

## COMMUNITY DEVELOPMENT AGENCY

Brian C. Crawford  
DIRECTOR

July 14, 2020

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

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

**SUBJECT:** Conduct a First Reading of an amended Short Term Rental Ordinance

Dear Supervisors,

**RECOMMENDATION:**

Adopt the proposed short term rental (STR) ordinance, which will amend and replace the existing STR ordinance (Ord. No. 3695) that is expiring on August 7, 2020.

**SUMMARY:**

On August 7, 2018, the Marin County Board of Supervisors adopted the County's first STR ordinance with a limited, two-year term. The ordinance requires neighbor notification of short term rentals, requires renters be provided with "good neighbor" house rules, and establishes a short term rental hotline for complaints (which is currently operated by Host Compliance, the County's third party STR monitor). Overall, the main components of the existing ordinance will remain in place. While the ordinance has successfully met many of its original objectives, minor refinements are proposed to require the information about the Local Contact Person be provided at the time the application for a Transient Occupancy Tax (TOT) certificate and when reporting TOT, rather than at the time a business license is issued or renewed. The Local Contact Person information will be used by the County or its compliance agent and be made available to the general public. The proposed ordinance would not have an expiration date.

**DISCUSSION:**

We have received a number of comments requesting that more substantive changes to the STR be made at this time. The recommendations range from limiting the number of nights an STR may operate to prohibiting STRs in residential zones. Consideration of substantive changes will require expanded public input, something that is difficult under the current resource constraints imposed by the COVID-19 pandemic. Staff will continue to monitor the effectiveness of the program and consider additional changes at a later date to ensure all community members are able to participate in the process.

**FISCAL/STAFFING IMPACT:**

The fiscal and staffing impacts related to the proposed Ordinance include the costs of implementation and enforcement for both the Department of Finance and the Community Development Agency (CDA). Currently, there are no permit fees

proposed to offset the workload for the Department of Finance and CDA. Staff will continue to work with the Board subcommittee and the County Administrator to evaluate the appropriateness of offsetting the general fund impacts associated with this Ordinance with revenue collected from the business license and transient occupancy tax programs.

**REVIEWED BY:**

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

**SIGNATURE:**

*Kathleen Kilgariff*

Kathleen Kilgariff  
Planner

**Attachment:**

1. Proposed Short Term Rental Ordinance
2. Public Comments

MARIN COUNTY BOARD OF SUPERVISORS

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

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

\*\*\*\*\*

**NOTICE IS HEREBY GIVEN** that on Tuesday, July 14, 2020, at 10:00 a.m. or as soon thereafter as the matter may be heard, during its regular meeting in the Chambers of the Board of Supervisors located in Room 330 of the Marin County Civic Center at 3501 Civic Center Drive, San Rafael, California, the Marin County Board of Supervisors will consider a proposed short term rental (STR) ordinance, which will amend and replace the existing STR ordinance (Ord. No. 3695) that is expiring on August 7, 2020.

As shown below, minor refinements are proposed to require the information about the Local Contact Person be provided at the time the application for a Transient Occupancy Tax (TOT) certificate and when reporting TOT, rather than at the time a business license is issued or renewed. The Local Contact Person information will be used by the County or its compliance agent and be made available to the general public. The proposed ordinance would not have an expiration date.

**5.41.030 BUSINESS LICENSE AND TRANSIENT OCCUPANCY TAX**

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

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

**5.41.060 SIGNAGE**

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

**A. Exterior Signage**

- 1) Each Short Term Rental shall be identified with a single exterior sign, issued by the Department of Finance, that includes the name of the Local Contact Person, the phone number and email address for the Local Contact Person, the phone number and the email address of the Marin County Short Term Rental Hotline, and the street address of the Short Term Rental. At the owner's discretion, an alternative design for the sign from that provided by the Department of Finance is allowed provided the size and font of the sign is no smaller than those of the sign provided by the Department of Finance and the sign is

made of at least as durable a material. At a minimum, the sign shall be posted while the unit is being used as a Short Term Rental.

- 2) The sign shall be securely placed in the front of the property or unit (where there are multiple units on the property), at a height of three to five feet as measured from the top of the sign to grade, in such a way that it is readily visible to the public.
- B. Written notification shall be provided to all properties within a radius of 300 feet of the property with the Short Term Rental using either door handle hangers or letters.
- 1) The notice, whether a door handle hanger or letter, shall indicate that the subject property will be the location of a Short Term Rental and provide the name of the Local Contact Person, the phone number and email address for the Local Contact Person, the phone number and the email address of the Marin County Short Term Rental Hotline, and the street address of the Short Term Rental.
  - 2) An affidavit from the property owner and a copy of the notice shall be submitted to the Marin County Department of Finance certifying that the notice has been provided in conformance with this chapter at least 10 days prior to the owner applying for a new Transient Occupancy Tax certificate number. A Transient Occupancy Tax certificate number shall not be issued in the absence of such an affidavit.

A copy of the full text of the proposed Ordinance is available by appointment only for public review and copying both in both the Office of the Clerk of the Board of Supervisors (Room 329-Administration Building) and in the Community Development Agency (Room 308-Administration Building), 3501 Civic Center Drive, San Rafael, California.

In compliance with local and state shelter-in-place orders, and as allowed by Governor Newsom's Executive Order N-29-20, until further notice the Board of Supervisors' meetings will not be providing an in-person meeting location for the public to attend. Members of the Board of Supervisors and staff may participate in this meeting electronically or via teleconference. For information about participating in Board meetings via Zoom go to <https://www.marincounty.org/depts/bs/meeting-archive> or call (415) 473-7331.



## Albert, Tanya

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**From:** Albert, Tanya  
**Sent:** Tuesday, December 10, 2019 11:44 AM  
**To:** Margaret Poindexter; ncamargo@bmkcsd.us  
**Cc:** admin@bmkcsd.us; Weber, Leslie; Arnold, Judy  
**Subject:** RE: Del Oro Lagoon Short Term Rental

Hello All -

I wanted to clarify two points per the email below:

- 1) The County's current short-term rental ordinance was approved as a two-year pilot, adopted on August 7, 2018 and sunsets on August 7, 2020 - unless extended by the Board of Supervisors. The Board of Supervisors Sub-Committee, which consists of Supervisor Rodoni and Supervisor Sears, will likely have a series of meetings this coming year to consider next steps which could include modifications to the existing ordinance. Specific dates have not been set nor is there a January deadline. For the CSD's reference, here is a link to the County's short-term rental webpage:  
<https://www.marincounty.org/main/short-term-rentals>
- 2) Supervisor Arnold is interested in hearing from BMK on feedback regarding any short-term rental restrictions (if any) for a county-wide ordinance. Below Margaret referenced "a modification, or exemption to the county's existing short term rental ordinance for BMK" - we aren't sure if the County could adopt rules specific to a geographic area, but Supervisor Arnold would like to hear from your community for when the Board considers any changes to the county-wide ordinance.

Thank you,  
Tanya

**Tanya Albert**  
Aide to Supervisor Judy Arnold  
3501 Civic Center Drive, Ste. 329  
San Rafael, CA 94903  
(415) 473-7371

Find Supervisor Arnold on [Facebook](#)

**From:** Margaret Poindexter <mpoindexter5300@gmail.com>  
**Sent:** Monday, December 9, 2019 3:37 PM  
**To:** ncamargo@bmkcsd.us  
**Cc:** admin@bmkcsd.us; Albert, Tanya <TAlbert@marincounty.org>  
**Subject:** Del Oro Lagoon Short Term Rental

Monday, December 9th 2019

Hi Noemi,

Melanie suggested I reach out to you by email since you are on maternity leave. (Congratulations! What an exciting time for you & your family!!)

My name is Margaret Poindexter. I live at 179 Del Oro Lagoon. My next-door neighbors; Chris Smith and Kevin Williams (175 Del Oro Lagoon) have been renting out their property, which they now call "Waters Edge" to short term renters virtually every weekend since last June. They have posted their home on multiple popular short term/vacation rental platforms. SEE their [vrbo.com](http://vrbo.com) property listing.

(Note that when the rentals began last summer, it was more tolerable as the rental period was up to three weeks at a time and seemed to attract a different type of renter than the "weekenders" since Sept).

The flow of strangers (weekend renters + their guests), plus cars, party vans and buses this Fall have been disruptive to the peace & tranquility residential-only zoning provides Bel Marin Keys residents.

The high priority issues are as follows:

1. **NUMBER OF RENTERS:** While the homeowners say the house can accommodate 8 in beds, (which is considerable), there had been up to 12 (family reunion) to 29 (young men, bachelor party) in attendance at the house during gatherings. (which is not supposed to be permitted as indicated in the listing).
2. **PARKING, VEHICULAR:** it is not just the renter's vehicles, which is typically four cars plus their guests, but the homeowners themselves (Chris & Kevin) who move up to three of their personal vehicles out to the street, to allow their renter's their driveway use. (The RV they own typically remains in the driveway). This often leaves no parking for residents of the cul-de-sac. As this is a cul de sac, we are also concerned about emergency vehicle access and impeded turn-around ability.
3. **RENTERS GUESTS:** It is not just a matter of the renters, but the ongoing "drop-in" visitors from the area and beyond that cause a problem.
4. **NOISE:** You might imagine the noise as large groups park, arrive, greet, and then hang out at the front door, outer decks and dock. Even well-meaning renters are excited and get loud - not just the ones who are drinking heavily and/or partying as is witnessed.
5. **OUTDOOR GATHERINGS:** Per their vrbo website, (see amenities descriptions AND reviews of same), the outdoor features (including views, gas-fueled fire pits on their expansive decks and dock, unlimited use of kayaks, canoe and paddleboards are available to use and enjoy. I have been awoken by renters as early as 6 am on their deck and dock talking while enjoying the sunrise. And talking late into the evening the night before on the decks, often in violation of the hours set forth for short term rentals ordinance, Marin County and the "requirements of the listing itself.
6. **POLICING:** Since the homeowners are typically at their other rental home in Lake Tahoe: ("Rivers Edge") over 4 hours away, they are unable to come and take care of problems, Further, they have given no local contact to us neighbors in case of problems, indicating we should call the Sheriff. This requires neighbors to either police themselves or forces them to make calls to the busy Sheriff's department. NOTE: If called, the renter's security deposit can be kept, which results in more income for Chris and Kevin if a tenant is found to be disturbing the peace while providing very little capital incentive for them to resolve issues and clearly stipulate rules and reg's to renters!
7. **ATTEMPTS AT RESOLUTION with the homeowners:** Several neighbors, have written emails to the homeowners regarding the impact this is having on our quality of life, sleep, and peace of mind... (providing photos and videos to the homeowners). The homeowner's response was that they did not want to meet with us as a group and that they were "addressing concerns". They provided no clarity on what actions they were taking. Nor have we seen any change in operation (other than an outdoor camera added to monitor activities on their expansive deck) which does little to address nuisances and increased noise levels generated by gatherings of 8-or more people.

BEL MARIN KEYS RENTALS ELSEWHERE: We are aware that there are other airbnb/vrbo's in BMK, with equally upset neighbors. We understand they have contacted the BMK office directly

***On December 2nd, 2019, I met with Marin County Supervisor Judy Arnold/District 5 on a scheduled telephone call.***

During that call last week, I shared my (and my neighbors) concerns related to short term rentals being allowed in Bel Marin Keys, underscoring the impact that rentals virtually every weekend at 175 Del Oro Lagoon are having on me, my neighbors and our quiet street as outlined above.

**Judy said she would be happy to explore proposing a modification, or exemption to the county's existing short term rental ordinance for BMK's given its unique outdoor destination-like, noise amplification features. But she would need you to propose it.**

First Step:

Judy Arnold suggested that I, along with other concerned neighbors schedule a meeting with you soon. There are a number of neighbors who would be happy to voice their concerns and share the impact the short term rentals are having on their quality of life.

The purpose of the meeting would be to voice our concerns and experience to date with 175 Del Oro weekend renters and to suggest possible solutions that would continue to support a homeowner's right to rent out their home but with tighter restrictions (ie: Tiburon's Airbnb ordinance requires a minimum 30-Day Stay).

The following November 2019 publication provides a summary of short-term rental restrictions in major U.S. cities, and SF Bay Area communities:

<https://www.2ndaddress.com/research/short-term-rental-laws/>

Judy mentioned two County Supervisors are already scheduled to review the existing County Short-term Rental ordinance for any changes needed in January. THEREFORE MEETING WITH YOU, or Melanie soon is important so that we can register our needs in BMK.

Would the BMK CSD's be inclined to support & request tighter vacation rental restrictions, or a short term rental ban from the County to help preserve the residential tranquility of our unique community?

I can provide many examples (videos, em's, text) related to short-term rentals at 175 Del Oro Lagoon that would likely give all neighbors reasons to be concerned about short term rentals popping up on their street. But its a comment made by Chris Smith, the homeowner at 175 Del Oro that sticks out the most. He and his partner are both seasoned hotel executives. They have rented out other properties they've own(ed) in Truckee, Palm Desert, Half Moon Bay for weekends, And holidays. The comment?

... that they are gambling every time they hand over the keys to renters since BMK's invites a Resort Destination - Let's Party mindset. He was referring to his house being trashed by his renters while he was miles away enjoying his weekend with his family ...

Meanwhile, us neighbors are forced to live with the anxiety etched by his "gambling" comment every Fri - Sun as we watch (hear) our quiet cul de sac become a parking lot with car doors slamming, and chatter from renters/guests from sunrise to sunset ... and well into the evening hours ... preventing us from enjoying a quiet peaceful restful weekend in our own homes!

My neighbors and I look forward to your response. And making ourselves available to you & Melanie as needed.

With Gratitude,  
Margaret

Margaret Poindexter  
179 Del Oro Lagoon  
c: 415-602-7005

cc: Judy Arnold (via aides: Leslie Weber and Tanya Albert), Melanie McKissick

**From:** [Tejirian, Jeremy](#)  
**To:** [Kilgariff, Kathleen](#)  
**Subject:** FW: Affordable Housing and AirBnB  
**Date:** Monday, December 30, 2019 1:33:13 PM

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**From:** Parton, Maureen <MParton@marincounty.org>  
**Sent:** Monday, December 30, 2019 11:30 AM  
**To:** Crawford, Brian <BCrawford@marincounty.org>; Lai, Thomas <TLai@marincounty.org>; Tejirian, Jeremy <JTejirian@marincounty.org>; Case, Brian <BCase@marincounty.org>  
**Cc:** Sears, Kathrin <KSears@marincounty.org>; Rodoni, Dennis <DRodoni@marincounty.org>; Kutter, Rhonda <RKutter@marincounty.org>  
**Subject:** FW: Affordable Housing and AirBnB

Fyi, commentary re: short term rentals for consideration.

Happy New Year, everyone.

Maureen

Maureen Parton  
Aide to Supervisor Kathrin Sears  
County of Marin, Third District  
3501 Civic Center Drive, Room 329  
San Rafael, CA 94903

Phone: 415.473.7331

Fax: 415.473.3645

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**From:** BOS <BOS@marincounty.org>  
**Sent:** Monday, December 30, 2019 8:23 AM  
**To:** BOS - Aides <BOS-AidesNOT@marincounty.org>  
**Subject:** FW: Affordable Housing and AirBnB

The message below was received through the email addressed to all Supervisors. Please forward as you deem appropriate.

**From:** [bronzejude@aol.com](mailto:bronzejude@aol.com) <[bronzejude@aol.com](mailto:bronzejude@aol.com)>  
**Sent:** Friday, December 27, 2019 12:40 PM  
**To:** BOS <[BOS@marincounty.org](mailto:BOS@marincounty.org)>  
**Subject:** Affordable Housing and AirBnB

Jude Vasconcellos would like information about:

There is an interesting article in the IJ about how much money the county has collected from the new TOT tax. Though I did not vote for Measure W I can see that is bringing in money from that sector but is still hurting the folks in the hospitality business who were already paying taxes.

The better solution seems to be not to penalize those who have been in legal business for many years but to limit the number of AirBnB units. Those are the reason that there is nothing available to rent. Perhaps if they are taken off AirBnB they would be rented as long term units instead.

Also, making it easier for homeowners to create and rent tiny units seems to me as a way to help those who already have to have more. The units are so tiny they are only suitable for singles who don't have many possessions anyway.

There is a real problem with affordable regular housing in Marin and this has been true since 1969 when I was a single mother with 2 toddlers and still true now as I am a senior renter. It's time to help people become homeowners because as a renter you will never have housing security.

I ask that you please put some priority in this direction.

Thank you - Jude Vasconcellos

February 27, 2020

RE: Short Term Rental

Dear Supervisor Sears and Rodoni,

As a devoted mother of 2 children, my principal ambition is to create a better future for my family. The business model of short-term rentals has helped me realize my dream of creating a business doing what I love to do most --hosting and caring for family and friends. Hence, Happy Place, LLC was born.

We are not a large corporation, even though we are perceived this way. We are a small, family owned and operated business. We create jobs for gardeners, cleaners, handymen, managers, and the like. We also create memorable experiences and moments for families and friends who want to share precious time together.

Short term rentals are a new and evolving business in Mill Valley. As with any new business, there can be challenges to overcome. Managing these challenges with diligence and respect is my number one priority.

By example;

Out of respect for our neighbor at 473 Panoramic Hwy., we decided to shut-down our short-term rental. We realized proximity of our kitchen and neighbor's bedroom was not conducive for short term rental operations. We have endured great losses and continue to do so since

At 371 Loring, we installed a costly sound barrier on the outside patio in an effort to reduce noise.

We install "Nosie Aware" systems in our properties that alert us via cellphone, and we follow up with a phone call to the guest informing them to quiet down. If we cannot reach our guests, we "Call-for-Service" at the sheriff's office.

We secure our trash cans with bungee cords to mitigate wildlife intrusion, and communicate with all our guests and cleaning staff that they must remain secured at all times.

Airbnb is working to enhance their security systems that screen guests who utilize their platform.

Keybee Hosting, our online management company, has vigilant screening processes in place and communicates to guests that our homes are not suitable for parties.

We implemented a property manager to meet and greet our guests. This is done in an effort to reduce fraudulent activities (the guests who book is present) and gives us the opportunity to reinforce our house rules.

The house rules are communicated on the platform itself and mounted outside the front door and kitchen visible to all guests. House rules are constantly reviewed. (Please see below)

Occupancy control: no more than 12 guests in a property. We enforce this with security cameras at the garage, front door and patio. In principal, if a guest has a bed in the property, they are allowed to be there.

We require a minimum 2-night stay.

On August 18, 2019, we were victims of a brutal incident where guests rented our property and totally vandalized it. The worst damage was the lost in trust and relationship with our neighbors. Airbnb payed for some of the damages, but denied full disclosure of guest identification --which meant we could not press charges.

Since then, I have endured unfair propaganda on Nextdoor.com, constant harassment and bullying from neighbors, unbalanced reporting in the Marin IJ, and unwarranted accusations from certain neighbors.

Happy Place LLC endeavors to create a sustainable business by offering memorable experiences for our guests, within a controlled environment. We remain committed to minimizing any negative impact to our surrounding neighbor's and we remain open to suggestions and recommendations.

Thank you for your time and consideration, we appreciate it very much.

Kind Regards,  
Karlien Visage

### HOUSE RULES

**This HOME is located within a residential area, we therefore follow the City Ordinance.**

- Parties are not allowed
- No loud or unnecessary noise:
  - o Week days between: 9pm-7:00am
  - o Weekends between: 10:00pm-7:00am
  - o No operation of any noise generating instrument (e.g. television, radio, loud speaker) that generate noise audible 50 yards from the building
  - o No yelling, shouting, whistling, fighting on public roads
  - o No gathering on patio or public space after 11:00pm as noise travels in the neighborhood
  - o Noise Aware systems are in place to monitor noise. (no recording)
- Maximum Occupancy is: 12 at any time. This will be enforced with outside cameras
- Parking
  - o 2 in garage, 2 in front of the garage, 2 street parking
  - o Emergency access: Parking shall not obstruct roadways less than 20 feet wide
- Garbage: leave no food or trash out-we have wild life. Please use bungee cords to secure trash cans. Leave extra trash in garage, the cleaners will take care of it
- This is a high fire risk area:
  - o no smoking or parking on dry grass.
  - o 'To go Bag' is provided in the laundry room.
  - o Please familiarize yourself with the Fire extinguishers (at the front door, laundry room, and behind hot tub, near BBQ)
  - o Refrain from using flammable equipment during dry season
- Use plastic cups instead of glass when using the hot tub
- Use dark blue beach towels at the hot tub
- Please be considerate, this is a residential neighborhood, no yelling, flying drones, etc.
- We do not condone bad behavior and we will not tolerate unruly guests.
- It goes without saying, be considerate and think before doing something that may affect our good standing and relationship with our neighbors
- In case of an emergency, please call: **911**
- If you have any questions regarding, please call
  - o Michelle: 818.312.6810
  - o Karlien: 650.808.5242

**Check out instructions:** Lock-up and leave the key in the lock box.

**From:** [Kutter, Rhonda](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Kilgariff, Kathleen](#)  
**Subject:** FW: I fully support below with the addition  
**Date:** Monday, March 9, 2020 8:01:18 AM

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FYI:

R.

Rhonda Lynn Kutter  
Aide to Supervisor Dennis Rodoni  
Marin County Board of Supervisors  
3501 Civic Center Drive, Suite 329  
San Rafael CA 94903  
415-473-3246; [RKutter@MarinCounty.org](mailto:RKutter@MarinCounty.org)

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

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**From:** Solange Rocine <[solange.rocine@gmail.com](mailto:solange.rocine@gmail.com)>  
**Sent:** Saturday, March 7, 2020 5:13 PM  
**To:** Kutter, Rhonda <[RKutter@marincounty.org](mailto:RKutter@marincounty.org)>  
**Subject:** I fully support below with the addition

Hi Rhonda,

1. When a business license is issued, or reissued for a holiday rental, there Has to Be proof that there is the required **onsite parking ..**

.. as you know parking is a premium in the Village..

2. Noise must be stopped at 10 pm , rather than 11 pm ...

3. No open fire pits.. ! -

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**From:** Robert Johnston <[rajohnston@ucdavis.edu](mailto:rajohnston@ucdavis.edu)>  
**Sent:** Saturday, March 7, 2020 12:16 PM  
**To:** Rodoni, Dennis <[drodoni@marincounty.org](mailto:drodoni@marincounty.org)>  
**Subject:** We Need to Regulate STRs

Dennis,

I hope that the BOS will move to Phase II of its STR regulation program and examine further regulations, now that we have these units registered, the neighbors notified, and the TOT taxes being paid. Typically, local governments have adopted regulations limiting the conditions under which air bnb's are allowed.



There is considerable evidence now that the costs to cities and counties from STRs exceed the benefits to them. Bivens (2019, Econ. Policy Inst., on the Host Compliance web site.) found the following. Not only do the monetizable costs exceed the monetizable benefits, these direct financial costs fall on lower-income renters while the benefits mainly go to well-off white owners of rental units. So, STRs are horribly inequitable. The costs consist of higher rents and fewer affordable units, both large problems in most U.S. cities and counties, especially in California. Other external (unpaid) costs include noise, parking, and other congestion costs, felt by neighbors of all incomes. The supposition that air bnb units increase tourism has been found to be erroneous, since about 97% of renters would have rented a normal motel or hotel room. That is, the air bnb rentals are "substitutions" for the traditional units. This is a very useful study.

Worldwide and in California, the most-common regulations found to be effective seem to be:

1. A maximum of 60 days total per year for renting STR units, and
2. The building owner must be a full-time resident of that building and living there during the rental period.

The time maximum will eliminate most air bnb units, excluding a few that are very profitable. This decreases social costs by reducing impacts on housing markets, while allowing some air bnb units in special tourist spots, where they would not be affordable units anyway. A study done in LA a couple of years ago with good rental data showed that 90-day limits were not strong enough to discourage air bnd units and so 60-day limits are needed.

The second regulation will eliminate corporate ownership of these units. The 2016 NYC study found that 28% of air bnb revenues went to corporations. Other studies have found similar conditions and this problem is growing, as more corporations move into this field. This means that most of the profits typically fall outside of the local government's jurisdiction.

Air bnb type units increased 800% from 2011 to 2016 and are still growing rapidly. They have degraded many residential neighborhoods in cities all over the world and in California. Bans have been adopted in Venice, Amsterdam, Paris, Barcelona, and many other cities. De facto motels violate most local zoning codes for good reason. It is imperative to regulate this industry, before more damage is done to our neighborhoods.

Thanks for considering these ideas. You may share this email with others.

Bob

Robert A. Johnston

Home/Office: [415 663-8305](tel:4156638305)

Cell: [530 559-0032](tel:5305590032)

PO Box 579, Pt. Reyes Stn.

[CA 94956](#)

**From:** [John Masdea](#)  
**To:** [Sears, Kathrin](#); [Rodoni, Dennis](#); [Lai, Thomas](#); [Tejirian, Jeremy](#); [Kilgariff, Kathleen](#)  
**Subject:** Short term rental ordinance review NEEDED...ASAP  
**Date:** Friday, March 13, 2020 11:14:48 AM

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Hello,

My name is John Masdea and I live at 335 Loring Avenue in Mill Valley, CA. It is decidedly a family neighborhood...or at least was until we had an LLC buy a home 2 doors down and turn it into a short term rental property.

The result has been numerous late night parties, much like the Orinda party that ended in a shooting and death.

Please, please, please - we need to review these ordinances so that this does not happen in Marin....NOW!

We need to eliminate stays of less than 30 days with no-host properties - or at least make the properties available for rent be primary residences where the host lives...they need to be a part of our community rather than a hotel in the midst of a family neighborhood.

The current regulations our abhorrently inadequate.

Thank you for your interest in this topic - and protecting those people you serve.

John Masdea  
335 Loring Ave  
Mill Valley, CA 94941

**From:** [Matt McClure](#)  
**To:** [Sears, Kathrin](#); [Rodoni, Dennis](#); [Lai, Thomas](#); [Tejirian, Jeremy](#); [Kilgariff, Kathleen](#)  
**Subject:** Comment on Short Term Rentals, including on 391 Loring Ave  
**Date:** Saturday, March 21, 2020 9:51:00 AM

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Dear County Supervisors and Planning Staff,

My family and I wanted to provide a counter-balance to the letter and meetings our neighbors on Ventura Way and Loring Ave in Mill Valley have submitted to the you regarding short term rentals (STR). While we are fully aligned with our neighbors about the need to avoid having STRs become “party houses” and certainly were fearful of the events in Orinda at a STR property, we feel the “solution” to this problem of banning any stays <30 days is unacceptable and smacks of NIMBYism. Our family has stayed at Airbnbs and VRBOs on innumerable occasions (and always <30 days/home) and consistently find the experience of staying in a private home with a kitchen, yard etc., invaluable, especially with young kids. Furthermore, in our prior Mill Valley home, we did not have a guest room, so when the grandparents came to visit their grandkids they stayed in STRs within walking distance of ours, which significantly improved the quality of their visits.

In summary, we do not agree with our neighbors or anyone else who thinks STRs should be banned (which a 30 day minimum stay is tantamount to doing). Even a single night stay in a STR is acceptable to us. That said, we wholeheartedly agree that noise ordinances, fire ordinances, etc. should be fully enforced and, if necessary, further beefed up. Similarly, if enforcement mechanisms are weak, they, too, should be beefed up. For example, we suspect, steep financial penalties for STR owners would go a long way in ensuring compliance by rendering their business unprofitable if multiple infractions are cited.

We urge you to take a less extreme, more measured approach to STRs than that which our neighbors are proposing.

Sincerely,

Matthew W. McClure, MD  
931 Ventura Way



**From:** [Maureen Young](#)  
**To:** [Sears, Kathrin](#); [drodini@marincounty.org](mailto:drodini@marincounty.org); [Lai, Thomas](#); [Tejirian, Jeremy](#); [Kilgariff, Kathleen](#)  
**Cc:** [Jeff Polick](#); [Maureen Young](#)  
**Subject:** Immediate Need to Eliminate Short Term Rentals in Residential Neighborhoods  
**Date:** Sunday, March 22, 2020 12:25:52 PM

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Dear Ms. Sears, Mr. Rodini, Mr. Lai, Mr. Tejirian, and Ms. Kigariff:

I am writing to you in support of the presentation and request for revision of Ordinance 3695 made recently by Jeff Polick and other neighbors to the County Supervisors and County Planning Staff. I support the prompt revision of Ordinance 3695 to eliminate short rentals in residential areas.

I live a few houses up from 391 Loring Ave. I am deeply concerned that the County has permitted commercial investors to threaten the safety and peaceful living of residents by building monstrosity homes designed to make boatloads of money renting to whatever external groups can pay up for them to host parties for their extended (and uncontrollable) Facebook networks. The situation at 391 Loring is ripe for repeating the multiple shootings incident that recently occurred in Orinda.

There is no government excuse why the continuation of this situation can be warranted. The enormous homes being approved for construction around Tam Valley and other unincorporated of Marin do not support having more workers in closer commuting distance to their jobs or making more affordable homes for teachers and first responders to live in the neighborhoods where they work. These are commercial investments being made for commercial purposes masquerading as residential development, where no long term single family residents for the properties are ever contemplated.

Please protect residents trying to live safely and peacefully in residentially zoned neighborhoods by outlawing short term rental use.

Thank you,  
Maureen Young  
260 Loring Ave.  
Mill Valley, CA 94941

**From:** [Solange Rocine](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Kutter, Rhonda](#); [Tejirian, Jeremy](#)  
**Subject:** Follow up of conversation with Kathleen  
**Date:** Monday, April 20, 2020 11:17:10 AM

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Hello..

The STR ordinance does not adequately address the Actual needs of coastal Villages

1. Parking.. Most STR park on the street , as few cottages have onsite parking, ( many STR have more than 2 cars )
2. Cottage owners over the years have encroached on public right away, space that could be used for onsite parking.
3. Dillon Beach streets are not wide, they are also our sidewalks.
4. Parked cars are in Violation of the 6 ft from center law..( the Sheriff has begun ticketing )
5. When cars are traveling fast, there is no place to step aside.. No sidewalks , only parked cars

FURTHERMORE...the 12 ft berth for FIRETRUCKS is simply is not there

What is going to be done to make these coastal towns SAFE for all ?

NOW IS THE TIME to address it  
Summer is coming..

Solange

On Apr 17, 2020, at 4:22 PM, Kilgariff, Kathleen <KKilgariff@marincounty.org> wrote:

Thanks, Rhonda.

Solange, if you would like, we could set up a time to speak on Monday, April 20<sup>th</sup>. Please let me know a time that would be best for you.

Best,

Kathleen

**Kathleen Kilgariff**  
PLANNER

County of Marin  
Community Development Agency  
3501 Civic Center Drive, Suite #308  
San Rafael, CA 94903  
415 473 7173 T  
415 473 7880 F  
[kkilgariff@marincounty.org](mailto:kkilgariff@marincounty.org)

. . . . .

<image001.jpg>

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**From:** Kutter, Rhonda <RKutter@marincounty.org>  
**Sent:** Friday, April 17, 2020 4:20 PM  
**To:** Kilgariff, Kathleen <KKilgariff@marincounty.org>; Tejirian, Jeremy <JTejirian@marincounty.org>  
**Cc:** Solange Rocine <solange.rocine@gmail.com>  
**Subject:** FW: Short term rental ordinance

Dear Jeremy and Kathleen,

Solange from Dillon Beach has some concerns around our SRT ordinance and so I am forwarding her over to you two so she can share her experience and suggestions directly to you both.

I hope you all have a peaceful weekend.

Best,

Rhonda

Subscribe at <https://coronavirus.marinhhs.org/> for Covid-19 updates  
And subscribe [here](#) for updates/newsletters from Supervisor Rodoni

Rhonda Lynn Kutter  
Aide to Supervisor Dennis Rodoni  
Marin County Board of Supervisors  
3501 Civic Center Drive, Suite 329  
San Rafael CA 94903  
(415-473-3246; leave a message and I'll get back to you—I'm currently working remotely)  
[RKutter@MarinCounty.org](mailto:RKutter@MarinCounty.org)

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

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**From:** Solange Rocine <[solange.rocine@gmail.com](mailto:solange.rocine@gmail.com)>  
**Sent:** Friday, April 17, 2020 4:00 PM  
**To:** Kutter, Rhonda <[RKutter@marincounty.org](mailto:RKutter@marincounty.org)>  
**Subject:** Re: Short term rental ordinance

Rhonda..

.1.When I call the hotline I have to leave my name and number or they will not follow up or address the issue.

2. They say they will call the offending party!

The issues I would like to discuss are not necessarily specific to one party..

What is require for me to speak with Kathleen directly ?

This is an Ordinance review / implementation issue ...

Who is doing the review?

Solange ..



On Apr 16, 2020, at 10:32 AM, Kutter, Rhonda  
<[RKutter@marincounty.org](mailto:RKutter@marincounty.org)> wrote:

Please go ahead and report any STR concerns or possible violations.  
Most likely Kathleen Kilgariff will get back to you and she will clarify.

Best,

Rhonda

Subscribe at <https://coronavirus.marinhhs.org/> for Covid-19 updates  
And subscribe [here](#) for updates/newsletters from Supervisor Rodoni

Rhonda Lynn Kutter  
Aide to Supervisor Dennis Rodoni  
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[RKutter@MarinCounty.org](mailto:RKutter@MarinCounty.org)

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

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**From:** Solange Rocine <[solange.rocine@gmail.com](mailto:solange.rocine@gmail.com)>

**Sent:** Thursday, April 16, 2020 9:17 AM

**To:** Kutter, Rhonda <[RKutter@marincounty.org](mailto:RKutter@marincounty.org)>

**Subject:** Re: Short term rental ordinance

Hi Rhonda.

Trust all is well with you..

Thank you for your response.

Do I report that these places do not have onsite parking?

Is that portion of the ordinance being enforced?

Solange

On Apr 16, 2020, at 8:24 AM, Kutter, Rhonda  
<[RKutter@marincounty.org](mailto:RKutter@marincounty.org)> wrote:

Dear Solange,

Thanks for your email. Hope you are all doing OK!

I imagine you have reported this to Host Compliance. If you haven't recently, could you please do that again?

If you have a complaint about noise, trash, or parking issues related to a short term rental in unincorporated Marin County, you may contact the Short Term Rental Hotline operated by Host Compliance at any time:

(415) 300-4445

You may also submit a complaint by filling out the [form\[External\]](#).

To submit a complaint, you must be able to provide the address of the short term rental.

Thanks,

Rhonda

Subscribe at <https://coronavirus.marinhhs.org/> for Covid-19 updates

And subscribe [here](#) for updates/newsletters from Supervisor Rodoni

Rhonda Lynn Kutter  
Aide to Supervisor Dennis Rodoni  
Marin County Board of Supervisors  
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[RKutter@MarinCounty.org](mailto:RKutter@MarinCounty.org)

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

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**From:** Solange Rocine <[solange.rocine@gmail.com](mailto:solange.rocine@gmail.com)>

**Sent:** Wednesday, April 15, 2020 6:06 PM

**To:** Cordova, Lorenzo <[LCordova@marincounty.org](mailto:LCordova@marincounty.org)>; Kutter, Rhonda <[RKutter@marincounty.org](mailto:RKutter@marincounty.org)>

**Subject:** Short term rental ordinance

Hi..

I have addressed this issue before

The STR ordinance states 2 onsite parking spaces are required.

This has not been enforced. !

Business licenses should not be given unless there is proof of such! ( or at least 1 site )

Last week Sheriff Swift gave a ticket for a STR vehicle on Park Ave that had no parking ..

He cited someone else today!  
Another rental on Oceanview that has NO PARKING ..

He suggested he will continue to do this !

Who is going to address this with the Rental Companies and property owners with Cottages in Dillon Beach and the County..

Properties that sleep 6 can often have 3 cars . !

The law states cars have to be 6 ft from the center line of the road.

Well that's almost impossible in DB

Solange

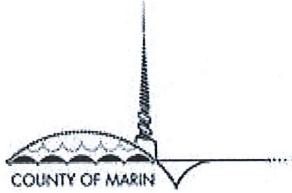
~. Solange

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**From:** Margaret Poindexter <[mpoindexter5300@gmail.com](mailto:mpoindexter5300@gmail.com)>  
**Sent:** Wednesday, June 3, 2020 12:24 AM  
**To:** Kilgariff, Kathleen <[KKilgariff@marincounty.org](mailto:KKilgariff@marincounty.org)>  
**Cc:** Sears, Kathrin <[KSears@marincounty.org](mailto:KSears@marincounty.org)>; Rodoni, Dennis <[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)>; Kutter, Rhonda <[RKutter@marincounty.org](mailto:RKutter@marincounty.org)>; Parton, Maureen <[MParton@marincounty.org](mailto:MParton@marincounty.org)>; Estes-Smith, Sarah <[sestes-smith@marincounty.org](mailto:sestes-smith@marincounty.org)>  
**Subject:** (follow-up) Re: Urgent Attn requested re: Short Term Rentals - Bel Marin Keys

Dear Ms Kilgariff,

As I noted in my email to you on May 20th, your email to me (below) prompted some additional questions and concerns.

**Re: GOOD NEIGHBOR POLICY (Your response contradicts what I was told by Judy Arnold ... )**

**Your response to my concerns** regarding the Board of Supervisors displaying a dereliction of duty by failing to research and adopt Good Neighbor Policy guidelines in tandem with the adoption of the in August 7, 2018 **contradicts three things I was told by Judy Arnold** when she called me on November 22nd, 2019 after learning about the issues I was having with my next door neighbor (a retired hospitality executive) who had turned his home into a "Boutique Hotel" with a occupancy limit of 8 (but no parties ... right! as if 8 people isn't already a party!).

**1)** that the Board's STR sub committee was **(in the process of)** developing Good Neighbor Policy Guidelines due to a number of complaints the board had received from people living in southern Marin adding the process included Rodoni talking to people in Stinson who had their lives turned upside down by STR's, acknowledging the complaints reflected similar concerns expressed by neighbors on other Cities with STR ordinances

**2)** that (in the meantime) I should get together with other concerned neighbors on my street to develop a Good Neighbor Policy to present to the homeowner on our cul-de-sac who was renting out his home every weekend.

**3)** Judy also said that the existing ordinance "doesn't have a lot of teeth in it", sharing the City in San Rafael was forced to pass a 3-strikes policy against problematic hosts on November 19, 2019 as a result.

**NOTE: A Good Neighbor Policy assumes**

- 1) The Host in question cares about the impact his rentals are having on neighbors,
- 2) The Host is willing to attend a meeting with neighbors directly impacted (neighbors on either



side, and directly across the street) to discuss a good neighbor policy, possible compromises and solutions

3) The Host values his relationship with neighbors & keeping peace in the neighborhood more than raking in thousands of dollars with every weekend & holiday rentals ... which he admitted he purposely priced his nightly rate at below market to guarantee full occupancy. When I suggested a compromise: renting out their home every other weekend at the rate the market would bear so they could still pull in a hefty income with fewer rentals; his partner laughed at me. And literally had the nerve to say me (after I had just finished telling them how disruptive their every weekend rental were), "Why would we do that? Do you miss us when were gone? We are here now."

*It is also important to note that these same neighbors were very dear close friends prior to GREED feed by the county's STR Ordinance raised its ugly head. We share holiday dinners (Christmas, Thanksgiving, Easter) together with our kids for years. Shared coffee together many mornings. Carpooled each other's kids when last minute needs arose, Had a open door policy ... what's mine is yours.*

*They first told me about their plans to rent out their home to short term renters last May when they were preparing for a summer long RV road trip with their kids. My "Host" neighbors are retired Hospitality/Hotel Executives with a hospitality consulting firm.*

*When they told me they had already book 3/4-quarters of the weeks they we going to be gone, the Host neighbor admitted even with all his experience in the hotel world, and renting out his properties in Half Moon Bay, Palm Springs and Truckee ... he had no "feel" for the renters he had already booked, adding it was like playing Russian Roulette with his home since it wasn't clear what "kind" of people would be drawn to Bel Marin Keys ... adding his Truckee renters mostly tree hugger types, HMB appealed to families, Palm Springs to wealth but with wineries, and resort-like living on the lagoon he admitted he was gambling with finding his house in the same condition he left it in upon his return. HUH?!?!*

*Not only was he gambling with his house but he was also gambling with neighbor's lives.*

*When a neighbor across the street mentioned that to him .... his response was what we all since have learned is more important to him then anything else: Business before neighbors. Apparently he see us as being expendable. And he resorts to hostile behavior to intimate those who have called him out for playing russian roulette with our quality of life.*

*The first frightening example of his jekyll/hyde-like persona occurred shortly after Judy Arnold contacted him about my complaints. I was standing in my yard talking to my gardener and homeowner when he rushed out of his house and inserted himself in a conversation I was having regarding planting trees on my side of the property line between our homes to provide me with some privacy from his STR's. With a glance at me that can only be described as "if looks could kill" he proceeded to try to derail my efforts to plant trees (which were also going to completely obscure his view of the lagoon from his back deck/yard looking east.)*

**Conflict of Interest. (Please address)**

As I noted in previous communications (included in this thread), it appears that the County's **Public-Private Partnership** with a for-profit Industry (AirBnB, HomeAway, etc) resulting in millions of dollars being poured (indeed collected & remitted) into the County coffers in exchange for local government ignoring existing residential-only zoning laws IS, or should be, criminal. Especially when that partnership does NOT BENEFIT ALL EQUALLY.

(News Flash: Opportunity &/or means are not mutually exclusive.)

Worse; the Public-private partnership undermines the very laws established to protect homeowners' quality of life, privacy, health & well being, community, schools, and shield homeowners from being forced into the role of policing strangers coming into their residential-only neighborhood at all hours; turning streets into parking lots. Homes into hotels. And backyards into gatherings large and small, sometime alcohol-fueled, sometimes not. But ALWAYS a nuisance, disruptive, stress-filled and disconcerting, in part because you never know when chatter, laughter, screams, song, doors slamming, gates squeaking, horns honking, etc are going to interrupt your ability to enjoy the privilege of the peace and tranquility and quality of life your mortgage payments and property taxes, or annual rent provides.

**Please provide me with the name of the person or department in Marin County, or at the State level in charge of making sure the RIGHTS of ALL people are being equally protected under the law.**

It's no secret that the AirBnB Industry, and it's close cousin: Host Compliance.com pays lawyers & marketing execs millions of dollars to prevent bad press. My guess is they even give local elected officials "canned" responses to say to critics like me. I'm not interested in double speak. I'm interested in learning what protects every day folks from Public-Private (for Profit) Partnerships that result in widening the gap between the haves & havenot's, resulting in the crippling disparities that threaten nearly every aspect of daily life, including local schools, public health, and neighborhood safety from a independent governing or watch dog agency in charge with making sure government officials are adopting policy that reflect the letter of the law, and not popular culture steep in technology.

If nothing else ... COVID19 has underscored the importance of residential neighborhoods ... and the critical support neighbors can provide each other during times of crisis.

You ended your email to me stating all options were still on the table as it relates to STR Ordinance 2.0. **I would like to participate in discussions lead by county officials in charge with gathering information about the impact of the existing ordinance on people's lives. Please tell me how I can do take.**

I look forward to your response,  
Margaret

On Tue, May 19, 2020 at 5:44 PM Kilgariff, Kathleen <[KKilgariff@marincounty.org](mailto:KKilgariff@marincounty.org)> wrote:

Hi Ms. Poindexter,

Thank you for your email. Please find my response in the following sections.



## **Meetings**

A meeting was held on March 12, 2020 at the request of community members in Mill Valley, who have been in communication with the County since August of 2019 to discuss their concerns associated with Short Term Rental (STR) operations. This meeting was held prior to the Shelter in Place Order. As you are well aware, things have significantly changed since March 12, and we are no longer holding public meetings.

As such, we have delayed the public process in connection to the STR Ordinance. This is why you have not seen any updates related to meetings, workshops, or hearings associated with changes to the STR ordinance.

We believe all members of the public, from all areas of the County, should have a chance to participate and do not currently think that would happen given the current constraints of the pandemic.

## **Good Neighbor Policies**

The current STR Ordinance is sometimes referred to as a Good Neighbor Ordinance because it established "Good Neighbor" policies that a STR operator must follow. A committee has not been set up after the Ordinance was adopted to establish these policies, as outlined in the attached Ordinance.

## **Next Steps**

The Short Term Rental Subcommittee has received a number of communications related to the current Ordinance. We have received recommendations such as, limiting the number of nights one can rent their property, requiring that the property owner is on site while a property is rented, specific regulations associated with coastal and Inland areas, etc. Others, similar to your request, would like to see a full ban of STRs in residential areas. We are and plan to evaluate the recommendations of the community.

However, again, the current pandemic is impacting the process we would like to conduct to modify or create a new Ordinance, and it is not yet clear when this will occur.

Any feedback you provide is greatly appreciated. It would be great to have your neighbors provide their feedback as well. We receive very few complaints about properties in Novato. If we do not hear from your community members, we are limited in our understanding of STR impacts on your community.

I would also request that you, or your neighbors should they have any complaints with an STR, submit a complaint via the Host Compliance Hotline, provided in the below link. If you would not like to submit your complaint online, you can also call the Hotline at 415.300.4445.

<https://www.marincounty.org/depts/cd/divisions/code-enforcement>

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

Best,

Kathleen

**Kathleen Kilgariff**  
PLANNER

County of Marin  
Community Development Agency  
3501 Civic Center Drive, Suite #308  
San Rafael, CA 94903  
415 473 7173 T  
415 473 7880 F  
[kkilgariff@marincounty.org](mailto:kkilgariff@marincounty.org)

. . . . .

**From:** Margaret Poindexter <[mpoindexter5300@gmail.com](mailto:mpoindexter5300@gmail.com)>  
**Sent:** Monday, May 18, 2020 2:52 PM  
**To:** Rodoni, Dennis <[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)>; Sears, Kathrin <[KSears@marincounty.org](mailto:KSears@marincounty.org)>  
**Cc:** Kutter, Rhonda <[RKutter@marincounty.org](mailto:RKutter@marincounty.org)>; Parton, Maureen <[MParton@marincounty.org](mailto:MParton@marincounty.org)>; Estes-Smith, Sarah <[sestes-smith@marincounty.org](mailto:sestes-smith@marincounty.org)>; Kilgariff, Kathleen <[KKilgariff@marincounty.org](mailto:KKilgariff@marincounty.org)>  
**Subject:** Urgent Attn requested re: Short Term Rentals - Bel Marin Keys

May 18th, 2020

Dear Supervisor Rodoni & Sears,

As you may recall I sent you both an email on January 13th, 2020 outlining my concerns related the Marin County's Short Term Rental Ordinance.

I received an email response BELOW from your aide, Rhonda Kutter 6-weeks after I initially contacted you. I have tried to remain hopeful that my (and fellow concerned neighbors) experience with an STR homeowner who turned his home into a 'Boutique Hotel' would result in changes, if not a FULL BAN on vacation rentals in Bel Marin Keys given the resort-like features our community (private docks, boating, water skiing, paddle boarding, tiki bar-like settings with gas-fueled fire pits on back yard decks & docks, Sunsets & Sunrises over the water, views of amazing waterfowl that include, but are not limited to egrets, cranes, swans, geese & ducks, and river otters, etc). Per Rhonda, I have been checking for notices related to the County addressing STR policies in public settings. To date, I have seen no announcements offering public comment opportunities. I figured the issue had been put on hold due to the coronavirus.

And yet, I recently learned from an article in the Independent Journal that Marin Supervisors

made themselves available to meet with Mill Valley residents about their STR concerns on March 12th. I don't know if that meeting was preempted by COVID19. But I do know they hired an attorney to write the letter that resulted in getting a meeting on your calendar.

Is that what I need to do? Hire an attorney to be heard?

Quite honestly, I have already been looking into that option because it seems clear from my research that the Board of Supervisors has shown, is showing, **serious dereliction of duty** as it relates to doing due diligence before you passed the existing ordinance:

When I spoke to Judy Arnold about my situation last Fall she stated that a committee had been formed to develop Good Neighbor Policies.

I ask you now: How is it that the Board of Supervisors can pass an Ordinance that affects every single resident living in **residential-only zoned neighborhoods without doing due diligence** and establishing Good Neighbor guidelines in tandem with the ordinance rather than in hindsight? (It's not like AirBnB's, and the neighbor to neighbor conflicts fueled by them, arrived in Marin County in a vacuum.)

It also clear that the Board of Supervisors is engaging in a clear case of **Conflict of Interest**. Case in point: Receiving fiduciary compensation in exchange for violating long-established residential zoning laws in the form of millions of dollars generated from str tax revenue & permits to help you do your job which includes but is not limited to these fiscal responsibilities: adopt annual budgets, fixes salaries.

It is also clear that the **only** parties the Marin County Short Term Rental Ordinance benefits (besides the County Board of Supes ability to balance the books) is

- 1) The wealthy 1% who have 2nd, and 3rd homes they can use while they vacate their primary residence and pocket thousands of dollars in weekend rentals fees while destroying their neighbors' sense of peace & security as strangers flock into their neighborhoods ... coming and going at all hours ... with a 'vacation-mode' mindsets.

Call the Sheriff you say? Seriously?! ... our first responders have better things to do than respond to nuisances created by an ordinance that by its very nature screams Nuisance, Noise, Disrespect and threatens the very heart, health & core values and sense of security that make residential-only zoned neighborhoods attractive to homebuyers, and worth the price of annual property taxes & neighborhood association fees.

- 2) The third-party vendor (**Host Compliance LLC**) the County is contracted with to manage and respond to complaints which coincidentally?! has a **vested interest in STR's** and it appears is provided training & software by AirBnB & former Hospitality/Resort insiders whose goal is to maximizes tax and licensing revenues by engaging local governments with guerrilla tactics & slick propaganda that resembles scripts written by Airbnb lobbyists!

Full Transparency:

It is my understanding that Marin County's existing str ordinance can be challenged under a Writ of Mandamus,



The California Torts Claims Act also applies to nuisance and breach of contract claims, both of which appear to have been committed by the Board of Supes in spades.

I am cc'ing Kathleen Kilgariff on this email since Rhonda said she forwarded my email on January 13th to both of you to Kathleen.

I trust that I will not have to wait for another 6-weeks for a reply (by email, please.) And please do me the courtesy of respecting the fact that I fall into the Covid19 high-risk category (over 60, with a pre-existing medical condition.) I am partially paralyzed from a stroke. Knocking on doors and stepping up to a podium in the role of "activist" is not an option!

What is also not an option... is lack of rest, stress, feeling threatened by my neighbor, and being woken up at all hours in the house I've lived in for over 8-years and I pay top dollar for, never thinking in a million years that County **residential-only** zoning laws were negotiable, especially in well-established family neighborhoods with a Covenant, Conditions, and Restrictions (CC&R's) ... or available for sale to the highest bidder .... even when it risked wreaking havoc on the lives of ALL residents the Board of Supervisors took an oath of office to protect equally, as they engaged in practices with a private interest billion-dollar corporate industry that rewarded 'said' elected officials with millions of dollars and indeed provided the software to track & collect compensation used by local governments to balance their books.

When I first spoke to Judy Arnold about my concerns and the issues that were affecting my health and sense of personal security late last Fall, she noted I was only one of two constituents in her district that had an issue with STR's that she was aware of in an effort, it appeared, to undermine my concerns and ability to challenge the existing ordinance without having an army of like-minded residents standing in solidarity with me. What she didn't say is that my concerns mirrored the concerns of other Marin County residents living in waterfront enclaves who have experienced their communities ravaged by short-term-rentals. And property investment buyers purchasing 2nd homes in their communities for the explicit purpose of turning the home into a STR "Boutique Hotel"; while destroying the very fabric of close-knit communities while forcing many permanent families out of town and decimating local schools in the process. Case in point: Bolinas-Stinson School, where K-8 enrollment was down to just 90-students for the 2019-20 academic school year. That is a disturbing 25% drop in enrollment since 2014 according to my STR IMPACT research on Marin County. And yet, the Marin County Board of Supervisors failed to provide protections to prevent that scenario from repeating in communities throughout Marin County when it passed the County's existing STR ordinance in August '18.

Again, I come back to what appears to be a clear case of Dereliction of Duty by policymakers responsible for governing and maintaining the health, well being, and prosperity of ALL residents (at all ages,)

**It seems a moratorium on issuing short term rental permits to investment property buyers in Bel Marin Keys** is needed **immediately** to prevent Bel Marin Keys joining the ranks of waterfront communities like Stinson, Bolinas, Pacific Grove in Monterey, and South Lake Tahoe

who have seen long-term rentals spike and local residents pushed out by greedy STR Hosts, while local governments capitalize on income generated for their coffers by allowing 'Boutique Hotels' to operate in residential-zoned only neighborhoods, rendering existing CC&R's null & void while also violating existing Home Business regulations as mandated by the county?!

The Webster dictionary defines Hotel as "a place that has rooms in which people can stay when they are traveling; a place that provides lodging and other services for paying guests."

I ask ... what about STR's doesn't say HOTEL thereby qualifying **the home as Commercial Property** is the eyes of the law?!

There are several homes in BMK's on the market right now, and "Coming Soon" including my next-door neighbor's who have decided to see if they can cash in on Investment Property Buyer interests in communities resembling resort destination spots. Bel Marin Keys is a destination spot and more as described by that neighbor's STR rental posting on 'Home Away': *Waterfront Luxury Vacation Rental, just minutes to San Francisco and Wine Country. (Boosting) An outdoor deck, barbeque and private dock; both with gas-powered fire pits. Paddleboards, kayaks and canoe available for enjoyment. Located at the end of the street on a cul-de-sac makes this the perfect property for a quiet getaway.*

Perfect & quiet for renters, maybe. And for the homeowners who escape to the peace & tranquility their vacation home along the Truckee River in Tahoe. But definitely not for (us) neighbors who experience *our* cul-de-sac turning into a parking lot every weekend & holiday as new renters & their visiting guests come and go with doors slamming and horns honking at all hours while turning the deck & dock into their personal Tiki Bar with cases of beer & wine accompanying luggage, and their invited guests.

Who can blame them? They were after all promised bells & whistles, not to mention views & water toys that inspire outdoor gatherings from sunrise to star-studded nights. As one guest commented a "perfect vaca feel all day long". NOT!!

I look forward to your response in a timely manner (again, by email, please). I will be sharing that response with neighbors in Bel Marin Keys who equally share my concerns when I receive it.

Thank you,  
Margaret Poindexter/Marin County resident  
179 Del Oro Lagoon  
Novato, CA  
[mpoindexter5300@gmail.com](mailto:mpoindexter5300@gmail.com)



On Fri, Feb 21, 2020 at 4:38 PM Kutter, Rhonda <[RKutter@marincounty.org](mailto:RKutter@marincounty.org)> wrote:

Dear Ms. Poindexter,

Thank you for your email; we appreciate your concerns and input.

Please note, that although at this time are not able to set up individual meetings with the Short Term Rental subcommittee, we have forwarded your concerns to our staff (Kathleen Kilgariff <[KKilgariff@marincounty.org](mailto:KKilgariff@marincounty.org)>) who is working on this project and collecting input regarding our SRT policy; she will be helping to organize future Board workshops/meetings regarding this issue. I also recommend that you sign up to get updates automatically by going to:

[https://www.marincounty.org/depts/cd/divisions/planning/short-term-rental\\_str](https://www.marincounty.org/depts/cd/divisions/planning/short-term-rental_str)  
and clicking on the "Subscribe to this page" section in the top right corner.

Thanks again for your email and sharing your concerns.

Rhonda

Rhonda Lynn Kutter  
Aide to Supervisor Dennis Rodoni  
Marin County Board of Supervisors  
3501 Civic Center Drive, Suite 329  
San Rafael CA 94903  
415-473-3246; [RKutter@MarinCounty.org](mailto:RKutter@MarinCounty.org)

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

**From:** Margaret Poindexter <[mpoindexter5300@gmail.com](mailto:mpoindexter5300@gmail.com)>

**Sent:** Monday, January 13, 2020 12:18 PM

**To:** [DRodini@marincounty.org](mailto:DRodini@marincounty.org); Sears, Kathrin <[KSears@marincounty.org](mailto:KSears@marincounty.org)>

**Subject:** Short Term Rentals - Sub Committee meeting request

Hello Supervisors Rodini & Sears,

I understand that you two will be having a series of meetings beginning this month to consider modifications to the County's current two-year pilot short-term rental ordinance which sunsets on August 7, 2020.

I'd like to meet with both of you to share my experience with my next-door neighbor; a hospitality consultant with years of senior management experience in the hotel industry **who has turned his home into a business** and is renting it out virtually every weekend (or trying to) under the protection of the existing short term rental ordinance.

His "home" business; or more accurately stated **business (which is his home)** underscores serious loopholes in the current ordinance which allows property homeowners to turn 2nd homes into "boutique weekend hotels" in

**residential zoned ONLY** neighborhoods.

This not only violates the County's "home business" standards but **ALLOWS HOMES TO BECOME BUSINESSES** violating **Marin County's Community Development Agency's existing code established to ensure compliance of County's laws and regulations for land use, zoning and housing which includes maintaining the quality of neighborhoods and avoiding nuisances.**

This is not an issue that can be (or should be) addressed by Host Compliance.com.

Indeed, the County's decision to contract with Host Compliance.com (Granicus) on enforcement demonstrates an arguably serious **conflict of Interest** since both the County & **Host Compliance have a VESTED interest** "in shaping, growing and monetizing short-term rentals".

Just how "vested"? My understanding is \$5.5 million revenue from transient occupancy tax (TOT) in the 2018-19 fiscal year alone; while paying Host Compliance over \$55K annually for services that ignore concerns of neighbors who have had their quality of life turned upside down by "the 1% (with multiple properties to escape to) when they rent out their homes" and short-sided elected officials who appear to knowingly be playing Russian Roulette with the peace & tranquility of hard-working residents lives who live in **residential-only zoned neighborhood**; while the County issues **business licenses** to the 1% ... violating neighbor's rights to expect & receive residential-only zoning protections and enforcement from

To be clear, Host Compliance is in business **to HELP County & City governments identify, educate, and register permit rental property owners** while providing web and mobile resources to rental owners and local government staff to fill the County's coffers with tax revenue. It is not in business to level the regulatory playing field for neighbors, or neighborhoods adversely impacted by STR.

Worse:

The Host Compliance 24/7 hotline for neighbors to report problems is void of ANY human interaction. And It's automated touch-tone data collection questions raise serious concerns about its effectiveness ie: Press #1 if, Press #2 if, Press #3 if ... as if each category is mutually exclusive). It definitely does not provide "instant relief" to affected neighbors as promised.

Nor does it address rental property owner's ability to monetize complaints from neighbors about their renters; and reap substantial additional income from pocketing security deposits when neighbors do complain.

Nor provide neighbors with 3-strikes protections as adopted by South Lake Tahoe 3-years ago:

A **restrictive new short-term rental law** went into effect in South Lake Tahoe in 2017. The regulations include a cap on the number of short-term rentals in the city (outside of the tourist core); noise, trash, and parking rules; \$1,000 fines for

both renters and owners for violations; and a "three strikes" provision in which rental owners who have three violations within a 24-month period can permanently lose their permit to offer short-term rentals. Short-term vacation rental operators must also be licensed and renew their registration every year.

That said a "nuisance complaint" is clearly subjective. I would argue anytime you have strangers coming and going at all hours, gathering on decks, docks, and in backyards where a homeowner encourages outdoor activities with firepits, and allows occupancy of 8 people you are going to impact nearby neighbors quality of life, peace of mind, tranquility, and physical and mental health from lack of sleep. And being "forced" in the position of policing renters who are on "vacation, and just having a good time".

Please let me know when you are available to meet at your offices at the Civic Center. I'd like to get this meeting on our calendars this month. At least one other neighbor may be joining me.

Thank you for your time.

Margaret Poindexter  
415-602-7005

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



**From:** [Kilgariff, Kathleen](#)  
**To:** [Margaret Poindexter](#)  
**Cc:** [Sears, Kathrin](#); [Rodoni, Dennis](#); [Kutter, Rhonda](#); [Parton, Maureen](#); [Estes-Smith, Sarah](#); [Arnold, Judy](#)  
**Subject:** RE: (follow-up) Re: Urgent Attn requested re: Short Term Rentals - Bel Marin Keys  
**Date:** Tuesday, June 9, 2020 7:19:00 PM

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Hi Ms. Poindexter,

In my capacity as a staff member in the Planning Department, I have provided you with the information I have.

I am keeping all electronic communications related to Short Term Rentals, as we have not received any communications by mail, for the Planning Department. It is my understanding that the supervisors are maintaining records as well.

The County does not have an ombudsmen.

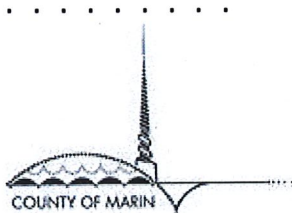
The language regarding the options to modify the existing, or create a new ordinance, was copied and pasted from my original email. Those remain the same.

Best,

Kathleen

**Kathleen Kilgariff**  
PLANNER

County of Marin  
Community Development Agency  
3501 Civic Center Drive, Suite #308  
San Rafael, CA 94903  
415 473 7173 T  
415 473 7880 F  
[kkilgariff@marincounty.org](mailto:kkilgariff@marincounty.org)



**From:** Margaret Poindexter <mpoindexter5300@gmail.com>  
**Sent:** Monday, June 8, 2020 4:37 PM  
**To:** Kilgariff, Kathleen <KKilgariff@marincounty.org>  
**Cc:** Sears, Kathrin <KSears@marincounty.org>; Rodoni, Dennis <DRodoni@marincounty.org>; Kutter, Rhonda <RKutter@marincounty.org>; Parton, Maureen <MParton@marincounty.org>; Estes-Smith, Sarah <sestes-smith@marincounty.org>; Arnold, Judy <JArnold@marincounty.org>  
**Subject:** Re: (follow-up) Re: Urgent Attn requested re: Short Term Rentals - Bel Marin Keys

Thank you Kathleen,

**Re: Your comment "Thank you for your email, it will be included in the record."**

**What is the "record" you are referring to?**

Who sees it? Who has access to it? What kind of communications are "housed" there? How is it maintained (is it a physical file? a virtual file?)

Who (County Official/title/dept) is responsible for managing it?

And Who is responsible for making sure elected & appointed officials responsible for enacting ordinances within limits prescribed by the State's Constitution and laws, and determining policies that directly impact their constituent's quality of life, property & personal safety (health & well-being), family, property values, schools, while preventing neighborhoods from becoming commercial centers with "Pop Up" boutique hotels ... read communiques "included" there.?

**Re: I cannot speak to the conversation you and Supervisor Arnold had related to short term rentals, nor the other items noted in your email.**

**Can you then please tell me the name and contact information for the Marin County**

**Ombudsman** in charge of investigating complaints against maladministration of **elected and appointed** County Government Officials **for allowing .... ?**

**1) Commercial businesses** ((as defined by the County of Marin - Department of Finance Transient Occupancy Tax & STR Business License )) **to operate in residential-only zoned neighborhoods** by HOSTS (home owners/investment property owners) who have obtained a BUSINESS LICENSE (allowing them to ignore existing residential zoning laws) as long as THEY PAY a BUSINESS TAX to 'said' COUNTY (officials responsible for adopting county budgets & fixes salaries.)

**2) A STR Host free reign to** not be beholden to primary residence requirements & residential-only zoning restrictions but rather giving them a free pass to step into the role of COMMERCIAL REAL ESTATE PROPERTY / INVESTMENT PROPERTY ownership an operate Boutique hotels in residential neighborhoods; complete with restaurant facilities (a place where patrons sit and eat meals that are cooked and served on the premises), open bar (no restrictions on alcohol being served), and unlimited parking (turning neighborhood streets into parking lots), and personal resort/destination spot for guests coming & going at all hours threatening neighbors sense of peace, privacy, and sense of security long after guests leave.

**3) An even greater Cost of Living/Affordability Divide** in a County that already has among the highest housing costs in the Country, while STR Hosts vacate their (2nd) homes every weekend/holiday CASHING-IN, while leaving neighbors on edge by the constant flow of strangers and cars coming & going at all hours.

If not, why not?

If not, who can?

**Re: the current pandemic is impacting the process we would like to conduct to modify or create a new Ordinance, and it is not yet clear when this will occur.**

Thank you for the link. **It is my belief that the legality of the existing STR Ordinance is in serious question**, as is the actions of elected officials engaged in a public-private partnership who

profit off playing russian roulette with the peace and serenity afforded to your typical family living in residential-only zoned neighborhoods while high-wealth property owners (**disproportionately white**) and venture capitalists pocket millions, and share (collecting & remitting) their profits in the form tax dollars with Marin County in exchange for policy makers (responsible for balancing the county budget) flouting existing zoning regulations and disguising their "partnership" as innovation. You mentioned two options: modify or create a new Ordinance. What about the third you mentioned in your last email to me?

I look forward to your responses to my questions.

Thank you,  
Margaret

On Thu, Jun 4, 2020 at 11:08 AM Kilgariff, Kathleen <[KKilgariff@marincounty.org](mailto:KKilgariff@marincounty.org)> wrote:

Hi Margaret,

Thank you for your email, it will be included in the record. I cannot speak to the conversation you and Supervisor Arnold had related to short term rentals, nor the other items noted in your email.

I am going to Cc Supervisor Arnold on this email so that she is aware of your comments and concerns.

As noted in my previous email, the current pandemic is impacting the process we would like to conduct to modify or create a new Ordinance, and it is not yet clear when this will occur. As such, you can stay up to date by checking the County's website, provided in the below link.

<https://www.marincounty.org/>

Best,

Kathleen

**Kathleen Kilgariff**  
PLANNER

County of Marin  
Community Development Agency  
3501 Civic Center Drive, Suite #308  
San Rafael, CA 94903  
415 473 7173 T  
415 473 7880 F  
[kkilgariff@marincounty.org](mailto:kkilgariff@marincounty.org)

. . . . .

**From:** [Kutter, Rhonda](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Rodoni, Dennis](#); [Tejirian, Jeremy](#)  
**Subject:** FW: Short Term Rentals: Discussions in AZ  
**Date:** Friday, June 12, 2020 11:50:45 AM

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Hi Kathleen,

Here is some interesting information from a constituent in West Marin.

Have a good weekend.

R.

Subscribe at <https://coronavirus.marinhhs.org/> for Covid-19 updates  
And subscribe [here](#) for updates/newsletters from Supervisor Rodoni

Rhonda Lynn Kutter  
Aide to Supervisor Dennis Rodoni  
Marin County Board of Supervisors  
3501 Civic Center Drive, Suite 329  
San Rafael CA 94903  
(415-473-3246; leave a message and I'll get back to you—I'm currently working remotely)  
[RKutter@MarinCounty.org](mailto:RKutter@MarinCounty.org)

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

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**From:** Robert Johnston <rajohnston@ucdavis.edu>  
**Sent:** Friday, June 12, 2020 11:45 AM  
**To:** Rodoni, Dennis <DRodoni@marincounty.org>  
**Cc:** Kutter, Rhonda <RKutter@marincounty.org>  
**Subject:** Short Term Rentals: Discussions in AZ

Dennis,

Here's an article from Arizona, a very conservative state, where the St. Leg. prohibited local regulation of STRs and so lots of problems occurred. Beside the normal noise, parking, etc. issues from such rentals, they got a lot of investor-owned rentals, that is without an owner living in them. Here's a Jan., 2019 article:

[https://www.scottsdale.org/city\\_news/kavanagh-bill-would-add-short-term-rental-controls/article\\_5586dd7c-3968-11ea-8b0d-f328087abb7b.html](https://www.scottsdale.org/city_news/kavanagh-bill-would-add-short-term-rental-controls/article_5586dd7c-3968-11ea-8b0d-f328087abb7b.html)

A weak bill then passed requiring STRs to have a tax license and to publish a Contact for each unit. The restrictions on investor-owned units and on number of occupants did not pass. This second article gives data on the huge increase in STRs in Phoenix, Scottsdale, and Sedona.

From May of 2019:

<https://www.azcentral.com/story/news/politics/legislature/2019/05/21/arizona-law-crack-down-short-term-rental-party-houses-airbnb-vrbo/3761624002/>

The Gov. has stopped stronger bills prohibiting investors from buying whole blocks of units, which is rampant, due to attractions like golfing events. Ironically, the AZ Leg. is being very pro-govt by directly regulating the STRs instead of letting the local govts to it. Lots of contributions from realtors go to this Gov. and to members of Leg. committees, it seems. The normal.

Anyhow, I hope that the BOS will go to a second stage on regulating STRs and get data on numbers and consider limiting total days per year to 60 and also requiring the owner to reside in the property. These are common rules across the U.S. and world and prevent investor-owned units and generally reduce the economic incentive to convert regular rentals to STRs. We have an affordable housing problem in Marin and reducing STRs is a much faster way to get more rentals, which will lower rental rates a bit and make substantially more units available for purchase by CLAM and other nonprofits.

Thanks for all that you do,

Bob

Robert A. Johnston  
415 663-8305 landline  
530 559-0032 cell/text  
P.O. Box 579, Point Reyes  
Station, CA 94956



**From:** [Ellen Selzer](#)  
**To:** [Kilgariff, Kathleen](#)  
**Subject:** Short term Airbnb rental problems  
**Date:** Sunday, June 14, 2020 2:55:50 PM

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Dear Kathleen,

I am unsure if you are still the person taking feedback on short term rentals for unincorporated Tam Valley, but hopefully we are connecting with the right person. We understand that the county was due to review the short term rental situation sometime this summer. As we continue to deal with a rental property that literally has 24/7 renters through Airbnb coming and going, we wanted to share some issues.

Despite the order from the county to only have short term rentals that apply to those displaced or in health care related situations... we have seen a nonstop stream of renters continue to come into the property next door to us since the Covid pandemic in March. No one who comes to stay, cleaning people, or the owners ever wear masks coming in or out of the property. The cleaning people appear to do their usual very quick clean and turn around of the property for more strangers to come into our neighborhood with little regard to the people who live here.

Our patience as long time home owners and tax payers is running thin with the parade of strangers coming into this "hotel" under the guise of Airbnb. The most disturbing thing, other than the idea of strangers coming to stay anew each and every day, is that they have little regard for our neighborhood and the safety of those who live here. By this I am referring to FIRE! Just the other day, the customers were starting fires in a fire pit in the back yard which is full of brush and trees. With the Fire Season starting soon, we are having serious concerns about these customers and the danger they provoke with the fires they light on property and in fireplaces.

With repeated communications to the county, we ask that you limit these daily rentals to customers with a monthly situation or longer, OR simply cancel the short term Airbnb rental in our community. We love our neighborhood and are disheartened to know that it is in danger of fire, and even disease spread though the allowance of these "hotels" to continue.

Please consider our position and know that we are grateful for your consideration of preventing the continued allowance of these businesses in our residential communities.

Respectfully,

Ellen Selzer



**From:** [Philip Freund](#)  
**To:** [Kilgariff, Kathleen](#)  
**Subject:** Re: Airbnb issues  
**Date:** Thursday, June 18, 2020 4:48:48 PM

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Please take this seriously. Fire danger is high!

Thank you,

Philip Freund

**From:** jwpaint8  
**Sent:** Thursday, June 18, 2020 2:20 PM  
**To:** Phil Freund  
**Subject:** FW: Airbnb issues

From Ellen.

Sent via the Samsung Galaxy A10e, an AT&T 4G LTE smartphone

----- Original message -----

From: Ellen Selzer <ellenselzer@gmail.com>  
Date: 6/18/20 7:59 AM (GMT-08:00)  
To: Sue Hayes <suehayesmv@yahoo.com>, Judith Williams <jwpaint8@pacbell.net>  
Subject: Airbnb issues

Dear Sue and Judith,

As we have had some recent issues with the house at the end of Wendy Way and the short term rental customer problems of teenage crowds, parties, racing up and down our road, and rudeness of their customers and the owner herself, I sent an email to the county. (They are also ignoring COVID laws by having nonessential people there. )

The owner has no interest in how this all affects us, and our attempts to communicate with her are futile and beyond irritating. I did not mention our street name in my email to the county as I'd rather not wage war with the owners.

Below is the contact at the county for short term rental properties. The more people who they hear from the better chance we have to change the situation. So if you can write to the county it would certainly help.

My email mentioned the problems above, but additionally, and more importantly the risk of FIRE these people bring with little regard for our neighborhood with their outdoor smoking, cooking, fire pits and even indoor fireplace fires. I feel like this may be our best leverage in getting the county to change the laws.

I requested them to limit the short term rentals to 30 days or more instead of the daily parade of new customers and that affect on our neighborhood as tax payers.

Thank you in advance for your help with this and taking a few minutes to send a note. They will file it in their minutes for the review of this subject sometime this summer.

Take care and be well!

Best, Ellen

[KKilgariff@marincounty.org](mailto:KKilgariff@marincounty.org)

Sent from my iPhone

**From:** [Susan hayes](#)  
**To:** [Kilgariff, Kathleen](#)  
**Subject:** Airbnb short term rental problems, request for 30 days or more  
**Date:** Sunday, June 21, 2020 8:45:34 AM

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Hi,

I would request that AirBnB limit short term rentals to 30 days or more for the following reasons:

We have an airBnB very near us and the owner bought it a few years ago for the specific reason of renting it out. We have suffered various problems, not the least of which are noisy parties, under age drinking and driving very fast down our quiet cu de sac, and rudeness on behalf of renters if we talk to them, like they feel entitled to do what they want without considering how disturbing they are for the local residents. Also during the pandemic she has rented to very short term rentals (ignoring the COVID laws). Lastly, even more concerning is the fact that they use a BBQ and a firepit very near flammable foliage, thereby causing a fire hazard.

We have tried communicating our concerns to her, but she is just rude and combative.

Thanks you for your consideration of these factors.

Susan Hayes