



COMMUNITY DEVELOPMENT AGENCY

Brian C. Crawford
DIRECTOR

March 13, 2018

Marin County Civic Center
3501 Civic Center Drive
Suite 308
San Rafael, CA 94903
415 473 6269 T
415 473 7880 F
415 473 2255 TTY

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: Ordinance on posting signs for short term rentals

Dear Supervisors,

RECOMMENDATION:

Continue the hearing on posting signs for short term rentals for the Board subcommittee and County staff to review public comments and consider alternatives to posting signs. A revised ordinance will be proposed to the Board at a future date to be determined.

Building and Safety
Environmental Health Services
Planning
Environmental Review
Housing
Sustainability
Code Enforcement
GIS
Federal Grants

REVIEWED BY:

<input type="checkbox"/> Department of Finance	<input type="checkbox"/> N/A
<input checked="" type="checkbox"/> County Counsel	<input type="checkbox"/> N/A
<input type="checkbox"/> Human Resources	<input type="checkbox"/> N/A

www.marincounty.org/cda

SIGNATURES:

Reviewed By:

Jeremy Tejrjian
Planning Manager

Brian C. Crawford
Director

Attachments:

1. Beacock comments, received 3-6-18
2. Garske comments, received 3-5-18
3. Gonzales (HomeAway) comments, received 2-26-18
4. Dinno comments, received 2-24-18
5. Hirsch comments, received 2-20-18

Tejirian, Jeremy

From: Katie Beacock <seadriftkatie@gmail.com> on behalf of Katie Beacock <katie@seadriftrealty.com>
Sent: Tuesday, March 06, 2018 2:44 PM
To: Tejirian, Jeremy
Cc: Rodoni, Dennis
Subject: Short term signage

I am so pleased that you have decided to take more time to research the options for Short Term Rental signage. As I said at the February 13 meeting, there have to be better ways than to basically advertise that a home is likely vacant part time.

I strongly urge you to consider a system similar to what is done when someone in a neighborhood is planning to build or remodel when nearby neighbors are informed by snail mail. I encourage you to discuss this with local constituents who will have the signs in their neighborhood and listen to their thoughts. How do HOA's deal with them now? Surely there are less obtrusive ways that affected neighbors can let homeowner's know that a renter is creating a problem. It also would do nothing with the rentals that currently do not have a business license or TOT number. Seems like in many cases those are the rentals that will be a problem. Can't someone at the County go online and just find all those who don't have a license through online advertising. Then as part of that process a Homeowner would be registered with contact information for neighbors to access through a website and mail notification.

We all need to work together to address the issues brought about by the increase in these rentals in communities that have not had them before.

I am anxious to partner with you in any way you might find helpful.

Katie Beacock

Katie Beacock

Owner, Seadrift Realty, Inc.

Box 177

Stinson Beach, ca 94970

415-868-1791 Office

415-699-3558 Cell

Katie@seadrift.com

2005 Realtor of the Year Marin Association of Realtors

2009 President Marin Association of Realtors

2014 Regional Chair California Association of Realtors

CALBRE#01197087

BOS ATTACHMENT #1

Tejirian, Jeremy

From: Sears, Kathrin
Sent: Monday, March 05, 2018 4:28 PM
To: Tejirian, Jeremy; Lai, Thomas
Cc: Rodoni, Dennis
Subject: FW: Safety Concerns re: Requirement to Post Sign for Short Term Rentals

FYI

Supervisor Kathrin Sears
Southern Marin - 3rd District, County of Marin
3501 Civic Center Drive, Suite 329
San Rafael, CA 94903
P: 415.473.7331 F: 415.473.3060

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From: dmgarcke@gmail.com [mailto:dmgarcke@gmail.com]
Sent: Monday, March 05, 2018 3:04 PM
To: Sears, Kathrin
Subject: Safety Concerns re: Requirement to Post Sign for Short Term Rentals

Donna Garske would like information about:

Supervisor Sears: I am writing to ask for your support to disengage in any effort on the part of the County to require homeowners currently offering short term rentals (or those who plan to in the future) to post a public sign revealing their name, phone number, etc.

While I applaud your effort to find solutions to Marin's housing shortage problem, escalating rent costs, and neighbors' complaints about short-term rentals, there are unintended consequences to what the County is considering that must be factored into this policy discussion.

Although I am writing to you as a private citizen, you are aware that I have been a champion for women's safety in this community for years. From this vantage point, there are serious flaws in the proposed action that would increase vulnerability for women's safety in several ways:

- 1) Women who manage short-term rentals can also be working diligently to protect and minimize their public exposure due to a history of domestic violence/sexual assault, and/or their work in these respective fields. Public exposure of their names and contact information creates exposure and for some, would literally increase risk for harm making a short-term rental as an economic survival strategy, untenable.
 - 2) There are single women living alone who rent rooms to make ends meet as part of their strategy for being able to afford to live in Marin. For several reasons, renting the room full time might not be an option, such as the need to have space when family members visit, children arrive home, etc. Public exposure could increase vulnerability for single women who might be exposed as living by themselves through unwanted contact with strangers who approach the house for a look around and/or to find out more details about the rental.
 - 3) There are some parts of our community where it would be impossible to post without creating risk. I live in San Quentin Village. There is no way any of the single women living in the Village could post a sign on Main Street leading to a prison, without creating a vulnerability risk to their own safety. This concern would likely apply to any person(s) in the Village – it isn't a safe location for such public exposure.
- Perhaps you have not yet considered a review of your policy idea through the lens of women's equity. I want to

believe that once you factor this information into the discourse underway on this idea, you will concur that this policy is harmful to our community for many reasons (others have expressed concerns about exposure for increase theft and vandalism) as a public safety issue and simply stated, cannot be the solution to the problem that you are trying to solve. Therefore, I respectfully request that you take the action necessary to disengage the County's intent to require publicly posted signs for short term rentals.

Respectfully submitted,

Donna Garske



February 26, 2018

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

Dear Marin County Board of Supervisors:

On behalf of HomeAway and our Marin County homeowners who list their homes on our platform, I would like to thank you for the strong, balanced approach you have taken with the new short-term rental ordinance introduced on February 13, 2018.

Marin County stands out for its welcoming attitude toward tourism, and its understanding of the valuable role short-term rentals play in offering a diverse and attractive mix of accommodations to visitors. Marin County staff clearly recognize that with proper regulations in place, the entire community can share in the benefits created by short-term rentals.

HomeAway believes that constructive partnerships between homeowners, city or county staff, and tourism-driven businesses are the most effective way to address concerns and ensure the system runs smoothly. In that spirit of partnership, I would like to offer any additional assistance we can provide, including working directly with your staff to ensure our owners meet county standards.

Please feel free to contact me directly with any questions. I can be reached at 512.505.1615 and by email at wgonzales@homeaway.com.

Thank you for your time and consideration. We look forward to the adoption of the ordinance at your March 13, 2018 Board of Supervisors meeting.

Sincerely,

A handwritten signature in blue ink, appearing to read "Walter R. Gonzales".

Walter R. Gonzales
Government Affairs Manager
HomeAway

Tejirian, Jeremy

From: Sears, Kathrin
Sent: Wednesday, February 28, 2018 10:24 AM
To: Tejirian, Jeremy
Subject: FW: Sign Posting Ordinance (Oppose)

fyi

Supervisor Kathrin Sears
Southern Marin - 3rd District, County of Marin
3501 Civic Center Drive, Suite 329
San Rafael, CA 94903
P: 415.473.7331 F: 415.473.3060

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From: Rachel Dinno [mailto:RachelDinno@hotmail.com]
Sent: Wednesday, February 28, 2018 10:04 AM
To: Cordova, Lorenzo; djrodoni@gmail.com; drondoni@marincounty.org
Cc: Connolly, Damon; Arnold, Judy; Rice, Katie; Sears, Kathrin
Subject: Sign Posting Ordinance (Oppose)

Dear Supervisor Rodoni,

I write as a homeowner in Inverness in opposition to the proposal to place a sign on short-term rental homes. The unintended consequences of this proposal will negatively impact our community.

Visually Destroys the Neighborhood aesthetic of our Rural Community: A sign, visible from the street, changes the look and feel of a community. There is a reason that the full Board of Supervisors is not supporting a countywide-measure. Their communities would not allow the visual degradations of the landscape. Why are you lowering the aesthetic quality of our neighborhoods in West Marin?

Invites Property Damage & Creates Neighborhood Security Issues: Historically, West Marin homes were created as second homes, or more so as vacation homes. They have been and will continue to be vacation homes. These second homeowners are not going to change from short-term to long-term rentals. These are personal vacation homes. For the most part, they are empty. The owners occupy them occasionally with occasional renters. But, the majority of the time they sit empty. A sign notifies the public that the home is likely empty, which will invite vandalism and theft.

As a consequence of the County's action, property will be expose to vandalism and squatting. Is the County prepared to take responsibility for the property damage due to the Board's action? Is the Sheriff's department prepared for more calls to their office and more property inspections?

ALTERNATIVES TO SIGN ORDINANCE: The County has an opportunity to encourage neighbor collaboration. Alternatives to the draconian signage ordinance includes:

Inform Neighbors: Short-term rental owners can talk with their neighbors, inform their neighbors that their home is available for short-term rental, and provide their neighbors with their name and contact information if they have any problems. A mailing can be sent to neighbors with the contact information.

Further Limit the Pilot Project: As you, Supervisor Rodoni, stated in our conversation in January, the motivating complaints are coming from individuals in Bolinas and Stinson Beach. If that is the case, then limit the pilot project to those communities and not all of West Marin.

As you know, this proposed ordinance and other parallel efforts will limit visitors to the Point Reyes National Seashore. Marin County made a commitment to welcome visitors, yet this and other proposals to limit short term rentals will limit tourists from visiting, and more so staying, near Point Reyes National Seashore. I highly recommend that the Board of Supervisor study the economic benefits that visitors, especially overnight visitors, have on our local community before creating any measure that will deter visitors from experiencing the National Seashore, the local shops and restaurants, and our neighborhoods.

We need our leaders to properly assess challenges in our community and to engage the entire community in a solution. This proposal is mixing issues: by demonizing short term rentals you will not increase the number of long term rentals at the expense of short term rentals. And worse yet, the elected representative that is charged with representing the entire community is now creating measures that will pit constituents against one another, degrade our neighborhoods, and weaken the region's economic base.

Please, Supervisor Rodoni, take a step back, assess the larger problems, deploy county resources to study the economic impacts of visitors, and engage a larger public dialogue before proposing an ordinance or any finance mechanism. This ordinance does not solve the problem you are trying to address. In fact, you are only making problems worse.

Sincerely,
Rachel Taylor

PO Box 852
Inverness, CA 94937

Tejirian, Jeremy

From: sbh <bolinasbeachhouse@att.net>
Sent: Tuesday, February 20, 2018 11:54 AM
To: Tejirian, Jeremy
Cc: Rodoni, Dennis; Kutter, Rhonda
Subject: Re: Vacation Rental Signage for Short Term Rentals

Hi Jeremy, thank you for taking the time to discuss this issue with me last week. I had a chance today to review the proposed ordinance. At the outset I want to say that I support some regulation of these rentals, in particular ensuring compliance with the TOT. As I discussed with you last week, I don't think that this ordinance does this and is workable. And the goals, as I understand them, can be achieved by other means. Additionally they exacerbate an already contentious issue and increase the likelihood of security issues as well of harassment of visitors to the Coast. My understanding from our conversation is that this is a first step to get a handle on the short term vacation rental situation in west Marin, most notably Bolinas [where my husband I own a vacation home which we intermittently rent short term] and Stinson. The first steps that appear to be attempted to accomplish are #1, increase compliance with the TOT and #2 handle nuisance complaints. How a sign will increase compliance is a mystery to me. As I suggested, if folks want to know if a house is being used as a short term rental the department of finance should publish its payment rolls online. These rolls are most likely updated monthly as those of us who pay TOT must make payment on a monthly basis. And most of the rentals are listed on various websites. This is the 21st Century.

Regarding nuisance complaints. The owner/manager of the short term rental should be responsible for notifying neighbors re: local contact person etc. The Dept of Finance or CDA should require the owner/manager to forward the "sign" info to neighbors. Unless I missed it though, who is being impacted exactly by the nuisance? Are they neighbors? And are they defined in the ordinance? Is the reason for the sign because it could be anybody? Assuming neighbors are the ones impacted then the owner/manager should attest to notifying neighbors and to keeping this info up to date. At the issuance of the TOT or business license, the owner should sign a statement that this information will be distributed and updated and the ordinance will be complied with under penalty of...A county hotline for complaints would help sort through the nuisance issue and is seemingly more efficient than sending a person out to Bolinas or Stinson to see if there is a sign.

Right now the draft ordinance contains a lot of verbiage about penalties for not having a sign which seems to only apply to people already signed up for the TOT. So what are the penalties and plan for getting people on the TOT? Or addressing the nuisance issues of those who are not on it? Or for those on it who are able to be contacted but just blow it off. I know one instance of an owner who rents his house as a party house and when confronted with the nuisance issue merely keeps the security deposit from the visitor. He makes money while the neighbor who called the Sheriff and was kept up until 2 in the morning gets nothing but a sleepless night.

Enforcement of the current idea seems very difficult unless you want to encourage some kind of vigilante method by "concerned citizens". According to the draft ordinance you don't need to have a sign unless the house is being rented. Many folks, only rent weekends, so what happens on Monday when the county physically goes out to check compliance? The sign will be taken down. Or what if I have my family or friends spending the weekend or a week or a paying guest staying a month or more? How will this be sorted out relative to a sign? I can't figure out how enforcement will occur for either the posting or the nuisance. We have absolutely no intention of leaving such a sign up on days when we have no short term guests. And we have these guests only now and then. In our case we live in downtown Bolinas, which is a commercial area and which I have mentioned before, as a commercial area has a fair share of difficult folks. Remember this is the town that until recently had its own "Bolinas Border Patrol". The proposed signage opens up the possibility of harassment of our guests for merely being visitors to the town. And gives bad characters an opportunity to come onto our property. As stated at the outset, I think that the goals here can be achieved in other ways: online publishing of TOT list, requirement for owner/managers to notify "neighbors" and a complaint hotline.

Right now the signage feels like harassment of people who are complying with the TOT. These rentals offer opportunities and access for people to visit the coast. For us if this signage is passed we will stop short term rentals as soon as feasible as we don't want to subject ourselves and our family, friends and guests to this intrusion of our privacy.

Thank you for hearing my views. My husband and I cannot attend the March 13 meeting as we will be out of the area at that time. Hopefully other concerned neighbors will attend. And I look forward to hearing back about the issues that I have raised.

Sherry Hirsch

Sent from my iPad

> On Feb 15, 2018, at 12:12 PM, Tejirian, Jeremy <JTejirian@marincounty.org> wrote:

>

> Hi Sherry, I haven't seen the article in the Light yet, but I'll look for it. The Board office should be uploading the video of the hearing to their website soon, if they haven't already. In any case, I'm happy to discuss my response to the Board and this issue in general. Please feel free to give me a call. Thanks.

>

> Jeremy Tejirian

> PLANNING MANAGER

>

> County of Marin

> Community Development Agency

> 3501 Civic Center Drive, Suite #308

> San Rafael, CA 94903

> 415 473 3798 T

> 415 473 7880 F

> CRS Dial 711

> JTejirian@marincounty.org

>

>

>

> -----Original Message-----

> From: sbh [mailto:bolinasbeachhouse@att.net]

> Sent: Thursday, February 15, 2018 11:40 AM

> To: Tejirian, Jeremy <JTejirian@marincounty.org>

> Subject: Vacation Rental Signage

>

> Hi Jeremy, I got your contact info from Rhonda Kutter in Supervisor Rodoni's office. I read your comments in the Pt Reyes Light this morning about the the administrative difficulty of posting or mailing TOT compliance lists. I am not sure if the Light gave the whole story and it seemed as if you had other comments which I don't know. But how hard can it be to post this info online? The Marin County Tax collector sends out notices once a month and collects this TOT money. Are you saying that this info is not computerized? I don't understand. This is the 21st century! We have a house that we live in part time and part time offer as a vacation rental via HomeAway. Our house is on wharf Rd in Bolinas, 1/2 block from the bar and across from the dock. We already have to deal with difficult people on the street. Bolinas is already a contentious town. This is the town that until recently had folks riding around with "Bolinas Border Patrol" stickers on their vehicles. This does not help and opens up our guests to possible security and harassment issues. And unnecessarily so. I would like to understand what the difficulty is with using online access instead of what is proposed. Thank you for your help.

> Sherry Hirsch

>

> Sent from my iPad

>

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