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October 17, 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 - September 2023

Dear Planning Commissioners and Supervisors:

The following comments are submitted in response to the "Draft Short Term Rental Standards - September 2023" ("DSTR Standards"). Unless stated otherwise, all terms used herein that are defined in the DSTR Standards have the meaning as defined in that document.

I have owned a home and lived full time in Bollinas continuously since 1986. My children were all born here, attended the local public schools and Tamalpais High School. My wife, Nancy Torrey, and I have both been engaged members of the community from the time we first moved here to the present including, for example: founding (with 1 other family) and providing the initial funding for the Bollinas-Stinson School Foundation; serving as a Director of the Bollinas Community Center (8 years); starting and leading a local Girl Scout troupe (over 10 years); serving as a Director and Officer of the West Marin Scholarship Fund (6 years); serving as a Director of the Bollinas Fire Department; volunteering in Point Reyes National Seashore (over 10 years, NPS Volunteer of the Year - 2017); creating the docent program on Duxbury Reef with Environmental Action Committee of West Marin; providing legal services pro bono, fundraising, building design, and other assistance to the faculty and administration of the College of Marin for the rebuilding of COM's science field laboratory in Bollinas. We deeply care about our community. From the vantage of that activity, we have observed the significant negative impact that STRs have had on our small community. Consequently, the regulation of STRs is a matter of great concern to us.

There are a number of aspects of the DSTR Standards which I believe are problematic.

However, I have limited myself to three, set forth in parts I, II and III below.

I

STR LICENSES SHOULD BE GRANTED ONLY TO “NATURAL PERSONS”

The DSTR Standards contain a number of provisions which correctly and reasonably proscribe specific actions by owner's of STRs, and should be included in the final DSTR Standards. However, although those provisions would be effective in those instances where the STR's owner is a Natural Persons or a family trust, as a practical matter they will be ineffective when applied to, and easily avoided by, any owner that is not a Natural Person (or a family trust), for example, a corporation, a limited liability company (“LLC”), or a limited partnership (“LP”).

The root of this problem is that there is no public record in which the owners of those entities are required to be named. In addition, those entities can wholly own one or more other entities, often stacking them inside each other and thereby conceal even the identity of the common owning entity which is the real party in interest. For example, a corporation wholly owning at a 2nd tier several LLCs or other corporations, each of which might itself wholly own other 3rd tier entities in which title to the STR is held and recorded.

Section IA contains a brief summary of the relevant statutory and regulatory landscape. Section IB contains a discussion of some of the provisions of the DSTR Standards that are ineffective when applied to STRs owned by non-Natural Persons.

A. The Statutory and Regulatory Landscape Preserving the Privacy and Anonymity of Owners of Corporations, Limited Liability Companies and Limited Partnership.

- **Corporation.** As a general matter, there is no federal or state requirement that a corporation disclose the identity of its shareholders.¹ Although a corporation is required in

¹ Under the Securities Exchange Act of 1934 a very limited Federal exception exists. The exception applies only to those corporations which have “registered securities”, that is, less than 0.1% of all corporations. A corporation has “registered” securities if it either: (a) has some security (shares or bonds) it has issued traded on a national securities exchange (see Section 12(a) & (b) of the Act); or (b) is required to be registered because: (1) the corporation is engaged in a business affecting interstate commerce and securities and (2) its securities are held by either (I) 2,000 persons or (ii) 500 persons who are not accredited (i.e. high income/wealthy) investors and (3) the corporation has total assets exceeding \$10,000,000 (see Section 12 (g)(1) of the Act). Corporations that have registered securities are required to identify only those shareholders who are officers, directors or owners of more than 5% of the class of voting shares. Obviously, even in the case of a corporation with registered securities, the identification of the natural persons who are the real parties in interest in the STR can be easily evaded by the creation of tiered entities in which to hold title to the STR.

California to file a biennial information statement disclosing its officers and directors, there is no requirement for disclosure of shareholder identity. Moreover, officers and directors need not be shareholders, and the addresses disclosed for even officers and directors may be - and usually are - only the business address of the corporation, not the residence address of any identified officer or director. Corp. Code § 1502(a).

- **Limited Liability Corporation** (“LLC”). The anonymity of ownership of an LLC is similar to that enjoyed by shareholders in a corporation. The existence of an LLC begins upon the filing of articles of organization with the Secretary of State. The person who executes the articles need not be an owner/member or manager/officer of the LLC. In addition, the articles need not disclose the names of the LLC’s members/owners or even of the LLC’s manager. Corp. Code §§ 17702.01, 17702.03. An LLC must also file a biennial statement of information disclosing the identity of the LLC’s manager, which may be a corporation or another entity, and of its chief executive officer if it has elected or appointed one, and provide either their residence address or their business address. Corp. Code §§ 17702.09; also see Secty of State Form LLC-12 instructions at §§ 5 & 8.

- **Limited Partnership** (“LP”). A limited partnership also provides anonymity of ownership similar to that of a corporation. The certificate of limited partnership filed with the Secretary of State in order to create the LP need not disclose the names of the limited partners, nor the amounts of their partnership interest. However, the certificate must state the name of the general partner of the LP who manages the business. Although the general partners, unlike the limited partners, has no financial interest in the profits of the LP, the assets of an LP are owned in the name of the general partner. *Everest Investors 8 v McNeil Partners* (2003) 114 Cal.App. 4th 411, 424. It is not necessary that a Natural Person serve as a general partner of an LP. A corporation or a LLC may be the general partner. Moreover, the shareholders, officers and directors of the corporate general partner (or the members and managers of the LLC general partner) may also be limited partners in the LP without losing their anonymity. Corps Code § 15903.03(b)(1). Consequently, as an example, the owners/shareholders of a closely held corporation can create a LP for which their closely held corporation is the general partner and in which the shareholders are the limited partners, thereby wholly preserve their anonymity and privacy, enjoying the financial and tax benefits of a partnership form of ownership of the asset with no personal liability for the enterprise that they are personally managing.

B. Although Reasonable and Enforceable When Applied to Natural

It is instructive to note that the issue of the inability to determine who owns and controls corporations was addressed at the meeting of the 2013 G8 Summit in the context of discussing measures to clamp down on money-laundering and tax evasion. At that Summit it was agreed that accurate and current ownership information, while not presently accessible, should be accessible to onshore law enforcement and tax authorities. Gibson Dunn Memo, June 20, 2013, <http://www.gibsondunn.com/publications/pages/Through-Looking-Glass-Disclosure-of-Ultimate-Ownership-and-G8-Action-Plan.aspx?utm>. A decade later this problem has still not been addressed by the Western democracies and it is doubtful that Marin County will solve it to control short term rentals.

Persons (And Their Family Trusts), and Should Be Retained in the Final STR Standards - Some Restrictions in the DSTR Standards on Short Term Rental Ownership and Licenses Will Not Be Enforceable Against Corporations, Limited Liability Companies and Limited Partnerships. This Will Provide a Further Advantage to Non-Natural Persons in the West Marin STR Market; an Advantage Which Will Encourage the Formation of Corporate Entities for Ownership of STRs, Promote Anonymity in and Disengagement of Owners from Small Rural Communities and Further Erode Those Communities

The following three provisions of the DSTR Standards are not enforceable against owners that are corporate entities, that is, corporations, LLCs or LPs. They can only be enforced against Natural Persons (and family trusts) that are owners.

1. "Short term rental licenses are not transferable." DSTR Standards ¶ 5.41.040 A.

If the owner is a corporate entity the license is easily transferred to new real parties in interest simply by their purchase of that corporate entity (or in the case of a LP, their substitution as limited partner members of the LP) while the corporate entity (or the general partner in the case of an LP) retains title to the property and as a consequence not changing the legal owner of the property.

2. "Only one license shall be issued per short term rental property owner." DSTR Standards ¶ 5.41.040 B.

There is no public record of the identity of the owner(s) of a corporation, LLC or LP (an LP has the additional feature that the general partner can be a corporation or an LLC). For reason of the anonymity and privacy afforded to the owners of corporations, LLCs, and LPs, such entities can and do easily create wholly owned entities, each such owned entity itself owning one property. Stacking of entities and the creation of multiple tiers of wholly owned subsidiaries further conceals the identity of the common true owner.

3. "The term of the license expires immediately and automatically upon any change of ownership of the property." DSTR Standards ¶ 5.41.040 C.

This is impossible to enforce against corporate entities as there is no public record of the identity of owners of corporations, LLCs or LPs. Shares in a corporation or LLC are easily transferred from one person to another with no public record of the transfer. In the case of an LP, title for the LP is in the name of the general partner, and the general partner may remain unchanged (continue in the same name) while either or both the following occur: (a) new persons become members of the LP; and/or (b) where the general partner is a corporation or an LLC, the shares in that corporation or LLC are transferred to a new owner.

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II

MARIN COUNTY'S INTEREST IN (1) SATISFYING CALIFORNIA'S REGIONAL HOUSING NEEDS ALLOCATION FOR 2023-2031, (2) PROMOTING THE AVAILABILITY OF MORE "AFFORDABLE" HOMES, AND (3) SATISFYING THE COASTAL COMMISSION MANDATES FOR COASTAL ACCESS, CAN ALL BE BEST SERVED BY SUNSETTING ALL CURRENT LICENSES FOR UNHOSTED STRS TO EXPIRE EFFECTIVE ON OR BEFORE JANUARY 31, 2028.

For each of the below reasons, the DSTR Standards should be amended to provide that the licenses of all currently unhosted STRs should be terminated no later than by January 31, 2028 and none issued to be effective after that date, if the license is not terminated sooner for reason of nonrenewal or violation of the final STR Standards.² Applications for licenses for any structure that is not currently licensed as a unhosted STR should be denied.

1. Allowing Any Unhosted STRs Is Inconsistent with Efforts to Create More Housing for People to Live In.

There are currently approximately 3,450 parcels in the 15 West Marin coastal communities listed in Table 1 of the DSTR Standards. As shown in Table 1, at some unknown time in the future, the STR Standards would eventually cap unhosted STRs at a total of 551, allowing 16% of all housing in those small rural communities to be run as micro-hotels.

Any version of the STR Standards which allows the existence of unhosted STRs will embody a policy promoting the use of homes as micro-hotels which is antithetical to the maintenance and creation of housing for residents who would otherwise be occupying those units as either owners or renters in any price range. Such a policy strips living units from the housing pool, frustrating and systematically undermining the County's efforts to satisfy Marin's Regional Housing Needs Allocation for 2023-2031.

Unlike unhosted STRs, hosted STRs would work in concert with a program that seeks to create and maintain housing as structures for their owners or for long-term renters to live in.

2. Eliminating Unhosted STRs Will Reduce Inflationary Pressure on Housing Prices.

Although capping unhosted STRs at 551 units, the DSTR Standards contemplate that

² There must be a sunset date for termination of all unhosted STRs. The procedure currently proposed, that is that they be allowed to renew and be reduced in number as a consequence only of attrition/failure to renew (DSTR Standards at ¶ 5.41.060) is adopted, unhosted STRs that are owned by corporations, LLCs and LPs because they are not mortal, may continue in perpetuity, a result inconsistent with the efforts of any program to meet Marin's share of the regional housing allocation.

investors seeking to purchase housing units to be used as unhosted STRs would continue to be in the housing market place so long as the total number of unhosted STRs do not exceed 551 units, which is 16% of the total number of housing units that exist at this time in West Marin. That will continue to have a distorting effect on the housing market.

Operators of STRs compete in the housing market with individuals and families seeking housing to use as homes in which to live. A buyer intending to operate an unhosted STR will include the likely income from short term rentals into that buyer's calculation of the value of the housing unit being bid on. Consequently, the purchaser of an unhosted STR can justify and afford a higher purchase price, pushing the unit into a more elevated price range making it less affordable to those buyers who are only seeking a place in which to live and, for some, a place to undertake caring for their family. If the potential buyer will be operating an unhosted STR, the housing unit is a commodity, an instrumentality whose value is measured by its likely return on investment. If the potential buyer seeks a place in which to live, the housing unit is a home which, at the very least offers the certainty of not being lost because of the plans of one's landlord and, in many cases, offers a stable home in which to undertake the responsibilities of being a parent. The price that this latter buyer can pay is not determined by the likely financial return on investment generated by the structure, but by the buyer's income reduced by the expenses of living and raising a family.

In addition, unlike hosted STRs, the owner of the unhosted STR often lives outside of the community, has few if any personal relations with residents in the community, does not volunteer in the community, and absent from the STR has no knowledge of the impact of the behavior of their transient guests on the community. In a word, the negative impact of unhosted STRs and their wholly commercial enterprise is different in kind than that of hosted STRs. If there is any concern for the quality of community in West Marin, then this must be a relevant consideration.

3 . The Coastal Commission's Interest in Promoting Coastal Access Will Be Continue to Be Served by the County Even If Unhosted STRs Are Entirely Eliminated and the Number of Hosted STRs Are Limited to 50% of the Total Number of STRs That Existed in 2018.

The DSTR Standards contain no limit for unhosted STRs. The number of STRS has grown rapidly since 2018, at a rate of approximately 16% per year from 480 in 2018 to 873 (approx.) now. If this commercial activity was limited to 50% of the total number of all STRs, hosted and unhosted, that existed in 2018 there would be approximately 240 STRs in West Marin. That is the equivalent of three 80 room hotels in a rural area of small communities. Together with the motels, campgrounds, and bed and breakfast facilities in West Marin, 240 hosted STRs will provide ample overnight accommodations.³

³ In addition to the overnight accommodations in West Marin, there are additional overnight accommodations in similar facilities in Petaluma, Mill Valley, San Rafael and Novato. All of these additional facilities are within a relatively easy driving distance of the coast - they

III

THE DSTR STANDARDS PROPOSAL THAT NOTICE OF AN STR'S LICENSE BE SENT TO PROPERTIES WITHIN A RADIUS OF 300 FEET OF THE STR IS NOT SUFFICIENT IN ITS SCOPE AND CONTENT. THERE MUST BE A EASILY AND PUBLICALLY ACCESSIBLE DATA BASE OF ALL STR LICENSES.

The proposed procedure for notification is inadequate in both its scope and content. The draft states:

“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.”
DSTR Standards ¶ 5.41.040 D5.

The enforcement of the STR Standards will depend upon complaints received from members of the community in which the STR is located. In the small communities of West Marin, people who are potentially impacted by, and have an interest in reporting, improper STR activity include many people living more than 300 feet from the STR. Those people would want to know at minimum whether or not a property has been licensed at all and whether it is licensed as a hosted or unhosted STR.

In addition to the proposed notice procedure poorly serving any enforcement objective, the proposed notice does not help with any other related concern that neighbors may have for communication with the owner of the STR. Most of these neighborhood matters involve properties that are beyond 300 feet of each other and, therefore, would probably have not received notification of the existence of the STR, the name of the owner, host or local contact person nor how they might be reached. There is in West Marin a culture of “self-reliance” of a neighborhood on itself, a reliance on the joint voluntary efforts of neighbors. For all STRs, but particularly in the case of unhosted STRs, the owner’s identity and contact information is often needed by people living in the area, and usually by neighbors whose property is more than 300 feet from the STR, in order to communicate about local matters. For example, maintenance of

are all well within a distance that I (for over 30 years) and many other Bolinas and Stinson Beach residents drove daily to get to our jobs in downtown San Francisco. Therefore all of these additional facilities in Novato, Mill Valley, Petaluma and San Rafael should be included in determining whether or not the County has satisfied the Coastal Commission’s interest in accommodations for visitors to the coast.

each of the dirt roads on the large Mesa in Bolinas is done by raising funds from owners who access their property using the particular road needing maintenance. As a further example, during a Winter storm, a tree on a STR's property could be in danger of falling onto an adjacent property or into the only access/egress road available to an entire neighborhood. This would effect the response time of emergency services for everyone in that neighborhood. At the western end of the Bolinas Mesa, owners/renters living as much as 1/2 mile from the STR could need to immediately contact the STR's owner about the danger posed by something occurring on that property or about road maintenance issues.

To insure that property owners more than 300 feet from the STR and new owners of property located anywhere in the community in which the STR is located, can readily determine if a property is a STR, how to contact the STR's owner, and to remove anonymity of those owning corporations, LLCs or LPs and place them on an equal non-anonymous footing with owners who live in the community and are not hidden behind a corporate entity, the following should be added to the DSTR Standards:

“The County shall maintain a publicly accessible data base listing, by street address, for each STR for which a license has been issued: (I) the address of the property; (ii) the name, mailing address, email address, and phone number of the owner; (iii) if the owner is a corporation, limited liability company or limited partnership, the name, home address and phone numbers of the persons who own the entity; (iv) whether the property has been registered as being lived in by a long-term renter or by the owner.”

In considering this proposal it should be noted that there is no reason why the identity of a neighboring property owner who is conducting a commercial activity in a residential area should have some special protected status that allows them to conceal their identity from the neighbors who live in that area whose identity is known or knowable to everyone.

Thank you for your consideration.

Sincerely,



Kent Khtikian

From: corey@coreyohama.com
To: [Rodoni, Dennis](#)
Cc: [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)
Subject: Houses Should Be Homes. (West Marin Resident)
Date: Thursday, October 19, 2023 12:05:41 PM

[Some people who received this message don't often get email from corey@coreyohama.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.

Thank you for your consideration,

Corey Ohama
Olema

October 19, 2023

Honorable members,
Marin County Planning Commission

Draft Marin STR Ordinance: Oppose

Dear Commissioners:

Thank you for the opportunity to comment on this draft proposed ordinance which, if approved, would shape the scope and nature of short-term rentals in unincorporated Marin County and close our family business. I am 65 years old and work full-time managing our three short-term rentals, our one long-term rental and my 101-year-old father's short-term rental, all north of Marshall. Our STRs support many part time individuals and families who help us clean, bookkeep, keep our website current, interact with guests as well as repair and maintain. Our team (and more than 30 local business suppliers of goods and services) is proud of the work that we do which is reflected in our average 4.95 AirBNB rating and nearly 450 positive guest reviews.

So why not find a way to increase affordable housing in unincorporated Marin County AND allow locally owned STRs, like mine, to stay in business? Unless, of course, this ordinance really is about closing STRs and not about creating more affordable housing. Why would this be so? Who could possibly benefit?

The California Hotel and Lodging Association has made no secret to its members that it is working to protect the rights and interests of the commercial lodging industry and, as far back as 2016, it 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 efforts, perhaps similar to the one here, successfully convinced lawmakers to pass ordinances restricting STR activity.

So prevalent is the commercial lodging industry's practice that there's even a name for it: An Airbnb spokesperson who is quoted in the article calls the practice (of coercing local policies to eliminate vacation rental competition and raise rates) as "short sheeting the middle class . . ."

Times article excerpt: *The hotel association's efforts have succeeded in disrupting some Airbnb hosts. Sebastian de Kleer, owner of Globe Homes, a short-term rental company based in Los Angeles, had listed some of his properties on Airbnb for more than a year. But Airbnb canceled his Los Angeles listing from its site in March 2016 after the hotel association argued to local*

politicians that Airbnb hosts like Mr. de Kleer were raising the cost of housing in the city by renting out properties for short-term use rather than for long-term renters.

More than 70 new commercial overnight accommodations have recently been added to the sparse commercial lodging options available to visitors in Marshall and 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 would 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 the community. Why not then place similar restrictions on commercial lodges whose commercial units could also house workers and others in our community?

Access to affordable housing remains a legitimate problem for our family, friends and neighbors here in West Marin and those seeking affordable housing here deserve to be treated as more than shills in the hotel industry's attempt to foist higher rates on coastal visitors. As an alternative to this proposal, 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? While we are at it, why not require the same of the owners of commercial lodges in our communities for the people who work in them.

We have seen no factual evidence suggesting that STRs have supplanted LTR housing stock in West Marin. Historically, the much larger impact on available housing has been the prevalence of second homes up and down the coast. The rapid growth of STRs in West Marin may be nothing more than "weekenders" seeking additional cash for the maintenance and upkeep of summer homes in a harsh marine environment – homes that have never been inhabited by full-time tenants. For much of the past 45 years, I -- and later my family and I -- have been the only full-time residents in our row of seven houses built in the 1940s as summer homes along the old Northern Pacific Coast Railroad right-of-way. If this is the case for others in unincorporated coastal Marin communities, as I believe it is, ADUs may be a better solution for many of the same people are now form part of the demand for housing here - specifically, those working in STRs who might happily appreciate housing closer to work.

The enemy is us: 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." So why are the authors of this ordinance focusing only on STRs about which little is known? Why are the recommendation of the June 15, 2023 Grand Jury Report not also part of this proposal?

One of the founding tenets of the East Shore Planning Group and our community plan which was 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. 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 will likely not be turning their new purchases into long-term rentals.

Recommended amendments:

We urge staff and commissioners to find solutions to housing access without eliminating affordable public access to our coast, causing community-minded businesses such as ours to become insolvent or local families (such as ours and those we employ) to seek employment elsewhere. Local employment and local, affordable housing can be an “AND” not an “OR”.

We seek the following:

- 1) Allow owners who are operators of STRs to operate multiple STRs provided all of the following conditions are met: 1) the owner/operator lives in a contiguous property (contiguous defined as having a common property line or a property line separated only by a street or highway), 2) owner/operator or a designated worker who lives onsite is available to help guests when needed, 3) owner provides low-income housing (on-site or on a contiguous site) at the ratio of at least one full- or part-time worker or family per unit, 4) owners of STRs who create ADUs should be able to pass these family businesses on to the next generation of family or anyone else.
- 2) 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 treat all overnight accommodations (commercial lodging such as the Dillon Beach Resort, Nick’s Cove, the Marconi Lodge as well as farms, campgrounds and bed and breakfasts), equally with respect to limits on number of units, TOT, repairs while open, ownership type and succession, presence and multiple units on one property and all other applicable rules. Similarly, we ask that all exemptions be treated consistently: If, for example, farms are exempted due to economic hardship, then non-agriculturally zoned properties suffering the same or similar hardships (older owners, fixed income, older buildings, etc.) should also be exempted.
- 3) 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.

- 4) We ask that more factual and community-specific data be developed as the basis for this ordinance. For example, what number and proportion of homes in each community were historically “weekender” second homes and how many STRs were second homes or previously LTRs? How many homes purchased in the last ten years have been converted to STRs? Were ordinances like this one (whether compelled by hotel lobbyists or not) successful elsewhere in increasing LTR housing stock? Did room rates in commercial establishments in the community go up (as the Times article argued would happen) when STRs in the community were reduced in number and by how much? In coastal areas, did elimination of STRs and increased commercial rates serve to limit equitable access to California’s Coast?
- 5) We urge more extensive outreach to those who work in West Marin, particularly those whose first language is not English, informing them of this proposed ordinance. Several families who work for us would lose their jobs. One of our cleaners indicated to me that she would likely be unable to continue to afford rent for her family living in their West Marin home. Yet, neither she nor any individual who works with us received notification of this process.
- 6) 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.

Thank you, again, for considering alternative options to those presented in this draft ordinance. 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 and staff to keep their eyes on the prize which is increasing affordable housing stock, not eliminating mom and pop local businesses like ours. We urge commissioners and staff to explore for themselves the history of commercial lodging interests’ use of affordable housing as a decoy to eliminate STR cost competitors in communities throughout the country -- competitors that help keep access to our treasured coast equitable. Finally, we ask commissioners to seek ways to make STR and commercial lodging owners your partners in seeking solutions to affordable housing here.

Sincerely,

Tom Riley
Marshall

Cc: Supervisor Dennis Rodoni

From: [Susan Ferro](#)
To: [STR](#)
Subject: Attn Kathleen Kilgariff
Date: Thursday, October 19, 2023 1:59:56 PM

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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 byl 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)

CALIFORNIA CATTLEMEN'S ASSOCIATION

3841 N. FREEWAY BLVD., SUITE #130, SACRAMENTO, CALIFORNIA 95834

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www.calcattlemen.org

October 19, 2023

Planning Commission
Marin County Community Development Agency
3501 Civic Center Drive, Suite 308
San Rafael, California 94903

Re: Short Term Rental Ordinance Update

Dear Commissioners:

The California Cattlemen's Association (CCA) appreciates the opportunity to provide feedback on Marin County's proposed Short Term Rental (STR) Ordinance and your Staff Report regarding the proposed STR Ordinance. CCA represents more than 1,700 cattle ranchers throughout the state, including approximately 90 ranchers belonging to our Sonoma/Marin Cattlemen's Association affiliate. CCA has long worked with Marin County to ensure the viability of agricultural producers in the County whose operations steward the County's vibrant land, water, and wildlife and contribute to the vitality of Marin County's economy.

Should Marin County adopt an STR Ordinance which significantly restricts farmstays on agricultural operations or which places significant costs or other barriers to such farmstay operations, it could significantly impact the viability of agricultural operations currently utilizing STRs to supplement farm or ranch income. For that reason and the additional reasons detailed below, **CCA strongly supports Alternative 1 listed in the Staff Report, the Agricultural Exemption to the STR Ordinance** which would "exempt agricultural properties from the STR Chapter in the Marin County Code." CCA urges the Planning Commission to advance this alternative at your November 13 hearing for further consideration by the Board of Supervisors and California Coastal Committee.

Farmstay STRs promote the viability of Marin County agricultural operations

High input costs, volatility in cattle markets, and numerous other factors threaten the viability of California's cattle ranching operations. A 2019 sample analysis of costs for a San Francisco Bay Area cow-calf operation with 100 head of cattle found that such an operation would operate at more than a \$10,000 *loss*.¹ While several variables could alter the results of such an economic analysis and it is by no means a foregone conclusion that Bay Area ranchers will operate at a loss, this analysis demonstrates the vital importance of ranchers diversifying their income streams. Some producers take on additional occupations while others seek to diversify their on-ranch income sources via direct-to-consumer sales, participation in niche markets, educational opportunities, and "farmstays" – or short terms rentals on the farm or ranch.

¹ SHEILA BARRY ET AL., SAMPLE COSTS FOR BEEF CATTLE COW-CALF PRODUCTION: 100 HEAD OPERATION ON PUBLIC LANDS-SAN FRANCISCO BAY AREA-2017 10 tbl. 1 (2019).

STEVE ARNOLD
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SHEILA BOWEN
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MIKE SULPIZIO
FEEDER COUNCIL VICECHAIR
CALIPATRIA

Agricultural production *directly* contributed more than \$94 million to Marin County’s economy in 2022,² and likely contributed an additional roughly \$235 million attributable to “employment opportunities, support industries, and tourism.”³ Marin County farmers and ranchers can only contribute to the County’s economy (and steward its open spaces, viewscapes, and wildlife) so long as they remain economically viable, however. Farmstays and attendant educational and recreational on-farm activities provide a necessary source of income for as many as 70 farmers and ranchers in the County,⁴ and restricting on-farm STRs could jeopardize the viability of these operations (and their attendant benefits to the County’s economic success). To safeguard this important source of farm and ranch income, CCA urges the Planning Commission to advance Alternative 1 and exempt agricultural properties from the STR Ordinance.

Farmstays do not pose nuisance risk

Much of the Staff Report points to the need for additional regulation of STRs on the grounds of Marin County’s “Good Neighbor” policies relating to noise, parking, trash, and other community quality-of-living concerns.⁵ As the Staff Report points out in its brief analysis of Alternative 1, however, issues pertaining to noise, trash, or other disruptions are unlikely to arise at STRs on agricultural properties. Because the owner of an STR on a farm or ranch will typically be present on the broader property, guests are more likely to be mindful of the need to be well-behaved and “there is a host on the property” to quickly “address any issues that may arise” and prevent further issues from developing.⁶ Should any issues nevertheless arise, they are unlikely to cause disturbance for other Marin County residents, as “Agricultural producers typically have large properties.”⁷ Indeed, neighboring properties are likely to also be farms, ranches, or other forms of open space, providing additional buffers that ensure neighbors are not disturbed.

Agricultural STRs are consistent with Marin County policies

Between 2012 and 2018, CCA worked closely with Marin County ranchers, the Planning Commission, the Board of Supervisors, and the California Coastal Commission to negotiate a Local Coastal Plan Update which was workable for County ranchers and which properly recognized the role of agriculture in Marin County’s landscape and economy.

The Local Coastal Program Land Use Plan adopted by the Board of Supervisors and certified by the Coastal Commission explicitly details the economic benefits of agricultural production to the County and the importance of farms and ranches for residents and tourists alike:

“In Marin County, coastal agriculture is important as an essential livelihood, a foundation for regional economic activity, and a wholesome, local source of food for

² MARIN COUNTY DEPARTMENT OF AGRICULTURE, MARIN COUNTY 2022 CROP AND LIVESTOCK REPORT 1 (2023). Approximately 16% of this value was contributed by Marin County cattle production. *Id.* at 4.

³ MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY, MARIN COUNTY LOCAL COASTAL PROGRAM LAND USE PLAN 9 (Feb. 2019) (“It is estimated that every dollar of agricultural production yields a multiple of 2.5 additional dollars contributed to the local economy.”) (*hereinafter* LAND USE PLAN).

⁴ KATHLEEN KILGARIFF, STAFF REPORT TO THE MARIN COUNTY PLANNING COMMISSION: SHORT TERM RENTAL (STR) ORDINANCE UPDATE WORKSHOP 26 (Oct. 2023).

⁵ *See, e.g., id.* at 2-4, 15, 20-21.

⁶ *Id.* at 26.

⁷ *Id.*

residents of the Bay Area and beyond. It is estimated that every dollar of agricultural production yields a multiple of 2.5 additional dollars contributed to the local economy in employment opportunities, support industries, and tourism.... [T]he working agricultural landscape provides world-class views, a pastoral frame for Marin's distinctive coastal villages, and an extraordinary open space backdrop for the myriad of recreational activities offered throughout the Coastal Zone. For all these reasons, the Local Coastal Program... policies seek to preserve viable agriculture as a permanent part of the fabric of coastal Marin for the benefit of residents, visitors, and the environment itself."⁸

Limiting farmers and ranchers' ability to operate STRs on their agricultural operations would be counter-productive to the County's stated goals, diminishing the tourism dollars invested by guests into the Marin County economy and depriving visitors of many of the "world-class views" and experiences available in the County. These limitations would also prove a blow to the coastal access goals enshrined in the California Coastal Act.

More importantly, though, adoption of the Agricultural Exemption reflected in Alternative 1 of the Staff Report would directly *advance* a priority of the County's Local Coastal Program Land Use Plan. Program C-AG-2.f seeks to facilitate agricultural tourism within the County, and to that end directs the County to "Review agricultural policies and zoning provisions and consider seeking to add educational tours, homestays and minor facilities to support them as a Categorical Exclusion."⁹ Adopting Alternative 1 and authorizing homestays/farmstays on agricultural properties will directly advance the County's policy of facilitating agricultural tourism which, as noted above, pays significant dividends for Marin County's economic vitality.

Conclusion

CCA appreciates the Planning Commission staff for listening to the concerns of local agricultural producers and crafting Alternative 1 in response to those concerns. We also appreciate the opportunity to provide feedback directly to the Planning Commission in response to the proposed STR Ordinance and alternatives. Because STRs on farms and ranches promote the agri-tourism policies reflected in the County's Local Coastal Program and because restricting farmstays would harm agricultural viability without any discernable benefit to the local community, CCA strongly urges the Planning Commission to adopt Alternative 1, exempting agricultural properties from the STR Ordinance, and to advance that alternative to the Board of Supervisors.

Sincerely,



Kirk Wilbur
Vice President of Government Affairs

⁸ LAND USE PLAN, *supra* note 3, at 9.

⁹ *Id.* at 13.

From: [Wendy Botwin](#)
To: [Rodoni, Dennis](#)
Cc: [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)
Subject: Houses Should Be Homes. (West Marin Resident)
Date: Thursday, October 19, 2023 2:45:09 PM

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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 am personally one of them right now! There are plenty of STRs right now and there are no rentals in all of West Marin and I'm not at all exaggerating. There are also a bunch of us locally looking for a home. I don't have anywhere to go as my home is being sold. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live! This also impacts our access to long term community relationships, healthcare providers, and our sense of place and protective relationship with the more than human world.

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.

It's also an issue to be going by West Marin addresses proving residence when most of us use PO Boxes.

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,
Wendy Botwin
Bollinas, CA

From: [Camilla Saufley](#)
To: [Kilgariff, Kathleen](#); [STR](#); [Pearlman, Isaac](#); [Alton, Megan](#); [Drumm, Kristin](#); tvtrötter@ucanr.edu; [Lacko, Leslie](#); [Jones, Sarah](#); [Rodoni, Dennis](#); [melissa daniels](#)
Subject: Planning Commission - STR - Comments on the STR Ordinance
Date: Thursday, October 19, 2023 3:30:30 PM

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

I'm writing this letter to offer an additional perspective on the challenges and joys of living on a working cattle ranch in Marin County. I am a full time resident and a part of Cow Track Ranch. The experience here is something unique and magical every day - but it is not without it's challenges which I see the property owner have to balance and juggle all the time.

As a MALT ranch, Cow Track has limitations on what we can do with the land. We cannot change what we produce and we cannot increase the number of head of cattle beyond what was agreed when the easement was first agreed upon by the Daniels family in the 80s. During the time since, we have experienced severe drought, two recessions and we're seeing inflation that hasn't been seen in decades. This affects the two most important aspects of raising cattle - feed and water. Many summers, with just myself, and at most 2 other people living on the property at any given time, our springs have run totally dry which caused us to have to pay for water deliveries. This with just 3-4 people living full time on the land and greatly conserving water.

When drought conditions arise, feed prices skyrocket. Several summers Melissa Daniels had to sell off many head of cattle at a less than ideal time in their lifecycle because she couldn't afford to feed them all. The Farmstay STRs have been an invaluable opportunity at Cow Track to:

1. bring in money during the season hardest hit by the natural elements, drought, heat and increased feed prices.
2. educate people on the agricultural land experience and where their food comes from
3. allow the property to remain agricultural in perpetuity and provide rich habitat for the ecosystem

Simply stated, Cow Track could **never** sustain more full time residents in the two properties that are rented on occasion. There is simply not enough water to support more than the current amount of full time residents there and there never will be. Melissa Daniels has wisely employed every possible measure for water conservation and still we are always worried the tanks will run dry.

It seems that people want to drive through rural West Marin and appreciate the rolling hills and beauty that our ranchers work night and day to protect and preserve, for ALL to enjoy. But many want to make it more and more difficult for these same hard working ranchers and land conservationists to keep the vision of rural West Marin alive. MALT was a dream that created the incredible beauty that brings thousands of visitors to rural Marin every day. It should be the right of these land conservationists and ranchers to find whatever means they may to keep their operations running by using their land wisely and to benefit the many. In our case including donating farmstays to many non-profits.

I've seen the awe that this land and raising animals has brought to the many children and others who have stayed here. I see the cycles of nature every year and notice how this land creates a healthy eco-system that supports every species native to the watershed. We provide safe habitat for tired waterfowl on long migrations and add carbon back into the soil by grazing cattle upon an otherwise rough and rocky land.

Agricultural land provides a different way of life for anyone who visits to enjoy. Thus Marin County needs to recognize a different way of regulating these working rural lands that is separate and apart from the sprawling suburbia which is the vast majority of the county. The same rules do not and should not apply.

Without Ag, Marin loses; loses the farm to table products they are famous for, lose the species that are abundant and keep our ecosystem in balance, lose the unique hardworking people who steward these lands, and lose the opportunities for education that farmstays provide.

Without Ag, Marin loses.

Sincerely,
Camilla Saufley
Cow Track Ranch

Without Ag, Marin loses.

From: [C Dorinson](#)
To: [Rodoni, Dennis](#)
Cc: [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)
Subject: Houses Should Be Homes. (West Marin Resident)
Date: Thursday, October 19, 2023 3:44:30 PM

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Dear Planning Commissioners and Supervisors,

Last week I sent all of you a form letter re the STR situation in West Marin. However, I realize I need to personally say more on this issue.

I have been a resident of PRS for over 20 yrs, and during all those years have been very supportive of the work of the various community land trusts, and the general topic of affordable housing. So much so, in fact, that I just joined the board of the Community Land Trust Association of West Marin (CLAM).

During my time in West Marin I have had many friends who have been forced to find a new home here when the owner of their place makes changes or sells the property. The struggle these people have had trying to keep living in West Marin is beyond belief. And so are some of the places they have ended up living in. Think about that for yourself. You have lived some place for 20+ years, perhaps sending your children through the local public school system, and now, suddenly, you find you can't afford to live here any more, except, perhaps, in quite substandard housing. You must leave your home and community of over 20 years and move to another place. Not by choice. You have to start over creating a community for yourself and loved ones. Not an easy thing to do as we age.

My ongoing belief in local housing has never wavered. I believe it is imperative for every community to have a wide range of permanent housing options so the community can have a diversity of residents and thus a diversity of viewpoints of what is needed to help make it a better and thriving community.

Each time another residence is removed from permanent housing stock it reduces the overall community, and the life, vitality and attraction of that community. Other coastal communities realize this and have placed strict limits on the number of STR's in their area. I believe we need to do the same in West Marin.

I am more focused on those STR's who do not have someone living on site, as they have absolutely zero involvement in our community other than being able to keep on doing what they are doing. They aren't involved in the day to day of even in the street their house is located on.

For example, a friend in Inverness says she is now the only permanently occupied home on her street, which happens to be a gravel road. She said it is practically impossible to drive down the road due to the huge ruts and potholes, and overgrown bushes. She told me that before all her neighbors sold their homes and moved, mostly due to aging or dying, that all the neighbors would chip in money and help each other maintain their roadway. Now she can't find out who is responsible for maintaining the road, and she doesn't know who owns all the homes on her street. She feels helpless and trapped in a place she moved to because it was so beautiful and community oriented. Now she just feels alone and frustrated. And she is far from being the only one in West Marin who feels that way.

Please reduce the number of STRs in West Marin.

Thank you for your consideration,
Name: Cathleen Dorinson
Address: PO Box 267, PRS, CA 94956
Email: cdorinson@hotmail.com

10/16/2023

Rebecca Ahlers
PO Box 250
Valley Ford CA 94972

Planning Commission, Marin County Community Development Agency
3501 Civic Center Drive, Suite 308
San Rafael, California 94903

TO: KKilgariff@marincounty.org, str@marincounty.org, malton@marincounty.org
CC: fbarreto@marincounty.org, lverdone@malt.org, zmendes@malt.org, llacko@marincounty.org,
sbjones@marincounty.org, drodoni@marincounty.org

Re: Short Term Rental Ordinance Update

Dear Commissioners,

Thank you for the opportunity to comment on the county's proposed Short Term Rental (STR) Ordinance. I grew up in rural West Marin on a dairy farm operated by my family. For the majority of my adult career, I have been working in the field of agriculture. I have been fortunate to be able to work with the public and educate people on the importance of supporting local agriculture.

I am currently working full-time on my grandfather's cattle operation located in Tomales and Valley Ford. My grandfather is approaching 93 years old and is unable to handle the day-to-day operations. We raise 300 cow-calf pairs on over 2,000 acres in rural West Marin. The operation provides enough income to sustain the business and cover his living expenses. I work unpaid and devote my time to ensure the ranches stay in the family. I am fortunate to have a husband who provides for me. My family is anticipating selling a ranch to cover the inheritance taxes upon my grandfather's passing as well as losing another ranch to family members not associated with the business. With the loss of land and cattle, the operation will only be able to pay for itself and not provide a living for my family. We will have to diversify the operation in order to make it viable and hopefully make a living.

The ranches have some very old defunct homes. We are estimating it would take at least \$40,000 - \$60,000 per home to upgrade them to be in livable condition. The input costs, additional taxes, upgrades, and interest on the loans would take several years to pay off with the current market rental rates. Some of the water sources for the homes would not be able to provide for a fulltime tenant since they come from seasonal springs. Therefore, a short term rental rate at a higher value would be a more viable option. I envision growing produce, providing home grown meat/eggs, and providing educational tours as part of the future of the business included with the farm stay.

Marin Agriculture has always been forward-looking. Now is the time to consider farm stays as an important tool for education regarding local food and an asset to the community. I urge you to exempt Short Term Rentals (Farm Stays) on Agricultural properties from the STR Ordinance update.

Thank you,

Rebecca Ahlers
Spaletta Beef Ranch

From: [Angela Whitney](#)
To: [Kilgariff, Kathleen](#); [Dennis Rodoni](#)
Subject: Comment on the Country of Marin's Draft Short-Term Rental Standards
Date: Thursday, October 19, 2023 11:51:28 PM

Dear Planning Commission and County Supervisors,

I appreciate the opportunity to comment on the Draft Short Term Rental Standards.

Overall, I believe the standards lack substantive restrictions that will make any meaningful change to the status quo of STRs in West Marin. The Standards at once are overly bureaucratic and cumbersome for STR operators, while doing very little to limit the number of STRs in our communities. Given the enormous housing crises in California, cities and counties across the State have drastically restricted STRs, I implore West Marin to take a bolder approach to limiting the number of STRs and follow the path laid out by so many of your peers.

Below, I have outlined the pieces of the Draft I agree with and those that in my opinion need substantial revision.

I am supportive of the Draft's ban on STRs in ADU's and JDU's; however, it is unclear how this restriction will be applied. The Standards need to make clear if this restriction will apply to every cottage, studio, cabin under 1,200 feet regardless of whether or not they are permitted or were built before the ADU/JDU guidelines. I am supportive of a broader definition of ADU so that the restrictions on STRs go beyond new permitted ADU builds.

I am supportive of the Draft's proposal to restrict STRs to one unit per person/ property. This is consistent with disincentivizing the use of properties solely for financial purposes and investor STR operators.

Areas in need revision:

I am concerned that the draft Standards could actually increase the number of STRs in West Marin, based on the cap not pertaining to hosted STRs and only a nominal proposed decrease in the number of unhosted STRs (In the case of Inverness from 93 to 86). According to county data—in Inverness there are 20 STRs on properties with a primary home tax exemption, implying there are currently about 20 hosted STRs. Consequently this means there are 73 unhosted STRs, which given the terms of the current draft, leaves more room for additional unhosted (and hosted) STRs in Inverness.

I would like to see a more substantial cap and or reduction on STRs. I believe this cap should apply to both hosted and unhosted STRs. For Point Reyes Station and Inverness (the town where I live and the town where I am a part owner of a property respectively), **I would like to see a 50% reduction of STRs.**

Furthermore, I am puzzled by the focus on differentiating between hosted and unhosted STRs. If in fact most second units (ADUs) will be off-limits as STRs, how likely will hosted STRs be anyway? Aren't most current hosted STRs in someone's ADU? Or is the county implying that the host will live in the ADU and the 'main' house will be the STR, this seems like a less common scenario and again, one in which I don't think merits a distinction between hosted

and unhosted STRs.

Finally, while I understand and appreciate the intention behind the need for better property safety and care of STRs regarding trash and parking etc., I am concerned that the volume of these requirements will make enforcement of the most critical ones impossible. It is unclear what the county is trying to accomplish by creating these rules, is it to make the process harder so that fewer people apply for STR licenses--that may be worthwhile but if that is the case, then why not just restrict more STRs? If it is in fact to make our communities safer and to lessen the impact of STRs, then I would reduce the number of requirements and have clear enforcement mechanisms.

Thank you for your consideration,
Angela

--

Angela Whitney

From: [Tina Ann](#)
To: [Rodoni, Dennis](#)
Cc: [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)
Subject: Please do right with improving the draft STR ordinance
Date: Thursday, October 19, 2023 4:04:42 PM

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Dear Planning Commissioners and Supervisors,

I was born in Berkeley, am a lifelong Bay Area resident, and have lived in Bolinas since 1989. I have become deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years, and longer. 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 am about to be one of them. There is no hyperbole in saying there are NO long term rentals in Bolinas right now; we are not even talking affordable. 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, we MUST 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.

Please also consider some mechanism to keep hedge funds and corporations from buying houses to only turn them into unhosted STRs = indeed, houses should be homes.

Thank you for your consideration,
Tina Ann
p.o. box 265 (I hope, but that's another issue...)
Bolinas, CA 94924
(415) 868-2523

From: [john.gouldthorpe](mailto:john.gouldthorpe@gmail.com)
To: [STR](#)
Cc: [john.gouldthorpe](mailto:john.gouldthorpe@gmail.com)
Subject: STR Draft Plan Comments for the Planning Commission Meeting of October 23
Date: Thursday, October 19, 2023 4:07:22 PM

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John Gouldthorpe
P.O. Box 1209
Point Reyes Station, CA 94956

Dear Marin Planning Commission Members,

I'm writing to share my concerns regarding the proposed STR Draft Plan that you will be addressing in your meeting of October 23, 2023.

As a 30 year resident of Point Reyes Station, as a homeowner dependent upon the income from my two STRs and as a witness to the increasing economic disparities that are playing themselves out nationally and locally I'm quite committed to the corrective and forward looking incentives that drive the consideration of a workable STR Plan. Our housing crisis is real.

While understanding and being supportive of the motivations for quickly putting in place a STR moratorium and the work that has gone into drafting the STR Plan I find it failing in two essential ways:

1. It doesn't take into account the real and consequential differences in the makeup of the constellation of STRs in our respective villages and the effect that instituting the plan as drafted would distinctly have on each of our villages.
2. The regulations are too confusing and cumbersome. In the end I don't think that their enforcement is manageable. If enacted the planning department would be required to rise to a new degree of policing and enforcement. The consequence of which would disproportionately affect those most in need of the STR income.

I urge you to send this Draft back to staff to address my two concerns and the other equally valid concerns that I have missed that you are likely to learn about through citizen response. If instituted as drafted you'll be setting a precedent for long-term frustration and another layer of community members attempting to meet well-intentioned but confusingly articulated policies.

Sincerely,

John Gouldthorpe

From: no-reply@marincounty.org
To: [STR](#)
Subject: STR proposed standards trying again.
Date: Thursday, October 19, 2023 2:09:18 PM

David Morris with email address dmorris@ilsr.org would like information about:

1. One size should not fit all. STRs are 31% of units in Dillon Beach; 94 percent of which are unhosted. In Point Reyes Station, 52 percent of units are owner occupied, 9 percent of units have STRs and 63 percent are in primary residences.
2. Regs should be clear that a hosted STR must be in a primary residence. Which means the owner is in residence at least 6 months a year.
3. Since the Commission seriously pursued a moratorium the number of STRs has soared. It would be good to know what percent were unhosted. If it is substantial, the future number allowed should be cut in half, which would still be above pre-pandemic levels.
4. A hardship appeal should be possible for a long term resident who needs an STR temporarily to continue living in the community.

From: [janis reed](#)
To: [Rodoni, Dennis](#)
Cc: [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)
Subject: Houses Should Be Homes. (West Marin Resident)
Date: Thursday, October 19, 2023 5:31:39 PM

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Dear Planning Commissioners and Supervisors,

Why are you making a bad situation worse? Where is the concern for the residents of West Marin?

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!

In addition to the impact on locals just wanting to live and work in their community, many people who come and stay at these STRs care nothing about the community. STRs are, from my experience, party houses with no regard for the people who live here (Inverness), with loud music and noise going on until as late as 3 a.m. These bad eggs litter, disrespect the neighborhood, exhibit rude behavior toward shopkeepers, drive recklessly killing deer and other critters.

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.

Don't turn a deaf ear to the people who live (and want to continue living in their hometowns), and work here and contribute to what makes West Marin special.

Thank you for your consideration,

Name:

Address:

Email:

From: [C Dorinson](#)
To: [STR](#)
Cc: [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [PlanningCommission](#); [Rodoni, Dennis](#)
Subject: Re: Houses Should Be Homes. (West Marin Resident)
Date: Thursday, October 19, 2023 6:46:56 PM

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

One last item, today's front page story in the Point Reyes Light, our weekly newsletter, re how many restaurants, etc., out here are suffering greatly because workers cannot live out here. Several are thinking of closing. This will hurt the tourist industry, the state and national parks, all the industries that support tourism, including cleaning businesses that clean those STRs, and more. We need much more permanent long term affordable housing in West Marin, not more STRs. Read it here:

<https://www.ptreyeslight.com/news/restaurants-face-uphill-battle-amid-rising-costs/>

From: STR <str@marincounty.org>
Sent: Thursday, October 19, 2023 3:57 PM
To: C Dorinson <cdorinson@hotmail.com>
Cc: Rice, Katie <KRice@marincounty.org>; Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Sackett, Mary <MSackett@marincounty.org>; Lucan, Eric <elucan@marincounty.org>; STR <str@marincounty.org>; PlanningCommission <PlanningCommission@marincounty.org>; Rodoni, Dennis <DRodoni@marincounty.org>
Subject: RE: Houses Should Be Homes. (West Marin Resident)

Hi Cathleen,

Thank you for this follow up email. I will include this in the project record and share it with the Planning Commission prior to their meeting next Monday, October 23rd.

Best,

Kathleen

Kathleen Kilgariff
PLANNER
she/her

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

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

From: C Dorinson <cdorinson@hotmail.com>
Sent: Thursday, October 19, 2023 3:44 PM

To: Rodoni, Dennis <DRodoni@marincounty.org>
Cc: Rice, Katie <KRice@marincounty.org>; Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Sackett, Mary <MSackett@marincounty.org>; Lucan, Eric <elucan@marincounty.org>; STR <str@marincounty.org>; PlanningCommission <PlanningCommission@marincounty.org>
Subject: Houses Should Be Homes. (West Marin Resident)

[Some people who received this message don't often get email from cdorinson@hotmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Planning Commissioners and Supervisors,

Last week I sent all of you a form letter re the STR situation in West Marin. However, I realize I need to personally say more on this issue.

I have been a resident of PRS for over 20 yrs, and during all those years have been very supportive of the work of the various community land trusts, and the general topic of affordable housing. So much so, in fact, that I just joined the board of the Community Land Trust Association of West Marin (CLAM).

During my time in West Marin I have had many friends who have been forced to find a new home here when the owner of their place makes changes or sells the property. The struggle these people have had trying to keep living in West Marin is beyond belief. And so are some of the places they have ended up living in. Think about that for yourself. You have lived some place for 20+ years, perhaps sending your children through the local public school system, and now, suddenly, you find you can't afford to live here any more, except, perhaps, in quite substandard housing. You must leave your home and community of over 20 years and move to another place. Not by choice. You have to start over creating a community for yourself and loved ones. Not an easy thing to do as we age.

My ongoing belief in local housing has never wavered. I believe it is imperative for every community to have a wide range of permanent housing options so the community can have a diversity of residents and thus a diversity of viewpoints of what is needed to help make it a better and thriving community.

Each time another residence is removed from permanent housing stock it reduces the overall community, and the life, vitality and attraction of that community. Other coastal communities realize this and have placed strict limits on the number of STR's in their area. I believe we need to do the same in West Marin.

I am more focused on those STR's who do not have someone living on site, as they have absolutely zero involvement in our community other than being able to keep on doing what they are doing. They aren't involved in the day to day of even in the street their house is located on.

For example, a friend in Inverness says she is now the only permanently occupied home on her

street, which happens to be a gravel road. She said it is practically impossible to drive down the road due to the huge ruts and potholes, and overgrown bushes. She told me that before all her neighbors sold their homes and moved, mostly due to aging or dying, that all the neighbors would chip in money and help each other maintain their roadway. Now she can't find out who is responsible for maintaining the road, and she doesn't know who owns all the homes on her street. She feels helpless and trapped in a place she moved to because it was so beautiful and community oriented. Now she just feels alone and frustrated. And she is far from being the only one in West Marin who feels that way.

Please reduce the number of STRs in West Marin.

Thank you for your consideration,

Name: Cathleen Dorinson

Address: PO Box 267, PRS, CA 94956

Email: cdorinson@hotmail.com

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

From: [Eileen Connery](#)
To: [STR; str@marinco.org](mailto:str@marinco.org)
Subject: Comments on DRAFT SHORT TERM RENTAL STANDARDS,
Date: Thursday, October 19, 2023 10:02:43 PM

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

PLEASE CONFIRM that you have received this message, thank you.

OCTOBER 19, 2023

COUNTY OF MARIN COMMUNITY DEVELOPMENT DEPARTMENT

RE: SHORT TERM RENTAL COMMITTEE

TO: Sarah Jones & Kathleen Kilgariff

Since the 2017 open comment period regarding your consultant Lisa Wise's "White Paper", to the 2018 revised STR Rules to the 2022 moratorium, we have closely followed the proceedings, and as an operator of a single STR, we have complied with the multiple new regulations including increased TOT by four percentage points and all of the "Good Neighbor" policies en-force since the 2019 license renewal.

We are commenting today on the DRAFT SHORT TERM RENTAL STANDARDS, dated September 2023.

It would be greatly appreciated by all parties we are sure, that you provide a comparison chart of the current standard in one column, with the proposed change or additional proposed standard in column two.

One thing that will become apparent is that your additional requests are extremely lengthy and will be an administrative nightmare to enforce. If the new/added items are reasonable and enforceable, that can be a third column that the Supervisors can weigh in on, yea or nay.

In addition to our own interpretation of the DRAFT STR Standards, we have interpretation provided by Ms. Leslie Lacklo at the October 12th, 2023 Point Reyes Station Village Association meeting.

Our most pressing comments are:

We agree with CLAM that the County should have a **CAP on Hosted STR, as well as Non-Hosted STR.**

We agree that "first dibs" on STR Licenses should go to current STR License Holders, per Ms. Lacklo's statement....BUT, WHY IS THIS "A NEW APPLICATION PROCESS"?

PLEASE simplify this and allow ***all current license holders to automatically renew.***

Item D 4 i. – 4.v: All of this information is already on file at Marin County STR/TOT license department. Another way you can simplify this.

D 4 ix. We disagree that a septic inspection should be a requirement for an STR License renewal.

We want to provide the best experience for our guests; that includes working septic systems with clear directions to guests to use only the biodegradable products provided and not add any "wipes" to the system.

We clean the tank regularly at a cost of \$570 per cleaning and yesterday replaced the tank lids at a cost of \$192 per lid x2. Adding inspection costs is an unnecessary burden on an STR homeowner.

Also, the details requested in Item 4.vii.d are unknown to homeowners who purchased a home with an

existing approved septic system. Maybe if you had a newly designed system, one would have that information, but again, this is unnecessary/unknown detail for an existing operational septic system.

We disagree that a landline phone should be required. Why do you think this is necessary? For an emergency perhaps? IF SO, YOU SHOULD STATE THAT IN YOUR DRAFT. HOWEVER, Two reasons that is not reasonable:

All of the landline phones are being converted to VOIP. So any cellular/internet disruption will affect the VOIP phone. An STR guest can rely on their own cell phone – until the lines all go down in a storm of course, then the host will also be unable to make a call. Will your department provide NOAA radios at no charge? Essentially, that will be needed if you want those on hand since portable items often "walk" from the desk - like binoculars, hiking maps etc.

Item D 5. Public notification : this was completed in the 2019 "Good Neighbor" policy for STR.

Item D 7: Exterior Signage: This topic was discussed to exhaustion in 2018. We hope that you and your staff understood then that a PRIVATE location is key to our business. 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. We operate a quaint cottage, *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 exterior sign causes two things: An invitation to enter because it is a business..."Do you have a room for Rent?" "Can we make a reservation for next week?", "Can we tour the house?" and an invitation to a robbery, theft etcwe 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.

Again, you do not state WHY you believe that an exterior sign is necessary.

Item E: So you know, my car Registration & Driver's License shows my PO Box, not my home address in Point Reyes. DMV wants a mailing address. The US Post Office requires Utility Bills with the property address for our no-charge PO Box – maybe that is what you want to use?

Item H.2. Currently Marin County sends Renewal reminder 60 Days prior- why wouldn't you continue to do that?

Item I. License Fee – Please advise the proposed fee structure as soon as possible.

Item G2 : this is repeated in D4.vii,d AND D4ix – please combine in ONE place.

Item H 1-6. This are all repeated from Item D7 – please state in ONE place only.

Item M. Please change the HOST time on site to 12 Midnight – 5 AM (10:15/30 is when the Marin Symphony lets out – we need time to drive home)

As we wrote in 2017:

We are also in support of more housing in the County. Multi Family housing units/apartments can provide well priced housing **with property management and maintenance services included. Please make multi family units a priority over single family homes as these provide only one family use and require added costs of:** *Property taxes *Electric *Gas or Propane *Water *Trash *Telephone/Cable *Property maintenance costs

In Summary: To Marin County Supervisors --- Please support Multi Family Housing for long term housing needs at lower monthly rental rates/utility expenses than single family homes.

<!--[endif]-->

Thank you,

Eileen & Martin

Eileen Connery & Martin Borge

PO Box 1268

Point Reyes Station CA 94956

PLEASE SUPPORT MARIN AGRICULTURE: WWW.SAVEMARINFOOD.COM

From: [Christopher Boas](#)
To: [STR](#)
Subject: Short term rentals at Stinson Beach
Date: Thursday, October 19, 2023 11:09:48 PM

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

To whom it may concern

We are writing in favor of a one month minimum on rentals in Stinson Beach and Seadrift, and to cap the permits for shorter term rentals at the current number or fewer.

Short term rentals less than one month totally change the atmosphere. Stinson and Seadrift are very tranquil places, but when a house is being rented out to a new tenant every few weeks, the neighbors of that house are subject to a much different atmosphere than one that has permanent tenants or a regular tenant.

It also prevents those looking for a longer term housing from gaining access to it

while it may be understandable for some to seek to commercialize their homes, it should not be allowed to impact the tranquility and peacefulness for those who live out here permanently or come out regularly.

Respectfully

Chris Boas,

299 Seadrift Rd.,
Stinson Beach California.

From: no-reply@marincounty.org
To: [STR](#)
Subject: Disappointment in Draft STR policy
Date: Friday, October 20, 2023 8:27:55 AM

Thomas Baty with email address sherrybaty@gmail.com would like information about: While I appreciate County Plannings efforts to address some of the problems created by STRs, I strongly believe that many of the inherent negative effects of these uses will simply be institutionalized by this plan. There really needs to be an overall reduction in the amount of dwellings given to this use.

On a personal level, I live next to an unregistered and unruly STR and there doesn't seem to be a simple or effective way to enforce any of the current regulations. The draft explicitly prohibits the unregistered and unregulated use of structures as STRs. Can the admin side of this code go one step further and establish some authority to address and correct prohibited underground short term usage?

Thanks

From: [Suzi Katz](#)
To: [Rodoni, Dennis](#)
Cc: [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)
Subject: Please put limits on short-term rentals in Marin
Date: Friday, October 20, 2023 8:32:04 AM

[Some people who received this message don't often get email from suzi@suzikatzgardendesign.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Planning Commissioners and Supervisors,

I am a home owner in West Marin and I think we have a serious problem in that there is not enough rental property available for people who work here and have ties to the community. Please count me as another voice in favor of limiting the number of short term rentals.

Thank you for your consideration,

Name: Suzi Katz

Address: 65 Manana Way

From: [Jeff Finci](#)
To: [Kilgariff, Kathleen](#)
Subject: STR Draft Ordinance Public Comment
Date: Friday, October 20, 2023 1:55:47 PM

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

Dear Planning Commission Members and Planning Department Staff,

Thank you for this opportunity to comment on the proposed STR ordinance for Marin County. I am the owners of an ocean front triplex in the Calle section of Stinson Beach. We have owned this property for just over 10 years -- the culmination of a lifelong dream of California kids who escaped to the beach and Mt. Tam seeking beauty and respite from hot central valley summers and the stress of college life. We are not gazillionaires who bought a vacation home that sits vacant 90% of the time, or a corporation that is buying up affordable housing to convert it to a short-term rental bonanza.

While we support the County's effort to balance the various factors related to long-term and short-term rentals in our communities, for the reasons noted below, we respectfully request the following changes to the proposed Short Term Rental ordinance:

- 1) Elimination of the blanket prohibition on multi-family rentals;**
- 2) Parking requirements tailored to address different needs in different parts of the county;**
- 3) Minimized regulatory requirements that are burdensome both from a time and cost perspective.**

When we decided to pursue our dream, we had no concept of operating a vacation rental. Our only criterion was that the property be on the beach or within walking distance for a price that we could afford. It happened that a fairly modest triplex came on the market that had been operating as a short-term rental for many years. When we purchased this property, we inherited a roster of individuals, couples, and families who had longstanding traditions of celebrating Thanksgiving, July 4th, the anniversary of their child's death, engagements and other major milestones at our property. We made a decision to continue renting our house. Since we bought this house, nearly 1400 different individuals and families have rented from us, with many coming annually. These are not jet setting rich people flying in to party. The people who rent from us are Californians just like us. Many are from Marin County just like us. Our guests relish the opportunity to share their little slice of one of California's most precious assets. In fact, it gives us great joy to share this experience and delight so many individuals and families. It would be a huge shame not to be able to do so due to the ban on licenses for multi-family housing. Instead of hundreds of families being able to come to Stinson Beach, two families will use our three units on an occasional basis if this ordinance is passed as written.

In addition to preserving coastal access for ordinary Californians, as noted in the staff report, vacation rentals provide an important source of income in the Stinson Beach community and Marin County. Local businesses in Stinson and other beach communities would have less business if multi-family properties are not used when the owner is not staying there. Please also consider the other services that would result in fewer income opportunities – housecleaning services based in San Rafael, laundry services based in Mill Valley, and the multitude of repair services from all over the county who are called “way too often” to address needs at vacation rentals. Furthermore, Transient Occupancy Taxes would decrease if multi-family units were not eligible for licenses.

While we recognize the theory that traditional multi-family housing is used by long-term renters, it is true for large (or even small) apartment buildings. But we do not believe that is true for all properties that happen to have more than one unit – especially those used as second homes. In our case, we frequently use all of our units to host friends and family so we would not be able to make our three units available for long-term renters. This is likely true of others who use their properties as a second home. If you were to look at all the properties in the Calles and Patios in Stinson Beach

that are vacation rentals, those properties with more than one unit are indistinguishable from those with only one unit. Some of our neighbors with ADU type units are wholly dependent on their rental income to be able to stay in the homes they have lived in for years. If they are unable to rent on a short-term basis, rent received from a long term renter would not provide sufficient income to live in the home they have lived in for much of their adult lives and would likely be forced to sell. We are sure that the new ordinance is not looking to push long term residents who are simply looking for ways to supplement their income into selling. And should they actually have to sell, the new owner will not likely be of the income level that the STR is designed to support.

While we appreciate the need to limit hosts who are “bad actors,” there is no correlation between bad hosts and multi-family properties. We are unclear why we and other well-liked hosts and their guests should be penalized because we have three units on the same property instead of one. We strongly urge you to reconsider the blanket prohibition on multi-family rentals.

If parking is going to be addressed as part of this ordinance, please address it holistically and community by community. In Stinson Beach, there is minimal on-site parking for many of the properties west of Highway 1. (Of the 13 or 14 properties on our street, only three have on-site parking whether for renters or owners.) Therefore, the concern is not so much about on-site vs off-site parking, but that daytrippers to the beach park on Highway 1 and the streets adjacent to the beach causing safety issues and impacting the parking of locals and overnight guests. Please consider a more flexible approach to the parking requirement to address different needs in different parts of the county. On narrow roads in the Marin hills, we agree that the contemplated on-site parking requirement makes sense. On public and private roads in the beach communities, street parking should be available for STRs and the ordinance should encourage local law enforcement to protect parking for those residing in homes on the impacted streets.

We have fully supported efforts by the County to regulate STRs up to this point. We have maintained a business license, collected and paid TOT, and complied with all other requirements set forth in recent years (e.g., notification of neighbors about our vacation rental). We also support the County’s efforts to update its regulations for many of the reasons noted. We already comply with most of these requirements as a matter of course in being an excellent host. We appreciate that the staff has not recommended that LLCs be prohibited from owning STRs. We created an LLC when we bought the property to protect ourselves from liability. We are happy to comply with a requirement that we identify the natural persons associated with our LLC.

We are hopeful that the Commissioners and Staff will consider minimizing added ongoing regulatory requirements that are burdensome both from a time and cost perspective. For example, while there is a public interest in ensuring STRs manage water use and keep septic systems in good working order, there is minimal benefit to requiring every single licensee to report on these and other items annually since the large majority are likely to be in compliance. Using staff time to conduct periodic audits either on licensees against whom complaints have been registered or on a random basis will provide more benefit than using staff time to review applications that do not show violations.

In summary, we respectfully request the following changes to the proposed Short Term Rental ordinance:

- 1) Elimination of the blanket prohibition on multi-family rentals;**
- 2) Parking requirements tailored to address different needs in different parts of the county;**
- 3) Minimized regulatory requirements that are burdensome both from a time and cost perspective.**

Thank you for your consideration,

Jeff Finci

From: [Michael Parman](#)
To: [PlanningCommission](#); [Kilgariff, Kathleen](#); [Rodoni, Dennis](#); [BOS](#)
Cc: info@westmarinaccesscoalition.com
Subject: Please Do Not Support the Proposed Short Term Rental Regulations
Date: Friday, October 20, 2023 12:49:05 PM
Attachments: [STR Data.csv](#)

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

Dear all,

The proposed Short Term Rental regulations have been promoted by the Community Development Agency as serving the following purposes:

- Preserve or increase affordable housing availability
- Reduce environmental health issues associated with campsites lacking approved septic waste facilities
- Reduce housing safety risks

The regulations will not solve these issues and will have a number of negative unintended consequences which may actually worsen the economic and environmental well being of the areas covered by these regulations.

There is no evidence that limiting Short Term Rental use increases affordable Long Term housing. On the other hand, there is excellent evidence that banning Short Term Rental business use reduces affordable Short Term housing accommodation for visitors. The areas impacted by the regulations are historically agricultural, touristic and second home areas. Banning the use of second homes, ADUs and outside structures and campsites will greatly reduce the available stock of the most affordable Short Term housing Bay Area residents and long distance tourists use for accommodation overnight in West Marin. The GG National Seashore and other parks are a public amenity meant to be used by as many Californians as possible - supporting this "Locals Only" anti-tourist attempt to keep the public out of these West Marin amenities by eliminating the most affordable housing options will greatly reduce Coastal access for Marin County, Bay Area and California residents. Limitation of such low cost housing will also have the unintended consequence of increasing occurrence of car camping and unsanctioned encampment on public property - this will serve to actually worsen the septic and trash issues which Short Term Rentals have been slandered by proponents of these regulations as creating.

The party-line assertion that Short Term Rentals reduce affordable housing was coined during the implementation of the San Francisco measures to dramatically reduce Short Term Rental availability. In fact, from the time of the ban in 2016 to 2020, Long Term Rental rapidly rose in San Francisco despite the ban. In addition, Short Term Rental rates (hotel nightly rates) increased even faster. Only the pandemic and its attendant mass exodus of population brought a decline in rents in San Francisco from 2020 to 2021. The ban on Short Term Rentals had no effect on reducing Long Term Rental Rates and actually caused Short Term nightly rates to spike. However, at least the rhetoric behind the ban had some logical link to affordable housing in San Francisco - San Francisco has a Rent Control Ordinance which ensures that if tenants remain in their rent controlled units, over time these apartments will become affordable because rents can only increase at a fraction of CPI per year so over the decades the units that are continuously occupied turn into below market rent units - this affordable housing is not means-tested or allocated to people based on any demonstrated need - but only based on their continuously living in the unit. Nonetheless, it is viewed as a class of affordable housing by the City of San Francisco. As a result of the Rent Control legislation, given the choice between a Long Term Rental tenant and a Short Term Rental tenant, many rental housing providers were opting for Short Term Rentals as they avoided the risks of Long Term rent controlled tenants. So in that sense, it could be said that Short Term Rental was reducing the stock of affordable housing in San Francisco as well as New York, Santa Monica and other areas that also banned Short Term Rentals to protect their rent controlled housing stock. However, no such condition exists in West Marin.

The only link between affordable housing and Short Term Rental use in West Marin is the assertion that

there are "Corporate and Institutional Investors" buying would-be affordable housing to "cash-in" on Short Term Rental riches. This is a transparent fabrication and not even very good propaganda. First, buying a property for short term rental use is a money losing proposition based on an analysis of prevailing rental rates, occupancy, cleaning costs, mortgage costs and utilities, insurance and taxes. The supposed investor would lose money hand over fist. I have attached a spreadsheet with a detailed analysis based on current real estate and Short Term Rental market data from Awning showing the economics of speculatively buying a house to use for Airbnb rental. The investor would achieve a loss of 27% on the equity investment - no investor would do this.

The County of Marin made available to the public on its website a spreadsheet including the name, business license number and address of all Short Term Rental operators that would be covered by this ordinance. This may have been accidental as the posting of this data was itself not consistent with Marin County's normal handling of privacy - the data set is attached below. Analysis of this data reveals that .01% of these 948 properties are owned by any Corporation which owns and operates multiple Short Term Rental properties as an investment activity - just one corporate owner (Avanti West). The super majority of these properties are held by individuals, family living trusts established for Estate Planning purposes or established well-known Hospitality Operators like Nick's Cove or the Motel Inverness. The data proves the Boogieman of the hoards of speculative corporate investors gobbling up affordable housing in West Marin is just not the truth.

So, if it is not speculative real estate investors, who conducts short term rentals and why? Many long term owners have low fixed costs in their properties and may have paid off their mortgages. These long term owners use these properties as residences or family vacation houses some of the time and make them available to the public when not in use. These are the only Short Term Rental operators using Airbnb and other services profitably. Other more recent new buyers may use these services to offset costs, but still operate at a net loss - albeit lower losses than they would otherwise experience. The economics for a new speculative corporate real estate investor would be disastrously loss making. A spreadsheet is attached to demonstrate that based on prevailing home prices, costs, Airbnb rates and occupancy levels an investor pursuing the strategy of buying Marin property for use as an Airbnb rental would earn a -27% return on equity, as mentioned above.

Many of the units banned, such as "Glamping" sites, RVs, yurts, campsites, etc are not generally considered suitable for long term habitation anyway and their ban would exclusively serve to reduce access to the coast at a reasonable price. The remaining rentals that would be banned would not be offered as Long Term Rentals as the owners are generally families who want the use of the property and generally rent it short term in a break even or loss making basis to keep the place from being abandoned most of the year and offset some of the costs of ownership.

West Marin is a poor target for affordable Long Term housing development from a policy perspective - it has a very expensive cost of living, offers limited transit options (the only bus operator recently increased fares from \$2.00 to \$6.75), limited medical and emergency infrastructure and limited job opportunities. Affordable Long Term Housing policy would be more practical to focus on the urban core - affordable Short Term Housing policy should focus on the touristic coastal areas to make them more accessible.

An unfortunate unintended consequence may be the acceleration of a State legislative initiative which Marin is already dealing with Countywide - the loss of local autonomy in planning and development to State law initiatives. Failing to use the sharing economy platforms to make every unit of Short Term Rental available in the Coastal Zone may result in the State deciding that affordable coastal access must be made available where the Counties have failed to do so. The result could be by-right development in touristic areas to encourage more hotel rooms for more visitors. It would be a true shame to see West Marin beset with a wave of hotel development to fill in the supply that Short Term Rental providers are being banned from providing by the regulation.

Another unintended consequence is that the TOT revenues generated from Short Term rentals are one of the very few potential funding sources for actually affordable housing development and low income assistance programs. Reducing these funds would actually eliminate the potential for the development of actual affordable housing to meet the goals of those advocating for this regulation.

Lastly, if you feel politically compelled to support this regulation despite the data and common sense, please consider scaling the regulations back to one of the following options:

1. All properties held by a natural person or trust (not a corporation) with permitted septic and passing a safety inspection, including non Single Family Residency units and non standard housing units such as “glamping” sites, RVs and camping accommodations to continue operating - this will provide the most Coastal access while meeting the objectives of the regulation

or

2. Exempt properties within the Coastal Zone, the most touristic areas, from the regulations except for septic and safety inspection requirements.

Thank you for considering these concerns,

Michael Parman and Bojana Miloradovic

STR Investment Economics 101

Cost of Purchase	2,400,000.00	Price pr propert, occuppnacy rates and cost per night bas
Down Payment	480,000	https://www.awning.com/a/airbnb-market-data/Stinson-
Monthyl Mortgage Cost	\$13,662.00	
Annual Mortgage Cost	\$163,944.00	
Insurance	8000	
Property Taxes	28,800.00	
Utiltiies /Maintenance		
Trash	75	
Water	100	
Internet	75	
Electric	125	
Gardening	150	
Maint	50	
Total Monthly	575	
Total Annual	6900	
Management Fee	8%	
Management Fee Annual	6,620.83	
STR Revenue		Price pr propert, occuppnacy rates and cost per night bas
Revenue oer Night Including Cleaning	291	https://www.awning.com/a/airbnb-market-data/Stinson-
Nights in Year	360	
Occupancy Rate	79%	
Annual Revenue	82,760.40	
Operating Costs	13,520.83	
Insurance	8000	
Taxes	28,800.00	
Mortgage Cost	\$163,944.00	
Net Income	-131,504.43	
Return on Equity Investment	-27%	

sed on Awning Market Data for Stinson Beach as a representative market

sed on Awning Market Data for Stinson Beach as a representative market

From: charles.oakander
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; PlanningCommission
Subject: Houses Should Be Homes. (West Marin Resident)
Date: Friday, October 20, 2023 12:53:23 PM

[You don't often get email from chuckoakander@me.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.

Thank you for your consideration,
Chuck Oakander
2 Opal road
chuckoakander@mac.com

Sent from my iPhone

From: [arianne dar](#)
To: [Rodoni, Dennis](#)
Cc: [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Lucan, Eric](#); [Sackett, Mary](#); [STR](#); [PlanningCommission](#)
Subject: Follow up comment
Date: Thursday, October 19, 2023 12:04:24 PM

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

Hello Supervisors and Commissioners

I am taking this opportunity to write a follow up email concerning the county's proposed new STR policies.

Since sending my first comments, I have learned that the restriction placed on ADUs, stating that they may not be used as STRs, is coming from the state, not from the county. This is really unfortunate and I firmly believe Marin County should push back against this mandate. While this may make sense in some areas it is discriminatory against low income homeowners who may want to have an ADU rental to supplement their income and may need that income to keep their properties. I personally would love it if Marin County could take the lead in challenging this aspect of the state regulations. Why should rich second home owners be privileged in being able to rent out their second homes for relatively high sums to offset their expenses while our lower income homeowners are forced to vacate their own homes should they want to earn supplemental incomes.

I believe Santa Monica has an ordinance that states that there must be a full time resident living on a property where there is an STR. Perhaps we could all lobby for this as the more sensible restriction?

Thank you for considering taking this challenge on.

Arianne Dar

COMMENT ON STR DRAFT 10/19/2023

Dear Planning Commission Members,

TOURIST DOLLARS ARE NOT THE ONLY DESIRABLE INCOME FOR WEST MARIN!

These small West Marin towns thrive on diverse sources of income. A local pharmacy. A local radio station. A local post Office. A local branch of a well-connected health clinic. A bookstore, Dentist. A local community food bank. Local art gallery.

These small and mid-size local businesses need local workers who can live locally, serve long term, and avoid high employee turnover due to unaffordable homes and long commutes to work.

Ask any West Marin Business owner. They all support local affordable long term rentals for their workers.

Taken to extremes, too many vacation rentals push out local businesses and force workers to live long distances from their work, resulting in "Vacation home ghost towns" that contain only short term rentals, but very few business enterprises other than perhaps a restaurant and bar.

I have seen such "Vacation home ghost towns" overseas and they are not pretty or prosperous. Yes, these towns have tourist dollars, but little else other than mostly empty vacation homes.

West Marin has lost hundreds of local long term rentals due to financial pressure from the high profitability of Short Term Rentals. I don't want to see the damage in the future to the mix of local businesses with too little regulation of short term rentals.

The draft as written talks about the free enterprise rights of STR Owners, but does not address the financial/social/community consequences when local small businesses and long-term tenants are driven out by too many Short Term Rentals.

Tourist dollars need to be balanced by local business income and employment within a strong and healthy diverse LOCAL community.

PLEASE PROTECT THE SMALL BUSINESSES AND THE EMPLOYMENT OPPOTUNTIES THAT ARE ALREADY THRIVING IN WEST MARIN COMMUNITIES!

REVISE THE CURRENT DRAFT STR REGULATIONS TO FURTHER LIMIT SHORT TERM RENTALS

Thank You,

Nancy Vayhinger
Point Reyes Resident

From: corey@coreyohama.com
To: [Rodoni, Dennis](#)
Cc: [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)
Subject: Houses Should Be Homes. (West Marin Resident)
Date: Thursday, October 19, 2023 12:05:41 PM

[Some people who received this message don't often get email from corey@coreyohama.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.

Thank you for your consideration,

Corey Ohama
Olema

October 19, 2023

Honorable members,
Marin County Planning Commission

Draft Marin STR Ordinance: Oppose

Dear Commissioners:

Thank you for the opportunity to comment on this draft proposed ordinance which, if approved, would shape the scope and nature of short-term rentals in unincorporated Marin County and close our family business. I am 65 years old and work full-time managing our three short-term rentals, our one long-term rental and my 101-year-old father's short-term rental, all north of Marshall. Our STRs support many part time individuals and families who help us clean, bookkeep, keep our website current, interact with guests as well as repair and maintain. Our team (and more than 30 local business suppliers of goods and services) is proud of the work that we do which is reflected in our average 4.95 AirBNB rating and nearly 450 positive guest reviews.

So why not find a way to increase affordable housing in unincorporated Marin County AND allow locally owned STRs, like mine, to stay in business? Unless, of course, this ordinance really is about closing STRs and not about creating more affordable housing. Why would this be so? Who could possibly benefit?

The California Hotel and Lodging Association has made no secret to its members that it is working to protect the rights and interests of the commercial lodging industry and, as far back as 2016, it 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 efforts, perhaps similar to the one here, successfully convinced lawmakers to pass ordinances restricting STR activity.

So prevalent is the commercial lodging industry's practice that there's even a name for it: An Airbnb spokesperson who is quoted in the article calls the practice (of coercing local policies to eliminate vacation rental competition and raise rates) as "short sheeting the middle class . . ."

Times article excerpt: *The hotel association's efforts have succeeded in disrupting some Airbnb hosts. Sebastian de Kleer, owner of Globe Homes, a short-term rental company based in Los Angeles, had listed some of his properties on Airbnb for more than a year. But Airbnb canceled his Los Angeles listing from its site in March 2016 after the hotel association argued to local*

politicians that Airbnb hosts like Mr. de Kleer were raising the cost of housing in the city by renting out properties for short-term use rather than for long-term renters.

More than 70 new commercial overnight accommodations have recently been added to the sparse commercial lodging options available to visitors in Marshall and 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 would 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 the community. Why not then place similar restrictions on commercial lodges whose commercial units could also house workers and others in our community?

Access to affordable housing remains a legitimate problem for our family, friends and neighbors here in West Marin and those seeking affordable housing here deserve to be treated as more than shills in the hotel industry's attempt to foist higher rates on coastal visitors. As an alternative to this proposal, 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? While we are at it, why not require the same of the owners of commercial lodges in our communities for the people who work in them.

We have seen no factual evidence suggesting that STRs have supplanted LTR housing stock in West Marin. Historically, the much larger impact on available housing has been the prevalence of second homes up and down the coast. The rapid growth of STRs in West Marin may be nothing more than "weekenders" seeking additional cash for the maintenance and upkeep of summer homes in a harsh marine environment – homes that have never been inhabited by full-time tenants. For much of the past 45 years, I -- and later my family and I -- have been the only full-time residents in our row of seven houses built in the 1940s as summer homes along the old Northern Pacific Coast Railroad right-of-way. If this is the case for others in unincorporated coastal Marin communities, as I believe it is, ADUs may be a better solution for many of the same people are now form part of the demand for housing here - specifically, those working in STRs who might happily appreciate housing closer to work.

The enemy is us: 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." So why are the authors of this ordinance focusing only on STRs about which little is known? Why are the recommendation of the June 15, 2023 Grand Jury Report not also part of this proposal?

One of the founding tenets of the East Shore Planning Group and our community plan which was 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. 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 will likely not be turning their new purchases into long-term rentals.

Recommended amendments:

We urge staff and commissioners to find solutions to housing access without eliminating affordable public access to our coast, causing community-minded businesses such as ours to become insolvent or local families (such as ours and those we employ) to seek employment elsewhere. Local employment and local, affordable housing can be an “AND” not an “OR”.

We seek the following:

- 1) Allow owners who are operators of STRs to operate multiple STRs provided all of the following conditions are met: 1) the owner/operator lives in a contiguous property (contiguous defined as having a common property line or a property line separated only by a street or highway), 2) owner/operator or a designated worker who lives onsite is available to help guests when needed, 3) owner provides low-income housing (on-site or on a contiguous site) at the ratio of at least one full- or part-time worker or family per unit, 4) owners of STRs who create ADUs should be able to pass these family businesses on to the next generation of family or anyone else.
- 2) 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 treat all overnight accommodations (commercial lodging such as the Dillon Beach Resort, Nick’s Cove, the Marconi Lodge as well as farms, campgrounds and bed and breakfasts), equally with respect to limits on number of units, TOT, repairs while open, ownership type and succession, presence and multiple units on one property and all other applicable rules. Similarly, we ask that all exemptions be treated consistently: If, for example, farms are exempted due to economic hardship, then non-agriculturally zoned properties suffering the same or similar hardships (older owners, fixed income, older buildings, etc.) should also be exempted.
- 3) 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.

- 4) We ask that more factual and community-specific data be developed as the basis for this ordinance. For example, what number and proportion of homes in each community were historically “weekender” second homes and how many STRs were second homes or previously LTRs? How many homes purchased in the last ten years have been converted to STRs? Were ordinances like this one (whether compelled by hotel lobbyists or not) successful elsewhere in increasing LTR housing stock? Did room rates in commercial establishments in the community go up (as the Times article argued would happen) when STRs in the community were reduced in number and by how much? In coastal areas, did elimination of STRs and increased commercial rates serve to limit equitable access to California’s Coast?
- 5) We urge more extensive outreach to those who work in West Marin, particularly those whose first language is not English, informing them of this proposed ordinance. Several families who work for us would lose their jobs. One of our cleaners indicated to me that she would likely be unable to continue to afford rent for her family living in their West Marin home. Yet, neither she nor any individual who works with us received notification of this process.
- 6) 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.

Thank you, again, for considering alternative options to those presented in this draft ordinance. 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 and staff to keep their eyes on the prize which is increasing affordable housing stock, not eliminating mom and pop local businesses like ours. We urge commissioners and staff to explore for themselves the history of commercial lodging interests’ use of affordable housing as a decoy to eliminate STR cost competitors in communities throughout the country -- competitors that help keep access to our treasured coast equitable. Finally, we ask commissioners to seek ways to make STR and commercial lodging owners your partners in seeking solutions to affordable housing here.

Sincerely,

Tom Riley
Marshall

Cc: Supervisor Dennis Rodoni

From: [Susan Ferro](#)
To: [STR](#)
Subject: Attn Kathleen Kilgariff
Date: Thursday, October 19, 2023 1:59:56 PM

You don't often get email from 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 byl 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)

CALIFORNIA CATTLEMEN'S ASSOCIATION

3841 N. FREEWAY BLVD., SUITE #130, SACRAMENTO, CALIFORNIA 95834

SERVING THE CATTLE
COMMUNITY SINCE 1917



PHONE: (916) 444-0845
FAX: (916) 444-2194
www.calcattlemen.org

October 19, 2023

Planning Commission
Marin County Community Development Agency
3501 Civic Center Drive, Suite 308
San Rafael, California 94903

Re: Short Term Rental Ordinance Update

Dear Commissioners:

The California Cattlemen's Association (CCA) appreciates the opportunity to provide feedback on Marin County's proposed Short Term Rental (STR) Ordinance and your Staff Report regarding the proposed STR Ordinance. CCA represents more than 1,700 cattle ranchers throughout the state, including approximately 90 ranchers belonging to our Sonoma/Marin Cattlemen's Association affiliate. CCA has long worked with Marin County to ensure the viability of agricultural producers in the County whose operations steward the County's vibrant land, water, and wildlife and contribute to the vitality of Marin County's economy.

Should Marin County adopt an STR Ordinance which significantly restricts farmstays on agricultural operations or which places significant costs or other barriers to such farmstay operations, it could significantly impact the viability of agricultural operations currently utilizing STRs to supplement farm or ranch income. For that reason and the additional reasons detailed below, **CCA strongly supports Alternative 1 listed in the Staff Report, the Agricultural Exemption to the STR Ordinance** which would "exempt agricultural properties from the STR Chapter in the Marin County Code." CCA urges the Planning Commission to advance this alternative at your November 13 hearing for further consideration by the Board of Supervisors and California Coastal Committee.

Farmstay STRs promote the viability of Marin County agricultural operations

High input costs, volatility in cattle markets, and numerous other factors threaten the viability of California's cattle ranching operations. A 2019 sample analysis of costs for a San Francisco Bay Area cow-calf operation with 100 head of cattle found that such an operation would operate at more than a \$10,000 *loss*.¹ While several variables could alter the results of such an economic analysis and it is by no means a foregone conclusion that Bay Area ranchers will operate at a loss, this analysis demonstrates the vital importance of ranchers diversifying their income streams. Some producers take on additional occupations while others seek to diversify their on-ranch income sources via direct-to-consumer sales, participation in niche markets, educational opportunities, and "farmstays" – or short terms rentals on the farm or ranch.

¹ SHEILA BARRY ET AL., SAMPLE COSTS FOR BEEF CATTLE COW-CALF PRODUCTION: 100 HEAD OPERATION ON PUBLIC LANDS-SAN FRANCISCO BAY AREA-2017 10 tbl. 1 (2019).

STEVE ARNOLD
PRESIDENT
SANTA MARGARITA

BEV BIGGER
TREASURER
VENTURA

BILLY GATLIN
EXECUTIVE VICE PRESIDENT
TEMPLETON

SHEILA BOWEN
SECOND VICE PRESIDENT
GLENNVILLE

FRANK IMHOF
SECOND VICE PRESIDENT
PLEASANTON

RICK ROBERTI
FIRST VICE PRESIDENT
LOYALTON

JOE DAN CAMERON
FEEDER COUNCIL CHAIR
BRAWLEY

MIKE MCCLUSKEY
SECOND VICE PRESIDENT
RED BLUFF

MIKE SULPIZIO
FEEDER COUNCIL VICECHAIR
CALIPATRIA

Agricultural production *directly* contributed more than \$94 million to Marin County’s economy in 2022,² and likely contributed an additional roughly \$235 million attributable to “employment opportunities, support industries, and tourism.”³ Marin County farmers and ranchers can only contribute to the County’s economy (and steward its open spaces, viewscapes, and wildlife) so long as they remain economically viable, however. Farmstays and attendant educational and recreational on-farm activities provide a necessary source of income for as many as 70 farmers and ranchers in the County,⁴ and restricting on-farm STRs could jeopardize the viability of these operations (and their attendant benefits to the County’s economic success). To safeguard this important source of farm and ranch income, CCA urges the Planning Commission to advance Alternative 1 and exempt agricultural properties from the STR Ordinance.

Farmstays do not pose nuisance risk

Much of the Staff Report points to the need for additional regulation of STRs on the grounds of Marin County’s “Good Neighbor” policies relating to noise, parking, trash, and other community quality-of-living concerns.⁵ As the Staff Report points out in its brief analysis of Alternative 1, however, issues pertaining to noise, trash, or other disruptions are unlikely to arise at STRs on agricultural properties. Because the owner of an STR on a farm or ranch will typically be present on the broader property, guests are more likely to be mindful of the need to be well-behaved and “there is a host on the property” to quickly “address any issues that may arise” and prevent further issues from developing.⁶ Should any issues nevertheless arise, they are unlikely to cause disturbance for other Marin County residents, as “Agricultural producers typically have large properties.”⁷ Indeed, neighboring properties are likely to also be farms, ranches, or other forms of open space, providing additional buffers that ensure neighbors are not disturbed.

Agricultural STRs are consistent with Marin County policies

Between 2012 and 2018, CCA worked closely with Marin County ranchers, the Planning Commission, the Board of Supervisors, and the California Coastal Commission to negotiate a Local Coastal Plan Update which was workable for County ranchers and which properly recognized the role of agriculture in Marin County’s landscape and economy.

The Local Coastal Program Land Use Plan adopted by the Board of Supervisors and certified by the Coastal Commission explicitly details the economic benefits of agricultural production to the County and the importance of farms and ranches for residents and tourists alike:

“In Marin County, coastal agriculture is important as an essential livelihood, a foundation for regional economic activity, and a wholesome, local source of food for

² MARIN COUNTY DEPARTMENT OF AGRICULTURE, MARIN COUNTY 2022 CROP AND LIVESTOCK REPORT 1 (2023). Approximately 16% of this value was contributed by Marin County cattle production. *Id.* at 4.

³ MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY, MARIN COUNTY LOCAL COASTAL PROGRAM LAND USE PLAN 9 (Feb. 2019) (“It is estimated that every dollar of agricultural production yields a multiple of 2.5 additional dollars contributed to the local economy.”) (*hereinafter* LAND USE PLAN).

⁴ KATHLEEN KILGARIFF, STAFF REPORT TO THE MARIN COUNTY PLANNING COMMISSION: SHORT TERM RENTAL (STR) ORDINANCE UPDATE WORKSHOP 26 (Oct. 2023).

⁵ *See, e.g., id.* at 2-4, 15, 20-21.

⁶ *Id.* at 26.

⁷ *Id.*

residents of the Bay Area and beyond. It is estimated that every dollar of agricultural production yields a multiple of 2.5 additional dollars contributed to the local economy in employment opportunities, support industries, and tourism.... [T]he working agricultural landscape provides world-class views, a pastoral frame for Marin's distinctive coastal villages, and an extraordinary open space backdrop for the myriad of recreational activities offered throughout the Coastal Zone. For all these reasons, the Local Coastal Program... policies seek to preserve viable agriculture as a permanent part of the fabric of coastal Marin for the benefit of residents, visitors, and the environment itself.”⁸

Limiting farmers and ranchers' ability to operate STRs on their agricultural operations would be counter-productive to the County's stated goals, diminishing the tourism dollars invested by guests into the Marin County economy and depriving visitors of many of the “world-class views” and experiences available in the County. These limitations would also prove a blow to the coastal access goals enshrined in the California Coastal Act.

More importantly, though, adoption of the Agricultural Exemption reflected in Alternative 1 of the Staff Report would directly *advance* a priority of the County's Local Coastal Program Land Use Plan. Program C-AG-2.f seeks to facilitate agricultural tourism within the County, and to that end directs the County to “Review agricultural policies and zoning provisions and consider seeking to add educational tours, homestays and minor facilities to support them as a Categorical Exclusion.”⁹ Adopting Alternative 1 and authorizing homestays/farmstays on agricultural properties will directly advance the County's policy of facilitating agricultural tourism which, as noted above, pays significant dividends for Marin County's economic vitality.

Conclusion

CCA appreciates the Planning Commission staff for listening to the concerns of local agricultural producers and crafting Alternative 1 in response to those concerns. We also appreciate the opportunity to provide feedback directly to the Planning Commission in response to the proposed STR Ordinance and alternatives. Because STRs on farms and ranches promote the agri-tourism policies reflected in the County's Local Coastal Program and because restricting farmstays would harm agricultural viability without any discernable benefit to the local community, CCA strongly urges the Planning Commission to adopt Alternative 1, exempting agricultural properties from the STR Ordinance, and to advance that alternative to the Board of Supervisors.

Sincerely,



Kirk Wilbur
Vice President of Government Affairs

⁸ LAND USE PLAN, *supra* note 3, at 9.

⁹ *Id.* at 13.

From: [Wendy Botwin](#)
To: [Rodoni, Dennis](#)
Cc: [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)
Subject: Houses Should Be Homes. (West Marin Resident)
Date: Thursday, October 19, 2023 2:45:09 PM

[Some people who received this message don't often get email from 2dancingtree@gmail.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. I am personally one of them right now! There are plenty of STRs right now and there are no rentals in all of West Marin and I'm not at all exaggerating. There are also a bunch of us locally looking for a home. I don't have anywhere to go as my home is being sold. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live! This also impacts our access to long term community relationships, healthcare providers, and our sense of place and protective relationship with the more than human world.

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.

It's also an issue to be going by West Marin addresses proving residence when most of us use PO Boxes.

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,
Wendy Botwin
Bollinas, CA

From: [Camilla Saufley](#)
To: [Kilgariff, Kathleen](#); [STR](#); [Pearlman, Isaac](#); [Alton, Megan](#); [Drumm, Kristin](#); tvtrötter@ucanr.edu; [Lacko, Leslie](#); [Jones, Sarah](#); [Rodoni, Dennis](#); [melissa daniels](#)
Subject: Planning Commission - STR - Comments on the STR Ordinance
Date: Thursday, October 19, 2023 3:30:30 PM

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

I'm writing this letter to offer an additional perspective on the challenges and joys of living on a working cattle ranch in Marin County. I am a full time resident and a part of Cow Track Ranch. The experience here is something unique and magical every day - but it is not without it's challenges which I see the property owner have to balance and juggle all the time.

As a MALT ranch, Cow Track has limitations on what we can do with the land. We cannot change what we produce and we cannot increase the number of head of cattle beyond what was agreed when the easement was first agreed upon by the Daniels family in the 80s. During the time since, we have experienced severe drought, two recessions and we're seeing inflation that hasn't been seen in decades. This affects the two most important aspects of raising cattle - feed and water. Many summers, with just myself, and at most 2 other people living on the property at any given time, our springs have run totally dry which caused us to have to pay for water deliveries. This with just 3-4 people living full time on the land and greatly conserving water.

When drought conditions arise, feed prices skyrocket. Several summers Melissa Daniels had to sell off many head of cattle at a less than ideal time in their lifecycle because she couldn't afford to feed them all. The Farmstay STRs have been an invaluable opportunity at Cow Track to:

1. bring in money during the season hardest hit by the natural elements, drought, heat and increased feed prices.
2. educate people on the agricultural land experience and where their food comes from
3. allow the property to remain agricultural in perpetuity and provide rich habitat for the ecosystem

Simply stated, Cow Track could **never** sustain more full time residents in the two properties that are rented on occasion. There is simply not enough water to support more than the current amount of full time residents there and there never will be. Melissa Daniels has wisely employed every possible measure for water conservation and still we are always worried the tanks will run dry.

It seems that people want to drive through rural West Marin and appreciate the rolling hills and beauty that our ranchers work night and day to protect and preserve, for ALL to enjoy. But many want to make it more and more difficult for these same hard working ranchers and land conservationists to keep the vision of rural West Marin alive. MALT was a dream that created the incredible beauty that brings thousands of visitors to rural Marin every day. It should be the right of these land conservationists and ranchers to find whatever means they may to keep their operations running by using their land wisely and to benefit the many. In our case including donating farmstays to many non-profits.

I've seen the awe that this land and raising animals has brought to the many children and others who have stayed here. I see the cycles of nature every year and notice how this land creates a healthy eco-system that supports every species native to the watershed. We provide safe habitat for tired waterfowl on long migrations and add carbon back into the soil by grazing cattle upon an otherwise rough and rocky land.

Agricultural land provides a different way of life for anyone who visits to enjoy. Thus Marin County needs to recognize a different way of regulating these working rural lands that is separate and apart from the sprawling suburbia which is the vast majority of the county. The same rules do not and should not apply.

Without Ag, Marin loses; loses the farm to table products they are famous for, lose the species that are abundant and keep our ecosystem in balance, lose the unique hardworking people who steward these lands, and lose the opportunities for education that farmstays provide.

Without Ag, Marin loses.

Sincerely,
Camilla Saufley
Cow Track Ranch

Without Ag, Marin loses.

From: [C Dorinson](#)
To: [Rodoni, Dennis](#)
Cc: [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)
Subject: Houses Should Be Homes. (West Marin Resident)
Date: Thursday, October 19, 2023 3:44:30 PM

[Some people who received this message don't often get email from cdorinson@hotmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Planning Commissioners and Supervisors,

Last week I sent all of you a form letter re the STR situation in West Marin. However, I realize I need to personally say more on this issue.

I have been a resident of PRS for over 20 yrs, and during all those years have been very supportive of the work of the various community land trusts, and the general topic of affordable housing. So much so, in fact, that I just joined the board of the Community Land Trust Association of West Marin (CLAM).

During my time in West Marin I have had many friends who have been forced to find a new home here when the owner of their place makes changes or sells the property. The struggle these people have had trying to keep living in West Marin is beyond belief. And so are some of the places they have ended up living in. Think about that for yourself. You have lived some place for 20+ years, perhaps sending your children through the local public school system, and now, suddenly, you find you can't afford to live here any more, except, perhaps, in quite substandard housing. You must leave your home and community of over 20 years and move to another place. Not by choice. You have to start over creating a community for yourself and loved ones. Not an easy thing to do as we age.

My ongoing belief in local housing has never wavered. I believe it is imperative for every community to have a wide range of permanent housing options so the community can have a diversity of residents and thus a diversity of viewpoints of what is needed to help make it a better and thriving community.

Each time another residence is removed from permanent housing stock it reduces the overall community, and the life, vitality and attraction of that community. Other coastal communities realize this and have placed strict limits on the number of STR's in their area. I believe we need to do the same in West Marin.

I am more focused on those STR's who do not have someone living on site, as they have absolutely zero involvement in our community other than being able to keep on doing what they are doing. They aren't involved in the day to day of even in the street their house is located on.

For example, a friend in Inverness says she is now the only permanently occupied home on her street, which happens to be a gravel road. She said it is practically impossible to drive down the road due to the huge ruts and potholes, and overgrown bushes. She told me that before all her neighbors sold their homes and moved, mostly due to aging or dying, that all the neighbors would chip in money and help each other maintain their roadway. Now she can't find out who is responsible for maintaining the road, and she doesn't know who owns all the homes on her street. She feels helpless and trapped in a place she moved to because it was so beautiful and community oriented. Now she just feels alone and frustrated. And she is far from being the only one in West Marin who feels that way.

Please reduce the number of STRs in West Marin.

Thank you for your consideration,
Name: Cathleen Dorinson
Address: PO Box 267, PRS, CA 94956
Email: cdorinson@hotmail.com

10/16/2023

Rebecca Ahlers
PO Box 250
Valley Ford CA 94972

Planning Commission, Marin County Community Development Agency
3501 Civic Center Drive, Suite 308
San Rafael, California 94903

TO: KKilgariff@marincounty.org, str@marincounty.org, malton@marincounty.org
CC: fbarreto@marincounty.org, lverdone@malt.org, zmendes@malt.org, llacko@marincounty.org,
sbjones@marincounty.org, drodoni@marincounty.org

Re: Short Term Rental Ordinance Update

Dear Commissioners,

Thank you for the opportunity to comment on the county's proposed Short Term Rental (STR) Ordinance. I grew up in rural West Marin on a dairy farm operated by my family. For the majority of my adult career, I have been working in the field of agriculture. I have been fortunate to be able to work with the public and educate people on the importance of supporting local agriculture.

I am currently working full-time on my grandfather's cattle operation located in Tomales and Valley Ford. My grandfather is approaching 93 years old and is unable to handle the day-to-day operations. We raise 300 cow-calf pairs on over 2,000 acres in rural West Marin. The operation provides enough income to sustain the business and cover his living expenses. I work unpaid and devote my time to ensure the ranches stay in the family. I am fortunate to have a husband who provides for me. My family is anticipating selling a ranch to cover the inheritance taxes upon my grandfather's passing as well as losing another ranch to family members not associated with the business. With the loss of land and cattle, the operation will only be able to pay for itself and not provide a living for my family. We will have to diversify the operation in order to make it viable and hopefully make a living.

The ranches have some very old defunct homes. We are estimating it would take at least \$40,000-\$60,000 per home to upgrade them to be in livable condition. The input costs, additional taxes, upgrades, and interest on the loans would take several years to pay off with the current market rental rates. Some of the water sources for the homes would not be able to provide for a fulltime tenant since they come from seasonal springs. Therefore, a short term rental rate at a higher value would be a more viable option. I envision growing produce, providing home grown meat/eggs, and providing educational tours as part of the future of the business included with the farm stay.

Marin Agriculture has always been forward-looking. Now is the time to consider farm stays as an important tool for education regarding local food and an asset to the community. I urge you to exempt Short Term Rentals (Farm Stays) on Agricultural properties from the STR Ordinance update.

Thank you,

Rebecca Ahlers
Spaletta Beef Ranch

From: [Angela Whitney](#)
To: [Kilgariff, Kathleen](#); [Dennis Rodoni](#)
Subject: Comment on the Country of Marin's Draft Short-Term Rental Standards
Date: Thursday, October 19, 2023 11:51:28 PM

Dear Planning Commission and County Supervisors,

I appreciate the opportunity to comment on the Draft Short Term Rental Standards.

Overall, I believe the standards lack substantive restrictions that will make any meaningful change to the status quo of STRs in West Marin. The Standards at once are overly bureaucratic and cumbersome for STR operators, while doing very little to limit the number of STRs in our communities. Given the enormous housing crises in California, cities and counties across the State have drastically restricted STRs, I implore West Marin to take a bolder approach to limiting the number of STRs and follow the path laid out by so many of your peers.

Below, I have outlined the pieces of the Draft I agree with and those that in my opinion need substantial revision.

I am supportive of the Draft's ban on STRs in ADU's and JDU's; however, it is unclear how this restriction will be applied. The Standards need to make clear if this restriction will apply to every cottage, studio, cabin under 1,200 feet regardless of whether or not they are permitted or were built before the ADU/JDU guidelines. I am supportive of a broader definition of ADU so that the restrictions on STRs go beyond new permitted ADU builds.

I am supportive of the Draft's proposal to restrict STRs to one unit per person/ property. This is consistent with disincentivizing the use of properties solely for financial purposes and investor STR operators.

Areas in need revision:

I am concerned that the draft Standards could actually increase the number of STRs in West Marin, based on the cap not pertaining to hosted STRs and only a nominal proposed decrease in the number of unhosted STRs (In the case of Inverness from 93 to 86). According to county data—in Inverness there are 20 STRs on properties with a primary home tax exemption, implying there are currently about 20 hosted STRs. Consequently this means there are 73 unhosted STRs, which given the terms of the current draft, leaves more room for additional unhosted (and hosted) STRs in Inverness.

I would like to see a more substantial cap and or reduction on STRs. I believe this cap should apply to both hosted and unhosted STRs. For Point Reyes Station and Inverness (the town where I live and the town where I am a part owner of a property respectively), **I would like to see a 50% reduction of STRs.**

Furthermore, I am puzzled by the focus on differentiating between hosted and unhosted STRs. If in fact most second units (ADUs) will be off-limits as STRs, how likely will hosted STRs be anyway? Aren't most current hosted STRs in someone's ADU? Or is the county implying that the host will live in the ADU and the 'main' house will be the STR, this seems like a less common scenario and again, one in which I don't think merits a distinction between hosted

and unhosted STRs.

Finally, while I understand and appreciate the intention behind the need for better property safety and care of STRs regarding trash and parking etc., I am concerned that the volume of these requirements will make enforcement of the most critical ones impossible. It is unclear what the county is trying to accomplish by creating these rules, is it to make the process harder so that fewer people apply for STR licenses--that may be worthwhile but if that is the case, then why not just restrict more STRs? If it is in fact to make our communities safer and to lessen the impact of STRs, then I would reduce the number of requirements and have clear enforcement mechanisms.

Thank you for your consideration,
Angela

--

Angela Whitney

From: [Tina Ann](#)
To: [Rodoni, Dennis](#)
Cc: [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)
Subject: Please do right with improving the draft STR ordinance
Date: Thursday, October 19, 2023 4:04:42 PM

Some people who received this message don't often get email from 8tinaann@gmail.com. [Learn why this is important](#)

Dear Planning Commissioners and Supervisors,

I was born in Berkeley, am a lifelong Bay Area resident, and have lived in Bolinas since 1989. I have become deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years, and longer. 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 am about to be one of them. There is no hyperbole in saying there are NO long term rentals in Bolinas right now; we are not even talking affordable. 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, we MUST 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.

Please also consider some mechanism to keep hedge funds and corporations from buying houses to only turn them into unhosted STRs = indeed, houses should be homes.

Thank you for your consideration,
Tina Ann
p.o. box 265 (I hope, but that's another issue...)
Bolinas, CA 94924
(415) 868-2523

From: john.gouldthorpe
To: [STR](#)
Cc: john.gouldthorpe
Subject: STR Draft Plan Comments for the Planning Commission Meeting of October 23
Date: Thursday, October 19, 2023 4:07:22 PM

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

John Gouldthorpe
P.O. Box 1209
Point Reyes Station, CA 94956

Dear Marin Planning Commission Members,

I'm writing to share my concerns regarding the proposed STR Draft Plan that you will be addressing in your meeting of October 23, 2023.

As a 30 year resident of Point Reyes Station, as a homeowner dependent upon the income from my two STRs and as a witness to the increasing economic disparities that are playing themselves out nationally and locally I'm quite committed to the corrective and forward looking incentives that drive the consideration of a workable STR Plan. Our housing crisis is real.

While understanding and being supportive of the motivations for quickly putting in place a STR moratorium and the work that has gone into drafting the STR Plan I find it failing in two essential ways:

1. It doesn't take into account the real and consequential differences in the makeup of the constellation of STRs in our respective villages and the effect that instituting the plan as drafted would distinctly have on each of our villages.
2. The regulations are too confusing and cumbersome. In the end I don't think that their enforcement is manageable. If enacted the planning department would be required to rise to a new degree of policing and enforcement. The consequence of which would disproportionately affect those most in need of the STR income.

I urge you to send this Draft back to staff to address my two concerns and the other equally valid concerns that I have missed that you are likely to learn about through citizen response. If instituted as drafted you'll be setting a precedent for long-term frustration and another layer of community members attempting to meet well-intentioned but confusingly articulated policies.

Sincerely,

John Gouldthorpe

From: no-reply@marincounty.org
To: [STR](#)
Subject: STR proposed standards trying again.
Date: Thursday, October 19, 2023 2:09:18 PM

David Morris with email address dmorris@ilsr.org would like information about:

1. One size should not fit all. STRs are 31% of units in Dillon Beach; 94 percent of which are unhosted. In Point Reyes Station, 52 percent of units are owner occupied, 9 percent of units have STRs and 63 percent are in primary residences.
2. Regs should be clear that a hosted STR must be in a primary residence. Which means the owner is in residence at least 6 months a year.
3. Since the Commission seriously pursued a moratorium the number of STRs has soared. It would be good to know what percent were unhosted. If it is substantial, the future number allowed should be cut in half, which would still be above pre-pandemic levels.
4. A hardship appeal should be possible for a long term resident who needs an STR temporarily to continue living in the community.

From: [janis reed](#)
To: [Rodoni, Dennis](#)
Cc: [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)
Subject: Houses Should Be Homes. (West Marin Resident)
Date: Thursday, October 19, 2023 5:31:39 PM

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Dear Planning Commissioners and Supervisors,

Why are you making a bad situation worse? Where is the concern for the residents of West Marin?

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!

In addition to the impact on locals just wanting to live and work in their community, many people who come and stay at these STRs care nothing about the community. STRs are, from my experience, party houses with no regard for the people who live here (Inverness), with loud music and noise going on until as late as 3 a.m. These bad eggs litter, disrespect the neighborhood, exhibit rude behavior toward shopkeepers, drive recklessly killing deer and other critters.

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.

Don't turn a deaf ear to the people who live (and want to continue living in their hometowns), and work here and contribute to what makes West Marin special.

Thank you for your consideration,

Name:

Address:

Email:

From: [C Dorinson](#)
To: [STR](#)
Cc: [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [PlanningCommission](#); [Rodoni, Dennis](#)
Subject: Re: Houses Should Be Homes. (West Marin Resident)
Date: Thursday, October 19, 2023 6:46:56 PM

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One last item, today's front page story in the Point Reyes Light, our weekly newsletter, re how many restaurants, etc., out here are suffering greatly because workers cannot live out here. Several are thinking of closing. This will hurt the tourist industry, the state and national parks, all the industries that support tourism, including cleaning businesses that clean those STRs, and more. We need much more permanent long term affordable housing in West Marin, not more STRs. Read it here:

<https://www.ptreyeslight.com/news/restaurants-face-uphill-battle-amid-rising-costs/>

From: STR <str@marincounty.org>
Sent: Thursday, October 19, 2023 3:57 PM
To: C Dorinson <cdorinson@hotmail.com>
Cc: Rice, Katie <KRice@marincounty.org>; Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Sackett, Mary <MSackett@marincounty.org>; Lucan, Eric <elucan@marincounty.org>; STR <str@marincounty.org>; PlanningCommission <PlanningCommission@marincounty.org>; Rodoni, Dennis <DRodoni@marincounty.org>
Subject: RE: Houses Should Be Homes. (West Marin Resident)

Hi Cathleen,

Thank you for this follow up email. I will include this in the project record and share it with the Planning Commission prior to their meeting next Monday, October 23rd.

Best,

Kathleen

Kathleen Kilgariff
PLANNER
she/her

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

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

From: C Dorinson <cdorinson@hotmail.com>
Sent: Thursday, October 19, 2023 3:44 PM

To: Rodoni, Dennis <DRodoni@marincounty.org>
Cc: Rice, Katie <KRice@marincounty.org>; Moulton-Peters, Stephanie <smoultonpeters@marincounty.org>; Sackett, Mary <MSackett@marincounty.org>; Lucan, Eric <elucan@marincounty.org>; STR <str@marincounty.org>; PlanningCommission <PlanningCommission@marincounty.org>
Subject: Houses Should Be Homes. (West Marin Resident)

[Some people who received this message don't often get email from cdorinson@hotmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Planning Commissioners and Supervisors,

Last week I sent all of you a form letter re the STR situation in West Marin. However, I realize I need to personally say more on this issue.

I have been a resident of PRS for over 20 yrs, and during all those years have been very supportive of the work of the various community land trusts, and the general topic of affordable housing. So much so, in fact, that I just joined the board of the Community Land Trust Association of West Marin (CLAM).

During my time in West Marin I have had many friends who have been forced to find a new home here when the owner of their place makes changes or sells the property. The struggle these people have had trying to keep living in West Marin is beyond belief. And so are some of the places they have ended up living in. Think about that for yourself. You have lived some place for 20+ years, perhaps sending your children through the local public school system, and now, suddenly, you find you can't afford to live here any more, except, perhaps, in quite substandard housing. You must leave your home and community of over 20 years and move to another place. Not by choice. You have to start over creating a community for yourself and loved ones. Not an easy thing to do as we age.

My ongoing belief in local housing has never wavered. I believe it is imperative for every community to have a wide range of permanent housing options so the community can have a diversity of residents and thus a diversity of viewpoints of what is needed to help make it a better and thriving community.

Each time another residence is removed from permanent housing stock it reduces the overall community, and the life, vitality and attraction of that community. Other coastal communities realize this and have placed strict limits on the number of STR's in their area. I believe we need to do the same in West Marin.

I am more focused on those STR's who do not have someone living on site, as they have absolutely zero involvement in our community other than being able to keep on doing what they are doing. They aren't involved in the day to day of even in the street their house is located on.

For example, a friend in Inverness says she is now the only permanently occupied home on her

street, which happens to be a gravel road. She said it is practically impossible to drive down the road due to the huge ruts and potholes, and overgrown bushes. She told me that before all her neighbors sold their homes and moved, mostly due to aging or dying, that all the neighbors would chip in money and help each other maintain their roadway. Now she can't find out who is responsible for maintaining the road, and she doesn't know who owns all the homes on her street. She feels helpless and trapped in a place she moved to because it was so beautiful and community oriented. Now she just feels alone and frustrated. And she is far from being the only one in West Marin who feels that way.

Please reduce the number of STRs in West Marin.

Thank you for your consideration,

Name: Cathleen Dorinson

Address: PO Box 267, PRS, CA 94956

Email: cdorinson@hotmail.com

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

From: [Eileen Connery](#)
To: [STR; str@marinco.org](mailto:str@marinco.org)
Subject: Comments on DRAFT SHORT TERM RENTAL STANDARDS,
Date: Thursday, October 19, 2023 10:02:43 PM

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

PLEASE CONFIRM that you have received this message, thank you.

OCTOBER 19, 2023

COUNTY OF MARIN COMMUNITY DEVELOPMENT DEPARTMENT

RE: SHORT TERM RENTAL COMMITTEE

TO: Sarah Jones & Kathleen Kilgariff

Since the 2017 open comment period regarding your consultant Lisa Wise's "White Paper", to the 2018 revised STR Rules to the 2022 moratorium, we have closely followed the proceedings, and as an operator of a single STR, we have complied with the multiple new regulations including increased TOT by four percentage points and all of the "Good Neighbor" policies en-force since the 2019 license renewal.

We are commenting today on the DRAFT SHORT TERM RENTAL STANDARDS, dated September 2023.

It would be greatly appreciated by all parties we are sure, that you provide a comparison chart of the current standard in one column, with the proposed change or additional proposed standard in column two.

One thing that will become apparent is that your additional requests are extremely lengthy and will be an administrative nightmare to enforce. If the new/added items are reasonable and enforceable, that can be a third column that the Supervisors can weigh in on, yea or nay.

In addition to our own interpretation of the DRAFT STR Standards, we have interpretation provided by Ms. Leslie Lacklo at the October 12th, 2023 Point Reyes Station Village Association meeting.

Our most pressing comments are:

We agree with CLAM that the County should have a **CAP on Hosted STR, as well as Non-Hosted STR.**

We agree that "first dibs" on STR Licenses should go to current STR License Holders, per Ms. Lacklo's statement....BUT, WHY IS THIS "A NEW APPLICATION PROCESS"?

PLEASE simplify this and allow ***all current license holders to automatically renew.***

Item D 4 i. – 4.v: All of this information is already on file at Marin County STR/TOT license department. Another way you can simplify this.

D 4 ix. We disagree that a septic inspection should be a requirement for an STR License renewal.

We want to provide the best experience for our guests; that includes working septic systems with clear directions to guests to use only the biodegradable products provided and not add any "wipes" to the system.

We clean the tank regularly at a cost of \$570 per cleaning and yesterday replaced the tank lids at a cost of \$192 per lid x2. Adding inspection costs is an unnecessary burden on an STR homeowner.

Also, the details requested in Item 4.vii.d are unknown to homeowners who purchased a home with an

existing approved septic system. Maybe if you had a newly designed system, one would have that information, but again, this is unnecessary/unknown detail for an existing operational septic system.

We disagree that a landline phone should be required. Why do you think this is necessary? For an emergency perhaps? IF SO, YOU SHOULD STATE THAT IN YOUR DRAFT. HOWEVER, Two reasons that is not reasonable:

All of the landline phones are being converted to VOIP. So any cellular/internet disruption will affect the VOIP phone. An STR guest can rely on their own cell phone – until the lines all go down in a storm of course, then the host will also be unable to make a call. Will your department provide NOAA radios at no charge? Essentially, that will be needed if you want those on hand since portable items often "walk" from the desk - like binoculars, hiking maps etc.

Item D 5. Public notification : this was completed in the 2019 "Good Neighbor" policy for STR.

Item D 7: Exterior Signage: This topic was discussed to exhaustion in 2018. We hope that you and your staff understood then that a PRIVATE location is key to our business. 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. We operate a quaint cottage, *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 exterior sign causes two things: An invitation to enter because it is a business..."Do you have a room for Rent?" "Can we make a reservation for next week?", "Can we tour the house?" and an invitation to a robbery, theft etcwe 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.

Again, you do not state WHY you believe that an exterior sign is necessary.

Item E: So you know, my car Registration & Driver's License shows my PO Box, not my home address in Point Reyes. DMV wants a mailing address. The US Post Office requires Utility Bills with the property address for our no-charge PO Box – maybe that is what you want to use?

Item H.2. Currently Marin County sends Renewal reminder 60 Days prior- why wouldn't you continue to do that?

Item I. License Fee – Please advise the proposed fee structure as soon as possible.

Item G2 : this is repeated in D4.vii,d AND D4ix – please combine in ONE place.

Item H 1-6. This are all repeated from Item D7 – please state in ONE place only.

Item M. Please change the HOST time on site to 12 Midnight – 5 AM (10:15/30 is when the Marin Symphony lets out – we need time to drive home)

As we wrote in 2017:

We are also in support of more housing in the County. Multi Family housing units/apartments can provide well priced housing **with property management and maintenance services included. Please make multi family units a priority over single family homes as these provide only one family use and require added costs of:** *Property taxes *Electric *Gas or Propane *Water *Trash *Telephone/Cable *Property maintenance costs

In Summary: To Marin County Supervisors --- Please support Multi Family Housing for long term housing needs at lower monthly rental rates/utility expenses than single family homes.

<!--[endif]-->

Thank you,

Eileen & Martin

Eileen Connery & Martin Borge

PO Box 1268

Point Reyes Station CA 94956

PLEASE SUPPORT MARIN AGRICULTURE: WWW.SAVEMARINFOOD.COM

From: [Christopher Boas](#)
To: [STR](#)
Subject: Short term rentals at Stinson Beach
Date: Thursday, October 19, 2023 11:09:48 PM

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

To whom it may concern

We are writing in favor of a one month minimum on rentals in Stinson Beach and Seadrift, and to cap the permits for shorter term rentals at the current number or fewer.

Short term rentals less than one month totally change the atmosphere. Stinson and Seadrift are very tranquil places, but when a house is being rented out to a new tenant every few weeks, the neighbors of that house are subject to a much different atmosphere than one that has permanent tenants or a regular tenant.

It also prevents those looking for a longer term housing from gaining access to it

while it may be understandable for some to seek to commercialize their homes, it should not be allowed to impact the tranquility and peacefulness for those who live out here permanently or come out regularly.

Respectfully

Chris Boas,

299 Seadrift Rd.,
Stinson Beach California.

COMMENT ON STR DRAFT 10/19/2023

Dear Planning Commission Members,

TOURIST DOLLARS ARE NOT THE ONLY DESIRABLE INCOME FOR WEST MARIN!

These small West Marin towns thrive on diverse sources of income. A local pharmacy. A local radio station. A local post Office. A local branch of a well-connected health clinic. A bookstore, Dentist. A local community food bank. Local art gallery.

These small and mid-size local businesses need local workers who can live locally, serve long term, and avoid high employee turnover due to unaffordable homes and long commutes to work.

Ask any West Marin Business owner. They all support local affordable long term rentals for their workers.

Taken to extremes, too many vacation rentals push out local businesses and force workers to live long distances from their work, resulting in "Vacation home ghost towns" that contain only short term rentals, but very few business enterprises other than perhaps a restaurant and bar.

I have seen such "Vacation home ghost towns" overseas and they are not pretty or prosperous. Yes, these towns have tourist dollars, but little else other than mostly empty vacation homes.

West Marin has lost hundreds of local long term rentals due to financial pressure from the high profitability of Short Term Rentals. I don't want to see the damage in the future to the mix of local businesses with too little regulation of short term rentals.

The draft as written talks about the free enterprise rights of STR Owners, but does not address the financial/social/community consequences when local small businesses and long-term tenants are driven out by too many Short Term Rentals.

Tourist dollars need to be balanced by local business income and employment within a strong and healthy diverse LOCAL community.

PLEASE PROTECT THE SMALL BUSINESSES AND THE EMPLOYMENT OPPOTUNTIES THAT ARE ALREADY THRIVING IN WEST MARIN COMMUNITIES!

REVISE THE CURRENT DRAFT STR REGULATIONS TO FURTHER LIMIT SHORT TERM RENTALS

Thank You,

Nancy Vayhinger
Point Reyes Resident

From: [Liza Goldblatt](#)
To: [PlanningCommission](#)
Subject: Comment on Unhoted S.T.R's
Date: Thursday, October 19, 2023 2:23:13 PM

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

Greetings:

Please Restrict Un-hosted S.T.R's in West Marin.

I live in West Marin. I am very concerned with all the renters out here as basically, when they are told to move, they virtually all have to leave West Marin. And, this is due to the Un-Hosted S.T.R's and the increase in VBRO's and Airbnb's.

I am against Un-hosted S.T.R's. They change a community and Not for the positive. West Marin is now becoming a place where **only the very wealthy** can afford. People or corporations (several equity firms) now are buying private homes and renting them out as Short Term Rentals (S.T.R's) to pay their mortgages and just make money. This should just not be allowed as it ruins a community. And, this is for their 2nd (or 3rd or more) home.

I also firmly feel there should be a strict limit on how many Airbnb's and VBRO's are allowed in West Marin. It's very sad to see what is occurring in West Marin in this area.

PLEASE limit them soon, for the health and well-being of our wonderful community.

Sincerely,

Elizabeth A. Goldblatt, PhD, MPA/HA
Point Reyes Station, CA

From: [Jim Quay](#)
To: [PlanningCommission](#)
Subject: STRs
Date: Thursday, October 19, 2023 11:59:30 AM

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Hello,

I am a resident of Bolinas, writing to urge you to do two things:

1. Cut the STR cap for Bolinas to one half of the current status, from 10% to 5%.
2. Prohibit corporate ownership of any STR throughout West Marin.

Thank you very much.

Jim

From: no-reply@marincounty.org
To: [STR](#)
Subject: Disappointment in Draft STR policy
Date: Friday, October 20, 2023 8:27:55 AM

Thomas Baty with email address sherrybaty@gmail.com would like information about: While I appreciate County Plannings efforts to address some of the problems created by STRs, I strongly believe that many of the inherent negative effects of these uses will simply be institutionalized by this plan. There really needs to be an overall reduction in the amount of dwellings given to this use.

On a personal level, I live next to an unregistered and unruly STR and there doesn't seem to be a simple or effective way to enforce any of the current regulations. The draft explicitly prohibits the unregistered and unregulated use of structures as STRs. Can the admin side of this code go one step further and establish some authority to address and correct prohibited underground short term usage?

Thanks

From: [Suzi Katz](#)
To: [Rodoni, Dennis](#)
Cc: [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)
Subject: Please put limits on short-term rentals in Marin
Date: Friday, October 20, 2023 8:32:04 AM

[Some people who received this message don't often get email from suzi@suzikatzgardendesign.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Planning Commissioners and Supervisors,

I am a home owner in West Marin and I think we have a serious problem in that there is not enough rental property available for people who work here and have ties to the community. Please count me as another voice in favor of limiting the number of short term rentals.

Thank you for your consideration,

Name: Suzi Katz

Address: 65 Manana Way

From: [Jeff Finci](#)
To: [Kilgariff, Kathleen](#)
Subject: STR Draft Ordinance Public Comment
Date: Friday, October 20, 2023 1:55:47 PM

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

Dear Planning Commission Members and Planning Department Staff,

Thank you for this opportunity to comment on the proposed STR ordinance for Marin County. I am the owners of an ocean front triplex in the Calle section of Stinson Beach. We have owned this property for just over 10 years -- the culmination of a lifelong dream of California kids who escaped to the beach and Mt. Tam seeking beauty and respite from hot central valley summers and the stress of college life. We are not gazillionaires who bought a vacation home that sits vacant 90% of the time, or a corporation that is buying up affordable housing to convert it to a short-term rental bonanza.

While we support the County's effort to balance the various factors related to long-term and short-term rentals in our communities, for the reasons noted below, we respectfully request the following changes to the proposed Short Term Rental ordinance:

- 1) Elimination of the blanket prohibition on multi-family rentals;**
- 2) Parking requirements tailored to address different needs in different parts of the county;**
- 3) Minimized regulatory requirements that are burdensome both from a time and cost perspective.**

When we decided to pursue our dream, we had no concept of operating a vacation rental. Our only criterion was that the property be on the beach or within walking distance for a price that we could afford. It happened that a fairly modest triplex came on the market that had been operating as a short-term rental for many years. When we purchased this property, we inherited a roster of individuals, couples, and families who had longstanding traditions of celebrating Thanksgiving, July 4th, the anniversary of their child's death, engagements and other major milestones at our property. We made a decision to continue renting our house. Since we bought this house, nearly 1400 different individuals and families have rented from us, with many coming annually. These are not jet setting rich people flying in to party. The people who rent from us are Californians just like us. Many are from Marin County just like us. Our guests relish the opportunity to share their little slice of one of California's most precious assets. In fact, it gives us great joy to share this experience and delight so many individuals and families. It would be a huge shame not to be able to do so due to the ban on licenses for multi-family housing. Instead of hundreds of families being able to come to Stinson Beach, two families will use our three units on an occasional basis if this ordinance is passed as written.

In addition to preserving coastal access for ordinary Californians, as noted in the staff report, vacation rentals provide an important source of income in the Stinson Beach community and Marin County. Local businesses in Stinson and other beach communities would have less business if multi-family properties are not used when the owner is not staying there. Please also consider the other services that would result in fewer income opportunities – housecleaning services based in San Rafael, laundry services based in Mill Valley, and the multitude of repair services from all over the county who are called “way too often” to address needs at vacation rentals. Furthermore, Transient Occupancy Taxes would decrease if multi-family units were not eligible for licenses.

While we recognize the theory that traditional multi-family housing is used by long-term renters, it is true for large (or even small) apartment buildings. But we do not believe that is true for all properties that happen to have more than one unit – especially those used as second homes. In our case, we frequently use all of our units to host friends and family so we would not be able to make our three units available for long-term renters. This is likely true of others who use their properties as a second home. If you were to look at all the properties in the Calles and Patios in Stinson Beach

that are vacation rentals, those properties with more than one unit are indistinguishable from those with only one unit. Some of our neighbors with ADU type units are wholly dependent on their rental income to be able to stay in the homes they have lived in for years. If they are unable rent on a short-term basis, rent received from a long term renter would not provide sufficient income to live in the home they have lived in for much of their adult lives and would likely be forced to sell. We are sure that the new ordinance is not looking to push long term residents who are simply looking for ways to supplement their income into selling. And should they actually have to sell, the new owner will not likely be of the income level that the STR is designed to support.

While we appreciate the need to limit hosts who are “bad actors,” there is no correlation between bad hosts and multi-family properties. We are unclear why we and other well-liked hosts and their guests should be penalized because we have three units on the same property instead of one. We strongly urge you to reconsider the blanket prohibition on multi-family rentals.

If parking is going to be addressed as part of this ordinance, please address it holistically and community by community. In Stinson Beach, there is minimal on-site parking for many of the properties west of Highway 1. (Of the 13 or 14 properties on our street, only three have on-site parking whether for renters or owners.) Therefore, the concern is not so much about on-site vs off-site parking, but that daytrippers to the beach park on Highway 1 and the streets adjacent to the beach causing safety issues and impacting the parking of locals and overnight guests. Please consider a more flexible approach to the parking requirement to address different needs in different parts of the county. On narrow roads in the Marin hills, we agree that the contemplated on-site parking requirement makes sense. On public and private roads in the beach communities, street parking should be available for STRs and the ordinance should encourage local law enforcement to protect parking for those residing in homes on the impacted streets.

We have fully supported efforts by the County to regulate STRs up to this point. We have maintained a business license, collected and paid TOT, and complied with all other requirements set forth in recent years (e.g., notification of neighbors about our vacation rental). We also support the County’s efforts to update its regulations for many of the reasons noted. We already comply with most of these requirements as a matter of course in being an excellent host. We appreciate that the staff has not recommended that LLCs be prohibited from owning STRs. We created an LLC when we bought the property to protect ourselves from liability. We are happy to comply with a requirement that we identify the natural persons associated with our LLC.

We are hopeful that the Commissioners and Staff will consider minimizing added ongoing regulatory requirements that are burdensome both from a time and cost perspective. For example, while there is a public interest in ensuring STRs manage water use and keep septic systems in good working order, there is minimal benefit to requiring every single licensee to report on these and other items annually since the large majority are likely to be in compliance. Using staff time to conduct periodic audits either on licensees against whom complaints have been registered or on a random basis will provide more benefit than using staff time to review applications that do not show violations.

In summary, we respectfully request the following changes to the proposed Short Term Rental ordinance:

- 1) Elimination of the blanket prohibition on multi-family rentals;**
- 2) Parking requirements tailored to address different needs in different parts of the county;**
- 3) Minimized regulatory requirements that are burdensome both from a time and cost perspective.**

Thank you for your consideration,

Jeff Finci

From: [Michael Parman](#)
To: [PlanningCommission](#); [Kilgariff, Kathleen](#); [Rodoni, Dennis](#); [BOS](#)
Cc: info@westmarinaccesscoalition.com
Subject: Please Do Not Support the Proposed Short Term Rental Regulations
Date: Friday, October 20, 2023 12:49:05 PM
Attachments: [STR Data.csv](#)

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Dear all,

The proposed Short Term Rental regulations have been promoted by the Community Development Agency as serving the following purposes:

- Preserve or increase affordable housing availability
- Reduce environmental health issues associated with campsites lacking approved septic waste facilities
- Reduce housing safety risks

The regulations will not solve these issues and will have a number of negative unintended consequences which may actually worsen the economic and environmental well being of the areas covered by these regulations.

There is no evidence that limiting Short Term Rental use increases affordable Long Term housing. On the other hand, there is excellent evidence that banning Short Term Rental business use reduces affordable Short Term housing accommodation for visitors. The areas impacted by the regulations are historically agricultural, touristic and second home areas. Banning the use of second homes, ADUs and outside structures and campsites will greatly reduce the available stock of the most affordable Short Term housing Bay Area residents and long distance tourists use for accommodation overnight in West Marin. The GG National Seashore and other parks are a public amenity meant to be used by as many Californians as possible - supporting this "Locals Only" anti-tourist attempt to keep the public out of these West Marin amenities by eliminating the most affordable housing options will greatly reduce Coastal access for Marin County, Bay Area and California residents. Limitation of such low cost housing will also have the unintended consequence of increasing occurrence of car camping and unsanctioned encampment on public property - this will serve to actually worsen the septic and trash issues which Short Term Rentals have been slandered by proponents of these regulations as creating.

The party-line assertion that Short Term Rentals reduce affordable housing was coined during the implementation of the San Francisco measures to dramatically reduce Short Term Rental availability. In fact, from the time of the ban in 2016 to 2020, Long Term Rental rapidly rose in San Francisco despite the ban. In addition, Short Term Rental rates (hotel nightly rates) increased even faster. Only the pandemic and its attendant mass exodus of population brought a decline in rents in San Francisco from 2020 to 2021. The ban on Short Term Rentals had no effect on reducing Long Term Rental Rates and actually caused Short Term nightly rates to spike. However, at least the rhetoric behind the ban had some logical link to affordable housing in San Francisco - San Francisco has a Rent Control Ordinance which ensures that if tenants remain in their rent controlled units, over time these apartments will become affordable because rents can only increase at a fraction of CPI per year so over the decades the units that are continuously occupied turn into below market rent units - this affordable housing is not means-tested or allocated to people based on any demonstrated need - but only based on their continuously living in the unit. Nonetheless, it is viewed as a class of affordable housing by the City of San Francisco. As a result of the Rent Control legislation, given the choice between a Long Term Rental tenant and a Short Term Rental tenant, many rental housing providers were opting for Short Term Rentals as they avoided the risks of Long Term rent controlled tenants. So in that sense, it could be said that Short Term Rental was reducing the stock of affordable housing in San Francisco as well as New York, Santa Monica and other areas that also banned Short Term Rentals to protect their rent controlled housing stock. However, no such condition exists in West Marin.

The only link between affordable housing and Short Term Rental use in West Marin is the assertion that

there are "Corporate and Institutional Investors" buying would-be affordable housing to "cash-in" on Short Term Rental riches. This is a transparent fabrication and not even very good propaganda. First, buying a property for short term rental use is a money losing proposition based on an analysis of prevailing rental rates, occupancy, cleaning costs, mortgage costs and utilities, insurance and taxes. The supposed investor would lose money hand over fist. I have attached a spreadsheet with a detailed analysis based on current real estate and Short Term Rental market data from Awning showing the economics of speculatively buying a house to use for Airbnb rental. The investor would achieve a loss of 27% on the equity investment - no investor would do this.

The County of Marin made available to the public on its website a spreadsheet including the name, business license number and address of all Short Term Rental operators that would be covered by this ordinance. This may have been accidental as the posting of this data was itself not consistent with Marin County's normal handling of privacy - the data set is attached below. Analysis of this data reveals that .01% of these 948 properties are owned by any Corporation which owns and operates multiple Short Term Rental properties as an investment activity - just one corporate owner (Avanti West). The super majority of these properties are held by individuals, family living trusts established for Estate Planning purposes or established well-known Hospitality Operators like Nick's Cove or the Motel Inverness. The data proves the Boogieman of the hoards of speculative corporate investors gobbling up affordable housing in West Marin is just not the truth.

So, if it is not speculative real estate investors, who conducts short term rentals and why? Many long term owners have low fixed costs in their properties and may have paid off their mortgages. These long term owners use these properties as residences or family vacation houses some of the time and make them available to the public when not in use. These are the only Short Term Rental operators using Airbnb and other services profitably. Other more recent new buyers may use these services to offset costs, but still operate at a net loss - albeit lower losses than they would otherwise experience. The economics for a new speculative corporate real estate investor would be disastrously loss making. A spreadsheet is attached to demonstrate that based on prevailing home prices, costs, Airbnb rates and occupancy levels an investor pursuing the strategy of buying Marin property for use as an Airbnb rental would earn a -27% return on equity, as mentioned above.

Many of the units banned, such as "Glamping" sites, RVs, yurts, campsites, etc are not generally considered suitable for long term habitation anyway and their ban would exclusively serve to reduce access to the coast at a reasonable price. The remaining rentals that would be banned would not be offered as Long Term Rentals as the owners are generally families who want the use of the property and generally rent it short term in a break even or loss making basis to keep the place from being abandoned most of the year and offset some of the costs of ownership.

West Marin is a poor target for affordable Long Term housing development from a policy perspective - it has a very expensive cost of living, offers limited transit options (the only bus operator recently increased fares from \$2.00 to \$6.75), limited medical and emergency infrastructure and limited job opportunities. Affordable Long Term Housing policy would be more practical to focus on the urban core - affordable Short Term Housing policy should focus on the touristic coastal areas to make them more accessible.

An unfortunate unintended consequence may be the acceleration of a State legislative initiative which Marin is already dealing with Countywide - the loss of local autonomy in planning and development to State law initiatives. Failing to use the sharing economy platforms to make every unit of Short Term Rental available in the Coastal Zone may result in the State deciding that affordable coastal access must be made available where the Counties have failed to do so. The result could be by-right development in touristic areas to encourage more hotel rooms for more visitors. It would be a true shame to see West Marin beset with a wave of hotel development to fill in the supply that Short Term Rental providers are being banned from providing by the regulation.

Another unintended consequence is that the TOT revenues generated from Short Term rentals are one of the very few potential funding sources for actually affordable housing development and low income assistance programs. Reducing these funds would actually eliminate the potential for the development of actual affordable housing to meet the goals of those advocating for this regulation.

Lastly, if you feel politically compelled to support this regulation despite the data and common sense, please consider scaling the regulations back to one of the following options:

1. All properties held by a natural person or trust (not a corporation) with permitted septic and passing a safety inspection, including non Single Family Residency units and non standard housing units such as “glamping” sites, RVs and camping accommodations to continue operating - this will provide the most Coastal access while meeting the objectives of the regulation

or

2. Exempt properties within the Coastal Zone, the most touristic areas, from the regulations except for septic and safety inspection requirements.

Thank you for considering these concerns,

Michael Parman and Bojana Miloradovic

STR Investment Economics 101

Cost of Purchase	2,400,000.00	Price pr propert, occuppnacy rates and cost per night bas
Down Payment	480,000	https://www.awning.com/a/airbnb-market-data/Stinson-
Monthyl Mortgage Cost	\$13,662.00	
Annual Mortgage Cost	\$163,944.00	
Insurance	8000	
Property Taxes	28,800.00	
Utiltiies /Maintenance		
Trash	75	
Water	100	
Internet	75	
Electric	125	
Gardening	150	
Maint	50	
Total Monthly	575	
Total Annual	6900	
Management Fee	8%	
Management Fee Annual	6,620.83	
STR Revenue		Price pr propert, occuppnacy rates and cost per night bas
Revenue oer Night Including Cleaning	291	https://www.awning.com/a/airbnb-market-data/Stinson-
Nights in Year	360	
Occupancy Rate	79%	
Annual Revenue	82,760.40	
Operating Costs	13,520.83	
Insurance	8000	
Taxes	28,800.00	
Mortgage Cost	\$163,944.00	
Net Income	-131,504.43	
Return on Equity Investment	-27%	

sed on Awning Market Data for Stinson Beach as a representative market

sed on Awning Market Data for Stinson Beach as a representative market

From: charles.oakander
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; PlanningCommission
Subject: Houses Should Be Homes. (West Marin Resident)
Date: Friday, October 20, 2023 12:53:23 PM

[You don't often get email from chuckoakander@me.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.

Thank you for your consideration,
Chuck Oakander
2 Opal road
chuckoakander@mac.com

Sent from my iPhone

From: [Sherri Clearlake](#)
To: [PlanningCommission](#)
Subject: Oppose Draft STR Regulations
Date: Friday, October 20, 2023 3:02:50 PM

You don't often get email from sherriann58@gmail.com. [Learn why this is important](#)

Dear Marin County Planning Commission,

I write in opposition to the County's draft short term rental standards which will result in making housing in West Marin less cost-efficient for everyone and limit visitor access to the coast and parks in the region.

With no rationale nor data to support the draft regulations, it is evident that the draft regulations will greatly impact visitors to the region. By reducing housing options for visitors, the county is inadvertently reducing visitor access to the coast and parklands.

For the visitors, the draft regulations will limit access and raise the cost of available lodging for those wishing a deeper experience in the region. The regulations go beyond the moratorium by decreasing the number of vacation homes available to families visiting the region. GGNRA is the most visited national park in the Nation. PRNS had over 2.3 million visitors last year. Vacation rentals are already limited. Fewer vacation homes, means fewer visitors to the coast and parks.

For the County, the regulations will limit economically feasible lodging for visitors who come to experience the nearby public land. A single-family home is more cost-effective for a family than renting multiple single rooms in a hotel. In addition to allowing a family to experience the national parks more deeply, these homes give visitors an authentic experience in unique communities throughout West Marin. These limits will result in limiting visitor's access to affordable housing on the coast.

For the homeowner, the regulations are costly, burdensome, and possibly unattainable. The unprecedented 11-pages of detailed restrictions and requirements will all but ensure compliance failure among a substantial number of homes and result in less lodging to 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.

Overall, these regulations will make homeownership more costly and out of reach for more people—visitors and residents alike. West Marin has always been a community with large numbers of vacation homes used in part as short-term rentals for generations. Renting one's second home for others to use for vacation purposes has also been a means by which many local people are able to live permanently in West Marin during their retirement years. Limiting people's ability to rent their homes, or cottages and in-law units that have been rented for many years on a part-time basis, reduces their ability to achieve homeownership.

Please vote no on the draft regulations and help stop the County's misguided effort to limit visitor access to the region's public lands.

Sincerely,

Sherri Clearlake
50+ years Short Term renter at Stinson Beach

COMMENT ON STR DRAFT 10/19/2023

Dear Planning Commission Members,

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These small West Marin towns thrive on diverse sources of income. A local pharmacy. A local radio station. A local post Office. A local branch of a well-connected health clinic. A bookstore, Dentist. A local community food bank. Local art gallery.

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The draft as written talks about the free enterprise rights of STR Owners, but does not address the financial/social/community consequences when local small businesses and long-term tenants are driven out by too many Short Term Rentals.

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REVISE THE CURRENT DRAFT STR REGULATIONS TO FURTHER LIMIT SHORT TERM RENTALS

Thank You,

Nancy Vayhinger
Point Reyes Resident