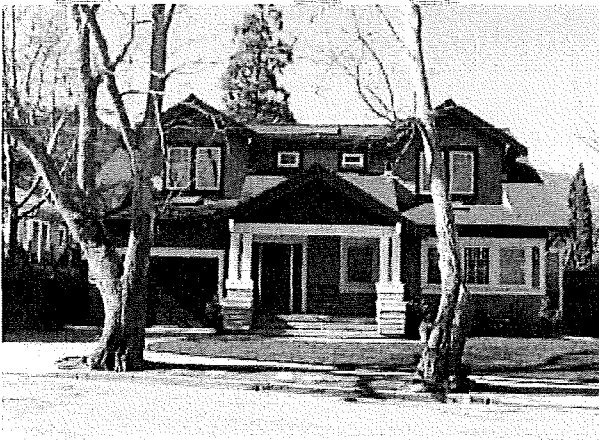


GUIDELINES FOR SHORT TERM RENTALS (Marin County Ordinance No. ____)

Marin County Ordinance No. ____ requires owners of all short term rental units to post an exterior sign that identifies the use of the property as a short term rental, along with the information for a contact person who is responsible for responding to complaints, and to pay applicable business license and transient occupancy taxes. These guidelines provide best management practices to ensure compliance with the intent and requirements of the ordinance.

1. The Local Contact Person is someone who lives in or near (preferably within 20 miles) from the short term rental who is either the property owner or a representative of the property owner and who can physically respond within 12 hours of receiving a complaint regarding the condition, operation, or conduct of the occupants of the short term rental, and who can take any necessary remedial action to resolve such a complaint.
2. The front of the property shall be posted with at least one sign, to be issued by the Department of Finance, which includes the name and phone number of the Local Contact Person, the street address of the short term rental unit, the business license number, and the transient occupancy tax certificate number. The sign shall be securely placed in the front of the property, at a height of three to five feet above the ground, in such a way that it is readily visible to the public from the adjacent sidewalk or street. At a minimum, the sign shall be posted while the unit is being used as a short term rental.

The following are examples of proper sign locations.



EXAMPLE 1: House near the street with sidewalk.

BEST: Sign mounted on the front porch or garage door.

Short Term Rentals in Marin County

Short term rentals shall comply with all applicable requirements of Marin County Code, including those governing loud noises, parking, smoking, intoxication, and refuse disposal. The following is a list of general requirements. For a full listing of all requirements of County Code, please visit:

https://library.municode.com/ca/marin_county/codes/code_of_ordinances

1. 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, hooting, whistling, or singing on public roads.

2. Parking (Marin County Code 24.04.340)

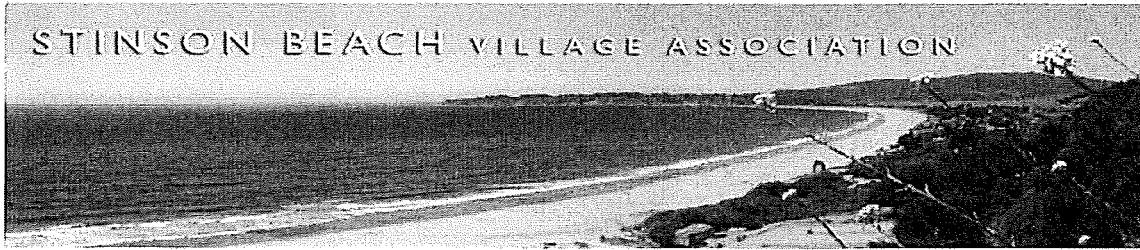
- Typically, two off-street parking spaces shall be provided for each residence. However, where on street parking is limited, four off-street parking spaces are required.

3. Emergency Access (California Fire Code 503.4 referenced)

- Parking shall not obstruct roadways less than 20' wide

4. Garbage (Marin County Code 7.00.020)

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



P.O. Box 706 • Stinson Beach • California • 94970
www.stinsonbeachvillage.org

July 24, 2018

Supervisor Dennis Rodoni
Marin County Civic Center
3501 Civic Center Drive, Room 329
San Rafael, CA 94903

RECEIVED

JUL 24 2018

COUNTY OF MARIN
COMMUNITY DEVELOPMENT AGENCY
PLANNING DIVISION

Dear Supervisor Rodoni,

The Stinson Beach Village Association (SBVA) circulated to its members and discussed in its July 7, 2018 meeting the draft ordinance establishing certain requirements for short term rentals in unincorporated Marin County, which will be the subject of a public hearing before the Board of Supervisors on July 31, 2018.

In summary, we believe it's a start, but agree that it largely ignores the devastating effects the unregulated conversion of long term rentals to short term rentals has had on Stinson Beach and the other communities in unincorporated West Marin. In our community, long term rentals are now practically nonexistent, denying affordable housing to individuals and families and forcing many to leave. The consequences have been profound, among which are the loss of hundreds of registered voters, the loss of students attending the local school district, the lack of housing for local business employees who now face long commutes, as do employees and volunteers who staff our fire department and emergency services.

As stated in the Marin County LCP Land Use Plan, Amendment 1, Section C-SB-1, adopted by the Board of Supervisors on April 21, 2018:

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.

It's a stretch to think how largely unregulated conversion of long term to short term rentals supports this goal, considering the extent to which it has eroded our community character and quality of life for the permanent residents who remain.

MARIN COUNTY BOARD OF SUPERVISORS

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING CERTAIN REQUIREMENTS FOR SHORT TERM RENTALS BY ADDING CHAPTER 5.41 NOTICE OF SHORT TERM RENTALS TO THE MARIN COUNTY CODE

SECTION I: FINDINGS

1. **WHEREAS**, the Marin County Board of Supervisors finds 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.
2. **WHEREAS**, on July 31, 2018, the Marin County Board of Supervisors held a duly noticed first reading of this Ordinance.
3. **WHEREAS**, on August 8, 2018, the Marin County Board of Supervisors held a duly noticed public hearing to take public testimony and consider this Ordinance.
4. **WHEREAS**, the project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it would not result in any potential environmental impacts.

SECTION II: ACTION

Chapter 5.41 of the Marin County Code is hereby added, as follows:

5.41 NOTICE OF SHORT TERM RENTALS

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.
Change to "31 days or less" to make monthly rentals of that length subject to the terms of this ordinance.
- B. The term "Local Contact Person" is defined herein as a person who lives in the community and is available to respond to Short Term Rental complaints.
- C. The term "Enforcement Officer" is defined herein as the Community Development Agency Director or his/her designee.
- D. 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

Inserted comments by Stinson Beach Village Association July 24, 2018

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.

- B. 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.

300 feet is too small a radius to include all the neighbors who might be bothered by noise. See our suggested inclusion "C" below.

- 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.

- 2) An affidavit from the owner certifying that the notice has been provided in conformance with this chapter at least 10 days prior to the owner applying for a new business license or renewing an existing business license shall be submitted to the Marin County Department of Finance at the time of application for a business license or business license renewal and the business license/renewal shall not be issued in the absence of such an affidavit.

This rule should also apply to holders of existing licenses.

C. Maintain an up-to-date online database of all licensed short term rentals 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. Written notification of the creation of and the URL of this database should be sent to all registered property owners and to all post office boxes within each community in unincorporated Marin County.

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:

We recommend changing the "quiet hours" to be from 10:00 p.m. to 9:00 a.m.

Inserted comments by Stinson Beach Village Association July 24, 2018

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.
 2. 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.
 3. 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.
 4. 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.
- B. 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).

Inserted comments by Stinson Beach Village Association July 24, 2018

SECTION IV: VOTE

Introduced at a regular meeting of the Board of Supervisors held on the 31st day of July, 2018, and adopted by the Board of Supervisors of the County of Marin, State of California, on the 7th day of August, 2018, by the following vote to wit:

AYES: SUPERVISORS

NOES:

ABSENT:

DAMON CONNOLLY, PRESIDENT
MARIN COUNTY BOARD OF
SUPERVISORS

ATTEST:

Matthew H. Hymel
Clerk of the Board of Supervisors

Tejirian, Jeremy

From: Ellen Selzer <ellen_clair@yahoo.com>
Sent: Sunday, June 17, 2018 4:17 PM
To: Tejirian, Jeremy
Subject: Short term rental issues

Dear Jeremy,

We live in an unincorporated area of Mill Valley California, (Tam Valley), and for the past 3 years have had to endure living next to a "hotel". Previous to the owners of the property who have now turned the house into a 24/7 Airbnb rental, we had a nice neighborhood, with quiet, respectful neighbors. We now live next door to a property which is basically a hotel without any limitations. EVERY DAY there are a new group of strangers coming and going, making noise, driving fast up and down the street, (which is a private drive with easement to this house), littering, and generally treating our neighborhood like a public playground.

We are taxpaying residents who have lived in our home for over 25 years and are now being subject to this transient, profit-making situation which affects us on a daily basis. The Los Angeles owner of the property purchased the house for the single purpose of turning it into a hotel under the guise of Airbnb. The likely pay no tax whatsoever on the business they are running as well, and have no care for anyone but themselves and their money making endeavor.

I implore you to continue to revisit this issue for taxpaying residents in whatever way you can, whether it be to ban them altogether, or place restrictions on the number of nights a property can be rented (yearly rentals). We recently read your public notice considering the Ordinance that would offer a hotline and also possibly enforce putting up signs on properties that are short term rentals. The hotline is a good idea, but the sign is NOT. Should you ask or require these businesses to post a sign telling us all it is a rental property it would deflate our housing values, and distress any possible sale of our property. **PLEASE DO NOT HAVE ANY SIGNS POSTED IN OUR NEIGHBORHOOD ADVERTISING AIR BNB PROPERTIES!! This is FREE BUSINESS ADVERTISING ON PRIVATE PROPERTY!!!**

This short term rental situation is causing havoc in ways that no one can understand unless they are forced to endure it. I appreciate your attention to this and will also reach out to the Mill Valley governments when I find out who those contacts might be. We appreciate you sharing this with the Marin County Supervisors, for their continued gathering of information for the citizens of Marin who are having to deal with this situation. I would greatly appreciate it. Thank you for your support and time.

Best regards,

David and Ellen Selzer