennis](mailto:Rodoni.Dennis)  
**Cc:** [Rice, Katie](mailto:Rice.Katie); [Moulton-Peters, Stephanie](mailto:Moulton-Peters.Stephanie); [Sackett, Mary](mailto:Sackett.Mary); [Lucan, Eric](mailto:Lucan.Eric); [STR](mailto:STR); [PlanningCommission](mailto:PlanningCommission)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Wednesday, October 25, 2023 12:32:57 PM

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Some people who received this message don't often get email from [sophiaroxanna@gmail.com](mailto:sophiaroxanna@gmail.com). [Learn why this is important](#)

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. I have a ton of friends that have been pushed out of town. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Sophia Setrakian  
Address: 42 Wharf Rd  
Email: [sophiaroxanna@gmail.com](mailto:sophiaroxanna@gmail.com)

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** NO STR CAPS INVERNESS: NATIONAL PARK GATEWAY  
**Date:** Thursday, October 26, 2023 5:58:26 AM

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Jennifer Golub with email address [golubjennifer@gmail.com](mailto:golubjennifer@gmail.com) would like information about: I live at the gateway to Pt Reyes National Seashore. Only 1 road in, one must pass my home in Inverness, to access Tomales Bay, beaches and the multitudes of hiking trails. There should be NO CAPS on STR's in INVERNESS. We provide sole access to a national park and shoreline. Yet with 2 million visitors each year, there are less than 25 hotel rooms. 50 guest testimonials are empirical data proving the essential role STR's provide for the public good. Your TOT numbers are wrong. A broken website, the county never replied despite appeal. Caps threaten my future as I will not be able to pay my taxes and arborist bills. Lottery threatens a life of uncertainty. Hosted and unhosted definition is unfair. What if I stay in Berkeley while having guests? My home will never be long term inventory. This campaign is the lobbying effort of an entitled few. Inverness public-school attendance is at an all-time high. I look forward to the return of businesses. A spirit of community. It is time to repair.



**From:** [Mary Kay Patton](mailto:Mary Kay Patton)  
**To:** STR  
**Subject:** Re: STR Draft requirements comments  
**Date:** Thursday, October 26, 2023 10:59:45 AM

You don't often get email from [mik.patton@gmail.com](mailto:mik.patton@gmail.com). [Learn why this is important](#)

Thank you, Kathleen.

I have one other comment to add to my previous email based on a conversation I heard yesterday. There may be some unintended, environmentally disastrous consequences to the requirement that STRs provide 2 off street parking places. As you know in Dillon Beach many homes do not have ANY off street parking. The lots are very small and homes were constructed in the early 1900's when parking was barely a concept. I have heard that some owners who are currently licensed but do not have the required parking spaces are considering converting greenspace around their homes to parking. The addition of more hardscape (asphalt, cement etc) is detrimental to runoff and replenishment of aquifers and wells. We already have water issues. This policy would add to an already potentially disastrous situation. Any loss of permeable square footage is damaging. To be fair, there absolutely MUST be a waiver process for people who are flatly unable to comply with certain components of your guidelines.

Thank you very much,  
Mary Kay Patton

On Oct 24, 2023, at 2:42 PM, STR <[str@marincounty.org](mailto:str@marincounty.org)> wrote:

Hi Mary Kay,

Thank you for this correspondence. I will be sure to include it in the project record and share this with the Planning Commission prior to their meeting on November 13, 2023.

Best,

Kathleen

**Kathleen Kilgariff**  
PLANNER  
she/her

County of Marin  
Community Development Agency  
3501 Civic Center Drive, Suite #308  
San Rafael, CA 94903

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**From:** Mary Kay Patton <[mik.patton@gmail.com](mailto:mik.patton@gmail.com)>  
**Sent:** Tuesday, October 24, 2023 1:11 PM  
**To:** STR <[str@marincounty.org](mailto:str@marincounty.org)>  
**Subject:** STR Draft requirements comments

You don't often get email from [mik.patton@gmail.com](mailto:mik.patton@gmail.com). [Learn why this is important](#)

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Thank you.  
Mary Kay Patton

Email Disclaimer: <https://www.marincounty.org/main/disclaimers>

**From:** [William Sauro](#)  
**To:** [STR](#)  
**Subject:** Dillon Beach STR Standards  
**Date:** Thursday, October 26, 2023 11:32:43 AM

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You don't often get email from w@sauro.com. [Learn why this is important](#)

Ms. Kathleen Kilgraff  
Marin County Planning Department  
3501 Civic Center Drive, Suite 308  
San Rafael, CA 94903

Via USPS and Email

Re: Dillon Beach STR Standards

Few people can afford to own and maintain a beach house these days. Short-term vacation rentals allow many different socio-economic groups to enjoy the serenity and beauty of an area like Dillon Beach.

They also provide income to those who must continually pay increasing property taxes, utility bills and insurance payments. (Homes in Dillon Beach can now only get fire insurance from the California Fair Plan at about triple what we used to pay before insurers black-listed most of Marin County.)

The idea of limiting short-term rentals to keep our housing stock available to full-time renters is an admirable approach in some parts of the state, but not in Dillon Beach. There are few employment opportunities in this area, and the rents that would need to be charged for a rental in Dillon Beach would prohibit most renters from living there full-time.

In addition, there are fewer tourists these days coming to the San Francisco Bay Area. Limiting short-term rentals would further reduce the attractiveness of vacations in this area. That would not be a productive approach for the Bay Area.

The communal aspect of vacation rentals cannot be overstated. Consider a weekend getaway with friends or family, where the costs, when divided, become reasonable and affordable. When we offer our home to vacationers, we often have 10 people staying in our home making it a very economic choice for large families and groups. By supporting vacation rentals, you uphold the values of fairness, inclusivity, and community that make Dillon Beach the extraordinary place it is.

Thank you for your attention to this matter. We trust you will make a decision that reflects the best interests of all residents and visitors plus preserves the very unique vacation location that is Dillon Beach.

Sincerely,

Ms. Kathleen Kilgraff  
Marin County Planning Department  
3501 Civic Center Drive, Suite 308  
San Rafael, CA 94903

Via USPS and Email

Re: Dillon Beach STR Standards

Few people can afford to own and maintain a beach house these days. Short-term vacation rentals allow many different socio-economic groups to enjoy the serenity and beauty of an area like Dillon Beach.

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Thank you for your attention to this matter. We trust you will make a decision that reflects the best interests of all residents and visitors plus preserves the very unique vacation location that is Dillon Beach.

Sincerely,

William H. Sauro

Ronna L. Sauro

--

Cell Phone: (415) 845-6877

Email: [w@sauro.com](mailto:w@sauro.com)

**From:** [Michael Day](#)  
**Subject:** A letter to our Coastal Planning Commission  
**Date:** Sunday, October 29, 2023 6:40:39 PM

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You don't often get email from dayma1@gmail.com. [Learn why this is important](#)

Hello,

I hope this letter finds you in good health and high spirits.

I am writing to you as a passionate advocate for preserving the vibrant community of Dillon Beach in Marin County.

I am deeply concerned about the potential impact of recent discussions regarding vacation rentals in this picturesque coastal area.

Dillon Beach, with its serene ambiance and natural beauty, has become a cherished destination for both locals and visitors alike. The unique appeal of this coastal haven lies not only in its landscapes but also in the diverse experiences it offers to people from various socio-economic backgrounds.

Vacation rentals, facilitated through platforms like Airbnb and VRBO, have played a pivotal role in ensuring equal access to these experiences.

It is essential to acknowledge that not everyone can afford to maintain a million-dollar house in a coastal region, especially given the economic challenges faced by many individuals and families.

Rising living costs, student debt, and existing property tax laws create significant barriers to traditional homeownership.

Vacation rentals provide an invaluable opportunity for individuals to enjoy the beauty of Dillon Beach without the financial burden of permanent ownership.

The communal aspect of vacation rentals cannot be overstated. Consider a weekend getaway with friends or family, where the costs, when divided, become reasonable and affordable.

These shared experiences foster connections, build relationships, and contribute to the sense of community that makes Dillon Beach a unique and welcoming place.

I am deeply concerned about recent discussions suggesting limitations or bans on vacation rentals in Dillon Beach. Such measures would not only curtail equal access to the coast but also jeopardize the inclusive spirit of our community.

I urge you to consider the far-reaching consequences of these decisions.

By supporting vacation rentals, you uphold the values of fairness, inclusivity, and community that make Dillon Beach the extraordinary place it is.

I kindly request your support in preserving vacation rentals in Dillon Beach.

Let us continue to embrace the shared experiences, connections, and memories that these accommodations facilitate.

Your commitment to equal access to coastal experiences will undoubtedly leave a positive legacy for current and future generations in our beloved community.

Thank you for your attention to this matter, and your active participation in preserving the essence

of Dillon Beach.

I trust you will make a decision that reflects the best interests of all residents and visitors in Dillon Beach, ensuring the preservation of its unique charm and accessibility.

Warm regards,

Vickie and Michael Day

owners

"365 DAYS" - short term rental at  
365 Oceana Drive, Dillon Beach, CA 94929

**From:** [Cherry grisham](#)  
**To:** [STR](#)  
**Subject:** STR  
**Date:** Sunday, October 29, 2023 12:16:02 PM

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You don't often get email from [cherrygrisham243@gmail.com](mailto:cherrygrisham243@gmail.com). [Learn why this is important](#)

Kathleen Kilgraff

Supervisor Rodoni held a town hall zoom meeting on October 25, 2023, for residents of Tomales and Dillon Beach. The last part of the meeting was scheduled for discussing Short Term Rentals (STR) in Dillon Beach. The indication at the meeting was you and your staff will be presenting the report in the next few days to the Planning Commission and the Board of Supervisors. I do hope you are listening to the residents of Dillon Beach and other communities. I hope there will be substantial changes reflecting the need of each community avoiding a “cookie cutter, one size fits all” report as reflected on October 23,2023. I was again disappointed by the remarks by the committee in response to communities. And, it was evident from Sup. Rodoni that little in the report has changed after much community input from the Marin County coastal communities. Our input has been disregarded by your team. We have been promised since the June meeting that this is just a draft and that residents really need to express their thoughts. We have expressed our thoughts to no avail.

Dillon Beach has expressed two concerns with the report.

The first concern parking:

--[if !supportLists]-->1 <!--[endif]--> We have explained why one parking place works in a village designed as a vacation community more than 100 years ago when visitors came in horse and buggy. I again advocate that STR be allowed one parking place which reflects size and design, and character of our historic community.

--[if !supportLists]-->2 <!--[endif]-->Guests know the nature of parking in Dillon Beach and adjust. One parking place per home works in Dillon Beach.

The second concern the cap

--[if !supportLists]-->1. <!--[endif]--> The purpose for changes to STR regulations is to increase housing- housing being mandated by the state. Marin County has spent years avoiding this mandate. Now, the county wants to solve the housing issues by putting the burden on west Marin STR owners which particularly effects Dillon Beach. The committee must know by now that the village does not lend itself to full time living. Unlike other villages, towns, communities in west Marin where people want to live and work and want limited STR, this is not the situation in Dillon Beach. The community has written, reported and spoke why this is so. The committee has disregarded and dismissed this input.

--[if !supportLists]-->2. <!--[endif]--> The moratorium does not service the purpose of adding additional housing in Dillon Beach and has put a burden on the residents in the village. You must be aware that owners cannot sell their homes if the houses cannot be used as STR, and the value of the home that are STR have lost a third or more of their value. Wealthy owners are buying houses at discounted prices and will keep them for themselves and not for all the residents of California. Realtors are already sending advertising soliciting for sales! Dillon Beach does not need a STR cap. The current report does not accomplish additional housing in Marin Co.

On November 13<sup>th</sup>, I expect you and your staff to abide by your commitment to develop a final report reflecting individual communities- not a duplicate of the recommendations presented at the June 12<sup>th</sup> meeting and October 23<sup>rd</sup> meeting. Nor a report that merely makes changes that are fixable by all in West Marin- fire extinguisher, smoke alarms, septic inspections- these are not substantive or reflective of each community. I expect the report to reflect what residents of the towns have expressed as is best for their community. For Dillon Beach, I expect substantive- changes to one parking place and no cap on STR.

**From:** [john vaughn](#)  
**To:** [STR](#)  
**Subject:** Dillon Beach — cabin owners and neighbors rentals  
**Date:** Sunday, October 29, 2023 1:18:20 PM

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[You don't often get email from javpapa47@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Hello Kathleen Kilgraff,

My parents bought a small cabin at Dillon Beach in about 1970. I am a partial family owner. Of course I am concerned about recent increases in renters. For example, people rent and arrive with a super large pick up or SUV. Cabins and lots and streets are very small. There is no room!!! The Dillon Beach Village was built in a different time. There were fewer cars and they were smaller.

Parking is a huge concern with the Marin County Short Term Rental Standards. Please limit village rentals to one large off street space that does not infringe on neighboring property. No on road parking.

Quiet hours — establish and enforce.

Thank you

Sent from my iPhone



**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Short Term Rental  
**Date:** Sunday, October 29, 2023 8:06:50 PM

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Donald Read with email address [dread@well.com](mailto:dread@well.com) would like information about:  
Is there a level of compensated occupancy that falls below a short term rental? Suppose I own a home in West Marin and am going to be away for two weeks, and the family of a neighbor would like to use my house during that time. If I don't have a license, may I charge them anything for letting them stay there? A cleaning fee? Compensation based on utility usage?

I suggest that less than 30 days a year should be permitted compensated use without constituting a regulated short term rental. And excess noise or inadequate garbage containment or safety violations should apply to all property owners.

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Draft STR: Dillon Beach  
**Date:** Sunday, October 29, 2023 9:27:23 PM

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Mike Prindiville with email address [mikeprindi@gmail.com](mailto:mikeprindi@gmail.com) would like information about:  
Draft STR comments for consideration:

1. Increase STR Ultimate Number for Dillon Beach: Restrictions on rentals will reduce coastal visitors, increase utilization and (potentially) further construction at Dillon Beach Resort, and expand under-utilized housing.
2. Water restrictions must consider housing size and occupancy. Modern digital meters can provide appropriate monitoring status to control usage when installed.
3. Property Tax funding will be negatively impacted. As value of homes currently includes the opportunity for rental (independent of rental status), the resulting standard will reduce county funds and community investment opportunities.

As shared by residents in Jan'23, Dillon Beach is a unique community for residents and visitors to enjoy coastal access. We have an important responsibility to expand housing availability across income levels in California, although it is not clear how SLR restrictions will achieve this objective in coastal communities.

October 30, 2023

To: North Central Coast <NorthCentralCoast@coastal.ca.gov>

Subject : Marin County – Short Term Rental Ordinance Update

Dear Sirs,

I am writing to you regarding the short term rental ordinance. Our family owns a home in Dillon Beach. It has been an important part of our life for ten years. We share our home with renters to help us afford the costs involved in a second home. We plan to pass it on thru the family.

Our rental is a gift to families who wish to visit the beach, cook, rest and spend time together in a clean and safe environment. Our rentals here are a boost to the local economy and provides important access to our coastal region, as not everyone can achieve home ownership.

Marin County is currently considering regulations that would ban vacation rentals in parts of the coastal zone in the North Central Coast. According to the Marin County Planning Commission, as stated in the meeting we attended last week, there is a rush to get this accomplished before their affordable housing funds disappear and the moratorium runs out. We don't see the fairness in this. Our village is being targeted and discriminated against. The county has refused to show us data for these changes. Different counties have different ordinances. We cannot be included in data from other areas.

Please take the time to consider the serious impact this will have in Dillon Beach and our homes. These are complex issues and to rush this process and tell us they have a deadline is not fair representation of the constituents they represent. This is a discriminatory policy that is being rushed on us homeowners. We need no caps or limits.

If you do not act to block this legislation, history will not look kindly on your inaction for your constituents. History will tell us whether you represent the people in your district or the large multinational hotel chains that are trying to stop short term rentals.

Thank you for your time and consideration,

Cynthia Elliott and family,

100 Cypress Ave. Dillon Beach, Ca

**From:** [KATHLEEN HURLEY](#)  
**To:** [STR](#)  
**Subject:** Comments re Short Term Rental Proposed Ordinance  
**Date:** Tuesday, October 31, 2023 10:43:56 AM

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Attention Kathleen Killgariff  
Please forward to Planning Commission and others as appropriate

Dear Commissioners,

I attended the recent Planning meeting with the large attendance related to a proposed new ordinance for Short Term Rentals. My previous letter was in the packet to the Planning Commission and I appreciate that it was read along with so many others in a pile of correspondence several inches thick.

I appreciate the attentiveness and responsiveness shown by the Commission to the various concerns presented.

Comments and questions raised by a number of commissioners in regard to simplifying the proposed regulations I believe are very much on target. Creating duplicative and/or unneeded work that require hiring and training new staff and substantially raising fees and levels of complexity don't seem to make much sense when there are so few noted complaints among those licensed units that currently are operating. License caps can be imposed if need be without having to hire staff to inspect fire extinguishers and signage or parking and to enforce laws or research concerns that are more properly placed with other agencies. I especially want to thank Commissioner Desser for the detailed edit suggestions she made based on citizen comments. I agree it would have been easier and less onerous to amend the existing ordinance than to write so much new language that impose so many new regulations. Keeping it simple is a refrain from many and I agree, whatever can simplify the application and make it less burdensome to comply with and to administer seems in mutual interest. Each added section creates room for misunderstandings, questions of enforcement and added costs. If there are few complaints to the hotline that was created just for reporting problems with STRs then that is an indication most of the present ordinance is working effectively without needing to hire staff and raise fees substantially to cover such hires and various proposed enforcement measures. A self certification with a checklist seems a very practical and inexpensive suggestion for seeking compliance with existing safety and health regulations. These may be certified by the owner and provided in the housing manual to be seen by any renter or occupant. The hotline number would be available to report a problem or seek information. In Stinson Beach the water district monitors use ongoingly and inspects septic systems for function every two years. Would it not make sense for water districts to provide verification of inspection instead of looking for applicants who now pay about \$30 to apply pay \$500 to \$1,000 for private contractor reports on their systems? And why does the CDA want to get into the business of inspections like that when it hasn't done that before and the need is not at all apparent. It almost seems intended to thwart applications but from the wealthiest owners since those fees are not refundable. Why create this extra expense and burden at a time when the number of licenses is proposed for reduction? There is no reason to believe the current licensing which is very simple and straightforward is lacking in such a way that the costs need be increased perhaps 1,000% or more in fees and application costs. Is it not enough to maintain the hotline and advertise it to all neighbors and vacation renters who want to report any issue or violation? Why single out the STR applicants for such detailed extra scrutiny?

One of the bigger concerns for me as an owner of two vacation cottages on one double lot property, is the proposal to limit rentals to one dwelling. I wholeheartedly appreciate Commissioner Desser's recommendation to allow up to three rental dwellings per property if in fact the licenses have existed for several years with no record of complaints. There seems to be a lot of sentiment to roll to the 2018 levels and perhaps that would make a useful benchmark to measure from. There is no better predictor of future success than past success under similar circumstances and those STRs that are already licensed for many

years and which are accepted by the neighbors do not take away from the community. Allowing the continued practice of owners being able to use their own properties for their own short term weekend or vacation use while renting them out at times to help with affordability is a respected practice to help people who are not uber wealthy to find a way to use and share vacation housing. The wealthiest owners don't have to worry about renting as they can afford to keep their vacation home vacant. They will not turn their home into affordable housing or rentals of any sort. It is owners such as myself who bought modest cottages and rent them for a modest vacation rental amount that allows accessibility for middle class people to come out to the beach for a week or a weekend. This helps the community and helps me and my family and friends to enjoy vacation use as well. So, yes, I appreciate the proposal to grandfather, or allow legal non-conforming use of existing STR dwellings.

I also appreciate the comments about due process and giving time for curing a problem or misunderstanding which will surely happen with so much new language and requirements, even if simplified. There are many questions and areas for misunderstandings and people must be given due time to clarify or make their case if there is a misunderstanding or a problem brought to attention. The current proposal is filled with references of immediate revocations and immediate cancellations of licenses for various application flaws or operational shortcomings which will surely be a stressful hardship all around. And with the two violations and you are out clause it seems even more of a landmine, as there is no differentiation with the severity or type of complaint, the signage being a half a foot too low or high, the fire extinguisher not being checked, the application going in a day late or a neighbor calling for noise or parking complaints. Are these all equal? Should there be some discretion in oversight as to how serious complaints or violations may be? What if the complaints are proven unfounded and a neighbor is harassing in order to push out an owner? Not my situation but certainly some neighbors quarrel. Does the CDA want to get into the middle of that kind of thing? Less is more in some cases. I certainly would appreciate a straightforward application process and room to explain if anything about it is not deemed adequate. Having a rental house and source of regular income stripped away is a very big deal for most people, in some respects on par with losing employment or housing. There must be some due process.

In regard to inadequate parking, this was brought up by one neighbor of a non-vacation rental area as a neighbor problem when there are too many cars and also was brought up by those in Dillon Beach who only have one space per dwelling. I believe functioning rentals where no parking concerns are reported should be allowed to continue even with only one designated parking spot as owners should not be penalized for not having off-site space for guest parking when the dwellings were constructed before codes or to the codes at the time. Now, for a studio or one -bedroom vacation cottage built 50 or more years ago, does it serve the community to deny an application renewal because there was no more room for guest parking built on the property? Many little authentic beach cottages have no garage, and some bigger houses that have garages have turned them into living space. It is the newer houses that advertise they sleep 10 to 18 persons that have two spaces that may need to be asked where do the other guests of the house park? Drawings of the house and drawings of the parking plans need not be submitted for an owner to answer straightforward questions such as how many bedrooms, how many occupants allowed, how many off street parking spaces are provided, and even if any neighbor complaints about parking are known. These can all be check-boxed and issues identified. I do not think it is reasonable to demand a smaller, older vacation rental be brought up to current code and a minimum of two parking spaces to apply when the larger, more modern dwellings may rent to a dozen occupants without any requirement to add more guest parking. That hardly seems fair.

Thank you in advance for your thoughtful consideration.

Kathleen Hurley  
representing two licensed beach cottages  
in Stinson Beach

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Important considerations for STR update  
**Date:** Tuesday, October 31, 2023 7:45:25 AM

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Barb Schwanke with email address [barbaraschwanke3@gmail.com](mailto:barbaraschwanke3@gmail.com) would like information about:

Please realize the unique issues of each home and community.

We have enjoyed our home in Marshall on the bay since 1983. Prior to our ownership it was a rustic weekend fishing cabin built in the 1930s. We have updated our septic to code during a remodel several years ago. Our septic use is monitored by the county.

This home was never used nor can it be used for full time occupancy due to our severe water costs during the dry seasons, and our limited water storage capacity. Also the costs of maintenance on this wind and storm batter shoreline would make it impossible to reasonably have a rent that would in anyway contribute to the shortage of housing ,

**From:** [Leila Monroe](#)  
**To:** [Jones, Sarah](#); [STR](#); [PlanningCommission](#); [Jeremy Tejirian](#)  
**Cc:** [West Marin Residents for Housing](#); [David Kimball](#); [harriet@moss.net](#)  
**Subject:** Re. Quantification of STR Operators & Review of STR Regs in Coastal Zone Jurisdictions  
**Date:** Tuesday, October 31, 2023 11:53:36 AM  
**Attachments:** [Coastal Zone Jurisdictions Restricting STRs, 10\\_30\\_23.pdf](#)

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You don't often get email from lmonroe@clearresourcelaw.com. [Learn why this is important](#)

Hello Planning Commissioners & CDA Staff,

I'm following up on last week's request for a meeting to discuss the quantification of STR operators as it impacts the STR Ordinance. I would also like to share the attached table, which is a simplified review of Coastal Zone jurisdictions that have adopted regulations that restrict STRs. In summary:

- At least 18 jurisdictions have adopted STR-limiting measures in the Coastal Zone.
  - This far outnumbers the handful of Coastal Zone jurisdictions that have *not* limited STRs but only require licensing and good neighbor policies, such as Sonoma, (due in large part to intense lobbying by Sea Ranch Association) and San Clemente.
  - Santa Barbara and Manhattan Beach had bans that were struck down on Coastal Act procedural grounds.
  - A number of jurisdictions are in the process of writing new STR-limiting rules.
    - Humboldt's 2% Coastal Zone Cap was proposed in September, 2023.
    - Malibu proposed Hosted STRs only (prohibiting Unhosted), and the CCC did not accept this, distinguishing Malibu from Santa Monica for the lesser number of hotels.
- Since 2020, a clear trend has emerged with Coastal Zone jurisdictions using a number of tools to limit STRs:
  - caps, ranging from **.9% - 4%** of housing stock;
  - limitations of number of days hosted;
  - zoning overlays (Commercial zones only);
  - very strict penalties;
  - expensive licensing / permitting costs;
  - 1-2 year licensing terms; and
  - combinations of these measures.

After analysis of all of these examples, and based on what the Coastal Commission has deemed permissible in the last 2 years, the West Marin Residents for Housing are modifying our policy position to call for **a cap of 1% of the housing stock as STRs, with exemption from the caps in in Dillon Beach and Sea Drift**. We feel it is in fact a more defensible number than a 50% reduction, because:

- This approach has been assessed and approved by the CCC in numerous other Coastal jurisdictions: limiting STRs to 1% of housing stock with the



exception of those neighborhoods that have expressed their desire for high levels of STRs (Dillon Beach and Seadrift). Modeling Marin's legislation after San Diego's would give us a shortcut path to a nuanced (e.g. with Tiers for different types of uses) and tested (upheld in Federal Court) model.

- There seems to be an extraordinary amount of confusion about the current numbers of STRs that would be categorized as Hosted vs Unhosted. There is also testimony (i.e. Arianne Dar, BLCT) about the extent and impact of illegal operations. As such, we feel that using the current number of operators for any policy-basis is an arbitrary approach based on circumstance (i.e. the number of operators who just happened to get their licenses prior to the moratorium).

Thank you for taking the time to meet on this important topic. We are also sharing this information with the Supervisors.

Sincerely,  
Leila Monroe

On Tue, Oct 31, 2023 at 11:36 AM West Marin Residents for Housing <[neighbors@westmarinresidentsforhousing.org](mailto:neighbors@westmarinresidentsforhousing.org)> wrote:

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

**From: West Marin Residents for Housing**

<[neighbors@westmarinresidentsforhousing.org](mailto:neighbors@westmarinresidentsforhousing.org)>

Date: Thu, Oct 26, 2023 at 3:35 PM

Subject: Meeting re. Quantifying STRs and West Marin Residents for Housing Comment Letter on the Draft Short Term Rental Standards

To: <[JTejirian@marincounty.org](mailto:JTejirian@marincounty.org)>, <[sjones@marincounty.org](mailto:sjones@marincounty.org)>

Cc: Harriet Moss <[harriet@moss.net](mailto:harriet@moss.net)>, David Kimball <[bolinasdavid@gmail.com](mailto:bolinasdavid@gmail.com)>, <[leilamonroe@gmail.com](mailto:leilamonroe@gmail.com)>, STR <[str@marincounty.org](mailto:str@marincounty.org)>

Good Afternoon, Sarah & Jeremy.

Would you be available for a brief Zoom meeting with a subset of the West Marin Residents for Housing to discuss the quantification of STR operators, as well as some of the recommendations in our Comment Letter?

I'm not sure if Kathleen is continuing to engage on this issue, but we would welcome her participation, as well as that of anyone else at CDA that you would like to invite.

Thank you for your consideration,

Leila Monroe

--

Leila Dunne Monroe, Esq.  
Founding Partner

Clear Resource Law

415-676-8913

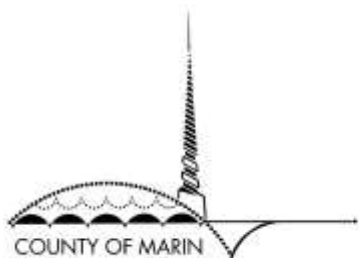
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## Example California Jurisdictions Restricting Short Term Rentals in the Coastal Zone

Jurisdiction	Date effective	Key STR Limiting Requirements: note, most jurisdictions also include requirements for licensing, code compliance, and good neighbor compliance.
Humboldt County, Unincorporated Coastal Areas	Pending; Moratorium in place; draft released 9/2023	Draft Ordinance for Coastal Zone: * 2 year term for conditional use permit for STR * Distinction between Hosted and Unhosted * Short-term Rental Cap. <b>Not more than 2% of the housing stock</b> may be permitted in the Coastal Greater Humboldt Bay Areas: Trinidad Area Plan [AP], McKinleyville AP, Humboldt Bay AP and the Eel River AP. * Limits on neighborhood concentration of STRs and cap at 20 person parties. <a href="https://humboldt.gov/DocumentCenter/View/120899/Draft-Short-term-Rental-Ordinance_coastal-92223">https://humboldt.gov/DocumentCenter/View/120899/Draft-Short-term-Rental-Ordinance_coastal-92223</a>
Half Moon Bay	2023	* Requires annual registration of the short-term vacation rentals. * Maximum occupancy requirements and limits unhosted nights to 60 days in residential zoning districts. <a href="https://www.half-moon-bay.ca.us/931/Short-Term-Rentals">https://www.half-moon-bay.ca.us/931/Short-Term-Rentals</a>
Dana Point	2023	New program to allow STRs in Coastal Zone: Cap – Maximum 115 permits applies to Non-Primary, Multi-Family, and Mixed Use Parcel STRs No Cap – Home Stay and Primary STRs are not associated with the STR cap Cap Adjustment – Each time a Home Stay and Primary STR Permit is issued, the 115 cap is reduced by one (1) Existing STR Permits - 69 Available new Permits – 46 <a href="https://www.danapoint.org/department/community-development/code-enforcement/short-term-rental-permit">https://www.danapoint.org/department/community-development/code-enforcement/short-term-rental-permit</a>
San Diego	2023	Tier 1, Part-Time : Rented for an aggregate of 20 days or less per year. The owner or permanent resident does not need to reside onsite during the STRO. 162 licenses issued; unlimited remaining. Tier 2, Home-Sharing: Renting a room or rooms in the home for more than 20 days per year so long as the owner or permanent resident resides onsite. The owner or permanent resident may be absent from the permanent residence during the STRO for up to 90 days per calendar year. 2,353 issued; unlimited remaining. Tier 3, Whole-Home, Excluding Mission Beach: Rentals for more than 20 days per year where the owner or permanent resident does not reside onsite. <b>The number of licenses issued will not exceed 1% of San Diego's total housing units outside the Mission Beach Community Planning Area.</b> Guest two-night minimum stay required. 4,226 issued; 1,193 remaining. Tier 4, Whole-Home, Mission Beach: Same provisions as tier 3, except the number of licenses issued will not exceed 30% of the Mission Beach Community Planning Area. 1,082 issued, 0 remaining, 118 on waitlist. Both Tier 3 or Tier 4 licenses require utilization for a minimum of 90 days each year in order to maintain the license. <a href="https://www.sandiego.gov/treasurer/short-term-residential-occupancy">https://www.sandiego.gov/treasurer/short-term-residential-occupancy</a>
Seal Beach	2023	* "The total number of STR Permits, combined with STR' s with existing Conditional Use Permits (" CUP"), shall not exceed <b>1% of the residential units</b> in the Coastal Zone." * Permits issued based on lottery. * "An STR Permit is valid for one ( 1) year from the date of issuance." * Large events prohibited. * One permit per STR operator. <a href="https://www.sealbeach.org/ordinance/1701-section-11-4-05-135-of-the-seal-beach-municipal-code">Ordinance 1701, Section 11. 4. 05. 135 of the Seal Beach Municipal Code</a>
Pismo Beach	2018; Moratorium 2023	On June 6, 2023, City Council adopted an Ordinance (O-2023-003) extending a moratorium on the issuance of short-term rental licenses. 2018 Ordinance states: * STRs and homestays shall be permitted only at single-family properties that are the primary residence of the property owner. For purposes of short-term rental or homestay licensing, a property owner shall only have one primary residence at any time. Legally permitted accessory dwelling units occupied by the property owner may be deemed to be the property owner's primary residence. The property owner shall be required to provide proof of primary residence on a yearly basis. The property owner (s) shall be required to be individual owner(s) or trustee(s), and not a corporation, limited liability company, partnership, or other business or commercial entity. * The number of visitors to an STR or homestay shall not exceed a number equal to the allowable occupancy of the STR or homestay at any time. For example, if the maximum overnight occupancy is six, then no more than six additional visitors are allowed. * Maximum of 182 nights per year. <a href="https://pismo-beach.org/881/Short-Term-Rental-Permit">https://pismo-beach.org/881/Short-Term-Rental-Permit</a>
Hermosa Beach	2022	It shall be unlawful for any person to offer or make available for rent or to rent (by way of a rental agreement, lease, license or any other means, whether oral or written) for compensation or consideration a residential dwelling, a dwelling unit or a room in a dwelling for less than 30 consecutive days and for any person to occupy a residential dwelling, a dwelling unit or a room in a dwelling for less than 30 consecutive days pursuant to a rental agreement, lease, license or any other means, whether oral or written, for compensation or consideration <b>except for short-term vacation rentals in nonconforming residential dwelling units in certain commercial zones in compliance with the following requirements.</b> <a href="https://www.hermosabeach.gov/our-government/city-departments/community-development/short-term-vacation-rentals">https://www.hermosabeach.gov/our-government/city-departments/community-development/short-term-vacation-rentals</a>
Monterey County, Coastal Zone	2022	In the coastal areas of the County, short term rentals may be allowed by obtaining a coastal development permit under the category of similar use. These permits cost approximately <b>\$12,000</b> . <a href="https://www.co.monterey.ca.us/government/departments-a-h/housing-community-development/permit-center/short-term-rentals">https://www.co.monterey.ca.us/government/departments-a-h/housing-community-development/permit-center/short-term-rentals</a>
Cambria, Cayucos, Avila Beach & Los Osos, San Luis Obispo County	2022	Each community within the County has a specific limitation based on density and/or numeric cap: * Cambria, Cayucos, and Avila Beach limited by density. * Los Osos, "The number of residential vacation rentals established and active (valid and unexpired business license) shall not exceed <b>55</b> ". <a href="https://www.sanluisobispo.gov/2308165-residential-vacation-rentals">San Luis Obispo Municipal Code, Section 23.08.165 - Residential Vacation Rentals.</a> Based on an LOCP FEIR estimating 6,321 existing dwelling units in Los Osos, this is a limit of <b>.87% of the housing stock in Los Osos in STRs.</b> <a href="https://www.sanluisobispo.gov/2308165-residential-vacation-rentals">Los Osos Community Plan Final Environmental Impact Report ADVISORY MEMORANDUM #1</a>

Huntington Beach	2021	<p>City is divided into two zones: Zone 1 – properties within the City, excluding Sunset Beach; Zone 2 – properties within Sunset Beach</p> <p>Hosted/owner-occupied STRs are allowed in Huntington Beach (Zone 1) and Sunset Beach (Zone 2)</p> <p>Un-hosted/owner un-occupied STRs are allowed in Sunset Beach (Zone 2) who obtain a permit by March 1, 2022</p> <p>A valid, non-transferrable annual City of Huntington Beach Short-Term Rental Permit is required to operate a STR</p> <p>One STR per property (SFR, duplex, triplex, rental properties of any size)</p> <p>Up to 3 STRs per property (on ownership properties with 4 or more units, i.e. condominiums and townhomes if allowed by CC&amp;Rs)</p> <p>Enforcement:</p> <p>Local Contact Person to respond to complaints within one hour after the complaint is received</p> <p>\$1,000 fine each day for each violation of any provision</p> <p>3 violations against a STR Host/Operator within a 12-month period shall result in revocation of STR Permit</p> <p><a href="https://www.huntingtonbeachca.gov/government/departments/planning/short-term-rentals-in-hb.cfm">https://www.huntingtonbeachca.gov/government/departments/planning/short-term-rentals-in-hb.cfm</a></p>
Morro Bay	2020	<p>The maximum allowable number of full-home short-term vacation rentals in residential zones is one hundred seventy-five (175), subject to Nonconforming short-term vacation rentals (lawful rentals predating the ordinance).</p> <p><a href="https://library.municode.com/ca/morro_bay/codes/code_of_ordinances?nodeId=TIT17ZO_CH17.41SHRMVARE">https://library.municode.com/ca/morro_bay/codes/code_of_ordinances?nodeId=TIT17ZO_CH17.41SHRMVARE</a></p> <p>According to a pro-STR advocacy group, "4% of all the housing units in Morro Bay hold STR business licenses and only 2.5% of all housing units have an active vacation rental"</p> <p><a href="https://www.sharemorrobay.com/thefacts">https://www.sharemorrobay.com/thefacts</a></p>
Laguna Beach	2020	<p>Short Term Lodging (STL) only allowed within certain commercially zoned districts (map of these districts illustrates that STLs are <b>not</b> permitted along much of the coast).</p> <p>"To protect the long-term rental housing stock, no more than 20% of the total number of allowable rental units located in the permitted zoning districts may be converted to short-term lodgings"</p> <p>Existing permitted STL units in the residential districts are legal nonconforming and may continue to operate.</p> <p><a href="https://www.lagunabeachcity.net/government/departments/community-development/planning-zoning/current-projects/short-term-lodging">https://www.lagunabeachcity.net/government/departments/community-development/planning-zoning/current-projects/short-term-lodging</a></p>
Santa Cruz	2018	<p>HOSTED A total of 250 owner-occupied/hosted STR permits are available on a first come, first served basis.</p> <p>NON-HOSTED is defined as an STR where the owner does not live in the home or lives in the home for less than 6 months per year. The City will not be issuing new Non-Hosted STR permits. However, there are several existing, legally permitted and operating Non-Hosted STRs that will be allowed to continue under the ordinance.</p> <p><a href="https://www.cityofsantacruz.com/government/city-departments/planning-and-community-development/short-term-rentals">https://www.cityofsantacruz.com/government/city-departments/planning-and-community-development/short-term-rentals</a></p>
Mendocino Town	2017	<p>Mendocino "capped the total number of lodging units in the town, and the CCC found that these caps were justified by proportionally high number of visitor serving units relative to residential units in the town and the variety of accommodations (e.g., campgrounds, low-cost hotels and motels) available in the surrounding area.</p> <p>This LCP amendment also built on many years of effort to balance the town's various unique attributes, including a severely restricted water supply, with its desirability as a vacation destination." (<a href="#">Coastal Commission Staff analysis in Santa Cruz LCP Update at page 3</a>).</p>
San Mateo County, Unincorporated Coastal Zone	2017	<p>Limited to 180 days per year</p> <p><a href="https://www.smcgov.org/planning/short-term-rental-ordinance-coastal-zone">https://www.smcgov.org/planning/short-term-rental-ordinance-coastal-zone</a></p>
San Francisco	2015	<p>Permanent Resident occupies the Residential Unit for no less than 275 days out of the calendar year in which the Residential Unit is rented as a Short-Term Residential Rental. To maintain your Permanent Residency, Residential Unit can only be rented 90 un-hosted nights within a calendar year.</p> <p><a href="https://sfplanning.org/str/faqs-short-term-rentals">https://sfplanning.org/str/faqs-short-term-rentals</a></p>
<b>Bans on Short Term Rentals in the Coastal Zone</b>		
Santa Monica	Originally adopted 2015, amended 2017, 2019.	<p>Defines two types of Short-Term Rentals:</p> <ul style="list-style-type: none"> <li>*"Home-Sharing" – The law authorizes home-sharing, which is the rental of 30 consecutive days or less of one or more bedrooms in the home that is the primary residence of the host while the host lives on-site in the home throughout the visitor's stay.</li> <li>*""Vacation Rental" – The law continues the City's <b>longstanding prohibition</b> against Vacation Rentals. A vacation rental is the rental of 30 consecutive days or less of a home, in whole or in part, for exclusive transient use. The visitor enjoys the exclusive private use of the unit.</li> </ul> <p><a href="https://www.smgov.net/Departments/PCD/Permits/Short-Term-Rental-Home-Share-Ordinance/#2_Does">https://www.smgov.net/Departments/PCD/Permits/Short-Term-Rental-Home-Share-Ordinance/#2_Does</a></p>
Rancho Palos Verdes	2016	<p>STRs, "are prohibited within the City's residential zoning districts. Violations of the short-term rental prohibition in the City's residential zoning districts maybe subject to fines of \$2,500 for first citation, \$5,000 for the second citation and \$7,500 for the third citation."</p> <p><a href="#">Rancho Palos Verdes, Short Term Rentals</a></p>
Carmel-by-the-Sea	1989	<p><a href="https://ci.carmel.ca.us/post/short-term-rentals">https://ci.carmel.ca.us/post/short-term-rentals</a></p>



## MEMORANDUM

**TO:** Marin County Planning Commission  
**FROM:** Kathleen Kilgariff, Planner  
**DATE:** November 7, 2023  
**RE:** Supplemental Memo for the November 13<sup>th</sup> Short Term Rental (STR) Ordinance Meeting

This memorandum provides additional information and responds to questions raised during the October 23, 2023 Planning Commission hearing, paraphrased in **bold**.

Written comments received during and after the Planning Commission hearing are attached.

### **Provide additional information regarding the number of both Hosted and Unhosted STRs.**

The County does not have sufficient data on the number of hosted verses unhosted STRs to provide a reliable estimate of each, and there is no way to collect such information without amending the code. The Department of Finance (DOF) currently collects most of the County's STR information, which includes self-reported information related to the type of STR owners offer using the following categories: house, residence, cottage, room, or blank. None of these categories clearly indicate whether they are hosted or unhosted and the information submitted is not validated. Of the 621 STRs in West Marin, only 20 STR owners have indicated that they rent a room and 104 of the license holders did not provide a response to what type of unit they rent. Online sites (like Airbnb) show few options for a room rental and most of those that are available are outside of West Marin. This is reaffirmed in a letter from the West Marin Access Coalition dated October 11, 2023, which states, "A recent review of Airbnb listings showed only 9 listings in all of unincorporated Marin County that might qualify as "hosted" listings under the Draft Regulations."

The Planning Commission received public comments that claim there are currently 108 Hosted STRs. This number is derived from the Primary Home Exemption data that was shared with the Planning Commission at the June 12, 2023 workshop to show that there are currently 108 STRs in West Marin registered as a property that receives the Primary Home Tax Exemption. This data was not presented to demonstrate that they are all used as Hosted STRs, and does not represent a true picture of the number of Unhosted STRs in West Marin because the tax exemption is claimed for a variety of reasons unrelated to STRs. There is no reliable data currently available regarding the number of Hosted verses Unhosted STRs in West Marin, but the proposed ordinance would require this information to be submitted with an application.

### **Provide Additional Information about the number of STR Complaints.**

From September 2018 to September 2023, the Host Compliance Hotline has received approximately 318 complaints. Many of those related to excessive noise, garbage, or vehicles parked in the neighborhood.

**Provide additional information regarding the impact of the new regulations on legal pre-existing short term rentals.**

While there is no bright line legal test regarding the continued operation of STRs that do not meet the standards in the ordinance, the proposed short term rental regulations have been modified to include several “grandparent clauses” allowing existing legal STRs that do not meet all the proposed requirements to continue to operate. Licenses can also be issued with conditions requiring that STRs satisfy health and safety standards, if necessary.

**Additional Information**

- Supervisor Rodoni met with residents from Muir Woods Park on Monday, October 30, 2023, and some residents expressed an interest in setting an STR cap for that neighborhood. There are currently 19 registered STRs in the neighborhood out of 310 residentially developed parcels. Said differently, 6% of the neighborhood’s developed parcels are currently registered to host STRs.
- The following definition should be modified in the Ordinance text to clarify that a STR is a rental of 30 days or less, not just less than 30 days:

Short Term Rental. A rental of a residential unit, or a portion of a residential unit, for a time period less than 30 days. Short term rentals are a residential use of property. Rental of commercial lodging including a hotel, motel, agricultural homestay, bed and breakfast inn, or campground, is not considered a short term rental.

Long Term Tenant: A property lessee who occupies a unit as a primary residence for a period for 30 days or more.

**Attachment:**

1. Written Comments Received During and Subsequent to the PC hearing of October 23, 2023

**DRAFT SHORT TERM RENTAL STANDARDS  
SEPTEMBER 2023**

\*\*\*\*\*

**5.41 SHORT TERM RENTAL LICENSE REQUIREMENTS**

**5.41.010 Purpose of Chapter.**

This Chapter establishes standards that regulate short term rentals. This Chapter is enacted to ~~ensure that reduce the negative impacts of~~ short term rental activity, ~~assure does not adversely impact~~ the health and safety of residents and visitors, ~~and that such activity is conducted in a manner that~~ preserves existing housing and communities while balancing the protection of private property rights, ~~provide economic opportunities for Marin County residents and provide visitor serving accommodations for coastal tourists.~~

This Chapter is administered by the Marin County Community Development Agency.

Definitions should be moved up here.

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**5.41.020 Applicability.**

This Chapter shall apply to short term rentals in unincorporated Marin County, except as exempt per Section 5.41.030.

Add section re compliance here or somewhere. This is language from old ordinance. Marin county could do itself without vendor also.

Marin County shall maintain and manage a contract with a vendor to provide a Short Term Rental complaint hotline. Hotline staff will accept complaints about Short Term Rentals received by calls and emails and notify the Local Contact Person or property owner about the complaints.

### 5.41.030 Exemption.

This Chapter does not apply to any commercial lodging use including a hotel, motel, bed and breakfast inn, agricultural stay or campground.

### 5.41.040 Short Term Rental Licenses.

**A. License Required.** Advertising or operating a short term rental without a valid and current short term rental license issued pursuant to the requirements of this Chapter is prohibited. A license allows the operation of a single short term rental. Short term rental licenses are not transferable. Once a license expires or is revoked or suspended, the short term rental operation must immediately cease.

**B. License For Property Owner.** The short term rental licensee must own the property where the short term rental is located. Only one license shall be issued per short term rental property owner. However, operators/hosts who have multiple STRs in good standing on 1/1/24 shall be allowed to keep up to three STR units as long as they otherwise qualify under this chapter.

#### License for Long-term Leaseholder:

A long term leaseholder may obtain a STR license if they are a full-time resident at the property where the STR is located, and they have permission from the Owner to use the property as an STR.

**C. License Term.** A short term rental license is valid for four years, expiring es four two years after the date of issuance. It is the license holder's responsibility to renew their license prior to expiration. unless the license is renewed by the licensee for an additional two-year term. The term of the A license expires immediately and automatically upon any change of ownership of the property except at the discretion of the Agency Director in case of death of one or more owners.

**D. Administrative Procedures.** Administrative procedures for short term rental licenses shall be ~~prepared and~~ made publicly



available by the Agency Director. Applications for new STR licenses shall not be accepted or required until the Agency Director has made all administrative procedures ~~These public. These~~ administrative procedures shall are set forth the process to apply for, obtain, maintain, monitor, and renew short term rental licenses. The administrative procedures shall set forth a ministerial licensing process based on objective criteria and shall be updated periodically by the Agency Director. The administrative procedures shall be consistent with the license framework set forth in the sections below (section #s).

**1. Application Process.** An application for a short term rental license shall be submitted by the property owner or their agent (written property owner authorization and contact information is required for an agent to file the application) to the Community Development Agency. A long term leaseholder may also apply by must include written property owner authorization and contact information.

~~No license application shall be accepted until the Agency Director has prepared and made publicly available the administrative procedures.~~

In townships where there is an STR cap, per section xxx below, limiting the number of unhosted short term rentals, only license applications applicants holding STR licenses in good standing for legal unhosted short term rentals in existence on January 1, 2024 will be accepted before July 1, 2025. Applications for properties where there is no legal unhosted short term rental in existence on January 1, 2024, will be placed on a wait list until all existing short term rentals have had the opportunity to apply for a license.

**2. License Suspensions and Revocations.** Short term rental licenses may be temporarily suspended or permanently revoked if the licensee fails to meet the standards set forth in this Chapter or the requirements of the license. Suspension or revocation pursuant to this subsection will be imposed

according to the process described in section XX below (which includes an the administrative procedures, appeals process and sets forth an opportunity to cure).

**3. License Wait Lists.** The Community Development Agency will maintain short term rental license wait lists for townships where the number of unhosted short term rental license applicants exceeds the number of available licenses. Licenses for qualifying properties on the wait list shall be issued on a first come first serve basis. (however, for the first round of new applications, the Agency Director may use a lottery system to provide more equitable access).

**4. Application Materials.** No short term rental license shall be issued unless the application has first been deemed complete. The ~~administrative procedures shall specify all the information necessary for a complete application shall include, including, but not necessarily limited to, the following:~~

i. The name(s) and contact information for all property owners. If the property owner(s) applying for the license own/s less than a 100% fee interest in the property, then such property owner(s) must provide proof that all persons and/or entities with an interest in the property consent to such application and license. If the host is different from the property owner, ~~their~~ property owner's contact information must be listed as well as a letter from the property owner acknowledging that the property may be used at an STR. .- All adults for whom the property provides a permanent residence shall be listed.

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~~ii.~~ ii. The name of the local contact person for unhosted short term rentals, if different from the property owner, and an email and telephone number at which that party may be reached.

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iii. Address and Assessor's parcel number for the property where the short term rental is located.

iv. ~~Rental unit type (i.e., hosted or unhosted short term rental).~~ Type of STR (i.e., hosted or unhosted)

- v. STR nNumber of bedrooms and bathrooms.
- vi. Where applicable, Total number and dimensions of onsite parking spaces.
- vii. License Applicant Created Site Plan or Sketch showing:
  - ~~a. Location of all existing buildings and location and dimensions of on-site parking.~~
  - b. Floor plan showing all rooms to be used as STR with each room labeled as to room type, and location of fire extinguishers, smoke and carbon monoxide alarms.
  - c. Location of waste containers.
  - ~~d. If the rental property is served by a private water supply (well or spring) and/or a private sewage disposal system, the location of any existing or proposed septic system, including dimensions and sizes of the septic tank, disposal fields, and reserve area, and wells and water systems on the subject property.~~
- viii. If the rental property is served by a private water supply (well or spring), provide proof of a water supply permit with the County's Environmental Health Services Division or other regulatory authority and potability with a current bacteriological test.
- ix. If the rental property is served by a private sewage disposal system, ~~provide proof that the system is documented with the County of Marin Environmental Health Services Division and~~ provide an inspection report from the last year confirming ~~for~~ proper operation by an approved licensed professional. (is this necessary every 4 years?)
- ~~x. Bills from a hauler as proof of a minimum level of service with an authorized waste collector that is sufficient to~~

~~handle the volume of garbage, recyclable materials and organic materials generated or accumulated.~~

- xi. Proof of a working landline phone, Voice Over Internet Protocol, or National Oceanic and Atmospheric Administration (NOAA) radio. ~~(This seems unnecessary— ATT will not put in new land lines. VOIP will not work when the power goes out as is the case in most emergencies and renters will have cell phones that may or may not work)~~
- xii. ~~Documentation of a vehicular evacuation route from the short term rental property to an area of safety in case of an emergency, including proof that the evacuation route is posted near the door of the short term rental. This needs to be provided by the county in the brochure~~
- xiii. All short term rental applicants shall ~~provide a self-certified building safety inspection upon permit application or renewal. attest to compliance with all building and safety requirements including fire safety and defensible space.~~
- xiv. ~~All short term rental applicants shall provide a self-certified fire life safety inspection upon permit application or renewal.~~
- xv. ~~— All short term rental applicants shall provide a self-certified defensible space inspection, conducted within the preceding twelve months, upon permit application or renewal.~~
- xvi. All short term rental applicants with properties served by a local water provider must provide water use bills or some other documentation from the water provider if volume based bills are not available. If the water use documentation demonstrates short term rental water use exceeding an average of 250 gallons per day, or a lower limit established by the local water provider, the short term

rental license renewal application shall include strategies to reduce water use to below an average of 250 gallons per day during the next year. If water use is not reduced as required, the license shall not be renewed. This may be appealed pursuant to section # below.

- 5. Public Notification.** Within five days after issuance of a short term rental license, the Community Development Agency will provide written notification to all properties within a radius of three hundred feet of the property with the short term rental.

The notice shall indicate that the subject property will be the location of a short term rental and provide the name of the local contact person or host, the phone number and email address for the local contact person or host, and the street address of the short term rental.

- 6. Tenant notification of County Rules.** The owner or operator of the short term rental shall ~~post a County-prepared information sheet inside the unit and~~ provide the tenants with a "~~good neighbor~~ Good Neighbor and Safety" ~~brochure,~~ developed Brochure, "prepared by the County, at the time of their arrival. The Brochure will include all the relevant Marin County statutes, e.g., noise and trash as well as emergency service numbers (like Nixle, fire, police, highway patrol) and emergency evacuation routes and directions.

- 7. Exterior Signage.** Each short term rental shall be identified with a single exterior sign that includes the name of the local contact person, the phone number and email address for the local contact person, and the street address of the short term rental. At a minimum, the sign shall be posted while the unit is being used as a short term rental. The sign shall be made of durable materials and securely placed in the front of the property or unit (where there are multiple units on the property), at a height of three to five feet as measured from the top of the sign to grade, in such a way that it is readily visible to the public upon inspection. (this does not mean from the

street or a street sign)

**8. Requirements for Advertisements.** All permitted short term rentals shall include the following information in any online or printed advertisement:

- i. Valid Marin County short term rental license number. (If the advertising platform allows such information)
- ii. All permitted parking locations and the quantity of vehicles that fit on said locations.
- iii. Further information where applicable as specified in the administrative procedures, such as water use restrictions.

**E. License for Hosted Short Term Rental.** The host of a hosted short term rental can be ~~either~~ the property owner or a long term tenant of the property. The property must be the primary residence of the host. ~~\_. To prove that the hosted short term rental is the primary residence of the host, the host must provide at least three of the following five types of documents at the time of initial application and renewal application: motor vehicle registration; driver's license; voter registration; a utility bill sent to the subject property; to prove primary residency, the host must provide~~ To prove primary tax residency, the host must provide documents showing the property as the property owner's primary residence for the purposes of a homeowner's tax exemption.; or a lease showing indicating that a the host ~~other than the property owner~~ is renting a unit on the property on a long term basis.

**F. License for Unhosted Short Term Rental.** A license for a unhosted short term rental shall be issued with no requirement for an onsite host, but a local contact person meeting the requirements specified in the administrative procedures shall be identified. (this is repetitive could tighten up the ordinance and delete this)

**G. License Issuance.** A Short Term Rental license will be

issued on a ministerial basis by the Community Development Agency based on a review of whether the Short Term Rental would satisfy all the applicable requirements. Licenses can be issued with conditions ensuring compliance with the applicable requirements.

#### H. License Term and Renewal.

1. A short term rental license issued under this Chapter shall expire immediately and automatically ~~two years~~ 4 years from the date of license issuance, unless revoked earlier. The license authorizes the property owner to conduct only such services as is described in this Chapter and in accordance with the terms and conditions of the license.
2. A short term rental license renewal application for an existing short term rental license must be submitted at least ~~sixty~~ thirty days prior to the expiration date of the license. Upon timely submittal of a renewal application, the license will remain effective until such time the license renewal application is approved or denied.
3. Failure to submit a timely application for a renewal of an existing short term rental license shall result in that license not being renewed (this should be appealable and include an opportunity to cure any deficiencies as detailed in the to be written administrative procedures below-section#-). In locations where there is a cap on the number of unhosted short term rentals, an unrenewed license ~~will~~ may not be reinstated to the ~~property owner~~ operator unless there are available licenses within the cap. An ~~property owner~~ operator who fails to renew a license may join the wait list for the next available license under the cap.
4. ~~Once~~ If a license expires, a new application and license is required to operate the short term rental. Renewals can only be issued for an existing license, and in compliance with this section. Conversion from a hosted to an unhosted short term rental shall require a new application and license. The

administrative procedures issued by the Community Development Agency pursuant to this chapter may describe modifications to short term rental operations that are eligible for consideration within a license renewal.

5. A short term rental license renewal application ~~shall~~ may be denied if there have been more than two verified substantial violations of this Chapter or of the administrative procedures related to the short term rental during the previous ~~two-year~~ license period. Substantial violations are violations for which a complaint has been received and a code enforcement case ~~opened with an~~ investigation verifying the existence of the violation. Denial may be appealed, and the opportunity to cure the violation provided, pursuant to the administrative procedures below (section #)

#### **I. License Fee.**

- i. Each short term rental license or renewal application shall be accompanied by the applicable short term rental license fee.
- ii. The fee schedule shall be established by resolution of the Board of Supervisors following a public hearing. Said fee schedule may be adjusted by resolution of the Board following a public hearing. Permits and fees required are non-refundable and are in addition to any license, permit, certificate or fee required by any other chapter of the Marin County Code or other applicable law including business licenses and TOT registration.

#### **5.41.050 Short Term Rental Property Standards**

- A. Undeveloped Properties.** A property where there is no existing legal residential unit is not eligible for a short term rental license.
- B. Restricted Structures.** A short term rental is not allowed in any of the following:



1. A structure subject to a recorded governmental restriction, including covenants or agreements for an affordable housing unit, agricultural employee unit, farmworker housing.

**[NB I am suggesting deleting the sections below as STRs need to comply with all applicable county codes and it seems these references are redundant to other requirements in the code]**

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- ~~2. An accessory dwelling unit or junior accessory dwelling unit. (Redundant)~~
- ~~3. A multi-family dwelling or condominium unit. STET~~
4. Non-residential areas within buildings, such as storage areas, and living/sleeping quarters added in garages.
5. Recreation vehicles (RVs), including non-motorized travel trailers.
6. Other structures without permanent foundations, including but not limited to tipis/teepees, yurts, tents, and treehouses.

- C. One Short Term Rental Per Property.** Only one short term rental is allowed per property. ~~If a property contains both a main dwelling and an accessory dwelling unit, only the main dwelling unit may be rented on a short-term basis. Unless the property had multiple units licensed on January 1, 2024.~~

**[NB All of the below is entailed in the Marin County code and we have said that STRs must comply with the code.]**

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- ~~**D. Short Term Rental Parking Requirements.** Parking spaces must be provided for properties with short term rentals as follows:~~

~~1. Two onsite parking spaces must be provided while the property is in use as a short term rental, with at least one of the parking spaces reserved for guests of a hosted short term rental and two reserved for guests of an unhosted short term rental.~~

~~2. Parking for short term rentals shall comply with Marin County Code Section 24.04.380 (Dimensional Standards), as verified by the Department of Public Works.~~

~~E. **Noise.** The property owner is responsible for ensuring any and all guests of a short term rental comply with the standards of Section 6.70.030 (Loud and Unnecessary Noises).~~

~~F. **Solid Waste.**~~

~~1. With the exception of waste properly deposited in and fully contained within collection containers with secure lids, accumulation of solid waste outside of the short term rental at any time is prohibited. No collection container other than those consistent with Chapter 7.00 (Solid Waste, Collection, Diversion and Disposal) shall be placed or kept in or on any public street, sidewalk, footpath, or any public place whatsoever, but shall be maintained on the property, except as may be provided for removing and emptying by the authorized collector on the day and in the location designated for collection.~~

~~2. The property owner is responsible for ensuring that short term renters comply with Chapter 7.00 (Solid Waste Collection, Diversion, and Disposal).~~

~~3. A minimum service level per short term rental per week must be maintained for unhosted short term rentals. If the Agency Director determines the minimum service level is insufficient to accommodate all waste (including garbage, recyclable materials, and organic materials) generated by the short term rental, the property owner shall arrange for a higher level of service which will accommodate all waste~~

~~generated by the short term rental.~~

~~**G. Municipal Services.** The short term rental property shall have adequate water and sewer connections and shall be served by local utility agencies for water and sewer service wherever such utilities are provided.~~

~~1. In the event that the short term rental is served by a private water supply (well or spring), the property owner will need to possess a domestic water supply permit from the Marin Community Development Agency Environmental Health Services Division or other appropriate public agency and prove potability with a current bacteriological test.~~

~~2. In the event that the short term rental is served by a private sewage disposal system, then that system must be documented as legal with the Community Development Agency Environmental Health Services Division or other appropriate public agency, shall be inspected for proper operation by an approved licensed professional, and shall be sized appropriately for the short term rental and any other combined use.~~

**Insert old section 5.41.070:**

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The owner of the short term rental shall post a copy of the "house rules" inside the unit or provide the tenants with a "good neighbor" brochure at the time of their arrival. The house rules or brochure shall include site specific instructions on how to comply with the following county regulations:

(a)

**Loud and unnecessary noises (Marin County Code 6.70.030).**

Between 11:00 p.m. and 7:00 a.m.:

- No operation of any noise generating instrument (e.g., television, radio, loudspeaker, musical instrument) that generates noise audible fifty yards from the building.
- No yelling, shouting, whistling, or singing on public roads.

(b)

Parking (Marin County Code Section 24.04.340).

- Typically, two off-street parking spaces shall be provided for each residence. However, where on street parking is limited, four off-street parking spaces are required.

(c)

Add variance for places where there is not off-site parking like Marshall.

Emergency access (California Fire Code 503.4 referenced).

- Parking shall not obstruct roadways less than twenty feet wide.

(d)

Garbage (Marin County Code 7.00.020).

- Garbage placed outside shall be

## H. Emergency- Safety Preparedness.

### 1. STRs are subject to all county and safety codes. STR operators must provide the Good Neighbor and Safety Brochure written and provided by the county.

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- ~~1. **Visible Address.** Each short term rental shall have an address identification. The address identification must be maintained and shall be legible, measuring no less than 4 inches in height with a 3/8 inch stroke, and placed in a position that is visible from the street or road fronting the property. Whenever the address on the short term rental will not be clearly visible from the street or access road fronting the property, the address shall also be placed at the public street or access road in a manner which is clearly visible~~

~~from both directions of travel on the frontage road or street.~~

- ~~2. **Smoke Alarms.** Smoke alarms, in good working order, shall be installed in accordance with the California Building Code and at a minimum shall be installed in each bedroom, and at least one alarm on every level of the short term rental, including basements and habitable attics.~~
- ~~3. **Carbon Monoxide Alarms.** Carbon monoxide alarms, in good working order, shall be installed in accordance with the California Building Code and at a minimum shall be installed outside each bedroom, on every level of the rental unit, including basements and habitable attics, and bedrooms or attached bathrooms with a fuel burning appliance, and shall be installed in accordance with the manufacturer's installation instructions.~~
- ~~4. **Fire Extinguisher.** Each short term rental shall be equipped with one five-pound fire extinguisher, type 3-A:40-B:C, installed at a readily available location near the kitchen. If the short term rental has more than one level, an extinguisher must be mounted within each level. Fire extinguishers shall be inspected annually by a certified professional to ensure the extinguishers are in good working order.~~
- ~~5. **Emergency Communications.** Each short term rental shall contain at least one working landline phone, Voice Over Internet Protocol (VOIP), or a National Oceanic and Atmospheric Administration (NOAA) radio as a means of receiving emergency communications. Locations with a working landline and/or VOIP should have the direct phone number and address listed near the device. If NOAA radios are employed, a set of direction for use of the radio shall be accessible.~~
- ~~6. **Evacuation Routes.** The short term rental owner or operator must provide vehicular evacuation route maps, provided by Fire Safe Marin or the County of Marin, for the~~

~~rental area. Evacuation routes must be posted near the front door, with a QR code or link to the County's online evacuation map, of the short term rental. Further, a vehicular evacuation routes map must be provided as a handout so guests can take the map with them in the case of an emergency.~~

- I. Construction Requiring a Building Permit.** Short term rentals shall not be rented while the rental building ~~they are in~~ is undergoing any form of construction that requires a building permit.
- J. Code Enforcement Cases.** Short term rentals shall not be rented while a verified code enforcement case on the property is ~~open on the property pending~~.
- K. Special Events.** Weddings, corporate events, commercial functions, and any other similar events shall not be held on a property with a short term rental license.
- L. Unhosted STR Local Contact Person Responsibilities.** A short term rental licensee must identify a local contact person for every unhosted short term rental. The local contact person shall respond to any complaint received regarding the conduct of the short term rental guests or the condition or operation of the short term rental and take any necessary remedial action to resolve violations of Marin County Code requirements in a timely manner. The short term rental licensee is responsible for the local contact person's compliance with all provisions of this Chapter.
- M. Host-Hosted STR Licensee Responsibilities.** A short term rental licensee must identify a host for every hosted short term rental ~~that is not an unhosted short term rental~~. A host shall be on the premises between the hours of ~~10 PM~~ midnight and 5 AM every night when the short term rental is rented. The host shall respond to any complaint received regarding the conduct of the short term rental guests or the condition or operation of the short term rental and take any necessary

remedial action to resolve violations of Marin County Code requirements in a timely manner. The short term rental licensee is responsible for the host’s compliance with all provisions of this Chapter.

**5.41.060 Caps on the Number of Unhosted Short Term Rental Licenses**

The number of short term rental licenses for unhosted short term rentals shall be capped at the limits indicated below. Limits are based on the geographic areas in Marin County’s unincorporated jurisdiction shown on that certain map entitled “Townships of the County of Marin” kept on file by the Marin County Community Development Agency.

**Table 1 – Short Term Rental Caps**

<b>Township</b>	<b>Initial Number of Unhosted Short Term Rentals</b>	<b>Ultimate Number of Unhosted Short Term Rentals</b>
Bolinas	63	54
Dillon Beach	125	110
Forest Knolls	8	8
Inverness	93	86
Lagunitas	6	4
Marshall	28	27
Muir Beach	20	19
Nicasio	11	8

<b>Township</b>	<b>Initial Number of Unhosted Short Term Rentals</b>	<b>Ultimate Number of Unhosted Short Term Rentals</b>
Olema	3	3
Petaluma	6	6
Point Reyes Station	32	26
San Geronimo	10	7
Stinson beach	192	174
Tomales	12	11
Woodacre	12	8

The “Initial Number of Unhosted Short Term Rentals” referenced above in Table 1 establishes the number of licenses available for issuance for the valid applications submitted before July 1, 2025 (first round licenses).

First round licenses may be renewed. However, subsequent to these first round licenses being issued, the number of new licenses being issued shall decrease to the “Ultimate Number of Unhosted Short Term Rentals” established in Table 1. The cap on the ultimate number of short term rental licenses in each township shall be eventually achieved as license applications or renewals decline over time. However, valid unhosted STR licenses may be renewed indefinitely by the current operator/host.



### **5.41.070 Violations.**

Any violation of the provisions in this Chapter shall be enforced through any legal remedies available to correct and/or abate a nuisance or violation of the Marin County Code, as provided in Marin County Code Chapters 1.05 (Nuisance Abatement), 1.06 (Recordation of Notice of Violation), and 1.07 (Imposition of Administrative Fines for Ordinance Violations) as they pertain to violations related to real property.

Short term rental licenses may be suspended or revoked if the licensee fails to meet the standards set forth in this Chapter and/or the requirements of the license. Short term rental licenses shall not be renewed if there have been more than two verified violations of the standards or administrative procedures during the previous two-year licensing period. Licensee may appeal suspension/revocation pursuant to the process below (section #)

### **5.41.080 Definitions these should be moved to the beginning of the ordinance and reordered and explained for greater clarity.**

Terms used in this Chapter are defined below, or when undefined below are subject to the definitions in Marin County Code Titles 20 and 22.

Agency Director: The Marin County Community Development Agency Director or their designee.

Township: Regional areas around and including villages or other communities in Main County's unincorporated jurisdiction shown on that map entitled "Townships of the County of Marin" kept on file by the Marin County Community Development Agency and made available online.

Change of ownership: A change in ownership of the property as defined in California Revenue and Taxation Code section 60 et seq., or its successor. This means death of a spouse could revoke license—need to change this.

Guest or Guests: The individual(s) occupying the short term rental for the purpose of overnight lodging, including any individual(s) invited to a short term rental by those occupying the unit for the purpose of overnight lodging.

Host/Operator: A host/operator is a person identified by a short term rental licensee to reside at the property at which a short term rental is located. This is confusing—host can also refer to the agent of a host and unhosted STRs also have hosts—need definitions of all—host of hosted rental, host of unhosted, agent of host, operator, licensee. And sometimes property owner has been used in place of host)

Hosted Short Term Rental: A short term rental that is the primary residence of a host, or that is located on the same property as the short term rental to which the host's role relates.

Unhosted STR

Unhosted rental cap

Local Contact Person: The person or business designated by the short term rental owner to receive and respond to communications regarding an unhosted short term rental.

Long Term Tenant: A property lessee who occupies a unit as a primary residence for a period exceeding 30 days. (For the purposes of this chapter should s longer term be defined?)

Natural Person: A human being as distinguished from a person (as a corporation) created by operation of law. (need to provide for LLCs when used for estate planning purposes).

Primary Residence: The dwelling in which a person lives for at at more than least six months each year. A person must demonstrate a property is their primary residence by claiming a homeowner's exemption on the property for the purpose of property tax assessment, or by providing document sufficient to establish, as determined by the Agency Director, the required residency, such as motor vehicle registration, driver's license, voter registration, a utility bill, and lease.

| (Note: PO Boxes do not prove long term residency.)

Property owner: The owner(s) of record of the real property on which the short term rental is operated, and to the extent any such owner is a legal entity, any and all natural persons with an interest in such legal entity.

Short Term Rental (STR): A rental of a residential unit, or a portion of a residential unit, for a time period of less than 30 consecutive nights. Short term rentals are a residential use of property.

Unhosted Short Term Rental: Short-term rental occupancy of a residential unit on a property that does not provide a primary residence for the property owner or a long term tenant.

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Marin STR Draft Fails to Mention Supporting STRs with Accessible Accommodations  
**Date:** Tuesday, October 31, 2023 3:33:28 PM

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Linda Caplinger with email address [caplinger@gmail.com](mailto:caplinger@gmail.com) would like information about: How is the County of Marin ensuring that the coastline is truly accessible? I see nothing in your draft that helps support STRs that are accessible. And, very few STRs are set up for the accessibility-challenged.

WRT to FAQ

Transient Occupancy Taxes are 4% higher in West Marin. Where does this money go? The 4% extra TOT funds are split evenly between fire/emergency services and long term community housing. An oversight committee reviews the expenditure funds to ensure that the revenue is allocated for these purposes.

As Muir Beach has their own volunteer fire department, how much of this 4% reaches them? If none, then why is this paid by MB renters?

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Granicus Host Compliance is largely backed by hotel & hospitality industry  
**Date:** Tuesday, October 31, 2023 3:58:32 PM

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Linda Caplinger with email address [caplinger@gmail.com](mailto:caplinger@gmail.com) would like information about: Much of the STR debate is fueled by the hotel and hospitality industry as they lose \$\$ to STRs.

Some financial backers of Granicus (developer of HostCompliance.com) are also heavily invested in the hospitality industry:

Mosaic Real Estate Investors: Committed \$42.75 million

Hyatt: Committed \$2.2 million

Interstate Hotels: Committed \$0.75 million

Clarion Lion Properties Fund: One of the largest institutional owners of hotel assets in the U.S.

Rockbridge: Has made more than 295 real estate and hospitality investments in 39 states

Google "Who are Mosaic Real Estate Investors" and see who they serve.

Know who you are doing business with and what their true interest is in fueling the anti-STR fires. They aren't unbiased by any stretch of the imagination.

They have a verifiable and vested interest in stopping STRs so their investors make more \$\$.

**From:** [Susan Ferro](#)  
**To:** [STR](#)  
**Subject:** Re: Attn Kathleen Kilgariff  
**Date:** Wednesday, November 1, 2023 11:07:59 AM

You don't often get email from suzeplace@mac.com. [Learn why this is important](#)

Dear Kathleen,

I was able attend the October 23 meeting and am forwarding you my thoughts after listening to all of the questions and comments. Thank you for passing it on, Susan

To: The Planning Commission  
RE: Proposed STR Ordinance

I would like to thank each of you for your time and thoughtful consideration of the ordinance put before you as well as to the divergent responses from the community. I found the October 23rd meeting very informative.

Our home is in the Village at Dillon Beach. We built it 30 years ago and spent most of our weekends there until about 12 years ago. I have always thought of Dillon Beach as an affordable place for families to visit and vacation with priceless access to the coast. I intentionally keep my nightly rates low and do not automatically raise them annually, in an effort to make it more affordable for families. Even at that, with the 14% TOT and renting through the Vrbo platform, the nightly rate plus fees seems costly. The more fees and taxes applied, the more restricted access to our beautiful coast becomes for the ordinary family.

I am concerned that there were many important question that the staff was unable to answer while encouraging the Commission to make a decision by an arbitrary deadline. What is the rush?

Extend the moratorium until the Planning Commission is presented with all of the facts. The decision should not be rushed through to meet a scheduled meeting of the Coastal Commission. There will be other Coastal Commission meetings. What is the hurry? Does data show that an ordinance such as this will bring more affordable - low income - housing to the market?

Have the facts:

How many STR nuisance calls are received on a monthly basis - or yearly - and in what areas?

Know how many STRs are hosted and un-hosted? I don't think they need to be lumped together. The Business License application requires a description of of the STR and the sleeping capacity. Hosted STRs would have the same address as the STR unit. These facts cannot be that difficult to come by. The answers are required when one applies for a Business License.

I am concerned about the reference to businesses owning STRs. Many families create LLC's for financial planning and legal purposes, not because they are in the short term rental business: acquiring properties for that purpose only. Something to be considered.

What is the projected licensing fee of this new ordinance? The staff must have a general idea. Most of us don't move forward with projects until we have an understanding of potential cost. Even the wealthy look at projected costs. And I might note that individuals renting their homes as STRs are not by definition wealthy.

I was surprised and appalled at the idea of creating an enforcement mechanism that would involve nighttime visits to properties. I think that is what I heard. If I understood correctly the County itself does not have the resources to enforce the proposed ordinance and would contract out to an enforcement company to do so, in addition to creating a new department to oversee this new ordinance. I can only imagine the costs. Any idea the projected number of new staff?

Perhaps the STR system as it exists is not broken and does not need a new governing ordinance.

And lastly, a story about the woman who cleans our STR. When she began working for us in 2015, she had a husband and 3 young children. Tragically, her husband died a few years later, leaving her alone with few resources other than family and friends. She took on more jobs cleaning STRs, hired workers and by 2021 she was able to purchase a home in Petaluma for her family. She now has two children in college on scholarship; the youngest is in high school. Obviously, she worked very hard, but without the opportunities afforded by the STRs this would not have been possible: she could not earn enough cleaning houses once a week. This is one story, perhaps there are 100 more in West Marin?

Sincerely,  
Susan Ferro

On Oct 19, 2023, at 2:41 PM, STR <[str@marincounty.org](mailto:str@marincounty.org)> wrote:

Hi Susan,

Thank you for this communication. I will include it in the project record and share this with the Planning Commission prior to their meeting on Monday, October 23<sup>rd</sup>.

I would suggest taking a look at our Guiding Principles on the [Short Term Rental Ordinance Update page](#), which also has the staff report for the meeting and further explains the overall goals of this Ordinance.

Best,

Kathleen

**Kathleen Kilgariff**  
PLANNER  
she/her

County of Marin  
Community Development Agency  
3501 Civic Center Drive, Suite #308  
San Rafael, CA 94903

---

**From:** Susan Ferro <[suzeplace@mac.com](mailto:suzeplace@mac.com)>  
**Sent:** Thursday, October 19, 2023 2:00 PM  
**To:** STR <[str@marincounty.org](mailto:str@marincounty.org)>  
**Subject:** Attn Kathleen Kilgariff

You don't often get email from [suzeplace@mac.com](mailto:suzeplace@mac.com). [Learn why this is important](#)

Dear Kathleen,

Thank you for returning my call last week. Unfortunately, I did not email you with my thought before last Thursday.

I've read through most of the documents and attachments concerning the STR Draft and have a few questions and thoughts.

Is it the goal of this new ordinance to reduce short term rentals in the hope that they would become long term rentals and help alleviate a housing shortage and/or create more affordable housing?

To protect communities from unruly vacation renters?

Has the county ever polled the owners of existing short term rentals to see what they would do with their property should short term rental no longer be possible?

For our part, our short term rental was our weekend getaway for 30 years. When we purchased a ranch nearby, the property was use only occasionally by friends and family. We were encouraged by our goddaughter to list it on VRBO. It has been much better for the house to be occupied than remain mostly unoccupied. If we were no longer able to use this property as a short term rental, we would not convert it to a full time rental.

It seems each of these communities in West Marin have different qualities. Dillon Beach has always been predominately vacation housing/second homes. Never predominately full time residents. Even within Dillon Beach, conditions vary. Oceana Marin has larger homes and no street parking. The Village has mostly street parking which may not conform to Marin's code for parallel parking and the proposed number of parking places required by the new draft.

I plan on attending the meeting on the 23rd, but am not sure if it is possible to pose questions at that time.

Thank you for your time,

*Susan Ferro*  
650-302-4815 (cell)

Email Disclaimer: <https://www.marincounty.org/main/disclaimers>



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COMMUNITY LAND TRUST  
OF WEST MARIN

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October 26, 2023

Dear Members of the Marin County Planning Commission,

On behalf of the Community Land Trust of West Marin (CLAM), we are writing to express our strong preference for hosted rather than unhosted Short Term Rentals (STRs) and to request that unhosted STRs be further limited to the extent possible in the new STR ordinance.

CLAM has been dedicated to preserving affordable housing in West Marin for over 20 years. We envision a diverse West Marin community where people have a place to call home. We agree with most West Marin residents who believe that the responsible regulation of short-term rentals, especially unhosted STRs, is an important piece of the puzzle to address the affordable housing crisis.

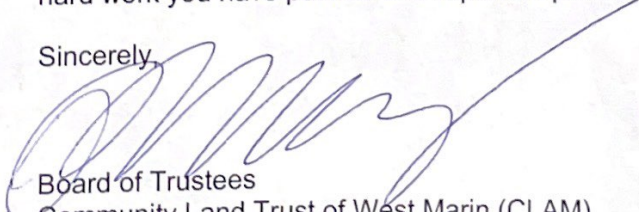
Our mission at CLAM is to strengthen the communities in West Marin through the creation and stewardship of permanently affordable homes. The proliferation of STRs in the past few years runs counter to our efforts because in general they take potential housing units off the rental market for local residents. Ideally more of the existing housing units in West Marin would be available as long-term rentals.

We understand that there are benefits for the community in having STRs available as vacation rentals but suggest that the new STR Ordinance be written to prioritize and encourage hosted STRs over unhosted STRs.

It is our hope that the Planning Commission will take this position into consideration when deciding the new Short Term Rental Ordinance.

Thank you for your dedication to our community's future and for the hard work you have put into this important piece of legislation.

Sincerely,



Board of Trustees  
Community Land Trust of West Marin (CLAM)



**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** West Marin Short Term Rentals  
**Date:** Wednesday, November 1, 2023 7:07:11 PM

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John Goldstein with email address [john.goldstein@gmail.com](mailto:john.goldstein@gmail.com) would like information about: I hope this finds you well. I am writing as a homeowner in Bolinas who splits time between there and Berkeley. I would think the goals of supporting the community and preserving housing stock would be far more effectively served by simply having a cap on the number of days owner-occupied properties could be rented out (60-90 days/year), potentially in conjunction with eliminating or limiting de facto commercial short-term rentals which don't have owner occupants. This provides income for local residents, housing options for visitors, and does so without impacting the full time housing stock. Having an onerous application process and cap as proposed disadvantages owner occupied properties at the expense of professional landlords without advancing the goals. Happy to discuss - I am at 415-515-0976.

**From:** [Alice Fang](#)  
**To:** [STR](#)  
**Subject:** Marin STR comments  
**Date:** Wednesday, November 1, 2023 8:28:28 PM

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You don't often get email from xalicefang@alumni.stanford.edu. [Learn why this is important](#)

Hi Kathleen,

I noticed an amendment in the STR revised standards under "Exemptions":  
"This Chapter does not apply to a short term rental unit located on an agriculturally zoned property that is at least 10 acres in size and where the primary use of the property is commercial agriculture."

Should this be an OR instead of an AND?

We have an agriculturally zoned property that is 50+ acres, but the current use is not commercial agriculture. (How is primarily commercial agriculture even defined? Does it need to be under the Williamson Act?) I imagine a lot of properties that do agricultural tourism end up making more on the tourism than agriculture; does this then disqualify them because it's no longer 'primary'?

Could we consider changing it to an OR?

Thanks,  
Alice

**From:** [Jacqueline Hilger-Rolfe](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [STR](#); [Nick Gross](#)  
**Subject:** Re: Draft Short Term Rental Ordinance Standards-for hosted STRs and grandfathering  
**Date:** Friday, November 3, 2023 11:54:12 AM

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Hi Kathleen;

Happy Friday! Sorry I could not make the most recent meeting. I had a surgery scheduled that day. I noticed in the recent modifications that “hosted” has been removed. This will cause our inability to be able to have an STR. Also, It looks as if there are still a decrease in the allowed rentals in Dillon Beach? Or maybe I am not reading it correctly?

Since I was stuck in the laborious process of building permitting when the moratorium hit (took 10 months). I was unable to get my business license prior to the moratorium. My husband I bought the land and are building a retirement home on it, counting on our ability to off set some of the monthly costs and taxes by renting it out part time. I believe there are 3 or 4 land owners caught in a similar situation, which seems unfair.

I know a few of us have brought this up before, I would like to request, that the county consider allowing those who owned land and we’re stuck in planning process when the moratorium hit last year, the ability to apply once the moratorium is lifted in 2024 along with the others who already had permits.

Also, it seemed from the transcripts that maybe Dillon Beach could become exempt of limiting STRs?

Please advise.

Thank you,

Jacqueline Hilger-Rolfe

On Sep 19, 2023, at 9:55 AM, Kilgariff, Kathleen <KKilgariff@marincounty.org> wrote:

Hi Jaqueline,

Hosted STRs are included in the regulations. As proposed, both Hosted and Unhosted STRs would be required to obtain a STR license and comply with the operating standards. However, a Hosted STR is not subject to any cap. There are a few specific standards that speak to the requirements for Hosted STRs as well – see, 5.41.040.E (License for Hosted STR) and 5.41.050.M (Host Responsibilities).

It is important to note that these are just draft regulations and we will be sharing any feedback on these draft regulations with the Planning Commission.

Please let me know if you have any additional questions or comments.

Thank you,

Kathleen

**Kathleen Kilgariff**  
PLANNER  
she/her

County of Marin  
Community Development Agency  
3501 Civic Center Drive, Suite #308  
San Rafael, CA 94903

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**From:** Jacqueline Hilger-Rolfe <jhilger1@me.com>  
**Sent:** Monday, September 18, 2023 6:14 PM  
**To:** Kilgariff, Kathleen <KKilgariff@marincounty.org>  
**Subject:** Fwd: Now Available: Draft Short Term Rental Ordinance Standards-for hosted STRs

You don't often get email from jhilger1@me.com. [Learn why this is important](#)

Dear Kathleen;

I hope that all is well! Sorry if this is not clear to me. I don't see any provisions for "hosted" STRs, do they follow under the same rules as hosted STRs? Or do they have different rules?

Thank you,

Jacqueline Hilger-Rolfe PhD

Begin forwarded message:

**From:** Marin County Subscriptions <camarin@public.govdelivery.com>  
**Date:** September 18, 2023 at 12:09:32 PM PDT  
**To:** jhilger1@me.com  
**Subject: Now Available: Draft Short Term Rental Ordinance Standards for Public Review and Comment**  
**Reply-To:** camarin@public.govdelivery.com

## **Now Available: Draft Short Term Rental Ordinance Standards for Public Review and Comment**

The standards for the draft Short Term Rental ordinance are now available and Planning Commission hearings to consider them are tentatively scheduled for October 23<sup>rd</sup> and November 13<sup>th</sup>, 2023.

The draft is available on both the [County's Short Term Rentals homepage](#), and project specific [Short Term Rental Ordinance Update page](#). A staff report will be prepared before the Planning Commission and will be made publicly available October 12, 2023.

If you would like to submit comments on the draft standards to the Planning Commission, please email your comments to Kathleen Kilgariff at [str@marincounty.org](mailto:str@marincounty.org) and she will provide them to the Planning Commission before the hearing.

You may present oral comments on the Draft Ordinance at the hearing, which will be held in person in the Hearing Chambers, Room 330, Marin County Civic Center, San Rafael. For more information about the Planning Commission hearing, please see [the Planning Commission hearings webpage](#), where agendas and other information will be posted before the hearings.

The Planning Commission will make a recommendation to the Board of Supervisors, which will hold a hearing on the draft ordinance at a later date. Ultimately, the California Coastal Commission must certify Short Term Rental regulations in the Coastal Zone as part of a Local Coastal Program Amendment.

**¿Necesita esta información en español? Comuníquese con el personal del condado de Marin al (415) 473-7173 o [str@marincounty.org](mailto:str@marincounty.org).**

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**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** NO signage on hosted STR units!  
**Date:** Friday, November 3, 2023 7:01:37 PM

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Leda Thayer with email address [leda.e.thompson@gmail.com](mailto:leda.e.thompson@gmail.com) would like information about: I am a licensed host booking with Airbnb in my family home in Bel Marin Keys. I rely on the B&B income to pay my bills and stay in my home. As a single woman with an adult daughter living with me, I object to the requirement of signage on my home. Not only would this be an eyesore for my neighbors (who all know I am a B&B host, and support me) but it could put my daughter and me in danger. In the past I have had very aggressive inquirers that want to "see what they are renting before booking". I am extremely careful to weed out undesirable guests, but if they can drive down my street and find me with a sign, my safety and privacy would be threatened. I can understand having a sign on un-hosted units, but please do not require them on hosted homes where the owner is living there.

Esther Martino  
14 Pine Hill Drive  
Inverness, CA 94937  
[marties@aol.com](mailto:marties@aol.com)

Marin County Community Development Agency

Please read my following concerns regarding the proposed regulations for STR in West Marin where I operate a STR.

License Term: The current draft proposals call for two-year limit. I agree.

There are outstanding issues with respect to “grandfather” clause and I believe this needs to be addressed before requiring those who currently have a license must adhere to the new regulations. This question was asked by a gentleman on the planning commission the City Council did not have an answer for him. Does the City Council have an answer to the grandfather clause question.

License Suspensions and Revocations: There is no grace period to correct if a licensee fails to meet the standards set for in the Chapter or the requirements of the license. Given that many requirements are being asked of both unhosted and hosted and this is new standard for STRs **I believe a grace period be given to correct any standards set for in the Chapter or the requirements of the license. I would propose that a licensee be given two weeks to remedy any violations and longer if in good faith the licensee can provide proof that they have made attempts to remedy the situation but due to the unavailability of professionals or semiprofessionals the remedy cannot be remediated. This in my opinion seems reasonable and not punitive with the immediate revocation of a license which can have serious ramifications for the STR licensee.**

**Site Plans Showing:** Is the County asking for professional site plans or is it sufficient for the owner to draw their own site plans. More information is needed regarding this requirement. This requirement will be costly for most homeowners.

Proof of Working landline, Voice Over Internet Protocol or NOAA. I have investigated this, and the local cable company HORIZON does not provide landlines. I would have to switch to AT&T and not use HORIZON taking my money from a local company. VOIP is available however it is like what currently works which is WIFI calling. I have never had any complaints about WIFI calling.

Exterior Signage I have talked to my neighbors about exterior signage, and they are strongly opposed as they do not want the house being advertised that someone may not be living on the premises.

Hosted STR: It is ludicrous to think that a hosted site requires the host to be on the premises from 5 a.m. to 10 p.m. Are we suggesting that a host not work!

Hosted and unhosted are not transferable this should be deleted from the requirement for obvious reasons such as unforeseen financial problems, deaths, illnesses whereby a person who was unhosted needs to move into their home and want to rent a room out as hosted to help them offset bills. This requirement should be eliminated. Conversion from a hosted to an unhosted STR shall require a new license. This should be eliminated.

Will the County send out notices when the STR license application is due which is 60 days prior to the expiration date. AS a timely application for renewal of an existing license shall result in that license not being renewed. Again, there should be a grace period.

Restricted Structures: An accessory dwelling unit I will argue should be considered if it exists within the main dwelling unit. This arrangement can assist someone who is converting from host to unhosted and this may increase the licensee availability to stay in their home.

Thank you, Esther



**From:** [J.G.](#)  
**To:** [STR](#)  
**Subject:** Re: No Caps on Inverness STR's!  
**Date:** Monday, November 6, 2023 11:42:30 AM  
**Attachments:** [INVERNESS TESTIMONIALS DATA.zip](#)

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Hi Kathleen,

I cut the testimonials down to 28 not to overwhelm! Here they are as smaller files. (I realized the jpegs were too large to send.) Would you kindly advise if you are able to open this? Otherwise I will reduce further.

And happy to send all 56 if you wish. Just let me know!

Many thanks,

Jennifer

On Nov 6, 2023, at 9:45 AM, STR <[str@marincounty.org](mailto:str@marincounty.org)> wrote:

Hi Jennifer,

I can't open many of the files you provided, and there are not 56 testimonials. Could you resend them as **one** PDF so that they can be included in the record?

Thanks,

Kathleen

---

**From:** J.G. <[golubjennifer@gmail.com](mailto:golubjennifer@gmail.com)>  
**Sent:** Sunday, November 5, 2023 7:13 PM  
**To:** Rodoni, Dennis <[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)>; Barreto, Fernando <[fbarreto@marincounty.org](mailto:fbarreto@marincounty.org)>  
**Cc:** Rice, Katie <[KRice@marincounty.org](mailto:KRice@marincounty.org)>; BOS <[BOS@marincounty.org](mailto:BOS@marincounty.org)>; STR <[str@marincounty.org](mailto:str@marincounty.org)>; Kathleen Kilgariff <[Kathleen.Kilgariff@MarinCounty.gov](mailto:Kathleen.Kilgariff@MarinCounty.gov)>  
**Subject:** No Caps on Inverness STR's!  
**Importance:** High

Dear Mr. Barreto and Supervisor Dennis Rodoni,

Like Dillon Beach, I urge you to encourage **Short-Term Rentals without caps in Inverness.** We provide **the sole access to Pt Reyes National Seashore, a National Park.** Vacation rentals have zero impact on the coastline. Along with

access, they provide widespread economic benefits of income and employment.

The **Coastal Commission welcomes short term vacation rentals**, as it uses dispersed existing structures with zero impact to the protected coastline, while fulfilling its charter to welcome visitors for the purposes of education and recreation.

I apologize that I am unable to attend your office hours in Pt. Reyes, as I work in the east bay. So kindly accept the attached as I wish to represent over 50 individuals who yearn for your attention.

Inverness shuts down at 8:00 PM. There's no bar here. No frat boys. And the idea that STR's have anything to do with low-income housing inventory is sheer nonsense. Vacation Rentals provide an essential public service. Widespread public access is our civic duty.

Since the **planning commission has repeatedly requested reliable data**, I am here to provide it. First, rentals are primarily the summer months and holidays when kids are out of school. While the commission has interviewed several community members, they have missed an entire cohort. Here are 56 testimonials, empirical data from visitors to Inverness and public record. I have included a sample below with the full 56 reviews attached:

**Rebecca from NY:** This place is everything you could hope for... **The location is close to paradise-level beaches and nature.** Jennifer is a wonderful host, with excellent communication –

**Rebecca from SF:** If we could give more than 5 stars we would! **This place is truly a magical gem in Inverness. Super close to great beaches, amazing hikes.** It felt like a 5-star wellness retreat even with my 2-year-old son and mother-in-law.

**Susan from Maine:** **It is a great location to explore the vast natural treasures of the coastline.**

**Virginia SF:** This place is such a dream... impeccably clean, **perfectly situated near Pt Reyes trails but hidden quietly amongst the trees.** Jennifer is so responsive. The consummate host.

**With over 2 million visitors a year, the town of Inverness is the sole gateway to Pt Reyes National Seashore. With only 7 operational hotel rooms, like Dillon Beach, Inverness should have no STR caps.**

I'm a full-time resident of Inverness. I commute to an Oakland 5013c dedicated to improving public high school education. I am 65 years old, hoping to retire. This moratorium on rentals has crushed me. Any caps on vacation rentals would force me to sell, gutting our community of its middle class. I assure you; rich people don't rent out their homes.

I urge you to encourage as many Short-Term Rentals as possible. I am watching West Marin be decimated with financial loss and closures at every turn. The Cowgirl Creamery has left, the restaurant Stellina pulled up stakes, the butcher Marin Sun

Farms, and The Sir and Star shuttered. Overnight guests double the investment of daytime visitors! They generate four times the amount of income versus local residents. The West Marin community is desperate for the economic recovery that Short Term Rentals bring.

For comparison, the Hamptons outside of New York City welcomes the taxes they earn from Short Term Rental vacation homes with no limitations. Short Term Rentals have zero impact on the cost of housing, a whipped-up fallacy with zero data support. The enrollment data at **local schools have the highest population of students they have had in years with a growing trajectory.**

**How does Inverness stay Fire Safe?** By people like **me**. We are deeply wooded area. Annually I hire a full team of arborists to cut limbs, and cart deadwood off my 1-acre wooded property to keep it fire safe. The crew costs have run tens of thousands of dollars over the years. **How do I fund it?** By periodically renting my home.

I have made ends meet by renting in the summer months and the holidays such as Thanksgiving and Christmas, operating my residence as a part time STR since 2018. (Your TOT numbers are unreliable, as the county blundered my license paperwork despite multiple emails and appeals.)

I choose guests with discerning care, academics and professionals who are quiet and flawless. They bring vitality to the community with kayak rentals and dining out. They shop at our wonderful bookstore, Brick Maiden Bakery, dine at Saltwater Oyster Depot, and Inverness Park Market. Everyone heads home with linens from beloved Coyuchi.

Importantly, welcome people to this national treasure of a seashore. Don't build a virtual wall limiting accessibility. Way too much bias with unsupported claims has been indulged, seeding a divisiveness. We were in a better place before this rushed, reactive moratorium, fueled by small but vocal NIMBYism. Please, be sure to not overly legislate, protecting a neighborly community spirit.

With gratitude for your service.

Jennifer Golub  
23 Drakes View Drive  
Inverness

Email Disclaimer: <https://www.marincounty.org/main/disclaimers>

Photos Amenities Reviews Location \$475 night [Check availability]

✕

# ★ 5.0

## 56 reviews

Most recent ▾

★★★★★ · August 2018 · 3 night stay

Jennifer's place is just spectacular. The location could not be better -- secluded and tranquil yet close to everything in Inverness, Pt Reyes Station, hiking, and beaches. The house itself is spacious and beautiful decorated.

**Jason**

Los Angeles, CA

★★★★★ · July 2018 · Stayed with kids

I tried putting into words the view from the house and the overall design of the house to friends but I ended up having to take video and send that. The house is amazing, right in the middle of everything and the view is outstanding. I have stayed in more than a dozen airbnb's and this one is top 2 for sure. Such a great spot! And as far as value goes there is nothing even close!!!

**Julie**

**Overall rating**

5

4

3

2

1

	Cleanliness	5.0
<hr/>		
	Accuracy	4.9
<hr/>		
	Check-in	4.9
<hr/>		
	Communication	5.0
<hr/>		
	Location	5.0
<hr/>		
	Value	4.8

Photos Amenities Reviews Location \$475 night [Check availability]

✕

# ★ 5.0

**Overall rating**

Cleanliness	5.0
Accuracy	4.9
Check-in	4.9
Communication	5.0
Location	5.0
Value	4.8

## 56 reviews

Most recent ▾

**Colleen**  
Portland, OR

★★★★★ · November 2018 · Stayed with kids

Jennifer's Inverness house was a true getaway from the city. Perched up on the hillside, the views and light were stunning. It was smoky and rainy during our week, but it was a pleasure being indoors with the abundance of natural light and immersed in nature. The house is immaculate, functional and well designed furniture, comfortable bed and luxurious linens. It was fully stocked and the kitchen had everything we needed for our Thanksgiving week. It suited our family of five perfectly- small kids in the back room near the master and older kid in his own room (an exclusive treat for him!) It really felt like our own place and a special retreat just for us. We can't wait to return in the spring!

**Lindsey**  
San Francisco, CA

★★★★★ · November 2018 · Stayed with kids

Photos Amenities Reviews Location \$475 night Check availability

✕

**★ 5.0**

56 reviews Most recent ▾

**Overall rating**

Cleanliness	5.0
Accuracy	4.9
Check-in	4.9
Communication	5.0
Location	5.0
Value	4.8

**56 reviews**

**William**  
Seattle, WA

★★★★★ · January 2019 · 3 night stay

This is a beautiful house inside and out, with views of the bay from every room, lots of light, and a gorgeous interior. It is also very comfortable and your every need is anticipated-from the very comfortable beds to the well stocked kitchen, to the luxe living room; we felt totally pampered. It is also close to lots of great hikes, restaurants, cafes, bakeries, grocery stores, etc. A true getaway!!

**Anna**  
Somerville, MA

★★★★★ · December 2018 · Stayed with kids

Jennifer's place had everything we were looking forward to: modern layout, working fireplace, breathtaking views. I would highly recommend it for people seeking closeness to nature paired with the comfort of a newly renovated cabin.

Photos Amenities Reviews Location \$475 night Check availability

✕

# ★ 5.0

**Overall rating**

Cleanliness	5.0
Accuracy	4.9
Check-in	4.9
Communication	5.0
Location	5.0
Value	4.8

## 56 reviews

Most recent ▾

★★★★★ · March 2019 · Stayed with kids

Our stay at Jennifer's was a dream. The space is beautiful, spotless, and thoughtfully appointed. Jennifer was incredibly generous and responsive when we contacted her with questions. Our stay was during a generally cold and rainy week but the fireplace and view made it easy not to leave the house! We hope to come back in the future.

**Samantha**

Oakland, CA

★★★★★ · January 2019 · Stayed with kids

We love staying in the inverness area, We've stayed at a bunch of houses there. This is the first house we would come back. perfect for our family.

Cozy, beautiful view, close to everything to do. Jennifer answers your questions really fast. You really feel she's there for anything you need. Plenty of games to play.

Gorgeous house.

Photos Amenities Reviews Location \$475 night Check availability

✕

**★ 5.0**

**56 reviews** Most recent ▾

**Overall rating**

	Cleanliness	5.0
	Accuracy	4.9
	Check-in	4.9
	Communication	5.0
	Location	5.0
	Value	4.8

**Sam**  
British Columbia, Canada

★★★★★ · June 2019 · 3 night stay

A beautiful point of view makes you feel grateful to be here.

**Corrine**  
Inverness, CA

★★★★★ · June 2019 · Group trip

I rented Jennifer's home for my siblings and their partners during the weekend of my wedding. The six of them were thrilled, comfortable, and I didn't have to think twice about their housing needs once I made the booking. The home itself is even better than the photos: immaculate, spacious, tasteful, and warm. And that's before you take in the breathtaking grounds and view.



Photos Amenities Reviews Location \$475 night Check availability

✕
★ 5.0

**Overall rating**

5

4

3

2

1

Cleanliness	5.0
Accuracy	4.9
Check-in	4.9
Communication	5.0
Location	5.0
Value	4.8

### 56 reviews

Most recent ▾

★★★★★ · August 2019 · Stayed with kids

Place was fantastic.

**Jennifer**

Scottsdale, AZ

★★★★★ · August 2019 · Stayed with kids

What a charming and beautiful place to relax. All the comforts of home in a really amazing location. Redwoods and other foliage, beautiful deck. Close to all the fun of Point Reyes National Seashore.

**Jill**

Hillsborough, CA

★★★★★ · July 2019 · Group trip

Great house with a great view!

Photos Amenities Reviews Location \$475 night [Check availability]

✕

# ★ 5.0

**Overall rating**

Cleanliness	5.0
Accuracy	4.9
Check-in	4.9
Communication	5.0
Location	5.0
Value	4.8

## 56 reviews

Most recent ▾

★★★★★ · August 2019 · 6 night stay

A wonderful location and a unique home design, not to mention a perfect selection of good restaurants and gorgeous hikes. Thank you Jennifer!

**Katie**  
Ann Arbor, MI

★★★★★ · August 2019 · 3 night stay

Great views & very peaceful setting. It was a perfect backdrop for our group of 4 friends to unwind, go on hikes and share good food.

**Evan**  
Asheville, NC

★★★★★ · August 2019 · Stayed with kids

Place was fantastic.

Photos Amenities Reviews Location \$475 night Check availability

✕
56 reviews Most recent ▾

**★ 5.0**

Overall rating

Cleanliness	5.0
Accuracy	4.9
Check-in	4.9
Communication	5.0
Location	5.0
Value	4.8

**Karen**  
Los Angeles, CA

★★★★★ · September 2019 · 6 night stay

My family and I so enjoyed our stay in this comfortable and beautifully designed home nestled amongst the trees. Clean, quiet, and private with wonderful views from each room. We loved spending time on the deck soaking in the peacefulness and the gifts of nature. A great place to reconnect and restore. We hope to return.

**Myriam**  
Paris, France

★★★★★ · August 2019 · 6 night stay

A wonderful location and a unique home design, not to mention a perfect selection of good restaurants and gorgeous hikes. Thank you Jennifer!

**Katie**

Photos Amenities Reviews Location \$475 night Check availability

✕

# ★ 5.0

## 56 reviews

Most recent ▾

**Overall rating**


5

4

3

2


1



**Philip**  
Winnetka, IL

★★★★★ · September 2019 · Group trip

Great home centrally located for hiking trails and beautiful view. A tranquil respite









**Colleen**  
Petaluma, CA

★★★★★ · September 2019 · 3 night stay

This home is a treasure. Its spotless clean, comfy cozy from the living room to the bedrooms and bedding. The piece of property the house is on is pretty ,very private and peaceful.

In such a central location to take day trips , or go out for a meal, or just relax and enjoy the stunning views from all the huge crystal clean windows in every room. We enjoyed every minute.

	Cleanliness	5.0
	Accuracy	4.9
	Check-in	4.9
	Communication	5.0
	Location	5.0
	Value	4.8

Photos Amenities Reviews Location \$475 night Check availability

✕
★ 5.0

**Overall rating**

Cleanliness	5.0
Accuracy	4.9
Check-in	4.9
Communication	5.0
Location	5.0
Value	4.8

### 56 reviews

**Sam**  
Hoquiam, WA

★★★★★ · September 2019 · 3 night stay

The house is absolutely stunning and Jennifer is an incredible host. The beds were comfy and warm. It was fragrance free. The views were to die for. The deck space was great and the outdoor shower was the best invention ever made. We had a great stay and would love to do it again sometime.

**Hannah**  
San Francisco, CA

★★★★★ · September 2019 · 3 night stay

Absolutely stunning. Comfortable, stylish and modern interiors perfectly integrated with stunning views and wonderful outdoor space. Surrounded by trees and the magic of West Marin. Minutes to grocery store, state park, beaches, trails. Perfectly situated for a West Marin holiday.

SSSOAPS

INFLUENCERS 2

Photos Amenities Reviews Location \$475 night Check availability

✕
★ 5.0

**Overall rating**

Cleanliness	5.0
Accuracy	4.9
Check-in	4.9
Communication	5.0
Location	5.0
Value	4.8

### 56 reviews

Most recent ▾

**Amanda**  
Berkeley, CA

★★★★★ · November 2019 · 3 night stay

Amazing, beautiful, perfect stay - the house is just lovely - we will be returning again as soon as we can ..... thank you.

**Judy**  
San Francisco, CA

★★★★★ · October 2019 · 4 night stay

Super clean and very stylish! We enjoyed our time here. Very well located, private with great views and at the same time close to everything we needed. Jennifer was a fantastic host. We appreciated her great communication, tips and flexibility with us.

Photos Amenities Reviews Location \$475 night [Check availability]

✕

# ★ 5.0

**Overall rating**

Cleanliness	5.0
Accuracy	4.9
Check-in	4.9
Communication	5.0
Location	5.0
Value	4.8

## 56 reviews

Most recent ▾

Palo Alto, CA

★★★★★ · November 2019 · Stayed with kids

Great location - close to hiking, Point Reyes Station, and oysters in Marshall. The house, deck, and views are amazing, very clean, comfortable, and stylish. Jennifer was an A+ host with great communication and local tips. Definitely recommended - I can't really imagine a better vacation home in Inverness.

**Katie**

Elk, CA

★★★★★ · November 2019 · Stayed with kids

Jennifer's space is spare and tranquil while also being warm and welcoming. Every detail is right on point from the art on the walls to the beautiful crisp linens, and it was spotlessly clean. Very, very nice place, and Jennifer herself couldn't have been more welcoming. She provided us with all the information we could have needed and then some- great recommendations for the area. We hope to come back some day!

SSSOAPS

[Mac OS dock with various application icons]

INFLUENCERS 2

Photos Amenities Reviews Location \$475 night Check availability

✕
56 reviews Most recent ▾

**★ 5.0**

Overall rating

Cleanliness	5.0
Accuracy	4.9
Check-in	4.9
Communication	5.0
Location	5.0
Value	4.8

there are any issues throughout your stay.  
I would definitely book again and recommend this space.

**Mary**  
Palo Alto, CA

★★★★★ · December 2019 · Group trip

A gorgeous location and loved the stylish but simple interior.

**Mary Jo**  
Santa Monica, CA

★★★★★ · December 2019 · 4 night stay

This is a beautiful quiet space surrounded by redwoods. Close to a small market, it's easy to pick up a few items for the pantry. Point Reyes station is five minutes away. My husband and I plan to return to this area and rent this immaculately clean house!!



Photos Amenities Reviews Location \$475 night [Check availability]

✕

**★ 5.0**

**56 reviews** Most recent ▾

**Overall rating**

	Cleanliness	5.0
	Accuracy	4.9
	Check-in	4.9
	Communication	5.0
	Location	5.0
	Value	4.8

**56 reviews**

the nature in Point Reyes peninsula and all the oysters in Tomales Bay. Be sure to get your provisions from Palace Market in Point Reyes Station. Our kids loved running around the deck and the views from every window and door are amazing! There were lots of thoughtful touches and the "cat" (robot vacuum) was a godsend. We'd love to return one day!

**Beverlee & Stewart**  
Oakland, CA

★★★★★ · April 2021 · 4 night stay

This house is located on one of the nicest streets in Inverness. You pull up, and you're surrounded by trees and a view of Tomales Bay. When you open the front door and walk in all you see are trees and the view. The house is so beautifully decorated, original art, interesting furniture pieces while also feeling comfortable and livable. The fireplace is one of the standouts, along with the huge deck. The kitchen is really nice, has everything you need, even Mac knives! The main bedroom is nestled in the back, is ridiculously comfy, the linens are top notch, and is so quiet. We would love to stay here again, anytime! And Jennifer is a great host, fun to talk to and very responsive.

Photos Amenities Reviews Location \$475 night Check availability

✕

**★ 5.0**

**56 reviews** Most recent ▾

**Overall rating**

	Cleanliness	5.0
	Accuracy	4.9
	Check-in	4.9
	Communication	5.0
	Location	5.0
	Value	4.8

**Iris**  
New York, NY

★★★★★ · July 2021 · Stayed a week

Our stay at Jennifer's place was magical. The place is peaceful and serene and offers all the comforts of a luxurious home. The kitchen is small but mighty; fantastically equipped and we were constantly delighted by new finds in the cabinets and pantry. Staying within a 10 minutes drive from Point Reyes with all its culinary offerings -farmer's market, dairy farms, bakeries and a well-stocked supermarket - was an added bonus.

We hiked every day and loved it, there is really no end to the coastal trails. We also liked the proximity to the beaches of Tomales Bay.

We arrived at Jennifer's place after midnight and needed some instructions settling in. Fortunately she was very gracious in responding to our questions at such a late hour; she checked in periodically and we felt very welcome throughout our stay. We wholeheartedly recommend staying at Jennifer's place; we'd certainly love to come back.

Photos Amenities Reviews Location \$475 night Check availability

✕

**★ 5.0**

56 reviews Most recent ▾

**Overall rating**

Cleanliness	5.0
Accuracy	4.9
Check-in	4.9
Communication	5.0
Location	5.0
Value	4.8

**56 reviews**

**Lynne**  
New York, NY

★★★★★ · August 2021 · Stayed a week

We so enjoyed Jennifer's house--it's perfectly situated--surrounded by redwoods and overlooking drake's bay. It's a very light and lovely space, near to the beauties of point reyes. Jennifer was responsive and very hospitable. All in all, we had a wonderful stay!

**Margaret**  
Berkeley, CA

★★★★★ · July 2021 · 5 night stay

I'm afraid if I write an honest review we'll never be able to stay here again because it will be rented all the time! So beautiful and peaceful. Jennifer was extremely helpful every step of the way, including a small hiccup with the plumbing. Beds were great as others wrote, location couldn't be better and deck/view was sublime. Note that the third bedroom/ study can only be accessed through the master bedroom.

Photos Amenities Reviews Location \$475 night Check availability

✕
★ 5.0

**Overall rating**

5

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	Cleanliness	5.0
	Accuracy	4.9
	Check-in	4.9
	Communication	5.0
	Location	5.0
	Value	4.8

### 56 reviews

Most recent ▾

go back:

**Lisa**  
Los Angeles, CA

★★★★★ · August 2021 · Stayed a week

Lovely in all ways- setting, location, style, surroundings..we will happily return!

**Lynne**  
New York, NY

★★★★★ · August 2021 · Stayed a week

We so enjoyed Jennifer's house--it's perfectly situated--surrounded by redwoods and overlooking drake's bay. It's a very light and lovely space, near to the beauties of point reyes. Jennifer was responsive and very hospitable. All in all, we had a wonderful stay!

Photos Amenities Reviews Location \$475 night [Check availability]

✕

# ★ 5.0

**Overall rating**

5 ▬

4 ▬

3 ▬

2 ▬

1 ▬

	Cleanliness	5.0
	Accuracy	4.9
	Check-in	4.9
	Communication	5.0
	Location	5.0
	Value	4.8

## 56 reviews

Most recent ▾

★★★★★ · November 2021 · Stayed a week

Jennifer's home is private, in a lovely location , beautifully kept and so comfortable to live in. Enjoyed the outdoor shower, fireplace at night to take the chill off and slept beautifully in the comfortable bed and wonderful linens. It s a great location to explore the vast natural treasures of the coastline. Jennifer gave some great tips on local eateries etc. I would easily return for another stay.

**Virginia**

San Francisco, CA

★★★★★ · September 2021 · Stayed a week

This place is such a dream—spacious, so tastefully designed, beautiful views, and impeccably clean. It is perfectly situated close to Point Reyes Station and easy reach of the best of Point Reyes outdoor trails and getaways but removed enough to be peaceful and quiet, hidden amongst the trees. It is such a haven here. Jennifer is so responsive and lovely, the consummate host. I cannot wait to return soon!

Photos Amenities Reviews Location \$475 night Check availability

✕
★ 5.0

**Overall rating**

Cleanliness	5.0
Accuracy	4.9
Check-in	4.9
Communication	5.0
Location	5.0
Value	4.8

### 56 reviews

**Katherine**  
San Francisco, CA

★★★★★ · August 2021 · Stayed a week

We truly enjoyed our time at Jennifer's beautiful home. It felt like a wonderful retreat among the trees. The large outdoor deck overlooking the edge of Tomales Bay was the shining star in my opinion - we spent much of the day and early evenings out there, and it was so picturesque and serene. The house is organized in a bit of a shotgun style, and every room has huge windows with amazing views. All the basic household and kitchen amenities are there. We were were working most of the time, and sometimes the internet struggled with two of us on simultaneous video calls - but overall it was fine. Jennifer was super helpful and responsive to my questions and anything that came up during the trip - she's an excellent host. Finally, the location is superb. There are well-stocked grocery stores and restaurants within a five minute drive, so super convenient. The house is also near some great hiking trails and other outdoor activities, which we definitely took advantage of. Overall, Jennifer's home provided a welcome, peaceful escape - and we would definitely go back!

Photos Amenities Reviews Location \$475 night Check availability

✕
★ 5.0

**Overall rating**

Cleanliness	5.0
Accuracy	4.9
Check-in	4.9
Communication	5.0
Location	5.0
Value	4.8

### 56 reviews

**Katherine**  
San Francisco, CA

★★★★★ · August 2021 · Stayed a week

We truly enjoyed our time at Jennifer's beautiful home. It felt like a wonderful retreat among the trees. The large outdoor deck overlooking the edge of Tomales Bay was the shining star in my opinion - we spent much of the day and early evenings out there, and it was so picturesque and serene. The house is organized in a bit of a shotgun style, and every room has huge windows with amazing views. All the basic household and kitchen amenities are there. We were were working most of the time, and sometimes the internet struggled with two of us on simultaneous video calls - but overall it was fine. Jennifer was super helpful and responsive to my questions and anything that came up during the trip - she's an excellent host. Finally, the location is superb. There are well-stocked grocery stores and restaurants within a five minute drive, so super convenient. The house is also near some great hiking trails and other outdoor activities, which we definitely took advantage of. Overall, Jennifer's home provided a welcome, peaceful escape - and we would definitely go back!

Photos Amenities Reviews Location \$475 night [Check availability]

✕
56 reviews Most recent ▾

## ★ 5.0

**Overall rating**

🧴	Cleanliness	5.0
✅	Accuracy	4.9
🗝️	Check-in	4.9
💬	Communication	5.0
📍	Location	5.0
📄	Value	4.8

**Vietnu**  
Los Angeles, CA

★★★★★ · July 2022 · Group trip

Jennifer's home is beautiful, well-appointed and comfortable. A special place in a special part of California.

**Susan**  
Maine, United States

★★★★★ · November 2021 · Stayed a week

Jennifer's home is private, in a lovely location , beautifully kept and so comfortable to live in. Enjoyed the outdoor shower, fireplace at night to take the chill off and slept beautifully in the comfortable bed and wonderful linens. It s a great location to explore the vast natural treasures of the coastline. Jennifer gave some great tips on local eateries etc. I would easily return for another stay.



Photos Amenities Reviews Location \$475 night [Check availability]

✕

**★ 5.0**

56 reviews Most recent ▾

**Overall rating**

5

4

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	Cleanliness	5.0
	Accuracy	4.9
	Check-in	4.9
	Communication	5.0
	Location	5.0
	Value	4.8

berlin, Germany

★★★★★ · August 2022 · Stayed a few weeks

Jennifer's house is amazing. It features an amazing view and is lovely furnished. The outdoor shower is an absolut highlight!

The communication with Jennifer is super easy going. Me and my family enjoyed our stay to the fullest.

**Rebecca**

San Francisco, CA

★★★★★ · July 2022 · Stayed with kids

If we could give more than 5 stars we would! This place is truly a magical gem in Inverness. Super close to the market, great beaches, amazing hikes. The design/decor is incredible and I felt like I was in a 5 star wellness retreat, even with my 2yo son and mother in law 😂

The outdoor shower was a huge hit. The deck was an additional living and dining room. And inside, the sofa and beds were so incredibly comfortable to relax on after long days at the beach or hiking.

Photos Amenities Reviews Location \$475 night [Check availability]

✕

**★ 5.0**

**56 reviews** Most recent ▾

Overall rating







5


4

3

2

1


	Cleanliness	5.0
	Accuracy	4.9
	Check-in	4.9
	Communication	5.0
	Location	5.0
	Value	4.8



**Darin**  
Portland, OR

★★★★★ · January 2023 · Stayed with kids

Very quiet, tasteful, retreat in Point Reyes. Beautiful views too



**Neil**  
2 years on Airbnb

★★★★★ · August 2022 · Stayed a week

It is a beautiful place in a beautiful setting. Loved it.

Eric T. Davis  
226 Inca Place  
Davis, CA 95616  
November 6, 2023

Marin County Planning Commission  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903

By email: [planningcommission@marincounty.org](mailto:planningcommission@marincounty.org)

Re: Marin County Revised Draft Short Term (STR) Ordinance

Dear Planning Commissioners:

While I continue to believe that owners of existing legal STR's are entitled to grandfather rights as permitted uses under Marin County's zoning code, as articulated by my attorney Leonard Rifkind in his letter to you, dated October 22, 2023, I have some additional thoughts concerning the specific provisions of the draft revised STR Ordinance recently published by the Marin County Community Development Agency:

1. Remove Cap on Short Term Rentals at Dillon Beach

As has been articulated by a number of Dillon Beach STR owners, and supported by several of the Commissioners at the October 23 workshop, Dillon Beach has been a vacation community for more than 100 years, and should not be subjected to a STR cap on the theory that such a restriction will stimulate long term rentals for workforce housing at that location. There are very few long-term residences at Dillon Beach, less than 50 (less than 15%) of the total residences there, most of which are second home vacation homes, some of which are used as short term rentals. There are very limited services at Dillon Beach, with no schools, medical facilities, pharmacies, hardware

stores, banks, gas stations, and only a small general store and part-time restaurant operated by the Dillon Beach Resort. The only jobs at Dillon Beach are related to the cleaning of the short term rentals, working for the Dillon Beach Resort at its store and restaurant or cleaning and equipping its short term rental Tiny Homes, or working at Lawson's Landing fishing and boating campground. There is no evidence that the few people working at Dillon Beach want long term residency at Dillon Beach, or that they could afford to do so. Dillon Beach is unique and should have no caps on short term rentals, which provide affordable housing for families who want to visit the Coast. Likewise, if a county wide cap is adopted, Dillon Beach should be exempt from that cap.

## 2. Remove Restriction on Transfer of Licenses Between Family Members

Section 5.41.040(C) of the revised draft Short Term Rental Ordinance provides that a short term rental license will be terminated upon a change in ownership of the property, with an exception added after the October 23 PC workshop, for transfers to a surviving spouse of a property owned by spouses. This exception should be expanded to cover any transfers, by death or otherwise, between family members. Dillon Beach, like other Coastal communities, is characterized by properties owned by families, in some cases for generations, and the ability of these families to maintain and improve their homes against the harsh elements experienced on the Coast, would be substantially handicapped by the proposed regulation that will prohibit the continuation of short term rentals in the case of transfers between family members. This should be corrected with a family transfer exemption.

## 3. Clarify that Licenses May Be Revoked only for more than 3 Violations

Unlike the provisions of Section 5.41.050(F)(5) which specify that the renewal of a short term license may be denied only "if there have been more than three verified substantial violations" of Chapter 5.41, Sections 5.41.050 (D)(2) and 5.41.080 allow the revocation or suspension of a license if the STR owner violates "the standards set forth in this Chapter [5.41]". The lack of clarity in these latter Sections suggests that an STR license may be revoked or suspended for three or fewer violations of Chapter 5.41. The Ordinance needs revision to remove the inconsistency between these Sections, to clarify that more than 3 violations of the Chapter are required for non-renewal, revocation or suspension of a license, and the period in which such violations must occur.

. 4. Eliminate or Clarify the Specified Water Use Requirements

Section 5.41.040(D)(4)(xiv) specifies that the license application materials shall include water use documentation demonstrating that STR water use does not exceed 250 gallons per day, or a lower limit established by the local water purveyor. In the case of an exceedance of the specified water use level, the license applicant must proffer a strategy to reduce water use below “an average of 250 gallons per day during the next year”, failing which the license shall not be subsequently renewed. This requirement is flawed. First, no basis has been stated for the setting of the average 250 gallons per day STR water use standard. Second, there is ambiguity as to what period is to be used for calculating that average. Third, the County should not be in the business of regulating water use; that is the business of the water purveyors. Fourth, the allowance of local water purveyors to set a required water use level as a condition of an STR license is an unlawful delegation of legislative authority. The water use standard should be eliminated entirely, or should be clarified to be lawful, reasonable and understandable.

Thank you for your consideration.

Sincerely,



Eric T. Davis

Copies:

Sara Jones, CDA Director, [sbjones@marincounty.org](mailto:sbjones@marincounty.org)

Jeremy Tejjirian, CDA Planning Manager, [jtejjirian@marincounty.org](mailto:jtejjirian@marincounty.org)

Kathleen Kilgariff, CDA Planner, [kkilgariff@marincounty.org](mailto:kkilgariff@marincounty.org)

\

**From:** [PlanningCommission](#)  
**To:** [Kathleen Kilgariff](#)  
**Cc:** [Leslie Lacko](#)  
**Subject:** FW: Revisions to draft STR  
**Date:** Tuesday, November 7, 2023 10:48:19 AM

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**From:** Michelle McDonald <mamcdonald@hotmail.com>  
**Sent:** Monday, November 6, 2023 12:34 PM  
**To:** PlanningCommission <PlanningCommission@marincounty.org>  
**Subject:** Revisions to draft STR

You don't often get email from [mamcdonald@hotmail.com](mailto:mamcdonald@hotmail.com). [Learn why this is important](#)

Dear Christina, Claudia, Don, Gregory, Margaret, Margo and Rebecca:

I am a property owner in Dillon Beach. I have owned this home for the last 12 years and have had it as a STR for the last 10 years. Without my home being a STR we could not afford to keep this home. I have the following comments regarding the revised document:

1. Dillon beach has historically been a vacation community - there should be NO CAP for STR's in Dillon Beach
2. It is our intention to transfer this property to our son on our passing; this should NOT trigger a termination in a STR license
3. What is the 150 gallons per day water usage standard based upon? It's confusing what you are asking

Thank you  
Michelle McDonald  
916-591-1221

**From:** [PlanningCommission](#)  
**To:** [Kathleen Kilgariff](#); [Leslie Lacko](#)  
**Subject:** FW: Short Term Rental | Dillon Beach  
**Date:** Tuesday, November 7, 2023 10:49:09 AM

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**From:** Colleen Madden <[colleen@cmadden.com](mailto:colleen@cmadden.com)>  
**Sent:** Monday, November 6, 2023 12:56 PM  
**To:** PlanningCommission <[PlanningCommission@marincounty.org](mailto:PlanningCommission@marincounty.org)>  
**Subject:** Short Term Rental | Dillon Beach

You don't often get email from [colleen@cmadden.com](mailto:colleen@cmadden.com). [Learn why this is important](#)

Dear Planning Commissioners:

**Christina Desser**

**Claudia Muralles**

**Don Dickenson**

**Gregory Stepanicich**

**Margaret Curran**

**Margot Biehle**

**Rebecca Linda**

I own a home in Dillon Beach which I lived in full time for approximately 5 years. During that time, I found it very difficult to live in Dillon Beach and commute to a full-time job.

The cost of transportation should be considered when looking at Dillon Beach as "affordable living". The cost alone to drive daily is more than you would imagine.... gas prices, wear and tear to your car (I bought 2 cars in 5 years). An affordable grocery store is a 30-minute drive each way. There are minimal buses, I believe one a week, Uber and Lift will not go to Dillon Beach because of its remote location. Cost of transportation and remote location (difficulty of windy roads and low fog) are most likely why there are approximately 40 full time residents that live in Dillon Beach.

The rental income I receive offsets the expenses ie: mortgage, insurance, property tax, maintenance etc. I believe you will find this true for many short-term homeowners. The numbers you shared with an average income of \$642/night 84 % occupancy and \$12,500/month are not even close to what I have ever grossed. The highest occupancy rates of all time were during COVID when people were "staycating" because they could not travel abroad. Even during that time my numbers were not half of these posted averages.

Also, as a Real Estate Agent who has sold numerous homes in Dillon Beach, I am very concerned about the impact this moratorium has had on the value of our homes. Buyers are put off by the uncertainty of being able to rent a home on a short-term basis. This is financially devastating to our community. Our values were increasing until this moratorium.

Dillon Beach is known as a beach community one that for generations have been a vacation destination. Jobs (housecleaning, maintenance etc.) are created because of short-term rentals. Our local grocery store and restaurant is surviving because of people vacationing. During the years that I have resided at the beach full and part time the STR did not disturb me. I enjoyed seeing other families having the opportunity to enjoy the area. I lived in-between two STR's, I never had a noise issue nor did any short-term tenant show anything but respect and friendliness.

I believe Dillon Beach is not a place you can target as affordable living by shutting down short-term rentals and assume many of those homes will turn to "affordable" living. I'd be interested to know how

many homeowners would rent their homes as full-time rentals if they could not rent them short-term.

Personally, I am so happy I can “book” days for my family to stay in our home and allow others to enjoy our home when we cannot. It would be a shame to take away an affordable vacation from families that have been doing this for years.

Sincerely,

Colleen Madden

Home Address: 14 Park Ave, Dillon Beach, CA 94929

Mailing Address: 1001 Bridgeway #461, Sausalito CA 94965

(415) 497-5170



**From:** [John Hutchinson](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Tuesday, November 7, 2023 11:20:07 AM

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[Some people who received this message don't often get email from [jhutch@packetvelocity.com](mailto:jhutch@packetvelocity.com). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision. Without improvement in the str numbers the west marin coastal towns will cease to be communities and turn into nothing but short term vacation destinations! If and when that occurs there will be fewer and fewer full time residents to care about and invest in their neighborhoods.

Thank you for your consideration,  
Name: John Hutchinson  
Address: 23 Avenida Olema, Stinson Beach  
Email: [jhutch@packetvelocity.com](mailto:jhutch@packetvelocity.com)

**From:** [PlanningCommission](#)  
**To:** [Kathleen Kilgariff](#); [Leslie Lacko](#)  
**Subject:** FW: STR  
**Date:** Tuesday, November 7, 2023 11:59:57 AM

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**From:** Cherry grisham <[cherryjim@sbcglobal.net](mailto:cherryjim@sbcglobal.net)>  
**Sent:** Tuesday, November 7, 2023 11:21 AM  
**To:** PlanningCommission <[PlanningCommission@marincounty.org](mailto:PlanningCommission@marincounty.org)>  
**Subject:** STR

You don't often get email from [cherryjim@sbcglobal.net](mailto:cherryjim@sbcglobal.net). [Learn why this is important](#)

To: Don Dickerson,  
Planning commissioner  
From: Cherry Grisham  
November 7, 2023

The Marin Co Planning Commission is developing ordinances for Short Term Rentals (STR) in unincorporated west Marin County. They have met and researched; they have done a survey; they've had outreach meetings for the public in June and October. What has been the result of all of this? How has the committee demonstrated they are listening to the community? For 25 years I have been the owner of a STR in Dillon Beach. The committee has committed to treating communities individually and to meet the needs of the individual communities. My community of Dillon Beach feels the developers of the ordinance are not hearing us, are not respecting our communal knowledge.

Is the goal of the committee to meet the housing mandates of the state by putting the burden on West Marin County? Is greater Marin County avoiding building new homes where people want to live and go to school, and work, shop, go to doctor, or even- even go to a pharmacy or use public transportation for work. Or, is the committee fulfilling a mandate?

I would ask the Planning commission to respect Dillon Beach's historic communal knowledge- and what this community has experienced in for this vacation beach village.

1. The CAP for Dillon Beach STRs should be eliminated from the Draft STR ordinance.

My home has been a vacation rental for more than 50 years. Currently, as reported on my Federal Income Taxes, I rent over 300 days a year. I could rent more, but weeks each year must be spent on repairs and upgrades. The coast is an expensive place to have a house! Dillon Beach needs more vacation rentals not less so all citizens of California can enjoy the beautiful, remote coast. CAPing the number of STR does not meet the goal of adding full time housing. The CAP certainly limits coastal access for all Californians.

2. Transferring STR properties between family members should not trigger a termination of the STR license under the STR ordinance.

I bought my STR after the death of my 26 year old son. The house provided me respite and a plan for my retirement. I'm an 80 year old retired widow, and this property provides me with retirement income. I want my family to inherit this business without it being a burden. My middle-class family could not afford to keep this house unless it remains a STR to share with other middle class families.

3. The Draft STR Ordinance should be revised to clarify that a license may not be revoked or suspended for a single violation of the STR standards consistent with the provision in the revised draft Ordinance that non-renewal a license will require 3 violations of the standards as determined at a code enforcement proceeding.

4. The county should clarify in the STR Ordinance what the 150 gallons per day water usage standard is based upon an Annual average.

5. STRs' should remain exempt from the 2 onsite parking space requirement until the transfer of title occurs for the property unless the title change is caused by the death of the owner and the transfer to a family member.

**From:** [Thomas Wood](#)  
**To:** [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [Rice, Katie](#); [Rodoni, Dennis](#)  
**Cc:** [Sarah Jones](#); [Kathleen Kilgariff](#); [Leslie Lacko](#); [STR](#)  
**Subject:** rancher short term stays  
**Date:** Tuesday, November 7, 2023 12:28:24 PM

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You don't often get email from thomaswood@att.net. [Learn why this is important](#)

All:

I am writing in support of allowing ranchers on agricultural lands to continue offering short-term rental stays, as they are a necessary adjunct to their business.

There is a distinction between a.) short-term rentals on agricultural properties in relatively remote locations; and b.) short-term rentals in cities, towns and villages.

The ranch/agricultural STRs, especially because there are so few and because they provide a different function, should be evaluated on a separate basis from those in towns, created solely to generate more income at the expense of long-term rental opportunities. This is to say that there should be criteria and standards written into the laws regarding STRs that recognize distinctions, variations and specific situations, instead of a one-size-fits-all mandate.

Sincerely,

Thomas Wood

Thomas Wood  
Artist  
[twoodart.com](http://twoodart.com)

**From:** [Harriet Moss](#)  
**To:** [STR](#); [PlanningCommission](#)  
**Cc:** [Rodon, Dennis](#); [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#)  
**Subject:** Primer on STRs in Unincorporated Marin County  
**Date:** Tuesday, November 7, 2023 4:20:15 PM  
**Attachments:** [A Primer on Short term Rentals.docx](#)  
[Coastal Zone Jurisdictions Restricting STRs, 10\\_30\\_23.pdf](#)  
[cidclip\\_image001.png](#)  
[cidclip\\_image002.png](#)  
[cidclip\\_image003.png](#)  
[Coastal Zone Jurisdictions Restricting STRs, 10\\_30\\_23.pdf](#)

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Dear Planning Commissioners and Supervisors,

There seemed to be a certain amount of confusion at the October 23rd Planning Commission meeting around various aspects of the proposed draft Short Term Rental ordinance. Since it's a complicated issue that encompasses three Staff Reports (May 2022, June 2023, October 2023) a previous ordinance (May 2022 Moratorium) and is affected by the Marin County Housing Element, the Marin Local Coastal Program, and the CA Coastal Commission's recent STR rulings, West Marin Residents for Housing has prepared a brief Primer summarizing the relevant facts and figures contained in the above documents that are pertinent to the Commissioners' and Supervisors' review of the issue. The Primer also contains a summary of STR regulations in 12 other California coastal communities, also attached separately. We hope these are useful resource documents as you consider a new ordinance. The Primer is attached in Word immediately below, as well as in the body of this email further down.

Harriet Moss  
for West Marin Residents for Housing

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The purpose of this primer is to provide an introduction to the current state of Short Term Rentals (STRs) in the Marin Coastal Zone. West Marin Residents for Housing ([westmarinresidentsforhousing.org](http://westmarinresidentsforhousing.org)) has been studying the STR issue since December 2018. The Marin County Planning Commission is in the process of preparing a set of recommendations to update the STR ordinance that was first implemented in 2018.

### **A Primer on Short term Rentals (STRs) in Unincorporated West Marin and the Coastal Zone**

Resources (*direct quotes are in blue*): •May 24, 2022 *Staff Memo Re: Moratorium*; •May 24, 2022 *Ordinance Establishing STR Moratorium*; •June 12,2023 *Staff Report*; •October 23, 2023 *Staff Report*; •*Marin County Housing Element*; •*Marin County Local Coastal Program*; •*Marin STR Ordinance Coastal Act Consistency Analysis*; • October 23, 2023 *Draft STR Ordinance*



Q: How many STRs are registered (with Business License and TOT) in Unincorporated Marin?

A: 873 STRs in total.

Q: How many in the Coastal Zone?

A: 568 STRs currently are registered in the Coastal Zone

Q. How many STRs would be allowed per the draft ordinance?

A. 923 STRs would be allowed in Unincorporated Marin. 568 of these would be allowed in the Coastal Zone.

Q: What % of the housing stock do STRs represent in the Coastal Zone?

STRs make up 16% of the Coastal Zone's housing stock, ranging from 9% in Olema, Tomales & Point Reyes Station to 27% in Stinson Beach and 31% in Dillon Beach.

Q: What % of the housing stock do STRs represent in East Marin?

A: 1% to 3%. Sausalito, Tiburon, Belvedere and Larkspur ban STRs completely. See below:

Residential Short Term Rental by Area			
Area	Number of STRs	Number of Parcels Developed with Living Units	Percentage of Parcels Used as STRs
Coastal Zone	568	3450	16%
West Marin Communities Outside of the Coastal Zone	53	1798	3%
East Marin Communities	252	17805	1%
All of Unincorporated Marin	873	23053	3%

Source: Department of Finance and Assessor-Recorders 2022 Tax Roll

Q: How many STRs existed in Unincorporated Marin 5 years ago, in 2018? How many exist now?

A: According to the June 12, 2023 Staff Report, there were 480 STRs in 2018: Over the past 5 years that number has doubled to 873.

Q. What effect has this doubling of STRs in the Coastal Zone had on local communities?

A. While a good number of Coastal Zone STRs have been vacation rentals for years, even decades, many more recent STRs are in properties that previously

were long term rentals. This has eviscerated the longterm rental market in the Coastal Zone, reducing it to close to zero in most Coastal Zone communities.

-From the 5/24/22 Staff Report re: Moratorium, p.2: *“Community discussions connected with the Housing Element effort have indicated that STR uses may be affecting the supply and affordability of housing, particularly in West Marin communities which have become increasingly attractive to homebuyers and where there are relatively small numbers of homes. Overall, it appears that in the context of labor shortages, increased costs, and demand, STRs are increasingly impacting the health and safety of local communities, especially in the West Marin Area.”*

-From the 5/24/22 Ordinance Establishing STR Moratorium, Findings (Section 1.E): *“The shortage of affordable, permanent housing hollows out West Marin Area communities. It causes increases in property values and reduces availability of local employee housing, which in turn forces emergency responders, teachers, and other essential public service workers to live outside the West Marin Area, creating a teacher shortage and delays in emergency and public services. Lack of permanent housing has further caused school enrollment in the area to decline, impacting revenues to all school districts.”*

-From the 5/24/22 Ordinance Establishing STR Moratorium, Findings (Section 1.G): *This affordable housing shortage in the West Marin area constitutes a current and immediate threat to public health, safety and welfare. In addition, allowing the approval of additional short term rental units in the West Marin area would result in a threat to public health, safety and welfare.*

Q: What effect has the doubling of STRs in the Coastal Zone had on local businesses?

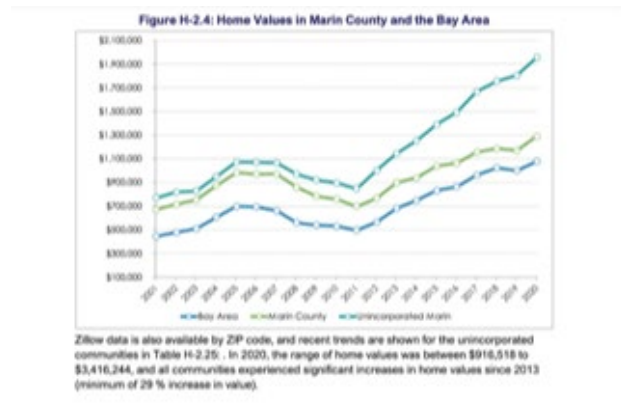
A: From the 5/24/22 Ordinance Establishing STR Moratorium, Findings (Section 1.D): *“Lack of permanent housing throughout the Bay Area has affected economic activity in the West Marin area. For example, a lack of service workers in that area has resulted in long commutes for service workers and caused businesses to reduce hours and even close some days.”*

Q: What effect has the doubling of STRs in the Coastal Zone had on housing prices in the Coastal Zone?

A: Starting in 2011, the year Airbnb expanded internationally, home price



increases in Unincorporated Marin – which had previously tracked with price increases in Marin and the Bay Area, began shooting up. See chart below.



-From the Marin County Housing Element (D-147): *“Housing shortages and prices are affected by the use of homes as STRs instead of residences.”*

-From the June 12<sup>th</sup> Planning Commission Staff report: *“...the income generated by STRs, where nightly rates can average around \$550 per night, while some range up to over \$1,000/night, in comparison to that earned with a longterm rental, is likely an incentive for property owners to seek STR use, serving visitors rather than traditional renters.”*

This substantial income potential also means that purchasers looking to buy a house for short term rental purposes can afford to pay a great deal more for the house than a family looking to live in it fulltime.

Q: How many letters supporting more regulation and a reduction in Coastal Zone STRs has the CDA received since June?

A: Over 200, including ones from the Inverness Association (336 members), the Point Reyes Village Association (25 contributors), the Community Land Trust of West Marin (CLAM), the Bolinas Community Land Trust, the Stinson Beach Affordable Housing Committee, and the West Marin Housing Collaborative.

Q: What were the results of the County’s survey on STRs, the Inverness Association’s survey and the Point Reyes Village Association surveys?

A: Per the October 23<sup>rd</sup> Staff Report (P.20), the County’s STR survey results showed that *“...the respondents who indicated that they lived in Unincorporated Marin both supported limiting the overall number of STRs in the unincorporated*

*area (64%) and limiting the number of STRs by community (57%).”*

In the Inverness Association survey, 87% of the respondents wanted operating requirements and/or caps. The Point Reyes Village Association’s recommendation to the CDA to limit STRs to 5% in the commercial core and 10% in residential zones of PRS came out of a participatory process by PRVA members.

Q: If we reduce or limit STRs, won’t many of them sit empty, rather than becoming long-term housing?

A: Some will but others will revert back to longterm rentals. The County can encourage this by: 1. enacting incentives to support property owners in transitioning to longterm rentals and, 2. imposing a vacancy tax on unused properties, as Vancouver, Berkeley and San Francisco have done.

Q: If we reduce STR operators, won’t this will negatively impact Measure W funds that the County depends on to support affordable housing and first response?

A: Since most STRs are not occupied 100% of the time, any reduction in Measure W TOT income will likely be offset by an increase in the occupancy rates of the remaining STR’s. The amount of funds coming to local Fire Departments from Measure W is a small fraction of what is now being spent to bring on paid emergency personnel to replace the formerly local volunteer base that has disappeared because of a lack of rental housing.

Regarding the impact on affordable housing, all four West Marin affordable housing organizations (CLAM, BCLT, Stinson Beach & San Geronomo Valley) have written to the Planning Commission requesting a reduction in STRs.

Q: Would reducing the number of STRs in the Coastal Zone affect visitor access?

A: The below chart from the Local Coastal Program and the CDA staff’s MARIN COUNTY SHORT TERM RENTAL ORDINANCE COASTAL ACT CONSISTENCY ANALYSIS (p.6), indicates that 4659 overnight visitors can be accommodated in the Coastal Zone, not including the several hundred STRs licensed after 2019:

<b>Overnight Accommodations in the Coastal Zone</b>	
Hotel/ Motel/ Inn/ Bed and Breakfast (rooms)	279
Private Rentals (units)	357
Campsites	830
Trailer RV (spaces)	80
Hostel (beds)	56
Capacity (number of people)	4659

This number does not include the 1000-2000 units of lodging outside the Coastal Zone, almost all within 20 miles of the coast.

Given the average cost of STRs in West Marin (\$550-\$1000/night), decreasing the number would have virtually no impact on equitable coastal access for low - moderate income visitors. Given the total amount of lodging, both in the Coastal Zone and nearby, the overall coastal access effect would be negligible.

Q: Where does the CA Coastal Commission stand on coastal communities' rights to limit STRs?

A: A large majority of CA coastal communities have instituted limitations and caps on STRs in the past few years. See the attached worksheet detailing STR regulations successfully implemented by other CA coastal communities.

-From CDA staff's MARIN COUNTY SHORT TERM RENTAL ORDINANCE COASTAL ACT CONSISTENCY ANALYSIS (p.4): *"... given the rise of popularity in STRs in recent years and the current housing crisis in the State, the CCC has begun to consider whether unlimited, unregulated STRs are an appropriate use when so many coastal communities are facing housing shortages."*

-From Commissioner Justin Cummings at August 10, 2023 CA Coastal Commission hearing: *"We really do need to look at how communities are being impacted by short term rentals and how that intersects with our push for trying to have more housing in coastal communities... then when we take residential and convert it into commercial that puts an even bigger strain on our ability to provide housing."*

Harriet Moss  
5 Laurel Avenue  
Stinson Beach, CA 94970  
415-254-3492

## Example California Jurisdictions Restricting Short Term Rentals in the Coastal Zone

Jurisdiction	Date effective	Key STR Limiting Requirements: note, most jurisdictions also include requirements for licensing, code compliance, and good neighbor compliance.
Humboldt County, Unincorporated Coastal Areas	Pending; Moratorium in place; draft released 9/2023	Draft Ordinance for Coastal Zone: * 2 year term for conditional use permit for STR * Distinction between Hosted and Unhosted * Short-term Rental Cap. <b>Not more than 2% of the housing stock</b> may be permitted in the Coastal Greater Humboldt Bay Areas: Trinidad Area Plan [AP], McKinleyville AP, Humboldt Bay AP and the Eel River AP. * Limits on neighborhood concentration of STRs and cap at 20 person parties. <a href="https://humboldt.gov/DocumentCenter/View/120899/Draft-Short-term-Rental-Ordinance_coastal-92223">https://humboldt.gov/DocumentCenter/View/120899/Draft-Short-term-Rental-Ordinance_coastal-92223</a>
Half Moon Bay	2023	* Requires annual registration of the short-term vacation rentals. * Maximum occupancy requirements and limits unhosted nights to 60 days in residential zoning districts. <a href="https://www.half-moon-bay.ca.us/931/Short-Term-Rentals">https://www.half-moon-bay.ca.us/931/Short-Term-Rentals</a>
Dana Point	2023	New program to allow STRs in Coastal Zone: Cap – Maximum 115 permits applies to Non-Primary, Multi-Family, and Mixed Use Parcel STRs No Cap – Home Stay and Primary STRs are not associated with the STR cap Cap Adjustment – Each time a Home Stay and Primary STR Permit is issued, the 115 cap is reduced by one (1) Existing STR Permits - 69 Available new Permits – 46 <a href="https://www.danapoint.org/department/community-development/code-enforcement/short-term-rental-permit">https://www.danapoint.org/department/community-development/code-enforcement/short-term-rental-permit</a>
San Diego	2023	Tier 1, Part-Time : Rented for an aggregate of 20 days or less per year. The owner or permanent resident does not need to reside onsite during the STRO. 162 licenses issued; unlimited remaining. Tier 2, Home-Sharing: Renting a room or rooms in the home for more than 20 days per year so long as the owner or permanent resident resides onsite. The owner or permanent resident may be absent from the permanent residence during the STRO for up to 90 days per calendar year. 2,353 issued; unlimited remaining. Tier 3, Whole-Home, Excluding Mission Beach: Rentals for more than 20 days per year where the owner or permanent resident does not reside onsite. <b>The number of licenses issued will not exceed 1% of San Diego's total housing units outside the Mission Beach Community Planning Area.</b> Guest two-night minimum stay required. 4,226 issued; 1,193 remaining. Tier 4, Whole-Home, Mission Beach: Same provisions as tier 3, except the number of licenses issued will not exceed 30% of the Mission Beach Community Planning Area. 1,082 issued, 0 remaining, 118 on waitlist. Both Tier 3 or Tier 4 licenses require utilization for a minimum of 90 days each year in order to maintain the license. <a href="https://www.sandiego.gov/treasurer/short-term-residential-occupancy">https://www.sandiego.gov/treasurer/short-term-residential-occupancy</a>
Seal Beach	2023	* "The total number of STR Permits, combined with STR' s with existing Conditional Use Permits (" CUP"), shall not exceed <b>1% of the residential units</b> in the Coastal Zone." * Permits issued based on lottery. * "An STR Permit is valid for one ( 1) year from the date of issuance." * Large events prohibited. * One permit per STR operator. <a href="https://www.sealbeach.org/ordinance/1701-section-11-4-05-135-of-the-seal-beach-municipal-code">Ordinance 1701, Section 11. 4. 05. 135 of the Seal Beach Municipal Code</a>
Pismo Beach	2018; Moratorium 2023	On June 6, 2023, City Council adopted an Ordinance (O-2023-003) extending a moratorium on the issuance of short-term rental licenses. 2018 Ordinance states: * STRs and homestays shall be permitted only at single-family properties that are the primary residence of the property owner. For purposes of short-term rental or homestay licensing, a property owner shall only have one primary residence at any time. Legally permitted accessory dwelling units occupied by the property owner may be deemed to be the property owner's primary residence. The property owner shall be required to provide proof of primary residence on a yearly basis. The property owner (s) shall be required to be individual owner(s) or trustee(s), and not a corporation, limited liability company, partnership, or other business or commercial entity. * The number of visitors to an STR or homestay shall not exceed a number equal to the allowable occupancy of the STR or homestay at any time. For example, if the maximum overnight occupancy is six, then no more than six additional visitors are allowed. * Maximum of 182 nights per year. <a href="https://pismo-beach.org/881/Short-Term-Rental-Permit">https://pismo-beach.org/881/Short-Term-Rental-Permit</a>
Hermosa Beach	2022	It shall be unlawful for any person to offer or make available for rent or to rent (by way of a rental agreement, lease, license or any other means, whether oral or written) for compensation or consideration a residential dwelling, a dwelling unit or a room in a dwelling for less than 30 consecutive days and for any person to occupy a residential dwelling, a dwelling unit or a room in a dwelling for less than 30 consecutive days pursuant to a rental agreement, lease, license or any other means, whether oral or written, for compensation or consideration <b>except for short-term vacation rentals in nonconforming residential dwelling units in certain commercial zones in compliance with the following requirements.</b> <a href="https://www.hermosabeach.gov/our-government/city-departments/community-development/short-term-vacation-rentals">https://www.hermosabeach.gov/our-government/city-departments/community-development/short-term-vacation-rentals</a>
Monterey County, Coastal Zone	2022	In the coastal areas of the County, short term rentals may be allowed by obtaining a coastal development permit under the category of similar use. These permits cost approximately <b>\$12,000</b> . <a href="https://www.co.monterey.ca.us/government/departments-a-h/housing-community-development/permit-center/short-term-rentals">https://www.co.monterey.ca.us/government/departments-a-h/housing-community-development/permit-center/short-term-rentals</a>
Cambria, Cayucos, Avila Beach & Los Osos, San Luis Obispo County	2022	Each community within the County has a specific limitation based on density and/or numeric cap: * Cambria, Cayucos, and Avila Beach limited by density. * Los Osos, "The number of residential vacation rentals established and active (valid and unexpired business license) shall not exceed <b>55</b> ". <a href="https://www.sanluisobispo.gov/2308165-residential-vacation-rentals">San Luis Obispo Municipal Code, Section 23.08.165 - Residential Vacation Rentals.</a> Based on an LOCP FEIR estimating 6,321 existing dwelling units in Los Osos, this is a limit of <b>.87% of the housing stock in Los Osos in STRs.</b> <a href="https://www.sanluisobispo.gov/2308165-residential-vacation-rentals">Los Osos Community Plan Final Environmental Impact Report ADVISORY MEMORANDUM #1</a>

Huntington Beach	2021	<p>City is divided into two zones: Zone 1 – properties within the City, excluding Sunset Beach; Zone 2 – properties within Sunset Beach</p> <p>Hosted/owner-occupied STRs are allowed in Huntington Beach (Zone 1) and Sunset Beach (Zone 2)</p> <p>Un-hosted/owner un-occupied STRs are allowed in Sunset Beach (Zone 2) who obtain a permit by March 1, 2022</p> <p>A valid, non-transferrable annual City of Huntington Beach Short-Term Rental Permit is required to operate a STR</p> <p>One STR per property (SFR, duplex, triplex, rental properties of any size)</p> <p>Up to 3 STRs per property (on ownership properties with 4 or more units, i.e. condominiums and townhomes if allowed by CC&amp;Rs)</p> <p>Enforcement:</p> <p>Local Contact Person to respond to complaints within one hour after the complaint is received</p> <p>\$1,000 fine each day for each violation of any provision</p> <p>3 violations against a STR Host/Operator within a 12-month period shall result in revocation of STR Permit</p> <p><a href="https://www.huntingtonbeachca.gov/government/departments/planning/short-term-rentals-in-hb.cfm">https://www.huntingtonbeachca.gov/government/departments/planning/short-term-rentals-in-hb.cfm</a></p>
Morro Bay	2020	<p>The maximum allowable number of full-home short-term vacation rentals in residential zones is one hundred seventy-five (175), subject to Nonconforming short-term vacation rentals (lawful rentals predating the ordinance).</p> <p><a href="https://library.municode.com/ca/morro_bay/codes/code_of_ordinances?nodeId=TIT17ZO_CH17.41SHRMVARE">https://library.municode.com/ca/morro_bay/codes/code_of_ordinances?nodeId=TIT17ZO_CH17.41SHRMVARE</a></p> <p>According to a pro-STR advocacy group, "4% of all the housing units in Morro Bay hold STR business licenses and only 2.5% of all housing units have an active vacation rental"</p> <p><a href="https://www.sharemorrobay.com/thefacts">https://www.sharemorrobay.com/thefacts</a></p>
Laguna Beach	2020	<p>Short Term Lodging (STL) only allowed within certain commercially zoned districts (map of these districts illustrates that STLs are <b>not</b> permitted along much of the coast).</p> <p>"To protect the long-term rental housing stock, no more than 20% of the total number of allowable rental units located in the permitted zoning districts may be converted to short-term lodgings"</p> <p>Existing permitted STL units in the residential districts are legal nonconforming and may continue to operate.</p> <p><a href="https://www.lagunabeachcity.net/government/departments/community-development/planning-zoning/current-projects/short-term-lodging">https://www.lagunabeachcity.net/government/departments/community-development/planning-zoning/current-projects/short-term-lodging</a></p>
Santa Cruz	2018	<p>HOSTED A total of 250 owner-occupied/hosted STR permits are available on a first come, first served basis.</p> <p>NON-HOSTED is defined as an STR where the owner does not live in the home or lives in the home for less than 6 months per year. The City will not be issuing new Non-Hosted STR permits. However, there are several existing, legally permitted and operating Non-Hosted STRs that will be allowed to continue under the ordinance.</p> <p><a href="https://www.cityofsantacruz.com/government/city-departments/planning-and-community-development/short-term-rentals">https://www.cityofsantacruz.com/government/city-departments/planning-and-community-development/short-term-rentals</a></p>
Mendocino Town	2017	<p>Mendocino "capped the total number of lodging units in the town, and the CCC found that these caps were justified by proportionally high number of visitor serving units relative to residential units in the town and the variety of accommodations (e.g., campgrounds, low-cost hotels and motels) available in the surrounding area.</p> <p>This LCP amendment also built on many years of effort to balance the town's various unique attributes, including a severely restricted water supply, with its desirability as a vacation destination." (<a href="#">Coastal Commission Staff analysis in Santa Cruz LCP Update at page 3</a>).</p>
San Mateo County, Unincorporated Coastal Zone	2017	<p>Limited to 180 days per year</p> <p><a href="https://www.smcgov.org/planning/short-term-rental-ordinance-coastal-zone">https://www.smcgov.org/planning/short-term-rental-ordinance-coastal-zone</a></p>
San Francisco	2015	<p>Permanent Resident occupies the Residential Unit for no less than 275 days out of the calendar year in which the Residential Unit is rented as a Short-Term Residential Rental. To maintain your Permanent Residency, Residential Unit can only be rented 90 un-hosted nights within a calendar year.</p> <p><a href="https://sfplanning.org/str/faqs-short-term-rentals">https://sfplanning.org/str/faqs-short-term-rentals</a></p>
<b>Bans on Short Term Rentals in the Coastal Zone</b>		
Santa Monica	Originally adopted 2015, amended 2017, 2019.	<p>Defines two types of Short-Term Rentals:</p> <ul style="list-style-type: none"> <li>*"Home-Sharing" – The law authorizes home-sharing, which is the rental of 30 consecutive days or less of one or more bedrooms in the home that is the primary residence of the host while the host lives on-site in the home throughout the visitor's stay.</li> <li>*"Vacation Rental" – The law continues the City's <b>longstanding prohibition</b> against Vacation Rentals. A vacation rental is the rental of 30 consecutive days or less of a home, in whole or in part, for exclusive transient use. The visitor enjoys the exclusive private use of the unit.</li> </ul> <p><a href="https://www.smgov.net/Departments/PCD/Permits/Short-Term-Rental-Home-Share-Ordinance/#2_Does">https://www.smgov.net/Departments/PCD/Permits/Short-Term-Rental-Home-Share-Ordinance/#2_Does</a></p>
Rancho Palos Verdes	2016	<p>STRs, "are prohibited within the City's residential zoning districts. Violations of the short-term rental prohibition in the City's residential zoning districts maybe subject to fines of \$2,500 for first citation, \$5,000 for the second citation and \$7,500 for the third citation."</p> <p><a href="#">Rancho Palos Verdes, Short Term Rentals</a></p>
Carmel-by-the-Sea	1989	<p><a href="https://ci.carmel.ca.us/post/short-term-rentals">https://ci.carmel.ca.us/post/short-term-rentals</a></p>

**From:** [Gmail](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Tuesday, November 7, 2023 5:16:45 PM

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Some people who received this message don't often get email from [californiaorchids@gmail.com](mailto:californiaorchids@gmail.com). [Learn why this is important](#)

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

Why let anyone who is not a full time resident operate a STR? The original idea was lovely and it has gone completely wrong!

Thank you for your consideration,  
Name: Mary Nisbet  
Address: P.O. Box 1110  
Email: [californiaorchids@gmail.com](mailto:californiaorchids@gmail.com)

*Mary Nisbet/California Orchids  
[www.californiaorchids.com](http://www.californiaorchids.com)*

**From:** [Susan Brayton](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Tuesday, November 7, 2023 9:25:41 PM

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You don't often get email from susanbrayton@horizoncable.com. [Learn why this is important](#)

Dear Planning Commissioners and Supervisors,

Some Planning Commissioners seem to think that West Marin is a tourist destination *only*. This denotes shameful ignorance on their part. I have lived here since 1977 and was a founding board member of the Community Land Trust of West Marin in 2001. The need for affordable housing has increased to huge proportions in the last 40 years. It is very obvious to those of us who live here that businesses cannot survive unless there is housing close to employees' work. Local restaurants, stores, schools and medical & emergency services are suffering because workers cannot find homes here.

Please do not destroy our neighborhoods with your narrow understanding of the villages and towns within West Marin. **This is not JUST a destination point!**

It's outrageous that none of you have responded, or have even mentioned, the survey that the Inverness Association circulated to West Marin residents which obviously showed residents' opposition to the increased short term rentals that have occurred over the last 5 years, especially those vacation rentals owned by groups and organizations that have no connection to our community. Are you listening to those of us who live here full-time?

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can help restore the balance in our coastal communities for the benefit of those who live and work here and call this home.

Thank you for your consideration,

Susan Brayton  
[susanbrayton@horizoncable.com](mailto:susanbrayton@horizoncable.com)  
105 Vision Road  
Inverness, CA 94937  
(415) 669-1316



**From:** [PlanningCommission](#)  
**To:** [Kathleen Kilgariff](#); [Leslie Lacko](#)  
**Subject:** FW: Dillon Beach - Short Term Rentals  
**Date:** Wednesday, November 8, 2023 9:24:44 AM

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**From:** nancy smith <njsmith2453@gmail.com>  
**Sent:** Tuesday, November 7, 2023 5:41 PM  
**To:** PlanningCommission <PlanningCommission@marincounty.org>  
**Subject:** Dillon Beach - Short Term Rentals

You don't often get email from [njsmith2453@gmail.com](mailto:njsmith2453@gmail.com). [Learn why this is important](#)

Dear Planning Commissioners:

As you have now heard from in person testimony, letters, and emails, Dillon Beach has been a vacation community since its founding. We have requested to be exempt from the Caps on Short Term Rentals (STRs) since vacation accommodations have been and remain the core of our village's nature. Unfortunately, under the revised STR ordinance Dillon Beach remains subject to Caps. We understood that the Planning Commission and County staff would craft an ordinance that respects the unique nature of the various coastal villages.

### STR Caps for villages that are actual “towns”

We support Caps for those villages, Bolinas and Pt. Reyes Station for example, that desire them. Those are actual towns where people live and work. Those towns have stores, gas stations, schools, churches, drug stores and all the other infrastructure that full time residents require. Dillon Beach has none of those things.

### Caps for Dillon Beach don't help achieve Marin county's housing goals

Marin county states that STR regulations are to encourage additional low and middle income housing. However, the county's current Housing Element identifies no property parcels in Dillon Beach that could be utilized for additional housing. Parcels are identified in Tomales and other areas, but none in Dillon Beach.

How are the proposed Caps for Dillon Beach helping achieve this goal? Current owners will not be converting their houses to long term rentals. The reason we each bought was so we can enjoy the coast, allow others to do so by renting our vacation houses, and thereby offset the high cost of maintaining a house at the beach.

If we were not able to continue to share our vacation home as a STR through regulation or simply aging out of the effort, we would have to sell, because maintaining an old cottage at the beach as a long term rental is untenable. These

homes require constant attention and costly maintenance and so make no economic sense as full time rentals, especially not as lower cost full time rentals. If the purchaser could not use it as an STR they would have to be rich enough to use it only part time and leave it vacant often since the lack of services make living there full time possible for very few people. Now I read that the Housing Element plan suggests taxing housing that is often vacant via a 2025 ballot measure!

Housing Element, Chapter 5, p. 23 “In 2024, study the feasibility of a vacant home tax as a strategy to discourage unoccupied housing units and increase revenue for affordable housing. If appropriate, pursue ballot measures in 2025 to establish tax.”

Caps for Dillon Beach – provide the “look” of achieving housing goals without actually accomplishing anything.

Via the STR ordinance, Marin county appears to want to look like it is striving to make more affordable housing available without actually encouraging additional housing being built.

Access to the Coast for Visitors

California has a legal obligation to allow access to the coastline for visitors of all income levels.

- STRs are an affordable way for families to enjoy time at California's coast. Unlike hotels, families can cook and help make the visit economical.
- Most visitors staying at Dillon Beach are from the Sacramento area and the Central Valley. A day trip includes 4-5 hours of driving. With children, that just doesn't allow much leisure time at the ocean. Families need at least a couple of nights to make the trip worthwhile.
- Dillon Beach's “tiny homes” are exempt from the STR ordinance. The average cost per night at the tiny homes and adjacent cottages is \$480. That is not an affordable price for most families. Most STRs in Dillon Beach, including mine, are about half that price. For true access family accommodations need to be affordable for families.

There are three other simple changes to the draft ordinance that are also necessary. Clarify the ordinance so that:

- Transfer of STR properties between family members does not trigger termination of a STR license.
- A license is not revoked or suspended for a single violation of the STR standards, consistent with the provision in the revised draft Ordinance that non-renewal of a license will require 3 violations of the standards as determined at a code enforcement proceeding.

- The STR ordinance refers to 150 gallon per day water usage standard being based upon an *annual average*.

I appreciate the stated desire of Marin County to have additional affordable housing. Please don't put that full responsibility on West Marin when affordable housing should be near services that people require to live

Sincerely,

Nancy & Tom Smith

9 Summer St.

Dillon Beach

**From:** [PlanningCommission](#)  
**To:** [Kathleen Kilgariff](#); [Leslie Lacko](#)  
**Subject:** FW: To: Christina Desser - Short Term Rentals  
**Date:** Wednesday, November 8, 2023 9:24:57 AM

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**From:** nancy smith <njsmith2453@gmail.com>  
**Sent:** Tuesday, November 7, 2023 5:42 PM  
**To:** PlanningCommission <PlanningCommission@marincounty.org>  
**Subject:** To: Christina Desser - Short Term Rentals

You don't often get email from [njsmith2453@gmail.com](mailto:njsmith2453@gmail.com). [Learn why this is important](#)

Dear Ms. Desser:

Thank you for investing so much time and effort in helping craft a reasonable Short Term Rental (STR) ordinance. Clearly you understand the challenges and expense of maintaining a house on the coast. Allowing families to maintain their “slice of heaven” by renting out their house helps Marin county in two ways: we allow visitors access to California's coast at a reasonable cost and we ensure the coastal housing stock is kept in good condition.

Please support the request of Dillon Beach Access STR owners to exempt Dillon Beach from the proposed Caps on STRs. Caps are fine for Bolinas and Pt. Reyes Station – residents want the Caps. Those towns have services that allow for full time residence. Dillon Beach does not. Thank you.

Nancy & Tom Smith

9 Summer St.

Dillon Beach

**From:** [Rick Gordon](#)  
**To:** [Rodoni, Dennis](#); [Kutter, Rhonda](#); [Barreto, Fernando](#); [STR](#)  
**Cc:** [Don Smith](#); [Eleanor Lyman](#)  
**Subject:** Town Hall Comment Concerning Short Term Rentals in Bolinas  
**Date:** Wednesday, November 8, 2023 12:36:20 AM

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Some people who received this message don't often get email from [rick@rickgordon.com](mailto:rick@rickgordon.com). [Learn why this is important](#)

Dear Supervisor Rodoni,

I'm not sure that I will be able to attend the Bolinas Town Hall on November 8, as I am isolating due to a possible Covid exposure.

As a renter in Bolinas, I wanted to register my dissatisfaction with the County's proposed new Short Term Rental Ordinance, which does nothing to reduce short-term rentals beyond their current level. I was actually rather shocked that, in my understanding, you have not be actively working to correct this *in a meaningful way*.

Short-term rentals have wrought havoc to the Bolinas rental market, often effectively doubling the monthly payments that many renters have had to pay — in a market where incomes are not rising significantly. Many of the people that I know have lost housing due to the properties having been repurposed for short-term rental. It is decimating our town, and **we do not appreciate it**. Other towns have limited their short-term rentals; **why can't we?**

I request that you work actively to change the proposed ordinance to:

- **Roll back STR activity to 2018 levels.** We have twice as many STRs now as we did then, and one-sixth of all West Marin property is now being utilized as an STR.
- **Prohibit corporate ownership** of rental housing.
- **Require STR owners to be resident** on the property.

If you are committed to be more beholden to the interests of tourism, Airbnb, Vrbo, etc. than the local community here, **you cannot count on my vote** or the votes of many others in West Marin in the next election.

I sincerely hope that you will reconsider your position. Please file this letter in the appropriate places for public comment.

*Rick Gordon*  
415-246-2756

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**From:** Rick Gordon <[rick@rickgordon.com](mailto:rick@rickgordon.com)>  
**To:** [str@marincounty.org](mailto:str@marincounty.org), Rodoni, Dennis <[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)>  
**Cc:** Don Smith <[don@horizoncable.com](mailto:don@horizoncable.com)>, Eleanor Lyman <[eleanor@eleanorlyman.com](mailto:eleanor@eleanorlyman.com)>  
**Date:** Tue, Jun 20, 2023 9:17:22PM -0700  
**Subject:** Concerning Short Term Rentals in Bolinas

Dear Supervisor Rodoni, and whoever else is involved with the limitations on STRs:

As a Bolinas resident, and long-time resident of West Marin, I feel that it is vital to our communities to severely limit short-term rentals.

The proliferation of short-term rentals has created a situation where...

- There is an extreme lack of housing for local residents
- Rents are inflated to vacation rental rates
- Neighborhoods are decimated.
- Vacationers with no relationship to the community or understanding of the cultural context of the place exhaust the resources of our small communities and/or act in ways that are disruptive or disrespectful to the residents.

**Suggested Practices:**

- There should be a hard cap on the number of STR licenses per community, with limitations to those properties where the owner is a full-time resident.
- License acquisition and renewal should be compliant with all existing codes.
- There should be no more than a single STR license for any individual or corporation.

Thank you,  
Rick Gordon

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RICK GORDON

EMAIL: [rick@rickgordon.com](mailto:rick@rickgordon.com)

WWW: [www.shelterpub.com](http://www.shelterpub.com)

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**From:** [Eleanor Lyman](#)  
**To:** [Rodoni, Dennis](#); [Kutter, Rhonda](#); [Barreto, Fernando](#); [STR](#)  
**Cc:** [Don Smith](#); [Eleanor Lyman](#)  
**Subject:** Town Hall Comment Concerning Short Term Rentals in Bolinas  
**Date:** Wednesday, November 8, 2023 7:56:34 AM

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Some people who received this message don't often get email from [eleanor@eleanorlyman.com](mailto:eleanor@eleanorlyman.com). [Learn why this is important](#)

Dear Supervisor Rodoni,

I'm not sure that I will be able to attend the Bolinas Town Hall on November 8, as I am isolating due to a possible Covid exposure.

As a renter in Bolinas, I wanted to register my dissatisfaction with the County's proposed new Short Term Rental Ordinance, which does nothing to reduce short-term rentals beyond their current level. I was actually rather shocked that, in my understanding, you have not be actively working to correct this *in a meaningful way*.

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I request that you work actively to change the proposed ordinance to:

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- **Prohibit corporate ownership** of rental housing.
- **Require STR owners to be resident** on the property.

If you are committed to be more beholden to the interests of tourism, Airbnb, Vrbo, etc. than the local community here, **you cannot count on my vote** or the votes of many others in West Marin in the next election.

I sincerely hope that you will reconsider your position. Please file this letter in the appropriate places for public comment.

*Eleanor Lyman*  
415 868 1356

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**From:** Eleanor Lyman [eleanor@eleanorlyman.com](mailto:eleanor@eleanorlyman.com)  
**To:** [str@marincounty.org](mailto:str@marincounty.org), Rodoni, Dennis <[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)>  
**Cc:** Don Smith <[don@horizoncable.com](mailto:don@horizoncable.com)>  
**Date:** Tue, Jun 20, 2023 9:17:22PM -0700  
**Subject:** Concerning Short Term Rentals in Bolinas

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- License acquisition and renewal should be compliant with all existing codes.
- There should be no more than a single STR license for any individual or corporation.

Thank you,  
Rick Gordon

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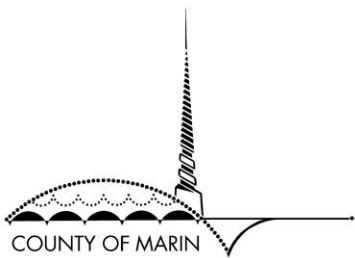
RICK GORDON

EMAIL: [rick@rickgordon.com](mailto:rick@rickgordon.com)

WWW: [www.shelterpub.com](http://www.shelterpub.com)

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November 8, 2023

To: Marin County Planning Commission  
From: UC Cooperative Extension, Marin County  
Re: Short Term Rental Ordinance Update

David Lewis  
DIRECTOR

1682 Novato Boulevard  
Suite 150B  
Novato, CA 94947  
415 473 4204 T  
415 473 4209 F  
CRS Dial 711  
[www.cemarin.ucdavis.edu](http://www.cemarin.ucdavis.edu)

Dear Commissioners,

Marin County UC Cooperative Extension office respectfully submits brief comment regarding the most recent draft STR ordinance. In essence, UCCE Marin would like to recognize that the newly created exemptions for hospitality that is tied to Marin County farms and ranches represent an affirmation of the commitments set forth in the Countywide Plan and provide a useful distinction between short term rentals in residential areas and those that are part of an ongoing, diversified ag operation.


Short term rentals operated as part of an agricultural enterprise both provide a rich, place-based opportunity for visitors to engage with our coastal landscape and support the kind of adaptation and diversification of agriculture that is the hallmark of local operation's quest to remain viable. As evidence of this activity's appropriateness, we see common patterns worth noting in the places where this kind of agricultural hospitality occurs:


- Farms and ranches set up short term rentals \*in addition to\* and not as a replacement for housing that supports the ag operation itself – housing for farm families and their employees.
- Agricultural hospitality provides an essential means of reaching new customers, building brand loyalty and bolstering the sales of agricultural products from the host operation and neighboring farms/ranches.
- Agricultural hospitality incorporates educational elements from written materials that tell the story of Marin agriculture to tours to experiential engagements with the operation itself.
- Agricultural hospitality is removed from adjacent properties and present little or no risk of intrusion on the sights and sounds of the neighbors.
- Agricultural hospitality provides vital additional revenue to ag operations that currently earn less than 50% of Marin County's median income.

We are confident that this exemption will serve to support both the continued viability of agriculture in Marin County as well as access for the public to both the beauty and abundance of its coastal lands.

If we can be of any further assistance in this matter, please do not hesitate to contact Vince Trotter, Agricultural Ombudsman, at [vtrotter@ucanr.edu](mailto:vtrotter@ucanr.edu) or 415-473-4204.

Thank you,

  
David Lewis  
County Director, UCCE Marin

  
Vince Trotter  
Agricultural Ombuds, UCCE Marin

**From:** [Tracy Minichiello](#)  
**To:** [BOS](#); [Rodoni, Dennis](#); [Kathleen Kilgariff](#); [Rice, Katie](#); [info@westmarinaccesscoalition.com](#); [PlanningCommission](#)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Wednesday, November 8, 2023 10:36:12 AM

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You don't often get email from [tmini363@gmail.com](mailto:tmini363@gmail.com). [Learn why this is important](#)

I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing. West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way. Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue. I recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin. Thank you,  
Tracy Minichiello

**From:** [Jen Yacoube](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [West Marin Access Coalition](#)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Wednesday, November 8, 2023 10:40:04 AM

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You don't often get email from jenyacoube@gmail.com. [Learn why this is important](#)

I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing.

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue.

I recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,  
Jen

**From:** [Bassem Yacoubé](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [West Marin Access Coalition](#)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Wednesday, November 8, 2023 10:40:46 AM

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You don't often get email from bassem1@comcast.net. [Learn why this is important](#)

I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing.

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

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I recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,  
Bassem

**From:** [Colleen Madden](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Wednesday, November 8, 2023 11:24:11 AM

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You don't often get email from colleen@cmadden.com. [Learn why this is important](#)

I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing.

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

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I recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,

Colleen Madden  
Home Address: 14 Park Ave, Dillon Beach, CA 94929  
Mailing Address: 1001 Bridgeway #461, Sausalito CA 94965  
Phone: (415) 497-5170

**From:** [Esther Martino](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [West Marin Access Coalition](#)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Wednesday, November 8, 2023 11:45:20 AM

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[You don't often get email from marties@aol.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing.

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue.

I recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,

**From:** [PlanningCommission](#)  
**To:** [Kathleen Kilgariff](#); [Leslie Lacko](#)  
**Subject:** FW: Short term rental draft regulations  
**Date:** Wednesday, November 8, 2023 12:23:13 PM

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**From:** Vivian Walker <[notviwalker@yahoo.com](mailto:notviwalker@yahoo.com)>  
**Sent:** Wednesday, November 8, 2023 11:07 AM  
**To:** PlanningCommission <[PlanningCommission@marincounty.org](mailto:PlanningCommission@marincounty.org)>  
**Cc:** [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Short term rental draft regulations

You don't often get email from [notviwalker@yahoo.com](mailto:notviwalker@yahoo.com). [Learn why this is important](#)

Dear Commisioners,

My husband and I were raised in Marin County and, though we now live elsewhere, enjoy coming back each year to rent a beach house. We have been renting homes at Stinson Beach for the last 32 years bringing our kids, their friends and now our grandkids to enjoy the beaches, hiking, restaurants, and fishing in West Marin.

We spend money and pay taxes while we are visiting. We shop at the local grocery stores, go to restaurants, buy bread and pastries at local bakeries. Our son-in-law buys bait and other fishing equipment at the local hardware store. We pay taxes on the house rental in Stinson.

It seems to us that many of the houses we have rented were bought with the idea that rent could help finance the purchase. If you limit purchasing a Stinson house to only those who can afford to buy, without the need to rent, you have limited purchasers to a very small, exceedingly wealthy group. We're not sure how that that would lead to a stabilization of home prices.

We ask that you vote no on the draft regulations for short term rentals in order to keep West Marin accessible to visitors.

Sincerely,

Vivian and Andrew Walker  
Woodland CA

**From:** [PlanningCommission](#)  
**To:** [Kathleen Kilgariff](#); [Leslie Lacko](#)  
**Subject:** FW: To: Claudia Muralles - Short Term Rentals  
**Date:** Wednesday, November 8, 2023 12:23:33 PM

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**From:** nancy smith <njsmith2453@gmail.com>  
**Sent:** Wednesday, November 8, 2023 11:41 AM  
**To:** PlanningCommission <PlanningCommission@marincounty.org>  
**Subject:** To: Claudia Muralles - Short Term Rentals

You don't often get email from [njsmith2453@gmail.com](mailto:njsmith2453@gmail.com). [Learn why this is important](#)

Dear Ms. Muralles:

A Cap on the number of Short Term Rentals (STRs) at Dillon Beach makes no sense. The village has no services needed by families and working people. With the exception of one small convenience store, there are no grocery stores, schools, drug stores, churches, or public transportation. With all the driving (or online ordering) required to obtain necessities, living there is expensive and time consuming. Marin County tax rolls show the village has approximately 40 full time residents, largely retirees. Decreasing the number of STRs won't make living in Dillon Beach easier or cheaper.

However, Dillon Beach STRs have long provided a variety of employment; general contractors, plumbers, house cleaners, electricians and landscapers. Maintaining a house at the coast is expensive. Regular long term rents don't cover the cost of a mortgage, property tax, insurance - let alone maintenance. As a result, Dillon Beach has remained - just as it began - a vacation getaway from the summer heat of Sacramento and the Central Valley.

Please vote to allow Dillon Beach to maintain its historic character of a coastal vacation spot that also happens to provide employment. I request your support in exempting Dillon Beach from Caps on the number of STRs. Thank you.

Nancy & Tom Smith

9 Summer Street

Dillon Beach



**From:** [Britta Gooding](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Wednesday, November 8, 2023 2:20:12 PM

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[You don't often get email from [brittagooding@yahoo.com](mailto:brittagooding@yahoo.com). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing.

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue.

I recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,  
Britta Gooding, MD

Sent from my iPhone

**From:** [Gaeta Bell](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Wednesday, November 8, 2023 2:27:08 PM

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[You don't often get email from gaetabell@yahoo.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing.

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

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Thank you,  
Gaeta Bell

Sent from my iPhone

November 8, 2023

Honorable members,  
Marin County Planning Commission

### **Draft Marin STR Ordinance: Oppose Unless Amended**

Dear Commissioners:

My family and I thank you for the opportunity to comment on this revised draft ordinance which will shape the scope of short-term rentals in unincorporated Marin and the character of West Marin communities. Thank you, also, for your willingness to explore policy solutions aimed at a balance between those who oppose this proposal and those who favor it. We are in the former camp (opposed), although we share the goal of creating more affordable housing for our workers, family and other community members.

In short, we believe the current proposal does not go far enough to ensure future long-term housing and goes too far (and without adequate justification) in reducing short-term housing in our community. For this reason, we urge commissioners to consider the following:

- 1) Treat each community differently – one size ordinance does not fit all: Each of unincorporated Marin’s communities is different. So, we will speak only about the situation in Marshall. One of the founding tenets of the East Shore Plan, amended to the Local Coastal Plan more than 40 years ago, was preserving the ability for people of all walks of life to live here -- from fisher to artists, rancher to dairy worker – as well as coastal visitors. So, affordable housing has been a goal here since long before STRs. And we’ve not been very effective at achieving it, despite our best efforts.

For example, Marshall’s East Shore Plan allowed “bonus” development opportunities for concentrating new construction on 5 percent or less of agriculturally zoned (APZ-60) land. Our strategy was to encourage “affordable” housing by offering more units than zoning then allowed on non-Williamson, non-Malt (still in its naissance) farmland. To our knowledge, not one developer has yet availed itself of this opportunity. Why? Because the enticement did not outweigh inflation or the relative administrative costs to build here.

We fear this ordinance, too, will also prove insufficient to achieve its stated housing goals. While this proposal may be effective at limiting short-term rentals, we do not believe it will further the goal of housing affordability in Marshall or its contiguous sphere of influence any more than did ESPG’s similar previous attempts. It may, however, reduce the number of STR-related jobs in Marshall and therefore the demand for long-term housing. This would be unfortunate.

Recommendation I: Offer opportunities for STR owners in Marshall (including commercial lodges) to partner with the County of Marin to create worker housing and to improve infrastructure. One such example: Homes in our northern Marshall hamlet turned over our Phase I and II septic improvement grants to the more numerous central Marshall households with the understanding that someday there would be a Phase III that could benefit our smaller but still significant number of homes. County support for this – rather than simply requiring septic inspections as a condition of STR operation -- and a willingness to reduce administrative burdens would go a long way towards increasing worker housing here.

Helping the middle class, rather than just the very wealthy, to survive along the coast should be a priority of the county – a priority that will require new levels of innovation, cooperation and trust between county leaders, administrators, renters and property owners.

- 2) Obtain real data – what is the “weekender cottage” denominator: We have seen no factual evidence suggesting that STRs have supplanted LTR housing stock in Marshall or West Marin. Only that there are a lot more of them than before Airbnb existed and that they are concentrated along the coast, where you would expect them to be concentrated. The growth of STRs in West Marin may be nothing more than “weekenders” seeking additional cash for the maintenance and upkeep of summer homes occupied only on weekends. Nor has an economic study been conducted to determine how STR limits might affect the income and housing stability of the very people working in our community’s STRs.

Proponents of removing a property owner’s right to sell their property as an STR argue that this will help to make properties more affordable. Independent of the “taking” question that this raises in some cases, we have not seen a county analysis affirming this will have its desired downward effect on property values or that this will be sufficient to increase affordable long-term housing. Nor have we seen an analysis of the relative inflation (i.e., inflation due to STR growth versus the market) that may be due to STR growth versus that which is simply to our community’s proximity to the explosive Bay Area real estate market. Without such data and armed only with unscientific opinion survey about how other people’s homes might best be used, we urge commissioners to urge caution.

Placing an arbitrary “cap” on STR owners here without basic data, such as the multiplier effect of STRs in our communities, is likely to have unanticipated economic consequences.

Recommendation II: Develop a valid data set and analyses. If STRs have supplanted long-term housing stock (i.e., if STRs in Marshall have grown in number in greater proportion than historic “weekender” cottages), then quantify the limit based on facts and reason, not speculation. Until such data are developed, focus instead on growing long-term housing stock. I urge the county to find ways to harness STR revenue to grow ADUs and other affordable solutions to improve housing availability here. We urge the county to assess the economic impact, not just in reduced coastal visitation but in reduced income (or seeking

income elsewhere) of those working in our community STRs. If public surveys are to be used to evaluate interest in various policy options, make them accurate surveys and be sure to include the people most affected in a community. (I spoke to many of those who work in our STRs and none had been informed of this proposal nor were they surveyed. Yet, this ordinance would significantly impact their families' housing security.)

- 3) Identify how the County can help and then actually do it – adopt Grand Jury “solutions”: If added housing is truly the goal, incentives rather than punishments may be far more effective tools. Help owners of STRs to build ADUs or to retrofit existing buildings, using grants, county zoning and fee support and other county/homeowner partnerships rather than threatening county policing of water and septic. As a July 6, 2023 article in the *Point Reyes Light* observes (regarding the finding of the Marin County Civil Grand Jury Report on ADUs) building an ADU here “requires spending a lot of money and navigating a thicket of rules, regulations and fees.” The “gotcha” aspect of this ordinance, i.e., opening septic tanks and prohibiting trucked water, etc., flies in the face of this. It will serve only to accelerate the trend toward coastline exclusivity. If the county uses its policing powers in the manner contemplated by this proposal (to compel owners and would-be owners of STRs to cease business because of resource deficiencies), older owners with less disposable income and young families just starting out who own or rent older homes in unincorporated Marin will be the primary victims. Wealthy buyers who can afford county requirements will be the winners, as formerly productive properties come on the market at today’s market prices. It should go without saying that they (wealthy buyers of “capped” STRs) will likely not be turning their new purchases into long-term rentals.

Recommendation III: We ask the county to work with STRs, commercial lodgings, bed and breakfasts, campgrounds and farms to offer ADU and resource improvement grants, waiver of county fees, streamlining of permit processes and other recommendations of the June 2023 Grand Jury.

Recommendation IV: Direct a portion of the TOT to creating affordable housing on or near STRs and locked, in perpetuity, from becoming anything other than affordable housing.

- 4) Help STRs (including lodges) be part of worker housing solutions: Visitor-serving and resident-serving houses can coexist. In fact, as we have seen from the innovative community use of the 14 percent STR Transient Occupancy Tax, “visitor-serving” may actually work to the benefit of “resident-serving” services. So why not find a way to increase affordable housing in unincorporated Marin County AND allow locally owned STRs, like my family’s, to stay in business?

More than 70 new commercial overnight accommodations have recently been added to lodging options available to visitors in Marshall and neighboring Dillon Beach. Oddly, all of

these options, which directly compete with STRs in our community, would be exempt from many of the provisions of this ordinance, including those that could put our family out of business. Specifically, imposing limits on the number of homes our family may offer up as STRs is, ostensibly, intended to increase LTR housing stock for workers in our community. Why not then place similar restrictions on commercial lodges whose commercial units could also house workers and others in our community?

Earlier this month, my wife and I saw just how real the worker housing crisis is for commercial lodges here in Marshall. While dining at Nick's Cove, we asked our waitress if she lived here in Marshall. She said, "Yes, I live in my car in the parking lot." So, access to affordable housing remains a legitimate problem not just for our family, friends and neighbors.

Recommendation V: We urge commissioners to consider crafting this ordinance to enhance the lives of people working in our STRs by encouraging the use of ADUs for worker housing as part and parcel of STRs? Why not use this ordinance to keep jobs AND create homes within Marin's unincorporated communities?

Recommendation VI: To remove potentially anti-competitive aspects of this ordinance (i.e. applying one set of rules to a set of competitors acting together in the same marketplace as another set for whom those rules do not apply), we urge commissioners to offer equivalent incentives and restrictions to all STRs -- including commercial lodging such as the Dillon Beach Resort, Nick's Cove, the Marconi Lodge -- with respect to ownership type and succession, operator presence and multiple units on one property and all other applicable rules.

Recommendation VII: We respectfully request County Counsel to render and make available to the public opinions on two sets of questions prior to a vote by commissioners or supervisors:

- 1) Does any aspect of this proposed ordinance constitute a taking? If so, for whom? How can this be mitigated?
- 2) Is the County or its representatives unwittingly aiding the Hotel and Lodging Association's efforts to reduce competition\* by advancing this ordinance?

Thank you, again, for considering alternative options to those presented in this draft ordinance. Throughout this process, County staff is to be commended for their enthusiasm and dedication to finding solutions to the very real problem of housing in unincorporated Marin. My family and I urge commissioners to seek ways to make STR and commercial lodging owners your partners in seeking solutions to affordable housing here.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Riley Marshall". The signature is fluid and cursive, with the first name "Tom" being the most prominent.

Tom Riley  
Marshall

Cc: Supervisor Dennis Rodoni

\* The California Hotel and Lodging Association has enlisted lawmakers through a “multipronged, national campaign approach at the local, state and federal level,” according to an April 16, 2017 *New York Times* article entitled *Inside the Hotel Industry’s Plan to Combat Airbnb*. The *Times*, which obtained a copy of the plan, said it provided “an inside look at how seriously the American hotel industry is taking Airbnb as a threat – and the extent to which it is prepared to take action against it.” That threat, the article points out, is that the very existence of STRs in a community effectively drives down hotel and lodging rates. It cites the industry’s legal and regulatory victories in San Francisco, Los Angeles, Virginia, Tennessee and Utah, where it successfully convinced lawmakers to pass ordinances restricting STR activity.

November 8, 2023

Marin County Planning Commission  
[PlanningCommission@MarinCounty.org](mailto:PlanningCommission@MarinCounty.org)

RE: Draft STR Regulations

Dear Marin County Planning Commissioners:

I write regarding the County's draft short term rental standards and urge the Planning Commission to stop this effort before the County creates an equity disaster that will result in making all housing in West Marin less affordable, limit public access to the coast and national parks, and create a negative impact on the region's tourism-based economy.

The County's STR effort appears to be rooted in a faulty assumption that more government regulations will shift vacation homes into becoming residential housing. Housing in West Marin is not an "either/or" scenario but rather an "and" scenario. The villages adjacent to the coast and the coastal national parks need residential AND vacation housing.

Visitors using existing, underutilized vacation housing on the County's coast provides a value to visitors and the county. West Marin, home to numerous state and national parks as well as the County's entire Pacific coastline, is and always has been comprised of vacation homes. Many of these homes sit empty most of the year.

Allowing visitors to use these under-utilized homes ensures: 1) the County doesn't need to build additional visitor accommodations, 2) minimal impact while preserving the character of the region by ensuring visitor accommodations are decentralized throughout the entire region, and 3) homes are safe due to being regularly maintained oppose to being a neglected neighborhood blight.

Visitor housing is needed for people traveling from afar to visit the County's coast and the national and state parks. If existing vacation homes cannot provide this lodging, how will the County meet the growing need of visitors to the coast and the national and state public parks? Where does the County propose that visitor lodging be created? How will County ensure this lodging is decentralized to minimize visitor impact to West Marin?

The county should provide incentives for the owners of vacation homes to open their homes when they aren't personally using them, rather than making compliance difficult and ultimately more costly for visitors to the region.

### **WEST MARIN IS PUBLIC LAND:**

Over 90% of West Marin is owned and managed for the public, which includes three national parks and three state parks. With park expansion, tourism-services have become the dominant economy in the few villages that are adjacent to these public lands.



## **WEST MARIN VILLAGES ARE VACATION COMMUNITIES:**

West Marin has historically been comprised of vacation homes, long before AirBnB, VRBO and other online rental platforms were founded. Inverness was formed as a “Summer Colony,” Willow Camp formed in the area now known as Stinson Beach, and Dillion Beach formed as a coastal resort. To this date, a large percentage of the homes in West Marin are vacation homes that were built and are used as nothing but vacation homes, going back for multiple generations.

## **WEST MARIN HAS A HISTORY OF REJECTING VISITORS:**

While West Marin has historically been a place for vacationers, once people secure a home, history shows that these residences do not want to share the public space with visitors. The “Bolinás Border Patrol” is notorious for tearing down signs that would otherwise direct people to the town, setting up false barricades, telling visitors the town is closed, and issuing false parking tickets.

When the Point Reyes National Seashore was being created, residents of Inverness advocated for the development of a road that would cut directly through the middle of the national seashore. The residents preferred the destruction of a natural landscape rather than allowing visitors to drive on the public road, on Sir Francis Drake, through the community, to the National Seashore. Fortunately, they were overruled.

## **HISTORY IS REPEATING ITSELF:**

Our parks and over 100 miles coast along the Pacific and Tomales Bay must be accessible to visitors. By reducing vacation rentals in the entire coastal region of Marin County these regulations will result in the greatest loss of public access in the history of the state of California.

In 2018, the County added a 4% increase on the cost of every short-term rental exclusive to West Marin, bringing the county tax to 14% on visitors to West Marin (one of the highest transient occupancy taxes in the nation). The tax is 10% elsewhere in the County.

Now the County is planning to reduce the number of vacation housing and create costly business license compliance that is exclusive to West Marin. This effort will result in limiting access to the coast and raising the cost of lodging for the lodging that remains to visitors to the region.

## **VISITOR ACCESS TO COAST WILL BE DENIED**

### **Vacation Homes provide the most Affordable Lodging for Visitors**

Single-family homes are most desired by travelers because they offer the best price for the most space. A multi-bedroom vacation home provides affordable lodging for the entire family, and in West Marin it can be obtained for \$200-\$400/night.

In contrast, the average cost for one room in a local lodge, that offers nothing but one bed in a small room with a small bath, is over \$500 per night. This price is far out of reach for a family in need of multiple bedrooms (as well as a kitchen, dining-, and indoor and outdoor lounge- areas). The quality of a lodge experience is lower and the costs far higher, and it’s not what visitors to the region seek.

Vacation homes are not only much more affordable, but they provide families with an authentic lodging that includes beds for everyone, as well as shared space in which to cook, dine and lounge. Spread throughout the region, in homes that would otherwise sit empty, the impact of visitors in vacation homes is dispersed throughout the region and therefore has minimal impact to any one area.

### **Regulations will Increase the Cost of Visitor Housing**

The regulations will increase the cost to rent vacation rentals. The time and expenses associated with gathering the documentation, additional services, and annual inspections increases the overall cost of operation which will result in increased nightly rates for visitors to the region. In addition, by reducing and capping the number of vacation homes, simple laws governing supply and demand will ensure an increased cost in the nightly rate.

Limiting vacation rentals in the region and the added cost of compliance will result in making lodging for visitors more costly.

### **Limits Access to the Coast**

Marin's Local Coastal Plan states: "Overnight accommodations are a key element in the provision of coastal recreational opportunities, since many coastal visitors travel long distances to reach the variety of recreation options found throughout the County."

These regulations will deny access to visitors wishing to experience the region. The regulations go beyond the moratorium imposed in 2022. Though the population and visitors to the region is growing, the County will permanently decrease the current number of vacation homes available to families visiting the region.

The County has an obligation to ensure visitors from afar who come to recreate in our parks have housing. Before the County breaks a visitor housing system that works, please make sure that housing will be available for visitors to the region.

### **Creating an Economic Barrier to Entry**

By limiting the supply and raising the cost of to provide vacation lodging, the County is proposing to exclude people from lower socioeconomic communities from staying in West Marin. Reducing the number of permits undermines the community's ability to keep "costs low." So does banning all short-term rentals in more modestly priced dwellings, such as guest cottages and in-law units. A direct consequence will be to exclude diverse people from the coastal communities.

The County is indirectly imposing an economic barrier, rather than a physical barrier across Sir Francis Drake: A physical barrier would be illegal, but the economic barrier the County is imposing will have the same result. This proposal is isolationism at its best and economic elitism at it worse. Essentially declaring that *we have our protected resource, now everyone else stay out!*

## **LOCAL ECONOMY WILL BE NEGATIVELY IMPACTED**

### **Visitors contribute hundreds of millions to the local economy, annually**

According to the National Park Service visitors contribute hundreds of millions of dollars to the economy of nearby communities in Marin County annually. In 2022, the National Park Service reports that:

**Point Reyes National Seashore** hosted 2.3 million park visitors who spent an estimated **\$117 million** in local gateway regions. These expenditures supported a total of 1,120 jobs, \$64.0 million in labor income, \$97.9 million in value added, and \$149 million in economic output in local gateway economies surrounding Point Reyes National Seashore.

**Muir Woods** hosted 799 thousand park visitors who spent an estimated **\$98.3 million** in local gateway regions. These expenditures supported a total of 910 jobs, \$62.7 million in labor income, \$96.7 million in value added, and \$138 million in economic output in local gateway economies surrounding Muir Woods National Monument.

**GGNRA** hosted 15.6 million park visitors spent an estimated **\$1.1 billion** in local gateway regions. These expenditures supported a total of 10.4 thousand jobs, \$699 million in labor income, \$1.1 billion in value added, and \$1.5 billion in economic output in local gateway economies surrounding Golden Gate National Recreation Area.

## **VACATION HOMES ARE NOT THE CAUSE, AND THIS IS NOT THE SOLUTION TO HOUSING ISSUES IN WEST MARIN**

### **Short-term housing does not impact long-term housing:**

A recent study by Oxford Economics has concluded that STRs contributed just 0.4% to the increase in U.S. housing prices from 2014 to 2021. In the same period, STRs contributed just 0.5% to the increase in U.S. inflation-adjusted rents. In other words, even if STRs had been *banned* in West Marin in the last decade—which of course would not be permitted under the Local Coastal Program—the economic factors affecting housing prices would have been virtually identical, and the housing situation would be the same. Conversely, this shows that the proposed caps and reductions on STRs in the Draft Regulations would have virtually no impact on long-term housing affordability and availability.

### **Vacation homes will not become long-term housing:**

Though the County collects that data regarding how many nights each STR host rents their home and how much they earn per year, they have not been willing to share it. However, AirBnB provided countywide data for the year of 2022.

Marin County (2022) Airbnb countywide data:

- In Marin County, the typical host earnings were slightly over \$20,000
- The average nights hosted are 70 nights per year

- Over 65% of hosts are women
- The average host is a 55-year-old woman who rents just one property on the platform
- The average guest is a 46-year-old woman traveling from elsewhere in California for between two and four nights.
- Approximately 40% of hosts are over 60-years-old and using revenue for retirement

Vacation homes are rented to visitors on average 70 days and earn approximately \$20,000 in revenue per year. This is a clear indication that these homes are rented only part-time and would not be suitable for long-term rentals.

Most importantly is the fact that most people rent their vacation rentals to help people cover the cost of retirement. Eliminating people's ability to rent their home to visitors is going to push people out of their homes, creating a greater affordability issue in West Marin.

### **How do STR bans in other parts of the County helped contribute to affordable housing?**

Sausalito, Tiburon and Belvedere do not allow residents to rent homes for short-term purposes. Has the County documented an increase in affordable in these communities? Has the County documented an increase in affordable housing during the 2-year moratorium on vacation homes? If vacation homes aren't made available for short-term rent, they will simply sit vacant during the periods in which homeowners are not there. This has been the history of vacation homes for over a century. They sit empty. Using these otherwise empty homes for vacation use by visitors to the region takes pressure off other housing.

## **ORDINANCE WILL NEGATIVELY IMPACT AFFORDABLE HOUSING**

### **STR provide the Only Funding for Affordable Housing:**

Measure W, paid entirely by short-term rentals, is the only reliable funding source for affordable housing in Marin County. To date, visitors of short-term rentals have generated over \$3 million for affordable housing and another \$3 million for emergency services.

### **Limiting STRs force people from their homes and creates an affordable housing issue:**

The data for Marin County underscores that people who rent their homes for vacation purposes are doing so to make ends meet. Almost 40% of hosts in Marin County are over 60 years old and are hosting visitors to help pay for retirement. Eliminating people's ability to rent their home to visitors is going to force people out of their homes.

## **ORDINANCE WILL NEGATIVELY IMPACT LOCAL HOUSING:**

**Middle-class will be forced to move from the region.** As underscored in the annual Airbnb revenue data, nobody is getting rich by renting their primary or second home for vacation purposes. On average, a host earns \$20,000 from renting their home in Marin County. People in Marin are renting their homes to make ends meet: to pay their mortgage, property taxes, and property

maintenance, and to help needed funding during retirement years. These people are West Marin's middle class. Limiting their ability to rent a home on a part-time basis, reduces their ability to achieve homeownership, further driving the middle-class from West Marin and creating an inequitable community.

**If forced to sell, these homes will not become affordable permanent housing.** Located along Marin's coast and adjacent to two national parks within a one hour from San Francisco Bay Area, these homes will have no shortage of affluent buyers. The middle class will be forced from their path to homeownership in West Marin. Only the ultra-wealthy, who do not need the additional income to help make ends meet, will benefit.

**Many homes will sit empty.** There are a considerable number of homes that sit empty in West Marin. If second homes aren't allowed to rent for short-term purposes, they will simply sit vacant during the periods in which homeowners are not there.

How does the County, the neighborhood, the local businesses, and the tradespeople whose livelihood depends on the jobs created from vacation homes benefit from additional empty homes? Are empty homes better for the community than visitor-occupied homes? Without visitor use of under-utilized vacation homes, there are fewer people in restaurants, fewer people in stores, fewer people employing local tradespeople. The result of the policy will not create affordable housing, but it will ensure the economic decline of the community.

**Reduction in vacation housing adds pressure on other housing in West Marin.** The use of underutilized vacation homes for visitors reduces pressure on other housing. If the County limits the use of vacation housing for short-term rental purpose, people will seek other housing in the region. The vacation housing that remains will be in a greater demand and become more valuable. The demand of all available housing will rise, and the County will have created a giant equity rift.

**More hotels?** If not in under-utilized vacation homes, where is the County proposing that visitors stay? The cap on vacation homes will result in placing pressure on other housing throughout West Marin. The price of the limited decentralized vacation housing will rise and the only lodging would be centralized hotels, motels and lodges (lodging exempt from these regulation). But there are not enough of these accommodations in West Marin. Is the County going to approve and build more hotels in West Marin? Will we have a new Hilton on the banks of Tomales Bay? How will these hotels enhance the community more than using existing decentralized vacation homes?

Short Term Rental owners are providing a service to the community by ensuring vacation homes don't sit empty, that locals are employed, that homes are maintained, and that restaurants, markets and shops have a consistent stream of business throughout the year to be sustainable in the rural community.

Rather than creating obstacles, the County should be creating incentives for people to open their homes for all purposes: including short-term vacation rentals.

## **A FEW OF THE MANY PROBLEMS WITH DRAFT REGULATIONS**

### **Limits are Exclusive to the Coastal Zone:**

The County is making strict regulations that are exclusive to the Coastal Zone. The regulations go beyond what any city and county in California requires, and far beyond what the largest city in the County of Marin requires. Other California counties excluded the coastal zone, areas adjacent to public parks and the coast, from their STR regulations. Marin County is proposing limiting regulations that apply solely to the County's coastal zone, solely to the region that includes the lion-share of the public land in Marin County.

Our national and state parks as well as over 100 miles coast along the Pacific and Tomales Bay must be accessible to visitors from afar. By focusing exclusively and reducing vacation rentals along the entire coastal region of Marin County these regulations will result in the greatest loss of public access in the history of the state of California.

### **Policy driven by a flawed Poll:**

The rationale provided in the Findings section of the ordinance is rooted in one online poll that asked 10-questions. Policy should never be developed from a public opinion poll, especially a flawed, 10-question, unscientific, non-methodical poll, and an extremely biased analysis. Yet from these 10-questions, the county has developed 11-pages of costly and burdensome regulations.

According to the poll, people who reside in West Marin, people who have already secured their housing near the coast and public parks, want limits on vacation rentals. And, these residents want greater regulations on visitor housing than they want for their own housing. Please see the above section titled "History of Rejecting Visitors."

Make no mistake about it, these regulations are not about making our community healthier. This ordinance is about making it harder for people who wish to come to vacation in West Marin.

### **No Demonstration of Need and No Assessment of Impact:**

A governmental experiment that will drive out vacation homes in a hope that they will transform into residential home will have many unintended consequences. The County needs to understand the impact of these regulations prior to putting the community, and the economy on which it is sustained, at risk.

While the County has been working on this issue for many years, they still cannot produce a record of necessity. Instead, in support of the regulations, the County has produced STR hotline data. Calls received Countywide during the entire year of 2021 totaled 23. Twenty-three calls about vacation rentals in which most fall into the category of "general inquiries" and "other."

Without a demonstrated need and without an assessment of the impact, there is no reason for draconian policy which will not only negatively impact visitors but also the economy of the region.

### **Caps reduce Access to the Coast:**

The caps on the number of permissible vacation homes have no rational basis. The result will be limited lodging options and increased cost to visitors of the region.

The regulations are costly, burdensome, and possibly unattainable for many, which will further reduce availability and increase the cost of housing for visitors. The unprecedented 11-pages of detailed restrictions and requirements will all but ensure compliance failure among a substantial number of homeowners and result in less lodging for visitors. For those few that can comply, the time and expenses associated with gathering the documentation, additional services, and inspections will lead to a large increase in the overall costs of operation, which will result in increased nightly rates for visitors to the region.

### **Regulate to Failure:**

This is government's attempt to ensure failure to achieve onerous requirements, which will result in issuing fewer licenses than permitted, and therefore further limiting visitor access to the coast and parks in West Marin.

The County is clearly making it difficult for homeowners to comply with a myriad of requirements within the 11-pages of multi-tiered regulations including provisions that will allow more regulations and enforcement measures at the discretion of the Director of a County Agency. If one small element in a costly and burdensome application is missing, the entire application and business license can be denied. By making the requirements to obtain a license too burdensome for homeowners, the County will reduce the majority of vacation homes available for visitors.

These costly and burdensome requirements will lead to a far greater decline in lodging options for visitors than the cap.

### **Exempts Corporations while heavily regulating Homes?**

The County states that the corporate exemptions for hotels, motels, and potentially agricultural zoned lands are due to these industries being regulated by other county regulations. Shouldn't regulations for corporations and industry be stronger than those regulations for single-family homes?

Vacation homes sit empty much of the year. By contrast, corporate and industrial homes are used by many more people every day of the year. Shouldn't corporate housing and residential homes that are used daily be required to meet the proposed fire, water, and septic regulations? Why only regulate seldom used vacation homes? If the County wants to welcome visitors to the coast, shouldn't the County be creating incentives for people to share their homes, rather than force the owners to keep them closed to visitors?

### **Nativism**

Nativism is defined by policy created in the interest of residents who seek to protect themselves against those from the outside. We are seeing this on the rise globally. Now we are seeing this at the

local level, proposed by our county government. These regulations are designed to keep visitors out of the National Parks and the entire coast of Marin County.

We deserve more from our government. These draft regulations will deny access to visitors wishing to experience the region. We need more housing for people who want to enjoy the natural environment throughout the county, especially in the region where the lion-share of land is protected for public purposes: West Marin

Please vote no on the draft regulations and stop this misguided effort to limit visitor access to the state and national parkland and the entire County coastline.

Sincerely,

Rachel Dinno  
PO Box 852  
Inverness, CA 94937

cc: [DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)  
[KRice@marincounty.org](mailto:KRice@marincounty.org)  
[BoS@marincounty.org](mailto:BoS@marincounty.org)  
[KKilgariff@MarinCounty.org](mailto:KKilgariff@MarinCounty.org)



**From:** [Kathleen Tilt](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Wednesday, November 8, 2023 5:13:31 PM

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I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing.

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue.

I recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,

Kathleen Tilt  
Sent from my iPhone

**From:** [Julianne Havel](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Wednesday, November 8, 2023 6:15:48 PM

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I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing.

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

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I recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,  
Julianne Havel  
Inverness

**From:** [Nicholas Palter](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Wednesday, November 8, 2023 7:15:42 PM

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Commissioners:

As a partner of someone who has a single STR Unit in Inverness, I see firsthand how the ability to rent out the Unit on a part time basis gives her & her brother the ability to keep & maintain the vacation property their parents worked so hard to build (way back in the late 1970s), while also being able to enjoy the property themselves.

I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing, which seem to have been drafted more as a solution looking for a problem to solve; & that problem is certainly not the affordable housing crisis (which is of course, is a Bay Area wide issue).

West Marin has been for many years & will continue to be a tourist destination for families across the region, as well as for travelers from around the country & the world. I believe the STR Units enhance the affordability for families in particular to be able to travel to & enjoy all the amenities West Marin has to offer.

In particular, the proposed overly bureaucratic regulations & lengthy documentation required of Hosts will not serve to deter those groups who are buying up multiple properties & converting them to full time STR Units, as they certainly have the wealth & power to comply.

However, as my own personal experience informs me, the majority of owners of these STR Units are single families, who have inherited their property from their parents; & the ability to rent it out on a part time basis as a STR Unit, is the only way they are able to afford to keep & maintain it. *The proposed regulations & required documentation will certainly be a time consuming & costly burden on them!*

I recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Regards,

Nick Palter, Architect  
PALTER / DONZELLI DESIGN + ARCHITECTURE, INC.  
415.215.7808  
Sent from my iPad

**From:** [tomeloans@gmail.com](mailto:tomeloans@gmail.com)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Wednesday, November 8, 2023 8:32:46 PM

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I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue.

I recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,

Tom Erbil

**From:** [Lulu](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Oppose Draft Regulations on Short-Term Housing  
**Date:** Wednesday, November 8, 2023 9:17:55 PM

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I am writing to express my strong opposition to the Draft Regulations on Short-Term Housing.

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue.

I recommend that the Planning Commission vote to reject the Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,  
Lulu Taylor

Sent from my iPad

**From:** [Katherine Burt](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Short Term Rentals in West Marin  
**Date:** Wednesday, November 8, 2023 9:31:55 PM

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You don't often get email from [kdburt5007@gmail.com](mailto:kdburt5007@gmail.com). [Learn why this is important](#)

Hello,

Please reject the Short-Term Rental draft regulations that are under consideration.

STRs in West Marin enable visitors to rent a vacation home and enjoy this lovely area, keeping the coast and parks available for public use.

The need for additional and affordable housing in Marin County is real, but capping STRs in West Marin will not address that issue. The proposed regulations would hurt small and local businesses, and foreclose West Marin as a viable vacation destination for many of us. Marin needs housing, and logically this should be in the suburban and urban centers: near transit, schools, and services.

Thank you,

Katherine Burt

**From:** [Christine E](#)  
**To:** [BOS](#); [Rodoni, Dennis](#); [Kathleen Kilgariff](#); [Rice, Katie](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com); [PlanningCommission](#)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Wednesday, November 8, 2023 9:47:50 PM

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You don't often get email from cmurphye5@gmail.com. [Learn why this is important](#)

I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing. West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way. Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue. I recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you.  
Christine Elgin

**From:** [June C HAYDOCK](#)  
**To:** [STR](#)  
**Subject:** Comments On STRs  
**Date:** Wednesday, November 8, 2023 6:23:07 PM

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To: The Planning Commission,

We are writing to share our concerns about STRs in Dillon Beach.

Our names are Richard and June Haydock. We have lived here over 35 years full time. We built our house here in 1988.

We would like to compliment Mr Rodoni for offering the community chances to comment through Zoom or Community Meetings at our Town Hall. We were only able to attend 1 meeting and listen in to 1 Zoom meeting. So our comments have piled up during your draft timeframe.

First off, we would like to clarify a misconception that Real estate agents, STR managers and owners have convinced The Planning Commission and others. "All of DB has historically been a vacation rental community" is not quite true. In the 80's and 90's we heard a little about a few rentals in the village and unit one of Oceana Marin. We were mostly told the homes were handed down in families. Oceana Marin on the other hand was largely vacant, with some full-time residents like us who create a close knit group...who do the volunteering on the OMA Board and the Estero Mutual Water Co board. But the rest of the homes were owned by families who came to vacation when they had time. Vacation Rentals were not in upper portion of Oceana Marin Association until approximately the late 1990's. When a large house on our street sold to a group of investors as a rental, we were all shocked. And then a few years later VRBO & AIRBNB found us. It's ok to be found, but it has to be done responsibly.

There are many drawbacks to living in a STR community other than the incredible, irresponsible draw on our limited water supply.

One of the drawbacks is the loss of our privacy! Our house was built on a 1/4 acre lot with a long driveway. Over the years we have had to shoo people away from using our front and back yards (fields really, little to no grass). Everyone who rents nearby us seems to think our place is a public park. It is especially worrisome because the cows from the pasture in back of us frequently break through the wobbly fence leaving large holes in the turf. We always worry we will be sued because someone broke an ankle while playing games (with every kind of ball you can think of not to mention bikes and skateboards on the driveway) on our property.

Another drawback that needs to be addressed is the heavy use of our utilities. You are already aware of our fragile water system but what about the rest of our infrastructure, the roads and sewer system? Don't think it has gone unnoticed by the full-time residents that the STR owners pay nothing extra for the sometimes heavy use of our roads and ageing sewer system. Because our community of DB was designed to be a private community, it was not designed for STRs. Please note: Marin County pays for nothing in this community!. OMA homeowners dues covers the cost of maintaining our community, not excessive use by STRs. We homeowners feel we are subsidizing the STRs who are profiteering from our community! Would it be possible for some of the TOT taxes to be returned to the OMA budget to cover some of the cost of the excessive use? Or, another thought, why can't an extra fee be placed on STRs to help compensate our community so that homeowners who do not rent their homes are not subsidizing STRs?

A few last suggestions :

- ~ lower limits of occupants to conserve water
- ~ all STRs should show proof of water saving devices



- ~ all washers be disabled during rental occupancy
- ~ eliminate wood burning stoves/fireplaces in STRs to reduce risk of fires

Concerns:

- ~ strangers with drugs and guns
- ~ How to enforce regs
- ~ The fewer STRs, the better for our community and our safety

In closing, these STRs are selling lodging. We feel they could be regulated as such,

Thank you for giving us the opportunity to go in depth to express our concerns.

Sincerely,

Richard and June Haydock  
472 Oceana Dr  
Dillon Beach CA

**From:** [PlanningCommission](#)  
**To:** [Kathleen Kilgariff](#); [Leslie Lacko](#)  
**Subject:** FW: Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Thursday, November 9, 2023 1:23:23 PM

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**From:** rpickelre@aol.com <rpickelre@aol.com>  
**Sent:** Wednesday, November 8, 2023 1:43 PM  
**To:** PlanningCommission <PlanningCommission@marincounty.org>  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing

You don't often get email from [rpickelre@aol.com](mailto:rpickelre@aol.com). [Learn why this is important](#)

I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing. West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way. Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue. I recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,  
Rosemary Pickel  
117 Cypress  
Dillon Beach, CA

**From:** [PlanningCommission](#)  
**To:** [Kathleen Kilgariff](#); [Leslie Lacko](#)  
**Subject:** FW: Please exempt beach area of Stinson from STR cap  
**Date:** Thursday, November 9, 2023 1:23:49 PM

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**From:** Elizabeth Robbins <[eliz.robbins@gmail.com](mailto:eliz.robbins@gmail.com)>  
**Sent:** Wednesday, November 8, 2023 3:30 PM  
**To:** PlanningCommission <[PlanningCommission@marincounty.org](mailto:PlanningCommission@marincounty.org)>  
**Subject:** Please exempt beach area of Stinson from STR cap

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Dear Planning Commissioners,

Please reconsider your decision about which areas of West Marin should be exempt from the short term rental cap. It doesn't make sense to exempt Dillon Beach from the STR cap without also exempting the beach area of Stinson Beach, which is every bit as much a coastal vacation area as Dillon Beach. A cap on all of Stinson Beach will reduce access to the coast. The hillside home area in Stinson could still be subject to a cap, since it's more of a residential area. The beach vacation area of Stinson Beach, which should be exempt from a cap, could be defined as all properties west of Highway 1. Alternatively, it could be more narrowly defined as all properties west of Calle del Arroyo, including Seadrift. Nearly all of these properties are vacation or second homes.

Thank you very much.

Sincerely,

Elizabeth Robbins, M.D.

(Ross Town Council member)

**From:** [PlanningCommission](#)  
**To:** [Kathleen Kilgariff](#); [Leslie Lacko](#)  
**Subject:** FW: You're invited to read my article titled; "Let's Save the American Dream!"  
**Date:** Thursday, November 9, 2023 1:24:25 PM  
**Attachments:** [CArknkikZosIX.png](#)

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**From:** Sharon Rushton <sharonr@tamalmonite.org>  
**Sent:** Wednesday, November 8, 2023 6:04 PM  
**To:** PlanningCommission <PlanningCommission@marincounty.org>  
**Subject:** You're invited to read my article titled; "Let's Save the American Dream!"

## You're invited to read my article titled; "Let's Save the American Dream!"



Dear Marin County Planning Commission,

Why do State lawmakers bring the standard of living down, when they could lift it up?

I invite you to read my article titled; "[Let's Save the American Dream!](#)", which was recently published in the Marin Post.

My piece details the many attributes of homeownership (the hallmark of the American dream); how this lifelong achievement is threatened by the demise of single-family zoning; and how we could restore the aspiration of homeownership and make it a reality for households of various income levels.

The basic solutions the article emphasizes are:

1. Repeal the State housing laws that took away local control of land use and eliminated single-family zoning; and
2. Enable homeownership.

Something that may be of particular interest to you is my explanation of "co-equity loans" AKA "shared-equity mortgages". These types of programs are realistic ways to enable homeownership for households of various income levels. In doing so, they help families to achieve a higher standard of living, build equity, and accumulate wealth.

Please click [HERE](#) or follow the below link to read my article:

<https://marinpost.org/blog/2023/11/8/why-do-state-lawmakers-bring-the-standard-of-living-down-when-they-could-lift-it-up>



Single Family Home - Flickr

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## **Let's Save the American Dream!**

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Posted by: [Sharon Rushton](#) - November 8, 2023 - 2:52pm

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Why do State lawmakers bring the standard of living down, when they could lift it up? Homeownership has long been the hallmark of the American dream. Yet, Califor... .. [more »](#)

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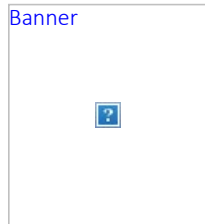
**ENJOY!**

Cheers,

Sharon

--

Banner



**Sharon Rushton**

President | [Sustainable TamAlmonte](#)

[sharonr@tamalmonite.org](mailto:sharonr@tamalmonite.org)

[tamalmonite.org](http://tamalmonite.org)

**From:** [BarbRoger Orban](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Thursday, November 9, 2023 3:06:04 AM

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I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing.

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue.

I recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,  
Roger Orban  
Barbara Orban

**From:** [Jean O'Loughlin](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Thursday, November 9, 2023 5:19:08 AM

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I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing.

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

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Thank you,  
Jean O'Loughlin

Sent from my iPhone

**From:** [Katherine Kern](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Thursday, November 9, 2023 5:52:59 AM

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[You don't often get email from kackykern@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing.

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue.

I recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,



**From:** [Jennifer Ames](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Please Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Thursday, November 9, 2023 6:52:45 AM

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You don't often get email from [jennifer.m.ames@gmail.com](mailto:jennifer.m.ames@gmail.com). [Learn why this is important](#)

Good morning,

I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing. We have owned a beach house in Dillon Beach for over 10 years which has and will remain a 2nd home for us. **Dillon Beach was founded as a vacation rental community and has no school, grocery stores, town center or facilities to support a full time community. Restrictions on the short term rentals will devastate the housing market and local businesses that have grown to support the local tourism.**

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

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Thank you,  
Jennifer Ames  
415-264-4760

**From:** [Julie Haga](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Thursday, November 9, 2023 6:56:50 AM

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[You don't often get email from [jkhaga@comcast.net](mailto:jkhaga@comcast.net). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing.

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

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Thank you,

Julie Haga

Sent from my iPad

**From:** [douwe@comcast.net](mailto:douwe@comcast.net)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Thursday, November 9, 2023 6:57:56 AM

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You don't often get email from douwe@comcast.net. [Learn why this is important](#)

I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing.

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

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Thank you,  
Don Haga

**From:** [Loren Quaglieri](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Thursday, November 9, 2023 7:04:23 AM

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I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing.

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Thank you,

**Loren Quaglieri**  
415-720-0093

**From:** [Carlene Marshall](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Thursday, November 9, 2023 8:59:15 AM

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You don't often get email from [carlene.marshall@humboldt.edu](mailto:carlene.marshall@humboldt.edu). [Learn why this is important](#)

I am writing to express my opposition to the September 2023 Draft Regulations on Short-Term Housing.

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

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Thank you,

Carlene Marshall

**From:** [Michael Walach](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Thursday, November 9, 2023 10:15:52 AM

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[You don't often get email from walachmj@comcast.net. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing.

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Thank you,

Michael Walach  
Sent from my iPad

Scott Miller  
P.O. Box 145  
Dillon Beach, CA. 94929  
(707) 878-2167

November 8, 2023

Marin County Planning Commission  
3501 Civic Center Drive, Suite 308  
San Rafael, Ca. 94903

Re: STR Ordinance Update Workshop



Dear Commissioners,

At the October 23 meeting Steve Kinsey explained the following things:

The kids on the school bus that drove by my house every morning for 15 years had no school to attend.  
The store his clients own doesn't exist.  
The Marin Transit shuttle he helped establish doesn't exist.

Thankfully, Planning Staff is basing their decisions on facts, not fiction. I thank you very, very much for that.

While there are some fact-based arguments that could be made to try and justify a higher cap for part of Dillon Beach, Kinsey has opted instead to rely on misleading statements and perceived clout to try and obtain a blanket exemption.  
So far it hasn't worked.

Thank you Ms. Kilgariff, Ms. Jones, and Mr. Tejirian, and thank you Commissioners.

If this thing gets approved by the CCC before the May 24 deadline as-is, I will be satisfied. I choose something over nothing and we're short on time.

Sincerely,

Scott M.

Attachment 1: Some ideas worth considering, but *not* worth missing the May deadline.

## Please Consider

### Two People per Legal Bedroom:

Septic systems are sized by bedroom.

Converted garages are abundant in Dillon Beach.

There is nothing in the ordinance preventing a 1 bedroom/8 person STR.

### 60 Day **Minimum** (or more):

Rental *minimums* are a way to provide maximum accommodations with minimum housing loss.

STR operators have reported relatively low occupancy rates.

Fewer houses renting more often would provide the same access opportunities.

*Ultra* easy enforcement. (C.A.S.E.) Less than 60 days of TOT = loss of license.

### New accommodations in Dillon Beach:

In 2018 Dillon Beach Resort had 3 cabins for short term rent.

It now has 3 cabins *plus* 25 "tiny homes" for short term rent.

These 25 new units each sleep two to six people and are very comparable to residential STR's in the village (kitchen, etc.).

The addition of 25 commercial STR's during the moratorium warrants lowering the STR cap for Dillon Beach.

### Seadrift/Dillon Beach Exemption:

*If* we choose to go down this road, we need to compare apples to apples.

Stinson and Dillon both are made up of different neighborhoods.

They have Seadrift. We have Oceana Marin.

They have the Calles and Patios. We have the Village and Portola Beach.

It would be very difficult to justify exempting the DB village and Portola without also exempting the Calles and Patios.

Part/part or Whole/whole.

Seadrift/*Oceana Marin* or *Stinson/Dillon Beach*.

### Retrospective Planning:

Dillon Beach has an STR named Bella Oceana.

The property is in escrow right now.

The current owner is Bella Oceana LLC.

The TOT certificate is registered to Bella Oceana LLC.

My guess is the new owners will be named Bella Oceana LLC no matter how often it changes hands, they will always benefit from prop. 13 and it will always be an STR.

Just up the hill there is a new house under construction. It is owned by "DB Bluffs".

My guess is it will always be owned by "DB Bluffs".

The *Planning* Commission should *Plan* for more of these going forward, rather than waiting and doing it through the rearview mirror as Commissioner Desser seems to prefer.



**From:** [Michael Stocker](#)  
**To:** "Susan Brayton"  
**Cc:** [Rodoni, Dennis](#); [Rice, Katie](#); [MoultonPeters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#); [neighbors@westmarinresidentsforhousing.org](#)  
**Subject:** Short term rental discussion in West Marin  
**Date:** Thursday, November 9, 2023 9:57:52 AM  
**Attachments:** [image001.png](#)

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You don't often get email from [mstocker@ocr.org](mailto:mstocker@ocr.org). [Learn why this is important](#)

Susan Brayton is leading an effort around Short Term Rentals and asked me to forward my comments to her to a list of email addresses.

I've written, and will continue to write letters on this critical issue, but I am also working on [other urgent environmental issues](#), and in any event, not available for any of the Rodoni community meetings.

Part of the confusion about the Short-Term-Rental (STR) fight are individual landowners in the area who don't want to be told what they can and can't do with their properties. But these folks in my view, are just being used as a wedge in our community for a problem that actually comes from outside.

When AirBnB started the STR game, it seemed like a good idea; residents in the area could rent out spare space, meet friendly travelers, and make a few bucks. I even rented a room out for a couple of years – and used the service myself while traveling. But then I started running into problems. The places I was renting were not owned by local people; they were investment properties for people who lived in Silicon Valley, who were displacing long-term renters in areas where housing was cheap enough for them to buy. They were disrupting neighborhoods in places that in many cases, they had not even seen.

And then, once a lot of the kinks were ironed out (contract housecleaning, turnover, furnishing, and house prep services), the Hedge Fund jerks came in. These are the people who will outbid a prospective homebuyer by 20% because they know they can make the money back. These are the jerks who are artificially inflating the home prices in the neighborhoods they are destroying.

A Few years ago there was an Atlantic article about this, where a family who had been renting their home for 15 years, all of a sudden had the opportunity to buy it. But the Hedge Funders came in and out bid him by an exorbitant amount, and due to this practice in the town he had called home, he was unable to buy any home where he worked and his kids went to school. He had to move - and commute 30 miles to the job he had, and his kids had to disrupt their schooling and all of their relationships because a bunch of greedy jerks who wanted to make money at any cost.

The article stated that at the time only 8% of the STRs are owned by individuals who live in the area, The rest are faceless "investors" who are, like all faceless investors, rapping the world to stuff their pockets. And then there is a small percentage of local individual investors on the front lines in these public hearings - inadvertently fighting against their own communities and for the Hedge Funders.

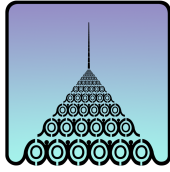
Perhaps some stipulation on local ownership would help?

These homes should not be commodities, as they are critical pieces in the neighborhoods in what will hopefully remain Civil Society.

Michael Stocker



Michael Stocker  
Ocean Conservation Research  
P.O. Box 559, Lagunitas, CA 94938  
415-464-7220



# Civicknit

P.O. Box 81  
Forest Knolls, CA 94933  
steve@civicknit.com  
415.307.1370

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November 9, 2023

Margot Biehle, Chair  
Marin County Planning Commission  
3501 Civic Center Drive  
San Rafael, CA 94903  
**RE: Revised Short Term Rental Standards**

Chair Biehle and fellow Planning Commissioners,

I am writing on behalf of the Dillon Beach Access Group, which consists of over thirty Dillon Beach registered short term rental (STR) property owners. We would like to start by thanking your Commission for listening to the concerns voiced at the Commission's October 23<sup>rd</sup> Workshop and offering helpful guidance to staff. The group appreciates the revisions made to parking standards and costly license renewal tasks in CDA's Revised, Draft Short Term Rental Standards. Yet, more remains to be done by your Commission before approving these regulations.

We do not believe this is a "one size fits all situation." We believe that stronger preservation standards are appropriate in coastal townships with active centers, schools, and transit service; but that existing standards should be retained in Marin's few historic coastal visitor destinations; especially in Dillon Beach.

Capping short term rentals in Dillon Beach would result in reduced coastal access for many northern Californians who do not have the privilege of living on the coast, and lead to an increase in vacation homes which mainly sit empty year round. Eliminating caps in Dillon Beach will bolster Marin's coastal access commitment, while also celebrating its unique beach resort character.

We ask that you look to how other counties have addressed this issue. For example, Santa Cruz County's approved Local Coastal Plan Amendments (LCPA). It does not impose caps in similarly popular visitor areas, including Beach Drive in Aptos, Rio Del Mar Blvd above Beach Drive, and specific areas of Capitola Village. Similarly, in San Diego, Mission Beach is allowed thirty times more STRs than in the rest of the City, an amount equal in percentage that is the same as Dillon Beach today. Dillon Beach is unique among coastal villages, with only 6% of homes registered for a Primary Home Tax Exemption; 1/3 the West Marin average and the lowest of all coastal communities.

Capping short term rentals in Dillon Beach will not increase housing supply opportunities, primarily because the remote location, lack of services or established gathering places make it infeasible for most families. Currently, no Tomales elementary or high school students come from Dillon Beach. The high cost of coastal properties also make affordable housing prohibitive, which explains why no sites were identified in the County's Housing Element. Caps would actually have the opposite effect, and accelerate gentrification by eliminating the opportunity for middle class families to offset their steep ownership costs with rental income.

In addition to requesting no STR caps in Dillon Beach, we offer these additional comments on the current draft:

- Legal, non-conforming rights of property owners currently operating STRs under the existing STR ordinance need to be defined.
- Section 5.41.070 creating a single countywide cap combining coastal and inland STRs could quickly cause even less opportunity for STRs in Marin's coastal communities. If STRs in unincorporated areas outside of the Coastal Zone need to be capped, the total should be independent of any coastal zone allocation.
- Section 5.41.050 D.4.xiv. should clarify that the 250 Ga./Day water averages will be calculated from a property's total annual consumption to account for the substantial mid-week and seasonal differences in STR activity. Water conservation is more appropriately managed on a community-wide basis rather than targeting one user group, to be fair and effective.
- Section 5.41.050 D.2. should be amended to allow an STR operator whose license gets suspended or revoked to re-apply after a set period of time; not permanently prevented from re-applying.
- Section 5.41.050 C. should be further amended to allow generational vacation homes to continue. We suggest revising the text to read "*...the license expires immediately and automatically upon any change in ownership, except if the change in ownership result from the death of one of the spouses of a short term property owned by two spouses in cases where the ownership change is to a spouse, trust, or immediate family member.*"

Sections 5.41.050D2 and 5.41.080 should be revised to specify that more than three verified substantial violations per license period are required prior to taking an enforcement action to suspend or revoke a license .

Given the urgency the County places on approval of its LCPA, we encourage the Planning Commission to loosen restrictions now in appropriate coastal areas to avoid protracted negotiations and revisions needed to make it acceptable to the Coastal Commission.

Regards,



Steve Kinsey

cc: Supervisor Dennis Rodoni  
Dan Carl, North Central Coast Director, Ca. Coastal Commission



**From:** [PlanningCommission](#)  
**To:** [Kathleen Kilgariff](#)  
**Cc:** [Leslie Lacko](#)  
**Subject:** FW: In support of STR regulation  
**Date:** Thursday, November 9, 2023 1:25:25 PM

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**From:** Ken <klevin13@gmail.com>  
**Sent:** Thursday, November 9, 2023 7:29 AM  
**To:** BOS <BOS@marincounty.org>; PlanningCommission <PlanningCommission@marincounty.org>  
**Cc:** Steve Antonaros <santonaros@gmail.com>; Mark Switzer <markswitzer@hotmail.com>; Chris Hulls <crhulls@gmail.com>; Laura Arndt <laura.l.arndt@att.net>; Pamela Bridges <p.bridges@mac.com>  
**Subject:** In support of STR regulation

Supervisors and Commissioners,

In case you are not familiar with the organized professional level of the anti-regulatory lobby, I am forwarding the latest call to arms from the WMAC.

Here, in small town West Marin, residents already feel the results of increased STR development. Our neighborhoods are being gutted. We don't know who lives next door; no one "lives" next door. You are on the verge of allowing horizontal hotels to invade our residential zones.

Please don't do it. Reduce the number/percentage of short term accommodations and support the preservation of a threatened way of life: villages where people actually live, work, shop, play. Marin's small towns are visited and enjoyed because they are small and genuine rather than a disneyland created for profit through tourism.

Thank you,  
Ken Levin, past President  
Point Reyes Station Village Association

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Begin forwarded message:

**From:** West Marin Access Coalition <[info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)>  
**Date:** November 9, 2023 at 3:30:18 AM GMT+9  
**Subject:** **Let's Pack the ROOM**

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## **Here are 3 easy ways you can make this effort a success!**

This Monday, November 13, is the final Planning Commission hearing and our opportunity to help keep Marin accessible to all. Below are 3 things you can do to help our movement succeed.

### **1. Calls to Action - Two Meetings**

First, Monday, November 13, at 1 p.m. is your last chance to have your voice heard in front of the Marin County Planning Commission to let them know that residents and visitors of Marin do not support the extreme draft regulations on Short Term Rentals as they are currently written.

Your participation is key to changing the minds of Planning Commission members and setting our movement up for further success in front of the California Coastal Commission and Board of Supervisors. We urge you to join us on Monday. Comments will be heard at:

Hearing Chambers, Room 330  
Marin County Civic Center  
3501 Civic Center Drive  
San Rafael, CA 94903

Second, Monday, November 13th, at 6 p.m. via Zoom, Dennis Rodoni will be hosting a Community Conversation for Marshall, Point Reyes Station, Inverness, Inverness Park and Olema. Your voice is important and Dennis Rodoni wants to hear from you.

Please sign up [here](#) to receive a zoom meeting invitation.

*Scroll further down to review the Talking Points we have created, so we can all stay on message at the hearing.*

## **2. Send an Email to the [Planning Commission](#)**

Over 350 people signed our Sign On Letter last month. We have built an incredible coalition of concerned residents from across the county. Now, it's time to use our strength in numbers. We urge every single one of you to write the Planning Commission an email expressing your disapproval of the draft regulations. Here's an easy-to-use [template](#).

If you'd like to draft a personalized letter, feel free to use our talking points below as a guide and email the recipients below.

## **3. Share This With Your Family, Friends, and Neighbors!**

This issue affects everyone in Marin and the broader region. Movements are built by being loud, not quiet. The easiest way to amplify your own voice is to get another voice to speak up with you. Share this email with your family, friends, and neighbors and have them follow these four steps too.

**Your engagement is needed** to ensure the coast and parks are available to visitors, and that vacation homes are available for the enjoyment of all in West Marin!

## **Talking Points**

### **1. Lack of Data**

- No rationale, no data, and no understanding of impacts. County staff created new costs and an onerous regulatory process without defining the problem to be resolved, information justifying the action, nor knowledge



of the impact it will have on the stakeholders they seek to regulate and the visitors to the coastal region.

## 2. Hurts Small and Local Businesses

- Tourist dollars are vital to the livelihoods of many small businesses in West Marin. With a reduced number of tourists visiting each year, local businesses will be acutely impacted, having detrimental downstream impacts on workers employed by these businesses. The middle class in Marin has already been hollowed out, and this may be the death knell.
- The 2.3 million visitors to the Point Reyes National Seashore contributed over \$117 million to the economy of the nearby communities, supporting over 1,120 jobs with an accumulative benefit of \$149 million to Marin's local economy in 2022. That is all at risk due to caps being proposed on vacation rentals.

## 3. Short-Term Rentals Fund Affordable Housing

- We are all very aware of the need for affordable housing in Marin. The fact is though, that short-term rentals in vacation destinations like West Marin are not going to magically become affordable homes if they're taken off of the short-term rental market.
- On the contrary, due to Measure W, taxes on vacation rentals are the only source of dedicated money going towards affordable housing in the county right now. It is a fact that short-term rentals fund affordable housing across the county.
- While supporters of these restrictions on short-term rentals argue that STRs are responsible for the rapid increase in the price of homes in recent years, a recent study by Oxford Economics has concluded that, in inflation-adjusted terms, STRs contributed just 0.4% to the increase in U.S. housing prices from 2014 to 2021. This seems even less relevant in a rural area as opposed to a major city.

## 4. Public Lands Are For the People

- West Marin, comprised of public parks and over 100 miles of bay and coastline, is a vacation destination for millions of visitors. Fewer vacation homes will make it difficult for visitors from afar to experience the coast and parks.

## 5. Impact on Families

- Limiting one's ability to rent a home, a cottage, or an in-law unit reduces

their ability to achieve or maintain home ownership. The loss of STR will ultimately have a negative economic impact on the entire county and will undermine the goal of more affordable housing.

- Vacation homes offer the most affordable lodging to visitors in the region. The hotel industry, exempt from these regulations, wants less competition so they can raise their rates. The caps on the number of permissible vacation homes have no rational basis and will result in an increased cost of lodging to visitors. Regardless, existing hotels don't come close to meeting demand.
- Vacation homes are more cost-effective for a family than any other form of overnight accommodations. The county has already raised the cost of vacation housing for visitors of West Marin by charging 14% TOT (vs 10% elsewhere in the county). By limiting vacation homes and driving up the cost of operation, the county is further limiting visitor access to affordable vacation housing on the coast.
- The regulations are costly, burdensome, and possibly unattainable for many, which will further reduce availability and increase the cost of housing for visitors. The unprecedented 11-pages of detailed restrictions and requirements will all but ensure compliance failure among a substantial number of homeowners and result in less lodging for visitors. For those few that can comply, the time and expenses associated with gathering the documentation, additional services, and the annual inspections will lead to a large increase in the overall costs of operation, which will result in increased nightly rates for visitors to the region.

## **Please take a moment to:**

- 1. Attend the FINAL Planning Commission hearing on November 13th at 1 p.m. and Dennis Rodoni's zoom meeting at 6 p.m.**
- 2. Submit a letter to the [Planning Commission](#)**
- 3. Encourage visitors, homeowners and business owners to attend the meeting and submit a letter supporting**

## access to West Marin

Now that the [Draft Regulations](#) are public, the County plans to move quickly to make these regulations permanent.

All in all, the county needs to go back to the drawing board, to define the issue, provide documentation, assess the impacts, and work with the stakeholders they seek to regulate to ensure the standards are fair, achievable, and non-discriminatory.

Thank You!

West Marin Access Coalition



## REPORT: Visitor Spending

A new [National Park Service \(NPS\) report](#) shows that 2.3 million visitors to Point Reyes National Seashore in 2022 spent **\$117 million** in communities near the park. That spending supported 1,120 jobs in the local area and had a cumulative benefit to the local economy of \$149 million.

## About West Marin Access Coalition

A coalition of homeowners, long- and short-term rental hosts, visitors, local businesses, and concerned citizens interested in preserving West Marin's historical tourism-friendly community. We believe everyone should have access to the coast and public parks, which includes overnight stays in nearby communities.

The coalition is dedicated to keeping our community informed of county policies that may negatively impact the visitor's experience and access to West Marin and to provide information to help you engage in the public process. For more information, please visit <https://WestMarinAccessCoalition.com> and/or email [info@WestMarinAccessCoalition.com](mailto:info@WestMarinAccessCoalition.com)



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[Add us to your address book](#)

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**From:** [Margaret](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Thursday, November 9, 2023 2:06:18 PM

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I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing.

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue.

I recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,

Sent from my iPhone

Lynn D. Fuller  
2949 Divisadero St.  
San Francisco, CA 94123  
*lynndfuller@gmail.com*

415-310-7615

November 9, 2023

Members of the Planning Commission  
Marin County Civic Center  
3501 Civic Center Drive  
San Rafael, CA 94903

Re: Revised Draft Regulations Governing Short Term Rentals (Dated Oct. 31, 2023)

Dear Members of the Commission:

I own a vacation home in the Seadrift subdivision in Stinson Beach that I rent out, usually on a weekly basis, approximately 1/4 of each calendar year. My rentals are managed by Seadrift Realty, a local rental agency that specializes in vacation rentals in Stinson Beach. I'm a member of the California bar and my primary address is in San Francisco. I previously submitted a letter to this commission in advance of the October 23, 2023 workshop/hearing.

Below are my comments on the revised draft regulations and accompanying staff report dated October 31, 2023.

## PRELIMINARY COMMENTS

1. It is encouraging that, with this recently released draft, the County has at last demonstrated some responsiveness to the copious amount of feedback it has received from affected property owners and other stakeholders over the past two years. Unfortunately, however, the process used by the County and the substantive policies these regulations propose to enact are deeply flawed; more work is needed before any form of these regulations is legislatively enacted.
2. The Commissioners should bear firmly in mind that the enactment of the County's Short-Term Rental regulations will impose significant new costs and burdens on owners of vacation homes in West Marin and will almost certainly harm local small businesses in these communities. Yet, despite these important considerations, the County seems to be in a rush to get something on the books with the approaching expiration of the moratorium.

The County has not conducted the crucial economic and fiscal analyses that should have been the starting point to determine whether these new, intrusive government

rules are justified. The administrative record is replete with specifics as to data neither collected nor studied, so I will not repeat that here. But the consequence is that the County is “flying blind” due to its own poor planning; as things stand, coastal communities and the many people who enjoy visiting them will pay the price. The Commission should require that County staff conduct all relevant studies before proceeding with this process.

## JUSTIFICATION FOR THE RULEMAKING?

1. A non-scientific poll is no substitute for economic impact studies. Yet County staff seem to have relied heavily on public preferences purportedly expressed in the County’s Internet poll as the justification for legislation that dramatically affects the rights of vacation home owners and of small businesses serving visitors in West Marin. The Planning Commission should not allow County staff to skip the crucial step of developing accurate economic and fiscal data and sharing it with the public.
2. As of this writing, the County’s STR webpage states the purposes of this rulemaking as follows:

*The County is currently working on a Short Term Rental Ordinance Update to improve the availability of middle- and lower-income housing, while maintaining access to economic opportunities, services and activities in the unincorporated areas of the County and end the moratorium in West Marin.*

Source: [marincounty.org/main/short-term-rentals](http://marincounty.org/main/short-term-rentals)

But the County has developed NO RELIABLE DATA supporting the highly dubious proposition that the proposed rules will either improve the availability of any class of housing, or will maintain “access to existing economic opportunities, services and activities.”

3. Staff has simply ignored many wise and well-articulated comments and criticisms presented by stakeholders. The current draft contains some changes in response to comments received (especially comments made by Commissioner Desser); but many substantive comments have been completely ignored. The County should engage meaningfully with stakeholders by addressing their comments.

## SUBSTANTIVE CONCERNS

1. **THE STR “CAPS” SHOULD BE HIGHER.** The mystifying town-by-town “caps” in the table in the draft regulations are not appropriate for two general reasons:

(a) they do not allow for the inevitable future increase in visitation to the coast as cities throughout the Bay Area and beyond rapidly add thousands of housing units as required by state law; and



(b) the artificial scarcity created by the proposed reductions in numbers of vacation rentals mandated in the draft regulations seems to be driving the onerous registration and licensing requirements also contained in the draft regs (albeit less onerous in the current draft than in the previous one).

*The Commission should require a transparent, public process for setting the number of rentals allowed in each community and should require that the caps accommodate, as a bare minimum, 10% future growth over the next decade.*

- 2. THE DEATH OF A PROPERTY OWNER SHOULD NOT AUTOMATICALLY TERMINATE THE RENTAL LICENSE.** The new draft now purports to soften this harsh rule that the death of a property owner terminates the STR license “immediately” but only in the case of “the death of a spouse.” But many owners don’t have a spouse. Why should this softening of the termination-on-death rule be limited to married owners? The license and rentals under the license should remain in effect for the rest of the license term remaining after the death of the property owner. This would allow existing agency and booking arrangements to be honored and to allow heirs to manage the property owner’s estate in an orderly fashion without County-imposed arbitrary disruptions and loss of income. This is a serious issue that the County has not adequately addressed.

*The Commission should require a consultation with a qualified estate planning attorney to recommend better language to address the death of the property owner.*

- 3. ADUs SHOULD NOT BE CATEGORICALLY EXCLUDED.** The new draft regulations, presumably in response to comments received from irate owners of ADU’s, grandfather in only ADUs created before January 1, 2020. See staff report page 2: “An ADU created before January 1, 2020, when the State law went into effect prohibiting the use of statewide exemption ADUs for STRs, could be used as an STR.” This confusing language is not accompanied by a code citation that would allow me to confirm the existence of such a state law, but a quick web search revealed, among other things, that the City of San Rafael “allows for [ADU’s] to be used as Short-Term Rentals.” (Source: [cityofsanrafael.org/question/can-i-use-my-accessory-dwelling-unit-as-a-short-term-rental/#/city/answers/str-faq/can-i-use-my-accessory-dwelling-unit-as-a-short-term-rental](http://cityofsanrafael.org/question/can-i-use-my-accessory-dwelling-unit-as-a-short-term-rental/#/city/answers/str-faq/can-i-use-my-accessory-dwelling-unit-as-a-short-term-rental)). This information throws into question the quoted language in the staff report, which suggests the existence of a state law prohibiting the use of ADU’s for STRs state-wide. To repeat the point I made in my last letter, ADUs are an ideal form of housing to be rented to visitors on a short-term visitors.

*The Commission should direct County staff to remove or soften the proposed prohibition on short term renting of ADUs.*

Thank you for your consideration of my concerns and those of other stakeholders who have attempted to obtain a fair hearing on the way the County's proposals will affect their interests and their communities.

Kind regards,

A handwritten signature in black ink, appearing to read 'Lynn D Fuller', with a long horizontal stroke extending to the right.

Lynn D Fuller

**From:** [Leanne K](#)  
**To:** [STR](#)  
**Cc:** [Lucan, Eric](#); [PlanningCommission](#); [Rice, Katie](#); [Sackett, Mary](#); [Rodoni, Dennis](#); [MoultonPeters, Stephanie](#)  
**Subject:** Re: NO MORE STRs!!!!  
**Date:** Thursday, November 9, 2023 2:11:13 PM

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Hi Dennis!

Thank you so much for coming out to Bolinas last night. I was a little disappointed by the tone of the conversation when it came to STRs but I know this situation is tricky and there are a lot of factors at play. I appreciate the time you took to answer all of our questions, especially long after the meeting was over and I hope you're willing to collaborate and keep the conversation going.

**I have a question:**

If the new ordinance goes into effect and there is a waiting list for homeowners to get a license for an STR, what happens if their unit is being rented as a long term rental and they get approved for an STR license? Will they be able to evict tenants to create an STR? I'm curious if there is anything we can do to prevent situations like this from happening?

I'd also like to know what actions I can take as a resident to help strengthen the rights of tenants.

Thanks so much,  
Leanne

On Thu, 12 Oct 2023 at 15:14, STR <[str@marincounty.org](mailto:str@marincounty.org)> wrote:

Hi Leanne,

Thank you for this communication. I will include this in the project record and share it with the Planning Commission prior to their hearing on October 23<sup>rd</sup>.

Best,

Kathleen

**Kathleen Kilgariff**

PLANNER

she/her

County of Marin

Community Development Agency

3501 Civic Center Drive, Suite #308

San Rafael, CA 94903

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**From:** Leanne K <[leannekriz@gmail.com](mailto:leannekriz@gmail.com)>  
**Sent:** Thursday, October 12, 2023 3:04 PM  
**To:** Moulton-Peters, Stephanie <[smoultonpeters@marincounty.org](mailto:smoultonpeters@marincounty.org)>; Sackett, Mary <[MSackett@marincounty.org](mailto:MSackett@marincounty.org)>; Lucan, Eric <[elucan@marincounty.org](mailto:elucan@marincounty.org)>; STR <[str@marincounty.org](mailto:str@marincounty.org)>; PlanningCommission <[PlanningCommission@marincounty.org](mailto:PlanningCommission@marincounty.org)>; Rodoni, Dennis <[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)>; Rice, Katie <[KRice@marincounty.org](mailto:KRice@marincounty.org)>  
**Subject:** NO MORE STRs!!!!

Some people who received this message don't often get email from [leannekriz@gmail.com](mailto:leannekriz@gmail.com). [Learn why this is important](#)

Dear Planning Commissioners and Supervisors,

I'm a West Marin resident deeply concerned about the growing trend of residential properties being transformed into short-term rentals (STRs) over the past 5 years. We all have stories of friends, family, and neighbors who've had to move because they lost their long-term rentals. The very fabric of our communities is at stake, and we're in danger of losing places for local workers, teachers, firefighters, families, and seniors to call home.

While the draft STR ordinance is a step in the right direction, it lacks the necessary strength and falls short of addressing the issue adequately. The adverse impact of STRs on West Marin's housing crisis is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities simply can't function when 16% of their limited housing stock is being siphoned away.

To make a significant change, we should follow the example of other coastal communities. That means significantly reducing the number of permitted STRs. In the case of the Coastal Zone, I strongly urge you to cut the number of unhosted STRs in half, from 480 to 230. With the existing 108 hosted STRs, we'd still have 338 STRs in our coastal villages, in addition to the existing campgrounds, motels, and BnBs. This would bring the number of STRs back to 2018 levels.

With this ordinance, you have the power to either restore balance in our coastal

communities or perpetuate their hollowing out. Please make the right decision.

Thank you for your consideration,

Name: Leanne Kriz

Address: 210 Laurel Road

Email: [leannekriz@gmail.com](mailto:leannekriz@gmail.com)

Email Disclaimer: <https://www.marincounty.org/main/disclaimers>

The County already regulates Short Term Rentals (STR), requiring both a Business Occupancy Tax Certificate from the Department of Finance, and compliance with rules established by the Community Development Agency. An update to the Short Term Rentals Ordinance is underway along with significant public engagement. See below meeting materials for future meeting announcements. Ultimately, the County seeks to improve the availability of lower-income housing, while maintaining access to economic opportunities, services

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Object reference not set to an instance of an object. There is a problem with sending your email through our site. Please try again later. We apologize for the inconvenience. If you have filled out the message text we have provided it below so you may copy it and submit it at a later time.

To: Kathleen Kilgraff I have a few questions and comments re: the proposed new regulation for short term rentals in the village. I have been licensed since 2017. 1. I do NOT have any on site parking nor will I ever be able to provide on site parking due to the siting of my house on the lot and just the nature of the original development of Dillon beach village. Will I be grandfathered in re: parking? 2. Will I have to renew my license again in 4 years? If so, how will my parking issue be handled? Comment: In the interest of fairness, I think that as long as an owner does NOT have any violations, they should be exempt from the onerous 4 year renewal application. The street and lot conditions of the village have been in existence since the late 1880's. Thank you. Ann pardi

Close

- Community Meetings
- Guiding Principles
- STR Background
- STR Masterplan in West Wind
- Frequently Asked Questions

**From:** [Terry Mooney](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Thursday, November 9, 2023 5:16:33 PM

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I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing. West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year.

West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way. Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue.

I recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,

Teresa Mooney

**From:** [vickie day](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Thursday, November 9, 2023 5:19:03 PM

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Thank you,

Sent from my iPhone



**From:** [kurt.engel](mailto:kurt.engel)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Dennis Rodoni](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Thursday, November 9, 2023 9:36:51 PM

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I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing.

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Thank you,

Kurt Engel  
Engel Construction  
PO Box 233  
Calpine, CA 96124  
530.994-3340  
California Contractors License #368704  
[kurtengelconstruction@gmail.com](mailto:kurtengelconstruction@gmail.com)

**From:** [Eileen Connery](#)  
**To:** [STR](#)  
**Cc:** [Dennis Rodoni](#)  
**Subject:** COMMENTS ON SHORT TERM RENTAL REVISED PROPOSAL  
**Date:** Thursday, November 9, 2023 10:59:57 PM

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NOVEMBER 9, 2023

**COUNTY OF MARIN COMMUNITY DEVELOPMENT DEPARTMENT**

**RE: SHORT TERM RENTAL COMMITTEE**

**TO:** Sarah Jones & Kathleen Kilgariff

**CC:** Marin County Board of Supervisors

Thank you for making positive revisions to your proposed Requirements for Short Term Rentals, but we do Urge You to reconsider your proposed requirements for Exterior Signage and to fully articulate the proposed "enforcement details" that were referred to in the October 23rd meeting.

**EXTERIOR SIGNS:**

We wrote to you in October but since it has not been addressed in your revision, we are repeating our statement here and adding that Marin County does not allow signs on residential buildings other than a 1 Square Foot identifier which is the size of my street number sign.

**But there are very good reasons to EXCLUDE EXTERIOR SIGNS from your STR Standards:**

**Item 7: Exterior Signage:** This topic was discussed to exhaustion in 2018.

For our rental cottage in Point Reyes Station: Please understand that a **PRIVATE** location is key to our business. We operate a quaint cottage, in a private home that is seamless in the neighborhood. *Our guests do not even get the actual street address of our cottage until the reservation is paid in full. This is a private location.*

The current sign standards should stay in place. We are happy to post the large scale number of the street, but no other exterior sign please because.....

**The exterior sign causes two things:**

**An invitation to enter because it is a business:** anyone can then walk up to the door and interrupt a guest –

“Do you have a room for Rent?”

“Can we make a reservation for next week?”

“Can we tour the house?” ETC....

**And an invitation to a robbery, theft etc:** Whether occupied or not, it is an open invitation that travelers are here or that it maybe unoccupied and easy to access.

We are not an **INN or a HOTEL** – those businesses have exterior signs and ALSO lighting, *multiple staff* on site, cameras etc overseeing their properties.

**A sign on a neighborhood cottage on a quiet street is *not necessary* and should not be a requirement of the short term rental standards.**

The address is the identifier for reporting any emergency fire or other issue.

# Marin Municipal Code

## 22.69.040I - Exempt signs.

[SHARE LINK TO SECTION](#)[PRINT SECTION](#)[DOWNLOAD \(DOCX\) OF SECTION](#)[EMAIL SECTION](#)

The following signs are permitted without sign review or permit, in accordance with these specific requirements.

Signs not conforming to the limits set forth in this section relating to number, size, location, height, copy or time, by this section are subject to sign review in accordance with subsection 22.69.060.

Use Identification.

**Dwelling: one name plate not exceeding one square foot**, may be freestanding;

**Home occupation: one sign not exceeding one square foot**, may be freestanding;

### Revised Proposed STR statement on Exterior Signage:

7. Exterior Signage. Each short term rental shall be identified with a single exterior sign that includes the name of the local contact person or host, the phone number and email address for the local contact person or host, and the street address of the short term rental. At a minimum, the sign shall be posted while the unit is being used as a short term rental. The sign shall be made of durable materials and securely placed in the front of the property or unit (where there are multiple units on the property), at a height of three to five feet as measured from the top of the sign to grade, in such a way that it is readily visible to the public upon inspection.

### Comment:

**This is fine for a hotel with an Office and Staff, but not for a private home, vacation rental.**

Thank you for reconsidering.

### ENFORCEMENT DETAILS:

There was an odd comment Ms. Jones and her Staff made at the October 23rd meeting regarding private investigators knocking on a door at nighttime hours that was very unsettling to me.

The Staff ( I am sorry that I did not note his name,) said **“no answer, then no host”**

....

So it would be between 12 and 5 AM? On a day no guest is at the rental? or On a day when it is rented?

Either way, it is frightening and I would not open the door and I would hate to have a guest subjected to that disturbance as well. So, his assumption that no host is present will not be accurate in my case as I would fear opening a door at that hour (and I would call the Sheriff) , or I can be away for an overnight or a vacation ....

This is not a good solution. There must be a better way to confirming a Hosted rental....**and these "enforcement details" should be discussed prior to adopting any new ordinance.**

Maybe the Planning Commissioners can help with some logic on this as well?

We appreciate your consideration and further details.

EILEEN CONNERY  
PO BOX 1268, POINT REYES STATION CA 94956

**From:** [Eoin McMillan](#)  
**To:** [Kathleen Kilgariff](#)  
**Subject:** Re: STRs on ag land  
**Date:** Friday, November 10, 2023 10:18:23 AM

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Hi Kathleen - I see this as unnecessarily restrictive since the main goal is to prevent STR loopholes.

I have been chatting with a few smaller landowners (5+ acres I think) who practice agriculture (have a tax code for ag, get or apply for ag grants, sell produce, are active in the local ag ecosystem, etc.) who would not be covered by this ag exemption.

I believe a more permissive ag definition would be appropriate, similar to how the previous thinking around primary residences enabled multiple alternate proof points... maybe I'm naive but I just don't see STR owners setting up professional hobby farms to circumvent policy here.

On Wed, Nov 8, 2023 at 3:59 PM Kathleen Kilgariff <[Kathleen.Kilgariff@marincounty.gov](mailto:Kathleen.Kilgariff@marincounty.gov)> wrote:

We settled on the requirement that the property would need to be at least 10 acres in size and where the primary use of the property is commercial agriculture. We would then look to the land use tables in the Development Code or Coastal Zoning Code (depending on where the property is located) to ensure compliance with the land use requirement.

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**From:** Eoin McMillan <[coinmcmillan@gmail.com](mailto:coinmcmillan@gmail.com)>  
**Sent:** Wednesday, November 8, 2023 2:58 PM  
**To:** Kathleen Kilgariff <[Kathleen.Kilgariff@MarinCounty.gov](mailto:Kathleen.Kilgariff@MarinCounty.gov)>  
**Subject:** Re: STRs on ag land

Hi Kathleen, not sure if this is helpful and you're probably all over this, but I was chatting with a farmer just now and they recommended the CDFA grant criteria as a good policy to look at here for what might be considered working ag. (sorry I don't have a good link for this)

Just a thought.

Thanks!

On Fri, Oct 27, 2023 at 12:32 PM Kilgariff, Kathleen <[KKilgariff@marincounty.org](mailto:KKilgariff@marincounty.org)> wrote:

Yeah, that is our intention.

We are tied up by the administrative elements of the Planning Commission, so I appreciate that Leila reached out to Jeremy about this on behalf of everyone. If anything, we are hoping the Board of Supervisors meeting can be held during the evening and they have a zoom option.

Best,

Kathleen

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**From:** Eoin McMillan <[ecoinmcmillan@gmail.com](mailto:ecoinmcmillan@gmail.com)>  
**Sent:** Friday, October 27, 2023 11:58 AM  
**To:** Kilgariff, Kathleen <[KKilgariff@marincounty.org](mailto:KKilgariff@marincounty.org)>  
**Subject:** Re: STRs on ag land

Makes sense. I think we're both thinking about the same thing, which is to exempt actual ag land but not create a massive, unintended, easily exploitable loophole.

I was unable to attend the last meeting because of the in-person requirement. Would you mind advocating that the next meeting allow for Zoom attendance? (It's really hard to attend in-person meetings.)

On Fri, Oct 27, 2023 at 11:54 AM Kilgariff, Kathleen <[KKilgariff@marincounty.org](mailto:KKilgariff@marincounty.org)> wrote:

Yes, we have several definitions, depending on where the property is located. I think it'll be best to wait and see what gets proposed next week. We can talk then.

Thanks,

Kathleen

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**From:** Eoin McMillan <[ecoinmcmillan@gmail.com](mailto:ecoinmcmillan@gmail.com)>

**Sent:** Friday, October 27, 2023 11:43 AM  
**To:** Kilgariff, Kathleen <[KKilgariff@marincounty.org](mailto:KKilgariff@marincounty.org)>  
**Subject:** Re: STRs on ag land

Hi Kathleen,

USDA has a definition of working ag, and Marin county probably has their own definitions too.

Can you please cross check the 70 STRs list against whatever data and definition the county has for working ag to see what the “actual” number of Ag-based STRs is?

On Fri, Oct 27, 2023 at 11:29 AM Eoin McMillan <[ecoinmcmillan@gmail.com](mailto:ecoinmcmillan@gmail.com)> wrote:

I was thinking the exact same thing. My own house on the residential Mesa in Bolinas is zoned ag/residential, even though we have no ag operations. I'm supportive of the intent of the ag exemption, but would not want to accidentally create a loophole whereby all Bolinas STRs are now suddenly exempt from this ordinance.

Do we have any way to distinguish between actual ag operations vs ag-zoned (or more likely ag-dual-zoned) properties?

On Fri, Oct 27, 2023 at 10:51 AM Kilgariff, Kathleen <[KKilgariff@marincounty.org](mailto:KKilgariff@marincounty.org)> wrote:

Hi Eoin,

There are approximately 70 agriculturally zoned properties that have STRs.

What I think we are trying to figure out now is how we can ensure that the exemption applies to actual agricultural production properties, and not just those that are zoned Agricultural but are more residential. We are working to get the next round of draft regulations and supplemental materials out for public review next Thursday, November 2<sup>nd</sup>.

Best,

Kathleen

---

**From:** Eoin McMillan <[ecoinmcmillan@gmail.com](mailto:ecoinmcmillan@gmail.com)>  
**Sent:** Thursday, October 26, 2023 10:41 PM  
**To:** Kilgariff, Kathleen <[KKilgariff@marincounty.org](mailto:KKilgariff@marincounty.org)>  
**Subject:** STRs on ag land

Hi Kathleen,

I'm seeking to understand the impact of the Ag Exemption on total STR numbers.

Do you have a total number of STRs on agricultural lands in West Marin? I'm keen to understand what % they make up of all STRs.

FWIW, I am supportive of the ag exemption as I believe this STR bill should stay focused on residentially STRs, as Ag land can/should be regulated separately.

-- Eoin

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Eoin McMillan | [eoin.me](http://eoin.me) | [@mceoin](https://twitter.com/mceoin)

*miseris succurrere disco*

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Eoin McMillan | [eoin.me](http://eoin.me) | [@mceoin](https://twitter.com/mceoin)

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Eoin McMillan | [eoin.me](http://eoin.me) | [@mceoin](https://twitter.com/mceoin)

*miseris succurrere disco*

**From:** [Wendy Donner](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Dennis Rodoni](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Friday, November 10, 2023 11:53:51 AM

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Some people who received this message don't often get email from wdonner@gmail.com. [Learn why this is important](#)

I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing.

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way. Vacation homes offer the most affordable lodging to visitors in the region.

Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue.

I recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,--

*Wendy Donner*

she/her

415.317.0184

[www.wendydonner.com](http://www.wendydonner.com)

November 10, 2023

To: Marin County Planning Commission

**RE: Short Term Rental Ordinance Update**

Dear Marin County Planning Commission Members:

The Marin Agricultural Land Trust (MALT) appreciates the continued opportunity to submit comments on Marin County's most recent draft of the Short Term Rental Standards Ordinance to the Planning Commission.

MALT supports the recently added exemptions as related to agricultural homestays and agriculturally zoned properties of at least 10 acres in size and where the primary use of the property is commercial agriculture.

These exemptions will allow important diverse economic opportunities to Marin County's farmers and ranchers, while also continuing to provide agricultural education and tourism opportunities for visitors to Marin County.

Thank you for the opportunity to provide comments on the draft Short Term Rental ordinance and we appreciate your efforts to craft a policy that intends to improve the availability of housing while maintaining access to important economic opportunities, services and activities in Marin County and its agricultural community.

Sincerely,



Lily Verdone  
Executive Director  
Marin Agricultural Land Trust



Zach Mendes  
Director of Land Protection  
Marin Agricultural Land Trust



**From:** [David Kimball](#)  
**To:** [Planning Commission](#)  
**Cc:** [Rice, Katie](#); [Stephanie Moulton-Peters](#); [Eric Lucan](#); [Sackett, Mary](#); [Dennis Rodoni](#); [STR](#)  
**Subject:** STR Request  
**Date:** Friday, November 10, 2023 11:56:37 AM

Some people who received this message don't often get email from bokimball@gmail.com. [Learn why this is important](#)

Dear Planning Commissioners,

I will not be able to attend this Monday's, 11/13/2023 Planning Commission Hearing and respectfully submit the following for your consideration:

**CAPS:** Setting an STR cap at a fixed level, in perpetuity, as proposed in the most recent CDA draft ordinance will, set aside forever about 10% of residential homes in communities such as Inverness, Point Reyes Station and Bolinas and even more, about 25% in Stinson Beach. Each of these villages have a history of functioning as vibrant sustainable communities while also serving visitors. It is not an exaggeration to state that these villages are on the edge of being diminished beyond repair. Here is what you can do:

- **PC ACTION:** Establish CAPs at substantially lower levels (perhaps even 2% to 3%) using attrition as a means to eventually realize the level. This could take years but it respects the investments un-hosted STR operators have made under prior Marin County regulations. At the same time, it sends a message that while the West Marin coastal villages will continue to support visitors (first responders, accommodations, etc.), the residentially zoned neighborhoods are not available for additional commercialization.

**NO MORE THAN ONE STR LICENSE PER LICENSEE:**

- **PC ACTION:** Include this in the "attrition" term requested above.

**HOSTED STRs:** Creating more flexibility for hosted (i.e. permanent residents) to offer STR accommodations is important. The intent is to enable property owners to secure more financial security for those who wish to remain in the community as long term residents or offer their property to long term renters willing to host an STR. This has real potential to be a meaningful means to strengthen community.

- **PC ACTION:** Recommend to the Board of Supervisors to begin advocating with our California Assembly and Senate to allow ADUs to be legalized for hosted STRs.

**SECOND HOMES:** Certainly STRs are not THE only reason for the shortage of affordable and available long term housing.

- **PC ACTION:** Recommend to the Board of Supervisors to make addressing the proliferation of underutilized second homes a top priority. Clearly this is a long term pursuit and as the saying goes "the best time to address this is yesterday".

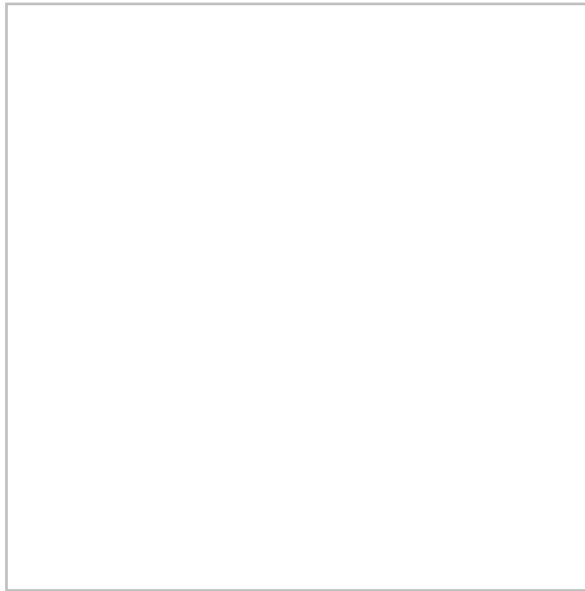
A few background items for your consideration:

- One of the many findings from the 2022 two year STR Moratorium Ordinance is: "*Section 1E. The shortage of affordable, permanent housing hollows out West Marin Area communities. It causes increases in property values and reduces availability of local employee housing, which in turn forces emergency responders, teachers, and other essential public service workers to live outside the West Marin Area, creating a teacher shortage and delays in emergency and public services.*" This condition is still very much in force today. No amount of lobbying from pro STR advocates changes this fact. And, more important, the findings included in the most recent draft STR ordinance do not address the Findings used to justify the moratorium ordinance. Nothing has changed for the better since May 2023, so I respectfully request that those Findings be addressed in your deliberations this Monday to opine that either those findings were not valid or the housing market has substantially improved in the last 1½ years.
- With respect to the commercialization of California coastal communities: CCC Commissioner, Justin Cummings at the August 10, 2023, Coastal Commission hearing stated "*We really do need to look at how communities are being impacted by short-term rentals and how that intersects with our push for trying to have more housing in coastal communities...when we take residential and convert it into commercial that puts an even bigger strain on our ability to provide housing.*" It seems unlikely that the architects of the California Coastal Act, for which I enthusiastically voted, envisioned that coastal access for visitors should include converting residential neighborhoods to commercial activity. At that time it was impossible to envision the creation of the so called "sharing economy", which was still a few decades away.
- With respect to those advocates for no STR regulation, please review the email included below from the West Marin Access Coalition. As a member of the West Marin Residents for Housing, we are to a person interested in building back the community we have lost, nor do we have the financial resources to create the "call to action" of the Access Coalition. We have respectfully sun shined our membership, nor have we raised a single penny to finance our research and outreach. Our advocacy is motivated by a desire to live in vibrant sustainable communities composed of residents of all ages, all levels of the socio economic spectrum and diverse racial compositions, to live and thrive side by side. We are not seeking to turn back the clock, rather we are seeking to restore vibrancy to our communities and continue to support the visitors who deserve to share the wonder of West Marin's coastal offerings.

I offer this with deep respect for the service (time and emotional strain) each of you donate for the benefit of Marin county.

Thank you and take care,

David Kimball  
115 Hawthorn Road, Bolinas, California, 94924  
414-471-9989 (mobile)



### **Here are 3 easy ways you can make this effort a success!**

This Monday, November 13, is the final Planning Commission hearing and our opportunity to help keep Marin accessible to all. Below are 3 things you can do to help our movement succeed.

#### **1. Calls to Action - Two Meetings**

First, Monday, November 13, at 1 p.m. is your last chance to have your voice heard in front of the Marin County Planning Commission to let them know that residents and visitors of Marin do not support the extreme draft regulations on Short Term Rentals as they are currently written.

Your participation is key to changing the minds of Planning Commission members and setting our movement up for further success in front of the California Coastal Commission and Board of Supervisors. We urge you to join us on Monday. Comments will be heard at:

Hearing Chambers, Room 330  
Marin County Civic Center  
3501 Civic Center Drive  
San Rafael, CA 94903

Second, Monday, November 13th, at 6 p.m. via Zoom, Dennis Rodoni will be hosting a Community Conversation for Marshall, Point Reyes Station, Inverness, Inverness Park and Olema. Your voice is important and Dennis Rodoni wants to hear from you.

Please sign up [here](#) to receive a zoom meeting invitation.

*Scroll further down to review the Talking Points we have created, so we can all stay on message at the hearing.*

#### **2. Send an Email to the [Planning Commission](#)**

Over 350 people signed our Sign On Letter last month. We have built an incredible coalition of concerned residents from across the county. Now, it's time to use our strength in numbers. We urge every single one of you to write the Planning Commission an email expressing your disapproval of the draft regulations. Here's an easy-to-use [template](#).

If you'd like to draft a personalized letter, feel free to use our talking points below as a guide and email the recipients below.

#### **3. Share This With Your Family, Friends, and Neighbors!**

This issue affects everyone in Marin and the broader region. Movements are built by being loud, not quiet. The easiest way to amplify your own voice is to get another voice to speak up with you. Share this email with your family, friends, and neighbors and have them follow these four steps too.

**Your engagement is needed** to ensure the coast and parks are available to visitors, and that vacation homes are available for the enjoyment of all in West Marin!

#### **Talking Points**

##### 1. Lack of Data

- No rationale, no data, and no understanding of impacts. County staff created new costs and an onerous regulatory process without defining the problem to be resolved, information justifying the action, nor knowledge of the impact it will have on the stakeholders they seek to regulate and the visitors to the coastal region.

##### 2. Hurts Small and Local Businesses

- Tourist dollars are vital to the livelihoods of many small businesses in West Marin. With a reduced number of tourists visiting each year, local businesses will be acutely impacted, having detrimental downstream impacts on workers employed by these businesses. The middle class in Marin has already been hollowed out, and this may be the death knell.
- The 2.3 million visitors to the Point Reyes National Seashore contributed over \$117 million to the economy of the nearby communities, supporting

over 1,120 jobs with an accumulative benefit of \$149 million to Marin's local economy in 2022. That is all at risk due to caps being proposed on vacation rentals.

### 3. Short-Term Rentals Fund Affordable Housing

- We are all very aware of the need for affordable housing in Marin. The fact is though, that short-term rentals in vacation destinations like West Marin are not going to magically become affordable homes if they're taken off of the short-term rental market.
- On the contrary, due to Measure W, taxes on vacation rentals are the only source of dedicated money going towards affordable housing in the county right now. It is a fact that short-term rentals fund affordable housing across the county.
- While supporters of these restrictions on short-term rentals argue that STRs are responsible for the rapid increase in the price of homes in recent years, a recent study by Oxford Economics has concluded that, in inflation-adjusted terms, STRs contributed just 0.4% to the increase in U.S. housing prices from 2014 to 2021. This seems even less relevant in a rural area as opposed to a major city.

### 4. Public Lands Are For the People

- West Marin, comprised of public parks and over 100 miles of bay and coastline, is a vacation destination for millions of visitors. Fewer vacation homes will make it difficult for visitors from afar to experience the coast and parks.

### 5. Impact on Families

- Limiting one's ability to rent a home, a cottage, or an in-law unit reduces their ability to achieve or maintain home ownership. The loss of STR will ultimately have a negative economic impact on the entire county and will undermine the goal of more affordable housing.
- Vacation homes offer the most affordable lodging to visitors in the region. The hotel industry, exempt from these regulations, wants less competition so they can raise their rates. The caps on the number of permissible vacation homes have no rational basis and will result in an increased cost of lodging to visitors. Regardless, existing hotels don't come close to meeting demand.
- Vacation homes are more cost-effective for a family than any other form of overnight accommodations. The county has already raised the cost of vacation housing for visitors of West Marin by charging 14% TOT (vs 10% elsewhere in the county). By limiting vacation homes and driving up the cost of operation, the county is further limiting visitor access to affordable vacation housing on the coast.
- The regulations are costly, burdensome, and possibly unattainable for many, which will further reduce availability and increase the cost of housing for visitors. The unprecedented 11-pages of detailed restrictions and requirements will all but ensure compliance failure among a substantial number of homeowners and result in less lodging for visitors. For those few that can comply, the time and expenses associated with gathering the documentation, additional services, and the annual inspections will lead to a large increase in the overall costs of operation, which will result in increased nightly rates for visitors to the region.

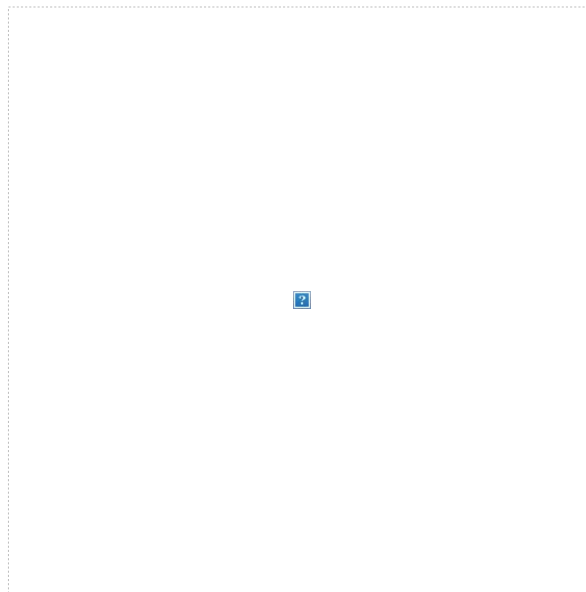
## Please take a moment to:

- 1. Attend the FINAL Planning Commission hearing on November 13th at 1 p.m. and Dennis Rodoni's zoom meeting at 6 p.m.**
- 2. Submit a letter to the [Planning Commission](#)**
- 3. Encourage visitors, homeowners and business owners to attend the meeting and submit a letter supporting access to West Marin**

Now that the [Draft Regulations](#) are public, the County plans to move quickly to make these regulations permanent.

All in all, the county needs to go back to the drawing board, to define the issue, provide documentation, assess the impacts, and work with the stakeholders they seek to regulate to ensure the standards are fair, achievable, and non-discriminatory.

Thank You!  
West Marin Access Coalition



A new [National Park Service \(NPS\) report](#) shows that 2.3 million visitors to Point Reyes National Seashore in 2022 spent **\$117 million** in communities near the park. That spending supported 1,120 jobs in the local area and had a cumulative benefit to the local economy of \$149 million.

### **About West Marin Access Coalition**

A coalition of homeowners, long- and short-term rental hosts, visitors, local businesses, and concerned citizens interested in preserving West Marin's historical tourism-friendly community. We believe everyone should have access to the coast and public parks, which includes overnight stays in nearby communities.

The coalition is dedicated to keeping our community informed of county policies that may negatively impact the visitor's experience and access to West Marin and to provide information to help you engage in the public process. For more information, please visit <https://WestMarinAccessCoalition.com> and/or email [info@WestMarinAccessCoalition.com](mailto:info@WestMarinAccessCoalition.com)





**From:** [kathryn.snowden](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Dennis Rodoni](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Oppose Draft Regulations on Short-Term Housing  
**Date:** Saturday, November 11, 2023 11:18:05 AM

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Some people who received this message don't often get email from [klesnowden@gmail.com](mailto:klesnowden@gmail.com). [Learn why this is important](#)

To; Members of the Marin Planning Commission,

I am writing to ask you to reconsider the Draft Regulations on Short-Term Housing.

There will be many unintended consequences of these rules. Many houses are family homes which are only affordable because of visitor stays.

Also, many visitors can only afford these home stays, which are much more affordable than hotels. There is now a wide diversity of ownership, and also of visitors. Many other small businesses depend on them as well. Banning these rentals will result in large hotels, as in Half Moon Bay. Lower income owners and visitors will be forced out.

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue.

I recommend that the Planning Commission vote to reject the Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Yours,  
Kathy Sanowden

**From:** [Meg Blank](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Dennis Rodoni](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Oppose Draft Regulations on Short-Term Housing  
**Date:** Saturday, November 11, 2023 12:38:32 PM

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[You don't often get email from meg.blank@yahoo.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

I am writing to express my strong opposition to the Draft Regulations on Short-Term Housing.

I believe that West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue.

I recommend that the Planning Commission vote to reject the Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,

Meg T. Blank

**From:** [Barbara Dawson](#)  
**To:** [BOS](#); [Dennis Rodoni](#); [Kathleen Kilgariff](#); [Rice, Katie](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com); [PlanningCommission](#)  
**Subject:** Oppose Draft Regulations on Short-Term Housing  
**Date:** Saturday, November 11, 2023 1:45:33 PM

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You don't often get email from [bdawson@rscj.org](mailto:bdawson@rscj.org). [Learn why this is important](#)

My family has owned our house in Marshall for over 50 years. We enjoy being part of the Marshall community and also enjoy sharing our home with people who want and need the peace and quiet of the Tomales Bay shoreline environment. We have been good neighbors, we have kept our home in good condition and we contribute to the well-being of the West Marin community.

I am writing to express my strong opposition to the Draft Regulations on Short-Term Housing. I believe that West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

I do not believe that Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue. I am not sure our family will be able to keep our house if these regulations pass.

Please vote to reject the Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin. Thank you,

Barbara Dawson RSCJ  
on behalf of the Dawson-Bodisco family.  
19935 State Route One, Marshall, Ca

**From:** [Jacqueline Hilger-Rolfe](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Dennis Rodoni](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** I Oppose Draft Regulations on Short-Term Housing  
**Date:** Saturday, November 11, 2023 2:34:38 PM

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Dear Planning Commission;

I am writing to express my strong opposition to the Draft Regulations on Short-Term Housing.

Dillon Beach should be excluded!! It has always been a vacation home destination. Homes will sit empty and eliminate jobs for many locals that count on work generated from part time rentals.

I believe that West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue.

I recommend that the Planning Commission vote to reject the Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,

Jacqueline Hilger-Rolfe PhD  
545 Oceana Drive  
Dillon Beach CA  
415-850-5324

**From:** [Nitza Berardi](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Dennis Rodoni](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Oppose Draft Regulations on Short-Term Housing  
**Date:** Saturday, November 11, 2023 7:14:33 PM

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I am writing to express my strong opposition to the Draft Regulations on Short-Term Housing.

I believe that West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue.

I recommend that the Planning Commission vote to reject the Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Marin Short term rental comment  
**Date:** Saturday, November 11, 2023 6:13:47 PM

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Daniel Yost with email address [dkyost@yahoo.com](mailto:dkyost@yahoo.com) would like information about:

I wanted to provide a couple of comments on the proposed new short term rental rules:

1) I see that there is a provision about maximum water use per house. I respectfully request that, if this is retained, it be tied to the number of bedrooms in the house. That way if a property is hosting more guests (each with an economic benefit for Marin as shoppers etc.) that the water use requirement be more flexible. A 4 bedroom home will have different water use than a 1 bedroom home.

2) I would ask that permits be set up so that they can automatically be passed down to adult children.

Thanks for your consideration,  
Daniel

**From:** [GEORGE LYNCH](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Dennis Rodoni](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Sunday, November 12, 2023 7:27:19 AM

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[You don't often get email from [georgemlynch@aol.com](mailto:georgemlynch@aol.com). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing.

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue.

I recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,

From George Lynch

**From:** [Sally Robertson](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Dennis Rodoni](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Draft Regulations on Short-Term Housing  
**Date:** Sunday, November 12, 2023 11:19:12 AM

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To: Marin County Planning Commission

I have lived at my home in Bolinas for 45 years, and for over 20 years have rented out my guest room on a nightly basis. I also use it for my family and friends and would never rent it full time. I have had no problems with my neighbors, in fact many have booked my Garden Room for visiting family, and I constantly get five star ratings from my guests.

I have a business license and pay TOT taxes. At my age, upper 70's, the idea of going through the complex and bureaucratic licensing process put forth in the Draft Regulations is frankly overwhelming. At this point I depend on this income and ask that the Planning Commission vote to reject the Draft Regulations as unworkable, impractical and unnecessary.

Thank you,  
Sally Robertson

Sally Robertson  
[www.sallyrobertson.com](http://www.sallyrobertson.com)



**From:** [Bodega Stinson](#)  
**To:** [PlanningCommission](#)  
**Cc:** [Jeremy Tejirian](#); [Kathleen Kilgariff](#); [Dennis Rodoni](#); [Rice, Katie](#); [BOS](#); [Steve rubin](#)  
**Subject:** Section K  
**Date:** Sunday, November 12, 2023 3:16:13 PM

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You don't often get email from [info@bodegastinson.com](mailto:info@bodegastinson.com). [Learn why this is important](#)

Miguel Gutierrez 415-250-916

Bodega Stinson Beach - 3425 Shoreline Hwy, Stinson Beach Ca 94970

Subject: Urgent Concerns Regarding Short-Term Rental Regulations, Specifically Section K - "Events"

Dear Members of the Planning Commission,

I trust this correspondence finds you in good health. My name is Miguel, and as the owner of Bodega Stinson Beach, a minority-owned business in West Marin, I write to express my sincere concerns regarding the proposed short-term rental regulations, specifically focusing on Section K.

Our business has the privilege of employing many low-income residents of Marin, and I am writing to highlight the potential adverse effects these proposed regulations may have on our community and our livelihoods. Our ability to host events during the off-season has been instrumental in keeping our business afloat and providing steady employment to local residents.

Bodega Stinson has a long-standing commitment to diversity and inclusion, and we take pride in being a minority-owned business. Our operations not only contribute to the economic vibrancy of the area but also play a crucial role in providing jobs to those who may face economic challenges. If Section K is enacted without careful consideration, it poses a significant threat to the livelihoods of the individuals we employ.

I kindly request that you stress the importance of allowing events in town during the off-season as a lifeline for businesses like mine. The economic impact extends beyond individual businesses to the broader community, creating a ripple effect that sustains local economies.

Moreover, I would appreciate it if you could emphasize the unique circumstances faced by minority-owned businesses like mine. Our commitment to diversity is not just a tagline; it is a way of doing business that directly benefits the community by providing employment opportunities to those who need it the most.

As you consider the implications of Section K, I respectfully urge you to recognize the significant contribution that events hosted at short-term rentals make to our community. I propose exploring alternatives that would allow businesses like mine to continue providing valuable services while upholding the community spirit.

Lastly, I kindly ask that you forward this email to the county as part of the public record.

I appreciate your time and consideration of these crucial matters that impact not only my business but also the well-being of many residents in our community.

Thank you for your attention.

Sincerely,

Miguel Gutierrez

**Team Bodega**

3425 Shoreline Hwy Stinson Beach Ca 94970

Ph: 415-306-8236

Web: [bodegastinson.com](http://bodegastinson.com)



**From:** [markrolfe@me.com](mailto:markrolfe@me.com)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Dennis Rodoni](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Oppose Draft Regulations on Short-Term Housing  
**Date:** Sunday, November 12, 2023 3:48:41 PM

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You don't often get email from [markrolfe@me.com](mailto:markrolfe@me.com). [Learn why this is important](#)

I am writing to express my strong opposition to the Draft Regulations on Short-Term Housing.

I believe that West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue.

I recommend that the Planning Commission vote to reject the Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,  
Mark Rolfe  
[markrolfe@me.com](mailto:markrolfe@me.com)  
415 876 8300  
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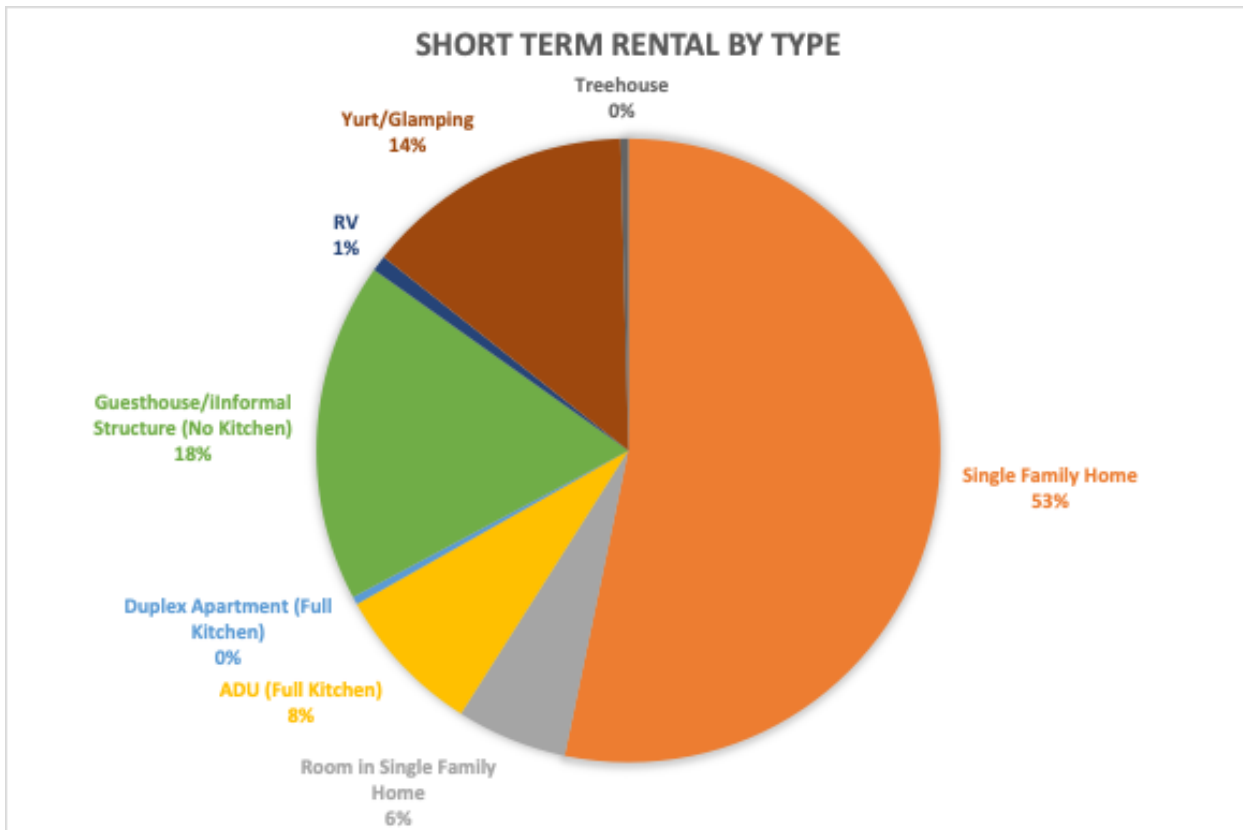
Dear All,

I was surprised at the last hearing on the topic of the Draft Short Term Rental Regulations that CDA Staff could not answer basic questions regarding the make up and nature of Short Term Rental (hereafter “STR”) stock in Unincorporated Marin County. The data is public and readily available on the sites themselves. It seems that many of the advocates for this policy are basing their rationales on emotional appeals and assertions in the place of data - even when the data is readily accessible and its review useful and even necessary to intelligent policy making. I have scraped from the sites and summarize for you all of the active listings on mainstream sharing economy STR sites that are located in unincorporated West Marin - the data excludes hotel and hostel rooms as these are not covered by the Draft Regulations. The data is in the a file also attached to this email sorted by STR unit type, location and cost. The data is summarized and some findings noted below.

Key Take Aways:

- > About half of the units are Single Family Residences
- > 16% are informal structures like Campsites, Yurts, RVs and even a Treehouse
- > Very few (>1%) are traditional multiunit apartment building units. Those that exist are in each case duplex units where the owner lives on site. The data indicates

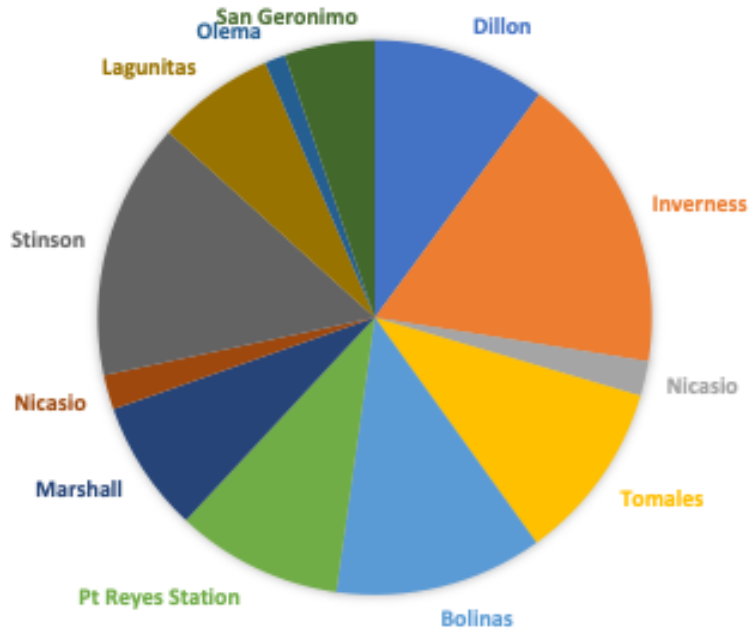
that it is not the case that long term rental apartment building units are being shifted into STR use in unincorporated West Marin.



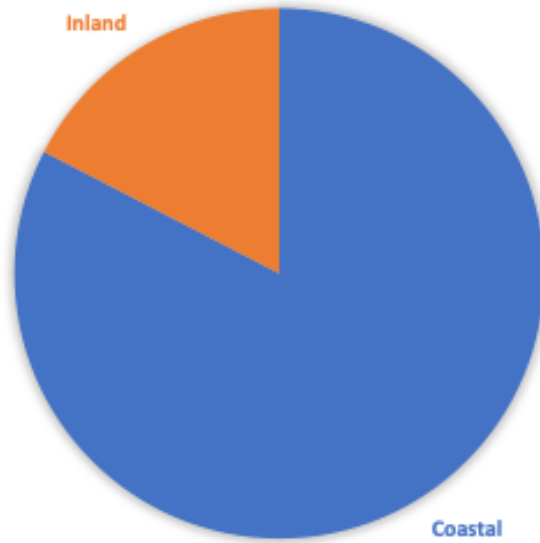
> Very few of the units are hosted stays, the vast majority are unhosted (94%).

> STR units are relatively evenly spread between communities, but are much more prevalent in the Coastal Zone communities (83%) than inland (17%).

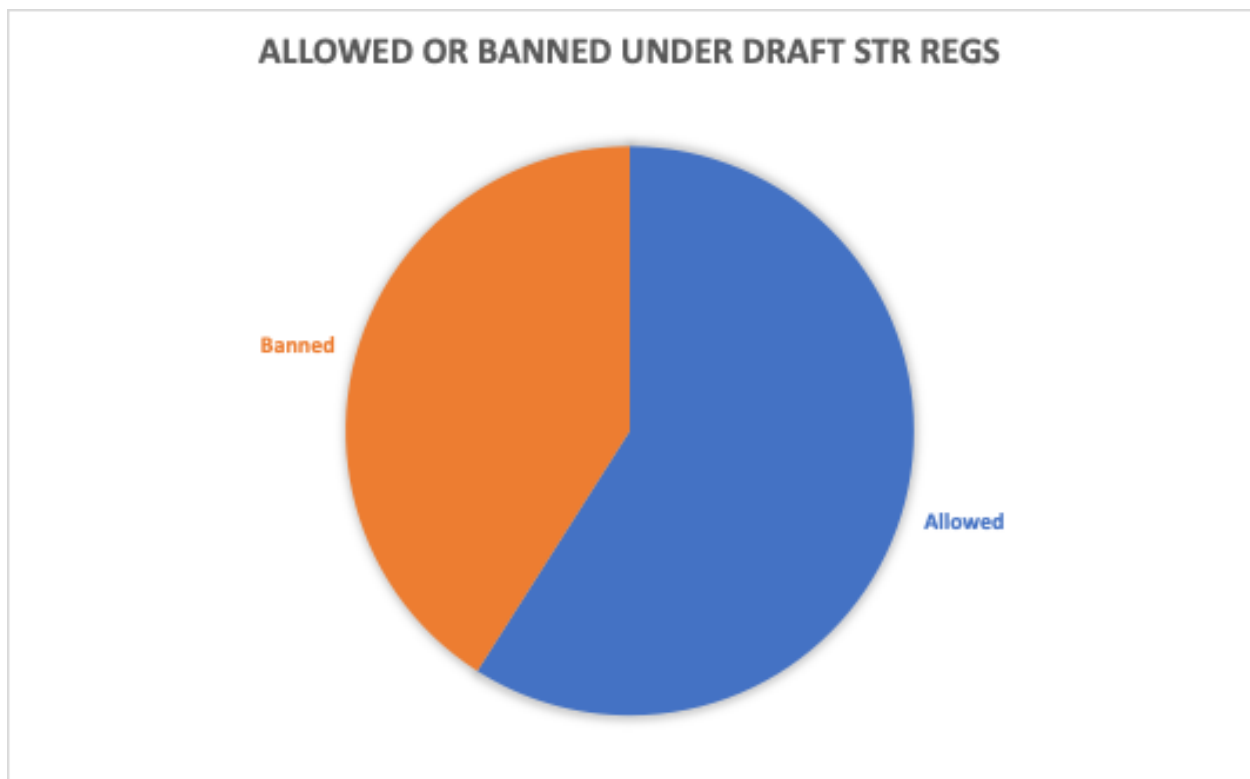
### BY LOCATION



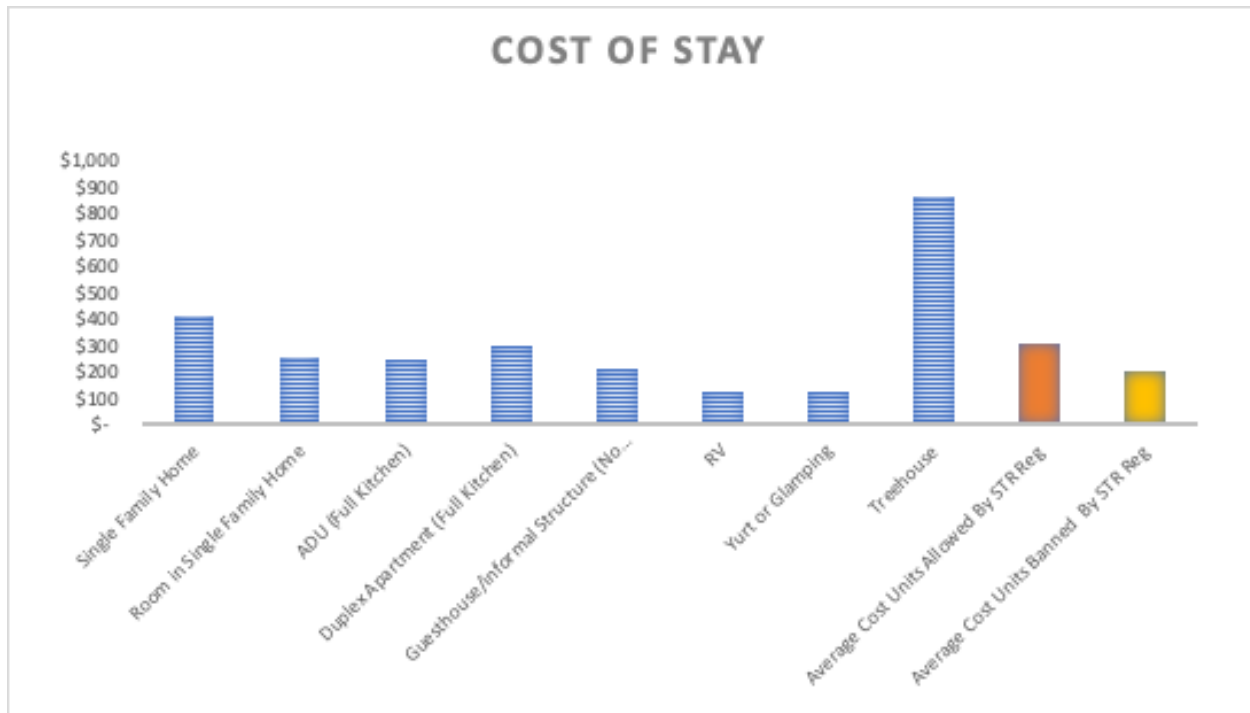
### BY LOCATION



> A large portion of the units would not qualify to renew their licenses under the Draft STR Regulations because they are either informal housing structures, guesthouse units or ADUs. The Revised Draft Regulations would allow more ADUs than the original, but if 100% of ADUs are assumed banned then 41% of the units will be banned, if 0% of ADUs are assumed banned then 33% of the units that are currently available would be banned. So between 33% and 41% of the units currently operated as STRs would be not be allowed under this ordinance because they are not part of the Single Family Residence envelope.



> The average cost per night of the units that would be banned is dramatically lower (\$201.90 per night) than those that would be allowed to remain (\$307.69 per night). The policy would have a clear effect of reducing affordable access to the Coastal Zone.



## Important Policy Considerations

The Regulation proposes a cap on the number of STR rental licenses which is based on the current number of STR licensees. However, based on a review of the inventory of existing STR stock, it appears that a very



substantial portion of it would not be allowed to continue operating.

As a result, between 33% and 41% of the licenses would be available for new qualifying licensees.

The operators losing their licenses would be in part informal stays such as yurts, campsites, and RVs which offer coastal access at low cost for young and low income people.

The other impacted group will be owners of Guesthouse Units. Different departments in Marin County have differing definition of the meaning of "Unit". CDA recognizes several types of units, a common type is the Guesthouse Unit, this structure permits occasional habitation but may not have a kitchen. Typically these come about due to grandfathered use of the structure. These are comfortable stays for STR purposes, however, do not have a kitchen and are thus substandard longterm housing and also not legal for long term rental habitation under the aggressively policed Community Development Agency ("CDA") Code Enforcement rules.

The result will be that these units are no longer available as affordable STRs and also are not available as long term housing either, as that is illegal. At the same time, a huge number of new licenses will be granted to new owners whose units could legally be used as long-term housing,

unlike the units banned. Thus, the rules will cause a net reduction in suitable long term rental housing stock - the opposite of the intended consequence.

A policy alternative to address this would be to provide that anyone currently enjoying a Business License be allowed to continue STR operation provided they comply with all Environmental Health and Safety rules within a reasonable period of time, such as 12-18 months. The proposed new Regulations could apply exclusively to new operators licensed as existing operators attrit. This would solve the unintended consequence of adopting rules that exclude STR operation of as much as 41% of the existing licensed STR stock.

### **Deep Unfairness to Guest House Unit Owners**

Many guest house unit owners have been providing short term housing for many decades. These units, created through “grandfathering” and in some cases easements required by the CDA in negotiated exchange for other needed approvals, are not legal for long-term habitation and are specifically banned from having a kitchen. Most owners would like to convert these units into fully entitled residential units so as to provide long term housing but have been disallowed by CDA for decades to do so due to CDA’s goal of limiting densification of housing and fractionalization of lots in West Marin.

Currently most of these owners are also prevented from converting these units to ADUs due to the CDAs position that their location in Fire Hazard Zones, in areas with inadequate road width or quality, in areas of scenic importance and several other rationales to opt out of the intent of State ADU Law.

These units, having been prevented from converting to long term habitation and only allowed to offer STR will now be banned from traditional STR operation while not being allowed to offer long term rental through ADU conversion. This is wasteful and unfair.

It is reasonable to view the deprivation of these owner's STR income as a taking as many have been operating STRs for decades under valid business licenses, long predating AirBnb.

A fair compensation for this taking would be to require CDA to deem all Guest House Units that lose STR Business Licenses to be ADUs with the right to install full kitchens and offer Long Term Rental housing. This would ensure the creation of additional high-quality low-cost housing stock in West Marin.

Thank you for taking the time to review the data and for your consideration of these policy concerns,

Michael Parman

DATE: November 12, 2023  
TO: Marin County Planning Commission  
CC: Kathleen Kilgariff, Planner  
FROM: Jonathan Kaplan (deskofjk@gmail.com)  
RE: Proposed Short Term Rental Ordinance

Dear Members of the Planning Commission,

I'm writing to provide comments on the Marin County Planning Division's proposed Short Term Rental (STR) Ordinance published on October 23, 2023. My primary residence is in San Francisco but my wife and I purchased a home in Inverness a few years ago and are hoping to be able to rent it out occasionally to help cover costs. To our dismay, the current proposal would seem to lock us out of that opportunity for the foreseeable, and perhaps even distant future. For West Marin, the proposal will essentially grandfather in 551 homeowners who are already renting while effectively denying the remaining 4697 homeowners the ability to supplement their incomes from STRs – yet no evidence is provided that this severe restriction will result in more long-term rental units or solve any other problem. As discussed below, **a more equitable and effective regulation would be to follow the example set by most other Bay Area local governments and limit the number of days rented rather than cap the number of STR units.**

**The county should demonstrate that the proposed rule will actually provide more affordable housing before taking away our ability to rent.** The background section of the staff report indicates that a primary goal is to provide more affordable housing. I know that many merchants in West Marin struggle to find employees because of the shortage of long term rental units. Yet there is no discussion in the staff report about the proposed policy's impact on affordable housing, or even if it will improve it. In my experience, most STR hosts also use their property for personal use. According to Airbnb, the "typical" STR renter in Marin rents their property for only 70 nights a year.<sup>1</sup> There's no evidence presented by the county that banning them from occasionally renting their property will entice them to convert to a long term rental. Logically, it makes no sense that individuals who are currently renting part-time would become full time landlords just because the county banned them from STR activities. It's more likely that the proposed policy will just result in more empty houses, economically depriving homeowners and communities, without the desired benefit.

**The waiting list likely offers false hope for the majority of homeowners who are not already grandfathered in.** It's hard to imagine that many current renters would give up their license under the proposed rule knowing they are not likely to ever get it back. The current proposal to allow four year renewal periods enables renters to hold their license for years even if they are not using it – further slowing the turnover of the waitlist. While the proposed rule offers

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<sup>1</sup> Correspondence from Rachel Dino, Airbnb, Nov 6, 2023

the appearance of inclusivity by promising a waiting list, this seems unlikely to offer a realistic path to renting. For the vast majority of us, the proposed rule will be a ban.

**Depriving the majority of residents from renting in the future just because they aren't renting now is simply not equitable.** The proposal identifies “equity in access to economic opportunities, services and activities” as its second guiding principle, yet the proposed ordinance couldn't be more unfair. The majority of homeowners will be denied the ability to rent just because they weren't already renting or didn't sign up before the county's rulemaking process. As a result, my neighbor and I may have drastically different economic opportunities to supplement our income from rent even though we live in the same zoning area and would share all the same impacts from renting.

**A more effective and equitable solution is to limit the number of days rented, not cap the number of rental units.** San Francisco and many other local governments have landed on allowing STRs for 90 days per year. Limiting the number of STR days has several advantages compared to capping the number of STR dwellings:

- Provides a more equitable solution. Doing this allows everyone to have an equal opportunity to rent their property so long as they meet the county's requirements.
- Eliminates the practice most likely to threaten long term housing. Intuitively, it makes sense that the landlords most likely to convert an STR to a long term rental are those who are already renting out their dwelling continuously. Thus curtailing 365-day-a-year STRs has a better chance of creating additional long term housing compared with banning occasional STR activity (However it's also possible that neither restriction will have much effect and other policy interventions unrelated to STRs are needed). Ironically, the proposed regulation would grandfather in existing 365-day-a-year renters, perhaps missing an opportunity to create more affordable housing in the near term.
- Allows STRs that do not threaten long term housing. Again, there's neither evidence nor reason to believe that part-time STRs have any impact on long term housing. By limiting the number of STR days, the county can allow this activity to continue without jeopardizing affordable housing goals.

**The staff report dismisses the idea of limiting STR days as “unenforceable” but does not explain why even though most other Bay Area local governments have adopted this approach.**

Limiting the number of days/nights appears to be the most popular way to regulate STRs in the Bay Area. A summary of regional STR policies published by Lucas Rentals in 2020<sup>2</sup> indicates San Francisco, Berkeley, Mountain View, Emeryville, Piedmont, San Jose, Mountain View, Brisbane, Daly City, Redwood City, and San Mateo all limit the number of days/nights for STR rentals. San Francisco's policy of limiting STRs to 90 days has been around since 2016. There is no indication in the staff report that the experience of these agencies has been reviewed. Marin County should carefully review this considerable precedent before promulgating a different and problematic approach.

The county's claim that regulating STR days would be unenforceable is not explained or supported by reason. The staff report says that after internal discussions, limiting the number of days/nights was deemed unenforceable. Yet, as noted above, it appears that many if not most other Bay Area cities grappling with this issue have such a policy. Has the county determined that all these other local governments' efforts have failed? At least some experts hail San Francisco's policy as a success<sup>3</sup>. It strains credibility for the county to claim that limiting STR days is unenforceable when so many other local governments have taken this approach.

In fact, the county already collects Transient Occupancy Taxes from STRs and presumably the data needed to enforce tax collection. I assume that to know the amount of owed tax, the county must know the rental rate and the number of days rented. The county receives such data from STR platforms, like AirBnb. The county should explain why it cannot collect information about rental frequency when it already has this information or collects data that is similar.

The county has many enforcement strategies at its disposal but none are discussed in the staff report. The county has many compliance pathways available including enlisting the help of SRT platforms (eg AirBnb), subcontracting compliance to a third party and taking advantage of whistle-blowers in the community. Even if the county could not police every rental dwelling, it could impose significant penalties for non-compliance and/or revoke licenses and thus deter non-compliance by enforcing the rules in only a few instances. None of this is discussed in the staff report.

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2

<https://www.lucas.rentals/post/short-term-rental-ordinances-in-major-san-francisco-bay-area-cities-2019-dec>

3

<https://thefrisc.com/as-cities-scramble-to-rein-in-airbnb-san-francisco-actually-got-this-one-right-541e440ae294>

**From:** [Jennifer Tavlin](#)  
**To:** [BOS](#); [Dennis Rodoni](#); [Kathleen Kilgariff](#); [Rice, Katie](#); [PlanningCommission](#); [Jeremy Tejirian](#)  
**Subject:** Urgent Concerns Regarding Short-Term Rental Regulations, Specifically Section K - "Events"  
**Date:** Sunday, November 12, 2023 6:39:49 PM

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Dear Members of the Planning Commission,

I trust this letter finds you well. My name is Tav, and I am writing to express my profound concerns and share my perspective on the proposed short-term rental regulations, specifically focusing on Section K - "Events." As someone who stands to be significantly impacted if these regulations are enacted, I believe it is crucial to articulate the potential consequences for individuals and our community, particularly in economically vulnerable areas like West Marin.

In my current situation, I am fortunate to have stable employment and housing. However, I am deeply concerned about the potential repercussions of Section K on both my livelihood, my housing and the broader community. As someone who's job is dependent for hosting events, such as company offsite meetings, yoga retreats, and similar gatherings, I foresee these regulations having a direct impact on my ability to maintain both my job and housing.

West Marin, particularly Stinson Beach, has a rich tradition of hosting events that contribute positively to our community's character and economic well-being. These gatherings not only provide unique experiences for residents and visitors but also serve as vital contributors to local businesses and job creation, addressing the economic challenges our area faces.

I humbly urge the Planning Commission to reconsider the implications of Section K in its current iteration. I believe that a more balanced approach is needed to preserve the positive contributions of events hosted at short-term rentals without unduly restricting their potential. Additionally, I propose considering a grandfather clause for properties with a proven historical use of hosting events, acknowledging and preserving the longstanding tradition of community engagement.

In conclusion, I implore the Planning Commission to carefully weigh the potential consequences of Section K, keeping in mind the livelihoods of individuals like myself and the broader impact on our community. I appreciate your time and dedication to making decisions that prioritize the well-being and prosperity of West Marin.

Thank you for your consideration.

Sincerely,

Jennifer Tavlin

**From:** [Chelsea Reimann](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Dennis Rodoni](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Sunday, November 12, 2023 8:36:28 PM

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I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing.

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue.

I recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,  
Chelsea Reimann



November 11, 2023

Marin County Planning Commission  
Marin County Civic Center  
3501 Civic Center Drive  
San Rafael, CA 94902

**Re: Vote “No” on the Draft Ordinance – October 2023**

Dear Planning Commissioners:

My wife and I own a home in Dillon Beach’s Oceana Marin, and have followed this process closely. We have attended or watched all of the public hearings to date, and have for the most part been impressed by the thoroughness of the process and astuteness of the Planning Commission. After the October 23 meeting, we came away convinced that we would see common sense updates to the Draft Ordinance for the following meeting.

However, based on the most recent Draft Ordinance, it appears that the Community Development Agency has instead ignored the Dillon Beach community feedback it heard time and again. In spite of three Commissioners expressing support for exempting Dillon Beach from the caps at the October 23 meeting, it appears CDA intends to dictate an arbitrary cap that nobody has asked for and nobody needs

For this reason, we urge this Commission to ensure that any new ordinance it approves does the following three things:

1. Addresses the issues as originally defined by the Marin County Board of Supervisors.
2. Avoids new and unforeseen negative consequences by narrowly targeting the issues.
3. Takes into account the disparate needs of the many communities of West Marin.

On May 24, 2022, the Marin County Board of Supervisors found that “an affordable housing shortage for middle- and lower-income working families has continued to worsen in the greater San Francisco Bay Area, impacting the ability of these families to live in or near the communities where they work.”

As this Commission has heard time and again, this simply does not, *in any way*, apply to Dillon Beach. Since its inception, Dillon Beach has always been a vacation rental community. It is not and never has been a community for middle- and lower-income working families. Its geographical isolation, lack of support services and lack of meaningful employment means that Dillon Beach is incompatible with affordable family living.

On the other hand, Dillon Beach is perfectly suited for enabling group access to the coast. As numerous community members have pointed out, Dillon Beach is the perfect “sponge” for soaking up demand from families seeking access to the coast, while shielding areas where true negative externalities from STRs exist, thus further supporting the Board of Supervisors stated

goals. Arbitrarily capping STRs in Dillon Beach prevents our community from performing this historical function of being a vacation community.

For these reasons, we are absolutely perplexed with the most recent Draft Ordinance. Given all of the above, it is unclear why CDA still feels that a cap on STRs in Dillon Beach is necessary. We urge this Commission to take the feedback from Dillon Beach residents and community leaders seriously.

Please do not allow the CDA to change the historical nature of our community by using a broad brush to forever alter the culture and coastal access we here in Dillon Beach are so proud to provide.

Sincerely,

Edward Gorenshteyn

To: Marin County Planning Commission

Date: November 10, 2023

Re: Lack of a cap for non-township is incompatible and unfair to townships

Dear Planning Commissioners,

After reviewing the proposed draft regulations for STRs, it became apparent to me that there is an issue with the way the caps are structured between townships and non-townships. The problem is that as written, non-township areas are effectively able to prevent townships from reaching their maximum caps, because non-townships do not have a stated cap of their own:

**The lack of a cap for non-township is incompatible and unfair to townships.** By setting an overall cap on the total number of short term rental licenses in unincorporated Marin County (923) but omitting a corresponding cap for the non-township areas, the Draft Ordinance enables non-township areas to receive permits at the expense of townships', and thus can prevent townships from reaching their stated maximum caps.

As currently written, the draft language has the unintended consequence of effectively "crowding out" permits in the townships by preventing townships from reaching their caps if non-townships are allowed more than 302 STR permits (923 total STRs – 621 initial township cap = 302 remaining for non-townships). To remedy this, there should be a cap for non-township areas (i.e., 302 based on the figures in the draft regulations). This would enable each township to have its own STR cap which is not affected by permits issued to other areas.

Furthermore, by the Community Development Agency's own admission, the township caps are arbitrary and not sufficiently supported by data. This has been underscored by the fact that hosted and unhosted STRs have been aggregated in spite of a lack of supporting data:

The County does not have sufficient data on the number of hosted versus unhosted STRs to provide a reliable estimate of each. (Memorandum dated 11/7/23)

The Draft Ordinance defines a hosted rental as one where the home serves as a primary residence, not where a room is rented. "Hosted Short Term Rental: A short term rental that is the primary residence of a short term rental property owner or host."

Thus, based on the Primary Home Tax Exemption data, there are *at least* 108 hosted STRs in West Marin, representing 17% of the 621 total STRs. By CDA's own admissions, there are likely many more residents who do not apply for this exemption. As a result, the township caps in the most recent Draft Ordinance, which now combine hosted and unhosted STRs, represent a significant decrease in the number of unhosted STRs allowed in West Marin.

Sincerely,

Mark Miretsky  
November 12, 2023

Marin County Planning Commission  
Marin County Civic Center  
3501 Civic Center Drive  
San Rafael, CA 94902

**November 12, 2023**

Marin County Planning Commission

Dear Commissioners:

My partner and I are excited to be upcoming homeowners in Dillon Beach in the near future— we are currently building our first ever home for our family in the Oceana Marin subdivision. However, we are also increasingly anxious about being able to afford our home due to the possibility of STR caps proposed by CDA. We are not independently wealthy, and we were relying on being able to STR our home on occasion when we will not be there to help pay for the costly building activities and loans which are financing the project.

The proposed caps for Dillon Beach will be a significant punishment to us as it may be many years before we receive an STR permit, if ever. The proposed regulations disadvantage those of us who require occasional STR income compared to the wealthier owners who simply keep their family vacation homes empty save for when they visit a few times a year.

We feel we are supporting the Coastal Commission's goals of providing access to families seeking to enjoy the coast, but the proposed cap is likely to prevent us from doing so in a township that has, since inception, always been a vacation community (which is the reason we chose to build *here* in the first place!) Additionally, we are supporting the Board of Supervisors' goals of expanding housing stock with the addition of a new home.

We think it would make sense to exempt Dillon Beach from a cap as it serves a different purpose than the rest of the county, being so specifically a vacation community and not an affordable or livable area. It's telling that when Sonoma County recently updated their STR regulations, they did not impose caps on STRs in the Coastal Zone, such as Bodega Bay, which is the next town north of Dillon Beach along the coast. Imposing a cap would have several unintended and unwanted consequences:

- Increased financial strain on families like ourselves who need partial STR income to afford their home
- More homes will sit *empty* because owner families who use them for occasional vacations will refuse to give that up to long-term tenants, thus producing less coastal access to the public in general
- If any homes do switch to long-term rentals, these will not be considered affordable by any means— the prices at the coast are very high, and the living costs on top of that will only attract a wealthier subset

We have followed the development of the STR regulations in West Marin closely and attended the community meetings. We have heard numerous Dillon Beach members and community leaders try and explain these factors to staff and to the Commission. At the October 23rd meeting, it seemed like these nuances resonated with three or more of the Commissioners. Unfortunately, reading the updated draft regulations gives us the sense that staff is not listening, or is otherwise blindly pursuing their own agenda and painting our community over with a broad brush.

What started as a once in a lifetime exciting opportunity for our family is turning into a financial dark cloud hovering over the long-term viability of our family home build, and threatens to forever alter the culture and dynamics of this beautiful place called Dillon Beach, which we are so eager to share with visitors from our county and beyond.

Sincerely,

Emily Luchtman

**From:** [carol cotton arts](#)  
**To:** [Dennis Rodoni](#)  
**Cc:** [Rice, Katie](#); [Stephanie MoultonPeters](#); [Sackett, Mary](#); [Eric Lucan](#); [STR](#); [PlanningCommission](#)  
**Subject:** Further reduce short term rental in Bolinas  
**Date:** Sunday, November 12, 2023 8:53:27 AM

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Dear Planning Commissioners and Supervisors,

I have been a long term renter in Sausalito and Bolinas. It is impossible to find rentals in Bolinas long term. As a resident here now I implore you to further restrict short term rentals. Sausalito has banned them. Bolinas is adding more. Please show bold leadership to address the Housing Crisis in West Marin especially Bolinas. We ask you please for a strong reduction in STR numbers in Bolinas. Your tentative plan has not done enough.

Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough.

Thank you,  
Carol Cotton  
Bolinas

**From:** [Jesse Peri](#)  
**To:** [STR](#)  
**Cc:** [George Krakauer](#); [Dennis Rodoni](#)  
**Subject:** Fire Protection Districts' Public Comment for STR draft standards  
**Date:** Sunday, November 12, 2023 12:19:02 PM  
**Attachments:** [Safety Inspection Recommendations for Short Term Rental Properties.pdf](#)

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You don't often get email from [jperi@stinsonbeachfire.org](mailto:jperi@stinsonbeachfire.org). [Learn why this is important](#)

Dear Planning Commission,

Please find attached a memo serving as public comment for tomorrow's Planning Commission Hearing.

We'll strive to have a representative attend the meeting in person, but our ability to be present may be impacted by limited operational staffing. If we are unable to attend, we hope this letter can stand as our public comment to the Commission and Board of Supervisors.

Thank you,  
Jesse Peri

--

Jesse Peri  
Fire Chief  
Stinson Beach Fire Protection District  
Phone: (415) 868 0622 ext. 3  
he/him

MEMORANDUM

FOR: Marin County Community Development Agency Planning Commission

FROM: Jesse Peri  
Fire Chief  
Stinson Beach Fire Protection District

George Krakauer,  
Fire Chief  
Bolinás Fire Protection District

DATE: November 10th, 2023

SUBJECT: Public Comment on Draft Short-Term Rental Ordinance

Dear Planning Commission,

As the entities responsible for safeguarding life and property within our jurisdiction, we are concerned about the lack of detail and clarity in enforcing safety items outlined in Section 5.41.0650, subsection H in the current draft ordinance.

1. Visible Address.
2. Smoke Alarms
3. Carbon Monoxide Alarms.
4. Fire Extinguisher.
5. Emergency Communications
6. Evacuation Routes.

To ensure the safety of our visitors, we propose the development of a clear plan and timeline for public safety inspections. The goal is to guarantee that the items mentioned above are not only present but also up to date and functioning appropriately.

Ideally, we recommend including language in this ordinance that grants the Stinson Beach Fire Protection District, Bolinas Fire Protection District and any other Fire Districts and Departments with Authority having Jurisdiction the ability to conduct safety inspections on the items listed above. These inspections should be conducted every two years, upon the issuance of a new license, or when a complaint is submitted to the Marin County Community Development Agency or Fire District reporting any missing or malfunctioning equipment.

These inspections would particularly help short-term rental owners by having professionals assess safety equipment and emergency alerting information, potentially reducing liability risks for homeowners.

Additionally, we propose that our organization, and any other public safety agency wishing to participate, be directly reimbursed for their efforts, either through short-term rental license fees or directly from the TOT1 or the general fund.

We highly recommend that this committee thoroughly review and incorporate the proposed recommendation and language into the ordinance to safeguard the right and financial resources of local agencies conducting these essential safety inspections.

Thank you,



Jesse Peri  
Fire Chief  
Stinson Beach Fire Protection District



George Krakauer  
Fire Chief  
Bolinás Fire Protection District



**From:** [Mimi Murphy](#)  
**To:** [STR](#)  
**Cc:** [Mimi Murphy](#); [kevin Murphy](#); [Amy Worth](#)  
**Subject:** Short Term Rental Ordinance Comments  
**Date:** Sunday, November 12, 2023 3:07:37 PM

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You don't often get email from mimi4064@aol.com. [Learn why this is important](#)

Dear Members of the Planning Commission,

We would like to comment on the proposed Draft Short Term Rental Ordinance.

We have a property at Seadrift in Stinson Beach, a vacation home development as you most probably know. My grandmother bought a house there in 1960 and when she passed away in the early 80s my parents' generation sold the house because they were not all living in the area. My generation struggled to try to purchase the house but were unable to do so. Consequently, our family rented a beach house at Stinson for many years.

After years of renting a Stinson Beach house and watching our children (now 36 and 38) grow up enjoying "a week at the beach" every summer, we were able to purchase a house in Seadrift in 2005. The vacation rental income has enabled us to keep and maintain our home over the years.

In the 18 years of our ownership, we have seen the rental inventory at Seadrift diminish. People have bought the traditional rental vacation homes and remodeled or torn them down to rebuild them into a second or third home, keeping them off the vacation rental market. This is prohibiting families from being able to spend "a week at the beach" and enjoy Marin's beautiful outdoors. Now, there are many homes in Seadrift which are only used occasionally.

Our house, as a vacation rental, brings income and jobs to Stinson Beach and beyond, as well as providing opportunities for visitors to enjoy this wonderful part of the world.

Seadrift is already losing short term rental properties, without a concerted effort on the County's part to reduce short term rentals. Please preserve the availability of short-term vacation rentals in West Marin.

We appreciate the work of the Commission in revising the initial draft ordinance but would like to share some remaining concerns. If a short-term rental is in full compliance with the regulations, a generational transfer of the short-term rental license should be allowed. Additionally, we have concerns that the signage requirements would disrupt the sense of community within a neighborhood.

Thank you for your work on behalf of Marin County and for considering our comments and

perspective as you discuss revisions to the Draft Short-Term Residential Ordinance, with its goal to preserve workforce housing and provide for continued short-term vacation rentals.

Sincerely,

Mimi and Kevin Murphy  
40 Lancaster Ave  
Kentfield, Ca.

**From:** [Tess Elliott](#)  
**To:** [Dennis Rodoni](#)  
**Cc:** [Rice, Katie](#); [Stephanie MoultonPeters](#); [Sackett, Mary](#); [Eric Lucan](#); [STR](#); [PlanningCommission](#); [Brian Washington](#)  
**Subject:** Request for disclosure of STR-related conflicts of interest  
**Date:** Sunday, November 12, 2023 3:31:09 PM

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Some people who received this message don't often get email from editor@ptreyeslight.com. [Learn why this is important](#)

Dear Marin County Supervisors and Planning Commissioners,

We are concerned about conflicts of interest present in your board and commission as you prepare to vote on proposed regulations for short-term rentals in West Marin. At least one commissioner has stated her conflict of interest, yet she has not moved to recuse herself and is responsible for recent revisions of the regulations. Are there others?

The California Fair Political Practices Commission states that financial interests that disqualify an official from conducting a fair vote include “the official’s personal finances, including his or her expenses, income, assets or liabilities, as well as those of his or her immediate family.”

We call on each member of both bodies to **declare their vested interests to the public**—whether it is their or a family member’s ownership of a short-term rental or their stake in an entity that owns or operates a short-term rental in West Marin—**before any vote on the rules takes place**.

If conflicts exist among those officials who helped to shape, write and revisal the rules, it is imperative that the draft proposal go back to county staff and a fair public process is launched. Such fairness is legally protected by the state’s Political Reform Act.

As many members of the public have expressed to you in letters and comments, the viability of our coastal communities is threatened by the expansion of short-term rentals. We call on District Four Supervisor Dennis Rodoni to lead the way in transparency and fairness, and guide the county toward a robust policy that reflects the will of the majority.

Sincerely,

Tess Elliott and David Briggs, Publishers  
Point Reyes Light

November 12, 2023

**To:** Marin County Planning Commission

**From:** Natalia Lerman

**Re:** Draft Ordinance

Dear Commissioners,

We built our home in Dillon Beach in 2018 and have been operating an STR in addition to using the home for our own family. We are not wealthy, so the only reason we were able to afford to build in Dillon Beach was because we knew that we would be able to rent it in order to help cover our monthly costs. Had this ordinance been in place in 2016, there is no way we would have been able to build this home. We know of at least a dozen other families who can say the same, as well as several who started the process of building just prior to the moratorium.

The simple fact is that Dillon Beach is different from other townships in unincorporated West Marin. Very few people live in Dillon Beach full-time, the few who do are almost all retired and own their home. This is because Dillon Beach is a geographically isolated community with no support services, no gas station, no school, and an expensive and bare-bones general store that serves the minimal needs of vacationers. Dillon Beach is likewise not located near to any meaningful employment and job areas.

The only thing that the draft ordinance will do is to make it impossible for middle-class families to purchase and/or build homes in Dillon Beach. It will make the community even more exclusive, discourage the building of new homes, and decrease affordable access to the coast for young families. Dillon Beach will increasingly become a playground for the mega-wealthy who can afford to retire there, or to have a second home that sits empty most of the time. For so many, all that these proposed regulations will accomplish is pull the rug out from under their feet, with no apparent benefit whatsoever in increasing the amount of affordable housing in Marin County.

**We ask you to consider a simple question — what is the benefit of restricting the ability of Dillon Beach owners to open their vacation homes to other families?**

We respectfully urge the Commission to vote “no” on the Draft Ordinance and tell the Community Development Agency that we can do better!

Sincerely,

Natalia Lerman

November 13, 2023

Marin County Planning Commission  
Board of Supervisor Chambers, Room 330  
Civic Center  
San Rafael CA

***Letter Concerning Draft Short Term Rental Regulations for Unincorporated Marin County dated October 31, 2023***

Dear Members of the Planning Commission:

We are members of the West Marin Access Coalition (WMAC), a grass-roots organization of over 400 individuals (and growing), predominantly West Marin homeowners, but including long- and short-term rental (STR) hosts, visitors, local businesses, and concerned citizens interested in preserving West Marin’s tourism-friendly community.<sup>1</sup> We wrote to you in advance of the Commission’s October 23 Hearing in a letter co-signed by 210 members of the community. Many of our members then spoke at the October 23 Hearing.

This letter offers further comments in advance of the November 13 hearing concerning the County’s revised draft STR regulations. This letter provides comments concerning the County’s process in drafting the regulations, followed by specific concerns within the October 31, 2023 Revisions to the September 2023 Draft Regulations and other materials prepared by the County for the November 13 hearing. We also respond to certain points in the County Staff Report, dated October 8, 2023, and appendices thereto.

**I. The Process Employed by The County Has Been Flawed and Remains Incomplete**

From the outset of this process, we have requested that the County present data in support of any proposed regulations. Repeatedly, the County has failed to do so.

**A. The Draft Regulations Are Not Supported By Data**

Without proven data or factual justification, the Community Development Agency has set out to reduce the number and viability of STRs, through numeric caps as well as overly restrictive, onerous, and expensive draft regulations. The central assumption of the County’s action assumes an inverse relationship between vacation homes and long-term, affordable housing in West Marin. Yet the County has never presented reliable data showing that vacation homes or STRs have displaced permanent residents. Instead, the County has repeated talking points and slogans, such as the vague claim that STRs are contributing to the “hollowing out” of

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<sup>1</sup> See <https://www.westmarinaccesscoalition.com/>.

communities. We reiterate once more that this is not data, and ignores the fact that vacation homes and vacation rentals have been the primary use of residential property in coastal West Marin for over a century. It is wrong to blame a use and practice that has existed for over a century for a separate phenomenon with many other contributing factors. It is also wrong for the County to forcibly convert vacation homes into long-term rentals or permanent residences. But, the County has repeatedly stated that the intent of the Draft Regulations is to do just that, in violation of homeowners' long-established rights and practices. There is no data to support the hypothesis that the County can force the creation of long-term housing by singling out long-established uses of vacation homes. At best, this is an experiment that will have unintended consequences that the County refuses to understand and acknowledge. Repeated claims from pre-written form letters that "everyone knows someone" affected by housing issues and pinning the blame on STRs, or references to "lived experience" in lieu of data, are not a sound basis for the experimental and consequential policies now proposed by the County.

The County has never presented data demonstrating that if the County does achieve its goal of regulating STRs out of the market—through numeric caps as well as onerous and expensive regulations—that this will cause vacation homes now used as STRs to be converted to housing for local residents. This is unlikely given that most vacation homes cannot be economically converted into housing for middle- and low-income residents. Commenter after commenter has expressly stated that they have no intent or desire to rent vacation homes to long-term tenants, as doing so will deprive them of the entire point of owning the property—to enjoy it as a vacation home.<sup>2</sup> It's clear that the County has presented solutions in search of a problem in order to reach a decision that was preordained at the outset of this process.

The County possesses data concerning how many nights each STR is rented each month and how much revenue is received each month. This data is submitted as part of the monthly TOT reporting process. Inexplicably, the County has not disclosed this data to the Planning Commission. Had it done so, it would underscore the fact that most STRs are part-time operations, with the owner occupying the property for much of the remainder of the year. We have received the following data from Airbnb:

- Typical nights hosted in Marin County are about **70 nights per year**. This means that the average STR is only open to guests for just over two months of the year.
- Typical **host earnings** in Marin County in 2022 were slightly over **\$20,000**, or around **\$1,667 per month**. Again, this shows that most hosts make their properties available part-time, and make far less money than a long-term rental would yield.
- Over 65% of hosts in Marin County are women.
- Almost 40% of hosts in Marin County are over 60 and using hosting to plan for retirement.
- Just under 90% list a single property.

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<sup>2</sup> The County could have inquired of homeowners who operate an STR whether they'd consider offering the home as a long-term rental in the event they lost their STR license. It did not.

- The average host is a 55 year old woman who rents just one property on the platform.
- The average guest is a 46 year old woman traveling from elsewhere in California for between two and four nights.

Given that the County has not disclosed their TOT occupancy and revenue data, or otherwise studied the impacts of the Proposed Regulations, it is deeply irresponsible to proceed under the assumption that this ordinance will result a meaningful impact on low- and middle-income housing. Conversely, as testimony has underscored, the Draft Regulations would lead to negatively impacting low- and middle-income residents whose livelihoods depend upon the tourism industry.

The County has not presented baseline data outlining the percentage of homes in West Marin that have a history of being used as vacation homes and vacation rentals and those that have been used as rental housing. Since West Marin is historically a vacation community, it is a virtual certainty that far more than 10% of homes are vacation homes that have never in their history served as long-term rental housing. At the June 12 hearing, Community Development Agency Director Sarah Jones acknowledged that the County does not have data to show that long-term housing has been converted to vacation homes and STRs. The County has not compiled other forms of relevant information, such as the total number of single family residences by community; how many are occupied on a full time basis by the owner; how many separate units available for rent actually exist on these properties; how many residences are currently rented on a full time basis, and what are the rents being charged per month for 1, 2, and three bedroom homes.

Underscoring the lack of reliable data, County Planner Jeremy Tejirian stated at the October 23 hearing that, contrary to its prior submissions, the County had no reliable data to respond to a basic question from the Commission: how many STRs are “hosted” versus “unhosted.” The County’s supplemental memorandum of November 7 confirms this and relies on WMAC’s rough tally of how many homes would qualify as “hosted” STRs under the new proposed definition. Further, in information sessions, the County stated that it has not tracked any data pertaining to housing since implementing the moratorium in May 2022. There is thus no basis to conclude that the STR moratorium made any impact on the housing situation in West Marin, and thus no basis to conclude that continuing the moratorium and implementing lower caps would do so, either.

As demonstrated in another letter to this Commission, a civic leader and WMAC member offered local housing data collected in the context of emergency preparedness that would shed light on these questions. The County turned down the offer to provide actual community data. The net of this is that the County has no basis to say that restrictions on STRs will have any impact at all on housing.

Illustrating further the lack of reliable data, County Staff stated at the October 23 hearing that its efforts were supported by the results of a survey run by the County earlier this year. The

County describes the survey as “empirical.” However, the survey itself was deeply problematic and anything but empirical. It had no safeguards against individuals taking the survey more than once. At the June hearing, one individual testified that an anti-STR neighbor boasted she had taken the survey 15 times. Individuals who took the poll were not presented with the Draft Regulations, so could not actually opine on their desirability or feasibility. The survey findings simply do not show a bona fide need for the burdensome regulations recently proposed by the County. Furthermore, the County has taken the views of a minority of self-reported residents of West Marin while rejecting the views of those who reside elsewhere. A majority of all survey respondents indicated that they did not want the County to impose limits on STRs. Yet the County is ignoring the broader voice of those who responded to the survey while proceeding with county-wide limits that would be felt far beyond West Marin.

The County has had seventeen months since putting a moratorium in place to gather data. And yet the County has not gathered any data bearing on its central hypothesis—that the moratorium might stabilize or improve the long-term housing market. Mere initial hopes or aspirations not backed by evidence are not a basis for enacting expensive and burdensome new rules. It’s dangerous and will have costly implications to residents and businesses in West Marin.

**B. The County Has Not Allotted Adequate Time to Consider the Draft Regulations**

The County has not allowed adequate time for commentary on the Draft Regulations. The County elected to first impose a two-year moratorium, yet instead of putting forward Draft Regulations at the time or shortly thereafter that the Community could consider, allowing sufficient time for discussion and revision, the County failed to put forward anything at all for sixteen months. After several unexplained delays and repeatedly missing its own “deadline” to release a draft, the County released Draft Regulations in late September, with the goal of driving the Planning Commission to a vote in under two months. Then, following the October 23 hearing, the County substantially revised the draft but failed to take account of several comments and suggestions from the Commission itself. The County has continued to make revisions on the fly, leaving it unclear to us which version of the Draft Regulations is currently under consideration.

Throughout the process of drafting and re-writing the Draft Regulations, the County has also all but ignored public input, insisting it has legitimacy to proceed based on the flawed survey described above. The only thing that caused the County to revise portions of the Draft Regulations were (1) input from the agricultural community, leading to an exemption for agricultural interests, and (2) proposed revisions provided by the Planning Commission on October 23.

Now, the County is pressuring this Commission to vote at the November 13 hearing on a still-problematic and far from complete draft so that the Draft Regulations can be considered by both the Marin Board of Supervisors and the California Coastal Commission on a compressed



timeline. The County has stated that its assumption is that such regulations will be approved before the moratorium is scheduled to expire in May 2024. Important legislation affecting visitor access and necessitating an Amendment to the Local Coastal Program should not be rammed and rushed through this Commission in under two months. Any timing crunch is of the County's own creation and should not be used as an excuse to shortcut the democratic process or approve half-baked draft legislation.

### **C. The Draft Regulations Fail To Account for Individual Community Needs**

Finally, the County has done what commenter after commenter—both those in favor of greater public access to the Coast and those calling for restrictions—have asked it not to do: create a byzantine maze of one-size-fits-all rules. It appears that virtually every individual with a stake in this issue would agree that the Communities of West Marin are unique in many salient regards. What makes sense for Bolinas likely does not make sense for Dillon Beach. Inverness is not the same as Point Reyes Station. The San Geronimo Valley and other communities outside of the Coastal Zone have their own needs, as do communities in the unincorporated portions of East Marin. Yet the County has driven forward with draconian blanket rules that will apply to nearly 500 square miles of the County, and that only vary insofar as what caps will be imposed. The County simply has not listened to the unique perspectives of each community. Reducing their differences to a single numerical variable in a table of STR caps is reductive and insulting.

### **D. The Regulations Should Be Rejected, or a Sunset Clause Inserted**

Given the foregoing, we request that the Planning Commission not vote to approve the Draft Regulations at this time. At a minimum, the County needs to present data, a final revision release on more than a few days' notice, and a meaningful opportunity for public participation in crafting these rules.

In addition, however, given the paucity of data in support of the Draft Regulations' claim to promote long-term housing, and the high likelihood that unintended consequences will far outweigh any benefit the County hopes to achieve, the Planning Commission should also require that a sunset clause be inserted in the Draft Regulations. This would provide that these regulations would only remain in effect for a period of three to five years, during which time the County must study the effects of the regulations in relation to their stated purpose and only reenact those provisions that have proven to be net beneficial. Indeed, the STR ordinance passed by the County in 2018 had a two-year sunset provision for this very reason.

Finally, the Draft Regulations should also be amended to require the County to study and present data on an annual or biennial basis, backed by sound methods, to study what impact (if any) the Draft Regulations and caps are having on long-term housing. If, as we strongly suspect, the data do not show that capping, reducing and hyper-regulating STRs meaningfully improves the long-term housing market in West Marin, the County should be required to revisit the issue

again soon so that the negative unintended consequences of this misguided ordinance are not felt for decades to come.

## II. The October 31, 2023 Revised Draft Regulations Remain Flawed

On October 31, 2023, the County released revised Draft STR Regulations (“Revised Draft Regulations”). It appears that with the Revised Draft Regulations, the County has implemented some of the changes suggested by the Commissioners at the conclusion of the October 23 Hearing. In other respects, the County has amended provisions in a manner that does not appear to be supported by the public record or the Planning Commission’s comments. In addition to the detailed Comments we previously submitted—most of which remain equally applicable here—the following comments are specific to the Revised Draft Regulations, followed by comments upon the remaining materials prepared by the County for the November 13 hearing.

### A. Comments Concerning the Revised Draft Regulations

1. As noted above, the County should insert a three- to five-year **sunset provision** into the Draft Regulations to ensure that misguided policies are revisited in a timely fashion. During the time prior to the sunset date, the County must study the effects of the regulations in relation to the stated purpose of the regulations and only reenact those provisions that have proven to be net beneficial.
2. The **village-level caps** would make the moratorium permanent and, in fact, reduce the number of STR licenses available over time, reducing visitor access to the Coast. In so doing, the County has made a basic logical flaw: assuming that the growth in licenses seen for STRs from 2018 to 2022 is indicative of the growth in the STR market. Prior to the 2018 ordinance, compliance to register STRs was uneven, and it may have taken some homeowners several years to come into compliance. In 2022, when the County announced the pending moratorium, a wave of individuals obtained STR licenses under the (unfortunately correct) anticipation that the “temporary” moratorium would only be made permanent and intensified. The County has not studied or presented data concerning how many of the STR registrations over time were for homes that were vacation homes and STRs, but had merely not yet registered, versus for entirely new STRs that had previously served as long-term rentals or other uses. And, as noted above, the County has done nothing to analyze whether the claimed growth in STRs over time was drawn from the stock of vacation homes that have never served as long-term rental housing of any kind. Thus, the underlying assumption that there has been a spike in STR activity as of late that has displaced renters and long-term residents is based on a logical fallacy and failure to gather relevant data.
3. Without providing any explanation why, it appears since the October 23 hearing, the County has decided to **dramatically reverse course** and eliminate the

distinction between “hosted” and “unhosted” rentals. This contravenes the County’s own staff report for the October 23 meeting, which recited that one of the Guiding Principles was to “distinguish among types of Short Term Rental operations and operators, e.g., hosted and unhosted, single and multiple ownership.” That the County is now ignoring its own Guiding Principles and proposing to remove the option for long-term residents to offer their homes as “hosted” STRs is unjustified. This would make the Draft Ordinance far more restrictive than the ordinances the County is claiming to emulate. In **San Diego**, for example, there is **no cap** on homeowners or residents renting their homes for an aggregate of 20 days or less per year (with no requirement to be on-site). There is also **no cap** on the number of primary residents offering their homes for rent (*i.e.*, a **hosted** rental), and the homeowner need not be present for 90 of those days (*i.e.*, there is **no “house arrest” rule** for the first 90 days of rentals). By definition, if an individual has proved to the County’s satisfaction that they are a permanent resident, there can be no adverse impact on the local housing market by allowing that individual to make their home available to visitors on a part-time basis (and no need for the owner to be present overnight when guests are on-site). The County has no justification for throwing out this highly practical and impact-free means of making homes available to visitors. In doing so, the County would preclude permanent residents from using occasional rentals to help cover their mortgage and carrying costs (*e.g.*, renting the property out when the owner is away). This will take away the flexibility that homeowners and residents of middle- and lower-incomes currently enjoy to help afford to stay in their homes, directly undermining the goal the County purports to be advancing. There is simply no rational explanation for the County’s sudden change of course and punitive and anti-visitor decision to completely eliminate hosted rentals as an option in all of unincorporated Marin County.<sup>3</sup>

4. Confusingly, however, in the Definitions section of the Revised Draft Regulations, Section 5.41.020, the County **still includes definitions for hosted and unhosted rentals**. Elsewhere, in Section 5.41.040(D)(4)(iv), the County would still require applicants for an STR license to disclose whether an STR would be hosted or unhosted. Finally, the County continues to distinguish between responsibilities of hosted and unhosted rental contact persons in Section 5.41.060(L)-(M). At a minimum, these inconsistencies show sloppy draftsmanship, and further show that the Draft Regulations are not ready for

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<sup>3</sup> A potential reason for the County’s about-face may be, as Mr. Tejirian testified at the October 23 hearing, that the County foresaw difficulty, practically and politically, in enforcing the now-abandoned “house arrest” rule for hosted rentals. Mr. Tejirian alluded to sending inspectors at night to verify that an owner of a “hosted” rental was in fact home during house arrest hours, eliciting shock from members of the public. As noted above, there is simply no need for a house arrest rule in the first place. San Diego does not have one, likely because in addition to being unnecessary and expensive to enforce, such a rule is troubling from a civil liberties perspective.

approval by the Planning Commission. In addition, the definition for “unhosted” states the home cannot be a primary residence. Yet there is no justification why the home could not be used as a primary residence. A primary resident may wish to open their home to visitors a few days a year while they are themselves on vacation. Since it is already a long-term resident, it is clearly not competing with long-term residential interests. The definition of “unhosted” should delete a reference to ownership type—it simply means the owner is not present and sharing common living space with a guest.

5. In Section 5.41.050(C), the County has now proposed an initial **two-year license period followed by four-year renewal periods**. This is unjustified. All licenses, both initial and renewal, should be for a period of four years. At a minimum, the County should clarify that all currently legally operating STRs would qualify as renewals eligible for a four-year license.
6. The County must specify what the **anticipated license fee** will be under Section 5.41.050(G). Without at least an estimated range being included in the record, this Commission (and the Coastal Commission) will be unable to determine the likely impact of the draft regulations upon coastal access, precluding issuance of an Amendment to the Local Coastal Program. A high application fee will have two likely results: (1) it will force the more low- to middle-priced STRs from the market, and (2) it will raise the cost of the nightly rate for those homes that can capture this fee through higher nightly rental rates. Both outcomes would directly impact affordability of lodging and the ability of visitor of low and modest means to visit the coast. The Board of Supervisors and Coastal Commission cannot evaluate the impact of the Draft Regulations on visitor access without this essential cost information. It is not sufficient for the County to state that it will put forward a proposed fee schedule to the Board of Supervisors only after the Draft Regulations are promulgated into law.
7. In Section 5.41.060(B)(6), the County would still ban STRs from being operated in structures that are suitable for overnight stays or “**glamping**” experiences at a very modest cost, but not suitable (or legal) for long-term housing. The County has presented nothing in the record to justify this. What is wrong with staying in a yurt? This is another instance where the County’s proposed draconian rules would directly reduce options for visitors who are of modest or low economic means.
8. In Section 5.41.070, the County has continued to propose **caps for Dillon Beach**, despite the near-uniform consensus (even among anti-STR perspectives) that this community is almost entirely a vacation destination and should be exempted from such caps.
9. By setting both **township-level and county-wide caps**, there is a substantial risk that STRs that cease operating in the Coastal Zone will shift to non-coastal areas

of the County, thereby reducing visitor access to the coast. The County should clarify that the caps in the Coastal Zone represent a minimum number of STRs to be licensed in those areas to prevent such migration of STRs from key coastal visitor-serving areas of the County.

10. The first sentence of Section 5.41.080 should be clarified, as it currently reads that any failure to meet the standards of Chapter 5.41 or requirements of an STR license shall lead to **suspension or revocation of the license**. The County should change this, consistent with Section 5.41.050(F)(5), to require that there must be **at least three “substantial violations”** or failures to comply before a license may be suspended or revoked. In other words, the County should not have a lower standard for suspension or revocation of a license than it does for non-renewal thereof.

## **B. Comments Concerning County Memorandum of October 31, 2023**

Along with revisions to the Draft Regulations, County Staff prepared a two-page memorandum dated October 31, 2023. While the memorandum enumerates in cursory fashion that certain changes have been made to the Draft Regulation, it does not provide an explanation for several key substantive changes, or for reversing course on the County’s Guiding Principles. Notably, the County provides no explanation for its abrupt about-face and proposal to eliminate any distinction between hosted and unhosted rentals. The memorandum also announces a county-wide cap of 923 STRs, without explaining how this cap will interplay with the proposed village-level caps, or how the County would prevent “migration” of STRs from the Coastal Zone to the remainder of the County. The County also provides no explanation for its partial implementation of the Commission’s suggestion to change the license period from two to four years (*i.e.*, the County provides no explanation for why it is still proposing an initial two-year license). In light of the far-reaching impacts of these changes, the County owes this Commission and the public a more thorough explanation of its actions, backed by data.

## **C. Comments Regarding Draft Resolutions and Proposed Findings**

In addition to the revisions to the Draft Regulations themselves, the County also drafted Proposed Findings for both the Planning Commission and the Board of Supervisors. The draft findings for the Planning Commission and Board are similar but not identical, for reasons that are not explained. Several of these Proposed Findings are deeply flawed and problematic.

### **1. Proposed Finding No. 3 Is Not Backed By Data**

For instance, **Proposed Finding No. 3** (for both the Planning Commission and Board of Supervisors) recites the challenges faced by middle- and lower-income families in finding housing in Marin, which is not in dispute. However, the Draft Finding proceeds to recite a talking point supported by no data in the record whatsoever:

*Short term rentals exacerbate these problems, and their impact is particularly magnified in the West Marin Area, because of the lack of housing stock. Conversion of housing units to vacation rentals further reduces housing stock and contributes to increased housing costs for both renters and buyers.*

As we have noted previously, the County has presented no data that STRs “exacerbate” housing concerns. We presented several studies in our prior submission showing the opposite. The County also has repeatedly stated that it has no data concerning the alleged “conversion” of long-term housing to STRs or vacation rentals (Ms. Jones said this expressly at the June 12 hearing). Based on our analysis, virtually all STRs are in homes that have been vacation homes for decades, and many for multiple generations. Furthermore, the claim that the number of STRs is rapidly increasing, citing the number of STRs registered with the County since 2018, is faulty and misleading. The claimed “growth” in STRs is largely due to many operators only registering their STRs after the passage of the 2018 ordinance. And, the County’s announcement of a moratorium served as a final incentive to bring STRs into compliance via registration. In other words, there is simply no record data for either the “displacement” contention in this Proposed Finding or the alarmist claim that STRs are rapidly increasing.

## **2. Proposed Finding No. 4 Is Contrary To The Record**

In **Proposed Finding No. 4**, the County asserts that:

*On June 21, 2022, the Marin County Board of Supervisors extended the Interim Ordinance (Ord. No. 3769) in conformance with State law and acknowledged that the Board and County staff plan to study and evaluate policies and contemplated zoning proposals to improve the availability of middle- and lower-income housing in the West Marin Area, while maintaining existing coastal access.*

One will search in vain for any evidence in the record that County Staff has studied and evaluated policies that would “improve” middle- and lower-income housing in connection with preparing the Draft Regulations. As noted above, the County has chosen not to collect any such data since the enactment of the moratorium.

In its Staff Report for the October 23 hearing, the County introduced a new wrinkle for the first time, in asserting that the data collected by the County via an entirely separate state-mandated process—the Housing Element—fills in the gaps in the data relating to STRs. But all one will find about STRs in the Housing Element materials are the very same unproven talking points that STRs are perceived as “hollowing out” the community. The County has presented no data drawn from the Housing Element showing a causal link or rational connection between enacting onerous Draft Regulations or caps on STRs and the availability of housing for middle- and lower-income residents. In sum, the core assumption underlying the Draft Regulations and Proposed Finding No. 4—that making operating an STR more difficult and capping visitor accommodations will improve middle- and lower-income housing in West Marin—has zero empirical support.

### 3. Proposed Finding No. 5 Is Contrary To The Record

In **Proposed Finding No. 5**, the County claims to have engaged in “empirical data collection in the form of a survey.” As discussed above, the survey was flawed and insecure. It is also false to call running an uncontrolled straw poll “empirical data collection.” Furthermore, as discussed above, the County has copious data that it has **not** leveraged. The County has data concerning the nights rented by STR operators and the revenues received; it simply has chosen not to present those to the Planning Commission. The County has also rejected an offer of housing data from a local community that was collected for disaster preparedness purposes.

Data on **complaints** also does not support the claimed need for the byzantine regulations now proposed by the County. In its November 7 memorandum, the County devoted just two sentences to complaints, and provided a single figure representing the aggregate number of STR-related complaints received in the last 5 years (a total of 318). This fails to provide a tally of which complaints related to specific issues (unpermitted STR, noise, parking, trash, water, *etc.*), only stating in general terms that many complaints “related to excessive noise, garbage, or vehicles parked in the neighborhood.” The County likewise provides no tally of complaints received by year or by community. Finally, the County provided no data or explanation concerning how many of the complaints were investigated and found valid. The County’s failure to provide this essential information risks leaving the Planning Commission with the incorrect impression that the volume of complaints remains substantial to this day.

Data provided by the County in connection with its Fall 2022 meetings paints a very different picture. These data showed that the total number of complaints from September 2018 to September 2022 was 291. That means that **from September 2022 to September 2023, the County received just 27 STR-related complaints**, among the lowest total seen since the hotline was established. The County has provided no information concerning the nature of these complaints, where they originated, whether they were investigated and found to be valid, and whether they related to just a handful of properties.

The complaint hotline data also showed that **the vast majority of the complaints to the STR hotline were received in calendar years 2019 and 2020**, which were unusual times due to the STR regulations being new, as well as heightened health concerns during the COVID-19 pandemic. The community with the greatest number of complaints was Mill Valley. In sum, the data showed that, after a fleeting spike in 2019-20, complaints dropped dramatically to no more than a few dozen per year. The data also show that areas in the Coastal Zone generate far fewer complaints relative to their number of STRs. In sum, the suggestion that the Draft Regulations are warranted due to a high volume of ongoing complaints is dispelled by data in the County’s possession that it elected not to share with the Planning Commission.

### 4. Proposed Finding No. 6 Is Contrary To The Record

In **Proposed Finding No. 6**, the County asserts that:

*It is necessary that short term rental activity does not adversely impact the health and safety of residents and visitors, and that such activity is conducted in a manner that preserves existing housing and communities while balancing the protection of private property rights and public access.*

As noted above, there is no showing of necessity because the County has refused to disclose the number of *bona fide* complaints received concerning health and safety concerns arising from STRs in the last few years. The County also has not presented any data concerning how many complaints have been documented and found to represent valid allegations. Nor has the County shown data to indicate that there are wide-spread problems, as opposed to one or two problematic properties that can be best addressed through current enforcement mechanisms.

In sum, Proposed Finding No. 6 is not backed by any data whatsoever, and in fact is undermined by the data in the County's possession. The County will likely fall back on the survey findings that indicated that a narrow net plurality of respondents supported various "good neighbor" measures. However, the County never queried whether respondents were already aware that policies to address noise, trash, and other community impacts were already in place, and the County obviously did not present the Draft Regulations to survey respondents for their views as to whether they were overly restrictive. By failing to ask salient questions or provide any specifics to respondents, the County caused the results of its survey to be skewed. A mere straw poll with no flawed questions and zero controls does not support Proposed Finding No. 6.

## **5. Proposed Finding No. 8 and The County's Consistency Analysis Are Flawed**

**Proposed Finding No. 8** claims that the Draft Ordinance is "fully in conformity with the Coastal Act," and incorporates a separate document, a Consistency Analysis for the Local Coastal Program prepared by County Staff and attached to the Proposed Findings as Exhibit B. For several reasons explained below, the County's Consistency Analysis is flawed and incomplete.

As the Consistency Analysis notes, Program C-HS-6.a requires the County to:

*Research and report to the Board of Supervisors on the feasibility of such an ordinance, options for enforcement, estimated program cost to the County, and the legal framework associated with rental properties.*

The County has provided none of this. The County has not reported on the "feasibility" of enforcing the Draft Ordinance (though it has alluded to the need to hire additional staff to do so). The County has also failed to analyze or present to the Planning Commission the "estimated program costs to the County." This is especially troubling given the County's announced intent to recoup program costs through a sizeable application fee. Furthermore, the County has not presented the Planning Commission with the estimated impacts on TOT and Measure W



revenues from the reduced caps the County is proposing. Finally, the County has not properly analyzed the legal framework, as it has failed to recognize that STRs are as a principal permitted ancillary use of a residential property. At a minimum, the County must prepare and submit all of these materials before the Draft Regulations satisfy the requirements of this Program.

The County's Consistency Analysis is also flawed in that it asserts that by classifying STRs as a "residential use," this somehow exempts STRs from being considered as "visitor-serving facilities" and overnight accommodations that are protected under the Coastal Act:

*Because a STR is defined as a residential use, it is not considered a commercial use or enterprise. As such, certain policies in the LUP that are associated with the typical visitor-serving enterprises and over-night accommodations noted in the LUP as not applicable to this analysis. That said, all residential property owners have the ability to apply for the necessary Coastal Development Permit to turn their property into a Bed and Breakfast, a land use that is specifically called out in the LCP to be protected and encouraged, subject to specific regulations.*

This conclusion is illogical and legally untenable. For one, it draws the same false dichotomy between residential and commercial uses that was soundly rejected by the Court of Appeal in *Protect Our Neighborhoods v. City of Palm Springs*. For another, it assumes that anything other than a commercially licensed hotel or bed-and-breakfast is irrelevant to the mandate of the Coastal Act that the County not inhibit or reduce low- and moderately-priced overnight accommodations. But as we showed in our prior submission, the Coastal Commission does consider STRs to be an important means by which visitors access the coast, regardless of how they are characterized (commercial, residential, or otherwise). Indeed, as we have shown, on a per-person basis, STRs offer the most economical forms of overnight lodging after campsites. Thus, the County cannot rely on a legally unsound distinction between commercial and residential uses in targeting STRs for reduction and thereby evade close analysis by the Coastal Commission.

A further flaw in the County's Consistency Analysis is its failure to present data concerning the proportion of housing units used as STRs in the Coastal Zone. The County has only recited the number of parcels in the Coastal Zone, thereby undercounting parcels with multiple dwelling units. As a matter of basic math, for the County to present accurate data, it must actually present data concerning units. Otherwise, the percentages recited by the County cannot be relied upon.

Further, on page 6 of the Consistency Analysis, the County has tabulated the capacity of overnight accommodations in the Coastal Zone but failed to explain how the numbers of rooms, hotels, campsites, etc., translate to capacity to host visitors. As can be seen, there are far fewer hotel rooms in West Marin than STRs, and certainly not enough to accommodate the visitors who will be unable to visit the Coast if the proposed reductions in STRs are enacted. (In the case of San Diego, the Coastal Commission specifically noted that there were over 16,000 hotel rooms in the City alone and far more in the surrounding area, which were more than capable of

accommodating guests even under the restrictions proposed by the City.) In sum, the County has not faithfully evaluated the impacts on coastal access to low- and middle-income visitors from reducing some of the most cost-effective options for overnight accommodations. Because the County's consistency analysis is flawed, Proposed Finding No. 8 cannot be adopted.

#### **D. Comments Regarding California Jurisdiction Comparisons**

In Attachment 7 to the County's October 23 Staff report, the County provided a selected list of jurisdictions in California and their approaches to regulating STRs. Notably, none of the jurisdictions in question had the unique history of West Marin, as none were founded as primarily vacation destinations, and none have the concentration of national and state parks that can be found in West Marin. All or most of these communities now largely serve a population of full-time residents who live and work in the communities in question, which is likewise not the case in West Marin. Some of the jurisdictions are not in the Coastal Zone (Placer County, Novato, San Rafael) or have exempted the Coastal Zone from their regulations (Sonoma County). Some of the jurisdictions are so small that they are of limited value for comparison purposes (Trinidad). Most of these communities are able to provide overnight accommodations through hotels and motels in and directly adjacent to the communities, which is not the case for West Marin. The County's position seems to be that it can mix and match restrictions from each of these jurisdictions in composing the present Draft Regulations to arrive at some of the most restrictive regulations yet put forth. This is not a sound approach, as the Coastal Commission has repeatedly emphasized that each jurisdiction's regulations must be based on sufficient data and tailored to the particular conditions found there.

In the case of San Diego, the County has omitted the fact that there is no cap on Tier 1 and Tier 2 licenses.<sup>4</sup> In other words, there is no limit on properties being rented up to 20 days per year. There is likewise no limit on "hosted" rentals, and the "host" need not be present for up to 90 nights of rentals. Further, the Coastal Commission only approved the caps on Tier 3 rentals in light of the fact that there were far more hotel rooms than STRs in San Diego, with more rooms in adjoining communities. The opposite is true in West Marin. Finally, in the case of Mission Beach where, like West Marin, there were not hotel and motel options, up to 30% of units can be used as unhosted STRs (in addition to uncapped Tier 1 and Tier 2 licenses). We submit that West Marin is most akin to Mission Beach and thus should have higher unhosted STR figures to reflect the unique history of the region as primarily composed of vacation housing, and the lack of comparable and economical alternative overnight accommodations. Certainly, there is no basis to permanently reduce access to the Coast by locking in pre-moratorium numbers and precluding uncapped "hosted" rentals.

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<sup>4</sup> See <https://www.sandiego.gov/treasurer/short-term-residential-occupancy>.

### **III. Conclusion**

We have shown the following:

1. The Planning Commission should not vote to approve the Draft Regulations given the County's failure to present data in support of its contentions, and given the data presented by WMAC and others showing that the Draft Regulations will not improve housing and will instead have substantial negative consequences.
2. The County has rushed the process of drafting and consideration of the Draft Regulations. The Planning Commission should not vote to approve the Regulations in light of this fact as well.
3. The Draft Regulations ignore the unique needs of the Communities of West Marin.
4. If the Draft Regulations are not rejected, a three- to five-year sunset clause and requirement to gather and present reliable data should be inserted.
5. The October 31 revisions to the Draft Regulations introduce new flaws, and the County has not explained its abrupt changes in several significant policies.
6. Several Proposed Findings of Fact are not backed by data or outright contradicted by data in the record and in the County's possession. In particular, the County has not presented key data concerning the costs and impacts of the Draft Regulations. And, data concerning complaints contradict the claimed need to impose far more draconian "good neighbor" regulations than those already in place.
7. The County's "consistency analysis" with the Coastal Act is illogical and legally flawed.
8. The County's analysis of STRs in select other California jurisdictions is incomplete and fails to explain many key distinctions.

We thank you for your time and attention to this critical matter.

With our gratitude,

West Marin Access Coalition

By: Sean Callagy, Inverness

**From:** [jtoquinto](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Dennis Rodoni](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Oppose Draft Regulations on Short-Term Housing  
**Date:** Monday, November 13, 2023 8:21:17 AM

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I am writing to express my strong opposition to the Draft Regulations on Short-Term Housing.

I believe that West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue.

I recommend that the Planning Commission vote to reject the Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,

Jeff and Lyn Toquinto  
443 Oceana Dr.  
Dillon Beach, CA (primary residence/ADU house plans are currently in outside plan check with Michael Watkins)

**From:** [Mike Durrie](#)  
**To:** [STR](#)  
**Cc:** [Kathleen Kilgariff](#)  
**Subject:** Comment on STR Draft Regulation: Need for Data  
**Date:** Monday, November 13, 2023 9:08:17 AM

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Twenty years ago I built a guest house for family and friends, and 17 years ago I began renting short term. With time this added income has helped offset the continued increase in both cost of living and property maintenance which have eaten away at the value of our retirement income.

Our successful rentals have helped keep us in this home we love.

It has been disturbing to see the repeated claims that Short Term Rentals are the cause of the lack of long term rentals in West Marin with no evidence of data to support this claim. Often repeated, these claims become a "truth", but regulations/policy should be based on data not accusations without facts to back them up.

I decided to see if a survey of my neighborhood might be a start, and it was easy as I'm a liaison in the Inverness Disaster Council network. Next I contacted 6 other IDC liaisons in my area and asked them to go through their areas with me in the same way. Took a few hours to assess 129 properties: 59 full time occupancy, 6 with Long Term Rentals and 3 with STR units; 48 part time with 5 STR units; 9 unoccupied residences; 13 other (IPUD, vacant lots, commercial).

So, in this sample there were 6 LTR and 8 STR, plus 9 unoccupied homes, and 43 part time residences with no STR. It is just a snapshot but puts STR in a different perspective and allows one to look at them in more detail. How many like mine are for family and friends first? How many were previously long term rentals? How many were actually purchased to be STR?

It also raises the question what has happened to LTR in West Marin? How many former LTR rentals have become not STR, but full time, part time or unoccupied residences, like those on three sides of our home? The shortage of LTR is a multisided equation!

I reached out to Jeremy Tejirian, Director of Planning Services, suggesting we discuss the above method of developing a fact base for all of Inverness as shown, as it would take just a few days work to assess all of the 500 plus properties. He replied that "no further data development was being considered", but I could submit a citizen comment.

Before implementing a cumbersome and expensive set of regulations/enforcement, I think it would be much better to develop good data and better perspective.

Mike Durrie

**From:** [Brian Maggi](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Dennis Rodoni](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Oppose Draft Regulations on Short-Term Housing  
**Date:** Monday, November 13, 2023 9:25:40 AM

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[You don't often get email from [bmaggi@mac.com](mailto:bmaggi@mac.com). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

I am writing to express my strong opposition to the Draft Regulations on Short-Term Housing.

Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue.

In the time the moratorium has been in place, I have seen zero evidence this has made housing more affordable for anyone. In fact, the moratorium and new restrictions will to make my small home in Dillon Beach (21 North Ave) and several of my neighbors' homes unaffordable to keep. We are not wealthy people, but this has driven down the value of homes in our area – not enough to make them affordable mind you – just enough to make them a bargain for wealthy buyers who can pay cash.

I believe that West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way. Without affordable, short-term rentals in Dillon Beach like ours, you are essentially gifting the Dillon Beach Resort a monopoly, as they will be the only option in the village.

Dillon Beach is, and always has been a place for short-term rentals. It is not a conventional town, where the issues the county is trying to solve even exist. There needs to be exceptions made. Otherwise, Dillon Beach will be nothing but empty houses, or worse, bought up by a small number of mega wealthy people who can afford to fight off the county with lawyers.

I recommend that the Planning Commission vote to reject the Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Short Term Rental ordinance comments 1a  
**Date:** Monday, November 13, 2023 7:39:02 AM

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Chris Pack with email address [cjpack@comcast.net](mailto:cjpack@comcast.net) would like information about:

1) please do NOT adopt a "one size fits all" policy.

a) Dillon Beach has ALWAYS been fundamentally different from other (inland) West Marin communities:

- founded in 1885 as a vacation destination
- never a church
- never a school
- arguably the most physically remote village in West Marin (so a difficult commute)
- not served by public transportation
- no grocery store or other services (e.g. doctor) or opportunities (e.g sports for a resident's children).

So Dillon is not a place that a teacher, nurse, or other member of the target group that is supposed to benefit from this ordinance would seek out a long term rental if any were available.

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Short Term Rental ordinance comments 1b&c &d  
**Date:** Monday, November 13, 2023 7:42:13 AM

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Chris Pack with email address [cjpack@comcast.net](mailto:cjpack@comcast.net) would like information about:

b) in Dillon Beach, simply capping and reducing the number of SHORT term rentals does not increase the number of LONG term rental units (I believe there are currently none advertised/available, and I am only aware of ONE person who even wanted a long term rental in Dillon in the past 8 years, largely because...

c) employment opportunities are EXTREMELY limited (postal clerk, restaurant server, store clerk, parking attendant, cleaner) ... and pay a very low wage, especially when compared to the

d) high cost of market rate long term rental units. If any were available in Dillon, a person working one of those jobs in the Village could not easily AFFORD to live there.

So applying this ordinance to Dillon Beach does nothing to accomplish the stated objective of the ordinance.

To create affordable long term rental units in Dillon Beach, can't just cap/eliminate short term rental units. have to create designated below-market-rate units AND remove all the disincentives listed above



**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Short Term Rental ordinance comments 2&3  
**Date:** Monday, November 13, 2023 7:44:09 AM

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Chris Pack with email address [cjpack@comcast.net](mailto:cjpack@comcast.net) would like information about:  
2) NO CAP IN DILLON BEACH.

As written, with the cap of 125 units, the ordinance unfairly penalizes all owners who are not extremely wealthy, and promotes further gentrification of the Village.

Taxes in Marin are already high. My wife is a teacher and I work in construction; we could not afford to own a vacation home in Dillon Beach if we could not rent it.

I know that WE are grandfathered in, but it isn't fair to deny that opportunity to other working class people.

3) ONCE AN STR --> ALWAYS AN STR

Once a property (in Dillon) becomes an STR, you should not FORCE it to be removed upon sale or inheritance of the property

- unfairly reduces property values.

- makes it impossible for our children to keep and use our Dillon home after we die.

Allow the STR designation to be transferred with sale or inheritance.

**From:** [eric@ejoost.com](mailto:eric@ejoost.com)  
**To:** [STR](#)  
**Subject:** STR regulations are unfair  
**Date:** Monday, November 13, 2023 7:53:28 AM

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My partner and I purchased a home in Bolinas 3 years ago. We put most of our resources into this property. We are both retired and on a fixed income which will not sufficiently support us with the high costs of living here in Marin.

Our retirement plan was to include operating a STR in our "hosted" home which would enable us to pay property taxes, insurances, and repairs. In essence, it would allow us to live and thrive in our community. If this is removed from our options, we will literally be forced to sell our home and move from the area. It is the stark reality for us and many elders and young homeowners alike who live in our community. Your new STR policy approach favors the wealthy and eliminates affordable options for homeowners and visitors alike.

The original delineation of "hosted" vs. "non-hosted" would have enabled us to stay. By removing that distinction, it creates an unfair bias in favor of wealthy home owners who have their STR license, and do not live in our community. They commonly use their 2nd or 3rd homes as an income source and removes their dwellings from this critical market.

There is a major difference between our STR and theirs. We live in our home full time, provide a quiet, lovely, affordable, clean space for some of the many visitors who come to the area to enjoy its beauty. There is an acknowledged shortage of places for these people stay and reducing or eliminating the more affordable "hosted" option is a mistake.

I am not sure who or what circumstances caused the "hosted vs. "non-hosted" distinction to be removed, but it is biased, unfair, discriminatory, and adversely impacts our lives and our neighbors and friends in our community.

Please consider our circumstances carefully before creating a biased and unfair STR policy.

Sincerely,

Eric Joost

Sandra Buckley

**From:** Pamela S  
**To:** SIR  
**Subject:** Comments for 11/13/23 PC Meeting  
**Date:** Monday, November 13, 2023 8:55:22 AM  
**Attachments:** 654f226c36d588dc55cf002d.emq

You don't often get email from airbnbgetaway@gmail.com. [Learn why this is important](#)

Dear Planning Commission,

A couple of comments as you considered the proposed regulations.

1. There must be a distinction between mom-and-pop hosts and investors only. The former resides at the STR and depends on the income to remain in one's home and cover increasing insurance and property tax expenses. Often these small hosts are elderly. Furthermore, the extra 4% TOT that supports west Marin fire safety has been valuable and we cannot afford to lose those important revenues. If you make it more difficult for (mom and pop) owners, to host, the county and communities will lose this vital fire protection funding.

2. Earlier we saw a provision allowing tenants to host. See attached photo. Please ensure this is not allowed. Owners ultimately bear the responsibility of all activities related to hosting. Having a tenant host (without having to pay maintenance, taxes and insurance) and profit off of an owner is not only unfair, it creates potential problems for guests. That's why NYC stopped that.

Also there have been cases of tenants hosting without even paying rent. See below. Please don't open this can of worms.

Thank you.  
Jeff S.



Tenant skipped rent, listed home on Airbnb; homeowner says he lives in van  
businessinsider.com

## **E. License for Hosted Short Term Rental.**

**iv.iii.** ~~The host of a hosted short term rental can be either the property owner or a long term tenant of the property. The property must be the primary residence of the host. To prove that the hosted short term rental is the primary residence of the host, the host must provide at least three of the following five types of documents at the time of initial application and renewal application: motor vehicle registration; driver's license; voter registration; a utility bill sent to the subject property; tax documents showing the property as the property owner's primary residence for the purposes of a homeowner's tax exemption; a lease showing that a host other than the property owner is renting a unit on the property on a long term basis.~~

November 12, 2023

Marin County Planning Commission  
Marin County Civic Center  
3501 Civic Center Drive  
San Rafael, CA 94902

Marin County Board of Supervisors  
Marin County Civic Center  
3501 Civic Center Drive  
San Rafael, CA 94902

**Re: Draft Short Term Rental Standards - October 2023**

Dear Planning Commissioners and Supervisors:

This is submitted regarding the "Draft Short Term Rental Standards - October 2023".

I am the owner of two restaurants in Point Reyes Station.

My businesses are having difficulty filling job vacancies because increasingly employees cannot afford the rents in West Marin (even the "affordable housing" options are often out of reach). In addition to the higher rents there are almost no units available for rent even at higher rental rates. As a consequence, fewer of our employees live locally, despite having either been born here or spent a significant time as local residents in the past.

We ask that STRs be reduced and capped at rate that will ensure future long-term housing in our villages while maintaining or grandfathering long-term, hosted, pre-existing STRs.

We also ask that incentives be created to encourage property owners to switch from STRs back to long term rentals.

This is a critical opportunity to address the growing racial and socioeconomic inequality that has come to define Marin. Our communities and our businesses need more affordable housing options for local residents, especially young families hoping to raise their children in West Marin. Please stand up for what is right and take bold action.

Signature: 

Dated: November 12, 2023

Name: Sheryl Cahill

Business Name & Address:

Station House Café  
PO Box 268  
11285 CA-1  
Point Reyes Station, CA

Side Street Kitchen  
PO Box 71  
60 Fourth St.  
Point Reyes Station, CA

**From:** [West Marin Residents for Housing](#)  
**To:** [STR: PlanningCommission](#)  
**Cc:** [Sackett, Mary](#); [Dennis Rodoni](#); [Stephanie MoultonPeters](#); [Eric Lucan](#); [Rice, Katie](#)  
**Subject:** For Administrative Record, STR Standards: Marin Environmental Housing Collaborative Analysis of Marin County Racial Segregation Due to Housing Policy  
**Date:** Monday, November 13, 2023 9:55:57 AM

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Please include the following analysis in the administrative record of the STR standards development.

**From:** MEHC - Marin Environmental Housing Collaborative <[info@marinmehc.org](mailto:info@marinmehc.org)>  
**Subject:** Why is Marin So White?  
**Date:** October 30, 2023 at 10:59:48 AM PDT  
**Reply-To:** MEHC - Marin Environmental Housing Collaborative <[info@marinmehc.org](mailto:info@marinmehc.org)>

[View this email in your browser](#)

*Marin County is more racially segregated than ever.*

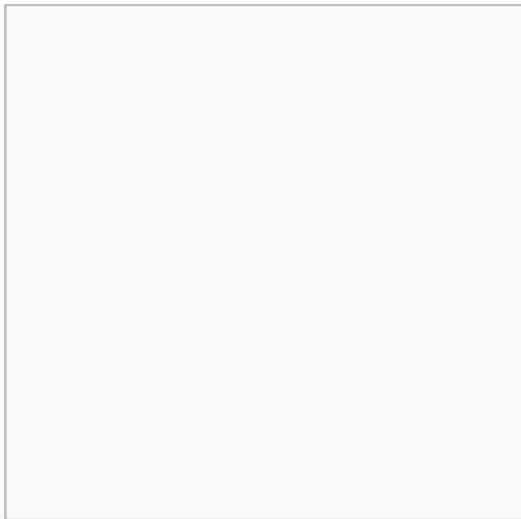


### **Why is Marin so White?**

**Marin County is more racially segregated than ever, and we have a severe shortage of affordable housing** [\[note\]](#). Many Marinites consider these issues to be unrelated, but they are linked. Social justice is a component of MEHC's mission, and so we strive to evaluate housing through a racial equity lens. A racial equity lens pushes us to evaluate "the impact of unintended consequences by taking into consideration the lived experiences and perspectives of racially diverse communities" [\[note\]](#). It allows us to acknowledge and discover the impacts our local, state, and federal regulations and institutions have had on communities of color. It enables us to see how seemingly-neutral policies have resulted in highly segregated communities.

### **So, why is Marin so White, and what can we do about it?**

To properly use the racial equity lens, if we are not a person of color, means we must understand our privilege. The term "privilege" is uncomfortable and challenging for many. Writer John Scalzi describes privilege best in his essay [\[note\]](#) when he explains privilege means that generally our actions result in better outcomes than when a less privileged person does the exact same actions. We are more likely to be given the benefit of the doubt, get a pass on bad behaviors or mistakes, or be given an opportunity based on potential rather than a track record. Realizing our inherent societal benefits can raise uncomfortable feelings, but it's important to accept this reality if we want to create change. The first step requires acceptance of the undeniable fact that Marin County's segregation problems directly stem from housing discrimination. As Craig Gurian has stated, "You really cannot name any significant social injustice problem in the United States that's not undergirded by residential housing segregation" [\[note\]](#).



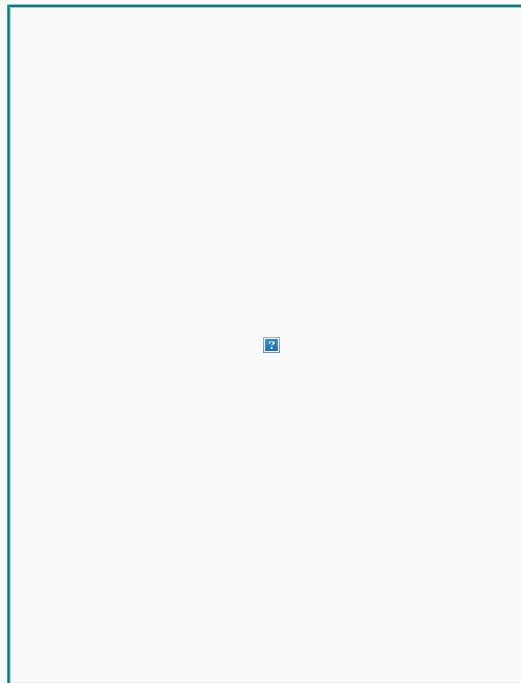
"Divergence" is effectively an index of segregation. Marin shows a steadily increasing "divergence" or "segregation index" over the past 50 years. See more at the [Berkeley Center for Gathering and Belonging](#).

#### Formerly common policies have produced enduring effects of racism

Some policies and practices in the past were quite explicit in their racism, such as redlining, blockbusting, and racially restrictive covenants. This was not specific to Marin County; it was a problem nationwide [\[note\]](#). And while there are now laws in place to combat this kind of overt racism, there are lasting effects of these formerly common policies. Significantly, these policies and practices greatly restricted the ability for non-White families to purchase homes, with the result that these families have not been able to participate in the enormous multi-generational wealth gained from the increasing home prices in Marin. Many Marinites used the increases in home equity to fund college and other educational opportunities for their children and to provide security in old age. Black residents have been largely shut out of these opportunities.



Despite the appearance of neutrality, many current housing policies effectively limit the housing available to communities of color. Economic zoning laws such as minimum lot size requirements, single family zoning, and laws that limit housing density are technically race-neutral, but they keep racial segregation alive and well. Zoning laws are generally justified by the need to separate residents from health and safety risks. However, economic zoning cannot be justified on this basis. When explicit housing discrimination was outlawed, the loophole that was created was the formation of economic zoning.




In other words, if we keep single family zoning and our high housing prices, racial segregation will remain. Said differently, if we do not want our community to be segregated, then we must build more housing. [Click Marin's Residential Zoning map at left to download](#). Note that the largest land areas

(white) are zoned *agricultural/open space*. From green through yellow and light orange, the zoning allows *only single family homes*. Building more housing in Marin will require approval of **multi-family housing**, as that is the only way to achieve affordability, and affordability is the only way to achieve integration and housing justice for all. It will also enable our workforce to live in Marin, leading to a better quality of life for everyone. Workers will not have to endure soul-crushing commutes and current residents will benefit from increased services and a larger employee base. Marin is one of the most segregated places to live in the entire country, to our county's shame. Not pushing for change is the biggest problem we face now.

#### Community character and "charm" vs keeping the status quo

To this day, some of the most common arguments we hear in almost all local City Council and Planning Commission meetings throughout Marin is that "we do not want to ruin the character of our community," or that introducing anything other than single family homes in neighborhoods would take away our "charm." These are just coded ways of saying "we want to maintain the status quo." **But when that status quo is single family zoning, a lack of adequate workforce housing, and racial segregation — it is not worth maintaining.** There are no community benefits from a segregated single family zoned community. There are no health and safety benefits of economic zoning. Keeping Marin racially segregated is not what we believe most residents want. In order to change this we must push back against the idea that Marin can never change. Everyone benefits when a community is inclusive.



A quote from Richard Rothstein's **The Color of Law** summarizes this need to change and acknowledge the harmful impacts of the history of housing. **"If segregation was created by accident or by undefined private prejudices, it is too easy to believe that it can only be reversed by accident or, in some mysterious way, by changes in people's hearts. But if we—the public and policy makers—acknowledge that the federal, state, and local governments segregated our metropolitan areas, we may open our minds to considering how those same federal, state, and local governments might adopt equally aggressive policies to desegregate."**

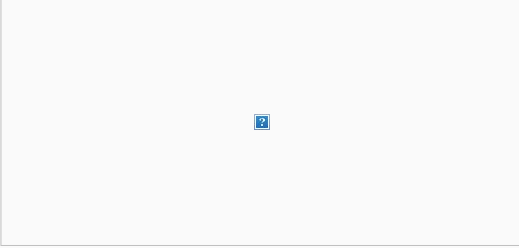
The only way to accomplish this is to support the building of more housing. White residents in particular need to advocate for a more affordable and integrated county. The challenges commonly cited - traffic, crime, water, and environmental impacts - are not issues


caused by housing and cannot be addressed by refusing to build housing. Communities benefit from integration. If we feel scared to see our neighborhood implement more housing, we need to ask ourselves why. What are we upholding? Why must everything stay stuck in time and never change? Marin County is a beautiful place that is highly sought after for a reason, but it is a disservice to all residents to not acknowledge our racist past and change things now. **Everyone deserves a chance to call Marin home, or, said differently, are we for JUSTICE, or JUST US?**

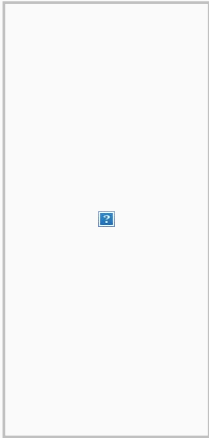
#### RESOURCES

- Arbitrary Lines** by Nolan Gray  
[https://www.amazon.com/Arbitrary-Lines-Zoning-Broke-American-ebook/dp/B09ZRXX22M/ref=tmm\\_kin\\_swatch\\_0?encoding=UTF8&qid=1697139743&sr=8-1](https://www.amazon.com/Arbitrary-Lines-Zoning-Broke-American-ebook/dp/B09ZRXX22M/ref=tmm_kin_swatch_0?encoding=UTF8&qid=1697139743&sr=8-1)
- Creating the Urban Dream**, by Clay Grubb  
[https://www.amazon.com/Creating-Urban-Dream-Affordable-Compassion-ebook/dp/B0855K177V/ref=tmm\\_kin\\_swatch\\_0?encoding=UTF8&qid=1697139835&sr=8-1](https://www.amazon.com/Creating-Urban-Dream-Affordable-Compassion-ebook/dp/B0855K177V/ref=tmm_kin_swatch_0?encoding=UTF8&qid=1697139835&sr=8-1)

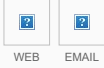
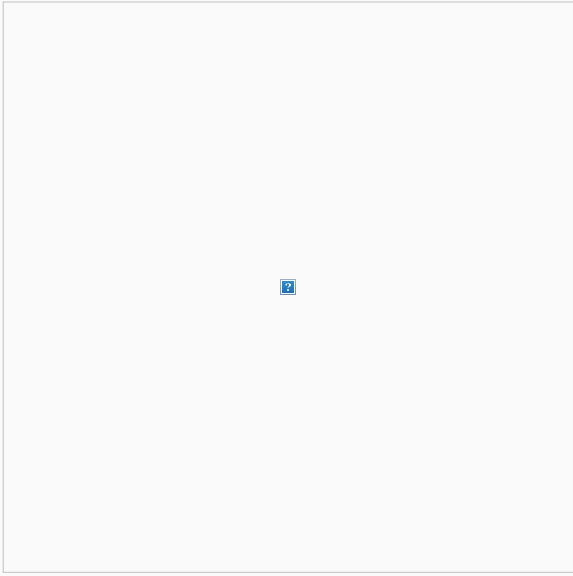
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San Rafael, CA 94912

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October 21, 2023

Re: **Draft STR Ordinance / Stinson Beach**

Dear Marin County Planning Commissioners,

I've owned the property at 28 Calle del Pinos in Stinson Beach for 19 years. Since then, it has been a part time Vacation Rental (now STR) and a vacation home for my personal use. Prior to my ownership, it was a part time vacation rental for 12 years, with a live-in owner.

I would like to comment on the following items on the Draft STR Ordinance:

**STR designation:**

I am a Marin County architect with a 40-year practice in many of the local jurisdictions. Per my professional experience, properties have never been "zoned by ownership". So, it brings to the attention that the STR designation, in the Draft STR Ordinance, does end when the property changes ownership. STRs are a designated residential use and do not need a Use Permit, consequently the STR denomination remains with the property and it would make sense to grandfather it to the property.

If the STR use is attached to the owner, the owner can sell the property and then use the STR at a different property within the County.

When a property loses its STR designation it also becomes not affordable to those with a more limited income who will need to supplement the cost of mortgages and additional expenses with the income provided by a part time STR to sustain a beach property. When the STR designation is lost, the property can only be affordable to the 1% earners, converting our County Coast into the "Malibu of the North", where only the superrich can have ownership to a beach front property.

Please keep the STR designation attached to the property, as it legally should be, and grandfathered to the property.

**Parking:**

At Calle del Pinos, where my house is located, only 3 properties out of 15 have on site parking. We all have assigned-on street parking with tastefully displayed signs. All the neighbors and their guests respect the signage and the assigned parking. Please remove the on-site parking

requirement since it is not applicable in many locations at the Calles and Patios in Stinson Beach.

**Overregulating:**

The Draft STR represents an unnecessary burden to those of us that have a harmonious relationship with our neighbors. For several years, at Calle del Pinos, we have looked out and helped each other, as in a good community should be. We have created solutions that apply to our street for road maintenance, bridge repair, hardscape, landscape, noise, garbage, etc. We let each other know if we are having a large gathering and if cars will be in and out beyond the usual pattern. Our system and cooperation work very well for us, so the **OVERREGULATING** is an additional and unnecessary burden for the small STR operators that we are. Per your ordinance descriptions, it will also become a financial burden.

Please simplify your draft to be more of a general guidance for STR operators and away from the rigid rules and regulations that do not apply to the West Marin Communities, their particular neighborhood needs and the harmonious relationships within their community.

Thank you for your consideration,

Elida

**Elida Doldan Schujman, AIA, CID**  
**Architecture Studio**  
**316 Sycamore Ave.**  
**Mill Valley, CA 94941**  
**415.381.3536**

[elarchst@sbcglobal.net](mailto:elarchst@sbcglobal.net)  
[www.architecturestudioonline.com](http://www.architecturestudioonline.com)



# MARIN COUNTY FARM BUREAU

P.O. Box 219, Point Reyes Station, CA 94956 · (415) 663-1231 · [manager@marincfb.com](mailto:manager@marincfb.com)

November 10, 2023

Marin County Planning Commission  
Marin County Community Development Agency  
3501 Civic Center Drive  
San Rafael, CA 94903

RE: Draft Short Term Rental Standards Update

Dear Marin County Planning Commissioners and Marin County Community Development Agency;

Marin County Farm Bureau supports the agriculture exemption in the proposed Short Term Rental ordinance, thank you for this change. Marin County Farm Bureau supports continuing to categorize short term rentals as a compatible use on agriculture land.

We continue to support the allowance of farm stays on agricultural land with minimal regulation.

Marin County Farm Bureau is a voluntary membership organization that represents the interest of agriculture in Marin County. Marin County Farm Bureau is a grassroots organization that works to secure the future of agriculture and aims to find solutions to the problems of the farm and rural community. Farm Bureau strives to protect and improve the ability of farmers and ranchers engaged in production agriculture to sustainably and viably provide a reliable supply of food and fiber.

Sincerely,

A handwritten signature in blue ink that reads "Martin Pozzi".

Martin Pozzi  
1<sup>st</sup> Vice Chair, Marin County Farm Bureau

**From:** [Joanne DeMarchena](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Dennis Rodoni](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Monday, November 13, 2023 10:38:32 AM

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I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing.

West Marin should remain accessible and open to visitors who want to enjoy the scenic nature and beauty that the county has to offer. West Marin is home to some of the most beautiful parks, beaches, and forests in the country and three national parks, all of which attract millions of visitors every year. West Marin has always been a destination for families across the region and the broader county, and I believe it should stay that way.

Marin County has not shown any data or rationale that justifies such a drastic change in policy. On the contrary, the damage the caps place on short-term rentals, as well as the onerous restrictions on hosts, will most certainly harm local businesses and further drive out already struggling middle class neighbors who depend on tourism revenue.

I recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin.

Thank you,  
Joanne DeMarchena

BRISCOE IVESTER & BAZEL LLP

235 MONTGOMERY STREET, SUITE 935  
SAN FRANCISCO CALIFORNIA 94104  
(415) 402-2700

*Tony Francois*  
(415) 402-2707  
tfrancois@briscoelaw.net

October 23, 2023

By email only to: [planningcommission@marincounty.org](mailto:planningcommission@marincounty.org)

Marin County Planning Commission  
Attn.: Planning Commission Secretary  
Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael CA 94903

Subject: Marin County Planning Commission Meeting October 23, 2023  
Agenda Item 4, Proposed Short Term Rental Ordinance

Dear Members of the Marin County Planning Commission:

We are writing on behalf of Stinson Beach Visitor Association to address certain aspects of the currently proposed permanent ordinance regulating short term rentals in unincorporated areas of Marin County. The Stinson Beach Visitor Association represents the interests of a large number of short term rental owners and operators and related businesses and individuals in several West Marin coastal communities.

We question the legality of the short term rental caps in the proposed ordinance on the following grounds:

First, the caps and subsequent declining caps on short term rentals in the proposed ordinance would prohibit some owners and operators who are currently using their property as short term rentals from continuing that legal use in the future. As to all of those property owners and operators who are currently legally using their property for short term rentals, their legal use is vested and both the cap and declining cap will deprive some number of them of the vested legal use of their property without due process or just compensation, in violation of California and federal law. A very large number of the existing legal uses of these properties as short term rentals have been ongoing for decades, and for generations of visitors.

Second, the cap and subsequent declining cap on short term rentals in West Marin will reduce the intensity of use and reduce access to coastal resources in the coastal zone in Marin County. While the current staff report indicates that an amendment to the Local Coastal Plan is contemplated, a Coastal Development Permit is also required for an ordinance that reduces intensity of use and access to coastal resources through reduction in the availability of short term

BRISCOE IVESTER & BAZEL LLP  
Marin County Planning Commission  
October 23, 2023  
Page 2

rentals in the Coastal Zone. See *Greenfield v. Mandalay Shores Community Association* (2018) 21 Cal.App.5th 896 (banning short-term rentals where they had previously existed was a change in intensity of use requiring CDP).

Third, the cap and subsequent declining cap will have the effect of replacing single round trip vehicle trips from various Bay Area origins to West Marin with multiple round trips, by those who could not obtain short term rentals but wish to enjoy multi-day vacations on the West Marin coast. This will increase congestion on Highway One and local roads as well as on Highway 101, the Golden Gate Bridge, and likely Highways 37 and 580. The County has a legal obligation under the California Environmental Quality Act to examine these traffic impacts in an Environmental Impact Report, along with the comparative impacts of alternatives to the proposed ordinance, and to fully mitigate to the traffic impacts to the extent feasible.

We thank you for considering these concerns and are prepared to discuss potential modifications to the proposed ordinance which would address them.

Sincerely yours,

BRISCOE IVESTER & BAZEL LLP

A handwritten signature in black ink that reads "Tony Francois". The signature is written in a cursive style with a large initial "T" and "F".

Tony Francois

BRISCOE IVESTER & BAZEL LLP

235 MONTGOMERY STREET, SUITE 935  
SAN FRANCISCO CALIFORNIA 94104  
(415) 402-2700

*Tony Francois*  
(415) 402-2707  
tfrancois@briscoelaw.net

November 13, 2023

By email only to: [planningcommission@marincounty.org](mailto:planningcommission@marincounty.org); [str@marincounty.org](mailto:str@marincounty.org);  
[KKilgariff@MarinCounty.org](mailto:KKilgariff@MarinCounty.org)

Marin County Planning Commission  
Attn.: Planning Commission Secretary  
Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael CA 94903

Subject: Marin County Planning Commission Meeting November 13, 2023  
Agenda Item 4, Proposed Short Term Rental Ordinance

Dear Members of the Marin County Planning Commission:

We are writing again on behalf of Stinson Beach Visitor Association to address certain aspects of the currently proposed permanent ordinance regulating short term rentals in unincorporated areas of Marin County. The Stinson Beach Visitor Association represents the interests of a large number of short-term rental owners and operators and related businesses and individuals in several West Marin coastal communities.

We are including a copy of our October 23, 2023, letter on this subject, since it appears that this letter may not have been circulated or included in the record. We do not see it included, for example, in the staff's Second Supplemental Memorandum, dated November 7, 2023. We restate the comments made in that letter.

We note that the current version of the proposal makes some improvements in the problem of depriving property owners of vested rights in the use of their property. However, the basic problem caused both by the initial and declining cap on short term rentals in Marin County remains. As set forth in our October 23 letter on this point, any property owner whose ability to continue making what is currently a legal use of their property has a vested right in that legal use, and the county wide and local caps will deprive at least some of those owners of that right. This will give rise to takings liability on the part of the County, under the Fifth and Fourteenth Amendments to the U.S. Constitution, as well as under the California Constitution.

Nor have the staff documents and proposed resolution adequately addressed the point, raised in our October 23 letter, that the County will require a Coastal Development Permit (and

BRISCOE IVESTER & BAZEL LLP  
Marin County Planning Commission  
November 13, 2023  
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not merely amend the Local Coastal Plan) in order to enforce the caps in the short-term rental ordinance. As stated in our last letter,

the cap and subsequent declining cap on short term rentals in West Marin will reduce the intensity of use and reduce access to coastal resources in the coastal zone in Marin County. While the current staff report indicates that an amendment to the Local Coastal Plan is contemplated, a Coastal Development Permit is also required for an ordinance that reduces intensity of use and access to coastal resources through reduction in the availability of short term rentals in the Coastal Zone. See *Greenfield v. Mandalay Shores Community Association* (2018) 21 Cal.App.5th 896 (banning short-term rentals where they had previously existed was a change in intensity of use requiring CDP).

It is likely the case that an LCP amendment is necessary, but such an amendment is not adequate. Any reduction in the intensity of use, and/or reduction of access to coastal resources, requires a CDP. That CDP must be consistent with the LCP, but the LCP is not adequate on its own. The County will have to go through both steps to enforce the caps in the proposed ordinance.

We thank you for considering these concerns and are prepared to discuss potential modifications to the proposed ordinance which would address them.

Sincerely yours,

BRISCOE IVESTER & BAZEL LLP

A handwritten signature in black ink that reads "Tony Francois". The signature is written in a cursive, slightly slanted style.

Tony Francois



**From:** [Mary Tesluk](#)  
**To:** [PlanningCommission](#); [Kathleen Kilgariff](#); [Dennis Rodoni](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Reject the September 2023 Draft Regulations on Short-Term Housing  
**Date:** Monday, November 13, 2023 11:57:32 AM

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Some people who received this message don't often get email from marytesluk@gmail.com. [Learn why this is important](#)

Dear Commission,

I am writing to express my strong opposition to the September 2023 Draft Regulations on Short-Term Housing.

I attended the October 23rd Planning Commission meeting and listened with an open mind to all the speakers. I had hoped to share my experience but had to leave after 2 hours. Here are my observations and input on this matter:

- This is a complex issue that would have a lasting impact on several communities in West Marin, including some of those whom the opposing side wants to support—the underserved and working-class members of these communities;
- The 2023 Draft Regulations team is in a rush, and appears to be trying to conflagrate this issue by way of the 2024 expiration of the county moratorium on STRs;
- There are communities in West Marin that can not —by virtue of the historical real estate usage and home ownership—contribute to providing affordable housing if STRs were to cease in those areas;
- This ordinance in fact discriminates against those who would like to visit and enjoy West Marin communities for vacations and get-aways—it effectively would shut off such opportunities;
- The Draft Regulations would have a rippling negative impact on the many small businesses that depend on visitors to these areas—house cleaners, recreational services, gardeners, home repair persons, boat rentals, surf shops, restaurants, grocery stores, art galleries, photography services, caterers, etc. The list is long. Has a detailed, comparative economic study been done to see what the impact of loss of visitors would have on these many small businesses or individuals (many of whom are residents of the greater West Marin region)?

Areas such as Dillon Beach, Bodega Bay, and Seadrift are examples of vacation home communities that are not feasible solutions for affordable housing. They are either permanent housing or second homes that are rented out to visitors as a means to defray high property expenses. On October 23rd, I heard several compelling testimonies from home owners in these areas, and want to add mine to the arguments against this unfair ordinance. Additionally, communities such as Point Reyes Station have built affordable homes in town as a actionable solution to their housing issues. No one is saying affordable housing in West Marin is not real, but this ordinance is not the solution.

I can only speak from my personal story, of becoming a home owner in Seadrift, in Stinson Beach. Nearly 30 years ago, my husband and I were married in Bolinas and our extensive family came from all over the country to rent homes in Seadrift to help us celebrate. We had over 7 homes rented and it was the beginning of our love affair with this precious area. For us, renting Seadrift homes over the years was the only way we could continue this tradition of being outdoors, on the coast, and close to home in San Francisco. It has always been an affordable getaway for us. Five years ago, a dream came true, and we were able to buy a small, older home on Dipsea Road. This was not the perhaps more common, all-cash purchase, nor an inheritance, but we knew we could rent this slice of heaven to help defray its monthly costs, which we have done since our purchase. One renter had been diagnosed with breast cancer and was at our home when her hair began to fall out—she told us later it was a comforting place to begin her chemo journey and she is forever grateful that she

could rent our home at that time. Another family from the valley was about to send their son off to college and staying at our home was a special getaway before his send-off, and one that they could afford. Another guest was a young, exhausted family that was able to take their first family vacation with their young girls, in relative peace and quiet. Limiting STRs in Seadrift would rob people like these from the restorative, bonding, memorable and often affordable experiences here as renters.

Limiting STRs in Seadrift will do no good whatsoever for those West Marin residents struggling to find permanent housing in the area. Historically, Seadrift was designed as a vacation home hamlet, with no schools connected to it or typical, long-term infrastructure. Please consider voting against this ordinance and pursuing real solutions such as the **Point Reyes Affordable Homes** in Pt. Reyes Station.

I recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin. I appreciate your time and hope that extensive thought is invested in considering the nuances of this proposal and its real, damaging impact.

Thank you -  
Mary Tesluk

**From:** [Chenin Kenig](#)  
**To:** [STR](#)  
**Subject:** Fwd: Stinson Beach STR Comments  
**Date:** Monday, November 13, 2023 12:32:24 PM

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Dear Commissioners,

Thank you for your service to Marin County.

I'd like to offer my comments in regards to the short term rental regulations proposed, specifically to Stinson Beach.

My family built a house in Seadrift in the early 1980s. I lived in Stinson full time for much of my childhood and when we moved over the hill to Larkspur, we continued to spend weekends and holidays at our beach house. It was always our happy place. My family was able to keep that house for as long as they did by supplementing costs with short term rentals through Seadrift Realty. Unfortunately, when financial hardships fell, my family sold the house in the mid 1990s.

Now, raising my own family in Marin, I am determined to give my children that same experience - developing a love for the beach and for the community of Stinson. Unfortunately, due to exorbitant real estate costs, buying a house is not even a consideration. But, we rent several times a year, achieving our goal of building connections for my family.

If the proposed regulations are approved, I fear this will no longer be a reality. With fewer short term rentals available, I feel the community will lose many families who have kept it in their hearts for years or even decades. Additionally, I worry this will create an even bigger divide between the uber wealthy (those able to buy homes) and the established residents of Stinson. We regular visitors often bridge this gap while also supporting the businesses and local organizations in town.

Thank you for your consideration of my comments.

Best,  
Chenin Woodbury Kenig