

August 10, 2015

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

Re: Marin County Amended LCP, Vacation Rentals

Dear Kristin Drumm,

This letter is to suggest that Marin County's LCP should regulate vacation rentals as it does all other forms of visitor-serving accommodations.

When the original LCP was adopted, it was thought that the stock of vacation rental homes was fairly low and that "due to rising costs, second homes are becoming fewer and fewer in number." (LCP, Unit II p. 30) Today, however, there are close to one thousand vacation rentals just in the Inverness, Marshall, Point Reyes Station area. These bring visitors, but also problems regarding parking, noise, congestion, and septic load, among other things.

The Coastal Act (Section 30213) encourages lower cost visitor and recreational facilities. However, the bulk of vacation rentals are far from low-cost. The lack of any kind of oversight puts them in a privileged position vis-à-vis other forms of visitor-serving accommodation and makes it difficult for County planners to get a picture of Marin's overall visitor-serving capacity. Regulations would facilitate economic growth by improving understanding of the County's visitor-serving resources.

There are two main tasks that regulation of vacation rentals should seek to accomplish:

- Ensuring that they are operated in a manner that protects the health, safety, and welfare of the surrounding community and the users of vacation rentals
- Protecting the County's housing stock and residential land supply

The first concern can be addressed by regulations that:

- Limit maximum numbers of overnight guests and visitors
- Establish maximum number of rooms before a vacation rental is deemed a hotel
- Limit number of vacation rentals per parcel
- Require adequate on-site parking
- Establish quiet time from 10 PM to 9 AM
- Ban amplified sound outdoors
- Establish restrictions on special events, such as parties, weddings and "retreats"
- Require owners to have a Transient Occupancy Tax license
- Require that each property have a Designated Manager or Representative
- Establish a system for complaints & enforcement with costs to be paid from fees paid by vacation rental owners
- Establish standards for such things as pets, trash, and septic load

The second, and possibly most important, impact of vacation rentals is their impact on the County's housing stock and its affordability. Section 30604 of the Coastal Act states that

(f) The commission shall encourage housing opportunities for persons of low and moderate income.

(g) The Legislature finds and declares that it is important for the commission to encourage the protection of existing and the provision of new affordable housing opportunities for persons of low and moderate income in the coastal zone.

It is undeniable that in recent years the housing stock in coastal communities such as Inverness, Stinson Beach, Marshall and Tomales has increasingly been converted from affordable rentals to expensive vacation rentals. The resultant scarcity and increased cost of housing has caused serious problems for longtime residents, elderly people, workers and employers in these communities.

Bed & Breakfast units are strictly regulated in Marin County, with a clear requirement that they only operate in buildings used primarily as residences. Under the existing LCP, however, the owner of a house can completely evade B&B restrictions merely by calling his house a vacation rental. As a matter of policy, Marin County and the Coastal Commission should not be encouraging or allowing its regulations to be so easily evaded, especially when there are serious consequences for something as important as the housing stock.

Regulation could help to address this issue if it:

- Bans conversion of affordable housing units, agricultural employee units, second dwelling units, farmworker housing, or farm family units to vacation rentals
- Differentiates between properties that are primarily residential and are rented by their occupiers as vacation rentals for 90 days a year or less and commercial vacation rentals
- Restricts commercial vacation rentals to areas that are zoned for commercial use or allows them in certain residentially-zoned areas only with a Use Permit. In either case, commercial vacation rentals should be treated and taxed as businesses.

Thank you for considering my comments on this issue of such importance to the residents of and visitors to coastal Marin.

Sincerely,

A handwritten signature in blue ink that reads "Catherine Caufield". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Catherine Caufield
PO Box 884, Inverness, CA 94937

cc: Jack Liebster, Shannon Fiala, Supervisor Steve Kinsey