



**STAFF REPORT TO THE MARIN COUNTY  
PLANNING COMMISSION  
Short Term Rental (STR) Ordinance Update Workshop**

**Recommendation:** Conduct a workshop to hear public testimony and provide comments to staff regarding updates to regulations for short term rentals.

**Hearing Date:** October 23, 2023  
**Project Planner:** Kathleen Kilgariff  
**Signature:**

## SUMMARY

Since the Fall of 2022, County staff has been working to update the Short Term Rental (STR) Ordinance for the unincorporated areas of Marin County<sup>1</sup>. The purpose of this workshop is to present draft regulations (Attachment 1), background information and public input to your Planning Commission, and most importantly, to receive feedback from the public and your Commission on the proposed regulations. Based on the feedback provided, staff plans to bring back draft regulations for consideration and a vote on November 13, 2023. Ultimately, both the Marin County Board of Supervisors and the California Coastal Commission must authorize the new regulations, as discussed in this report.

This report is divided into four parts, and organized as follows:

- 1. Background.** This section provides an overview of the STR Ordinance history for the unincorporated areas of Marin, discusses the regulatory documents that inform this Short Term Rental Ordinance work – the Marin County Housing Element and Local Coastal Program, and provides an overview of public outreach conducted to date.
- 2. Regulations.** This section discusses the draft STR regulations circulated for public review, and provides detailed explanations to support the rationale behind the proposed standards.
- 3. Clarifications.** This section outlines proposed changes to the draft STR regulations. These modifications largely include simple text changes to better clarify certain requirements.

<sup>1</sup> Proposed regulations will only apply to unincorporated areas because the cities and towns in the County retain the authority to develop policies and regulations for their own jurisdictions.

4. **Alternatives to Consider.** This section discusses proposed alternatives to the draft STR regulations. While the above noted clarifications are proposed changes, they do not require the same level of discussion and consideration as the policy alternatives presented in this report. Alternatives to consider include 1) exempting agricultural properties from the STR Ordinance, 2) changes to proposed STR caps and, 3) establishing a countywide STR cap.
5. **Additional Project Information.** This section includes a project schedule, equity analysis, Planning Commission recommendation, and report attachments. Important attachments include the proposed STR regulations, public comments, and a California Coastal Act consistency analysis.

This is the second Planning Commission workshop on this topic. Materials from the previous workshop on June 12, 2023 are included in Attachment 2, and provide additional background information and details as part of the overall project record.

## BACKGROUND

### GUIDING PRINCIPLES

The following Guiding Principles provide a foundation of understanding as County staff has worked to update the STR Ordinance. These Guiding Principles were discussed and developed with stakeholders and staff at public meetings in the Fall of 2022 and provide clarity on the commitment from County staff to develop STR policies that reflect the vision and shared values of our communities.

1. Prioritize housing supply and affordability, and consider regulations in light of their effects on the cost and availability of housing within individual communities.
2. Advance equity in access to economic opportunities, services and activities.
3. Recognize that Marin County has historically provided vacation opportunities to the greater Bay Area region and State.
4. Distinguish among types of Short Term Rental operations and operators, e.g., hosted and unhosted, single and multiple ownerships, etc.
5. Consider environmental constraints such as water and sewage capacity.
6. Develop regulations that are clear, affordable, simple, and enforceable (C.A.S.E).
7. Assure that short term rentals are good neighbors considering noise, parking, trash and other neighborhood quality of life concerns.

### KEY TERMS

Proposed regulations include definitions for key terms. While these definitions may change based on feedback provided on the proposed standards, for the purpose of this Staff Report, the following terms are defined as follows:



**Host:** A host is a person identified by a short term rental licensee to reside at the property at which a short term rental is located.

**Hosted Short Term Rental:** A short term rental that is the primary residence of a host, or that is located on the same property as the primary residence of a host.

**Primary Residence:** The dwelling in which a person lives for at least six months each year. A person must demonstrate a property is their primary residence by claiming a homeowner's exemption on the property for the purpose of property tax assessment, or by providing documentation sufficient to establish, as determined by the Agency Director, the required residency, such as motor vehicle registration, driver's license, voter registration, a utility bill, and lease.

**Property owner:** The owner(s) of record of the real property on which the short term rental is operated, and to the extent any such owner is a legal entity, any and all natural persons with an interest in such legal entity.

**Short Term Rental (STR):** A rental of a residential unit, or a portion of a residential unit, for a period of less than 30 consecutive nights. Short term rentals are a residential use of property.

**Unhosted Short Term Rental:** Short-term rental occupancy of a residential unit on a property that does not provide a primary residence for the property owner or a long term tenant.

## **SHORT TERM RENTALS IN MARIN**

### **ORIGINAL SHORT TERM RENTAL REGULATIONS**

On August 7, 2018, the Marin County Board of Supervisors adopted the County's first STR Ordinance (Ordinance No. 3695) with a limited, two-year term. This Ordinance went into effect after a year-long planning process, which included research and analysis on STR regulations and economic considerations (incorporated into an informational document prepared by Lisa Wise Consulting Inc.<sup>2</sup>). The Ordinance requires public notification of STRs be provided to surrounding neighbors, requires operators to provide guests with "Good Neighbor" house rules – which include sharing existing County regulations (for example, noise, parking, trash standards) to ensure that STRs do not adversely impact neighbors, and establishes a short-term rental hotline for complaints, which is currently operated by Host Compliance, the County's third party STR monitor. The Ordinance does not place limits on the type, number, or concentration of properties that can be in STR use and does not otherwise regulate STRs around land use or environmental considerations.

The Marin County Department of Finance requires STR operators register for a Business License and Transit Occupancy Tax (TOT) Certificate, providing accountability and payment of taxes and fees commensurate with the visitor-serving use, in addition to the requirements under the Ordinance. These requirements remain in place regardless of the proposed regulations.

With the pending expiration of the Ordinance No. 3695, on July 28, 2020, the Board of Supervisors approved Ordinance No. 3739 (included in Attachment 2), which maintained all of the "Good Neighbor" policies and notification standards from the original ordinance and made one minor change requiring that the Local Contact Person information must be provided at the time of

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<sup>2</sup> [Short Term Rentals – A Report on Planning and Economic Considerations, dated May 8, 2017](#)

application for a TOT certificate and when reporting TOT, rather than at the time a business license is issued or renewed.

At the time that Ordinance No. 3739 was approved, both staff and the Board acknowledged that a number of public commenters expressed concerns about the impacts of STRs on communities – including housing availability and affordability as well as noise, parking, and quality of life impacts – and requested reevaluation of the County’s STR Ordinance to expand its scope and purpose. Given the COVID-19 pandemic conditions, there were significant obstacles to initiating that effort and being able to conduct adequate public outreach.

No changes to the Short Term Rental Ordinance have been approved since July 2020. Though, the Marin County Board of Supervisors adopted a moratorium on new STRs in West Marin in May 2022, as discussed below. The current Update aims to build upon the initial work done on this program to foster good relations between neighbors and incorporate new regulations to address other planning issues the County is currently facing.

### OVERVIEW OF SHORT TERM RENTALS IN MARIN

While the impacts of STRs are mixed, some residents have described the preponderance of homes being dedicated to STRs in some smaller towns and villages as “hollowing out” local communities, adversely affecting the schools and social fabric enjoyed in these smaller towns and villages. Further, there are growing concerns in Marin communities about impacts of STRs on the availability of housing for workforce, families, and community members as well as the ability to build and maintain the human relationships that form community.

Longstanding challenges such as high housing costs and limited housing availability have continued in Marin County since the most recent STR Ordinance was approved. Of note, there were approximately 480 licensed STRs in the County when regulations were first adopted and there are now 873 STRs in the unincorporated areas of Marin.

A summary of the number of STRs by area is provided in the table below (and further expanded on in the June 12, 2023 Planning Commission staff report, Attachment 2).

<b>Residential Short Term Rental by Area</b>			
<b>Area</b>	<b>Number of STRs</b>	<b>Number of Parcels Developed with Living Units</b>	<b>Percentage of Parcels with Living Units Used as STRs</b>
<b>Coastal Zone</b>	568	3450	16%
<b>West Marin Communities Outside of the Coastal Zone</b>	53	1798	3%
<b>East Marin Communities</b>	252	17805	1%
<b>All of Unincorporated Marin</b>	873	23053	3%

Source: Department of Finance and Assessor-Recorders 2022 Tax Roll

A number of communities in the Coastal Zone have traditionally been popular vacation destinations, with many homes built for and being used as vacation rentals for many years, if not generations. Visitors can have positive effects on local economies by supporting shops,

restaurants, agricultural producers, and other visitor serving businesses. For example, while not solely related to overnight visitors, in 2022, 2.3 million park visitors spent an estimated \$117 million in local gateway regions while visiting Point Reyes National Seashore<sup>3</sup>.

In some instances, local communities accept and encourage STRs as a valuable part of the social and economic fabric of an area. For example, in discussions with Dillon Beach community members, people often shared that Dillon Beach is a vacation community and that, overall, the high percentage of homes used as STRs does not impact affordable long-term housing. Many shared that there are limited resources in the community (low number of jobs, few businesses, limited access to amenities, no grocery store, etc.), making it a more desirable place for visitors than long-term renters. However, it is unclear how any house that is not currently used by long-term residents has no impact to available housing. This is important to consider in light of the current strains placed on the local workforce that support the visitor-serving economy, including low paid workers who may travel far distances to work in Marin.

In the eastern areas of the County, Unincorporated Mill Valley has the highest percentage of STRs – 143 units, or 3% of the roughly 5,600 residentially developed properties, are licensed to operate STRs. There are a higher number of houses along the Highway 101 corridor and lower overall percentage of the housing stock that is dedicated to STRs (a total of 1% of the 17,800 residentially developed properties are licensed as STRs).

According to the American Community Survey, the countywide average for a one-bedroom rental is \$1,869 per month. The flexibility and the income generated by STRs, where nightly rates of rentals advertised online can average around \$550 per night and range up to over \$1,000/night<sup>4</sup>, in comparison to that earned with a long term rental property owners to seek STR use, serving visitors rather than long term renters. Additionally, public comments from STR owners note the fact that long-term rentals do not cover the costs to maintain or cover the mortgage of their homes, as opposed to STRs, which are more likely cover these costs.

## TRANSIENT OCCUPANCY TAX

Transient Occupancy Tax is a tax that all STR owners must charge their guests, and is a cost passed on directly to those who rent a STR. Typically, the online platform through which the STR is rented remits the TOT to the County's Department of Finance (DOF) or STR owner charges guests accordingly and remits the TOT directly to the DOF.

On November 6, 2018, the voters of West Marin passed Measure W to establish the West Marin Transient Occupancy Tax (TOT) area and increased the TOT rate in this area from 10% to 14%. In recognition of the impacts of visitors to the area, the increase in the TOT approved by the measure provides increased funding for enhanced fire/emergency services (2% increase) and long-term community housing (2% increase).

According to the DOF, TOT revenue collected for Fiscal Year 2021-2022 totaled \$8.48 million<sup>5</sup>. This includes approximately \$1.86 million for both enhanced fire/emergency services and long-

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<sup>3</sup> [2022 National Park Visitor Spending Effects – Economic Contributions to Local Communities, States, and the Nation](#)

<sup>4</sup> As provided by Host Compliance, a third party short term rental monitoring service.

<sup>5</sup> [Open Marin County – Transient Occupancy Tax](#)

term community housing (\$928,738 each). This amounted to about 1.3% of all County revenue in that same Fiscal Year.

## COUNTYWIDE PLAN – HOUSING ELEMENT IMPLEMENTATION

As noted above, the County recently undertook the significant work of updating the Housing Element of the Countywide Plan<sup>6</sup>. The Countywide Plan is the comprehensive, long-range general plan that guides land use and development in the unincorporated areas of Marin County. Typically, the Countywide Plan establishes overall objectives through goals, policies, and implementation programs, which is consistent with the framework of the Housing Element.

- **Goal:** An expression of community values and desired outcomes — a sought-after end state that is not quantifiable or time dependent.
- **Policy:** A statement derived from a goal that represents the jurisdiction’s adopted position and guides action by decision-making bodies.
- **Program:** A specific implementation measure to carry out goals and policies of the Countywide Plan.

Public outreach for the Housing Element Update included surveys, public meetings, and focus groups. On top of the dozens of community meetings, there were also 19 publicly noticed meetings with either the Marin County Planning Commission, the Board of Supervisors, or both jointly. The many public meetings provided members of the public an opportunity to share their feedback on the future of Marin County housing and discuss goals to make more housing available for current and future residents of Marin, including renters and homeowners.

As a result of the data analysis included in the Housing Element and public outreach conducted, the Housing Element includes a Goal to meet housing needs through a variety of housing choices responding to the broad range of needs in Marin County by supporting a mix of housing types, densities, affordability levels, and designs (Housing Goal 2). As it relates to STRs, the adopted Housing Element notes this Goal will be achieved through the following policies:

- **Policy 2.6: Preserve Permanent Housing Inventory.** Preserve our housing inventory for permanent residential uses. Discourage or mitigate the impact of short-term rentals and units unoccupied for extended periods of time.
- **Policy 3.3: Research, Monitoring, and Evaluation.** Perform effective management of housing data relating to Marin County housing programs, production, and achievements. Monitor and evaluate housing policies on an ongoing basis and respond expeditiously to changing housing conditions and needs of the population over time.

And finally, this work carries out the goal and policies through the following Program.

- **Program 18: Short-Term Rentals.** The County may explore options for limiting short-term rentals in all areas of the unincorporated County, including West Marin, that currently have a moratorium that is set to expire in 2024, in order to preserve housing units for permanent residential use. Strategies may include:
  - Prohibiting short-term rentals (no less than 30 days allowed)
  - Limiting the number of days the unit can be used for short-term rentals
  - Prohibiting short-term rentals in all multi-unit dwellings

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<sup>6</sup> The Housing Element in its entirety is available on [the County’s website](#):

- Allowing for short-term rentals if the property is the owner's primary residence
- Benchmarking the number of short-term rentals allowed to no more than a specific percentage of the community's rental housing stock

## HOUSING DATA

Included in the Housing Element is a Housing Needs Analysis (Attachment 3), which evaluates and addresses housing needs in the unincorporated areas of Marin County. This chapter also includes data related to the County's current housing landscape, which informs the programs and policies set forth in the Housing Element. The data included in this housing needs analysis is relied upon for this Ordinance Update, including but not limited to Housing Tenure (Table H-2.11), Vacancy Rate Trends, Rental Prices (Tables H-2.26 and H-2.27).

## AFFIRMATIVELY FURTHERING FAIR HOUSING

As outlined in the Housing Element, West Marin is particularly feeling the effects of the growing divide between wealth and poverty in the Bay Area, increasing home prices, increased short-term rentals and second homeowners are forcing people to move further from their communities and areas of employment. These changes emphasize the need to consider STR regulations in relation to affirmatively furthering fair housing.

Assembly Bill 686, which was passed in 2017, necessitates the inclusion of an analysis of barriers that limit access to opportunities and a commitment to take specific, meaningful actions to actively promote fair housing within the Housing Element. AB 686 requires that local governments establish concrete goals to tackle the consequences of systemic problems like residential segregation, housing cost burdens, and disparities in educational or employment opportunities. This requirement extends to addressing these issues in a way that combats and prevents discrimination against protected classes.

The Affirmatively Furthering Fair Housing (AFFH) appendix of the Housing Element (Attachment 4) highlights that, the communities of Central Coastal West Marin and Marin City have the highest percentages of low and moderate income households (62% and 71%, respectively). In addition, both Central Coast West Marin and Marin City have the highest percent of extremely low income households (29% and 40%, respectively). This makes the likelihood of housing cost burden much greater in these areas.

The AFFH Rule Guidebook defines disproportionate housing needs as a condition in which there are significant disparities in the proportion of members of a protected class experiencing a category of housing needs when compared to the proportion of a member of any other relevant groups or the total population experiencing the category of housing need in the applicable geographic area (24 C.F.R. § 5.152). The analysis is completed by assessing cost burden, overcrowding, and substandard housing.

In the unincorporated County, renters are more likely to be people of color and to experience housing instability than owners.

Approximately 38% of households experience cost burdens. Renters experience cost burdens at higher rates than owners (48% compared to 32%), regardless of race. Geographically, cost burdened renter households are concentrated in census tracts in North and Central Marin in Novato and San Rafael. In these tracts, between 60% and 80% of renter households experience cost burdens.

UC Berkeley's Urban Displacement project defines residential displacement as the process in which a household is compelled to move from its current residence or is unable to relocate to a neighborhood they could previously access due to circumstances beyond their control. In the context of this project, researchers have identified populations that are vulnerable to displacement, referred to as 'sensitive communities.' This vulnerability is determined based on various criteria, including:

- The proportion of low-income residents per tract.
- The percentage of renters exceeding 40%.
- A population comprising over 50% people of color.
- A significant number of low-income households experiencing severe rent burdens.
- Proximity to factors that contribute to displacement pressures, which are defined based on median rent increases and rent gaps.

Sensitive communities have been identified in several areas, including unincorporated regions such as Marin City, Strawberry, Northern and Central Coastal West Marin, and Nicasio.

## **THE CALIFORNIA COASTAL ACT**

The Coastal Act guides how the land along the coast of California is developed or protected from development. It emphasizes the importance of the public being able to access the coast, and the preservation of sensitive coastal and marine habitat and biodiversity. The Coastal Act defines the area of the coast that comes under the jurisdiction of the California Coastal Commission, which is called the "Coastal Zone."

The Marin County Coastal Zone is a strip of land and water defined by the California Coastal Act of 1976 that extends along the Pacific Ocean coastline. Each coastal city and county in California is required by that law to prepare and implement a Local Coastal Program (LCP) for its portion of the Coastal Zone to carry out the coastal resource protection policies of the Coastal Act. The villages of Bolinas, Dillon Beach, Inverness, Marshall, Olema, Point Reyes Station, Stinson Beach, Tomales are located within the Coastal Zone. As such, any regulations put forward in these areas must be certified by the California Coastal Commission (CCC) as part of an LCP Amendment.

As required by Coastal Act Section 30500, an LCP comprises of a Land Use Plan, an Implementation Program, accompanying land use and zoning maps, and, where necessary, other implementing actions including those represented in the Appendices. The Land Use Plan contains written policies that indicate which land uses are appropriate in the various parts of the Coastal Zone. The LUP policies and programs also guide how natural resources shall be protected when land is developed, how public access to the coast shall be preserved, and how other coastal resources shall be maintained and enhanced.

## **LOCAL COASTAL PROGRAM - HOUSING**

As indicated in the LCP, housing is a vital component of Marin's coastal communities, and it is important to respond to current and future housing needs in the Coastal Zone, particularly in planning for sustainable communities by supplying housing to the full range of the Coastal Zone's diverse community and workforce.



Provision of affordable and diverse housing opportunities in the Coastal Zone is important to provide decent housing for residents, and local workforce, many of whom work in the tourism industry. The challenge of providing new housing compatible within environmental constraints and resources, is ever-present. At the same time, the County is required to meet federal and state law with respect to providing low- and moderate-income housing, replacement housing, or any other obligation related to housing imposed by existing laws.

Assuring housing choices at prices within reach is also important indirectly in carrying out Coastal Act resource protection goals. The Coastal Act places a high priority on maintaining agriculture and mariculture as viable land uses in the Coastal Zone and encourages provision of visitor-serving facilities including overnight accommodations. These land uses depend on the availability of local labor and pay scales for workers in these industries tend to be relatively low. Provision of housing opportunities for those employed in the Coastal Zone is thus essential if these high-priority land uses are to be maintained.

Because of these factors, the following policy and programs were included in the LCP:

**C-HS-6 Regulate Short-Term Rental of Primary or Accessory Dwelling Units.** Regulate the use of residential housing for short term vacation rentals.

**Program C-HS-6.a Vacation Rental Ordinance:**

1. Work with community groups to develop an ordinance regulating short-term vacation rentals.
2. Research and report to the Board of Supervisors on the feasibility of such an ordinance, options for enforcement, estimated program cost to the County, and the legal framework associated with rental properties.

## **LOCAL COASTAL PROGRAM – ACCESS TO THE COAST**

The Coastal Act places a high priority on the provision of recreation and visitor-serving facilities, especially lower cost and public facilities, including as reflected in Sections 30213, 30220, 30221, 30222, 30223, and 30224 of the Act.

According to the LCP, overnight accommodations are a key element in the provision of coastal recreational opportunities, since many coastal visitors travel long distances to reach the variety of recreation options found throughout the County. By supporting lower cost overnight facilities and public recreation, the LCP ensures that everyone, regardless of economic status, can take advantage of such opportunities.

Commercial visitor-serving facilities provide much of the supply of overnight accommodations throughout the Coastal Zone, and generally consist of small inns and bed and breakfast facilities in villages and rural areas. However, with the growth of online platforms like Airbnb and VRBO, there has been an increase in STR accommodations.

The LCP was significantly overhauled in 2019. Included in this recently updated LCP is an exhaustive inventory of visitor-serving, commercial, and recreation facilities in the coastal zone. While it does not include Short Term Rentals licensed after 2019, it is the most comprehensive list developed to date and is summarized in the below table.



<b>Overnight Accommodations in the Coastal Zone</b>	
Hotel/ Motel/ Inn/ Bed and Breakfast (rooms)	279
Private Rentals (units)	357
Campsites	830
Trailer RV (spaces)	80
Hostel (beds)	56
Capacity (number of people)	4659

Further, there are community specific policies in the LCP, and each community in the Coastal Zone has a policy that requires the maintenance of the existing character of residential and small-scale commercial and visitor-serving development (C-MB-1, C-SB-1, C-BOL-1, C-OL-1, C-PRS-1, C-INV-1, C-ES-1, C-TOM-1, C-DB-1). These policies acknowledge that there is a balance that must be achieved between the residential character of communities and visitor-serving development, which includes overnight accommodations.

### **LOCAL COASTAL PROGRAM AMENDMENT – CONSISTENCY ANYLSIS**

The County must modify its LCP, through a process referred to as an LCP Amendment (LCPA) as part of this STR Ordinance Update. The County must conduct a Coastal Act consistency analysis, specifically related to consistency with the requirements of Chapter 3, as part of this LCPA.

This entire analysis is included in Attachment 5 but in summary the proposed regulations conform to the policies both related to housing and visitor-serving accommodations in the LCP because a ban on STRs is not proposed, and the use will continue. Instead, proposed regulations balance the need for long-term housing by limiting the number of Unhosted STRs and allowing for an unlimited number of Hosted STRs (which are typically more affordable than a whole house).

Further, over-night accommodations are not limited to STRs, and other lodging options include hotels, motels, inns, bed and breakfasts, and campgrounds. As such, the evidence supports that the County can continue to provide the necessary over-night accommodations and preserve existing housing by implementing the proposed STR regulations.

### **SHORT TERM RENTAL MORATORIUM – WEST MARIN**

During the Housing Element outreach efforts, community discussions highlighted concerns that STRs may be impacting the availability and affordability of housing. This issue is particularly pronounced in West Marin communities, which have seen a rise in popularity among homebuyers, yet have a limited number of available homes.

In response to the growing number of STRs in West Marin, on May 24, 2022, the Board of Supervisors adopted an urgency ordinance, establishing a moratorium on new STRs in the West Marin Area (also known as the Measure W or West Marin Transient Occupancy Tax Area). The purpose of the STR moratorium in the Measure W area is to maintain stability in housing supply while County staff and decision makers evaluate policies and contemplate proposals to improve the availability of middle- and lower-income housing in the West Marin Area, while preserving coastal access.

The Board extended the STR moratorium at their regularly scheduled hearing on June 21, 2022 until May 23, 2024 in conformance with State law. At this time, it is expected to be in place until the May 2024 deadline unless new regulations are in place at an earlier date.

## **PUBLIC OUTREACH**

Since the STR moratorium was adopted, staff has continued to work towards updating the existing STR regulations. To date, staff has completed considerable research on STRs, including how they are regulated by other local governments. Staff has conducted extensive public outreach, attended community meetings, and consulted with members of the public, stakeholders, and public agencies about their experiences with STRs. A complete overview of outreach conducted to date is summarized in Attachment 6.

### **JUNE 12, 2023 PLANNING COMMISSION WORKSHOP**

The Marin County Planning Commission hosted a STR workshop on June 12, 2023 as part of the above noted outreach. The purpose of the workshop was to provide the Planning Commission with background information on the STR Ordinance Update, including the project history, outreach and public engagement conducted to date; and to allow for public feedback on the direction of the proposed regulations.

Over 100 written public comments were received and shared with the Commission leading up to the June 2023 workshop. At the workshop, over 40 members of the public shared their feelings about STRs and potential regulations (included in Attachment 2).

Commenters included supporters of STRs and their continued use with limited regulations, owners and property managers of STRs who benefit from the use, and visitors who have enjoyed their visits to Marin, some for many decades. Commenters asked for additional data that supports proposed regulations.

Conversely, other commenters expressed that they feel STRs have adverse impacts on local communities and “hollow out” villages, especially those with a limited number of housing units to begin with, and absentee STR owners create adverse impacts in their neighborhoods.

In response to public input, the Planning Commission provided staff with feedback and requested additional information for consideration at their next meeting (included in this Staff Report), including:

- Given the changes in remote work, and enhancements in technology, more people can live full-time in West Marin. While a community may not have been initially established for long-term residents, it does not mean that it can never be used this way and the County needs to be able to adapt to the changes in how people live.
- Health and safety are of concern and standards related to these topics should be included in the regulations.
- Regulations should be community specific.
- Distinguish regulations between Hosted and Unhosted STRs. Consider financial incentives for Hosted STRs.
- Consider limiting STRs in certain housing types, to preserve what would be considered more affordable housing.

- Consider other ways to promote the development of housing units, including Accessory Dwelling Units (ADUs).
- Housing scarcity in unincorporated Marin is a real problem. Find ways to center affordable housing in this work and consider renters as well.
- Provide data to support regulations. For example, if a STR license should only be limited to a “natural person”, provide data that shows there is a high number of LLCs that currently own and operate STRs.

## **PROPOSED SHORT TERM RENTAL REGULATIONS DISCUSSION**

### **IMPLEMENTATION AND ENFORCEMENT**

It is important to emphasize the relationship between an STR ordinance and its enforcement. There are several approaches that California jurisdictions employ to regulate Short-Term Rentals (STRs). One common strategy involves restricting the total number of STRs allowed in a specific area, as seen in Placer County, the City of Trinidad, Half Moon Bay, and San Diego. Some jurisdictions limit the maximum number of nights per year that an STR owner can operate (San Francisco, San Diego, and Half Moon Bay). Others mandate that STRs must be owned by individuals and cannot be owned by LLCs (San Rafael, Novato, and San Diego). For a more comprehensive list of STR regulations in select California jurisdictions, please refer to Attachment 7.

However, after extensive conversations with both the County’s Code Enforcement Division and County Counsel, it has become evident that certain regulatory approaches are infeasible from a code enforcement perspective. For instance, implementing nightly limits may prove impractical as they cannot be enforced in real-time, given that STR owners would need to report the total number of nights per year after the rentals have already taken place. Additionally, this information would likely rely on self-reporting, which can be inherently unreliable.

As a result, all standards put forward in the draft regulations are designed to be enforceable, although enforcement will likely be difficult, time consuming, and expensive. Substantial additional funding, staff, and resources will be needed to build the capacity for creating and sustaining a STR license program and for initiating and pursuing enforcement of the proposed regulatory framework.

### **LIMITED LIABILITY COMPANIES (LLCs)**

At the June 12, 2023 Planning Commission workshop, the topic of LLCs was mentioned several times, both by members of the public and Commissioners.

Of the 873 STRs in the County 81 are owned by LLCs, about 9% of all STRs. Seventy five of those 81 LLC-owned STRs are in West Marin (approximately 12% of the 621 registered STRs), and 69 are in the Coastal Zone (12% of the 568 registered STRs). Of note, 39 of the registered LLC-owned properties are in Stinson Beach (approximately 48% of all LLC-owned STR properties), and 23 of those 39 are in the Seadrift subdivision. Seven of the 81 LLC-owned properties are agricultural properties, which are further discussed later in this report.

Three LLCs own two registered STR properties, the maximum number of properties owned by an individual LLC. At this time, the ownership data does not indicate that there is a proliferation of LLCs buying multiple residential properties and converting them to STRs. Therefore, the draft

standards do not prohibit ownership by LLCs. However, the draft standards do require LLC owners to list all the natural persons with ownership interests in the LLC, which will clarify ownership patterns. This requirement will support the enforcement of the prohibition on owners holding multiple STRs helping to prevent single ownership groups from owning multiple STRs, regardless of whether they are organized as an LLC.

## **PROPOSED SHORT TERM RENTAL REGULATIONS**

The proposed Short Term Rental Ordinance are discussed in the following Sections. These provisions would replace the existing STR Ordinance text contained in Marin County Code Chapter 5.41 – Notice of Short Term Rentals.

### **EXEMPTIONS**

Proposed regulations do not apply to any commercial lodging use including a hotel, motel, bed and breakfast inn, or campground. This is because these lodging types are regulated under separate Sections of the Marin County Code.

### **SHORT TERM RENTAL LICENSE**

An STR license is established in the regulations, and it would be a ministerial license based on objective criteria that would allow property owners to rent out their homes on a short-term basis under the proposed standards. The STR license would be required to ensure that STR owners operate in compliance with the standards outlined in the draft regulations.

As proposed, advertising or operating a STR without a valid and current STR license issued pursuant to the requirements of the STR Ordinance is prohibited. Only one STR license per property owner would be authorized. Said differently, if someone owned two properties, they would only be able to obtain a STR license for one of the two properties.

STR License priority will be given to those who currently have the required licenses (Business License and TOT Certificate) to operate an STR, so long as they apply for a license before July 1, 2025. Licenses could be issued with conditions to ensure compliance with all regulations. All STR licensees must renew their license every two years.

Administrative procedures for short term rental licenses will be prepared by the Community Development Agency (CDA). These administrative procedures shall set forth the process for which to apply, obtain, maintain, monitor, and renew short term rental licenses.

### **PUBLIC NOTIFICATION**

Under the current STR regulations, the STR property owner is responsible for providing neighbors notification that their property is used as an STR and must provide contact information for someone who can address issues that arise (referred to as the Local Contact Person). This notification can be done by one of the following three methods: 1) Send a letter to property owners within 300-feet of the STR property, 2) Post a door hanger on each property within 300-feet, or 3) Post a sign outside the rental with relevant contact information while the property is being rented.

CDA staff has consistently heard from community members that this public notification sometimes does not occur. Under the proposed regulations, CDA staff would be responsible for notifying the

public once a STR license is approved. Notification would be mailed to all property owners within a 300-foot radius of the property.

Further, each short term rental shall be identified with a single exterior sign, made of durable materials, and located in place that is easily visible to the public. At a minimum, the sign shall be posted while the unit is being used as a short term rental. This is to ensure that people who may have not received the public notice are still able to contact the Local Contact Person or host should any issues arise.

Both the mailed notice from the County and the exterior signage would include the following information:

- The name of the local contact person or host
- The phone number and email address for the local contact person or host
- The street address of the short term rental

## **LAND USES AND STRUCTURES LIMITATIONS**

Proposed regulations limit the use of STRs in certain structures and land uses as outlined and explained as follows.

### **Undeveloped Properties**

A STR is defined as, “A rental of a residential unit, or a portion of a residential unit, for a time period of less than 30 consecutive nights.” If someone has a vacant lot, they do not have a residential unit to rent and therefore, County staff would not be able to issue a STR license for the property.

### **Accessory Dwelling Units and Junior Accessory Dwelling Units**

The State has made many efforts in recent years to increase the production of living units across California. One approach has been to streamline the process for Accessory Dwelling Units (ADUs) – establishing regulations for the ADU permit process, but also reducing development constraints (such as floor area, setbacks, and height) and impact fees.

Because the State wants to promote affordable housing options, current State law prohibits the use of certain ADUs as Short Term Rentals. State law also allows jurisdictions to require that all ADUs be rented for a period of 30-days or more. This blanket requirement is currently included in the County’s Development Code (Section 22.32.120<sup>7</sup>)

However, the County is updating its Accessory Dwelling Unit and Junior Accessory Dwelling Unit standards, separate from the STR Ordinance and may consider alternatives to the existing regulations. These changes could allow for the use of certain ADUs as STRs. The Planning Commission will meet to discuss proposed ADU regulations on October 12, 2023, and a supplemental memo for this STR workshop will be prepared to address the Planning Commission’s feedback on this topic.

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<sup>7</sup> [Marin County Code – Residential Accessory Dwelling Unit Standards](#)

## **Multi-Family Units**

Proposed regulations would not allow STRs to occur in multi-family units or condominiums. A Guiding Principle of this Ordinance Update is to prioritize housing supply and affordability and consider regulations in light of their effects on the cost and availability of housing within individual communities. Program 18 of the recently certified Housing Element specifically states that the Board should consider prohibiting short-term rentals in all multi-unit dwellings.

Generally, multi-family units are typically more affordable than single-family homes, so limiting STRs in this land use would preserve more affordable housing options for community members. Additionally, there are public concerns that multi-family unit apartment buildings would be converted to STRs, and in turn, function more like a hotel than housing.

## **Other Structures (Sheds, Tents, RVs, etc.)**

A STR may not occur within non-residential areas within buildings, recreation vehicles (RVs), including non-motorized travel trailers, and other structures without permanent foundations (like yurts, tents, and treehouses).

These restrictions are consistent with the Marin County Code, which currently does not authorize the habitation of structures that are not on a permanent foundation and hooked up to municipal services (or if not served by municipal services, hooked up to septic systems and water).

County staff may consider regulations related to camping on private land at a later date, separately from the STR Ordinance Update work.

## **HEALTH AND SAFETY**

Two of the Guiding Principles address proposed health and safety standards: 1) Consider environmental constraints such as water and sewage capacity, and 2) Assure that short term rentals are good neighbors considering noise, parking, trash and other neighborhood quality of life concerns.

## **Building Safety**

According to a County STR survey, 66% of the 1,191 respondents who live in the unincorporated areas of the County and 64% of all respondents (2,467 responses in total) agree that STR owners should have to demonstrate that their property meets basic building safety standards, as outlined in Attachment 6.

In response, and because of the County's role in ensuring building health and safety, the proposed regulations require that all STR license applicants shall provide a self-certified building safety inspection upon permit application or renewal. County staff is still working to develop the administrative side of the Short Term Rental program (as discussed below), but self-certification could be similar to the City of San Rafael's building safety checklist<sup>8</sup> for Short Term Rentals in their jurisdiction.

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<sup>8</sup> [City of San Rafael's Short Term Rental Building Safety Self-Inspection](#)

To further ensure the safety of STR guests, a STR should not be rented when there is an open Code Enforcement case open on the property or while the building that would be rented is undergoing any type of construction that would require a Building Permit.

### **Solid Waste**

Proposed regulations related to solid waste reaffirm the requirements of Chapter 7.00 (Solid Waste, Collection, Diversion and Disposal) as they relate to residential properties. Essentially, these regulations ask STR owners to have sufficient solid waste containers (trash, recycle, compost); to properly store and dispose of solid waste; and if the level of service is insufficient for the rental, the County retains the ability to require an increase either to the size or number of the waste containers.

All residential properties in the unincorporated areas must comply with these regulations. These regulations are included in the proposed STR Ordinance so that any STR owner or community member can refer to the STR Ordinance to understand important County related to solid waste rules that apply to the property.

### **Septic**

The County's STR survey found that 70% of respondents who live in the unincorporated areas of the County and 62% of all respondents agree that STR owners should have to show that their property meets basic septic system standards. Proposed regulations require a STR owner to have a septic system that is documented as legal with the Community Development Agency Environmental Health Services Division (EHS) or another appropriate public agency. In most cases, the required documentation will be a copy of the septic permit. If the septic system was developed before septic codes were in place, or there is no septic permit documentation for the property, the septic system must pass an inspection (by an approved licensed professional) and load test for proper operation. This documentation would be required at the time of STR license submittal and at the time of license renewal.

Staff acknowledges that septic system improvements may be required as part of the proposed septic system standards, which in turn, could most impact low-income property owners. As part of the administration of the STR regulations or under a separate effort, staff may explore funding options to support upgrading septic systems.

### **Water**

Despite the recent rainy season of 2023, local water providers are planning for dry months ahead and remain focused on the sustainability of their water systems to be prepared for highly variable climate conditions.

The majority of survey respondents agree that the County should require Short Term Rental owners to have adequate water supply and water conservation measures in place. Of those respondents, 69 percent of those living in unincorporated areas of the County agreed and 62 percent of all respondents agreed.

In response, proposed regulations require STR owners to provide bills for their water use at the time of license application and renewal that demonstrates that the STR water use does not exceed an average of 250 gallons per day, or a lower limit established by the local water provider. If the STR owner provides documentation that shows the rental exceeds 250 gallons per day, the STR



license renewal application shall include strategies to reduce water use to below an average of 250 gallons per day during the next year. If water use is not reduced as required, the license shall not be renewed.

As a point of reference, the existing State standard for indoor water use in California is 55 gpd per person and expected to be lowered by the State Legislature to target rates of 47 gpd/person by 2025 and 42 gpd/person by 2030 (Senate Bill 606)<sup>9</sup>.

Further, If the rental property is served by a private water supply (well or spring), the STR owner must provide proof of a water supply permit with the County's Environmental Health Services Division and potability with a current bacteriological test (a microbiological analytical procedure that uses water samples to determine the concentration of bacteria).

## **EMERGENCY PREPAREDNESS**

If STR owners are welcoming visitors into their houses, the County wants to make sure those visitors are safe while staying in Marin, and that communities can be evacuated smoothly if needed. CDA staff coordinated with Marin County Fire and the Office of Emergency Management to ensure that some basic emergency preparedness requirements are incorporated into the proposed regulations.

Some simple suggestions such as requiring carbon monoxide detectors and smoke detectors are included in the proposed regulations. However, more can be done to make sure visitors are prepared for emergencies as discussed in the following sections.

### **Visible Address**

The California Fire Code establishes specific address requirements aimed at ensuring the safety and accessibility of properties, particularly in wildfire-prone areas. These requirements are designed to help emergency responders locate properties quickly and efficiently during wildfires or other emergencies. The proposed regulations reaffirm these requirements, specifically:

- Each short term rental shall have an address identification.
- The address identification must be maintained and shall be legible, measuring no less than 4 inches in height with a 3/8 width.
- The address identification must be placed in a position that is visible from the street or road fronting the property.
- Whenever the address on the STR will not be clearly visible from the street or access road fronting the property, the address shall also be placed at the public street or access road in a manner that is clearly visible from both directions of travel on the frontage road or street.

### **Fire Preparedness**

Approximately 60,000 acres or 18 percent of the County's land area falls within the Wildland Urban Interface (WUI) where residences and other structures are adjacent to or intermixed with open space and wildland vegetation.

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<sup>9</sup> [California Water Conservation Portal](#)

Marin's unincorporated rural communities are primarily situated within or adjacent to the wildland urban interface, with moderate to dense concentrations of structures. Response times in these communities can present significant challenges to firefighting, as emergency fire access and evacuation egress is sometimes limited by narrow, winding roads lined with dense vegetation. Of note, 718 of the 873 (or 82%) of the County's STRs are located in the WUI.

To ensure that a small fire could easily be extinguished so that it does not spread, each STR shall be equipped a fire extinguisher. If the STR has more than one level, an extinguisher must be mounted within each level.

Similar to the self-certified building safety checklist, staff will develop a self-certified fire safety inspection and a self-certified defensible space inspection. The City of San Rafael also requires a self-certified defensible space inspection, so one could look at the City's document<sup>10</sup> to better understand what this would look like.

## Evacuation Routes

At the same time the County updated its Housing Element, it also updated the Safety Element of The Countywide Plan<sup>11</sup>. Included in the Safety Element is a Goal to support continuing public awareness of hazards, including avoidance, disaster preparedness, and emergency response procedures, while also ensuring readiness in and after emergency situations and create an effective evacuation route network (EHS-2). One way to achieve this is outlined in Policy EHS-2.4, which states:

**EHS-2.4 Effective Emergency Access and Evacuation.** Ensure that first responders have adequate emergency access routes and that County residents, businesses, workers, and visitors can effectively evacuate during or after a disaster.

Thus, the STR owner must provide vehicular evacuation route maps, provided by Fire Safe Marin or the County of Marin, for the rental area. Evacuation routes must be posted near the front door, with a QR code or link to the County's online evacuation map (for those who may have service and are able to access this information), of the short term rental. Further, a vehicular evacuation routes map must be provided as a handout so guests can take the map with them in the case of an emergency.

## Emergency Communications

Emergency communications play a critical role in disaster preparedness and response; timely and accurate information during emergencies is crucial. Effective communication channels provide essential instructions, warnings, and evacuation notices to individuals in harm's way, helping them make informed decisions to protect themselves. The Safety Element acknowledges this fact, and requires the County to maintain and improve channels of communication:

**EHS-2.4.a Maintain and Improve Disaster and Emergency Response Notification System.** Continue to maintain and refine the existing Alert Marin system and the County's Public Emergency Portal for disaster and emergency response notifications. Work to identify and close gaps in the ability of all residents to receive disaster and emergency response notifications and information, such as those without telecommunication devices or internet access.

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<sup>10</sup> [City of San Rafael's Short Term Rental Vegetation Self-Inspection Checklist](#)

<sup>11</sup> [Amended Countywide Plan](#), which includes the updated Safety Element

While visitors can sign-up for notifications on their cellphones through services like Nixle or Alert Marin, many areas in unincorporated Marin do not have adequate cell service. Therefore, the proposed standards require each short term rental to contain a working landline phone, Voice Over Internet Protocol (VOIP), or a National Oceanic and Atmospheric Administration (NOAA) radio as a means of receiving emergency communications.

## **TYPES OF SHORT TERM RENTALS**

The County's STR survey addressed the question of whether Hosted and Unhosted STRs should be treated differently in the proposed regulations. Sixty-four percent of respondents who live in Unincorporated Marin support treating them differently. Conversely, only thirty percent of all respondents support this approach. Due to the majority support of those who live in the places that are most impacted by STRs, and feedback provided by the Planning Commission, staff has explored a few ways to distinguish between the two rental types. Although both Hosted and Unhosted STRs would require STR licenses and must comply with applicable property standards, staff anticipates that there will be different application fees for Hosted and Unhosted STRs.

Fees shall be established by resolution of the Board of Supervisors following a public hearing and are not included in the proposed regulations. The current fee to the Department of Finance for a business license for a STR is \$15 per dwelling unit. Due to the greater administrative and enforcement cost of the proposed regulations, it is anticipated that fees would be considerably higher, in the range of several hundred dollars for a two-year license. Staff will bring forward a resolution related to fees as part of the administrative development of the overall STR program.

### **Hosted STRs**

A Hosted STR requires the primary resident of the property on which the STR is located to be onsite while the property is rented. The Host would need to be present from 10 pm to 5 am and is responsible for responding to any complaint received regarding the conduct of the STR guests or the condition or operation of the short term rental and take any necessary remedial action to resolve violations of Marin County Code requirements in a timely manner.

The host of a hosted short term rental can be either the property owner or a long term tenant of the property. The property must be the primary residence of the host. To prove that the hosted short term rental is the primary residence of the host, the host must provide at least three of the following five types of documents at the time of initial application and renewal application: motor vehicle registration; driver's license; voter registration; a utility bill sent to the subject property; tax documents showing the property as the property owner's primary residence for the purposes of a homeowner's tax exemption; a lease showing that a host other than the property owner is renting a unit on the property on a long term basis.

Hosted STRs are not proposed to be subject to limits, discussed in the "STR Caps" section of this report.

### **Unhosted STRs**

An Unhosted STR does not require an onsite host, but a Local Contact Person meeting the requirements specified in the administrative procedures must be identified. The local contact person shall respond to any complaint received regarding the conduct of the short term rental

guests or the condition or operation of the short term rental and take necessary remedial action to resolve violations of Marin County Code requirements in a timely manner.

Unhosted STRs are proposed to be subject to limits, discussed in the “STR Caps” section of this report.

## **ADDITIONAL “GOOD NEIGHBOR” POLICIES**

### **Noise**

While the number of complaints received from the existing STR hotline is relatively low given the number of STRs in the County, loud parties are a big concern for many. All visitors and residents of Marin must adhere to the County’s Noise Ordinance between the hours of 11pm and 7am. A requirement that the host or Local Contact Person is responsible for making sure that guests follow this regulation is included in the draft STR regulations to ensure that all STR owners are aware of their responsibilities.

### **Parking**

Many streets in Unincorporated Marin are narrow roads, and parking impacts can be acutely felt in a neighborhood. Many have raised concerns about visitors parking incorrectly and blocking emergency access. Sixty-seven percent of the STR survey respondents that live in the unincorporated areas agree that STR owners should be required to provide sufficient onsite parking.

Therefore, a Hosted STR property would need to have one available onsite parking space while the STR is in use and an Unhosted STR would need to provide two onsite parking spaces. Parking locations would be reviewed and approved by the Department of Public Works as part of the STR license application.

The advertisement for the STR would need to include the approved parking plan and indicate how many parking spaces are available so that guests can plan accordingly.

### **Special Events**

Short Term Rentals are meant to provide overnight accommodations for visitors to Marin. They are largely located in residential areas and are not meant to be used for weddings, corporate events, commercial functions, and any other similar event. These types of uses would require conditional use permit approval in residential zones as indicated in the Marin County Development Code or Coastal Zoning Code, depending on the location of the property.

## **SHORT TERM RENTAL CAPS**

The STR survey conducted by County staff included two Likert scale questions (statements of agreement or disagreement) related to limiting the number of STRs in the unincorporated areas: 1) There should be a limit on the number of STR allowed in the unincorporated areas of the County, and 2) There should be a limit on the number of STRs by community.

While there was not a majority agreement from all respondents of the survey, the respondents who indicated that they lived in Unincorporated Marin both supported limiting the overall number

of STRs in the unincorporated area (64%) and limiting the number of STRs by community (57%). This approach is also noted in Program 18 in the Housing Element.

After the results of the survey were presented at the June 12, 2023 Planning Commission workshop, staff was directed to explore community-specific regulations, including limits on the number of STRs. STR limits, often referred to as “caps”, are indicated in the table below. Given the fact that the term community can have different meanings for different people, the caps are based on the map entitled “Townships of the County of Marin” kept on file by the Marin County Community Development Agency (Attachment 8). This is the map used by the County to assign property addresses.

Survey respondents who live in the unincorporated areas also voiced support for different regulations for Hosted vs. Unhosted STRs. Because Hosted STRs have a Host who lives onsite while the STR is in use, the STR is not taking away available housing and renters are more likely to comply with good neighbor policies, like complying with the Noise Ordinance. Therefore, the proposed regulations only place a cap on the overall number of Unhosted STRS.

After the proposed moratorium was publicly noticed on May 5, 2022, the County experienced an increase in the number of STR license applications submitted. Seventy TOT Certificates were issued, in contrast with the average of 10 licenses per month. The proposed regulations would return the County to the pre-moratorium baseline of STRs.

The “Initial Number of Unhosted Short Term Rentals” is the current number of STRs in West Marin that have TOT registrations. The “Ultimate Number of Unhosted Short Term Rentals” are the number of STR licenses that were registered with the County prior to the date when the STR Moratorium was noticed (i.e., the total number of registered STR owners prior to May 1, 2023).

Additionally, the “Initial Number of Unhosted Short Term Rentals” establishes the number of licenses available for issuance for the valid applications submitted before July 1, 2025 (first round licenses). First round licenses are available for all existing, registered STR owners provided they meet the STR standards.

First round licenses may be renewed; however, after these first round licenses are issued, the number of new licenses being issued shall decrease to the “Ultimate Number of Unhosted Short Term Rentals”. The cap on the ultimate number of short term rental licenses in each township shall be eventually achieved as license applications or renewals decline over time.

The reduction over time would be a total of 70 STRs. Areas that remain unchanged in this scenario: Olema (3 STRs, 9%), Petaluma (6 STRs, 4%), Forest Knolls (8 STRs, 3%). All other townships see a 1-4% reduction in STRs. Because the initial number of STRs can largely remain the same, and a 100% vacancy rate will not be achieved across all types of overnight visitor-serving accommodations, there will not be a significant change in the ability to welcome visitors to the County.

Unhosted Short Term Rentals License Caps							
Township	Initial Number of STRS	Number Parcels Developed with Living Units	Percentage of Parcels Used as STRs	Number of TOT Certificates Added Before the Moratorium	Ultimate Number of Unhosted Short Term Rentals	Ultimate Percentage of Parcels Used as Unhosted STRs	Percentage Change
Dillon Beach	125	408	31%	15	110	27%	-4%
Stinson Beach	192	704	27%	18	174	25%	-3%
Marshall	28	110	25%	1	27	25%	-1%
Muir Beach	20	147	14%	1	19	13%	-1%
Bolinas	63	624	10%	9	54	9%	-1%
Inverness	93	939	10%	7	86	9%	-1%
Pt. Reyes Station	32	350	9%	6	26	7%	-2%
Olema	3	33	9%	0	3	9%	0%
Tomales	12	135	9%	1	11	8%	-1%
Nicasio	11	240	5%	3	8	3%	-1%
San Geronimo	10	223	4%	3	7	3%	-1%
Petaluma*	6	163	4%	0	6	4%	0%
Forest Knolls	8	312	3%	0	8	3%	0%
Lagunitas	6	282	2%	2	4	1%	-1%
Woodacre	12	578	2%	4	8	1%	-1%
<b>Total</b>	<b>621</b>	<b>5248</b>	<b>12%</b>	<b>70</b>	<b>551</b>	<b>10%</b>	<b>-1%</b>

\*Including Valley Ford and Fallon  
Source: Department of Finance, Marin County Assessor

The Community Development Agency will maintain STR license wait lists for townships where the number of Unhosted STR license applicants exceeds the number of available licenses. Licenses for qualifying properties on the wait list shall be issued on a first come first serve basis.

Failure to submit a timely application for a renewal of an existing STR license shall result in that license not being renewed. In locations where there is a cap on the number of Unhosted STRs, an unrenewed license will not be reinstated to the property owner unless there are available licenses within the cap. A property owner who fails to renew a license may join the wait list for the next available license under the cap.

### Community Feedback on Caps

Initial feedback on the proposed caps are mixed, with some commenters asserting that the caps are too low or unnecessary, or that they are too high and allow for more STRs than are currently

operating because Unhosted STRs are not included in the cap. The rationale for the caps and the reason for the different standards for Hosted and Unhosted STRs is explained above.

Community sentiment currently varies as it relates to the number of allowed STRs in each township. On one hand, in a community like Bolinas there are a large number of residents who would like the number of STRs limited to primary residences only and support a decrease in the number of Unhosted STRs by approximately 50%. On the other hand, in a community like Dillon Beach, there are many second homeowners who prefer not to have any caps for the area. However, the goal is to strike a balance between long-term residents' needs, the need to provide more housing, and providing sufficient over-night access to the coast through different lodging options at different price points.

The DOF currently collects most of the County's STR data, which includes self-reported information related to the type of STR offered (as shown in the below table). While this is self-reported and more accurate data collection will be included as part of the updated STR program (as part a new administrative process), the current information on file shows that there are not many STR owners that offer just a room; instead, most indicate that they offer their whole house. Of the 621 STRs in West Marin, only 20 STR owners have indicated that they rent a room. That said, 104 of the license holders in West Marin did not provide a response.

<b>Licensed Short Term Rentals by Type in West Marin</b>	
<b>Type</b>	<b>Number</b>
Floating Home	0
Residence	24
Cottage	79
House	394
Room	20
Rental Property Type Not Identified	104
<b>Total</b>	<b>621</b>
Source: Department of Finance, self-reported data	

Additionally, online listings for a room rental on websites like Airbnb show relatively few room rental options and most of those that are available are located outside of West Marin. The majority of room rentals are located in the eastern areas of the County, in communities along the 101 corridor. Overall, there may be more room rentals or what will be considered "Hosted" options, but for the most part, the information available does not indicate that there are a large percentage of Hosted STRs at this time.

## **VIOLATIONS**

Many commenters throughout this STR Ordinance Update process have asked that the Ordinance include penalties for STR owners who violate STR regulations. However, regardless of public sentiment, the County has the responsibility to enforce, and investigate any violations of, the Marin County Code. Proposed regulations include both penalties and citation options:

- Short term rental licenses may be temporarily suspended if the licensee fails to meet the standards set forth in the draft regulations.



- Short term rental licenses shall not be renewed if there have been more than two verified violations of the standards or administrative procedures during the previous two-year licensing period.
- Any violation of the provisions in this Chapter may be enforced through any legal remedies available to correct and/or abate a nuisance or violation of the Marin County Code, as provided in Marin County Code Chapters 1.05 (Nuisance Abatement), 1.06 (Recordation of Notice of Violation), and 1.07 (Imposition of Administrative Fines for Ordinance Violations) as they pertain to violations related to real property. This generally means that \$500 fines would be levied, but consequences could be more severe depending on the pattern of violations.

## STR PROGRAM ADMINISTRATION

Administrative procedures for short term rental licenses will be prepared by the Community Development Agency. These procedures will be developed after the regulations are approved so that they reflect the requirements of the Ordinance, and it is important to note that no STR license application may be submitted until they are in place.

Administrative materials (like fact sheets, information/handouts for STR owners and guests, and application materials) will not be included in the materials for this nor subsequent Staff Report(s), but community members who may want to know what these could look like can review similar documents on CDA's Planning Division website<sup>12</sup>.

Any fees associated with the STR license must be established by Board Resolution. There will need to be some level of cost recovery to administer the STR program, which will be reflected in application cost. Staff will bring forward a separate resolution at a later date to establish fees for this Program.

A fiscal impact estimate of administering the STR Ordinance will be included in the Board of Supervisors meeting materials.

## CORRECTIONS AND CLARIFICATIONS

Subsequent to publishing the draft STR standards, a number of corrections and clarifications were identified, which will be incorporated into the Ordinance being prepared, which are discussed below.

## DEFINITIONS

The following change to the definition of an Unhosted STR to clarify that while a STR may be located in someone's primary residence, if they are not present as a Host while the property is rented, then the STR is still an Unhosted STR.

**Unhosted Short Term Rental:** Short-term rental occupancy of a residential unit on a property that does not have a host onsite while the rental is in use.

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<sup>12</sup> Planning Division – [Applications, Fees, and Resources](#)

## EMERGENCY PREPAREDNESS

Some slight changes to the way certain emergency preparedness requirements are written in the proposed regulations should be changed as outlined here:

- **5.41.050.H.4. Fire Extinguisher.** Each short term rental shall be equipped with one five-pound fire extinguisher, type 3-A:40-B:C, installed at a readily available location near the kitchen. If the short term rental has more than one level, an extinguisher must be mounted within each level. Fire extinguishers shall be inspected at the time of license renewal to ensure the extinguishers are in good working order.
- **5.41.040.D.4.xv** - All short term rental applicants shall provide a self-certified defensible space inspection, conducted within the preceding twelve months, upon permit application or renewal.

## STR CAPS TABLE

Table 1 – Short Term Rental Caps as identified in the draft regulations mistakenly groups the STRs in the townships of Fallon and Valley Ford with those in the unincorporated area of Petaluma. Please note, there are no changes between the “Initial Number of Unhosted Short Term Rentals” and the “Ultimate Number of Unhosted Short Term Rentals” in these townships. The table will be corrected to reflect these two are their own townships and the table will be modified as follows:

Township	Initial Number of Unhosted Short Term Rentals	Ultimate Number of Unhosted Short Term Rentals
Bolinas	63	54
Dillon Beach	125	110
Forest Knolls	8	8
Inverness	93	86
Lagunitas	6	4
Fallon	3	3
Marshall	28	27
Muir Beach	20	19
Nicasio	11	8
Olema	3	3
Petaluma	2	2
Point Reyes Station	32	26
San Geronimo	10	7
Stinson Beach	192	174
Tomaes	12	11
Valley Ford	1	1
Woodacre	12	8
<b>Total</b>	<b>621</b>	<b>551</b>

## **ALTERNATIVE REGULATIONS FOR CONSIDERATION**

Staff recommends that your Commission consider the policy alternatives outlined below. If your Commission favors a particular alternative, then the text of the Ordinance will be drafted to reflect the alternative rather than the standards previously released for public review.

### **ALTERNATIVE 1: AGRICULTURAL EXEMPTION**

This alternative would exempt agricultural properties from the STR Chapter in the Marin County Code.

STR regulations are meant to apply to residential units of property. However, there are approximately 70 STRs that occur on agriculturally zoned lands. Agricultural producers typically have large properties and do not disturb neighbors. Agricultural producers usually live onsite or provide long-term housing for others so that there is a host on the property to address any issues that may arise. Further, because they are commercial businesses, they are insured, inspected by the Fire Department, and must comply with other County and State regulations outside of the STR regulations.

### **ALTERNATIVE 2: CAPS**

This alternative would entail revising the draft regulations to include both the Unhosted and Hosted STRs in the caps. Including both Unhosted and Hosted STRs in the proposed caps would limit the overall number of STRs in the unincorporated areas and would allow for more control over the growth of STRs in the County. That said, including both STR types in the overall caps would minimize the distinguishing factor between Unhosted and Hosted STRs, and the only difference between the two uses would be the number of onsite parking spaces that must be provided.

### **ALTERNATIVE 3: COUNTYWIDE CAP**

This alternative would establish a countywide STR cap, as a means to prevent future proliferation of STRs outside of the Coastal Zone such that they would substantially reduce opportunities for long term rental housing.

While this STR work has largely focused on the Coastal Zone and West Marin as a whole, ultimately, all regulations will apply to the other areas of the Unincorporated County. As proposed, the draft regulations do not establish an overall Countywide Cap on STRs, though this is a regulatory approach that should be considered.

Program 18 of the Housing Element does not distinguish between establishing regulations for just West Marin, and instead proposes limiting the overall number of STRs Countywide. While there are more houses in the eastern areas of the County, housing shortages and lack of affordable housing options are felt throughout the County. For example, three percent of the properties that contain at least one living unit are registered as STRs in Unincorporated Mill Valley.

To prevent the excessive proliferation of STRs across the County, a Countywide cap on STRs, the Planning Commission could limit the initial number of Unhosted STRs to those registered on January 1, 2024, and set the ultimate number of Unhosted STRs would be 873 (the number of STRs in the County when staff began the work on this STR Ordinance).

## **ADDITIONAL PROJECT INFORMATION**

### **PROJECT SCHEDULE**

The moratorium in West Marin expires May 23, 2024, and the objective is to have permanent STR regulations in place prior to this date. However, since any regulations in the Coastal Zone must be certified by the California Coastal Commission, regulations in this area are the first priority.

Your Commission will be asked to recommend that the Board of Supervisors submit a Local Coastal Program Amendment to the California Coastal Commission so that the Coastal Commission can review and certify regulations prior to May 23, 2024 when the moratorium expires. Once the Local Coastal Program Amendment is certified, the Board of Supervisors must adopt the certified regulations. At that time, the regulations would take effect in all unincorporated areas of the County.

### **SOCIAL EQUITY**

As outlined above, a significant theme of the recent housing work in Marin County has been to affirmatively further fair housing based on state mandates and local goals. Affirmatively furthering fair housing means taking meaningful actions that address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. As stated earlier in the staff report, STRs create a strain on the housing market, resulting in less housing available as permanent rental housing. At the same time, some property owners have shared that visitor serving use of residential property allows them the opportunity to maintain a home in Marin, although for some this is not their primary home. Outreach and policy discussions will continue to include the costs and benefits of STRs as it relates to housing choice, access to amenities, and housing security.

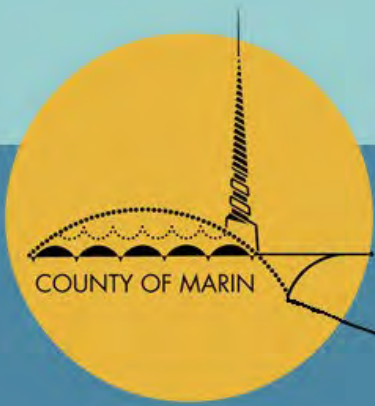
### **RECOMMENDATION**

Staff recommends the Planning Commission review the administrative record, conduct a public hearing, consider the alternatives presented, and direct staff to return with a resolution and draft Ordinance.

Attachments:

1. Draft Short Term Rental Regulations, September 2023
2. June 12, 2023 Planning Commission Workshop – Staff Report and Public Comments
3. Housing Element – Chapter 2: Housing Needs Analysis
4. Housing Element –Affirmatively Furthering Fair Housing (AFFH) Appendix
5. Coastal Act Consistency Analysis with Proposed LUP Amendments
6. Short Term Rental Outreach Summary

7. Short Term Rentals – Select California Jurisdiction Comparisons
8. “Townships of the County of Marin” Map
9. Public Communications Received between June 12, 2023 and September 25, 2023
10. Public Communications Received in Response to the Draft Regulations



# Short Term Rentals



## DRAFT SHORT TERM RENTAL STANDARDS SEPTEMBER 2023

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### 5.41 SHORT TERM RENTAL LICENSE REQUIREMENTS

#### 5.41.010 Purpose of Chapter.

This Chapter establishes standards that regulate short term rentals. This Chapter is enacted to ensure that short term rental activity does not adversely impact the health and safety of residents and visitors, and that such activity is conducted in a manner that preserves existing housing and communities while balancing the protection of private property rights.

This Chapter is administered by the Marin County Community Development Agency.

#### 5.41.020 Applicability.

This Chapter shall apply to short term rentals in unincorporated Marin County, except as exempt per Section 5.41.030.

#### 5.41.030 Exemption.

This Chapter does not apply to any commercial lodging use including a hotel, motel, bed and breakfast inn, or campground.

#### 5.41.040 Short Term Rental Licenses.

- A. License Required.** Advertising or operating a short term rental without a valid and current short term rental license issued pursuant to the requirements of this Chapter is prohibited. A license allows the operation of a single short term rental. Short term rental licenses are not transferable. Once a license expires or is revoked or suspended, the short term rental operation must immediately cease.
- B. License For Property Owner.** The short term rental licensee must own the property where the short term rental is located. Only one license shall be issued per short term rental property owner.
- C. License Term.** A short term rental license expires two years after the date of issuance unless the license is renewed by the licensee for an additional two-year term. The term of

the license expires immediately and automatically upon any change of ownership of the property.

**D. Administrative Procedures.** Administrative procedures for short term rental licenses shall be prepared and made publicly available by the Agency Director. These administrative procedures shall set forth the process to apply for, obtain, maintain, monitor, and renew short term rental licenses. The administrative procedures shall set forth a ministerial licensing process based on objective criteria and shall be updated periodically by the Agency Director. The administrative procedures shall be consistent with the license framework set forth in the sections below.

**1. Application Process.** An application for a short term rental license shall be submitted by the property owner or their agent (written property owner authorization and contact information is required for an agent to file the application) to the Community Development Agency.

No license application shall be accepted until the Agency Director has prepared and made publicly available the administrative procedures.

In townships where there is a cap limiting the number of short term rentals, only license applications for legal unhosted short term rentals in existence on January 1, 2024 will be accepted before July 1, 2025. Applications for properties where there is no legal unhosted short term rental in existence on January 1, 2024, will be placed on a wait list until all existing short term rentals have had the opportunity to apply for a license.

**2. License Suspensions and Revocations.** Short term rental licenses may be temporarily suspended or permanently revoked if the licensee fails to meet the standards set forth in this Chapter or the requirements of the license. Suspension or revocation pursuant to this subsection will be imposed according to the process described in the administrative procedures.

**3. License Wait Lists.** The Community Development Agency will maintain short term rental license wait lists for townships where the number of unhosted short term rental license applicants exceeds the number of available licenses. Licenses for qualifying properties on the wait list shall be issued on a first come first serve basis.

**4. Application Materials.** No short term rental license shall be issued unless the application has first been deemed complete. The administrative procedures shall specify all the information necessary for a complete application, including, but not necessarily limited to, the following:

- i. The name(s) and contact information for all property owners. If the property owner(s) applying for the license own/s less than a 100% fee interest in the property, then such property owner(s) must provide proof that all persons and/or entities with an interest in the property consent to such application and license. If the host is different from the property owner, their contact information must be listed as well. All adults for whom the property provides a permanent residence shall be listed.



- ii.** The name of the local contact person for unhosted short term rentals, if different from the property owner, and an email and telephone number at which that party may be reached.
- iii.** Address and Assessor's parcel number for the property where the short term rental is located.
- iv.** Rental unit type (i.e., hosted or unhosted short term rental).
- v.** Number of bedrooms and bathrooms.
- vi.** Total number and dimensions of onsite parking spaces.
- vii.** Site Plan showing:
  - a.** Location of all existing buildings and location and dimensions of on-site parking.
  - b.** Floor plan showing all rooms with each room labeled as to room type, and location of fire extinguishers, smoke and carbon monoxide alarms.
  - c.** Location of waste containers.
  - d.** If the rental property is served by a private water supply (well or spring) and/or a private sewage disposal system, the location of any existing or proposed septic system, including dimensions and sizes of the septic tank, disposal fields, and reserve area, and wells and water systems on the subject property.
- viii.** If the rental property is served by a private water supply (well or spring), provide proof of a water supply permit with the County's Environmental Health Services Division and potability with a current bacteriological test.
- ix.** If the rental property is served by a private sewage disposal system, provide proof that the system is documented with the County of Marin Environmental Health Services Division and provide an inspection report for proper operation by an approved licensed professional.
- x.** Bills from a hauler as proof of a minimum level of service with an authorized waste collector that is sufficient to handle the volume of garbage, recyclable materials and organic materials generated or accumulated.
- xi.** Proof of a working landline phone, Voice Over Internet Protocol, or National Oceanic and Atmospheric Administration (NOAA) radio.
- xii.** Documentation of a vehicular evacuation route from the short term rental property to an area of safety in case of an emergency, including proof that the evacuation route is posted near the door of the short term rental.
- xiii.** All short term rental applicants shall provide a self-certified building safety inspection upon permit application or renewal.

- xiv. All short term rental applicants shall provide a self-certified fire-life safety inspection upon permit application or renewal.
- xv. All short term rental applicants shall provide a self-certified defensible space inspection, conducted within the preceding twelve months, upon permit application or renewal.
- xvi. All short term rental applicants with properties served by a local water provider must provide water use bills. If the water use documentation demonstrates short term rental water use exceeding an average of 250 gallons per day, or a lower limit established by the local water provider, the short term rental license renewal application shall include strategies to reduce water use to below an average of 250 gallons per day during the next year. If water use is not reduced as required, the license shall not be renewed.

5. **Public Notification.** Within five days after issuance of a short term rental license, the Community Development Agency will provide written notification to all properties within a radius of three hundred feet of the property with the short term rental.

The notice shall indicate that the subject property will be the location of a short term rental and provide the name of the local contact person or host, the phone number and email address for the local contact person or host, and the street address of the short term rental.

6. **Tenant notification of County Rules.** The owner or operator of the short term rental shall post a County-prepared information sheet inside the unit and provide the tenants with a "good neighbor" brochure, developed by the County, at the time of their arrival.

7. **Exterior Signage.** Each short term rental shall be identified with a single exterior sign that includes the name of the local contact person, the phone number and email address for the local contact person, and the street address of the short term rental. At a minimum, the sign shall be posted while the unit is being used as a short term rental. The sign shall be made of durable materials and 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.

8. **Requirements for Advertisements.** All permitted short term rentals shall include the following information in any online or printed advertisement:

- i. Valid Marin County short term rental license number.
- ii. All permitted parking locations and the quantity of vehicles that fit on said locations.
- iii. Further information where applicable as specified in the administrative procedures, such as water use restrictions.

**E. License for Hosted Short Term Rental.**

The host of a hosted short term rental can be either the property owner or a long term tenant of the property. The property must be the primary residence of the host. To prove that the hosted short term rental is the primary residence of the host, the host must provide at least three of the following five types of documents at the time of initial application and renewal application: motor vehicle registration; driver's license; voter registration; a utility bill sent to the subject property; tax documents showing the property as the property owner's primary residence for the purposes of a homeowner's tax exemption; a lease showing that a host other than the property owner is renting a unit on the property on a long term basis.

**F. License for Unhosted Short Term Rental.**

A license for a unhosted short term rental shall be issued with no requirement for an onsite host, but a local contact person meeting the requirements specified in the administrative procedures shall be identified.

**G. License Issuance**

A Short Term Rental license will be issued on a ministerial basis by the Community Development Agency based on a review of whether the Short Term Rental would satisfy all the applicable requirements. Licenses can be issued with conditions ensuring compliance with the applicable requirements.

**H. License Term and Renewal.**

1. A short term rental license issued under this Chapter shall expire immediately and automatically two years from the date of license issuance, unless revoked earlier. The license authorizes the property owner to conduct only such services as is described in this Chapter and in accordance with the terms and conditions of the license.
2. A short term rental license renewal application for an existing short term rental license must be submitted at least sixty days prior to the expiration date of the license. Upon timely submittal of a renewal application, the license will remain effective until such time the license renewal application is approved or denied.
3. Failure to submit a timely application for a renewal of an existing short term rental license shall result in that license not being renewed. In locations where there is a cap on the number of unhosted short term rentals, an unrenewed license will not be reinstated to the property owner unless there are available licenses within the cap. A property owner who fails to renew a license may join the wait list for the next available license under the cap.
4. Once a license expires, a new license is required to operate the short term rental. Renewals can only be issued for an existing license, and in compliance with this section. Conversion from a hosted to an unhosted short term rental shall require a new license. The administrative procedures issued by the Community Development Agency pursuant to this chapter may describe modifications to short term rental operations that are eligible for consideration within a license renewal.

5. A short term rental license renewal application shall be denied if there have been more than two verified substantial violations of this Chapter or of the administrative procedures related to the short term rental during the previous two year license period. Substantial violations are violations for which a complaint has been received and a code enforcement case opened with an investigation verifying the existence of the violation.

**I. License Fee.**

- i. Each short term rental license or renewal application shall be accompanied by the applicable short term rental license fee.
- ii. The fee schedule shall be established by resolution of the Board of Supervisors following a public hearing. Said fee schedule may be adjusted by resolution of the Board following a public hearing. Permits and fees required are non-refundable and are in addition to any license, permit, certificate or fee required by any other chapter of the Marin County Code or other applicable law.

**5.41.050 Short Term Rental Property Standards**

**A. Undeveloped Properties.** A property where there is no existing legal residential unit is not eligible for a short term rental license.

**B. Restricted Structures.** A short term rental is not allowed in any of the following:

1. A structure subject to a recorded governmental restriction, including covenants or agreements for an affordable housing unit, agricultural employee unit, farmworker housing.
2. An accessory dwelling unit or junior accessory dwelling unit.
3. A multi-family dwelling or condominium unit.
4. Non-residential areas within buildings, such as storage areas, and living/sleeping quarters added in garages.
5. Recreation vehicles (RVs), including non-motorized travel trailers.
6. Other structures without permanent foundations, including but not limited to tipis/teepees, yurts, tents, and treehouses.

**C. One Short Term Rental Per Property.** Only one short term rental is allowed per property. If a property contains both a main dwelling and an accessory dwelling unit, only the main dwelling unit may be rented on a short-term basis.

**D. Short Term Rental Parking Requirements.** Parking spaces must be provided for properties with short term rentals as follows:

1. Two onsite parking spaces must be provided while the property is in use as a short term rental, with at least one of the parking spaces reserved for guests of a hosted short term rental and two reserved for guests of an unhosted short term rental.

2. Parking for short term rentals shall comply with Marin County Code Section 24.04.380 (Dimensional Standards), as verified by the Department of Public Works.

**E. Noise.** The property owner is responsible for ensuring any and all guests of a short term rental comply with the standards of Section 6.70.030 (Loud and Unnecessary Noises).

**F. Solid Waste.**

1. With the exception of waste properly deposited in and fully contained within collection containers with secure lids, accumulation of solid waste outside of the short term rental at any time is prohibited. No collection container other than those consistent with Chapter 7.00 (Solid Waste, Collection, Diversion and Disposal) shall be placed or kept in or on any public street, sidewalk, footpath, or any public place whatsoever, but shall be maintained on the property, except as may be provided for removing and emptying by the authorized collector on the day and in the location designated for collection.
2. The property owner is responsible for ensuring that short term renters comply with Chapter 7.00 (Solid Waste Collection, Diversion, and Disposal).
3. A minimum service level per short term rental per week must be maintained for unhosted short term rentals. If the Agency Director determines the minimum service level is insufficient to accommodate all waste (including garbage, recyclable materials, and organic materials) generated by the short term rental, the property owner shall arrange for a higher level of service which will accommodate all waste generated by the short term rental.

**G. Municipal Services.** The short term rental property shall have adequate water and sewer connections and shall be served by local utility agencies for water and sewer service wherever such utilities are provided.

1. In the event that the short term rental is served by a private water supply (well or spring), the property owner will need to possess a domestic water supply permit from the Marin Community Development Agency Environmental Health Services Division or other appropriate public agency and prove potability with a current bacteriological test.
2. In the event that the short term rental is served by a private sewage disposal system, then that system must be documented as legal with the Community Development Agency Environmental Health Services Division or other appropriate public agency, shall be inspected for proper operation by an approved licensed professional, and shall be sized appropriately for the short term rental and any other combined use.

**H. Emergency Preparedness.**

1. **Visible Address.** Each short term rental shall have an address identification. The address identification must be maintained and shall be legible, measuring no less than 4 inches in height with a 3/8 inch stroke, and placed in a position that is visible

from the street or road fronting the property. Whenever the address on the short term rental will not be clearly visible from the street or access road fronting the property, the address shall also be placed at the public street or access road in a manner which is clearly visible from both directions of travel on the frontage road or street.

- 2. Smoke Alarms.** Smoke alarms, in good working order, shall be installed in accordance with the California Building Code and at a minimum shall be installed in each bedroom, and at least one alarm on every level of the short term rental, including basements and habitable attics.
  - 3. Carbon Monoxide Alarms.** Carbon monoxide alarms, in good working order, shall be installed in accordance with the California Building Code and at a minimum shall be installed outside each bedroom, on every level of the rental unit, including basements and habitable attics, and bedrooms or attached bathrooms with a fuel-burning appliance, and shall be installed in accordance with the manufacturer's installation instructions.
  - 4. Fire Extinguisher.** Each short term rental shall be equipped with one five-pound fire extinguisher, type 3-A:40-B:C, installed at a readily available location near the kitchen. If the short term rental has more than one level, an extinguisher must be mounted within each level. Fire extinguishers shall be inspected annually by a certified professional to ensure the extinguishers are in good working order.
  - 5. Emergency Communications.** Each short term rental shall contain at least one working landline phone, Voice Over Internet Protocol (VOIP), or a National Oceanic and Atmospheric Administration (NOAA) radio as a means of receiving emergency communications. Locations with a working landline and/or VOIP should have the direct phone number and address listed near the device. If NOAA radios are employed, a set of direction for use of the radio shall be accessible.
  - 6. Evacuation Routes.** The short term rental owner or operator must provide vehicular evacuation route maps, provided by Fire Safe Marin or the County of Marin, for the rental area. Evacuation routes must be posted near the front door, with a QR code or link to the County's online evacuation map, of the short term rental. Further, a vehicular evacuation routes map must be provided as a handout so guests can take the map with them in the case of an emergency.
- I. Construction Requiring a Building Permit.** Short term rentals shall not be rented while the building they are in is undergoing any form of construction that requires a building permit.
  - J. Code Enforcement Cases.** Short term rentals shall not be rented while a code enforcement case is open on the property.
  - K. Special Events.** Weddings, corporate events, commercial functions, and any other similar events shall not be held on a property with a short term rental license.
  - L. Local Contact Person Responsibilities.** A short term rental licensee must identify a local contact person for every unhosted short term rental. The local contact person shall

respond to any complaint received regarding the conduct of the short term rental guests or the condition or operation of the short term rental and take any necessary remedial action to resolve violations of Marin County Code requirements in a timely manner. The short term rental licensee is responsible for the local contact person's compliance with all provisions of this Chapter.

**M. Host Responsibilities.** A short term rental licensee must identify a host for every short term rental that is not an unhosted short term rental. A host shall be on the premises between the hours of 10 PM and 5 AM every night when the short term rental is rented. The host shall respond to any complaint received regarding the conduct of the short term rental guests or the condition or operation of the short term rental and take any necessary remedial action to resolve violations of Marin County Code requirements in a timely manner. The short term rental licensee is responsible for the host's compliance with all provisions of this Chapter.

**5.41.060 Caps on the Number of Unhosted Short Term Rental Licenses**

The number of short term rental licenses for unhosted short term rentals shall be capped at the limits indicated below. Limits are based on the geographic areas in Marin County's unincorporated jurisdiction shown on that certain map entitled "Townships of the County of Marin" kept on file by the Marin County Community Development Agency.

**Table 1 – Short Term Rental Caps**

<b>Township</b>	<b>Initial Number of Unhosted Short Term Rentals</b>	<b>Ultimate Number of Unhosted Short Term Rentals</b>
Bolinas	63	54
Dillon Beach	125	110
Forest Knolls	8	8
Inverness	93	86
Lagunitas	6	4
Marshall	28	27
Muir Beach	20	19
Nicasio	11	8
Olema	3	3
Petaluma	6	6
Point Reyes Station	32	26
San Geronimo	10	7
Stinson beach	192	174
Tomales	12	11
Woodacre	12	8



The “Initial Number of Unhosted Short Term Rentals” referenced above in Table 1 establishes the number of licenses available for issuance for the valid applications submitted before July 1, 2025 (first round licenses).

First round licenses may be renewed. However, subsequent to these first round licenses being issued, the number of new licenses being issued shall decrease to the “Ultimate Number of Unhosted Short Term Rentals” established in Table 1. The cap on the ultimate number of short term rental licenses in each township shall be eventually achieved as license applications or renewals decline over time.

#### **5.41.070 Violations.**

Any violation of the provisions in this Chapter shall be enforced through any legal remedies available to correct and/or abate a nuisance or violation of the Marin County Code, as provided in Marin County Code Chapters 1.05 (Nuisance Abatement), 1.06 (Recordation of Notice of Violation), and 1.07 (Imposition of Administrative Fines for Ordinance Violations) as they pertain to violations related to real property.

Short term rental licenses may be suspended or revoked if the licensee fails to meet the standards set forth in this Chapter and/or the requirements of the license. Short term rental licenses shall not be renewed if there have been more than two verified violations of the standards or administrative procedures during the previous two-year licensing period.

#### **5.41.080 Definitions**

Terms used in this Chapter are defined below, or when undefined below are subject to the definitions in Marin County Code Titles 20 and 22.

Agency Director: The Marin County Community Development Agency Director or their designee.

Change of ownership: A change in ownership of the property as defined in California Revenue and Taxation Code section 60 et seq., or its successor.

Guest or Guests: The individual(s) occupying the short term rental for the purpose of overnight lodging, including any individual(s) invited to a short term rental by those occupying the unit for the purposed of overnight lodging.

Host: A host is a person identified by a short term rental licensee to reside at the property at which a short term rental is located.

Hosted Short Term Rental: A short term rental that is the primary residence of a host, or that is located on the same property as the short term rental to which the host’s role relates.

Local Contact Person: The person or business designated by the short term rental owner to receive and respond to communications regarding a short term rental.

Long Term Tenant: A property lessee who occupies a unit as a primary residence for a period exceeding 30 days.

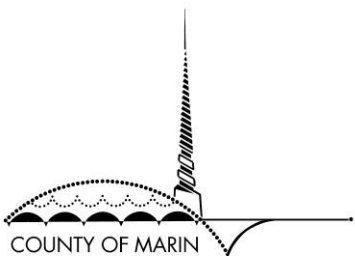
Natural Person: A human being as distinguished from a person (as a corporation) created by operation of law.

**Primary Residence:** The dwelling in which a person lives for at least six months each year. A person must demonstrate a property is their primary residence by claiming a homeowner's exemption on the property for the purpose of property tax assessment, or by providing document sufficient to establish, as determined by the Agency Director, the required residency, such as motor vehicle registration, driver's license, voter registration, a utility bill, and lease.

**Property owner:** The owner(s) of record of the real property on which the short term rental is operated, and to the extent any such owner is a legal entity, any and all natural persons with an interest in such legal entity.

**Short Term Rental (STR):** A rental of a residential unit, or a portion of a residential unit, for a time period of less than 30 consecutive nights. Short term rentals are a residential use of property.

**Unhosted Short Term Rental:** Short-term rental occupancy of a residential unit on a property that does not provide a primary residence for the property owner or a long term tenant.



**STAFF REPORT TO THE MARIN COUNTY  
PLANNING COMMISSION  
Short Term Rental (STR) Ordinance Update Workshop**

**Recommendation:** Conduct a workshop and hear public testimony on the Short Term Rental Ordinance Update.

**Hearing Date:** June 12, 2023  
**Project Planner:** Kathleen Kilgariff  
**Signature:**

**SUMMARY**

The County is reevaluating its existing Short Term Rental (STR) Ordinance to improve the availability of middle- and lower-income housing, while maintaining access to economic opportunities, services and activities in the in the unincorporated areas of the County. At this time, staff is conducting outreach to better understand community perspectives regarding STRs. Operating standards, noticing requirements, emergency preparedness, and enforcement are all subjects that have been broached in our initial conversations with the public.

Through public engagement opportunities, staff has learned that there are many perspectives involved in this work. From those who are concerned about the availability and affordability of long-term housing in our unincorporated communities to those who benefit from the use, which allows people to afford the high costs of living or owning a home in Marin.

The purpose of this workshop is to present background information and public input to your Commission in advance of drafting the STR Ordinance and to provide the public with an opportunity to comment on future STR regulations.

While this is the first time in several years that the Planning Commission is holding a hearing on the topic, it will not be the last. The Planning Division will be proposing to update the County's existing STR Ordinance to strengthen the County's regulatory framework for STRs, especially in the Coastal Zone, later this year. Once adopted the Planning Commission the Board, Planning Division staff will be preparing an amendment to the Local Coastal Program to reflect the new regulations for review and approval by the Coastal Commission.

## BACKGROUND

There are a number of critical terms to understand in any discussion about STRs. For the purpose of Marin County's STR Ordinance update, those terms and their definitions are as follows:

- **Short Term Rental (STR):** A rental of residential property for a lease term of less than 30 days.
- **Host:** A person who has the legal right to occupy the dwelling unit and to allow short-term residential occupancy.
- **Hosted Short Term Rental:** The short-term residential occupancy of either the host's primary residence or a separate dwelling unit on the same premises as the host's primary residence.
- **Whole House Short Term Rental:** Short-term residential occupancy of the host's entire dwelling unit while the host is not physically present and residing in the dwelling unit.

On August 7, 2018, the Marin County Board of Supervisors adopted the County's first STR Ordinance (Ordinance No. 3695) with a limited, two-year term. The Ordinance requires public notification of STRs be provided to surrounding neighbors, requires operators to provide guests with "Good Neighbor" house rules – which include sharing existing County regulations (for example, noise, parking, trash standards) to ensure that STRs do not adversely impact neighbors, and establishes a short-term rental hotline for complaints, which is currently operated by Host Compliance, the County's third party STR monitor.

Further, STR operators are required to identify a Local Contact Person at the time one applies for the required licenses to operate a STR. As outlined in Section 5.41.020 of the Marin County Code, a Local Contact Person is a person who is available to respond to STR complaints.

The rationale behind these requirements is based on the idea that neighbors should be able reach out directly to those responsible for the STR, should any issues arise. If the Local Contact Person cannot address the issue, it can be elevated to the County's STR Hotline, which is monitored 24 hours a day. If the caller selects the option to do so, the Hotline operator also has an ability to inform the Local Contact Person of the complaint.

In addition to the requirements under the Ordinance, the Marin County Department of Finance requires STR operators register for a Business License and Transit Occupancy Tax (TOT) Certificate, providing accountability and payment of taxes and fees commensurate with the visitor-serving use.

With the pending expiration of the Ordinance No. 3695, on July 28, 2020, the Board of Supervisors approved Ordinance No. 3739 (Attachment 3), which maintained all of the "Good Neighbor" policies and notification standards from the original ordinance and made one minor change requiring that the Local Contact Person information must be provided at the time of application for a TOT certificate and when reporting TOT, rather than at the time a business license is issued or renewed.

At the time the Ordinance No. 3739 was approved, both staff and the Board acknowledged that a number of public commenters expressed concerns about the impacts of STRs on communities and requested reevaluation of the County's STR Ordinance to expand its scope and purpose. Given the COVID-19 pandemic conditions, there were significant obstacles to initiating that effort and being able to conduct adequate public outreach.

## SHORT TERM RENTALS AND HOUSING IN MARIN

In the time since the most recent STR Ordinance was approved, longstanding challenges such as high housing costs and limited housing availability have continued in Marin County. According to the County Assessor, the 2022 median home price for a detached, single-family home in Unincorporated Marin was \$1.9 million. Additionally, according to data gathered by RentCafe in October 2021, rental prices throughout unincorporated Marin average \$2,900 a month, and have increased steadily over the years. According to HUD, fair market rate rent in 2021 for a two-bedroom unit was \$3,553, an increase of 94% in the last decade.

Housing shortages and prices are likely affected by the high number of homes used as STRs instead of as permanent residences. A significant proportion of the housing in some communities has been converted to commercial use in the form of STRs. For example, 25% of all housing units in Marshall and 27% percent in Stinson Beach are registered as STRs. Dillon Beach contains the highest percentage of properties used as STRs, with approximately 31% of residential properties registered as STRs. A summary of the number of STRs by area is provided in the table below (and further expanded on in Attachment 1).

Residential Short Term Rental by Area			
Area	Number of STRs	Number of Parcels Developed with Living Units	Percentage of Parcels Used as STRs
Coastal Zone	568	3450	16%
West Marin Communities Outside of the Coastal Zone	53	1798	3%
East Marin Communities	252	17805	1%
All of Unincorporated Marin	873	23053	3%

Source: Department of Finance and Assessor-Recorders 2022 Tax Roll

A number of communities in the Coastal Zone have traditionally been popular vacation destinations with many homes being used as vacation rentals for many years, if not generations. Visitors can have positive effects on local economies by supporting shops, restaurants, agricultural producers, and other visitor serving businesses. In some instances, local communities accept and encourage STRs as a valuable part of the social and economic fabric of an area. For example, in discussions with Dillon Beach community members, people often shared that Dillon Beach is a vacation community and that, overall, the high percentage of homes used as STRs does not impact affordable long-term housing. Many shared that there are limited resources in the community (low number of jobs, few businesses, limited access to amenities, no grocery store, etc.), making it a more desirable place for visitors than long-term renters.

In the Eastern areas of the County, Unincorporated Mill Valley has the highest percentage of STRs – 3% of the roughly 5,600 residentially developed properties are licensed to operate STRs. However, the impacts of STRs outside of West Marin are not felt as acutely due to the higher number of houses along the Highway 101 corridor and lower overall percentage of the housing stock that is dedicated to STRs (a total of 1% of the 17,800 residentially developed properties are licensed as STRs).

Further, the flexibility and the income generated by STRs, where nightly rates can average around \$550 per night, while some range up to over \$1,000/night, in comparison to that earned with a long term rental, is likely an incentive for property owners to seek STR use, serving visitors rather than traditional renters.

While the impacts of STRs are mixed, a high percentage of homes being dedicated to STRs in some smaller towns and villages is seen as hollowing out local communities, adversely affecting the schools and social fabric enjoyed in these smaller towns and villages. Further, there are growing concerns in Marin communities about impacts of STRs on the availability of housing for workforce, families, and community members as well as the ability to build and maintain the human relationships that form community.

#### SHORT TERM RENTAL MORATORIUM – WEST MARIN.

During recent Housing Element outreach efforts, community discussions indicated that STR uses may be affecting the supply and affordability of housing – particularly in West Marin communities, which have become increasingly attractive to homebuyers and where there are relatively small numbers of homes. Of note, 621 (or 71%) of the County’s roughly 873 STRs are located in West Marin. Additionally, 12% of the approximately 5,248 properties currently developed with residential units are used as STRs in this area of the County.

In response, on May 24, 2022, the Board of Supervisors adopted an urgency ordinance, establishing a moratorium on STRs in the West Marin Area (also known as the Measure W or West Marin Transient Occupancy Tax Area). The purpose of the STR moratorium in the Measure W area is to maintain stability in housing supply while County staff and decision makers evaluate policies and contemplate proposals to improve the availability of middle- and lower-income housing in the West Marin Area, while preserving coastal access.

The moratorium was approved by an urgency ordinance, meaning there was not a lot of time to update community members about the regulations. To address the time sensitive nature of the moratorium, staff conducted more outreach than usual, and exceeded state law notification requirements. For example, prior to the Board’s adoption of the moratorium, staff:

- Placed advertisements of Board Meetings in the Marin IJ
- Distributed press releases announcing the moratorium.
- Spoke with local reporters, and stories about the potential moratorium were published in the Marin IJ, Point Reyes Light, and the San Francisco Chronicle.
- Discussed the potential moratorium on KWMR and KQED.
- Mailed notifications to both compliant and non-compliant STR operators.

As a result of this outreach, from May 5 to May 24, 2022, more than 150 property owners registered for the necessary licenses to operate a STR.

In conformance with State law, the Board extended the STR moratorium at their regularly scheduled hearing on June 21, 2022 until May 23, 2024. At this time, the Board has not indicated that they are open to lifting the moratorium, and it is expected to be in place until the May 2024 deadline or whenever the California Coastal Commission certifies updated STR regulations.

## **PUBLIC OUTREACH**

Since the STR moratorium was passed, staff has continued to work towards updating the existing STR regulations. To date, staff has conducted research and outreach, attended community meetings, and taken time to speak with members of the public and public agencies about their experiences with STRs.

To kick off the STR Ordinance Update staff hosted five, district wide STR Learning Sessions during Fall 2022. At these Learning Sessions, staff shared background on STRs in Marin, presented STR data (related to the number of STRs in the Unincorporated Areas and percentage of residential properties used as STRs by community, complaints received by the STR Hotline, rental market data), and discussed draft Guiding Principles with attendees.

The feedback and anecdotes shared informed the Guiding Principles, that in turn inform the direction of this STR Ordinance Update:

1. Prioritize housing supply and affordability, and consider regulations in light of their effects on the cost and availability of housing within individual communities.
2. Advance equity in access to economic opportunities, services and activities.
3. Recognize that Marin County has historically provided vacation opportunities to the greater Bay Area region and State.
4. Distinguish among types of STR operations and operators, e.g., hosted and whole house, single and multiple ownerships, etc.
5. Consider environmental constraints such as water and sewage capacity.
6. Develop regulations that are clear, affordable, simple, and enforceable (C.A.S.E).
7. Assure that STRs are good neighbors considering noise, parking, trash and other neighborhood quality of life concerns.

In addition to the early learning sessions where the Guiding Principles were developed, staff has continued to engage with the public using the following approaches:

- In response to feedback provided at the Learning Sessions, staff held a meeting focused entirely on the STR moratorium in January 2023. The purpose of this meeting was to discuss and take further comments on the STR moratorium and ways the County can improve communication with community members, especially when the property owner may not live in the area.
- Planning staff attended Supervisor Rodoni's Fall 2022 and Spring 2023 Office Hours, which are biannual meetings that are held throughout District 4 communities.
- Planning staff extended the offer to attend other community meetings, hosted by neighborhood groups, HOAs, or professional organizations. To date, the Dillon Beach Neighborhood Group and a self-formed group of individuals from various coastal communities have accepted this offer.
- Staff conducted and widely distributed a STR Survey to garner feedback on potential STR regulations (further discussed below).
- Staff will continue to meet and discuss with community members through group discussions and one-on-one interviews.

## **PROJECT SCHEDULE**



The moratorium in West Marin expires May 23, 2024, and the objective is to have permanent STR regulations in place prior to this date. However, since any regulations in the Coastal Zone must be certified by the California Coastal Commission, staff must first prioritize regulations in this area.

In addition to the time-sensitive nature for STR regulations, the Coastal Zone contains the majority of the STRs in the County. In the Coastal Zone, 16% of parcels that are developed with at least one dwelling unit are used as STR properties. As such, ensuring regulations are in place by May 23, 2024 will have the greatest impact in this area.

Staff plans to submit a Local Coastal Program Amendment to the California Coastal Commission by the end of 2023 in the hopes that the Coastal Commission can review and certify regulations prior to May 23, 2024. Once the Local Coastal Program Amendment is submitted, staff will then bring forward regulations for areas outside of the Coastal Zone for Planning Commission and Board of Supervisors approval. A more detailed project timeline is outlined in Figure 1.



*Figure 1 - Phase 1 Project Schedule*

## **DISCUSSION**

### **STR SURVEY**

One element of the County's efforts to solicit community input is a STR survey. It served as a way to gather feedback on potential STR regulations, including, limits on the overall number of STRs and operating requirements.

The survey period ran from March 30 through May 2, 2023. The County used both digital and paper platforms for this survey and it was made available in both English and Spanish. The digital survey was promoted extensively through County communication channels including email communications, social media posts, and media coverage (press release, KWMR and Point Reyes Light coverage). Additionally, staff posted flyers throughout the unincorporated areas of the County and publicized the survey at community meetings. The paper format of the survey was made available at all library locations.

There was a total of 2,467 responses. 1,191 of the respondents indicated that they lived in Unincorporated Marin, 828 respondents noted that they lived in a town or city in Marin, 416 respondents identified as living outside of Marin, and 32 respondents did not identify where they live.

In general, there is a high level of support for STR limits and regulations from those who live in the unincorporated areas of the County. When reviewing responses from all respondents, there is lower support for limits on the number of STRs but support for operating requirements that ensure STRs tenants are safe and act as good neighbors. The overall survey summary is included in Attachment 2.

## **ADDITIONAL OUTREACH AND OPPORTUNITIES FOR FEEDBACK**

The final questions on the STR survey asked respondents if they were interested in further discussing STR regulations as part of a focus group. Over 500 respondents indicated that they would be interested in participating. After the Planning Commission Workshop staff will conduct facilitated group discussion with as many of the respondents as possible, though 500 far exceeds the level of interest expected and the capacity for small group discussions envisioned when staff designed the public outreach. Staff will supplement the group discussions by conducting interviews with stakeholders who do not participate in group discussions.

When draft regulations are prepared and released to the public, the County will host public meetings to introduce the regulations and discuss any questions or comments people may have. Feedback at these meetings will be recorded and incorporated into the draft regulations, if appropriate.

Finally, draft regulations will be brought before the Planning Commission and Board of Supervisors in the Fall of 2023. These meetings will be publicly noticed and allow time for public comments.

## **SOCIAL EQUITY**

A significant theme of the recent housing work in Marin County has been to affirmatively further fair housing based on state mandates and local interest. Affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. As stated earlier in the staff report, STRs create a strain on the housing market. While others share that the commercial use of residential property allows them the opportunity to live in or maintain a home in Marin. Outreach and policy discussions will continue to include the costs and benefits of STRs as it relates to housing choice, access to amenities, and housing security.

Attachments:

1. Short Term Rental Data Package
2. Short Term Rental Survey Response Summary
3. Current Short Term Rental Ordinance (Ordinance No. 3739)
4. Public Communications

# Supplemental Short Term Rental Data for Planning Commission Workshop

## Residential Short Term Rentals

The following table summarizes the number of Residential Short Term Rentals (STRs) by Community. It also provides the number of total parcels developed with living units and percentage of properties used as STRs per community.

Residential Short Term Rental by Community			
<b>Coastal Zone</b>			
Community	Number of STRS	Parcels Developed with Living Units	Percentage of Parcels Used as STRs
Dillon Beach	125	408	31%
Stinson beach	192	704	27%
Marshall	28	110	25%
Muir Beach	20	147	14%
Bolinas	63	624	10%
Inverness	93	939	10%
Point Reyes Station	32	350	9%
Olema	3	33	9%
Tomales	12	135	9%
<b>Total</b>	<b>568</b>	<b>3450</b>	<b>16%</b>
<b>West Marin Communities Outside Coastal Zone</b>			
Community	Number of STRs	Parcels Developed with Living Units	Percentage of Parcels Used as STRs
Petaluma	6	163	4%
Forest Knolls	8	312	3%
Lagunitas	6	282	2%
Woodacre	12	578	2%
Nicasio	11	240	5%
San Geronimo	10	223	4%
<b>Total</b>	<b>53</b>	<b>1798</b>	<b>3%</b>
<b>East Marin Communities</b>			
Community	Number of STRs	Parcels Developed with Living Units	Percentage of Parcels Used as STRs
Mill Valley	143	5599	3%
Marin City	8	452	2%
Fairfax	5	393	1%
San Anselmo	11	901	1%
Greenbrae	9	752	1%
Kentfield	17	1605	1%
Tiburon	4	426	1%
Novato	20	2689	1%
San Rafael	33	4584	1%
Sausalito	2	367	1%
San Quentin	0	37	0%
<b>Total</b>	<b>252</b>	<b>17805</b>	<b>1%</b>

Sources: Department of Finance, Assessor-Recorder 2022 Roll

## Primary Home Exemptions

Primary homeowners are eligible for a Primary Home Tax Exemption. The following table summarizes the total number of properties in the unincorporated area that have the Primary Home Tax Exemption. Additionally, it provides the total number of Short Term Rentals that operate on a property with a Primary Home Tax Exemption. Note, this does not capture those who may rent their property long term and operate a Short Term Rental.

Short Term Rentals and Primary Home Exemptions						
Community	Number of Residentially Developed Properties	Number of Primary Home Tax Exemptions	Percentage of Primary Home Tax Exemptions per Community	Number of STRs	Number of Residential STRs on Properties with a Primary Home Tax Exemption	Percentage of STRs on Properties that Receive the Primary Home Tax Exemption
<b>Coastal Zone</b>						
Dillon Beach	408	67	16%	125	7	6%
Tomales	135	60	44%	12	4	33%
Marshall	110	23	21%	28	3	11%
Point Reyes Station	350	181	52%	32	20	63%
Inverness	939	328	35%	93	23	25%
Olema	33	15	45%	3	2	67%
Bolinas	624	242	39%	63	21	33%
Stinson beach	704	122	17%	192	16	8%
Muir Beach	147	89	61%	20	12	60%
<b>Total</b>	<b>3450</b>	<b>1127</b>	<b>33%</b>	<b>568</b>	<b>108</b>	<b>19%</b>
<b>West Marin Communities Outside Coastal Zone</b>						
Petaluma	163	71	44%	6	2	33%
Nicasio	240	123	51%	11	4	36%
Lagunitas	282	176	62%	6	2	33%
Forest Knolls	312	197	63%	8	2	25%
San Geronimo	223	159	71%	10	5	50%
Woodacre	578	377	65%	12	7	58%
<b>Total</b>	<b>1798</b>	<b>1103</b>	<b>61%</b>	<b>53</b>	<b>22</b>	<b>42%</b>
<b>East Marin Communities</b>						
Novato	2689	1783	66%	20	10	50%
San Rafael	4584	3043	66%	33	18	55%
San Anselmo	901	615	68%	11	6	55%
Fairfax	393	265	67%	5	4	80%
Greenbrae	752	538	72%	9	7	78%
Kentfield	1605	998	62%	17	9	53%
Mill Valley	5599	3570	64%	143	98	69%
Tiburon	426	298	70%	4	4	100%
Marin City	452	254	56%	8	4	50%
San Quentin	37	14	38%	0	0	0%
<b>Total</b>	<b>17438</b>	<b>11378</b>	<b>65%</b>	<b>250</b>	<b>160</b>	<b>64%</b>

Sources: Department of Finance, Assessor-Recorder 2022 Roll

## Unincorporated Commercial Visitor Accommodations (Hotels, Motels, Inns, Campgrounds, B&Bs)

It is important to understand the number of commercial visitor accommodations in the unincorporated areas of the County. Below, tables summarize the number of commercial accommodations by community, the number of units at each of those businesses (i.e. number of campsites, hotel rooms, etc.), and a breakdown of accommodations by type. Additionally, the Marin County Visitor Bureau releases an annual report with information related to occupancy rates and revenues.

Commercial Visitor Accommodations by Community		
Community	Number of Commercial Visitor Accommodations	Number of Units
Bolinas	3	11
Dillon Beach	3	327
Fairfax	1	1
Inverness	8	62
Lagunitas	1	1
Marshall	3	53
Mill Valley	6	152
Muir Beach	1	1
Nicasio	2	27
Novato	1	3
Olema	4	217
Point Reyes Station	4	9
San Geronimo	1	1
San Rafael	2	7
Sausalito	2	7
Stinson Beach	8	31
Tomales	2	9
Woodacre	2	2
<b>Total</b>	<b>54</b>	<b>921</b>

Source: Department of Finance

Commercial Accommodations by Use		
Commercial Accommodation Type	Number of Commercial Visitor Accommodations	Number of Units
Bed & Breakfast	27	43
Campground	2	512
Hotel	15	207
Inn	5	53
Motel	5	106
<b>Total</b>	<b>54</b>	<b>921</b>


Source: Department of Finance

Marin County Visitor Bureau STR Report			
Year	Occupancy Rate	Average Daily Rate	Hotel Room Revenue
2022	72.40%	\$168.97	9,496,041
2021	65.10%	\$145.59	\$70,122,019
2020	51.30%	\$126.87	\$48,098,651

← Correction: \$90,496,041

Source: Marin Visitors Bureau, <https://www.visitmarin.org/media/annual-reports/>

# Short Term Rentals



COUNTY OF MARIN

## Short Term Rental Survey Results Summary

### INTRODUCTION

A Short Term Rental (STR) survey was developed as part of the County's outreach efforts related to the Short Term Rental Ordinance Update.

The survey period ran from March 30 through May 2, 2023. The County used both digital and paper platforms for this survey and it was made available in both English and Spanish. The digital survey was promoted extensively through County communication channels including email communications, social media posts, and media coverage (press release, KWMR and Point Reyes Light coverage). Additionally, staff posted flyers throughout the unincorporated areas of the County and publicized the survey at community meetings. The paper format of the survey was made available at all library locations.

There was a total of 2,467 responses. 1,191 of the respondents indicated that they lived in Unincorporated Marin, 828 respondents noted that they lived in a town or city in Marin, 416 respondents identified as living outside of Marin, and 32 respondents did not identify where they live.

When evaluating the responses of the survey, staff focused on the responses from all respondents and those that identified as living in Unincorporated Marin. The results of the survey are further explained in the following sections.

### KEY FINDINGS

#### All Respondents

Among all respondents, there is lower support for establishing limits on STRs, but there is support for certain operating requirements. Specifically, a majority of all respondents agree that:

1. Short Term Rental owners should have to show that their property meets basic building safety standards.
2. Short Term Rental owners should have to show that their property meets basic septic system standards.
3. Short Term Rental owners should have to show that their property has enough onsite parking.
4. The County should require Short Term Rental owners to have adequate water supply and water conservation measures in place.

In general, there is lower support for requiring a local property manager or construction of a trash enclosure on STR properties.

## **Unincorporated Marin Respondents**

For respondents who live in the unincorporated areas of the County, there is support for establishing STR caps and operating requirements. Specifically, a majority of unincorporated residents agree that:

1. There should be a limit on the number of Short Term Rentals allowed in the unincorporated areas of the County.
2. The County should establish different regulations for hosted Short Term Rentals (where the primary occupant stays onsite while the property is rented) and those that operate whole house Short Term Rentals (where no host is on site).
3. Short Term Rental owners should only be allowed to operate one Short Term Rental.
4. There should be a limit on the number of Short Term Rentals by community.
5. Short Term Rental owners should have to show that their property meets basic building safety standards.
6. Short Term Rental owners should have to show that their property meets basic septic system standards.
7. Short Term Rental owners should have to show that their property has enough onsite parking.
8. The County should require Short Term Rental owners to have adequate water supply and water conservation measures in place.
9. Short Term Rental owners should have to show that their property has enclosed trash storage.

Of the 10 closed-ended questions, there was little support among all respondents for requiring a local property manager.

## **Open Ended Question**

There was an 11<sup>th</sup> question on the survey that provided the opportunity for respondents to add any additional comments. The following summarizes the key themes mentioned in the approximately 890 responses.

- Support for community-based regulations. For example, Dillon Beach should be able to accommodate more STRs given the fact that it has historically been a second home/vacation community.
- Support for less regulations.
- Support for property owners and their ability to operate a STR.
- Concern regulations will have adverse impacts on the local economy and workforce.
- Concern long-term housing will not be made available as a result of further regulations.
- Concern STRs impact available long-term housing, especially for renters, and limits should be placed on this use.
- Support for hosted STRs, where the resident of the property lives onsite or rents for a limited number of nights when away, as opposed to whole house STRs, where the property is not a primary resident and is used full-time as a STR, should be considered differently.



- Support for long-term housing over STRs.
- Desire to place limits on STRs. For example, limit the number of nights a STR can operate or establish guest/occupancy caps.
- Support for the construction of more ADUs, and support from the County for this.
- Support for ADUs as long-term housing options for community members on STR properties.
- Concern that there are not enough STRs, and the County should allow and/or encourage more of them.
- Concern that this will result in loss of vacation lodging options. Many respondents visit Marin and stay in STRs and would like to continue to do so.
- Concern for economic impacts to those who use their home as an STR to support living expenses.
- Concern that STRs limits impact.
- Support for striking a balance between local community equitable access to the coast.
- Support for “Good Neighbor” policies.
- Concern for use of homes for speculative purposes.
- Concern that the County is trying to address the housing crisis without considering other options, such as building more housing.
- Concern that new regulations will adversely affect those who currently operate STRs.

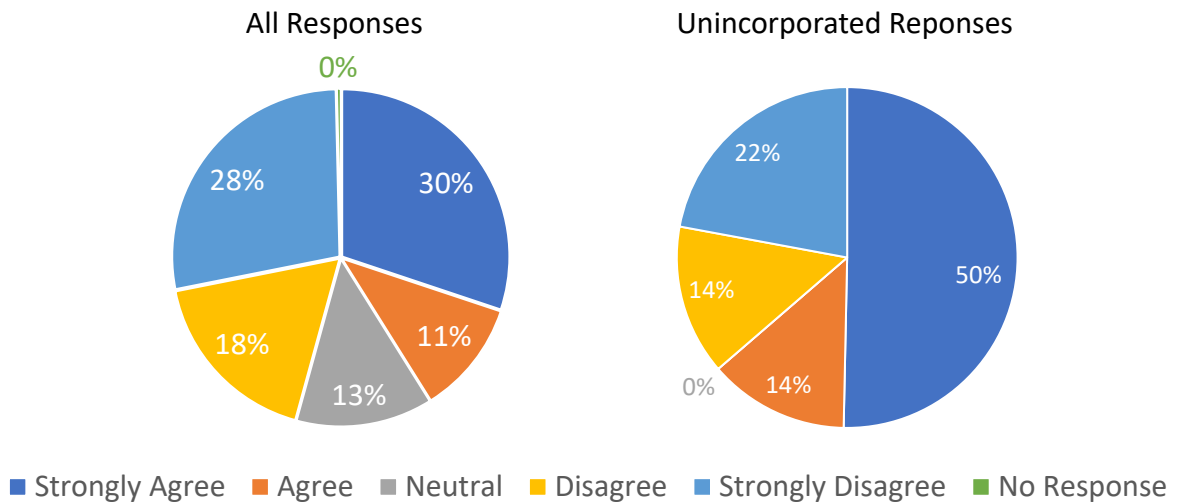
## **ADDITIONAL DATA**

Responses to the survey are further broken down by percentages in the attached response summary for Questions 1-10.

## **ATTACHMENT**

1. Supplemental Survey Information

1. There should be a limit on the number of Short Term Rentals allowed in the unincorporated areas of the County.



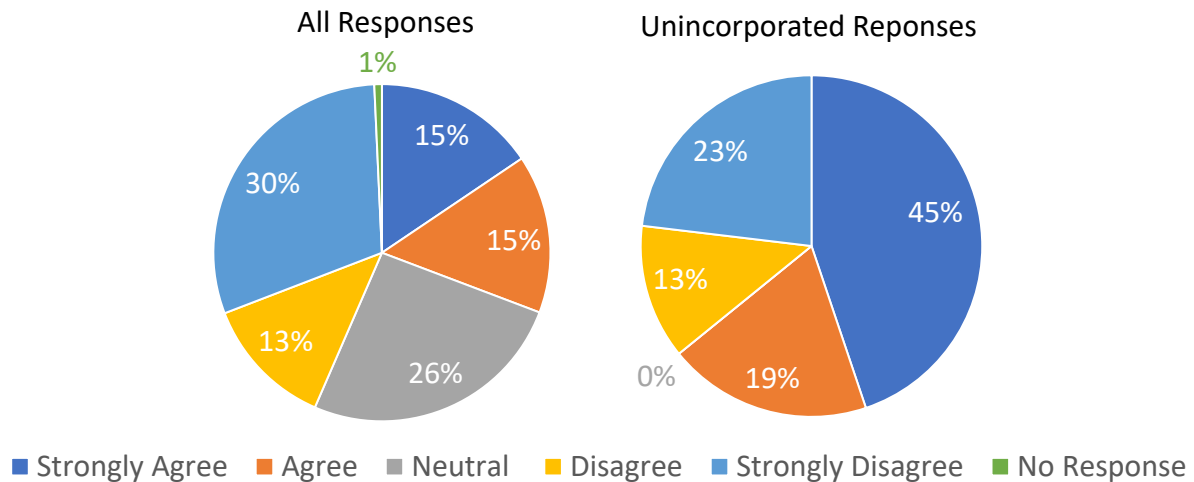
1

**1. There should be a limit on the number of Short Term Rentals allowed in the unincorporated areas of the County.**

	All Responses	Unincorporated Responses
Strongly Agree or Agree	41%	64%
Strongly Disagree or Disagree	45%	36%
Neutral or No Response	14%	0%

2

2. The County should establish different regulations for hosted Short Term Rentals (where the primary occupant stays onsite while the property is rented) and those that operate whole house Short Term Rentals (where no host is on site).



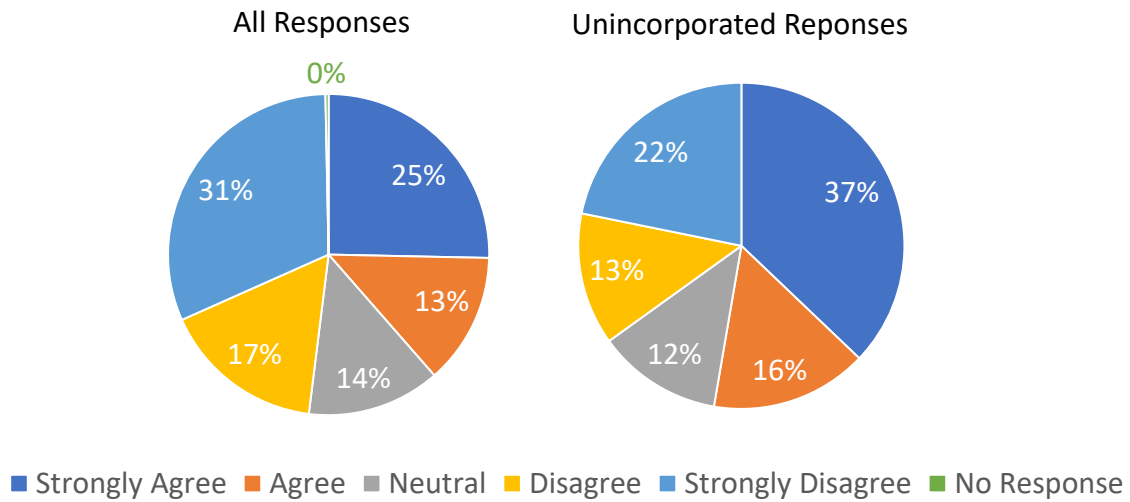
3

**2. The County should establish different regulations for hosted Short Term Rentals (where the primary occupant stays onsite while the property is rented) and those that operate whole house Short Term Rentals (where no host is on site).**

	All Responses	Unincorporated Responses
Strongly Agree or Agree	30%	64%
Strongly Disagree or Disagree	43%	36%
Neutral or No Response	27%	0%

4

### 3. Short Term Rental owners should only be allowed to operate one Short Term Rental.



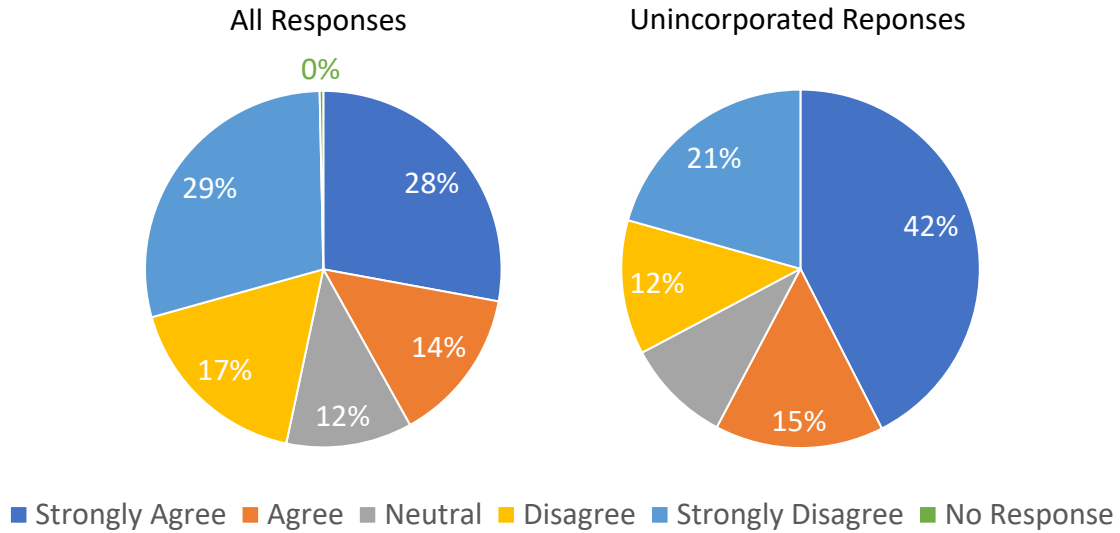
5

### 3. Short Term Rental owners should only be allowed to operate one Short Term Rental.

	All Responses	Unincorporated Responses
Strongly Agree or Agree	38%	53%
Strongly Disagree or Disagree	48%	35%
Neutral or No Response	14%	12%

6

4. There should be a limit on the number of Short Term Rentals by community.



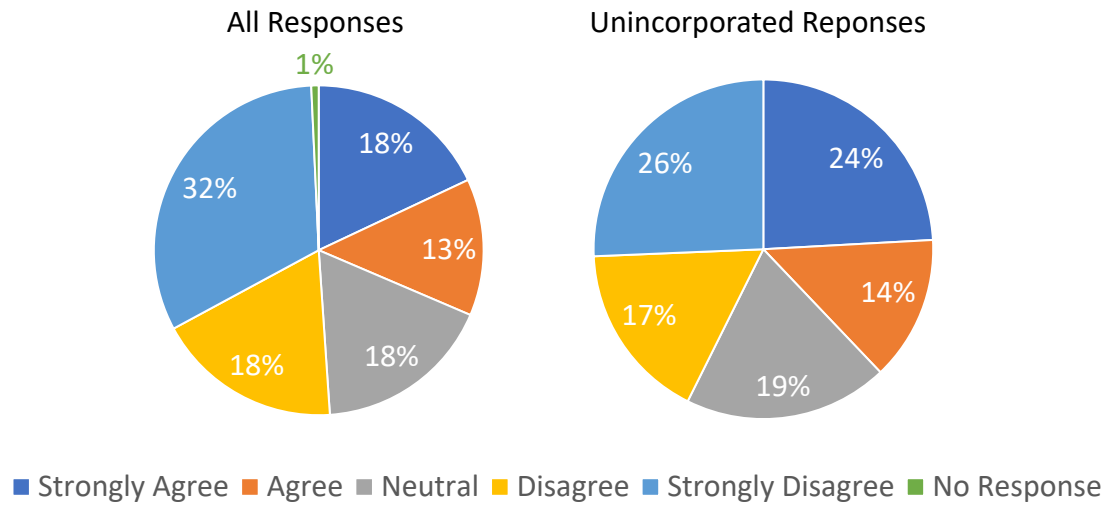
7

4. There should be a limit on the number of Short Term Rentals by community.

	All Responses	Unincorporated Responses
Strongly Agree or Agree	42%	57%
Strongly Disagree or Disagree	46%	33%
Neutral or No Response	12%	10%

8

5. The County should require a local property manager or vacation rental company to manage whole house Short Term Rentals.



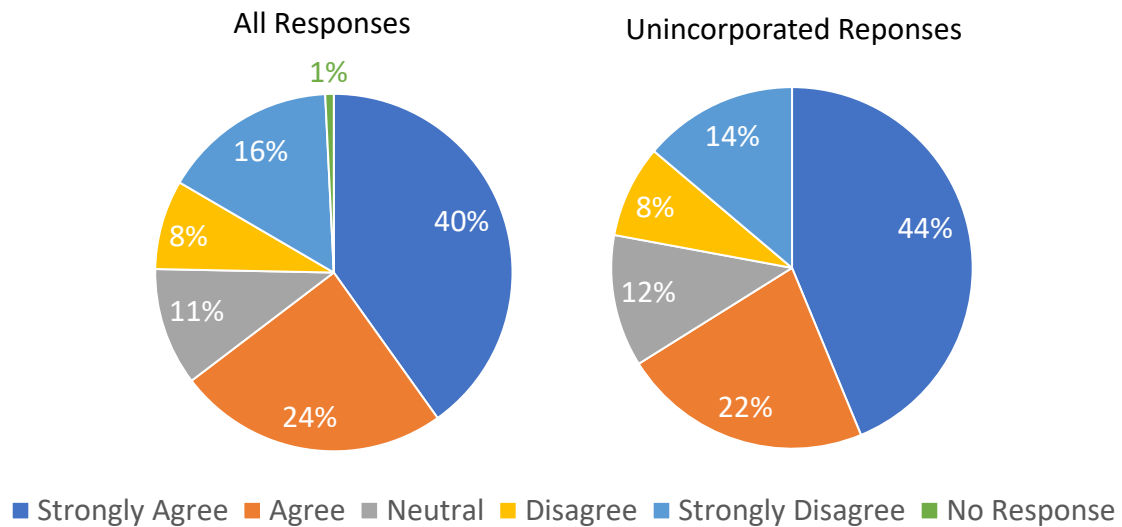
9

5. The County should require a local property manager or vacation rental company to manage whole house Short Term Rentals.

	All Responses	Unincorporated Responses
Strongly Agree or Agree	31%	38%
Strongly Disagree or Disagree	50%	43%
Neutral or No Response	19%	19%

10

6. Short Term Rental owners should have to show that their property meets basic building safety standards.



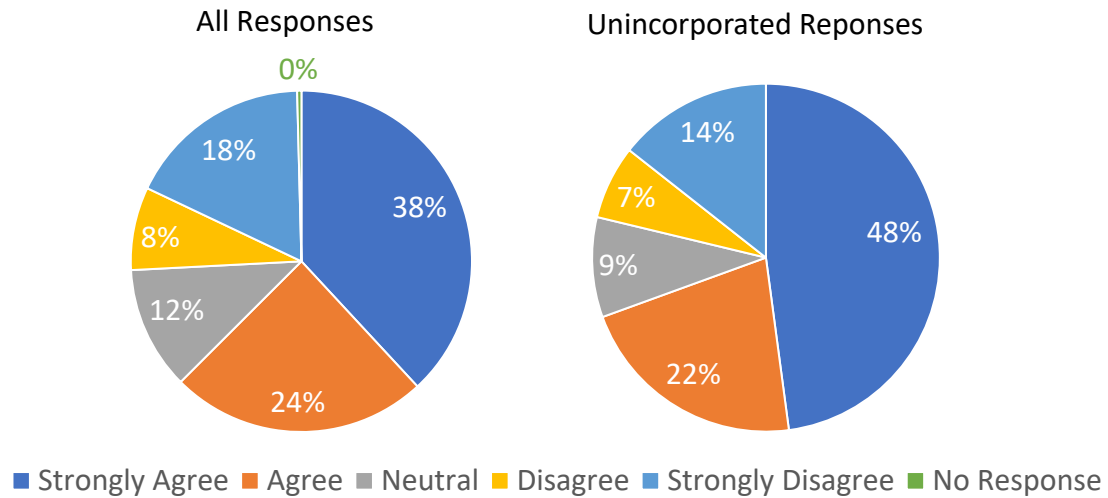
11

6. Short Term Rental owners should have to show that their property meets basic building safety standards.

	All Responses	Unincorporated Responses
Strongly Agree or Agree	64%	66%
Strongly Disagree or Disagree	24%	22%
Neutral or No Response	12%	12%

12

7. Short Term Rental owners should have to show that their property meets basic septic system standards.



13

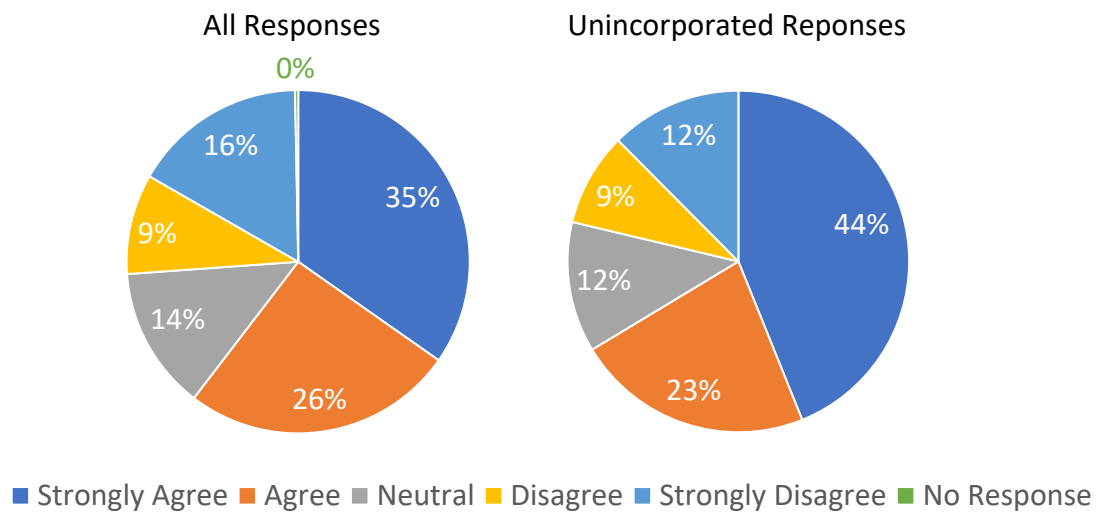
7. Short Term Rental owners should have to show that their property meets basic septic system standards.

	All Responses	Unincorporated Responses
Strongly Agree or Agree	62%	70%
Strongly Disagree or Disagree	26%	21%
Neutral or No Response	12%	9%

14



8. Short Term Rental owners should have to show that their property has enough onsite parking.



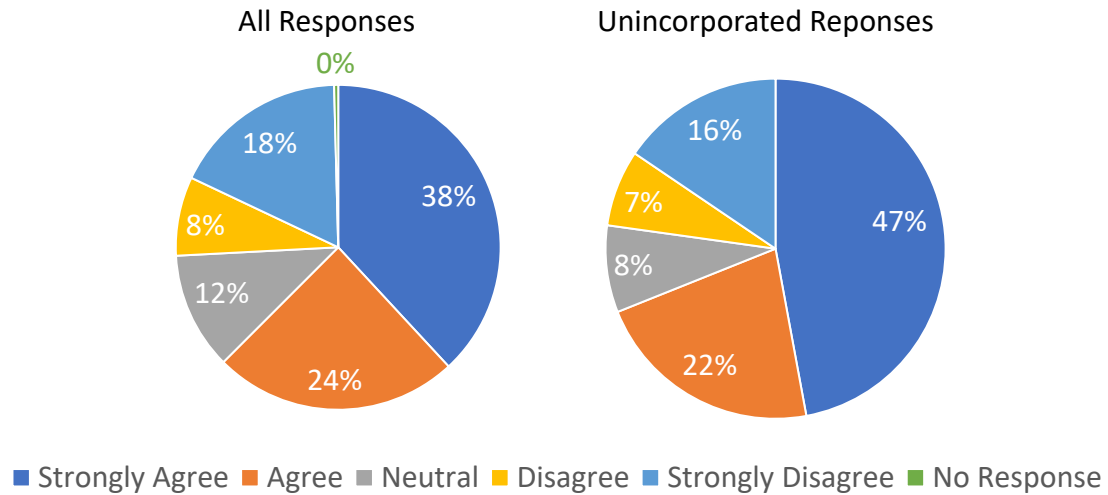
15

8. Short Term Rental owners should have to show that their property has enough onsite parking.

	All Responses	Unincorporated Responses
Strongly Agree or Agree	61%	67%
Strongly Disagree or Disagree	25%	21%
Neutral or No Response	14%	12%

16

9. The County should require Short Term Rental owners to have adequate water supply and water conservation measures in place.



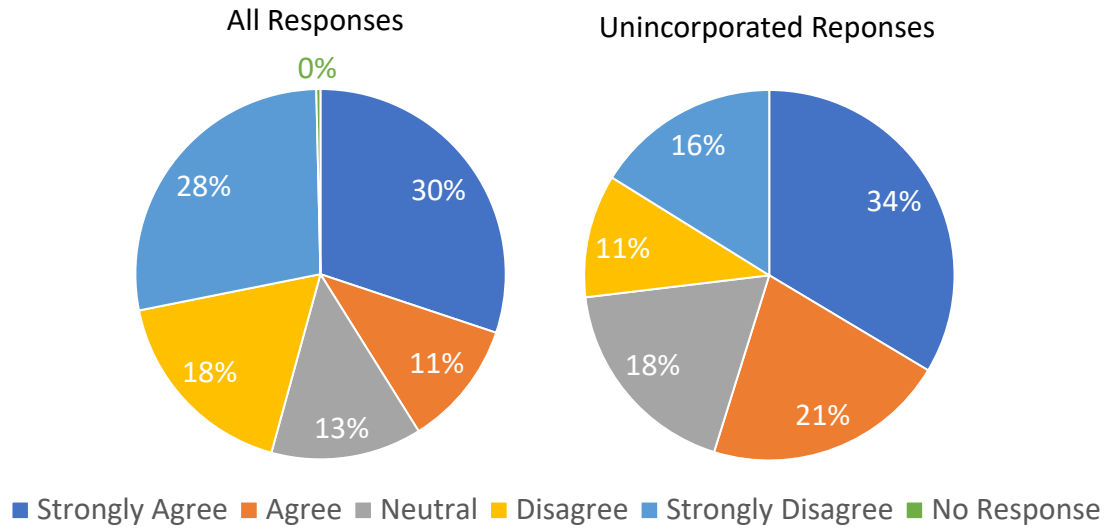
17

**9. The County should require Short Term Rental owners to have adequate water supply and water conservation measures in place.**

	All Responses	Unincorporated Responses
Strongly Agree or Agree	62%	69%
Strongly Disagree or Disagree	26%	23%
Neutral or No Response	12%	8%

18

10. Short Term Rental owners should have to show that their property has enclosed trash storage.



19

10. Short Term Rental owners should have to show that their property has enclosed trash storage.

	All Responses	Unincorporated Responses
Strongly Agree or Agree	41%	55%
Strongly Disagree or Disagree	46%	27%
Neutral or No Response	13%	18%

20



**ORDINANCE NO. 3739**  
**ORDINANCE OF THE MARIN COUNTY BOARD OF SUPERVISORS**  
**AN ORDINANCE ESTABLISHING CERTAIN REQUIREMENTS FOR SHORT TERM**  
**RENTALS BY ADDING CHAPTER 5.41 NOTICE OF SHORT TERM RENTALS TO THE**  
**MARIN COUNTY CODE**

\*\*\*\*\*

**SECTION I: FINDINGS**

1. **WHEREAS**, the Marin County Board of Supervisors finds that the growth of Short Term Rentals may lead to neighborhood conflicts unless appropriate rules are established and understood by property owners, community members, and decision makers.
2. **WHEREAS**, on August 7, 2018, the Marin County Board of Supervisors held a duly noticed public hearing, heard public testimony, and adopted the County’s first Short Term Rental Ordinance (Ord. No. 3695) to remain in effect for 24 months, unless extended by the Marin County Board of Supervisors.
3. **WHEREAS**, almost 24 months have passed from the adoption of Ordinance No.3695, and the Ordinance has successfully met many of its original objectives. Refinements are necessary to clarify the process of providing information about a local contact person for each Short Term Rental.
4. **WHEREAS**, on July 14, 2020 the Marin County Board of Supervisors held a duly noticed first reading of this Ordinance, and on July 28, 2020 the Board held a hearing on the merits of this Ordinance.
5. **WHEREAS**, the project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it would not result in any potential environmental impacts.

**SECTION II: ACTION**

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

**5.41 NOTICE OF SHORT TERM RENTALS**

**5.41.010 RESTRICTION**

No Short Term Rental shall take place in unincorporated Marin County except in conformance with the requirements set forth below.

**5.41.020 DEFINITIONS**

- A. The word “Short Term Rental” is defined herein as a rental of residential property for a lease term of 30 days or less.
- B. The term “Local Contact Person” is defined herein as a person who is available to respond to Short Term Rental complaints.

- C. The term "Enforcement Officer" is defined herein as the Community Development Agency Director or his/her designee.
- D. The term "Hearing Officer" is defined herein as the Community Development Agency Director or his/her designee. However, the CDA Director shall not act as both the Enforcement Officer and Hearing Officer or designate any CDA employee as the Hearing Officer if that person was the Enforcement Officer, with respect to that particular violation.

**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.

**5.41.040 SHORT TERM RENTAL COMPLAINT HOTLINE**

Marin County shall maintain a Short Term Rental complaint hotline. Hotline staff will accept complaints about Short Term Rentals received by calls and emails and notify the Local Contact Person or property owner about the complaints.

**5.41.050 LOCAL CONTACT PERSON RESPONSE**

The Local Contact Person shall respond to any complaint received by either Marin County Short Term Rental Hotline staff and/or County staff regarding the conduct of the Short Term Rental occupants or the condition or operation of the Short Term Rental, and take any necessary remedial action to resolve violations of Marin County Code requirements in a timely manner.

**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.

#### **5.41.070 TENANT NOTIFICATION OF COUNTY RULES**

The owner of the Short Term Rental shall post a copy of the "house rules" inside the unit or provide the tenants with a "good neighbor" brochure at the time of their arrival. The house rules or brochure shall include site specific instructions on how to comply with the following County regulations:

- A. Loud and Unnecessary Noises (Marin County Code 6.70.030)  
Between 11:00pm and 7:00am:
  - No operation of any noise generating instrument (e.g. television, radio, loudspeaker, musical instrument) that generates noise audible 50 yards from the building.
  - No yelling, shouting, whistling, or singing on public roads.
- B. Parking (Marin County Code 24.04.340)
  - Typically, two off-street parking spaces shall be provided for each residence. However, where on street parking is limited, four off-street parking spaces are required.
- C. Emergency Access (California Fire Code 503.4 referenced)
  - Parking shall not obstruct roadways less than 20 feet wide.
- D. Garbage (Marin County Code 7.00.020)
  - Garbage placed outside shall be in a suitable covered container.

#### **5.41.080 ADMINISTRATIVE CITATION OF PROPERTY OWNER(S) FOR FAILURE TO COMPLY WITH SHORT TERM RENTAL NOTIFICATION REQUIREMENTS**

- A. Property owner(s) failing to comply with Section 5.41.060 are subject to an administrative citation issued by the Community Development Agency pursuant to the authority granted to the Board of Supervisors by Government Code Section 53069.4, et seq. Violations will be handled in the following manner:
1. The penalties assessed for each violation shall not exceed the following amounts:
    - a) \$100.00 for a first violation;
    - b) \$200.00 for a second violation of this Ordinance within one year;
    - c) \$500.00 for each additional violation of this Ordinance within one year; and
    - d) The fourth and subsequent violation within one year shall constitute a nuisance and be subject to the nuisance abatement procedures in Marin County Code Chapter 1.05, including payment of civil penalties of up to \$2,500 per violation per day and enforcement and other abatement costs incurred by the County.
  2. Payment of the penalty shall not excuse the failure to correct the violation nor shall it bar further enforcement action.
- B. Nonpayment of any assessed violation for longer than one year shall constitute a nuisance and be subject to the nuisance abatement procedures in Marin County Code Chapter 1.05, including payment of civil penalties of up to \$2,500 per violation per day and enforcement and other abatement costs incurred by the County.
- C. The penalties assessed shall be payable to the County of Marin.
- D. Service of Citation
1. If the property owner(s) who has violated the Ordinance is present at the scene of the violation, the Enforcement Officer shall attempt to obtain their signature on the administrative citation and shall deliver a copy of the administrative citation to them.
  2. If the Enforcement Officer is unable to serve the property owner(s) on the premises, the administrative citation may be left with the occupant(s) of the property. If left with the occupant(s) of the property, a copy of the administrative citation shall also be mailed to the property owner(s) by certified mail, return receipt requested.
  3. If no one can be located at the property, then the administrative citation shall be posted in a conspicuous place on or near the property and a copy mailed by certified mail, return receipt requested to the owner(s), occupant(s) or other person who has violated the Ordinance. The citation shall be mailed to the property address and/or the address listed for the owner(s) on the latest County Assessment Roll.
  4. The failure of any interested person to receive the citation shall not affect the validity of the proceedings.
- E. The remedies provided by this chapter are cumulative and are in addition to any other remedies available at law or in equity, including withholding the issuance of any building and construction permit.
- F. Whenever evidence of a violation of this chapter is obtained in any part through the participation of a person under the age of eighteen years old, such a person shall not be



required to appear or give testimony in any civil or administrative process brought to enforce this chapter and the alleged violation shall be adjudicated based upon the sufficiency and persuasiveness of the evidence presented.

**5.41.090 ADMINISTRATIVE REVIEW ON THE IMPOSITION OF ADMINISTRATIVE FINES FOR FAILURE TO COMPLY WITH SHORT TERM RENTAL NOTIFICATION REQUIREMENT; APPEAL**

- A. Any person subject to an administrative fine pursuant to this Chapter shall have the right to request an administrative review within forty-five days of the issuance of a citation for an administrative violation of this ordinance pursuant to the authority granted to the Board of Supervisors by Government Code Section 53069.4, et seq. To request such a review, the person requesting the review shall notify the Enforcement Officer in writing within forty-five days of the issuance of the citation.
- B. The Hearing Officer may conduct a hearing on the matter within ninety days of the request for the hearing unless one of the parties requests a continuance for good cause. The Hearing Officer shall render a decision within thirty days of the conclusion of the hearing, or from the receipt of the review request (if no hearing is held).
- C. The person upon whom an administrative fine is imposed pursuant to this Chapter may appeal the decision of the Hearing Officer to the Superior Court. No appeal to the Superior Court can lie unless the party filing the appeal has first properly requested the administrative review under Subsection 5.41.090(A).
- D. The appeal must be filed within twenty days after service of the final decision issued by the Enforcement Officer pursuant to California Government Code Section 53069.4, subdivision (b). The procedures outlined in Government Code 53069.4 shall apply.

**5.41.100 SEVERABILITY**

The provisions of this chapter are declared to be severable. If any provision, clause, word, sentence, or paragraph of this chapter or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this chapter.

**SECTION III: EFFECTIVE DATE AND PUBLICATION**

This Ordinance shall be and is hereby declared to be in full force and effect as of thirty days from and after the date of its passage and shall be published once before the expiration of fifteen days after its passage, with the names of the Supervisors voting for and against the same, in the *Marin Independent Journal*, a newspaper of general circulation published in the County of Marin.

**SECTION IV: VOTE**

**PASSED AND ADOPTED** at a regular meeting of the Board of Supervisors of the County of Marin held on this 28<sup>th</sup> day of July 2020 by the following vote:

AYES: SUPERVISORS Dennis Rodoni, Judy Arnold, Damon Connolly, Kathrin Sears,  
Katie Rice  
NOES: NONE  
ABSENT: NONE

  
\_\_\_\_\_  
PRESIDENT, BOARD OF SUPERVISORS

ATTEST:

  
\_\_\_\_\_  
CLERK

**Evans, Joyce**

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**From:** Donna Perreault <noreply@formresponse.com>  
**Sent:** Tuesday, November 8, 2022 11:44 AM  
**To:** BOS  
**Subject:** Re: Board of Supervisors Contact Form

Board of Supervisors Contact Form

Your Name: Donna Perreault

Your Email Address: donnaperro@aol.com

Subject: short-term rentals

Select a Routing Method: Address

What City/Town Do You Live In? Mill Valley

Message: Please do NOT eliminate short-term rentals in Stinson beach. It is the only local area to really rent homes at the beach in the summer for those of us that do not or cannot travel further.

**Evans, Joyce**

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**From:** Joseph O. Tobin II <noreply@formresponse.com>  
**Sent:** Tuesday, November 8, 2022 2:09 AM  
**To:** BOS  
**Subject:** Re: Board of Supervisors Contact Form

Board of Supervisors Contact Form

Your Name: Joseph O. Tobin II  
Your Email Address: jotmhp@gmail.com  
Subject: Short Term Rentals in West Marin  
Select a Routing Method: Address  
What City/Town Do You Live In? Stinson Beach

Message: Short term rentals are so important because that is how most of us got introduced to West Marin. We rented for a weekend or a week. We liked we did for a few years and then we took the plunge and bought something. The B&B scene doesn't really work for families. Very few renters have the time or money for a 31 day rental. It took me 4 years before i rented for a month. The short term rental market is a major source of income for small businesses in West Marin read plumbers carpenters painters house cleaners. All these people depend on the short term rentals. It was bad enough when you started charging us 14% to rent our houses but banning them will further isolate West Marin because do not be fooled into thinking short term rentals will become long term rentals. Either they will sit empty or they will be sold to more wealthy homeowners who can forgo the rental income and the local small businesses will have to drive further to make a living. The unintended consequences are substantial all to satisfy a small group of homeowners. West Marin's tourist business aka short term rentals is perhaps the largest business in West Marin especially in Stinson. Many of tge services in West Marin far exceed what the population of West Marin can sustain without the S-T rentals and Daytrippers. West Marin has been expensive for 40 years because of it's proximity to all the people over the Hill plus its added beauty. You cannot change that you can only exasperate the situation by making it

## Evans, Joyce

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**From:** BT Potter <noreply@formresponse.com>  
**Sent:** Tuesday, November 8, 2022 4:32 AM  
**To:** BOS  
**Subject:** Re: Board of Supervisors Contact Form

### Board of Supervisors Contact Form

Your Name: BT Potter

Your Email Address: ThreePotters@icloud.com

Subject: Short term rental moratorium

Select a Routing Method: District

What District Do You Live In? District 3 - Stephanie Moulton-Peters

Message: A moratorium on VRBO/Airbnb investment properties is key to solving the housing crisis. Please stop protecting the wealthy. VRBO short term rentals have caused a massive housing crisis in cities and towns around the globe. Please do the right thing.

## Evans, Joyce

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**From:** Todd Niedermeyer <noreply@formresponse.com>  
**Sent:** Tuesday, November 8, 2022 6:13 AM  
**To:** BOS  
**Subject:** Re: Board of Supervisors Contact Form

### Board of Supervisors Contact Form

Your Name: Todd Niedermeyer  
Your Email Address: tmniedermeyer@gmail.com  
Subject: Stinson short term rentals  
Select a Routing Method: District  
What District Do You Live In? District 1 - Damon Connolly  
Message: Leave short term rentals. The beach is not for rich people only. Come on get a clue. There are property rights as well  
  
Keep short term rentals. Access for all

**Evans, Joyce**

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**From:** Jacqueline Adelman <noreply@formresponse.com>  
**Sent:** Tuesday, November 8, 2022 12:44 PM  
**To:** BOS  
**Subject:** Re: Board of Supervisors Contact Form

**Board of Supervisors Contact Form**

Your Name: Jacqueline Adelman  
Your Email Address: jadelman123@comcast.net  
Subject: Short term rentals  
Select a Routing Method: Address  
What City/Town Do You Live In? Larkspur  
Message: Please keep short term rentals in place at Stinson.  
We have rented in Stinson for the past 5 years the family thoroughly enjoyed our time here.

**From:** Kimberly Hughes <noreply@formresponse.com>  
**Sent:** Tuesday, November 8, 2022 3:43 PM  
**To:** BOS  
**Subject:** Re: Board of Supervisors Contact Form

**Board of Supervisors Contact Form**

Your Name: Kimberly Hughes  
Your Email Address: kimberlymh@earthlink.net  
Subject: Stinson Beach Short-Term Rentals  
Select a Routing Method: District  
What District Do You Live In? District 1 - Damon Connolly

Message: Dear Damon Connolly,  
As a resident of Marin since 1989, I would like to express interest in continuing to allow short-term (vacation) rentals in areas such as Stinson Beach/ Sea Drift, where families such as ours can spend a holiday week once a year, without owning a home there. Most vacation home owners would never rent to long-term renters because the owners want to spend a few weeks a year there themselves. So, if only long-term rentals are allowed, the houses will sit empty much of the year which won't add to the long-term rental inventory. Please consider allowing these vacation rentals to remain in the short-term rental pool. Many thanks, Kimberly Hughes



**From:** [Mick Malaney](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Barreto, Fernando](#); [Kutter, Rhonda](#); [STR](#)  
**Subject:** Re: STR  
**Date:** Wednesday, November 16, 2022 8:35:50 PM  
**Attachments:** [image001.png](#)

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

Dennis,

I know this isn't easy and no matter what decisions are made one side won't won't be happy about it. As an owner of a small tech firm I try to make decisions which upsets everyone. It's easier. For what it's worth, I appreciate you and your fellow public officials. Like you, I too desire to be a good steward of the community so that one day my kids and grandkids can enjoy its beauty too. Ironically, it was my parents renting homes in the Dillon Beach village as well as at Stinson that made me know where I wanted to be growing up. It truly is a dream come true.

Thanks again,

Mick

On Wed, Nov 16, 2022 at 7:29 PM Rodoni, Dennis <[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)> wrote:

Thanks Mick, I will share your comment with the STR team. Dennis

Dennis Rodoni

Supervisor 4th District

Marin County Board of Supervisors

[3501 Civic Center Drive, Suite 329](#)

[San Rafael CA 94903](#)

415-473-7331



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**From:** Dennis Rodoni <[djrodoni4@gmail.com](mailto:djrodoni4@gmail.com)>  
**Sent:** Tuesday, November 15, 2022 8:40 PM  
**To:** Rodoni, Dennis <[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)>  
**Subject:** Fwd: STR

----- Forwarded message -----

**From:** Mick Malaney <[mickmalaney@gmail.com](mailto:mickmalaney@gmail.com)>  
**Date:** Tue, Nov 15, 2022 at 3:18 PM  
**Subject:** STR  
**To:** <[djrodoni4@gmail.com](mailto:djrodoni4@gmail.com)>

Dennis,

I've been asked to email my County Supervisor for District 4 re: STR's. My guess is that it is you.

The first time I walked the neighborhoods at Dillon and Stinson I was surprised by the generational connections. I don't mean "Grandma used to visit, so am I." I mean, "...this home has been in our family forever..." Many of those are STR's or "vacation renters." Many are renting to keep grandma's home in the family.

As you're aware regardless of what shape they're in, these homes are damn expensive to own and maintain. As an owner of two homes at Dillon, we dreamed of family weddings, holidays, etc. with the kids and grandkids. Presently, life has other ideas, and our schedule does not permit us living at or even visiting Dillon on a regular basis.

One thing is for certain, a home at Dillon left alone for a few weeks or even months is an invitation for Ma' Nature to move in. We decided to occupy our homes via vacation renters after a visit from a family of skunks. Trust me, humans walking around is better than not. .

Unless BlackRock is buying up Dillon, nobody I know renting their home is getting rich. Maintenance, utilities, taxes; etc., including, Dillon is arguably the most affordable destination in the area for those who want to spend time with their families gazing at the ocean. On any given weekend, as we walk our dogs on the beach, we run into countless families who have rented a home. Kids and dogs running about, while mom and dad BBQ.

You get the picture.

It's that mental picture that inspired us to buy at Dillon.

We shouldn't discount the financial impact vacation renters have on Dillon's economy. It's not the locals shopping at the Dillon market and enjoying eats at the café. In fact, renters contribute in a major way to the economy of Dillon. By keeping homes occupied, taxes, water, fire, etc., stays at a semi-affordable level that goes away if STR's go away. Somebody has to pay for the rest, and those who rely on STR's to keep grandma's home will stop paying and move away.

Someone else buy it? Maybe. Since the moratorium, real estate has taken a hit at Dillon and that might be a passing thought for those who have no interest in selling their homes, but eventually, they'll sell their homes, or their grandkids. and they too will take a hit. Nobody wins.

Also the building renaissance at Dillon comes to an end. Remodels stop, lots sit and Dillon returns to its sleepy, salt-eaten, rough-hewn hollow that is passed by on-the-way to Bodega or beyond.

Again, for those who vote for-or-against STR's, nobody wins.

Conversely, I read of an option concerning strengthening STR *rules*. Nothing scares away those who are flipping or renting for less ethical reasons than rules.

Where are the rules?

The naïve like myself entrust in neighbors to figure out what rules should be placed on vacation renters: "No Drones?" (How in the hell would I have ever thought of such a thing unless a renter launched a drone and a neighbor intercepted and reported it?)

Recently we removed our homes off of VRBO. Why? We discovered VRBO was in charge of pre-screening vacation rental applicants. Well, we know that's a joke. As a result, our vacation rental management team does a deep-dive on every renter. As a result, we have

declined rentals.

Personally, as someone who desires to spend more time at Dillon, I appreciate tranquility too.

That's my experience.

Good luck,

Mick Malaney

Dillon Beach homeowner

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**From:** [Rick Nelson](#)  
**To:** [djrodoni4@gmail.com](mailto:djrodoni4@gmail.com); STR  
**Subject:** Dillon Beach STR  
**Date:** Tuesday, November 15, 2022 9:42:50 PM

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You don't often get email from [rrnels1@aol.com](mailto:rrnels1@aol.com). [Learn why this is important](#)

## Marin County-

Dillon Beach is a wonderful vacation area which I first visited at the age of about 8 in the 1950s. My folks would rent a house on the main street to the beach and we would have a great time clam digging and visiting tide pools during low tides. Lawson's landing was always a place to visit just to see families fishing or casting their crab pots.

As amazing as it seems I got to visit DB 2 or 3 times as my science teacher at East Nicolaus High School (about 20 Miles north of Sacramento) would take a bus full of his students to DB as a get away day to go to the clam islands, tide pools and walk the beach. On the the ride home I got to sit next to a classmate who was very nice. We began dating, married in 1970, and will celebrate 53 years of marriage in January.

We would visit DB a couple of times a year and bring our 2 children to do all the fun things on the beach like build sand castles, visit tide pools, and even go to the clam islands. While visiting DB in 1990 celebrating our 20th anniversary, my better half informed me that she (Laurel) wanted a vacation home at Dillon Beach! We didn't have a lot of money, but I couldn't say no! So we were able purchase a lot on Oceana Drive. My employer assigned me to a project that required me to travel to South Korea every couple of weeks, so while I was traveling she worked with a local agent to build our vacation home! We were only able to do this because we were able to rent it, mostly to friends or relatives several times a year.

There are other memories which I will never forget such as the time we took our aluminum boat across the bay to Tomales Point with my friend and our children. The wind came up as we were hiking the Point and the tide changed. As we got in the boat and started to return to the Landing it was clear we were in trouble. Some how we managed to make it between the islands (it was low tide). It was an unforgettable ride.

We continue use the home personally and as a vacation rental managed by John Arguelles and Linda Martin. It is especially nice when we can visit with our grand children and just enjoy all the experiences Dillon Beach has to offer. Our children have made it clear that the home will stay in the family forever.

With the costs of maintaining the home, (ie. maitenance, property tax, insurance and all the rest) the only way we have been able to do this because we could rent the home as a vacation rental.

Please do not take this wonderful continuing experience away from us and our children and grand children.

Richard and Laurel Nelson

**From:** [Rodoni, Dennis](#)  
**To:** [STR](#)  
**Subject:** FW: Board of Supervisors Contact Form  
**Date:** Tuesday, November 15, 2022 12:06:15 PM  
**Attachments:** [image002.png](#)

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Dennis Rodoni  
Supervisor 4th District  
Marin County Board of Supervisors  
3501 Civic Center Drive, Suite 329  
San Rafael CA 94903  
415-473-7331



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**From:** Kutter, Rhonda <RKutter@marincounty.org>  
**Sent:** Tuesday, November 15, 2022 10:10 AM  
**To:** Rodoni, Dennis <DRodoni@marincounty.org>  
**Cc:** Kilgariff, Kathleen <KKilgariff@marincounty.org>; Barreto, Fernando <fbarreto@marincounty.org>  
**Subject:** FW: Board of Supervisors Contact Form

FYI

Rhonda Lynn Kutter  
Aide to Supervisor Dennis Rodoni  
she/her  
Marin County Board of Supervisors  
415-473-3246; [RKutter@MarinCounty.org](mailto:RKutter@MarinCounty.org)

---

**From:** BOS <[BOS@marincounty.org](mailto:BOS@marincounty.org)>  
**Sent:** Monday, November 14, 2022 10:10 AM  
**To:** BOS - Aides <[BOS-AidesNOT@marincounty.org](mailto:BOS-AidesNOT@marincounty.org)>  
**Subject:** FW: Board of Supervisors Contact Form

Aides,

Attached is a letter from Elizabeth Robbins received in the November 13, 2022 BOS mailbox. Please forward as you deem appropriate.

Thank you,



**Joyce Evans**  
DEPUTY CLERK

County of Marin  
Board of Supervisors  
3501 Civic Center Drive, Suite 329  
San Rafael, CA 94903  
415 473 3768 T  
415 473 3645 F  
CRS Dial 711  
[jevans@marincounty.org](mailto:jevans@marincounty.org)

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**From:** Elizabeth Robbins <[noreply@formresponse.com](mailto:noreply@formresponse.com)>  
**Sent:** Sunday, November 13, 2022 5:49 PM  
**To:** BOS <[BOS@marincounty.org](mailto:BOS@marincounty.org)>  
**Subject:** Re: Board of Supervisors Contact Form

#### Board of Supervisors Contact Form

Your Name:	Elizabeth Robbins
Your Email Address:	<a href="mailto:eliz.robbins@gmail.com">eliz.robbins@gmail.com</a>
Subject:	Keep short-term rentals
Select a Routing Method:	District
What District Do You Live In?	District 2 - Katie Rice
Message:	Limiting short-term rentals in Stinson Beach and Bolinas means that only multi-millionaires with second homes will be able to enjoy a beach vacation; middle class families will no longer be able to rent a house for a week's vacation. Limiting short-term rentals in West Marin will not increase the supply of affordable houses. Please don't limit short-term rentals in Stinson Beach and Bolinas. Thank you.

**From:** [Maureen C](#)  
**To:** [Kilgariff, Kathleen](#); [Jones, Sarah](#)  
**Cc:** [Kutter, Rhonda](#); [Pam Dorr](#); [Rodoni, Dennis](#); [susan scott](#)  
**Subject:** Thank You  
**Date:** Tuesday, November 15, 2022 8:08:15 AM

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Sarah and Kathleen,

Thank you so much for managing last night's very challenging Zoom conversation on STRs. Grace under pressure can't begin to describe what I witnessed from you both!

There was clearly an organized front from Dillon Beach property owners. But beyond that, it was concerning to hear West Marin characterized as predominantly a 2nd home/vacation area. That's certainly what's it's becoming but that is not our history. I deeply resent the way in which some of the attendees repeatedly tried to wrest control of the discussion and we're downright condescending to you. On that note, in the future I think every attendee should be required to identify themselves when speaking (just as we are required to do at in-person county supervisor meetings) at and list their full names.

It is very hard to witness the erosion of our community as more and more workers who support our community and young families are displaced by the sale of homes that they had occupied as full time residents and renters. We have realtors who actively market homes on the basis of what a prospective buyer could make running an STR. They also advise sellers to evict tenants before placing their home on the market.

The people we heard voicing their opposition to STR regulations last night's want try to separate STRs from the broader housing availability and affordability issues we are facing in West Marin. In fact they are inextricably linked.

Sincere thanks,  
Maureen Cornelia  
Full-time Inverness resident  
CLAM Board member  
415-669-1183



**From:** [Kutter, Rhonda](#)  
**To:** [Kilgariff, Kathleen](#)  
**Subject:** FW: West Marin Short-Term Rental Moratorium - DO NOT EXTEND  
**Date:** Monday, November 14, 2022 4:18:47 PM  
**Attachments:** [image001.png](#)

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FYI

Rhonda Lynn Kutter  
Aide to Supervisor Dennis Rodoni  
she/her  
Marin County Board of Supervisors  
415-473-3246; [RKutter@MarinCounty.org](mailto:RKutter@MarinCounty.org)

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**From:** Chenin Kenig <[cheninkenig@gmail.com](mailto:cheninkenig@gmail.com)>  
**Sent:** Monday, November 14, 2022 4:13 PM  
**To:** Rodoni, Dennis <[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)>  
**Cc:** Barreto, Fernando <[fbarreto@marincounty.org](mailto:fbarreto@marincounty.org)>; Kutter, Rhonda <[RKutter@marincounty.org](mailto:RKutter@marincounty.org)>  
**Subject:** Re: West Marin Short-Term Rental Moratorium - DO NOT EXTEND

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

Thank you very much. I wish I could attend - but am on shift tonight at Marin Health (I am a nurse practitioner in the ED). I do have the schedule of future meetings and plan to participate.

Best,  
Chenin Kenig

On Mon, Nov 14, 2022 at 3:58 PM Rodoni, Dennis <[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)> wrote:

Chenin, I will respond later, but wanted to alert you to a community meeting for District four about Short Term Rentals tonight at 6pm. You can attend this evening go to Marin county short term rental website or Meeting ID # 86156301063 Password 616504. Regards.

Dennis Rodoni  
Supervisor 4th District  
Marin County Board of Supervisors  
3501 Civic Center Drive, Suite 329  
San Rafael CA 94903  
415-473-7331



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

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**From:** [cheninkenig@gmail.com](mailto:cheninkenig@gmail.com) <[cheninkenig@gmail.com](mailto:cheninkenig@gmail.com)>  
**Sent:** Sunday, November 13, 2022 2:57 PM

**To:** Rodoni, Dennis <[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)>

**Subject:** West Marin Short-Term Rental Moratorium - DO NOT EXTEND

Chenin Kenig would like information about:

Hi Mr. Rodoni,

Thank you for representing our region. I am writing to express my concern regarding the possibility of the Short-term rental moratorium in West Marin becoming permanent. I have spent significant amount of time out in Stinson since I was a child. My family was a partner in a home in Seadrift in the 1980s, which was possible only because it was frequently rented out on short term basis, off-setting expenses. Now, my husband and I own a home in Corte Madera and spend 1-4wks per year out at Stinson, with our own kids in short-term rentals. We love it.

I understand the need for low-income or more reasonable rent options in West Marin. BUT, if homes in Stinson are not able to be rented on short-term basis, people will not get to experience the magic that is staying at the beach.

Additionally I do not see a realistic way that these multi-million dollar homes will be low-income housing. This will further divide the community in Stinson Beach.

Thank you!

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

## **Response to Comments at 11/14/2022 STR Learning Session**

By Scott M.

### **Complaint: Reduced property value/loss of potential future rental income.**

Real estate investments are not FDIC insured.

In the investment world there are “unrealized gains” (value of unsold shares, which are the same as the estimated value or asking price of an unsold house).

It doesn't count unless you actually sold it

Selling a house for a reduced price after the moratorium took effect is no different from selling stock shares after a decline from peak value.

Along the same lines, “loss” of potential future rental income is a hypothetical loss, not a real loss.

Ironically, Mr. Suehiro's comments were a case study in the very problem facing these communities.

Currently he lives, works, and is raising a child here. His family is part of the community.

He wants to withdraw his child from the local school district and sell his home to a STR operator for an inflated profit (originally priced for 94% profit in 2 years, currently 66% in 2.5 years).

Selling his home as a home rather than a business may cut into his profits, but the community has a chance for a replacement neighbor instead of conversion to yet another STR.

### **Complaint: There wasn't enough outreach before the moratorium.**

Adoption of the Urgency Ordinance occurred at a properly noticed hearing.

The county does an excellent job alerting all members of the public through the subscriber feature available to anyone on the planet with an internet connection. This is well above and beyond what is required by law.

Owners that were paying attention secured their TOT certificates before the deadline even though they were not yet renting.

Community members pay attention to what is going on in their community.

### **Complaint: 84% average occupancy rate is incorrect.**

Perhaps it is.

Airdna says 84%

One management company in Dillon Beach thinks it's lower.

The STR at 19 Cliff st. has a 95-98% occupancy rate.

Managers that dispute the airdna data should provide their own occupancy rate estimates so that we can have more accurate data.

### **Complaint: There are no problems to address in Dillon Beach**

Dillon Beach consists of more than just Oceana Marin.

The Village and Portola Beach neighborhoods do *not* have the luxury of a private security guard, do *not* have an HOA to address STR problems, and are *not* “spread out” like OMA.

They *do*, however, have regular water shortages requiring water to be trucked in on weekends to meet increased demand, small lots with small septic systems, *public* streets with very limited parking, and rely on Marin County (and the CCC) to balance priorities and implement solutions.

Acute recurring water shortages, insufficient septic capacity, and lack of parking are STR-based problems that exist in Dillon Beach.

### **Complaint: STR's provide “millions” in tax revenue to the county.**

This is true.

4% is earmarked for specific uses.

The base 10% is not, and it all goes into the County general fund.

This must be taken into account when considering recovering costs for regulation and enforcement.

The existing STR Ordinance triggered a dramatic increase in registered STR's that resulted in an increase in revenue to the general fund.

The existing STR Ordinance has “Preemptive Cost Recovery” built in. This can be augmented with fees and fines.

**Complaint: These houses will not become workforce housing anyway.**

There are workers living in Dillon Beach currently benefitting from the STR moratorium through the delayed sale and STR-conversion of the house they rent long-term.

Some of these workers are STR cleaners.

This demonstrates the value of limiting STR's. Workers need jobs *and* housing.

Dillon Beach Resort provided housing for management and workers prior to the new owners' conversion to 100% STR's.

Now DBR workers commute and/or live in their vehicles.

**Complaint: What about the 14 tiny homes at Dillon Beach Resort?**

DBR currently operates 12 STR trailers ("tiny homes") and 3 STR cabins. They plan to add 13 more STR trailers in the near future (previously long-term, currently vacant spots).

The existing TOT certificate was issued for the 3 cabins. There were no STR trailer spaces on site at the time the certificate was issued (9/23/2018), only quasi-residential spaces and worker housing.

It is unclear if these additional units are allowed under the moratorium (either the current 12 or the future 13).

The STR count for Dillon Beach should reflect the number of legal units (3 or 15 or 28) and enforcement of the moratorium should apply to *all* STR's in the measure W area (houses and trailers).

DBR *could* convert some of their STR's back to worker housing.

**Scott M's Complaint: Crafting individual regulations for every little pocket in West Marin before the moratorium expires is not realistic.**

There's a lot to figure out and get approved by the Board of Supervisors, *then* it has to go to the CCC.

Then maybe back to the BOS if additional conditions are added by the CCC.

Before any of that, it needs to be decided whether this is going to be done as an LCP Amendment (most common) or a CDP (one approved, one pending, statewide).

Stephanie Rexing isn't going to be able to drop everything and fast-track this just because we're in a rush.

Sure these communities are different and unique, but there are also many problems and solutions that apply throughout the Measure W Area.

We should start with those.

This approach would be line with **C.A.S.E. (Simple)**

Rather than try to cater to the special needs of individuals and each tiny enclave, it would be much more pragmatic to generalize and get *something* approved before the moratorium expires, then submit amendments to fine-tune later.

That's what others have done, starting with Santa Cruz in 2011 (CCC-approved right here in room 330).

Assuming part of the plan is to set a percentage limit to the number of STR's in each community (as *all* other areas have), this would be the most important thing to get done before the moratorium expires.

Something is better than nothing. Perfect is the enemy of good.

## Response to Comments at 11/17/2022 STR Learning Session

By Scott M.

### **Complaint: My STR doesn't cause problems, so there shouldn't be any regulations.**

STR's that have no problems with the neighbors will have no problems with the regulations. This is not a "witch hunt".

Opposition to common sense regulations is a red flag within itself.

### **Complaint: Who is "pushing this agenda"?**

*Residents.*

Hotel operators.

### **Complaint: You aren't providing enough data.**

The STR industry as a whole (airbnb, vrbo, etc.) purposely hides data and is uncooperative with communities and government agencies around the globe.

County Staff has done the best they can mining the very limited data available.

More detailed reporting requirements for STR's would provide the County with better data to work with going forward.

### **Complaint: My STR should be "grandfathered-in" when I sell my house.**

Dillon Beach is currently over 30% STR's, which is more than double the limit set by any city or county in the Coastal Zone.

Allowing TOT registrations to transfer ownership would make it impossible to cull the herd back to a reasonable number.

The only way to get the horse back into the barn is through attrition.

Marin County wisely chose this form of registration for a reason.

If STR owners want transferrable Use Permits for their properties perhaps they could be issued with the standard condition requiring the property remain 100% visitor-serving for the life of the permit, the same as all visitor-serving Use Permits issued in the Coastal Zone.

(i.e. Choose one - is this a residential or visitor-serving use?)

A future owner could pay an in-lieu fee to switch the use permit back to residential, or they could be bought and sold like water meters in Bolinas.

### **Complaint: I couldn't have afforded to buy a second house without making it an STR.**

This is exactly what drives up real estate prices for all prospective buyers.

Realtors market houses based on potential STR income.

Buyers pay more than they can afford in hopes that rental income will make up the difference.

This has pushed the median price out of reach for many people that want to purchase a *home*.

### **Complaint: This is a vacation town. I'm not taking away anyone's home.**

There are a dwindling number of people that *live* in this vacation town.

The number keeps dwindling because STR's keep making it more and more unaffordable.

### **Complaint: My STR provides jobs.**

There are many non-STR houses that provide the same jobs (cleaner, gardener, handyman, etc).


Non-STR houses pay at least as well and allow a more flexible schedule (I've worked for both).

### **Scott M's Complaint: We keep running out of water and STR's are loud.**

See following pages.

# Half of Dillon Beach is served by the Coast Springs District of CalWater.

CalWater has started asking customers to reduce water use *due to the increased number of visitors*, especially Thursdays through Sundays. Water is trucked in to meet the increased weekend demand.

 no-reply@calwater.com  
Water conservation request  
To: [REDACTED]

July 16, 2020 at 10:35 AM



Quality. Service. Value.®

Dear Dillon Beach customers:

Due to the increased number of visitors to Dillon Beach during the summer and subsequent demand on the water system, we are asking that you please reduce your water use as much as possible and turn off irrigation systems Thursdays through Sundays, to help prevent any interruptions in water service. The water system will need to restore supply as it is being used in order to ensure all customers in the area continue to have water when they need it.

Thank you very much for your cooperation.  
- California Water Service

 no-reply@calwater.com  
Conservation request  
To: [REDACTED]

June 24, 2021 at 1:56 PM




Quality. Service. Value.®

Dear Cal Water customer:

Due to the drought declaration and increased number of visitors to Dillon Beach during the summer and subsequent demand on the water system, we are asking that you please reduce your water use as much as possible and turn off irrigation systems Thursdays through Sundays, to help prevent any interruptions in water service. The water system will need to restore supply as it is being used in order to ensure all customers in the area continue to have water when they need it.

Thank you very much for your cooperation.

 no-reply@calwater.com  
Emergency conservation request  
To: [REDACTED]

June 28, 2022 at 11:19 AM



Quality. Service. Value.®

Dear Cal Water customer:

Due to the worsening drought, increased number of visitors to Dillon Beach during the summer, and subsequent demand on the water system, we are asking our Cal Water customers to please reduce your water use as much as possible. Additionally, please turn off irrigation systems Thursdays through Sundays to help prevent any interruptions in water service. We suggest customers handwater on their designated weekend day if needed (Saturdays for addresses ending in odd numbers and Sundays for addresses ending in even or no number).

The water system will need to restore supply as it is being used, in order to ensure all customers in the area continue to have water when you need it. Thank you for your patience and cooperation during this time.

Sincerely,  
Tavis Beynon  
Interim Manager

If you wish to unsubscribe from email notifications [Unsubscribe here](#)

Sometimes, when my wife and I are cleaning a Short Term Rental, we see the truck delivering water for the weekend visitors.





# Too Much Noise

The existing STR Ordinance allows for excessive noise to permeate adjacent residences 24 hours a day. Home Occupations are not allowed to generate any noise audible beyond the property line. STR's should be the same.

11:00 pm is awfully late for residential households that have work or school the next day, are elderly, or a combination. The following edit would make STR's more compatible with the neighborhood:

Between ~~11~~8:00 pm and ~~7~~8:00 am:

- No operation of any noise generating instrument (e.g. television, radio, loudspeaker, musical instrument) that generates noise audible ~~50 yards from the building~~ beyond the property line.

**Under the existing STR Ordinance, noise is allowed 24 hours a day within the red circles**



**House in blue rectangle is a registered STR**

**Red circle is the noise boundary for STR's under existing ordinance (50 yards from building)**

**Blue rectangle is the noise boundary for Home Occupations (property line)**



**From:** [Rodoni, Dennis](#)  
**To:** [STR](#)  
**Cc:** [Kutter, Rhonda](#)  
**Subject:** FW: long term rentals west marin  
**Date:** Monday, November 21, 2022 3:04:07 PM  
**Attachments:** [image001.png](#)

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Dennis Rodoni

Supervisor 4th District  
Marin County Board of Supervisors  
3501 Civic Center Drive, Suite 329  
San Rafael CA 94903  
415-473-7331



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**From:** marianbshopping@gmail.com <marianbshopping@gmail.com>  
**Sent:** Sunday, November 20, 2022 11:09 AM  
**To:** Rodoni, Dennis <DRodoni@marincounty.org>  
**Subject:** long term rentals west marin

marian zischke baldauf would like information about:

We own a home in Stinson Beach, and have always rented the house to offset the costs of ownership. Short-term rental market is a major source of income for small businesses in West Marin; Grocery stores, restaurants, our local activity rentals (let alone housecleaners, carpet cleaners, window washers and more. All these people depend on short-term rentals. Should short-term rentals become banned, we would sell our home as we depend on the rental income. The reality is many of homes like ours will sit empty or they will be sold to more wealthy homeowners who can afford the rental income and the local small businesses will suffer. Millions of dollars are collected in tax from short-term rentals. West Marin has historically been more expensive due to it's proximity to San Francisco and its added beauty. You cannot change that, you can only exacerbate the situation by making it more exclusive for only those that can afford the month long rentals or more.

Marian Baldauf



**From:** Denise Filakosky <noreply@formresponse.com>  
**Sent:** Thursday, November 17, 2022 1:29 PM  
**To:** BOS  
**Subject:** Re: Board of Supervisors Contact Form

**Board of Supervisors Contact Form**

Your Name: Denise Filakosky  
Your Email Address: filaberg@comcast.net  
Subject: West Marin short-term rentals  
Select a Routing Method: District  
What District Do You Live In? District 4 - Dennis Rodoni

Message: My home address is in Mill Valley, but my family owns (since 1993) a cottage at Stinson Beach. Please MAINTAIN the West Marin Short Term Rental restriction. It is incorrect to let Stinson, and much of West Marin, to be overrun with renters who have no stake in the game. They trash our towns and keep residents from belonging to a community.  
Thank you for attending to our community.

**Evans, Joyce**

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**From:** Thomas Paine <noreply@formresponse.com>  
**Sent:** Friday, November 18, 2022 10:35 AM  
**To:** BOS  
**Subject:** Re: Board of Supervisors Contact Form

**Board of Supervisors Contact Form**

Your Name: Thomas Paine

Your Email Address: tpaine77@icloud.com

Subject: Short term rentals

Select a Routing Method: Address

What City/Town Do You Live In? Stinson Beach

Message: Please please please do not stop short term rentals in Stinson Beach. For decades, families have traveled to spend family time at the beach and changing to a minimum 31+ day rental will exclude everyone except the ultra rich. Please support the local economy and support families who have traditions at Stinson Beach. Thank you so much. Thomas Paine

**From:** [Kutter, Rhonda](#)  
**To:** [STR](#)  
**Subject:** FW: Dillon Beach and Short Term Rental moratorium  
**Date:** Wednesday, November 23, 2022 9:13:01 AM

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In case Dennis didn't send this to you!

R.

Begin forwarded message:

**From:** cynthia elliott <[cynthiacooks@msn.com](mailto:cynthiacooks@msn.com)>  
**Date:** November 23, 2022 at 6:22:16 AM PST  
**To:** [djrodoni4@gmail.com](mailto:djrodoni4@gmail.com)  
**Subject: Dillon Beach and Short Term Rental moratorium**

November 23, 2022

Dear Supervisor Rodoni,

I am writing because I was not able to attend the STR meeting held online for your district which includes Dillon Beach. Please consider our requests.

Please exclude Dillon Beach from the moratorium or final ordinance. Consider our history and usage when understanding the issues and solutions.

Please do not eliminate the ability to transfer rental rights to the next homeowner. This will impact our community greatly as it is and will slowly eliminate all rentals.

Cynthia and Granger Elliott  
100 Cypress Ave.  
Dillon Beach, CA. 94929

**From:** [John Palmer](#)  
**To:** [STR](#)  
**Cc:** [Rodoni, Dennis](#)  
**Subject:** Short term rentals  
**Date:** Thursday, November 24, 2022 12:59:23 AM

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To Whom It May Concern

As a long-time housing provider, and owner of a property management firm, I decided that my management company and I would never convert our units into short-term rentals (STRs) despite the economic incentives to do so. Removing units from the market reduces supply, and it is almost impossible for developers and builders to deliver enough supply to meet the demand, so any reduction in supply exacerbates the imbalances that are driving up costs.

I appeared before the Marin Board of Supervisors, Mill Valley City Council, and the San Francisco Board of Supervisors and told each body the same thing – the first step you should take to increase the supply of housing in your sphere of influence is to ban STRs of less than 30 days with two exceptions: renting a room in the house the owner actually lives in, and on a short term basis when the homeowner is away for a limited period of time. I don't consider a governing body serious about affordable housing until they take those steps, or at the very least severely restrict such rentals, as San Francisco did, after which the number of STR listings dropped by 80%.

As an owner of rental property, I have acted against my own self-interest, proverbially putting my money where my mouth is, because I believe that permitting STRs is bad public policy, and because well-meaning but economically naïve governing bodies often turn to rent control to solve affordability issues, invariably exacerbating the problem, when they have tools at their disposal that could drive STR units back into the market, and thus increase supply quickly.

You can't legislate away the law of supply and demand, as rent control tries to do, but you can increase supply by prohibiting owners from turning their homes and apartments into hotels.

**John Palmer**  
Montgomery Capital Management  
1040 Redwood Highway Frontage Road  
Mill Valley, CA 94941  
(415) 332 4440 (office)  
(415) 272 1728 (cell)

**From:** [Rodoni, Dennis](#)  
**To:** [Dave Oxford](#); [STR](#)  
**Cc:** [Fernanda Aguiar](#); [Barreto, Fernando](#); [Kutter, Rhonda](#)  
**Subject:** RE: Dillon Beach short-term rentals  
**Date:** Tuesday, November 29, 2022 4:28:37 PM  
**Attachments:** [image001.png](#)

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Dave , thanks for your email and comments . I will include this in the public comments on this issue.  
Regards, Dennis

Dennis Rodoni  
Supervisor 4th District  
Marin County Board of Supervisors  
3501 Civic Center Drive, Suite 329  
San Rafael CA 94903  
415-473-7331



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**From:** Dave Oxford <dave.oxford@outlook.com>  
**Sent:** Tuesday, November 29, 2022 2:58 PM  
**To:** Rodoni, Dennis <DRodoni@marincounty.org>  
**Cc:** Fernanda Aguiar <f.aguiar@smallbizpros.com>  
**Subject:** Dillon Beach short-term rentals

You don't often get email from [dave.oxford@outlook.com](mailto:dave.oxford@outlook.com). [Learn why this is important](#)

Dear Mr. Rodini,

I recently heard that Marin county is considering applying some severe restrictions on short-term rentals. As an owner of an STR in Dillon Beach, this obviously concerns me. I don't know what real or imagined concerns these restrictions would be attempting to "solve", but in Dillon Beach the negative impacts to the community would be painful for all.

Short-term rentals are the life-blood of Dillon Beach and the Oceana Marin Association, and have been for decades, even before VRBO, Home-Away, and AirBNB arrived in the market. These vacation rentals bring in cash that local businesses depend upon to survive, and bring in a meaningful stream of revenue to Marin County's coffers. Any measures to kill or clamp down on this industry will pointlessly punish Marin County homeowners, do significant damage to the local economy here, and will just push that money into nearby Bodega Bay in Sonoma County.

Dillon Beach is so remotely separated from the rest of the county that it doesn't make sense to lump it into a one-size-fits-all plan that really *doesn't* fit all.

We bought our house at Dillon Beach in 2005, and spent years of personal labor and a painful amount of money to upgrade and expand the house to become a sought-after destination home for multi-generational families to gather and enjoy the local area. This is a significant part of our retirement plan.

Since finally putting it on the rental market in 2010, we have had many families come stay for a weekend or a week over 12 years. In all that time, we have only had a couple of incidents of tenants misbehaving, and they were handled expediently with assistance from the local OMA safety officer.

In regards to water use, (which is one rumor I heard), even in our busiest years, the occupancy has only been equivalent to 4 months, (120 days). We are mostly rented on weekends, and the house sits empty the rest of the week. In the off season, there are months when the house is only used maybe 4 days of the entire month. The rest of the year there is zero water use at our house. A full-time tenant would use water 365 days a year. If water conservation is the objective, this move would be counterproductive to that goal.

Please consider these things, and ensure that there are exceptions to the general level of restrictions for Dillon Beach.

Dave Oxford  
209-605-7582

**From:** [J Nicholas Gross](#)  
**To:** [STR](#)  
**Subject:** comments about STR rentals  
**Date:** Thursday, December 1, 2022 6:45:03 PM

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You don't often get email from jngross@pacbell.net. [Learn why this is important](#)

Greetings

First, I don't have a problem with regulations of some sort - but if it happens, it should be in the form of a cap that affects *all* housing stock (i.e., some number of nights) rather than some limited number of lucky early owners who happen to have a license. Otherwise you end up with a distorted market for homes that are fortunate enough to have an STR license.

I question whether some places, that are clearly vacation "destination" sources mostly, like Dillon Beach - there is no industry there, or fire, police, school, etc. should fall within these rules.

Lastly, in terms of scope, I don't think it should apply to *new* construction, because housing is very expensive to build and adding restrictions on their use is onerous and will also curtail investment in new construction. This is typical for regulations on rental control for example.

thanks for your time

Nick Gross

**From:** [MARK DARLEY](#)  
**To:** [STR](#)  
**Subject:** Re: Owner occupancy of STRs  
**Date:** Thursday, December 1, 2022 6:42:18 PM

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

I also approve of the Novato regulation that requires that the owner of an STR be an individual as one more step to limit corporate investment in properties purely as STRs. (unofficial hotels).

Mark Darley,  
Inverness, CA  
+1 415 310 5252

> On Dec 1, 2022, at 6:32 PM, MARK DARLEY <markdarley@mac.com> wrote:

>

> Is there data on the effectiveness of Novato's requirement that the property is occupied by the owner for a minimum of 2 months a year? How is it policed?

>

> I occupy my West Marin home for 6 months of the year and STR it for the remaining 6 months using a local manager. This was not a source of income I anticipated but I am glad to have it now that I return to the UK for part of the year in my retirement.

>

> When I hear of properties that are being built or bought purely to produce full time STR income for a non resident speculating owner, it strikes me that they are effectively hotels within our residential neighborhoods and that they should be regulated accordingly.

>

> In short, I would like to see a requirement for owners to occupy their properties for a significant part of the year so that communities are not destroyed by these transient unregulated "hotels".

>

> Mark Darley,  
> Inverness, CA  
> +1 415 310 5252

>



**From:** [Kutter, Rhonda](#)  
**To:** [STR](#)  
**Cc:** [Jones, Sarah](#)  
**Subject:** FW: Dillon Beach STR Policies  
**Date:** Thursday, December 1, 2022 5:59:48 PM

---

FYI

It might be a good idea about the use of a Flume device (I have one and find it useful!).

R.

---

**From:** patrick goddi <patrick.goddi@gmail.com>  
**Sent:** Thursday, December 1, 2022 5:04 PM  
**To:** Rodoni, Dennis <DRodoni@marincounty.org>  
**Cc:** Jones, Sarah <sbjones@marincounty.org>; Barreto, Fernando <fbarreto@marincounty.org>; Kutter, Rhonda <RKutter@marincounty.org>  
**Subject:** Dillon Beach STR Policies

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

Dear Supervisor Rodoni,

I am writing because I just learned of the recent STR meetings regarding your district. I have been a vacation home owner in Dillon Beach for 13+ years. Our home is in the Dillon Beach village and has been a vacation home and short-term vacation rental for many decades before we bought it. As I understand it, most homes in the village were built as summer vacation homes over the past century and not as full-time homes. The prior owners used the old Dillon Beach Rentals company that predated VRBO and Airbnb. We purchased the house for our use but, after several years, decided to hire a local short-term rental company to manage it.

Why did we start renting it? Initially, we would let friends stay on occasion for their birthdays, anniversaries, etc. We just asked them to tidy up. But then friends started asking us to donate stays to various charities they supported. We had done this a few times with charities we helped, but it wasn't easy because we didn't have the management to make this happen. Ultimately, we decided to hire a rental management company based in Dillon Beach to ensure someone was close by to support guests. We got a business license, and the agency handled the booking, hiring a cleaning company, hiring local maintenance workers, etc. We have been renting the house and donating to charity auctions ever since. Our guests have been so happy staying at Dillon Beach for the same reason we fell in love with the area. We enjoy sharing the home with others, and many of our guests have become regulars. It would be a shame to lose the opportunity to share the house.

We have tried to be good stewards in our use of the property. We removed the wood-burning stove because we felt electric heat was cleaner for the environment. We do not have propane service either; the home is 100% electric. We do not have any outdoor irrigation and rely on native plants. We do not have a tub, jacuzzi, or water-wasting infrastructure. Over the last six months, including the heavily booked summer and fall months, we have averaged 2 CCFs of water usage per month, which is considered low. I recently purchased a Flume water monitor

device through the California Water Company (our water provider) that allows remote water monitoring to catch any leaks or overuse of water by guests.

Our rental manager lives in Dillon Beach and knows many neighbors around our house. His phone number is on a sign on the side of the house, making it easy for anyone to contact him with issues or questions. As stated above, I got a business license, all guests pay taxes on their stay, and we employ people for regular cleaning and maintenance.

I understand the past two years have seen an uptick in short-term rental days, which has concerned some. Still, with the coming recession and the crackdown on remote work in Silicon Valley, we are already returning to the norm we saw before the pandemic. Our November 2022 rentals were down 75% versus November 2021. Because of the return to the office policies, renting a home and working from the beach are viable for far fewer people.

There are likely issues I may not be aware of. Please share with me the primary problems and outcomes desired by these policy changes, as I hope to understand them better. I believe it is possible for families to still have their Dillon Beach rental vacations in the historic Dillon Beach village while also making sure we are all excellent stewards of West Marin.

Regards,  
Patrick Goddi

**From:** [Sandy Barger](#)  
**To:** [djrodoni4@gmail.com](mailto:djrodoni4@gmail.com); STR; [sjones@marincounty.org](mailto:sjones@marincounty.org); [Kilgariff, Kathleen](#)  
**Cc:** [Kris Lemon Pickel](#); [Cathy Pickel-Hicks](#); [Rosemary Pickel](#)  
**Subject:** Dillion Beach - Against Short Term Rental Moratorium  
**Date:** Thursday, November 17, 2022 10:22:22 PM

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Some people who received this message don't often get email from [sandy.barger4@gmail.com](mailto:sandy.barger4@gmail.com). [Learn why this is important](#)

Dear Supervisor Rodoni.

We are writing because we were not able to attend the STR meeting held online for your District, which includes Dillon Beach.

Please exclude Dillon Beach from the moratorium and or final ordinance in total. This is fair and reasonable.

If this is not politically possible, then please do not eliminate the ability to transfer rental rights to the next homeowner or transfer them to a different homeowner. The starting number of allowed rentals should be no less than it is today.

Thank you.

Rosemary Pickel, Sandy Pickel Barger, Kris Pickel, Cathy Pickel-Hicks

--

Sandy Barger  
818-331-0258

**From:** [REDACTED]  
**To:** [Supervisor Stephanie Moulton-Peters; STR](#)  
**Subject:** Short Term Rental Commentary-District 3  
**Date:** Friday, December 2, 2022 3:43:01 PM  
**Attachments:** [Vacasa Reviews.png](#)

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[REDACTED]

Hello Stephanie Kathleen,

Thank you for organizing the community gathering last night. I want to give you my perspective on Short Term Rentals in Eastern Marin, specifically in unincorporated Mill Valley (District 3) as I own a home here and am currently operating a registered Short Term Rental. I'll leave Western Marin to those who own and live there and know that area best.

**Here's the profile of one short term rental operator, me.**

Please do not share my name publicly attached to this letter. Redact my name and email if it is to be shared.

I am divorced, single mother with two kids in college. I was fortunate enough to have been able to buy my ex husband out of my Tam Valley home of 24 years in the divorce. My ex husband lost his job almost a year ago and is still unemployed which is severely impacting my spousal support and ability to keep two kids in school. After 16 years as a stay at home mom, I started a new career at age 50. I am self-employed. I depend heavily on the income of my home to keep my kids in college and support myself. I am lucky enough to be currently living with my boyfriend in San Rafael which allows me to rent my Tam Valley home short term.

**Why I choose to rent short term**

Based on my 30% occupancy rate, I calculate that I would receive about the same income if I rented my home short term vs long term. Perhaps slightly higher long term which contradicts your data. Even so, I choose to rent my home short term as it is fully furnished and outfitted from my living there. The thought of moving out all of my furniture and decor is anxiety provoking, and difficult to undo if I should choose to move back if my current situation proves to be temporary. Furthermore short term rental allows me flexibility to stay at my home if I choose at any time like when my kids are home from college.

Also, the current rental market is actually quite slow in unincorporated Mill Valley and many long term rental homes are remaining unrented for months.

**A solution to the lack of affordable housing?**

If the “problem” that you are trying to solve for is the lack of affordable housing in Marin, I would urge for you to take a much closer look at the impact of short term rentals area by area, and not unnecessarily burden homeowners with broad-brush statistics and incorrect assumptions. The statistics presented were very much on the surface, and are misleading.

I’m having a hard time believing that 143 of 5,599 units in unincorporated Marin are having a significant impact on our limited supply of low income housing.

Here’s my logic. A small percent of the 143 Mill Valley STR rentals are full time (the portion that theoretically could be converted to long term rentals). And of that subset that are full time STRs, I imagine that most are homes are valued at well over \$1.5M (in my instance closer to \$3M). Not exactly the end of the rental market that is causing the most concern. The statistics ignore this subtlety.

If the STR is being good neighbor, I fail to see why it should be disallowed. Families come to stay at my home. These people are supporting our communities and paying me, the county and local businesses for the privilege. I have hosted at least two multigenerational families of wedding parties in the last quarter. We all know how much money these bring to the community. People are staying in my home to bring families together to enjoy our community. My home has not deteriorated our neighborhood in any way. My beighbor was telling me today that it was fun watching a bride and groom taking photos on my front lawn and that things were going smoothly as far as he was concerned.

I urge you not to over react under the intense pressure that you are experiencing from the states housing mandate. We are a very desirable community close to a booming city with very little undeveloped land. The state mandates seem unrealistic to me. But unrealistic or not, taking away our ability to rent our homes short term does not seem to be a solution to the affordable housing problem.

If there a few bad apples, give them an opportunity to improve, or do not renew their licenses. If there is a party house, then do what our transit tax is paying you to do. Address it. One person on our call even blamed their inability to find workers on STRs. The entire country is having this same problem!

Please support us as local homeowners adding to the diversity of the housing mix here. We are members of this community. I emplore you to maintain some balance and do not make rash ill-informed decisions that can harm real current residents trying to stay in our community. It seems to me that the current program is working well in Tam Valley.

Below, I have included my rental reviews which I am quite proud of. I have an excellent relationship with my neighbors who support me. I manage the property meticulously. My home is the only one in the neighborhood that is used for STR. In my opinion the program here in this area is working, and is in balance.

Thank you for your consideration.



Tam Valley homeowner

## 7 reviews

 **Michael B.** Nov 2022

The Home was beautiful, well appointed, extremely clean, well furnished, with beautiful indoor and outdoor spaces. We had a mini family reunion and Thanksgiving dinner together, and the home was perfect. I have stayed in numerous rental homes, and this was the best! Unequivocal praise!

 **Sean C.** Nov 2022

Thank you for having us. Nest Marin was perfect for our family. We would absolutely stay again.

 **Evelyn Z.** Nov 2022


This home was perfect for my friend's group of 8 people total. So spacious and very clean. Bedrooms and bathrooms were spacious with the living areas and kitchen nook a perfect area to group together. Each room was decorated so nicely and we all enjoyed our stay so much! It's great because it's close enough to explore Muir Woods/Muir beach and also close enough to grab anything from the stores in Mill Valley. We all came from out of state and really enjoyed this stunning home and outside area! Highly recommend if you're in the area.

 **URIEL M.** Aug 2022

It was very beautiful home loved the scenery we enjoyed our family loved staying here

 **David F.** Aug 2022

We had a lovely stay at Nest Marin and were able to gather there comfortably with both of our children, their spouses and our grandson.

 **Ishan A.** Jun 2022

The home was tidy, well-provisioned, and had clear guest instructions. Take the winding roads on the way there slowly or you may miss a turn! Only thing that would have been nice is a checkout time later than 10am; the app said I would be "able to purchase if it became available," but it never was made available, and truthfully I'm not sure how much more I would've shelled out for another hour to get breakfast cleaned up and our cars packed anyways. Aside from that I'd definitely recommend and stay again if the opportunity arises.

From: [MARK DARLEY](#)  
To: [SLB](#)  
Subject: Re: STR zoom  
Date: Monday, December 5, 2022 4:14:14 PM

You don't often get email from [markdarley@mac.com](mailto:markdarley@mac.com). [Learn why this is important](#)

One thing that became clear to me on the zoom meeting on Dec 1st is that a "one size fits all" regulatory approach to STRs is inappropriate.

STRs seem to fall into a few categories:

1. Houses that are available all the time with no owner occupancy, aka "hotels", and sometimes owned by companies rather than individuals.
2. Houses available most of the year with perhaps 2 months owner occupancy.
3. Houses available seasonally and occupied by the owner most of the year.
4. Houses where the owner lives on site and rents part of the property for income.

Whether any or some of these might become full time affordable housing is an unanswered question, but certainly those that are not occupied by owners at all, appear to take away from full time community housing, and are effectively "hotels" in residential neighborhoods which is undesirable.

If the County is concerned about disturbances in residential neighborhoods, parties are certainly more likely to occur in properties with more bedrooms. Perhaps those need stricter regulation?

Some takeaway thoughts....

Regards  
Mark

Mark Darley  
Inverness  
CA  
415 310 5252

On Dec 2, 2022, at 8:39 AM, J. S. <[jeaniceskvaril@gmail.com](mailto:jeaniceskvaril@gmail.com)> wrote:

Thank so much for the summary, Scott! I felt last night's meeting went well for our cause (approx 55 persons at highest point) with a lot of thoughtful input that is now recorded with the County. We do, however, need to stay active.

Everyone-

1. Please provide input to Rachel on her talking points
2. Provide Michael feedback on his website
3. You mentioned two email threads. I started a new email when I sent out information on last night's meeting. I think we need to start a whole new email with new subjects clearly stated in subject: "Summary of 12/1 Supervisor Zoom Call". Keeping all info to just one thread feels clunky and I'm finding it hard to go back and find information. Just my 2 cents :)

Jeanice

On Fri, Dec 2, 2022 at 8:11 AM scott grooms <[scottgrooms@gmail.com](mailto:scottgrooms@gmail.com)> wrote:  
Possible duplicate as it appears we have 2 email threads working.

If you were on last night's zoom & heard Supervisor Moulton-Peters (sp?) publicly shut down one of our fellow pro-STR homeowners who was respectfully expressing his opinion (as solicited by Sarah & Kathleen at the start), you'll agree that this matter under foot is very urgent! We all need to pull together to get ahead of this, organize our outreach to supervisors before the CoM pulls another fast one on us...Read on...

From tonite's zoom:

1. What emergency is it exactly that Sarah & Kathleen alluded that caused the CoM to quickly implement the STR moratorium?

This is the excuse given while verbally backpedaling at why the CoM didn't put STR moratorium notifications in EVERYONE's property tax bills. Instead, they "advertised/publicized" the moratorium in newspapers, on KQED & other "public" outlets.

2. Supervisor Moulton verbally shut down a participant expressing their concerns about the moratorium, while it was clearly emphasized that such feedback is exactly the purpose of this session.
3. We MUST demand our supervisors pledge to being honest, transparent, proactive to include ALL stakeholders on the approaches & considerations being relied upon for any decisions made.
4. In light of the sneaky way the moratorium was "made public", the CoM should IMMEDIATELY lift it & rescue those homeowners who are being negatively economically impacted & who are struggling in light of the myopic regulation!

Part 2:

At the end of the zoom, I pressed Sarah & Kathleen to enlighten us about "the emergency" that caused the CoM to fast track the STR moratorium. No solid answer was given as acknowledged by a fellow zoom participant.

I await Kathleen's email reply to my request to this link of the Supervisors' vote passing the STR Moratorium back in June 2022 for insights about the purported "emergency". More to follow....

Thanks, team, for mobilizing & rallying together to build our pro-STR coalition numbers & to prepare to barrage our Supervisors with a flotilla of letters & Emails expressing our sentiments.

Onward, together!

On Thu, Dec 1, 2022 at 7:33 PM Michael Anderson <[mvanderson20@gmail.com](mailto:mvanderson20@gmail.com)> wrote:

Hi Team - sorry this took so long. Looking for insight on a [very rough draft website](#) I'm working on. I was going to connect it with the domain "WestMarinRentalAdvocates.org". Right now it's only purpose is to collect people's contact info for an email list. Let me know if there's any sections, changes in narrative/content, etc., you think I should include. Open to name suggestions, too!

Once this is up, AirBnB has offered to send it out to Marin county hosts.

-Mike

On Thu, Dec 1, 2022 at 5:06 PM Rachel Dinno <[rachelddinno@hotmail.com](mailto:rachelddinno@hotmail.com)> wrote:

Hello Team,

This afternoon, I spoke with like Allen (off the record) and introduced him to Sean (who plans to talk with him on the record).

like is writing a piece for next week's paper that will follow-up on last weeks article. In particular, he is interested in hearing from people who rent their homes for short-term purposes and why they rent their space.

Can we identify a few people who have good stories to tell (people who are renting to make ends meet, people who add value to their local community by renting their space, services that STR provide to our community)? If so, he would like to talk with them and asked that I distribute his contact information, which is:

like Allen  
Staff reporter  
Point Reyes Light  
Office: (415) 669-1200  
Cell: (202) 557-1826

The final take-away is this: We need to get more engaged, politically. We need to get our numbers and get comments on the county at these public meetings and letters into our Supervisors' offices. The County is responding to organizations who claim STRs are impacting affordable housing. They need to hear from STR. We need to get as many voices on record with the county as possible.

Rachel

From: Rachel Dinno <[rachelddinno@hotmail.com](mailto:rachelddinno@hotmail.com)>

Sent: Thursday, December 1, 2022 12:02 PM

To: [seadriftkatie@gmail.com](mailto:seadriftkatie@gmail.com); [Meg Cadiz](mailto:Meg Cadiz) <[meg.cadiz@gmail.com](mailto:meg.cadiz@gmail.com)>; [Sean Callagy](mailto:Sean Callagy) <[malseancallagy@gmail.com](mailto:malseancallagy@gmail.com)>

Cc: Sarah Butler <[sarah@ocancrealty.com](mailto:sarah@ocancrealty.com)>; [ashley@seadriftrealty.com](mailto:ashley@seadriftrealty.com); [ashley@seadriftrealty.com](mailto:ashley@seadriftrealty.com); 'scott grooms' <[scottgrooms@gmail.com](mailto:scottgrooms@gmail.com)>; MARK DARLEY <[markdarley@mac.com](mailto:markdarley@mac.com)>; 'Michael Anderson' <[mvanderson20@gmail.com](mailto:mvanderson20@gmail.com)>; Cynthia Gerlinger <[cynthiagerlinger@me.com](mailto:cynthiagerlinger@me.com)>; 'Bettina STIEWE 415.559.0020' <[bettina@stiewe.com](mailto:bettina@stiewe.com)>; 'Claire Hunsaker' <[chunsaker@gmail.com](mailto:chunsaker@gmail.com)>; 'Daniel Gill' <[daniel.gill@cbnocal.com](mailto:daniel.gill@cbnocal.com)>; 'Jeanice Skvaril' <[skvaril@yahoo.com](mailto:skvaril@yahoo.com)>; 'Julianne Havel' <[sjulianneh24@gmail.com](mailto:sjulianneh24@gmail.com)>; 'Keith Offord' <[keith@rossvalleyrealestate.com](mailto:keith@rossvalleyrealestate.com)>; 'Loren Quagliari' <[loren\\_quags@yahoo.com](mailto:loren_quags@yahoo.com)>; 'Maggie Volk' <[maggievolk@gmail.com](mailto:maggievolk@gmail.com)>; 'Michael Wechsler' <[mwechsler@pmanet.org](mailto:mwechsler@pmanet.org)>; 'Mr Payton Stiewe Stiewe' <[payton@paytonhinings.com](mailto:payton@paytonhinings.com)>; 'Nicole Newnham' <[nicolenebnhammalarkey@gmail.com](mailto:nicolenebnhammalarkey@gmail.com)>; 'Robert Suehiro' <[robsuehiro@gmail.com](mailto:robsuehiro@gmail.com)>; 'Tom Malarkey' <[tmalarkey@gmail.com](mailto:tmalarkey@gmail.com)>; 'Tom Peters' <[tb8000@gmail.com](mailto:tb8000@gmail.com)>; [jamie@cragmontpartners.com](mailto:jamie@cragmontpartners.com); [jamie@cragmontpartners.com](mailto:jamie@cragmontpartners.com); [katie@seadrift.com](mailto:katie@seadrift.com); [jeaniceskvaril@gmail.com](mailto:jeaniceskvaril@gmail.com); [jeaniceskvaril@gmail.com](mailto:jeaniceskvaril@gmail.com); 'Anna Desenberg' <[annadesen@gmail.com](mailto:annadesen@gmail.com)>; 'Kim Desenberg' <[kimdesen@gmail.com](mailto:kimdesen@gmail.com)>; 'Andrew Walmsley' <[andrewwalmsley@gmail.com](mailto:andrewwalmsley@gmail.com)>; 'Heather Cooper' <[hcooperhouse@gmail.com](mailto:hcooperhouse@gmail.com)>; [smonteko@gmail.com](mailto:smonteko@gmail.com); [smonteko@gmail.com](mailto:smonteko@gmail.com)

Subject: Re: USE THIS THREAD w/updated/correct emails Re: pro-STR moratorium homeowner task force...initial interest list

Hello Team,

A few weeks ago, I drafted and sent talking points to this group. Since I have not heard from anyone, I suspect they got buried. These talking points are also available on Google Drive. To ensure everyone has seen them, I am adding the talking points directly into the body of this message and would truly appreciate additional thoughts and comments.

As you will see, there are data holes that I suspect some on this message can help provide. In addition, you will see a section titled "Testimonials". We should start gathering convincing testimonials and the names of people who can make them



(Meg, I added a testimonial from one of your email messages).

In addition, there is a section for us to document the anti-STR messages since we will ultimately need to help the county properly address these concerns.

Thank you for reviewing the talking points below and helping fine-tune them.

Rachel

## DRAFT TALKING POINTS in Support of STR:

### ECONOMIC IMPACT:

Economic impact on our community from the loss of STR will ultimately undermine the goal of more affordable housing. It will reduce Measure W tax dollars, which creates funding for affordable housing from STR. Local jobs created from keeping STR in top condition will be lost. And, fewer visitors to the Coast will negatively impact the local economy.

**Tourism is West Marin's primary economic driver**, and overnight stays are a vital part of West Marin, ultimately creating jobs and millions of dollars in economic activity, wages and tax revenue. The County needs to encourage tourism, not push it away. [ECONOMIC DATA NEEDED]

**Overnight visitors spend money in the local community.** In addition to the tax revenues generated, tourists create jobs by spending money in our restaurants, stores, galleries, as well as on farm and sporting related amenities and services. In California's coastal communities, studies have found that for every \$100 spent on lodging, visitors spend an additional \$69 on food, \$48 on recreational activities, and \$59 on retail shopping. [DOES ANYONE HAVE UPDATED NUMBERS?]

*Anecdote: Last year, based on feedback forms, 100% of my guests purchased groceries at the local store, ate at local restaurants and purchase items at local shops.*

**Limiting visitors to the region will result in a loss jobs, quality services and tax revenue.** Most businesses in our community (from restaurants, grocery stores, artists, shops, galleries as well as operators of farm and oyster tours, cheese and wine tastings) depend on visitors to the region. If people don't stay in West Marin, they will not shop in our stores, dine in our restaurants, buy our art, rent kayaks, tour and taste delicacies from nearby farms. This will result in a decline of the goods and services provided to the existing residents, jobs will be lost, and tax revenue will decline.

**Short-term rental homeowners spend more money in the local economy:**

Study after study finds that short-term rental homeowners take the income received from renting and spend it on goods and services in the local community. A door off its track, an outdoor step that is loose, an electrical socket that doesn't work, a slow dripping rain gutter, a fallen tree, . . . These are liabilities that cannot be ignored with a short-term rental. As a result, more goods are purchased from local business and more local professionals are employed.

*Anecdote: Consistent with all studies, last year alone, I spent over \$XXXXXX employing local people and purchasing goods from local shops to make improvements to the home to ensure its top condition.*

**Limiting vacation housing in West Marin will negatively impact the Middle Class.** Homeowners who open their homes to guests are working to pay the mortgage and property tax. Without this added income, many people may lose their home. The community does not benefit from driving the middle class into a situation where the banks repossess their home.

**The County should be creating incentives for visitors to come and spend money in the community, not putting up barriers to entry.** Why would the Board of Supervisors put the businesses and community at risk of losing its greatest economic base?

**STR contribute millions to Affordable Housing**

The County collects over \$1.2 million annually from STR in West Marin. Measure W funds brought in over \$2.5 million in the first 2 1/2 years (1/1/19 thru 6/30/21). Half of the funds went to emergency services and the other half to community housing needs. Why undermine or cut off this source of funding for affordable housing?

### LIMITS ACCESS TO THE NATIONAL SEASHORE:

**The County is mandated to provide overnight accommodations to Point Reyes National Seashore.** Marin's Local Coastal Plan states "Overnight accommodations are a key element in the provision of coastal recreational opportunities, since many coastal visitors travel long distances to reach the variety of recreation options found throughout the County."

A direct consequence of limiting overnight accommodations will be to exclude people from experiencing the National Seashore. It takes individuals who live in Marin County over one hour to reach the National Seashore. By limiting vacation rentals, the Board of Supervisors would essentially be telling out-of-county visitors that they can use the park for a few hours, but they cannot have a deeper experience in nature.

**People will come. Limiting vacation rentals will increase traffic.** With fewer vacation homes available visitors will be forced onto the roads, driving in and out of the region on a daily basis to visit the park and other attractions.

**Character of Community:** West Marin is one of the most beautiful places in the country that people from all over the world want to visit, isn't it better that accommodation is provided for visitors by individual local property owners rather than international hotel chains?

### MORE VACATION HOMES ARE NEEDED:

**West Marin is Underserved by Short-Term housing.** Over 2.74 million people visited the Point Reyes National Seashore annually. Yet there are only 621 housing options in the entire region. Only 621 campground sites, mobile homes, RV parks, single rooms in private homes, homes, and individual hotels rooms in which 2.74 million guests can stay. Only 0.02% of the visitors to the West Marin region have an ability to stay overnight in the region.

**Second Homes:** Historically, West Marin has been a second home community. These homes were built as vacation homes and are still being used as second homes. If homeowners cannot rent their homes for short term visits, these homes will not convert to long-term rentals. Instead, we will have a community of seldom used decaying second homes and a loss of revenue to the local businesses.

**Myth: Second homes can become long-term rental homes:** if second homes aren't made available for short-term rent, they will simply sit vacant during the periods in which homeowners are not there. High-end homes will not magically turn into "affordable housing" if you ban or limit STRs.

**Myth: Denying STR will increase LTR:** Has the moratorium on new STRs (in place for 6 months) led to more LTRs on the market? No, there is no evidence that hurting STR operators will help long-term renters.

### REQUEST FROM COUNTY:

Tourism, enhanced by over-night stays, is too important to the health of our community. The County of Marin needs to do its homework before drafting any guidelines/policy.

**Define the Problem (rather than propose a solution in search of an unidentified problem):**

What is the problem that the County is trying to address?

Short Term Rentals? STRs aren't discussed as a problem, but the solution to the non-stated problem appears to be the elimination of STRs.

Affordable housing? There are many housing needs in West Marin, Marin County, the State of California, and throughout the entire nation. But this effort doesn't state affordable housing as a problem, nor does it define how the County's guidelines on STR will help with affordable housing.

**Gather, Use, and Be Transparent with real Facts:**

Reliable data sources should be used in understanding the problem and developing solutions.

The County's presentation is riddled with faulty data. For Example:

- Vacation homes (short-term rental homes) are not counted in the census data. Therefore the county's numbers identifying homes vs short-term homes by community is incorrect since communities in West Marin are comprised of a large number of second/vacation homes.
- Number of days in which people rent their homes for short-term purposes is too high. The county has the correct data. It's available by downloading the data supplied to the county when homeowners submit the TOT data. Don't use outside estimates. The county has the actual data.

Why is the County using AirDNA projections, rather than their own data? What are the methods underlying AirDNA's projections? The numbers appear to be grossly out of sync with reality.

**Understand the Impacts by Region:**

Before drafting guidelines that will impact tourism, the County needs to understand what is about to be disrupted. Every region within the county is different. What is the benefit and impact of tourism on the regional economy? How much do visitors spend in the area? What portion of sales by local businesses is due to tourism? How much income does tourism generate for households and businesses in the area? How many jobs are tourism related in West Marin? How many jobs will be at risk if tourists going elsewhere? How much does the County collect in tax revenues from the tourism industry? How much is generated from STRs?

**Outline Regional Differences (One Size Solution does not Fit All):**

What are the primary economic drivers by region? What is the composition of homeownership of each region? Every district within West Marin has different features. The county needs to assess the needs of each community and not apply one regulation, which will result in unintended impacts.

**Inform and Engage with Stakeholders:**

The county sends email messages to every short-term rental hosts every month (to collect tax information). Why not send an email to the same group informing them of potential policy changes to Short Term Rental policy?

**Include the Community in the Solution:**

The Board of Supervisors are the leaders of the community and not succumb to divisive tactics. Us vs. Them. Locals vs. Visitors. Permanent residents vs. Second Home residents. Short-term rentals vs. Long-term rentals. These aren't problems or solutions. This is finger-pointing, and a lazy approach to real issues. The Board of Supervisors need to assist the community to do the real work, to think about the We, the problems we face, and solutions we can all be part of.

**Be very mindful of the Law of Unintended Consequences:**

A policy that puts a wedge between short-term and long-term housing advocates is dangerous for our community and does not address the housing problem. It will only exacerbate it. Supply and Demand: It doesn't only apply to long-term housing. The community will suffer from the unintended consequences of poorly drafted policy. The intended result will not be achieved but an economy and community will decline. Without visitors, the grocery stores and restaurants will suffer. Artists in the community, dependent on tourists to buy their art, will face hardships. Jobs will be lost and the community gutted by the elected officials whose job it is to help everyone thrive.

**Process is important for a healthy Democracy.**

This effort appears to have been created in a backroom by a handful of government employees and pushed upon the public. It appears to be a capricious and arbitrary abrogation of government's responsibility. While public meetings are being held, impacted stakeholders have not been informed/invited and comments are dismissed with no commitment to follow-up. The county needs to incorporate the public's input into policy guidelines. We encourage the County to talk with stakeholders and interest groups to better understand the consequences and develop an effort that will address the actual problem.

**Housing is a national issue, not simply a West Marin issue.** The shortage of long-term housing is a problem decades in the making. Bolinas has had a water meter moratorium (and thus a building moratorium) for half a century. Zoning in the Coastal zone has been very restrictive for decades. Inflation is driving up the cost of lots of things. But Airbnb has only been around for a decade. And, there is simply no data that, on a meaningful scale, yesterday's rentals are today's Airbnb's.

## POTENTIAL TESTIMONIES (PRO-STRs):

**Meg Cadiz:** During the fire and the pandemic we offered first responder housing, I housed a paramedic for 3 months of training and offered medical professionals free stays. In addition, our network is a benefit for our local nonprofits to use homes for retreats and silent auction donations. We are a well-known part of the fabric of the community. For local weddings, memorials, and funerals we offer low rates and the space for local families and guests to celebrate.

## ARGUMENTS THAT WILL BE MADE ANTI-STR” (NEED TO ADDRESS IN OUR MESSAGING)

"I think this topic profoundly affects the housing market in so many ways! I believe STRs destroy the fabric of our community and negatively effect home values across the board. I was unaware (until last night) there is a moratorium currently on new home purchases for short term rentals. I absolutely support that."

"Year-round locals, especially renters, view short-term stays through companies like Airbnb as taking vital housing off the market and driving up rents." Anecdotal claims are not proof. Any data to back this claim?

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**From:** seadriftkatie@gmail.com <seadriftkatie@gmail.com>  
**Sent:** Thursday, December 1, 2022 8:25 AM  
**To:** 'Meg Cadiz' <meg.cadiz@gmail.com>; 'Sean Callagy' <maillsancallagy@gmail.com>  
**Cc:** 'Sarah Butler' <sarah@oceanicrealty.com>; 'Rachel Dinno' <racheldinno@hotmail.com>; ashley@seadriftrealty.com <ashley@seadriftrealty.com>; 'scott grooms' <scottgrooms@gmail.com>; 'MARK DARLEY' <markdarley@mac.com>; 'Michael Anderson' <mvanerson20@gmail.com>; 'Cynthia Gerlinger' <cynthiagerlinger@me.com>; 'Bettina STIEWE 415.559.0020' <bettina@stiewe.com>; 'Claire Hunsaker' <chunsaker@gmail.com>; 'Daniel Gill' <daniel.gill@cbnrcal.com>; 'Jeniece Skvaril' <skvaril@yahoo.com>; 'Julianne Havel' <julianneh240@gmail.com>; 'Keith Offord' <keith@rossvalleyrealestate.com>; 'Loren Quaglieri' <loren\_quags@yahoo.com>; 'Maggie Volk' <maggievolk@gmail.com>; 'Michael Wechsler' <mwechsler@pmanet.org>; 'Mr Payton Stiewe Stiewe' <payton@paytonbinnings.com>; 'Nicole Newnham' <nicolenevnhammalarkey@gmail.com>; 'Robert Suehiro' <robsuehiro@gmail.com>; 'Anna Desenberg' <annadesenberg@gmail.com>; 'Kim Desenberg' <kimdesenberg@gmail.com>; 'Andrew Walmsley' <andrewwalmsley@gmail.com>; 'Heather Cooper' <hcooperhouse@gmail.com>; smonteeko@gmail.com <smonteeko@gmail.com>  
**Subject:** RE: USE THIS THREAD w/updated/correct emails Re: pro-STR moratorium homeowner task force...initial interest list

Sean thank you for totally laying out such a clear explanation of the facts. I am strongly in support of your interview. I also would like to suggest that emphasizing that normal families cannot afford the 31 day stay so potential ordinance will actually make it so only very wealthy families who can pay for a months rental no matter how many days they use it, able to visit West Marin. The elitist aspect is to me very important. My grandparents visited Stinson Beach in the 30's and the generations that have followed have all been a part of Stinson. None of my extended family members could afford what will happen if only 31 days or longer are allowed. Our economies are focused on visitors. Those who come and stay for a few days or longer leave way more money in the community than a day visitor.

The County staff has a misguided way of trying to solve the fact there is not enough housing. This will upend what has worked for us for years. Build more affordable housing, that is what is needed. This is not the easy way out

Thanks

Katie

Owner Seadrift Realty, Inc

415-699-3558

---

**From:** Meg Cadiz <meg.cadiz@gmail.com>  
**Sent:** Thursday, December 1, 2022 6:08 AM  
**To:** Sean Callagy <maillsancallagy@gmail.com>  
**Cc:** 'Sarah Butler' <sarah@oceanicrealty.com>; 'Rachel Dinno' <racheldinno@hotmail.com>; ashley@seadriftrealty.com <ashley@seadriftrealty.com>; scott grooms <scottgrooms@gmail.com>; 'MARK DARLEY' <markdarley@mac.com>; 'Michael Anderson' <mvanerson20@gmail.com>; seadriftkatie@gmail.com <seadriftkatie@gmail.com>; 'Cynthia Gerlinger' <cynthiagerlinger@me.com>; 'Bettina STIEWE 415.559.0020' <bettina@stiewe.com>; 'Claire Hunsaker' <chunsaker@gmail.com>; 'Daniel Gill' <daniel.gill@cbnrcal.com>; 'Jeniece Skvaril' <skvaril@yahoo.com>; 'Julianne Havel' <julianneh240@gmail.com>; 'Keith Offord' <keith@rossvalleyrealestate.com>; 'Loren Quaglieri' <loren\_quags@yahoo.com>; 'Maggie Volk' <maggievolk@gmail.com>; 'Michael Wechsler' <mwechsler@pmanet.org>; 'Mr Payton Stiewe Stiewe' <payton@paytonbinnings.com>; 'Nicole Newnham' <nicolenevnhammalarkey@gmail.com>; 'Robert Suehiro' <robsuehiro@gmail.com>; 'Tom Malarkey' <tmalarkey@gmail.com>; 'Tom Peters' <tp8000@gmail.com>; 'jamie@cragmontpartners.com' <jamie@cragmontpartners.com>; 'katie@seadrift.com' <katie@seadrift.com>; 'jeaniceskvaril@gmail.com' <jeaniceskvaril@gmail.com>; 'Anna Desenberg' <annadesenberg@gmail.com>; 'Kim Desenberg' <kimdesenberg@gmail.com>; 'Andrew Walmsley' <andrewwalmsley@gmail.com>; 'Heather Cooper' <hcooperhouse@gmail.com>; smonteeko@gmail.com <smonteeko@gmail.com>  
**Subject:** Re: USE THIS THREAD w/updated/correct emails Re: pro-STR moratorium homeowner task force...initial interest list

Hi Sean,

Ike is fair, he's a young new writer. He will appreciate facts and your even tone. You can ask him about his other conversations. He's not sensationalistic.

He will like your style. The reporters of the Light always have advertised they are looking for a room to rent and we are all aware of that and some may or have offered places to stay for short periods.

Thanks!

Meg

On Dec 1, 2022, at 6:56 AM, Sean Callagy <maillsancallagy@gmail.com> wrote:

That was exactly my concern -- I'm not convinced we'd get fair treatment from the Light. Does anyone know what Ike wants -- a perspective from the STR owner / operator side? Background information?

While I could possibly provide the perspective I shared, I'm hesitant to act as a 'spokesperson' as it is still not clear to me precisely what our objectives are. I also haven't attended the recent meetings so am probably not up to speed on what is contemplated. The County's website is pretty sparse on details as to what regulations and changes are being developed -- they just have a few guiding principles that are pretty vague -- no concrete proposals that I can see.

One actual data point we could point out is that Measure W funds brought in over \$2.5 million in the first 2 1/2 years (1/1/19 thru 6/30/21). Half of that went to emergency services and the other half to community housing needs. I'll bet the figures for FY ended 6/30/22 were significant, as they are largely post-pandemic. Why would the county undermine or cut off this source of funding?

On Thu, Dec 1, 2022 at 5:44 AM Sarah Butler <sarah@oceanicrealty.com> wrote:

Do be careful what words you use while being interviewed. I no longer a so questions for the light...

Push coastal access (STRs makes visiting affordable) and your point that most of the second homes will just sit empty if not renting sort term.

Plus the STRs have created a micro economy that provides employment and generates taxes for the county.

I'm so grateful to you Sean for taking the interview and to all of you in the task force.

Sarah Butler of Oceanic Realty

BRE 01258888

Cell 415-265-5070

Office 415-868-0717

[www.oceanicrealty.com](http://www.oceanicrealty.com)

Please excuse any typos as this was sent from my iPhone...

On Nov 30, 2022, at 9:53 PM, Rachel Dinno <racheldinno@hotmail.com> wrote:

Sean as the spokesperson sounds great to me! Sean, I'm at your service. I can be reached at 415-722-3363. Thank you!

---

**From:** Meg Cadiz <meg.cadiz@gmail.com>  
**Sent:** Wednesday, November 30, 2022 4:47 PM  
**To:** Sean Callagy <maillsancallagy@gmail.com>  
**Cc:** 'Sarah Butler' <sarah@oceanicrealty.com>; 'Rachel Dinno' <racheldinno@hotmail.com>; ashley@seadriftrealty.com <ashley@seadriftrealty.com>; scott grooms <scottgrooms@gmail.com>; 'MARK DARLEY' <markdarley@mac.com>; 'Michael Anderson' <mvanerson20@gmail.com>; seadriftkatie@gmail.com <seadriftkatie@gmail.com>; 'Cynthia Gerlinger' <cynthiagerlinger@me.com>; 'Bettina STIEWE 415.559.0020' <bettina@stiewe.com>; 'Claire Hunsaker' <chunsaker@gmail.com>; 'Daniel Gill' <daniel.gill@cbnrcal.com>; 'Jeniece Skvaril' <skvaril@yahoo.com>; 'Julianne Havel' <julianneh240@gmail.com>; 'Keith Offord' <keith@rossvalleyrealestate.com>; 'Loren Quaglieri' <loren\_quags@yahoo.com>; 'Maggie Volk' <maggievolk@gmail.com>; 'Michael Wechsler' <mwechsler@pmanet.org>; 'Mr Payton Stiewe Stiewe'

<payton@paytonbinnings.com>; Nicole Newnham <nicolenewnhammalarkey@gmail.com>; Robert Suehiro <robsuehiro@gmail.com>; Tom Malarkey <malarkey@gmail.com>; Tom Peters <tp8000@gmail.com>; jamie@cragmontpartners.com <jamie@cragmontpartners.com>; katie@seadrift.com <katie@seadrift.com>; jeaniceskvaril@gmail.com <jeaniceskvaril@gmail.com>; Anna Desenberg <annadesen@gmail.com>; Kim Desenberg <kimdesen@gmail.com>; Andrew Walmisley <andrewwalmisley@gmail.com>; Heather Cooper <hcooperhouse@gmail.com>; smontecko@gmail.com <smontecko@gmail.com>;  
Subject: Re: USE THIS THREAD w/updated/correct emails Re: pro-STR moratorium homeowner task force...initial interest list

I think Sean should call Ike and be a spokesperson.

I agree we need to inform not fan the flames.

Thanks Sean,

Meg

On Nov 30, 2022, at 5:26 PM, Sean Callagy <mailseancallagy@gmail.com> wrote:

I'll offer some thoughts, in the hopes they're helpful, and sorry if I'm repeating what has already been considered.

Ike's article in the Light last week struck me as rather hostile -- "a contingent of homeowners *resents* the county's efforts to strengthen regulations on the rentals" etc. So, we're resentful just for speaking up? I guess we need to be careful with words / tone to not fan that flame.

Some other points to consider when talking to Ike or others:

1. The Light echoes the commonly made claim that "Many year-round locals, especially renters, view short-term stays through companies like Airbnb as taking vital housing off the market and driving up rents." Anecdotal claims are not proof. I've seen no data for this -- have you? Does the county have any data on the number of long-term rentals a decade ago vs today? In any case, the shortage of long-term housing is a problem decades in the making. Bolinas has had a water meter moratorium (and thus a building moratorium) for half a century. Zoning in the Coastal zone has been very restrictive for decades. Inflation is driving up the cost of lots of things. But Airbnb has only been around for a decade. And, there is simply no data that, on a meaningful scale, yesterday's rentals are today's Airbnb's. My home is a second home; if we can't Airbnb it, it will just sit vacant during the periods we're not there. As for higher-end homes fetching many hundreds of dollars per night -- they won't magically turn into "affordable housing" if you ban or limit STRs. Since the moratorium on new STRs has been in place for 6 months, you'd think more LTRs would be on the market if it's truly a zero-sum game between STRs and LTRs, but of course that's not the case. In sum, there is no evidence that hurting STR operators will help long-term renters.
2. In fact, capping / overregulating / ending STRs will undermine the goal of more affordable housing. It will dry up Measure W tax dollars. And the locals who maintain, improve, clean etc STRs will have less work to support them. There will be fewer visitors to the Coast, and less of a local economy.
3. Back to the no data point -- the Light cites AirDNA projections, not the county's own actual data collected over the last few years -- why? And what are the methods underlying AirDNA's projections? Some of the numbers sound too good to be true. Do they reflect summer occupancy / revenue rates? What's also odd is that the Light cites AirDNA's sales for average asking rates in some localities -- numbers that can be wildly skewed by just a few high-end properties listing for \$1000+ per night. But then the Light cites AirDNA's projections for median revenues -- which may be much higher than average revenues. That would be the case if there is a cluster of properties bringing the median amount or just above, but a significant number of properties bringing in less (in our case, wayyyy less). We should push the Light to be more rigorous on questioning the origins and reliability of the "data" being fed to it by the County.

On Wed, Nov 30, 2022 at 4:04 PM Sarah Butler <sarah@oceanicrealty.com> wrote:

Adding likeminded Bolinas property owner.

Best,



**Sarah Butler**

Broker/Owner  
DRE #01258888

sarah@oceanicrealty.com

M: (415) 265-5070 | O: (415) 868-0717

[OceanicRealty.com](#) Follow us on social media!

On Nov 30, 2022, at 3:46 PM, Rachel Dimmo <racheldimmo@hotmail.com> wrote:

Hello Team,

Just getting back online after a week of offline bliss. Honestly, I feel a little out of the loop and yet Ike Allen from the Light wants to talk with me tomorrow. Has anyone spoken with him? Are there messages that need to be underscored? Any guidance is appreciated.

Thank you,

Rachel

---

**From:** ashley@seadriftrealty.com <ashley@seadriftrealty.com>

**Sent:** Monday, November 28, 2022 12:09 PM

**To:** 'scott grooms' <scottgrooms@gmail.com>; 'Meg Cadiz' <meg.cadiz@gmail.com>

**Cc:** MARK DARLEY <markdarley@mac.com>; Michael Anderson <mvanderson20@gmail.com>; Sarah Butler <sarah@oceanicrealty.com>; seadriftkatie@gmail.com <seadriftkatie@gmail.com>; Cynthia Gerlinger <cynthiagerlinger@mc.com>; Bettina STIEWE 415.559.0020 <bettina@stiewe.com>; Claire Hunsaker <chunsaker@gmail.com>; Daniel Gill <daniel.gill@cbmorcal.com>; 'Jeanice Skvaril' <skvaril@yahoo.com>; Julianne Havel <julianneh24@gmail.com>; 'Keith Offord' <keith@rossalleyrealestate.com>; 'Loren Quaglieri' <loren\_quags@yahoo.com>; 'Maggie Volk' <maggievolk@gmail.com>; 'Michael Wechsler' <mwechsler@pmanet.org>; 'Mr Payton Stiewe Stiewe' <payton@paytonbinnings.com>; 'Nicole Newnham' <nicolenewnhammalarkey@gmail.com>; 'Rachel Dimmo' <racheldimmo@hotmail.com>; 'Robert Suehiro' <robsuehiro@gmail.com>; 'Sean Callagy' <mailseancallagy@gmail.com>; 'Tom Malarkey' <malarkey@gmail.com>; 'Tom Peters' <tp8000@gmail.com>; 'jamie@cragmontpartners.com' <jamie@cragmontpartners.com>; 'katie@seadrift.com' <katie@seadrift.com>; 'jeaniceskvaril@gmail.com' <jeaniceskvaril@gmail.com>; 'Anna Desenberg' <annadesen@gmail.com>; 'Kim Desenberg' <kimdesen@gmail.com>; 'Andrew Walmisley' <andrewwalmisley@gmail.com>; 'Heather Cooper' <hcooperhouse@gmail.com>

**Subject:** RE: USE THIS THREAD w/updated/correct emails Re: pro-STR moratorium homeowner task force...initial interest list

Adding in another homeowner out in Stinson

Ashley Bird

Rental Agent & Realtor

415.868.1791

DRE# 02141050

---

**From:** scott grooms <scottgrooms@gmail.com>

**Sent:** Monday, November 28, 2022 7:37 AM

**To:** Meg Cadiz <meg.cadiz@gmail.com>

**Cc:** MARK DARLEY <markdarley@mac.com>; Michael Anderson <mvanderson20@gmail.com>; Sarah Butler <sarah@oceanicrealty.com>; seadriftkatie@gmail.com <seadriftkatie@gmail.com>; Cynthia Gerlinger <cynthiagerlinger@mc.com>; Bettina STIEWE 415.559.0020 <bettina@stiewe.com>; Claire Hunsaker <chunsaker@gmail.com>; Daniel Gill <daniel.gill@cbmorcal.com>; 'Jeanice Skvaril' <skvaril@yahoo.com>; Julianne Havel <julianneh24@gmail.com>; 'Keith Offord' <keith@rossalleyrealestate.com>; Loren Quaglieri <loren\_quags@yahoo.com>; Maggie Volk <maggievolk@gmail.com>; Michael Wechsler <mwechsler@pmanet.org>; Mr Payton Stiewe Stiewe <payton@paytonbinnings.com>; Nicole Newnham <nicolenewnhammalarkey@gmail.com>; Rachel Dimmo <racheldimmo@hotmail.com>; Robert Suehiro <robsuehiro@gmail.com>; Sean Callagy <mailseancallagy@gmail.com>; Tom Malarkey <malarkey@gmail.com>; Tom Peters <tp8000@gmail.com>; ashley@seadriftrealty.com <ashley@seadriftrealty.com>; jamie@cragmontpartners.com <jamie@cragmontpartners.com>; katie@seadrift.com <katie@seadrift.com>; Anna Desenberg <annadesen@gmail.com>; Kim Desenberg <kimdesen@gmail.com>; Andrew Walmisley <andrewwalmisley@gmail.com>

**Subject:** Re: USE THIS THREAD w/updated/correct emails Re: pro-STR moratorium homeowner task force...initial interest list

hi team & just jumping back in after Thanksgiving...

while adding the 12/1 zoom session details to my calendar, I stopped long enough to take this in from the CoM STR website/link that we've been using.

sorry i'm not up to speed on all the progress this team has made, will do so this evening.

in the meantime, this from the CoM STR website...any of it already used to help answer any of our 's about "why"?

The County is kicking off the process of updating its Short Term Rental (STR) regulations for the unincorporated areas of Marin. Please join the Community Development Agency (CDA) as we begin this initiative to discuss all things STRs.

Topics will include an overview of the draft guiding principles for this STR Update, STR data and trends, and tentative project timeline. This is also an opportunity to share your thoughts about STRs, provide feedback on information presented, and ask any questions of County staff.

Meetings will be regional, roughly based on current Supervisorial Districts. However, if you cannot make the meeting for your District, or prefer to attend a different region, you are more than welcome to attend any meeting. Please note, additional outreach opportunities will be scheduled, including a Learning Session for Spanish speakers.

District	Supervisor	Meeting Date	Meeting Time
1	Damon Connolly	Thursday, November 10	6:00 pm
2	Katie Rice	Thursday, November 17	6:00 pm
3	Stephanie Moulton-Peters	Thursday, December 1	5:30 pm
4	Dennis Rodoni	Monday, November 14	6:00 pm
5	Judy Arnold	Wednesday November 9	6:00 pm

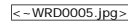
All meetings will be held over Zoom.

<https://us06web.zoom.us/j/86156301063?pwd=a2lMRHk1SQE6ODEJOUxTNWROdGp6ZzQ9>

Meeting ID: 861 5630 1063

Passcode: 616504

Or Scan the QR Code:



### Guiding Principles

At each districtwide forum, CDA staff will look for feedback on draft Guiding Principles, principles that will provide a foundation of understanding as we undertake the STR Update. We hope that they help inform stakeholders, and provide clarity on the commitment from County staff to develop STR policies that reflect the vision and shared values of our communities.

If you cannot make the meeting or wish to share your comments on the draft Guiding Principles in writing, they are provided below for your consideration. All communications will be reviewed by staff incorporated into the STR Update record.

1. Prioritize housing supply and affordability, and consider regulations in light of their effects on the cost and availability of housing within individual communities.
2. Advance equity in access to economic opportunities, services and activities.
3. Recognize that Marin County has historically provided vacation opportunities to the greater Bay Area region and State.
4. Distinguish among types of Short Term Rental operations and operators, e.g., hosted and unhosted, single and multiple ownerships, etc.
5. Develop regulations that are clear, affordable, simple, and enforceable (C.A.S.E).
6. Assure that short term rentals are good neighbors considering noise, parking, trash and other neighborhood quality of life concerns.

### Short Term Rentals Background

The Marin County Board of Supervisors first adopted short term rental (STR) regulations in 2018, requiring operators to obtain both a Business License and Transient Occupancy Tax Certificate, and establishing "Good Neighbor" Policies to alleviate the impacts of Short Term Rentals on surrounding communities.

However, with housing supply, community workforce, and public safety as motivators, the Board adopted a two year moratorium, ending May 23, 2024, on new STRs in the West Main Area (also known as the [Measure W Tax Area](#)). Specifically, the moratorium area includes unincorporated central and western Marin, from Dillon Beach/Tomales to the North, San Geronimo Valley and Nicasio in central Marin, and the communities of Muir Beach, Stinson Beach, and Bolinas to the south. [Find out if a property is subject to the current moratorium.](#)

Over the next two years, County staff will work to update the County's Short Term Rental Ordinance to improve the availability of middle- and lower-income housing in the West Marin Area, while maintaining existing coastal access. Please subscribe to this webpage (in the upper right corner) to receive updates on this process.

Operators within the West Marin area, with a valid business license and Transient Occupancy Tax Certificate, and those in the unincorporated communities outside West Marin, may continue to operate STRs in accordance with [the County's standards](#)

December 1, 2022

Dennis Rodoni  
3501 Civic Center Drive  
San Rafael, CA 95403

Dear Dennis Rodoni,

RE: Marin County STR:

My name is Linda Martin and I had been a full time resident at Dillon Beach for over 30 years. I am currently now a part time resident assisting my son John Arguelles with his Vacation Rental business exclusively at Dillon Beach. John lives and works full time at Dillon Beach with his family.

I am also a licensed Real Estate Broker who has sold many homes at the beach during my full time residency. Included with every sale I was involved in we had to disclose the following: Dillon Beach is surrounded by "AG" land, Dillon Beach is a second home market and Dillon Beach is an area for Vacation Rentals.

During all of the years that I resided at the beach full time the STR did not disturb me. People from all over the United States visit the beach especially people from the central valley escaping hot summer months.

Dillon Beach does not consist of many full time homeowner's. I would estimate between the Village and Oceana Marin together there are no more than 40 full time residents. Dillon Beach is a remote location with windy country roads which become very hazardous during the winter months due to fog.

I am well aware as a Real Estate Broker the impact the STR moratorium has had on the real estate sales at Dillon Beach and the devaluation of home prices. One homeowner spoke at the District 4 meeting that he was unable to sell his home at the beach because of the STR moratorium. This moratorium is having a devastating impact on real estate sales at Dillon Beach.

Being involved with my son's vacation rental business I handle all of the bookings, inquiries for owner statements , etc. We had a very good year when vacation rentals was opened up again from the Pandemic and overseas travel was not permitted. However since overseas travel has now been permitted our bookings have dropped by 50 - 60% and gone back to where they were renting prior to the pandemic for all of our homes. Every single one of our homeowners use their houses themselves and allow their family to use the house at the beach . **ALL homeowners offer their houses "part time" for vacation rentals.** IF these homeowners were not allowed to rent their houses part time almost all of them would not be able to own their beach house. Coastal homes have high maintenance costs because of coastal conditions. The hosts are hearing this over and over again from homeowners at Dillon Beach who rent their homes part time at the beach.

Dillon Beach is a unique community and the only commercial activity we have at the beach is the Dillon Beach Resort which houses the General Store and small cafe employing a hand full of people. Dillon Beach has always been a small community with really nothing to offer except walking the beach.

We have been a wonderful community for many many years offering a place for visitors to come and spend a couple of nights and enjoy the ocean. Please let us remain as we are.

Linda Martin  
390 Oceana Drive  
P O Box 214  
Dillon Beach, CA 94929  
707-290-1275  
[LindaMartinREBroker@gmail.com](mailto:LindaMartinREBroker@gmail.com)  
[linda@gotodillonbeach.com](mailto:linda@gotodillonbeach.com)

\*\*I would like to add one last bit: The data that is being used by Marin County for these presentations are not accurate nor correct.

**From:** [Rodoni, Dennis](#)  
**To:** [STR](#)  
**Subject:** FW: Dillon Beach and Short Term Rental moratorium  
**Date:** Monday, December 5, 2022 4:38:21 PM

---

fyi

Dennis Rodoni  
Supervisor 4th District  
Marin County Board of Supervisors  
3501 Civic Center Drive, Suite 329  
San Rafael CA 94903  
415-473-7331

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

---

**From:** ROGER Ravenstad <[rravenstad@comcast.net](mailto:rravenstad@comcast.net)>  
**Sent:** Monday, December 5, 2022 4:33 PM  
**To:** Connolly, Damon <[DConnolly@marincounty.org](mailto:DConnolly@marincounty.org)>; Rice, Katie <[KRice@marincounty.org](mailto:KRice@marincounty.org)>; smoulton-peters@marincounty.org; Arnold, Judy <[JArnold@marincounty.org](mailto:JArnold@marincounty.org)>; Rodoni, Dennis <[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)>  
**Cc:** Hymel, Matthew <[MHymel@marincounty.org](mailto:MHymel@marincounty.org)>; Kilgariff, Kathleen <[KKilgariff@marincounty.org](mailto:KKilgariff@marincounty.org)>; Barreto, Fernando <[fbarreto@marincounty.org](mailto:fbarreto@marincounty.org)>; Jones, Sarah <[sbjones@marincounty.org](mailto:sbjones@marincounty.org)>  
**Subject:** Fwd: Dillon Beach and Short Term Rental moratorium

You don't often get email from [rravenstad@comcast.net](mailto:rravenstad@comcast.net). [Learn why this is important](#)

Dear Supervisors, I had intended to copy all of you on my initial correspondence to Supervisor Rodoni regarding the proposed Short Term Rental Ordinance, but the county on-line correspondence portal has a 1,000 character limit. Please accept this forwarded email below through traditional email.

Supervisor Rodoni was kind enough to respond to my original email in November under separate cover. I am happy to talk to any of you if you wish to contact me regarding my home in Dillon Beach.

Best,

***Roger Ravenstad***

c: 925-250-4798

e: [rravenstad@comcast.net](mailto:rravenstad@comcast.net)

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

From: ROGER Ravenstad <[rravenstad@comcast.net](mailto:rravenstad@comcast.net)>

To: "[djrodoni4@gmail.com](mailto:djrodoni4@gmail.com)" <[djrodoni4@gmail.com](mailto:djrodoni4@gmail.com)>

Cc: "[str@marincounty.org](mailto:str@marincounty.org)" <[str@marincounty.org](mailto:str@marincounty.org)>, "[sjones@marincounty.org](mailto:sjones@marincounty.org)" <[sjones@marincounty.org](mailto:sjones@marincounty.org)>, "[kkilgariff@marincounty.org](mailto:kkilgariff@marincounty.org)"

[<kkilgariff@marincounty.org>](mailto:kkilgariff@marincounty.org)

Date: 11/15/2022 2:28 PM

Subject: Dillon Beach and Short Term Rental moratorium

November 15, 2022

Dear Supervisor Rodoni,

I am writing because I was not able to attend the STR meeting held online last night for your District, which includes Dillon Beach. I'm writing with some very specific requests:

1. Please exclude Dillon Beach from the moratorium and/or final ordinance in total. This is reasonable and fair.
2. If #1 is not politically possible, then please do not eliminate the ability to transfer rental rights onto the next home owner or perhaps transfer them to a different homeowner in Dillon Beach. The starting total number of allowed rentals should not be less than it is today. This will result in rental rights becoming a commodity, but it is still better than a slow elimination of all rentals over time.

We have owned our dream home in Dillon Beach since May of 2020. The owners before us would rent out the house for short term rentals and we have continued to do so. It is a meaningful side income for us and helps us pay for upkeep on the property. Just this year we had \$22,000 of emergency sewer upgrades that had to be completed. I am not rich, nor am I underprivileged. But if I could not rent out my Dillon Beach house I could not afford it. Only the super wealthy can do that.

We love Dillon Beach and intend to keep our second home here forever and perhaps pass it to our children. But if we did need to sell now for unforeseen reasons, the value of our home would be lowered because of the County moratorium on STRs. Recent sales have already proven this according to one local realtor. It makes no difference if the next owners intend to rent the house out, the value in the market is still artificially depressed for all homeowners due to the moratorium in place and possible permanent ordinance. This is unfair since Dillon has always had renters and the market has been adjusted to function in that kind of market. We routinely receive comments in our guest book from people who are so thankful that we shared our beautiful view and house with them, because otherwise they would never get the chance to enjoy it. Some of them even say they cried about the beauty. I'm serious. It's a real joy for us to share what we have. This new Ordinance, over time, will kill that experience for people.

We recognize that people do live full time at Dillon and we have never



once received complaints from the neighbors regarding our guests. We also recognize that Dillon Beach has always been mostly a vacation and second-home market. It has never ever been a place where people of modest or low income means can have a place to live. This is a resort community with almost zero services and transportation options to serve underhoused or people with limited means.

The County staff is flawed in thinking that this new possible ordinance limiting the transfer of STRs will enhance the rental market for the underserved or unhoused. If this moratorium becomes permanent, then over time only the very rich or investor class will be able to enjoy Dillon Beach and the place will feel like a ghost town as homes slowly change hands to people who are not legally allowed to rent to short term vacationers. Wealthy people will buy their second homes and let them sit unused until they come to visit on their monthly or bi-annual trips to Dillon. The fun off-beat vacation vibe will evaporate, the general store/cafe will close, the lower income folks will only come to Lawson's landing (at least until the upgrades are complete), and some homes may even deteriorate under neglect and under-use.

Nobody is going to buy a \$1 - \$2Million house in Dillon Beach and rent it out to a long term renter who cannot find housing elsewhere. First, because it's a bad investment in Dillon Beach to think you can rent to underhoused people when there is no place to shop for groceries, buy gas, get a job, or get on public transportation. Secondly, the only people who may rent in Dillon would be a retired person/couple, but they will not be underhoused nor will they be low income. They will be upper middle class renters who can afford to pay.

I am employed in East Bay city and I am acutely aware of the housing crisis we are facing. I see the damage to our City and park system daily because people don't have affordable places to live. Feel free to "google" my name. Elected officials are under huge pressure to solve these problems. I'm here to tell you that Dillon Beach is not capable of playing a meaningful role in assisting in the housing crisis, but carelessly applying the STR restrictions proposed would substantially depress the area instead of creating the needed housing.

With tremendous respect and compassion for your dilemma, I urge you to not destroy our beach town vibe and the place we have come to love. We who live here can take the criticism that Dillon Beach wants to be treated special. It's OK, because if Dillon could provide the needed housing I assure you I would not be writing this email. Please keep our community intact and not left to only the super wealthy.

In summary, I ask again for the following considerations by the Board:

1. Please exclude Dillon Beach from the moratorium and/or final

ordinance in total. This is reasonable and fair.

2. If #1 is not politically possible, then please do not eliminate the ability to transfer rental rights onto the next home owner or perhaps transfer them to a different homeowner in Dillon Beach. The starting total number of allowed rentals should not be less than it is today. This will result in rental rights becoming a commodity, but it is still better than a slow elimination of all rentals over time.

Thank you for taking my letter seriously and to recognize that I am not against the intent of your Ordinance, only the notion that Dillon Beach can be a contributor to solving the housing crisis.

Best,

***Roger Ravenstad***

c: 925-250-4798

e: [rravenstad@comcast.net](mailto:rravenstad@comcast.net)

CC: County Supervisors through the on-line County portal.

**From:** [Rodoni, Dennis](#)  
**To:** [Susan Hayes](#)  
**Cc:** [STR](#)  
**Subject:** RE: vacation rentals  
**Date:** Tuesday, December 6, 2022 2:52:24 PM

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Susan, thank you for your email and comments, I will include it in comments on STR site.

Dennis Rodoni  
Supervisor 4th District  
Marin County Board of Supervisors  
3501 Civic Center Drive, Suite 329  
San Rafael CA 94903  
415-473-7331

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

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**From:** Susan Hayes <[susanhayes1952@gmail.com](mailto:susanhayes1952@gmail.com)>  
**Sent:** Tuesday, December 6, 2022 2:50 PM  
**To:** Rodoni, Dennis <[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)>; Kutter, Rhonda <[RKutter@marincounty.org](mailto:RKutter@marincounty.org)>  
**Subject:** vacation rentals

Some people who received this message don't often get email from [susanhayes1952@gmail.com](mailto:susanhayes1952@gmail.com). [Learn why this is important](#)

Dear Supervisor Rodoni,

Recent proposals by the Marin County Board of Supervisors concerning the regulation of vacation rentals overlook a number of important considerations.

The housing shortage in West Marin dates back to the 1970's with the arrival of a wave of new residents. Our housing stock then, and now, consists largely of single family homes on rural sized lots. As the community has evolved there has not been an adequate number of dwellings added to meet these needs. Zoning, Nimbyism, water meter availability, the resistance to second units and multifamily dwellings ,along with an expensive and exhausting permitting process has all contributed to this.

Who exactly owns homes in our community must be considered. We have been a location for second homes for over a century. Many families have struggled to maintain and secure these properties. Where others were able to scrape together and build a stake here when costs were not so out of reach. Some cashed out of elsewhere and bought in. Then, there is the current phenomena of owners simply parking money here because it is a good place to invest. This raises a lot of questions. Shouldn't these families be able to rent out their homes to help defray some of their overhead? Shouldn't our elders be able to supplement their incomes so they can afford to age in place? Perhaps those empty investment homes

should be taxed if they are not occupied which is done in many communities.

The expansion of public land in Marin County beginning with the creation of the Point Reyes National Seashore has forever changed the trajectory of our community to a visitor destination and a tourist economy. The lack of commercial space to develop other types of small enterprise hampers possibilities outside this sphere. We have all seen good business ideas leave town to launch. Outside of ranching and small scale farming folks who want to live and work in the community find themselves in the trades or hospitality. It must be acknowledged that these sectors create many living wage jobs, generate taxes and circulate dollars through our local economy. But, unfortunately incomes often are not adequate to rent homes in West Marin's inflated market, regardless of availability.

The local housing issue needs to be viewed in the larger, national context. We are in an economy of hard core capitalism, with a population that has doubled in 50 years and diminishing resources. Creative solutions, leadership and our support are sorely needed. The bogey man is not the neighbor on your street renting out their house to tourists.

The struggle for housing is real. I have experienced it myself, and have watched the trials of friends and employees. This led to my partner and I deciding early on to invest our resources in our community, not Wall street, by buying distressed properties and rolling up our sleeves. So in full disclosure we have a vacation rental. It allows our son to live and work on the property. Its proceeds also allow us to keep our full time rentals under market.

Susan Hayes, Inverness Park

**From:** [Dave Oxford](#)  
**To:** [STR](#)  
**Subject:** Dec 1st meeting  
**Date:** Wednesday, December 7, 2022 10:44:48 AM

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

A couple of things from the meeting on Dec 1.

1.) It was stated that the short-term rental rates came from public sources, not from the county's own records.

The county should certainly be able to calculate the actual average income from short-term rentals in the county. It's really easy math:

Dollars received by the county from TOT, divided by the tax rate of 14%, divided by the number of STRs.

example: \$1,400,000 income would be generated by \$10,000,000 in income, divided by 2000 houses would be \$5,000 per house.

2.) I asked what the impetus for starting this process in the first place was, and the general answer was that it was part of an effort to improve availability of housing in the county.

If the county wants to improve the *availability* of housing, it should work on making it easier to CREATE, i.e., *BUILD* housing. Clear away the red tape and reduce the fees for constructing new housing. HELP contractors, rather than putting roadblocks in front of them.

Dave Oxford  
209-605-7582

December 06,2022

str@marincounty.org

Subject: Marin County STR

Dear STR Committee,

I own a home in Dillon Beach which I lived in full time for approximately 5 years. During that time, I found it very difficult to live in Dillon Beach and commute to a full-time job.

The cost of transportation should be considered when looking at Dillon Beach as "affordable living". The cost alone to drive daily is more than you would imagine.... gas prices, wear, and tear to your car (I bought 2 cars in 5 years). An affordable grocery store is a 30-minute drive each way. There are minimal buses, I believe one a week, Uber and Lift will not go to Dillon Beach because of its remote location. Cost of transportation and remote location (difficulty of windy roads and low fog) are most likely why there approximately 40 full time residents that live in Dillon Beach.

The rental income I receive offsets the expenses ie: mortgage, insurance, property tax, maintenance etc. I believe you will find this true for many short-term homeowners. The numbers you shared with an average income of \$642/night 84 % occupancy and \$12,500/month are not even close to what I have ever grossed. The highest occupancy rates of all time were during COVID when people were "staycationing" because they could not travel abroad. Even during that time my numbers were not half of these posted averages.

Also, as a Real Estate Agent who has sold numerous homes in Dillon Beach, I am very concerned about the impact this moratorium has had on the value of our homes. Buyers are put off by the uncertainty of being able to rent a home on a short-term basis. This is financially devastating to our community. Our values were increasing until this moratorium.

Dillon Beach is known as a beach community one that for generations have been a vacation destination. Jobs (housecleaning, maintenance etc.) are created because of short-term rentals. Our local grocery store and restaurant is surviving because of people vacationing. During the years that I have resided at the beach full and part time the STR did not disturb me. I enjoyed seeing other families having the opportunity to enjoy the area. I lived in-between two STR's, I never had a noise issue nor did any short-term tenant show anything but respect and friendliness.

I believe Dillon Beach is not a place you can target as affordable living by shutting down short-term rentals and assume many of those homes will turn to "affordable" living. I'd be interested to know how many homeowners would rent their homes as full-time rentals if they could not rent them short-term. Personally, I am so happy I can "book" days for my family to stay in our home and allow others to enjoy our home when we cannot. It would be a shame to take away an affordable vacation from families that have been doing this for years.

Sincerely,

Colleen Madden

Colleen Madden

(415) 497.5170 | [colleen@cmadden.com](mailto:colleen@cmadden.com)

Subject Property Address: 14 Park Ave, Dillon Beach, CA 94929

Mailing Address: 1001 Bridgeway #461, Sausalito, CA 94965

**From:** [Scott Miller](#)  
**To:** [STR](#)  
**Cc:** [Kutter, Rhonda](#)  
**Subject:** STR or B&B?  
**Date:** Wednesday, December 7, 2022 1:36:46 PM

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Hi Kathleen,

A gentleman (from Bolinas I think?) has expressed his frustration that he can't open his Hosted Short Term Rental because he didn't register before the Urgency Ordinance went into effect.

In my skeptical comments about the Ordinance (5/22/2022), I mentioned that "Hosted STR's" used to be called Bed and Breakfasts.

There's no moratorium on new B&B's.

He could call it what it used to be called, get a Use Permit, and he's good to go.

I call it "Push the pound sign, not the hashtag".

A Use Permit for a B&B is more work and \$ than no permit for a STR, but it *is* possible and it *was* done in the past.

You've also been getting an earful about TOT Certificates not transferring with the sale of the house.

A Use Permit would transfer.

Thanks again for your patience,

-Scott M.

November 10, 2022

Supervisor Dennis Rondoni  
County of Marin  
3501 Civic Center Drive Suite 329  
San Rafael, Ca.

Re: moratorium on short term rentals in West Marin

Dear Supervisor Rondoni

I am not a resident of the County of Marin, but I love it! I live in urban Oakland, and fell in love with the peace and beauty of West Marin 35 years ago when my children were young and we first rented a series of homes for school holidays and vacations. My daughter once described Stinson as an hour and a world away from Oakland. After a few years, we decided we wanted to own a home in Stinson, and we have been Marin County Homeowners and property tax payers ever since.

We have also rented our house when we are not able to use it, to help defray the expenses of ownership. We have a business license, and pay transitory occupancy taxes to the county every year. If we did not rent our house, I don't think we could continue to afford to keep it, and we would have to sell it. Our whole family, now including spouses and grandchildren, love to gather for Holidays. We will be celebrating thanksgiving there in a few weeks. We hope to continue to enjoy our home together into the future!

There are many reasons why communities examine short term rentals. One is the disruption caused in residential neighborhoods from strangers coming and going unpredictably, with noise, parking and safety concerns. In Stinson Beach, the Seadrift community of more than 300 homes has only about 20 full time residences. The homes on either side of us are rarely occupied. I am unaware of complaints about short term rentals in Stinson Beach,; they are common, expected and valued by the business community.

Another reason communities are concerned about short term rentals is the theory that the use of homes for short term rentals reduces the housing stock needed by individuals who want to live in the communities where they work. The cost of housing in West Marin makes it unlikely that a vacant vacation home could be affordable as a long term rental, and would likely be sold to an owner who could afford to let it sit idle.



West Marin is a special place, with a long history of tourism, which is a major support of local business. There are not enough hotels to provide customers to the restaurants, bookstores, markets and shops, and day use visitors are generally gone by late afternoon. The customers that provide the jobs are in the short term rentals.

Would it be possible to use some of the property taxes provided by non resident owners, and the TOT funds to help create affordable housing in West Marin? I would be willing to consider creating an ADU on my property, and dedicating its use to someone wanting to work in Stinson if that would help. Bolinas has an organization working to find properties that can be purchased and operated as affordable housing which the County could support using funds generated by the rentals..

Would it also be possible to separate the consideration of short term rentals in primarily residential areas from primarily recreational areas? The needs and concerns seem different to me.

Please help keep short term rentals available to the homeowners, visitors and business of West marin. Let's focus on finding a way to provide more affordable housing for people who want to work here! Thank you for all you do!

Sincerely yours



Elizabeth W. Sterns  
311 Seadrift Road  
Stinson Beach

5817 Mendoza Drive  
Oakland Ca. 94611  
510 547-2152

Lizsterns@yahoo.com

**From:** [Leila Monroe](#)  
**To:** [STR](#)  
**Subject:** Please add me to STR Email Updates  
**Date:** Tuesday, December 20, 2022 4:04:10 PM

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

Hello Marin Co. STR Team,

I participated in the 12/1 Zoom Update, and I would like to be added to all the update lists on this topic and to be sure that I submit formal comment at the appropriate times. My husband and I own and operate Smiley's Saloon, Hotel & Kitchen, and we have experience with the functioning of permitted short term rentals under the San Francisco and Maui, Hawai'i ordinances. I am also a lawyer with experience in real property law, and I have spent some time looking at the variety of short term rental regulatory approaches.

I strongly support the enactment of some type of STR regulatory program for Marin, and I believe that I have some valuable experience and information to offer to the process. I have witnessed the terrible struggle of long-time residents being evicted, I know a number of working community members forced to live in their cars, and I've experienced the difficulty of finding staff for our business and critical community services out here, without a STR rationalization program in place. For these reasons, I was also on the Board of the Bolinas Community Land Trust for two years and I continue to support that organization.

Many Thanks,  
Leila Monroe  
415-676-8913



December 21, 2022

VIA U.S. MAIL

Supervisor Dist. 4 - Dennis Rodoni  
Supervisor Dist. 2 - Katie Rice  
Supervisor Dist. 5 - Judy Arnold  
3501 Civic Center Drive  
San Rafael, CA 95403

Supervisor Dist. 1 - Damon Connolly  
Supervisor Dist. 3 - Stephanie Moulton-Peters  
Sarah Jones, Acting CDA Director  
Kathleen Kilgariff, CDA Planner

Re: Dillon Beach – Short Term Rentals

Dear Board of Supervisors & Staff:

I am writing on behalf of a group of homeowners from Dillon Beach who rent out their vacation homes on a short-term basis, known as short-term rentals or STRs. We would like to address the County’s current moratorium on STRs, and address the County’s “Guiding Principles” in assessing STRs, and how these principles apply to Dillon Beach.

100+ Year History – Dillon Beach is a visitor-serving resort beach community first developed after World War II, mainly as a collection of small beach shacks, used predominately by families from the Sacramento valley escaping the heat and enjoying the seashore. It was then expanded beginning in the 1960’s to include the upper Oceana Marin subdivision. Many of the homes in the village have been in families for generations. Over the years, many of the original homes, which did not even have foundations, have been lovingly improved and restored into beautiful beach bungalows. Currently, there are approximately 440 lots in Dillon Beach, which includes 170 lots in the historic lower “Village” and 270 lots in upper “Oceana Marin.” Dillon Beach has very few full-time residents (less than 50); most of whom are retired. The rest of the homes are used by families as second homes and/or as STRs. STRs date back over 100 years and, as a result, enjoy many longstanding legal protections.

These short-term rentals coexist in harmony with the small number of permanent residents. Dillon Beach attracts families, not partiers. The renters, homeowners and rental agents make a concerted effort to be good neighbors, enforce the existing County regulations pertaining to STRs, including rental capacity, and make Dillon Beach a safe and pleasant place for all. In addition, the rental income allows homeowners to make improvements and keep the homes in good condition, which benefits all neighbors. While we have seen a chart listing countywide STR complaints over the past four years, there is not any detail that would enable us to determine the basis for any complaints in Dillon Beach. Please forward those complaints to my attention so that we can evaluate the complaints and address any systemic concerns.

December 21, 2022

Page 2

Redaction of the complaining party's name is acceptable so long as an identifier is used so we can determine if there is a serial complainer with a possible agenda.

Eliminating STRs Will Not Increase Housing – Prioritizing housing supply and affordability is an admirable goal, but eliminating STRs in Dillon Beach will not achieve this goal. First, almost all the STR owners and their families use their rentals part-time and are unwilling to give this up. Taking away the ability to rent these homes part-time will not create long-term rentals. Instead, it will result in vacation houses that sit vacant for long periods of time, attracting crime.

Second, eliminating STRs would not provide affordable housing. Affordable housing is defined as “housing that is affordable to households at extremely low income, very low income, low income and moderate-income levels.” Generally, this means housing that costs less than 30% of household income. The houses in Dillon Beach are high value, are very expensive to maintain due to the corrosive ocean air, and would rent out in the \$4,000-\$8,000/month range. Thus, even if some of the homes are converted to long-term rentals, the rents will not be affordable.

Third, if the County is concerned about infrastructure and water use, converting STRs to long term housing will only increase use of these assets. Most STRs in Dillon Beach sit vacant during the winter months, except on weekends. If full-time renters were in these homes, they would be using much more water and putting a daily burden on the infrastructure.

Dillon Beach is Remote & Difficult to Access – Even if owners wanted to rent out their homes full-time, Dillon Beach is too remote and difficult to access for most renters. Dillon Beach does not have any public transportation. The closest gas station is in Bodega Bay 15 miles away, the closest grocery store, hospital and town of any size (Petaluma) are 20 miles away. The winding roads are dark, foggy, full of wildlife (and sometimes cows and sheep from nearby ranches), and are not safe for commuting at night, especially in the winter. Consequently, converting homes in Dillon Beach to long-term rentals does not advance equity in access to economic opportunities or services as intended by the Guiding Principles in assessing STRs.

The County is Relying on Incorrect Data – During recent Zoom meetings, staff have presented data as to the occupancy rates and rental income being generated by these STRs. First, the suggestion seems to be that big companies own these homes and are renting them out for enormous gain. This is simply untrue. The homes in Dillon Beach are owned by individual families, often for generations, not big companies. The County has access to home ownership records and can confirm this. Second, the occupancy and income data being relied on by staff is simply incorrect. For example, the County indicated that Dillon Beach has an 84% occupancy rate, with rentals earning an average gross monthly income of \$12,500. When asked for the source of this data, the County responded that it came from [www.airdna.com](http://www.airdna.com). STRs charge a TOT tax that is paid to the County. Why is the County relying on generic Internet data when it

December 21, 2022

Page 3

has the real data available? If the County looked at the real data, it would be apparent that the STRs bring in a fraction of the gross income reported at these meetings. This income also does not take into account all of the expenses associated with these STRs, including property taxes, insurance, utilities, maintenance, and management fees. Most STRs only generate a modest income over and above these expenses.

Eliminating STRs Will Hurt the Local Economy – Finally, eliminating or restricting STRs in Dillon Beach will hurt the local economy. The nearby towns of Tomales, Valley Ford, Inverness, and Point Reyes Station rely on tourists staying in Dillon Beach to visit their restaurants, shops, wineries and other tourist attractions. Long-term residents will commute into the larger towns for work and shopping, hurting these small towns. In addition, the local employees who support the STRs (management companies, housekeepers, maintenance workers, etc.) will be out of work.

In sum, it makes sense to limit STRs in traditional neighborhoods, but it makes no sense to limit STRs in Dillon Beach, a community that was created for vacationers and has never been a source of long-term housing. Even if the conversion of STRs at Dillon Beach to long-term rentals was possible, we do not believe it would advance equity in access to economic opportunities or services as intended by the Guiding Principles in assessing STRs. Dillon Beach STRs provide a valuable and equitable economic resource for middle and moderate income people wishing to vacation and experience the beautiful Marin Coast. Consequently, we ask that Dillon Beach be allowed to continue operating STRs, as it has for over 100 years.

If any of you or county counsel would like to contact me to discuss this letter, please use my cell phone (707-481-6582). Thank you.

Very truly yours,



Dawn M. Ross

cc: Dillon Beach Homeowners  
Dillon Beach Rentals  
[STR@marincounty.org](mailto:STR@marincounty.org)

**From:** [joshmartha@gmail.com](mailto:joshmartha@gmail.com)  
**To:** [STR](#)  
**Subject:** short term rentals  
**Date:** Monday, January 2, 2023 2:40:24 PM

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josh newman would like information about:

I would like to suggest an item to add to your list of issues identified under principle #4, which I quote here: "Distinguish among types of Short Term Rental operations and operators, e.g., hosted and unhosted, single and multiple ownerships, etc." In addition, you should please distinguish between the types of communities in which the short-term rentals are taking place. For example, in Dillon Beach, the area is essentially 100% retirement or vacation homes; there are almost zero people living there who are working in local jobs where short-term rentals could put upwards pressure on housing costs and drive them out of the area. In contrast, in San Rafael or other areas in Marin, short term rentals may very well be negatively impacting the local rental housing market. Thank you, Josh Newman

December 31, 2022

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

Subject: Marin County STR

Dear STR Committee,

We own a home in Dillon Beach and would like to express our concerns about the short term rental moratorium. Dillon Beach is known as a beach community that has been a vacation destination for generations. Jobs (house cleaning maintenance etc.) are an important income for the full time residents of DB. Our local grocery store and restaurant is surviving because of people vacationing. Short term renters have never disturbed us and we like seeing other families enjoy the area. We have never had a noise issue, nor has any short term tenant shown anything but respect and friendliness.

We believe that Dillon Beach is not a place you can target as affordable living by shutting down short-term rentals. We do not believe many of those homes will turn into affordable living, but rather will sit vacant for most of the year. It would be a shame to take away an affordable vacation from families that have been doing this for years and also take away the livelihood of many of the residents.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dorie and David Rivers". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Dorie and David Rivers

**From:** [Sabrina Moyle](#)  
**To:** [STR](#)  
**Cc:** [Julian Abdey](#)  
**Subject:** Public comment re: Short Term Rental Moratorium in West Marin  
**Date:** Thursday, January 12, 2023 12:15:20 PM

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You don't often get email from [sabrina@hellolucky.com](mailto:sabrina@hellolucky.com). [Learn why this is important](#)

To Whom it May Concern,

Our family is a long-time short-term renter in the Seadrift community in Stinson Beach, and we now own a home on Dipsea Road which we occasionally rent.

We believe the County will be making a grave mistake by having a Short Term Rental Moratorium apply unilaterally to West Marin, specifically to the area of Seadrift.

Seadrift is a unique vacation destination used by families with young children and for family reunions for generations. We ourselves began bringing our children here 13 years ago for family vacations, as it was an affordable, accessible way to vacation in the Bay Area.

The proposed moratorium will mean that the local families will no longer be able to access Seadrift for vacations and reunions, since they will need to be able to afford rent for 30 days or more.

If the moratorium goes into effect, property owners in Seadrift will likely simply leave their houses empty, thereby not creating any additional housing and taking away a meaningful, affordable, accessible vacation rental option for Bay Area families.

We sincerely hope that the county will re-consider the wisdom of the moratorium and explore other ways to create affordable housing supply.

Sincerely,

Sabrina Moyle  
155 Dipsea Road  
Stinson Beach, CA

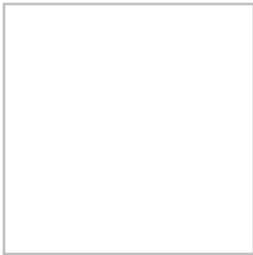
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[Adventures of Astrid and Stella](#), [Thanks a Ton!](#), [Halloween is a Treat!](#), & [Elf-Care Advent Calendar](#)







SABRINAMOYLE (she/her/hers)  
CO-FOUNDER+WRITER



[WWW.HELLOLUCKY.COM](http://WWW.HELLOLUCKY.COM)

**From:** [Axel Wefers](#)  
**To:** [STR](#)  
**Subject:** Feedback STRs in Almonte Neighborhood  
**Date:** Monday, January 16, 2023 3:35:21 PM

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

Hi,

I joined the "Update on Short Term Rental Community Learning Sessions" for District 3 in December, unfortunately the meeting was derailed by West Marin residents. Apologies if this feedback comes a bit late, but as a resident of the Almonte neighborhood, I would like to share a few thoughts in regards to short term rentals, specifically in our neighborhood. In general, we are very disappointed that some hosts do not follow good neighborly behaviors and it makes us feel often abused, and I would appreciate stronger regulations in regards to STRs:

### **1. Street parking in the Almonte neighborhood is extremely limited.**

Observations:

- Hosts have their guests park on the street, sometimes guests arrive with multiple and very large sized SUVs/trucks. This takes away parking space for visitors of regular residents.
- We live on a private part of California Ave, and multiple times hosts from Harvard Ave (on street above on the hill) have been sending their STR guests to park on our street. There are only three street parking spots on this street.

Proposals:

- The permit application should require and document on property parking.
- If the STR borders to a private street, it should be a requirement that all residents of the private street approve the usage of a property as STR with the annual license renewal.

Rationale: The county is hands off with enforcement of parking violations in regards to non-county maintained roads, so as tax payers we expect better support from the county.

### **2. Waste Management**

Observation:

- We live right next to two STRs: One STR uses their backyard as exit for their guests. It has happened that guests from that place have dumped trash bags into our recycle cans on their way out. The other STR had multiple times problems with incorrectly sorted trash/recycle/paper. As a result, the refuse service provider leaves the non-emptied cans behind, often open, meaning that it can happen that waste is scattered over the street. This is concerning in regards to pests.

Proposal:

Waste issues should be aggressively managed with penalties (see point 5 below).

### **3. STR during fire season**

Concerns:

- Escape routes are tricky in Almonte, in case you are not aware: the SMFD does even organize dry runs once a year for neighborhoods. As an example, we had a STR guest next door. One direction of our street was temporarily closed due to a tree removal. The guest had no idea how to get out of the neighborhood.
- We have observed guests that were disposing cigarette/joint butts from the deck of the rental into the dry backyard of the rental.

Proposal:  
No STR usage during fire season.

#### **4. STR during Drought**

Observation:  
Professional establishments for tourists like motels or hotels, can ensure conscious water usage.

Proposal:  
No STR usage during drought.

#### **5. Penalties are too low.**

Observation:  
The penalties should be based on the rental fee and not a fixed amount.

Proposal:  
- First penalty: 1 day of gross rental income.  
- Second penalty: 3 days of gross rental income.  
- Final penalty: 5 days of gross rental income and loss of license.

#### **6. Disincentivize usage of primary residences as STR**

Observation:  
We are observing neighbors that are on and off using their entire primary property as a STR.

Proposals:  
- Limit the usage to 90 days as STR per year.  
- Limit the amount and density of STRs in neighborhoods, we live right next to two STRs, this is too much.  
- Probably out of your jurisdiction: Do not allow to classify a property that is being used as single unit STR as primary residence for tax purposes (ie no exemption on capital gains tax when selling the property).

So in summary, I would like to propose the following regulations for STRs in Almonte:

1. Require on-property parking.
2. If the STR is bordering to a private street, require the approval by all residents of that street.
3. No STR usage during fire season.

4. No STR usage during drought.
5. The current penalties for violations are too low.
6. Limit the usage to 90 days as STR.
7. Limit the amount/density of STRs in our neighborhood.
8. Probably out of your jurisdiction: Do not allow an active STR to be classified as primary residence, to avoid exemption on capital gains tax when selling the property.

Thank you,  
Axel

**From:** [Rodoni, Dennis](#)  
**To:** [STR](#)  
**Subject:** FW: concerns about STR restrictions  
**Date:** Tuesday, January 17, 2023 12:55:51 PM

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Dennis Rodoni  
Supervisor 4th District  
Marin County Board of Supervisors  
3501 Civic Center Drive, Suite 329  
San Rafael CA 94903  
415-473-7331

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**From:** adrienne <[avangorden@yahoo.com](mailto:avangorden@yahoo.com)>  
**Sent:** Tuesday, January 17, 2023 12:51 PM  
**To:** Rodoni, Dennis <[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)>  
**Subject:** concerns about STR restrictions

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My family and I are long-term visitors to the Point Reyes Seashore. We have stayed multiple times in multiple VRBOs in the Inverness area, as well as occasional visitors to the couple of motels in the area. For a family of four with a dog, however, it is much more practical and enjoyable for us to get a VRBO short-term rental when we visit.

We live in Palo Alto, but Point Reyes is our home away from home. The time we have spent in the short-term rentals in the area have been some of the best times of our family life. Sometimes we invite friends up to stay with us as well, and we love introducing them to all that Point Reyes has to offer. We do most of our holiday shopping in Point Reyes, and most years I visit the open studios around Thanksgiving. We love Palace Market and Inverness Park Market. We have relationships with some property owners and we have years of history together that we very much value.

I am concerned that restrictions to the short term rentals in Marin County will negatively impact our ability to spend time in Point Reyes, and I very much do not want that to happen. We hope that you will consider not only the joyful memories that we have from our many family stays in STRs, but also the dollars that we spend, including the STR taxes, when we visit, and the fact that motel rooms often do not offer the space and kitchen needs that a family with children and a dog require.

Thank you in advance for considering our input.

Sincerely,  
Adrienne Van Gorden  
Palo Alto, CA  
650-823-6335

**From:** [Rodoni, Dennis](#)  
**To:** [STR](#)  
**Subject:** FW: STR West Marin  
**Date:** Wednesday, January 18, 2023 5:01:39 PM

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Dennis Rodoni  
Supervisor 4th District  
Marin County Board of Supervisors  
3501 Civic Center Drive, Suite 329  
San Rafael CA 94903  
415-473-7331

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**From:** Jane Gorai <[janegorai@gmail.com](mailto:janegorai@gmail.com)>  
**Sent:** Wednesday, January 18, 2023 3:50 PM  
**To:** Rodoni, Dennis <[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)>  
**Subject:** STR West Marin

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We are writing regarding short term rentals in West Marin.

As Bay Area residents, we appreciate the concern about the impact of short-term rentals on housing availability with the ongoing housing crisis in our area.

As a long time user of STRs in West Marin, we hope that a lottery system further limiting the availability of lodging is not implemented.

Our family has enjoyed visiting the Point Reyes area since 1988. While we can not afford to buy a vacation home, we have truly appreciated access to the area through short term lodging. This has enabled us to enjoy Point Reyes National Seashore, Tomales Bay & Inverness and environs, and create many treasured memories with family and friends. As people of color, we have felt a family-like welcome from our hosts in West Marin and feel part of the communities there, even if just for a weekend.

West Marin is accessible as there is overnight lodging, as mandated by the Coastal Commission. Implementing a lottery will reduce the variety and availability of lodging options. We save our precious time and vacation dollars to spend locally in California. We eat in Marin restaurants, buy Marin made crafts and photographs, baked goods, produce, wine, meat, oysters and books. We pay our 14% transient occupancy tax on every stay, which supports community housing.

We support the licensing and regulation of STRs by the county, but please do not implement a lottery to reduce the availability of lodging or limit an owner's ability to provide flexible housing.

We hope that you take our experience into consideration as you move forward with the difficult task of balancing the various interests on this issue.

Yours truly,  
Jane Gorai & Don Ng  
San Francisco

**From:** [Audrey K](#)  
**To:** [STR](#)  
**Subject:** please allow ST rentals in W Marin  
**Date:** Wednesday, January 18, 2023 2:04:12 PM

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

Dear Marin County Supervisors and policy makers:

I am writing in support of allowing/reallowing ST rentals in the county.

Short-term rentals are important to the West Marin community. As homeowners, most of us were introduced to West Marin via vacation rentals. Few renters have the ability or money to rent for 31 days or more, thus leading to a steeper divide in the demographics of people that can afford to vacation in West Marin.

The short-term rental market is a major source of income for small businesses in West Marin; Grocery stores, restaurants, our local activity rentals (kayaks, bikes, surfboards, etc) let alone housecleaners, carpet cleaners, window washers and more. All these people depend on short-term rentals. Permanent full time residents of Stinson Beach homes do not tend to do activity rentals as they already own the equipment and do not need weekly cleaners and frequent repair vendors as are needed with short term rentals.

Many of us homeowners depend on the rental income to be able to afford our Stinson Beach homes. We purchased our home so we could enjoy Stinson Beach. Renting it out long term makes our own usage quite limited. Additionally, were we to rent long term, the monthly rent would not be considered affordable housing. The reality is many of these homes will sit empty or they will be sold to more wealthy homeowners who can afford the rental income and the local small businesses will suffer and possibly close.

Millions of dollars are collected in tax from short-term rentals (10% to County of Marin and 4% to West Marin services). Banning these rentals would eliminate this large amount of revenue that is collected each year.

While the intention of the ban is to allow for more affordable housing, please consider what the loss of the income from this tax would do to West Marin . West Marin has historically been more expensive due to it's proximity to San Francisco and its added beauty. You cannot change that, you can only exacerbate the situation by making it more exclusive for only those that can afford the month long rentals or more. Please think this through or at very least put it on the ballot.

Audrey Koh



Stinson Beach

**From:** [Rodoni, Dennis](#)  
**To:** [STR](#)  
**Cc:** [Kutter, Rhonda](#); [Barreto, Fernando](#)  
**Subject:** FW: STR Regulations  
**Date:** Saturday, January 21, 2023 8:58:34 AM

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**From:** Dennis Rodoni <[djrodoni@gmail.com](mailto:djrodoni@gmail.com)>  
**Sent:** Saturday, January 21, 2023 8:19 AM  
**To:** Rodoni, Dennis <[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)>  
**Subject:** Fwd: STR Regulations

Sent from my iPhone

Begin forwarded message:

**From:** Dakota Whitney <[dakotawhitney@gmail.com](mailto:dakotawhitney@gmail.com)>  
**Date:** January 20, 2023 at 2:08:01 PM PST  
**To:** Dennis Rodoni <[djrodoni@gmail.com](mailto:djrodoni@gmail.com)>  
**Cc:** Angela Whitney <[angelapwhitney@gmail.com](mailto:angelapwhitney@gmail.com)>  
**Subject: STR Regulations**

Hi Dennis,

You may submit the following as my comment.

There appears to be a well-organized (and well-funded?) effort to oppose restrictions on short-term rentals in West Marin. I am concerned that this vocal minority will have an outsized impact on the regulation process. This concern has prompted me to share my opinion with you.

I support restrictions on short-term rentals in West Marin. I believe that the overall impact on our community from short term rentals has been negative by providing a financial incentive to people to buy second and third homes in West Marin with the intention of immediately making them into short-term rentals to defray their costs and to use as occasional getaways for themselves. It has also provided incentives to long-term owners to rent out their homes and second units as short term rentals rather than as long term rentals. This has three primary damaging effects: (1) it reduces the inventory of long-term rentals for those who live and work in our community; (2) it increases long-term rental prices; and (3) it drives up the cost of real estate and makes it virtually impossible for families who live and work in West Marin to buy homes here.

My family has felt the secondary negative effects of losing year-round residents and

workers to short-term visitors directly. Historically, local professionals, teachers, tradespeople, and laborers could afford to live and work here. When they move elsewhere (which has been happening with alarming and increasing regularity) our community suffers. The argument has been made that without short-term rentals the community will lose important goods and services. However, I believe the opposite to be true. Well before short term rentals became prevalent here, we actually had more grocery stores, restaurants, essential shops, tradespeople, and businesses that provided most everything that was needed for life here. Now there are no fewer than eleven gift shops in Point Reyes Station. While these shops are lovely, they are certainly not needed to sustain our community.

I want to be clear that overnight visitors are welcome and can stay in one of the hotels, motels, and inns in West Marin, which I don't believe are operating at capacity.

I must acknowledge that my family operates a short-term rental in a summer home that my grandparents built in 1950. We also provide a long-term (10+ years), affordable (<\$900 a month) rental unit to someone who has lived and worked in West Marin his entire life. This is the balance we have struck in order to keep the property in our family. That said, I favor regulations on short term rentals that encourage or require property owners to prioritize providing long term housing over short term rentals. If we have to give up our own short term rental as a consequence, so be it.

Thank you,

Dakota Whitney

**From:** [Amiel Kornel](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [STR](#)  
**Subject:** Licensing of short-term rentals  
**Date:** Saturday, January 21, 2023 2:11:58 PM

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

Dear Supervisor Rodini,

We are writing to you to urge continued licensing of short-term rentals in your district.

While we live in San Francisco, the Point Reyes National Seashore has been our family's preferred destination for holidays and weekend getaways for the past 30 years. It is where we commune with nature, celebrate special moments, recover from difficult times, and generally recharge our batteries.

Part of the charm has been staying at the same rental – Mike Durrie's "Yvetot" on Inverness Ridge – since we discovered it many years ago. Staying in a private home allows us to cook for ourselves and enjoy the shared experience with friends and family in a way that would just not be possible if we stayed in a local motel. While our three daughters are grown up now, they continue to visit with their friends.

In addition to enjoying the natural beauty of the area, we patronize local restaurants, stores, and other businesses. We are also unofficial ambassadors, urging our Bay Area friends as well as out-of-town guests to visit Pt. Reyes.

We've always been thankful that the Coastal Commission mandated the County to make lodging available to visitors to the Point Reyes National Seashore. And we willingly pay the 14% Transient Occupancy Tax knowing that it benefits the community.

We sincerely hope that you will support continued licensing of short-term rentals!

Sincerely,  
Amiel and Catherine Kornel  
664 Elizabeth St., SF 94114

**From:** [Sandy Barger](#)  
**To:** [Rodoni, Dennis](#); [STR](#)  
**Cc:** [Rosemary Pickel](#); [Kris Lemon Pickel](#); [Cathy Pickel-Hicks](#); [Linda Martin](#); [John Arguelles](#)  
**Subject:** STR Ban would Adversely affect our property and the community  
**Date:** Sunday, January 22, 2023 1:20:26 PM

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Some people who received this message don't often get email from [sandy.barger4@gmail.com](mailto:sandy.barger4@gmail.com). [Learn why this is important](#)

Hello. I am writing to let you know the potential ban on STR in Marin county would adversely affect our property at 117 Cypress, on the main street into the beach. If the ban was to take place, our house in this prime location would sit empty and fall into disrepair.

My parents bought the house over 40 years ago and we enjoyed it as a family until my father passed away. None of the kids currently live in the area and we are keeping the house knowing that some will eventually return. Until then, we rent the house, at a very reasonable rate, so people can access the beautiful Dillon's Beach and support the local economy. The money we earn from the rental we put right back into the house to keep it in good condition in the tough beach air environment - which we could not afford to do without the income from the rental.

Please help us keep Dillons Beach accessible to people and beautiful by preventing the short-term rental ban from going through.

Thank you for your consideration.

--

Sandy Barger  
818-331-0258

**From:** [lynda.balzan](mailto:lynda.balzan)  
**To:** [STR](#)  
**Subject:** Short term rentals in West Marin  
**Date:** Sunday, January 22, 2023 1:43:06 PM

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You don't often get email from lbalzan@sbcglobal.net. [Learn why this is important](#)

We are writing this letter to express our concerns about implementing changes relative to short term rentals in Bolinas. We currently own property on the lagoon that has been in the family since the early 1900's. In order to pay taxes, flood insurance, earthquake insurance, homeowner insurance, and provide necessary regular maintenance to the property we, as retired individuals, need to rent it out on an occasional basis. In the past, we have adhered to all of the guidelines being imposed by the county relative to this issue. The families we have rented to are primarily local, love the area and have treated our house and the environment with care and respect. To restrict the rental of the property would also further restrict access to an area that is already limited.

Realistically, there will always be a shortage of housing in the Bolinas area given the limited infrastructure, availability of water, parking, and land for development. If you prohibit or strictly limit short term rentals, you will force some long term property owners who have been invested in the community for ages to sell the places which in all probability will be purchased by those with the means to use the property only as summer homes. This will in no means solve the problem and will further restrict access to visitors coming to beautiful West Marin.

In addition, we are also concerned about the individual rights of the homeowner. Pressure is often applied by a vociferous minority to influence politicians into making decisions that don't benefit the majority or take into consideration the full impact of the consequences.

In closing, we love the Bolinas area and would love to see access for all who want to use it. Unfortunately, because its limited geography, it is just not possible .....with or without short term rentals.

Lynda and Bob Balzan  
101 Wharf Road, Bolinas

**From:** [Loren Quaglieri](#)  
**To:** [Rodoni, Dennis](#); [STR](#)  
**Cc:** [scottegrooms@gmail.com](mailto:scottegrooms@gmail.com)  
**Subject:** Please support short term rentals in West Marin!  
**Date:** Sunday, January 22, 2023 3:22:55 PM

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You don't often get email from [loren\\_quags@yahoo.com](mailto:loren_quags@yahoo.com). [Learn why this is important](#)

I own a vacation home located at 297 Seadrift in Stinson Beach. I have been on several county-led calls about the current STR moratorium and the impending updates. As a 25-year-long resident of Marin county and now a second homeowner in Seadrift I am very concerned about the potential limits that the county is trying to enforce on West Marin STRs.

For as long as I can remember, the GGNR and Stinson beach has been a favorite VACATION destination for locals coming from SF and the bay area. Since there are really no hotel lodging options for **families**, home rentals have been the primary way that people have been able to spend time in the park and enjoy the coast. For years we rented homes in Seadrift with other families and our children were able to enjoy the beach, grab lunches at Parkside and enjoy dinners at the Sand Dollar. Relatives could also come and rent houses so that we could enjoy family time together at this treasured destination. In 2020 we were fortunate enough to purchase a home in Seadrift so that we can continue our traditions. As you know, these homes come at quite an expense and many have not been updated since they were originally built in 1980. The cost to own and maintain these second homes is worth the expense to be able to enjoy the beach but is also made possible through supplemental rental income. These rentals are inside a private drive and overseen by an association and sit behind a manned security gate. When we purchased this house we factored in the rental income as a way to offset maintenance costs and or property taxes. We use the house plenty but when it is empty we opt to rent it out so others can enjoy the beach, spend money at the local shops and keep the economy strong in town. We pay an extra lodging tax above and beyond what the two small in-town hotels would have to pay for the right to rent our house out, benefiting the county. This extra tax money could/should be used by the county to fund additional housing that the state is asking them to provide. Instead, it feels like the county is trying to take our homes from us.

Stinson Beach is NOT an easy destination to get to and from. This location is not ideal for commuters who need to work and there is limited bus service to town. School-aged children would have to be driven over the hill and back every day, 5 days a week if they lived in Stinson, which would not be ideal for traffic flow or community building for those children whose peers would all live a minimum of 40 minutes away. I'm not sure why the county thinks that these multi-million dollar properties would add to the housing element that the state is being asked to make available. I would never own a second home with the plan to rent it out full-time and not be able to use it. The county would be much better served to build additional housing in corridors with better public transportation, closer to jobs and schools, and more cost-effective for the residents who will need to rent them.

Likewise, I am aware that certain west Marin residents are only able to own their primary home BECAUSE they STR a room in their house. Marin is an amazing place to call home. Regardless of income, it's expensive to live here. We have to do what we can to get by and make it work. If leveraging our real estate investments is one means of doing this, why should the county be able to take that away from us? Better yet, with the county's interference in the STR argument, our initial investments **WILL LOSE VALUE**. The county needs to find locations to purchase land and create the housing that is needed. West Marin STR are NOT the answer to the housing shortage and restricting STR in West Marin will NOT lead to an increase in available long-term rental housing but it will dramatically **cripple** the local community. It may cause us to have to sell our homes, it will decrease the value of the homes and it will detract from the dollars that are currently being distributed in the community (from the restaurants, stores, local cleaning crews, rental agencies, etc.).

We implore you to keep the historical access to West Marin and Stinson Beach as it has been for over 30 years. Let families rent homes so they can enjoy family vacations at the beach for a week or two each summer. Give locals a place to go for special occasions with their families. Keep the value of our homes intact and use our lodging taxes to fund new construction.

Thank you for your consideration,

Loren Quaglieri  
Mill Valley and Stinson Beach



**From:** [Meg Cadiz](#)  
**To:** [STR](#)  
**Subject:** Property Manager Letter  
**Date:** Sunday, January 22, 2023 3:24:39 PM

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Dear County of Marin STR Committee:

I am a long time multi- generational Inverness home owner and STR property manager. My family has owned several vacation homes in Inverness since 1930. I became a full-time resident and home owner in 2000. I have extended family who are full-time residents of West Marin and who also have vacation homes and own and maintain several businesses in West Marin. I too am a small business owner and manage 14 homes in West Marin. I employ local tradesman; plumbers, electricians, septic services, contractors, house cleaners, landscapers and others. We buy locally and refer and recommend our local restaurants and businesses to all our guests. Last year our rental income contributed over \$100,000 in Transient Occupancy Tax.

My family is very active in the community, serving on the Chamber of Commerce board, nonprofit boards and we donate regularly to many nonprofits. My daughter is a graduate of Inverness and West Marin School. My husband and co-owner is a local general contractor and his family has also worked and lived in West Marin since 1960.

Suffice it to say, we have seen change in our town, but one thing has remained the same; the desire for tourists to visit the beautiful Point Reyes National Seashore. Another thing that has remained the same is the second homes that remain unoccupied most if not all of the year.

I started my business Coastal Properties Marin in 2012, in response to my friends and neighbors asking for help in maintaining their family homes. They asked for help in paying for upkeep and property taxes. We helped by offering visitors a place to affordably stay, create lasting memories and return again and again and perhaps find their forever home. My business also helps in the process of locals sort out their estates and clean houses on a regular basis for seniors and local residents. We even helped sell a home to a happy new business/home owner in Point Reyes.

I believe my contributions as an STR manager has added a valuable service to our community. I know our town, I pay taxes, I participate and I use all my local contacts to keep locals and businesses thriving. I am a good steward and ambassador of West Marin. I truly wish for my guests to have a magical experience. I and my team work very hard maintaining our properties, caring for our guests, caring for our owners and providing accurate and timely reports and payments to help support the County of Marin.

I and my fellow STR owners are extremely connected and care deeply about our special West Marin. We share information, look out for each other and our properties. We are part of our community. I take this role seriously and feel any further moratorium around STR should not be considered. We are an important and caring part of the past, present and future of West Marin.

Sincerely,  
Meg Cadiz  
Coastal Properties Marin

**From:** [Cynthia Gerlinger](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [STR](#)  
**Subject:** My comments on the West Marin STR issue  
**Date:** Sunday, January 22, 2023 11:16:14 PM

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Dear Supervisor Rodoni,

Thank you for your work and efforts in West Marin: for the protection of our environment around Tomales Bay, and for working with the community to balance housing and tourism in the area.

I am a low-income resident of Inverness Park working in the area for a local non-profit and also managing a few small properties that rent to tourists a few days a month. The properties are inherited family properties and the owners use it regularly (although the properties are not their primary residence). Occasional rental income the owners earn help pay taxes, my commission and maintenance on the property. These are not investment properties, they have been in the families for 2-3 generations and are important to these families, to me and enjoyed by our renters.

In addition to benefiting from the STR system by earning a commission on rentals, I also extend that financial benefit to locals who help clean, trim trees, repair plumbing and roofs, septic tank cleaning, etc.

I would like to see the encouragement of tourism in the area, vital for people that work and live here. I hope the County will not discourage tourism by making accommodations hard to find (via restricting STRs). I benefit directly from properties being rented via STR platforms. I know for a fact that "my" properties would sit vacant when the owners are not using if it wasn't for the STRs. In addition to employing me and other local help, the system allows the area to offer a place to stay for visitors who want to enjoy West Marin but do not necessarily want to live here. A benefit to all.

The area attracts like-minded, nature-oriented people who love being in a more rugged place, dealing with our unpaved streets, lack of cell coverage and other problems (benefits?!). If these tourists did not spend time (and their money) short-term renting these private properties, where would we house them? With the influx of tourists to the National Park, is Marin County going to steer the community to develop a large hotel? I hope not, it goes against the mindset of the area. But we need the tourists: to support the local economy and help owners maintain properties. We all benefit from their stay in private homes, continuing to maintain the setting as a semi-rural, low-profile area that we all love and others are attracted to.

I echo the feelings about lack of housing for lower income folks as myself (it took me 2 years to find reasonably priced rental). But there is also lack of housing and availability of housing in the area for non-low-income folks as well! This is actually a Bay Area-wide problem, with the high demand that drives prices up for rent and for purchase. STR-home owners are not the culprits here. There are just too many people (demand), tourists and residents (low and high-income) alike, elbowing each other for a place.

The tax dollars home owners contribute (property and the higher 14% TOT on rentals in West

Marin) supports the County efforts to mitigate some of the problems. The County is heavily penalizing STR-home owners when these home owners are actually contributing \$ to support the community. Tipping the balance heavily in favor of low-income housing won't solve the issue. I'm counting on you to strive for a more balanced approach, where everyone will help and benefit.

I thank you for taking this on!!  
Cynthia

.....  
cynthia gerlinger  
[cynthiagerlinger@me.com](mailto:cynthiagerlinger@me.com)  
+1415.706.1415

**From:** [Anna McDonnell](#)  
**To:** [STR; Rodoni, Dennis](#)  
**Subject:** Short term rental policy  
**Date:** Monday, January 23, 2023 9:49:22 AM

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Hello:

We bought a house, now our primary residence, in Inverness in December of 2021. We were planning to rent it on a short term basis when we travel in order to help with expenses and to allow others the opportunity to visit the beautiful place we are lucky enough to call home.

We were shocked and dismayed when we read about - too late - the draconian restrictions that were place on every kind of short term rental.

We don't see how limiting full-time residents' ability to rent their houses on an occasional basis would IN ANY WAY impact the availability of housing in West Marin.

The current restrictions have been painted with FAR too wide a brush. We certainly hope the newer policies will be significantly more nuanced.

In short, we would very much like to be able to rent our primary residence as we see fit.

All best,

Anna McDonnell and Sam Harper  
125 Camino del Mar  
Inverness, CA 94937  
310-592-3437

**From:** [Rodoni, Dennis](#)  
**To:** [Keith Offord](#); [STR](#)  
**Cc:** [Barreto, Fernando](#); [Kutter, Rhonda](#)  
**Subject:** RE: Short Term Rental Moratorium  
**Date:** Monday, January 23, 2023 10:23:59 AM

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Keith, thanks for your comments. I will share them with the CDA team working on STR regulation.

Regards.

Dennis Rodoni

Supervisor 4th District  
Marin County Board of Supervisors  
3501 Civic Center Drive, Suite 329  
San Rafael CA 94903  
415-473-7331

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

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**From:** Keith Offord <[keith@rossvalleyrealestate.com](mailto:keith@rossvalleyrealestate.com)>  
**Sent:** Monday, January 23, 2023 10:20 AM  
**To:** Rodoni, Dennis <[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)>  
**Subject:** Short Term Rental Moratorium

You don't often get email from [keith@rossvalleyrealestate.com](mailto:keith@rossvalleyrealestate.com). [Learn why this is important](#)

Dear Mr. Rodoni,

As a realtor, I'm sure you won't be surprised to hear that I am not a fan of the short term rental moratorium.

Over the last few years through my Zillow advertising, I have met hundreds of people who aspire to owning a home in West Marin, and while many have enough money to purchase seconds homes in the area, many can barely afford to buy, and need to purchase property with rental income potential in order to make their dream a reality. This seems to be especially true in San Geronimo Valley. Prospective buyers that I have met in the coastal areas such as Stinson, Bolinas or Dillon Beach tend to be looking for second homes & often have cash. But those in Woodacre, and the other smaller towns in the valley are usually hoping to be first time homebuyers.

What effect the ban on Short Term Rentals will have is going to have to be conjecture and even in the future it may be impossible to determine to what extent this factor will have had on the trajectory of the market - it will affect potential buyers decisions, if this leads to a softening of prices, who will that benefit? In coastal areas, I expect it will benefit the wealthy. Those who don't need to rely on the income from their property.

If, as I have heard the County is likely to make the moratorium permanent, I hope the reasoning will be clear and persuasive.

Thank you,

Keith Offord

Ross Valley Real Estate

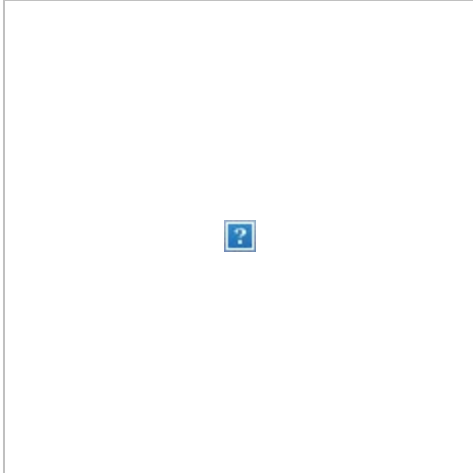
Tel: 415 342 4839

902 Sir Francis Drake Blvd (next to Peets)

San Anselmo, Ca.94960

[keith@rossvalleyrealestate.com](mailto:keith@rossvalleyrealestate.com)

[www.rossvalleyrealestate.com](http://www.rossvalleyrealestate.com)



**From:** [Rodoni, Dennis](#)  
**To:** [STR](#)  
**Cc:** [Barreto, Fernando](#); [Kutter, Rhonda](#)  
**Subject:** FW: Short-term rental comment  
**Date:** Monday, January 23, 2023 11:08:06 AM

---

Sent from my iPhone

Begin forwarded message:

**From:** Dennis Rodoni <[djrodoni@gmail.com](mailto:djrodoni@gmail.com)>  
**Date:** January 21, 2023 at 11:07:03 AM PST  
**To:** Dennis Rodoni <[drodoni@marincounty.org](mailto:drodoni@marincounty.org)>  
**Subject: Fwd: Short-term rental comment**

Sent from my iPhone

Begin forwarded message:

**From:** Angela Whitney <[angelapwhitney@gmail.com](mailto:angelapwhitney@gmail.com)>  
**Date:** January 21, 2023 at 9:12:00 AM PST  
**To:** Dennis Rodoni <[djrodoni@gmail.com](mailto:djrodoni@gmail.com)>  
**Subject: Re: Short-term rental comment**

Hi Dennis,

Yes, please submit this as my official comment. I have pasted below with minor corrections.

Thank you,  
Angela

I am writing to vocalize my views on the short-term rental moratorium and pending restrictions. Thank you for soliciting feedback and for considering the views of West Marin.

**In short, I am supportive of restrictions to short-term rentals in West Marin.** I believe restrictions could take a number of forms, not necessarily a flat out ban--creative solutions welcome--but I do think curbing the

unfettered short-term rental market is essential in protecting the livability of our community.

I am both a long-term renter in Point Reyes and part owner in a family property that we rent on a short-term basis. I am extremely grateful for the decision my landlady has made in choosing to rent her home to me and my husband, prioritizing community and access to housing over maximizing profitability. Likewise, I value that we are able to maintain our family property using income from short-term rentals; however, we would do what was necessary to keep the property if this option was no longer available to us.

I understand income from short-term rentals is critical for some homeowners struggling to keep their homes. However, I have observed that the ease of renting on a short-term basis has incentivized second and third home buying in recent years in West Marin. I don't believe the subsidy that short-term rental income provides non-residents is a legitimate reason to refrain from regulating these rentals. Over the past 6 or 7 years I have been in the market to buy a home in West Marin and therefore have followed the real estate market closely; I can think of less than five houses sold to full time residents (this is not precise but my point is that the number is very small); while I know at least two families who were evicted from long-term rentals who had to move out of state to afford homes (but I don't need to tell you about the housing and affordability crisis). I believe that curbing the incentive for people to buy vacation homes in West Marin will lead to more long-term housing.

I don't think regulating or eliminating short-term rentals is a silver bullet to fixing the housing shortages in West Marin, however, I do think it is part of a critical package, and without it, other solutions would seem hollow and or privileging the already highly privileged in our community.

Finally, I fear that the vocal minority on this issue--those opposed to restrictions--have the loudest voice, hopefully this letter helps counter some of their cries.

Many thanks for your consideration and for serving our community,  
Best,  
Angela

On Sat, Jan 21, 2023 at 8:20 AM Dennis Rodoni <[djrodoni@gmail.com](mailto:djrodoni@gmail.com)> wrote:

Thanks Angela , Can I share this with county staff as a comment on the STR regulations ? Since this is my personal email I wanted to ask



permission . DR

Sent from my iPhone

On Jan 20, 2023, at 10:47 AM, Angela Whitney  
<[angelapwhitney@gmail.com](mailto:angelapwhitney@gmail.com)> wrote:

Hi Dennis,

I hope you are well and enjoying the sunshine after weeks of rain.

I am writing to vocalize my views on the short-term rental moratorium and pending restrictions. Thank you for soliciting feedback and for considering the views of West Marin.

**In short, I am supportive of restrictions to short-term rentals in West Marin.** I believe restrictions could take a number of forms, not necessarily a flat out ban--creative solutions welcome--but I do think curbing the unfettered short-term rental market is essential in protecting the livability of our community.

I am both a long-term renter in Point Reyes and part owner in a family property that we rent on a short-term basis. I am extremely grateful for the decision my landlady has made in choosing to rent her home to me and my husband, prioritizing community and access to housing over maximizing profitability. Likewise, I value that we are able to maintain our family property using income from short-term rentals; however, we would do what was necessary to keep the property if this option was no longer available to us.

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market to buy a home in West Marin and therefore have followed the real estate market closely; I can think of less than five houses sold to full time residents (this is not precise but my point is that the number is very small); while I know at least two families who were evicted from long-term rentals who had to move out of state to afford homes (but I don't need to tell you about the housing and affordability crisis). I believe that curbing the incentive for people to buy vacation homes in West Marin will lead to more long-term housing.

I don't think regulating or eliminating short-term rentals is a silver bullet to fixing the housing shortages in West Marin, however, I do think it is part of a critical package, and without it, other solutions would seem hollow and or privileging the already highly privileged in our community.

Finally, I fear that the vocal minority on this issue--those opposed to restrictions--have the loudest voice, hopefully this letter helps counter some of their cries.

Many thanks for your consideration and for serving our community,

Best,  
Angela

--

Angela Whitney

--

Angela Whitney

**From:** [Graham Chisholm](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [STR](#)  
**Subject:** West Marin Short-term Rental Policy  
**Date:** Monday, January 23, 2023 1:51:06 PM

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

January 23, 2023

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

Sent Via Email

Dear Supervisor Rodoni,

As a homeowner in Point Reyes Station since 2000 I am writing to you to express my concern with the County initiative to either ban or greatly restrict short-term rentals in West Marin. I am a part-time resident in PRS due to my work, and while my co-owners and I do not rent out our home, I support keeping short-term rentals as an important option supporting our local economy and access to Point Reyes National Seashore.

To date, the County staff has not made a clear link between the lack of affordable housing and short-term rentals in our communities. Admittedly the barriers to creating and maintaining more affordable units are considerable, and while placing blame on speculators investing in short-term rentals may be convenient, I have yet to see evidence that this is a significant factor in West Marin.

One common argument holds, that without the short-term rental option those units will become available for long-term renters. While there may be exceptions, this seems like wishful thinking. In many cases, those who can only occupy their home part-time, want to be able to enjoy their home with family and friends when able. Renting it out full-time will preclude their ability to use the residence.

Short-term rentals serve an important community need, accommodating visitors who are important to our local businesses as well as paying an occupancy tax that helps with County priorities. Without the option of generating income from short-term rentals, some families may be in a position of needing to consider selling their property and losing their connection to the community. In that scenario, the home is mostly likely going to go to the highest bidder and not become an affordable housing unit.

Given the factor that Point Reyes Station, Inverness and Inverness Park are gateway communities to the national seashore, we need to consider how we can create a diversity of options for accommodating visitors. Short-term rentals are, and should be a part of that mix in order to ensure access to the coast. It is doubtful that there would be community support for a

hotel or inn that would add to the accommodations available, the long empty Grandi Building in downtown Point Reyes Station is an example of just how challenging it is to provide rooms for visitors.

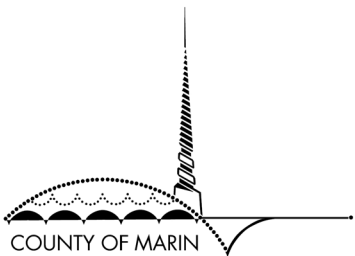
As you work with County staff on this issue, I would ask you to request that staff dig much deeper and look critically at data, especially from West Marin, prior to developing a final proposal regarding short-term rentals. I understand the challenge of accommodating conflicting perspectives on this issue and trust that you will seek a solution that is in the best long-term interest of the community and all those who visit and cherish Point Reyes National Seashore and our communities.

Sincerely,

Graham Chisholm  
7 Los Reyes Drive, PRS

--

Graham Chisholm  
c. +01-510-409-6603  
e. [graham.chisholm@gmail.com](mailto:graham.chisholm@gmail.com)



**MEMORANDUM**

**TO: Marin County Planning Commission**  
**FROM: Kathleen Kilgariff, Planner**  
**DATE: June 8, 2023**  
**RE: Short Term Rental (STR) Ordinance Update Workshop**

This memorandum provides additional correspondence received for the STR Workshop, which were received after the Staff Report was completed on June 1, 2023 and are included in the attachments in the following order:

1. Correspondence from Scott Miller, June 5, 2023
2. Correspondence from the Inverness Association, June 6, 2023
3. Correspondence from a group of West Marin residents, June 7, 2023
4. Correspondence from Michal Rosenoer, Hipcamp, June 7, 2023
5. Correspondence from Wendy Botwin, June 7, 2023
6. Correspondence from Ethan Okamura, June 7, 2023
7. Correspondence from a group of West Marin residents, June 8, 2023
8. Correspondence from the Point Reyes Village Association, June 8, 2023
9. Correspondence from Jayden Velarde, June 8, 2023

Scott Miller  
P.O. Box 145  
Dillon Beach, CA. 94929  
(707) 878-2167

June 5, 2023

Marin County Planning Commission  
3501 Civic Center Drive, Suite 308  
San Rafael, Ca. 94903



Re: STR Ordinance Update Workshop

Dear Commissioners,

The Staff report contains a lot of useful information and paints a fairly accurate picture of the situation. Job well done.

STR's have impacts, both good and bad. Sometimes too much of a good thing turns it bad. If my diet was 30% beer I would be very unhealthy. That's what STR's are doing to my community.

As the Staff report notes, time is of the essence. There are less than 12 months to get something finished and approved by the CCC. We can waste our time re-proving and re-inventing what is accepted fact and policy throughout the Coastal Zone, or we can get going.

We're aimed in the right direction, but over half the clock has run out. The City of Trinidad just completed a fine piece of machinery. If we draft behind them I think we can get to the finish line in time.

Thank you Ms. Kilgriff and Ms. Jones, and thank you Commissioners.

Sincerely,

Scott M.



*And the best part is, it's open source!*



Kathleen Kilgariff, planner  
County of Marin  
Community Development Agency

Inverness Association position on Short-Term Rental Restrictions, Adopted May 22nd, 2023

Kathleen:

The Inverness Association supports additional restrictions on short-term rentals in West Marin once the moratorium on short-term rentals is lifted. Further, the Inverness Association is supportive of restricting short-term rentals from operation by corporations and limiting the number of short-term rentals to one unit per homeowner.

This position is based on feedback the Inverness Association received from the Inverness community through a survey it conducted between March 3rd and April 1st 2023. The majority of the 336 respondents of the survey (80.3%) support either some restrictions (72.6%) or a total ban (7.7%) on short-term rentals. Of those in favor of restricting short-term rentals, 77.7% support banning corporations from operating short-term rentals, and 55.7% support limiting the number of rentals to one rental per homeowner.

Of the 336 survey respondents, 269 either live in Inverness and/or are homeowners in Inverness, of that subset, 186 respondents are full time residents of Inverness. Inverness residents and homeowners were even more supportive of restrictions than the overall survey population; however there wasn't always consensus on the types of restrictions that should be implemented.

The survey results are rich with detail and we recommend the County of Marin review the findings of the Inverness Association to inform its position on short-term rental restrictions in West Marin.

This position relates to short-term rentals as defined by the Country of Marin and not other types of lodging in Inverness.

William Barrett, Board President  
Inverness Association



# Short Term Rental Opinion Survey Results



Inverness Association  
Spring 2023





# Summary

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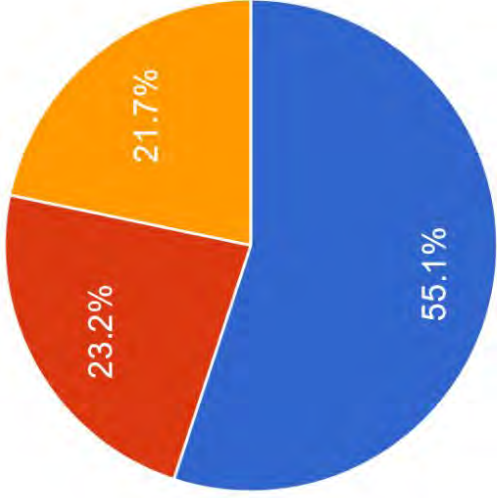
**336:** Number of total responses

**269:** Responses from Inverness residents and homeowners

**186:** Responses from Inverness primary residents

## What is your relationship to the Inverness community?

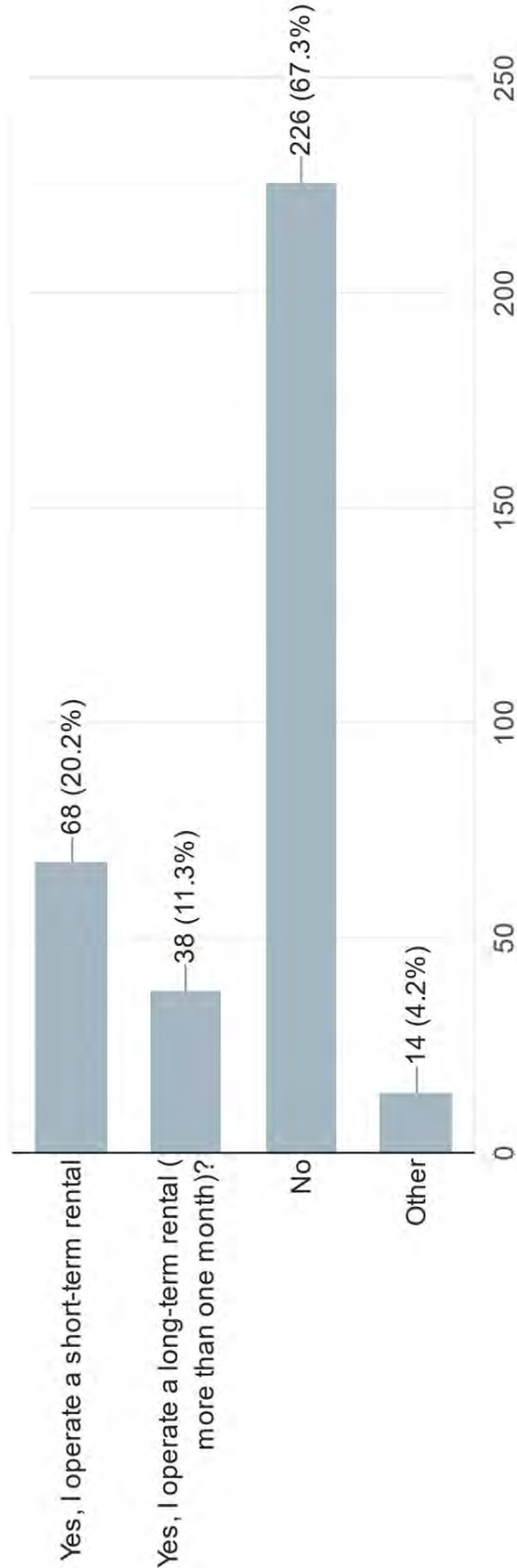
336 responses



- My primary residence is in Inverness
- I have a home in Inverness but it is not my primary residence
- Other

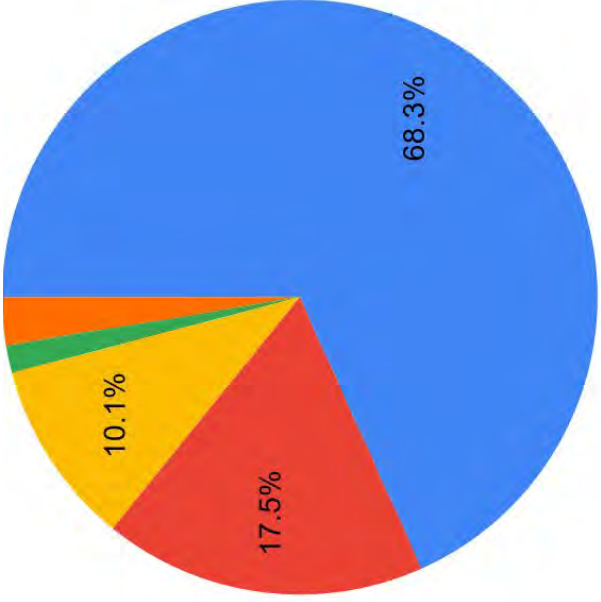
## Do you have a rental unit? (Check all that apply)

336 responses

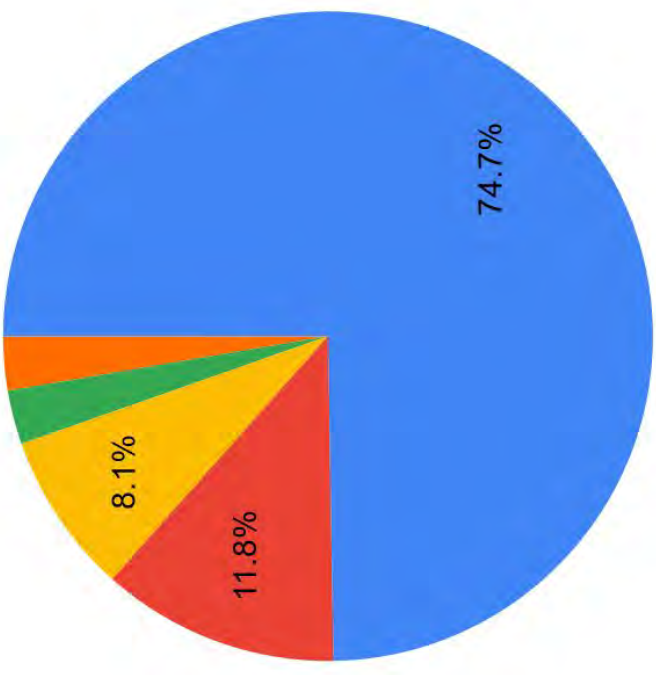


# Do you operate a rental unit?

Inverness Residents and Homeowners



Primary Residents only

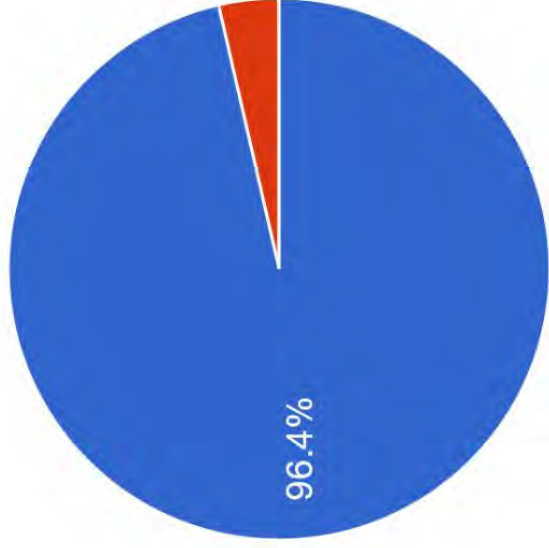


- No
- Operate an STR
- Operate a long-term rental
- Operate an STR and a long-term rental
- Other

# Are you aware of the moratorium on short-term rentals in place in West Marin?

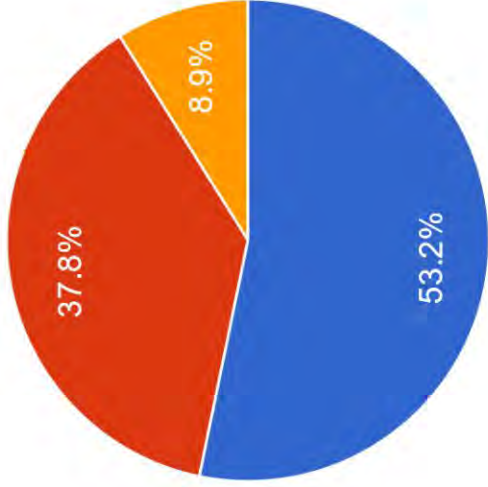
334 responses

- Yes
- No



Would you like more information about the moratorium and future regulations on short term rentals in West Marin? You can sign up to receive information from the County of Marin here

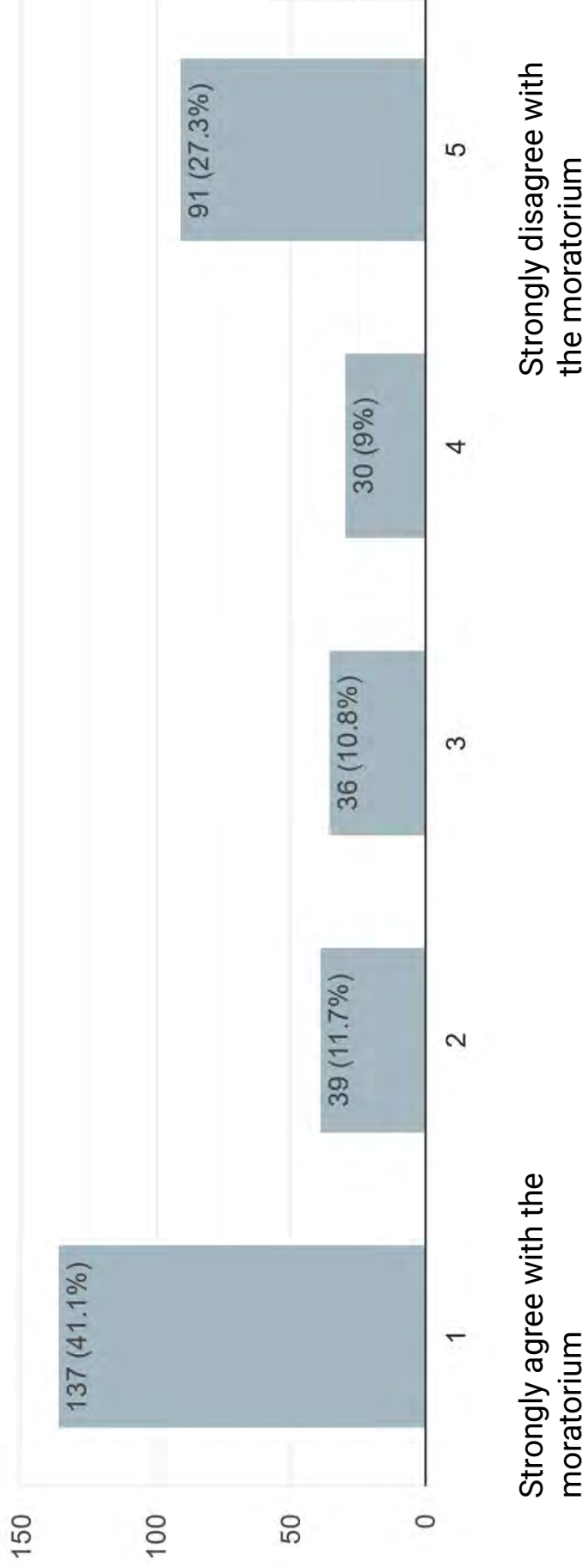
325 responses



- Yes, I would like more information
- No, I don't want more information
- Undecided

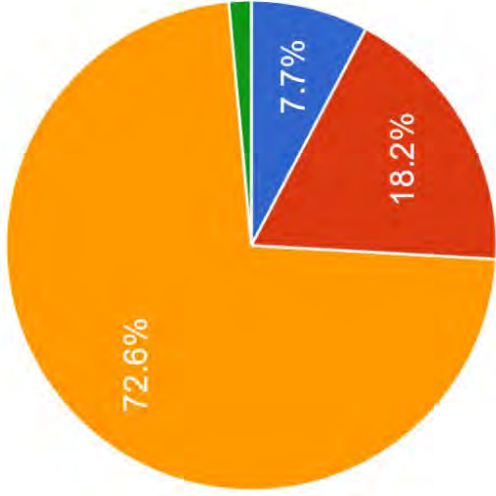
What is your view on the current moratorium, which keeps in place existing short-term rentals but does not permit new short-term rentals? The moratorium is scheduled to last through May-2024.

333 responses



Once the moratorium expires in 2024, the County of Marin may decide to issue new restrictions on short-term rentals. What best matches your views on future restrictions?

336 responses

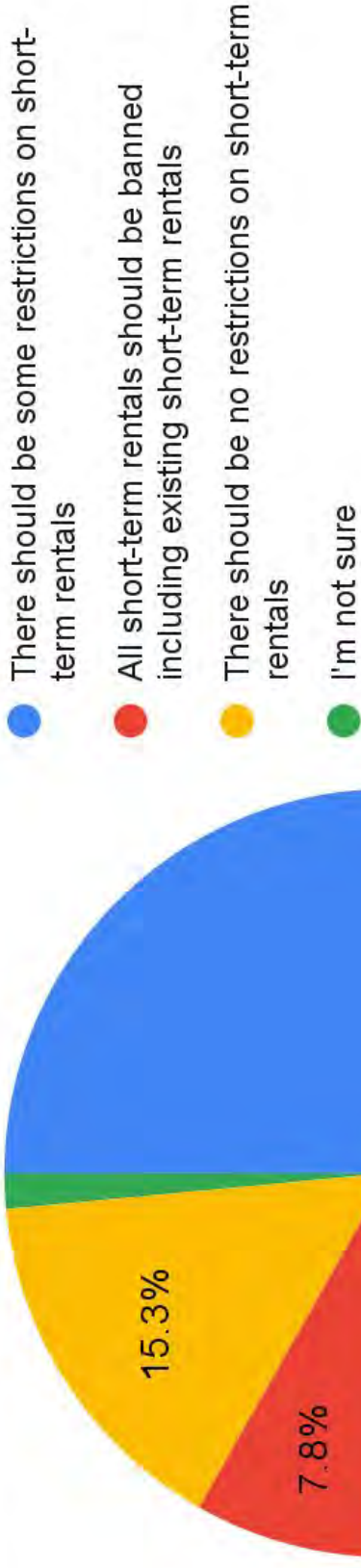


- All short-term rentals should be banned including existing short-term rentals
- There should be no restrictions on short-term rentals
- There should be some restrictions on short-term rentals
- I'm not sure



# What best matches your views on future restrictions on STRs?

Inverness Residents and Homeowners



**83.2%** of Inverness Residents and Homeowners think there should be at least some restrictions on STRs

# What best matches your views on future restrictions on STRs?

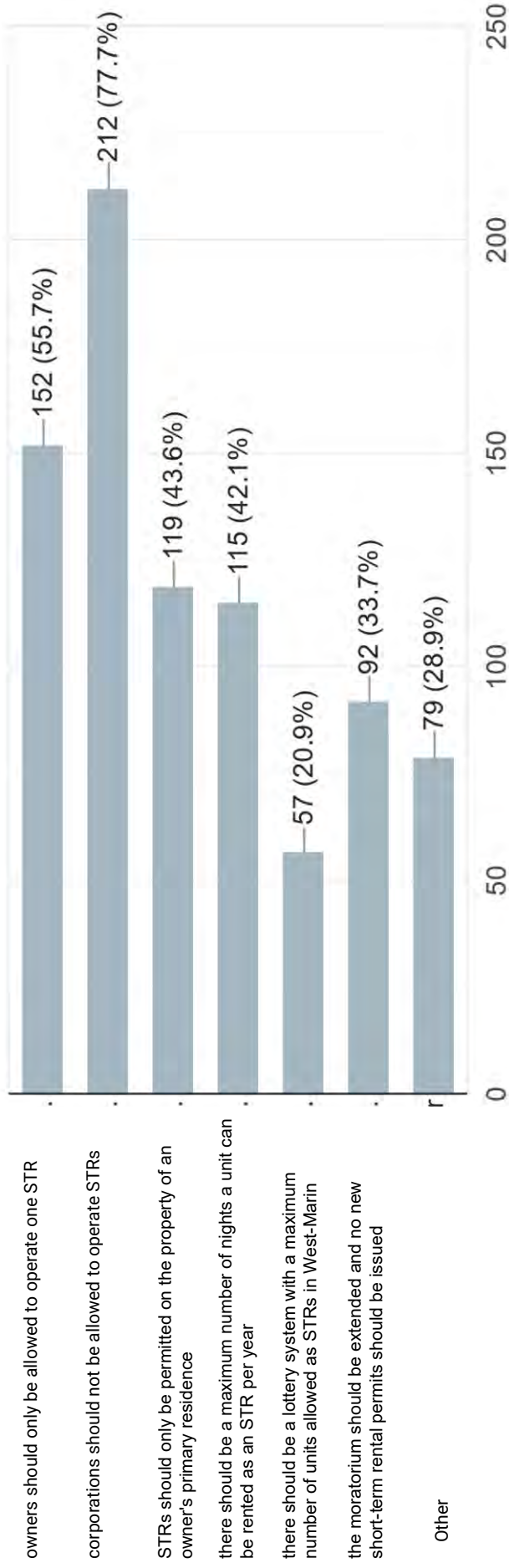
Inverness Residents Only



**88.7%** of Inverness primary residents think there should be at least some restrictions on STRs

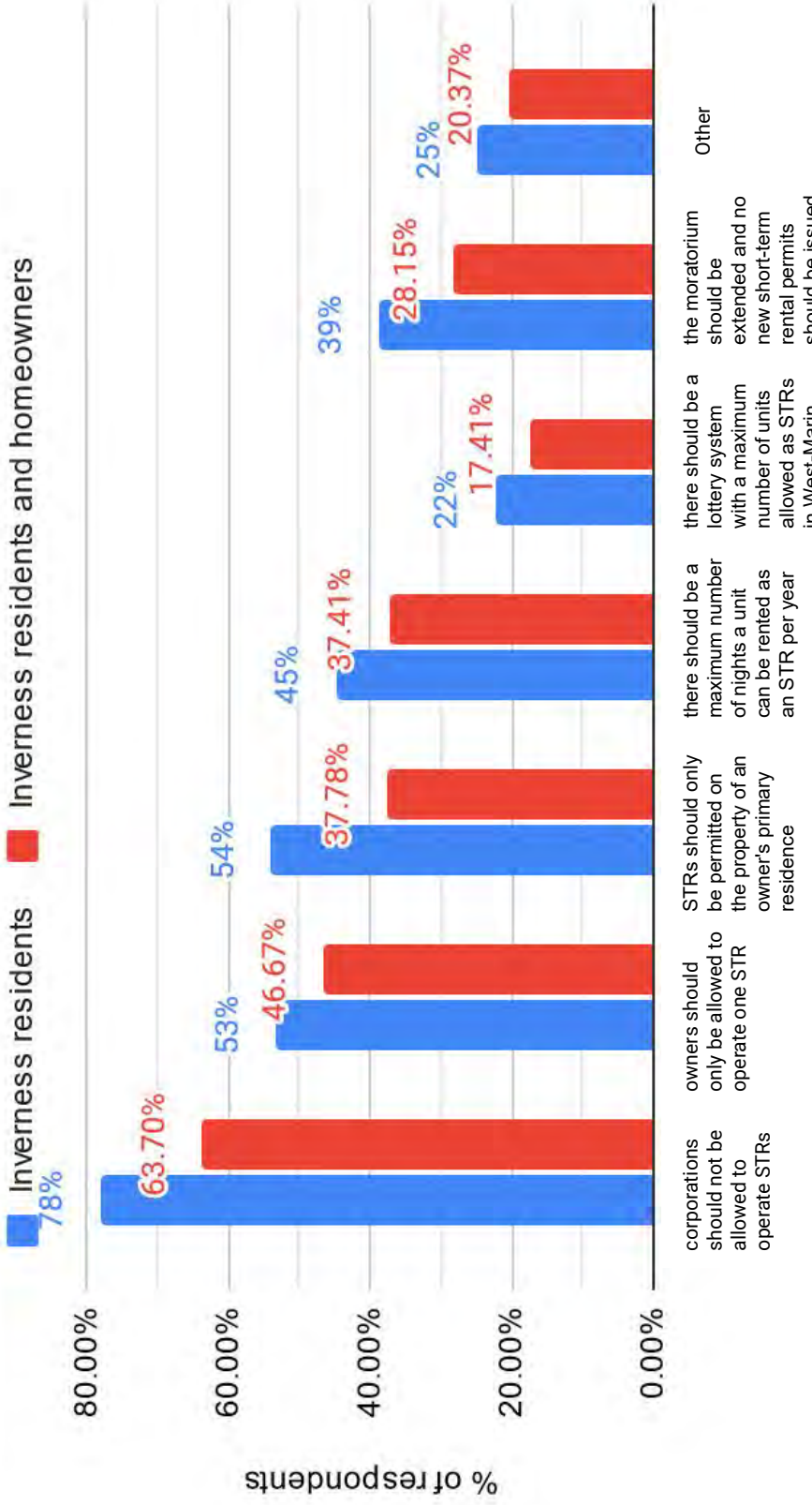
If you checked the "there should be some restrictions on short-term rentals" on the previous question, **What types of restrictions are you interested in seeing** (check all that apply)

## 273 responses



# What type of restrictions would you like to see?

A comparison of residents only and residents plus homeowners



## Summary of answers to the question: If you answered "Other" above please list other restrictions you think the County should consider:

- Enforcement of existing rules: Many respondents suggested that the county should enforce existing rules and regulations, particularly those related to noise and other disturbances. This includes ensuring that all rentals are licensed and follow neighborhood-friendly noise restrictions.
- Consideration of environmental impact: Some respondents highlighted the need for the county to consider the environmental impact of short-term rentals, particularly in relation to water usage and the overall health of the community.
- Restrictions based on income: A few respondents suggested that the county should implement an income-based system for short-term rentals, where eligibility to engage in short-term renting is based on need rather than simply a desire to increase income.
- Limit on number of short-term rentals: Several respondents suggested that there should be a limit on the number of short-term rentals that an individual or corporation can operate. This could help to prevent people from buying up properties solely to list them as short-term rentals.

# Summary of other restrictions continued

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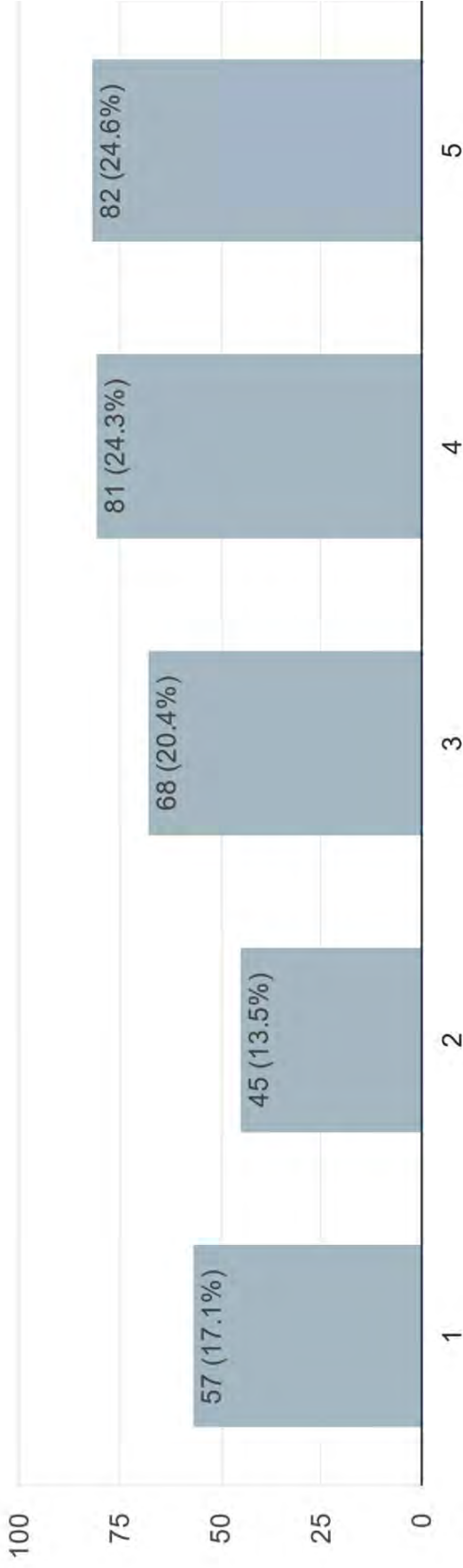
- Notification and grievance process: Some respondents suggested that neighbors should be notified of short-term rentals in their area and that there should be a public grievance process in case a short-term rental becomes a nuisance.
- Taxation: A few respondents suggested that short-term rentals should be taxed, with the revenue used to support community services or affordable housing initiatives.
- Owner occupancy: Some respondents suggested that short-term rentals should only be permitted if the owner is living on the property or if there is a full-time property tenant.
- These are just some of the main ideas and suggestions that were mentioned. It's clear that there are a variety of opinions on this issue, and any decisions made by the county will need to take into account a wide range of factors and perspectives.





# What do you think the impacts of short-term rentals are on the community of Inverness?

333 responses



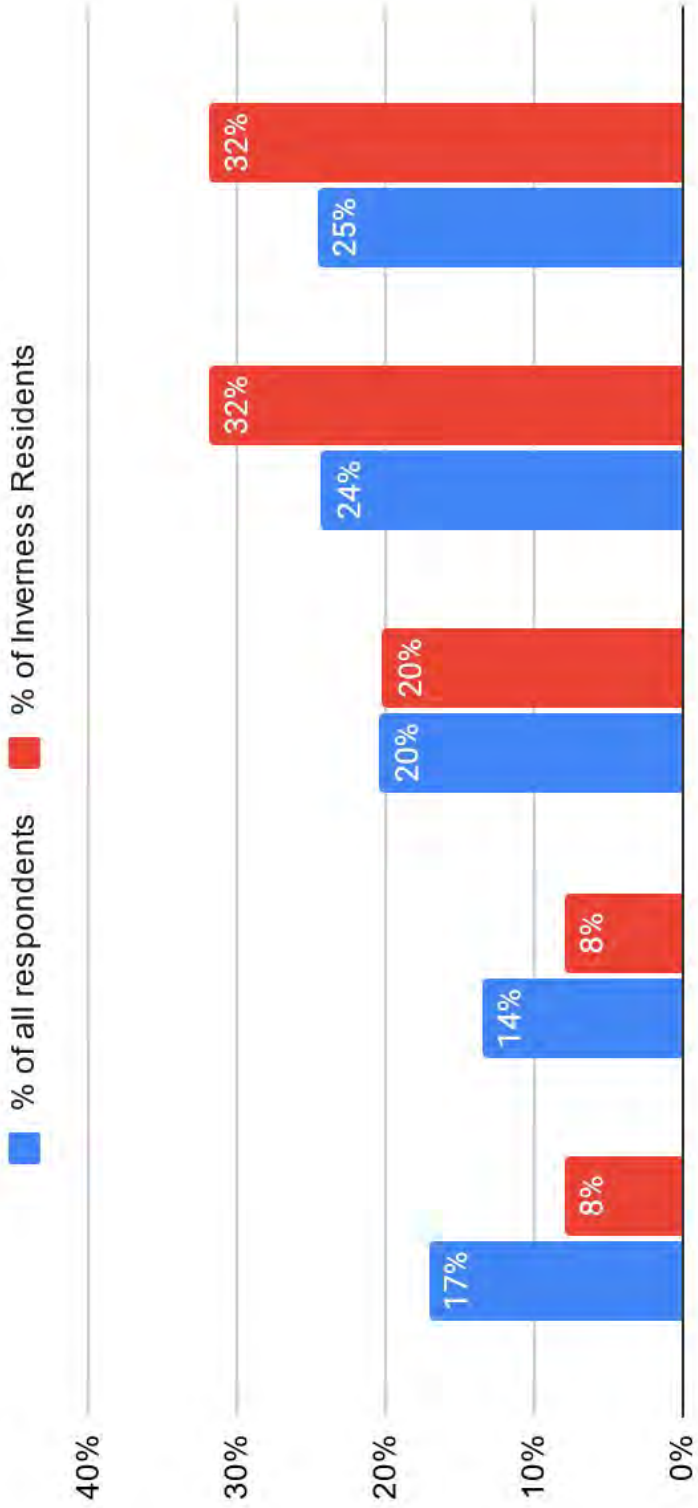
Extremely Positive

Extremely Negative



# What do you think the impacts of short-term rentals are on the community of Inverness?

Comparison of all responses to responses from Inverness residents



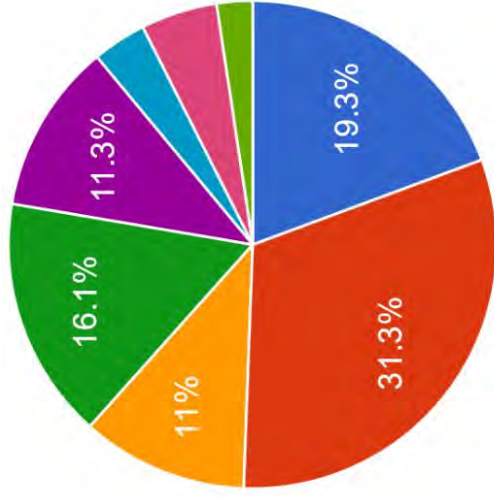
Extremely Positive

Extremely Negative

**64%** of primary residents think STRs are having a negative or extremely negative impact on Inverness

In your opinion, what is the biggest effect (positive or negative) of short-term rentals on Inverness?

336 responses



Provide lodging for visitors

Reduce long-term housing stock

Provide economic benefit for homeowners

Provide economic benefit for local businesses

Drive up the cost of housing

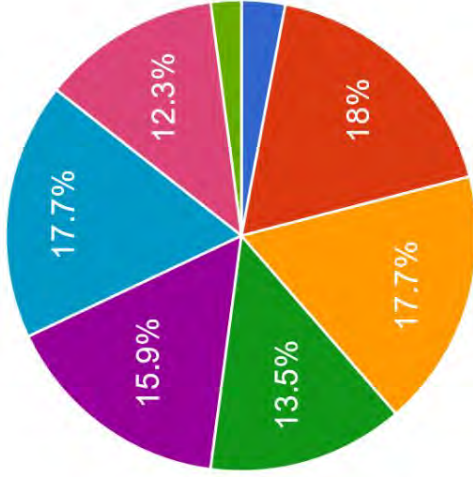
Conflict with residential zoning

Strain local utilities and resources (water, sewer, etc.)

Other

# What do you think is the second biggest effect?

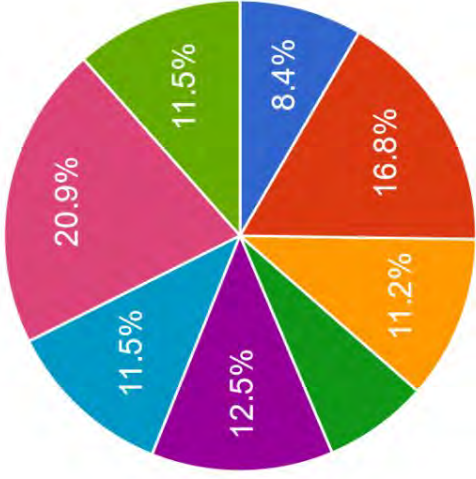
334 responses



- Conflict with residential zoning
- Drive up the cost of housing
- Provide economic benefit for local businesses
- Provide economic benefit for short-term rental homeowners
- Reduce long-term housing stock
- Provide lodging for visitors
- Strain local utilities and resources (water, sewer, etc.)
- Other

## What do you think is the third biggest effect?

321 responses



- Reduce the long-term housing stock
- Provide economic benefit for short-term rental homeowners
- Provide lodging for visitors
- Conflict with residential zoning
- Drive up the cost of housing
- Provide economic benefit for local businesses
- Strain local utilities and resources (water, sewer, etc.)
- Other

## Summary of answers to the question 'Do you think there are other effects short-term rentals have? Please list them below':

- Noise and disruption: Short-term renters, particularly those on holidays, create noise and disruption, especially if they stay up late or host parties.
- Loss of community feel: If there are too many short-term rentals in one area, it leads to a loss of a sense of community.
- Increase in property prices: Short-term rentals potentially drive up property prices, making it difficult for locals to purchase homes.
- Lack of long-term rental properties: The prevalence of short-term rentals leads to a shortage of long-term rental properties available for locals.
- Lack of housing for locals: This is the most frequently mentioned concern. The conversion of properties into short-term rentals reduces the housing stock available for local residents.





Summary of answers to the question 'Is there anything else you would like to share with the IA about short-term rentals in Inverness and/or the role that the IA should play?' was broken into two categories:

---

1. 'Is there anything else you would like to share with the IA about short-term rentals in Inverness?'

Community Impact: Many respondents seem to be concerned about the impact of short-term rentals (STRs) on the local community in Inverness. They frequently mention words like 'community', 'home', and 'local', suggesting that they view STRs as a community issue. They are concerned about how STRs are changing the character of their community, and/or about issues such as noise or disruption caused by STRs.

# Anything else to share with the IA continued

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Housing Issues: The frequent mention of 'housing' suggests that many respondents are concerned about how STRs are affecting the housing market in Inverness. They may be worried that STRs are reducing the availability of long-term housing, driving up rents, or making it harder for local people to find homes.

As for outliers or strong opinions, these would be harder to identify from the topic modeling results alone. However, it should be noted that there are some respondents who feel strongly about these issues, either in favor of STRs (for example, because they provide a source of income or support the local tourism industry) or against them (for example, because they disrupt local communities or exacerbate housing shortages).



## 2. What role if any should the IA play (in this issue).

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While the exact role that respondents want the IA to play is not directly clear from the topic modeling results, the emphasis on community and housing issues suggests that respondents may want the IA to take an active role in managing the impact of STRs on these areas. This could potentially involve regulating STRs, ensuring that they do not negatively affect the availability of local housing, and addressing any issues that STRs may cause within the community.

Regulation and Oversight: Given the concerns about the impact of STRs on the community and housing, respondents may want the IA to oversee the STR issue more closely. This could involve setting rules about who can offer STRs, where and when they can be offered, and how they should be managed to minimize disruption to the community.

# Role of IA continued

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Community Engagement: The frequent mention of 'community' suggests that respondents may want the IA to engage more with the local community on the issue of STRs. This could involve consulting with residents, holding public meetings, or conducting surveys to understand the community's concerns and ideas.

Housing Advocacy: If respondents are concerned about the impact of STRs on housing availability and affordability, they may want the IA to advocate for policies that protect the local housing market. This could involve measures to ensure that STRs don't take up too much of the housing supply, or policies to support affordable housing.

Support for STR Operators: On the other hand, if some respondents are STR operators themselves, they may want the IA to provide support and resources for running STRs responsibly. This could involve providing information on regulations, offering training or advice, or advocating for STR operators' interests.

Words used to describe the role the Inverness Association should take in the STR issue



# Methodology

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## **Survey development and distribution:**

- The survey was designed and distributed by the Inverness Association board of directors. It was created using Google Forms. One of the reasons the IA used Google forms is because respondents can translate the form into any language making it accessible to anyone with a computer.
- The survey was distributed via email to IPUD customers, through Inverness emergency listserv, it was posted in the Inverness Library and Post Office and a notice was published in the Point Reyes Light.
- The Survey was open from March 3rd through April 1st.

## **Survey participation:**

- The Survey was open to everyone ,with a particular emphasis on getting responses from the “Inverness Community” in the many ways that can be defined including residents, homeowners, people who work in Inverness and other people who have an interest in Inverness.
- The survey received responses from 336 respondents; 269 of which self identified as either homeowners and or full time residents of Inverness; of those, 186 self identified as primary residents of Inverness. In the analysis “Inverness Residents” refers to this subset of primary residents of Inverness.

# Methodology continued

Analysis: For analysis of the quantitative data, or check box questions, the analysis in this report shows summaries from all respondents. For some questions, responses have been further analyzed by respondent type (Inverness residents and homeowner, and primary residents of Inverness).

Quantitative: The majority of the quantitative analysis was completed through the Google Forms application. For analysis that splits out and compares responses, Excel was used to sort data and create charts.

Qualitative: To analyze the open ended survey questions, data was analyzed using Noteable, a computational notebook that allows users to build data-driven documents using code, UI, & fully automatic features like Data Prism to generate visual insights and summaries from the survey. Topic Modeling was used to provide a summary of the responses. Word Cloud (also called tag cloud or weighted list) generated the visual representation of the text data. Words are usually single words, and the importance of each, or number of times it was used, is shown with font size.

All written responses have been anonymously shared with County of Marin staff.

Survey design and analysis: Angela Whitney and Alex Porrata

For any questions please contact [president@invernessassociation.org](mailto:president@invernessassociation.org)

**From:** [Leila Monroe](#)  
**To:** [STR](#)  
**Cc:** [David Kimball](#); [Chris Harrington](#); [Harriet Moss](#); [Susan Scott](#); [Don Smith](#); [Andrew Zlot](#); [eoinmcmillan@gmail.com](mailto:eoinmcmillan@gmail.com); [Maureen Cornelia](#); [Jorge Martinez](#); [Rodoni, Dennis](#)  
**Subject:** Topline STR Policy Requests from West Marin Residents for Housing  
**Date:** Wednesday, June 7, 2023 1:25:27 PM  
**Attachments:** [Pro-STR Regulation Topline Requests\\_6\\_7\\_23.pdf](#)

---

Dear Planning Commissioners & Staff,

I am writing to submit Short Term Rental (STR) policy proposals (attached and below), on behalf of a group of West Marin residents, business people and civically active community members strongly in support of fair and balanced regulation of STRs.

To prepare the attached STR policy proposals, we conducted extensive research into STR regulations enacted in other California Coastal jurisdictions and beyond. We also have had informational dialogue with Kathleen Kilgariff, Leslie Lacko, and Supervisor Dennis Rodoni to ensure that we understand the approach, research, questions and concerns to be addressed in this regulatory process.

You will find that we have also placed these proposals on a new website, <http://westmarinresidentsforhousing.org/>

We respectfully request that Commissioners and Staff incorporate these policy elements into the regulatory approach.

Sincerely,

Leila Monroe, Bolinas  
David Kimball, Bolinas  
Don Smith, Bolinas  
Eoin McMillan, Bolinas  
Chris Harrington, Stinson Beach  
Harriet Moss, Stinson Beach  
Susan Scott, Inverness  
Maureen Cornelia, Inverness  
Andrew Zlot, Point Reyes Station  
Jorge Martinez, Point Reyes Station

CC: Supervisor Dennis Rodoni

**West Marin Pro-Short Term Rental Regulation Priority Proposals  
from the West Marin Residents for Housing**

Preamble

We are a group of West Marin residents, business people and civically active community

members concerned that Short Term Rentals (STRs) are not being sufficiently or fairly regulated. We acknowledge that STRs, coupled with commercially licensed hotels/motels, provide important access for coastal visitors. Yet over the past decade, we have seen our residential neighborhoods become progressively “hollowed out” by the acceleration and commercialization of STR activity. STRs have contributed to the escalating real estate prices, to speculation by property investors and to the decreasing availability of full-time rentals for local workers, families and seniors. Indeed, the California Coastal Commission has “recognized a need to restrict STRs in some coastal communities where evidence showed that the STR market is having impacts on coastal resources, or even was significantly impacting the availability of housing.”<sup>1</sup> Other communities throughout California and around the Country have enacted much stricter regulations that have been effective and have withstood legal challenges. It's time for Marin County to do the same.

We applaud the efforts of Supervisor Dennis Rodoni and the County Community Development Agency (CDA) staff to research and prepare thoughtful, effective regulations of STR operations in West Marin. We are grateful to County Planner Kathleen Kilgariff and CDA staff for their efforts to thoroughly analyze STR regulatory programs in various California, U.S. and international jurisdictions, with particular attention to programs that have proven effective and legally defensible in jurisdictions analogous to ours, in particular the California Coastal Zone. As the County’s public process unfolds to present new STR regulations, we believe it is critical that all voices be heard, most importantly those community members who depend upon the availability of secure rental housing.

### Proposed Regulations

These elements we consider to be essential to an equitable and effective STR Regulatory Program:

1. Guest space rented by a Primary Homeowner who is in residence during the rental, and whose space has fewer amenities than would qualify it as an Accessory Dwelling Unit (ADU) or a Junior Accessory Dwelling Unit (JADU), is instead defined as a traditional “Bed-and-Breakfast” rental and is exempt from this regulatory program.
2. All STR operators must obtain a County License that must be re-applied for every 2 years, with renewal subject to compliance with all Program elements, payment of all Transient Occupancy Tax (TOT) due, minimal complaint history, and the village’s cap discussed below.
3. License acquisition and renewal requires compliance with all health-and-safety building codes (such as for septic, fire, water, electrical, and plumbing), which are already enforced for motel, hotel and inn licensing. The County could consider a low-interest, long-term loan program, designated for low-income Primary homeowners, to support buildings coming into compliance, e.g. as with the Bolinas septic-upgrade program. A Safe Harbor



provision could be included in the regulations, modeled in part on the County's Solar energy permitting approach, whereby applicants will not be penalized for attempting to come into compliance with these provisions.

4. There will be a cap set on the number of licenses issued to each village, informed both by historical use and by current demand for affordable housing, especially affordable workforce and senior housing. Other licensing requirements should be the same for all villages. There are many examples of caps being implemented, see below: they may be constructed legally, according to the Coastal Commission, and they have survived Takings challenges.

5. To incentivize the creation of new long-term housing, an exception to the cap could be granted for property-owner's building or converting a new (J)ADU if either that unit or main house is thenceforth rented long-term.

6. Priority for issuing licenses shall be given to those for which a full-time resident lives on-site. Prioritization could also be considered for those that are longest-operating and for lowest-cost STRs. Cost could be defined as cost/night per person of advertised occupancy.

7. Licensees must be the property owners and a Natural Person as legally defined. STR operation by property-owners who are LLCs, investor or time-share groups, or consortiums of any kind should be prohibited.

8. Only one STR unit should be issued per licensee, Countywide.

9. For Unhosted STRs, licensees must designate a Manager who is a legally defined Natural Person and who is on call during the entire rental period to respond within ½ hour to any tenant or neighbor issues. If the Manager is not a resident of the STR, then the Manager should be a licensed real estate broker, or an individual with demonstrated expertise in the STR regulation and located in West Marin.

10. The County should earmark funds from the STR Licensing and TOT revenue to provide sufficient funds for enforcement of these regulations.

11. Once implemented, Data should be collected on STR operations to monitor the impact of the program and progressively improve it.

#### **Endnotes**

1. California Coastal Commission, Summary of Staff Recommendation, Re. City of Half Moon Bay LCP Amendment Number LCP-2-HMB-21-0078-2 (Short Term Rentals and Home Occupations) Prepared February 24, 2023 for March 8, 2023 Hearing, at 15, available at: <https://www.coastal.ca.gov/meetings/agenda/#/2023/3> See Staff Report discussion of examples of the range of STR LCP amendments approved by the Commission including:

- The City of Santa Cruz STR ordinance that significantly restricted STRs in 2018 (City of Santa Cruz LCP



Amendment LCP 3-STC-17-0073-2-Part B, available at:

<https://documents.coastal.ca.gov/reports/2018/4/w20a/w20a-4-2018-report.pdf>);

- The City of Dana Point’s STR provisions, approved in 2022 with conditions to allow for a “cap” on unhosted STRs in the Coastal Zone based on the approximate number of STR permits in existence when the City stopped issuing STR permits (City of Dana Point CDP A-5-DPT-22-0038 (available at: <https://documents.coastal.ca.gov/reports/2022/11/W13b/W13b-11-2022-report.pdf>);
- The City of San Diego’s STR provisions approved in 2022 that capped whole home (unhosted) rentals at various levels for varying neighborhoods and created a “lottery” in order to issue STR permits, due to a demand expected to exceed the caps (City of San Diego LCP-6-SAN-21-0046-2, available at: <https://documents.coastal.ca.gov/reports/2022/3/W14f/W14f-3-2022-report.pdf>); and
- The City of Trinidad’s ordinance approved in 2022 that capped unhosted (called “full time”) STRs citywide at around 15% of the city’s housing stock in order to protect housing, (City of Trinidad LCP-1-TRN-22-0034-1 (available at: <https://documents.coastal.ca.gov/reports/2022/12/F11a/F11a-12-2022-report.pdf>).

The Commission rejected:

- The City of Santa Barbara STR ordinance which prohibited the operation of STRs when owner of the property was not present (un-hosted) in residential districts (available at: <https://documents.coastal.ca.gov/reports/2018/5/th19a/th19a-5-2018-report.pdf>); and
- “The City of Malibu STR LCP amendment in 2022 because its proposed ban on non-hosted STRs in single-family residences would eliminate existing, lower-cost overnight accommodations in the City and because different alternative approaches existed in that case that would serve to protect public visitor-serving opportunities and affordable housing stock, (City of Malibu LCP-4-MAL-20-0083-2 (available at: <https://documents.coastal.ca.gov/reports/2022/8/F10a/F10a-8-2022-report.pdf>).
- These examples reflect that the Commission evaluates each STR LCP amendment on a case-by-case basis and in light of specific evidence of local context presented concerning the STR market in a particular jurisdiction.” (*Id.* at 15 - 16).

## **West Marin Pro-Short Term Rental Regulation Priority Proposals From West Marin**

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low-income Primary homeowners, to support buildings coming into compliance, e.g. as with the Bolinas septic-upgrade program. A Safe Harbor provision could be included in the regulations, modeled in part on the County's Solar energy permitting approach, whereby applicants will not be penalized for attempting to come into compliance with these provisions.

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**From:** [Michal Rosenoer](#)  
**To:** [PlanningCommission](#)  
**Cc:** [STR](#)  
**Subject:** Hipcamp Public Comments for Planning Commission  
**Date:** Wednesday, June 7, 2023 4:14:43 PM  
**Attachments:** [Hipcamp Comments Marin Planning Commission Meeting, June 12 2023.pdf](#)

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

Hello Marin County Planning Commission,

Please see the attached comments in reference to your upcoming June 12, 2023 meeting. I look forward to following the conversation and appreciate the opportunity to submit comments.

Sincerely,  
Michal Rosenoer

--

**Michal Rosenoer**

Lead Manager, Government and Community Relations

(719) 215 9589 (office)

Pronouns: she/her/hers

[Pronunciation help for Michal here](#)



June 7, 2023

To: Marin County Planning Commission  
CC: Marin County Planning Department, CDA

**RE: Short term rentals conversation on June 12, 2023**

Dear Marin County Planning Commission Members,

Hipcamp is a Marin County-founded business that partners with local landowners to open up new and unique places for people to camp and get outside. Hipcamp has unlocked over 41 million acres of private lands internationally for public recreation, with over 4% of our hosts in California operating on family farms, ranches, or other working lands.

We are grateful for the opportunity to offer comments on the June 12, 2023 planning commission meeting agenda in regards to the conversation on short-term rental (STR) regulations.

In the related staff report, the planning department noted that both the community survey on STRs as well as county goals include an emphasis on wanting to achieve a balance with short term rentals that:

- Meets California Coastal Commission goals of providing affordable overnight access to the California coast;
- Lessens the impact of visitation on the availability of long-term housing and rentals for local residents;
- Provides economic opportunities for Marin residents to benefit from the outdoor recreation and tourism economy that supports them in continuing to afford to own land/properties in Marin as the cost of living continues to increase;
- Supports the tourism and outdoor recreation industry which sits at the heart of the economy in many communities across the county.

As you consider how to meet these simultaneous goals, Hipcamp encourages you to consider updating the development code to create more accessible and clear pathways for certain landowners to host low impact camping on their private properties. This type of camping, which is already a compatible use under Marin's Williamson Act contract agreement but currently is limited to certain agricultural lands and requires an expensive conditional use permit, would support landowners in sharing their properties with visitors in a way that is safe, affordable, and allows for continued tourism without competing with long-term rental and housing opportunities.

As noted in the staff report on page 10, currently Marin County only maintains two campgrounds as commercial visitor accommodations with a total of 512 units (i.e. campsites). Expanding

opportunities for landowners to host campers in a way that is safe for people, the environment, and neighbors could expand the number of campsites available while easing pressure on local housing stock. It could also serve to protect Marin's agricultural community by enabling farmers and ranchers to participate in camping-based agritourism activities that supplement and diversify their revenue streams. Roughly half of the landowners Hipcamp currently partners with in California are hosting low-impact camping areas on working lands, and are reliant on the income generated to pay property taxes, make mortgage payments, re-invest in the conservation of their properties, and offset the rising costs associated with farming and living in California.

Creating a simple and accessible permitting pathway for low impact camping would also establish low-cost visitor-serving accommodations that are hard to find across Marin. Whereas the staff report notes that the average Marin STR lists for an average of \$550 per night, the average cost of camping on a private property in areas around Marin costs \$65 per night on Hipcamp. Offering additional camping accommodations in Marin would reduce barriers to access for campers and families alike across the region who may be priced out of current accommodation options in Marin.

We are grateful for the opportunity to offer comments on this agenda item, and are willing to support the county with any conversations you might want to have about low impact camping on private lands moving forward. We humbly request to be included in upcoming focus groups on short term rental regulations to represent our low impact camping hosts in the area, and would be happy to provide additional context, support, or policy expertise where it would be helpful.

Sincerely,

A handwritten signature in black ink, appearing to read 'MR', with a horizontal line extending to the right.

Michal Rosenoer  
Lead Manager, Government and Community Relations  
Hipcamp

**From:** [Wendy Botwin](#)  
**To:** [STR](#)  
**Subject:** Re: Short term rentals  
**Date:** Wednesday, June 7, 2023 9:49:16 PM

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[You don't often get email from 2dancingtree@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

PS I'm quite positive there are many not registered/illegal short-term rentals happening and I wonder how these are factored in to the whole issue.

> On Jun 7, 2023, at 9:06 PM, Wendy Botwin <2dancingtree@gmail.com> wrote:

>

> I support continuing the ban on new short term rentals. They are decimating our local communities and schools taking away the already limited housing options for long-term residents, especially lower income residents. I only agree with these rentals for very short term and with the homeowner still living on the property. Thank you, Wendy Botwin



**From:** [eokamura](mailto:eokamura)  
**To:** [STR](#)  
**Subject:** West Marin STRs  
**Date:** Wednesday, June 7, 2023 10:49:27 AM

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[You don't often get email from [eokamura@sonic.net](mailto:eokamura@sonic.net). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

I am writing in support of stricter regulations on STRs in the residential neighborhoods of West Marin County. I have witnessed over the years the hollowing out of our communities, the lack of affordable housing for long time locals with deep roots and for the essential work forces that are the backbones of our communities. I feel strongly that West Marin neighborhoods should be lived in, not monetized, and that homes in residential neighborhoods should not continue to be converted to profit generators for corporate entities (Airbnb, VRBO, Vacasa, Pacasa, etc.), LLCs, shared equity groups, etc.

Sincerely,

Ethan Okamura  
Bollinas, CA

**From:** [Maureen C](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Harriet Moss](#); [Chris Harrington](#); [David Kimball](#); [Leila Monroe](#); [Eoin McMillan](#); [Don Smith](#); [Susan Scott](#); [Jorge Martinez](#); [Andrew Zlot](#); [Rodoni, Dennis](#); [Kutter, Rhonda](#)  
**Subject:** Point Reyes Light Perspective 6-8-2023  
**Date:** Thursday, June 8, 2023 1:33:38 PM  
**Attachments:** [Point Reyes Light Perspective - The impact of short-term rentals 6-8-2023.pdf](#)

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Dear Planning Commissioners & Staff,

I am writing to submit the attached Perspective article that appears in the June 8th edition of the Point Reyes Light. This article was written in collaboration with the West Marin community members listed below who have come together to focus on the Short Term Rental issue. We are hopeful that the Planning Commission Workshop on June 12th will advance consideration to adopt a more effective set of Short Term Rental regulations for West Marin.

You can learn more about our community group and our efforts to bring attention to the impact that the proliferation of Short Term Rentals is having on our rural coastal communities in West Marin: <http://westmarinresidentsforhousing.org/>

Sincerely,

Maureen Cornelia/Inverness

Leila Monroe, Bolinas  
David Kimball, Bolinas  
Don Smith, Bolinas  
Eoin McMillan, Bolinas  
Chris Harrington, Stinson Beach  
Harriet Moss, Stinson Beach  
Susan Scott, Inverness  
Andrew Zlot, Point Reyes Station  
Jorge Martinez, Point Reyes Station

CC: Supervisor Dennis Rodoni  
Rhonda Kutter



## The impact of short-term rentals in coastal communities

By Maureen Cornelia and David Kimball  
June 8, 2023

Our coastal villages each have a unique history and character that draws people to build their lives here. Though the stories of how and why vary, a common thread is the sense of community, whether for singles starting out, families raising children, workers in local businesses, emergency personnel, landscape and agricultural workers, teachers or retirees. The foundation of community is access to stable and affordable housing—an opportunity that is becoming increasingly limited, in part due to escalating short-term rental activity.

An S.T.R. is a residential property rented for 30 days or less. Ever since online rental platforms like Airbnb and VRBO exploded in popularity, S.T.R.s have become an attractive profit generator for corporate and individual investors in West Marin residential zones. Marin County's 2018 S.T.R. licensing ordinance did not keep pace

with the growth of online S.T.R.s. Countywide, 71 percent of S.T.R.s are located in West Marin.

In May 2022, the county implemented a two-year moratorium on new S.T.R. licenses in West Marin. Last year, the county's Community Development Agency began reaching out to S.T.R. stakeholders. These include homeowners who rent part of their home or property in the short term to make ends meet; realtors, investors and property managers who profit from the S.T.R. market through increased property values; and long-term homeowners and renters whose presence contributes to sustaining viable communities.

The agency has also been assessing how other coastal communities in California and elsewhere are managing the growing S.T.R. real estate investment model. On Monday, June 12 at 1 p.m., agency staff will discuss their findings with the Marin County Planning Commission and the public at the Civic Center. To participate in this conversation about potential new S.T.R. regulations, search "Marin Planning Commission Hearings," then select "June 12," then "Agenda," then "Staff Report."

Our group, the West Marin Residents for Housing, is part of a growing community sector concerned that S.T.R.s are not being sufficiently or fairly regulated. Corporate and individual investors are able to pay inflated market prices for homes due to the expectation of S.T.R. income, resulting in the shrinking availability of affordable homes for long-term residents.

We acknowledge that S.T.R.s, coupled with commercially licensed hotels and motels, provide important access for coastal visitors. In many cases, they also provide vital support for long-term community members who rely on the income to remain in their homes. Yet the percentage of S.T.R.s in our villages is out of balance with the number of houses available for full-time residents.

Currently, S.T.R.s represent 1 percent of parcels in East Marin communities compared to 16 percent in the coastal zone. We all know renters displaced from their homes because residential properties have been converted to S.T.R.s. Rentals are hard to find at any price; as a result, school populations have plummeted, jobs that serve our communities are hard to fill, and local workers commute many hours a day.

The California Coastal Commission has recognized the impact of S.T.R.s on housing availability in coastal communities and has supported ordinances limiting their expansion. The reality is that a growing housing crisis in both affordability and availability has been exacerbated by the S.T.R. market. It is critical that the Planning Commission and Board of Supervisors implement policies that provide limits on S.T.R. growth.

We have exhaustively researched what other coastal communities in the state have done to address the S.T.R. surge, and we have developed a set of proposed regulations that we have reviewed with Supervisor Dennis Rodoni and C.D.A. staff.

We propose that: 1) an S.T.R. license only be granted to an individual or family, not an L.L.C., investment group, time-share group or consortium of any kind in residential zones; 2) only one S.T.R. license be granted per property owner in the coastal zone; 3) the number of S.T.R. licenses be capped specific to each village; 4) property owners host or designate a local property manager; and 5) licensees meet the same health and safety standards as commercial inns, hotels and motels.

To see our full set of proposed regulations and to join our efforts to secure a balanced S.T.R. ordinance, please visit [westmarinresidentsforhousing.org](http://westmarinresidentsforhousing.org).

This is a call to action. We understand and respect the range of voices and opinions. Let's talk. Many of us know local property owners who are invested in community life and operate an S.T.R. that enables them to stay in their homes. We want to come together to advocate for balanced regulations.

Please come to the June 12 workshop (there is no Zoom option) or submit written comments to [str@marincounty.org](mailto:str@marincounty.org) by Friday. West Marin has come together on many issues. This one is front and center, and the county needs our input. The resulting ordinance will have a lasting impact on the community we love.

*Maureen Cornelia, an Inverness resident, and David Kimball, a Bolinas resident, are members of West Marin Residents for Housing. They are joined by Chris Harrington and Harriet Moss from Stinson Beach; Jorge Martinez and Andrew Zlot from Point Reyes Station; Eoin McMillian, Leila Monroe and Don Smith from Bolinas; and Susan Scott of Inverness.*

**From:** [Stephen Antonaros](#)  
**To:** [Kilgariff, Kathleen](#)  
**Subject:** Point Reyes Village Association - STR recommendations for 6.12.23 hearing  
**Date:** Thursday, June 8, 2023 10:25:09 AM  
**Attachments:** [PRSVa\\_New\\_STR\\_REGS.pdf](#)

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Attached are the recommendations reached by consensus from the Point Reyes Station Village Association's discussions of new Short Term Rental regulations  
Please forward to Commissioners.

Steve Antonaros

President

*Point Reyes Station Village Association*

**Point Reyes Station Village Association**  
**Recommended New Short Term Rental Regulations**

**May 24, 2023**

Supervisor Rodoni would like the various villages to comment on the appropriate percentage of STRs in relation to other forms of housing. For Point Reyes Station, the ratio of STRs in the Village Commercial zone ought to be less than in the C/R-AB residential zones of the Planning District based on a maximum of 5% of housing units in the Village and 10% of housing units in the rest of the Point Reyes Station Planning District.

- 1) Currently authorized STRs can be grandfathered in.
- 2) New regulations should apply to new permit/license holders. Licenses that expire should be required and lapse if the STR is not operating over a 12-month period. Also, the County should be able to revoke licenses of grandfathered STR permit holders who do not conform to the final regulations.
- 3) All Short-term rentals permits/licenses should only be allowed on Owner-occupied properties and therefore not be available year-round. The original idea for hospitality in residential areas was based on the Bed and Breakfast model which required on-site owners.
- 4) STR's can be allowed on a non-owner-occupied site as long as there is an additional dwelling unit on the site that is available for long-term housing. Consider incentives or requirements that any non-owner-occupied properties where a STR is proposed have at least one additional dwelling unit available for long term rental which could accommodate on-site managers, or a caretaker unit should be required if the property is not owner occupied.
- 5) Regulations should serve as disincentives for STRs as investments; Properties that are investor only should not be permitted. Licenses to an owner of multiple properties should not be allowed.
- 6) A JADU or an ADU can be used as either the owner-occupied unit or the STR unit for any one property.
- 7) The number of short-term rentals should be capped, and the current allotment should either remain flat or decrease over time.

—

Other related issues and recommendations from the PRSVA membership are noted below:

- STRs are primarily commercial uses operating on primarily residentially zoned properties; regulations should discourage 100% commercial use of residentially zoned properties.
- Enforcement by the County will not be adequate to regulate STRs. Neighbors should not have to complain for there to be enforcement, which is the mechanism used by the County on other land use issues.
- Licenses to a multi-unit property could be allowed in commercial zones.
- There should be incentives for lower cost STRs. Campgrounds and low-cost hospitality opportunities should be encouraged.



**From:** [Jayden Velarde](#)  
**To:** [STR](#)  
**Subject:** west marin residents affordable housing  
**Date:** Thursday, June 8, 2023 1:24:38 PM

---

You don't often get email from mr.egghead64@gmail.com. [Learn why this is important](#)

hi my name is jayden velarde

i was a resident in Bolinas with my mom for a few years. unfortunately my mom couldnt afford rent anymore so i had to move to a family friends place and my mom was left homeless in Bolinas. this is a normal thing in bolinas. its hard to get back on your feet and find a new place to live here. theres little to no options available! if this plan were to be approved, the chances of my mom finding a place to live would increase :).

thats why i support the west marin residents affordable housing plan  
thank you

**I am Jennifer Golub and thank you for this opportunity.**

I live in Inverness. In the hospitable tradition of bed and breakfasts, I have rented my home on a part time basis over the last x5 years to a diverse community of schoolteachers, academics, and public servants. People desire access over weekends and holidays, providing enjoyment of the bounty of West Marin, adjacent to National Parkland.

**X4 Headlines:**

**Seniors, Nimbyism, Fire and Community.**

**#1: Seniors:**

Seniors 65+ need income for survival.

**This moratorium is discriminating to seniors.**

I am dependent upon \$50k a year rental income generated by short term rentals to cover surgeries, food, fuel costs and extensive land stewardship. Our survival is dependent upon short term rental income.

**#2: Not in my backyard:**

**This moratorium is discriminating to low- income families.**

Among 53 California counties, Marin County, has the unfortunate distinction of being the most segregated county in the state.

**So one cannot compare Marin to other California counties**, that are diverse and have public access. There has been no investment in accessible public transportation. And regular folks can't afford to stay more than a weekend. Only the privileged can take 30 days off.

Marin has virtually built a Wall.

**#3: Fire:**

As a homeowner, **safe land stewardship is one of the costliest aspects of living in West Marin County**, an average of \$15k a year to remove deadwood. Residents have to fund generators and sprinklers, tools for survival. My guests are left printed emergency instructions and I have never had an issue.

**#4: Spirit:**

I live here. **I am not an investor.** These are my neighbors. My friends. This contested moratorium is ruining a peaceful community in West Marin County. It is a blunt draconian legislation that serves no one. My guests support the restaurants, the shopkeepers, and the local economy. I should be able to rent my home at will. With no harm. No intrusion, with a joyous welcoming spirit.

Thank you.

Jennifer Golub

**From:** [STR](#)  
**To:** [Damazyn, Michele](#)  
**Subject:** FW: Cap Short term rentals  
**Date:** Friday, June 9, 2023 3:51:33 PM

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Can you please forward this communication to the Planning Commission? Thank you!

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**From:** meg simonds <simonds.meg@gmail.com>  
**Sent:** Friday, June 9, 2023 3:25 PM  
**To:** STR <str@marincounty.org>  
**Subject:** Cap Short term rentals

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

It is imperative to continue supporting controls on STR's. Our communities need housing for families and Measure W is one way to help keeping families here in West Marin.

I urge you to continue to in this direction, our quality of life depends on it.

Many thanks.

Meg Simonds, resident for 44 years

And Mark Butler, resident for 39 years

**From:** [STR](#)  
**To:** [Damazyn, Michele](#)  
**Subject:** FW: Comment on analysis and equity in the staff report  
**Date:** Friday, June 9, 2023 2:00:16 PM  
**Attachments:** [One Bedrooms in West Marin - ABB.pdf](#)  
[One Bedrooms in West Marin VRBO.pdf](#)

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Hi Michele,

Can you please forward to the Planning Commissioners?

Thanks,

Kathleen

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**From:** Claire Hunsaker <chunsaker@gmail.com>  
**Sent:** Friday, June 9, 2023 9:04 AM  
**To:** STR <str@marincounty.org>  
**Subject:** Comment on analysis and equity in the staff report

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

Dear Dennis, Kathleen, Board -

I am writing to express a few concerns regarding the Planning Department's report on STRs. While I understand the complexity of this issue and applaud the Kathleen's exhaustive approach, I believe some aspects of the report require further examination to ensure a comprehensive and balanced evaluation of the situation.

Firstly, the report does not provide data on occupancy, pricing, price per visitor, or capacity for STRs, which are critical to an accurate comparison with commercial units. Such a comparison, without adequate county data for STRs to support the analysis, seems problematic if not biased. Further, the statement that STRs "can average around \$550 per night" suggests a range of averages across various communities and properties. The report seems to include all property sizes in their STR average. In contrast, pricelabs indicates an average daily rate of \$200-250 for a one-bedroom unit, which is still larger than a hotel room (attached). To provide a more accurate analysis, the planning commission should **apply the same evaluation across different geographies and property capacities for STRs as has been done for commercial units.**

It's also crucial to note that on a per bed or per occupant basis, STRs may potentially contribute more efficiently to visitor capacity than traditional hotels, while giving more back to the community. They may be priced lower than hotels on a per-visitor basis and require more maintenance and staff, providing more jobs.

Second, it seems the report compares the cost of renting an entire house in one particular area to the cost of booking a campsite, since the analysis includes campgrounds as commercial accommodation. Campsite users can pay as little as \$7, which radically alters the average for

commercial units. **Campground capacity should be considered separately** from "available beds" as the County considers visitor capacity planning.

Third, **Please use the county data.** The request for owners to share their occupancy data to challenge the report's 84% STR occupancy claim seems unnecessary given that the county collects this information through the Transient Occupancy Tax (TOM). This county data will be far more accurate than figures from platforms like Pricelabs or AirDNA, which both include owner occupancy in their occupancy rates.

Fourth, **on the issue of STRs allegedly "hollowing out local communities", no data in the report to support this claim** other than opinion commentary. There's no denying the importance of preserving the social fabric of our towns and villages, but anecdotal sentiments should not override actual data, especially when communities such as Stinson and Dillon Beach generally express support for STRs.

Lastly, the report seems to overlook the significant percentage of long-term vacation homes in West Marin. These homes constitute 67% of the housing in the analysis, with 80% of them not operating as STRs. Thus, 54% of the homes in question are owned by one family who reside in the community, but like many contributing factors to housing prices, these properties and homeowners are not targets for regulation. This suggests **the real target of opposition and regulation is visitors, who are generally less wealthy and more diverse than our homeowners. If we really support equity and inclusion, we need to make space for the people we intend to include.**

I humbly urge you to consider these points as you review the report from the Planning Department. It is paramount that our county's policy decisions are based on comprehensive, balanced, and accurate information. I trust in your commitment to safeguarding the interests of all Marin County residents and visitors alike.

Thank you for your time and consideration.

Best Regards,  
Claire Hunsaker

**From:** [STR](#)  
**To:** [Damazyn, Michele](#)  
**Subject:** FW: Short Term Rental Workshop  
**Date:** Friday, June 9, 2023 2:00:14 PM

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Hi Michele,

Can you please forward this as well. Just a heads up, I have a few more that will be coming your way.

Thanks,

Kathleen

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**From:** David Lewis <djllewis@ucanr.edu>  
**Sent:** Friday, June 9, 2023 9:19 AM  
**To:** STR <str@marincounty.org>; Kilgariff, Kathleen <KKilgariff@marincounty.org>; Lacko, Leslie <LLacko@marincounty.org>  
**Cc:** Lily Verdone <lverdone@malt.org>; Zach Mendes <zmendes@malt.org>; Metha Klock <mklock@malt.org>; tvtrotter@ucanr.edu  
**Subject:** Short Term Rental Workshop

Hello Kathleen and Leslie,

As Marin County proceeds with its exploration of affordable housing and short-term rental solutions, including the Planning Commission workshop Monday June 12, 2023, UC Cooperative Extension Marin (UCCE Marin) and the Marin Agricultural Land Trust (MALT) are ready to work with the community and Community Development Agency going forward. We have received comments and concerns from and continue to engage with agricultural producers that integrate farm stays into their agricultural operations. Agricultural diversification has long been recognized and valued in the Countywide Plan for supporting the sustainability of Marin's farms and ranches, building strong community relationships and a local food system. It also aligns with California State legislation for agricultural home stays. Please rely upon UCCE Marin and MALT going forward to be a resource and active partner to understand the importance of agricultural diversification through farm stays and to engage and work with the broad community on solutions for accessible and affordable housing and short-term rentals going forward.

Thank you,

David J. Lewis  
Director  
UCCE Marin

Lily Verdone  
Executive Director  
MALT

**From:** [STR](#)  
**To:** [Damazyn, Michele](#)  
**Subject:** FW: STR  
**Date:** Friday, June 9, 2023 2:05:10 PM

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Please forward to the Commissioners. Thanks!

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**From:** Windsong Guest Yurt <[info@windsongcottage.com](mailto:info@windsongcottage.com)>  
**Sent:** Friday, June 9, 2023 1:36 PM  
**To:** STR <[str@marincounty.org](mailto:str@marincounty.org)>  
**Subject:** STR

You don't often get email from [info@windsongcottage.com](mailto:info@windsongcottage.com). [Learn why this is important](#)

Hello Kathleen

I will not be able to attend the upcoming meeting on the 12th due to travel.

I would like to point out I've been in business since 1988 long before Airbnb, etc.

As it stands I believe my STR licence cannot be transferred, if and when I sell my house, to a new owner that lives on property.

I've built up much good will over all those years and many repeat guests.  
Not being able to include my business to a new owner if and when I sell, the County will be taking away my business and my good hard work.

Somehow, perhaps grandfathering the few of us in business that long, allowing a transfer of a licence to a new live on property owner could be included in new regulations.

Please include this email in the meeting.

Thank you in advance.

Anthony Ragona  
Windsong Cottage  
Point Reyes Station  
415-663-9695



**From:** [STR](#)  
**To:** [Damazyn, Michele](#)  
**Subject:** FW: Support for West Marin STR Regulation Priority Proposals  
**Date:** Friday, June 9, 2023 2:04:52 PM

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Please forward this one as well.

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**From:** Janine Shiota <[janine.shiota@gmail.com](mailto:janine.shiota@gmail.com)>  
**Sent:** Friday, June 9, 2023 11:08 AM  
**To:** STR <[str@marincounty.org](mailto:str@marincounty.org)>; Rodoni, Dennis <[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)>  
**Subject:** Support for West Marin STR Regulation Priority Proposals

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

Dear Marin County STR and Office of Dennis Rodini,

Please register my support for the proposed regulations on STRs put forth by the West Marin Residents for Housing as listed below.

Hope you will enact these common sense regulations. We are not against the STR as a means of private individual person supplementation of income, but bigger corporate interests and speculative investors have taken away long term housing stock and affected communities adversely.

Please take these very well researched and fully considered approaches to Marin County's STR program.

Best,  
Janine Shiota  
Bollinas, CA

\*\*\*\*\*

### Proposed Regulations

These elements we consider to be essential to an equitable and effective STR Regulatory Program:

1. Guest space rented by a Primary Homeowner who is in residence during the rental, and whose space has fewer amenities than would qualify it as an Accessory Dwelling Unit (ADU) or a Junior Accessory Dwelling Unit (JADU), is instead defined as a traditional "Bed-and-Breakfast" rental and is exempt from this regulatory program.
  
2. All STR operators must obtain a County License that must be re-applied for every 2 years, with renewal subject to compliance with all Program elements, payment of all Transient Occupancy Tax (TOT) due, minimal complaint history, and the village's cap

discussed below.

3. License acquisition and renewal requires compliance with all health-and-safety building codes (such as for septic, fire, water, electrical, and plumbing), which are already enforced for motel, hotel and inn licensing. The County could consider a low-interest, long-term loan program, designated for low-income Primary homeowners, to support buildings coming into compliance, e.g. as with the Bolinas septic-upgrade program. A Safe Harbor provision could be included in the regulations, modeled in part on the County's Solar energy permitting approach, whereby applicants will not be penalized for attempting to come into compliance with these provisions.

4. There will be a cap set on the number of licenses issued to each village, informed both by historical use and by current demand for affordable housing, especially affordable workforce and senior housing. Other licensing requirements should be the same for all villages. There are many examples of caps being implemented, see below: they may be constructed legally, according to the Coastal Commission, and they have survived Takings challenges.

5. To incentivize the creation of new long-term housing, an exception to the cap could be granted for property-owner's building or converting a new (J)ADU if either that unit or main house is thenceforth rented long-term.

6. Priority for issuing licenses shall be given to those for which a full-time resident lives on-site. Prioritization could also be considered for those that are longest-operating and for lowest-cost STRs. Cost could be defined as cost/night per person of advertised occupancy.

7. Licensees must be the property owners and a Natural Person as legally defined. STR operation by property-owners who are LLCs, investor or time-share groups, or consortiums of any kind should be prohibited.

8. Only one STR unit should be issued per licensee, Countywide.

9. For Unhosted STRs, licensees must designate a Manager who is a legally defined Natural Person and who is on call during the entire rental period to respond within ½ hour to any tenant or neighbor issues. If the Manager is not a resident of the STR, then the Manager should be a licensed real estate broker, or an individual with demonstrated expertise in the STR regulation and located in West Marin.

10. The County should earmark funds from the STR Licensing and TOT revenue to provide sufficient funds for enforcement of these regulations.

11. Once implemented, Data should be collected on STR operations to monitor the impact of the program and progressively improve it.

--

Janine Shiota

415-425-4579

[janine.shiota@gmail.com](mailto:janine.shiota@gmail.com)

**From:** [STR](#)  
**To:** [Damazyn, Michele](#)  
**Subject:** FW: West Marin STR Public Comment  
**Date:** Friday, June 9, 2023 2:54:04 PM

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Can you please forward this email as well?

Thank you,

Kathleen

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

From: Don Smith <don@horizoncable.com>  
Sent: Friday, June 9, 2023 2:41 PM  
To: STR <str@marincounty.org>  
Subject: West Marin STR Public Comment

Dear Planning Commissioners,

County data show STR earnings to be TWICE what long-term renters can pay. This has seduced many Bolinas primary homeowners into evicting their renters and switching to STR.

Adding to the problem, the ability to STR has brought many new second-home seekers into the market who would not have been able to afford a second home otherwise. They can far outbid folks looking for a home to LIVE in, because STR can pay a second-home mortgage but not the mortgage on a home in which someone's living. Consequently, people seeking their FIRST home are shut out by people wanting a second or third home. This is WRONG.

Even worse, we have out-of-town investment groups and commercial entities under LLCs buying up houses in RESIDENTIAL neighborhoods and turning them into timeshares or boutique hotels. This is WRONG.

Our workforce and seniors are being driven out of town. Our school population is HALF what it was before AirBnB. We have trouble finding people to serve on Boards and Fire crews. Our communities are dying.

There are other drivers of housing cost too, of course. And we have to provide SOME accommodations for visitors too, of course. But STR conversions are making rentals scarce at any price, and are driving up both rents and purchase prices.

We need a cap to be set on the number of STRs in each West Marin village that is much LOWER than the current number. Freezing the status quo will instead legitimize the removal of our housing stock at an unacceptable level, and it will take DECADES for attrition by home sales to bring this down to the appropriate level.

We also need to prohibit timeshares and investment clubs/platforms by requiring individual or family ownership, and by allowing only one STR per property-owner Countywide. Requiring STRs to meet the same health and safety Codes as for motels and inns would further level the playing field.

Marin is very late compared to other CA Coastal jurisdictions in regulating STRs, so we need to work hard to put in place strong regulations as soon as possible and not let profit and greed win the day. Social justice and community vitality must take precedence over profit-making and real-estate speculation.

Sincerely,

Don Smith, homeowner

PO Box 67, Bolinas

Member, BCPUD Board of Directors, 2003-2022 Member, Bolinas Community Land Trust, Bolinas Community Center

June 9, 2023

Marin County Planning Commission  
Board of Supervisor Chambers, Room 330  
Civic Center  
San Rafael CA

*RE: June 12, 2023 Hearing Concerning Short-Term Rentals in West Marin*

Dear Members of the Planning Commission:

We are members of the West Marin Access Coalition, a grass-roots organization of over 125 individuals, predominantly West Marin homeowners, but including long- and short-term rental hosts, visitors, local businesses, and concerned citizens interested in preserving West Marin's tourism-friendly community. We believe that everyone should have access to the beautiful parks, beaches, and forests of West Marin. We are entirely volunteer-operated and receive no funding whatsoever.

We offer the following comments on the Staff Report to the Marin County Planning Commission ("Report") prepared for the Short Term Rental (STR) Ordinance Update Workshop set for June 12, 2023 before the Commission. These comments are organized to track the organization of the Report itself, and each section should be read as responsive to each corresponding section of the Report. We then conclude with our perspective on STRs, one that we believe is not reflected in the Report.

### **Summary Section**

The Summary of the Report opens by noting that the County is reevaluating its STR Ordinance "to improve the availability of middle- and lower-income housing." Despite this, no part of the Report subsequently addresses means to improve such housing opportunities. It appears that Staff has made the implicit assumption that housing in West Marin is a zero-sum game, one in which short-term rentals and long-term housing are diametrically opposed. A further assumption of Staff appears to be that a forced reduction in STRs will lead to an increase in long-term rentals, or a general lowering of rents. The Report cites no data or even anecdotal support for this proposition. In fact, in comment after comment appended to the report, this unstated assumption is refuted by dozens of individuals who note that their homes are owner-occupied part-time and rented part-time, and thus would not convert to long-term rentals even if STRs were banned. Other comments note that homes serving as vacation home and often worth several million dollars are not suitable or capable of being repurposed into low- or middle-income rental stock. In fact, Supervisor Rodoni stated at his April 14, 2023 meeting in Pt. Reyes Station that it is unrealistic to think that banning STRs outright would lead to more than at most a few STRs converting to long-term rentals, and that we need to be cautious in legislating, lest

unintended consequences predominate. The Report appears to have lost sight of this important consideration.

In sum, the Report has assumed but provided no empirical or even anecdotal support that further limits to, or reductions in, STRs in West Marin will improve the availability and affordability of rental and long-term housing, especially for middle- and lower-income residents and marginalized communities.

### **Background Section**

The Background section of the Report recites the implementation of “Good Neighbor” policies beginning in 2018. What the Report never addresses is whether these Policies have fallen short in any regard. The Report provides no data concerning complaints received by the rental hotline for complaints, nor any indication that significant numbers of complaints have been received concerning sewage, water efficiency, habitability, safety, noise, trash, parking or the other concerns for which County Staff appears to be proposing further regulations based upon the findings from its recent survey. This suggests that the beefed-up Good Neighbor policies that Staff is proposing are a solution in search of a problem.

Moreover, in data presented by the same County Staff just last year, it was noted that the Short Term Rental Hotline received fewer than 2 dozen complaints, *county-wide*, in all of 2021, and just 31 complaints, *county-wide*, in January-September 2022. Since inception of the Hotline, complaints have declined substantially from their peaks in 2019 and 2020, showing that the existing Good Neighbor policies are working as intended and that the vast majority of STRs are operated in a considerate and responsible manner. Further, the most frequent complaint cited was for unauthorized short term rentals – this alone constituted over 36% of all complaints received. This fact is not addressed in the Staff’s current findings and recommendations, or a matter before this Commission. Further, the community that generated the largest volume of complaints was Mill Valley (76 out of 291 complaints, or just over 26%), a municipality not within the current study area.

In sum, the unincorporated West Marin communities have only generated a small handful STR of complaints in recent years. There is zero empirical that it is necessary to implement more stringent “Good Neighbor” policies than those currently in place, which are working as envisioned and intended.

### **Short Term Rentals and Housing in Marin**

In this section, the Report correctly acknowledges that high housing costs and limited housing availability are “longstanding challenges” with many contributing factors. Supervisor Rodoni recognized this at his April 14, 2023 meeting in Pt. Reyes Station as well. And, while the Report cites current information on median home prices and average rents, it provides no data to show how these have changed over time, or whether home prices and rents in Unincorporated Marin have increased more quickly than elsewhere in Marin County, the Bay Area, the state, or the country as a whole. Nor is there data to show how these trends have been affected by the alleged proliferation of STRs. Housing pricing and availability are challenges

felt nation-wide, so the lack of relevant historical or comparative data is disappointing and another weakness in the Report. However, the Report does indicate that average rent in unincorporated Marin is \$600 *less* than the HUD-calculated “fair market rate rent” in 2021.

Despite the paucity of data, the Report makes the unsubstantiated assertion that “[h]ousing shortages and prices are likely affected by the high number of homes used as STRs instead of as permanent residences.” Policies cannot be intelligently crafted based only on what is possible, or unsubstantiated claims that something is merely “likely.”

Tellingly, in this section, the Report also cites no supporting data for the proposition that STRs have driven a housing shortage, nor any effort to analyze or quantify how the many other factors affecting housing in West Marin – minimum lot sizes, restrictive zoning in the Coastal Zone, stringent building requirements, water meter moratoria that preclude new construction, septic and water issues, the high desirability of homes in the area, and the long history of homes in the area being held as second homes – play into this. Instead, the Report has singled out a single variable as though it were the most relevant and impactful. At most, this is a hypothesis, yet despite many years of purported study and analysis by County Staff, there is still zero data to back it up.

The Report also claims that “[a] significant proportion of the housing in some communities has been converted to commercial use in the form of STRs.” Here, the Report apparently assumes that there were few or no STRs before AirBNB and VRBO, or that all housing stock being used in some fashion as STRs was previously occupied solely by full-time residents and renters. But the comments to the same Report show this is false. Several communities in West Marin – including Stinson Beach, Dillon Beach, and Inverness – were all originally founded as vacation communities largely consisting of weekend and summer homes that traditionally sat vacant for portions of the year, and thus represented surplus capacity that STRs are ideally suited to utilize. Those communities have retained that character for generations, even as more individuals have chosen to reside in West Marin full-time. The County’s data bear this out, as they show that 34% of the STRs in Coastal Zone are in Stinson Beach. Another 22% of STRs are in Dillon Beach, and 16% are in Inverness. What that means is that, collectively, over 70% of STRs in unincorporated West Marin are in just 3 communities that each have a long history of being vacation destinations. All of these communities had active STR markets that long predated AirBNB and VRBO.

There can be no dispute that STRs have been a significant feature of how homes in West Marin have been occupied and operated for generations, as several commenters have noted. We can confirm this personal experience, having stayed in, operated, or owned short-term rentals decades before AirBNB and VRBO were founded. The Report seems to recognize the unique history of the region elsewhere. But since the Report makes no effort to track or quantify the changes in STRs in the last decade, it offers no support for the notion that long-term housing “has been converted” to STRs on a meaningful scale. Once more, the Report is, at most, reciting a handful of anecdotes.

Further, uses of property can and do change over time. Some homes that were previously long-term rentals may well have become owner-occupied permanent residences or other uses.

Other homes that were previously owner-occupied or STR's can and do convert to long-term rentals. Unless Staff can present reliable data on the degree of switching over time – and no such data are found in the Report, or have been presented at any time in the last year – it would be fallacious to rely on individual anecdotal claims about STRs displacing long-term residents as the basis for future regulations.

Additionally, the Report notes that comparatively fewer STRs are located in eastern areas of the County. This is no surprise because (1) these areas do not have the same history as a visitor and coastal vacation destination with substantial numbers of second homes, and, (2) many communities in the county severely restrict and in some cases ban outright STRs – something the California Coastal Commission would not permit in rural West Marin, given its proximity to state and national parklands and the coast.

The Report goes on to claim that overnight rates can “average around \$550 per night,” providing no source for this claim. County Staff were previously called out for citing unreliable and unsubstantiated data from a third-party service (AirDNA) that gave vastly overinflated estimates for average prices, occupancy rates, and monthly income from STRs. The County seems to have recognized the flaws in AirDNA's projections, as it has ceased citing them as informative. Moreover, the prior County's reliance on such unreliable projections was especially surprising as the County requires submission of Transient Occupancy Tax reports that demonstrate exactly how much each property generates in STR revenues each month. These data, if compiled, would show that the returns for virtually all STRs are far more modest than the inflated projections indicate, and further, that STRs in West Marin are highly seasonal and have very low occupancy rates in colder, rainier months. We encourage the Commission to ask the County why it has not analyzed the highly relevant data that are already in the County's possession.

While it cites no data in this regard, the Report assumes that the earning potential of STRs “is likely an incentive for property owners to seek STR use, serving visitors rather than traditional renters.” Here, the Report draws a false dichotomy and misses the point that is illustrated in comment after comment: most STR owners use their own homes for significant portions of the year, and a home occupied by a long-term tenant cannot be used by the owner. The Report fails to recognize that a profit-maximizing homeowner in many cases would come out ahead with a long-term tenant, especially given the fact that an STR operator faces higher monthly operations costs and often pays a percentage of their revenues to a local property manager. The Report does not adequately acknowledge that having a long-term tenant would defeat the purpose of owning homes in West Marin for most owners, where owners spend holidays, weekends, and significant blocks of time. The Comments included in the report illustrate this point again and again by noting that if STRs were banned outright, homes would not convert to long-term rentals, but would mostly sit empty or be purchased by individuals wealthy enough to be indifferent to the supplemental revenues STRs provide.

Finally, in this section, the Report asserts that “a high percentage of homes being dedicated to STRs in some smaller towns and villages is seen as hollowing out local communities, adversely affecting the schools and social fabric enjoyed in these smaller towns and villages.” The use of the passive voice here is telling. The Report is once again repeating



anti-STR anecdotes and tropes without trying to acknowledge the counterpoints of individuals who report (several in the comments to the Report) that operating an STR part-time allows them to enjoy closer ties to the community and afford to live in West Marin in the first place. Further, school enrollments in West Marin have been declining for decades, since long before AirBNB and VRBO were founded, and are more likely driven by broader demographic shifts, such as the median age of community members increasing over the last several decades. Furthermore, some community residents choose to send their children to schools outside of West Marin, as is their prerogative. In sum, as with the housing shortage, there is no basis to scapegoat STRs for declining school enrollments.

### **SHORT TERM RENTAL MORATORIUM – WEST MARIN**

This section opens by claiming in part that “community discussions indicated that STR uses may be affecting the supply and affordability of housing.” Once again, the Report cites no data, provides no description of the “community discussions” that took place, who attended, and what was said or presented. Instead, the Report appears to be reciting anecdotes and claims not backed by data or evidence, while ignoring the counterpoints raised in response.

The Report also discusses the moratorium ordinance passed in May 2022 (which the Report calls an “urgency ordinance,” a term never defined or used at the time). The Report claims that notice of the impending moratorium was given far and wide, and that County Staff conducted “more outreach than usual.” This misses the fact that only 3 weeks elapsed between the first notice of a potential moratorium on May 5, 2022, and the Board of Supervisors’ vote to enact it on May 24, 2022. As a result, any homeowners who were caught unaware (as at least one commenter in the Report was), or who didn’t complete all required formalities in under 3 weeks, was shut out of operating an STR for at least two years, and possibly indefinitely. Some of the undersigned barely made the cut-off.

One thing the Report does illustrate is the irony of the moratorium working against its own stated purpose. Namely, in the brief, three-week window between the announcement of a moratorium and its enactment, 150 property owners registered STRs. This shows that the law of unintended consequences is alive and well: in seeking to cap the number of STRs in West Marin, the County caused that number to jump by around 30%, leading to far more STRs than likely would have been operated absent governmental intervention. The Commission should keep the law of unintended consequences in mind as it considers future policies, as even well-informed policies (which, we submit, the moratorium was not) may undermine or lead to the opposite of the intended result.

### **PUBLIC OUTREACH**

The Report notes that meetings and outreach have continued since the moratorium passed. As noted above, County Staff presented unreliable projections in lieu of actual data in the County’s possession concerning the economic realities of STR operations. Despite this being noted at the time, the Report does nothing to provide missing context and supply actual, reliable data. We are left with the abiding impression that Staff have presented divisive dichotomies of STRs vs. long-term renters and offered “solutions” in search of a problem, without actually

meaningfully engaging on the broader question that can unite the community: how to create more housing for lower- and middle-income current and would-be residents.

## **PROJECT SCHEDULE**

Here, the Report notes that the County seeks to have permanent regulations implemented by the time the moratorium expires on May 23, 2024. However, despite drafting vague Guiding Principles, Staff has never disclosed what the draft regulations will look like, and their release date keeps getting pushed back. We are extremely concerned that, as with the snap decision to implement a moratorium on just 3 weeks' notice, too little time will be allotted to garner meaningful feedback from all stakeholders, including visitors to the area who do not reside locally and may not have their finger on the pulse of this issue.

## **DISCUSSION; STR SURVEY**

In this section, the Report discusses a survey conducted by the County. As indicated, fewer than half of the individuals self-reported that they live in Unincorporated Marin. However, the recommendations of Staff seemingly privilege the desires of this group over all other stakeholders. No explanation or justification is provided for this.

## **SOCIAL EQUITY**

This portion of the report recites laudable goals, but fails to connect them to the regulations under consideration. The only ostensible link is the unsubstantiated claim that "STRs create a strain on the housing market." This ignores entirely the number of individuals, many of them low- and middle-incomes and people of color, whose livelihoods depend in whole or in part on the STR economy, and who would be adversely affected (if not forced to relocate elsewhere) if STRs were further restricted. Some of these individuals spoke eloquently at community meetings dedicated to STRs, and stated that they and many individuals they work with would be adversely affected by a reduction in STR activities. The Report's failure to include these voices is unexplained and inexplicable.

## **DATA ON SHORT-TERM RENTALS**

Pages 8-10 of the Report recite certain data about STRs. The data on page 8 appear to be incomplete, as they compare STRs in unincorporated West Marin with unincorporated East Marin without so noting (the same data were presented by Staff last year, where it was noted that the East Marin figures are for unincorporated areas). Thus, the impressions left with the Commission are that over 70% of all STRs in the entire County are in West Marin, or that a tiny fraction of parcels elsewhere are used as STRs. This is not the case, as the majority of developed parcels in the County are in incorporated areas. Further, several municipalities in Marin ban STRs outright, and thus are not a valid basis of comparison. The Report fails to account for this fact in its presentation.

The data on Page 9 confirm what many commenters have noted: that the majority of homes in the Coastal Zone are not primary, owner-occupied residences. This is reflective of the

fact that, for generations, most of this area has been a vacation destination, with a high proportion of second and summer homes that have spare capacity to utilize as STRs without adversely affecting renters or full-time residents. It also underscores that policies that may make sense in a dense urban area primarily characterized by long-term occupancy are not well-suited for rural West Marin.

The data on Page 10 show that STRs serve a vital role in using housing stock that would otherwise sit vacant to accommodate the many visitors to the region. The majority of non-STR housing “units” for visitors are campsites; while camping is wonderful, many visitors want or need a roof over their head. Were STRs to be curtailed or eliminated, there would be no other way to accommodate current levels of visitors than through a massive influx of hotels, inns, bed-and-breakfasts, and the like. This would prove far more disruptive for the community and environment than the use of already-existing homes that can be efficiently made available to visitors as STRs. It would also shut out individuals, many of them younger and more diverse than the median West Marin resident, for whom STRs are more economical than hotels.

The last chart on page 10 appears to be incomplete. It is not clear what it represents – STR revenue or hotel revenue? If the former, it confirms that Staff can access data concerning STR revenues quite readily, but simply has chosen not to in most instances.

Finally, one relevant dataset the Report inexplicably does not present are the taxes generated and remitted by STRs in West Marin. The 10% transient occupancy tax paid by all STRs since mid-2018 has cumulatively contributed \$24,938,312 to the County. On top of that, Measure W taxes have contributed \$2,993,103 to fire protection for West Marin and another \$2,993,103 to housing specifically for West Marin.<sup>1</sup> This means that, aside from their many positive impacts on the local economy, STRs have contributed a total of \$30,769,549 to the County tax base in under five years. Had the County dedicated even a portion of these transient occupancy taxes toward housing, it could have built dozens of units of affordable housing in the interim. Instead, the County has continually vilified the individuals who own and operate STRs. These divisive tactics are harmful and should stop.

### **Short Term Rental Survey Results**

The Report proceeds to provide a Summary and Key Findings of its survey. However, the County has not shared the raw data underlying the survey, greatly limiting our ability to comment upon it. We ask that the County share the anonymized dataset to enable meaningful community feedback and commentary.

While the Key Findings claim that “a majority of all respondents agree” that certain regulations should be implemented, in each of these cases the “majority” view achieves barely 60% support, and only after combining those who “Agree” with those who “Strongly Agree.” This hardly bespeaks an overwhelming consensus and fails to show a clear consensus that any particular measures are needed at present. And, in none of those cases did a majority of individuals “strongly agree” with the proposition stated. Thus, there is only a mild degree of

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<sup>1</sup> Figures accessed from <https://data.marincounty.org/County-Government/Transient-Occupancy-Tax-Revenue/mhtq-t6fz> on June 8, 2023.

support for only a handful of potential regulations. Namely, there is only a small degree of net support for the following propositions:

6. Short Term Rental owners should have to show that their property meets basic building safety standards.
7. Short Term Rental owners should have to show that their property meets basic septic system standards.
8. Short Term Rental owners should have to show that their property has enough onsite parking.
9. The County should require Short Term Rental owners to have adequate water supply and water conservation measures in place.

While these are important issues, the Report presents no data, or even anecdotes, that STRs in West Marin have been the subject of a meaningful number of building safety, septic, parking, or water conservation concerns. It instead simply struck a slight majority of individuals that these are good goals. The Report does not explain how owners would be required to make the required showing, nor how often, nor what new burden it would impose on the County to inspect hundreds of properties for compliance with such rules. Before recommending that further burdensome and amorphous certifications be required of homeowners, the Commission should inquire if there is any *data* that such issues actually are in need of further legislation, and weigh the costs of enforcement and potential unintended consequences against the purported benefits (and, it bears reiterating, no concrete benefits have been identified to date). Moreover, requiring that STR owners make a showing of building safety, septic, and parking requirements has nothing to do with the ostensible purpose of this hearing: promoting long-term housing.

### **Community Comments**

After the text of Ordinance No. 3739, the Report provides Community comments. By our tabulation, 50 written comments were submitted. Of these, 40 comments, or 80%, spoke in favor of STRs and the many benefits they provide. A small number of comments were opposed to STRs in some degree, but even these showed a range of views. Very few individuals favor abolishing STRs, while a handful of others favor certain regulations (this included some STR operators themselves). We believe that the text of the Staff's Report did not fully capture the sentiments presented in the comments, so we commend and urge the Commission to review the Comments carefully.

### **Facts Concerning STRs in West Marin**

Below, we provide further perspective concerning the benefits STRs provide to West Marin.

- a. STRs Provide Sustainable Access to the Coast for a Diverse Group of Visitors.*

As noted above, several communities in West Marin were founded as, or have long been, visitor- and vacation-oriented communities. In the second half of the Twentieth Century, more



year-round residents began to live in West Marin. With the creation of Point Reyes National Seashore, coastal communities became a gateway to a national park that generations have come to cherish.

STRs allow the County to provide access to the National Seashore and the surrounding area to a diverse group of individuals with minimal adverse impacts on the communities. By utilizing existing homes that would otherwise sit empty when their owners are away, STRs make sustainable use of existing structures, avoiding the need for construction of large hotels or other complexes that would concentrate traffic, noise, and other unpleasant side-effects in one place. STRs also provide a unique experience by providing privacy and intimacy that are typically not found in hotels. Finally, STRs are a good value, as an entire family or group of friends may stay in one locale for far less than the equivalent cost of a block of hotel rooms. STRs help make West Marin accessible to a younger and more ethnically and socio-economically diverse group of visitors than is represented by the median year-round resident of West Marin. Several comments to the Staff Report reflect this.

*b. STRs Support Local Businesses and Workers*

STRs employ, directly or indirectly, many individuals in West Marin. This includes tradespeople and gardeners who improve and maintain properties, house cleaners, and owners and employees of local business patronized by guests. Overnight guests also tend to spend more money at local businesses than day trippers.

Studies by the National University System Institute for Policy Research and the Milken Institute indicate that for approximately every \$65,000 spent on STRs, a job is created or supported through direct or indirect economic benefits. By this measure, STRs support well over 100 jobs in West Marin. The Staff Report does not address the economic benefits that STRs provide, nor the adverse impacts that would be suffered by individuals, many of them lower- or middle-income, people of color, and members of marginalized communities, in the event that further stringent STR regulations are enacted. It is noteworthy that many of the loudest anti-STR voices are reflective of the privileged demographics of West Marin: older, wealthier, less diverse.

*c. STRs Provide Substantial Revenues Through TOT Taxes and Measure W Taxes*

In 2018, Measure W imposed a 4% supplemental transient occupancy tax (TOT) on STRs (which, incidentally, hotels and traditional lodging options are exempt from). Half of these tax revenues are earmarked for community housing; the other half is earmarked for emergency services. STRs also provided transient occupancy taxes to the County. These significant contributions are noted in detail above.

*d. STRs Reduce Traffic and Emissions*

Finally, STRs reduce the number of “day-trippers” by allowing multi-day experiences without repeated and long drives to and from other parts of the Bay Area or beyond. This reduces traffic at chokepoints like Highway 1 at the intersections of Point Reyes-Petaluma Rd.,

Levee Rd., and Sir Francis Drake. It reduces the number of cars transiting through Inverness, Pt. Reyes Station, Olema, Bolinas, and other coastal villages with limited means of ingress and egress. This helps alleviate congestion, reduce emissions, and allow access for emergency vehicles.

## Conclusion

Our takeaway points are as follows:

1. The Commission should focus on the important role that STRs provide in guaranteeing access to the Coast, especially for the younger, less wealthy, and more diverse group of visitors who do not have the privilege of residing in West Marin full-time.
2. The Commission should focus on the positive economic impact that STRs provide for local communities, including lower- and middle-income individuals, as well as people of color and marginalized communities.
3. The Commission should focus on how STRs provide a flexible, pragmatic, low-impact, environmentally sound way to provide access to the coast using already existing infrastructure in a way that new hotels, motels and the like simply cannot.
4. The Commission should focus on data, not anecdotes and unsubstantiated claims.
5. Before considering, sponsoring or enacting any particular legislation, the Commission should ensure that it is well-supported and not the result of a one-sided presentation of claims.
6. The Commission should remain attuned to the law of unintended consequences and the fact that good intentions alone are not sufficient to craft good policy.
7. To increase housing availability and affordability, the Commission should seek out holistic measures that promote and create more housing for all. Singling out STRs will not accomplish this.

We thank you for your time and attention to this important matter.

Respectfully,

Sean Callagy  
Claire Hunsaker  
Jeanice Skvaril  
Rachel Dinno  
Scott Grooms  
Meg Cadiz  
Ramon Cadiz  
Cynthia Gerlinger  
Tom Peters  
Blair Peters

Anna Desenberg  
Kim Desenberg  
Loren Quaglieri  
David Evans  
Claire Herminjard  
Frank Leahy  
Rachel Gaunt  
Sarah Butler  
Beau Vincent  
Jose Contreras

William Taylor  
Ashley Tobin  
Jim Watters  
Mike Durrie  
Catherine Lucas  
Michael Anderson  
Anna McDonnell  
Anna Edmondson  
Peter Rumsey

**I am Jennifer Golub and thank you for this opportunity.**

I live in Inverness. In the hospitable tradition of bed and breakfasts, I have rented my home on a part time basis over the last x5 years to a diverse community of schoolteachers, academics, and public servants. People desire access over weekends and holidays, providing enjoyment of the bounty of West Marin, adjacent to National Parkland.

**X4 Headlines:**

**Seniors, Nimbyism, Fire and Community.**

**#1: Seniors:**

Seniors 65+ need income for survival.

**This moratorium is discriminating to seniors.**

I am dependent upon \$50k a year rental income generated by short term rentals to cover surgeries, food, fuel costs and extensive land stewardship. Our survival is dependent upon short term rental income.

**#2: Not in my backyard:**

**This moratorium is discriminating to low- income families.**

Among 53 California counties, Marin County, has the unfortunate distinction of being the most segregated county in the state.

**So one cannot compare Marin to other California counties**, that are diverse and have public access. There has been no investment in accessible public transportation. And regular folks can't afford to stay more than a weekend. Only the privileged can take 30 days off.

Marin has virtually built a Wall.

**#3: Fire:**

As a homeowner, **safe land stewardship is one of the costliest aspects of living in West Marin County**, an average of \$15k a year to remove deadwood. Residents have to fund generators and sprinklers, tools for survival. My guests are left printed emergency instructions and I have never had an issue.

**#4: Spirit:**

I live here. **I am not an investor.** These are my neighbors. My friends. This contested moratorium is ruining a peaceful community in West Marin County. It is a blunt draconian legislation that serves no one. My guests support the restaurants, the shopkeepers, and the local economy. I should be able to rent my home at will. With no harm. No intrusion, with a joyous welcoming spirit.

Thank you.

Jennifer Golub



**From:** [STR](#)  
**To:** [Damazyn, Michele](#)  
**Subject:** FW: Short Term Rental Workshop  
**Date:** Friday, June 9, 2023 2:00:14 PM

---

Hi Michele,

Can you please forward this as well. Just a heads up, I have a few more that will be coming your way.

Thanks,

Kathleen

**From:** David Lewis <djllewis@ucanr.edu>  
**Sent:** Friday, June 9, 2023 9:19 AM  
**To:** STR <str@marincounty.org>; Kilgariff, Kathleen <KKilgariff@marincounty.org>; Lacko, Leslie <LLacko@marincounty.org>  
**Cc:** Lily Verdone <lverdone@malt.org>; Zach Mendes <zmendes@malt.org>; Metha Klock <mklock@malt.org>; tvtrotter@ucanr.edu  
**Subject:** Short Term Rental Workshop

Hello Kathleen and Leslie,

As Marin County proceeds with its exploration of affordable housing and short-term rental solutions, including the Planning Commission workshop Monday June 12, 2023, UC Cooperative Extension Marin (UCCE Marin) and the Marin Agricultural Land Trust (MALT) are ready to work with the community and Community Development Agency going forward. We have received comments and concerns from and continue to engage with agricultural producers that integrate farm stays into their agricultural operations. Agricultural diversification has long been recognized and valued in the Countywide Plan for supporting the sustainability of Marin's farms and ranches, building strong community relationships and a local food system. It also aligns with California State legislation for agricultural home stays. Please rely upon UCCE Marin and MALT going forward to be a resource and active partner to understand the importance of agricultural diversification through farm stays and to engage and work with the broad community on solutions for accessible and affordable housing and short-term rentals going forward.

Thank you,

David J. Lewis  
Director  
UCCE Marin

Lily Verdone  
Executive Director  
MALT

**From:** [STR](#)  
**To:** [Damazyn, Michele](#)  
**Subject:** FW: Comment on analysis and equity in the staff report  
**Date:** Friday, June 9, 2023 2:00:16 PM  
**Attachments:** [One Bedrooms in West Marin - ABB.pdf](#)  
[One Bedrooms in West Marin VRBO.pdf](#)

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Hi Michele,

Can you please forward to the Planning Commissioners?

Thanks,

Kathleen

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**From:** Claire Hunsaker <[chunsaker@gmail.com](mailto:chunsaker@gmail.com)>  
**Sent:** Friday, June 9, 2023 9:04 AM  
**To:** STR <[str@marincounty.org](mailto:str@marincounty.org)>  
**Subject:** Comment on analysis and equity in the staff report

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

Dear Dennis, Kathleen, Board -

I am writing to express a few concerns regarding the Planning Department's report on STRs. While I understand the complexity of this issue and applaud the Kathleen's exhaustive approach, I believe some aspects of the report require further examination to ensure a comprehensive and balanced evaluation of the situation.

Firstly, the report does not provide data on occupancy, pricing, price per visitor, or capacity for STRs, which are critical to an accurate comparison with commercial units. Such a comparison, without adequate county data for STRs to support the analysis, seems problematic if not biased. Further, the statement that STRs "can average around \$550 per night" suggests a range of averages across various communities and properties. The report seems to include all property sizes in their STR average. In contrast, pricelabs indicates an average daily rate of \$200-250 for a one-bedroom unit, which is still larger than a hotel room (attached). To provide a more accurate analysis, the planning commission should **apply the same evaluation across different geographies and property capacities for STRs as has been done for commercial units.**

It's also crucial to note that on a per bed or per occupant basis, STRs may potentially contribute more efficiently to visitor capacity than traditional hotels, while giving more back to the community. They may be priced lower than hotels on a per-visitor basis and require more maintenance and staff, providing more jobs.

Second, it seems the report compares the cost of renting an entire house in one particular area to the cost of booking a campsite, since the analysis includes campgrounds as commercial accommodation. Campsite users can pay as little as \$7, which radically alters the average for

commercial units. **Campground capacity should be considered separately** from "available beds" as the County considers visitor capacity planning.

Third, **Please use the county data.** The request for owners to share their occupancy data to challenge the report's 84% STR occupancy claim seems unnecessary given that the county collects this information through the Transient Occupancy Tax (TOM). This county data will be far more accurate than figures from platforms like Pricelabs or AirDNA, which both include owner occupancy in their occupancy rates.

Fourth, **on the issue of STRs allegedly "hollowing out local communities", no data in the report to support this claim** other than opinion commentary. There's no denying the importance of preserving the social fabric of our towns and villages, but anecdotal sentiments should not override actual data, especially when communities such as Stinson and Dillon Beach generally express support for STRs.

Lastly, the report seems to overlook the significant percentage of long-term vacation homes in West Marin. These homes constitute 67% of the housing in the analysis, with 80% of them not operating as STRs. Thus, 54% of the homes in question are owned by one family who reside in the community, but like many contributing factors to housing prices, these properties and homeowners are not targets for regulation. This suggests **the real target of opposition and regulation is visitors, who are generally less wealthy and more diverse than our homeowners. If we really support equity and inclusion, we need to make space for the people we intend to include.**

I humbly urge you to consider these points as you review the report from the Planning Department. It is paramount that our county's policy decisions are based on comprehensive, balanced, and accurate information. I trust in your commitment to safeguarding the interests of all Marin County residents and visitors alike.

Thank you for your time and consideration.

Best Regards,  
Claire Hunsaker

**From:** STR  
**To:** [Damazyn, Michele](#)  
**Subject:** FW: STR  
**Date:** Friday, June 9, 2023 2:05:10 PM

---

Please forward to the Commissioners. Thanks!

**From:** Windsong Guest Yurt <[info@windsongcottage.com](mailto:info@windsongcottage.com)>  
**Sent:** Friday, June 9, 2023 1:36 PM  
**To:** STR <[str@marincounty.org](mailto:str@marincounty.org)>  
**Subject:** STR

You don't often get email from [info@windsongcottage.com](mailto:info@windsongcottage.com). [Learn why this is important](#)  
Hello Kathleen

I will not be able to attend the upcoming meeting on the 12th due to travel.

I would like to point out I've been in business since 1988 long before Airbnb, etc.

As it stands I believe my STR licence cannot be transferred, if and when I sell my house, to a new owner that lives on property.

I've built up much good will over all those years and many repeat guests.  
Not being able to include my business to a new owner if and when I sell, the County will be taking away my business and my good hard work.

Somehow, perhaps grandfathering the few of us in business that long, allowing a transfer of a licence to a new live on property owner could be included in new regulations.

Please include this email in the meeting.

Thank you in advance.

Anthony Ragona  
Windsong Cottage  
Point Reyes Station  
415-663-9695

**From:** STR  
**To:** Damazyn, Michele  
**Subject:** FW: Support for West Marin STR Regulation Priority Proposals  
**Date:** Friday, June 9, 2023 2:04:52 PM

---

Please forward this one as well.

**From:** Janine Shiota <janine.shiota@gmail.com>  
**Sent:** Friday, June 9, 2023 11:08 AM  
**To:** STR <str@marincounty.org>; Rodoni, Dennis <DRodoni@marincounty.org>  
**Subject:** Support for West Marin STR Regulation Priority Proposals

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

Dear Marin County STR and Office of Dennis Rodini,

Please register my support for the proposed regulations on STRs put forth by the West Marin Residents for Housing as listed below.

Hope you will enact these common sense regulations. We are not against the STR as a means of private individual person supplementation of income, but bigger corporate interests and speculative investors have taken away long term housing stock and affected communities adversely.

Please take these very well researched and fully considered approaches to Marin County's STR program.

Best,  
Janine Shiota  
Bolin, CA

\*\*\*\*\*

### Proposed Regulations

These elements we consider to be essential to an equitable and effective STR Regulatory Program:

1. Guest space rented by a Primary Homeowner who is in residence during the rental, and whose space has fewer amenities than would qualify it as an Accessory Dwelling Unit (ADU) or a Junior Accessory Dwelling Unit (JADU), is instead defined as a traditional "Bed-and-Breakfast" rental and is exempt from this regulatory program.
2. All STR operators must obtain a County License that must be re-applied for every 2 years, with renewal subject to compliance with all Program elements, payment of all Transient Occupancy Tax (TOT) due, minimal complaint history, and the village's cap

discussed below.

3. License acquisition and renewal requires compliance with all health-and-safety building codes (such as for septic, fire, water, electrical, and plumbing), which are already enforced for motel, hotel and inn licensing. The County could consider a low-interest, long-term loan program, designated for low-income Primary homeowners, to support buildings coming into compliance, e.g. as with the Bolinas septic-upgrade program. A Safe Harbor provision could be included in the regulations, modeled in part on the County's Solar energy permitting approach, whereby applicants will not be penalized for attempting to come into compliance with these provisions.

4. There will be a cap set on the number of licenses issued to each village, informed both by historical use and by current demand for affordable housing, especially affordable workforce and senior housing. Other licensing requirements should be the same for all villages. There are many examples of caps being implemented, see below: they may be constructed legally, according to the Coastal Commission, and they have survived Takings challenges.

5. To incentivize the creation of new long-term housing, an exception to the cap could be granted for property-owner's building or converting a new (J)ADU if either that unit or main house is thenceforth rented long-term.

6. Priority for issuing licenses shall be given to those for which a full-time resident lives on-site. Prioritization could also be considered for those that are longest-operating and for lowest-cost STRs. Cost could be defined as cost/night per person of advertised occupancy.

7. Licensees must be the property owners and a Natural Person as legally defined. STR operation by property-owners who are LLCs, investor or time-share groups, or consortiums of any kind should be prohibited.

8. Only one STR unit should be issued per licensee, Countywide.

9. For Unhosted STRs, licensees must designate a Manager who is a legally defined Natural Person and who is on call during the entire rental period to respond within ½ hour to any tenant or neighbor issues. If the Manager is not a resident of the STR, then the Manager should be a licensed real estate broker, or an individual with demonstrated expertise in the STR regulation and located in West Marin.

10. The County should earmark funds from the STR Licensing and TOT revenue to provide sufficient funds for enforcement of these regulations.

11. Once implemented, Data should be collected on STR operations to monitor the impact of the program and progressively improve it.

--

Janine Shiota

415-425-4579

[janine.shiota@gmail.com](mailto:janine.shiota@gmail.com)

**From:** [STR](#)  
**To:** [Damazyn, Michele](#)  
**Subject:** FW: West Marin STR Public Comment  
**Date:** Friday, June 9, 2023 2:54:04 PM

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Can you please forward this email as well?

Thank you,

Kathleen

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

From: Don Smith <[don@horizoncable.com](mailto:don@horizoncable.com)>  
Sent: Friday, June 9, 2023 2:41 PM  
To: STR <[str@marincounty.org](mailto:str@marincounty.org)>  
Subject: West Marin STR Public Comment

Dear Planning Commissioners,

County data show STR earnings to be TWICE what long-term renters can pay. This has seduced many Bolinas primary homeowners into evicting their renters and switching to STR.

Adding to the problem, the ability to STR has brought many new second-home seekers into the market who would not have been able to afford a second home otherwise. They can far outbid folks looking for a home to LIVE in, because STR can pay a second-home mortgage but not the mortgage on a home in which someone's living. Consequently, people seeking their FIRST home are shut out by people wanting a second or third home. This is WRONG.

Even worse, we have out-of-town investment groups and commercial entities under LLCs buying up houses in RESIDENTIAL neighborhoods and turning them into timeshares or boutique hotels. This is WRONG.

Our workforce and seniors are being driven out of town. Our school population is HALF what it was before AirBnB. We have trouble finding people to serve on Boards and Fire crews. Our communities are dying.

There are other drivers of housing cost too, of course. And we have to provide SOME accommodations for visitors too, of course. But STR conversions are making rentals scarce at any price, and are driving up both rents and purchase prices.

We need a cap to be set on the number of STRs in each West Marin village that is much LOWER than the current number. Freezing the status quo will instead legitimize the removal of our housing stock at an unacceptable level, and it will take DECADES for attrition by home sales to bring this down to the appropriate level.

We also need to prohibit timeshares and investment clubs/platforms by requiring individual or family ownership, and by allowing only one STR per property-owner Countywide. Requiring STRs to meet the same health and safety Codes as for motels and inns would further level the playing field.

Marin is very late compared to other CA Coastal jurisdictions in regulating STRs, so we need to work hard to put in place strong regulations as soon as possible and not let profit and greed win the day. Social justice and community vitality must take precedence over profit-making and real-estate speculation.

Sincerely,

Don Smith, homeowner

PO Box 67, Bolinas

Member, BCPUD Board of Directors, 2003-2022 Member, Bolinas Community Land Trust, Bolinas Community Center



**From:** [STR](#)  
**To:** [Damazyn, Michele](#)  
**Subject:** FW: Cap Short term rentals  
**Date:** Friday, June 9, 2023 3:51:33 PM

---

Can you please forward this communication to the Planning Commission? Thank you!

**From:** meg simonds <[simonds.meg@gmail.com](mailto:simonds.meg@gmail.com)>  
**Sent:** Friday, June 9, 2023 3:25 PM  
**To:** STR <[str@marincounty.org](mailto:str@marincounty.org)>  
**Subject:** Cap Short term rentals

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

It is imperative to continue supporting controls on STR's. Our communities need housing for families and Measure W is one way to help keeping families here in West Marin.

I urge you to continue to in this direction, our quality of life depends on it.

Many thanks.

Meg Simonds, resident for 44 years

And Mark Butler, resident for 39 years

## **Damazyn, Michele**

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**From:** Christopher Harrington <chris94970@gmail.com>  
**Sent:** Saturday, June 10, 2023 3:22 PM  
**To:** PlanningCommission  
**Cc:** Jones, Sarah; Kutter, Rhonda  
**Subject:** STR Regulations

6/9/23

### **Marin County Planning Commission**

3501 Civic Center Drive, Suite 308  
San Rafael, CA 94903

Dear Commissioners,

My name is Chris Harrington. I have been a real estate broker in Stinson Beach since 1990 and am a former owner of Oceanic Realty. I sold the business to two employees in 2004 and continued as a broker associate for some years. I am now mostly retired and restrict my professional activities the creation of affordable housing here in our village.

Stinson Beach has always been a resort town. When I started at Oceanic Realty my job was the management of rental homes. There were about 40 vacation rentals (STR in today's parlance) and about 15-20 long-term rentals. Most of the vacation rentals were owned by families whose use of the properties was interspersed with the homes' rental schedules, although there were some properties the primary use of which were rentals. The marketing goal for the vacation rentals was to create a cadre of repeat tenants who returned to the same properties at about the same time each year and fill in any gaps with new visitors. Then as now, there were a substantial number of second homes that stood vacant for most if not all of the year.

The long-term rentals in Stinson were less expensive than those in Sausalito and Mill Valley, and were occupied by local work force members, people with jobs "over the hill," retirees, public employees and some pretty good musicians and writers. While there were some handshake deals, leases were normally a one-year term, and there was an infrequent transaction in which a home was rented long-term to a family which agreed to vacate the property for a regular period each year, the month of August say, and allow the owner family that seasonal use. The tenants would load up the Volkswagen Van and go to Yellowstone or some other must-see vacation spot. Home purchases were expensive even then, and while there were some vacant lots available, they were infill rather than multiunit tracts.

Our home cleaning company owners and many of their staff members lived in Stinson and Bolinas, as did gardeners, irrigation system workers and two handyman services owners and staff. Carpenters, painters, plumbers (there were two), and other construction tradesmen

including contractors could be found most mornings in the Parkside Restaurant. There was one other real estate firm in town, and then a third was opened. Some of the vacation rentals were shared by the brokerage companies, most were exclusively controlled by one company.

Real estate values in the Bay Area increased in value in the late 20<sup>th</sup> and early 21<sup>st</sup> Centuries with some slowing during the 2000 dot-com bubble burst, the 9/11 attack and the 2008 Great Recession. This was the pattern in Marin County. West Marin became more and more desirable as a visitor destination with extensive public lands, beaches, hiking trails and unique villages with restaurants, interesting shops and overnight accommodations. Second homes in the area grew in attractiveness to a more affluent audience, many of whom had done well in Silicon Valley. The increased purchases led to substantial increases in price. Left out of this growing second home market were people of more modest means with the same ownership ambition. And then came AirBed&Breakfast, soon to be Airbnb.

By 2012 Airbnb had done its 10 millionth booking and had a market presence in 12 countries. By 2014 it had a market valuation of \$13billion. The market had clearly validated the efficacy of Airbnb's business model.

The impact on the Stinson Beach real estate market was dramatic. This Company provided an avenue for new owners to create a per-night, hotel level income stream from a modest Stinson home in the beach area to assist in meeting debt service and other ownership obligations that the growing acquisition price created. These sales drove prices further up and led to buyer interest in purchasing long-term rental properties where proforma rents based on a short-term rental scenario could greatly exceed long-term rates. Moreover, because of the growing number of Airbnb type properties in town, valuation assumptions started to include a handsome income component based on an overnight rate which at 50% occupancy equaled or exceeded a long-term rent, increasing prices further. The Airbnb fee grew with some ad-ons and included cleaning crews, payment of transient occupancy taxes and other administrative fees. And the owner had a second home at the beach.

Targeting long-term rentals in the brokers' quest for sales transactions for would-be short-term rental operators became a standard search mode. The loss of those rentals displaced single residents, families, kids in school, workers, retirees, house cleaners, gardeners, lawyers, painters, teachers, electricians, plumbers, volunteer firemen, friends, bridge players, casual acquaintances you only saw at the library or the post office whose name you sometimes couldn't remember. This loss drove up rental rates in the surviving long-term rentals, which seemed oddly unfair in a perfectly predictable supply-and-demand way. It reduced the community in an undeniable way.

Finally, in 2016 a group of us started the Stinson Beach Affordable Housing Committee, an unincorporated association, to see if we could create some affordable housing. Our first project to preserve some existing low end market rate housing was an eight-unit apartment building occupied by a group of very longtime residents, several of whom were retired. Their building was

being divided into tenancy-in-common units and being marketed as second home, Airbnb type units. After more than a year of scrambling, fund raising from generous community members and with the help of then Supervisor Steve Kinsey, the partnership of Community Land Trust of West Marin (CLAM), grants from the County and Marin Community Foundation and a substantial discount from the owner and the forgoing of any brokerage fees, the property was acquired and remains a deed-restricted, affordable housing property. We did the same thing in 2020 with a five-unit apartment building housing several longtime residents paying low end market rents. One of the seller's responses to any suggestions of price reductions during the negotiations was "I have offers from Airbnb buyers." We ultimately prevailed in this transaction with Bolinas Community Land Trust as a partner, Dennis Rodoni as our sympathetic Supervisor, grants from both the County and MCF, great support from the community here in the way of funding the equity portion of the acquisition and the forgoing of brokerage fees by both agents in the transaction.

The trouble is that the \$5.3 million in the acquisition of 13 apartment units preserving "affordable" housing to existing and threatened residents is barely a band aid for the housing shortage that we have in Stinson Beach because of dramatic price increases, unavailability of developable land and the erosion of long-term rental units by their conversion to STR. The last substantial multifamily building in Stinson that Stinson Beach Affordable Housing Committee hadn't been able to buy, a nine-unit property, recently converted to all short-term rentals. Stinson Beach has now 192 short term rentals which comprise 27% of our total structures.

I am a member of West Marin Residents For Housing and I support our groups' recommendations for new regulations for the management of STR.

Respectfully,

Chris Harrington

## Damazyn, Michele

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**From:** Kate Levinson <klevinson@gmail.com>  
**Sent:** Friday, June 9, 2023 11:12 PM  
**To:** PlanningCommission; STR  
**Subject:** In support of the West Marin Residents for Housing Proposal

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

Having witnessed the changes in West Marin, specifically in Inverness and Point Reyes, since buying our home in 1995, I stand with the West Marin Residents for Housing proposed regulations.

I did not know of their work. I only knew the real estate and vacation rental industries were well organized having attended one of the virtual meetings on this issue. So reading their proposals in the Point Reyes Light tonight gave me a sense of hope that our communities could stop the takeover and even regain some of what has been lost.

I have wept too many times when friends have had to leave the area because the home they were renting was bought by someone else only to find it quickly became a vacation rental. As a business owner in Point Reyes, I witnessed many customers being displaced and unable to find any rentals here.

Beyond disrupting individual lives I believe that so many homes transitioning to vacation rentals has weakened the fabric of our communities. Recently I read that on most of the Greek islands, the number of tourist beds now outnumbers the number of residents' beds. This is what happens to beautiful places these days unless they are protected. Please take care of us, the residents of West Marin, and our communities by not letting this happen here. The costs to the community and neighborhoods are too high.

Sincerely,  
Kate Levinson  
Inverness, CA

## Damazyn, Michele

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**From:** Kilgariff, Kathleen  
**Sent:** Monday, June 12, 2023 9:50 AM  
**To:** Damazyn, Michele  
**Subject:** FW: Important short-tern rental info.

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

From: Richard Blair <richard@richardblair.com>  
Sent: Saturday, June 10, 2023 10:52 AM  
To: Kilgariff, Kathleen <KKilgariff@marincounty.org>  
Subject: Important short-tern rental info.

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

This is letter to voice our experience with being Airbnb hosts.

We have rented through Airbnb for about 5 years. We have over 400 5 star reviews.

As artists, this income has allowed us to stay in Point Reyes, which is an expensive place to live.

We write educational natural history books on Marin, and publish most of the postcards of Point Reyes National Park that people send from here.

We are the kind of people that a community needs to provide enrichment to everyone's lives.

We never could rent our house long term at an affordable rent, because the taxes, mortgage and maintenance preclude an affordable rent.

Our neighbors have had zero problems with any of our guests. We check everyones ratings before we allow them to book.

As we have become friends with our guests, I can tell you that they are a wonderful lot of people - just like our neighbors.

No murderers, just (for example) a foreign editor for the LA Times, lawyers fighting for legal reform in Zimbabwe, a school principal with adopted kids, an African park conservationist couple.

They are great people and we teach them how to have a wonderful stay in our area.

So don't ruin this great thing we have going, because if you do, you'll lose us as community members. Doing artwork won't pay us enough to stay.

Our house will be bought as a weekend getaway for a millionaire.

What will be left is old crab-apples, still complaining about any perceived slight.

## Damazyn, Michele

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**From:** STR  
**Sent:** Monday, June 12, 2023 9:51 AM  
**To:** Damazyn, Michele  
**Subject:** FW: Short Term Rental Feedback

**From:** Sam Murch <ssmurch@gmail.com>  
**Sent:** Monday, June 12, 2023 9:39 AM  
**To:** STR <str@marincounty.org>  
**Subject:** Short Term Rental Feedback

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

Hello,

I write to you as a Marin county resident, and as a renter who is directly impacted by the consequences of short term rentals in my community.

I encourage the county to explore ways of mitigating the harmful effects that short term rentals have on influencing rental and homeownership opportunities.

Here are ideas that I would support:

- Enact a cap on the number of short term rental licenses specific to each village.
- Make those STR licenses available by lottery and for a fixed term
- Investment groups, time share groups, ect should not be eligible for STR licenses.
- Only one STR license per property owner should be allowed.

On the other side of the coin, I encourage the county to seek ways of encouraging homeowners to be incentivized to offer long term below market rate rentals through tax incentives or other mechanisms so help solve the housing crisis that exists throughout West Marin.

Thank you,

Sam Murch

## Damazyn, Michele

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**From:** Kilgariff, Kathleen  
**Sent:** Monday, June 12, 2023 9:51 AM  
**To:** Damazyn, Michele  
**Subject:** FW: STR ban impact on rental availability  
**Attachments:** Marin STR analysis.pdf

**From:** Romeo Arrieta <romeoa@marinrealtors.org>  
**Sent:** Friday, June 9, 2023 4:58 PM  
**To:** Kilgariff, Kathleen <KKilgariff@marincounty.org>  
**Cc:** MAR Government Affairs Director <gad@marinrealtors.org>  
**Subject:** STR ban impact on rental availability

Kathleen,

I wanted to follow up on a conversation about the West Marin Short Term Rental Ban.

I had reached out to the California Association of REALTORS' Policy Economist to look into the impact that the ban has on the availability of supply. He concluded that Data show that the moratorium does not have a significant impact on supply, price, or vacancy rates in West Marin. I wanted to share.

Please let me know if you have any questions.

Thank you,

**Romeo Arrieta, RCE, AHWD**



Chief Executive Officer  
Marin Association of REALTORS®  
40 Mitchell Blvd. San Rafael, CA 94903  
[Romeoa@MarinRealtors.org](mailto:Romeoa@MarinRealtors.org)  
415.507.1011



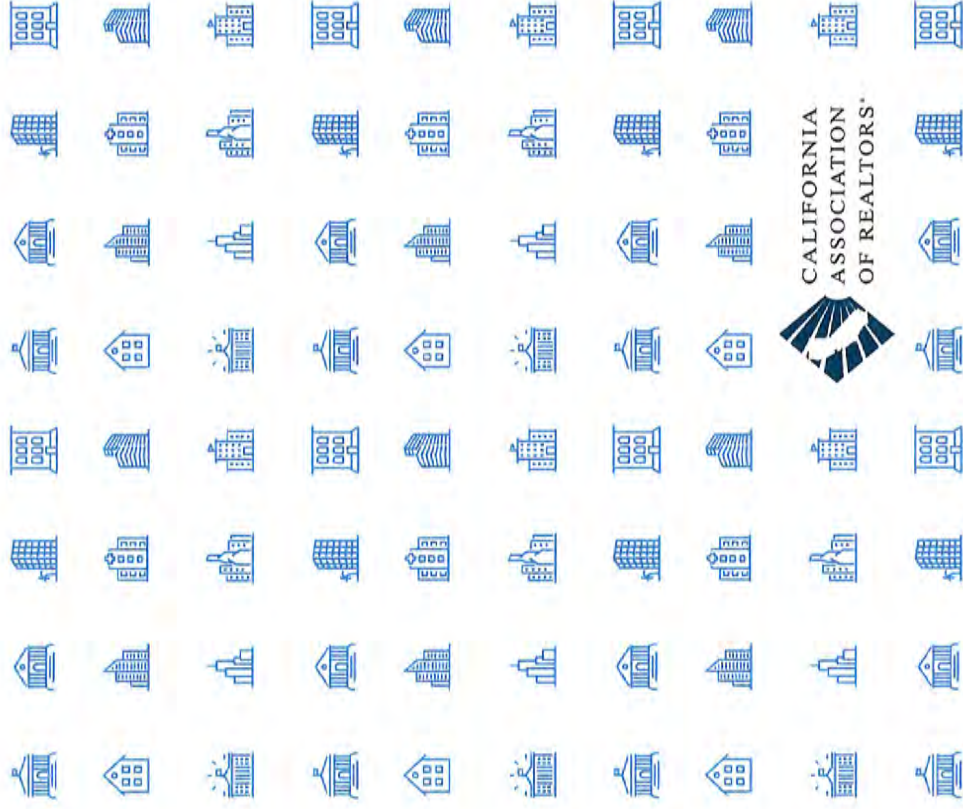


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# West Marin County Short-term rental analysis

April 4, 2023

Michael Falk  
Public Policy Economist



## West Marin County STR Moratorium

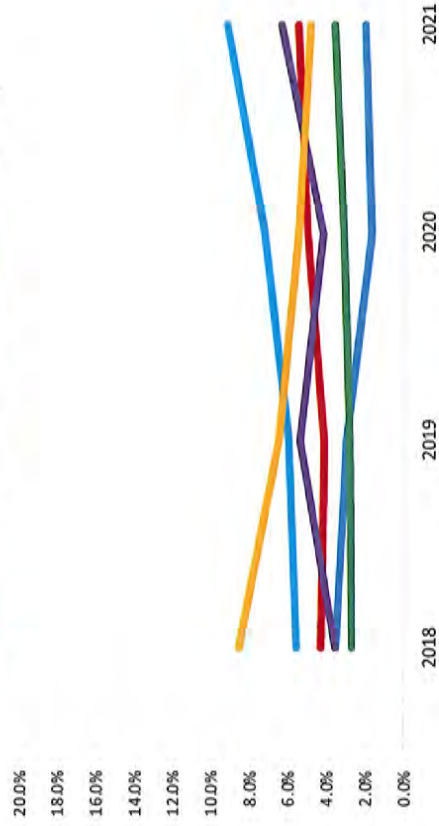
- **West Marin has had short-term rental ban since May 2022.** The moratorium was intended to stabilize housing supply, help the local community workforce find more affordable housing, and to allay public safety concerns from long-term residents.
- **Proponents argue that it would create more affordable housing.** Many second home markets contend with limiting housing stock due to STRs but depend on them for economic vitality.
- **Data show that the moratorium does not have a significant impact on supply, price, or vacancy rates in West Marin.**



# Capping STRs would not make a meaningful increase in housing supply.

Vacancy rates in West Marin County zip codes have remained below 10% since 2018.

— ZCTA5 94903   
 — ZCTA5 94941   
 — ZCTA5 94947  
— ZCTA5 94952   
 — ZCTA5 94960   
 — ZCTA5 94965



## What does this chart tell us?

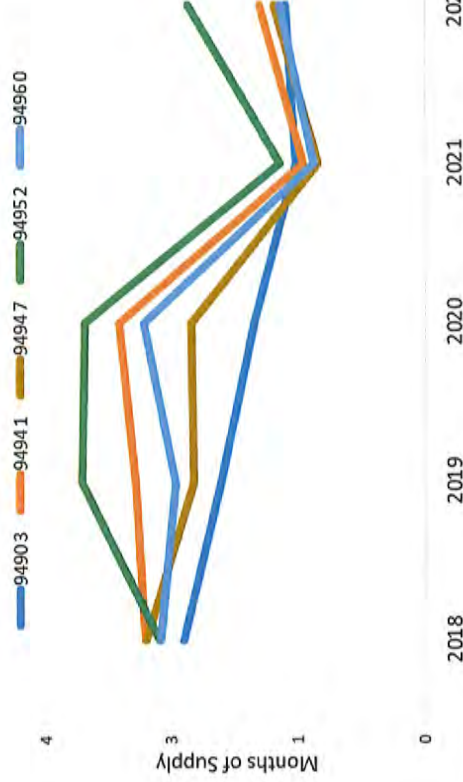
The Census looks at vacancy rates, housing units that are being used for vacation rentals, seasonal use, or are on sale. The affected areas of Marin County have historically had low rates of vacancy compared to second home markets like Stinson Beach (63% vacant), Bolinas (41% vacant), and Inverness (33% vacant).

**With the share of recreational/vacation properties remaining relatively steady in Marin, the increasing use of properties as short-term rentals does not appear to be a big factor squeezing primary homebuyers out of the housing market.**



# Capping STRs would not make a meaningful increase in housing supply.

The average months of supply in affected areas of Marin County has dipped below pre-pandemic levels, even while vacancy rates have stayed stable.



## What does this chart tell us?

Housing supply is increasingly restricted in Marin County, like the rest of the state. Restricting short-term rentals may free up some housing units for other purposes, but it will not prevent investors or vacation homebuyers from buying the properties.

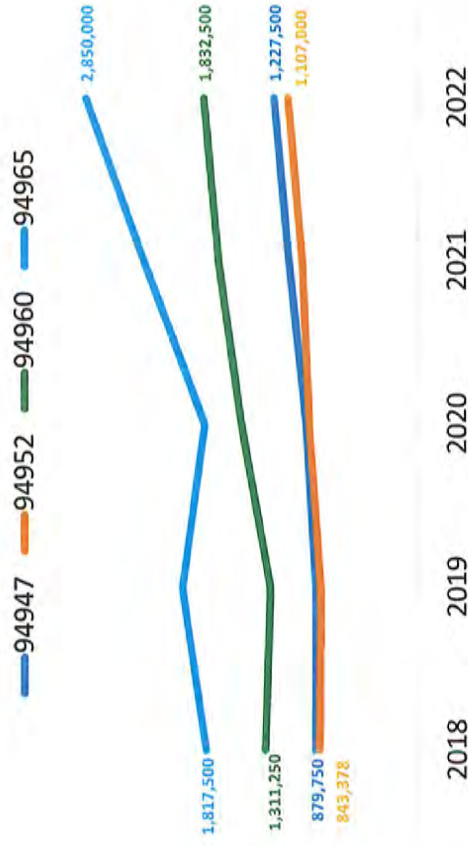
**Supply had already begun increasing before the moratorium.**

**A better solution to address the housing supply issue is to build more homes.**



# Lack of supply has helped prices accelerate since the pandemic

Median single-family home prices in the four main ZIP codes have increased since 2020.



## What does this chart tell us?

Restricting short-term rentals may free up some supply in Marin; however, since the vacancy rates are so low, it will be unlikely to ease price pressures.

**For community workers, short-term moratoriums will do little to make housing more affordable.**



## Damazyn, Michele

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**From:** STR  
**Sent:** Monday, June 12, 2023 9:51 AM  
**To:** Damazyn, Michele  
**Subject:** FW:

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

**From:** ChouChou Mora-Lopez <choubedo@gmail.com>  
**Sent:** Monday, June 12, 2023 8:57 AM  
**To:** STR <str@marincounty.org>  
**Subject:**

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

BAN SHORT TERM RENTALS IN BOLINAS  
THEY ARE KILLING OUR TOWN

Siobhan Mora Lopez

Sent from my iPhone

Marin County Planning Commission  
June 9, 2023

June 9, 2023

Marin County Planning Commission  
Board of Supervisor Chambers, Room 330  
Civic Center  
San Rafael CA

*RE: June 12, 2023 Hearing Concerning Short-Term Rentals in West Marin*

Dear Members of the Planning Commission:

We are members of the West Marin Access Coalition, a grass-roots organization of over 125 individuals, predominantly West Marin homeowners, but including long- and short-term rental hosts, visitors, local businesses, and concerned citizens interested in preserving West Marin's tourism-friendly community. We believe that everyone should have access to the beautiful parks, beaches, and forests of West Marin. We are entirely volunteer-operated and receive no funding whatsoever.

We offer the following comments on the Staff Report to the Marin County Planning Commission ("Report") prepared for the Short Term Rental (STR) Ordinance Update Workshop set for June 12, 2023 before the Commission. These comments are organized to track the organization of the Report itself, and each section should be read as responsive to each corresponding section of the Report. We then conclude with our perspective on STRs, one that we believe is not reflected in the Report.

### **Summary Section**

The Summary of the Report opens by noting that the County is reevaluating its STR Ordinance "to improve the availability of middle- and lower-income housing." Despite this, no part of the Report subsequently addresses means to improve such housing opportunities. It appears that Staff has made the implicit assumption that housing in West Marin is a zero-sum game, one in which short-term rentals and long-term housing are diametrically opposed. A further assumption of Staff appears to be that a forced reduction in STRs will lead to an increase in long-term rentals, or a general lowering of rents. The Report cites no data or even anecdotal support for this proposition. In fact, in comment after comment appended to the report, this unstated assumption is refuted by dozens of individuals who note that their homes are owner-occupied part-time and rented part-time, and thus would not convert to long-term rentals even if STRs were banned. Other comments note that homes serving as vacation home and often worth several million dollars are not suitable or capable of being repurposed into low- or middle-income rental stock. In fact, Supervisor Rodoni stated at his April 14, 2023 meeting in Pt. Reyes Station that it is unrealistic to think that banning STRs outright would lead to more than at most a few STRs converting to long-term rentals, and that we need to be cautious in legislating, lest



unintended consequences predominate. The Report appears to have lost sight of this important consideration.

In sum, the Report has assumed but provided no empirical or even anecdotal support that further limits to, or reductions in, STRs in West Marin will improve the availability and affordability of rental and long-term housing, especially for middle- and lower-income residents and marginalized communities.

### **Background Section**

The Background section of the Report recites the implementation of “Good Neighbor” policies beginning in 2018. What the Report never addresses is whether these Policies have fallen short in any regard. The Report provides no data concerning complaints received by the rental hotline for complaints, nor any indication that significant numbers of complaints have been received concerning sewage, water efficiency, habitability, safety, noise, trash, parking or the other concerns for which County Staff appears to be proposing further regulations based upon the findings from its recent survey. This suggests that the beefed-up Good Neighbor policies that Staff is proposing are a solution in search of a problem.

Moreover, in data presented by the same County Staff just last year, it was noted that the Short Term Rental Hotline received fewer than 2 dozen complaints, *county-wide*, in all of 2021, and just 31 complaints, *county-wide*, in January-September 2022. Since inception of the Hotline, complaints have declined substantially from their peaks in 2019 and 2020, showing that the existing Good Neighbor policies are working as intended and that the vast majority of STRs are operated in a considerate and responsible manner. Further, the most frequent complaint cited was for unauthorized short term rentals – this alone constituted over 36% of all complaints received. This fact is not addressed in the Staff’s current findings and recommendations, or a matter before this Commission. Further, the community that generated the largest volume of complaints was Mill Valley (76 out of 291 complaints, or just over 26%), a municipality not within the current study area.

In sum, the unincorporated West Marin communities have only generated a small handful STR of complaints in recent years. There is zero empirical that it is necessary to implement more stringent “Good Neighbor” policies than those currently in place, which are working as envisioned and intended.

### **Short Term Rentals and Housing in Marin**

In this section, the Report correctly acknowledges that high housing costs and limited housing availability are “longstanding challenges” with many contributing factors. Supervisor Rodoni recognized this at his April 14, 2023 meeting in Pt. Reyes Station as well. And, while the Report cites current information on median home prices and average rents, it provides no data to show how these have changed over time, or whether home prices and rents in Unincorporated Marin have increased more quickly than elsewhere in Marin County, the Bay Area, the state, or the country as a whole. Nor is there data to show how these trends have been affected by the alleged proliferation of STRs. Housing pricing and availability are challenges

felt nation-wide, so the lack of relevant historical or comparative data is disappointing and another weakness in the Report. However, the Report does indicate that average rent in unincorporated Marin is \$600 *less* than the HUD-calculated “fair market rate rent” in 2021.

Despite the paucity of data, the Report makes the unsubstantiated assertion that “[h]ousing shortages and prices are likely affected by the high number of homes used as STRs instead of as permanent residences.” Policies cannot be intelligently crafted based only on what is possible, or unsubstantiated claims that something is merely “likely.”

Tellingly, in this section, the Report also cites no supporting data for the proposition that STRs have driven a housing shortage, nor any effort to analyze or quantify how the many other factors affecting housing in West Marin – minimum lot sizes, restrictive zoning in the Coastal Zone, stringent building requirements, water meter moratoria that preclude new construction, septic and water issues, the high desirability of homes in the area, and the long history of homes in the area being held as second homes – play into this. Instead, the Report has singled out a single variable as though it were the most relevant and impactful. At most, this is a hypothesis, yet despite many years of purported study and analysis by County Staff, there is still zero data to back it up.

The Report also claims that “[a] significant proportion of the housing in some communities has been converted to commercial use in the form of STRs.” Here, the Report apparently assumes that there were few or no STRs before AirBNB and VRBO, or that all housing stock being used in some fashion as STRs was previously occupied solely by full-time residents and renters. But the comments to the same Report show this is false. Several communities in West Marin – including Stinson Beach, Dillon Beach, and Inverness – were all originally founded as vacation communities largely consisting of weekend and summer homes that traditionally sat vacant for portions of the year, and thus represented surplus capacity that STRs are ideally suited to utilize. Those communities have retained that character for generations, even as more individuals have chosen to reside in West Marin full-time. The County’s data bear this out, as they show that 34% of the STRs in Coastal Zone are in Stinson Beach. Another 22% of STRs are in Dillon Beach, and 16% are in Inverness. What that means is that, collectively, over 70% of STRs in unincorporated West Marin are in just 3 communities that each have a long history of being vacation destinations. All of these communities had active STR markets that long predated AirBNB and VRBO.

There can be no dispute that STRs have been a significant feature of how homes in West Marin have been occupied and operated for generations, as several commenters have noted. We can confirm this personal experience, having stayed in, operated, or owned short-term rentals decades before AirBNB and VRBO were founded. The Report seems to recognize the unique history of the region elsewhere. But since the Report makes no effort to track or quantify the changes in STRs in the last decade, it offers no support for the notion that long-term housing “has been converted” to STRs on a meaningful scale. Once more, the Report is, at most, reciting a handful of anecdotes.

Further, uses of property can and do change over time. Some homes that were previously long-term rentals may well have become owner-occupied permanent residences or other uses.

Marin County Planning Commission  
June 9, 2023

Other homes that were previously owner-occupied or STR's can and do convert to long-term rentals. Unless Staff can present reliable data on the degree of switching over time – and no such data are found in the Report, or have been presented at any time in the last year – it would be fallacious to rely on individual anecdotal claims about STRs displacing long-term residents as the basis for future regulations.

Additionally, the Report notes that comparatively fewer STRs are located in eastern areas of the County. This is no surprise because (1) these areas do not have the same history as a visitor and coastal vacation destination with substantial numbers of second homes, and, (2) many communities in the county severely restrict and in some cases ban outright STRs – something the California Coastal Commission would not permit in rural West Marin, given its proximity to state and national parklands and the coast.

The Report goes on to claim that overnight rates can “average around \$550 per night,” providing no source for this claim. County Staff were previously called out for citing unreliable and unsubstantiated data from a third-party service (AirDNA) that gave vastly overinflated estimates for average prices, occupancy rates, and monthly income from STRs. The County seems to have recognized the flaws in AirDNA's projections, as it has ceased citing them as informative. Moreover, the prior County's reliance on such unreliable projections was especially surprising as the County requires submission of Transient Occupancy Tax reports that demonstrate exactly how much each property generates in STR revenues each month. These data, if compiled, would show that the returns for virtually all STRs are far more modest than the inflated projections indicate, and further, that STRs in West Marin are highly seasonal and have very low occupancy rates in colder, rainier months. We encourage the Commission to ask the County why it has not analyzed the highly relevant data that are already in the County's possession.

While it cites no data in this regard, the Report assumes that the earning potential of STRs “is likely an incentive for property owners to seek STR use, serving visitors rather than traditional renters.” Here, the Report draws a false dichotomy and misses the point that is illustrated in comment after comment: most STR owners use their own homes for significant portions of the year, and a home occupied by a long-term tenant cannot be used by the owner. The Report fails to recognize that a profit-maximizing homeowner in many cases would come out ahead with a long-term tenant, especially given the fact that an STR operator faces higher monthly operations costs and often pays a percentage of their revenues to a local property manager. The Report does not adequately acknowledge that having a long-term tenant would defeat the purpose of owning homes in West Marin for most owners, where owners spend holidays, weekends, and significant blocks of time. The Comments included in the report illustrate this point again and again by noting that if STRs were banned outright, homes would not convert to long-term rentals, but would mostly sit empty or be purchased by individuals wealthy enough to be indifferent to the supplemental revenues STRs provide.

Finally, in this section, the Report asserts that “a high percentage of homes being dedicated to STRs in some smaller towns and villages is seen as hollowing out local communities, adversely affecting the schools and social fabric enjoyed in these smaller towns and villages.” The use of the passive voice here is telling. The Report is once again repeating

anti-STR anecdotes and tropes without trying to acknowledge the counterpoints of individuals who report (several in the comments to the Report) that operating an STR part-time allows them to enjoy closer ties to the community and afford to live in West Marin in the first place. Further, school enrollments in West Marin have been declining for decades, since long before AirBNB and VRBO were founded, and are more likely driven by broader demographic shifts, such as the median age of community members increasing over the last several decades. Furthermore, some community residents choose to send their children to schools outside of West Marin, as is their prerogative. In sum, as with the housing shortage, there is no basis to scapegoat STRs for declining school enrollments.

### **SHORT TERM RENTAL MORATORIUM – WEST MARIN**

This section opens by claiming in part that “community discussions indicated that STR uses may be affecting the supply and affordability of housing.” Once again, the Report cites no data, provides no description of the “community discussions” that took place, who attended, and what was said or presented. Instead, the Report appears to be reciting anecdotes and claims not backed by data or evidence, while ignoring the counterpoints raised in response.

The Report also discusses the moratorium ordinance passed in May 2022 (which the Report calls an “urgency ordinance,” a term never defined or used at the time). The Report claims that notice of the impending moratorium was given far and wide, and that County Staff conducted “more outreach than usual.” This misses the fact that only 3 weeks elapsed between the first notice of a potential moratorium on May 5, 2022, and the Board of Supervisors’ vote to enact it on May 24, 2022. As a result, any homeowners who were caught unaware (as at least one commenter in the Report was), or who didn’t complete all required formalities in under 3 weeks, was shut out of operating an STR for at least two years, and possibly indefinitely. Some of the undersigned barely made the cut-off.

One thing the Report does illustrate is the irony of the moratorium working against its own stated purpose. Namely, in the brief, three-week window between the announcement of a moratorium and its enactment, 150 property owners registered STRs. This shows that the law of unintended consequences is alive and well: in seeking to cap the number of STRs in West Marin, the County caused that number to jump by around 30%, leading to far more STRs than likely would have been operated absent governmental intervention. The Commission should keep the law of unintended consequences in mind as it considers future policies, as even well-informed policies (which, we submit, the moratorium was not) may undermine or lead to the opposite of the intended result.

### **PUBLIC OUTREACH**

The Report notes that meetings and outreach have continued since the moratorium passed. As noted above, County Staff presented unreliable projections in lieu of actual data in the County’s possession concerning the economic realities of STR operations. Despite this being noted at the time, the Report does nothing to provide missing context and supply actual, reliable data. We are left with the abiding impression that Staff have presented divisive dichotomies of STRs vs. long-term renters and offered “solutions” in search of a problem, without actually

meaningfully engaging on the broader question that can unite the community: how to create more housing for lower- and middle-income current and would-be residents.

## **PROJECT SCHEDULE**

Here, the Report notes that the County seeks to have permanent regulations implemented by the time the moratorium expires on May 23, 2024. However, despite drafting vague Guiding Principles, Staff has never disclosed what the draft regulations will look like, and their release date keeps getting pushed back. We are extremely concerned that, as with the snap decision to implement a moratorium on just 3 weeks' notice, too little time will be allotted to garner meaningful feedback from all stakeholders, including visitors to the area who do not reside locally and may not have their finger on the pulse of this issue.

## **DISCUSSION; STR SURVEY**

In this section, the Report discusses a survey conducted by the County. As indicated, fewer than half of the individuals self-reported that they live in Unincorporated Marin. However, the recommendations of Staff seemingly privilege the desires of this group over all other stakeholders. No explanation or justification is provided for this.

## **SOCIAL EQUITY**

This portion of the report recites laudable goals, but fails to connect them to the regulations under consideration. The only ostensible link is the unsubstantiated claim that "STRs create a strain on the housing market." This ignores entirely the number of individuals, many of them low- and middle-incomes and people of color, whose livelihoods depend in whole or in part on the STR economy, and who would be adversely affected (if not forced to relocate elsewhere) if STRs were further restricted. Some of these individuals spoke eloquently at community meetings dedicated to STRs, and stated that they and many individuals they work with would be adversely affected by a reduction in STR activities. The Report's failure to include these voices is unexplained and inexplicable.

## **DATA ON SHORT-TERM RENTALS**

Pages 8-10 of the Report recite certain data about STRs. The data on page 8 appear to be incomplete, as they compare STRs in unincorporated West Marin with unincorporated East Marin without so noting (the same data were presented by Staff last year, where it was noted that the East Marin figures are for unincorporated areas). Thus, the impressions left with the Commission are that over 70% of all STRs in the entire County are in West Marin, or that a tiny fraction of parcels elsewhere are used as STRs. This is not the case, as the majority of developed parcels in the County are in incorporated areas. Further, several municipalities in Marin ban STRs outright, and thus are not a valid basis of comparison. The Report fails to account for this fact in its presentation.

The data on Page 9 confirm what many commenters have noted: that the majority of homes in the Coastal Zone are not primary, owner-occupied residences. This is reflective of the

fact that, for generations, most of this area has been a vacation destination, with a high proportion of second and summer homes that have spare capacity to utilize as STRs without adversely affecting renters or full-time residents. It also underscores that policies that may make sense in a dense urban area primarily characterized by long-term occupancy are not well-suited for rural West Marin.

The data on Page 10 show that STRs serve a vital role in using housing stock that would otherwise sit vacant to accommodate the many visitors to the region. The majority of non-STR housing “units” for visitors are campsites; while camping is wonderful, many visitors want or need a roof over their head. Were STRs to be curtailed or eliminated, there would be no other way to accommodate current levels of visitors than through a massive influx of hotels, inns, bed-and-breakfasts, and the like. This would prove far more disruptive for the community and environment than the use of already-existing homes that can be efficiently made available to visitors as STRs. It would also shut out individuals, many of them younger and more diverse than the median West Marin resident, for whom STRs are more economical than hotels.

The last chart on page 10 appears to be incomplete. It is not clear what it represents – STR revenue or hotel revenue? If the former, it confirms that Staff can access data concerning STR revenues quite readily, but simply has chosen not to in most instances.

Finally, one relevant dataset the Report inexplicably does not present are the taxes generated and remitted by STRs in West Marin. The 10% transient occupancy tax paid by all STRs since mid-2018 has cumulatively contributed \$24,938,312 to the County. On top of that, Measure W taxes have contributed \$2,993,103 to fire protection for West Marin and another \$2,993,103 to housing specifically for West Marin.<sup>1</sup> This means that, aside from their many positive impacts on the local economy, STRs have contributed a total of \$30,769,549 to the County tax base in under five years. Had the County dedicated even a portion of these transient occupancy taxes toward housing, it could have built dozens of units of affordable housing in the interim. Instead, the County has continually vilified the individuals who own and operate STRs. These divisive tactics are harmful and should stop.

### **Short Term Rental Survey Results**

The Report proceeds to provide a Summary and Key Findings of its survey. However, the County has not shared the raw data underlying the survey, greatly limiting our ability to comment upon it. We ask that the County share the anonymized dataset to enable meaningful community feedback and commentary.

While the Key Findings claim that “a majority of all respondents agree” that certain regulations should be implemented, in each of these cases the “majority” view achieves barely 60% support, and only after combining those who “Agree” with those who “Strongly Agree.” This hardly bespeaks an overwhelming consensus and fails to show a clear consensus that any particular measures are needed at present. And, in none of those cases did a majority of individuals “strongly agree” with the proposition stated. Thus, there is only a mild degree of

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<sup>1</sup> Figures accessed from <https://data.marincounty.org/County-Government/Transient-Occupancy-Tax-Revenue/mhtq-t6fz> on June 8, 2023.



support for only a handful of potential regulations. Namely, there is only a small degree of net support for the following propositions:

6. Short Term Rental owners should have to show that their property meets basic building safety standards.
7. Short Term Rental owners should have to show that their property meets basic septic system standards.
8. Short Term Rental owners should have to show that their property has enough onsite parking.
9. The County should require Short Term Rental owners to have adequate water supply and water conservation measures in place.

While these are important issues, the Report presents no data, or even anecdotes, that STRs in West Marin have been the subject of a meaningful number of building safety, septic, parking, or water conservation concerns. It instead simply struck a slight majority of individuals that these are good goals. The Report does not explain how owners would be required to make the required showing, nor how often, nor what new burden it would impose on the County to inspect hundreds of properties for compliance with such rules. Before recommending that further burdensome and amorphous certifications be required of homeowners, the Commission should inquire if there is any *data* that such issues actually are in need of further legislation, and weigh the costs of enforcement and potential unintended consequences against the purported benefits (and, it bears reiterating, no concrete benefits have been identified to date). Moreover, requiring that STR owners make a showing of building safety, septic, and parking requirements has nothing to do with the ostensible purpose of this hearing: promoting long-term housing.

### **Community Comments**

After the text of Ordinance No. 3739, the Report provides Community comments. By our tabulation, 50 written comments were submitted. Of these, 40 comments, or 80%, spoke in favor of STRs and the many benefits they provide. A small number of comments were opposed to STRs in some degree, but even these showed a range of views. Very few individuals favor abolishing STRs, while a handful of others favor certain regulations (this included some STR operators themselves). We believe that the text of the Staff's Report did not fully capture the sentiments presented in the comments, so we commend and urge the Commission to review the Comments carefully.

### **Facts Concerning STRs in West Marin**

Below, we provide further perspective concerning the benefits STRs provide to West Marin.

*a. STRs Provide Sustainable Access to the Coast for a Diverse Group of Visitors.*

As noted above, several communities in West Marin were founded as, or have long been, visitor- and vacation-oriented communities. In the second half of the Twentieth Century, more

year-round residents began to live in West Marin. With the creation of Point Reyes National Seashore, coastal communities became a gateway to a national park that generations have come to cherish.

STRs allow the County to provide access to the National Seashore and the surrounding area to a diverse group of individuals with minimal adverse impacts on the communities. By utilizing existing homes that would otherwise sit empty when their owners are away, STRs make sustainable use of existing structures, avoiding the need for construction of large hotels or other complexes that would concentrate traffic, noise, and other unpleasant side-effects in one place. STRs also provide a unique experience by providing privacy and intimacy that are typically not found in hotels. Finally, STRs are a good value, as an entire family or group of friends may stay in one locale for far less than the equivalent cost of a block of hotel rooms. STRs help make West Marin accessible to a younger and more ethnically and socio-economically diverse group of visitors than is represented by the median year-round resident of West Marin. Several comments to the Staff Report reflect this.

*b. STRs Support Local Businesses and Workers*

STRs employ, directly or indirectly, many individuals in West Marin. This includes tradespeople and gardeners who improve and maintain properties, house cleaners, and owners and employees of local business patronized by guests. Overnight guests also tend to spend more money at local businesses than day trippers.

Studies by the National University System Institute for Policy Research and the Milken Institute indicate that for approximately every \$65,000 spent on STRs, a job is created or supported through direct or indirect economic benefits. By this measure, STRs support well over 100 jobs in West Marin. The Staff Report does not address the economic benefits that STRs provide, nor the adverse impacts that would be suffered by individuals, many of them lower- or middle-income, people of color, and members of marginalized communities, in the event that further stringent STR regulations are enacted. It is noteworthy that many of the loudest anti-STR voices are reflective of the privileged demographics of West Marin: older, wealthier, less diverse.

*c. STRs Provide Substantial Revenues Through TOT Taxes and Measure W Taxes*

In 2018, Measure W imposed a 4% supplemental transient occupancy tax (TOT) on STRs (which, incidentally, hotels and traditional lodging options are exempt from). Half of these tax revenues are earmarked for community housing; the other half is earmarked for emergency services. STRs also provided transient occupancy taxes to the County. These significant contributions are noted in detail above.

*d. STRs Reduce Traffic and Emissions*

Finally, STRs reduce the number of “day-trippers” by allowing multi-day experiences without repeated and long drives to and from other parts of the Bay Area or beyond. This reduces traffic at chokepoints like Highway 1 at the intersections of Point Reyes-Petaluma Rd.,



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June 9, 2023

Levee Rd., and Sir Francis Drake. It reduces the number of cars transiting through Inverness, Pt. Reyes Station, Olema, Bolinas, and other coastal villages with limited means of ingress and egress. This helps alleviate congestion, reduce emissions, and allow access for emergency vehicles.

## Conclusion

Our takeaway points are as follows:

1. The Commission should focus on the important role that STRs provide in guaranteeing access to the Coast, especially for the younger, less wealthy, and more diverse group of visitors who do not have the privilege of residing in West Marin full-time.
2. The Commission should focus on the positive economic impact that STRs provide for local communities, including lower- and middle-income individuals, as well as people of color and marginalized communities.
3. The Commission should focus on how STRs provide a flexible, pragmatic, low-impact, environmentally sound way to provide access to the coast using already existing infrastructure in a way that new hotels, motels and the like simply cannot.
4. The Commission should focus on data, not anecdotes and unsubstantiated claims.
5. Before considering, sponsoring or enacting any particular legislation, the Commission should ensure that it is well-supported and not the result of a one-sided presentation of claims.
6. The Commission should remain attuned to the law of unintended consequences and the fact that good intentions alone are not sufficient to craft good policy.
7. To increase housing availability and affordability, the Commission should seek out holistic measures that promote and create more housing for all. Singling out STRs will not accomplish this.

We thank you for your time and attention to this important matter.

Respectfully,

Sean Callagy  
Claire Hunsaker  
Jeanice Skvaril  
Rachel Dinno  
Scott Grooms  
Meg Cadiz  
Ramon Cadiz  
Cynthia Gerlinger  
Tom Peters  
Blair Peters

Anna Desenberg  
Kim Desenberg  
Loren Quaglieri  
David Evans  
Claire Herminjard  
Frank Leahy  
Rachel Gaunt  
Sarah Butler  
Beau Vincent  
Jose Contreras

William Taylor  
Ashley Tobin  
Jim Watters  
Mike Durrie  
Catherine Lucas  
Michael Anderson  
Anna McDonnell  
Anna Edmondson  
Peter Rumsey

Marin County Planning Commission  
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Addendum – additional signatories to June 9, 2023 letter to Marin Planning Commission:

John Arguelles  
Linda Martin  
Matthew Soldo  
Katie Soldo  
Bojana Parman  
Michael Parman  
Sarah Malarkey  
Jonathan Kaplan  
Payton Stiewe  
Bettina Stiewe  
Nick Palter  
John Parman  
Kathy Snowdey  
Keith Offord

## Damazyn, Michele

---

**From:** STR  
**Sent:** Monday, June 12, 2023 9:51 AM  
**To:** Damazyn, Michele  
**Subject:** FW: STR West Marin

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

From: Tristan <tristanconway@yahoo.com>  
Sent: Monday, June 12, 2023 8:47 AM  
To: STR <str@marincounty.org>  
Subject: STR West Marin

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

Good Morning,

It is important to set guidelines for str in West Marin, the housing shortage is displacing essential workers and community members.

Capping the number of rentals and only allowing an individual one str is a reasonable compromise. Obviously there should not be corporations allowed to hold str.

Tristan Conway

## Damazyn, Michele

---

**From:** STR  
**Sent:** Monday, June 12, 2023 9:52 AM  
**To:** Damazyn, Michele  
**Subject:** FW: Short term rentals

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

From: Nick Bogle <nickbogledesign@gmail.com>  
Sent: Monday, June 12, 2023 8:44 AM  
To: STR <str@marincounty.org>  
Subject: Short term rentals

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

Hi there,

I strongly support limits on STR's in Marin County. I live in Bolinas where there is an acute shortage of long term rentals, which is forcing people to relocate farther afield.  
Please pass a law to limit STR's in Marin.

Many thanks,  
Nick Bogle

Sent from my iPhone

## Damazyn, Michele

---

**From:** STR  
**Sent:** Monday, June 12, 2023 9:52 AM  
**To:** Damazyn, Michele  
**Subject:** FW: STR

**From:** Spirit Lynn Wiseman <spiritji@aol.com>  
**Sent:** Sunday, June 11, 2023 11:01 PM  
**To:** STR <str@marincounty.org>  
**Subject:** STR

You don't often get email from [spiritji@aol.com](mailto:spiritji@aol.com). [Learn why this is important](#)

As both a Realtor and swimmer at Shell Beach in Inverness 5 days a week I support the proposal set forth to regulate STR's by Maureen Cornelia and David Kimball of West Marin Residents for Housing.

I have always wanted to live in Inverness but it has become increasingly impossible due to so many vacation Rentals taking over the market. Their proposal seems sensible and fair to all parties.....Please consider adopting it. We don't want investors taking over our housing.....We want regular people buying and selling homes and renters being able to live here. Thank you for your time and service.

Spirit l Wiseman  
9 Herrera Dr  
Fairfax, Calif  
94930  
415-847-4828

Spirit Lynn Wiseman  
Global Real Estate Advisor  
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Internet: [spiritwiseman.evusa.com](http://spiritwiseman.evusa.com)  
Mail to: [spirit.wiseman@evrealestate.com](mailto:spirit.wiseman@evrealestate.com)  
DRE# 01210864

<http://www.zillow.com/profile/spiritwiseman/>

## Damazyn, Michele

---

**From:** STR  
**Sent:** Monday, June 12, 2023 9:52 AM  
**To:** Damazyn, Michele  
**Subject:** FW: Support for West Marin Residents for Housing's Priority Proposals

**From:** meadow evans <greycranewoman@gmail.com>  
**Sent:** Sunday, June 11, 2023 10:51 PM  
**To:** STR <str@marincounty.org>  
**Subject:** Support for West Marin Residents for Housing's Priority Proposals

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

To whom it may concern,

I want to register my strong support for the Priority Proposals put forward by the West Marin Residents for Housing group.

As someone who has rented in Bolinas for 11 years and who very nearly lost housing during the summer of 2021, I am in full support of these common sense measures being put in place immediately.

Our rental of 9 years was sold and we were given a good 6 months (much longer than most in similar situations get) to find a new rental.

In that time, we only found three possible rentals, in any price range at all. The one we ended up in only showed up in the last two weeks before our deadline and increased our rent by \$1000/month, nearly half again as much as we were previously paying.

To be brought to the edge of having to leave the community in which we've raised our son, worked, started an outdoor after school program in, and put down our roots simply because of a lack of housing driven in part by party and vacation rentals, was simply heartbreaking.

To continue to read the pleas and stories of people who have been here much much longer (some up to 40 or 50 years!) and who are inextricably woven into their communities by friendship, family, and service, is frustrating and devastating beyond belief.

Please consider implementing these practical measures to help balance the needs of those who have poured their lives into these West Marin communities with those who come to experience all that those who live here have made.

Sincerely,

Meadow Evans  
Bolinas resident/renter

## Damazyn, Michele

---

**From:** STR  
**Sent:** Monday, June 12, 2023 9:57 AM  
**To:** Damazyn, Michele  
**Subject:** FW: (Correction made)Impact of Short-Term Rentals on Local Businesses and Housing

**From:** Suraya Brendel <surayabrendel@icloud.com>  
**Sent:** Sunday, June 11, 2023 4:23 PM  
**To:** bolinasdavid@gmail.com; info@bolinaslandtrust.org; STR <str@marincounty.org>  
**Subject:** (Correction made)Impact of Short-Term Rentals on Local Businesses and Housing

You don't often get email from [surayabrendel@icloud.com](mailto:surayabrendel@icloud.com). [Learn why this is important](#)

(Please find my updated letter below with corrections made)

Tyrone Brendel

PO Box 784

Bolinas, CA

94924

6/11/23

Dear County Officials,

I hope this letter finds you well. I am writing to express my concerns about the detrimental effects of short-term rentals on my café and the broader local community. As a small business owner in Bolinas out of West Marin, I have experienced firsthand the negative consequences that these rentals have had on my ability to find employees and the availability of affordable housing for my staff.

First and foremost, the prevalence of short-term rentals has significantly exacerbated the labor shortage in our area. The rise of short-term rentals as a profitable alternative for homeowners has reduced the number of available rental units for long-term residents, including potential employees for local businesses like mine. Many qualified individuals are either unable to secure housing within a reasonable distance from their workplaces or are deterred by the skyrocketing rental prices driven by the short-term

rental market. Consequently, small businesses, including my café, struggle to attract and retain talented employees, hindering our growth and ability to provide consistent quality service to our customers.

Furthermore, the housing scarcity caused by the proliferation of short-term rentals has led to increased rental prices, making it extremely challenging for my employees to find affordable housing options. The rising cost of living, coupled with limited rental availability, forces many of them to commute long distances or consider relocating altogether. This situation not only places additional financial and emotional burdens on my employees but also undermines the stability and continuity of our team, impacting the overall performance and success of my café.

I believe it is crucial for the county to take proactive measures to address these issues. I respectfully urge the county to consider the following actions:

1. Implementing regulations that limit the number of allowable short-term rentals in residential areas, thereby preserving the availability of long-term rental units for local residents and employees.
2. Ensuring that short-term rentals are subject to appropriate taxation, which can be allocated towards funding initiatives aimed at increasing the supply of affordable housing in the county.
3. Encouraging partnerships between local businesses and housing initiatives to develop affordable housing options specifically targeted towards employees of local businesses.
4. Conducting comprehensive studies to assess the economic impact of short-term rentals on local businesses, including their effects on employee recruitment and retention, and using this data to inform policy decisions.

By taking proactive steps to address the challenges created by short-term rentals, the county can foster an environment where local businesses like mine can thrive, while also ensuring that residents have access to affordable housing options.

Thank you for your attention to this matter and for your commitment to serving the needs of our community. I remain hopeful that with careful consideration and appropriate action, we can work together to create a more sustainable and prosperous future for both local businesses and residents alike.

Sincerely,

Tyrone Brendel



## Damazyn, Michele

---

**From:** STR  
**Sent:** Monday, June 12, 2023 9:58 AM  
**To:** Damazyn, Michele  
**Subject:** FW: Comments on short term rental rules.

**From:** Amelia Straton <ameliastraton@gmail.com>  
**Sent:** Sunday, June 11, 2023 2:57 PM  
**To:** STR <str@marincounty.org>  
**Subject:** Comments on short term rental rules.

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

Hello, I am a homeowner in Bolinas, And would like to weigh in on the subject of creating permanent limits on short term rentals.

When I first moved here 20 years ago, there were 3 or 4 short term rentals. In addition, there were a few hotel rooms and a bed and breakfast situation which probably involved One or two more rooms.

The amount of homes that are now available as vacation rentals is now in the hundreds. This on top of homes that are rarely occupied, and their owners have occasionally harassed other long-term residents into removing non-conforming housing that was home for low-income persons.

I am saddened to see this natural and beautiful rural town being slowly turned into a year-round resort. Actually, not so slowly, as most of this growth has taken place over the last five years.

I would like to see a limit on short term housing, And restrictions in place to keep individuals and corporations from buying multiple homes in order to set up rental businesses. The unique nature of our water system, restricts construction of new homes and housing stock loss to STR's is displacing full-time residents I and driving up home prices.

As residents of Marin County, Please put yourself in the place of people who want to live in a town together with continuity. The finances for the county are the same whether they work for corporations or residents that live here, but I am sure that your dedication to governance was to people, and not to corporations. This is what they found out in San Francisco, corporations, have no allegiance to place but people do. And what happens with our homes here Will show you what is possible in your neighborhoods too.

Thank you for your consideration of our living conditions and well-being.

With my most appreciation for your attention to this urgent matter,  
Amelia Straton, 86 Wharf Rd, Bolinas

## Damazyn, Michele

---

**From:** STR  
**Sent:** Monday, June 12, 2023 9:58 AM  
**To:** Damazyn, Michele  
**Subject:** FW: End of STR moratorium

**From:** Kevin68@att.net <Kevin68@att.net>  
**Sent:** Saturday, June 10, 2023 12:13 PM  
**To:** STR <str@marincounty.org>  
**Subject:** End of STR moratorium

Kevin Lawson would like information about:

What is going to happen when the STR moratorium ends in West Marin? Will it be replaced by a differently-defined moratorium that allows a limited number of people who meet the new requirements to participate in STR? Will the new people be those who are in-the-know and jump on it first? Or maybe seniors who need to do some STR to be able to age-in-place? I would like more information so I can plan for the future. Since there is no waiting list, it is hard to know what to do. Thanks, Kevin Lawson 415-669-0025

## Damazyn, Michele

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**From:** STR  
**Sent:** Monday, June 12, 2023 9:58 AM  
**To:** Damazyn, Michele  
**Subject:** FW: STR Policy

**From:** William Sauro <w@sauro.com>  
**Sent:** Saturday, June 10, 2023 11:37 AM  
**To:** STR <str@marincounty.org>  
**Subject:** STR Policy

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

To: Marin County Planning Commission

Banning Short-Term Rentals in West Marin and in Dillon Beach in particular, is a bad policy decision that won't increase the availability of permanent rental stock one iota.

Dillon Beach was built to be a tourist destination, starting when George Dillon and wife Mathilda arrived in 1868. It has always been a wonderful place to rent a house, park a trailer or stay in a motorhome. It is not a place where people rent a house and live fulltime.

Dillon Beach doesn't even have mail delivery, and only has a few merchants in Dillon and Tomales to serve the visiting population.

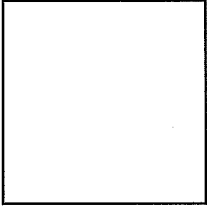
Limiting Short-Term Rentals would only harm regular citizens who enjoy a beach vacation and those who rent their homes out to grateful visitors.

I hope you keep these thoughts in mind as you consider any new rules.

Sincerely,

William H. Sauro  
Owner  
21 Kailua Way  
Dillon Beach, CA 94929

--



William H. Sauro  
2809 Pine Street  
San Francisco, CA 94115

Cell Phone: (415) 845-6877  
Email: [w@sauro.com](mailto:w@sauro.com)

## Damazyn, Michele

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**From:** STR  
**Sent:** Monday, June 12, 2023 9:59 AM  
**To:** Damazyn, Michele  
**Subject:** FW: STRs in Dillon Beach

**From:** Hilary Avalon <hilary.avalon@gmail.com>  
**Sent:** Saturday, June 10, 2023 8:43 AM  
**To:** STR <str@marincounty.org>  
**Subject:** STRs in Dillon Beach

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

Dear Folks,

I understand you're having a meeting on Monday at 1pm and I really wish I could be there, but I do not believe I can, so I'm emailing my comments instead. If a Zoom opportunity comes up for this meeting, will you kindly let me know and I'll join it - thank you!

I have a second home in Dillon Beach. I used to rent it as a STR when I wasn't here. At the time, I also owned and operated a hosted B&B in Sonoma County and it was a real challenge to manage both, and when the property management companies in Dillon Beach didn't live up to my standards, I quit renting my house in Dillon Beach as a STR. When the County more recently sent notice of the opportunity to reapply for a business license again before the STR moratorium began, I didn't take the opportunity because I am not sure I will ever be able to use this house that way - strong management is extremely important to me and doesn't seem available at this time in Dillon Beach.

There is a very low possibility my house will be used as a long term rental because I love coming here to this house and this village, and if I had a full-time renter in the house, it would not be available for me or my friends/family to use. I have no plans to sell this house, so it won't be coming on the market for another family to obtain, even though I am unable to leverage it as a STR. Having said all that, I am not in favor of the moratorium on STRs in Dillon Beach, and I think it should be recinded immediately. I know some people do live here full time, but this town is for vacationing. I believe around 30% of the homes are currently being used as STRs but if 100% of the homes were used as STRs, that would make complete sense. I know the County collected complaints about STRs but it seems clear from the timing that most of those were because of rentals during the covid shutdown - the County should exclude those complaints in it's calculation because they are an anomaly and not really related to STRs but to the pandemic. Also, it is clear to me that with strong regulations and strong management, there would be no problems with renters in STRs. My ideas for regulations include: parking rules, noise rules, number of occupants rules, bbq use rules, equipment use and storage rules, trash removal rules and smoking rules. I think the managers should have to be trained, certified and licensed before they can manage STRs.

I do not believe it is acceptable that some people are grandfathered in for STRs and others cannot participate because they are late to the game. I am aware of people who do not have a license but who need to rent their homes from time to time so they can afford their mortgage - limiting those people will effectively evict them from their homes, or if not, it will send them underground with the renting, which will place them in a position of breaking regulations and deprive the County of tax revenue.

Lastly, I am interested in what the County aims to accomplish with this moratorium since it doesn't seem poised to solve anything. You can work on regulations while STRs are in operation. Can you please tell me the goals of the County in connection with limiting STRs in Dillon Beach?

Thank you,  
Hilary Avalon

## Damazyn, Michele

---

**From:** STR  
**Sent:** Monday, June 12, 2023 9:59 AM  
**To:** Damazyn, Michele  
**Subject:** FW: In support of the West Marin Residents for Housing Proposal

**From:** Kate Levinson <klevinson@gmail.com>  
**Sent:** Friday, June 9, 2023 11:12 PM  
**To:** PlanningCommission <PlanningCommission@marincounty.org>; STR <str@marincounty.org>  
**Subject:** In support of the West Marin Residents for Housing Proposal

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

Having witnessed the changes in West Marin, specifically in Inverness and Point Reyes, since buying our home in 1995, I stand with the West Marin Residents for Housing proposed regulations.

I did not know of their work. I only knew the real estate and vacation rental industries were well organized having attended one of the virtual meetings on this issue. So reading their proposals in the Point Reyes Light tonight gave me a sense of hope that our communities could stop the takeover and even regain some of what has been lost.

I have wept too many times when friends have had to leave the area because the home they were renting was bought by someone else only to find it quickly became a vacation rental. As a business owner in Point Reyes, I witnessed many customers being displaced and unable to find any rentals here.

Beyond disrupting individual lives I believe that so many homes transitioning to vacation rentals has weakened the fabric of our communities. Recently I read that on most of the Greek islands, the number of tourist beds now outnumbers the number of residents' beds. This is what happens to beautiful places these days unless they are protected. Please take care of us, the residents of West Marin, and our communities by not letting this happen here. The costs to the community and neighborhoods are too high.

Sincerely,  
Kate Levinson  
Inverness, CA

## Damazyn, Michele

---

**From:** STR  
**Sent:** Monday, June 12, 2023 10:00 AM  
**To:** Damazyn, Michele  
**Subject:** FW: Marin short term housing hearing

**From:** Sophie Kovel <sophiekovell@gmail.com>  
**Sent:** Friday, June 9, 2023 9:53 PM  
**To:** STR <str@marincounty.org>  
**Subject:** Marin short term housing hearing

You don't often get email from [sophiekovell@gmail.com](mailto:sophiekovell@gmail.com). [Learn why this is important](#)  
Dear Kathleen Kilgariff and Dennis Rodoni:

It is a pleasure to meet you both. My name is Sophie Kovel and thank you for the chance to contribute.

I am twenty-seven years old, currently finishing a graduate program in New York, and destined to inherit my family home in Inverness. It would be a great privilege to share it with others when not present.

I lived here (attending graduate school remotely) through the pandemic, and in the midst of crisis, it was an extremely nourishing home, place. Having grown up in Marin, it is my second home. If my family can't use short-term rentals as a means to sustain the house, my family will eventually be forced to sell. In complete candor, as an artist, I am very concerned that this new ordinance will radically change the shape of this community, and price out the artist communities that precede me in Inverness and Bolinas, as well as the current ones.

This ordinance limits access and cuts the very funding that nourishes small businesses and the community, such as Point Reyes Books and the few restaurants that have survived. It is too far from city centers for people to drive to West Marin and back in a day (e.g. to San Francisco or Berkeley). There are many unoccupied homes in West Marin, and I think there short-term rentals will further boost the economy and help to fund low cost housing if they seek through taxes.

It has always been my dream, in the spirit of the Mesa Refuge, to create an artist residency in this home. Short-term rentals are not a tourist economy, in my opinion, but will actually strengthen existing tenants who live in Inverness with needs to subsidize income if they travel or commute for work. In my particular family's case, friends who are artists, educators, and scholars have found need refuge and in some cases, health recovery here. I trust there is a way to find balance between nurturing long-held communities and facilitating new communities that aren't merely acquired weekend houses for the ultra-rich.

Thank you for your time and consideration.

Best,  
Sophie

## Damazyn, Michele

---

**From:** STR  
**Sent:** Monday, June 12, 2023 10:00 AM  
**To:** Damazyn, Michele  
**Subject:** FW: Comment Re: Short Term Rentals  
**Attachments:** Vallejo Ave Inverness Park.jpg; Vallejo Ave Inverness Park 2.jpg; Vallejo Ave Inverness Park 3.jpg

**From:** Blanche Wingate <blanchewingate@gmail.com>  
**Sent:** Friday, June 9, 2023 9:35 PM  
**To:** STR <str@marincounty.org>  
**Subject:** Comment Re: Short Term Rentals

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

Good Evening,

I wholeheartedly agree that residential neighborhoods should be lived in, not monetized. My husband and I have lived on Vallejo Ave in Inverness Park for 50 years. Due to the greatly increased number of cars parked along our narrow residential street, we are having great difficulty in reaching our home safely. Given numerous health issues and related medical appointments, it is essential that we are able to access Sir Francis Drake Blvd and get back to our home safely.

I'm unaware if the two houses at the beginning of Vallejo Ave .(i.e., 3 Vallejo Ave APN 114-273-40 and 9 Vallejo Ave APN 114-273-09) are Short Term Rentals. I don't know the owners, and I mean them no ill will. However, from the number of people unloading and loading their cars in this area, it appears to be a possibility. The latter was a vacation rental at one time. The link describing the rental named "The Drake" is: <https://www.yelp.com/biz/the-drake-inverness>

The Fire Department has said that, in an emergency, they will drive right through parked cars. Unfortunately, the congestion on our street remains a major concern in our lives. In an attempt to partially document the problem, attached please find a few photos.

Thank you very much for your time and consideration.

Blanche Wingate





12/15/2022





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STOP






## Damazyn, Michele

---

**From:** STR  
**Sent:** Monday, June 12, 2023 10:00 AM  
**To:** Damazyn, Michele  
**Subject:** FW: West Marin STR Public Comment

**From:** Skip Shapiro <[sailorskip76@gmail.com](mailto:sailorskip76@gmail.com)>  
**Sent:** Friday, June 9, 2023 9:21 PM  
**To:** STR <[str@marincounty.org](mailto:str@marincounty.org)>  
**Subject:** West Marin STR Public Comment

 You don't often get email from [sailorskip76@gmail.com](mailto:sailorskip76@gmail.com). [Learn why this is important](#)

We support the short-term rental policies that have been proposed by West Marin Residents for Housing as documented at [westmarinresidentsforhousing.org](http://westmarinresidentsforhousing.org).

*Edward and Barbara Shapiro*  
[sailorskip76@gmail.com](mailto:sailorskip76@gmail.com)  
197 Edgemont Way, Inverness, CA 94937

## Damazyn, Michele

---

**From:** STR  
**Sent:** Monday, June 12, 2023 10:01 AM  
**To:** Damazyn, Michele  
**Subject:** FW: STR's

**From:** Pam Fabry <pamfab@gmail.com>  
**Sent:** Friday, June 9, 2023 4:53 PM  
**To:** STR <str@marincounty.org>  
**Subject:** STR's

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

I support the following goals to control the number and nature of short-term rentals. I'm a full-time resident of Bolinas.

- *Residential Neighborhoods should be lived in, not monetized*
- A cap on the number of STR licenses specific to each village
- Only one STR license per property owner in the coastal zone
- An STR license can only be granted to an individual or family, not an LLC, investment group, time-share group, or consortiums of any kind in residential zones.

Thank you for your time and attention.

Pam Fabry  
Box 719  
Bolinas, CA 94924

## Damazyn, Michele

---

**From:** STR  
**Sent:** Monday, June 12, 2023 10:01 AM  
**To:** Damazyn, Michele  
**Subject:** FW: Your meeting on STR's

**From:** Kathleen Hartzell <[khartzell@sbcglobal.net](mailto:khartzell@sbcglobal.net)>  
**Sent:** Friday, June 9, 2023 4:13 PM  
**To:** STR <[str@marincounty.org](mailto:str@marincounty.org)>  
**Subject:** Your meeting on STR's

You don't often get email from [khartzell@sbcglobal.net](mailto:khartzell@sbcglobal.net). [Learn why this is important](#)

I fully support the IA's position.

That said, I would go further as an *individual* and state that some limitation on the number of days/year that non-owner occupied STR's could operate in the residential neighborhoods of Inverness would be a good thing.

The real impact that I see, and it's the topic of conversation with so many other residents who are involved with this community (whether Rotary, CLAM, Lions, EAC, and myriad other groups ) is that we are rapidly losing our ability to house younger families and with them the energy to run these volunteer and civic organizations. We're an aging population and we need to nurture a new generation of leaders. STR's do not necessarily contribute to that objective.

Some may argue that STR impacts are limited to the noise of parties, the messes from trash and recycling bins not located properly or secured against wildlife, and the parking that blocks driveways and often would impede emergency vehicular access not to mention disaster evacuation. While locals know better than to "violate" these often unwritten codes of small community living, large numbers of vacationers, feeling entitled by virtue of the steep fees they are paying, are often less likely to think about their impact on those around them. It doesn't require a survey or statistics to know that these are burdens on local residents. And when their hosts aren't helping to run the local groups, or running booths at Western Weekend or the Inverness Fair, for example, it's clear that the STR business model is not one that gives very much back to the community other than tax payments collected from the visitors.

The solution will no doubt be hybrid, and you've got some decent examples around the state and elsewhere to reference as you make your decisions. I do hope you will be able to balance the needs of a productive and cohesive community with the wishes for income by those who've invested in a SFD and counted on this income to support their businesses.

We all support programs that provide accommodations for visitors to our community, and this program can include limited and highly regulated STR's. But the program must protect the features and values that make Inverness worth visiting

Yours

Kathy Hartzell  
Inverness



(Rotary member, IGCWM Treasurer, Immediate Past President IA and IF)

## Damazyn, Michele

---

**From:** STR  
**Sent:** Monday, June 12, 2023 10:01 AM  
**To:** Damazyn, Michele  
**Subject:** FW: STR ordinance

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

From: Bruce Mitchell <brucemitchell@horizoncable.com>  
Sent: Friday, June 9, 2023 4:11 PM  
To: STR <str@marincounty.org>  
Subject: re: STR ordinance

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

Dear Marin County Planning Commission Staff,

We fully support the development and implementation of an equitable S.T.R. ordinance as outlined in the [westmarinresidentsforhousing.org](https://westmarinresidentsforhousing.org) proposals.

Thank you for your work on that behalf.

Bruce Mitchell and Nancy Hemmingway,

Inverness



Hello

I'm Anna McDonnell. My husband Sam Harper and I, both seniors and retired, live in Inverness. When we bought our house in late 2021, we fully expected to be able to rent our house on a short term basis in order to help defray costs and were completely blindsided by the moratorium. We believe we should be able to rent our home on a short term basis and here is why...

The County's Short Term Rental Update page states: "Ultimately, the County seeks to improve the availability of middle- and lower-income housing, while maintaining access to economic opportunities, services and activities gained through STRs."

So the County has two goals, which some people believe are in conflict with each other. And while some cases that might be true, I don't think the logic applies in the case of my home in Inverness, which is my husband and my primary residence.

If we rent our home on a short term basis when we are away, the rental will have zero impact on the county's first stated goal, improving the availability of middle and lower income housing. Our home is our family home. It will never be available to provide long-term housing for anyone else, at any income level.

If, however, we rent our home on a short term basis when we are away, it will have a positive impact on the County's second goal, "maintaining access to economic opportunities, services and activities gained through STRs."

In short, if homeowners who use their home as a primary residence have short term rentals, we are having zero impact on your first goal, and a positive impact on your second.

That is why I see no possible justification for prohibiting homeowners whose primary residence is in West Marin to rent as they see fit on a short-term basis.

Additionally, subjecting homeowner's such as ourselves who rent occasionally to requirements such as having a professional property manager or meeting same standards as hotels and inns would essentially make it impossible for people like us to offer our house to visitors. Lumping us together with people who own houses solely devoted to renting is painting very different situations with the same very broad brush. This issue requires sensitivity to different needs and subtlety in the application of regulatory action.

Thank you for your consideration.

Anna McDonnell and Sam Harper  
125 Camino Del Mar  
Inverness, CA 94937  
310-592-3437

**From:** [STR](#)  
**To:** [Damazyn, Michele](#)  
**Subject:** FW: Comment on STR's  
**Date:** Monday, June 12, 2023 12:01:45 PM

---

---

**From:** Nancy Stein <nancysteinarart@gmail.com>  
**Sent:** Monday, June 12, 2023 11:16 AM  
**To:** STR <str@marincounty.org>  
**Subject:** Comment on STR's

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

Dear Marin County Board of Supervisors

I am a 50 year resident of west marin county. I rented for many years here, and was able to build a house and own property. I am well aware of how hard that was to do in the 80's and how now it is virtually impossible for anyone without independent wealth.

I have watched my friends, who are now in their late 60's and 70's have to leave this area because there is very little to rent.

Many of these people have served the community school - volunteer teaching, served the more than 20 non-profits, or worked at very low income jobs. To see them have to leave for other states as seniors is a heartbreak.

I also built a small rental which I have always rented to a low income tenant.

Although I could have rented my cottage as air bnb, I have enjoyed having a neighbor and most of the people who have rented here have become friends. I couldn't recommend it more!

During this time, I worked as a landscape contractor and an artist. I live now on social security and the income from the rental myself.

I also feel the crush of visitors - the lines to the bathroom, and the huge mess left behind. Most residents here don't go to Pt. Reyes Station on the weekends because you can't get into a restaurant, and the stores and streets and parking are overloaded.

Many of the people and the corporations(!) who are growing rich at the expense of the residents do not live here at all, and have no stake in the quality of life.

In my opinion, as a landlord, as a property owner and a long-time resident, it is highly reasonable to pass ordinances that would require:

neighborhoods to be zoned for residential use. If someone has an air bnb, it would be required to have a concierge living on site. This would help with garbage, parking, and noise - all of which are what make a neighborhood a good place to live.

These seem to me to be reasonable ways to deal with this problem.

Last of all, I would like to say that those who bought property intending to pay for it by short term rentals should not be guaranteed the right to short term rental. Plenty of things happen to the real estate market that change realities. No law that I know of in America or Marin County guarantees income from private property. If that is no longer possible, there are other ways to pay for property, including long term rental.

Please put me on your list for notifications on this issue:

Sincerely,  
Nancy Stein  
p.o. box 28  
Pt. Reyes, Ca 94956  
[nancysteinart@gmail.com](mailto:nancysteinart@gmail.com)

**From:** [STR](#)  
**To:** [Damazyn, Michele](#)  
**Subject:** FW: Short term rental comments for 6/12 civic center meetings  
**Date:** Monday, June 12, 2023 11:04:01 AM

---

---

**From:** April ginsberg <aprilginsberg70@gmail.com>  
**Sent:** Monday, June 12, 2023 10:19 AM  
**To:** STR <str@marincounty.org>  
**Subject:** Short term rental comments for 6/12 civic center meetings

You don't often get email from [aprilginsberg70@gmail.com](mailto:aprilginsberg70@gmail.com). [Learn why this is important](#)

Hello,

My name is April Ginsberg and I am writing today to put in my support to limit short term rentals in Bolinas ca. In a perfect world there would be very few or no air bnb or vrbo rentals in town. It has severely impacted families and locals ability to find safe long term rentals. Why would anyone rent for 2,000 a month when they could make that in a week? Regulation is needed to protect the longevity of bolinas and other West Marin towns.

My family has lost housing multiple times. My inlaws and family moved in 2015 to Cotati because there were no long term rentals available. My inlaws are still over there and hoping to return to Bolinas where they both work, one at the school and the other in tree care. They have to commute 2 and half hours a day.

My partner and I were able to find a 400 sq ft rental in 2016 when we welcomed our first baby. We were going to lose that housing but luckily found a long term rental through the BCLT where we welcomed our second child. My partner is the chief water operator at the BPUD and needs to live in town to respond to water and sewer emergencies. We can not afford to live in town without the bclt.

Long term rental rates are at an all time high and landlords are requiring impossible requirements including one person rentals, no kids, or no pets. Landlords can do this because of the very low to NO long term rentals available.

Some regulation that I support are :

There must be at least one long term person living on the property.

Only one STR permit per family or person.

STR permits only for individuals or families, no licenses permitted to llc time shares or investment groups.

Make a cap to limit short term rental licenses per village.

A review of all current rentals to make sure their properties are up to code and have appropriate septic systems.

I do not believe in grandfathered in rentals! I do not believe licenses should be issued for a lifetime.

Please help keep Bolinas a town full of locals and longterm rentals where families can thrive and not just scrape by to survive.

Best,

April Ginsberg

Stewart Oakander BPUD chief water operator

Sawyer and Grayson Oakander

June 12, 2023

Dear Planning Commission,

Short Term Rentals are hurting our communities because they are decreasing the housing available for full-time residents. Every week we hear of community members who are losing their homes and forced to move, so property owners can convert their "investment" into STR's.

As I write this, a wonderful family of five in Bolinas is desperately looking for new housing because their home is being sold as an investment. The parents of this family have both grown up in Bolinas and are huge contributors to our community. Their children go to the local school, and the parents work in town. Where will they go? It is heartbreaking. Families are being forced to leave. This is happening all the time and has begun to escalate. Who will be left to live in our communities? We need help!

Please recommend to the Board of Supervisors the following common sense regulations for Short Term Rentals in West Marin:

- Enact a cap on the number of Short Term Rental licenses specific to each village.
- An STR license to be granted only to an individual or family, NOT and LLC, investment group, time-share group or consortiums in residential zones
- Only one STR license per property owner in the coastal zone

I'm also urging that future planning sessions have a zoom option and are scheduled for evenings so West Marin working families are able to have their voices heard. Thank you so much for taking the time to read my comments.

Respectfully,

Mollie Lounibos  
Bolinas resident  
mwlounibos@gmail.com

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# CHAPTER 2: HOUSING NEEDS ANALYSIS

## Overview of Marin County

Marin County is located immediately north of San Francisco, across the Golden Gate Bridge. The County encompasses 606 square miles and is home to 257,774 residents<sup>1</sup>. Most of the population lives along the County's urban east side, primarily in the County's 11 incorporated cities and towns. The City of San Rafael is the County seat.

Marin County's population is primarily affluent, educated, and relatively racially homogenous. Data for 2019 (represented 2015-2019 ACS estimates) shows that White residents make up more than three-fourths of the unincorporated County population. The balance of the population is as follows: Hispanics comprise 10%, Asian and Pacific Islanders account for 5.5%, African Americans make up 3% and residents that are another race or two or more races total 5%. The 2021 median household income is \$149,600, 1.7 times the median household income for California as a whole.<sup>2</sup> Marin County has one of the highest median household incomes among California's 58 counties.<sup>3</sup> While Marin is a wealthy county overall, it is also home to populations impacted by the high cost of living. According to the Insight Center, the cost of basic expenses rose by 16% between 2018 and 2021.<sup>4,5</sup> The Insight Center also reported that 37% of households in the County did not get paid enough compared to the cost of living, despite recent increases to minimum wage. The high cost of living in Marin County, in conjunction with the continued rising costs of other basic necessities, has resulted in the inability of many working families to meet their basic housing, food, and childcare needs.

## Overview of Unincorporated Marin County

This section of the Housing Element evaluates and addresses housing needs in the unincorporated areas of Marin County for the 2023-2031 planning period. Given the large geographic areas covered by the unincorporated County, data is presented for the entire unincorporated County area as well as for 11 communities within the

<sup>1</sup> California Department of Finance, E-5 series, 2021.

<sup>2</sup> California Department of Housing and Community Development (HCD). Median household income in California is \$90,100 (HCD 2021: <https://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits/docs/income-limits-2021.pdf>)

<sup>3</sup> California Department of Housing and Community Development (HCD).

<sup>4</sup> Insight Center; The Cost of Being California in 2021- Bay Area Key Findings: Marin County.

<https://insightccd.org/the-cost-of-being-californian-marin-county-fact-sheet/> According to the Insight Center's Family Needs Calculator, "Basic Needs" include the cost of housing, food, childcare, health care, transportation, and taxes—without accounting for public or private assistance.

<sup>5</sup> For Marin County households with two adults, one school-age child, and a preschooler.

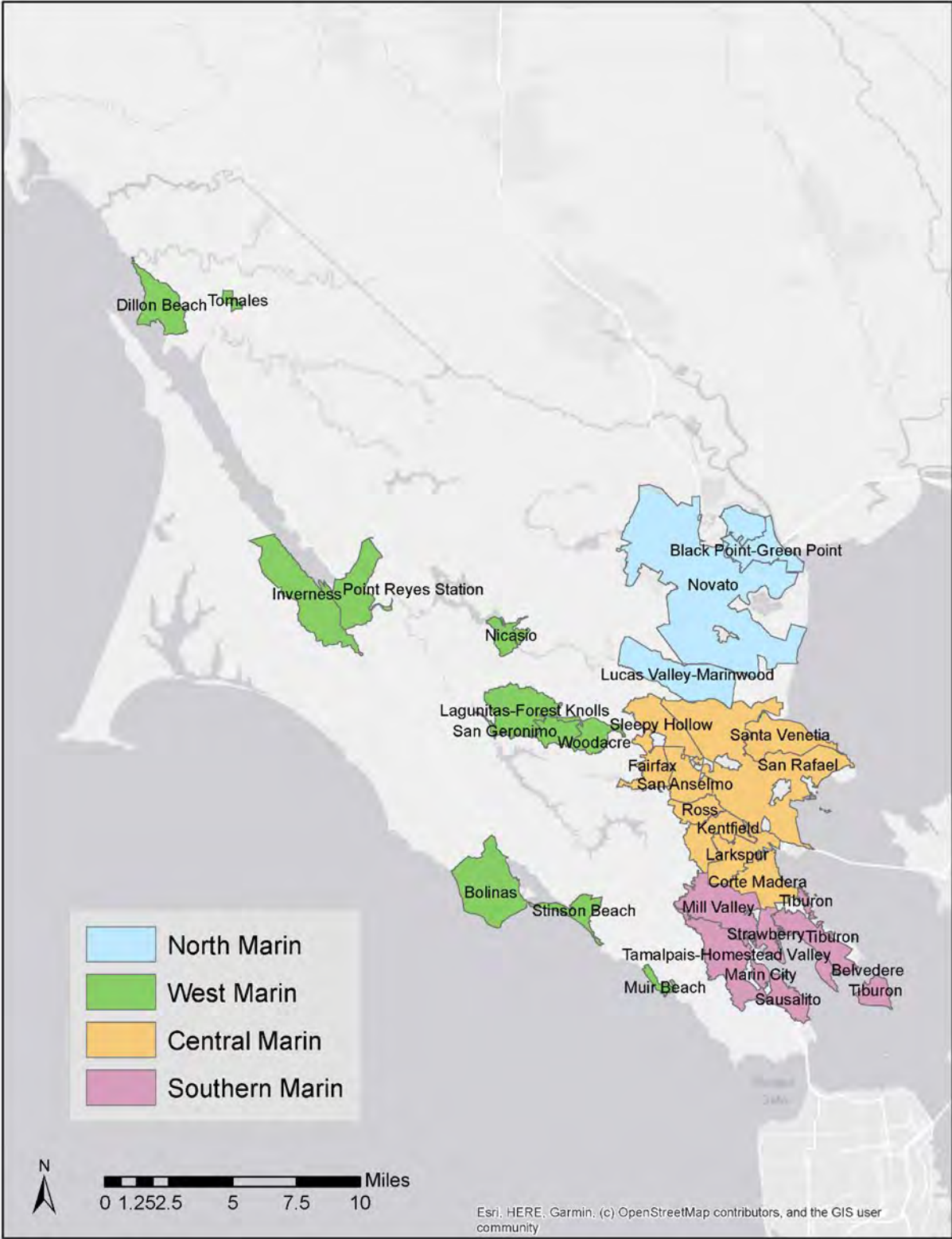
unincorporated areas. Each community is made up of the following Census Designated Places (CDP):

**Table H-2.1: Marin Unincorporated County Communities**

Community Name	CDPs included
Black Point-Green Point	Black Point – Green Point
Northern Coastal West Marin	Dillon Beach, Tomales
Central Coastal West Marin	Point Reyes, Inverness
The San Geronimo Valley	Nicasio, San Geronimo Valley, Woodacre, Lagunitas-Forest Knolls
Southern Coastal West Marin	Stinson Beach, Bolinas, Muir Beach
Marinwood/Lucas Valley	Lucas Valley, Marinwood
Santa Venetia/Los Ranchitos	Santa Venetia
Kentfield/Greenbrae	Kentfield
Strawberry	Strawberry
Tam Valley	Tamalpais-Homestead Valley
Marin City	Marin City

Figure II-1 shows the locations of the unincorporated County’s 11 communities. The communities are divided into north, west, central and southern geographical areas.

Figure H-2.1: Marin Communities



## Sources of Information

The County used a variety of data sources for the assessment of fair housing at the regional and local level. These include:

- Housing Needs Data Packets prepared by the Association of Bay Area Governments (ABAG), which rely on 2015-2019 American Community Survey (ACS) data by the U.S. Census Bureau for most characteristics
  - Note: The ABAG Data Packets also referenced the U.S. Department of Housing and Urban Development (HUD) Comprehensive Housing Affordability Strategy (CHAS) reports (based on the 2013-2017 ACS)
- U.S. Census Bureau's Decennial Census (referred to as "Census") and American Community Survey (ACS)
- Marin County Analysis of Impediments to Fair Housing Choice in January 2020 (2020 AI)
- Marin County 2020-2024 Consolidated Plan
- California Department of Finance, E-5 Series Population and Housing Estimates.

Some of these sources provide data on the same topic, but because of different methodologies, the resulting data differ. For example, the decennial census and ACS report slightly different estimates for the total population, number of households, number of housing units, and household size. This is in part because ACS provides estimates based on a small survey of the population taken over the course of the whole year. Because of the survey size and seasonal population shifts, some information provided by the ACS is less reliable. For this reason, the readers should keep in mind the potential for data errors when drawing conclusions based on the ACS data used in this chapter. The information is included because it provides an indication of possible trends. The analysis makes comparisons between data from the same source during the same time periods, using the ABAG Data Package as the first source since ABAG has provided data at different geographical levels for the required comparisons. As such, even though more recent ACS data may be available, 2014-2019 ACS reports are cited more frequently, and 2013-2017 CHAS estimates were used.

The County also used findings and data from a variety of locally gathered and available information, such as a surveys, local history and community outreach responses. This information was included as local context throughout this chapter.

## Regional Housing Need Allocation

The Regional Housing Needs Allocation (RHNA) is a critical part of State housing element law (Government Code Section 65580). The process for determining the RHNA is briefly described below<sup>6</sup>:

- The State Department of Housing and Community Development uses a California Department of Finance growth projection and other factors to determine the number of housing units that are needed statewide over an eight-year planning period (for Marin County and other Bay Area jurisdictions, this time period is years 2023-2031).
- This statewide housing unit number (called the Regional Housing Needs Determination, or RHND), is divided into regions. Marin County is located within the Association of Bay Area Governments (ABAG) region.
- ABAG is responsible for creating a methodology to distribute the RHND among all of its cities and counties. Each jurisdiction's housing unit number is called the Regional Housing Needs Allocation (RHNA).
- The RHNA is the number of units that a jurisdiction must plan for in the Housing Element update. The units are divided into four different categories based on median income: very low (earn <50% of the area median income), low (earn between 51% and 80% of the area median income), moderate (earn between 81% and 120% of the area median income) and above moderate (earn 121% or more of the area median income). These categories are explained and examined in greater detail later in this section.

Almost all jurisdictions in the Bay Area received a larger RHNA this cycle compared to the last housing element cycle, primarily due to changes in state law that led to a considerably higher RHND compared to previous cycles.

Table H-2.2 illustrates the unincorporated area of Marin County's RHNA by income category for the 2023-2031 planning period. Per State law, local jurisdictions are also required to provide an estimate for their projected extremely low income households (those earning 30% or less of the area median income). Jurisdictions can use half of their very low income RHNA allocation to make this projection. Therefore, unincorporated Marin County is dividing the very low income allocation of 1,100 units in half to meet this state requirement.

---

<sup>6</sup> ABAG/MTC Staff and Baird + Driskell Community Planning; Housing Needs Data Report: Unincorporated Marin.; April 2, 2021.

**Table H-2.2: Housing Need by Income Category, Unincorporated Marin County**

Extremely Low (0-30% AMI)	Very Low (30-50% AMI)	Low (51-80% AMI)	Moderate (81-120% AMI)	Above Moderate (121%+ AMI)	Total RHNA
550	550	634	512	1,323	3,569

Source: Association of Bay Area Governments; Final Regional Housing Needs Allocation (RHNA) Methodology and Draft Allocations:

[https://abag.ca.gov/sites/default/files/documents/2021-05/ABAG\\_2023-2031\\_Draft\\_RHNA\\_Plan.pdf](https://abag.ca.gov/sites/default/files/documents/2021-05/ABAG_2023-2031_Draft_RHNA_Plan.pdf)

### Population Trends

In 2021, Marin County's total population was 257,774, 66,888 of whom lived within unincorporated areas.<sup>7</sup> The total population of unincorporated Marin County decreased by 539 between 2010 and 2021 (Table H-2.3). While population in both the unincorporated County and the County grew in the first half of the 2010s, since 2017 the population has decreased in both areas, with the most significant drop occurring in the most recent year (Table H-2.4). Between 2020 and 2021, the population in the unincorporated County decreased by 2.6%, over twice as much as in the County as whole (1.2%). The Association Bay Area of Governments (ABAG) projects that the population in the unincorporated County will grow by only 2% in the next two decades. Tam Valley, Kentfield/Greenbrae, and the Marinwood/Lucas Valley communities are the most populous areas within the unincorporated County (Table H-2.5).

Despite these population projections, according to ABAG, housing production has not kept up with demand for several decades in the Bay Area, including Marin, as the total number of units built and available has not yet come close to meeting the population and job growth experienced throughout the region. In unincorporated Marin County, the largest proportion of the housing stock was built from 1960 to 1979, with 10,258 units constructed during this period (see Table H-2.18Table H-2.18: ). Since 2010, 1.2% of the current housing stock was built, which equates to 360 units. In addition, as described later in this chapter, finding housing in the unincorporated County is impacted by: (1) the number of housing units used as vacation homes or short-term rentals, (2) high housing costs and lack of diverse housing typologies. A majority of housing units in Marin County are detached houses. As mentioned above, almost all jurisdictions in the Bay Area received a larger RHNA this cycle compared to the last housing element cycle,

<sup>7</sup> California Department of Finance, E-5 series, 2021.

primarily due to changes in state law that led to a considerably higher RHND compared to previous cycles.

**Table H-2.3: Population Growth Trends, Unincorporated County**

Year	Population	Number	% Change Projected
2010	67,427	N/A	N/A
2021	66,888	-539	-0.8%
2030*	66,870	-18	0.0%
2040*	68,265	1,395	2.1%

Source: California Department of Finance, E-5 series, 2010 and 2021. \*Association of Bay Area Governments (ABAG) Plan Bay Area Projections 2040, November 2018.

**Table H-2.4: Population Growth Trends - Unincorporated Marin County and Marin County**

Year	Unincorporated Marin	% Change	Marin County	% Change from previous year
2010	67,427	---	252,409	---
2011	68,172	1.1%	254,428	0.8%
2012	68,202	0.0%	256,662	0.9%
2013	68,069	-0.2%	258,133	0.6%
2014	68,831	1.1%	261,001	1.1%
2015	69,275	0.6%	262,743	0.7%
2016	69,152	-0.2%	263,327	0.2%
2017	69,098	-0.1%	263,018	-0.1%
2018	68,942	-0.2%	262,652	-0.1%
2019	68,902	-0.1%	262,240	-0.2%
2020	68,659	-0.4%	260,831	-0.5%
2021	66,888	-2.6%	257,774	-1.2%

Source: California Department of Finance, E-5 series, 2010-2021.



Table H-2.5: Population by Unincorporated County Community

Community	Population	% of Unincorporated County
Black Point-Green Point	1,622	2.4%
Northern Coastal West Marin	445	0.6%
Central Coastal West Marin	1,385	2.0%
The San Geronimo Valley	3,412	5.0%
Southern Coastal West Marin	2,010	2.9%
Marinwood/Lucas Valley	6,686	9.7%
Santa Venetia/Los Ranchitos	4,474	6.5%
Kentfield/Greenbrae	7,020	10.2%
Strawberry	5,527	8.0%
Tam Valley	11,689	17.0%
Marin City	3,126	4.5%
Unincorporated County	68,902	100.0%

Source: American Community Survey (ACS), 2015-2019 5 Year Estimates. California Department of Finance, E-5 series.

Note: ACS 2019 data is the most recent data available by Census Designated Place (CDP), which is needed to calculate the population by community.

## Age

The distribution of age groups in a community shapes what types of housing the community may need in the near future. An increase in the older population may signal a developing need for more senior housing options, while higher numbers of children and young families can point to the need for more family housing options and related services. Ageing in place or downsizing to stay within a community has become a growing trend, which can illustrate the need for more multi-family and accessible units. In unincorporated Marin County, the median age in 2000 was 41.1; by 2019, this figure had increased to 47 years.

The proportion of population by age group in unincorporated Marin County is similar to the County as a whole, but with a slightly higher percentage of people 45 years old and over (54% in unincorporated Marin County area, 53% in the overall County). According to 2019 American Community Survey (ACS) data, 22% of the unincorporated County's

population is age 65 or older. The data also illustrates disparities in geography by age group. For example, more than a third of the population in Central Coastal West Marin, The San Geronimo Valley, Southern Coastal West Marin is over 65 years old. Additionally, Central Coastal West Marin and Southern Coastal West Marin have the lowest proportion of people under the age of 24, 9% and 11% , respectively. By contrast, in Marinwood/Lucas Valley, Kentfield Greenbrae, Tam Valley, and Marin City, about a third of the population is younger than 24.

**Table H-2.6: Population by Age**

Community	Under 18	18-24	25-44	45-65	65+	Total	Median Age
Black Point- Green Point	8.0%	12.5%	11.3%	38.3%	29.8%	1,622	56.1
Northern Costal West Marin	19.6%	3.4%	28.3%	26.3%	22.5%	445	50.6
Central Coastal West Marin	5.9%	3.2%	10.7%	32.4%	47.7%	1,385	64.8
The San Geronimo Valley	19.0%	1.1%	20.9%	28.5%	30.6%	3,412	49.0
Southern Coastal West Marin	9.8%	1.3%	19.7%	27.0%	42.3%	2,010	58.3
Marinwood/Lucas Valley	24.2%	4.9%	17.1%	31.1%	22.7%	6,686	47.8
Santa Venetia/ Los Ranchitos	16.0%	9.0%	18.9%	31.5%	24.6%	4,474	49.6
Kentfield/ Greenbrae	25.5%	7.0%	16.7%	30.1%	20.7%	7,020	45.4
Strawberry	20.1%	10.8%	18.2%	31.6%	19.3%	5,527	45.5
Tam Valley	23.7%	5.0%	17.5%	34.5%	19.3%	11,689	47.1
Marin City	27.7%	4.0%	28.3%	30.1%	9.8%	3,126	36.0
Unincorporated County	19.8%	6.7%	19.5%	31.8%	22.2%	68,252	47.0
Marin County	20.2%	6.5%	20.6%	31.0%	21.6%	259,943	46.8

Median age is calculated as the average of median ages among CDPs that form a community.

Source: American Community Survey (ACS), 2015-2019 5 Year Estimates. Table B01001; Association of Bay Area Governments (ABAG) Housing Needs Data Packet: Marin County, 2021.

Note: Please refer to Table II-1 and Figure II-1 for the census designated places included in the unincorporated communities.

## Race/Ethnicity

Understanding the racial makeup of a community and region is important for designing and implementing effective housing policies and programs that respond to specific needs and barriers. Disparities in wealth and housing are shaped by both market factors and historic government actions such as exclusionary zoning, discriminatory lending practices, and displacement of more vulnerable communities, such as communities of color, that continues today. Since 2000, the percentage of residents in unincorporated Marin County identifying as White has decreased and the percentage of residents of all other races and ethnicities has increased—by 5.3 percentage points. In absolute terms, the Other Race, Non-Hispanic population increased the most, while the White, Non-Hispanic population decreased the most.

**Table H-2.7: Population by Race, Unincorporated Marin County, 2000-2019**

Race	2000	2010	2019
American Indian or Alaska Native	0.4%	0.3%	0.3%
Asian / API	4.2%	5.0%	5.5%
Black or African American	6.3%	5.3%	3.0%
White, Non-Hispanic	81.3%	76.7%	76.0%
Other Race	0.4%	3.3%	5.0%
Hispanic or Latinx	7.5%	9.4%	10.3%
Total Population	67,192	67,427	68,252

**Note:**

- Data for 2019 represents 2015-2019 ACS estimates.

-The Census Bureau defines Hispanic/Latinx ethnicity separate from racial categories. For the purposes of this table, the “Hispanic or Latinx” racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.

“Other race” refers to persons that identified as, some other race or two or more races but not Hispanic/Latinx

Source: U.S. Census Bureau, Census 2000, Table P004; U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B03002

In the unincorporated area, Marin City has the largest proportion of Hispanic residents, 25%, significantly greater than all the unincorporated County areas (10%) and Marin County as a whole (16%). The communities of Northern Coastal West Marin, the San Geronimo Valley, and Marinwood/Lucas Valley have a Hispanic population representing 10 to 13% of the total population while the percentage of Hispanic residents in all other communities is less than 10% of the total population.

Marin City, a historic African American enclave, is also home to the County’s largest Black/African American population, at 22%, and is considerably higher than any other community in Marin County. The community has experienced significant gentrification pressures and displacement of Black/African American residents. Since 2010, Marin City’s Black/African American decreased by half, from roughly 40% to 22% (2010 Census, ACS 5-year data). With COVID-19, these trends have been accelerated, and illustrate the communities that are at increasingly at risk- Hispanic/Latinx populations represent about 16% of the County population, but 34% of Rental Assistance requests, while Black/African American residents represent about 2% of the County population, but 8.5% of Rental Assistance requests. Please refer to the Affirmatively Furthering Fair Housing (AFFH) appendix of this document for additional information.

**Table H-2.8: Population by Race, Unincorporated Marin County Communities**

Community	American Indian or Alaska Native	Asian / API	Black or African American	White, Non-Hispanic	Other Race	Hispanic or Latinx	Total
Black Point- Green Point	0.0%	9.3%	0.0%	80.3%	3.2%	7.2%	1,622
Northern Coastal West Marin	0.0%	4.9%	0.0%	84.9%	0.0%	10.1%	445
Central Coastal West Marin	0.0%	0.0%	0.0%	91.3%	0.9%	7.9%	1,385
The San Geronimo Valley	0.6%	0.8%	0.1%	85.9%	1.7%	10.9%	3,412
Southern Coastal West Marin	0.0%	0.8%	0.0%	89.2%	5.1%	4.9%	2,010
Marinwood/Lucas Valley	0.0%	6.0%	0.1%	73.6%	7.1%	13.3%	6,686
Santa Venetia/ Los Ranchitos	0.0%	10.1%	3.7%	71.2%	9.3%	5.7%	4,474
Kentfield/ Greenbrae	0.0%	4.0%	0.0%	86.7%	3.4%	5.9%	7,020
Strawberry	0.0%	13.2%	1.2%	73.3%	4.7%	7.7%	5,527
Tam Valley	0.0%	5.8%	1.3%	82.3%	5.0%	5.6%	11,689
Marin City	0.0%	6.9%	21.7%	32.9%	13.8%	24.8%	3,126

**Table H-2.8: Population by Race, Unincorporated Marin County Communities**

Community	American Indian or Alaska Native	Asian / API	Black or African American	White, Non-Hispanic	Other Race	Hispanic or Latinx	Total
Unincorporated Marin	0.3%	5.5%	3.0%	76.0%	5.0%	10.3%	68,252
Marin County	0.2%	5.9%	2.1%	71.2%	4.7%	16.0%	259,943

Note: For the purposes of this table, the “Hispanic or Latinx” racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.

“Other race” refers to persons that identified as some other race or two or more races but not Hispanic/Latinx

Source: American Community Survey 5-Year Data (2015-2019), Table B03002

Note: Please refer to Table II-1 and Figure II-1 for the census designated places included in the unincorporated communities

## Employment Trends

The Marin County resident workforce is predominantly composed of professional workers. Over 93% of the County’s residents age 25 or older have at least a high school diploma, compared with about 83% statewide; 60% in this same age group have a bachelor’s degree or higher in the County (33% in the State).<sup>8</sup> These higher than average educational levels directly correlate with a low poverty rate of 7.2 % in the County compared with 13% statewide.<sup>9</sup> The County’s largest employers include County government, Kaiser Permanente, BioMarin Pharmaceutical, San Quentin prison, and Marin General Hospital.<sup>10</sup> Over 30% of the unincorporated County’s working population is employed in Health and Educational Services industries, and the most common occupations of unincorporated Marin residents are in the Management, Business, Science, and Arts professions (Table H-2.9 and Table H-2.10).

<sup>8</sup> ACS, 2015-2019 5-year estimates. Table S1501.

<sup>9</sup> ACS, 2015-2019 5-year estimates. Table S1701.

<sup>10</sup> County of Marin 2020 Comprehensive Annual Financial Report

**Table H-2.9: Resident Employment by Industry**

Geography	Agriculture & Natural Resources	Construction	Financial & Professional Services	Health & Educational Services	Information	Manufacturing, Wholesale & Transportation	Retail	Other
Unincorporated Marin	1.2%	5.6%	30.7%	31.6%	3.5%	10.8%	7.2%	9.4%
Marin County	0.7%	5.8%	30.9%	30.2%	3.7%	10.3%	9.1%	9.2%
Bay Area	0.7%	5.6%	25.8%	29.7%	4.0%	16.7%	9.3%	8.2%

**Notes:**

-The data displayed shows the industries in which jurisdiction residents work, regardless of the location where those residents are employed (whether within the jurisdiction or not).

-Categories are derived from the following source tables: Agriculture & Natural Resources: C24030\_003E, C24030\_030E; Construction: C24030\_006E, C24030\_033E; Manufacturing, Wholesale & Transportation: C24030\_007E, C24030\_034E, C24030\_008E, C24030\_035E, C24030\_010E, C24030\_037E; Retail: C24030\_009E, C24030\_036E; Information: C24030\_013E, C24030\_040E; Financial & Professional Services: C24030\_014E, C24030\_041E, C24030\_017E, C24030\_044E; Health & Educational Services: C24030\_021E, C24030\_024E, C24030\_048E, C24030\_051E; Other: C24030\_027E, C24030\_054E, C24030\_028E, C24030\_055E

**Source:**

U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table C24030

**Table H-2.10: Resident Employment by Occupation**

Geography	Management, Business, Science, And Arts Occupations	Natural Resources, Construction, And Maintenance Occupations	Production, Transportation, And Material Moving Occupations	Sales And Office Occupations	Service Occupations
Unincorporated Marin	58.6%	5.1%	4.0%	18.6%	13.6%
Marin County	55.3%	5.3%	5.0%	19.6%	14.8%
Bay Area	49.5%	6.5%	8.7%	18.9%	16.3%

Notes:

-The data displayed shows the occupations of jurisdiction residents, regardless of the location where those residents are employed (whether within the jurisdiction or not).

-Categories are derived from the following source tables: management, business, science, and arts occupations: C24010\_003E, C24010\_039E; service occupations: C24010\_019E, C24010\_055E; sales and office occupations: C24010\_027E, C24010\_063E; natural resources, construction, and maintenance occupations: C24010\_030E, C24010\_066E; production, transportation, and material moving occupations: C24010\_034E, C24010\_070E

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table C24010

### Balance of Jobs to Workers

As indicated in the notes for Table II-9 and Table II-10, the data shows the occupations of unincorporated County residents regardless of the location of the job. Between 2010 and 2018, the number of jobs in unincorporated Marin County increased by 16.7% from 15,938 to 18,601 jobs.<sup>11</sup>

The ABAG Housing Needs Report noted that unincorporated Marin County is considered a net exporter of workers due to a jobs-to-resident workers ratio of 0.71 (22,519 jobs and 31,805 employed residents<sup>12</sup>). This signifies the unincorporated County has a surplus of workers and “exports” workers to other parts of the region.

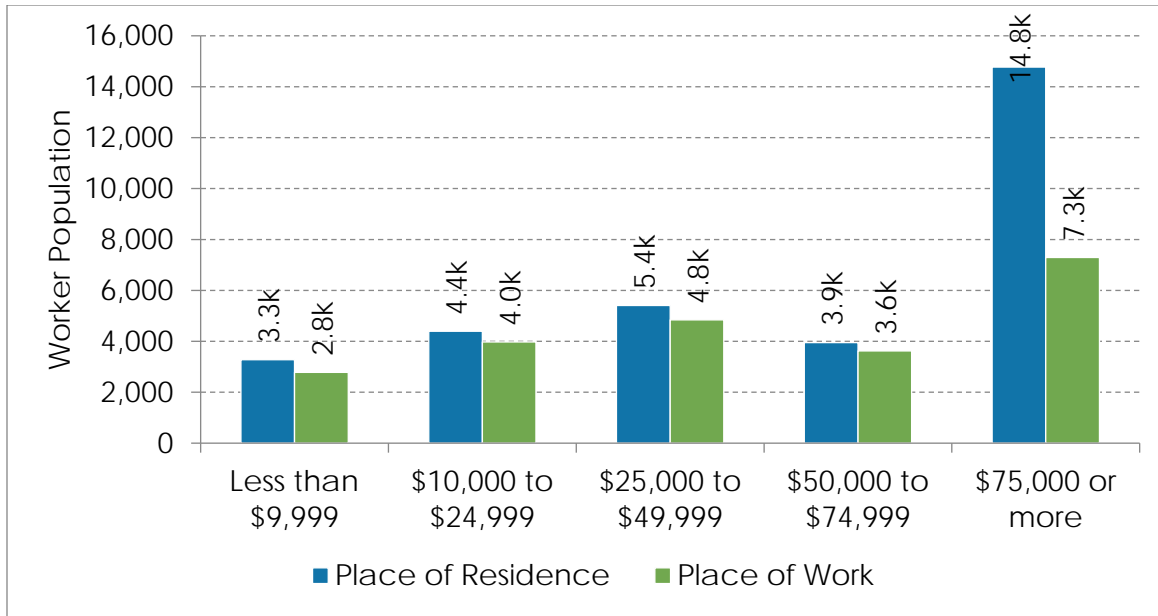
Comparing jobs to workers, broken down by different wage groups, can offer additional insight into local dynamics. Figure H-2.2 shows that unincorporated Marin County has more residents in all wage groups than jobs, with a particularly greater imbalance at the highest wage category; the unincorporated County has more high-wage residents than high-wage jobs (where high-wage refers to jobs paying more than \$75,000). Surpluses of workers in a wage group relative to jobs means the community will export those workers to other jurisdictions. Such flows are not inherently bad, although over time, sub-regional imbalances may appear.

### Figure H-2.2: Workers by Earnings, Unincorporated County as Place of Work and Place of Residence

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<sup>11</sup> The data is tabulated by place of work, regardless of where a worker lives. Source: ABAG Housing Data Needs Report 2021; U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files, 2010-2018.

<sup>12</sup> Employed residents in a jurisdiction is counted by place of residence (they may work elsewhere) while jobs in a jurisdiction are counted by place of work (they may live elsewhere). These data differ from the 18,601 jobs cited in the previous paragraph due to different data sources. Source: U.S. Census Bureau, American Community Survey 5-Year Data 2015-2019, B08119, B08519.



According to ABAG, this measure of the relationship between jobs and workers “may directly influence the housing demand in a community. New jobs may draw new residents, and when there is high demand for housing relative to supply, many workers may be unable to afford to live where they work, particularly where job growth has been in relatively lower wage jobs. This dynamic not only means many workers will need to prepare for long commutes and time spent on the road, but in the aggregate, it contributes to traffic congestion and time lost for all road users.” If there are more jobs than employed residents, it means a city or county is relatively jobs-rich, typically also with a high jobs-to-household ratio. Unincorporated Marin County is a jobs-poor area (more residents than jobs) and has a relatively low jobs-to-household ratio (0.7 in 2018) compared to 1.06 in Marin County.<sup>13</sup> However, the jobs-to-household ratio in the unincorporated County has increased similarly as Marin County between 2010 and 2018 (by 0.10).

A balance between jobs and employed residents can help reduce greenhouse gas emissions, freeway congestion, and fuel consumption, and can result in improved air quality. A jobs-housing balance can also provide savings in travel time for businesses and individuals. However, a one-to-one ratio between jobs and employed residents does not guarantee a reduction in commute trips. Marin County nearly has a 1:1 ratio, but the disparity between the types of jobs and the cost of housing contributes to this imbalance.

<sup>13</sup> This jobs-household ratio serves to compare the number of jobs in a jurisdiction to the number of housing units that are actually occupied. Source: ABAG Housing Needs Report, 2021. U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files (Jobs), 2002-2018; California Department of Finance, E-5 (Households)



According to the U.S. Bureau of Labor Statistics, the average wage earned at a Marin County-based job as of the first quarter of 2021 was \$90,168 a year, which is considered below the low income threshold for a household of one.<sup>14,15</sup> Additionally, according to the ACS, the median income of a single person household in Marin of \$62,606.<sup>16</sup> The median home sale price of a single-family detached home of \$1.91 million or of a condominium of \$740,088<sup>17</sup> is out-of-reach for a significant portion of the population. Even with a 1:1 ratio of jobs to housing, Marin County will continue to import workers from neighboring counties where more affordable housing is located. Therefore, a focus of this Housing Element is to address the issue of matching housing costs and types to the needs and incomes of the community's workforce.

### Unemployment

In unincorporated Marin County, the unemployment rate increased 0.6 percentage points between January 2010 and January 2021, from 5.5% to 6.1%. Jurisdictions throughout the region experienced a sharp rise in unemployment in 2020 due to impacts related to the COVID-19 pandemic, although a general improvement and recovery occurred in the later months of 2020 (Figure H-2.3).

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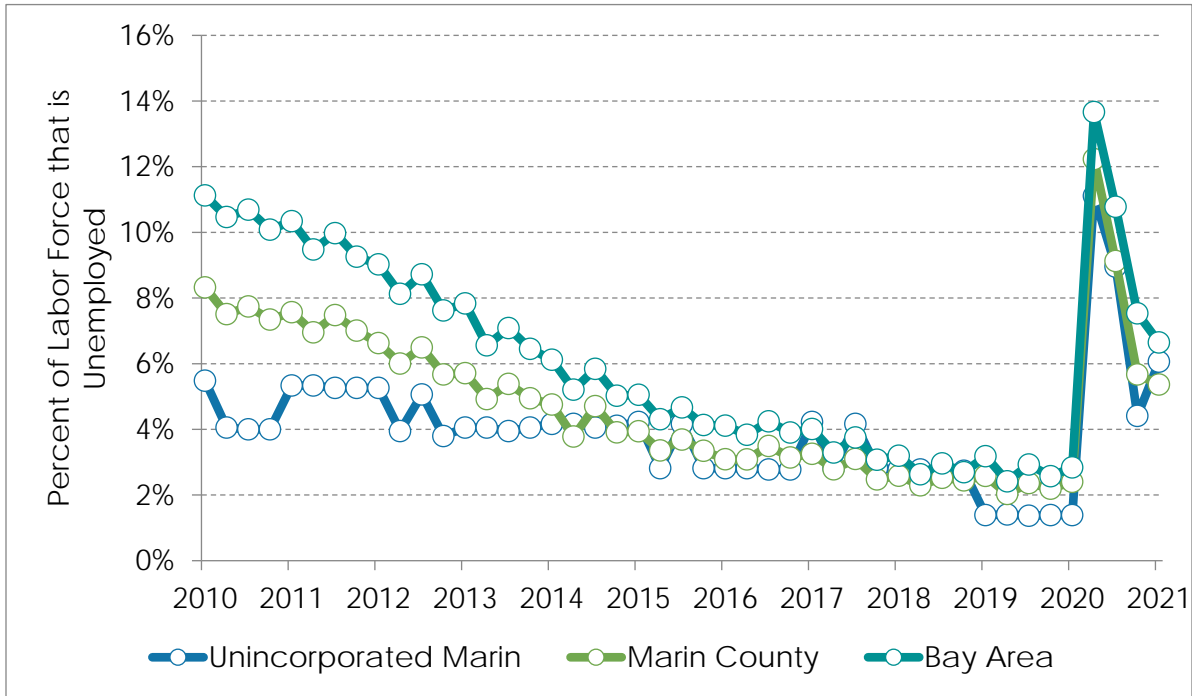
<sup>14</sup> From the Average Weekly pay for all industries (\$1,734). Quarterly Census of Employment and Wages, U.S. Department of Labor, September 2021.

<sup>15</sup> California Department of Housing and Community Development (HCD). (HCD 2021: <https://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits/docs/income-limits-2021.pdf>)

<sup>16</sup> Nonfamily household. American Community Survey 2015-2019, Five-Year Estimates. Table S1903.

<sup>17</sup> County of Marin Assessor Real Estate Sales Data, August 2021.

**Figure H-2.3: Unemployment Rate**



**Notes:**

-Unemployment rates for the jurisdiction level is derived from larger-geography estimates. This method assumes that the rates of change in employment and unemployment are exactly the same in each sub-county area as at the county level. If this assumption is not true for a specific sub-county area, then the estimates for that area may not be representative of the current economic conditions. Since this assumption is untested, caution should be employed when using these data.

-Only not seasonally-adjusted labor force (unemployment rates) data are developed for cities and CDPs.

Source: California Employment Development Department, Local Area Unemployment Statistics (LAUS), Sub-county areas monthly updates, 2010-2021.

**Household Characteristics**

**Household Tenure**

The U.S. Census Bureau defines a household as all persons who occupy a housing unit, including families, single people, or unrelated persons. Persons living in licensed facilities or dormitories are not considered households. As of 2019, there were 25,850 households in unincorporated Marin County, a decrease of 343 from the 2010 level of 26,193. Of these 25,850 households, 72% own the home they live in and 28% rent (Table H-2.11). This ownership percentage has increased by 3% since 2010 while renter households decreased by 11% during this same time period. Among the communities in

the unincorporated County, Black Point-Green Point, Marinwood/Lucas Valley, Santa Venetia/Los Ranchitos, and Kentfield/Greenbrae have the highest proportion of owner-households (over 80%, Table H-2.11). By contrast, Marin City and Strawberry have the highest proportion of renter-households (73% and 53%, respectively).

**Table H-2.11: Households by Tenure**

	Owner occupied	Renter occupied	Total
Black Point-Green Point	80.7%	19.3%	617
Northern Coastal West Marin	75.5%	24.5%	212
Central Coastal West Marin	62.1%	37.9%	853
The San Geronimo Valley	74.2%	25.8%	1,500
Southern Coastal West Marin	64.5%	35.5%	1,026
Marinwood/Lucas Valley	88.6%	11.4%	2,412
Santa Venetia/Los Ranchitos	82.6%	17.4%	1,717
Kentfield/Greenbrae	80.9%	19.1%	2,567
Strawberry	46.8%	53.2%	2,391
Tam Valley	76.4%	23.6%	4,617
Marin City	26.7%	73.3%	1,377
Unincorporated Marin	72.0%	28.0%	25,850
Marin County	63.7%	36.3%	105,432

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25003

Note: Please refer to Table II-1 and Figure II-1 for the census designated places included in the unincorporated communities

Homeownership rates often vary across race and ethnicity. These disparities not only reflect differences in income and wealth but also stem from federal, state, and local policies that limited access to homeownership for communities of color while facilitating homebuying for white residents. While many of these policies, such as redlining, have been formally disbanded, the impacts of race-based policy are still evident across Bay Area communities.<sup>18</sup> According to ACS, in 2019 19.5% of Black households owned

<sup>18</sup> ABAG/MTC Staff and Baird + Driskell Community Planning; Housing Needs Data Report: Unincorporated Marin (page 26); April 2, 2021.

their homes, while homeownership rates were 66.6% for Asian households, 55.5% for Latinx households, and 75.0% for White households in unincorporated Marin County.<sup>19</sup>

### Household Types

About 54% of unincorporated Marin County’s households consist of married-couple families with or without children (Table H-2.12).

The unincorporated County has a higher share of married-couple family households than the County and the Bay Area (about 51%). Approximately 27% of households are occupied by people living alone in the unincorporated County. This percentage was slightly lower than the Marin County figure of 29.9% but higher than the Bay Area figure of 24. %. Among the communities within the unincorporated County, all but four (Black Point-Green Point, Marin/Lucas Valley, Kentfield/Greenbrae, and Tam Valley) have higher shares of single-person households than the unincorporated County, Marin County, and Bay Area. The remaining households in unincorporated Marin County include: male householder with no spouse present (about 4%), female householder with no spouse present (7.6%) and other non-family households (7%).

**Table H-2.12: Household Types**

	Married-Couple Family	Male Householder, No Spouse Present	Female Householder, No Spouse Present	Single-Person Households	Other Non-Family Households	Total
Black Point-Green Point	65.2%	2.8%	0.0%	21.2%	10.9%	617
Northern Costal West Marin	47.2%	9.9%	3.8%	33.0%	6.1%	212
Central Coastal West Marin	42.3%	0.7%	1.6%	50.4%	4.9%	853
The San Geronimo Valley	40.5%	7.6%	3.1%	35.0%	13.7%	1,500
Southern Coastal West Marin	34.8%	5.6%	3.6%	40.6%	15.4%	1,026
Marinwood/Lucas Valley	60.4%	3.5%	9.2%	20.9%	6.0%	2,412
Santa Venetia/Los Ranchitos	51.6%	0.0%	9.6%	33.4%	5.4%	1,717
Kentfield/Greenbrae	63.9%	2.7%	6.4%	21.8%	5.2%	2,567

<sup>19</sup> See footnote 19.

**Table H-2.12: Household Types**

	Married-Couple Family	Male Householder, No Spouse Present	Female Householder, No Spouse Present	Single-Person Households	Other Non-Family Households	Total
Strawberry	42.1%	2.8%	11.5%	39.4%	4.2%	2,391
Tam Valley	55.9%	5.7%	7.8%	24.1%	6.5%	4,617
Marin City	28.0%	5.6%	17.1%	37.8%	11.5%	1,377
Unincorporated Marin	54.3%	4.1%	7.6%	27.0%	7.0%	25,850
Marin County	51.4%	3.6%	7.7%	29.9%	7.4%	105,432
Bay Area	51.2%	4.8%	10.4%	24.7%	8.9%	2,731,434

Source: For Marin County and Unincorporated Marin California Department of Finance, E-5 series, 2019. For Unincorporated Communities, American Community Survey Five Year Estimates, 2015-2019, Table B11001.

Note: Please refer to Table H-2.1 and Figure H22.2 for the census designated places included in the unincorporated communities

As shown in Table H-2.12, more than a quarter of the unincorporated County's population are single-person households. The County needs more housing units to serve this population, as the primary stock of housing in the unincorporated County is single-family homes, almost exclusively affordable to above-moderate income households (see Housing Units by Type and Production). There is a shortage of rental housing, including multi-family, single-family, accessory dwelling units, and Single Room Occupancy (SRO) units. In addition, opportunities for smaller, more moderately priced homeownership units are needed to serve singles, senior citizens, and lower income families.

The housing type best suited to serve the workforce of Marin, those with an income of approximately \$90,168 a year,<sup>20</sup> is often multi-family rental housing and smaller units located close to transportation and services. Examples of this type of housing include the Fireside and San Clemente developments, which provide rental housing at a range of affordability levels.<sup>21</sup> These housing developments are close to transit and services and help to reduce commute costs to the low income residents. Mixed-use

<sup>20</sup> From the Average Weekly pay for all industries (\$1,734). Quarterly Census of Employment and Wages, U.S. Department of Labor, September 2021.

<sup>21</sup> Fireside Apartments includes 50 units; 18 of which are Supportive Housing (10 for families and 8 for formerly homeless seniors). Source: Eden Housing.

developments, like Strawberry Village, are other examples of housing types that may address the needs of Marin’s workforce.

### Household Size

According to the 2019 ACS 2019, the average household size in Marin County is 2.40 persons, an increase from 2.34 in 2010 (Table H-2.13).<sup>22</sup> While owner-household size has remained almost the same since 2010 (2.42 versus 2.43), the size of renter-households in Marin County has increased in the past decade from 2.20 to 2.33 persons per household. It is possible that high housing prices are forcing people to share living accommodations, thereby increasing household size. Throughout the unincorporated County, and especially in West Marin, people are afraid to speak out about housing conditions due to a fear of retaliation.

Table H-2.13: Household Size by Tenure, Marin County 2010 and 2019

	2010	2019
Average Household Size	2.34	2.40
Renter-Occupied	2.20	2.33
Owner-Occupied	2.42	2.43

Source: 2010 U.S. Census Bureau, 2015-2019 American Community Survey, 5-Year Estimates.

### Housing Stock Characteristics

#### Housing Units by Type and Production

Based on 2021 data from the California Department of Finance (DOF), the unincorporated area of Marin has 24,778 single-family homes constituting 83% of the total housing stock, 4,452 multi-family homes comprising 15% of all housing, and 588 mobile homes, for a total of 29,818 homes (Table H-2.14). Single-family homes are slightly less dominant countywide and make up just over 71 % of the County’s total housing stock. Table H-2.14 and Table H-2.15 show the distribution of housing by type for the unincorporated County and the County as a whole. These proportions have not changed significantly in the past Housing Element planning period from 2013 to 2021.

According to ABAG, most housing produced in the region and across the State in recent years consisted of single-family homes and larger multi-unit buildings. However, some households are showing a need for “missing middle housing,” including duplexes, triplexes, townhomes, cottage clusters, and accessory dwelling units (ADUs). These

<sup>22</sup> Average household size for unincorporated area is not available.

housing types may open up more options across incomes and tenure, from young households seeking homeownership options to seniors looking to downsize and age-in-place. In unincorporated Marin County, the housing type that experienced the most growth between 2013 and 2021 was single-family housing with an increase of 163 units. Two- to four-unit housing increased by 53 units. Single-family homes also experienced the highest absolute growth in the overall County followed by multi-family housing with five or more units (Table H-2.15).

**Table H-2.14: Housing Units by Type, Unincorporated County**

Unit Type	2013		2021		Change	
	Number	Percent	Number	Percent	Number	Percent
Single-family (detached & attached)	24,615	83.2%	24,778	83.1%	163	0.7%
2-4 units	1,406	4.8%	1,459	4.9%	53	3.8%
5+ units	2,993	10.1%	2,993	10.0%	0	0.0%
Mobile homes	567	1.9%	588	2.0%	21	3.7%
Total	29,581	100.0%	29,818	100.0%	237	0.8%

Source: Department of Finance E-5 County/State Population and Housing Estimates

**Table H-2.15: Housing Units by Type, Countywide**

Unit Type	2013		2021		Change	
	Number	Percent	Number	Percent	Number	Percent
Single-family (detached & attached)	79,639	71.4%	80,146	71.1%	507	0.6%
2-4 units	8,222	7.4%	8,503	7.5%	281	3.4%
5+ units	21,704	19.5%	22,046	19.6%	342	1.6%
Mobile homes	1,974	1.8%	1,995	1.8%	21	1.1%
Total	111,539	100.0%	112,690	100.0%	1,151	1.0%

Source: Department of Finance E-5 County/State Population and Housing Estimates

Single-unit housing (attached and detached) makes up close to or over 90% of housing stock in all unincorporated communities except Marin City, where only a third of its stock is single-unit, as shown in Table H-2.16. ABAG’s 2021 Housing Needs report

concluded that production has not kept up with housing demand for several decades in the Bay Area, as the total number of units built and available has not yet come close to meeting the population and job growth experienced throughout the region.

**Table H-2.16: Housing Units by Type, Unincorporated Communities**

Community	Single-Family (Detached & Attached)	2-4 Units	5+ Units	Mobile Homes	Total
Black Point-Green Point	100.0%	0.0%	0.0%	0.0%	617
Northern Coastal West Marin	95.8%	0.0%	0.0%	4.2%	212
Central Coastal West Marin	95.3%	0.0%	4.7%	0.0%	853
The San Geronimo Valley	92.9%	4.1%	0.7%	2.3%	1,500
Southern Coastal West Marin	94.2%	4.6%	1.2%	0.0%	1,026
Marinwood/Lucas Valley	97.7%	2.3%	0.0%	0.0%	2,412
Santa Venetia/Los Ranchitos	88.4%	7.4%	4.3%	0.0%	1,717
Kentfield/Greenbrae	89.1%	3.4%	7.6%	0.0%	2,567
Strawberry	49.4%	8.1%	42.0%	0.0%	2,391
Tam Valley	90.8%	4.0%	4.5%	0.7%	4,617
Marin City	28.6%	10.0%	61.4%	0.0%	1,377

Source: American Community Survey, 2015-2019. Table B 25124

Note: Please refer to Table H-2.1: and Figure H-2.1 for the census designated places included in the unincorporated communities

The median home sales prices of single-family homes across the unincorporated County increased from \$966,000 to \$1.91 million between 2013 and 2021.<sup>23</sup> This represents almost a 100 % increase in prices, while median household income increased by 45%,<sup>24</sup> meaning home values increased significantly more than area incomes. While condominiums and townhomes are more affordable with a median home sales price of \$740,088<sup>25</sup>, they are still unaffordable for low and moderate income households.

<sup>23</sup> County of Marin Assessor, Real Estate Sales Data. Annual 2013, August 2021.

<sup>24</sup> Based on 2013 and 2021 HCD State Income Limits. Area Median Incomes for four-person households.

<sup>25</sup> County of Marin Assessor, Real Estate Sales Data. August 2021.



## Affordable and Assisted Housing

Marin County is served by one housing authority, the Marin Housing Authority (MHA). MHA is a public corporation authorized to provide decent, safe, and sanitary housing for low income people. The Marin Housing Authority operates and administers 496 property units in six locations and receives funding for housing programs from the Department of Housing and Urban Development (HUD).<sup>26</sup>

Approximately 6,125 existing affordable housing units have received some combination of local, federal, or State assistance, representing approximately 5% of the County's total housing units. However, this represents only 14% of the 42,462 low income households in the County. These units typically target renter-households earning 60% of area median income or below and serve populations including low and very low income families, households with disabilities, formerly homeless adults, and older adults. Affordable homeownership units typically serve moderate income households. Affordable housing developers and developers with nonprofit arms manage approximately 4,100 of these units. Nearly 3,000 of these units are assisted through the Marin Housing Authority's Section 8 and public housing programs. Of the public housing units, 296 units serve families, and 200 units serve senior and disabled households. Table H-2.17 shows the types of affordable housing units by type, the 6,125 units consist of the following types:

**Table H-2.17: Affordable Housing Units, 2020**

Public Housing	496
Seniors	1,126
Family Housing	2,791
Disabled	207
Home Ownership	832
Permanent Supportive Housing	337
Transitional & Shelter	336
<b>Total</b>	<b>6,125</b>

Source: Marin County 2020-2024 Consolidated Plan

As of October 2021, 793 active applicants were on the Housing Choice Voucher/Section 8 waitlist. MHA has housed 124 applicants from the waiting list between 2019 and 2021; in late 2021, 31 applicants were searching for housing with an issued voucher. Most are

<sup>26</sup> County of Marin Analysis of Impediments to Fair Housing Choice, January 2020.

struggling to find rental units with rents that fall within the payment standard and landlords willing to accept Section 8 vouchers, despite both State and local Source of Income Protection laws that prohibit discrimination against Section 8 voucher holders. MHA's Housing Choice Voucher/Section 8 waitlist opened in September 2008, and 11,200 applications were received. More than 6,000 of the applicants were removed from the waiting list due to lack of current mailing address and/or non-eligibility. Additionally, MHA has 734 applicants on the Public Housing waiting list that last opened in early 2013. The need for additional Section 8 housing was identified as an issue, particularly in West Marin, by Housing Element focus group participants.

### Age and Condition of Housing Stock

Most of the housing stock in Marin County is more than 30 years old. Approximately 86% of the existing homes throughout the County were built prior to 1990, as demonstrated by Table H-2.18. The housing stock in the unincorporated County is similarly aged, with 88% of housing units built before 1990. Among the unincorporated County communities, the San Geronimo Valley and Tam Valley have the oldest housing stock (over 93% over 30 years old); Black Point-Green Point has the newest housing stock (only 78% of units are older than 30 years) (Table H-2.19).

**Table H-2.18: Year Structure Built, Unincorporated County and Marin County**

Year Built	Unincorporated	Marin County
2010 or later	1.2%	1.4%
Built 2000 to 2010	3.9%	5.1%
Built 1990 to 1999	6.9%	7.4%
Built 1980 to 1989	10.3%	10.1%
Built 1970 to 1979	16.6%	18.1%
Built 1960 to 1969	18.8%	20.2%
Built 1950 to 1959	23.5%	18.8%
Built 1940 to 1949	7.1%	6.3%
Built 1939 or earlier	11.6%	12.6%
Total	28,973	113,084

Source: American Community Survey, 2015-2019 Five-Year Survey. Table B25034

**Table H-2.19: Year Structure Built, Unincorporated County Community Areas**

	2010 or Later	2000 to 2010	1990 to 1999	1980 to 1989	1970 to 1979	1960 to 1969	1950 to 1959	1940 to 1949	1939 or Earlier	Total
Black Point-Green Point	0.0%	16.9%	4.9%	16.6%	20.6%	6.4%	15.5%	6.9%	12.3%	627
Northern Costal West Marin	3.6%	0.0%	12.8%	19.9%	25.4%	12.1%	3.6%	0.0%	22.8%	619
Central Coastal West Marin	1.5%	3.0%	14.8%	12.1%	9.6%	17.3%	8.0%	7.4%	26.3%	1,491
The San Geronimo Valley	0.0%	5.2%	2.2%	5.5%	13.8%	14.3%	9.5%	7.4%	42.1%	1,624
Southern Coastal West Marin	4.4%	3.5%	4.3%	12.9%	14.4%	17.9%	11.8%	11.7%	19.1%	1,807
Marinwood/Lucas Valley	0.0%	2.2%	4.0%	5.0%	10.4%	38.1%	39.2%	1.0%	0.0%	2,412
Santa Venetia/Los Ranchitos	1.8%	0.8%	7.8%	6.9%	11.5%	10.9%	47.5%	7.2%	5.6%	1,717
Kentfield/Greenbrae	2.6%	5.2%	2.7%	4.8%	6.2%	18.7%	32.2%	12.0%	15.6%	2,698
Strawberry	1.0%	2.7%	10.2%	9.0%	28.7%	18.2%	22.2%	6.3%	1.6%	2,528
Tam Valley	0.6%	3.4%	5.3%	7.1%	21.8%	19.4%	23.7%	8.1%	10.5%	4,760
Marin City	0.0%	4.1%	14.4%	28.7%	11.5%	21.4%	7.4%	6.4%	6.1%	1,417

Source: American Community Survey, 2015-2019 Five-Year Survey. Table B25034.

Note: Please refer to Table H-2.1: and Figure H-2.1 for the census designated places included in the unincorporated communities

Some ACS data may be less reliable due to small survey sizes. For this reason, readers should keep in mind that the potential for data error and may not be reflective of complete development figures.

The 2019 ACS provides data about the condition of the existing housing stock countywide and in the unincorporated County (Table H-2.20). In general, the condition of the housing stock in Marin County is good, with only 2.6% of occupied housing units having substandard conditions (one or more lacking amenities). In the unincorporated County, 2.3% of the housing stock has one or more potential housing problem, which is slightly lower than the countywide percentage of 2.6%. The most common substandard condition is a lack of telephone service for both owners and renters. However, in today's

digital world, this measure may be outdated as many households have eliminated landline services and opted to rely primarily on mobile devices.

Both countywide and in the unincorporated County, a higher renter-occupied units have substandard conditions than owner-occupied units. As shown in the table below, approximately 5% of renter units have substandard conditions versus approximately 1% of owner units.

**Table H-2.20: Substandard Housing Conditions**

Amenity	Unincorporated County			Marin County		
	Owner	Renter	All	Owner	Renter	All
Lacking complete kitchen facilities	0.2%	1.4%	0.5%	0.2%	2.4%	1.0%
Lacking plumbing facilities	0.3%	0.8%	0.4%	0.3%	0.6%	0.4%
No telephone service available	0.8%	2.7%	1.4%	0.8%	2.2%	1.3%
All Units with Problem	1.3%	4.9%	2.3%	1.2%	5.1%	2.6%
Total Units	18,611	7,239	25,850	67,115	38,317	105,432

**Note:**

Survey asked whether telephone service was available in the house, apartment, or mobile home. A telephone must be in working order and service available in the house, apartment, or mobile home that allows the respondent to both make and receive calls.

Source: American Community Survey, 2015-2019. Tables B25053, B25043, and B25049.

Note: Please refer to Table H-2.1: and Figure H-2.1 for the census designated places included in the unincorporated communities

The Marin County Housing Authority (MHA) conducts housing quality inspections (HQS inspections) on their properties. Below is the annual percentage of units that MHA found to be substandard:

- 2021 31%
- 2020 40%
- 2019 32%
- 2018 28%
- 2017 28%

The County’s Code Enforcement division is complaint driven and most complaints related to substandard housing are neighbors complaining about an animal or insect infestation close by. Most of these complaints are not able to be substantiated. In recent informal windshield surveys conducted by code enforcement staff, 1-3% of residences have looked substandard. However, this does not account for properties that are

setback from the street, behind a locked gate, or contain accessory buildings, etc. The Environmental Health Services (EHS) Division inspects all multi-family complexes with three or more units every other year on a biennial schedule. While common areas can be inspected, units are only inspected if authorization is given by the tenant. Normally, about 25-30% of all units are inspected. Of those inspected, EHS has reported that very few units are substandard. Under an enhanced inspection program authorized by the Board of Supervisors in 2018, EHS would inspect all units if the owner fails to correct minor or major environmental health code violations within a timely manner, if authorization is given by the tenant. This is particularly the case in West Marin. According to the Marin Housing Authority's Housing Quality Standards (HQS) inspection program, which is undertaken for units using Section 8 vouchers, public housing units, and HUD Mental Health Agency (MHA) units, over the past five years, 26% of units inspected did not meet the definition for decent, safe, and sanitary housing. Examples include missing or inoperable smoke detectors, appliances not working, or windows and doors not operating as designed. The Housing Plan includes Program 22 for the County to consider expanding the inspection services to cover the entire housing stock.

### **Housing Construction Prices and Trends**

Throughout Marin County, new housing construction is increasing the size and already high proportion of single-family units relative to other unit types. In Fiscal Year 2020, 38% the new residential construction permits issued were for single-family homes and none for multi-family developments.<sup>27</sup> The average size of these homes was 3,056 square feet, which reflects the predominant development pattern in unincorporated Marin County of large, custom-built, single-family homes. Smaller units, which are usually more affordable, have a higher price per square foot than do larger homes because of land prices.<sup>28</sup> This may act as a disincentive to construct smaller, more modest homes, unless developed a higher density.

The existing construction trends contribute to the increasing imbalance between the wages earned in Marin County and the housing costs of new and existing homes. Due to the high cost of land and limited available stock, these trends were not significantly impacted by the economic downturn associated with the COVID-19 pandemic. Housing costs continue to rise in Marin County, making it increasingly difficult for those at lower and moderate income levels to find affordable housing options.

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<sup>27</sup> From the 2020 Annual Progress Report. Table A2 Building Activity (Entitled, Permitted, and Completed Units). 38 % single-family, 58 % accessory dwelling units, and four % mobile homes.

<sup>28</sup> Inclusionary Zoning In-Lieu Fee Analysis, March 2008 by Vernazza Wolf Associates

## Vacancy Rate Trends

Data from the 2019 ACS illustrates Marin's homeowner vacancy rate at 0.6% and rental vacancy rate at 2.7%, which are among the lowest in the entire Bay Area region. Table H-2.21 below shows the different types of vacancies with the most common type being For Seasonal, Recreational, Or Occasional Use (vacancy rate of 57.1%). According to ABAG's Housing Needs Report, the Census Bureau classifies a unit as vacant if no one is occupying it when census interviewers are conducting the ACS or Decennial Census. Vacant units classified as "for recreational or occasional use" are those that are held for short-term periods of use throughout the year. Accordingly, vacation rentals and short-term rentals like AirBnBs or VRBO are likely to fall in this category. Based on the Marin County Department of Finance data, 509 units in the unincorporated County were listed as short-term rental properties in January 2022, which is likely an undercount since a number of short-term rentals do not register with the County. For several unincorporated communities, the number of short-term rentals is a significant percentage of the community's overall residential units. This is the case for Muir Beach (35%), Dillon Beach and Marshall (25%) and Stinson Beach (21%).<sup>29</sup> The focus groups held for this Housing Element update emphasized that short-term rentals impact the housing market, particularly in West Marin.

The County will explore options in this housing element cycle to limit short-term rentals in order to preserve housing for permanent residential units. Another program will look at possibly establishing a vacant home tax in the unincorporated County. Details of the programs are included in Section 5 of this element. The Census Bureau classifies units as "other vacant" if they are vacant due to foreclosure, personal/family reasons, legal proceedings, repairs/renovations, abandonment, preparation for being rented or sold, or vacant for an extended absence for reasons such as a work assignment, military duty, or incarceration.<sup>30</sup> In a region with a thriving economy and housing market like the Bay Area, units being renovated/repared and prepared for rental or sale are likely to represent a large portion of the "other vacant" category. Additionally, the need for seismic retrofitting in older housing stock could also influence the proportion of "other vacant" units in some jurisdictions. Table H-2.21 shows that vacant long-term rental properties in unincorporated Marin County. Table H-2.21 also shows that differences in the type of vacant units between the unincorporated County than Marin County. While the unincorporated County has higher overall vacancy rates than Marin County, it has a lower for-rent vacancy rate (6.3%) than the County (14.2%).

<sup>29</sup> Marin County Housing and Federal Grants. Measure W Working Group Data Package.

<sup>30</sup> For more information, see pages 3 through 6 of this list of definitions prepared by the Census Bureau: <https://www.census.gov/housing/hvs/definitions.pdf>.

**Table H-2.21: Vacant Units by Type**

Geography	Unincorporated Marin	Marin County
For Rent	6.3%	14.2%
For Sale	2.1%	4.6%
For Seasonal, Recreational, Or Occasional Use	57.1%	33.1%
Other Vacant	30.7%	40.6%
Rented, Not Occupied	2.5%	4.2%
Sold, Not Occupied	1.4%	3.3%
Total Vacant out of Total Housing Units	10.8%	6.8%

Source: American Community Survey, 2015-2019. Tables B25002 and B25004.

In general, a higher vacancy rate is considered necessary by housing experts to assure adequate choice in the marketplace and to temper the rise in home prices. A minimum five % rental vacancy rate is considered crucial to permit ordinary rental mobility. In a housing market with a lower vacancy rate, strong market pressure will inflate rents, and tenants will have difficulty locating appropriate units. The 2000s saw a significant tightening in the local housing market due to the recession, a phenomenon that was also experienced in many Bay Area communities. Nationwide, there was a sharp drop in multi-family housing construction during the since the 1990s but especially in the past 20 years, which has also contributed to low vacancy rates and rising rents.

According to Fair Housing Advocates of Northern California (FHANC)<sup>31</sup>, Marin County's low vacancy rate also increases the tendency for landlords to discriminate against potential renters. Between 2020 and 2021, 68 complaints were from unincorporated communities. Overall, Marin City had the highest incidence of reported discrimination complaints, making up about 45.6% of all the complaints in the unincorporated County (please refer to AFFH appendix for additional information). The focus groups for this Housing Element update expressed that discrimination is experienced by people of color and families and that many people do not speak out about housing conditions because of retaliation concerns. FHANC's staff attorney advocates for tenants and negotiates with landlords to find reasonable accommodations for thousands of persons with disabilities, to enable them to live in accessible housing. They also educate landowners on fair housing laws, provides seminars and brochures in English, Spanish,

<sup>31</sup> The Fair Housing Advocates of Northern California (FHANC) is a civil rights organization that investigates housing discrimination, including discrimination based on race, national origin, disability, gender, and children.

and Vietnamese on how to prepare for a housing search and recognize discrimination, and sponsors school programs aimed at encouraging tolerance.

## **Housing Costs, Household Income, and Ability to Pay for Housing**

### **Household Income**

Income is defined as wages, salaries, pensions, social security benefits, and other forms of cash received by a household. Non-cash items, such as Medicare and other medical insurance benefits, are not included as income. For housing to be considered affordable, housing costs should not exceed 30% of income. Housing costs include rent and utilities for renters, and principal, interest, property taxes, and insurance for homeowners. It is therefore critical to understand the relationship between household incomes and housing costs to determine how affordable or unaffordable housing really is.

An estimated 38% of unincorporated Marin County households fall in the extremely low, very low, and low income categories, earning less than 80% of median income (Table H-2.22). In comparison, approximately 41% of all Marin County households and 39% of Bay Area households earn less than 80% of median income. There is an even greater proportion of extremely low, very low, and low income households among renters. Estimates from 2017 report that 57% of all renters in unincorporated Marin County were in the extremely low, very low, and low income categories.<sup>32</sup>

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<sup>32</sup> Association of Bay Area Governments Metropolitan Transportation Commission, Housing Needs Data Report: Unincorporated Marin, April 2, 2021.



**Table H-2.22: Households by Income Level- Unincorporated County and Marin County**

	Unincorporated Marin		Marin County	
	Number	Percent	Number	Percent
Extremely Low (0%-30% of AMI)	3,623	14.0%	15613	14.9%
Very Low (31%-50% of AMI)	2,773	10.7%	11749	11.2%
Low (51%-80% of AMI)	3,537	13.6%	15100	14.4%
Median (81%-100% of AMI)	2,185	8.4%	9385	9.0%
Moderate and Above (Greater than 100% of AMI)	13,826	53.3%	53004	50.6%
Total Households	25,944	100.0%	104,851	100.0%

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release in ABAG Housing Needs Data Packet.

Note: Please refer to Table H-2.1: and Figure H-2.1 for the census designated places included in the unincorporated communities

For the unincorporated communities, Table H-2.23 illustrates that five communities have a majority (more than 50 %) of above moderate income households. The Kentfield/Greenbrae community has the highest percentage (68.7) of above moderate income households. A significant percentage of lower income households are found in Northern-Coastal West Marin, Central-Coastal West Marin, the San Geronimo Valley, Santa Venetia/Los Ranchitos, Strawberry, and Marin City. The communities of Central-Coastal West Marin and Marin City have the highest percentages of extremely low income households (29% and 39.7%, respectively).

**Table H-2.23: Households by Household Income Level, Unincorporated Communities**

Community	0%-30% of AMI	31%-50% of AMI	51%-80% of AMI	81%-100% of AMI	Greater than 100% of AMI	Total
Black Point-Green Point	8.5%	8.5%	14.5%	6.8%	61.5%	585
Northern Costal West Marin	23.3%	14.0%	4.7%	7.0%	51.2%	215
Central Coastal West Marin	29.0%	14.0%	18.8%	7.5%	30.6%	930
The San Geronimo Valley	15.1%	11.9%	16.4%	14.0%	42.6%	1,641
Southern Coastal West Marin	18.3%	10.3%	17.3%	7.5%	46.7%	975
Marinwood/Lucas Valley	8.4%	11.1%	12.1%	15.0%	53.5%	2,440
Santa Venetia/Los Ranchitos	14.6%	14.3%	17.1%	13.7%	40.3%	1,750
Kentfield/Greenbrae	10.0%	7.5%	8.8%	5.0%	68.7%	2,605
Strawberry	18.8%	9.0%	15.1%	9.4%	47.8%	2,450
Tam Valley	9.6%	6.0%	9.0%	7.3%	68.0%	4,365
Marin City	39.7%	23.0%	8.3%	5.2%	23.8%	1,260

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release.

Note: Please refer to Table H-2.1: and Figure H-2.1 for the census designated places included in the unincorporated communities

In Marin County, the median income as of 2021 for a family of four is \$149,600, which is a 45% increase from the median income in 2013. A household of four with an income less than \$54,800 is considered extremely low income.<sup>33</sup> As of 2017, more than 15,600 households countywide, or 15% of total households, were extremely low income. In the unincorporated County, an estimated 3,623 households were classified as extremely low income, representing 14% of households.<sup>34</sup>

Information on household income by household size is maintained by the U.S. Department of Housing and Urban Development (HUD) for each county and is updated annually. The California Department of Housing and Community Development (HCD) adjusts each county's median income to at least equal the state non-metropolitan county

<sup>33</sup> California Department of Housing and Community Development, effective April 26, 2021

<sup>34</sup> See footnote 24

median income. The State Income Limits for 2021 were published in April 2021 and are shown below.

**Table H-2. 24: FY 2021 Marin County Income Limits (HCD)**

Household Size	Extremely Low (<30% AMI)	Very Low (30%-50% AMI)	Low (50%-80% AMI)	Median	Moderate (80%-120% AMI)
1	38,400	63,950	102,450	104,700	125,650
2	43,850	73,100	117,100	119,700	143,600
3	49,350	82,250	131,750	134,650	161,550
4	54,800	91,350	146,350	149,600	179,500
5	59,200	98,700	158,100	161,550	193,850
6	63,600	106,000	169,800	173,550	208,200
7	68,000	113,300	181,500	185,500	222,600
8	72,350	120,600	193,200	197,450	236,950

Source: California Department of Housing and Community Development, State Income Limits for 2021, April 26, 2021.

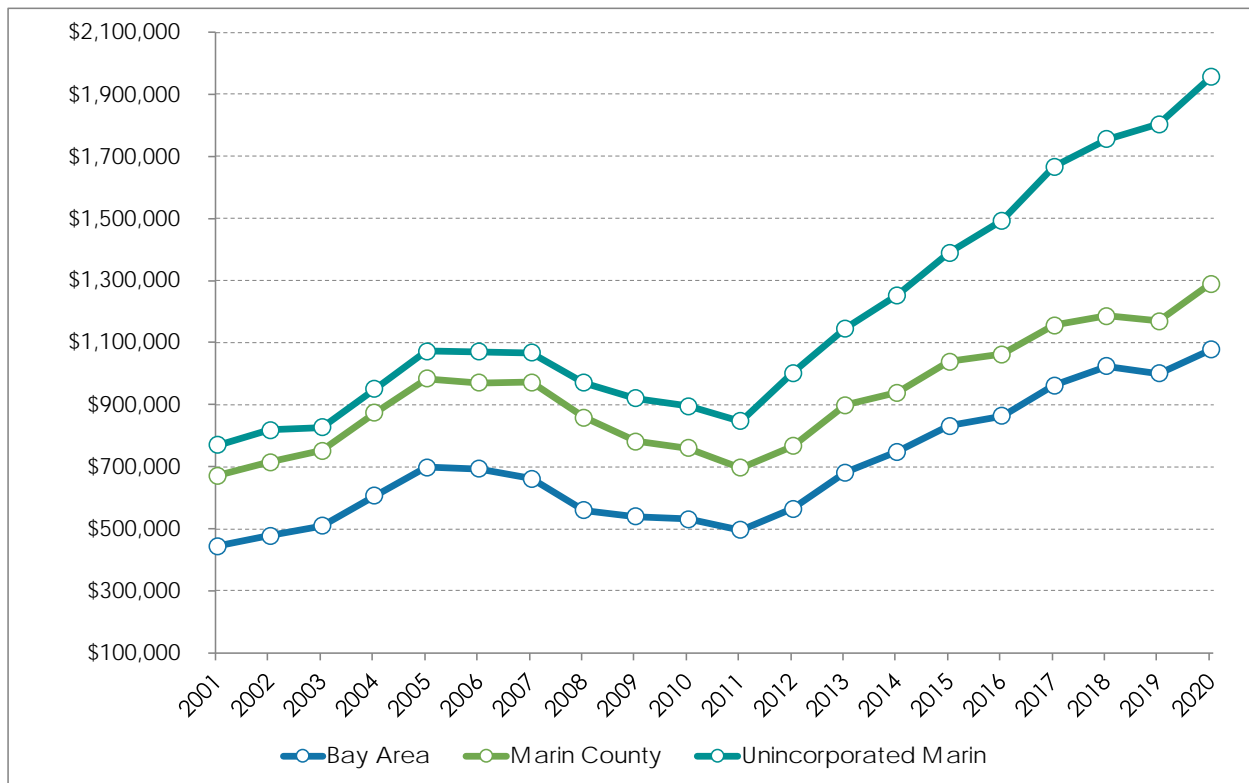
Note: AMI = Area Median Income

The “Median Income” schedule shown above is based on the FY2021 median family income for Marin County, CA of \$149,600 for a four-person household. HCD adjusts each county’s area median income to at least equal the state non-metropolitan county median income, as published by HUD.

## Home Sales Prices

In December 2020, the typical home value in unincorporated Marin County was estimated at \$1,955,764 per data from Zillow<sup>35</sup>. The largest proportion of homes were valued between \$1 million to \$1.5 million. By comparison, the typical home value is \$1,288,807 in Marin County and \$1,077,233 the Bay Area, with the largest share of units valued \$750,000 to \$1 million (county) and \$500,000 to \$750,000 (region).<sup>36</sup> After securing a 20% down payment, a household would need to be able to afford a monthly house payment of about \$6,620 (plus utilities) to afford a home at the median value. This amount is above affordability for all low and moderate income households in unincorporated Marin.

**Figure H-2.4: Home Values in Marin County and the Bay Area**



Zillow data is also available by ZIP code, and recent trends are shown for the unincorporated communities in Table H-2.25: . In 2020, the range of home values was between \$916,518 to \$3,416,244, and all communities experienced significant increases in home values since 2013 (minimum of 29 % increase in value).

<sup>35</sup> Typical home value – Zillow describes the Zillow Home Value Index (ZHVI) as a smoothed, seasonally adjusted measure of the typical home value and market changes across a given region and housing type. The ZHVI reflects the typical value for homes in the 35<sup>th</sup> to 65<sup>th</sup> percentile range and includes all owner-occupied housing units, including both single-family homes and condominiums.

<sup>36</sup> Housing Needs Data Report: Unincorporated Marin. AGAG/MTC Staff and Baird+Driskell Community Planning, April 2, 2021.

**Table H-2.25: Home Values, Unincorporated Communities**

Community Name	Zip Code	Home Value - Dec. 2013	Home Value - Dec. 2020	% Change in Value
Black Point-Green Point	94945	\$670,899	\$927,428	38.2%
Northern Coastal West Marin	94929	\$757,012	\$1,049,628	38.7%
	94971	\$662,154	\$961,486	45.2%
Central Coastal West Marin	94956	\$827,089	\$1,290,055	56.0%
	94937	\$807,195	\$1,271,424	57.5%
The San Geronimo Valley	94946	\$1,322,537	\$1,706,118	29.0%
	94963	\$860,519	\$1,234,562	43.5%
	94973	\$677,232	\$971,882	43.5%
	94938	\$705,037	\$1,025,663	45.5%
	94933	\$645,740	\$916,518	41.9%
Southern Coastal West Marin	94970	\$1,744,475	\$3,416,244	95.8%
	94924	\$1,066,412	\$1,656,332	55.3%
	94965	\$1,036,162	\$1,418,479	36.9%
Marinwood/Lucas Valley	94946	\$1,322,537	\$1,706,118	29.0%
	94903	\$773,354	\$1,144,075	47.9%
Santa Venetia/Los Ranchitos	94903	\$773,354	\$1,144,075	47.9%
Kentfield/Greenbrae	94904	\$1,450,420	\$2,001,013	38.0%
Strawberry	94941	\$1,221,218	\$1,744,308	42.8%
Tam Valley	94941	\$1,221,218	\$1,744,308	42.8%
Marin City	94965	\$1,036,162	\$1,418,479	36.9%

Source: Zillow, Zillow Home Value Index (ZHVI).

Notes: Zillow describes the ZHVI as a smoothed, seasonally adjusted measure of the typical home value and market changes across a given region and housing type. The ZHVI reflects the typical value for homes in the 35th to 65th percentile range. The ZHVI includes all owner-occupied housing units, including both single-family homes and condominiums. More information on the ZHVI is available from Zillow.

Note: Please refer to Table H-2.1: and Figure H-2.1 for the census designated places included in the unincorporated communities

## Rental Prices

Similar to home values, rents have also increased dramatically across the Bay Area in recent years. The U.S. Census provides information on median contract rents. The following table shows these rents for the unincorporated communities and the unincorporated County in 2010 and 2019. The contract median rents in the unincorporated area increased from \$1,536 a month in 2010 to \$1,774 in 2019, representing a 15% increase. While information was not available for all of the unincorporated communities, the Black Point-Green Point area saw the largest rent increases, from \$679 to \$1,965 in a nine-year period.

**Table H-2. 26: Median Contract Rents, Unincorporated Communities**

Community/Area	2010	2019
Black Point-Green Point	\$679	\$1,965
Northern Coastal West Marin (Dillon Beach area)	n/a	\$2,605
Central Coastal West Marin	\$967-\$1536	\$1610 - \$1858
The San Geronimo Valley (Woodacre and Lagunitas-Forest Knolls areas)	\$1433-\$2000	\$1349-\$2198
Southern Coastal West Marin	\$1110-\$2000	\$1574-\$1841
Marinwood/Lucas Valley	\$2,000	\$2,194
Santa Venetia/Los Ranchitos	\$1,488	n/a
Kentfield/Greenbrae	\$1,324	\$2,091
Strawberry	\$1,512	\$2,089
Tam Valley	\$2,000	\$2,699
Marin City	\$1,211	\$1,622
Unincorporated Marin County	\$1,536	\$1,774

Sources: ABAG Housing Needs Data Packet ; 2015-2019 ACS, 2010 ACS Table B25058 (renter occupied housing units paying cash rent).

Note: Please refer to Table H-2.1: and Figure H-2.1 for the census designated places included in the unincorporated communities

Because the ACS data may not fully reflect current rent trends, an online rent survey was conducted in February 2022. The rents for apartments are shown Table H-2.27. The median rent for a one-bedroom apartment was \$2,450 while the median rent for two-bedrooms was \$3,151.

**Table H-2.27: Apartment Rent Survey, Unincorporated County**

# of Bedrooms	# Units Advertised	Rental Range	Median Rent
Apartments/Condos/Duplex			
1 Bedroom	9	\$1,750-\$3,800	\$2,450
2 Bedrooms	8	\$2,600-\$7,000	\$3,151

Sources: Rentcafe.com, Craigslist.com, Apartments.com; accessed 2/9/22

Only a few houses were listed for rent in February 2022. The prices were as follows:

- One-bedroom home listed at \$2,650/month
- One-bedroom home listed at \$2,800/month
- Two-bedroom home listed at \$4,950/month
- Three-bedroom home listed at \$7,995/month
- Four-bedroom home listed at \$4,890/month

### Housing Affordability by Household Income

Housing affordability is dependent upon income and housing costs. Using set income guidelines, current housing affordability can be estimated. According to the HCD income guidelines for 2021, the Area Median Income (AMI) in Marin County was \$149,600 (adjusted for household size). Assuming that the potential homebuyer has sufficient credit and down payment (10%) and spends no greater than 30% of their income on housing expenses (i.e., mortgage, taxes and insurance), the maximum affordable home price and rental price can be determined. The maximum affordable home and rental prices for residents Marin County are shown in Table H-2.28 below.

**Table H-2.28: Housing Affordability Matrix Marin County (2021)**

Annual Income	Affordable Housing Cost		Utilities, Taxes and Insurance			Affordable Price		
	Rent	Own	Rent	Own	Taxes/ Insurance /HOA	Rent	Purchase	
<b>Extremely Low Income (30% of AMI)</b>								
One Person	\$38,400	\$960	\$960	\$280	\$306	\$336	\$680	\$83,824
Small Family	\$49,350	\$1,234	\$1,234	\$329	\$371	\$432	\$905	\$113,659
Large Family	\$59,200	\$1,480	\$1,480	\$408	\$476	\$518	\$1,072	\$128,117
<b>Very Low Income (50% of AMI)</b>								
One Person	\$63,950	\$1,599	\$1,599	\$280	\$306	\$560	\$1,318	\$193,245
Small Family	\$82,250	\$2,056	\$2,056	\$329	\$371	\$720	\$1,727	\$254,556
Large Family	\$98,700	\$2,468	\$2,468	\$408	\$476	\$864	\$2,060	\$297,280
<b>Low Income (80% of AMI)</b>								
One Person	\$102,450	\$2,561	\$2,561	\$280	\$306	\$896	\$2,281	\$358,124
Small Family	\$131,750	\$3,294	\$3,294	\$329	\$371	\$1,153	\$2,965	\$466,544
Large Family	\$158,100	\$3,953	\$3,953	\$408	\$476	\$1,383	\$3,545	\$551,665
<b>Moderate Income (120% of AM)</b>								
One Person	\$125,650	\$3,141	\$3,141	\$280	\$306	\$1,099	\$2,861	\$457,480
Small Family	\$161,550	\$4,039	\$4,039	\$329	\$371	\$1,414	\$3,710	\$594,165
Large Family	\$193,850	\$4,846	\$4,846	\$408	\$476	\$1,696	\$4,438	\$704,768

1. Small family =3-person household.
2. Large family= 5-person household.

Source: California Department of Housing and Community Development, 2021 Income limits; and Veronica Tam and Associates.

Assumptions: 2021 HCD income limits; 30% gross household income as affordable housing cost; 35% of monthly affordable cost for taxes and insurance; 10.0% down payment; and 3.0% interest rate for a 30-year fixed-rate mortgage loan. Utilities based on the Marin Housing Authority Utility Allowance, 2021. Utility allowances based on the combined average assuming all electric and all natural gas appliances.



Comparing the information from Table H-2.28 with the rental and purchase prices described earlier in this section, the following assumptions can be made about affordability in Marin County:

- Home Purchases: Based on the home value range between \$916,518 to \$3,416,244 listed in Table II-25, purchasing a home is beyond the reach of all low and moderate income households. The affordability limit for a large moderate income family is \$704,768.
- Home Rentals: The limited home rental information that was found included a range of \$2,650 for a one-bedroom to \$7,995.00 for a three-bedroom home. These rents are not affordable for lower income households. While a one-person moderate household can afford a one-bedroom home rental, larger households are not able to afford larger units.
- Apartment Rentals: The rental survey described above showed a median rent of \$2,450 for a one-bedroom apartment and \$3,151 for a two-bedroom unit. These rental prices are affordable for moderate income households.

The Housing Plan (Section 5) includes programs for the County to continue to try and facilitate affordable home ownership and rental housing. This includes the Below Market Rate Homeownership program and the Community Land Trust rental program.

### **Ability to Pay for Housing/Cost Burden**

According to HUD, affordable housing costs should equal 30% or less of a household's income. Because household incomes and sizes vary, the affordable price for each household also varies. For example, a double income household with no children could afford a different level of housing cost than a large family with one lower income wage earner.

The cost of housing, particularly for homeownership, was a consistent theme in the public outreach for this Housing Element. The following is a summary of information from the community survey:

- 59% of respondents selected "Increase the amount of housing that is affordable to moderate, low, and very low income residents" as a top housing priority.
- 47% of respondents selected "Increase homeownership opportunities for moderate, low and very low income residents" as a top housing priority.
- 55% of survey respondents felt there was limited availability of affordable units
- Regarding insufficient housing in their community:
  - 59% selected insufficient housing for low income households
  - 35% selected insufficient housing for families with children
  - 34% selected insufficient housing for older adults.

Per federal criteria, households are considered to be overpaying, or cost burdened, when they pay more than 30% of their income for housing. Severe cost burden is when households spend 50% or more on housing. In 2019, approximately 20% of households in unincorporated Marin, Marin County and the Bay Area all experienced overpayment (Table H-2.29). Severe cost burden impacted 17% unincorporated Marin households, 18% of Marin County households, and 16% in the Bay Area.

**Table H-2.29: Cost Burden Severity**

	0%-30% of Income Used for Housing		30%-50% of Income Used for Housing		50%+ of Income Used for Housing	
	Units	Percent	Units	Percent	Units	Percent
Unincorporated Marin	15,349	61.5%	5,195	20.8%	4,404	17.7%
Marin County	61,813	60.1%	21,630	21.0%	19,441	18.9%
Bay Area	1,684,831	63.1%	539,135	20.2%	447,802	16.8%

Source: ABAG Housing Needs Data Report, 2021.

Data is from the US Census Bureau, ACS 2015-2019, Tables B25070, B25091

Table H-2.30 examines cost burden in the unincorporated communities and illustrates that many communities experience both cost burden and severe cost burden at a greater rate than unincorporated Marin overall. Marin City holds the highest percentages, with approximately 25% of households cost burdened, and 25% severely cost burdened.

**Table H-2.30: Cost Burden Severity, Unincorporated Communities**

Community	0%-30% Income Used for Housing	Cost Burden 30-50%	Cost Burden 50%+
Black Point-Green Point	68.5%	15.2%	16.3%
Northern Costal West Marin	55.8%	25.6%	18.6%
Central Coastal West Marin	56.2%	19.2%	24.6%
The San Geronimo Valley	66.2%	17.1%	16.8%
Southern Coastal West Marin	55.5%	22.3%	22.1%
Marinwood/Lucas Valley	62.4%	23.3%	14.4%
Santa Venetia/Los Ranchitos	69.0%	18.8%	12.2%
Kentfield/Greenbrae	72.1%	11.6%	16.2%
Strawberry	61.1%	19.0%	19.9%
Tam Valley	71.9%	15.0%	13.1%
Marin City	49.8%	24.9%	25.3%

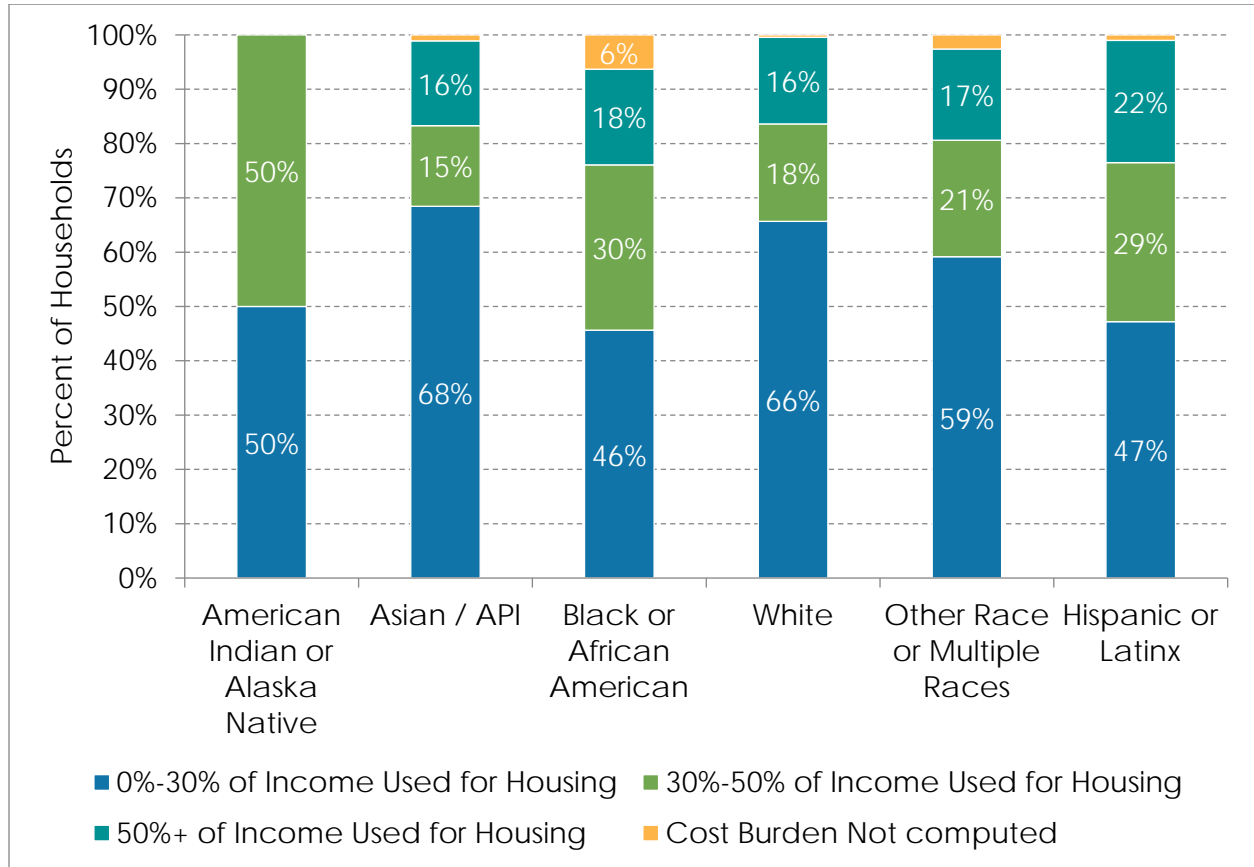
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Note: Please refer to Table H-2.1: for the census designated places included in the unincorporated communities

The ABAG Housing Needs Data Report shows that people of color often pay a greater percentage of their income on housing, and in turn, are at a greater risk of housing insecurity. Many factors contribute to this including federal and local housing policies that have historically excluded them from the same opportunities extended to white residents.<sup>37</sup> As shown in Figure H-2.5, American Indian or Alaska Native, Non-Hispanic residents are the most cost burdened with half of these residents spending 30% to 50% of their income on housing, and Hispanic or Latin residents are the most severely cost burdened with 22.5% spending more than 50% of their income on housing.

<sup>37</sup> Housing Needs Data Report: Unincorporated Marin. AGAG/MTC Staff and Baird+Driskell Community Planning, April 2, 2021.

**Figure H-2.5: Cost Burden by Race/Ethnicity**



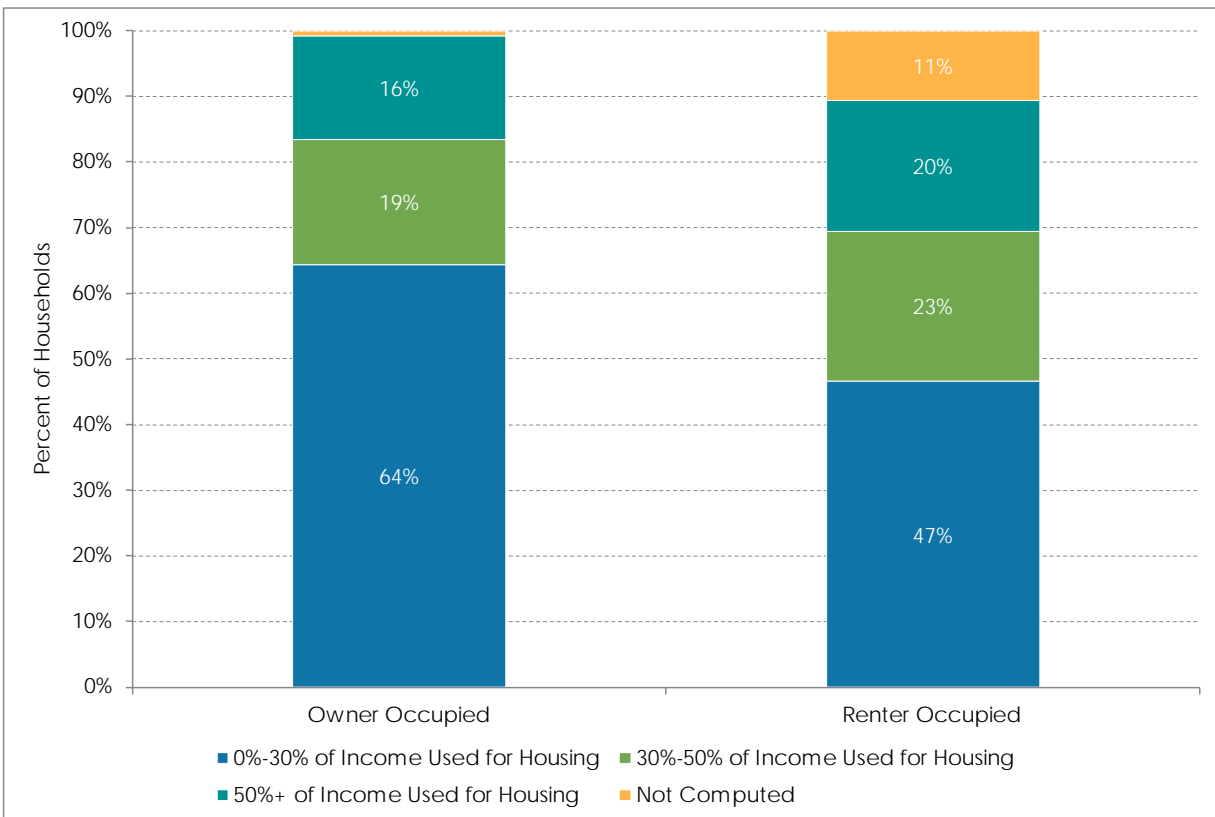
In addition to looking at overall cost burden, it is important to examine disparities between renter- and owner-households. Figure H-2.6 shows that 43% of unincorporated renter- households face cost burden issues compared to 35% of owner-households. Additionally, owner households are given tax breaks for mortgage interest payments, which renter households do not receive. The largest and often least recognized federal housing subsidy include mortgage and property tax deductions. However, recent changes to the federal tax law limit total State tax deductions to \$10,000, which is significantly below the costs associated with mortgage interests and property taxes given the high costs of housing in California.

The AFFH appendix in this Housing Element found that trends of disproportionate housing problems and cost burdens for Black and Hispanic residents persist in the unincorporated County. About two-thirds of all Black and Hispanic households experience housing problems and a similar share also experience housing problems. Like in the County, owner households experience housing problems and cost burdens at lower rates than renter households. Also, owner housing problems and cost burden rates are similar for White, Black, and Asian owners, but higher for Hispanic households.

This means that Hispanic households experience housing problems and cost burdens at the highest rates regardless of tenure.

The income level of households also greatly impacts the ability to pay for housing. Table H-2.31 illustrates that due to high housing costs in the area, lower income households experience much greater levels of cost burden. As previously demonstrated, housing costs continue to outpace household incomes. The incidence of overpayment for very low, low, and moderate income households is likely to increase in the future.

**Figure H-2.6: Cost Burden for Homeowners and Renters in Unincorporated Marin County**



Source: ABAG Housing Needs Data Packet, 2021.

Data is from the US Census Bureau, ACS 2015-2019, Tables B25070, B25091

Table H-2.31: Income by Cost Burden, Unincorporated County

	Cost Burden > 30%	Percent	Cost Burden > 50%	Percent
<b>Owners</b>				
Household Income <= 30% AMI	4,675	21.5%	3,770	38.4%
Household Income >30% to <=50% AMI	3,695	17.1%	2,265	23.1%
Household Income >50% to <=80% AMI	4,280	19.7%	1,965	20.0%
Household Income >80% to <=100% AMI	2,780	12.8%	895	9.1%
Household Income >100% AMI	6,215	28.7%	910	9.3%
Total	21,645	100%	9,805	100%
<b>Renters</b>				
Household Income <= 30% AMI	7,290	40.6%	6,085	63.2%
Household Income >30% to <=50% AMI	4,605	25.6%	2,500	25.9%
Household Income >50% to <=80% AMI	4,245	23.6%	890	9.2%
Household Income >80% to <=100% AMI	985	5.5%	95	0.9%
Household Income >100% AMI	795	4.4%	55	0.6%
Total	17,920	100%	9,625	100%

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release.

Note: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes.

Table H-2. 32 below translates occupation incomes into affordable rents, by calculating the rents that households would pay if they were to spend 30 % of their income on housing (33% for owner-occupied housing). These numbers demonstrate that market prices for single-family homes are out of reach for many people who work in Marin County.

**Table H-2. 32: Income by Occupation, Unincorporated County**

Occupation	Average Hourly Wage	Average Annual Income**	Affordable Rent and Utilities
<b>Very Low Income: &lt;\$73,100</b>			
Dishwashers	\$16.70	\$34,734	\$868.35
Landscaping and Groundskeeping Workers	\$20.15	\$41,913	\$1,047.82
Retail Salesperson	\$20.75	\$43,163	\$1,079.07
Construction Laborers	\$26.56	\$55,256	\$1,381.40
Child, Family and School Social Workers	\$26.61	\$55,354	\$1,383.85
Medical Assistant	\$27.19	\$56,562	\$1,414.05
Passenger Vehicle Drivers, Except Bus Drivers	\$27.78	\$57,781	\$1,444.52
<b>Low Income: \$73,100-\$117,100</b>			
Carpenters	\$37.45	\$77,910	\$1,947.75
Paralegals and Legal Assistants	\$39.36	\$81,878	\$2,046.95
Plumbers, Pipefitters, and Steamfitters	\$40.25	\$83,722	\$2,093.05
Elementary School Teachers, Except Special Education		\$92,217	\$2,305.42
Firefighters	\$49.24	\$102,418	\$2,560.45
<b>Moderate Income: \$117,100-\$143,600</b>			
Radiologic Technologists and Technicians	\$56.31	\$117,131	\$2,928.27
Construction Supervisor	\$56.45	\$117,423	\$2,935.57
Dental Hygienists	\$66.55	\$138,428	\$3,460.70
Physician Assistant	\$66.60	\$138,533	\$3,463.32

Source: California Employment Development Department 2021 (Q1) Occupation Profiles, San Rafael Metropolitan District.

\*Income categories based on State 2021 Income Limits for 2-person household with one wage earner

\*\*Based on full-time employment

The impact of housing cost burden on low income households can be significant regardless of tenure, as illustrated in Table H-2.31. In particular seniors, many large families, and single-parent or female-headed households are struggling with housing costs. The costs of health care, food, and transportation compound the difficulty of finding and maintaining affordable tenancy or homeownership.

As described in the Affirmatively Furthering Fair Housing (AFFH) appendix, The communities of Central Coastal West Marin and Marin City have the highest percentages of low and moderate income households (62 and 71%, respectively. In addition, both Central Coast West Marin and Marin City the highest percent of extremely low income households (29% and 40%, respectively). This makes the likelihood of housing cost burden much greater in these areas.

In addition to the income-restricted affordable housing units in the County, there are a number of resources and programs available to assist households with cost burdens, housing counseling or other housing problems. Many of these organizations were contacted for feedback and input in the outreach process for this Housing Element update (please refer to Appendix A , Public Outreach).

### **Overcrowding**

Overcrowded housing is defined by the U.S. Census as units with more than one inhabitant per room, excluding kitchens and bathrooms. Units with more than 1.5 persons per room are considered severely overcrowded. In 2019, as shown in Table H-2.33, the incidence of overcrowding in unincorporated Marin County was 0.9% for owner-occupied units and 13.4% for rental units. Severe overcrowding impacted 0.4% of owner-occupied units and 5% of rental units. However, it is likely that these Census counts of overcrowding underestimated the actual occurrence, as households living in overcrowded situations were unlikely to provide accurate data on household members who might be living in the unit illegally or in violation of a rental agreement.



Table H-2.33: Overcrowding by Tenure, Unincorporated County

	Number of Occupied Units	Percentage of Units
<b>Owner-Occupied:</b>		
0.50 or less occupants per room	53,239	81.5%
0.51 to 1.00 occupants per room	11,454	17.5%
1.01 to 1.50 occupants per room	348	0.5%
1.51 to 2.00 occupants per room	129	0.2%
2.01 or more occupants per room	155	0.2%
Total	65,325	
<b>Renter-Occupied:</b>		
0.50 or less occupants per room	20,483	51.2%
0.51 to 1.00 occupants per room	14,096	35.3%
1.01 to 1.50 occupants per room	3,374	8.4%
1.51 to 2.00 occupants per room	1,647	4.1%
2.01 or more occupants per room	373	0.9%
Total	39,973	

Source: US Census Bureau, ACS 2015-19 Table B25014

Table H-2.34 shows overcrowding levels in the unincorporated Marin communities. For owner-occupied units, the highest levels of overcrowding are in Southern-Coastal West Marin (five %) and Santa Venetia/Los Ranchitos (4%). Both renter overcrowding and severe overcrowding is seen in the community of Marin City (11 % and nine %, respectively).

**Table H-2.34: Overcrowded Households, Unincorporated Communities**

Owner-Households	0.50 or less occupants per room	0.51 to 1.00 occupants per room	1.01 to 1.50 occupants per room	1.51 to 2.00 occupants per room	2.01 or more occupants per room
Black Point-Green Point	69.9%	28.3%	0.0%	1.8%	0.0%
Northern Coastal West Marin	94.4%	5.6%	0.0%	0.0%	0.0%
Central Coastal West Marin	87.5%	12.5%	0.0%	0.0%	0.0%
The San Geronimo Valley	71.1%	27.9%	1.1%	0.0%	0.0%
Southern Coastal West Marin	78.9%	16.2%	5.0%	0.0%	0.0%
Marinwood/Lucas Valley	72.8%	25.4%	0.0%	1.8%	0.0%
Santa Venetia/Los Ranchitos	78.2%	17.5%	3.5%	0.9%	0.0%
Kentfield/Greenbrae	76.7%	22.1%	1.2%	0.0%	0.0%
Strawberry	82.7%	17.3%	0.0%	0.0%	0.0%
Tam Valley	78.9%	20.9%	0.2%	0.0%	0.0%
Marin City	70.8%	29.2%	0.0%	0.0%	0.0%
Unincorporated County	81.5%	17.5%	0.5%	0.2%	0.2%
Renter-Households	0.50 or less occupants per room	0.51 to 1.00 occupants per room	1.01 to 1.50 occupants per room	1.51 to 2.00 occupants per room	2.01 or more occupants per room
Black Point-Green Point	100.0%	0.0%	0.0%	0.0%	0.0%
Northern Coastal West Marin	42.3%	36.5%	0.0%	0.0%	21.2 %
Central Coastal West Marin	50.5%	49.5%	0.0%	0.0%	0.0%
The San Geronimo Valley	65.9%	25.1%	0.0%	9.0%	0.0%

**Table H-2.34: Overcrowded Households, Unincorporated Communities**

Southern Coastal West Marin	68.1%	30.5%	1.4%	0.0%	0.0%
Marinwood/Lucas Valley	50.2%	49.8%	0.0%	0.0%	0.0%
Santa Venetia/Los Ranchitos	73.8%	26.2%	0.0%	0.0%	0.0%
Kentfield/Greenbrae	58.5%	39.7%	0.0%	1.8%	0.0%
Strawberry	60.3%	36.4%	2.0%	1.3%	0.0%
Tam Valley	57.7%	41.4%	0.9%	0.0%	0.0%
Marin City	53.9%	34.2%	11.1%	0.9%	0.0%
Unincorporated County	51.2%	35.3%	8.4%	4.1%	0.9%

Source: U.S. Census American Community Survey, 2015-2019, Table B25014.

Studies<sup>38</sup> show that overcrowding results in negative public health indicators, including increased transmission of tuberculosis and hepatitis and, most recently, COVID-19. In addition, studies show increases in domestic violence, sexual assault, mental health problems, and substance abuse related to overcrowded living conditions. Overcrowded conditions are common among large-family, single-parent, and female-headed households that subsist on low incomes. In addition, overcrowded conditions can sometimes occur on ranches that employ agricultural workers, especially during peak harvest times when seasonal or migrant workers are utilized.

Managers of income-restricted affordable units, whether private or through the Marin Housing Authority, must ensure that the unit is an appropriate size for the intended household size. For households participating in the Section 8 program, the Marin Housing Authority provides search assistance for the difficult to house and special needs populations, such as large households or households with a person with disabilities. The rehabilitation and replacement of agricultural units, undertaken by the Marin Workforce Housing Trust and California Human Development and funded by the Marin Community Foundation, USDA, State, and County sources, seek to improve health and safety conditions for agricultural workers. To qualify for the program, participating ranches must ensure quality maintenance and not allow overcrowding.

<sup>38</sup> Bashir, Samiya A. 2009. Home Is Where the Harm Is: Inadequate Housing as a Public Health Crisis

## Special Needs Housing

### Overview

In addition to overall housing needs, the County plans for housing for special needs groups, which includes seniors, people living with disabilities, people with HIV/AIDS and other illnesses, people in need of mental health care, single-parent families, singles with no children, large households, agricultural workers and their families, people experiencing homelessness, and the local workforce. To meet the community's special needs housing, Marin County must look to new ways of increasing the supply, diversity, and affordability of specialized housing stock.

A continuum of housing types addresses special needs, including independent living (owning or renting), supportive housing, assisted living, group home and skilled nursing facilities, transitional housing, residential treatment (licensed facilities), detoxification programs, Safe Haven, and emergency shelters. One of the most effective housing options for special needs housing is supportive housing where services are offered to tenants, often on site, to help achieve and maintain housing security. However, there is an inadequate supply of supportive housing units and affordable units in general to meet the needs of the community. This was a priority issue in the focus groups and community survey for the Housing Element update.

### Seniors

The need for senior housing can be determined by age distribution, housing characteristics and demographic projections. On a countywide level, these determinants indicate that Marin County (ACS 5-Year Estimates):

- Has one of the oldest populations in the State, with 22% of the population over 65 years old and a median age of 46.8, compared to 14% of the population over 65 and a median age of 36.5 statewide
- Over one-third of County households have at least one senior present, 26% of households are senior homeowners, and eight % of households are senior renters (Table H-2.35)
- The majority of the existing housing stock are single-family homes (Table H-2.14 and Table H-2.15)

The proportion of seniors out of the total population and out of households in unincorporated Marin are similar to those countywide, with 22% of of the unincorporated population over 65 years old and 37% of households with at least one person over 65 years old present (Table H-2.35). Within the unincorporated County, the Central Coastal West Marin, Valley, and Southern Coastal West Marin communities have

the oldest populations; over one-third of their populations are over 65 years old and about 50% of their households have at least one senior present.

**Table H-2.35: Senior Population or Households by Tenure**

Community	Population	All HHs	Owner HHs	Owner Living Alone	Renter HHs	Renter Living Alone
Black Point- Green Point	29.8%	41.5%	35.7%	11.8%	5.8%	4.4%
Northern Coastal West Marin	22.5%	32.5%	22.2%	18.4%	10.4%	10.4%
Central Coastal West Marin	47.7%	55.3%	41.5%	19.9%	13.8%	13.1%
The San Geronimo Valley	30.6%	46.4%	39.1%	15.2%	7.3%	5.3%
Southern Coastal West Marin	42.3%	54.2%	44.8%	16.2%	9.4%	5.5%
Marinwood/Lucas Valley	22.7%	38.7%	35.1%	10.7%	3.6%	3.6%
Santa Venetia/ Los Ranchitos	24.6%	37.6%	31.8%	19.6%	5.8%	4.8%
Kentfield/ Greenbrae	20.7%	34.5%	28.9%	6.7%	5.6%	5.2%
Strawberry	19.3%	34.4%	17.1%	7.5%	17.2%	16.6%
Tam Valley	19.3%	30.7%	28.2%	8.3%	2.5%	1.1%
Marin City	9.8%	16.8%	8.6%	5.0%	8.3%	4.4%
Unincorporated County	22.2%	36.7%	30.3%	10.1%	6.4%	4.8%
Marin County	21.6%	34.6%	26.3%	10.2%	8.3%	5.9%

HHs = Households

Source: American Community Survey, 2015-2019. Tables B25011 and Table B01001; Association of Bay Area Governments (ABAG) Housing Needs Data Packet : Marin County, 2021

Note: Please refer to Table H-2.1: and Figure H-2.1 for the census designated places included in the unincorporated communities.

However, the figures above alone do not account for the types of accommodations necessary to provide for the older population. Given that senior income drops precipitously with age and Marin County is one of the most expensive places for seniors to live, particular needs include smaller and more efficient housing, barrier-free and accessible housing, and a wide variety of housing with health care and/or personal

services provided.<sup>39</sup> In addition, a continuum of care is needed as older adult households develop health care needs.

According to the 2013-2017 CHAS data, there were 104,840 households in Marin County, of which 39,980 (38%) had had a householder aged 65 or older. Of these households, 41% had lower incomes (less than 80% AMI). In the unincorporated County, of the 10,398 senior households in the unincorporated County, 4,840 (47%) had lower incomes. The percentage of senior households with lower incomes (47%) is also higher than the unincorporated County’s overall share of lower income households (38%).

Understanding how seniors might be cost burdened is of particular importance due to their special housing needs, particularly for low income seniors. According to ABAG’s Housing Needs Report for Marin County, 55% of seniors making less than 30% of AMI are spending more than 30% of their income on housing (Table H-2.36). For seniors making more than 100% of AMI, only four percent are cost burdened, spending more than 30% of their income on housing.

**Table H-2.36: Cost-Burdened Senior Households by Income Level**

Income Group	0%-30% of Income Used for Housing	30%-50% of Income Used for Housing	50%+ of Income Used for Housing	Total Senior Households
0%-30% of AMI	7.1%	15.3%	49.7%	16.4%
31%-50% of AMI	10.3%	20.3%	21.3%	14.2%
51%-80% of AMI	14.2%	19.8%	17.8%	15.9%
81%-100% of AMI	8.3%	17.7%	6.9%	9.9%
Greater than 100% of AMI	60.1%	26.9%	4.3%	43.6%
Totals	6,504	2,008	1,886	10,398

**Notes:**

-For the purposes of this graph, senior households are those with a householder who is aged 62 or older.

-Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income.

<sup>39</sup> Elder Economic Security Standard by County 2007, Center for Community and Economic Development.

-Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release in the Association of Bay Area Governments (ABAG) Housing Needs Data Packet: Marin County, 2021

In many cases, seniors are living in large, oversized houses. Housing types to meet the needs of seniors include smaller attached or detached housing for independent living (both market rate and below market rate), Accessory Dwelling Units, age-restricted subsidized rental developments, shared housing, congregate care facilities, licensed facilities, Alzheimer's and other specialty facilities, and skilled nursing homes. There is also a need for senior housing where an in-home caregiver can reside.

In addition, the nexus between living arrangements for seniors and senior-oriented services must reinforce the ability for seniors to achieve a high quality of life, with access to local amenities, transportation, choices in housing, health care, and activities, and full integration into the community. A well-balanced community is one in which these elements are implicit and guaranteed for all members of the community, with particular recognition of the needs of specific demographic groups such as seniors. As such, the Older Americans Act provides funding for services that:

- Enable older individuals to secure and maintain independence and dignity in their homes
- Remove barriers to personal and economic independence
- Provide a continuum of care for vulnerable older persons
- Secure the opportunity for older individuals to receive managed in-home care and community- based long-term care services

The County's Division of Aging and Adult Services supports a variety of services that are provided to a network of local nonprofit organizations and governmental agencies throughout Marin County. Table H-2.37 below summarizes available senior services.

**Table H-2.37: Countywide Services Offered for Seniors: 2021**

Service	Description
Aging and Disability Resource Connection/ One Door	Streamlines access to services through a person-centered interactive network of agencies with coordinated points of entry.
Assisted transportation	Provides assistance and transportation to persons who have difficulties (physical or cognitive) using regular vehicular transportation.
Caregiver registry	Maintains a list of qualified workers to refer to clients and follow-up to assure service was received.
Congregate meals	Serves healthy meals in a group setting, helping to maintain and improve physical, psychological, and social well-being. Can also be served as grab-and-go.
Elder abuse prevention	Educates the public and professionals to develop, strengthen and carry out programs that prevent and detect elder abuse.
Employment Services	Assists clients in maintaining or obtaining full-time employment through job development and skill training.
Family Caregiver Support	Provides emotional support, education, training, and respite care for family caregivers.
Health Insurance Counseling and Advocacy Program	Provides formation and counseling on Medicare, Medi-Cal, managed care and long-term care.
Health promotion and disease prevention	Evidence-based health promotion programs that can prevent and mitigate chronic disease.
Home-Delivered Meals	Delivers nutritious meals to home-bound clients while providing personal contact.
Information and Assistance	Links older adults and their family members to appropriate services through information and referrals.
Legal Assistance	Provides seniors with legal services and education on older persons' rights, entitlements, and benefits.
Long-Term Care Ombudsman	Ensures the rights and protection of older persons at risk for abuse, neglect or exploitation while living in long-term care facilities.



**Table H-2.37: Countywide Services Offered for Seniors: 2021**

Service	Description
Nutrition Education	Promotes better health by providing accurate and culturally sensitive nutrition information and educational materials.
Rural Case Management	Assesses client needs and assists in development of care plans and coordination of services among providers.
Rural visiting	Provides contact and safety checks through visiting and support.
Senior Center Activities	Provides education and activities, including trips that enhance both health and well-being.

Source: Marin County Aging and Adult Services

The County's Human and Health Services website also has an online Community Resource Guide residents can browse for information, services, and resources. A direct link to the guide is here: <https://www.marinhhs.org/community-resource-guide>

Many seniors in Marin County are over-housed, which means living in a home far larger than they need. This phenomenon will become more pronounced in the coming years, as the unincorporated County's population will continue to age. According to the ACS 5-year estimates, approximately 32% of the current population is between the ages of 45 and 65 years old. These residents will become part of the senior population over the next twenty years. During the public outreach for this Housing Element, insufficient housing options for seniors was one of the top concerns. Some may be willing to vacate their home for a smaller unit, thus increasing housing options for families. A program has been included in this Housing Element for the County to pursue a variety of housing options for seniors. The goal is to allow seniors to trade down their current homes for other housing that requires less maintenance, is designed to accommodate the mobility needs of seniors, and is more affordable.

The Age-Friendly County of Marin Action Plan from January 2020 looked at how the County can interact and work together for a community that is experiencing a rapid growth rate among its older generations. Through the public outreach for this plan, which included surveys, interviews and focus groups, the following challenges emerged regarding older adults:

- Lack of affordable housing impacts older adults and their families as well as the local workforce.

- Limited accessible housing stock means older adults must invest more into home modifications and take greater risks in order to age in place.
- Older renters have a greater challenge in homes and units that need age-friendly modifications.

Low and very low income seniors often cannot afford the cost of licensed facilities in Marin County. According to the Marin County Health and Human Services, long-term care in a licensed Residential Care Facility for the Elderly costs anywhere from \$4,500 - \$9,500 a month and higher.<sup>40</sup> The lower range would be a shared room in a small facility with fewer amenities and the higher range would be for a private apartment with higher levels of care in a facility with a lot of amenities.

Through a 2003 County ordinance, the development of licensed senior facilities, such as assisted living facilities, is subject to the jobs/housing linkage fee, whereby funds are contributed to the County's Affordable Housing Trust Fund based on the number of low and moderate income jobs anticipated for the new development.

Marin County's Aging and Adult Services office acts as the Area Agency on Aging for Marin County, and publishes an Area Plan every four years. The Area Plan involves qualitative and quantitative research on the demographics, experiences and perspectives of older adults in their service area of Marin County.

## People Living with Disabilities

People living with disabilities represent a wide range of housing needs, depending on the type and severity of their disability. Special consideration should be given to income and affordability, as many people with disabilities are living on fixed incomes. Some of the considerations and accommodations that are important in serving individuals and families with disabilities are: (1) the design of barrier-free housing, (2) accessibility modifications, (3) proximity to services and transit, (4) on-site services, and (5) mixed income diversity and group living opportunities.

Some people with disabilities can live most successfully in housing that provides a semi-independent living state, such as clustered group housing or other group-living quarters; others are capable of living independently if long-term services and support are available. Different types of housing that can serve these populations include: (1) single-room occupancy (SRO) units, (2) single-family and group homes specifically dedicated to each population and their required supportive services, (3) set-asides in larger, more traditional affordable housing developments, and (4) transitional housing or crisis shelters.

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<sup>40</sup> Information from the County Health and Human Services, Supervisor of the Long-Term Care Ombudsman Program. Example: Villa Martin (\$165/day or \$5,115 per month for Assisted Living or Skilled Nursing. \$330/day or \$10,230/month if medical exclusion/preexisting condition).

Federal sources of financing could include Multi-family Housing/Supportive Housing, Mental Health Services Act, Transitional Age Youth, and Section 8 project-based vouchers, which can be leveraged with local funds.

As the population ages, the need for accessible housing will increase. Consideration can be given to accessible dwelling conversion (or adaptability) and appropriate site design. Incorporating barrier-free design in all new multi-family housing is especially important to provide the widest range of choice and is often required by State and federal fair housing laws. Barriers to applying for building and planning approvals for reasonable accommodation modifications to units could be removed by providing over-the-counter approvals and streamlining the application process.

The unincorporated County's population with a disability is similar to that of the County and Bay Area. According to 2019 ACS data, approximately 9.2% of the unincorporated County's population has a disability of some kind<sup>41</sup>, compared to 9.1% and 9.6% of Marin County and the Bay Area's population. Table H-2.38 shows the rates at which different disabilities are present among residents of unincorporated Marin County and its community areas. Among the unincorporated County communities, the San Geronimo Valley, Marinwood/Lucas Valley, Santa Venetia/Los Ranchitos, and Marin City have a higher proportion of persons with a disability than the unincorporated County. However, across all communities, ambulatory difficulties were the most prominent.

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<sup>41</sup> These disabilities are counted separately and are not mutually exclusive, as an individual may report more than one disability. These counts should not be summed.

**Table H-2.38: Persons with Disabilities by Disability Type**

Community	With Disability	With a Hearing Difficulty	With a Vision Difficulty	With a Cognitive Difficulty	With an Ambulatory Difficulty	With a Self-Care Difficulty	With an Independent Living Difficulty
Black Point-Green Point	9.4%	4.6%	0.6%	2.2%	4.3%	2.0%	4.0%
N. Costal West Marin	5.8%	3.8%	2.0%	3.8%	5.8%	3.8%	3.8%
Central Coastal West Marin	10.3%	3.4%	2.2%	1.6%	4.3%	0.9%	1.6%
The San Geronimo Valley	11.2%	4.7%	2.8%	4.2%	7.2%	2.2%	2.6%
Southern Coastal West Marin	6.9%	3.1%	0.6%	2.1%	2.4%	0.0%	0.2%
Marinwood/Lucas Valley	12.0%	3.3%	1.4%	3.2%	6.8%	1.9%	6.7%
Santa Venetia/Los Ranchitos	16.0%	3.0%	4.7%	7.4%	8.1%	4.5%	9.5%
Kentfield/Greenbrae	7.1%	2.1%	0.5%	2.5%	2.9%	2.3%	3.6%
Strawberry	7.6%	2.2%	0.6%	2.0%	3.6%	2.1%	1.6%
Tam Valley	8.6%	3.0%	1.8%	2.5%	3.1%	1.8%	2.3%
Marin City	12.6%	0.4%	2.7%	6.1%	4.8%	1.9%	6.2%
Unincorporated	9.2%	2.6%	1.4%	2.8%	4.0%	1.7%	3.0%

Source: American Community Survey 5-Year Estimates, 2015-2019:

Note: Please refer to Table H-2.1 for the census designated places included in the unincorporated communities

Senate Bill 812, which took effect January 2011, requires housing elements to include an analysis of the special housing needs of the developmentally disabled in accordance with Government Code Section 65583(e). Developmental disabilities are defined as severe, chronic, and attributed to a mental or physical impairment that begins before a person turns 18 years old. This can include Down’s Syndrome, autism, epilepsy, cerebral palsy, and mild to severely impaired intellectual and adaptive functioning. Some people with developmental disabilities are unable to work, rely on Supplemental Security Income, and/or live with family members. In addition to their specific housing needs, they are at increased risk of housing insecurity after an aging parent or family member is no longer able to care for them.

The California Department of Developmental Services is responsible for overseeing the coordination and delivery of services to more than 330,000 Californians with developmental disabilities. While there are no estimates of the population with developmental disabilities, according to the ABAG Housing Needs report, as of 2020 the

California Department of Developmental Services served 384 individuals with a developmental disability in the unincorporated County. Of these individuals with a developmental disability, children under the age of 18 made up 29%, while adults accounted for 71%. The Department of Developmental Services estimated that a majority (57%) of individuals with developmental disabilities resided with a parent/guardian, while 21% live in independent/ supportive living facilities and 17% in community care facilities (Table H-2.39Table H-2.39: ).

**Table H-2.39: Population with Developmental Disabilities by Residence**

Residence Type	% of Persons Served
Home of Parent /Family /Guardian	56.7%
Independent /Supported Living	21.2%
Community Care Facility	17.1%
Intermediate Care Facility	2.5%
Other	2.2%
Foster /Family Home	0.3%
Totals	363

**Notes:**

-The California Department of Developmental Services provides ZIP code level counts. To get jurisdiction-level estimates, ZIP code counts were cross walked to jurisdictions using census block population counts from Census 2010 SF1 to determine the share of a ZIP code to assign to a given jurisdiction.

- Totals differed at source (i.e. total Population with Developmental Disabilities by age as presented in ABAG’s Housing Needs Report was 384).

Source: California Department of Developmental Services, Consumer Count by California ZIP Code and Residence Type (2020)

The total number of persons served in unincorporated County communities cannot be estimated because the Department of Developmental Services does not give exact number of consumers when fewer than 11 persons are served (Table H-2.40Table H-2.40). However, based on the September 2020 Quarterly Consumer Reports, the communities of Marinwood/Lucas Valley, Santa Venetia/Los Ranchitos, and Black –Point - Green Point have the greater population of persons with developmental disabilities, as evidenced by the higher number of consumers from their ZIP codes.

**Table H-2.40: Consumer Count by California ZIP Code and Age Group**

Community	CPD	Zip Code	0-17 yrs	18+ yrs	Total
Black Point-Green Point	Black Point – Green Point	94945	39	91	130
Northern Coastal West Marin	Dillon Beach	94929	0	<11	>0
	Tomales	94971	0	0	0
Central Coastal West Marin	Point Reyes Station	94956	<11	<11	>0
	Inverness	94937	0	<11	>0
The San Geronimo Valley	Nicasio	94946	<11	<11	>0
	San Geronimo Valley	94963	0	<11	>0
	Woodacre	94973	<11	<11	>0
	Lagunitas	94938	0	0	0
	Forest Knolls	94933	<11	<11	>0
Southern Coastal West Marin	Stinson Beach	94970	0	0	0
	Bolinas	94924	<11	<11	>0
	Muir Beach	94965	12	25	37
Marinwood/Lucas Valley	Lucas Valley	N/A	N/A	N/A	N/A
	Marinwood	94903	62	223	285
Santa Venetia/ Los Ranchitos	Santa Venetia	94903	62	223	285
Kentfield/Greenbrae	Kentfield	94904	17	16	33
Strawberry	Strawberry	95375	0	0	0
Tam Valley	Tamalpais-Homestead Valley	94941	32	67	99
Marin City	Marin City	94965	12	25	37

Source: California Department of Developmental Services, Consumer Count by California ZIP Code and Residence Type (2020)

Note: Please refer to Table H-2.1 and Figure H-2.1 for the census designated places included in the unincorporated communities

The needs of individuals with developmental disabilities are similar to those with other disabilities, and they face similar challenges in finding affordable housing. Many individuals with developmentally disabilities are on fixed incomes and cannot afford market rate rents. In addition, supportive services are often beneficial to maintain housing stability.

### Large Families

Large-family households are defined by the U.S. Census Bureau as households containing five or more persons. The 2019 ACS data reflect that 7% of Marin’s households meet the definition of a large family (five or more people) and that over half (55%) of large-family households in the County live in owner-occupied homes (Table H-2.41 Table H-2.41). In the unincorporated area of the County, there are about 2,071 large-family households, which make up 8% of all households in the unincorporated County. Of these households, 69% are owner-occupied households and 31% are renters.

Among the community areas, Black Point-Green Point, Marinwood/Lucas Valley, and Kentfield/ Greenbrae have the highest percentages of large family households. In these communities, over 10% of households have five or more persons.

**Table H-2.41: Large-Family Households (5 or more persons) by Tenure**

Community	Owner-Occupied Households		Renter-Occupied Households		Total Large Family Households		Total Households
	Number	Percent	Number	Percent	Number	Percent	Number
Black pPoint-Green Point	54	80.6%	13	19.4%	67	10.9%	617
Northern Costal West Marin	9	100.0%	0	0.0%	9	4.2%	212
Central Coastal West Marin	0	0.0%	0	0.0%	0	0.0%	853
The San Geronimo Valley	67	56.3%	52	43.7%	119	7.9%	1,500
Southern Coastal West Marin	11	100.0%	0	0.0%	11	1.1%	1,026
Marinwood/ Lucas Valley	227	74.7%	77	25.3%	304	12.6%	2,412
Santa Venetia/ Los Ranchitos	128	88.3%	17	11.7%	145	8.4%	1,717
Kentfield/ Greenbrae	258	87.5%	37	12.5%	295	11.5%	2,567
Strawberry	110	75.9%	35	24.1%	145	6.1%	2,391
Tam Valley	270	71.2%	109	28.8%	379	8.2%	4,617

**Table H-2.41: Large-Family Households (5 or more persons) by Tenure**

Community	Owner-Occupied Households		Renter-Occupied Households		Total Large Family Households		Total Households
	Number	Percent	Number	Percent	Number	Percent	Number
Marin City	10	20.8%	38	79.2%	48	3.5%	1,377
Unincorporated Marin	1,434	69.2%	637	30.8%	2,071	8.0%	25,850
Marin County all	4,150	54.9%	3,411	45.1%	7,561	7.2%	105,432

Source: American Community Survey 5-Year Estimates, 2015-2019, Table B25009.

Note: Please refer to Table H-2.1: and Figure H-2.1 for the census designated places included in the unincorporated communities

### Housing Units Available for Large Families

The unit sizes available in a community affect the household sizes that can access that community. Large families are generally served by housing units with three or more bedrooms, of which there are an estimated 17,363 units in unincorporated Marin County, accounting for 67% of housing stock. Among these large units with three or more bedrooms, 85% are owner-occupied and 15% are renter-occupied (Table H-2.42). The unincorporated County has a higher percentage of housing units with three or more bedrooms than the County as a whole (67% and 58%, respectively). The communities of Central Coast West Marin, The San Geronimo Valley, Southern Coastal West Marin, Strawberry, and Marin City have a significantly lower share of housing units with three or more bedrooms than other communities and the unincorporated County. Table H-2.42 also illustrates the shortage of large units is primarily in the rental category, as the share of the housing stock with three or more bedrooms is less than 21% for all areas but Marin City.



**Table H-2.42: Units with Three or More Bedrooms by Tenure**

Community	Owner Units		Renter Units		Total Units with 3+ Bedrooms	
	Number	Percent	Number	Percent	Number	Percent
Black Point-Green Point	410	91.1%	40	8.9%	450	72.9%
Northern Coastal West Marin	137	81.5%	31	18.5%	168	79.2%
Central Coastal West Marin	211	79.0%	56	21.0%	267	31.3%
The San Geronimo Valley	694	92.7%	55	7.3%	749	49.9%
Southern Coastal West Marin	324	81.8%	72	18.2%	396	38.6%
Marinwood/Lucas Valley	1,956	91.6%	179	8.4%	2,135	88.5%
Santa Venetia/ Los Ranchitos	1,165	90.6%	121	9.4%	1,286	74.9%
Kentfield/ Greenbrae	1,871	92.4%	154	7.6%	2,025	78.9%
Strawberry	913	83.8%	177	16.2%	1,090	45.6%
Tam Valley	2,777	84.2%	520	15.8%	3,297	71.4%
Marin City	175	41.2%	250	58.8%	425	30.9%
Unincorporated Marin	14,833	85.4%	2,530	14.6%	17,363	67.2%
Marin County	52,576	85.4%	9,012	14.6%	61,588	58.4%

Source: Source: American Community Survey 5-Year Estimates, 2015-2019, Table B25009, Table B25042.

Note: Please refer to Table H-2.1: and Figure H-2.1 for the census designated places included in the unincorporated communities

Although enough units appear to be available to meet the demand for large households (i.e., there are 2,071 large family households and 17,363 units with three or more bedrooms), available large units may be unaffordable to large families (see income section/refer to income section), or as is the case in many jurisdictions, large units are not always occupied by large-family households. Due to the limited supply of adequately sized rental units and affordable homeownership opportunities to accommodate large-family households, large families face additional difficulty in locating housing that is adequately sized and affordably priced. As mentioned in the Seniors section above, many older residents are aging in place and are “overhoused”, which may further limit the availability of units for larger households. In Marin County, adequate market-rate homeownership opportunities exist, but these homes are out of reach economically for moderate and low income families.

The AFFH Appendix of this Housing Element found that large renter households experience a greater rate of housing problems with physical defects (lacking complete kitchen or bathroom or are living in overcrowded conditions) compared to other renter households.

### **Female-Headed and Single-Parent Households**

Households headed by one person are often at greater risk of housing insecurity, particularly female-headed households, who may be supporting children or a family with only one income. Female-headed households fall into one of three primary groups in Marin County: single professional women, single parents, and seniors. The last two groups in particular may have a need for affordable housing. The housing needs of senior residents are discussed above in the section on Seniors. The needs of female-headed households with children are particularly acute. As stated in the ABAG Housing Needs Data Packet, female-headed households with children may face particular housing challenges, with pervasive gender inequality resulting in lower wages for women. Moreover, the added need for childcare can make finding a home that is affordable more challenging. The need for additional housing options for families with children was a priority identified by community members during the Housing Element public outreach process.

As shown in Table H-2.43, there are a total of 25,850 households in the unincorporated area of the County, of which 6,745 (26%) are female-headed households. Moreover, approximately 800 (3%) of the total households are female-headed households with children under the age of 18. The percent of family households living in poverty that are female headed in the unincorporated County is less than 1% (approximately 150 households), which is lower than the 3% (approximately 480) of all family households overall that are living in poverty. Compared to the County, unincorporated County has a lower percentage of female headed households, female-headed households with children, and lower rates of poverty for all families and for female-headed households.

**Table H-2.43: Female-Headed County and Marin County**

	Unincorporated	Marin County
Total households	25,850	105,432
Total Female-Headed Households	26.1%	28.2%
With children	3.1%	3.3%
Total Families	17,061	66,052
Total families under the poverty level	2.8%	3.8%
Female-Headed Households under the poverty level	0.9%	1.5%
With children	0.6%	1.1%

Source: American Community Survey, 5-Year Estimates 2015-2019, Tables DP02 and B17012.

Within the unincorporated County, Marin City has the highest percentage of female-headed households (42% of all households are female-headed households) and female-headed households with children (11%). Marin City also has the highest poverty rates compared to all community areas and the unincorporated County; about 16% of all family households are living below the federal poverty line. Female-headed households also have higher rates of poverty (11%) in Marin City compared to other community areas. About 6% of all households in the Marin City are female-headed family household with children living below the poverty line. As discussed earlier in this chapter, Marin City also has one of the highest percentage of non-white residents.

**Table H-2.44: Female-Headed Households (FHH) - Unincorporated County Communities**

Community	Total households (HH)	Total FHH	FHH w/ children	Total Families	Total families under the poverty level	FHH under the poverty level	FHH w/ child
Black Point-Green Point	617	12.0%	0.0%	419	1.9%	0.0%	0.0%
Northern Costal West Marin	212	36.8%	0.0%	129	0.0%	0.0%	0.0%
Central Coastal West Marin	853	39.4%	0.0%	381	4.2%	1.6%	0.0%
The San Geronimo Valley	1,500	28.9%	2.4%	769	6.2%	0.0%	0.0%
Southern Coastal West Marin	1,026	32.0%	1.2%	451	4.7%	1.8%	0.0%
Marinwood/Lucas Valley	2,412	25.9%	2.0%	1,762	3.2%	1.0%	1.0%
Santa Venetia/Los Ranchitos	1,717	34.7%	1.2%	1,051	0.0%	0.0%	0.0%
Kentfield/Greenbrae	2,567	20.6%	3.7%	1,874	2.2%	0.6%	0.6%
Strawberry	2,391	36.2%	7.2%	1,348	2.7%	0.9%	0.9%
Tam Valley	4,617	24.6%	3.9%	3,202	1.9%	0.0%	0.0%
Marin City	1,377	42.0%	10.5%	698	16.3%	10.5%	6.3%

FHH = Female-Headed Households

Source: American Community Survey, 5-Year Estimates 2015-2019, Tables DP02 and B17012.

Note: Please refer to Table H-2.1: and Figure H-2.1 for the census designated places included in the unincorporated communities

### Agricultural Workers

Marin’s agricultural history remains a strong value and source of pride, particularly in the Coastal and Inland Rural Corridors of the County. According to the United States Department of Agriculture (USDA), Marin County farms and ranches encompass approximately 140,075 acres, or about 41% of the County’s total land area; land in farms decreased by 18% from 2012 to 2017.<sup>42</sup> Rural West Marin has an economic base of cattle ranches, dairies, organic vegetable farms, poultry, mariculture, and tourism. Of the

<sup>42</sup> 2017 Census of Agriculture Marin County Profile,

343 agricultural operations in Marin County, the majority are third- to fifth-generation family-owned farms and are not large by California standards, with an average size of 408 acres.

Agricultural workers are significantly impacted by the high cost of living in Marin County, especially housing costs that are influenced by vacation rentals and high-end tourism. To promote a vibrant and economically sound agriculture base as part of Marin County's future, quality affordable housing for agricultural workers is needed. In almost all cases agricultural housing is tied to employment. If a worker is fired or leaves a job, becomes injured or an agricultural facility stops production, that housing is no longer available. This was identified as a concern during the public outreach for the Housing Element.

Almost all agriculturally zoned land in Marin County is located within unincorporated County areas, so presumably the data available on the agricultural worker population in the County is representative of the unincorporated County. The 2017 USDA Census reported that in Marin County, 1,274 persons were hired farmworkers, which accounts for less than 1% of the Marin County workforce.<sup>43</sup>

Distinct from other agricultural regions of the State, much of the County's agricultural production primarily requires a year-round, permanent workforce. As a result, the County does not experience a significant influx of seasonal workers during peak harvest times. Agricultural worker housing needs are dictated by the presence of parallel factors:

- The majority of agricultural worker housing units, both for permanent and seasonal workers, are provided on site by the employer-ranchers.
- As a largely permanent workforce, agricultural workers live in multi-person households, often with spouses and children.<sup>44</sup> Agricultural workers' spouses are often employed in non- agricultural jobs, such as visitor-serving businesses in West Marin.

These factors indicate that the housing needs of agricultural workers are best met through the provision of permanent single- and multi-family affordable housing. Given the existing housing on ranches, two important issues arise:

- Ensuring that the workforce and their families are being housed in safe and healthy conditions is a major priority
- Allowing agricultural worker households to determine the type and location of housing that is most suitable through enhancing housing choices and options
- Additional tenant rights to support agricultural workers

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<sup>43</sup> Civilian employed population 16 years and over. American Community Survey Five-Year Estimates, 2015-2019. Table S2403.

<sup>44</sup> Evaluation of the Need for Ranch Worker Housing in Marin County, California, California Human Development Corporation, July 2008

Limited space, septic capacity, and high building costs often make it difficult to house migrant workers, presenting disincentives for employer-ranchers to provide more than basic shelter with minimal amenities. Common challenges faced by agricultural worker households include:

- **Limited Income:** With a mean annual salary of \$41,321,<sup>45</sup> most agricultural workers fall within very low income groups (the 2021 HCD income limits are \$38,400 and \$63,950 for a one-person household for extremely low and very low income households).
- **Cost Burden/Lack of Affordability:** As described above, HUD considers payment of more than 30% of a household's income for direct housing expenses as overpayment or an undue hardship. According to the California Housing Partnership 2021 Affordable Housing Needs Report,<sup>46</sup> a Marin County household would have to earn a minimum of \$48.46 an hour in full-time employment to afford the average asking rent<sup>47</sup> in Marin County. Opportunities for affordable rental housing or opportunities for homeownership are considerably constrained for the agricultural worker population.
- **Overcrowding:** Due to low incomes and lack of inventory, agricultural workers have limited housing choices and are often forced to double up to afford rents. Many such units are not monitored for code enforcement on past development and building approvals unless complaints are lodged.
- **Substandard Housing Conditions:** Many agricultural workers occupy substandard housing, such as informal shacks, illegal garages, barns or storage units, trailers, and other structures generally unsuitable for occupancy. The County's Code Enforcement staff investigates complaints against property owners for code violations but does not actively monitor agricultural worker housing units for code compliance. Few HUD Section 8 vouchers are utilized in West Marin due to the scarcity of affordable units and the inability of these units to pass the required HUD Housing Quality Standards inspection. During the Housing Element public outreach, it was identified that in many cases, existing septic systems cannot accommodate new units on sites in West Marin, including those that house agricultural employees and their families.

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<sup>45</sup> Based on the mean annual wages for Farming, Fishing, and Forestry Occupations in the Marin County (San Rafael MD) as reported in the 2021 First Quarter Occupational Employment and Wage Statistics (OEWS) Survey.

<sup>46</sup> [https://1p08d91kd0c03rlxhmhtydpr-wpengine.netdna-ssl.com/wp-content/uploads/2021/05/Marin\\_Housing\\_Report.pdf](https://1p08d91kd0c03rlxhmhtydpr-wpengine.netdna-ssl.com/wp-content/uploads/2021/05/Marin_Housing_Report.pdf)

<sup>47</sup> Average asking rent assumed was \$2,520.

The need for the County to facilitate additional housing for agricultural workers was identified as a key priority during preparation of the Housing Element by focus groups, particularly in West Marin.

Currently, the County's provisions for agricultural worker housing is not consistent with State Employee Housing Act. Furthermore, the Development Code does not contain provisions for employee housing. Pursuant to the Employee Housing Act, any housing for six or fewer employees (in any industry) should be permitted as a single-family residential use. The Housing Plan section of the Housing Element contains programs to address these inconsistencies with state law and to help to facilitate more agricultural worker housing in the unincorporated County.

### **Individuals and Families Experiencing Homelessness**

Individuals and families experiencing homelessness have immediate housing needs. Also, many residents lack stable housing but are not considered unhoused, according to the HUD definition<sup>48</sup>. They live doubled up in overcrowded dwellings, often sleeping in shifts or renting closet space or “couch surfing” with family or friends. Although not living on the street, this population often has no means of stable accommodation and may experience periods of being unsheltered. In addition, their living situation affects their ability to access services designated for people experiencing homelessness.

The Marin County 2019 Point in Time Count of people experiencing homelessness was conducted on January 28, 2019 and surveyed 360 unsheltered and sheltered individuals experiencing homelessness to profile their experience and characteristics. This is an on-the-ground survey that is undertaken by a team of County employees and volunteers to determine that number of persons experiencing homeless at a specific point in time (January 28, 2019). According to this survey, in January 2019, 1,034 persons in the County met the Marin County Health and Human Services definition of homeless, of which 172 (17%) resided in the unincorporated County (Table H-2.45). This represented a 7% decrease from the 2017 countywide population, but a 26% increase in the unincorporated County homeless count. All homeless persons surveyed in the unincorporated County in 2019 were considered unsheltered, while countywide, about 68% are unsheltered. Regionally, North Marin and Central Marin had the highest population of people experiencing homelessness, while in the unincorporated County, West Marin had the highest population of people experiencing homelessness.

In 2019, the number of those experiencing unsheltered homelessness continued to decrease in all regions of the County except for West Marin and South Marin. West Marin saw a population increase of 41 people since 2017, which may be in part due to increased outreach efforts and specialized teams familiar with the communities

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<sup>48</sup> (1) Individual or family who lacks a fixed, regular, and adequate nighttime residence, (2) Individual or family who will imminently lose their primary nighttime residence within 14 days.

conducting the count in this region. With the planned closure of a rotating shelter in 2017, the sheltered number decreased by 20% from 2017 to 326 persons in 2019. Although the sheltered number decreased, the unsheltered number did not increase. Information about the 2021 count of persons experiencing homelessness is included later in this section, in Effects of Covid-19.

**Table H-2.45: Total Homeless Count Population, By Jurisdiction and Shelter Status**

Jurisdiction	Unsheltered	Sheltered	Total
North Marin	147	163	310
Novato	147	163	310
Central Marin	277	94	371
San Anselmo	20	0	20
San Rafael	161	94	255
Corte Madera	39	0	39
Fairfax	5	0	5
Larkspur	28	0	28
Mill Valley	8	0	8
Unincorporated Central Marin	16	0	16
South Marin	144	0	144
Sausalito	25	0	25
Richardson Bay Anchor Outs	103	0	103
Belvedere	0	0	0
Unincorporated South Marin	16	0	16
West Marin	140	0	140
Unincorporated West Marin	140	0	140
Other	0	69	69
Domestic Violence Shelter	0	69	69
Rotating Shelter	0	0	0
<b><i>Unincorporated Total</i></b>	<b><i>172</i></b>	<b><i>0</i></b>	<b><i>172</i></b>
<b>County Total*</b>	<b>708</b>	<b>326</b>	<b>1,034</b>



**Table H-2.45: Total Homeless Count Population, By Jurisdiction and Shelter Status**

Jurisdiction	Unsheltered	Sheltered	Total
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Source: 2019 Marin County Homeless Count and Survey Comprehensive Report

Note: Please refer to Table H-2.1: and Figure H-2.1 for the census designated places included in the unincorporated communities. \* Total is the sum of North Marin, Central Marin, South Marin and West Marin and “Other.”

### Characteristics of the Population Experiencing Homelessness

The Needs Assessment in the County’s 2020-2024 Consolidated Plan estimated that 543 persons were becoming homeless each year (System Performance Measure 5.2), while 199 persons exited homelessness each year (System Performance Measure 7b.1). In addition, the Consolidated Plan estimated that people experience homelessness for over two years (764 days; System Performance Measure 1.2).

During the 2019 Point in Time Count, 54 households with children aged 18 or under were counted, including 61 adults and 81 kids (147 individuals). This is lower than the 75 households with children counted in 2017. Most families reported the following reasons for homelessness: lack of affordable housing, no income/loss of job, alcohol/drug issues, or end of a relationship. About 90% of Marin County families experiencing homelessness reside in shelters or transitional housing programs (66 households).

The 2019 Point in Time count report showed 38% (360) of all homeless adults counted having at least one type of disabling condition, such as a physical or developmental disability, chronic illness, or a substance use disorder. About 62% of these individuals with disabling conditions are unsheltered, while 38% live in emergency or transitional housing. Health issues and mental health issues are not atypical to the population experiencing homelessness. Homelessness is a traumatic event which can cause both physical and psychological difficulties.

Overall, the 2019 Marin County Homeless Count and Survey revealed a diverse homeless population with many different trends and needs. The data presents valuable insights into the population experiencing homelessness in Marin County for both the general population and subpopulations:

- About 31% of those experiencing homelessness were over the age of 50, and 19% were under age 25.

- Those who are Black or African American were overrepresented in the population: 2% of the general population but 17% of the homeless population identified as Black or African American.
- First-time homelessness decreased from 35% in 2017 to 30% in 2019.
- 70% of survey respondents had experienced homelessness for one year or more.
- Economic issues were the most frequently cited cause of homelessness (49%).
- 73% cited a need for rental assistance to get into permanent housing.
- Veterans: More veterans were being sheltered in 2019, 19% were sheltered up from 13% in 2017 and veterans were more likely to report a physical disability (45% of veteran respondents compared 22% of non-veteran respondents).
- Families with Children: The number of families experiencing homelessness decreased 28% from 2017. This may have changed since the Covid-19 pandemic.
- Unaccompanied Children and Transition-Age Youth: There were eight unaccompanied children and 99 unaccompanied transition-age youth (age 18-24) enumerated, accounting for 10% of the population experiencing homelessness in Marin County. Youth respondents were less likely to receive free meals (17%) than those over age 25.
- Older Adults: Older adults comprised 31% of the population experiencing homelessness and over two thirds were unsheltered.

### Effects of COVID-19

Due to the COVID-19 pandemic, the County delayed the 2021 on-the-ground count until 2022. The decision was made with a heavy consideration for public safety, for both the unhoused in Marin County and the teams that count them. However, in the continuing effort to monitor homelessness and progress towards its elimination, the Marin County Continuum of Care decided that it would be safe to conduct a vehicle count versus the in person, on the ground count typically done, to partially help understand the current state of homelessness locally. On February 25, 2021, a special team of 41 people comprising local law enforcement, homeless outreach staff, and persons with lived vehicle experience canvassed Marin County to help determine the current prevalence of people living in vehicles. The count found 486 people living in 381 vehicles, a 91% increase over 2019.<sup>49</sup> Between 2019 and 2021, the number of people living in vehicles decreased in West Marin, while increasing in North, Central and Sothern Marin.

Because people experiencing homelessness are not evenly distributed between living situations and living in a vehicle is often the first place people go when they become homeless, the 91% increase in people living in vehicles does not equal a 91% increase

<sup>49</sup> Marin Health and Human Services, 2021 Marin Homelessness Vehicle Count, February 25, 2021.

in homelessness overall. However, it does indicate some level of new homelessness in Marin.

### Unmet Needs

According to the data collected during the 2019 Point in Time count and the needs assessment conducted to inform the Marin County 2020-2024 Consolidated Plan, the populations most in need of housing include individuals with mental and physical disabilities, families, individuals in the work force, and older adults in the very low and low income range. Those currently housed but at imminent risk of homelessness include those with disabilities, households with children below the federal poverty level, older adults, and farmworkers.

The needs of the homeless population and an outline of ways to address them are contained in the report *A Response to Homelessness in Marin County: Assessing the Need & Taking Action* (2019). Ultimately, the report identified the following priorities and goals through a series of stakeholder discussions:

- End Chronic and Veteran Homelessness in Marin County by 2022
- Create Additional Permanent Housing Opportunities to Address Needs of the Most Vulnerable
- Maintain and Enhance Fidelity to the Principles of Housing First  
Improve and Expand Data Sharing Capacity to Provide Comprehensive, Coordinated Care to Persons Experiencing Homelessness

To estimate the unmet need for shelter beds and to document the existing resources for homeless families and individuals, the County used information from the 2021 Homeless Housing, Assistance, and Prevention (HHAP) Grant Program funding application submitted to the State of California's Business, Consumer Services, and Housing Agency. Table H-2.46 identifies which areas of the local homelessness response system (e.g., shelter, rental subsidies, supportive housing) have gaps in resources based on the needs of people experiencing homelessness in the County. During the public outreach for the Housing Element, establishing a coordinated entry system for individuals experiencing homeless, particularly in West Marin, was identified as a need. Focus group participants stated that people in West Marin are living in camper vans and isolated from services.

**Table H-2.46: Service Gap Analysis**

	Total # of Clients Currently Needing This Service	Total # of Clients Currently Receiving This Service	Remaining Needs
Interim Housing/Shelter Beds	1,034	326	708
Rental Assistance	756	235	521
Supportive Housing (Permanent)	1,076	525	551
Outreach	708	300	408
Prevention/Diversion	2,690	520	2,170

Source: Marin County CoC Homeless Housing, Assistance and Prevention (HHAP) Grant Program Application submitted to Business, Consumer Services, and Housing Agency (BCSH).

Table H-2.47 below provides a summary of the emergency shelter beds and transitional and supportive housing units for homeless people that are located throughout Marin County. The Fireside Affordable Apartments, which provide 18 units of supportive housing (10 for families and 8 for formerly homeless seniors), are located within unincorporated Marin County. Additional transitional or supportive units provided at scattered sites and located within the unincorporated County are unknown at this time.

**Table H-2.47: Facilities and Housing Targeted to Homeless Households**

	Emergency Shelter Beds		Transitional Housing Beds	Permanent Supportive Housing Beds	Under Development	Total
	Year-Round Beds (Current & New)	Voucher / Seasonal / Overflow Beds	Current & New	Current & New		
Households with Adult(s) and Child(ren)	55	3	159	155	0	372
Households with Only Adults	149	60	38	492	10	749
Chronically Homeless Households	0	0	0	492	28	520
Veterans	0	0	0	16	0	16
Unaccompanied Youth	0	0	0	0	0	0
<b>Total</b>	<b>204</b>	<b>63</b>	<b>197</b>	<b>1,155</b>	<b>38</b>	<b>1,657</b>

Source: Marin County 2020-2024 Consolidated Plan

### Assessment of Unmet Year-Round Need for Emergency Shelter

Marin County estimates that 708 year-round interim housing/emergency shelter beds are needed to meet the needs of the 1,034 unsheltered homeless people in the County. Given the increase in homelessness assumed from the 2021 vehicle county surveys, it is likely that this need is higher due to the COVID-19 pandemic.

### Assessment of Unmet Need for Supportive Housing

In Marin County's 2021 HHAP Grant Program Application, the County's Continuum of Care estimates that the County has an unmet need for 551 beds across jurisdictions in permanent housing. There is no breakdown of this unmet need estimate by jurisdiction. However, Marin County has estimated the needed beds based on the percentage of the total number of unsheltered homeless people living in the community. Given that 24% of the total unsheltered homeless people in the County are estimated to reside in unincorporated areas of Marin, the estimated unmet need for supportive housing beds is 133. The program chapter of the Housing Element contains a program to pursue

funding for providing permanent supportive housing for the homeless (Project Homekey).

**Extremely Low Income Households**

Extremely low-income households earn up to 30% of the Area Median Income. This group is considered a special needs groups because of the limited housing options available to them. Extremely low-income households also tend to include a higher proportion of seniors or disabled persons. In unincorporated Marin County, 3,623 households were considered extremely low-income according to the 2013-2017 Comprehensive Housing Affordability Strategy (CHAS) data by HUD, which represents about 14% of the overall households (Table H-2.22). This is similar to the share of ELI households in Marin County overall (14.9%). Approximately 61% of the extremely low income households were renters. Furthermore, 73% of the extremely low-income households were experiencing at least one housing problem (overcrowding, cost burden, or inadequate housing) (Table H-2.48). Specifically, 68% of the extremely low-income renters and 81% of the extremely low-income owners were experiencing at least one housing problem. Cost burdens are also high for extremely low income households. About 70% of all ELI households are cost burdened. About 62% of ELI renters experience cost burdens compared 81% of ELI owner households.

Among the unincorporated county communities, West Marin communities have the highest concentration of ELI households (Table H-2.23). Marin City has the highest proportion of ELI households 40%), followed by Central Coastal West Marin (30%), Northern Coastal West Marin (23%), and Southern Coastal West Marin (18 percent).

**Table H-2.48: Housing Problems and Cost Burden for ELI HH by Tenure- Unincorporated County**

	Owners		Renters		All Unincorp. HH	
	#	%	#	%	#	%
ELI	1,128	--	1,768	--	2,896	--
with at least one H problem	918	81.4%	1,203	68.0%	2,121	73.2%
with cost burden	912	80.9%	1,104	62.4%	2,017	69.6%

Source: 2013-2017 HUD CHAS  
Data is the sum of the CDPs in Table H-2.1.

The City supports the housing needs of ELI households and lower income households with HUD Community Planning and Development Grants and SB2 Permanent Local Housing Allocation (PLHA). The CDBG can fund a variety of activities such as acquisition and/or disposition of real estate or property, public services, relocation, rehabilitation of housing, and homeownership assistance. HOME funds can be used for activities that provide affordable housing opportunities for low to moderate income households, such as development of new affordable units, owner-occupied housing rehabilitation, homebuyer assistance, and tenant-based rental assistance. The County uses HOME funds to gap-finance affordable housing projects throughout the County. The County anticipates receiving between \$750,000 to \$1,500,000 in PLHA annually that can be used to increase the supply of housing for households at or below 60% of AMI (which includes ELI households) and facilitate housing affordability, particularly for lower and moderate income households.

In addition, the City's Housing Plan includes a program to explore strategies that strengthen tenant protections such as rent stabilization, just cause for eviction, and local relocation assistance (Program 31- Tenant Protection Strategies). Tenant protection strategies benefit the most vulnerable segments of the community such as ELI households. There is also a variety of programs to increase affordable housing supply throughout the County, prioritizing funding to projects that include ELI households.

### **Units at Risk of Conversion**

As of 2022, 24 affordable housing projects totaling 1,148 units (including 877 affordable units) are in unincorporated Marin (Table H-2.49). Government Code Section 65583 requires each city and county to conduct an analysis and identify programs for preserving assisted housing developments. The analysis is required to identify any low income units that are at risk of losing deed-restricted subsidies in the next 10 years. Two projects (Ponderosa Estates and Parnow House) with 128 affordable units are deemed at risk of conversion during the 2023-2033 at-risk analysis period.

**Table H-2.49: Publicly Assisted Multi-Family Affordable Rental Housing**

Name	Address	# of Units	# of Afford Units	Utility Type	Non Profit	Expiration Date
Ponderosa Estates	1001 Drake Ave.	56	56		John Stewart	2023
Parnow Friendship House	164 N. San Pedro Rd.	72	72		EAH Housing	2024
The Redwoods II		60	60		Community Church of Mill Valley	2036
Mill Creek Apartments		9	9	Persons with disabilities	North Bay Rehab Services	2039
Village Oduduwa Complex	2 Park Circle	25	25	Seniors	Oakland Community Housing Management	2040
Hilarita	100 Neds Way	91	91		EAH	2045
Dorothea Mitchell Apartments	52 Terrace Dr.	30	30		Bridge	2051
Rotary Valley Senior Village	10 Jeannette Prandi Way #2601	80	80	Seniors	Bridge	2051
Bo Gas	6 Wharf Rd.	8	8		BCLT	2059
Gibson House	20 Wharf Road	7	7		BCLT	2059
Point Reyes Family Homes	12 Giacomini Rd.	27	27		EAH	2060
Mesa Apartments		4	4		CLAM	2061



**Table H-2.49: Publicly Assisted Multi-Family Affordable Rental Housing**

Name	Address	# of Units	# of Afford Units	Utility Type	Non Profit	Expiration Date
Ridgeway Apartments	141 Donohue St.	225	72		St. Anton Multifamily	2064
Fireside Apartments	115 Shoreline Hwy.	50	50	Families and Seniors	Eden	2065
Toussin Apartments	10 Toussin Avenue	13	13	Seniors	PEP	2065
Anise Turina Apartments	10 La Brea Way	287	287		EAH	2067
Forest Knolls Trailer Court	6690 Sir Francis Drake Blvd.	20	20	Mobile Homes	SGVAHA	2070
21 Calle Del Embarcadero (Ocean Terrace Apartments)	21 Calle del Embarcadero	8	8		CLAM	2071
Walnut Place West Marin	600 A. St.	25	25	Seniors/Disabled	EAH	2073
Sage Lane Senior		6	6		SGVAHA	Forever
Homestead Terrace	100 Linden Lane	28	28	Seniors/Disabled	MHA	
Kruger Pines	47 North Knoll Rd.	56	56	Seniors/Disabled	MHA	
Mt. Burdell		10	10		Habitat for Humanity	
Venetia Oaks	263 North San Pedro Road	36	36	Seniors/Disabled	MHA	
Total		1,148	877			

According to the 2020-2024 Consolidated Plan, Marin Housing Authority manages 340 Below Market Rate (BMR) homeownership units throughout Marin County that are preserved by deed-restriction, of which 90 units are in the unincorporated County. The Marin Housing Authority processes all sales of new units, resales of existing units, refinances, capital improvement evaluations, down payment assistance, and monitoring of the portfolio for compliance with BMR Program requirements. MHA also works with developers at the initial stage to formulate Developer Agreements determining the affordability range and construction requirements for these BMR units. There are an additional 408 BMR units in the City of Novato that are managed by Hello Housing in a similar manner. As of 2020, MHA does not have any anticipated Section 8 contract expirations.

### **Conversion Risk**

The units considered at-risk of conversion in the unincorporated County are all at risk based on the expiration of restrictions for low income use through various financing sources. However, while the units described in Table H-2.49 may meet the definition of at risk of conversion as described in Government Code Section 65583, the risk of conversion is low because they are all owned by non-profits with a mission of providing long term affordable housing. The existing owners all intend to maintain the affordability of the units. There are limited costs associated with rehabilitation as based on regular monitoring and inspections, all of the complexes are in good condition.

### **Preservation Resources**

In order to retain affordable housing, the County must be able to draw upon two basic types of preservation resources: organizational and financial. Qualified, non-profit entities will be notified of any future possibilities of units becoming at risk. A list of qualified entities to acquire and manage at-risk units is available through HCD's website and will be relied upon to provide notification of units at risk. However, the majority of these properties are already owned by nonprofit organizations and therefore preservation by transferring ownership to other nonprofits is not necessarily an efficient strategy.

Funding is available to facilitate preservation through the County's Affordable Housing Trust Fund, Permanent Local Housing Allocation (PLHA), HOME and CDBG funds. Preservation is one of the County's priorities for use of these funds.

### **Costs of Replacement versus Preservation for Units At-Risk During the Planning Period**

According to the California Housing Partnership Corporation website, one development is deemed at risk of conversion during the planning period, 56-unit Ponderosa Estates in

Marin City which has 56 units funded through HUD's Section 8 program. However, additional research found that Ponderosa Estates renewed their agreement with HUD in 2004 for an additional 40 years and the current restrictions do not expire until 2044. The property is part of HUD's Property Disposition Program which provides financial assistance for HUD owned housing projects to maintain their affordability. Assistance is provided to existing projects in need of repair as well as projects already in decent, safe, and sanitary conditions. By providing funding for these projects, HUD helps preserve decent, safe, housing affordable for low income families and minimizes displacement.

A second project – 72-unit Parnow Friendship House – is also identified with a potential conversion date of 2024. However, this project is owned and operated by EAH Housing, a nonprofit organization committed to providing permanent affordable housing to low income households. The expiration of deed restriction does not present a risk of conversion.

The high cost of land and construction make affordable housing development in Marin difficult without substantial subsidy. Projects tend to be small in scale due to local zoning which favors lower density development and community opposition to larger housing projects. Small projects are not competitive for many State funding sources and are not able to benefit from economies of scale. This results in higher development costs per unit, and it also results in higher ongoing management costs per rental unit. An example of high development costs is a project currently developing 54 one-bedroom units of affordable housing in Marin with a per unit cost of over \$650,000.<sup>50</sup> Therefore, the cost to construct 128 new units is estimated at \$83.2 million.

Based on the limited supply of developable land, high cost of construction and lengthy approval process, rehabilitation of existing units instead of new construction is the most economical way of providing housing. The cost of preservation is significantly less. For example, in 2015 the eight-unit Calle del Embarcadero Apartments in Stinson Beach was going to be sold and existing residents, including two tenants using Section 8 housing assistance vouchers, were likely to be displaced because the new owner was expected to raise rents to market rates. A collaboration between the County of Marin, Marin Community Foundation, Community Land Trust Association of West Marin (CLAM) and the Stinson Beach Affordable Housing Committee was formed to enable the creation of the first permanently affordable housing units in Stinson Beach. According to the Marin Community Foundation, mix of grants and loans totaling \$2.85 million was supplied to cover the cost of purchasing the Calle del Embarcadero Apartments by CLAM.<sup>51</sup> Based on the information supplied by the Marin Community Foundation, the per unit cost for the acquisition of the apartments was \$356,250 per

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<sup>50</sup> 2020-2024 Consolidated Plan.

<sup>51</sup> <https://www.marincf.org/buck-family-fund-grants/mcf-loan-fund/case-studies-stinson-beach-affordable-housing>

unit, about half of the costs for new construction. Therefore, the cost of preserve 128 units of high and very high risk units can be estimated at about \$45.6 million.

### Disadvantaged Communities

SB 244, codified in Government Code Section 56375, requires cities and counties to identify the infrastructure and service needs of unincorporated legacy communities in their general plans at the time of the next Housing Element update. SB 244 defines an unincorporated legacy community as a place that meets the following criteria:

- Contains 10 or more dwelling units in close proximity to one another;
- Is either within a city Sphere of Influence (SOI), is an island within a city; boundary, or is geographically isolated and has existed for more than 50 years; and
- Has a median household income that is 80% or less than the statewide median household income.

Per this definition, no disadvantaged communities are located within the unincorporated area of the County. The Marin Local Agency Formation Commission's Municipal Services Review (MSR) from October 2019 identified one disadvantaged community in several census tracts covering the Canal neighborhood of San Rafael Region that met the disadvantaged community criteria.<sup>52</sup> However, given this neighborhood is entirely within the San Rafael city limits, it does not qualify as a disadvantaged community in the unincorporated County. The October 2020 reports for the Twin Cities Region, Novato Region, Upper Ross Valley, and Tiburon Peninsula did not identify any disadvantaged communities.

While the community of Marin City does not fall under the definition of SB 244, it still faces many of the same challenges. As discussed in the AFFH appendix, Marin City is defined as a "sensitive community" by the UC Berkeley Urban Displacement project. This means that the share of renters is above 40%, share of people of color is more than 50% as well as a higher share of low income households and severely rent burdened households and proximity to displacement pressures. Displacement pressures were defined based on median rent increases and rent gaps. The Housing Element focus group members were concerned about displacement for residents who cannot find affordable housing.

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<sup>52</sup> [https://www.marinlafco.org/files/8fd4604a2/San+Rafael+Reg+MSR\\_Final+Post+Adoption+Oct.2019%5B2%5D.pdf](https://www.marinlafco.org/files/8fd4604a2/San+Rafael+Reg+MSR_Final+Post+Adoption+Oct.2019%5B2%5D.pdf)

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# Appendix D: Affirmatively Furthering Fair Housing

## A. Introduction and Overview of AB 686

Assembly Bill 686 passed in 2017 requires the inclusion in the Housing Element an analysis of barriers that restrict access to opportunity<sup>1</sup> and a commitment to specific meaningful actions to affirmatively further fair housing.<sup>2</sup> AB 686 mandates that local governments identify meaningful goals to address the impacts of systemic issues such as residential segregation, housing cost burden, and unequal educational or employment opportunities to the extent these issues create and/or perpetuate discrimination against protected classes.<sup>3</sup> In addition, AB 686:

- Requires the state, cities, counties, and public housing authorities to administer their programs and activities related to housing and community development in a way that affirmatively furthers fair housing;
- Prohibits the state, cities, counties, and public housing authorities from taking actions materially inconsistent with their AFFH obligation;
- Requires that the AFFH obligation be interpreted consistent with HUD’s 2015 regulation, regardless of federal action regarding the regulation;
- Adds an AFFH analysis to the Housing Element (an existing planning process that California cities and counties must complete) for plans that are due beginning in 2021;
- Includes in the Housing Element’s AFFH analysis a required examination of issues such as segregation and resident displacement, as well as the required identification of fair housing goals.

The bill added an assessment of fair housing to the Housing Element which includes the following components: a summary of fair housing issues and assessment of the County’s fair housing enforcement and outreach capacity; an analysis of segregation patterns and disparities in access to opportunities, an assessment of contributing factors, an identification of fair housing priorities, and an identification of specific fair housing goals and actions.

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<sup>1</sup> While Californian’s Department of Housing and Community Development (HCD) do not provide a definition of opportunity, opportunity usually relates to access to resources and improved quality of life. HCD and the California Tax Credit Allocation Committee (TCAC) have created Opportunity Maps to visualize place-based characteristics linked to critical life outcomes, such as educational attainment, earnings from employment, and economic mobility.

<sup>2</sup> “Affirmatively furthering fair housing” is defined to mean taking meaningful actions that “overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity” for communities of color, persons with disabilities, and others protected by California law.

<sup>3</sup> A protected class is a group of people sharing a common trait who are legally protected from being discriminated against on the basis of that trait.

## **B. Affirmatively Furthering Fair Housing in Marin County**

The Fair Housing Act (Title VIII of the Civil Rights Act of 1968) requires recipients of HUD funding to affirmatively further fair housing, which means, according to HUD, "taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics." Specifically, affirmatively furthering fair housing means taking meaningful actions that, when taken together,

- Addresses significant disparities in housing needs and in access to opportunities;
- Replaces segregated living patterns with truly integrated and balanced living patterns;
- Transforms racially and ethnically concentrated areas of poverty into areas of opportunity; and
- Fosters and maintains compliance with civil rights and fair housing laws.

In an effort to attain this goal of affirmatively furthering fair housing, HUD requires Marin County as an entitlement jurisdiction to engage in fair housing planning. This planning process requires Marin County to:

1. Conduct and update an Analysis of Impediments to Fair Housing Choice (AI);
2. Develop appropriate actions to overcome the effects of the identified impediments; and
3. Develop a system for record keeping and monitoring the activities undertaken to reduce or overcome the identified impediments.

The purpose of the planning process is to identify and eliminate discrimination and segregation in housing on the basis of race, color, religion, sex, age disability, familial status or national origin and to expand housing choice for all residents in Marin. The most recent Marin County AI was completed in February 2020.



## C. Analysis Requirements

An assessment of fair housing must consider the elements and factors that cause, increase, contribute to, maintain, or perpetuate segregation, racially or ethnically concentrated areas of poverty, significant disparities in access to opportunity, and disproportionate housing needs.<sup>4</sup> The analysis must address patterns at a regional and local level and trends in patterns over time. This analysis should compare the locality at a county level or even broader regional level such as a Council of Government,<sup>5</sup> where appropriate, for the purposes of promoting more inclusive communities.

For the purposes of this AFFH, “Regional Trends” describe trends in the Bay Area (the members of the Association of Bay Area Governments<sup>6</sup>) when data is available in the Data Needs Package or trends within the boundaries of Marin County. when ABAG-level data is not available. “Local Trends” describe trends specific to the unincorporated County and its unincorporated communities.

### Sources of Information

The County used a variety of data sources for the assessment of fair housing at the regional and local level. These include:

- Housing Needs Data Packet prepared by the Association of Bay Area Governments (ABAG), which rely on 2015-2019 American Community Survey (ACS) data by the U.S. Census Bureau for most characteristics.
  - Note: The ABAG Data Packets also referenced the U.S. Department of Housing and Urban Development (HUD) Comprehensive Housing Affordability Strategy (CHAS) reports (based on the 2013-2017 ACS) \.
- U.S. Census Bureau’s Decennial Census (referred to as “Census”) and American Community Survey (ACS).
- Marin County Analysis of Impediments to Fair Housing Choice in January 2020 (2020 AI).
- AFFH Segregation Report (2022) for Unincorporated Marin prepared by ABAG and UC Merced.
- HCD’s AFFH Data Viewer.
- Local Data and Knowledge.

Some of these sources provide data on the same topic, but because of different methodologies, the resulting data differ. For example, the decennial census and ACS report slightly different estimates for the total population, number of households, number

<sup>4</sup> Gov. Code, §§ 65583, subds. (c)(10)(A), (c)(10)(B), 8899.50, subds. (a), (b), (c); see also AFFH Final Rule and Commentary (AFFH Rule), 80 Fed. Reg. 42271, 42274, 42282-42283, 42322, 42323, 42336, 42339, 42353-42360, esp. 42355-42356 (July 16, 2015). See also 24 C.F.R. §§ 5.150, 5.154(b)(2) (2016).

<sup>5</sup> Councils of Governments (COGs) are voluntary associations that represent member local governments, mainly cities and counties, that seek to provide cooperative planning, coordination, and technical assistance on issues of mutual concern that cross jurisdictional lines. For example, the Association of Bay Area Governments (ABAG) is a Council of Government in the Bay Area.

<sup>6</sup> Includes the Counties of: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, Sonoma, and the City of San Francisco. For detailed member list see: <https://abag.ca.gov/about-abag/what-we-do/our-members>

of housing units, and household size. This is in part because the ACS provides estimates based on a small survey of the population taken over the course of the whole year.<sup>7</sup> Because of the survey size, some information provided by the ACS is less reliable. For this reason, the readers should keep in mind the margin of error when drawing conclusions based on the ACS data used in this chapter. The information is included because it provides an indication of possible trends. The analysis makes comparisons between data from the same source during the same time periods, using the ABAG Data Package as the first source since ABAG has provided data at different geographical levels for the required comparisons. As such, even though more recent ACS data may be available, 2014-2019 ACS reports are cited more frequently (and 2013-2017 for CHAS data).

The County also used findings and data from the 2020 Marin County Analysis of Impediments to Fair Housing Choice (2020 AI) for its local knowledge as it includes a variety of locally gathered and available information, such as a surveys, local history and events that have effected or are effecting fair housing choice. The County also used the HCD's 2020 Analysis of Impediments to Fair Housing Choice for its regional findings and data.

In addition, HCD has developed a statewide AFFH Data Viewer. The AFFH Data Viewer consists of map data layers from various data sources and provides options for addressing each of the components within the full scope of the assessment of fair housing. The data source and time frame used in the AFFH mapping tools may differ from the ACS data in the ABAG Data Package. The County tried to the best of their ability to ensure comparisons between the same time frames but in some instances, comparisons may have been made for different time frames (often different by one year). As explained earlier, the assessment is most useful in providing an indication of possible trends.

For clarity, this analysis will refer to various sections of the unincorporated County as North Marin, West Marin, Central Marin, and Southern Marin. These designations are shown in Figure D- 1 and include the following communities and jurisdictions:

- North Marin: Black Point-Green Point, Novato, Lucas Valley-Marinwood
- West Marin: Dillon Beach, Tomales, Inverness, Marshall, Point Reyes Station, Nicasio, Lagunitas-Forest Knolls, San Geronimo, Woodacre, Bolinas, Stinson Beach, Muir Beach
- Central Marin: Sleepy Hollow, Fairfax, San Anselmo, Ross, Santa Venetia, San Rafael, Kentfield, Larkspur, Corte Madera
- Southern Marin: Mill Valley, Tiburon, Strawberry, Tamalpais-Homestead Valley, Marin City, Belvedere, Sausalito

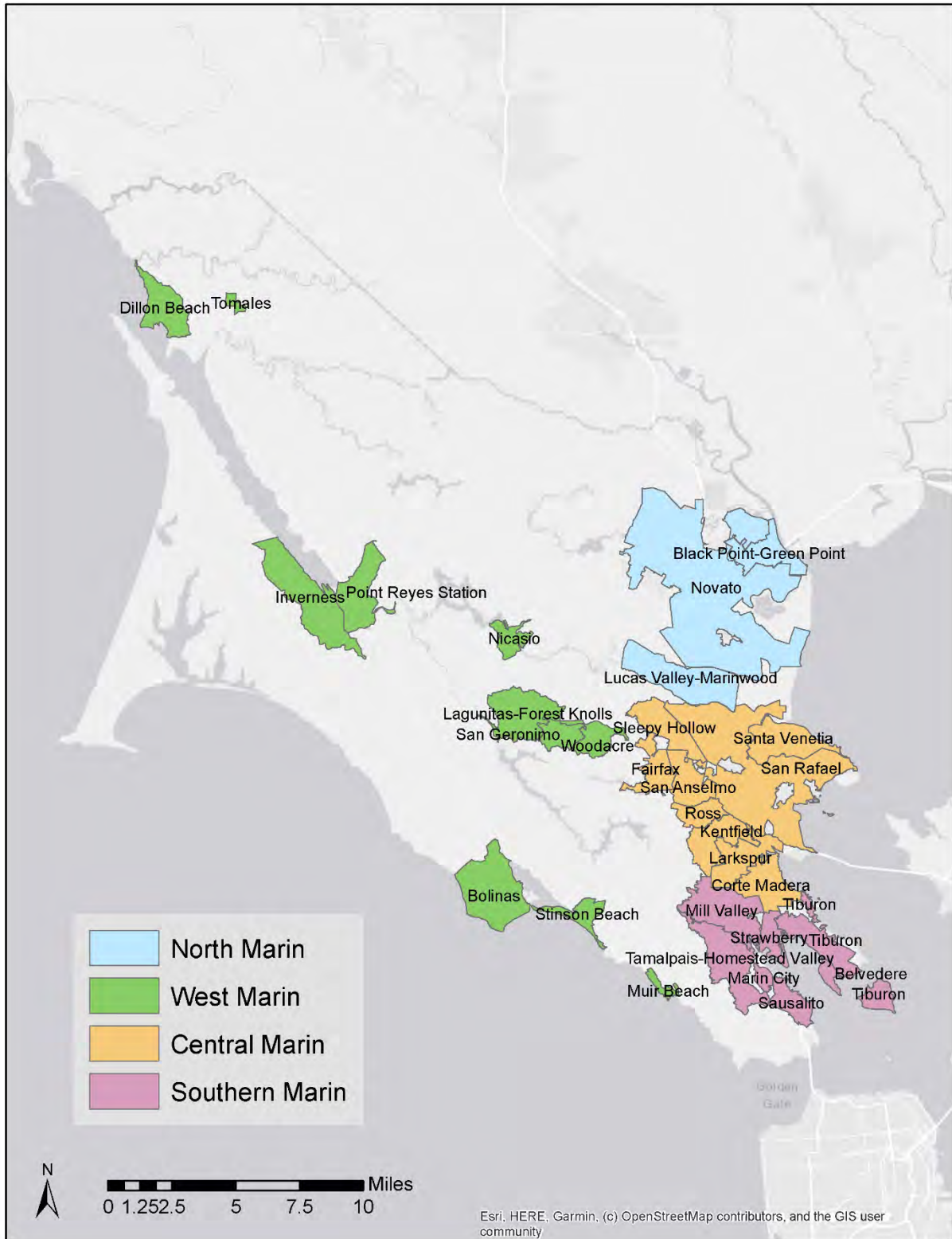
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<sup>7</sup> The American Community Survey is sent to approximately 250,000 addresses in the United States monthly (or 3 million per year). It regularly gathers information previously contained only in the long form of the decennial census. This information is then averaged to create an estimate reflecting a 1- or 5-year reporting period (referred to as a "5-year estimate"). 5-year estimates have a smaller margin of error due to the longer reporting period and are used throughout the AFFH.

### **Local Knowledge**

In addition to using federal or state level data sources, local jurisdictions are also expected to use local data and knowledge to analyze local fair housing issues. Using point-in-time federal and state level data sets alone to identify areas may misrepresent areas that are experiencing more current and rapid changes or may be primed to do so in the near future. For these reasons, an additional screen of local data and knowledge is necessary. Local data and knowledge from stakeholders, community members, and County staff is interwoven within each section where data was available.

Figure D- 1: Marin County Communities



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## D. Assessment of Fair Housing Issues

### 1. Fair Housing Enforcement and Outreach

Enforcement capacity includes the ability to address compliance with fair housing laws, such as investigating complaints, obtaining remedies, and engaging in fair housing testing. The two primary state fair housing laws are the Fair Employment and Housing Act (FEHA) and the Unruh Civil Rights Act. These laws incorporate the same protected classes of persons as the federal Fair Housing Act, and also prohibit discrimination based on marital status, sexual orientation, source of income, ancestry, immigration status, citizenship, primary language and arbitrary factors such as age or occupation. Fair housing outreach capacity relates to the ability of a locality and fair housing entities to disseminate information related to fair housing and provide outreach and education to assure community members are well aware of fair housing laws and rights.

Fair Housing Advocates of Northern California (FHANC) provides fair housing services, including fair housing counseling, complaint investigation, and discrimination complaint assistance, to Marin County residents. FHANC is a non-profit agency whose mission is to actively support and promote fair housing through education and advocacy. FHANC also provides fair housing workshops to educate tenants on fair housing law and include information on discriminatory practices, protections for immigrants, people with disabilities, and families with children, occupancy standards, and landlord-tenant laws. FHANC also provides educational workshops on home buying and affordable homeownership. In addition, FHANC hosts a fair housing conference in Marin County annually.

The County works in close partnership with the Fair Housing Advocates of Marin (FHAM) (a division of Fair Housing Advocates of Northern California, FHANC). FHAM is the only HUD-certified Housing Counseling Agency in the county, as well the only fair housing agency with a testing program in the county. Fair Housing Advocates of Marin (FHAM) provides free services to residents protected under federal and state fair housing laws. FHAM helps people address discrimination they have experienced, increasing housing access and opportunity through advocacy as well as requiring housing providers to make changes in discriminatory policies. FHAM provides the following services:

- (1) Housing counseling for individual tenants and homeowners;
- (2) Mediations and case investigations;
- (3) Referral of and representation in complaints to state and federal enforcement agencies;
- (4) Intervention for people with disabilities requesting reasonable accommodations and modifications;
- (5) Fair housing training seminars for housing providers, community organizations, and interested individuals;
- (6) Systemic discrimination investigations;
- (7) Monitoring Craigslist for discriminatory advertising;
- (8) Education and outreach activities to members of protected classes on fair housing laws;

- (9) Affirmatively Furthering Fair Housing (AFFH) training and activities to promote fair housing for local jurisdictions and county programs;
- (10) Pre-purchase counseling/education for people in protected classes who may be victims of predatory lending; and
- (11) Foreclosure prevention.

### **Fair Housing Enforcement**

#### *Regional Trends*

Government Code section 8899.50 requires all public agencies to administer programs and activities relating to housing and community development in a manner to affirmatively further fair housing and avoid any action that is materially inconsistent with its obligation to affirmatively further fair housing. The U.S. Department of Housing and Urban Development (HUD) has described the responsibility to affirmatively further fair housing as:

“Taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.” (2015 AFFH Regulation Preamble.)

In addition, Government Code section 11135 et seq. requires full and equal access to all programs and activities operated, administered, or funded with financial assistance from the state, regardless of one’s membership or perceived membership in a protected class.

To this end, the U.S. Department of Housing and Urban Development (HUD) requires jurisdictions receiving Federal grant funds for housing and community development to certify that they are taking actions to affirmatively further fair housing (AFFH). Marin County receives Federal grant funds from the Community Development Block Grant (CDBG) program and the Home Investment Partnership (HOME) program that provide funding for housing, community facilities, and public services for low and moderate-income households. Under both programs, the County is required to certify it is taking actions and documenting those actions that affirmatively further fair housing.

The Fair Housing Act (Title VIII of the Civil Rights Act of 1968) requires recipients of HUD funding to affirmatively further fair housing, which means, according to HUD, “taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.” In an effort to attain this goal of affirmatively furthering fair housing, HUD requires jurisdictions to engage in fair housing planning. This planning process requires Marin County to:

- 1) Conduct and update an Analysis of Impediments to Fair Housing Choice (AI);
- 2) Develop appropriate actions to overcome the effects of the identified impediments; and
- 3) Develop a system for record keeping and monitoring the activities undertaken to reduce or overcome the identified impediments.

The County completed its most recent AI in 2020, which is one of several ways in which the County fulfills its obligation to affirmatively further fair housing (Government Code section 8899.50), to ensure full and equal access to its programs (Government Code section 11135 et seq.) and to serve as the foundation for the reporting requirements for California Assembly Bill 686, which requires public agencies to administer programs and activities relating to housing and community development in a manner that affirmatively furthers fair housing. The AI reviewed current fair housing law, the enforcement of fair housing law, efforts to promote fair housing, access to credit for the purpose of housing, and general constraints to the availability of housing.

After years of community engagement and changes in the County's development codes, zoning policies, funding strategies and collaborations with cities and towns, the 2020 AI identified four overarching impediments to fair housing choice:

- 1) Community Opposition: Community opposition has been identified as the number one reason for the lack of affordable housing development in the County, particularly for families and in areas outside of minority concentration.
- 2) Cost of Developing Affordable Housing and the Lack of Available Land for Development: Many Marin communities require that developers of multi-unit housing set aside a percentage of units as affordable housing, however some cities and towns do not have inclusionary policies or affordable housing impact fees, and for some jurisdictions, the housing trust account balances are too low to be useful. In addition, in-lieu fees do not reflect the actual cost of building affordable housing in the County.
- 3) Lack of Affordable Housing: Developers and members of the community are unaware of potential affordable housing sites across the County. Because of this lack of knowledge, opportunities to purchase land or properties may reduce the availability for affordable housing development
- 4) Lack of Homeownership, Particularly for African Americans: The price of housing in Marin is unaffordable for most residents, but because of historic, discriminatory practices and government policies, African Americans – in particular, people who lived in Marin City during the Marinship years -- have been particularly affected by policies that have created segregated communities with limited access to opportunities.

Marin County is committed to the promotion of fair housing choice, and to affirmatively further fair housing. The County's goal is to increase, expand and maintain its affordable housing inventory and to increase opportunities for housing choice for low income residents, people of color, people with disabilities and residents who have specifically been impacted by historic government policies and practices that created segregated



communities in Marin and who continue to be marginalized today. Prior to the 2020 AI, the City has made major progress in affirmatively furthering fair housing choice through Voluntary Compliance Agreement with HUD.

### *Voluntary Compliance Agreement*

From June 29 to July 2, 2009, the Department of Housing and Urban Development (HUD) conducted a comprehensive review of the County's Community Development Block Grant (CDBG) program and HOME Investment Partnership Program to determine whether it was in compliance with HUD's fair housing and equal opportunity regulations.

On September 18, 2009, HUD issued a letter stating the Department's review disclosed that the County's programs were generally in compliance with Federal laws and regulations. HUD, however, did conclude that the County had certain shortcomings including: (1) an outdated and substantially incomplete Analysis of Impediments to Fair Housing Choice ("AI") document; (2) the County's Citizen Participation Plan had not been successful in promoting meaningful public participation in CDBG and HOME-funded programs; (3) that the County had not consistently monitored sub-recipients to ensure accurate protected class data collection; and (4) there was not a written policy for internal use and activities to assure that all written materials to include either a Telecommunication Device for the Deaf (TDD) number or the number for the California Relay System.

The County elected to voluntarily accept HUD's invitation to negotiate and identify corrective actions to resolve all of HUD's concerns, and the Board of Supervisors entered into a Voluntary Compliance Agreement (VCA) with the Department of Housing and Urban Development on November 30, 2010.

The VCA included a process for compliance activities, monitoring reports, analysis of the demographics of beneficiaries of the County's Federal grant projects, a review of the affirmative marketing for fair housing choice, the completion of an Analysis of Impediments to Fair Housing Choice (AI), and ongoing activities that address issues raised by the AI.

The VCA was in effect for a 5-year period, expiring on December 22, 2015. However, on the expiration date, HUD requested that the County agree to extend the VCA for three additional years. While noting the County's accomplishments in utilizing HUD funds, HUD emphasized continued concern with developing affordable housing outside of areas of minority concentration and concern that only a small percentage of the units underway were identified as affordable, permanent rental housing for families with children. County Staff worked with HUD's San Francisco Staff to negotiate terms for a new VCA and on May 7, 2019, the Board of Supervisors approved the 2019 Voluntary Compliance Agreement between the U.S. Department of Housing and Urban Development and the County of Marin, which expired May 2022.

### *Prior AI Accomplishments*

As part of the 2010 Voluntary Compliance agreement with HUD, the County was required to complete an Analysis of Impediments to Fair Housing Choice (AI). On October 11, 2011, the Board of Supervisors approved the Analysis of Impediments to Fair Housing



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Choice and the Implementation Plan for the AI that identified 37 specific recommendations to address barriers to fair housing choice in Marin. One of the recommendations was for the County to assign a Community Development Block Grant Priority Setting Committee to provide oversight for the Implementation Plan. In addition to creating an oversight committee for the AI, the following actions were taken to address the other recommendations:

- In 2012 the County established a 10-Year Community Homeless Plan to prevent and end homelessness. All cities and towns, along with the County, committed to a three-year funding commitment that established a “Community Homeless Fund.”
- The DREAM (Diversity, Respect, Encouragement, Acceptance, Marin) collaborative, which was started by a group of County employees interested in promoting diversity and inclusion in the workforce, was expanded to include representatives from five affinity groups - for African Americans, Asian-Americans, Latinos, LGBT employees, and people with disabilities - and several employee resource groups.
- The County’s Planning Commission, Parks and Open Space Commission, and Human Rights Commission increased its representation by women and people of color.
- The County’s Federal Grants program that oversees the Community Development Block Grants (CDBG) program and the HOME Investment Partnership Program (HOME), expanded the Priority Setting Committee (PSC) to include non-elected, community representatives of the protected classes. The PSC assists in setting funding priorities, provides recommendations for and reviews applications from local non-profit and public agencies for Federal CDBG and HOME Investment Partnerships Program funds, and oversees the implementation of the AI.
- In 2014, the County increased density standards and minimum density requirements for affordable housing. Development Code changes resulted in sites being rezoned to 20 units per acre, consistent with State legislation, AB 1537.
- In 2015, the County established \$13 living wage for County contractors.
- The County contracted with a vendor to provide translation services for public announcements, surveys, and interpretation services for public meetings for all County departments.
- The Marin Housing Authority (MHA) developed a Language Assistance Program that provides free language assistance for clients including applicants, recipients and/or persons eligible for public housing, Section 8 Housing Choice Vouchers, homeownership and other MHA programs. MHA's Affirmative Marketing Plan includes postings in Spanish and Vietnamese newspapers, telephone menus in Spanish and Vietnamese, and notices in non-English radio and television stations, and language selection on their website.
- The Board of Supervisors adopted the 5-Year Business Plan, with a Focus Area for Diversity and Inclusion, and a goal of increasing diversity in the County’s Human Resources Department’s candidate pool and interview panels.
- The County sponsored 23 people, representing County employees and residents from across different sectors and economies, to attend PolicyLink’s Equity Summit

in Los Angeles in October 2015. The group participated in issue-based sessions on topics such as housing, health, regional planning, infrastructure investments, financial security, and education, to advance conversations about equity in the County.

- A Fair Housing Program Specialist, with the title of Social Equity Program and Policy Coordinator, was hired in 2015 with the focus on furthering fair housing and was also empowered to advance equity programs within and throughout the County.
- The Board of Supervisors used County Affordable Housing Funds to support the acquisition of two-family complexes in Forest Knolls and Fairfax. CDBG and HOME funding was used to support affordable housing for individuals with disabilities, including Marin Center for Independent Living's Home Modification Program, Buckelew Programs, Novato House, and Lifehouse Inc.'s DelGando property. CDBG and HOME funds were also used for new family housing in Homeward Bound's Oma Village and Habitat for Humanity's Mt. Budell Place.

In December 2015, when the Voluntary Compliance Agreement (VCA) with HUD expired and County staff entered into negotiations with HUD to extend the VCA for 3 additional years, the County continued to make progress on the specific recommendations identified in the AI that addressed barriers to housing and other disparities in Marin, including:

- The Board of Supervisors allocated \$1 million dollars to support the creation of affordable family housing.
- The Board of Supervisors allocated \$450,000 to support landlord incentives aimed at expanding landlord participation in the Marin Housing Authority's Section 8 Voucher Program.
- The County sponsored its first group of County staff in 2016 to participate in the Government Alliance on Race and Equity (GARE) to develop a Racial Equity Plan for Marin and to work with other jurisdictions to advance racial equity throughout the Bay Area. A second cohort was added in 2017.
- The County Administrator's Office identified equity as a priority for the next budgeting cycle, which will allocate resources and funding to advance equity within the County organization and in communities countywide.
- The Board of Supervisors approved a source of income ordinance that precludes landlords from discriminating against certain sources of income – including Section 8 voucher holders, or from charging higher deposits based on a person's source of income, and from treating a person differently based on their source of income.
- The County sponsored a community engagement and education event with famed author and educator, Richard Rothstein, who wrote *THE COLOR OF LAW, The Forgotten History of How Our Government Segregated America*. Marin property owners were encouraged to review their property deeds to identify any racially restricted covenants.
- The County participated in *Race Matters: A Dialogue and Educational Series on Race and How Racism Has Served to Divide People and Maintain Systems of*

Inequalities. Discussions included housing, with recommendations, strategies and solutions to address racial inequities in the County.

- The County sponsored the 2017, 2018 and 2019 Fair Housing Conference in Marin.
- Amendments to the County's Development Code were adopted to encourage property owners to develop Junior Accessory Dwelling Units and Accessory Dwelling Units, on their property. More recently, the Board of Supervisors voted to waive building and planning fees up to \$1,500 for the creation of the Junior Accessory Dwelling Units.
- The Board of Supervisors approved the County's first Racial Equity Action Plan and a Diversity Hiring Took Kit.
- A Rental Housing Dispute Resolution ordinance (known as "Mandatory Mediation") was established to help resolve disputes when an annual rent increase of more than 5 percent in a 12-month period is being sought by a landlord.
- A Just Cause for Eviction Ordinance was adopted in December 2018 designed to prevent displacement and to provide stability to households who rent.

During the 2010 AI community engagement process, the County was encouraged to engage Marin's cities in towns to advance fair housing policies and programs and to support the County's efforts to affirmatively further fair housing.

Since 2010, the following actions have been taken:

- The CDBG Priority Setting Committee (PSC) which consists of a member of the Board of Supervisors, city and town council members and non-elected members of the community, advises the Marin County Board of Supervisors on the CDBG and HOME funding allocation process and provides input on the County's implementation of the Analysis of Impediments to Fair Housing Choice. Addressing the fair housing concerns in Marin County requires a concerted effort on behalf of County Staff, the Board of Supervisors, cities and towns, and Priority Setting Committee members. Working together has created a better alignment of Federal funding sources with the County's fair housing strategies and goals.
- In 2017, the Board of Supervisors adopted a Source of Income Protection ordinance prohibiting landlords in unincorporated communities from rejecting prospective tenants based solely on the use of a Section 8 Housing Choice Voucher. While California state law provided that it was unlawful to discriminate based upon one's source of income, at that time the definition was narrow and did not include third-party housing subsidies such as HCVs, Veterans Affairs Supportive Housing (VASH), Housing Opportunities for People with Aids (HOPWA), and Shelter Care Plus vouchers. The ordinance made it unlawful for housing providers in the unincorporated parts of Marin County to refuse to consider renters using housing subsidies, to offer different terms and conditions,

such as higher security deposits, or to make discriminatory statements, such as “No Section 8.”<sup>8</sup>

- From 2018-2019, County staff worked with Fairfax, Novato, San Anselmo and San Rafael to adopt a Source of Income Protection ordinance for their cities and towns.
- In December 2018, the Board of Supervisors adopted a Just Cause for Evictions ordinance and a Rental Dispute Resolution ordinance, also known as Mandatory Mediation, intended to provide stability for households that rent by regulating the grounds for eviction while retaining the rights of landlords to terminate rental agreements based on clearly defined and reasonable justification. In 2019, Staff worked with the cities of Fairfax and San Rafael to adopt Just Cause and Mandatory Mediation ordinances and worked with Larkspur and Novato to consider tenant protection policies.
- In 2018, the Board of Supervisors approved enhancements to the County's multi-family housing inspection program to improve enforcement of environmental health regulations protecting tenants. County staff are working with the cities of Novato and San Rafael to consider better coordination and best practices for ensuring high quality multi-family rental housing.
- From 2017 -2019, County staff continued to work on community engagement, education and outreach around affordable housing.
- From 2018-2019, County staff convened the Housing Working Group with the Planning Directors of all the Marin cities and towns to coordinate around affordable housing policy. In 2019, all Marin jurisdictions applied jointly for SB 2 grant dollars intended to increase the production of housing.

#### Compliance with Federal and State Law

As stated earlier, on September 18, 2009, HUD issued a letter stating the Department's review disclosed that the County's programs were generally in compliance with Federal laws and regulations.

In addition, the County complies with California Law, Government Code Section 12955 et seq – Fair Employment and Housing Act (FEHA). FEHA prohibits housing discrimination or harassment in housing practices, including advertising, the application and selection process, unlawful evictions, terms and conditions of tenancy, privileges of occupancy, and mortgage loans and insurance. Government Code Section 12955(l) prohibits discrimination through public or private land use practices, decisions, and authorizations.

The following categories are protected by FEHA: race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status (households with children under 18 years of age), source of income, disability, or genetic information.

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<sup>8</sup> In 2019, the California Legislature passed Senate Bill (SB) 329 that amended the Fair Employment and Housing Act (FEHA) to clarify that HCVs and other types of housing subsidies and third party rental assistance are included within the definition of source of income. Thus, source of income protections now apply to the entire state.

In addition, FEHA contains similar reasonable accommodations, reasonable modifications, and accessibility provisions to the Federal Fair Housing Amendments Act. FEHA explicitly provides that violations can be proven through evidence of the unjustified disparate impact of challenged actions and inactions and establishes the burden shifting framework that courts and the Department of Fair Employment and Housing must use in evaluating disparate impact claims.

The FEHA also incorporates the Unruh Act (Civil Code section 51), the Ralph Act (Civil Code section 51.7) and the Bane Act (Civil Code section 52.1). The Unruh Civil Rights Act provides protection from discrimination by all business establishments in California (including housing and accommodations) because of age, ancestry, color, disability, national origin, race, religion, sex, or sexual orientation. While the Unruh Civil Rights Act specifically lists “sex, race, color, religion, ancestry, national origin, disability, and medical condition” as protected classes, the California Supreme Court has held that protections under the Unruh Act are not necessarily restricted to these characteristics. In practice, this has meant that the law protects against arbitrary discrimination, including discrimination on the basis of personal appearance.

Furthermore, the Ralph Civil Rights Act (California Civil Code Section 51.7) forbids acts of violence or threats of violence because of a person’s race, color, religion, ancestry, national origin, age, disability, sex, sexual orientation, political affiliation, or position in a labor dispute. Hate violence can include: verbal or written threats; physical assault or attempted assault; and graffiti, vandalism, or property damage. Ralph Act provides that all persons have the right to be free from violence committed against themselves or their property because of their race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, disability, position in a labor dispute, or because another person perceives them to have one or more of these characteristics.

The Bane Civil Rights Act (California Civil Code Section 52.1) provides another layer of protection for fair housing choice by protecting all people in California from interference by force or threat of force with an individual’s constitutional or statutory rights, including a right to equal access to housing. The Bane Act also includes criminal penalties for hate crimes; however, convictions under the Act may not be imposed for speech alone unless that speech itself threatened violence.

California Civil Code Section 1940.3 prohibits landlords from questioning potential residents about their immigration or citizenship status. In addition, this law forbids local jurisdictions from passing laws that direct landlords to make inquiries about a person’s citizenship or immigration status.

To ensure compliance with these laws, the County contracts with Fair Housing Advocates of Northern California (FHANC) to provides fair housing services, including fair housing counseling, complaint investigation, and discrimination complaint assistance to Marin County residents. FHANC monitors advertisements online with potentially discriminatory statements and sends notification letters, sharing its fair housing concerns. Since the enactment of these local ordinances and SB329, FHANC has made concerted efforts to focus its education efforts on source of income protections, highlighting the change in the

law and how income requirements work. The response from housing providers has varied from hostility to appreciation.

As the 2020 AI found, disparities in lending practices disproportionately affect people of color in the County, especially African Americans in Marin City. In December 2021, FHANC and a Marin City couple sued a San Rafael appraiser in federal court for alleged race discrimination after they were given an appraisal in February 2020 \$455,000 less than an appraisal done in March 2019. The couple sought to refinance their home and thought the February 2020 appraisal of \$995,000 was very low. To test their assumption of discrimination, they asked for a third appraisal and removed any indicators of their race- including removing pictures- and asked a white friend to meet the appraiser. The third appraisal valued the house at \$1,482,500. According to the Marin Independent Journal, their suit argues that “Marin City has a long history of undervaluation based on stereotypes, redlining, discriminatory appraisal standards, and actual or perceived racial demographics. Choosing to use comps located in Marin City means that the valuation is dictated by these past sale prices, which were the direct product of racial discrimination.” This suit is an example of how the approach used to generate appraisal values (years of past sales reviewed and radius of search) can exacerbate past discriminatory practices and continue to disproportionately affect Marin City residents.

Discrimination complaints from both resident and prospective County tenants can be filed through FHANC, which refers complaints to the Department of Housing and Urban Development (HUD), or the Department of Fair Employment and Housing (DFEH). Complaints filed through HUD/DFEH from 2018-2019, included in the 2020 Analysis of Impediments to Fair Housing (2020 AI) are shown below in Table D- 1. More updated FHANC clients (2020-2021) are also included in Table D- 1. A total of 301 housing discrimination complaints were filed with FHANC from 2020 to 2021 and 14 were filed with HUD from 2018 to 2019. A majority of complaints, including 78 percent of complaints filed with FHANC and 57 percent of complaints filed with HUD, were related to disability status. This finding is consistent with federal and state trends. According to the 2020 State AI, 51 percent of housing-related complaints filed with DFEH between 2015 and 2019 were filed under disability claims, making disability the most common basis for a complaint. FHANC also received 38 complaints (13 percent) on the basis of national origin, 22 on the basis of race (seven percent), 19 (six percent) on the basis of gender, and 13 (4.3 percent) on the basis of familial status. Similarly, state trends show the same protected classes are among the most commonly discriminated against.

Protected Class	FHANC (2020-21)		HUD/DFEH (2018-19)	
	Complaints	Percent	Complaints	Percent
Disability	235	78.1%	8	57%
National Origin	38	12.6%	4	29%
Race	22	7.3%	3	21%
Gender	19	6.3%	2	14%
Familial Status	13	4.3%	1	7%
Source of Income	28	9.3%	--	--
<b>Total</b>	<b>301</b>	<b>--</b>	<b>14</b>	<b>--</b>

Notes: 1. A single complaint can be filed by a member of multiple protected classes so the totals per protected class does not add up to the 301 total complaints reported to FHANC. 2. HUD/DFEH complaints in AI reported to nearest whole number.  
Sources: Marin County Analysis of Impediments to Fair Housing Choice, 2020; Fair Housing Advocates of Northern California (FHANC), 2020-2021.

A reasonable accommodation, as defined in the 2020 AI, “is a change or modification to a housing rule, policy, practice, or service that will allow a qualified tenant or applicant with a disability to participate fully in a housing program or to use and enjoy a dwelling, including public and common spaces.” The 2020 AI reported that FHANC requested 35 reasonable accommodations for clients with disabilities between 2018 and 2019, 33 of which were approved. County staff also advises clients on reasonable accommodations requests. FHANC also provides funding for the Marin Center for Independent Living (MCIL). Since 2017, FHANC has provided funding for 13 MCIL modifications.

As described earlier, the County works with Fair Housing Advocates of Marin (FHAM) (a division of Fair Housing Advocates of Northern California, FHANC) to provide fair housing services to Marin residents. However, FHAM also provides services across a large service area that includes Marin County, Sonoma County, Santa Rosa, Fairfield, and Vallejo.

Historically, FHAM’s fair housing services have been especially beneficial to Latinx, African-Americans, people with disabilities, immigrants, families with children, female-headed households (including survivors of domestic violence and sexual harassment), and senior citizens; approximately 90 percent of clients are low-income. FHAM’s education services are also available to members of the housing, lending, and advertising industry. Providing industry professionals with information about their fair housing responsibilities is another means by which FHAM decreases incidences of discrimination and helps to protect the rights of members of protected classes.

From 2017 to 2018, the organization served 1,657 clients (tenants, homeowners, social service providers, and advocates), a 22 percent increase from the previous year; provided counseling on 592 fair housing cases (a 26 percent increase), intervened for 89 reasonable accommodations granted (a 33 percent increase) of 97), represented 97 requests from people with disabilities (a 24 percent increase; funded eight (8) reasonable modification requests to improve accessibility for people with disabilities; investigated 71

rental properties for discriminatory practices, filed 15 administrative fair housing complaints and one (1) lawsuit; garnered \$71,140 in settlements for clients and the agency; and counseled 71 distressed homeowners and assisted homeowners in acquiring \$228,197 through Keep Your Home California programs to prevent foreclosure.

During Fiscal Year 2018 to 2019, FHAM counseled 393 tenants and homeowners in Marin County, screening clients for fair housing issues and providing referrals for non-fair housing clients or callers out of FHAM's service area. Of the households counseled, 211 alleged discrimination and were referred to an attorney or bilingual housing counselor for further assistance (e.g. receiving information on fair housing laws, interventions with housing providers requesting relief from discriminatory behavior, making 35 reasonable accommodation requests on behalf of disabled tenants, four referrals to HUD/DFEH and representation in administrative complaints).

### *Local Trends*

FHANC provides Countywide enforcement activities described above but detailed information for the unincorporated data was unavailable for all types of activities. However, FHANC estimates that 43 percent of their services are located in "other" areas of the County (while the other 57 percent of services are provided in Novato and San Rafael).

Of the 301 complaints received by FHANC between 2020 and 2021 (Table D- 1), 68 were from unincorporated communities (Table D- 2). Only residents from West Marin and Southern Marin reported discrimination complaints in the unincorporated county, with West and Southern Marin each making up about 50 percent of the complaints reported to FHANC. Within West Marin, residents of Point Reyes Station and Woodacre reported the highest number of complaints, while in Southern Marin, Marin City had the greatest number of complaints. Overall, Marin City had the highest incidence of reported discrimination complaints, making up about 45.6 percent of all the complaints in the unincorporated County.



Community	Cases	% of Cases
North Marin	0	0.0%
West Marin	36	52.9%
Inverness	3	4.4%
Point Reyes Station	13	19.1%
Olema	1	1.5%
Nicasio	1	1.5%
Forest Knolls	2	2.9%
San Geronimo	1	1.5%
Woodacre	8	11.8%
Bolinas	4	5.9%
Stinson Beach	3	4.4%
Central Marin	0	0.0%
Southern Marin	32	47.1%
Marin City	31	45.6%
Strawberry/Tiburon	1	1.5%
<b>Total</b>	<b>68</b>	<b>100.0%</b>

Notes: 1. A single complaint can be filed by a member of multiple protected classes so the totals per Source: Fair Housing Advocates of Northern California (FHANC), 2020-2021.

The protected classes from the unincorporated area that made discrimination complaints were similar to those in the County and the state. Of the 68 complaints made to FHANC in the unincorporated area, 85 percent were made by persons with disabilities. Gender and race were the other top protected classes that made disclination complaints to FHANC (about nine percent of the cases).

Protected Class	Cases	% of Cases
Disability	58	85.3%
Gender	6	8.8%
Race	6	8.8%
Sex	4	5.9%
National Origin	2	2.9%
Source of Income	2	2.9%
Age	1	1.5%
Familial Status	1	1.5%
Marital Status	1	1.5%
Religion	1	1.5%
Other	1	1.5%
Total Cases	<b>68</b>	--

Notes: 1. A single complaint can be filed by a member of multiple protected classes so the totals per Source: Fair Housing Advocates of Northern California (FHANC), 2020-2021.

FHANC also tracks the discriminatory practices reported by complainants (Table D- 4). The most commonly reported discriminatory practice was denial of reasonable accommodation (62 percent of cases) followed by different terms and conditions, refusal to rent/sell, and harassment (nine percent of cases). As with the County and state trends, discrimination complaints and discriminatory practices are more commonly related to persons with disabilities and their special needs.

Protected Class	Cases	% of Cases
Reasonable accommodation	42	61.8%
Different terms & conditions	6	8.8%
Refusal to rent/sale	6	8.8%
Harassment	6	8.8%
Intimidation, interference, coercion	5	7.4%
Otherwise make unavailable	5	7.4%
Other	5	7.4%
Advertising/discriminatory statements	3	4.4%
Retaliation	2	2.9%
Predatory Lending	2	2.9%
Reasonable modification	1	1.5%
Steering	1	1.5%
False denial of availability	1	1.5%
Total Cases	<b>68</b>	--

Notes: 1. A single complaint can be filed by a member of multiple protected classes so the totals per Source: Fair Housing Advocates of Northern California (FHANC), 2020-2021.

### Recent Complaint Trends

Since the beginning of COVID, FHANC has seen related housing hardships such as inability to pay rent/mortgage due to income loss; increased rents despite financial hardship; need for reasonable accommodations in order to protect from COVID infections and/or because of increases in stress; domestic violence exacerbated by quarantine/isolation; sexual harassment/exploitation of tenants unable to move/pay rent; neighbor-on neighbor harassment related to increases in stress/prolonged proximity; and harassment/discrimination based on stereotypes about which groups are likely to have COVID. FHANC has seen an overall decrease in eviction cases during the pandemic. For example, a client with an autoimmune disease and is considered high-risk with regard to COVID-19 reached out to FHANC to prevent her landlord from unnecessarily entering her unit during the COVID-19 pandemic. She had had repeated issues with the landlord entering her unit often and on short notice, without taking proper precautions to prevent the spread of COVID-19. FHANC sent a letter detailing her condition, with verification from her doctor, and requested that the landlord not enter the unit except in case of emergency or for significant repairs. The landlord agreed to the request, and the issue has not persisted since it was granted.

Government Code Sections 11135, 65008, and 65580-65589.8 prohibit discrimination in programs funded by the State and in any land use decisions. Specifically, recent changes to Sections 65580-65589.8 require local jurisdictions to address the provision of housing options for special needs groups, including: Housing for persons with disabilities (SB 520), Housing for homeless persons, including emergency shelters, transitional housing, and supportive housing (SB 2), Housing for extremely low income households, including single-room occupancy units (AB 2634), and Housing for persons with developmental disabilities (SB 812). Jurisdictions are reviewing compliance with State Law in the 6th Cycle Housing Element Updates. The County's analysis for compliance with State Law found that the County will need to amend its Development Code to address the following to facilitate development of a variety of housing types:

- **Agricultural Worker and Employee Housing:** The County's provisions for agricultural worker housing is not consistent with the State Employee Housing Act. Furthermore, the Development Code does not contain provisions for employee housing. Pursuant to the Employee Housing Act, any housing for six or fewer employees (in any industry) should be permitted as single-unit residential use. The County will amend agricultural worker provisions in the Development Code to be consistent with State law.
- **Residential Care Facilities:** The County permits residential care facilities for six or fewer persons in all residential zones. For residential care facilities for seven or more persons, a conditional use permit is required. The County will revise the Development Code to permit or conditionally permit large residential care facilities in all zones that permit residential uses, as similar uses in the same zone, and to ensure the required conditions for large facilities are objective and provide certainty in outcomes.
- **Transitional and Supportive Housing:** Pursuant to State law, transitional and supportive housing is to be considered a residential use to be similarly permitted

as similar uses in the same zone. Currently, transitional and supportive housing is not specifically identified in the Coastal Zone in areas where residential uses are permitted or conditionally permitted. The Development Code will be amended to address the provision of transitional and supportive housing in the Coastal Zone. Pursuant to State law (Government Code Section 65650 et seq.), supportive housing developments of 50 units or fewer that meet certain requirements must be permitted by right in zones where mixed-use and multi-unit development is permitted. Additionally, parking requirements are prohibited for supportive housing developments within one half mile of a transit stop. The County will amend Title 24 of the Municipal Code to address the parking requirements to comply with State law (see Program 9).

- **Emergency Shelters:** Government Code Section 65583 requires that parking standards for emergency shelters be established based on the number of employees only and that the separation requirement between two shelters be a maximum of 300 feet. The County Development Code and Title 24 will be revised to comply with this provision.
- **Low Barrier Navigation Center (LBNC):** Government Code section 65660 et seq. requires that LBNCs be permitted by right in mixed-use and nonresidential zones that permit multi-unit housing. The Development Code will be amended to include provisions for LBNC.

In addition, the review and approval process of Reasonable Accommodation requests may delay a person's ability to access adequate housing. The County will expedite Reasonable Accommodation requests. (See also Program 21: Rehabilitation Assistance for funding available to assist lower income households in making accessibility improvements.).

### **Fair Housing Testing**

Initiated by the Department of Justice's Civil Rights Division in 1991, fair housing testing involves the use of an individual or individuals who pose as prospective renters for the purpose of determining whether a landlord is complying with local, state, and federal fair housing laws.

#### *Regional Trends*

In Fiscal Year 2018 to 2019, Fair Housing Advocates of Marin (FHAM) conducted systemic race discrimination investigations as well as complaint-based testing, with testing for race, national origin, disability, gender, and familial status discrimination. FHAM monitored Craigslist for discriminatory advertising, with the additional recently added protection for individuals using housing subsidies in unincorporated parts of Marin. FHAM notified 77 housing providers in Marin during the year regarding discriminatory language in their advertisements.

According to the 2020 AI, during the 2018 to 2019 Fiscal Year, FHANC conducted email testing, in-person site, and phone testing for the County. FHANC conducted 60 email tests (30 paired tests) to "test the assumption of what ethnicity or race the average person would associate with each of the names proposed" as well as source of income

discrimination in jurisdictions in Marin County with local ordinances protecting tenants with housing subsidies. The results were as follows:

- Eight paired tests (27 percent) showed clear differential treatment favoring the White tester;
- 19 paired tests (63 percent) conducted in jurisdictions with local source of income ordinances showed discrimination based upon source of income; and,
- 3 paired tests revealed discrimination based upon both race and source of income.
- In 80 percent of tests (24 of 30 paired tests), there was some disadvantage for African American testers and/or testers receiving Housing Choice Vouchers (HCVs).<sup>9</sup>

In-person site and phone tests consisted of an African American tester and a White tester. Of the 10 paired in-person site and phone tests conducted, 50 percent showed differential treatment favoring the White tester, 60 percent showed discrepancies in treatment for HCV recipients, and 30 percent showed discrimination on the basis of race and source of income.

The conclusions of the fair housing tests included in the 2020 AI are as follows:

- Housing providers make exceptions for White Housing Choice Voucher recipients, particularly in high opportunity areas with low poverty.
- Email testing revealed significant evidence of discrimination, with 27 percent of tests showing clear differential treatment favoring the White tester and 63 percent of tests showing at least some level of discrimination based upon source of income.
- Phone/site testing also revealed significant instances of discrimination: 50 percent of discrimination based upon race and 60% based on source of income.

The 2020 State AI did not report any findings on fair housing testing. However, the AI concluded that community awareness of fair housing protections correlates with fair housing testing as testing is often complaint-based, like it is for FHAM in Marin County. According to the 2020 State AI, research indicates that persons with disabilities are more likely to request differential treatment to ensure equal access to housing, making them more likely to identify discrimination. The 2020 State AI highlighted the need for continued fair housing outreach, fair housing testing, and trainings to communities across California, to ensure the fair housing rights of residents are protected under federal and state law.

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<sup>9</sup> The Housing Choice Voucher (HCV) Program is the federal government's major program for assisting very low-income families, the elderly, and persons with disabilities to afford decent, safe, and sanitary housing in the private market. Since housing assistance is provided on behalf of the family or individual, participants are able to find their own housing, including single-family homes, townhouses and apartments. Participants are free to choose any housing that meets the requirements of the program and is not limited to units located in subsidized housing projects. Participants issued a housing voucher are responsible for finding a suitable housing unit of their choice where the owner agrees to rent under the program. A housing subsidy is paid to the landlord directly by the local Public Housing Agency (PHA) on behalf of the participant. The participant then pays the difference between the actual rent charged by the landlord and the amount subsidized by the program. Beginning on January 1, 2020, housing providers, such as landlords, cannot refuse to rent to someone, or otherwise discriminate against them, because they have a housing subsidy, such as a Housing Choice Voucher, that helps them to afford their rent.

The 2020 State AI recommended that the state support the increase of fair housing testing to identify housing discrimination.

The 2020 State AI also reported findings from the 2020 Community Needs Assessment Survey. Respondents felt that the primary bases for housing discrimination were source of income, followed by discriminatory landlord practices, and gender identity and familial status. These results differ from the most commonly cited reason for discrimination in complaints filed with DFEH and FHANC. The State survey also found that most (72 percent) respondents who had felt discriminated against did “nothing” in response. According to the 2020 State AI, “fair housing education and enforcement through the complaint process are areas of opportunity to help ensure that those experiencing discrimination know when and how to seek help.”

### *Local Trends*

FHANC conducts systemic audit testing every year where they test a sample of landlords in each of their service areas to see how members of a particular protected class are being treated. Results from the most recent audit on race and income are expected in Summer/Fall 2022. The results will be incorporated into this analysis when they become available.

In the Audit Report for Fiscal Year 2019-2020, FHANC investigated discrimination against prospective renters who are Latinx and/or Housing Choice Voucher (HCV) holders in Marin, Sonoma, and Solano Counties. While discrimination on the basis of a renter’s source of income has been illegal in California, until only recently have these protections extended to HCV holders, who are individuals who have historically experienced a number of barriers to housing opportunity.

FHANC conducted 139 individual investigations, 45 in Marin County. Tested properties were located in the cities of Fairfax, Larkspur, Mill Valley, Novato, San Anselmo, San Rafael, Sausalito, and Tiburon and unincorporated communities of Kentfield, Lagunitas, and Nicaso. According to FHANC, the investigation did not include the smaller unincorporated communities such as Inverness or Bolinas in Marin County because of the lack of available rental housing, particularly complexes with more than two to three units. In addition, some larger cities were not tested due to lack of eligible availabilities (for instance, the contract rent was significantly above the relevant payment standard). FHANC found that housing providers in Marin County discriminated on the basis of national origin and/or source of income in approximately 81 percent of the time (the lowest rate among the Tri-County area), either demonstrating an outright refusal to rent to HCV holders or requiring an improper application of the minimum income requirement (which effectively prohibits voucher holders from accessing housing) and/or providing inferior terms/conditions and general treatment to Latinx voucher holders as compared to non-Latinx White voucher holders. Of the investigations revealing discrimination, 57 percent were based on source of income, 24 percent were based on both source of income and national origin.

Between January and March 2021, FHANC investigated 111 rental properties in Marin, Sonoma and Solano counties for disability discrimination. FHANC chose properties with stated policies in their rental listings prohibiting or limiting animals on the property, such as “no pet” policies or policies restricting the type, breed or size of animals permitted. Testers posing as renters with disabilities called or emailed housing providers in response to such rental listings and asked if the provider would be willing to make an exception to their animal policy in order to accommodate an applicant who requires an emotional support animal because of a verified disability. In Marin County, tests were conducted at properties located in San Rafael, Novato, Southern Marin<sup>10</sup>, West Marin<sup>11</sup>, and Central Marin.<sup>12</sup> Of the 32 investigations conducted in Marin County, 59 percent revealed evidence of a discriminatory policy or less favorable treatment toward persons with disabilities.

One of the most significant findings revealed by the investigation was the extremely high rate of discrimination uncovered at properties with less than 11 units (73 percent) versus the relatively low rate of discrimination at properties with more than 50 units (20 percent) for the Tri-County area combined. This points to a clear need for increased education and outreach to “mom and pop” landlords regarding their obligation to provide reasonable accommodations under fair housing laws.

Table D- 5 below shows a sample of the phone-based discriminating testing conducted in response to client complaints (or as follow up tests to previous tests) in the unincorporated County between 2017 and 2021.

Table D- 5: Complaint-Based Discrimination Phone Testing for Unincorporated Communities (2017-2021)				
Year	Protected Class	Investigation Outcome	Property City	Test Summary
2017	Disability; Familial Status	Clear Discrimination	Inverness	Landlord refused to let protected tester apply because she has a disability. He says there are stairs and it gets icy in the winter and he doesn't want the liability because she could fall.

<sup>10</sup> Southern Marin includes the incorporated and/or unincorporated cities/ towns of Marin City, Sausalito, Mill Valley, Tiburon, and Belvedere

<sup>11</sup> West Marin includes the incorporated and/or unincorporated cities/ towns of Woodacre, San Geronimo, Lagunitas, Forest Knolls, Lucas Valley, Stinson Beach, Bolinas, and Point Reyes Station.

<sup>12</sup> Central Marin includes the incorporated and/or unincorporated cities/ towns of Corte Madera, Larkspur, Kentfield, Ross, San Anselmo, and Fairfax.

2019	Disability	Some/ Potential Discrimination	Kentfield	Tester said she had an emotional support animal and agent said there would be no fees as long as it was a "certified service animal." Tester clarified that it was an ESA not a service animal many times but agent kept saying it had to be a service animal. Eventually agent said she would ask her superiors if there was a difference but she never got back to tester and never responded to her follow-up call.
2020	Source of Income	Clear Discrimination	Greenbrae	Protected tester called the property posing as a renter and asked if they accept Section 8, to which the agent responded that they are "not currently entering into those contracts."
2021	Source of Income	Clear Discrimination	Greenbrae	A protected tester called and explained that she has a section 8 voucher. She was told by the property manager that they do not accept section 8 and that they "are not entering into any contracts." She was not allowed to get on the waitlist. Based on this investigation, FHANC has determined that the landlord likely discriminated on the basis of source of income and is considering bringing an agency complaint against the housing provider.
2021	Source of Income	Clear Discrimination	Greenbrae	Protected tester told that they would not accept section 8 vouchers.

**Fair Housing Education and Outreach**

*Regional Trends*

As stated earlier, the 2020 State AI has concluded that fair housing outreach and education is imperative to ensure that those experiencing discrimination know when and how to seek help. The County established a Fair Housing Community Advisory Group in 2016. The Community Advisory Group provides advice and feedback on citizen engagement and communication strategies to County staff, participates in inclusive discussions on fair housing topics, identifies fair housing issues and contributing factors, and assists in developing solutions to mitigate fair housing issues. The County also established a Fair Housing Steering Committee consisting of 20 members representing public housing, faith-based organizations, the Marin County Housing Authority, Asian communities, cities and towns, African American communities, business, persons with disabilities, children, legal aid, persons experiencing homelessness, Latino communities,



and philanthropy. The Steering Community advises on citizen engagement strategies, identifies factors contributing to fair housing impediments, incorporates community input and feedback, and provides information on a variety of housing topics to inform actions and implementation plans.

In addition, FHANC, as the County Fair Housing Provider, organizes an annual fair housing conference and resource fair for housing providers and advocates. Housing rights workshops are offered to landlords, property managers, and community members. Information on federal and state fair housing laws, common forms of housing discrimination, protected characteristics, unlawful practices, and fair housing liability is presented to workshop participants. The Marin County Housing Authority website includes the following information in English and Spanish languages, with the option to use google translate for over 100 languages:

- Public Housing, including reasonable accommodations, grievance procedures, transfer policies, Section 3, maintenance service charges, fraud and abuse, resident newsletters, forms and other resources;
- HCVs, including for landlords, participants, fraud and abuse and voucher payment standards;
- Waitlist information and updates;
- Resident Services, including the Supportive Housing Program and Resident Advisory Board;
- Homeownership including Below Market Rate Homeownership Program, Residential Rehab Loan Program, Mortgage Credit Certification Program and the Section 8 Homeownership Program;
- Announcements and news articles, Agency reports and calendar of events.

FHANC conducts the following educational and outreach activities to provide fair housing education, and for complaint solicitation, in an effort to reach protected classes, staff of service agencies, jurisdictional staff, elected officials, housing advocates, housing providers and the general public:

- FHANC provides training seminars to housing providers, tenants and staff of service organizations in English and Spanish (staff of service agencies serve Spanish speaking clients and members of protected classes). FHANC also provides conferences on Reasonable Accommodations for people with disabilities and a Fair Housing Conference annually. The events that are open to the public are marketed through e-blasts, social media posts, outreach to agency contacts (especially contacts in the Canal, Marin City, and agencies servicing protected classes), and through community partners. Some trainings and community presentations are arranged directly with a particular organization and are open to the organization's staff only. Due to the pandemic, most events were held online.

- FHANC is a HUD-certified Housing Counseling Agency and offers homebuying education for those interested in buying Below-Market Rate units in Marin County, and also provides foreclosure prevention education.
- FHANC conducts fair housing education through social media campaigns and email marketing, targeting different protected classes, in English and Spanish. FHANC also publishes newspaper ads in English and Spanish.
- FHANC distributes literature in four languages (English, Spanish, Vietnamese and Tagalog) to different protected classes, including postering through a postering service, and brochure distribution. FHANC literature includes a 40-page handbook available in English and Spanish with information and resources for tenants.
- FHANC provides expertise to jurisdictional and County of Marin staff and elected officials, on fair housing and AFFH matters.
- FHANC has information for tenants on fair housing rights on its website, in English, Spanish and Vietnamese, including fair housing literature, educational webinars, and an accessible intake procedure, so tenants can easily access FHANC's services.
- FHANC attends community meetings, webinars, conferences and other events for networking and outreach purposes and to provide input on fair housing matters.
- FHANC collaborates with community agencies to provide fair housing information to staff and clients. FHANC networks or holds meetings (sometimes on regular basis) with staff of other agencies to promote collaborations, referrals, and networking,

To educate the community on matters related to Fair Housing and Covid-19, FHANC created a training session and developed a flyer (in English and Spanish) with FAQ's, regarding Fair Housing and Covid-19. FHANC distributed the flyer to agencies in Marin County and posted it on FHANC's website. FHANC also hosted a Fair Housing in Times of Covid forum (details in the event list below).

During FY 2020-2021, FHANC engaged in education and outreach efforts to reach individuals most likely experience discrimination and least likely to contact FHANC through activities such as: engaging public and private providers to prevent discriminatory practices, fair housing training to public and private housing providers, presentations to service providers and tenant groups, fair housing ads and e-blasts/social media posts, and literature distribution. FHANC also conducted pre-purchase education workshops in Spanish and English in collaboration with Marin Housing Authority to promote homeownership to low-income residents, covering topics such as preparing to buy a home, taking steps to homeownership, obtaining a loan, affordable housing programs, and predatory lending. In addition, FHANC partnered with San Rafael High School to provide presentations on fair housing and the history of racial residential segregation in Marin to social studies classes. Additionally, FHANC annually produced and hosted successful virtual Reasonable Accommodations conferences and April Fair Housing Month conferences.

As an example of FHAM's outreach capacity, from 2017 to 2018, FHAM educated 221 prospective homebuyers; trained 201 housing providers on fair housing law and practice, reached 379 tenants and staff from service agencies through fair housing presentations and 227 community members through fair housing conferences, distributed 4,185 pieces of literature; had 100 children participate in the annual Fair Housing Poster Contest from 10 local schools and 16 students participate in our first Fair Housing Poetry Contest from 11 local schools; and offered Storytelling shows about diversity and acceptance to 2,698 children attending 18 Storytelling shows.

As of 2021, FHAM agency reaches those least likely to apply for services through the following:

- Translating most of its literature into Spanish and some in Vietnamese;
- Continuing to advertise all programs/services in all areas of Marin, including the Canal, Novato, and Marin City, areas where Latinx and African-American populations are concentrated and live in segregated neighborhoods;
- Maintaining a website with information translated into Spanish and Vietnamese;
- Maintaining bilingual staff: As of 2021, FHAM has three bilingual Spanish speakers who offer intake, counseling, education and outreach to monolingual Spanish speakers; in addition, they have one staff member who is bilingual in Mandarin and another in Portuguese;
- Maintaining a TTY/TDD line to assist in communication with clients who are deaf/hard of hearing. Offering translation services in other languages when needed;
- Conducting outreach and fair housing and pre-purchase presentations in English and Spanish;
- Collaborating with agencies providing services to all protected classes, providing fair housing education to staff and eliciting help to reach vulnerable populations – e.g. Legal Aid of Marin, the Asian Advocacy Project, Canal Alliance, ISOJI, MCIL, Sparkpoint, the District Attorney's Office, Office of Education, the Marin Housing Authority, and North Marin Community Services.

#### *Local Trends*

FHANC events are not for specific jurisdictions, rather they make an effort to reach underserved areas and protected classes. Pre-COVID FHANC did an average of 15-30 in person events, including fair housing trainings, presentations, conferences, pre-purchase workshops, foreclosure prevention workshops and forums. They were held all over the County, with the goal of reaching underserved communities including West Marin and Marin City. Post-COVID as of July 2022, the events are still being held virtually due to the uncertainty of COVID case numbers going down. If members of the protected classes do not have access to computers and/or the internet, FHANC makes every effort to have meetings in person. FHANC does not expect to change its programming, even during COVID they had 15-30 events a year.

Targeted outreach occurs when there are known violations in a geographic area. FHANC puts up posters, sends mailers and emails to people in the area advertising their services and sometimes has meetings to follow up. In addition, FHANC is constantly strategically planning who needs to be targeted for this work. They mainly use census data (block and tract) to find new and emerging populations of members of the protected classes to target. They work with CBOs in all of these geographic areas to make sure that the target audience is in attendance.

The outreach activities and capacities described in the Regional Trends section include the unincorporated County area, which represent about 43 percent of FHANC's geographic service area. According to FHANC's 2022/2024 CDBG Application to Marin County, FHANC stated it will undertake the following activities to Affirmatively Furthering Fair Housing:

- FHANC will maintain an accessible office where residents can come (once COVID restrictions are lifted and FHANC begins to provide services in person)
- FHANC will provide residents with materials on fair housing and equal opportunity, opportunities to participate in fair housing educational activities, and avenues to report or file complaints of suspected or perceived housing discrimination.
- FHANC will maintain its website and ensure that it details the advocacy, programs, complaint intake services, and counseling offered to residents by FHANC.
- FHANC will utilize its Spanish and Vietnamese language materials in the provision of all fair housing education/outreach services within the county and offer interpretative services to non-English speaking individuals who contact FHANC seeking assistance.
- FHANC will advertise, promote, and solicit responses from participants regarding the need for ASL and foreign language interpretation services in the provision of all fair housing education/outreach and enforcement services, and make ASL and foreign language interpretation services available at all events where prospective participants indicate a need for the interpretation services at least five days in advance of the event.
- FHANC will continue to implement its fair housing education and outreach program.
- FHANC will serve as an advocate and educational resource to local elected officials and municipal staff at all levels about the obligations of recipients of federal funds to affirmatively further fair housing.
- FHANC will make its staff available for guest speaker appearances on radio/television talk and feature programs, at conferences and workshops, when requested, and will disseminate fair housing literature through various methods as appropriate.
- FHANC will continue to monitor online housing advertisements and provide education and advocacy that discourages discriminatory advertising, statements, and practices in all forms.
- FHANC will counsel complainants who have encountered illegal discrimination about available options and provide assistance to complainants in filing

administrative complaints as well as lawsuits, as appropriate FHANC will maintain its testing program in the County, conducting testing upon receiving complaints as appropriate and in audits for housing discrimination. FHANC will be an organizational complainant and initiate administrative complaints and/or lawsuits as appropriate, based upon evidence gathered from testing or other investigations.

- FHANC will be a proactive advocate for the effective enforcement and utilization of the federal Fair Housing Amendments Act, the California Fair Employment and Housing Act, and HUD Guidelines and Recommendations that exist to discourage and eliminate housing discrimination based on any protected class.
- FHANC will counsel homeowners and loan applicants who may have experienced lending discrimination in violation of the Fair Housing Amendments Act, and provide foreclosure prevention intervention services to residents at risk of foreclosure or who are facing the loss of their primary residence due to imminent foreclosure when appropriate, as resources allow.
- FHANC will provide pre-purchase counseling/education to homebuyers so they can better identify fair lending violations and avoid predatory loans, as resources allow.

According to FHANC, the above mentioned activities will help to overcome impediments to fair housing choice by safeguarding people in protected classes from discrimination in the housing market, increasing housing stability by fair housing advocacy and education for people from protected classes, and expanding housing options available to families by helping to ensure open, diverse, and equitable communities through continued outreach and enforcement.

### **Summary: Fair Housing Enforcement and Outreach Issues**

Disability status is the most common basis for a complaint filed with FHANC, Marin's Fair Housing provider. Testing on the basis of disability in the County revealed that persons with disabilities are likely received less favorable treatment or be denied reasonable accommodation. Most importantly, testing revealed higher rates of discrimination on the basis on disability in properties with less than 11 units, indicating a need for increased fair housing education with "mom and pop" landowners.

The use of housing subsidies and HCV vouchers has recently become protected under California law though it has been protected in Marin County since 2016. Testing in Marin County has revealed discriminatory treatment for HCV holder, but higher rates for Latinx and Black HCV holders. Of note is the finding that landlords made exceptions of HCV holders for White residents in areas of high opportunity. This indicates a higher need for outreach education on Source of Income and Race in areas with high resources.

Overall, FHANC's testing has focused on disability status, race, and source of income, as disability status and race have the highest reporting rates and source of income has recently become protected. As such, fair housing outreach and education is imperative to ensure that those experiencing discrimination know when and how to seek help.

## Integration and Segregation

Segregation is the separation of different demographic groups into different geographic locations or communities, meaning that groups are unevenly distributed across geographic space. ABAG/MTC<sup>13</sup> and UC Merced prepared AFFH Segregation Report to assist Bay Area jurisdictions with the Assessment of Fair Housing section of the Housing Element.

### Race/Ethnicity

According to ABAG/MTC's Segregation Report, segregation has resulted in vastly unequal access to public goods such as quality schools, neighborhood services and amenities, parks and playgrounds, clean air and water, and public safety<sup>14</sup> This generational lack of access for many communities, particularly people of color and lower income residents, has often resulted in poor life outcomes, including lower educational attainment, higher morbidity rates, and higher mortality rates.<sup>15</sup>

To measure segregation in a given jurisdiction, the US Department of Housing and Urban Development (HUD) provides racial or ethnic dissimilarity trends. Dissimilarity indices are used to measure the evenness with which two groups (frequently defined on racial or ethnic characteristics) are distributed across the geographic units, such as block groups within a community. The index ranges from zero (o) 0 to 100, with zero (0) denoting no segregation and 100 indicating complete segregation between the two groups. The index score can be understood as the percentage of one of the two groups that would need to move to produce an even distribution of racial/ethnic groups within the specified area. For example, if an index score above 60, 60 percent of people in the specified area would need to move to eliminate segregation.<sup>16</sup> The following shows how HUD views various levels of the index:

- <40: Low Segregation
- 40-54: Moderate Segregation
- >55: High Segregation

### *Regional Trends*

Non-Hispanic Whites make up 71.2 percent of Marin County's population, a significantly larger share than in the Bay Area region,<sup>17</sup> where only 39 percent of the population is non-

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<sup>13</sup> Metropolitan Transportation Commission

<sup>14</sup> Trounstein 2015. See references in Unincorporated Marin Report

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<sup>15</sup> Chetty and Hendren 2018, Ananat 2011, Burch 2014, Cutler and Glaeser 1997, Sampson 2012, Sharkey 2013. See references in Unincorporated Marin Report

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<sup>16</sup> Massey, D.S. and N.A. Denton. (1993). *American Apartheid: Segregation and the Making of the Underclass*. Cambridge, MA: Harvard University Press.

<sup>17</sup> The "Bay Area" data covers the members of the Association of Bay Area Governments (ABAG) which are the counties of: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma and the City of San Francisco.

Hispanic White. The next largest racial/ethnic group in Marin County is Hispanic/Latino, making up 16 percent of the population, followed by Asian population (5.8 percent), and population of two or more races (3.8 percent) (Table D- 6). Black residents make up the fifth highest share of the population, with 2.1 percent of the County’s residents identifying as African American/Black. Within the County, San Rafael has the most concentrated Hispanic population, where 31 percent of residents are Hispanic or Latino, while Belvedere has the smallest Hispanic population of only five percent (and inversely the largest White population of 92 percent). These trends differ from the Bay Area, where Asians make up the second largest share of the population (27 percent). While Asians make up the third largest share of the population in Marin County, they account for only six percent of the population.

**Table D- 6: Racial Composition in Neighboring Cities and County**

	Bay Area <sup>1</sup>	Marin County	Belvedere	Corte Madera	Fairfax	Larkspur	Mill Valley	Novato	Ross	San Anselmo	San Rafael	Tiburon
White, non-Hispanic	39.3%	71.2%	92.3%	78.5%	82.3%	77.9%	86.2%	63.5%	89.1%	85.9%	57.0%	86.7%
Black or African American, non-Hispanic	5.8%	2.1%	0.0%	2.3%	0.4%	0.7%	0.7%	3.4%	3.0%	0.8%	1.3%	0.9%
American Indian and Alaska Native, non-Hispanic	0.2%	0.2%	0.0%	0.0%	0.0%	0.4%	0.0%	0.2%	0.0%	0.0%	0.1%	0.2%
Asian, non-Hispanic	26.7% <sup>1</sup>	5.8%	2.0%	6.1%	4.3%	5.4%	5.0%	7.7%	3.8%	3.3%	6.7%	3.2%
Native Hawaiian and Other Pacific Islander, non-Hispanic	N/A	0.1%	0.0%	0.0%	0.4%	0.1%	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%
Some other race, non-Hispanic	N/A	0.9%	0.0%	1.6%	0.0%	0.5%	0.0%	2.3%	0.0%	0.3%	0.4%	0.6%
Two or more races, non-Hispanic	N/A	3.8%	0.6%	4.4%	3.2%	4.0%	3.8%	3.9%	0.5%	2.6%	3.4%	0.4%
Hispanic or Latino	23.5%	16.0%	5.1%	7.1%	9.4%	11.0%	4.2%	18.9%	3.5%	7.1%	31.0%	8.1%
Total	7,710,026	259,943	2,134	9,838	7,578	12,319	14,330	55,642	2,290	12,525	58,775	7,116

1. The “Bay Area” data covers the members of the Association of Bay Area Governments (ABAG) which are the counties of: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma.

2. Asian and Pacific Islander combined; ABAG Data Package presented data with some races combined.

Sources: American Community Survey, 2015-2019 (5-Year Estimates). ABAG Housing Needs Data Package.



As explained above, dissimilarity indices measures segregation, with higher indices signifying higher segregation. The dissimilarity index at the jurisdiction level can be interpreted as the share of one group that would have to move to a different tract to create perfect integration for these two groups.

In Marin County, all minority (non-White) residents are considered moderately segregated from White residents, with an index score of 42.6 in 2020 (Table D- 7). Since 1990, segregation between non-White (all non-white residents combined) and White residents has increased. Dissimilarity indices between Black, Hispanic, Asian/Pacific Islander, and White residents have also increased since 1990, indicating that Marin County has become increasingly racially segregated. Based on HUD’s definition of the index, Black and White residents are highly segregated and Hispanic and White residents are moderately segregated, while segregation between Asian/Pacific Islander and White residents is considered low.

Table D- 7: Dissimilarity Indices for Marin County (1990-2020)				
	1990 Trend	2000 Trend	2010 Trend	Current
<b>Marin County</b>				
Non-White/White	31.63	34.08	35.21	42.61
Black/White	54.90	50.87	45.61	57.17
Hispanic/White	36.38	44.29	44.73	49.97
Asian or Pacific Islander/White	19.64	20.13	18.55	25.72
Sources: HUD Dissimilarity Index, 2020.				

The County is making efforts to reduce segregation patterns through its sites inventory. About 26 percent (940 units) of the County’s sites inventory is located in tracts where minorities make up less than 20 percent of the population. These sites offer housing opportunities at various income levels, 452 are lower income, 218 are moderate income, and 270 are above moderate. This strategy reflects an effort to provide housing opportunities in areas with a low concentration of minorities to residents of all races and income levels.

According to the Othering and Belonging Institute located in Berkeley, CA, there were 3 counties in California that were more segregated in 2020 than they were in 2010 – Napa, Sonoma and Marin. And Marin County was the most segregated of all. While over 70% of White Marin residents own their homes, 71 percent of Latinx and 75 percent of African Americans rent. The high cost of housing, and its effects, are the main reasons why many people – particularly people of color move from Marin. Seniors, Latinx residents, African Americans, low-wage earners and families with children are the most financially burdened from the rising cost of housing and increasing rents are displacing residents to areas outside of Marin, which is further perpetuating racial segregation.

In California, based on the figures provided in the 2020 State AI, segregation levels between non-White and White populations were moderate in both entitlement and non-

entitlement areas<sup>18</sup>. However, segregation levels in non-entitlement areas are slightly higher with a value of 54.1, compared to 50.1 in entitlement areas. Segregation trends Statewide show an increase in segregation between non-White and White populations between 1990 and 2017 in both entitlement and non-entitlement areas. The 2020 State AI found that California's segregation levels have consistently been most severe between the Black and White populations, a trend paralleled trends in Marin County. Also, like Marin County, State trends show Asian or Pacific Islander and White residents are the least segregated when compared to other racial and ethnic groups, but levels are still increasing.

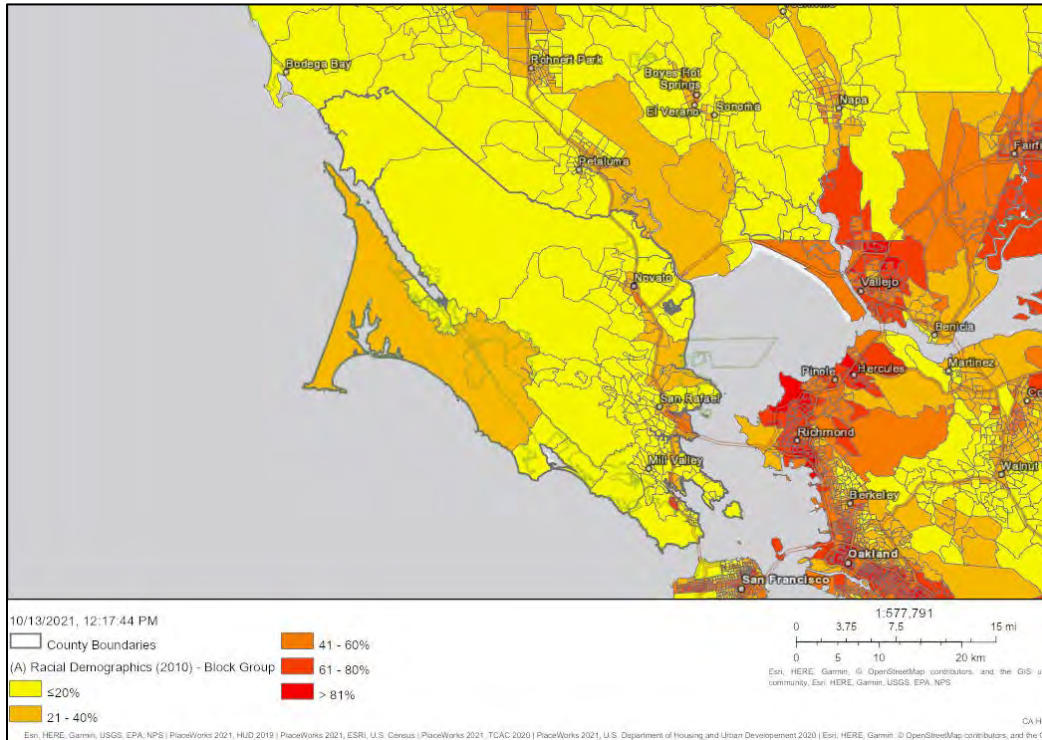
Figure D- 2 and Figure D- 3 below compare the concentration of minority populations in Marin County and the adjacent region by census block group<sup>19</sup> in 2010 and 2018. Since 2010, concentrations of racial/ethnic minority groups have increased in most block groups regionwide. In Marin County, non-White populations are most concentrated along the eastern County boundary, specifically in North and Central Marin in the cities of San Rafael, Novato, and the unincorporated communities of Marin City. Red block groups indicate that over 81 percent of the population in the tract is non-White. While non-White populations appear to be increasing across the Marin region, these groups are generally concentrated within the areas described above. However, minorities are more highly concentrated in North, Central, and Southern Marin. Most of the block groups along the San Pablo Bay and San Francisco Bay shores in Solano, Contra Costa, Alameda, and San Francisco County have higher concentrations of minorities (over 61 percent) compared to North Bay counties (Marin, Sonoma, and Napa).

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<sup>18</sup> Entitlement Area means a unit of general Local Government that has been designated by HUD to receive an allocation of HOME funds.

<sup>19</sup> Block groups (BGs) are the next level above census blocks in the geographic hierarchy (census blocks are the smallest geographic area for which the Bureau of the Census collects and tabulates decennial census data). A BG is a combination of census blocks that is a subdivision of a census tract or block numbering area (BNA). A county or its statistically equivalent entity contains either census tracts or BNAs; it cannot contain both. The BG is the smallest geographic entity for which the decennial census tabulates and publishes sample data.

**Figure D- 2: Regional Racial/Ethnic Minority Concentrations by Block Group (2010)**



**Figure D- 3 : Regional Racial/Ethnic Minority Concentrations by Block Group (2018)**

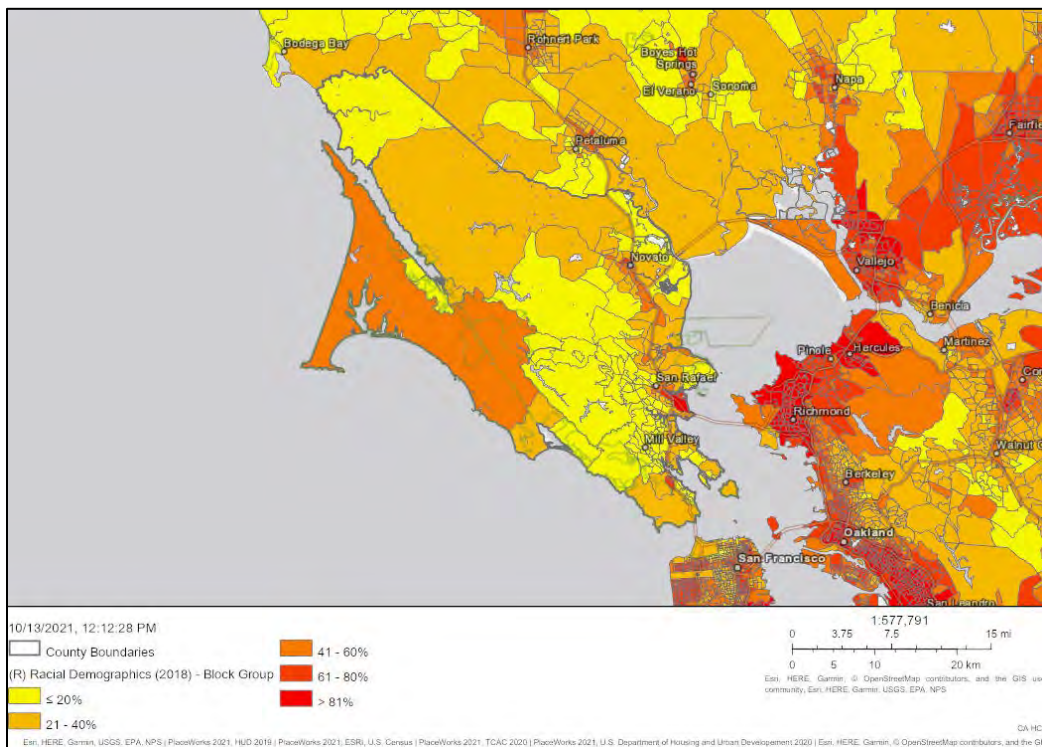
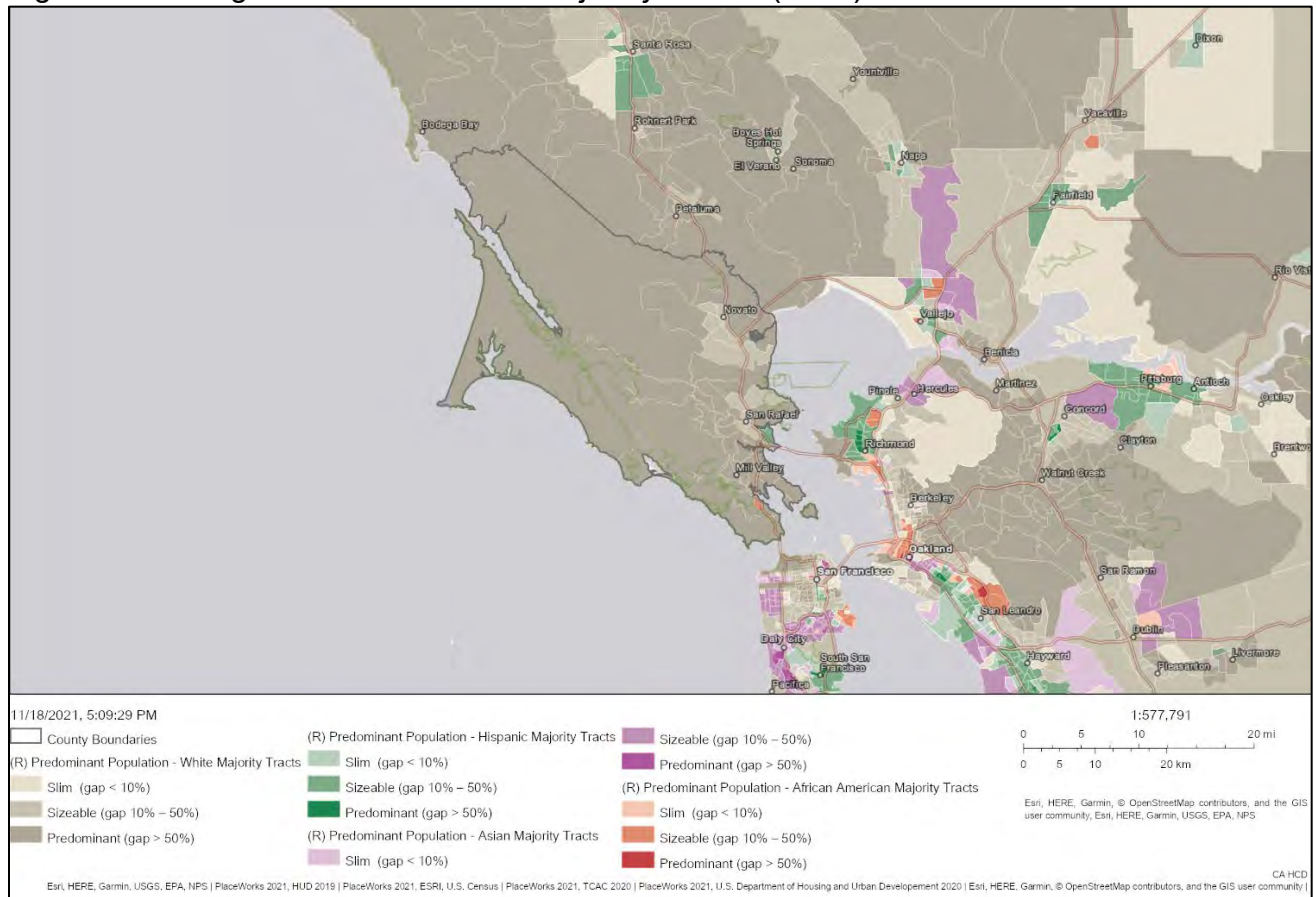


Figure D- 4 shows census tracts in Marin County and the neighboring region by predominant racial or ethnic groups. The intensity of the color indicates the population percentage gap between the majority racial/ethnic group and the next largest racial/ethnic group. The higher the intensity of the color, the higher the percentage gap between the predominant racial/ethnic group and the next largest racial/ethnic group. The darkest color indicator for each race indicates that over 50 percent of the population in that tract is of a particular race/ethnicity. Gray indicates a White predominant tract, green indicates a Hispanic predominant tract, purple indicates an Asian predominant tract, and red indicates a Black predominant tract. There are only four tracts in the County with non-White predominant populations. Three tracts in Central Marin and one tract in Southern Marin have predominant non-White populations. Two tracts in San Rafael have Hispanic predominant populations (green), one of which has a Hispanic population exceeding 50 percent (90 percent, darkest green) and the other covers predominantly the prison. In Southern Marin, one tract in unincorporated Marin City has a Black majority population (41 percent, red). In all other tracts countywide, Whites are the predominant race (grey). By comparison, many census tracts in Solano, Contra Costa, Alameda and San Francisco county have predominant minority populations (shades of purple, green, and red).

Figure D- 4: Regional Racial/Ethnic Majority Tracts (2018)





*Local Trends*

In the unincorporated area, Marin City has the largest proportion of Hispanic residents (25 percent) significantly greater than in the unincorporated County (10 percent) and Marin County as a whole (16 percent) (Table D- 8). All communities except Northern Coastal West Marin, the Valley, and Marinwood/Lucas Valley have a Hispanic population representing less than 10 percent of the total population.

<b>Community</b>	<b>American Indian or Alaska Native</b>	<b>Asian / API</b>	<b>Black or African American</b>	<b>White, Non-Hispanic</b>	<b>Other Race</b>	<b>Hispanic or Latinx</b>	<b>Total</b>
Black Point-Greenpoint	0.0%	9.3%	0.0%	80.3%	3.2%	7.2%	1,622
Northern Coastal West Marin	0.0%	4.9%	0.0%	84.9%	0.0%	10.1%	445
Central Coastal West Marin	0.0%	0.0%	0.0%	91.3%	0.9%	7.9%	1,385
The Valley	0.6%	0.8%	0.1%	85.9%	1.7%	10.9%	3,412
Southern Coastal West Marin	0.0%	0.8%	0.0%	89.2%	5.1%	4.9%	2,010
Marinwood/Lucas Valley	0.0%	6.0%	0.1%	73.6%	7.1%	13.3%	6,686
Santa Venetia/ Los Ranchitos	0.0%	10.1%	3.7%	71.2%	9.3%	5.7%	4,474
Kentfield/ Greenbrae	0.0%	4.0%	0.0%	86.7%	3.4%	5.9%	7,020
Strawberry	0.0%	13.2%	1.2%	73.3%	4.7%	7.7%	5,527
Tam Valley	0.0%	5.8%	1.3%	82.3%	5.0%	5.6%	11,689
Marin City	0.0%	6.9%	21.7%	32.9%	13.8%	24.8%	3,126
<b>Unincorporated Marin</b>	<b>0.3%</b>	<b>5.5%</b>	<b>3.0%</b>	<b>76.0%</b>	<b>5.0%</b>	<b>10.3%</b>	<b>68,252</b>

Note: For the purposes of this table, the "Hispanic or Latinx" racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.  
 "Other race" refers to persons that identified as, "some other race" or " two or more races" but not Hispanic/Latinx  
 Source: American Community Survey 5-Year Data (2015-2019), Table B03002.

Marin City, a historic African American enclave, is also home to the County’s largest Black/African American population, (with the exception of San Quentin State Prison), at 22 percent, considerably higher than any other community in Marin County. Marin City was founded in 1942 as part of the wartime ship building efforts of World War II. In the early 1940s, many African American’s migrated from the South for better wages and more consistent work. Over time federal and local policies prevented people of color, particularly the Black population of Marin City, from moving out. This included low interest rate loans offered to white families only. Additionally, restrictive covenants were an effective way to segregate neighborhoods and beginning in 1934, the Federal Housing

Authority recommended the inclusion of restrictive covenants in the deeds of homes it insured because of its belief that mixed-race neighborhoods lowered property values. These racially restrictive covenants made it illegal for African Americans to purchase, lease or rent homes in many white communities. Restrictive covenants were placed in most communities in Marin County, making it impossible for people of color to become homeowners. Restrictive covenants are no longer enforceable.

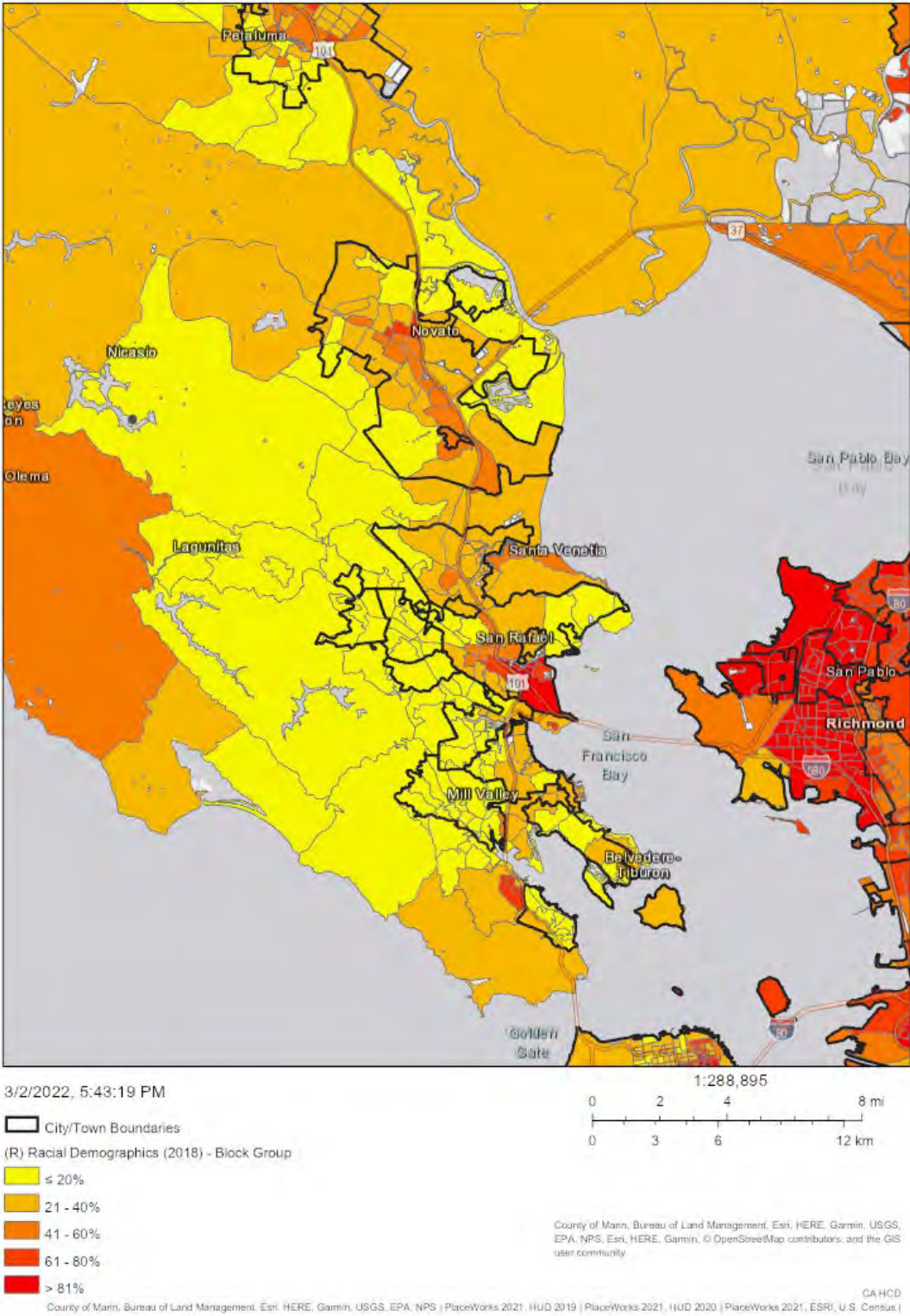
Today, Marin City has a sizable African American and low-income population, compared to surrounding communities, which are mostly affluent and white. The median income in Marin City is \$65,958, with nearly 30 percent of residents living below the poverty line. The Marin City community has experienced significant gentrification pressures and displacement of lower-income Black/African American residents. An important trend not pictured in Figure D- 3 is that Marin City is experiencing significant declines in its African American population – in 2010, the community was about 40 percent and declined to 22 percent as of 2019, leading to concerns of displacement and gentrification. Gentrification and displacement is discussed at greater length in the Displacement Risk section in page 140.

Minority communities also have the greatest need for rental assistance in the unincorporated County. In 2021, Hispanic/Latinx populations represent about 16 percent of the County population, but 34 percent of Rental Assistance requests, while Black/African American residents represent about two percent of the County population, but 8.5 percent of Rental Assistance requests.

Figure D- 5 below shows that minority populations are focused along in North, Central, and Southern Marin. While the majority of block groups have a minority population of less than 20 percent, there are some block groups in Santa Venetia where minority population ranges from 21 to 60 percent. Meanwhile in Marin City, one block group has 74 percent minority population while the other block group within Marin City's boundaries has a minority population of 21 percent.

While there is no Dissimilarity Index data for the unincorporated County communities, the increasing segregation trends detected in the County (Table D- 7) also apply to the unincorporated communities. In the focus groups convened for the housing process, the County heard anecdotal evidence that Black and Asian residents in Corte Madera and Mill Valley did not feel welcome in many stores in the area. Mill Valley and Corte Madera are incorporated cities in the County with a very small minority population. Thus it is likely that minority populations are concentrating in areas where there is already a minority concentration due to the sense of community in those areas. This means integration will pose greater challenges than just providing affordable housing in areas without a concentration of minorities.

Figure D- 5: Racial Demographics in the Unincorporated County (2018)



The 2011 AI found that redevelopment funds is often committed to project areas that are already highly segregated, which might perpetuate the concentration of minorities in certain communities. However, redevelopment funds are also for projects which increase neighborhood diversity. Further, affordable housing in the County is disproportionately senior housing. Senior housing comports with the idea of a “deserving poor,” whereas housing for minorities and families does not. Finally, affordable housing development tends to be studios and one-bedroom units – generally inappropriate for families with children. The AI recommended that the County and its jurisdictions should encourage and facilitate the development of more subsidized and affordable housing for families with children, particularly in areas with low concentrations of minorities. Substantial investment in acquisition and rehabilitation may also be a successful strategy for developing more affordable housing for families outside impacted areas; the County and other local jurisdictions should also consider working with community advocates and developers to develop non-traditional housing arrangements such as shared housing. However, the market for shared housing may be limited to tenants who prefer more involvement with their neighbors than occurs in traditional housing.

As of 2020, redevelopment funds are no longer available due to the dissolution of Redevelopment Agencies in 2012. However, under the County’s VCA with HUD, the County has prioritized funding housing for families outside impacted census tracts.

- CDBG and HOME funds are not used for housing in impacted census tracts, and housing for families is prioritized.
- The County issued a notice of funding availability (NOFA) in 2018 for affordable housing for families outside impacted census tracts.
- The County has continued to fund acquisition and preservation of housing opportunities for families, including the Forest Knolls Mobile Home Park in 2015, the Ocean Terrace Apartments in Stinson Beach and Piper Court Apartments in Fairfax in 2016 and the Coast Guard Housing Facility in Point Reyes Station. None of these housing developments are in areas of minority concentration.

### Marin’s Native American Population

While Unincorporated Marin County’s Native American population is less than one percent, the Native American population has roots in Marin County as its native inhabitants. According to U.S. Department of Interior, the Coast Miwok first settled the Tomales Bay area between 2,000 and 4,00 years ago.<sup>20</sup> Evidence of villages and smaller settlements along the Bay are concentrated within Point Reyes National Seashore. The Coast Miwok are believed to have located their settlements on coves along the bay and to live a semisedentary lifestyle. The Tomales Bay area and other areas in what is now Marin County was changed dramatically by the Spanish colonization and Missionaries. In the late 1700s, Coast Miwok were interned in four San Francisco Bay area missions and

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<sup>20</sup> Avery, C. (2009). Tomales Bay environmental history and historic resource study- Point Reyes National Seashore. Pacific West Region National Park Service, U.S. Department of the Interior.



by the end of the Spanish occupation, Coast Miwok population had fallen from 3,000 to between 300 and 500.

Coast Miwoks were further excluded from their land during the Mexican California and Ranching Era in Marin County (1821-1848). During this time, “the Mexican government transformed Coast Miwok land into private property, and all the land surrounding Tomales Bay had been granted to Mexican citizens.”<sup>21</sup> The Coast Miwok were forced into the Mexican economy as ranch laborers and cooks and maids.

In 1848s, Tomales Bay changed hands to the United States through the Treaty of Guadalupe Hidalgo and underwent a radical transformation as San Francisco became a metropolitan center. While the treaty “guaranteed certain rights to California Indians... the Coast Miwok were increasingly marginalized under American rule.”<sup>22</sup> The government did not make any treaties with the Coast Miwok nor did they set aside a reservation for the group, probably due to the small number of survivors. There was an estimated only 218 Coast Miwoks in Marin County by 1852. The 1870 census only listed 32 Indians in Point Reyes and Tomales Townships and by 1920, only five remained.

In 1920, after the Lipps-Michaels Survey of Landless Indians (a congressional study) concluded that Native Americans in Marin and Sonoma County deserved their own reservation, the Bureau of Indian Affairs was unable to find land in the Tomales Bay for the Coast Miwok. According to the U.S. Department of the Interior “property owners were unwilling to sell land for an Indian reservation” and the government ended up purchasing a 15.5 acre parcel near Graton in Sonoma County- far from traditional Coast Miwok land. Some Coast Miwok moved to the site but the sites proved to be too small, steep, and lacked water and funds to build housing. Eventually the Coast Miwoks left the land as a community center and continued to pursue work elsewhere as farm workers or house keepers.

The Coast Miwok community also had ancestral land in Nicasio, Olompali, San Rafael, Corte Madera, Mill Valley, Strawberry, Tiburon, Angle Island, San Geronimo, Fairfax, Belvedere, Sausalito, Larkspur, Marin City, Novato areas.<sup>23</sup> In fact, Marin County’s namesake comes from Chief Marin, a Miwok leader whose name was Huicmuse but was later given the name Marino by missionaries after he was baptized at Mission Dolores in 180.<sup>24</sup> San Geronimo is also rumored to be named after another Coast Miwok leader.<sup>25</sup> The San Geronimo Valley Historical Association reports that Coast Miwoks have thousands of years of history in the San Geronimo. Southern Popo people are also known

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<sup>21</sup> Avery (2009). P. 31

<sup>22</sup> Avery (2009). P. 62

<sup>23</sup> Who We Are. Marin Coast Miwoks. <https://www.marinmiwok.com/who-we-are>

<sup>24</sup> Wilson, M.A. (2021, October 11). The story behind Marin County’s namesake, “Chief Marin” — how the Coastal Miwok left a cultural and physical legacy that lingers today. Marin Magazine. <https://marinmagazine.com/community/history/the-story-behind-marin-countys-namesake-chief-marin-and-how-the-coastal-miwok-left-a-cultural-and-physical-legacy-that-lingers-today/>

<sup>25</sup> Clapp, O. (2020, November 6). How did the San Geronimo Valley get its name? A mystery rooted in the troubled history of Spanish missions and the Coast Miwok. Marin Magazine. <https://marinmagazine.com/community/history/how-did-the-san-geronimo-valley-get-its-name-a-mystery-rooted-in-the-troubled-history-of-spanish-missions-and-the-coast-miwok/>

to have inhabited Marin before colonization. Colonization and private property systems excluded the Coast Miwoks from home/land ownership and left them with limited choices to make a living.

In the 1990s, Coast Miwok descendants began to lobby for federal recognition as a tribe and in 1997, they were granted official status as the Federated Indians of Graton Rancheria- which in 2009 included 1,000 members of Coast Miwok and Southern Pomo descent. The group remained landless at the turn of the 21<sup>st</sup> century.

Today, Native American communities are represented Federated Indian of Graton Rancheria as well as by active organizations such as the Coast Miwok Tribal Council of Marin- a core group of lineal Marin Coast Miwok descendants and the Marin American Indian Alliance - longstanding Marin County 501c3 non-profit organization connecting American Indians living in Marin and the San Francisco Bay Area at large.

### **Persons with Disabilities**

Persons with disabilities<sup>26</sup> have special housing needs and often higher health care costs associated with their disability. This general lack of accessible and affordable housing in Marin County makes the housing search even more difficult. In addition, many may be on fixed incomes that further limit their housing options. Persons with disabilities also tend to be more susceptible to housing discrimination due to their disability status and required accommodations associated with their disability.

#### *Regional Trends*

Marin County's population with a disability is similar to that in the Bay Area. As presented in Table D- 9 in Marin County, 9.1 percent of the population has a disability, compared to 9.6 percent in the Bay Area. Black or African American, American Indian and Alaska Native, and non-Hispanic White populations experience disabilities at the highest rates in both the Bay Area and the County ( 16 percent, 18 percent, and 11 percent in the Bay Area and 15 percent, 12 percent, and 10 percent in Marin County, respectively). Nearly 37 percent of Marin County's population aged 75 and older and 14.6 percent aged 65 to 74 has one or more disability, lower shares than in the Bay Area. Ambulatory and independent living difficulties are the most common disability type in the County and Bay Area.

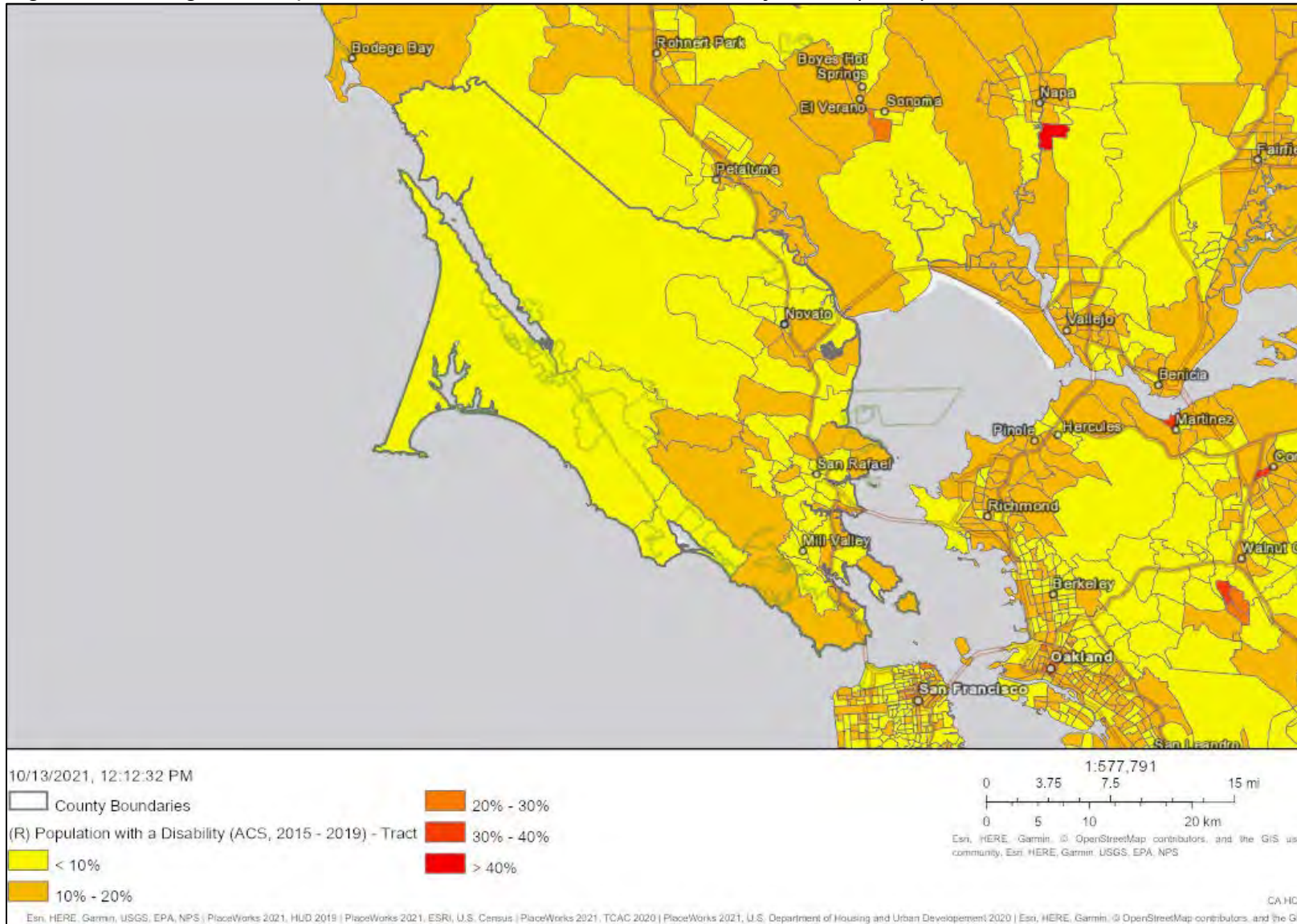
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<sup>26</sup> The American Community Survey asks about six disability types: hearing difficulty, vision difficulty, cognitive difficulty, ambulatory difficulty, self-care difficulty, and independent living difficulty. Respondents who report anyone of the six disability types are considered to have a disability. For more information visit: <https://www.census.gov/topics/health/disability/guidance/data-collection-acs.html#:~:text=Physical%20Disability%20Conditions%20that%20substantially,reaching%2C%20lifting%2C%20or%20carrying>. For more information visit: <https://www.census.gov/topics/health/disability/guidance/data-collection-acs.html#:~:text=Physical%20Disability%20Conditions%20that%20substantially,reaching%2C%20lifting%2C%20or%20carrying>.

Table D- 9: Populations of Persons with Disabilities – Marin County		
	Bay Area	Marin County
	Percent with a Disability	Percent with a Disability
Civilian non-institutionalized population	9.6%	9.1%
<b>Race/Ethnicity</b>		
Black or African American alone	15.9%	14.8%
American Indian and Alaska Native alone	17.5%	12.1%
Asian alone	7.3%	7.3%
Native Hawaiian and Other Pacific Islander alone	9.3%	0.8%
Some other race alone	6.8%	4.7%
Two or more races	8.2%	8.9%
White alone, not Hispanic or Latino	11.3%	9.9%
Hispanic or Latino (of any race)	7.9%	6.1%
<b>Age</b>		
Under 5 years	0.6%	0.7%
5 to 17 years	3.8%	2.9%
18 to 34 years	4.6%	5.9%
35 to 64 years	8.0%	6.1%
65 to 74 years	19.6%	14.6%
75 years and over	47.8%	36.8%
<b>Type</b>		
Hearing difficulty	2.7%	3.0%
Vision difficulty	1.7%	1.5%
Cognitive difficulty	3.7%	3.2%
Ambulatory difficulty	4.8%	4.3%
Self-care difficulty	2.2%	2.0%
Independent living difficulty	3.9%	4.3%
<p><b>1.</b> The “Bay Area” data covers the members of the Association of Bay Area Governments (ABAG) which are the counties of: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma.  <b>Sources: American Community Survey, 2015-2019 (5-Year Estimates).</b></p>		

According to the 2015-2019 ACS, populations of persons with disabilities in Marin County cities are generally consistent, ranging from 7.2 percent in Ross to 10 percent in Novato. Figure D- 6 shows that less than 20 percent of the population in all tracts in the County has a disability. Persons with disabilities are generally not concentrated in one area in the region. Figure D- 6 also shows that only a few census tracts in the region have a population with a disability higher than 20 percent. However, multiple census tracts with a population with disabilities between 15 and 20 percent are concentrated along San Pablo Bay and San Francisco Bay in Napa, Contra Costa, and Contra Costa Valley.

Figure D- 6: Regional Populations of Persons with Disabilities by Tract (2019)



*Local Trends*

The unincorporated County’s population with a disability is similar to that of the County and Bay Area. According to 2019 ACS data, approximately 9.2 percent of the unincorporated County’s population has a disability of some kind, compared to 9.1 percent and 9.6 percent of Marin County and the Bay Area’s population. Table D- 10 shows the rates at which different disabilities are present among residents of unincorporated Marin County and its community areas. Among the unincorporated County communities, the Valley, Marinwood/Lucas Valley, Santa Venetia/Los Ranchitos, and Marin City have a higher proportion of persons with a disability than the unincorporated County. However, across all communities, ambulatory difficulties are the most prominent.

**Table D- 10: Persons with Disabilities by Disability Type**

Community	With Disability	With a Hearing Difficulty	With a Vision Difficulty	With a Cognitive Difficulty	With an Ambulatory Difficulty	With a Self-Care Difficulty	With an Independent Living Difficulty
Black Point-Green Point	9.4%	4.6%	0.6%	2.2%	4.3%	2.0%	4.0%
Northern Costal West Marin	5.8%	3.8%	2.0%	3.8%	5.8%	3.8%	3.8%
Central Coastal West Marin	10.3%	3.4%	2.2%	1.6%	4.3%	0.9%	1.6%
The Valley	11.2%	4.7%	2.8%	4.2%	7.2%	2.2%	2.6%
Southern Coastal West Marin	6.9%	3.1%	0.6%	2.1%	2.4%	0.0%	0.2%
Marinwood/Lucas Valley	12.0%	3.3%	1.4%	3.2%	6.8%	1.9%	6.7%
Santa Venetia/Los Ranchitos	16.0%	3.0%	4.7%	7.4%	8.1%	4.5%	9.5%
Kentfield/Greenbrae	7.1%	2.1%	0.5%	2.5%	2.9%	2.3%	3.6%
Strawberry	7.6%	2.2%	0.6%	2.0%	3.6%	2.1%	1.6%
Tam Valley	8.6%	3.0%	1.8%	2.5%	3.1%	1.8%	2.3%
Marin City	12.6%	0.4%	2.7%	6.1%	4.8%	1.9%	6.2%
<b>Unincorporated</b>	<b>9.2%</b>	<b>2.6%</b>	<b>1.4%</b>	<b>2.8%</b>	<b>4.0%</b>	<b>1.7%</b>	<b>3.0%</b>

Source: American Community Survey 5-Year Estimates, 2015-2019.

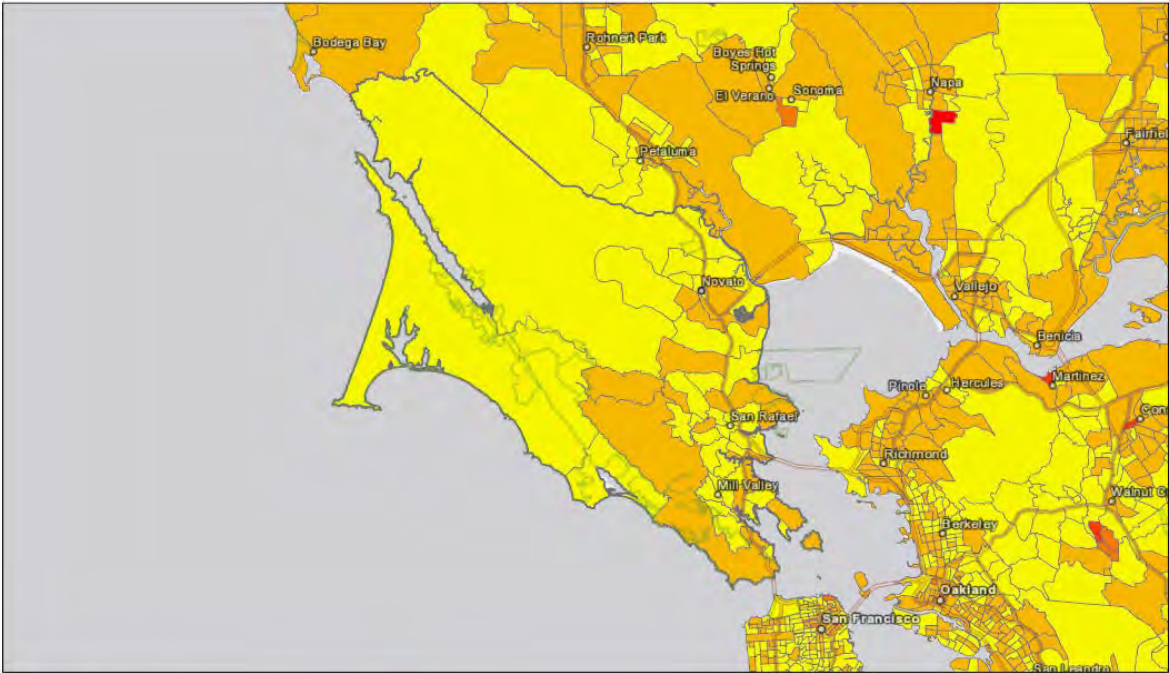
Persons with developmental disabilities<sup>27</sup> also have specific housing needs and the increased risk of housing insecurity after an aging parent or family member is no longer

<sup>27</sup> Senate Bill 812, which took effect January 2011, requires housing elements to include an analysis of the special housing needs of the developmentally disabled in accordance with Government Code Section 65583(e). Developmental disabilities are defined as severe, chronic, and attributed to a mental or physical impairment that begins before a person turns 18 years old.

able to care for them. The total number of persons served in unincorporated County communities cannot be estimated because the Department of Developmental Services does not give exact number of consumers when fewer than 11 persons are served (Table II- 38). However, based on the September 2020 Quarterly Consumer Reports, the communities of Marinwood/Lucas Valley, Santa Venetia/Los Ranchitos, and Black-Point Greenpoint have the greater population of persons with developmental disabilities. Figure D- 7 shows this concentration of persons with disabilities in Central Coastal West Marin, the Valley, Lucas Valley and Marin City. About 10 to 20 percent of the population in these census tracts have a disability.

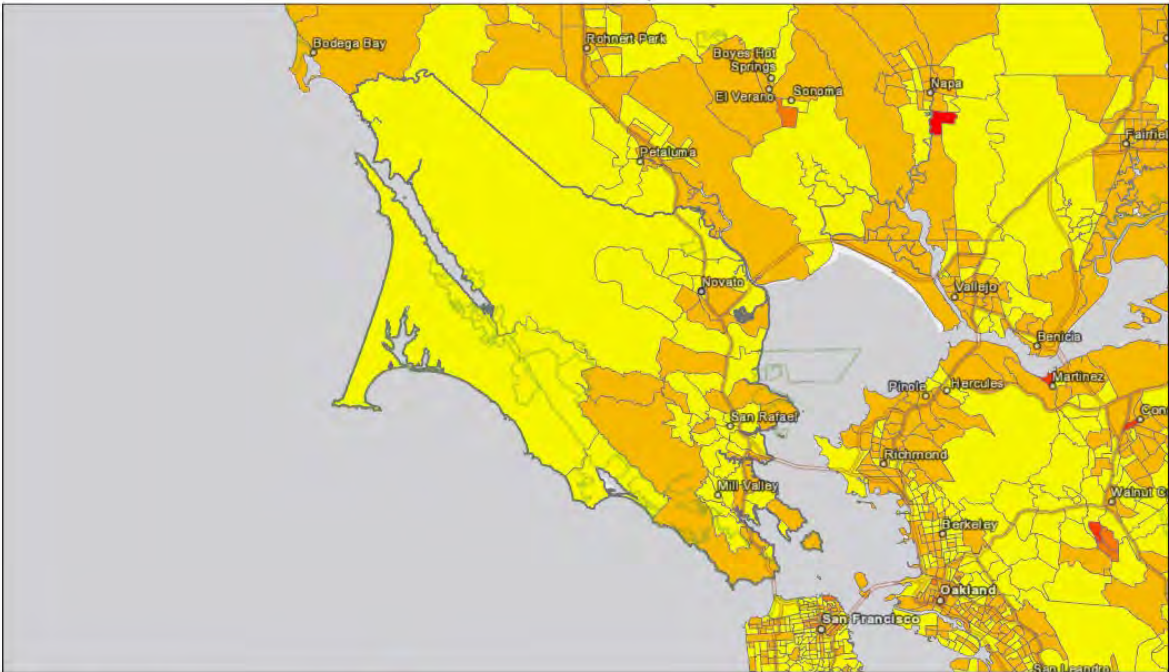


Figure D- 7: Persons with Disabilities- Unincorporated Communities



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County Boundaries  
(R) Population with a Disability (ACS, 2015 - 2019) - Tract  
Legend:  
Yellow: < 10%  
Light Orange: 10% - 20%  
Orange: 20% - 30%  
Dark Orange: 30% - 40%  
Red: > 40%

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County Boundaries  
(R) Population with a Disability (ACS, 2015 - 2019) - Tract  
Legend:  
Yellow: < 10%  
Light Orange: 10% - 20%  
Orange: 20% - 30%  
Dark Orange: 30% - 40%  
Red: > 40%

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### **Familial Status**

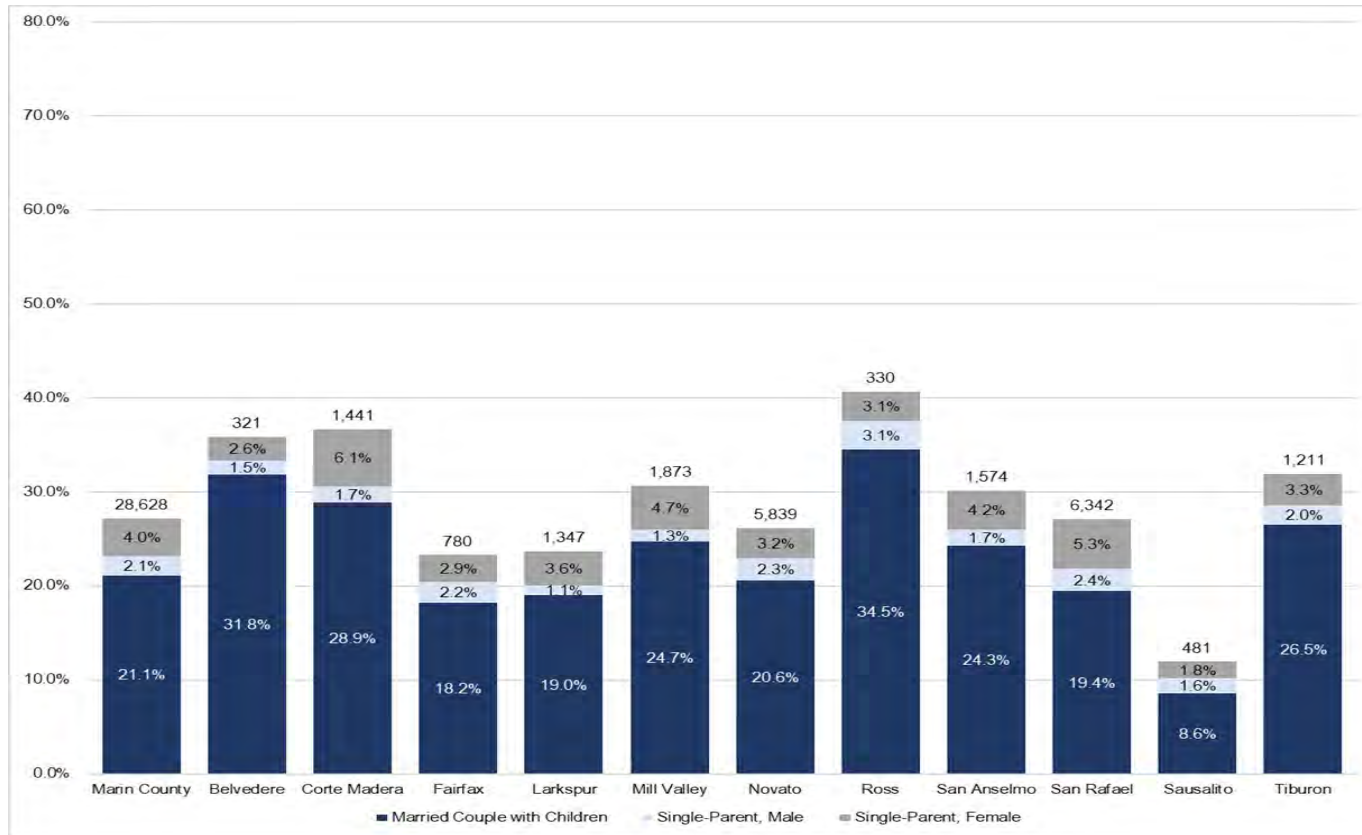
Under the Fair Housing Act, housing providers may not discriminate because of familial status. Familial status covers: the presence of children under the age of 18, pregnant persons, any person in the process of securing legal custody of a minor child (including adoptive or foster parents). Examples of familial status discrimination include refusing to rent to families with children, evicting families once a child joins the family through, e.g., birth, adoption, custody, or requiring families with children to live on specific floors or in specific buildings or areas. Single parent households are also protected by fair housing law.

#### *Regional Trends*

According to the 2019 ACS, there are slightly fewer households with children in Marin County than the Bay Area. About 27 percent of households in Marin County have children under the age of 18, with 21 percent married-couple households with children and six percent single-parent households (Figure D- 8). In the Bay Area, about 32 percent of households have children and as in the County, the majority of households with children are married-couple households. Within Marin County, the cities of Belvedere, Corte Madera, and Ross have the highest percentage of households with children (36 percent, 37 percent, and 41 percent, respectively). Corte Madera and San Rafael have concentrations of single-parent households exceeding the countywide average. Figure D- 9 shows the distribution of children in married households and single female headed households in the region. Census tracts with high concentrations of children living in married couple households are not concentrated in one area of Marin County. Most census tracts have over 60 percent of children living in married-persons households. Regionally, children in married-person households are more common in inland census tracts (away from the bay areas). The inverse trend is seen for children living in single-parent female-headed households, is shown in Figure D- 10. In most tracts countywide, less than 20 percent of children live in female-headed households. Between 20 and 40 percent of children live in female-headed households in two tracts: one in Southern Marin in the unincorporated community of Marin City and one in West Marin near the unincorporated community of Bolinas. Regionally, tracts with a higher percentage of children in married-persons households are found along the San Pablo and San Francisco bays.



Figure D- 8: Households with Children in Bay Area, Marin County, and Incorporated Cities



Source: American Community Survey, 2015-2019 ACS (5-Year Estimates)

Figure D- 9: Regional Percent of Children in Married Couple Households by Tract (2019)

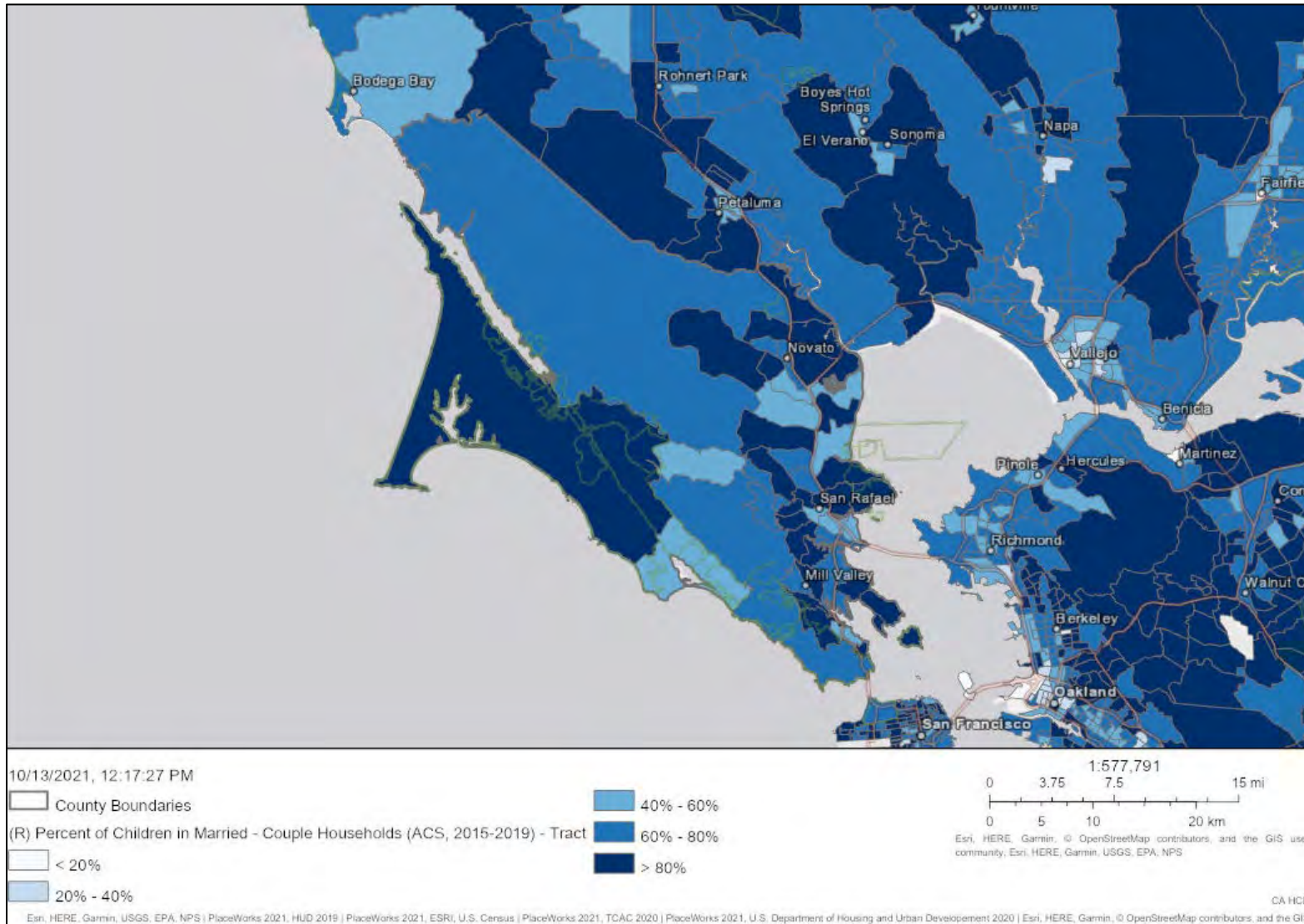
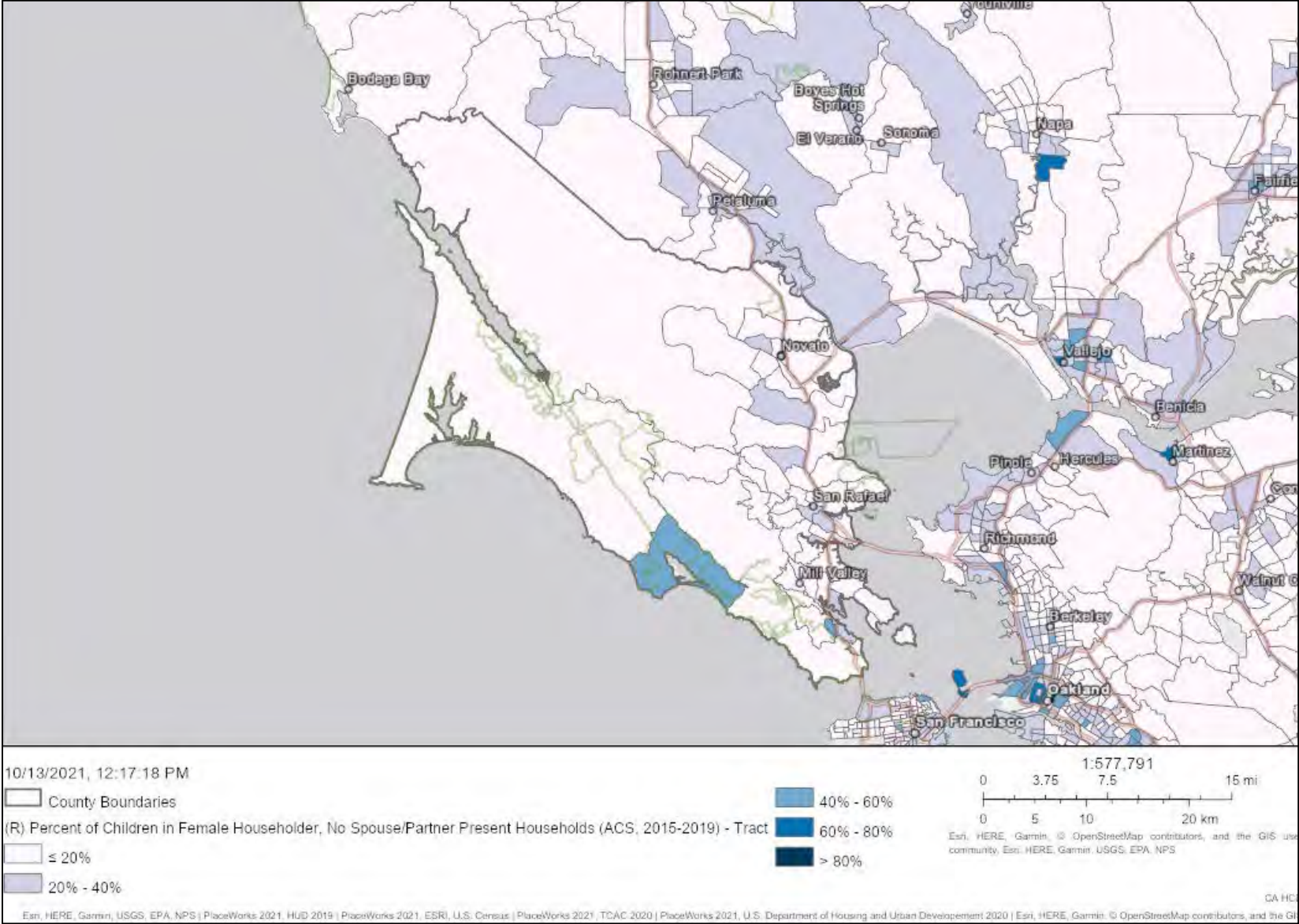


Figure D- 10 : Regional Percent of Children in Female-Headed Households by Tract (2019)



*Local Trends*

Within the unincorporated County, Marin City has the highest percentage of female-headed households (42 percent of all households are female-headed households) and female-headed households with children (11 percent) (Table D- 11). Marin City also has the highest poverty rates compared to all community areas and the unincorporated County; about 16 percent of all family households are living below the federal poverty line. Female-headed households also have higher rates of poverty (11 percent) in Marin City compared to other community areas. About six percent of all households in the Marin City are female-headed family household with children living below the poverty line.

**Table D- 11: Female-Headed Households (FHH) - Unincorporated County Communities**

Community	Total households (HH)	Total FHH	FHH w/ children	Total Families	Total families under the poverty level	FHH under the poverty level	FHH w/ child
Black Point-Green Point	617	12.0%	0.0%	419	1.9%	0.0%	0.0%
Northern Costal West Marin	212	36.8%	0.0%	129	0.0%	0.0%	0.0%
Central Coastal West Marin	853	39.4%	0.0%	381	4.2%	1.6%	0.0%
The Valley	1,500	28.9%	2.4%	769	6.2%	0.0%	0.0%
Southern Coastal West Marin	1,026	32.0%	1.2%	451	4.7%	1.8%	0.0%
Marinwood/Lucas Valley	2,412	25.9%	2.0%	1,762	3.2%	1.0%	1.0%
Santa Venetia/Los Ranchitos	1,717	34.7%	1.2%	1,051	0.0%	0.0%	0.0%
Kentfield/Greenbrae	2,567	20.6%	3.7%	1,874	2.2%	0.6%	0.6%
Strawberry	2,391	36.2%	7.2%	1,348	2.7%	0.9%	0.9%
Tam Valley	4,617	24.6%	3.9%	3,202	1.9%	0.0%	0.0%
Marin City	1,377	42.0%	10.5%	698	16.3%	10.5%	6.3%
Unincorporated	25,850	26.1%	3.1%	17,061	2.8%	0.9%	0.6%

FHH = Female-Headed Households  
 Source: American Community Survey, 5-Year Estimates 2015-2019, Tables DP02 and B17012.

This concentration of female-headed households is reflected in Table D- 11 which shows that between 40 and 60 percent of children in that tract live in single female-headed households. Additionally, the Southern Coastal West Marin census tracts (Stinson Beach and Bolinas CDPs) also have the highest concentration of children in single female-



headed households (40 to 60 percent), although these families only account for 1.2 percent of households in the community.

**Income Level**

Household income is the most important factor determining a household’s ability to balance housing costs with other basic life necessities. A stable income is the means by which most individuals and families finance current consumption and make provision for the future through saving and investment. The level of cash income can be used as an indicator of the standard of living for most of the population.

Households with lower incomes are limited in their ability to balance housing costs with other needs and often the ability to find housing of adequate size. While economic factors that affect a household’s housing choice are not a fair housing issue per se, the relationships among household income, household type, race/ethnicity, and other factors often create misconceptions and biases that raise fair housing concerns.

For purposes of most housing and community development activities, HUD has established the four income categories based on the Area Median Income (AMI) for the Metropolitan Statistical Area (MSA). HUD income definitions differ from the State of California income definitions. Table D- 12 compares the HUD and State income categories. HUD defines a Low and Moderate Income (LMI) area as a census tract or block group where over 51 percent of the households earn extremely low, low, or moderate incomes (<81 percent AMI). This means LMI areas (<81 percent AMI) as defined by HUD, are lower income areas (extremely low, very low, and low), as defined by HCD. These terms may be used interchangeably.

HCD Definition		HDD Definition	
Extremely Low	0%-30% of AMI	Extremely Low	0%-30% of AMI
Very Low	31%-50% of AMI	Low	31%-50% of AMI
Low Income	51%-80% of AMI	Moderate	51%-80% of AMI
Moderate income	81-120% of AMI	Middle/Upper	> 81% of AMI
Above Moderate Income	>120% of AMI	--	--

*Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas and uses San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties) for Marin County.*

*Regional Trends*

According to Comprehensive Housing Affordability Strategy (CHAS)<sup>28</sup> data based on the 2017 ACS, 40.5 percent of Marin County households earning 80 percent or less than the

<sup>28</sup> Each year, the U.S. Department of Housing and Urban Development (HUD) receives custom tabulations of American Community Survey (ACS) data from the U.S. Census Bureau. These data, known as the "CHAS" data (Comprehensive Housing Affordability Strategy), demonstrate the extent of housing problems and housing needs, particularly for low income households.

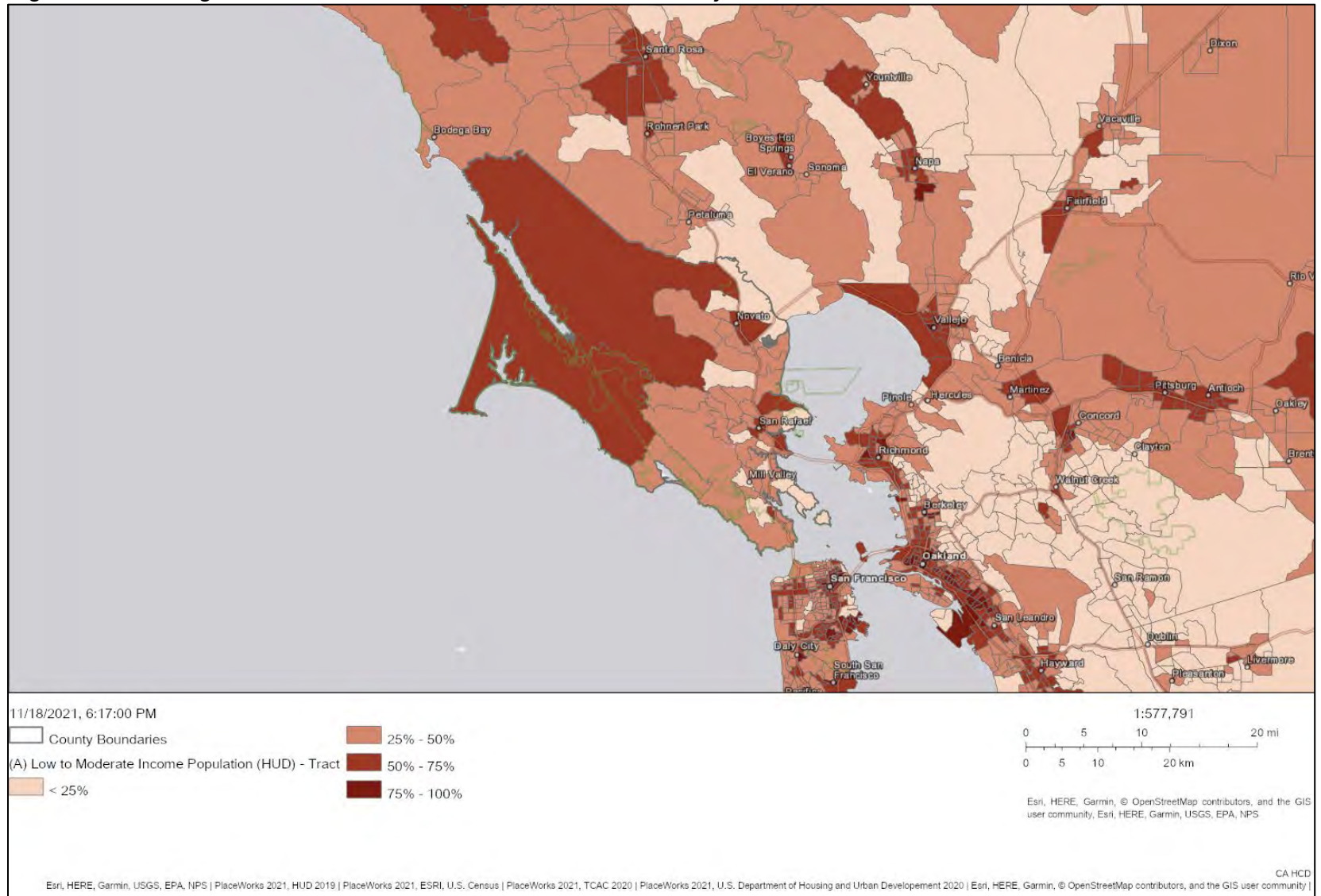
area median income (AMI) and are considered lower income (Table D- 13). A significantly larger proportion of renter households in Marin County are lower income. Nearly 60 percent of renter households are considered lower income compared to only 29.8 percent of owner households. Figure D- 11 shows that lower income populations (LMI areas<sup>29</sup>) are most concentrated in tracts in West Marin, North Marin (Novato), Central Marin (San Rafael), and the unincorporated communities of Marin City and Santa Venetia. Comparison to the Bay Area is not available as the ABAG Data Package does not provide CHAS data for the region as a whole.

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<sup>29</sup> LMI refers to an AREA where 51 percent or more of the households are earn low and moderate incomes ( based on HUD definition) or lower incomes (based on HCD definition).

<b>Table D- 13: Marin County Households by Income Category and Tenure</b>			
<b>Income Category</b>	<b>Owner</b>	<b>Renter</b>	<b>Total</b>
0%-30% of AMI	8.7%	26.0%	14.9%
31%-50% of AMI	8.5%	16.0%	11.2%
51%-80% of AMI	12.6%	17.6%	14.4%
81%-100% of AMI	8.4%	10.0%	8.9%
Greater than 100% of AMI	61.8%	30.4%	50.5%
<b>Total</b>	<b>67,295</b>	<b>37,550</b>	<b>104,845</b>
<p><i>1. Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas and uses San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties) for Marin County.</i></p> <p><i>Sources: ABAG/MTC Housing Needs Data Workbook, 2021; HUD CHAS (based on 2013-2017 ACS), 2020.</i></p>			

Figure D- 11: Regional Concentrations of LMI Households by Tract





*Local Trends*

For the unincorporated communities, Figure D- 12 illustrates many unincorporated communities have a higher percentage of LMI/lower income households than the entire unincorporated County (38 percent) and Marin County (41 percent). The communities of Central Coastal West Marin and Marin City have the highest percentages of LMI households (62 and 71 percent, respectively). In addition, both Central Coast West Marin and Marin City have the highest percent of extremely low income households (29 percent and 40 percent, respectively).

The concentration of lower income population in central and northwestern Marin coincides with the Inland-Rural Corridor. The Inland-Rural Corridor is designated primarily for agriculture and compatible uses, as well as for preservation of existing small communities. While less than 2 percent of Marin County's population lives in the Inland Rural Corridor, between 75 percent and 100 percent of that population is considered lower income (Figure D- 11). The population in this area also likely works in the agriculture industry, which has low paying wages. According to the Quarterly Census of Employment and Wages (QCEW) for the third quarter in 2021, average weekly pay for Agriculture, Forestry, Fishing & Hunting industries was \$813 ( with Cattle Ranching and Farming having even lower weekly incomes. Based on those averages, farmworkers in Marin County earn less than \$43,000 per year, meaning they earn less than 30 percent the 2021 Area Median Income of \$149,600, and are thus considered extremely low income.

In addition to earning extremely low incomes, farmworker populations are physically and linguistically isolated from County processes. Based on comments from Public outreach, linguistic barriers and fear due to being undocumented makes it hard to reach this population. County staff is working on bridging this gap by convening the Agricultural Worker Housing Collaborative, including the Marin Community Foundation, the Community Land Trust of West Marin, Marin Agricultural Land Trust, UC Cooperative Extension, West Marin Community Services, local ranchers, and ranch workers to address the needs of agricultural worker housing. The Agricultural Worker Housing Collaborative is expanding to include agricultural workers and their families, as well as representatives of the Park Service. The collaborative will continue its work to expand housing choices and quality of housing for agricultural workers and their families.

Figure D- 12: Percent Low and Moderate Income (LMI) Households: Unincorporated County

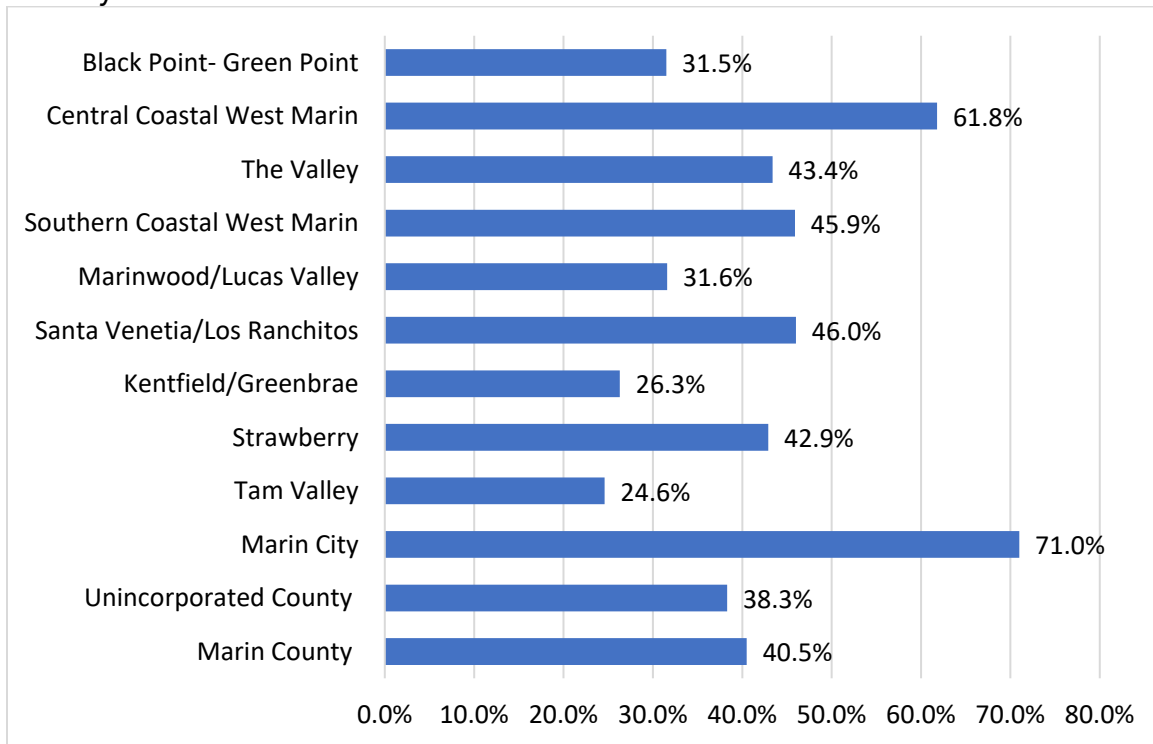
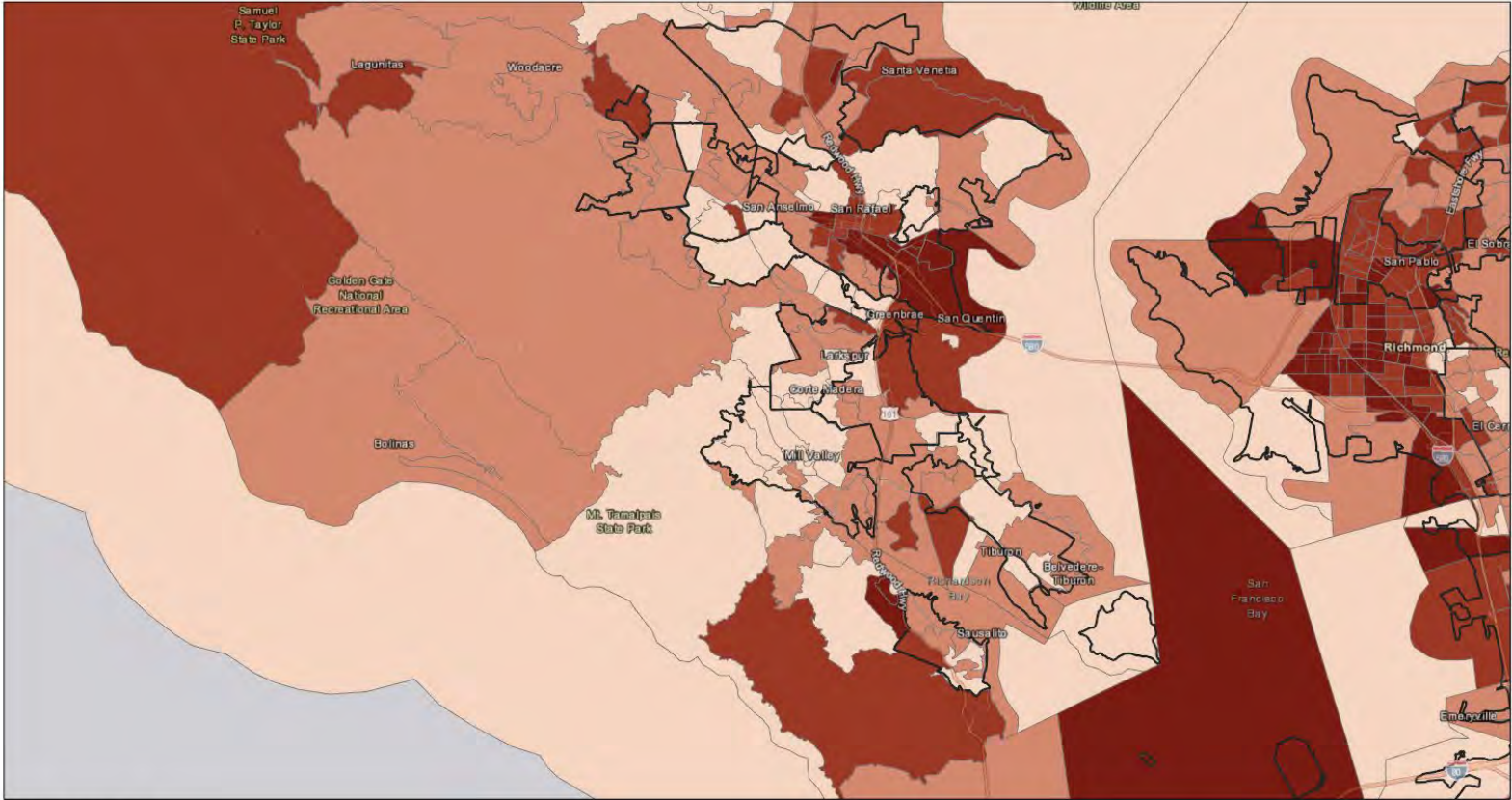


Figure D- 13 shows LMI population concentration at a smaller scale- by block group. A Marin City block group has the highest concentration of LMI population, with over 75 percent of the population earning low incomes. Block groups adjacent to Marin City as well as in Santa Venetia and the Valley and Central Coastal West Marin (Point Reyes and Inverness) also have a high concentration of LMI persons. In these block groups between 50 and 75 percent of the population is LMI. Again, the concentration of LMI persons in West Marin likely reflects the extremely low income farmworker population in the area.

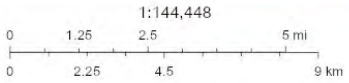
As explained earlier, a concentration in northern West Marin is likely due to the farmworker population in the area. Meanwhile, Marin City also has a concentration of African American population, minority populations, and lower income persons. It is important to note that Marin City has one of the largest concentration of public housing in the County. Since tenants in public housing are required to have lower incomes, analysis of concentration by income level reflects this concentration of lower income households.

Figure D- 13: LMI Population by Block Group- Unincorporated Communities



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- City/Town Boundaries
- < 25%
- 25% - 50%
- 50% - 75%
- 75% - 100%



County of Marin, Bureau of Land Management, Esri, HERE, Garmin, USGS, EPA, NPS, Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community.

CA HCD  
 County of Marin, Bureau of Land Management, Esri, HERE, Garmin, USGS, EPA, NPS | PlaceWorks 2021, HUD 2019 | PlaceWorks 2021, HUD 2020 | PlaceWorks 2021, ESRI, U.S. Census | PlaceWorks 2021, TCAC 2020 | PlaceWorks 2021, U.S. Department of Housing and Urban Development 2020 | Esri,

ABAG/MTC’s Segregation report provided an analysis of income segregation in the incorporated County based on isolation indices and dissimilarity indices. The isolation index values for all income groups in Unincorporated Marin County for the years 2010 and 2015 in Table D- 14 show Above Moderate income residents are the most isolated income group in Unincorporated Marin County. Unincorporated Marin County’s isolation index of 51.0 for these residents means that the average Above Moderate income resident in Unincorporated Marin County lives in a neighborhood that is 51.0% Above Moderate income. Among all income groups, the Very Low income population’s isolation index has changed the most over time, becoming more segregated from other income groups between 2010 and 2015.

Table D- 14: Income Group Isolation Index Values for Segregation within Unincorporated Marin County		
Income Category	2010	2015
Very Low Income (< 50% of AMI)	26.9	35.8
Low Income (50%-80% of AMI)	16.5	14.2
Moderate Income (80%-120% of AMI)	17.8	20.7
Above Moderate (>120% AMI)	54.0	51.0
<i>Data for 2015 is from U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2011-2015 Low- and Moderate-Income Summary Data. Data for 2010 is from U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2006-2010 Low- and Moderate-Income Summary Data.</i>		
<i>Sources: ABAG/MTC Segregation Report</i>		

Table D- 15 below provides the dissimilarity index values indicating the level of segregation in Unincorporated Marin County between residents who are lower-income (earning less than 80 percent of AMI) and those who are not lower-income (earning above 80 percent of AMI). This data aligns with the requirements described in HCD’s AFFH Guidance Memo for identifying dissimilarity for lower-income households. Segregation in Unincorporated Marin County between lower-income residents and residents who are not lower-income has not substantively changed between 2010 and 2015. Additionally, Table D- 15 shows dissimilarity index values for the level of segregation between residents who are very low-income (earning less than 50 percent of AMI) and those who are above moderate-income (earning above 120 percent of AMI). This supplementary data point provides additional nuance to an analysis of income segregation, as this index value indicates the extent to which a jurisdiction’s lowest and highest income residents live in separate neighborhoods.

Table D- 15: Income Group Dissimilarity Index Values for Segregation within Unincorporated Marin County		
Income Category	2010	2015
Below 80% AMI vs. Above 80% AMI	29.9	29.5
Below 50% AMI vs. Above 120% AMI	38.4	40.2
<i>Data for 2015 is from U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2011-2015 Low- and Moderate-Income Summary Data. Data for 2010 is from U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2006-2010 Low- and Moderate-Income Summary Data.</i> <b>Sources: ABAG/MTC Segregation Report</b>		

**Housing Choice Vouchers (HCV)**

An analysis of the trends in HCV concentration can be useful in examining the success of the program in improving the living conditions and quality of life of its holders. The HCV program aims to encourage participants to avoid high-poverty neighborhoods and promote the recruitment of landlords with rental properties in low poverty neighborhoods. HCV programs are managed by Public Housing Agencies (PHAs), and the programs assessment structure (SEMAPS) includes an “expanding housing opportunities” indicator that shows whether the PHA has adopted and implemented a written policy to encourage participation by owners of units located outside areas of poverty or minority concentration<sup>30</sup>. The County of Marin funds Marin Housing Authority’s Landlord Partnership Program, which aims to expand rental opportunities for families holding housing choice vouchers by making landlord participation in the program more attractive and feasible, and by making the entire program more streamlined. The program also includes a requirement to include affirmative marketing.

A study prepared by HUD’s Development Office of Policy Development and Research found a positive association between the HCV share of occupied housing and neighborhood poverty concentration and a negative association between rent and neighborhood poverty<sup>31</sup>. This means that HCV use was concentrated in areas of high poverty where rents tend to be lower. In areas where these patterns occur, the program has not succeeded in moving holders out of areas of poverty.

*Regional Trends*

As of December 2020, 2,100 Marin County households received HCV assistance from the Housing Authority of the County of Marin (MHA). The map in Figure D- 14 shows that HCV use is concentrated in tracts in North Marin (Hamilton and the intersection of Novato Boulevard and Indian Valley Road). In these tracts, between 15 and 30 percent of the renter households are HCV holders. In most Central Marin tracts and some Southern

<sup>30</sup> For more information of Marin County’s SEMAP indicators, see: the County’s Administrative Plan for the HCV Program. <https://irp.cdn-website.com/4e4dab0f/files/uploaded/Admin%20Plan%20Approved%20December%202021.pdf> <https://irp.cdn-website.com/4e4dab0f/files/uploaded/Admin%20Plan%20Approved%20December%202021.pdf>

<sup>31</sup> Devine, D.J., Gray, R.W., Rubin, L., & Taghavi, L.B. (2003). Housing choice voucher location patterns: Implications for participant and neighborhood welfare. Prepared for the U.S. Department of Housing and Urban Development, Office of Policy Development and Research, Division of Program Monitoring and Research.

Marin tracts (which are more densely populated), between five and 15 percent of renters are HCV recipients. The correlation between low rents and a high concentration of HCV holders holds true in North Marin tracts where HCV use is the highest (Figure D- 15). Overall, patterns throughout most Marin County communities also show that where rents are lower, HCV use is higher.



Figure D- 14 : Regional HCV Concentration by Tract

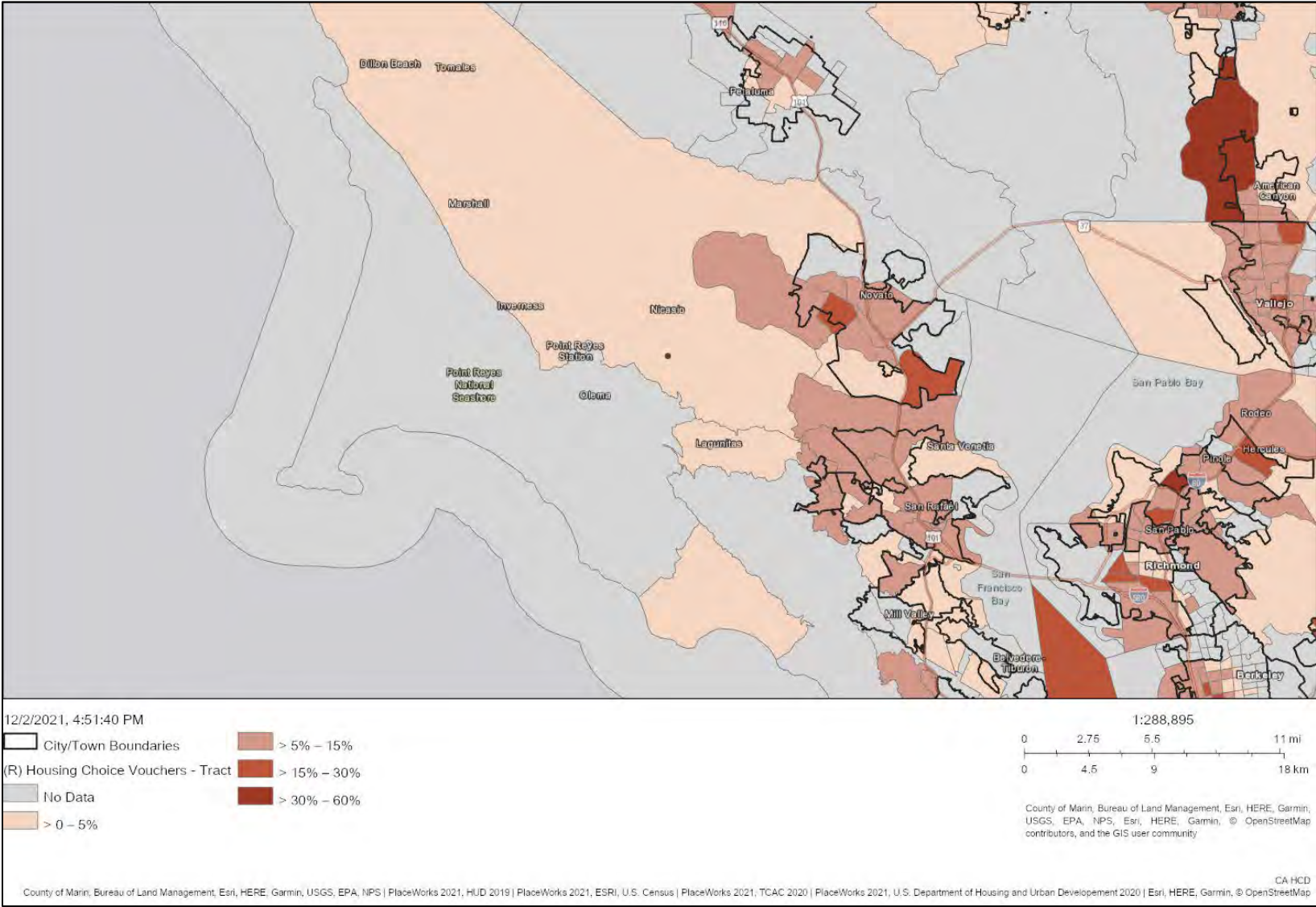
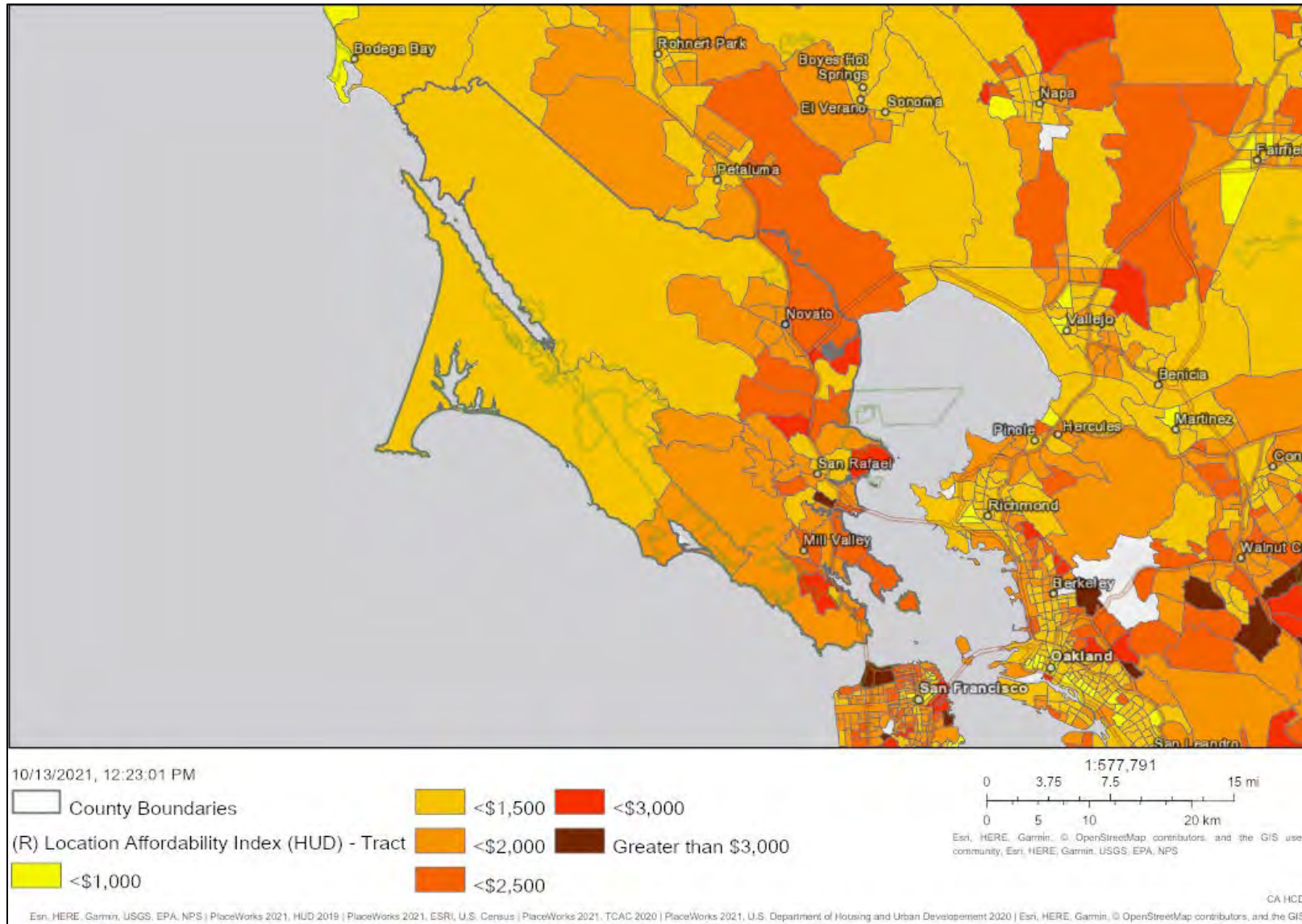


Figure D- 15 : Regional Median Gross Rent/Affordability Index by Tract





### *Local Trends*

Section 8 voucher holders are disproportionately represented in localities with higher than-average proportions of minorities, which may perpetuate patterns of residential segregation. However, these are also the localities where there are higher-than-average concentrations of rental housing and greater availability of public transit service. As many Section 8 voucher holders are people of color, people with disabilities, and families with children, this perpetuates patterns of segregation. As shown in Figure D- 14, within the unincorporated County, the Lucas Valley-Marino and Marin City communities have the highest concentration of HCV use; between five and 15 percent of renters in those tracts are HCV users. Low gross rents (i.e. location affordability index) also coincide with high HCV use in both Marin City (<\$1,500) and in Lucas Valley-Marino (<\$2,000). As explained in the section Income Level section of this analysis, Marin City also has a concentration of lower income persons due to the affordability of the areas as well as the concentration of public housing. In addition, Marin City is high concentration of multi-family housing, condos, and townhomes that offer one of the least expensive housing costs in the area, especially compared to surrounding communities of Mill Valley and Tam Valley, where gross rents are over \$3,000 (compared to <1,500 in Marin City, Figure D-15).

Some landlords are reticent to participate in the program, in part due to negative stereotypes about race, ethnicity, and recipients of public assistance, which exacerbates the concentration of protected classes in certain neighborhoods and communities. In 2015, with the support and funding from the Marin County Board of Supervisors, the Marin Housing Authority initiated the Landlord Partnership Program. According to MHA, this program, “aims to expand rental opportunities for families holding housing choice vouchers by making landlord participation in the program more attractive and feasible, and by making the entire program more streamlined.” Incentives include security deposit, loss mitigation, vacancy loss, building and planning permit fees waived, and access to a dedicated landlord liaison 24-hour hotline to address immediate issues as well as landlord workshops and training. It is estimated that from June 2015 to June 2018, the number of available rental units for Section 8 vouchers has increased by more than 22 percent.

MHA has focused on insuring voucher recipients have access to housing in all parts of the County. Prior to the 2020 enactment of SB 329 Housing Opportunities Act of 2019, the State’s law on housing discrimination based on source of income (California Government Code Section 12927) did not protect individuals or families with third party rental subsidies.

## **Zoning and Racial Distribution**

### *Regional Trends*

In 2020, the County conducted a Multi-Family Land Use Policy and Zoning Study to implement Marin County Housing Element Goal 1 (Use Land Efficiently) and the Housing Element Program 1.b (Evaluate Multi-Family Land Use Designations), which states:

“Conduct a comprehensive analysis of multi-family land use to evaluate whether multi-family zoning is appropriately located.”

The study also implemented, the County's Voluntary Compliance Agreement with the Federal Department of Housing and Urban Development (HUD) which calls for the County to:

“Evaluate existing multi-family Land Use Designations within the unincorporated county to determine whether zoning is appropriate to allow additional affordable housing development beyond existing areas of racial or ethnic concentration.”

The study assessed existing zoning and policy conditions that affect where the “multi-family dwelling” was currently an allowed use and further evaluates impediments to its development. In addition, the study assessed the impediments of zoning to fair housing choice and whether it is overrepresented in areas of minority concentration.

The predominance of single-family zoned lots is primarily due to the historic development patterns in the unincorporated county, which accelerated after construction of the Golden Gate Bridge opened Marin as a suburban bedroom community. The County's zoning ordinance has also been permissive to this development pattern by allowing single-family housing in all zoning districts that allow residential use. In contrast, multi-family housing is not permitted in single family zoning districts. The deference given to single-family development has in some cases resulted in areas zoned primarily for multi-family housing to be developed with single-family homes, thereby reducing the County's potential housing stock due to the greater land area devoted to larger dwellings and outdoor yard areas.

The resulting findings reflected the historical patterns of development, the early zoning framework, and the naturally occurring physical constraints of Marin's diverse landscape. A significant number of properties across all seven Countywide Plan Planning Areas are designated within a zoning district intended for low density, single-family uses. Additionally, these zoning practices have also determined the type of housing within communities and who it is available to, where “exclusionary zoning practices, including those that limit where, how, or if affordable housing can be developed, can result in creating and maintaining segregated communities”.

The Supreme Court ruled exclusionary zoning unconstitutional in 1917. However, the UC Berkeley Haas Institute report entitled “Roots, Race and Place: A History of Racially Exclusionary Housing in the San Francisco Bay Area” released in October 2019 found that many jurisdictions, including Marin, enacted regulations that disproportionately impacted minority communities. The study also found that many of the regulatory tools that were implemented, including zoning ordinances, resulted in the prevention of people of color from moving into these communities. Some examples of impediments more generally include low-density development patterns, large lot-sizes, consumer preferences for suburban neighborhoods and low tax rates, and “a belief that neighborhoods without apartments, low-income residents, or people of color would successfully maintain high property values and/or appreciate the most over time” (Moore et al., “Roots, Race and Place: A History of Racially Exclusionary Housing in the San Francisco Bay Area”, p. 15). The 2020 Marin County AI demonstrates that “while current laws and ordinances do not specifically mention race, they can have the same effect as racial and economic zoning.” For instance, an analysis of the zoning districts and racial

distribution of the seven planning areas in Marin County point to the historic impacts of zoning restrictions as reflected in the racial demographics of communities in Marin. The Countywide Plan Planning Areas that have a higher proportion of parcels zoned for detached single-family housing also have higher proportions of non-Hispanic White residents. An example is Lower Ross Valley, which has the highest proportion of non-Hispanic White residents of all the planning areas, representing 87 percent of this community, and an equally high proportion of low density, single-family zoned parcels, representing 89 percent of the total (Table D- 16).

	West Marin (3,025 parcels)	Novato (3,091 parcels)	San Rafael Basin (692 parcels)	Las Gallinas Valley (4,386 parcels)	Upper Ross Valley (1,448 parcels)	Lower Ross Valley (2,628 parcels)	Richardson Bay (7,864 parcels)	Marin City
SF	33%	48%	92%	69%	80%	89%	71%	N/A
MF/Duplex	<1%	4%	6%	21%	15%	2%	20%	64%
Non-Hisp White	85.5%	81.6%	74.2%	71.9%	82.1%	86.7%	73.2%	24%
People of Color	15.5%	18.4%	25.8%	28.1%	17.9%	13.3%	26.8%	76%
Source: County of Marin Multi-Family Land Use Policy and Zoning Study (November 2020)								

*Local Trends*

One key finding in the Zoning Study was that zoning practices are correlated to the concentration of multi-family rental housing in Marin City, a historically African American community and an area identified as a Racially/Ethnically Concentrated Area of Poverty (see next section). According to zoning data, Marin City, has the highest concentration of people of color (76 percent) and a higher concentration of multifamily zoned parcels (64 percent) than its Planning Area (Richardson Bay, 20 percent) and all Planning Areas in the County. This is in contrast with adjacent areas such as the Lower Ross Valley Countywide Plan Planning Area which has the highest proportion of non-Hispanic White residents (86.7 percent) and a similarly high proportion of low density, single-family zoned parcels. Though conclusive evidence may be difficult to demonstrate, the correlation between the percentage of multi-family zoned properties in an area, the percentage of housing units that are renter-occupied, and the racial diversity of that area suggests there may be opportunities worth exploring in increasing the diversity of housing opportunities in areas currently dominated by detached single-family residences.

**Development Code**

The 2020 AI found that some of the stated purposes of local jurisdictions’ development codes may be interpreted as potentially conflicting with affirmatively furthering fair

housing. For example, the County's Development Code includes language to "protect the character and social and economic stability" and maintain "community identity and quality development." The AI suggested that the County consider amending its Development Code to limit the language that could be used as a pretext for discrimination against minorities, people with disabilities, and families with children, and add clarifying language noting that the code is intended to expand housing opportunities for all people, regardless of their membership in a protected class, as well as to implement other public policy objectives. Other local jurisdictions should undertake similar amendments where needed.

As of 2020, the Development Code was amended to clarify and narrow the use of "community character" by defining that a new development be harmonious and in character with existing and future developments with phrases such as, "The project design includes cost-effective features that foster energy and natural resource conservation while maintaining compatibility with the prevailing architectural character of the area." Clarifying the phrase, "preserve the character and integrity of neighborhoods," has resulted in phrases such as "Landscaping should be utilized to enhance and preserve the characteristics which give a neighborhood its identity and integrity by providing a prescribed selection of trees and plant materials which are compatible with those existing in the neighborhood."

### **Community Plans**

The Community Plans and other area plans contain policies for land use and development related specifically to a local area, for example Bolinas, Strawberry, and Tamalpais Valley. They set forth goals, objectives, policies, and programs for specific communities. Most Community Plans were completed in the 1980s and 1990s. The most recent Community Plans, the Blackpoint and Greenpoint Community Plans, were completed in 2016. They are intended to reflect the specific design of local communities and are used to evaluate discretionary applications. Staff found that the Community Plans contained exclusionary language for the development of multi-unit projects and include discriminatory language such as "protecting community character." For example, one of the Community Plans says, "It is important that the social patterns, personal interactions, sights and sounds that typify single family neighborhoods be maintained and strengthened" and "...discourage any expansion of the areas designated for multi-family housing development." Others prescribe very low-density development and discuss the preservation of community character as predominately single-family neighborhoods. Some aspects of the Community Plans are inconsistent with State law and have the effect of limiting multi-unit housing. Amendments to the Countywide Plan included in the Housing Element Update restrict the use of Community Plans where they conflict with additional multi-unit development. Additionally, one of the programs included in the Housing Element is a comprehensive review of zoning and planning policies, including making revisions to remove discriminatory language and policies.

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### **Summary: Integration and Segregation**

Most communities in unincorporated Marin are predominantly white. However, protected groups appear to be segregated in the unincorporated community of Marin City. Marin City has the highest concentration of Black/African American and Hispanic/Latinx residents compared to other unincorporated communities. In addition, Marin City was identified as R/ECAP (see following section), indicating a concentration of minority population<sup>32</sup> and poverty. Marin City also has the highest concentration of persons with disabilities and single-female headed households with children compared to other unincorporated communities. This indicates a concentration of special needs populations within Marin City. Marin City is also dealing with a confluence of economic pressures (proximity to the Bay area, lower rents, multi-family and townhome/condo housing stock), which make it vulnerable to displacement. Integration efforts need to balance displacement pressures with preserving the existing resident population.

### **Racially and Ethnically Concentrated Areas of Poverty (R/ECAP)**

In an effort to identify racially/ethnically-concentrated areas of poverty (R/ECAPs), HUD has identified census tracts with a majority non-White population (greater than 50 percent) and a poverty rate that exceeds 40 percent or is three times the average tract poverty rate for the metro/micro area, whichever threshold is lower.

#### *Regional Trends*

The Othering and Belonging Institute at UC Berkley has published a report<sup>33</sup> on Racial Segregation in the Bay Area and found that each of the nine counties as well as the two major “Metropolitan Statistical Areas” (MSAs) are marked by high levels of racial segregation. Most of the traditionally recognized “segregated neighborhoods,” where people of color were historically restricted on account of redlining and other forms of housing discrimination, are typically found within the larger, broadly diverse municipalities such as San Francisco, Oakland, San Jose, and mid-sized cities such as Berkeley and Richmond. The displacement of many people of color from these communities and the corresponding in-migration of white families over the last twenty years has diversified the municipal populations in these cities, but has not always resulted in more integrated neighborhoods. Thus, although these cities are diverse in aggregate, they tend to contain some of the most racially segregated non-white neighborhoods in the Bay Area. The Institute also reported that the effects of racial segregation include negative life outcomes for all people in those communities, including rates of poverty, income, educational attainment, home values, and health outcomes.

They concluded that, “the most segregated cities in the Bay Area are those that are either historically places where people of color were permitted to live, when locked out of other places, or are highly exclusionary and heavily white mid-sized to smaller suburbs, exurbs or rural cities and towns in places like Marin and San Mateo counties.” The section below expands on Racially Concentrated Areas of Affluence. In a 2021 update to their report<sup>34</sup>,

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<sup>32</sup> Persons who are not non-Hispanic White

<sup>33</sup> <https://belonging.berkeley.edu/segregationinthebay>

<sup>34</sup> <https://belonging.berkeley.edu/most-segregated-cities-bay-area-2020>

the Othering and Belonging institute reported that three counties in the Bay Area were more segregated in 2020 than they were in 2010: Marin, Napa, and Sonoma, with Marin being the most segregated county in the region by far.

According to HCD's AFFH mapping tool, R/ECAPs in the Bay area are concentrated in metropolitan areas- specifically in San Francisco, San Jose, and Oakland. There is one R/ECAP in Southern Marin located in Marin City west of State Highway 101 (Figure D-16). Marin City is part of the unincorporated County area.



Figure D- 16: Regional Racially and Ethnically Concentrated Areas of Poverty (R/ECAPs)

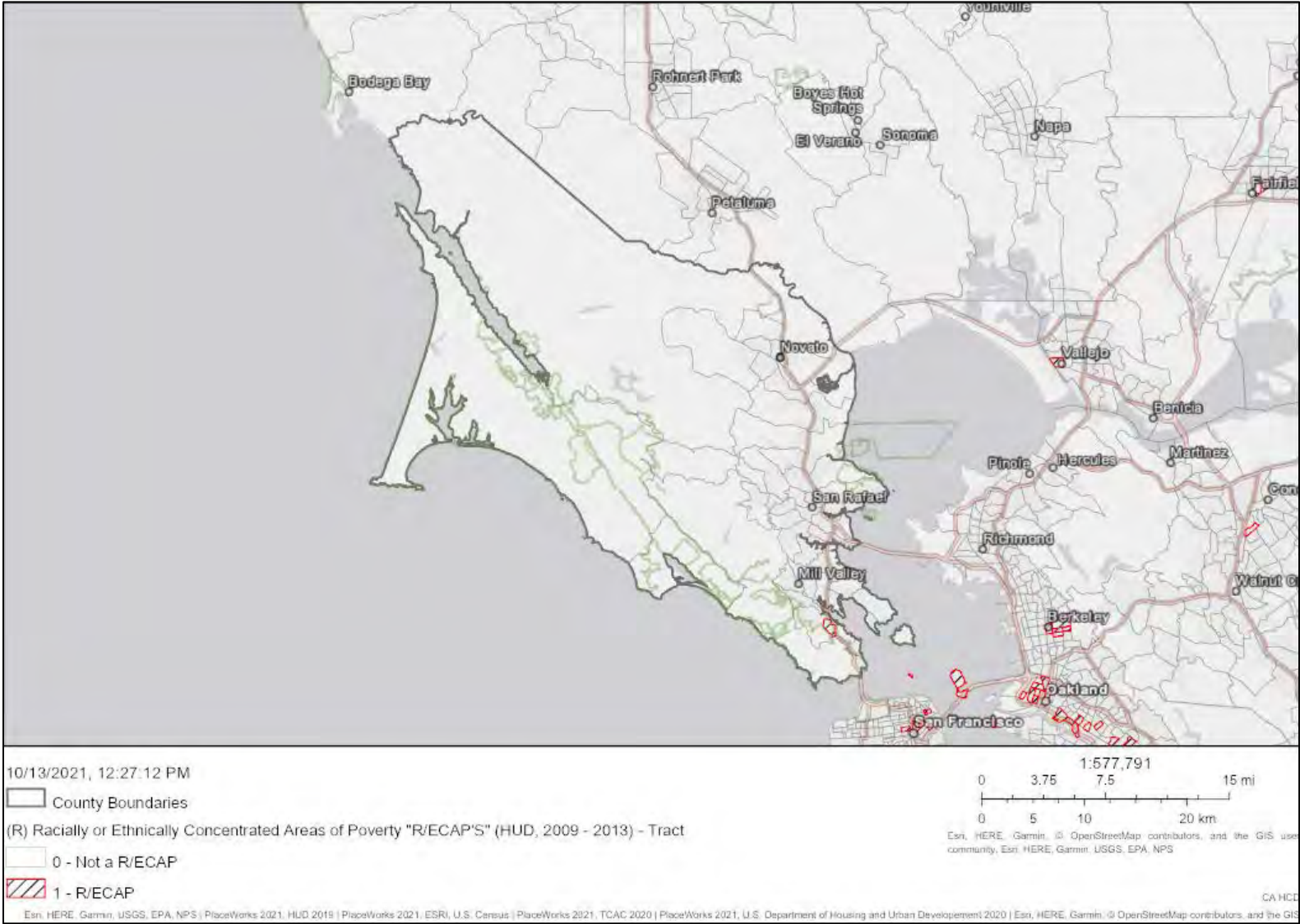
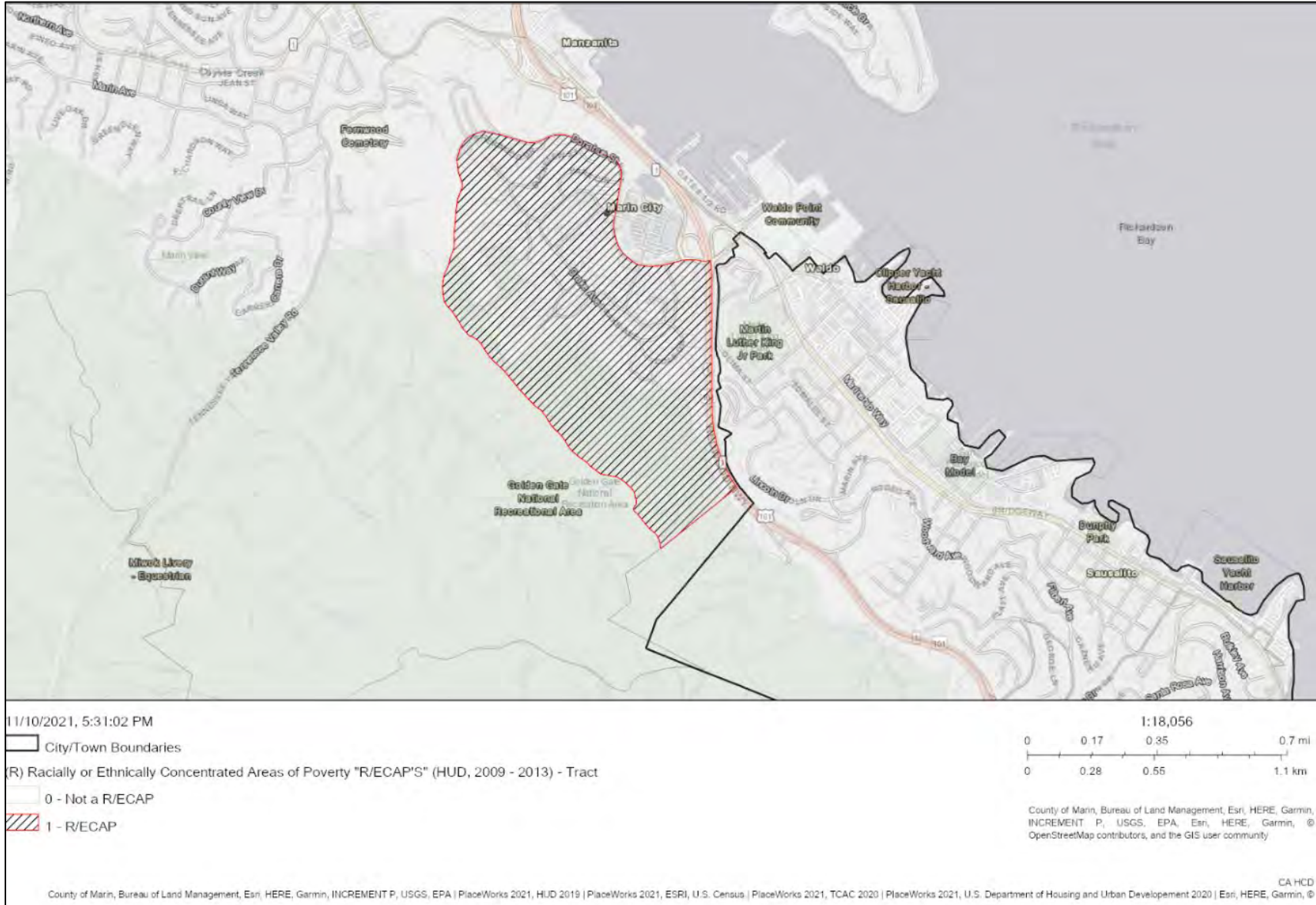


Figure D- 17: Marin City R/ECAP





### *Local Trends*

Data from Census shows that from 1990 to 202, Marin County became increasingly diverse. In 1990, the Non-Hispanic White population totaled 89 percent of the overall population and decreased to about 66 percent in 2020. On the other hand, in the same period, the Hispanic population increased from seven percent (1990) to 70.5 percent (2020). Additionally, the total populations for those who identified as Asian increased from four percent to six, while total population of those who are Non-Hispanic Black decreased from four percent to two percent.

However, during the same time period that the County became increasingly diverse in the aggregate, it has become more segregated. Table D- 7 in the Race/Ethnicity section of this analysis shows the dissimilarity between the County’s racial/ethnic population and the White population. The higher scores indicate higher levels of segregation between that racial/ethnic group and Whites. These scores correlate directly with the percentage of people within that racial or ethnic group that would need to move into a predominately White census tract in order to achieve a more integrated community.

Between 1990 and 2010, dissimilarity indices for all groups increased. Dissimilarity indices between non-Whites and Whites increased from 32 to 43. However the greatest increase in dissimilarity indices occurred between Hispanics and Whites, from 37 percent to 50 percent. This means that 50 percent of the Hispanic population would need to move into predominately White census tract areas to achieve perfect integration. Despite this increase in dissimilarity indices between Hispanic and White population, Black communities are still the most segregated group in the County, with a dissimilarity score of 57. Though Marin County had no racial or ethnic populations with a dissimilarity index above 60 in 2010 (which HCD considers the score threshold for “high segregation”), most populations (except Asian) have a score above 30, meaning they experience moderate segregation from the White population.

While segregation may be a result of ethnic enclaves or persons of similar cultures living nearby, federal, state, and local government policy, past and present, are intertwined with private housing decisions, as is the case in Marin County’s identified RECAP in Marin City. The concentration of African American residents in Marin City is due to historic policies barred African American residents of Marin City from accessing housing in places with greater opportunities. Discriminatory policies like redlining, restrictive covenants, and exclusionary zoning promoted racial segregation – entrenching racial disparities in access to well-resourced neighborhoods. Marin City is considered a community vulnerable to displacement (see Displacement Risk section) due to increased housing costs as well interest in redevelopment and the continued pressures of being surrounded by affluent neighbors in one of the most exclusive counties in the country.

The County’s zoning patterns have contributed to these areas of concentration. A significant number of properties across all seven Countywide Plan Planning Areas are designated within a zoning district intended for low density, single-unit uses. This is due in part to the early applications of low-density zoning and the constrained physical conditions that present a fundamental impediment to increased subdivision potential or

density. Additionally, as noted in the 2020 Marin County Analysis of Impediments to Fair Housing Choice, these zoning practices have also determined the type of housing within communities and who it is available to, where “exclusionary zoning practices, including those that limit where, how, or if affordable housing can be developed, can result in creating and maintaining segregated communities”. Marin City has a disproportionately higher percentage of multi-unit zoned parcels within its community, representing 64 percent of all parcels, in contrast with 10 percent of parcels zoned multi-unit in the unincorporated regions of the County as a whole.

Table D- 17 shows the demographic and housing characteristics Marin City (Marin City CDP) compared to Marin County overall. Marin City tract is characterized by a concentration of African American residents. Approximately 25 percent of Marin City’s residents are African American- significantly higher than the County’s and unincorporated County’s African American population (two percent and three percent, respectively). Marin City residents also earn significantly lower median incomes than the County. Marin City’s median household income estimates in 2021 were almost half of the County’s (\$76,000 in Marin City compared to \$131,008). In addition, Marin City’s poverty is contrasted by high median incomes in adjacent neighborhoods. Figure D- 18 shows Marin City households earned less than \$55,000 while median incomes in neighboring jurisdictions were higher than \$125,000 in 2019. Marin City’s also has a higher proportion of lower income households (earning less than 80 percent AMI) and renter-households. About two thirds (61.7 percent) of all households in Marin City are renters, compared to only 36 percent in the County. In addition, a higher share of renter-households in Marin City are lower income (82 percent in the City vs 63 percent in the County) and experience cost burdens (55 percent in Marin City compared to 46 percent in the County overall).

	Marin County	Marin City
<b>Demographic Characteristics</b>		
% African American	2.1%	25.0%
% Lower income HH (<80% AMI)	44.7%	70.5%
% Lower income renter HH (<80% AMI)	62.9%	82.2%
% Lower inc owner HH (<80% AMI)	34.3%	38.4%
Total HH	103751	37608
% Median HH Income	\$131,008	\$76, 148
% HH Below poverty	6.9%	11.2%
% African American HH below	15.9%	22.8%
<b>Housing Characteristics</b>		
% renter-occupied	36.2%	61.7%
% MF structures (5 or more)	19.9%	51.2%
% Overcrowding	2.8%	3.5%
% overcrowding renter	6.6%	5.7%

% overcrowding owner	0.6%	0.0%
% cost burden	37.2%	48.9%
% cost burden renter	46.5%	55.0%
% cost burden owner	31.9%	32.3%
Sources: American Community Survey 5-Year Data (2017-2021) and HUD C Comprehensive Housing Affordability Strategy (CHAS) data based on American Community Survey 5-Year Data (2015-2019).		

Marin County’s only family public housing is located in Marin City, contributing concentration of extremely low-income households in the County; about 40 percent of households earn less than 30 percent the Area Median Income, whereas only 14 percent of unincorporated County households are considered extremely low income. In addition, the majority of Marin City public housing tenants are Black. Although public housing applicants with families express the desire to live outside Marin City, there is no other family public housing in the county. Public housing effectively perpetuates segregation based on race and familial status, although there has been some increase in racial diversity in the family public housing in the last 15 years, and the most recent redevelopment project has made Marin City a more diverse community. The County and other local jurisdictions should devote resources to developing more subsidized housing outside impacted areas. According to the 2020 AI, given current funding patterns, new subsidized housing is unlikely to be public housing, and instead will most likely be owned or sponsored by non-profit organizations.

As part of the County’s Voluntary Compliance Agreement with the Department of Housing and Urban Development, “the County commits to take the following actions to encourage and facilitate an increase of at least 100 affordable housing units outside areas of minority concentration that are available to families with children. Consistent with the County’s intention to provide funding for affordable housing on a multi-jurisdictional basis, these units may be located in the unincorporated county, cities and towns in Marin. The County has taken the following actions to meet this commitment:

- The County has committed one million dollars of general funds for the construction or acquisition of affordable rental housing for families with children outside areas of minority concentration. To the maximum extent possible, these funds will be leveraged to obtain additional sources of funding such as the County’s Housing Trust Fund, CDBG and HOME funds, and the funding from the Marin Community Foundation and the Tamalpais Pacific Foundation.
- The County has transferred \$4.1 million from the County’s General Fund to the Housing Trust Fund to assist in creating new affordable housing units.
- The County and the Marin Community Foundation will continue their joint funding partnership for construction and acquisition of affordable housing. To the maximum extent possible, these funds will be leveraged to obtain additional sources of funding such as the County’s Housing Trust Fund, CDBG and HOME funds.
- The County has issued a Notice of Funding Availability (NOFA) announcing the availability of the one million dollars for the development of affordable rental

housing outside areas of minority concentration that is available to families with children

- To encourage submission of competitive housing applications, the aforementioned NOFA includes the following information.
  - Identification of housing site inventories located outside areas of minority concentration were included in the 2015-2023 Housing Elements and were adopted respectively by the County and cities in towns in Marin.
  - Statement(s) that application processing will be expedited, which will be accomplished by dedicating sufficient County staff resources, proactively managing the review process with other reviewing agencies, and implementing state permit streamlining laws for housing.
  - Statement(s) that there will be a waiver or reduction in the application processing fees proportionate to the percentage of proposed dwelling units which meet the County criteria for low and very low-income levels, and which exceed the County's inclusionary housing requirement.

AI's prior to 2020 noted that Marin's Housing Authority's "One-Strike" Policy, if implemented as written, could disproportionately affect Black residents, women who are victims of domestic violence, and people with mental disabilities, jeopardizing their tenancies and destabilizing housing opportunities. It was recommended that the MHA should consider modifying its written policy to make it clear that only residents who present a direct threat to the health or safety of others will be evicted from public housing or terminated from public housing assistance, and that there will be an opportunity for case-by-case review of specific circumstances. The MHA should include specific language in its lease alerting victims of domestic violence to their rights under the Violence Against Women Act (VAWA). The administration of the One-Strike Policy should be monitored to ensure that it does not disparately impact any protected classes.

As of 2020, MHA reported that they have modified their policies to look at illegal activity on a case by case basis. They reported that both their Administrative Plan and Admissions and Continued Occupancy Requirement Policy have been updated to address the need to review case by case, and their lease was amended in 2014 to allow for more discretion regarding illegal activity and terminations. In addition, MHA provides VAWA documentation/information as part of its annual recertification.

#### Golden Gate Village

MHA oversees the County's only family public housing development, known as Golden Gate Village, which is located approximately 5 miles north of the Golden Gate Bridge in Marin City. Golden Gate is the only housing property operated by Marin Housing Authority located in an area an of minority concentration. In addition, Marin City is considered a food desert. According to the U.S. Department of Agriculture, "Food deserts are defined as parts of the country vapid of fresh fruit, vegetables, and other healthful whole foods, usually found in impoverished areas. This is largely due to a lack of grocery stores, farmers' markets, and healthy food providers". According to Marin County's Department of Health and Human Services, in 2013, Marin City did not have a full-service grocery store for its residents. There were no small markets, grocery stores, convenient stores or

farmer's markets. In 2017, Target moved into Marin City and now provides an assortment of groceries.

According to the Marin Housing Authority, in May 2019, there were 667 people living in Golden Gate Village with an average of 3 people living in each residence. At the time of this report about 56 percent of Golden Gate Village residents self-identified as African American, about 16 percent were over the age of 55, 14 percent had a disability, and about three percent of residents were seniors.

In 2015, a HUD mandated Physical Needs Assessment was conducted and determined that for Golden Gate Village, "MHA would need to make a minimum of \$16 million dollars of short term investments in the property to bring existing building and site components up to HUD minimum standards. This short-term investment would only replace certain existing building and site components that have exhausted their useful life and does not include substantial items that would exhaust their useful life over the next twenty years. A site-wide complete rehabilitation to provide modern systems using energy-saving, green building concepts would require approximately \$50million. This amount is further increased to roughly \$63 million when costs for legal, other professional fees, and contingency are added (otherwise known as soft costs)."

Due to the lack of funding from HUD to meet the complete rehabilitation requirements, MHA developed a strategy to identify options for the revitalization of Golden Gate Village. In 2015, MHA engaged consultants and began Phase I of the Golden Gate Village Revitalization. The Community Working Group adopted the following list of Guiding Principles to serve as the foundation for any revitalization efforts for Golden Gate Village:

1. Protect Existing Golden Gate Households
2. Restore Golden Gate Village Economic Sustainability
3. Assure Resident Participation Throughout the Planning and Revitalization Process
4. Preserve Historic Marinship Heritage
5. Promote High Quality Open Space
6. Collaborate with the Marin County Community to Expand Economic Development and Job Training/Education Opportunities for Golden Gate Village Residents

The number one priority of the Community Working Group was to ensure that Golden Gate Village residents were not displaced from their homes and their community. At the end of Phase I, the Community Working Group identified 2 possible options for the revitalization -- a mixed-income housing model, and an Historic Preservation model. Residents have asked for MHA to look into the viability of creating a community land trust.

In 2017, Golden Gate Village received notification that it had been granted national historic status from the National Register of Historic Places, and in 2018, MHA contracted with a developer to oversee its development plans. In 2020, MHA had set out to redevelop Golden Gate Village by selectively razing some buildings, renovating the remaining buildings, and building back more units of the site that were removed. This plan was

intended to both address the physical condition of units and increase the supply of affordable housing in Marin County. However, this plan did not move forward, and additional time was needed to create an alternative.

In March 2022, the Commission resolved to focus on the rehabilitation of the existing units. This approach was strongly advocated by the Resident Council. On November 2022, MHA sought approval from the Board of Commissioners for a redevelopment plan that is based on significant resident input, Resident Council input, and input from stakeholders. The Golden Gate Village Revitalization Plan aims to accomplish the following three goals:

- Preserve Golden Gate Village as affordable rental housing for current and future residents,
- Protect Residents' Rights. Strengthen and Expand Affordable Housing as a Social Safety Net,
- Create Economic Opportunity for GGV Residents.

As part of the \$330 million Golden Gate Village Revitalization Plan—aging electrical systems will be replaced with state-of-the-art equipment that is cleaner and more efficient, while landscapes and outdoor spaces will be improved. Additionally, every single unit in Golden Gate Village will be renovated with new kitchen appliances, flooring, cabinets, tiles, bathroom fixtures and other amenities. MHA's plan will both invest in the physical and social fabric of Marin City and offer residents from communities of color the choice to make a decision that is in the best interest of their families. Capital investments of over \$170 million will substantially improve the living conditions of GGV residents who are disproportionately persons of color. In addition, the creation of a \$2 million endowment fund will greatly enhance the level of support services provided to residents including job training, wealth creation and pathways to home ownership.

In May 2023, the Board of Supervisors authorized \$2 million in County funds for the establishment of the initiative through the Marin Community Foundation (MCF). As part of the approval, the Marin Housing Authority (MHA) has requested another \$1 million for the Resident Investment Fund, to be provided by the MCF. Residents have already been actively taking part in discussions on potential ideas for the fund, which include assistance for home ownership programs, credit building and repair, funding to match escrow funds from HUD's Family Self-Sufficiency (FSS) program, small business development grants, tuition reimbursement, and training in the arts and entertainment fields, among other alternatives.

There is a crucial equity component to the Resident Investment Fund, as Black families make up more than 60 percent of the Golden Gate Village community and nearly 20 percent of the residents identify as Hispanic or Latino. A Fund Advisory Committee will be also established to plan and implement the Funds policies, with input and ongoing feedback provided through the facilitated resident listening sessions. The Committee will also play an important ongoing role in reviewing and monitoring the distribution of funds as well as the fund priorities. The Committee will convene on no less than an annual basis and will be comprised of GGV residents and the Golden Gate Village Resident Council,

MCF representatives, County representatives, local Community Based Organization representatives, and MHA representatives.

Segregation does not only apply to isolation of minority population from other groups but also the isolation of Whites from other groups. Because the location of residence can have a substantial effect on access to resources such as education opportunities, economic opportunities, and transit, it is important to investigate the effects of both kinds of segregation.

### **Racially Concentrated Areas of Affluence (RCAAs)**

While racially concentrated areas of poverty and segregation (R/ECAPs) have long been the focus of fair housing policies, racially concentrated areas of affluence (RCAAs) must also be analyzed to ensure housing is integrated - a key to fair housing choice. Identifying RCAAs is also important for underserved populations to be able to participate in resources available to populations living in areas of influence. According to a policy paper published by HUD, RCAAs are defined as communities with a large proportion of affluent and non-Hispanic White residents. According to HUD's policy paper, non-Hispanic Whites are the most racially segregated group in the United States. In the same way neighborhood disadvantage is associated with concentrated poverty and high concentrations of people of color, conversely, distinct advantages are associated with residence in affluent, non-Hispanic White communities.

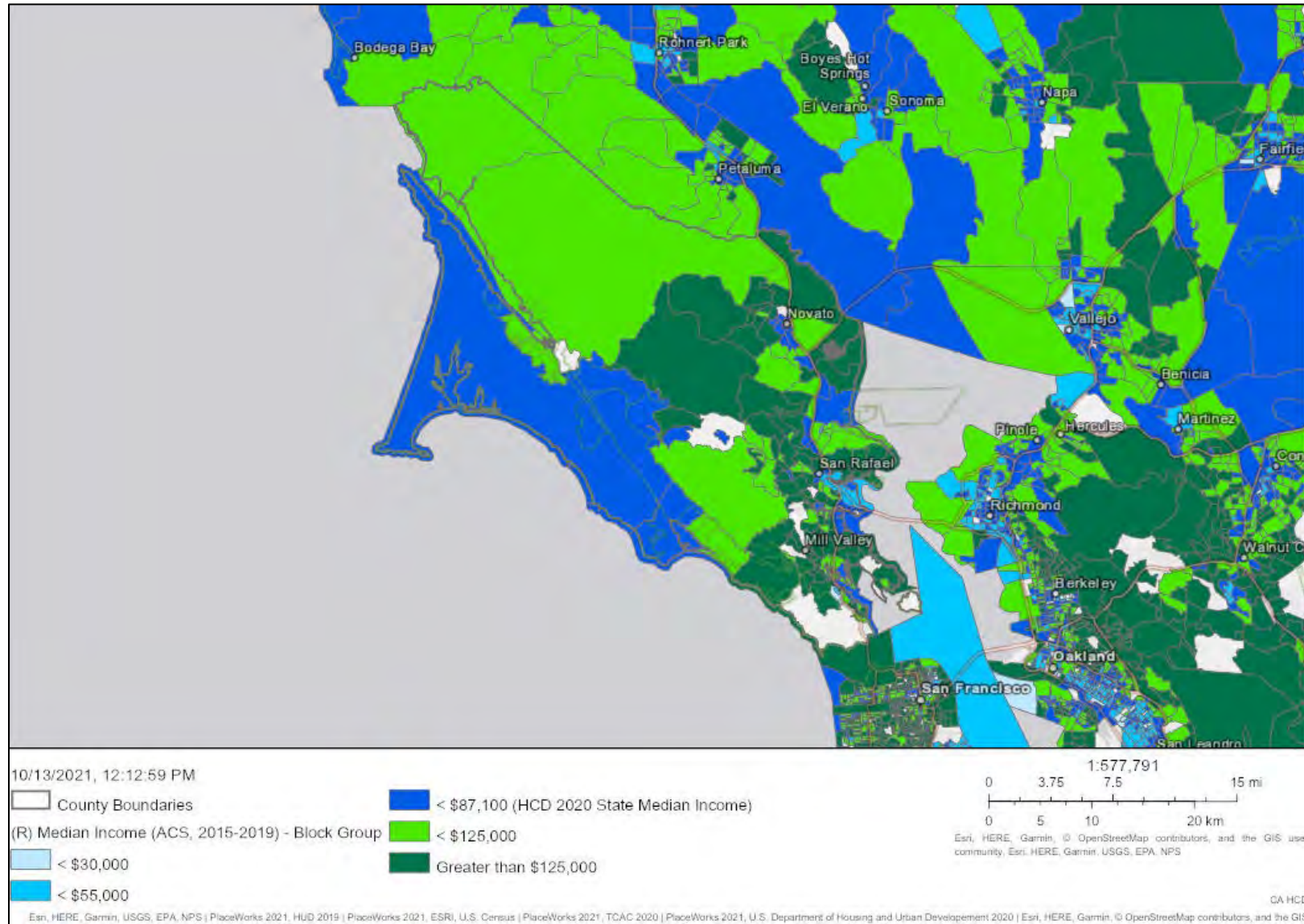
This analysis relies on the definition curated by the scholars at the University of Minnesota Humphrey School of Public Affairs cited in HCD's memo: "RCAAs are defined as census tracts where 1) 80 percent or more of the population is white, and 2) the median household income is \$125,000 or greater (slightly more than double the national median household income in 2016) as well as the RCAA maps available through HCD's AFFH Data Viewer Tool

#### *Regional Trends*

According to ABAG/MTC's Segregation Report, across the San Francisco Bay Area, white residents and above moderate-income residents are significantly more segregated from other racial and income groups. Figure D- 3 and Figure D- 4 shows the concentration of minority/non-White population and majority populations across the region. In Figure D- 3, census tracts in yellow have less than 20 percent non-white population, indicating over 80 percent of the population is white. There are a number of tracts with over 80 percent non-Hispanic White population located throughout the County, especially in Southern Marin, parts of Central Marin, coastal North Marin, and central West Marin. The cities of Belvedere, Mill Valley, Fairfax, Ross, and some areas of San Rafael and Novato are also predominantly white. However, of all these predominantly white areas (incorporated jurisdictions and unincorporated communities), only Belvedere, the San Geronimo Valley, Tam Valley, Black Point- Green Point and the eastern tracts of Novato are census tracts with a median income over \$125,000 (Figure D- 18). Although not all census tracts have the exact relationship of over 80 percent White and median income over \$125,000 to qualify as "RCAAs," throughout the County tracts with higher White population tend to have greater median incomes.



Figure D- 18: Regional Median Income by Block Group (2019)





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### *Local Trends*

Within the Unincorporated County, all of the West Marin communities, Black Point- Green Point in North Marin, and Greenbrae in Central Marin have a white population over 80 percent (Table D- 5), though these concentrations are not represented in Figure D- 5, perhaps due to differences in geographical unit (block group versus the entire community). Median incomes exceeding \$125,000 overlap with Muir Beach in West Marin and the Tamalpais-Homestead CDP in Southern Marin, making them the potential RCAAs in the unincorporated County (Figure D- 18). Of note is that Tamalpais- Homestead CDP is adjacent to Marin City, which was identified as a racially and ethnically concentrated area of poverty (R/ECAP).

On July 8, 2022, HCD released a map illustrating census tracts designated as RCAAs, in addition to an updated data methodology. A census tract is designated an RCAA if its proportions of non-Hispanic White residents and households earning above the region's area median income are overrepresented. The map in Figure D- 19 illustrates that a majority of Marin communities are designated as RCAAs, including many parts of unincorporated Marin such as Black Point-Green Point, Marinwood/Lucas Valley, Kentfield and Tam Valley. While areas of West Marin are not designated as RCAAs under this methodology, many of the census tracts in these communities follow similar trends for the data factors involved. For example, West Marin census tracts range from having a proportion of 81.2 percent (Northern Coastal West Marin) to 89.6 percent (Central Coastal West Marin) non-Hispanic White residents, as opposed to 40% in the overall Bay Area region. The census tracts are excluded from this designation due to lower reported median income than the region. The tracts range from \$85,903 in Southern Coastal West Marin to \$97,321 in the Valley, as opposed to \$113,597 in the Bay Area and \$115,246 in Marin County.

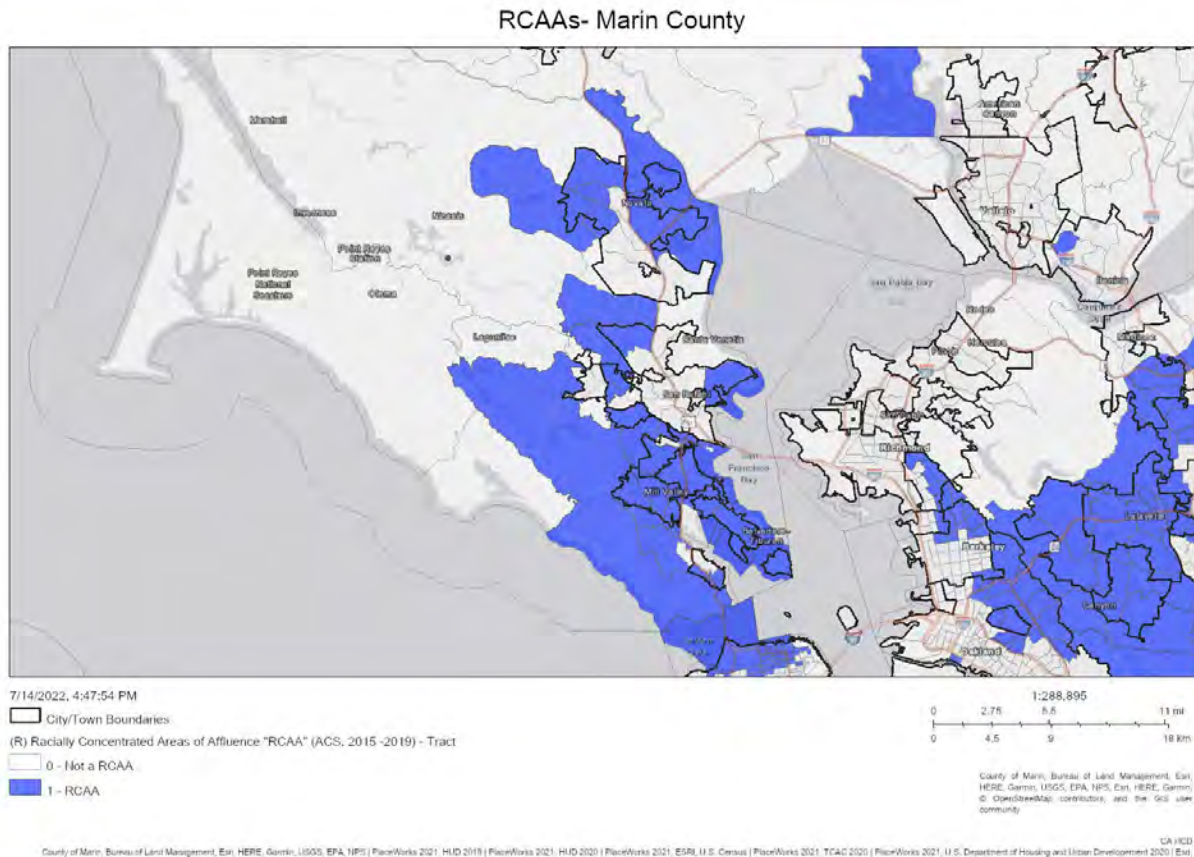
A contributing factor to these areas is a large proportion of the County's residentially zoned areas allow only single-unit development (and associated Accessory Dwelling Units). Only eleven percent of the parcels in the County are zoned with a zoning district intended for multi-unit housing, a pattern that prevents the wide-scale availability of multi-unit rental housing. Furthermore, the predominant land use patterns in the unincorporated county characterized by protected agricultural and park lands and single-unit zoning have limited the parcels available for a variety of multi-unit housing. Additionally, as noted in the 2020 Marin County Analysis of Impediments to Fair Housing Choice, these zoning practices have also determined the type of housing within communities and who it is available to, where "exclusionary zoning practices, including those that limit where, how, or if affordable housing can be developed, can result in creating and maintaining segregated communities".

The racial disparities within Marin and between Marin and other Bay Area counties are stark. While it may be difficult to find conclusive evidence that increasing rental housing will increase racial diversity, there are correlations between the percentage of multi-unit zoned properties in an area, the percentage of housing units that are renter-occupied, and the racial diversity of that area. This suggests that it may be possible to increase racial

diversity by increasing the diversity of housing opportunities in areas currently dominated by detached single-unit residences.

To address these patterns, this Housing Element proposed to re-zone parcels as multifamily throughout the County, with a focus on areas of opportunity.

Figure D- 19: RCAAs- Marin County



### Summary: RECAPs/RCAAs

Not only are there areas of concentrated special needs populations and poverty concentrated in a single area- Marin City- but affluent and white populations are concentrated and segregated from these populations. Regional trends show that white residents and above moderate-income residents are significantly more segregated from other racial and income groups. This trend is also seen in unincorporated Marin County where above moderate-income residents are the most isolated income group while very-low income communities have become more isolated (Table D- 14: and Table D- 15: ). As a result, segregation between very-low income communities and above moderate communities remains moderate (compared to slightly lower segregation indices between lower income residents and non-lower income residents).

The only RECAP identified in the entire County is in Marin City, a community with a historical concentration of minorities, specifically Black residents. Black residents settled

in Marin City during the 1940s and later federal policies such as restrictive covenants and low interest loans for white residents in other communities maintained the concentration of Blacks in Marin City. Today, Marin City has a sizable (through decreasing) African American and low-income population, compared to surrounding communities, which are mostly affluent and white. An especially unique condition of Marin City is that it is next to some of the most affluent communities in the County- Tamalpais-Homestead CDP (Tam Valley) and Sausalito. In 2019, median income in Tam Valley and Sausalito exceeded \$100,000 (\$111,906 and \$163,071, respectively), while Marin City's median income was only \$45,841. White population also exceeded 80 percent in both Tam Valley and Sausalito, while it was only 33 percent in Marin City. Another unique characteristic of Marin City compared to other areas of with a concentration of minorities and lower income households (like San Rafael in Central Marin and Novato in Northern Marin) is its proximity to the Bay Area. As explained in later sections, this proximity to a jobs-rich center and its relatively cheaper home values and rents compared the Bay Area homes make this community vulnerable to displacement. Berkley's Urban Displacement Project's case study of Marin City noted that a "concern in this community is future displacement due to potential increases in population, interest in redevelopment and the continued pressures of being surrounded by affluent neighbors in one of the most exclusive counties in the country."<sup>35</sup>

This is important in formulating Housing Mobility Strategies to facilitate the movement of persons from areas with high concentration of special needs populations (especially Marin City) to other high resource areas. The County has already signed a voluntary agreement to avoid an overconcentration of affordable units in areas of minority concentration, including Marin City and the Canal neighborhood.

Racially concentrated areas of affluence are widespread in the County but are less prevalent in Central and Northern Marin. Specifically, all of the unincorporated communities in Central and Northern Marin are RCAAs. Black Point-Green Point, Lucas Marinwood, Ross, Kentfield, and Larkspur are all RCAAs. Tracts that are not RCAAs are located within the entitled jurisdictions of Novato and San Rafael. Two common features of some RCAAs are their higher ownership rates and high access to automobiles compared to other areas in the County (Figure D- 20 and Figure D- 21<sup>36</sup>). Green colors in the maps indicate higher ownership and auto access and correspond with RCAAs. This pattern may be due to higher income households being less likely to need to rely on public transportation and can take advantage of housing opportunities away from transit, whereas lower income households tend to be closer to transit. This may present a challenge when creating housing opportunities for lower income households in RCAAs like Black Point-Green Point, or Lucas-Marinwood or other areas with higher resources

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<sup>35</sup> [https://www.urbandisplacement.org/wp-content/uploads/2021/08/marin\\_city\\_final.pdf](https://www.urbandisplacement.org/wp-content/uploads/2021/08/marin_city_final.pdf)

<sup>36</sup> The California Healthy Places Index, developed by the Public Health Alliance of Southern California and visualized by Axis Maps, is a powerful tool to help prioritize public and private investments, resources, and programs in neighborhoods where they are needed most. The HPI combines 25 community characteristics, like access to healthcare, housing, education, and more, into a single indexed HPI score. The healthier a community, the higher the HPI score.



since these areas require either automobile use or have lower access to transit. Homeownership opportunities need to balance avoiding concentration in areas where there is already a concentration of lower income households (near transit corridors) while also supporting smart growth and environmental goals.

Figure D- 20: HPI Index- Homeownership (2015-2019)

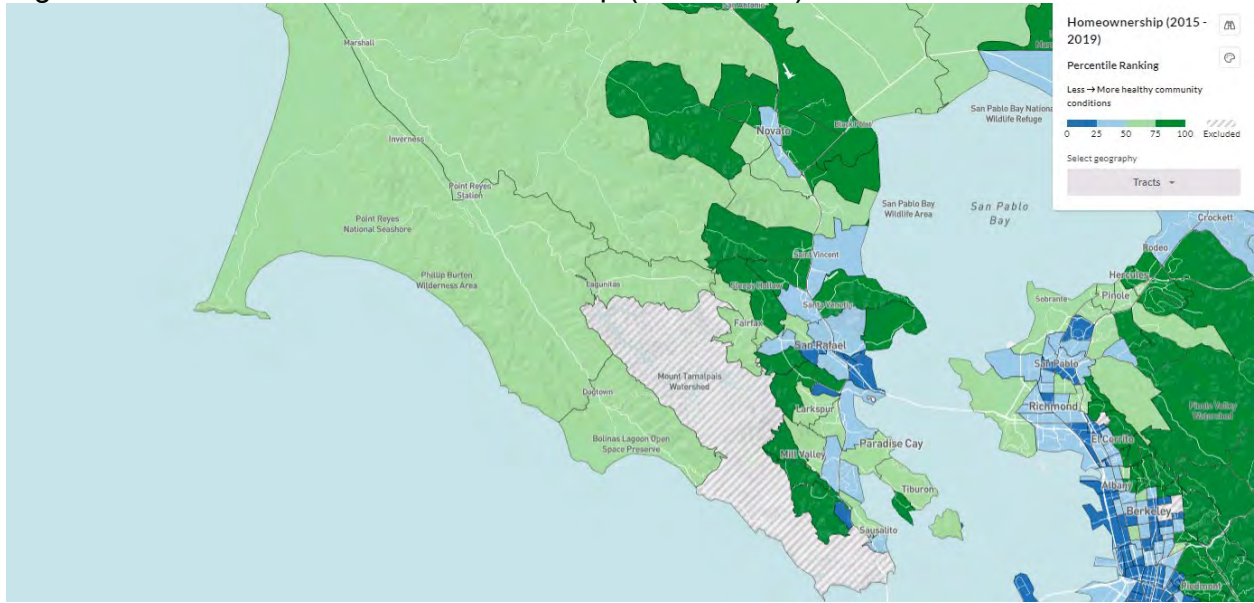
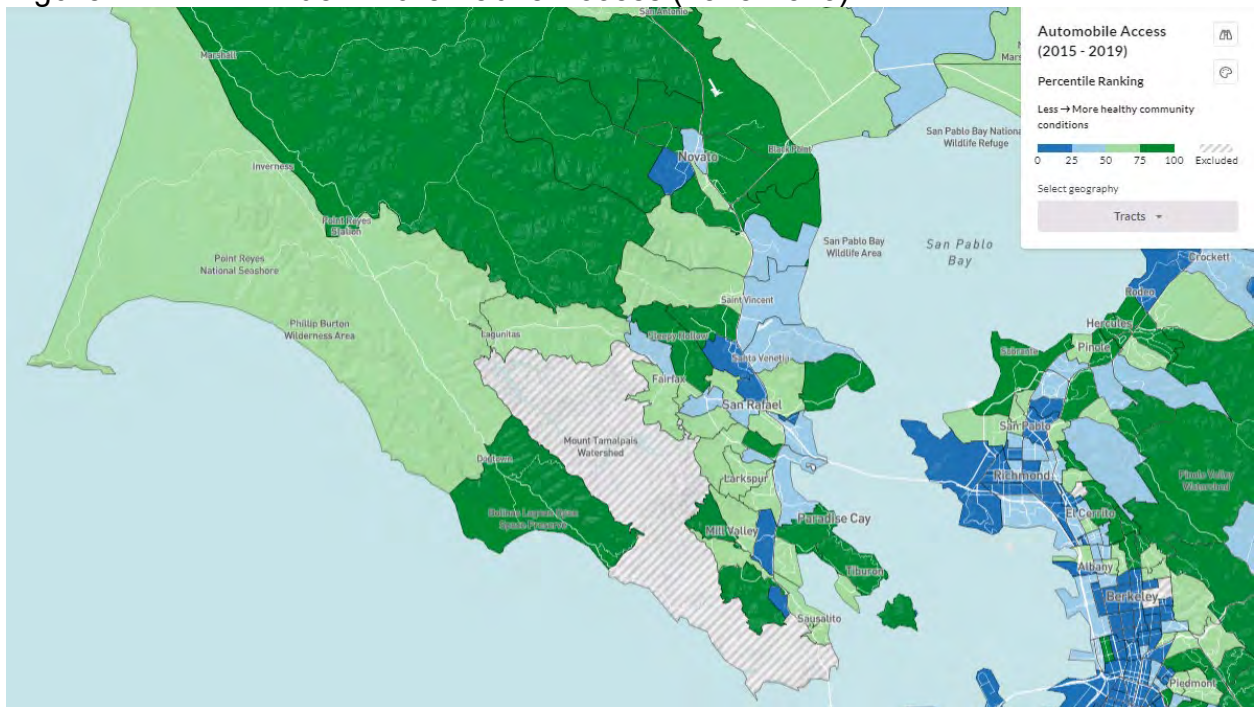


Figure D- 21: HPI Index- Automobile Access (2015-2019)



**Access to Opportunities**

Significant disparities in access to opportunity are defined by the AFFH Final Rule as “substantial and measurable differences in access to educational, transportation, economic, and other opportunities in a community based on protected class related to housing.”

**TCAC Opportunity Maps**

The Department of Housing and Community Development (HCD) and California Tax Credit Allocation Committee (TCAC) convened the California Fair Housing Task force to “provide research, evidence-based policy recommendations, and other strategic recommendations to HCD and other related state agencies/ departments to further the fair housing goals (as defined by HCD).” The Task Force has created Opportunity Maps to identify resources levels across the state “to accompany new policies aimed at increasing access to high opportunity areas for families with children in housing financed with nine percent Low Income Housing Tax Credits (LIHTCs)”. These opportunity maps are made from composite scores of three different domains made up of a set of indicators. Table D- 18 shows the full list of indicators. The opportunity maps include a measure or “filter” to identify areas with poverty and racial segregation. To identify these areas, census tracts were first filtered by poverty and then by a measure of racial segregation. The criteria for these filters were:

- **Poverty:** Tracts with at least 30 percent of population under federal poverty line;
- **Racial Segregation:** Tracts with location quotient higher than 1.25 for Blacks, Hispanics, Asians, or all people of color in comparison to the County

Domain	Indicator
Economic	Poverty Adult education Employment Job proximity Median home value
Environmental	CalEnviroScreen 3.0 pollution Indicators and values
Education	Math proficiency Reading proficiency High School graduation rates Student poverty rates
<i>Source: California Fair Housing Task Force, Methodology for the 2021 TCAC/HCD Opportunity Maps, December 2020</i>	

TCAC/HCD assigns “scores” for each of the domains shown in Table D- 18 by census tracts as well as computing “composite” scores that are a combination of the three domains. Scores from each individual domain range from 0-1, where higher scores indicate higher “access” to the domain or higher “outcomes.” Composite scores do not

have a numerical value but rather rank census tracts by the level of resources (low, moderate, high, highest, and high poverty and segregation).

The TCAC/HCD Opportunity Maps offer a tool to visualize areas of highest resource, high resource, moderate resource, moderate resource (rapidly changing), low resource, and high segregation and poverty and can help to identify areas within the community that provide good access to opportunity for residents or, conversely, provide low access to opportunity. They can also help to highlight areas where there are high levels of segregation and poverty.

The information from the opportunity mapping can help to highlight the need for housing element policies and programs that would help to remediate conditions in low resource areas and areas of high segregation and poverty and to encourage better access for low and moderate income and black, indigenous, and people of color (BIPOC) households to housing in high resource areas.

### *Regional Trends*

As explained earlier, TCAC composite scores categorize the level of resources in each census tract. Categorization is based on percentile rankings for census tracts within the region. Counties in the region all have a mix of resource levels. The highest concentrations of highest resource areas are located in the counties of Sonoma and Contra Costa (Figure D- 22). Marin and San Francisco counties also have a concentration of high resource tracts. All counties along the San Pablo and San Francisco Bay area have at least one census tract considered an area of high segregation and poverty, though these tracts are most prevalent in the cities of San Francisco and Oakland.

There is only one census tract in Marin County considered an area of “high segregation and poverty” (Figure D- 23Figure D- 23). This census tract is located in Central Marin within the Canal neighborhood of the incorporated City of San Rafael. In the County, low resource areas (green) are concentrated in West Marin, from Dillon Beach to Nicasio. This area encompasses the communities of Tomales, Marshall, Inverness, and Point Reyes Station. In Central Marin, low resource areas are concentrated in San Rafael. As shown in Figure D- 23 all of Southern Marin is considered a highest resource area, with the exception of Marin City which is classified as moderate resource.



Figure D- 22: Regional TCAC Composite Scores by Tract (2021)

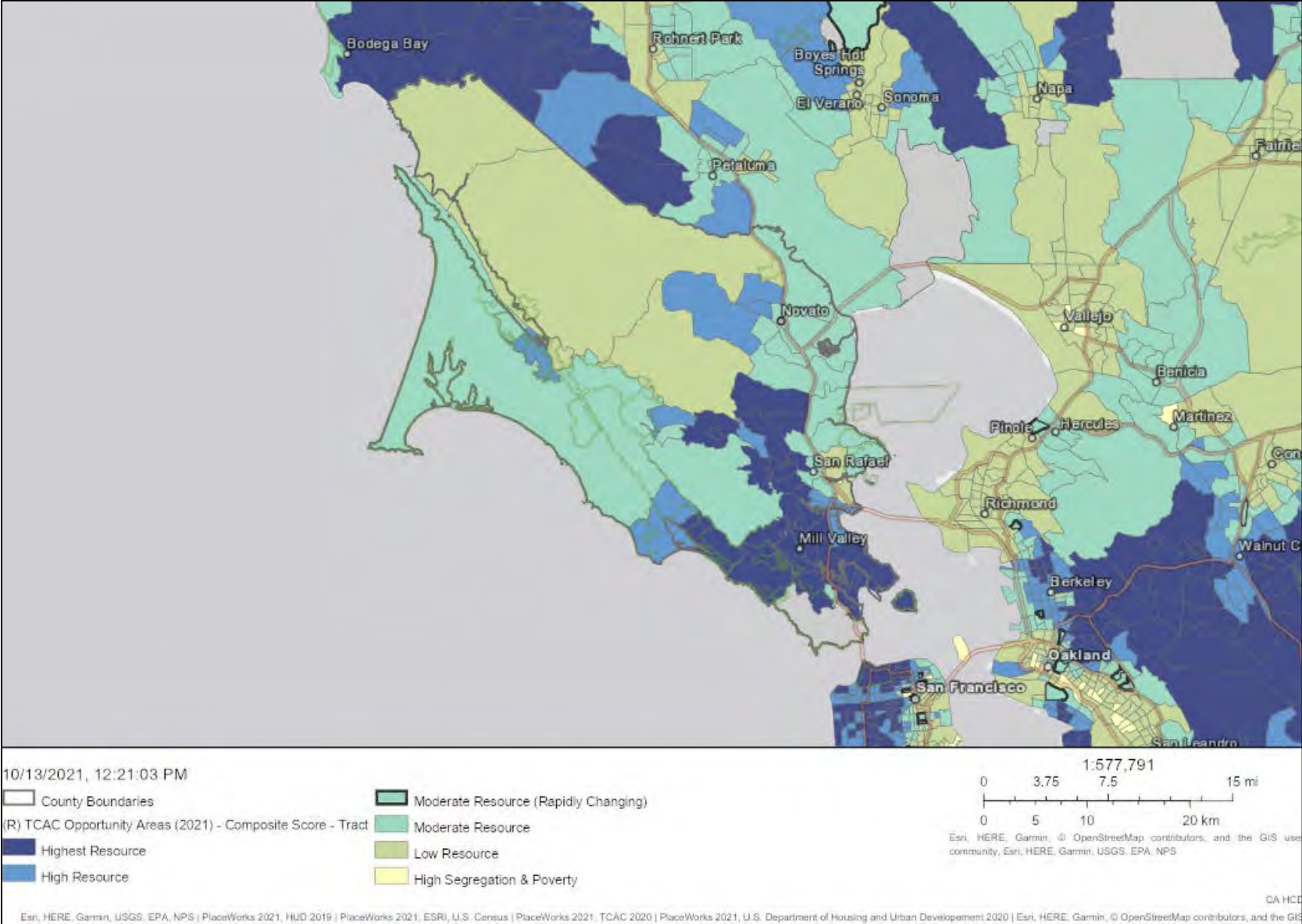
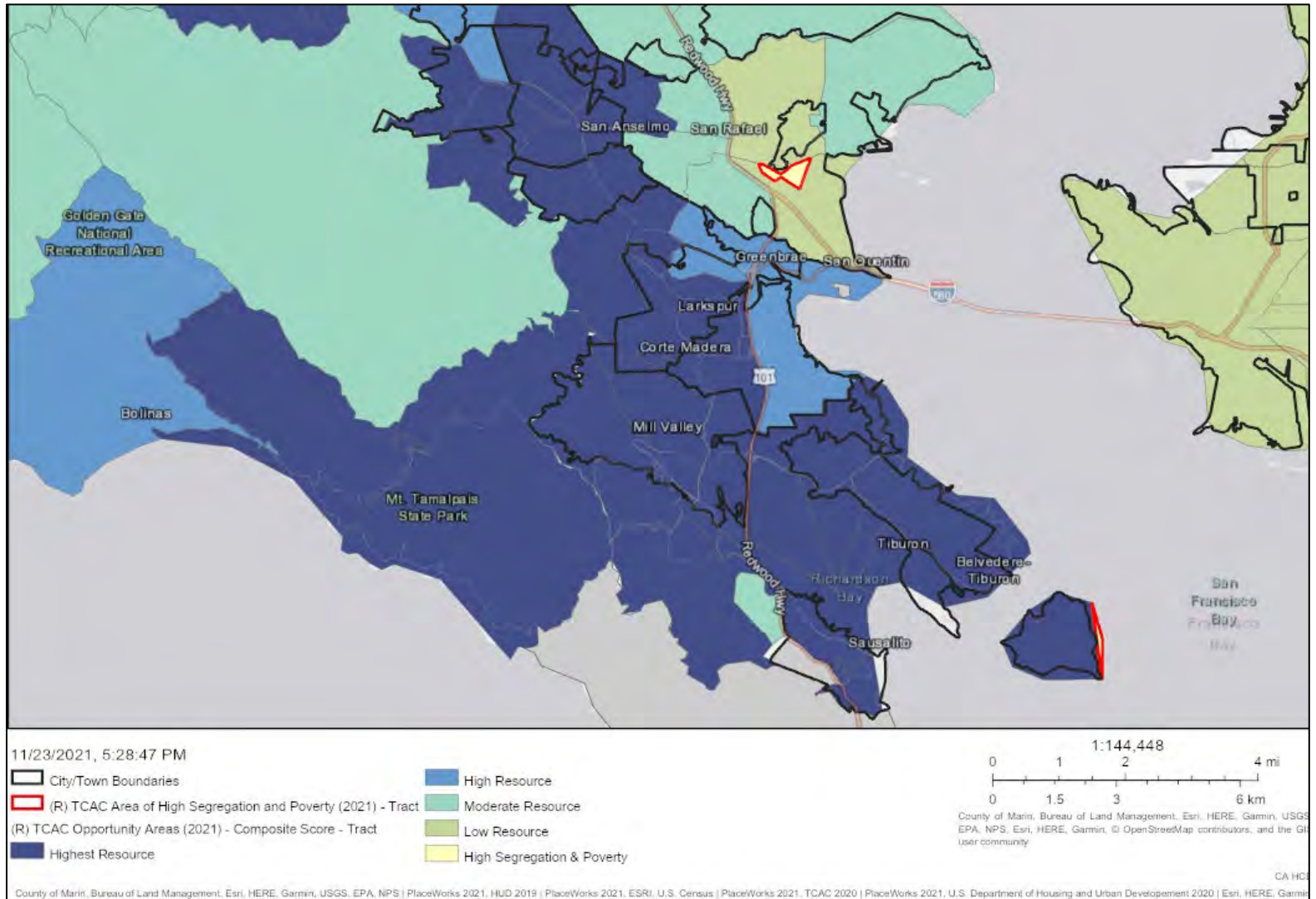


Figure D- 23: Local TCAC Areas of High Segregation and Poverty Areas (2021)



Note: The area in outlined in red in Tiburon is Angel Island State Park (no residential).



### Local Trends

Many unincorporated Marin communities have high and highest resource tracts, except for Northern Coastal and Central Coastal West Marin, where tracts have low resources (Table D- 19). Most unincorporated communities are classified as highest resource. Of note is that Marin City, which has been identified as a RECAP, is classified as having moderate and highest resources. This apparent contradiction may reflect the gentrification forces occurring in that tract. Marin City has been identified as a “sensitive community” by the UC Berkley Urban Displacement project. Residents in sensitive communities may be particularly vulnerable to displacement in the context of rising property values and rents. Overall, the lower resources are located in areas further from the County’s concentration of communities and development., which are farther from employment and community colleges. West Marin (especially Northern and Central Coastal) is far from the other communities where resources are concentrated.

Table D- 19: TCAC Score by Community and CDPs			
	Community Name	CDP	TCAC Score
North Marin			
	Black Point-Green Point	Black Point - Greenpoint	Moderate Resource
	Marinwood/Lucas Valley	Lucas Valley-Marinwood	Highest Resource
West Marin			
	Northern Coastal West Marin	Dillon Beach	Low Resource
		Tomales	Low Resource
	Central Coastal West Marin	Point Reyes Station	Low Resource
		Inverness	Moderate Resource
	The Valley	Nicasio	Low Resource
		San Geronimo Valley	Highest Resource
		Woodacre	Highest Resource
		Lagunitas- Forest Knolls	High Resource
	Southern Coastal West Marin	Stinson Beach,	Highest Resource
		Bolinas	High Resource
		Muir Beach	Highest Resource
Central Marin			
	Santa Venetia/Los Ranchitos	Santa Venetia	Moderate Resource
	Kentfield/Greenbrae	Kentfield	High and Highest Resource
Southern Marin			
	Strawberry	Strawberry	Highest Resource
	Tam Valley	Tamalpais-Homestead Valley	Highest Resource
	Marin City	Marin City	Highest/Moderate Resource

### Opportunity Indices

While the Federal Affirmatively Furthering Fair Housing (AFFH) Rule has been repealed, the data and mapping developed by HUD for the purpose of preparing the Assessment of Fair Housing (AFH) can still be useful in informing communities about segregation in their jurisdiction and region, as well as disparities in access to opportunity. This section presents the HUD-developed index scores based on nationally available data sources to assess Marin County residents' access to key opportunity assets by race/ethnicity and poverty level<sup>37</sup>. Table D- 20 provides index scores or values (the values range from 0 to 100) for the following opportunity indicator indices:

- **School Proficiency Index:** The school proficiency index uses school-level data on the performance of 4th grade students on state exams to describe which neighborhoods have high-performing elementary schools nearby and which are near lower performing elementary schools. The higher the index value, the higher the school system quality is in a neighborhood.
- **Labor Market Engagement Index:** The labor market engagement index provides a summary description of the relative intensity of labor market engagement and human capital in a neighborhood. This is based upon the level of employment, labor force participation, and educational attainment in a census tract. The higher the index value, the higher the labor force participation and human capital in a neighborhood.
- **Transit Trips Index:** This index is based on estimates of transit trips taken by a family that meets the following description: a 3-person single-parent family with income at 50 percent of the median income for renters for the region (i.e. the Core-Based Statistical Area (CBSA)). The higher the transit trips index value, the more likely residents in that neighborhood utilize public transit.
- **Low Transportation Cost Index:** This index is based on estimates of transportation costs for a family that meets the following description: a 3-person single-parent family with income at 50 percent of the median income for renters for the region/CBSA. The higher the index value, the lower the cost of transportation in that neighborhood.
- **Jobs Proximity Index:** The jobs proximity index quantifies the accessibility of a given residential neighborhood as a function of its distance to all job locations within a region/CBSA, with larger employment centers weighted more heavily. The higher the index value, the better the access to employment opportunities for residents in a neighborhood.
- **Environmental Health Index:** The environmental health index summarizes potential exposure to harmful toxins at a neighborhood level. The higher the index value, the less exposure to toxins harmful to human health. Therefore, the higher

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<sup>37</sup> Index scores not available for unincorporated County or its communities.

the index value, the better the environmental quality of a neighborhood, where a neighborhood is a census block-group.

<b>Table D- 20: Opportunity Indices by Race/Ethnicity – Marin County</b>						
	<b>School Proficiency Index</b>	<b>Labor Market Index</b>	<b>Transit Trip Index</b>	<b>Low Transportation Cost Index</b>	<b>Jobs Proximity Index</b>	<b>Environmental Health Index</b>
<b>Marin County</b>						
<b>Total Population</b>						
White, Non-Hispanic	78.73	86.48	61.00	86.45	64.50	81.33
Black, Non-Hispanic	75.59	48.89	68.54	89.57	74.96	76.55
Hispanic	55.96	68.11	68.08	89.65	69.72	83.84
Asian or Pacific Islander, Non-Hispanic	74.41	82.57	64.24	87.81	66.89	81.01
Native American, Non-Hispanic	77.09	67.25	62.28	87.19	69.32	80.55
<b>Population below federal poverty line</b>						
White, Non-Hispanic	74.28	84.68	61.13	87.02	64.01	82.93
Black, Non-Hispanic	66.79	55.04	74.1	91.52	66.84	76.07
Hispanic	38.54	56.82	75.83	91.68	76.48	83.81
Asian or Pacific Islander, Non-Hispanic	68.97	82.89	67.01	89.11	71.69	78.95
Native American, Non-Hispanic	56.77	66.49	71.22	88.33	67.14	85.29
<p><i>Note: American Community Survey Data are based on a sample and are subject to sampling variability. See page 92 for index score meanings. Table is comparing the total Marin County by race/ethnicity, to the County population living below the federal poverty line, also by race/ethnicity. No data is available for analysis at the unincorporated level.</i></p> <p><i>Source: AFFHT Data Table 12; Data Sources: Decennial Census; ACS; Great Schools; Common Core of Data; SABINS; LAI; LEHD; NATA</i></p>						

## Education

### *Regional Trends*

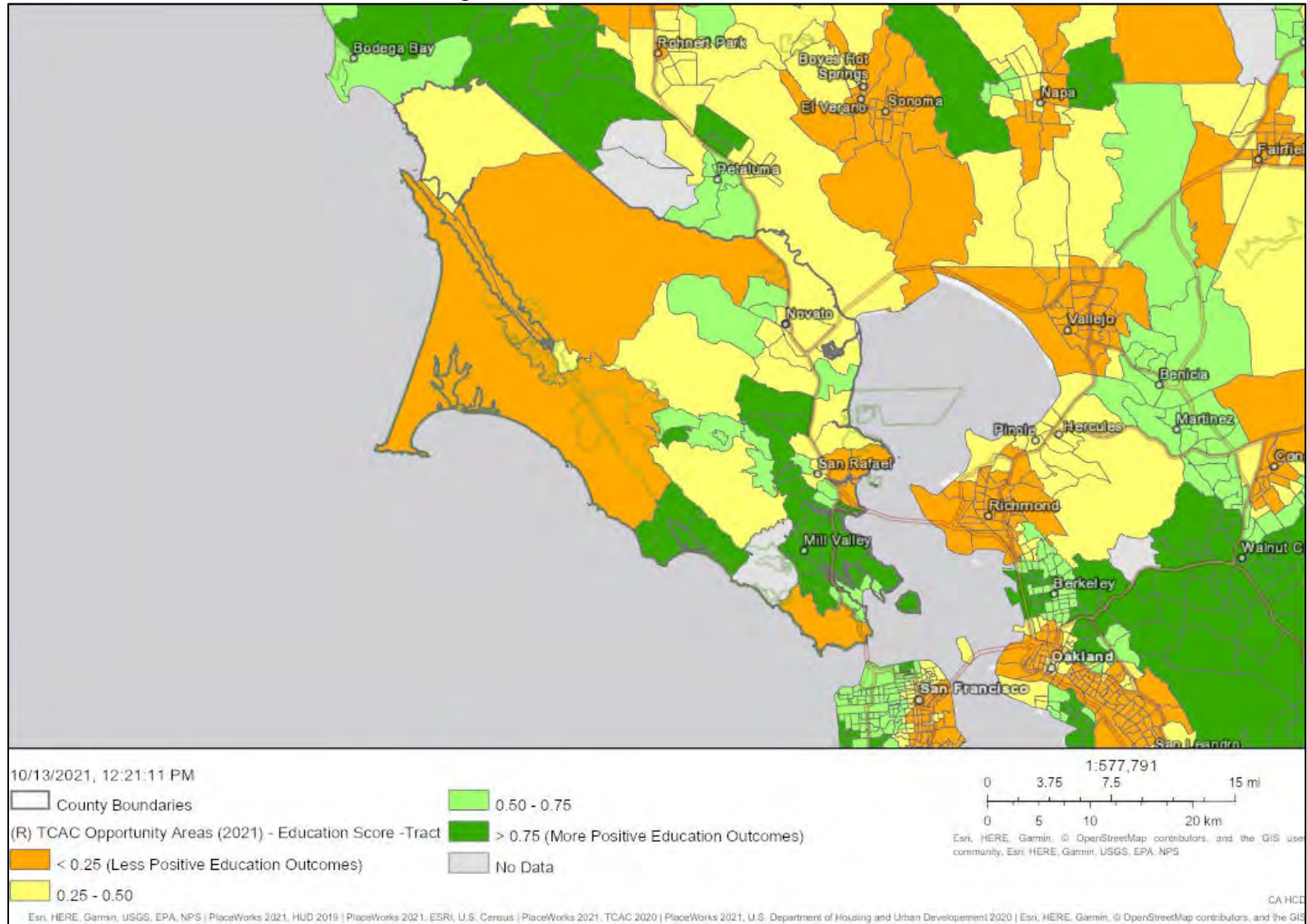
The school proficiency index is an indicator of school system quality, with higher index scores indicating access to higher school quality. In Marin County, Hispanic residents have access to lower quality schools (lowest index value of 56) compared all other residents (for all other racial or ethnic groups, index values ranged from 74 to 78, Table D- 20). For residents living below the federal poverty line, index values are lower for all races but are still lowest for Hispanic and Native American residents. White residents have the highest index values, indicating a greater access to high quality schools, regardless of poverty status.

The HCD/TCAC education scores for the region show the distribution of education quality based on education outcomes (Figure D- 24). As explained in Table D- 18, the Education domain score is based on a variety of indicators including math proficiency, reading proficiency, high School graduation rates, and student poverty rates. The education scores range from 0 to 1, with higher scores indicating more positive education outcomes. In the County, lower education scores are found in census tracts in all counties along the San Pablo Bay. In counties surrounding San Francisco Bay, there are concentrations of both low and high education scores. For example, in San Francisco County, the western coast has a concentration of high education scores while the eastern coast has a concentration of low education scores. In Marin County, low education scores are concentrated in Novato and San Rafael along San Pablo Bay and along the western coast.

According to Marin County's 2020 Analysis of Impediments to Fair Housing Choice [2020 AI], while the County's overall high school graduation rates are among the highest in the nation, Marin County, "has the greatest educational achievement gap in California." According to data from Marin Promise, a nonprofit of education and nonprofit leaders, from 2017 – 2018:

- 78 percent of White students in Marin met or exceeded common core standards for 3rd Grade Literacy, while only 42 percent of students of color met or exceeded those standards;
- 71 percent of White students met or exceeded common core standards for 8th grade math, while only 37 percent of students of color met or exceeded those standards;
- 64 percent of White students met or exceeded the college readiness standards, defined as completing course requirements for California public universities, while only 40 percent of students of color met or exceeded those requirements.

Figure D- 24: TCAC Education Scores- Region



### *Local Trends*

There is a Countywide pattern of lower education scores in Northern Marin and highest in Southern Marin (Figure D- 24Figure D- 24: ). This pattern also applies to unincorporated communities in these areas. Low education scores are found in Black Point-Green Point and Santa Venetia in the North Marin. However, the TCAC education score for the community does not solely reflect the demographics of the community itself. Rather, data factors for this category are calculated based on the nearest 1-3 schools, which are shared more broadly. While Black Point-Green Point's education score is low, only 8.0%of the community is aged 18 or under, in comparison to 20.2% in the overall County and 18.7 percent in Novato, the nearest jurisdiction. Furthermore, while about 90% of the community identifies as non-Hispanic White, about 40%of students at the nearest school (Olive Elementary) identify as Hispanic/Latin. There are no schools located within the boundaries of the community.

Higher education scores are prominent in Central and Southern Marin areas including the unincorporated communities of Kentfield, Strawberry, and Tam Valley. In West Marin, education scores are among the lowest. Northern and Central Coast West Marin (Dillon Beach, Tomales, Inverness, and Point Reyes Station) have education scores of less than 0.25 (Figure D- 24). The Countywide pattern of higher education scores in the south and lower education scores in the north correlate with the location of schools throughout the unincorporated County. Figure D- 25 shows that most schools are concentrated in North, Central, and Southern Marin along major highways (Highway 101 and Shoreline Highway), with few schools in West Marin.

Marin County has 17 school districts, with 78 public schools. Table D- 21 shows a list of the 13 elementary school districts, two joint union districts, and two high school districts in Marin County. District boundaries do not separate incorporated areas from unincorporated areas, though some do serve unincorporated communities only (Figure D- 26). For example, Shoreline Unified School District only serves Northern and Central Coastal West Marin, which are all unincorporated communities.



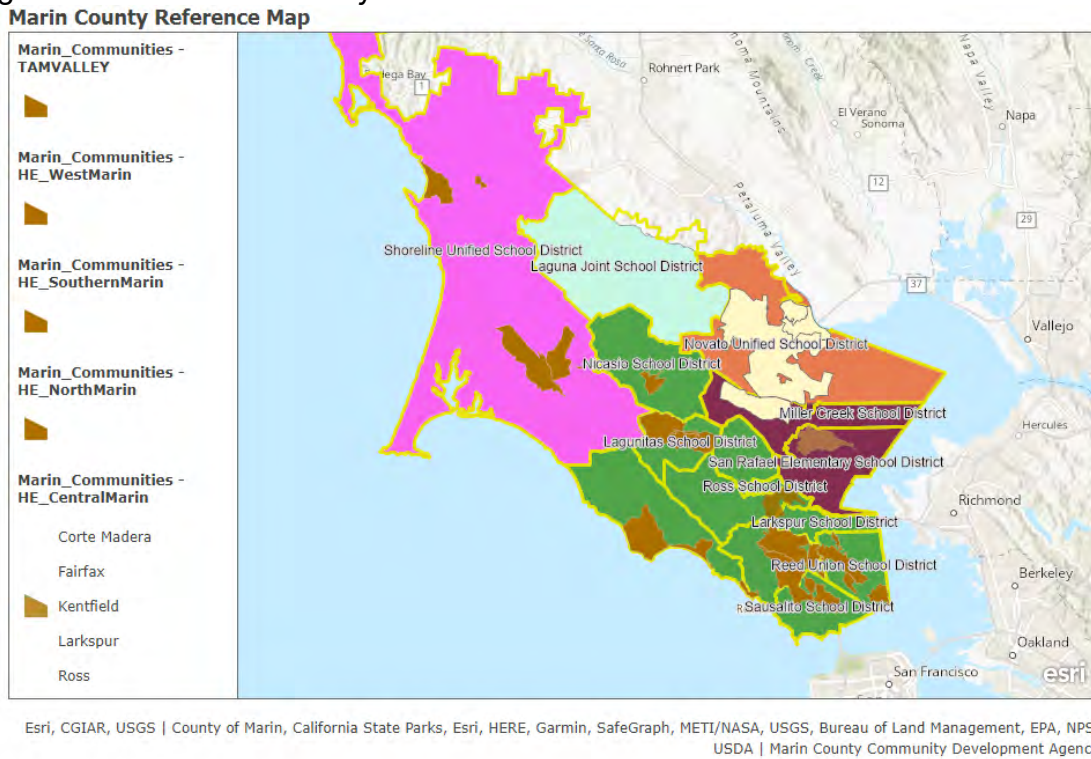
Figure D- 25: Marin County Schools





Table D- 21: Marin County School Districts by Communities Served	
District Name	Unincorporated Community Served
Marin County Elementary School Districts	
Bolinas-Stinson Union (Elementary) <sup>1</sup>	Southern Coastal West Marin
Kentfield Elementary <sup>1</sup>	Kentfield
Laguna Joint Elementary	N/A- Petaluma
Lagunitas Elementary <sup>1</sup>	The Valley- Lagunitas-Forest Knolls, San Geronimo, Woodacre
Larkspur-Corte Madera <sup>1</sup>	N/A
Mill Valley Elementary <sup>1</sup>	Tam Valley/Strawberry
Miller Creek Elementary <sup>2</sup>	Lucas Valley
Nicasio Elementary <sup>1</sup>	Nicasio
Reed Union Elementary <sup>1</sup>	N/A
Ross Elementary <sup>1</sup>	N/A
Ross Valley Elementary	N/A
San Rafael City Elementary <sup>2</sup>	Santa Venetia
Sausalito Marin City <sup>1</sup>	Marin City, Sausalito
High School Districts	
Tamalpais Union High	West and South Marin
San Rafael City High	Santa Venetia-Lucas Valley
Unified School Districts	
Novato Unified	Black Point- Green Point
Shoreline Unified	Northern and Central Coastal West Marin
Notes: 1. Students attend Tamalpais Union High School District. 2. Students served by San Rafael City High School District. Source: Marin County Office of Education, February 2022.	

Figure D- 26: Marin County School District Boundaries



Marin Promise Partnership publishes district-level Progress Reports showing data along six key indicators from Cradle to Career. The Cradle to Career indicators show a set of six key milestones outcomes along a student’s educational journey: Kindergarten Readiness, 3<sup>rd</sup> Grade Literacy, 8<sup>th</sup> Grade Math, College & Career Readiness, College & Career Program Enrollment, and College and Career Completion. The Progress Reports summarized in Table D- 22 also highlight racial disparity gaps. Disparity gaps occur for all indicators and in all districts, with a greater proportion of white students meeting milestones than students of color.

According to Table D- 22, kindergarten readiness is similar across each school district and all Marin County districts combined. Tamalpais Unified School District, which serves West and Southern Marin, had the highest proportion of its entire student population meeting each milestone as well as the smallest gaps between White students and students of color. By contrast, San Rafael City Schools, which serve Lucas Valley and Santa Venetia students, had the lowest proportion of students meeting all milestones (except college completion) and often the largest gaps. For example, while 32 percent of all students reached 3<sup>rd</sup> Grade Literacy, the proportion of White students reaching this milestone far exceeded this (76 percent) while only 17 percent of students of color reached 3<sup>rd</sup> Grade Literacy. It appears that student performance is more likely affected by

school resources rather than proximity to schools given that Tamalpais Unified District only has a few schools over a large geographical area <sup>38</sup> (Figure D- 25 and Figure D- 26).

Indicator	Students Meeting Milestones	All Marin County Districts	San Rafael City Schools	Shoreline Unified School	Tamalpais Unified
Kindergarten Readiness <sup>1</sup>	All Students	54%	54%	54%	54%
	White Students	59%	N/A	N/A	N/A
	Students of Color	33%	N/A	N/A	N/A
	Gap	36%	N/A	N/A	N/A
3 <sup>rd</sup> Grade Literacy <sup>2</sup>	All Students	50%	32%	37%	75%
	White Students	74%	76%		79%
	Students of Color	30%	19%	27%	51%
	Gap	44%	57%		28%
8 <sup>th</sup> Grade Math <sup>2</sup>	All Students	41%	20%	42%	62%
	White Students	59%	49%		65%
	Students of Color	24%	12%	29%	41%
	Gap	35%	37%		24%
College & Career Readiness <sup>3</sup>	All Students	52%	39%	45%	67%
	White Students	65%	73%	67%	70%
	Students of Color	33%	22%	28%	55%
	Gap	32%	51%	39%	15%
College & Career Program Enrollment <sup>4</sup>	All Students	73%	69%	58%	77%
	White Students	77%	83%	< 10 students	79%
	Students of Color	71%	67%	68%	72%
	Gap	6%	16%	68%	7%
College and Career Completion <sup>5</sup>	All Students	56%	45%	33%	68%
	White Students	67%	71%	50%	74%
	Students of Color	40%	32%	17%	49%
	Gap	27%	39%	33%	25%

Notes: 1. Received "Ready to Go" Kindergarten Student Entrance Profile (KSEP) score. 2. Met or exceeded Common Core Standard. 3. Placed in the "prepared" level by California School Dashboard\* C- or better in all UC/CSU prep courses. 4. Enroll in a postsecondary program by Fall after graduation 5. Complete a postsecondary program within 6 six years. Source: Marin Promise Partnership, January 2022. <https://www.marinpromisepartnership.org/progress-reports-race/#> <https://www.marinpromisepartnership.org/progress-reports-race/#> GreatSchools provided data comparisons by the School Districts shown. Tamalpais Unified is only made up of high schools while San Rafael Schools and Shoreline Unified Districts have a variety of school levels. This table provides context on the educational progress and disparities in access to education and is being used to identify trends.

<sup>38</sup> Often proximity to schools is used a proxy for educational outcomes or access.

Of special note in Marin County is the California State Justice Department’s finding in 2019 that the Sausalito Marin City School District, which serves the unincorporated communities of Marin City and Tam Valley, and nearby Town of Sausalito, as having “knowingly and intentionally maintained and exacerbated” existing racial segregation and deliberately established a segregated school and diverted County staff and resources to Willow Creek School while depriving the students at Bayside MLK an equal educational opportunity.

There are two K-8 elementary schools in the Sausalito Marin City School District (SMCSD): Bayside Martin Luther King Jr. Academy, located in Marin City which is the only public school in the District, and Willow Creek Academy, a charter school located in nearby Sausalito. The majority of students from both Bayside MLK and Willow Creek attend Tamalpais High School in nearby Mill Valley. The combined enrollment of both schools is just under 500 students. The two communities SMCSD serves while geographically adjacent, have very different demographic profiles and histories, with large disparities in racial/ethnic representation and economic diversity. While less than two miles apart, both schools replicate and reinforce these patterns of segregation.

In the case of the Sausalito Marin City School District (SMCSD), the asymmetrical dynamics between both communities combined with the implementation of biased educational policies further exacerbated the harm of segregation. Black and Latinx students were limited from accessing educational opportunities. Segregation separates students of color from power, opportunity, and supportive spaces that honor and value their identities. According to the 2020 AI, students of color from Marin City who attend Tamalpais High School in Mill Valley consistently report not feeling welcomed or included, and as reported in 2016, zero percent of African American students in Marin felt connected to their school.

As a result of the State Justice Department’s finding in 2019, Sausalito Marin City School District prepared an Integration Generation Plan which would include reparations to graduates in the form of long-term academic and career counseling and support higher education applications and skilled workforce employment. The Plan was adopted in June 2021.<sup>39</sup> Unification of the two schools in the district, Bayside MLK and WCA into one single school was one of the most expedient ways to achieve the goals of integration and the benefits of diverse classrooms for all students in the district. The District opened a single unified TK-8 grade school on August 23rd, 2021 and was considered a successful process – retaining over 92% of Willow Creek families and 99% of Bayside MLK families. As of April 2022, the District has met all 5 -10 and 15-year benchmarks of the settlement agreement and is in a monitoring stage.

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<sup>39</sup> [https://www.smcsd.org/documents/About-Us/Strategic%20Plan/Comprehensive-Education-Plan-Revised-6\\_17\\_2021.pdf](https://www.smcsd.org/documents/About-Us/Strategic%20Plan/Comprehensive-Education-Plan-Revised-6_17_2021.pdf) [https://www.smcsd.org/documents/About-Us/Strategic%20Plan/Comprehensive-Education-Plan-Revised-6\\_17\\_2021.pdf](https://www.smcsd.org/documents/About-Us/Strategic%20Plan/Comprehensive-Education-Plan-Revised-6_17_2021.pdf)

## Transportation

### *Regional Trends*

According to ABAG’s Plan Bay Area 2040, regional mismatch between employment growth relative to the housing supply has resulted in a disconnect between where people live and work. Overall, the Bay Area has added nearly two jobs for every housing unit built since 1990. The deficit in housing production has been particularly severe in terms of housing affordable to lower- and middle wage workers, especially in many of the jobs-rich, high-income communities along the Peninsula and in Silicon Valley. As a result, there have been record levels of freeway congestion and, before the COVID pandemic, historic crowding on transit systems like Bay Area Rapid Transit (BART), Caltrain and San Francisco’s Municipal Railway (Muni).

HUD’s opportunity indicators can provide a picture of transit use and access in Marin County through the transit index<sup>40</sup> and low transportation cost.<sup>41</sup> Index values can range from zero to 100 and are reported per race so that differences in access to transportation can be evaluated based on race. In the County, transit index values range from 61 to 69, with White residents scoring lower and Black and Hispanic residents scoring highest. Given that higher the transit trips index, the more likely residents utilize public transit, Black and Hispanics are more likely to use public transit. For residents living below the poverty line, the index values have a larger range from 61 for White residents to 75 for Hispanic residents. Regardless of income, White residents have lower index values- and thus a lower likelihood of using transit.

Low transportation cost index values have a larger range than transit index values from 65 to 75 across all races and were similar for residents living below the poverty line. Black and Hispanic residents have the highest low transportation cost index values, regardless of poverty status. Considering a higher “low transportation cost” index value indicates a lower cost of transportation, public transit is less costly for Black and Hispanics than other groups in the County.

Transit patterns in Figure D- 27 show that transit is concentrated throughout North, Central, and Southern Marin along the City Centered Corridor from Novato to Marin City/Sausalito. In addition, there are connections eastbound; San Rafael connects 101 North/South and 580 Richmond Bridge going East (Contra Costa County) and Novato connects 101 North/South and 37 going East towards Vallejo (Solano County) Internally, public transit along Sir Francis Drake Blvd connects from Olema to Greenbrae.

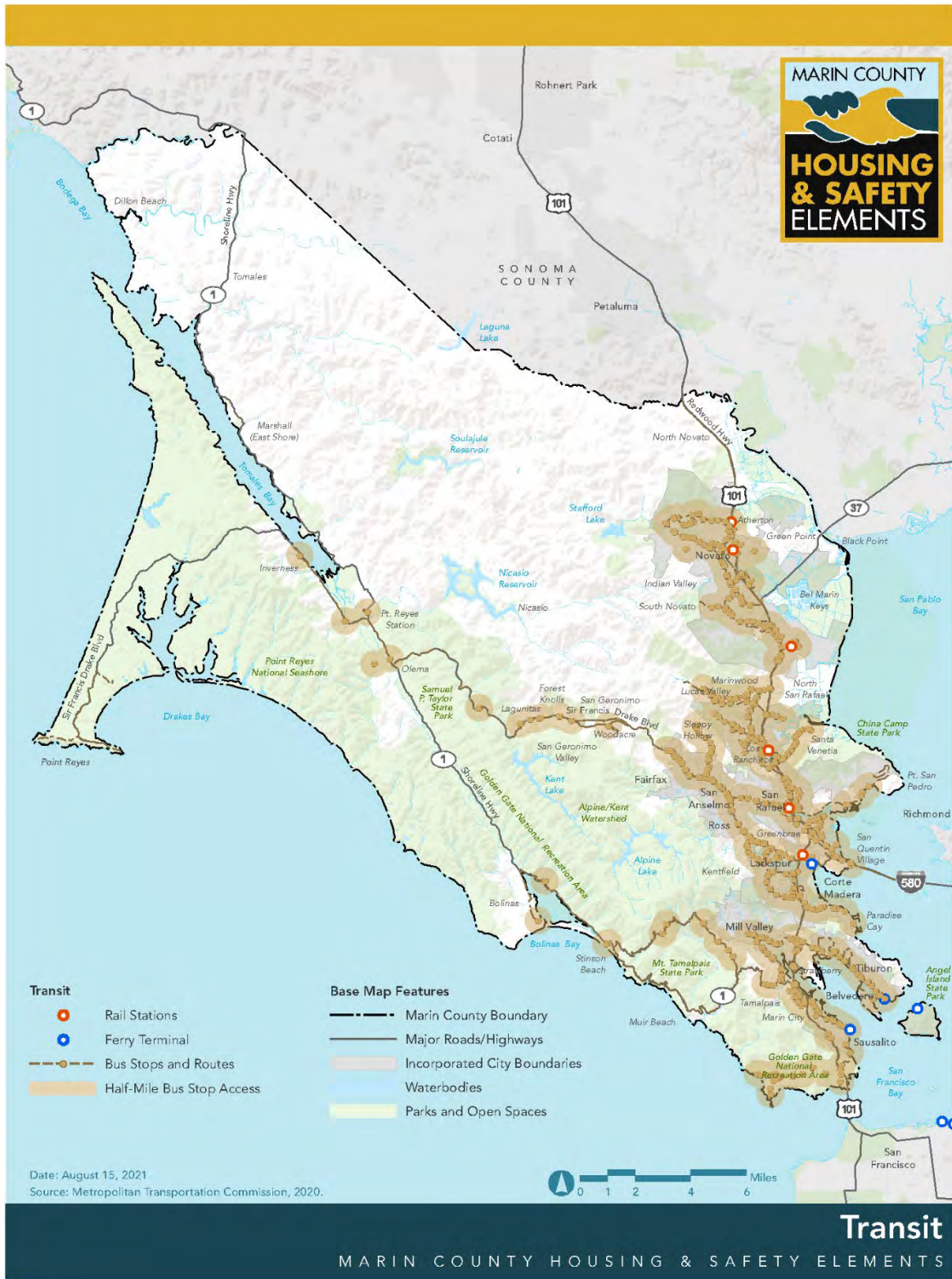
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<sup>40</sup> Transit Trips Index: This index is based on estimates of transit trips taken by a family that meets the following description: a 3-person single-parent family with income at 50 percent of the median income for renters for the region (i.e. the Core-Based Statistical Area (CBSA). The higher the transit trips index, the more likely residents in that neighborhood utilize public transit.

<sup>41</sup> Low Transportation Cost Index: This index is based on estimates of transportation costs for a family that meets the following description: a 3-person single-parent family with income at 50 percent of the median income for renters for the region/CBSA. The higher the index, the lower the cost of transportation in that neighborhood.



Figure D- 27: Public Transit



All nine Bay Areas counties are connected via public transportation. Marin Transit Authority (MTA) operates all bus routes that begin and end in the County. Golden Gate Transit provides connections from Marin to San Francisco, Sonoma and Contra Costa County. In 2017, MTA conducted an onboard survey of their ridership and identified the Canal District of San Rafael as having a high rating of a “typical” transit rider”. That typical rider was described as, “42 percent of households have annual income of less than \$25,000, 90 percent of individuals identify as Hispanic or Latino, 19 percent of households have no vehicle, 17 percent have three or more workers in their homes, 30 percent have five or more workers living with them, and Spanish is spoken in 84 percent of households.”<sup>42</sup> According to the survey, residents in the Canal area had the highest percentage of trips that began or ended in routes provided by Marin Transit.

In addition to its fixed routes, MTA offers several other transportation options and some that are available for specific populations:

- Novato Dial-A-Ride - designed to fill gaps in Novato's local transit service and connects service with Marin Transit and Golden Gate Transit bus routes.
- ADA Paratransit Service – provides transportation for people unable to ride regular bus and trains due to a disability. It serves and operates in the same areas, same days and hours as public transit.
- Discount Taxi Program – called Marin-Catch-A-Ride, it offers discount rides by taxi and other licensed vehicles if you are at least 80 years old; or are 60 and unable to drive; or you are eligible for ADA Paratransit Service.
- West Marin Stage – provides public bus service from West Marin to Highway 101 corridor which connects with Marin Transit and Golden Gate Transit bus routes.

### *Local Trends*

There are no opportunity indices at the unincorporated County level. However, regional trends show a need for connecting West Marin to the transportation hubs in North, Central, and South Marin. For this reason, MTA operates the West Marin Stagecoach which consists of two regularly operating bus routes between central and West Marin. Route 61 goes to Marin City, Mill Valley, and Stinson Beach. Route 68 goes to San Rafael, San Anselmo, Point Reyes and Inverness (Figure D- 28). The Stagecoach also connects with Marin Transit and Golden Gate Transit bus routes. However, the Northern Coastal West Marin area does not have any public transit connection to the south. Bus transit (brown dots in Figure D- 27 and routes 61 and 86 of Stagecoach Figure D- 28) only connect as far north as Inverness. This lack of transit connection affects the minority populations and the persons with disabilities concentrated in the west part of the County (Figure D- 3 and Figure D- 7). The lack of infrastructure as far as Northern Coastal West Marin is due to its low population density. Overall, West Marin has historically been rural with a focus on agriculture, open space preservation, and park lands. The population of West Marin is approximately 16,000 people, or about 6.5 percent of the population of

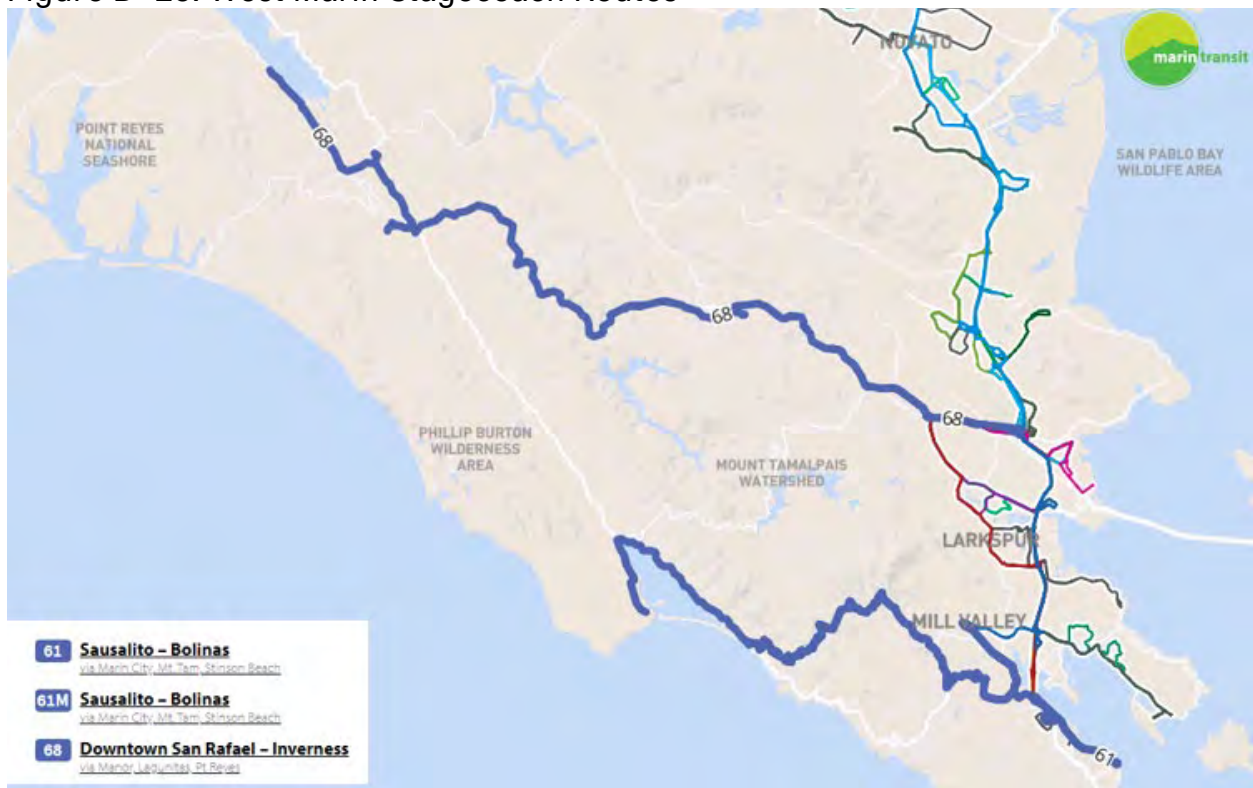
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<sup>42</sup> From the 2020 County of Marin Analysis of Impediments to Fair Housing Choice

Marin County, residing in more than half the land area of the county. While the overall density of the community is very low, residents cluster in towns and villages, with the vast areas of designated open space in West Marin being virtually uninhabited. Further impacting the area is the Coastal Act, which preserves access to the coast and promotes visitor serving uses over uses for local residents.

Together these factors have resulted in less access to infrastructure such as public transportation, which likely resulted in the areas' low TCAC Opportunity scores as well. Due to the small widely distributed population, community services such as grocery stores and health clinics are also absent in much of the area.

Figure D- 28: West Marin Stagecoach Routes



## Economic Development

### Regional Trends

The Bay Area has a regional economy which has grown to be the fourth largest metropolitan region in the United States today, with over 7.7 million people residing in the nine-county, 7,000 square-mile area. In recent years, the Bay Area economy has experienced record employment levels during a tech expansion surpassing the “dot-com” era of the late 1990s. The latest boom has extended not only to the South Bay and Peninsula — the traditional hubs of Silicon Valley — but also to neighborhoods in San Francisco and cities in the East Bay, most notably Oakland. The rapidly growing and changing economy has also created significant housing and transportation challenges due to job-housing imbalances.



HUD's opportunity indicators provide values for labor market index<sup>43</sup> and jobs proximity index<sup>44</sup> that can be measures for economic development in Marin County. Like the other HUD opportunity indicators, scores range from 0 to 100 and are published by race and poverty level to identify differences in the relevant "opportunity" (in this case economic opportunity). The labor market index value is based on the level of employment, labor force participation, and educational attainment in a census tract- a higher score means higher labor force participation and human capital in a neighborhood. Marin County's labor market index values have a significant range from 49 to 86, with Black residents scoring lowest and White residents scoring highest. Scores for Marin County residents living below the poverty line drop notably for Hispanic residents (from 68 to 57), increase for Black residents (from 49 to 55) and remain the same for all other races. These values indicate that Black and Hispanic residents living in poverty have the lowest labor force participation and human capital in the County.

HUD's jobs proximity index quantifies the accessibility of a neighborhood to jobs in the region. Index values can range from 0 to 100 and a higher index value indicate better the access to employment opportunities for residents in a neighborhood. County jobs proximity index values range from 65 to 75 and are highest for Hispanic and Black residents. The jobs proximity value map in Figure D- 29 shows the distribution of scores in the region. Regionally, tracts along the northern San Pablo Bay shore and northern San Francisco Bay shore (Oakland and San Francisco) have the highest job proximity scores

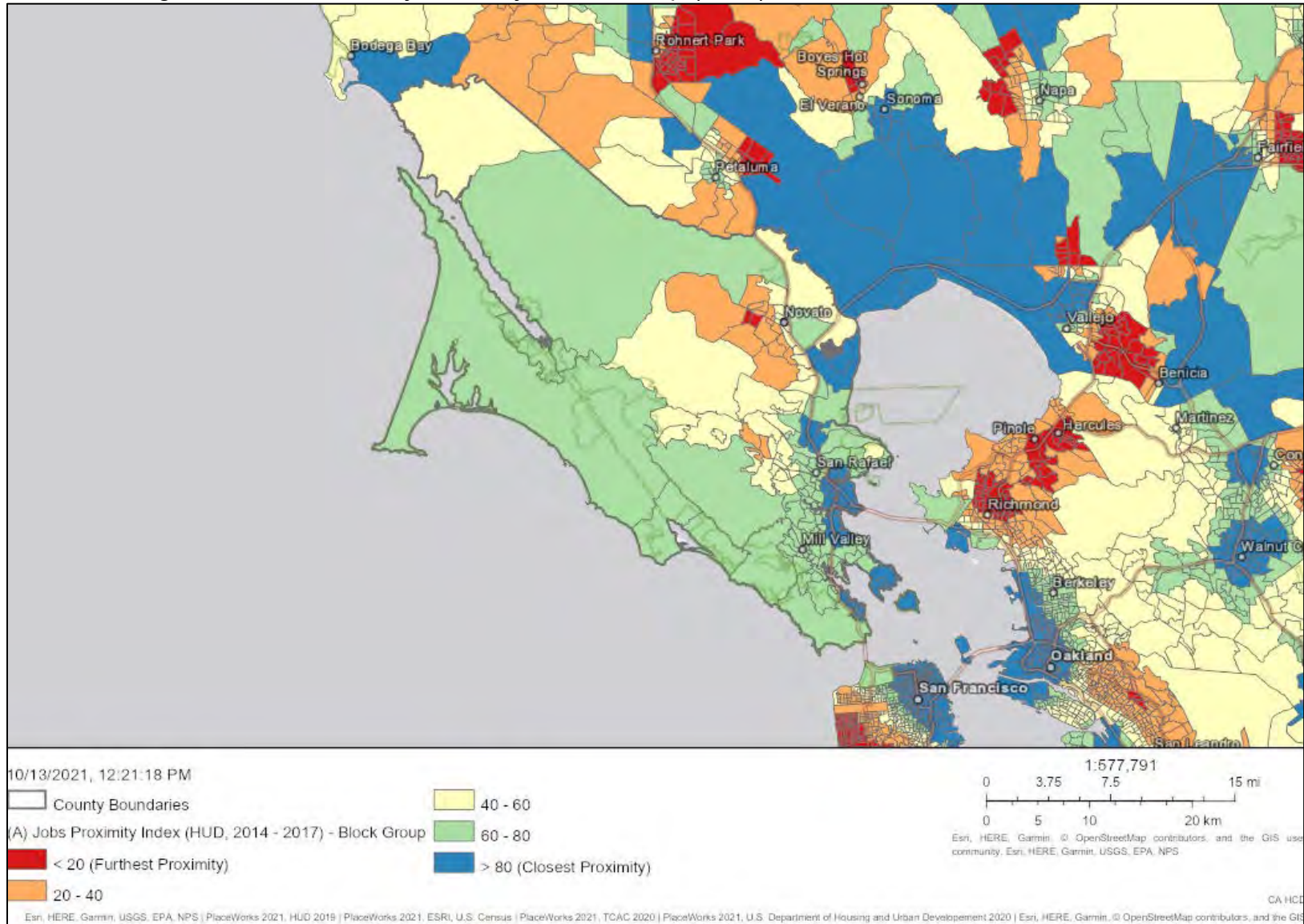
In Marin County, the highest values are in Central Marin at the intersection of Highway 101 and Highway 580 from south San Rafael to Corte Madera. Some census tracts in North and Southern Marin along Highway 101 also have high jobs proximity values, specifically in south Novato and Sausalito. The Town of Tiburon in Southern Marin also has the highest scoring census tracts. Western North and Central Marin and some West Marin tracts, including the unincorporated Valley community (west of Highway 101) have the lowest jobs proximity scores.

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<sup>43</sup> Labor Market Engagement Index: The labor market engagement index provides a summary description of the relative intensity of labor market engagement and human capital in a neighborhood. This is based upon the level of employment, labor force participation, and educational attainment in a census tract. The higher the score, the higher the labor force participation and human capital in a neighborhood.

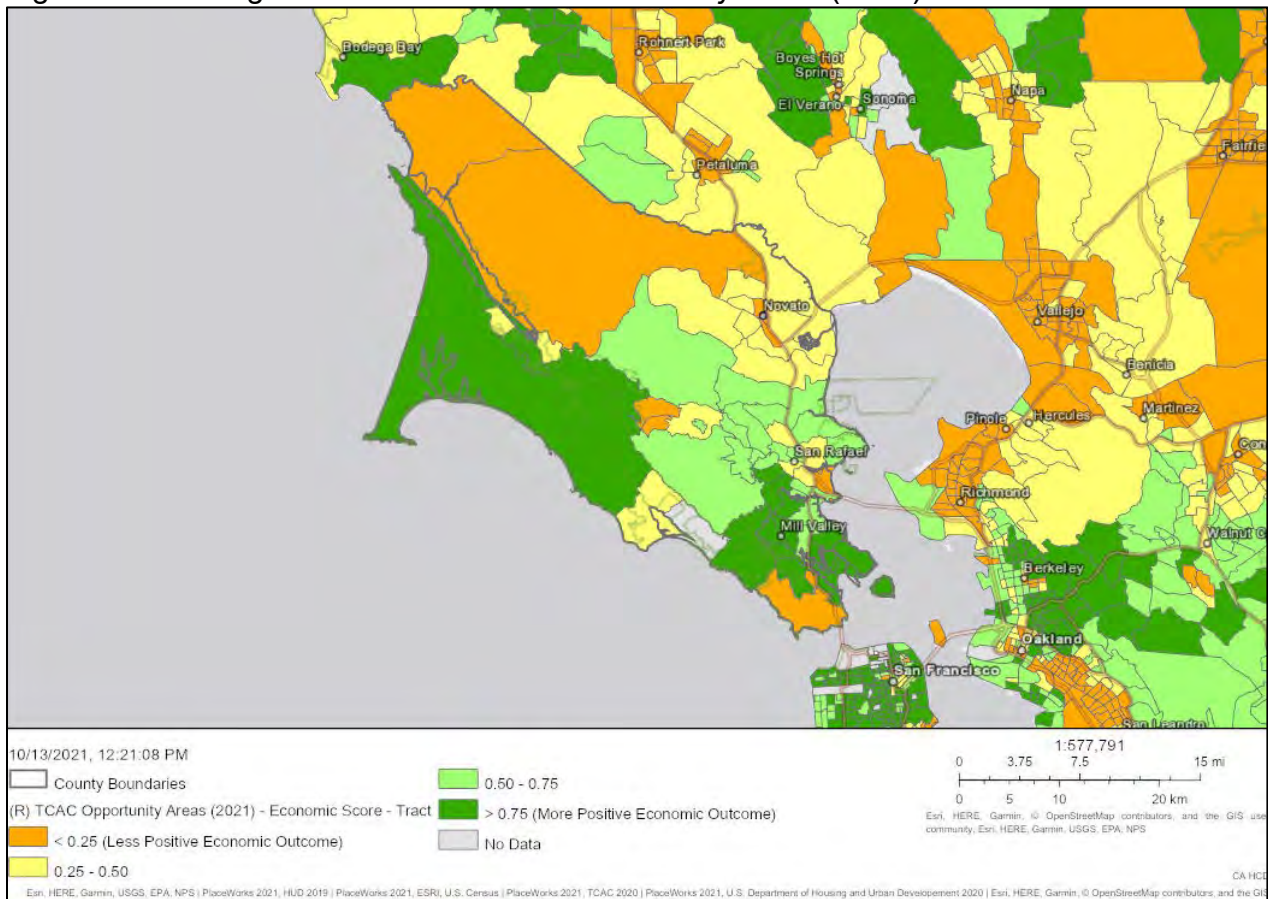
<sup>44</sup> Jobs Proximity Index: The jobs proximity index quantifies the accessibility of a given residential neighborhood as a function of its distance to all job locations within a region/CBSA, with larger employment centers weighted more heavily. The higher the index value, the better the access to employment opportunities for residents in a neighborhood.

Figure D- 29: Regional Jobs Proximity Index by Block Group (2017)



The TCAC Economic Scores are a composite of jobs proximity index values as well as poverty, adult education, employment, and median home value characteristics.<sup>45</sup> TCAC economic scores range from 0 to 1, where higher values indicate more positive economic outcomes. The map in Figure D- 30 shows that the lowest economic scores are located along the northern San Pablo shores as well as many census tracts in North and West Marin, southern Sonoma County, Solano, and Contra Costa County. In Marin County, the lowest economic scores are located in northern West Marin and North Marin, as well as some census tracts in Central Marin and at the southern tip of the County (Marin Headlands). The highest TCAC economic scores are located along coastal West Marin communities, Southern Marin, and parts of Central Marin including the cities of Larkspur, Mill Valley, Corte Madera, Sausalito, and Tiburon.

Figure D- 30: Regional TCAC Economic Score by Tract (2021)



<sup>45</sup> See [TCAC Opportunity Maps](#) at the beginning of section for more information on TCAC maps and scores.

### *Local Trends*

Related to the location of the transportation hubs in Central and Southern Marin, jobs proximity index scores<sup>46</sup> are also highest in these areas, especially in the incorporated cities of San Rafael and Corte Madera (Figure D- 29). This means that the unincorporated communities in southern West Marin as well as Santa Venetia, Strawberry, Kentfield, and Tam Valley, while not having the highest index values, are closest to these job hubs, compared to Northern West Marin and Coastal West Marin. By contrast, the incorporated communities in the Valley, Northern Coastal West Marin, Lucas-Valley, and Black Point-Green Point have the lowest job proximity index values (40 to 60).

Again, as with regional trends, proximity to jobs does not always reflect positive economic outcomes for the residents of that area. The TCAC Economic scores are a metric for poverty, adult education, employment, median home value, and jobs proximity for the population in a census tract. While the Valley had the lowest proximity index, its TCAC Economic score is amongst the highest (Figure D- 30). Overall, the highest economic resources are located in the Central Coastal West Marin, Santa Venetia, Lucas Valley, Kentfield, Strawberry, and Tam Valley, while the lowest economic scores are located in Black-Point Green Point, Marin City, Northern Coastal West Marin, and Central Coastal West Marin . Of important note then are Marin City- an area close to jobs but with a low economic score, and Black Point- Green Point and Northern Coastal West Marin, which scored low on both proximity to jobs and economic scores.

Marin City's lower TCAC composite score (compared to its neighboring areas) can be attributed to its lower economic score. The TCAC Economic Score is a combination of poverty, median home values, adult education, employment and jobs proximity (Table D- 18) The past discriminatory practices that affected Marin City's Black residents continue to have had an impact in the economic outcome of this community.

The history of Marin City and its contribution to Marin County is a local example of how historic government policies and practices helped create the segregated communities that continue to exist today. In 1942, Kenneth Bechtel, an industrial builder, signed a contract with the U.S. government to construct transport vessels for the U.S. Navy. It created Marinship, which during World War II built nearly 100 liberty ships and tankers. The Bechtel Company was also given permission to develop a community to house some of its workers, and the unincorporated community of Marin City was constructed as a temporary housing facility.

Since Marinship faced a shortfall in local, available workers, Bechtel overlooked the workplace exclusions that were standard at the time and recruited African Americans from southern states such as Louisiana, Arkansas, Texas and Oklahoma. At its peak in 1944,

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<sup>46</sup> The jobs proximity index quantifies the accessibility of a given residential neighborhood as a function of its distance to all job locations within a region/CBSA, with larger employment centers weighted more heavily. The higher the index value, the better the access to employment opportunities for residents in a neighborhood.



Marinship employed 22,000 workers from every state in the Union, and Marin City had a population of 6,500 people, including over 1,000 school-aged children, and was home to Midwestern Whites (85 percent), southern Blacks (10 percent), and Chinese immigrants (five percent). Marin City was the country's first integrated Federal housing project, and eventually would be hailed as a model city for the company's workers and a bold social experiment in race relations. During an era when segregation was widely practiced in California as well as across the country, Marin City was a diverse, racially integrated community.

At the end of the war, military veterans returned in droves. Housing was in short supply and families were doubling up. With a large civilian housing shortage, the National Housing Act of 1949 was created.

Under the National Housing Act, the Federal Housing Administration (FHA) guaranteed bank loans to housing developments that were designed to move Whites out of integrated, urban areas into all-White subdivisions in the suburbs. FHA loan guarantees were made to developers on the condition that homes could be sold only to Whites. Racially restrictive covenants were used to prevent people of color from purchasing homes in White communities in Marin, and the Federal Housing Administration's Underwriting Manual recommended the use of restrictive covenants to "provide the surest protection against undesirable encroachment and inharmonious use." While the Civil Rights Act of 1969 prohibited such transactions, many of these covenants still remain in property deeds in Marin., although they are unenforceable.

White veterans and their families returning from World War II were able to purchase homes with mortgages that were guaranteed by the Federal Government. Many homes in Marin in the late 1940s were selling for \$7,000 to \$8,000 and families often got mortgages with 0 percent to five percent down payments. In some cases, the monthly cost to purchase a home was less than what a family would pay for rent in public housing.

Today's wealth inequality was created, in part, after World War II when explicit policies and programs of the Federal government provided Whites the opportunities for home ownership with very affordable prices and financing, while African Americans were prohibited from participating in the same programs. Today, the home equity appreciation for families who were able to purchase homes after the war has allowed those families to use their accumulated wealth to finance college educations, fund retirement, bequeath money, and to support their children's home ownership. For generations, African Americans have not had those same opportunities.

## **Environment**

### *Regional Trends*

Environmental conditions residents live in can be affected by past and current land uses like landfills or proximity to freeways. The TCAC Environmental Score shown in Figure D-31 is based on CalEnviroScreen 3.0 scores. The California Office of Environmental Health Hazard Assessment (OEHHA) compiles these scores to help identify California communities disproportionately burdened by multiple sources of pollution. In addition to environmental factors (pollutant exposure, groundwater threats, toxic sites, and

hazardous materials exposure) and sensitive receptors (seniors, children, persons with asthma, and low birth weight infants), CalEnviroScreen also takes into consideration socioeconomic factors. These factors include educational attainment, linguistic isolation, poverty, and unemployment. TCAC Environmental Scores range from 0 to 1, where higher scores indicate a more positive environmental outcome (better environmental quality)

Regionally, TCAC environmental scores are lowest in the tracts along the San Pablo and San Francisco Bay shores, except for the coastal communities of San Rafael and Mill Valley in Marin County. Inland tracts in Contra Costa and Solano County also have low environmental scores. In Marin County, TCAC Environmental scores are lowest in the West Marin areas of the unincorporated County from Dillon Beach in the north to Muir Beach in the South, east of Tomales Bay and Shoreline Highway. In addition, census tracts in Black Point-Green Point, Novato, and southern San Rafael (Canal and California Park) have “less positive environmental outcomes.” More positive environmental outcomes are located in tracts in the City-Centered Corridor along Highway 101, from North Novato to Sausalito (Figure D- 31).

Figure D- 31 shows the TCAC Environmental Score based on CalEnviroScreen 3.0. However, the Office of Environmental Health Hazard Assessment has released updated scores in February 2020 (CalEnviroScreen 4.0). The CalEnviroScreen 4.0 scores in Figure D- 32 are based on percentiles and show that the Canal and California Park Communities in San Rafael and Marin City have the highest percentile and are disproportionately burdened by multiple sources of pollution.

HUD’s opportunity index for “environmental health” summarizes potential exposure to harmful toxins at a neighborhood level. Index values range from 0 to 100 and the higher the index value, the less exposure to toxins harmful to human health. Therefore, the higher the value, the better the environmental quality of a neighborhood, where a neighborhood is a census block-group. In Marin County, environmental health index values range from 77 for Blacks to 83 for Hispanics (Table D- 20). The range is similar for the population living below the federal poverty line, with Black residents living in poverty still scoring lowest (76) but Native American residents living in poverty scoring highest among all races (85) and higher than the entire County Native American population (86 and 81, respectively). Environmental health indices for White population falls within the range of that of minority populations 81 for all White population and 83 for White population under the federal poverty line.

Figure D- 31: Regional TCAC Environmental Score by Tract (2021)

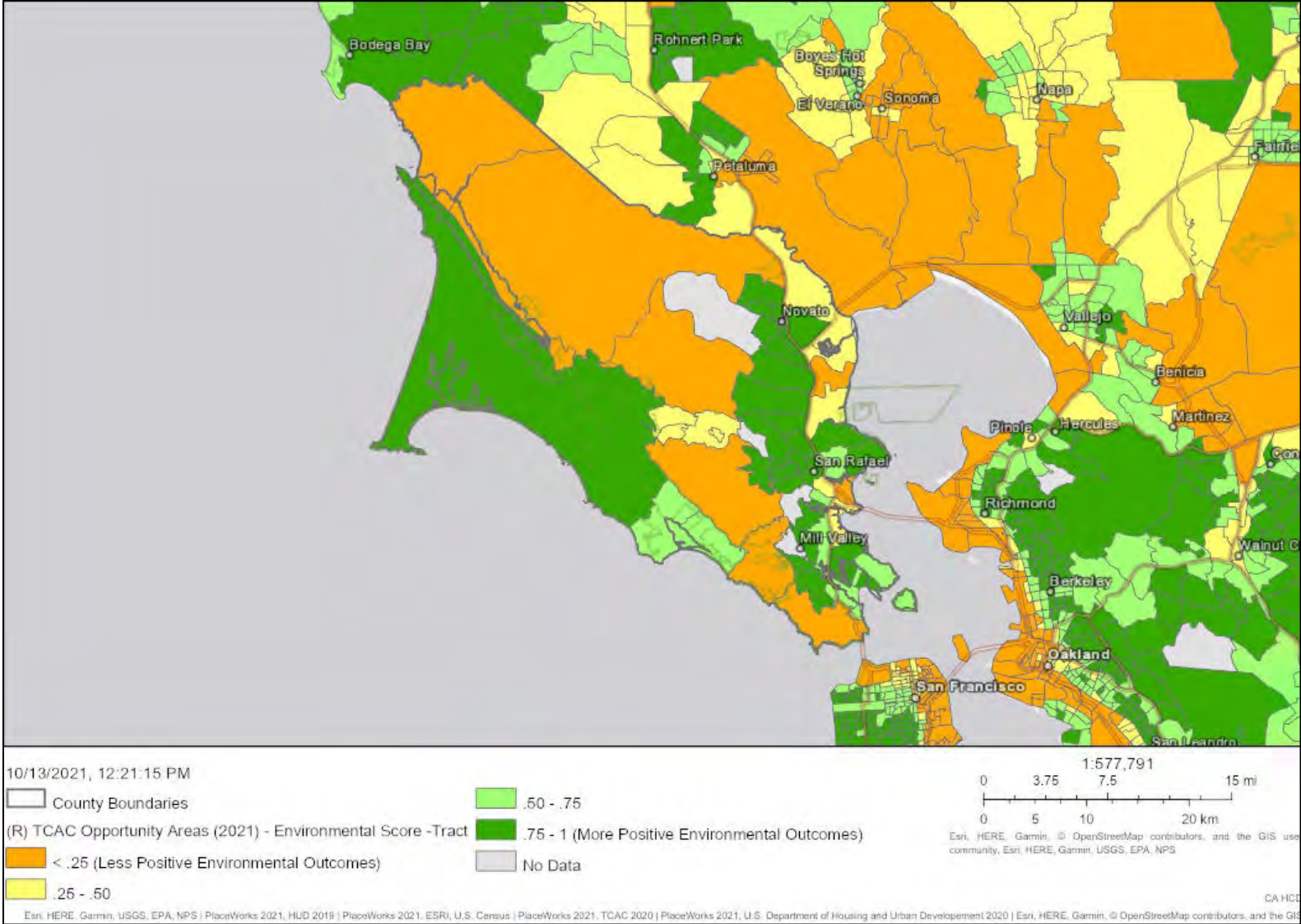
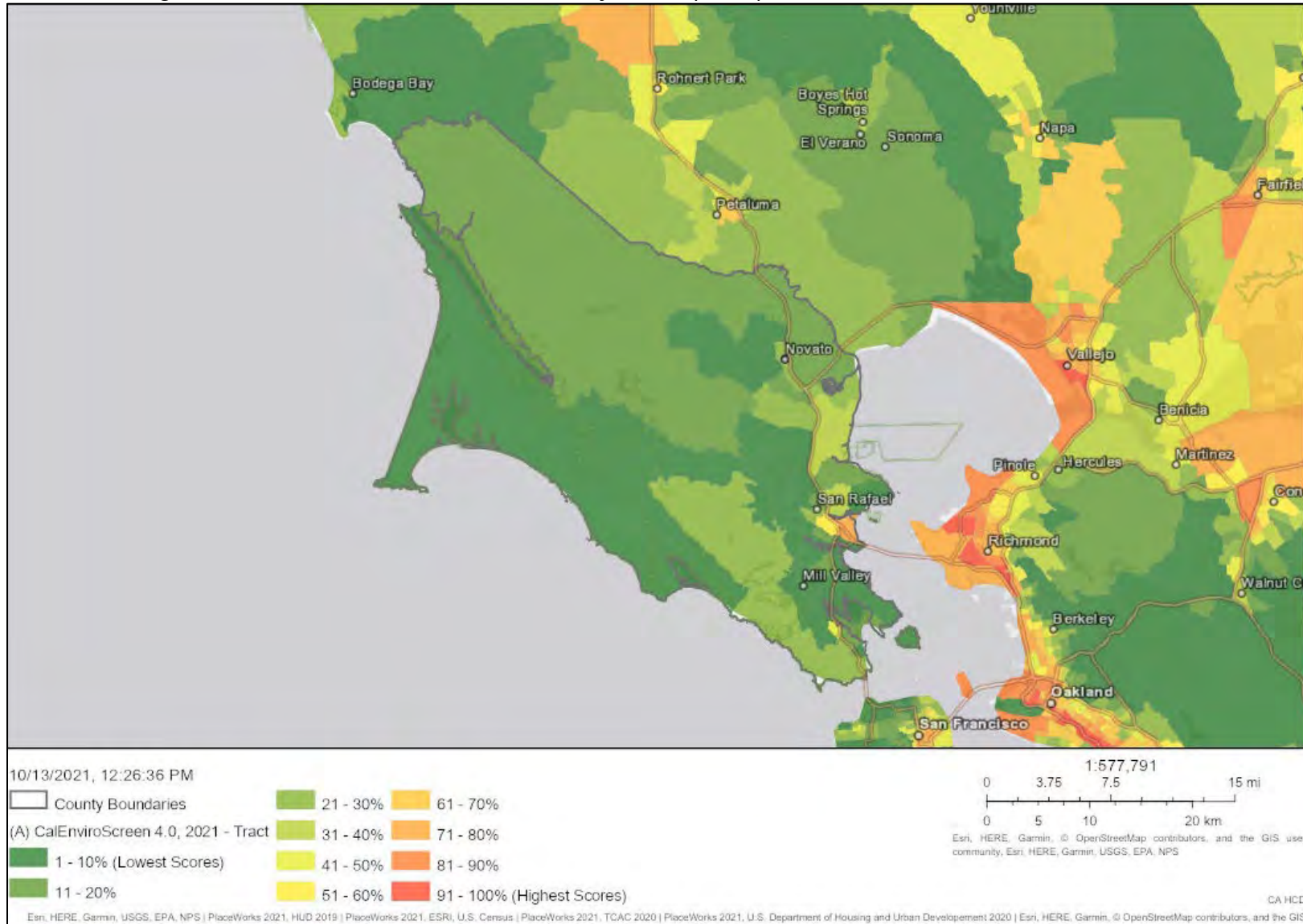


Figure D- 32: Regional CalEnviroScreen 4.0 Scores by Tract (2021)





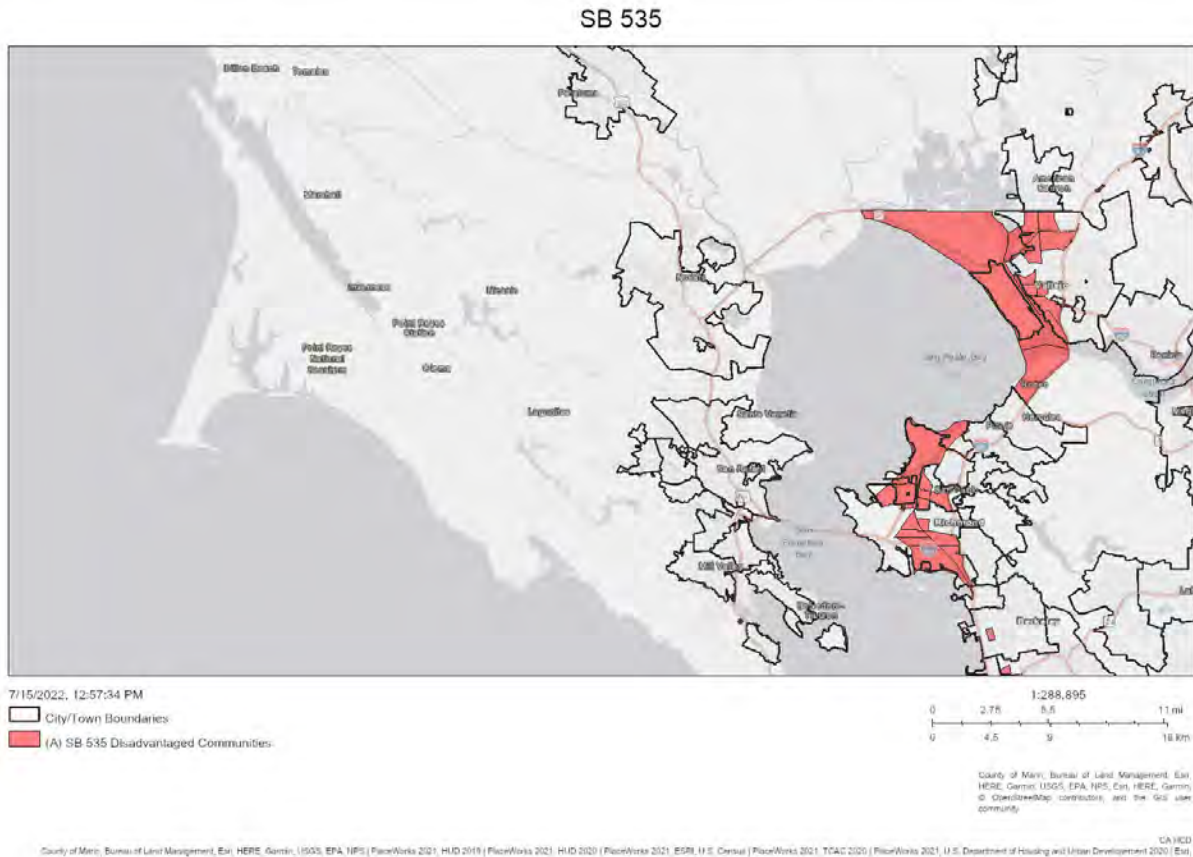
*Local Trends*

It is important to note that CalEnviroScreen scores (and thus TCAC environmental scores) measure not only environmental factors and sources of pollution but also takes into consideration socioeconomic factors that makes residents more sensitive to pollution to identify disproportionately burdened communities.

For this reason, CalEnviroScreen scores are used to identify SB 535 Disadvantaged Communities. Disadvantaged communities in California are specifically targeted for investment of proceeds from the state's Cap-and-Trade Program. These investments are aimed at improving public health, quality of life and economic opportunity in California's most burdened communities, and at the same time, reducing pollution that causes climate change. The investments are authorized by the California Global Warming Solutions Act of 2006 (Assembly Bill 32, Nunez, 2016). Figure D- 33 shows the disadvantaged communities designated by CalEPA for the purpose of SB 535. These areas represent the 25 percent highest scoring census tracts in CalEnviroScreen 4.0, census tracts previously identified in the top 25 percent in CalEnviroScreen 3.0, census tracts with high amounts of pollution and low populations, and federally recognized tribal areas as identified by the Census in the 2021 American Indian Areas Related National Geodatabase. There are no disadvantaged communities in Marin County.

Despite Figure D- 32 (CalEnviroScreen 4.0) and Figure D- 33 (SB 35 disadvantaged communities) do not identify any communities in Marin County as being disproportionately burdened by pollution, Figure D- 31 (based on CalEnviroScreen 3.0 scores) do show that among the unincorporated county communities, the lowest TCAC Environmental scores are located in West Marin and Black Point-Green Point (Figure D-31). These lower Environmental scores are likely due to the socioeconomic characteristics of these areas, such as health outcomes, education, housing burdens, poverty, and unemployment.

Figure D- 33: SB 535 Disadvantaged Communities – Marin County



## Healthy Places

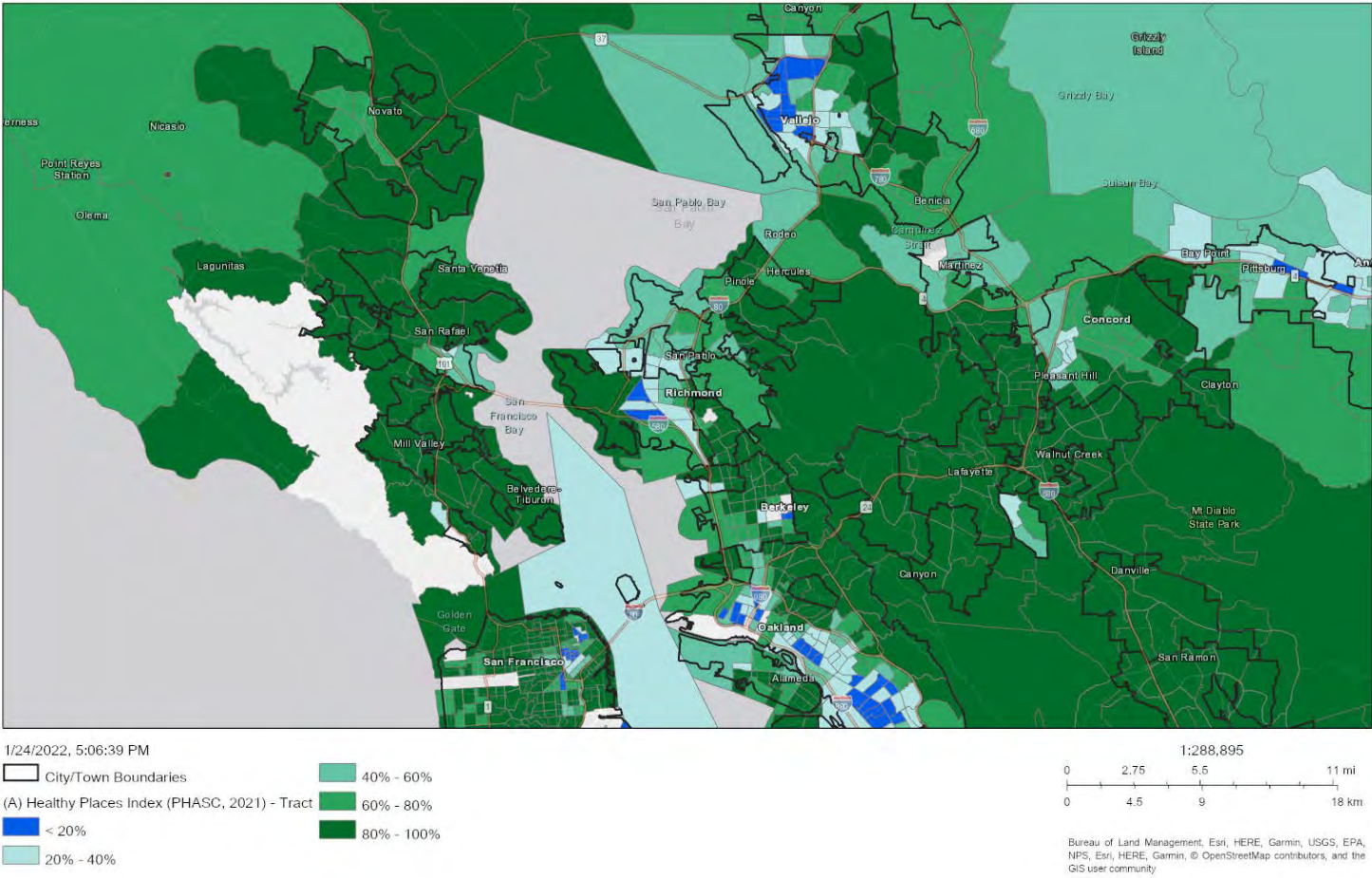
### Regional Trends

Residents should have the opportunity to live a healthy life and live in healthy communities. The Healthy Places Index (HPI) is a new tool that allows local officials to diagnose and change community conditions that affect health outcomes and the wellbeing of residents. The HPI tool was developed by the Public Health Alliance of Southern California to assist in comparing community conditions across the state and combined 25 community characteristics such as housing, education, economic, and social factors into a single indexed HPI Percentile Score, where lower percentiles indicate lower conditions. Figure D- 34 shows the HPI percentile score distributions in the Region tend to be above 60 percent except in some concentrated areas in the cities of Vallejo, Richmond, Berkeley, Oakland, and San Francisco- each county along the bays have at least one cluster of tracts with an HPI below 60 (blue).

### Local Trends

All of the tracts within the unincorporated county areas scored above the 60<sup>th</sup> percentile of the Healthy Place Index Scores except for Marin City. All of Marin City scored in the lower 40<sup>th</sup> percentile. Marin City has also been identified as having low access to healthy foods in the 2020 AI.

Figure D- 34: Regional Healthy Places Index by Tract (2021)



Bureau of Land Management, Esri, HERE, Garmin, USGS, EPA, NPS | PlaceWorks 2021, HUD 2019 | PlaceWorks 2021, HUD 2020 | PlaceWorks 2021, ESRI, U.S. Census | PlaceWorks 2021, TCAC 2020 | PlaceWorks 2021, U.S. Department of Housing and Urban Development 2020 | Esri, HERE, Garmin, © CA HCD

## **Open Space and Recreation.**

### *Regional Trends*

According to Plan Bay Area 2040, a strong regional movement emerged during the latter half of the 20th century to protect farmland and open space. Local governments adopted urban growth boundaries and helped lead a “focused growth” strategy with support from environmental groups and regional agencies to limit sprawl, expand recreational opportunities, and preserve scenic and natural resources. However, this protection has strained the region’s ability to build the housing needed for a growing population. In addition, maintaining the existing open space does not ensure equal access to it.

In Marin County, the Marin County Parks and Open Space Department operates a system that includes regional and community parks, neighborhood parks, and 34 open space preserves that encompass 19,300 acres and 190 miles of unpaved public trails. In 2007, 500 Marin County residents participated in a telephone survey, and more than 60 percent of interviewees perceived parks and open space agencies favorably, regardless of geographic area, age, ethnicity, or income. However, in 2019, the Parks Department conducted a Community Survey and identified the cost of entrance and fees to be obstacles for access to County parks. As a result, in July of 2019, entry fees were reduced from \$10 to \$5 for three popular parks in the County, and admission to McNears Beach Park pool, located in San Rafael, was free beginning on August 1, 2019.

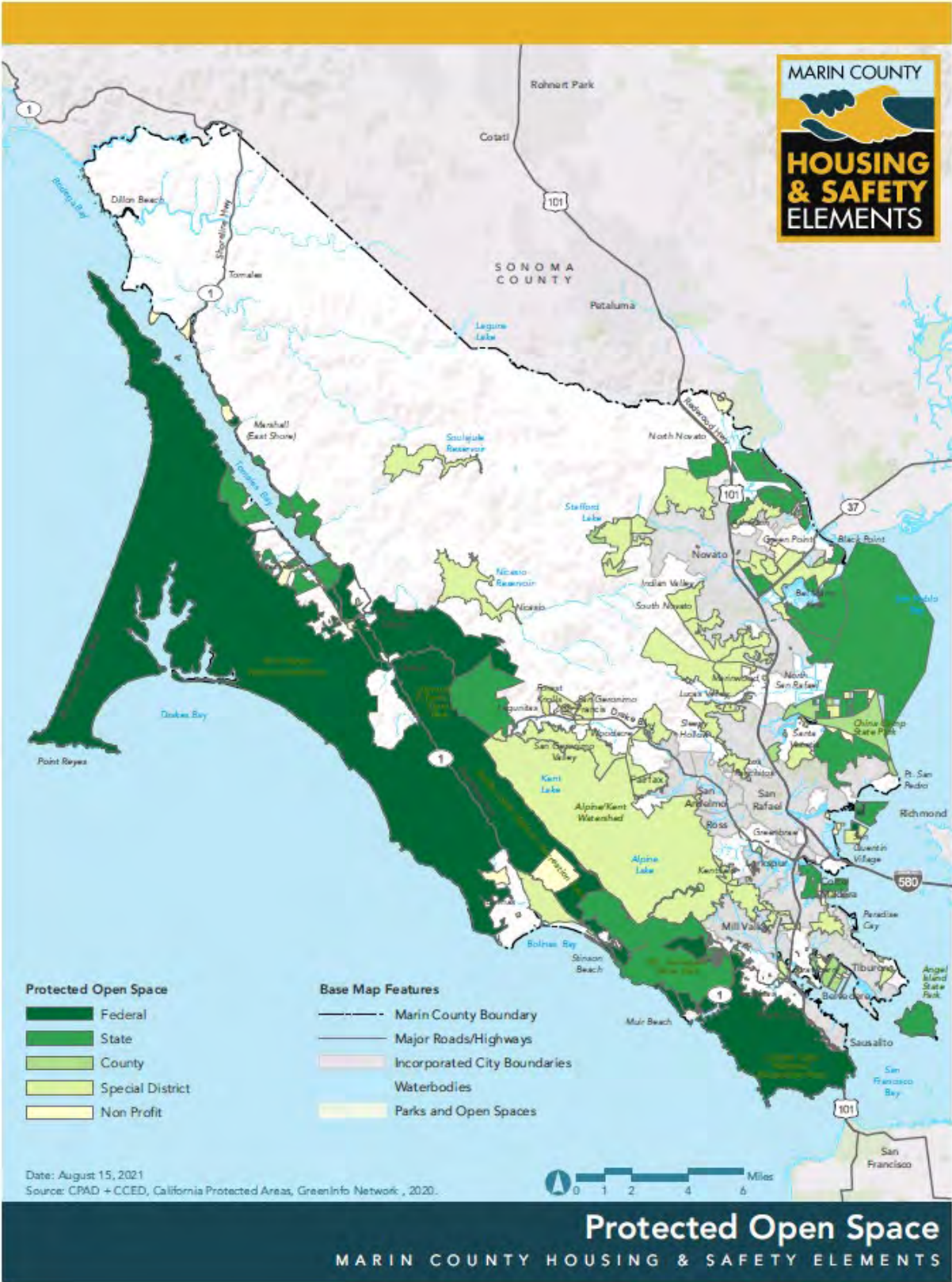
### *Local Trends*

Despite the large acreage of open spaces throughout the County, there are still some communities that lack access to open space and recreation (Figure D- 35). Northern Coastal West Marin appear to be furthest from federal and state open spaces/parks. Northern Coastal West Marin also lacks public transportation to the south to the nearest open spaces. In the more densely populated areas of the County (North, Central, and South Marin) open space and recreation areas are limited and mostly concentrated east of Highway 101. Despite this limited open space, most unincorporated county communities have at least County park access

As stated before, Marin City is a community with a disproportionate concentration of minorities and low income residents. From 1990 to 2015, Marin City, which had the highest African American population in the County and according to the Marin Food Policy Council, one of the highest obesity rates, did not have an outdoor recreational space. In 2015, the Trust for Public Land, in collaboration with the Marin City Community Services District, designed and opened Rocky Graham Park in Marin City. According to the 2020 AI, while the park contains “a tree-house-themed play structure, drought-resistant turf lawn, adult fitness areas, and a mural showcasing scenes from Marin City’s history,” Marin City continues to have limited access to surrounding open spaces and hiking trails.



Figure D- 35: Marin County Open Space



## Home Loans

A key aspect of fair housing choice is equal access to credit for the purchase or improvement of a home, particularly in light of the continued impacts of the lending/credit crisis called the Great Recession. In the past, credit market distortions and discriminatory practices such as “redlining” were prevalent and prevented some groups from having equal access to credit. The Community Reinvestment Act (CRA) in 1977 and the subsequent Home Mortgage Disclosure Act (HMDA) were designed to improve access to credit for all members of the community and hold the lender industry responsible for community lending. Under HMDA, lenders are required to disclose information on the disposition of home loan applications and on the race or national origin, gender, and annual income of loan applicants.

### Regional Trends

The 2020 Marin County Analysis of Impediments to Fair Housing Choice examined lending practices across Marin County. According to HMDA, in 2017, there were a total of 11,688 loans originated for Marin properties. Of the 11,688 original loan applications, 6,534 loans were approved, representing 56 percent of all applications, 1,320 loans denied, representing 11 percent of the total applications, and there were 1,555 applicants who withdrew their applications, which represents 13 percent of all applications (Table D-23). Hispanic and Black/African American residents were approved at lower rates and denied at higher rates than all applicants in the County.

	All Applicants	White	Asian	Hispanic/ Latinx	Black/African American
Loans approved	55.9%	60.0%	59.0%	50.0%	48.0%
Loans denied	11.3%	12.0%	16.0%	18.0%	19.0%
Loans withdrawn by applicant	13.3%	14.0%	13.0%	19.0%	14.0%

*Source: 2017 HMDA, as presented in 2020 Marin County AI.*  
*Note: Data did not add up to 100% in source.*

According to the 2020 AI, there were several categories for reasons loans were denied. Under the category, “Loan Denial Reason: insufficient cash - down payment and closing costs,” African Americans were denied 0.7 percent more than White applicants. Denial of loans due to credit history significantly affected Asian applicants more than others; and under the category of “Loan Denial Reason: Other”, the numbers are starkly higher for African American applicants. Other reasons may include: debt-to-income ratio; employment history; credit history; collateral; insufficient cash; unverifiable information; credit application incomplete; mortgage insurance denied.

The AI also identified that many residents who lived in Marin City during the Marinship years<sup>47</sup> were not allowed to move from Marin City to other parts of the County because of discriminatory housing and lending policies and practices. For those residents, Marin City has been the only place where they have felt welcomed and safe in the County.

Based on the identified disparities of lending patterns for residents of color and a history of discriminatory lending practices, the AI recommended further fair lending investigations/testing into the disparities identified through the HMDA data analysis. More generally, it recommended that HMDA data for Marin County should be monitored on an ongoing basis to analyze overall lending patterns in the County. In addition, lending patterns of individual lenders should be analyzed, to gauge how effective the Community Reinvestment Act (CRA) programs of individual lenders are in reaching all communities to ensure that people of all races and ethnicities have equal access to loans.

#### *Local Trends*

As the 2020 AI found, disparities in lending practices disproportionately affect people of color in the County, especially African Americans in Marin City. In December 2021, FHANC and a Marin City couple sued a San Rafael appraiser in federal court for alleged race discrimination after they were given an appraisal in February 2020 \$455,000 less than an appraisal done in March 2019. The couple sought to refinance their home and thought the February 2020 appraisal of \$995,000 was very low. To test their assumption of discrimination, they asked for a third appraisal and removed any indicators of their race- including removing pictures- and asked a white friend to meet the appraiser. The third appraisal valued the house at \$1,482,500. According to the Marin Independent Journal, their suit argues that “Marin City has a long history of undervaluation based on stereotypes, redlining, discriminatory appraisal standards, and actual or perceived racial demographics. Choosing to use comps located in Marin City means that the valuation is dictated by these past sale prices, which were the direct product of racial discrimination.”<sup>48</sup> More details on this case can be found in the press release from FHANC found in Figure D- 36. This suit is an example of how the approach used to generate appraisal values (years of past sales reviewed and radius of search) can exacerbate past discriminatory practices and continue to disproportionately affect Marin City residents. Monitoring lending practices as recommended by the 2020 AI should consider these practices in its analyses.

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<sup>47</sup> Marinship is a community of workers created by the Bechtel Company which during World War II built nearly 100 liberty ships and tankers. Since Marinship faced a shortfall in local, available workers, Bechtel overlooked the workplace exclusions that were standard at the time and recruited African Americans from southern states such as Louisiana, Arkansas, Texas and Oklahoma. A thorough history of Marin City and Marinship is found in the local knowledge section.

<sup>48</sup> Halstead, Richard. (December 6, 2021). “Marin appraiser sued for alleged race discrimination”, Marin Independent Journal. <https://www.marinij.com/2021/12/06/marin-appraiser-sued-for-alleged-race-discrimination/> <https://www.marinij.com/2021/12/06/marin-appraiser-sued-for-alleged-race-discrimination/>



Figure D- 36: FHANC Press Release- Austin Case



## Fair Housing Advocates of Northern California

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[www.fairhousingnorcal.org](http://www.fairhousingnorcal.org) ▼ [fhanc@fairhousingnorcal.org](mailto:fhanc@fairhousingnorcal.org)

December 2, 2021

### FOR IMMEDIATE RELEASE

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#### Discrimination Lawsuits Filed Alleging Race Discrimination in Home Appraisal Process

San Rafael, CA – Today, Fair Housing Advocates of Northern California (FHANC), Tenisha Tate-Austin, and Paul Austin announce the filing of a fair housing lawsuit in federal district court alleging housing discrimination due to race in the appraisal process. The named defendants are Janette Miller, a licensed real estate appraiser; Miller and Perotti Real Estate Appraisals, Inc.; and AMC Links LLC, an appraisal management company. The complaint can be found [here](#).

In December 2016, Tenisha Tate-Austin and Paul Austin, a Black couple, purchased a house in Marin County, California and moved into their house with their children. After spending thousands of dollars on renovations that increased the square footage of the house and upgraded many features, and beginning renovations on an accessory dwelling unit, they decided to refinance their mortgage in 2020.

Janette Miller was hired through AMC Links LLC to inspect the Austins' house and prepare an appraisal report. She appraised the Austins' house at \$995,000. Suspecting that their race and the racial demographics of the unincorporated area known as Marin City – where their house is located – played a role in the appraiser's surprisingly low estimate of value, the Austins had a second appraisal completed three weeks after the first appraisal inspection by a different appraiser. In this appraisal, the Austins erased any evidence of their racial identities inside their house, removing family photos and African-themed art. Their white friend, who replaced the Austins' family photos with photos of her own family, was the only person present during the second inspection. That appraisal came back with a value of \$1,482,500, nearly half a million dollars higher than Ms. Miller's estimate.

"We believe that Ms. Miller valued our house at a lower rate because of our race and because of the current and historical racial demographics of where our house is located," said Paul Austin. "The sales comps that the appraiser chose to use were unsuitable and were guaranteed to lower the value of our house."

*A local non-profit helping communities eliminate housing discrimination*



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“Unfortunately, the Austins are not alone in their experience,” said Caroline Peattie, Executive Director of FHANC. “Discrimination in the appraisal process is something we’ve been seeing more frequently, probably because there has been more attention paid to this issue, and more homeowners of color are coming forward when they receive an unfair appraisal, particularly when it results in their loan being denied. There are studies that show that Black and Latinx applicants are more likely than white applicants to receive an appraisal value lower than the contract price of a home. These studies show that appraisers choose comparisons (comps) of other property sales located substantially closer to the property being appraised if it’s located in a Black or Latinx census tract than if it’s located in a white census tract – so we know that appraisers still view neighborhoods, and relevant comps, based on racial demographics. We believe that this is exactly what happened with the Austins’ appraisal.”

The complaint maintains that using comparisons of other property sales located exclusively or primarily in Marin City results in a skewed and race-based valuation of the property, because selecting comps from areas that have been historically devalued by discrimination perpetuates and exacerbates the undervaluation of Black-owned homes in Black neighborhoods.

In order to reach an unbiased estimate of value, the complaint asserts, it is necessary to look outside of Marin City, particularly because Marin City has a very small number of property sales every year – most of which were not comparable to the Austins’ house. In addition, the complaint asserts that it was improper and discriminatory for Miller to decrease her estimated value of the Austins’ house based solely on its location in Marin City.

Additionally, Ms. Miller’s market analysis of Marin City speaks only to market trends before the 2007 recession and ends at 2008, with no analysis of recent trends. Her appraisal notes that “during 2008... many communities in the Bay Area began to feel the effects of tightening credit and deteriorating economic conditions.” However, she uses a different period of time for her market analysis of Sausalito, noting increasing home values in the city since 2014. She writes, “values [in the City of Sausalito] have increased since 2014 with a recent stabilization of values as evidenced by MLS year-end data for all residential properties sold.” These outdated analyses of market trends resulted in, or improperly justified, a lower estimated value for the Austin’s house than was warranted.

Ms. Miller’s analysis relies heavily on Marin City comps – three of the five were from Marin City – even though one was a bank-owned property sold in foreclosure two years before and another was an attached dwelling that was contained within a planned unit development. In contrast, eight properties were chosen as comps for the second appraisal three weeks later, of which only two were located in Marin City, while the other six were located in the City of Sausalito, which shares a school district with Marin City. The complaint maintains that Ms. Miller’s choices of comps indicate racial bias and point to a deeper and more systemic issue in the appraisal process – the practice of considering demographic characteristics of a neighborhood rather than relying only on physical home and neighborhood characteristics other than race. This disproportionately and negatively affects Black people, the complaint asserts, because neighborhoods of color have been historically undervalued due to deliberate racist housing policies, such as redlining.

Marin City is an unincorporated community located in Marin County, situated between the cities of Sausalito to the south and Mill Valley to the north. Properties located in Marin City have a Sausalito mailing address. According to the U.S. Census, as of July 2019, Marin County’s population was 85.3% white, 2.8% Black, 6.6% Asian, and 16.3% Latino. The County’s Black residents are overwhelmingly concentrated in two census tracts, one of which is in Marin City, and Black residents still accounted for approximately 35.95% of Marin City’s population as of 2019, while the City of Sausalito is 92.2% white, and Blacks comprise only 0.9% of Sausalito’s population.

Workforce housing was built in Marin City during World War II to house workers who came to the area from around the country to work in the shipyards as part of the war effort. Though the housing was integrated, after

the war, many white residents moved away. Black families were blocked from doing so because of discriminatory practices such as redlining and restrictive covenants.

“Home buyers generally cannot obtain a mortgage, and homeowners cannot refinance a mortgage, without getting an appraisal,” said Caroline Peattie. “Yet neighborhoods of color have been historically undervalued due to deliberate racist housing policies, such as redlining. This ongoing undervaluation of homes in Black neighborhoods is, in effect, present-day redlining, and continues to widen the wealth gap between Black and white families.”

The Austins succeeded in getting a loan based on the second appraisal in March 2020, but the damage was done – they were not able to refinance on the favorable terms that had been available a month earlier. “We missed out on a better interest rate because of the unfair appraisal we received. And to prove that our civil rights had been violated, we had to erase who we were, by having our white friend pose as the homeowner and hiding the things in our home that represent who we are,” said Tenisha Tate-Austin. “Even worse, these discriminatory practices have the effect of lowering property values in Marin City which harms us and harms our community.”

“I really hope that this lawsuit makes appraisers and lenders start to look more carefully at their practices and policies,” said Paul Austin. “And I really want people to know that there are organizations that can help support them if they have a discrimination complaint. We feel that litigating this case is not only important for us but for our community as well.”

The Austins and FHANC are represented by counsel Julia Howard-Gibbon of FHANC and Liza Cristol-Deman of Brancart & Brancart.

If you feel you may have been discriminated against in a recent home appraisal, contact FHANC’s office to complete an interview. Contact FHANC at [fhanc@fairhousingnorcal.org](mailto:fhanc@fairhousingnorcal.org) or 415-457-5025 x101.

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*Fair Housing Advocates of Northern California is a non-profit organization serving several Bay Area counties that provides free counseling, enforcement, mediation, and legal or administrative referrals to persons experiencing housing discrimination. Fair Housing Advocates of Northern California also offers foreclosure prevention counseling, pre-purchase education, seminars to help housing providers fully understand fair housing law, and education programs for tenants and the community at large. Fair Housing Advocates of Northern California is a HUD-Certified Housing Counseling Agency. Please call Fair Housing Advocates of Northern California at (415) 457-5025 or TDD: (800) 735-2922 for more information. Note: This material is based on work supported by the Department of Housing and Urban Development (HUD) under FHIP PEI Grant FPEI190035. Any opinion, findings, and conclusions or recommendations expressed in this material are those of the author(s) and do not necessarily reflect the views of HUD.*

**Summary: Access to Opportunity Issues**

The analysis of access to opportunities revealed disproportionate access in three different communities: Northern Coastal West, Black Point-Greenpoint, and Marin City. Northern Coastal West Marin is not well connected by transportation to the rest of the County, and perhaps due to a lack of connection, also has low jobs proximity and economic scores. , since the County's economic center is located in Central and Southern Marin. Northern Coastal West Marin also had low education outcomes. Shoreline School District (which serves Northern Coastal West Marin) had higher Educational Report than San Rafael School District but lower than Tamalpais Union School District. Specifically, students of color and White students in Shoreline Unified District had large gaps in their educational outcomes and all Shoreline students had the lowest College enrollment and college competition rates.

Marin City, which has already been identified as a RECAP and a community with a concentration of special needs population had mixed resources (moderate and high) but lower economic scores despite being close to the County's economic center. Marin City also ranked low in its Healthy Place Index and has seen issues of home loan discrimination that are attributed to past discriminatory practices such as redlining and undervaluation due to its concentration of Black/African American residents. Residents of Marin City also have limited access to protected open space.

Overall, Black Point-Green Point was classified as Moderate Resources and also had lower economic scores, lower jobs proximity scores, and lower education scores. However, the categorization of this community as Moderate Resource is almost exclusively derived from data points relating to the characteristics of the community, rather than its residents. Black Point-Green Point's lower jobs proximity score is likely due to the community's relative isolation in the north east corner of Marin and distance from the nearest jobs (the area's major retail corridors are located in the Vintage Oaks shopping Center, about 4-5 miles to the south east, and downtown Novato). Until the SMART train was fully implemented in 2017, the area was not served by transit and experienced a disconnect from the rest of the area. The nearest SMART train station (Novato San Marin) is located directly adjacent to the 101 freeway, and about 3 miles from the community. The 2016 Black Point-Green Point Community Plan notes the suggestion of a shuttle service linking the community to the station. The area is predominately residential and does not have any local serving commercial use, except for a small deli and storage facility. The nearest grocery store is in the Hamilton area of Novato, about 5-6 miles south. There is no school within the community's boundaries; children from the community must travel to other parts of Novato for school. Though these characteristics would often yield special needs or lack of resources, the area is not known regionally as such. The residents in Greenpoint – Black Point are predominantly rich, non-Hispanic white, and well-educated, and. it is likely that the TCAC methodology does not account for the unique characteristics of Black Point- Green Point

### **Disproportionate Needs**

The AFFH Rule Guidebook defines disproportionate housing needs as a condition in which there are significant disparities in the proportion of members of a protected class experiencing a category of housing needs when compared to the proportion of a member of any other relevant groups or the total population experiencing the category of housing need in the applicable geographic area (24 C.F.R. § 5.152). The analysis is completed by assessing cost burden, overcrowding, and substandard housing.

The Comprehensive Housing Affordability Strategy (CHAS) developed by the Census for HUD provides detailed information on housing needs by income level for different types of households in Marin County. Housing problems considered by CHAS include:

- Housing cost burden, including utilities, exceeding 30 percent of gross income;
- Severe housing cost burden, including utilities, exceeding 50 percent of gross income;
- Overcrowded conditions (housing units with more than one person per room); and
- Units with physical defects (lacking complete kitchen or bathroom)

According to CHAS data based on the 2013-2017 ACS, approximately 40 percent of Marin County households experience housing problems, compared to 35 percent of households in unincorporated Marin County. In both the County and unincorporated County, renters are more likely to be affected by housing problems than owners.

### **Cost Burden**

#### *Regional Trends*

As presented in Table D- 24, in Marin County, approximately 38 percent of households experience cost burdens. Renters experience cost burdens at higher rates than owners (48 percent compared to 32 percent), regardless of race. Among renters, American Indian and Pacific Islander households experience the highest rates of cost burdens (63 percent and 86 percent, respectively). Geographically, cost burdened renter households are concentrated in census tracts in North and Central Marin in Novato and San Rafael (Figure D- 37). In these tracts, between 60 and 80 percent of renter households experience cost burdens. Throughout the incorporated County census tracts, between 40 and 60 percent of renter households are experiencing cost burdens. Cost-burdened owner households are concentrated in West Marin in the census tract surrounding Bolinas Bay and in Southern Marin within Sausalito (Figure D- 38).

Table D- 24: Housing Problems and Cost Burden by Race/Ethnicity – Marin County							
	White	Black	Asian	Am. Ind.	Pac Isl.	Hispanic	All
With Housing Problem							
Owner-Occupied	31.8%	41.1%	30.7%	37.5%	0.0%	52.7%	32.9%
Renter-Occupied	47.9%	59.5%	51.2%	62.5%	85.7%	73.7%	53.2%
All Households	36.6%	54.5%	38.7%	43.8%	54.5%	67.5%	40.2%
With Cost Burden							
Owner-Occupied	31.2%	41.1%	29.0%	37.5%	0.0%	49.4%	32.2%
Renter-Occupied	45.1%	57.5%	41.5%	62.5%	85.7%	58.9%	47.7%
All Households	35.4%	53.1%	33.9%	43.8%	54.5%	56.1%	37.7%
Note: Used CHAS data based on 2013-2017 ACS despite more recent data being available because the ABAG Housing Data Needs Package presented CHAS data for the unincorporated County for this time frame Source: HUD CHAS Data (based on 2013-2017 ACS).							



Figure D- 37: Regional Cost Burdened Renter Households by Tract (2019)

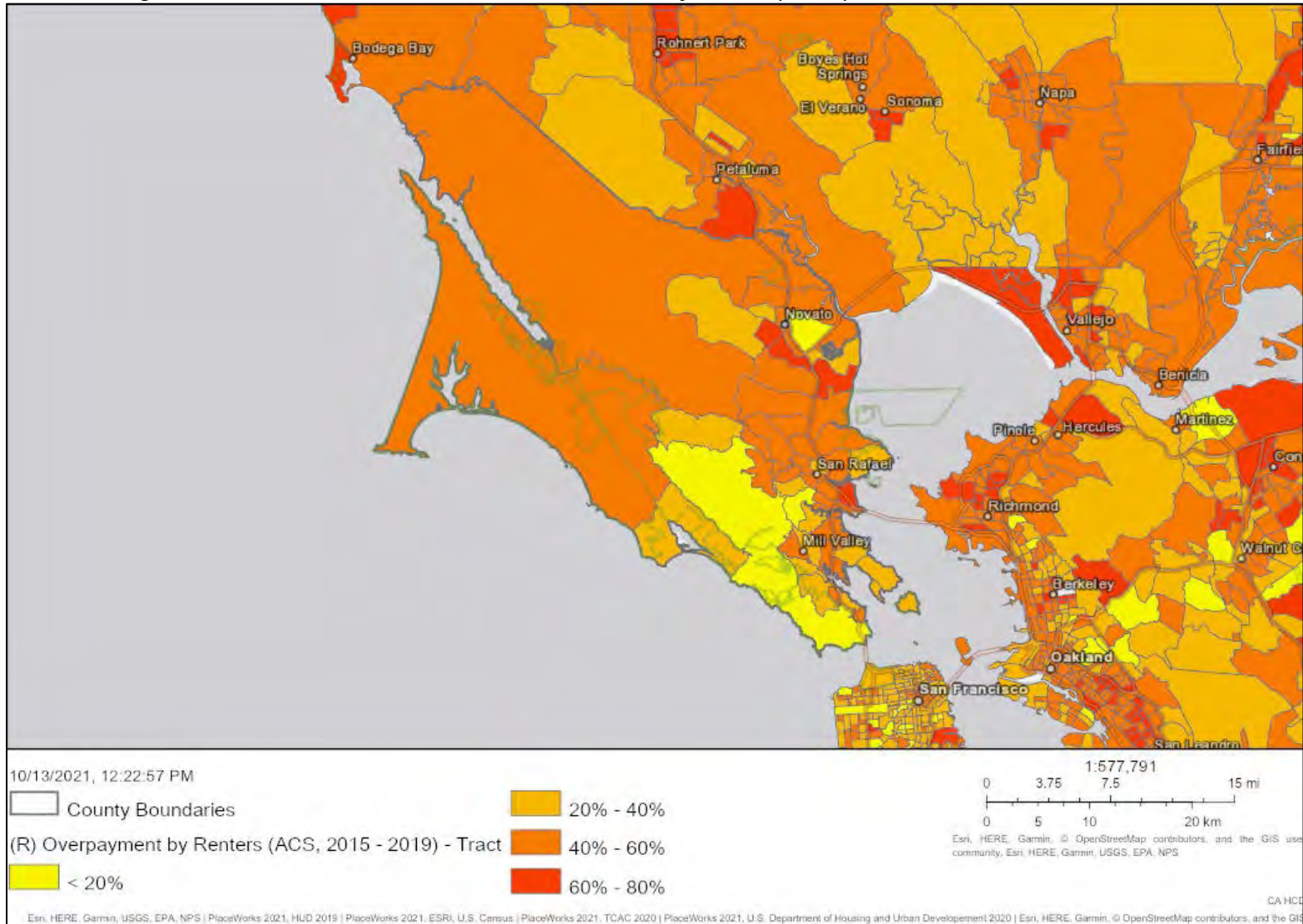
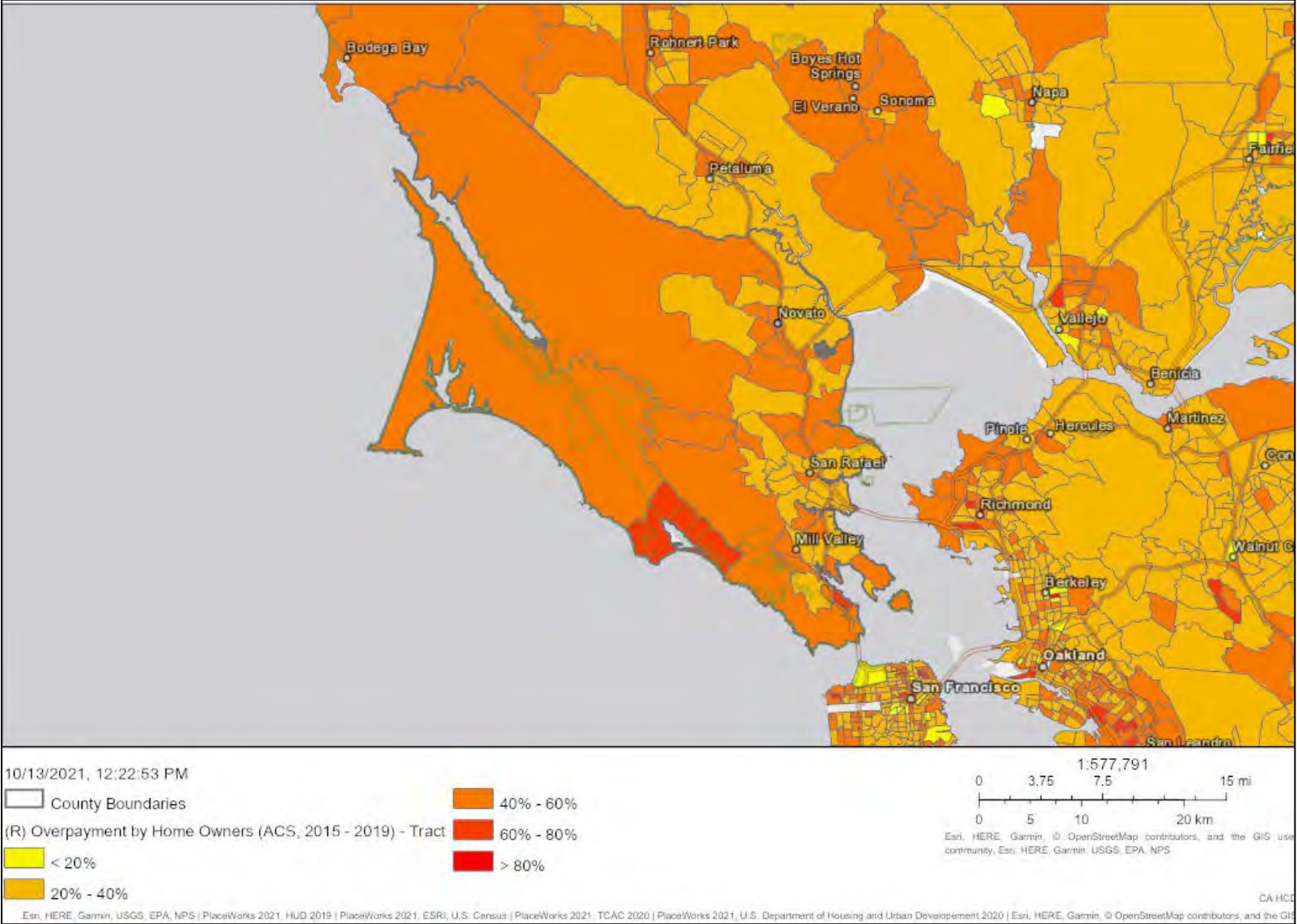


Figure D- 38: Regional Cost Burdened Owner Households by Tract (2019)



Housing problems and cost burdens can also affect special needs populations disproportionately. Table D- 25 shows that renter elderly and large households experience housing problems and cost burdens at higher rates than all renters, all households, and their owner counterparts.

	Owner-Occupied			Renter-Occupied			All HH
	Elderly	Large HH	All Owner	Elderly	Large HH	All Renters	
Any Housing Problem	34.0%	30.2%	32.9%	59.3%	74.0%	53.2%	34.0%
Cost Burden > 30%	33.6%	26.7%	32.2%	55.9%	50.0%	47.7%	33.6%

*Source: HUD CHAS, (2013-2017).*

*Local Trends*

Housing problem and cost burden rates are lower in the unincorporated County (35 percent and 34 percent, respectively, Table D- 26) than in the County overall (40 and 38 percent). However, trends of disproportionate housing problems and cost burdens for Black and Hispanic residents persist in the unincorporated County. About two-thirds of all Black and Hispanic households experience housing problems. Like in the County, owner households experience housing problems and cost burdens at lower rates than renter households in unincorporated areas... Also, owner housing problems and cost burden rates are similar for White, Black, and Asian owners, but higher for Hispanic households. This means that Hispanic households experience housing problems and cost burdens at the highest rates regardless of tenure.



Table D- 26: Housing Problems and Cost Burden by Race/Ethnicity – Unincorporated Marin County							
	White	Black	Asian	Am. Ind.	Pac Isl.	Hispanic	All
With Housing Problem							
Owner-Occupied	30.5%	32.1%	24.9%	N/A	N/A	52.3%	30.2%
Renter-Occupied	45.1%	67.9%	42.8%	N/A	N/A	69.5%	45.9%
All Households	34.4%	57.7%	31.5%	N/A	N/A	62.2%	35.0%
With Cost Burden							
Owner-Occupied	30.0%	27.4%	23.7%	N/A	N/A	52.3%	29.6%
Renter-Occupied	42.1%	67.9%	39.7%	N/A	N/A	57.6%	42.2%
All Households	33.2%	56.3%	29.7%	N/A	N/A	55.4%	33.5%
Note: Used CHAS data based on 2013-2017 ACS despite more recent data being available because the ABAG Housing Data Needs Package presented CHAS data for the unincorporated County for this time frame. Unincorporated County data was calculated by aggregating the values for all the CDPs in the unincorporated county communities as follows: Black Point-Green Point, Bolinas, Dillon, Inverness, Kentfield, Lagunitas-Forest Knolls, Lucas Valley-Marinwood, Marin City, Muir Beach, Nicasio, Point Reyes Station, San Geronimo Santa Venetia, Sleepy Hollow, California, Stinson Beach, Strawberry, Tamalpais-Homestead Valley, Tomales, and Woodacre Source: HUD CHAS Data (based on 2013-2017 ACS).							

As shown in Figure D- 37, the percentage of cost-burdened renter households varies across the unincorporated area. Southern Coastal West Marin, the Valley, Tam Valley, and Kentfield have the lowest concentration of cost-burdened renters. In these communities, fewer than 40 percent of renter households are cost burdened. Cost burdened renters are concentrated in Black Point-Green Point, Santa Venetia, and Marin City. In these tracts between 40 and 60 percent of owners are cost-burdened.

Smaller communities like Black Point-Green Point, Lucas Valley, Kentfield, and Tam Valley have lower shares of owner households experiencing cost-burdens (Figure D- 38). In these tracts, between 20 and 40 percent of owners pay more than 30 percent of their income in rent. The majority of the unincorporated County census tracts have between 40 to 60 percent of owner households experiencing cost-burdens except for Southern Coastal West Marin. Southern Coastal West Marin stands out as the tract with the highest concentration of cost-burdened owners. While the map in Figure D- 38 shows that between 60 and 60 percent of owner households are cost-burdened, the actual percentage of cost-burdened owners is 61 percent, making the rates similar to the rest of the unincorporated County tracts.

As in the County as a whole, owner special needs populations like the elderly and large households in the unincorporated communities do not experience housing problems or

cost burdens disproportionately compared to all owners and all households in the unincorporated county (Table D- 27). About one-third of these special needs owner households experience housing problems- similar to all owners (31 percent) and lower than all households (36 percent). By contrast, renter elderly households and large households experience housing problems at similar rates than renter households but higher rates than all households in the unincorporated County. Overall, renter elderly households and renter large households are the most affected by housing problems- but different types. Whereas the share of elderly renter households experiencing housing problems and cost burdens is similar (46 percent and 42percent, respectively), there is a large gap in the share of renter large households experiencing any housing problem (42 percent) and cost burdens (26 percent). This means that 19 percent of the large renter households experiencing housing problems live in units with physical defects (lacking complete kitchen or bathroom or are living in overcrowded conditions).

	Owner-Occupied			Renter-Occupied			All HH
	Elderly	Large HH	All Owners	Elderly	Large HH	All Renters	
Any Housing Problem	34.1%	26.9%	31.3%	45.8%	45.2%	47.6%	36.3%
Cost Burden > 30%	24.1%	30.6%	34.5%	42.1%	25.8%	43.4%	34.5%

Note: Used CHAS data based on 2013-2017 ACS despite more recent data being available because the ABAG Housing Data Needs Package presented CHAS data for the unincorporated County for this time frame. Unincorporated County data was calculated by aggregating the values for all the CDPs in the unincorporated county communities as follows: Black Point-Green Point, Bolinas, Dillon, Inverness, Kentfield, Lagunitas-Forest Knolls ,Lucas Valley-Marinwood, Marin City, Muir Beach, Nicasio, Point Reyes Station, San Geronimo Santa Venetia, Sleepy Hollow, California, Stinson Beach, Strawberry, Tamalpais-Homestead Valley, Tomales, and Woodacre  
*Source: HUD CHAS Data (based on 2013-2017 ACS).*

### Overcrowded Households

#### Regional Trends

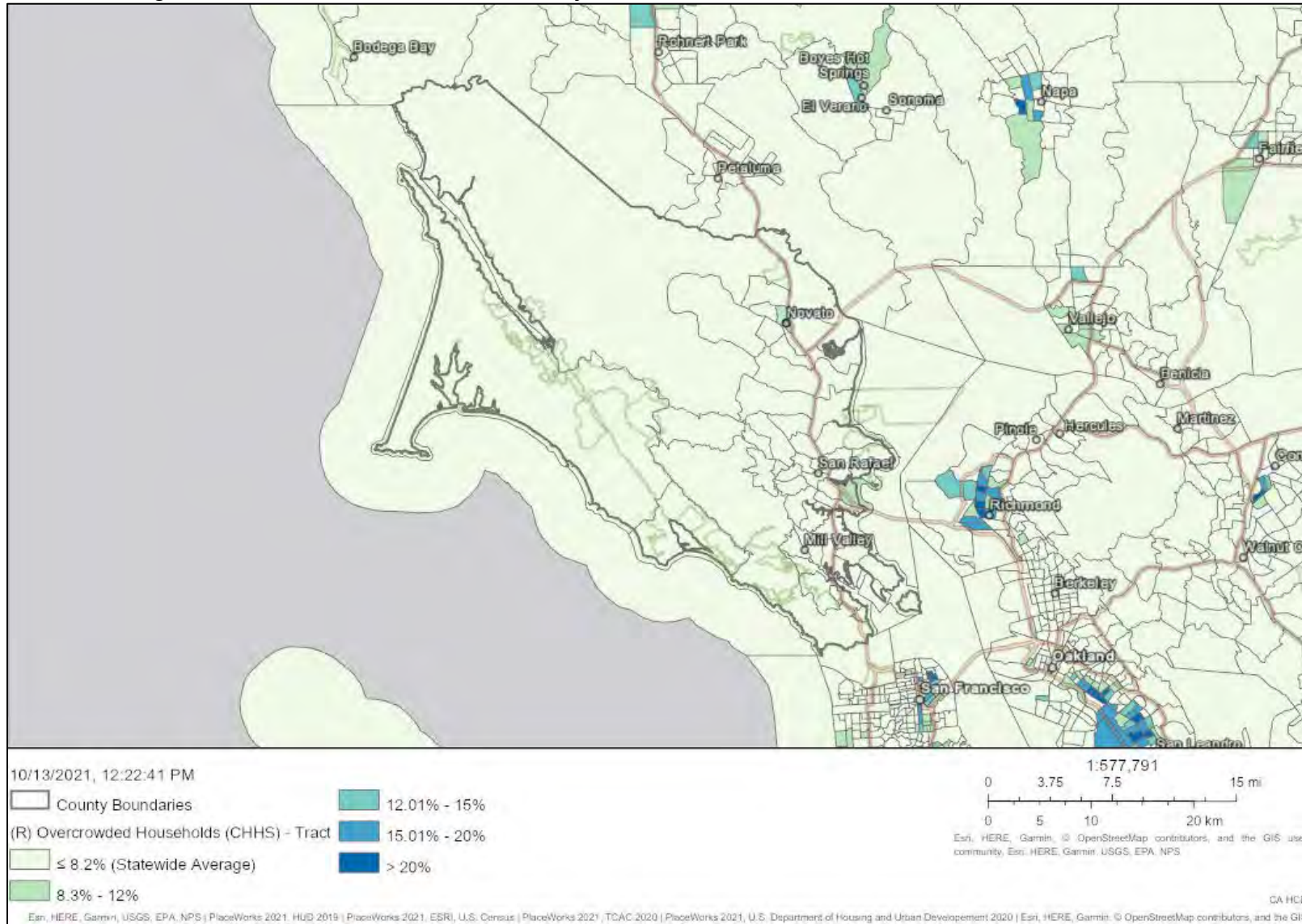
Overcrowding is defined as housing units with more than one person per room (including dining and living rooms but excluding bathrooms and kitchen). According to the 2017 five-year ACS estimates, about 6.5 percent of households in the Bay Area region are living in overcrowded conditions (Table D- 28). About 11 percent of renter households are living in overcrowded conditions in the region, compared to three percent of owner households. Overcrowding rates in Marin County are lower than the Bay Area (four percent and 6.5 percent, respectively) and like regional trends, in Marin County a higher proportion of renters experience overcrowded conditions compared to renters. Overcrowded households in the region are concentrated in Richmond, Oakland, and San Francisco (Figure D- 39). At the County level, overcrowded households are concentrated North and Central Marin, specifically in downtown Novato and the southeastern tracts of San Rafael (Canal).

While the ACS data shows that overcrowding is not a significant problem, it is likely that this data is an undercount, especially with families who may have undocumented members. It is also likely that agricultural worker housing is overcrowded and undercounted.

While the lack of affordable housing exists throughout the County, the challenges of housing permanent, agricultural workers is further complicated because housing is often provided on-site by employers/ranchers and ties the workers’ housing to their employment with the owner/rancher. Similar to other low-income populations in the County, the lack of affordable housing options may force many agricultural families to live in compromised conditions, including substandard housing units and overcrowded living situations.

Table D- 28: Overcrowded Households – Bay Area and Marin County		
	Bay Area	Marin County
Owner-Occupied	3.0%	0.8%
Renter Occupied	10.9%	9.4%
All HH	6.5%	3.9%
<i>Note: Overcrowding means more than one person per household.</i>		
<i>Source: American Community Survey, 2014-2017. Table B25014.</i>		

Figure D- 39: Regional Overcrowded Households by Tract



*Local Trends*

While Figure D- 39 shows that overcrowding rates are similar across all census tracts in the county, the map shows overcrowding rates for renters and owners combined. Within the unincorporated County, renter households are affected by overcrowding at significantly higher rates than owner households (Table D- 29). Marin City renter households experience high rates of overcrowding- about one in five renter households are reported to be living in overcrowded conditions. Renter households in the Valley have the second highest overcrowding rate in the unincorporated County. For owner households, Southern Coastal West Marin and Santa Venetia renter households experience overcrowding disproportionately compared to all other owner households in the unincorporated County.

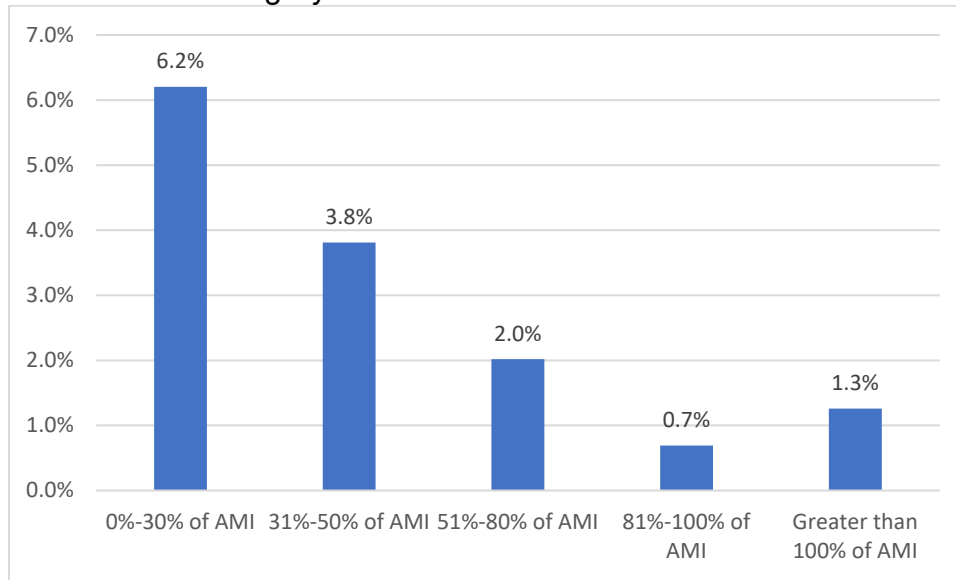
Community	Owner	Renter
Black Point-Green Point	1.8%	0.0%
Northern Costal West Marin	0.0%	0.0%
Central Coastal West Marin	0.0%	0.0%
The Valley	1.1%	9.0%
Southern Coastal West Marin	5.0%	1.4%
Marinwood/Lucas Valley	1.8%	0.0%
Santa Venetia/Los Ranchitos	4.4%	0.0%
Kentfield/Greenbrae	1.2%	1.8%
Strawberry	0.0%	3.3%
Tam Valley	0.2%	0.9%
Marin City	0.0%	12.0%
Unincorporated County	0.9%	13.4%

Source: U.S. Census American Community Survey, 2015-2019, Table B25014.

According to 2014-2019 ACS estimates, Hispanic/Latinx households are disproportionately affected by overcrowded conditions. About 15 percent of Hispanic/Latinx households are overcrowded, compared to four percent of Asian households and two percent of White non-Hispanic households.<sup>49</sup> Overcrowding also affects extremely low income households more than any other income group (Figure D- 40). In fact, overcrowding rates generally decrease as income level increases.

<sup>49</sup> Overcrowding estimates were zero percent for American Indian/Alaska Natives and Black/ African American, and nine percent for other race or multiple races. Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25014, from ABAG Data Package.

Figure D- 40: Overcrowding by Income Level



Notes: The Census Bureau defines an overcrowded unit as one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens). Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release. From the ABAG Data Package.

## Substandard Conditions

### Regional Trends

Incomplete plumbing or kitchen facilities can be used to measure substandard housing conditions. Incomplete facilities and housing age are estimated using the 2015-2019 ACS. In general, residential structures over 30 years of age require minor repairs and modernization improvements, while units over 50 years of age are likely to require major rehabilitation such as roofing, plumbing, and electrical system repairs.

According 2015-2019 ACS estimates, shown in Table D- 30,only about one percent of households in the Bay Area and Marin County lack complete kitchen and plumbing facilities. Incomplete kitchen facilities are more common in both the Bay area and Marin County and affect renter households more than owner households. In Marin County, one percent of households lack complete kitchen facilities and 0.4 percent lack complete plumbing facilities.<sup>50</sup> More than 2 percent of renters lack complete kitchen facilities compared to less than one percent of owner households lacking plumbing facilities.

<sup>50</sup> JADUs may not be visible from the street as a separate unit or require a separate address. Given that number of JADUs and the American Community Survey (ACS) data is based on a small sample, it is unlikely that JADUs would impact the data in any significant manner.



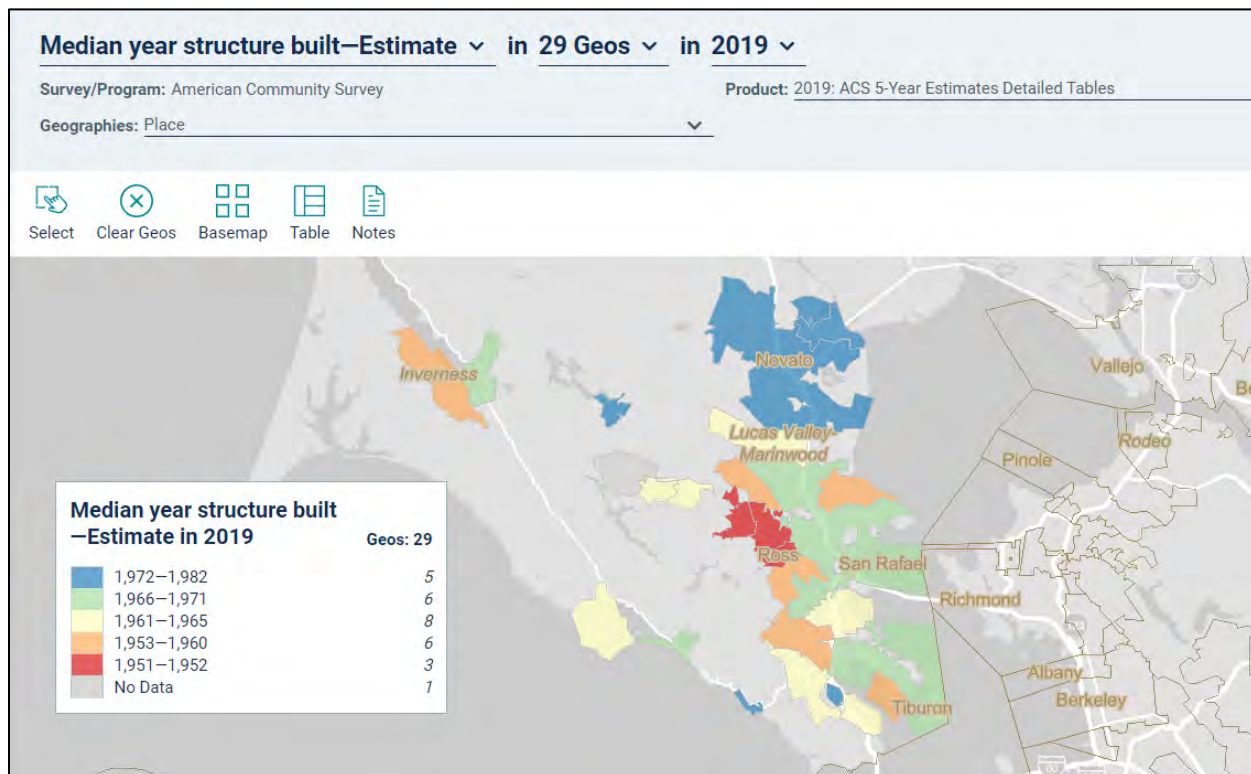
	Bay Area		Marin County	
	Lacking complete kitchen facilities	Lacking complete plumbing facilities	Lacking complete kitchen facilities	Lacking complete plumbing facilities
Owner	0.3%	0.2%	0.2%	0.3%
Renter	2.6%	1.1%	2.4%	0.6%
All Households	1.3%	0.6%	1.0%	0.4%

*Source: American Community Survey, 2015-2019 (5-Year Estimates).*

Like overcrowding, ACS data may not reflect the reality of substandard housing conditions in the County. Staff has heard code enforcement complaints on substandard conditions relating to lack of landlord upkeep/care like moldy carpets, delay in getting hot water back, especially from the Hispanic/Latin community.

Housing age can also be used as an indicator for substandard housing and rehabilitation needs. As stated above, structures over 30 years of age require minor repairs and modernization improvements, while units over 50 years of age are likely to require major rehabilitation. In the County, 86 percent of the housing stock was built prior to 1990, including 58 percent built prior to 1970. Figure D- 41 shows median housing age for Marin County cities and unincorporated communities Central and Southern Marin, specifically the cities of Ross, Fairfax, and San Anselmo, have the oldest housing while Novato, Black Point-Green Point, Nicasio, Muir Beach, and Marin City have the most recently built housing.

Figure D- 41: Median Housing Age by Marin County Cities and Unincorporated Communities



Source: 2015-2019 ACS (5-Year Estimates).

Local Trends

As in the County as a whole, unincorporated County communities are more likely to lack complete kitchen and plumbing facilities in renter households at higher rates than owner households (Table D- 31). Similar to the County as a whole, rates of substandard housing conditions are less than two percent regardless of tenure.

Building Amenity	Kitchen	Plumbing
Owner	0.2%	0.3%
Renter	1.4%	0.8%

Notes: Per HCD guidance, this data should be supplemented by local estimates of units needing to be rehabilitated or replaced based on recent windshield surveys, local building department data, knowledgeable builders/developers in the community, or nonprofit housing developers or organizations.  
 Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25053, Table B25043, Table B25049. From ABAG Data Package.

Estimating the number of substandard units in the County is difficult since code enforcement is complaint driven (for the County’s Code Enforcement agency) and inspection of multi-family units (3+) is voluntary through the Environmental Health Services (EHS). According to County Code Enforcement, most of the complaints related to substandard housing are from neighbors related to animal or insect infestation that’s

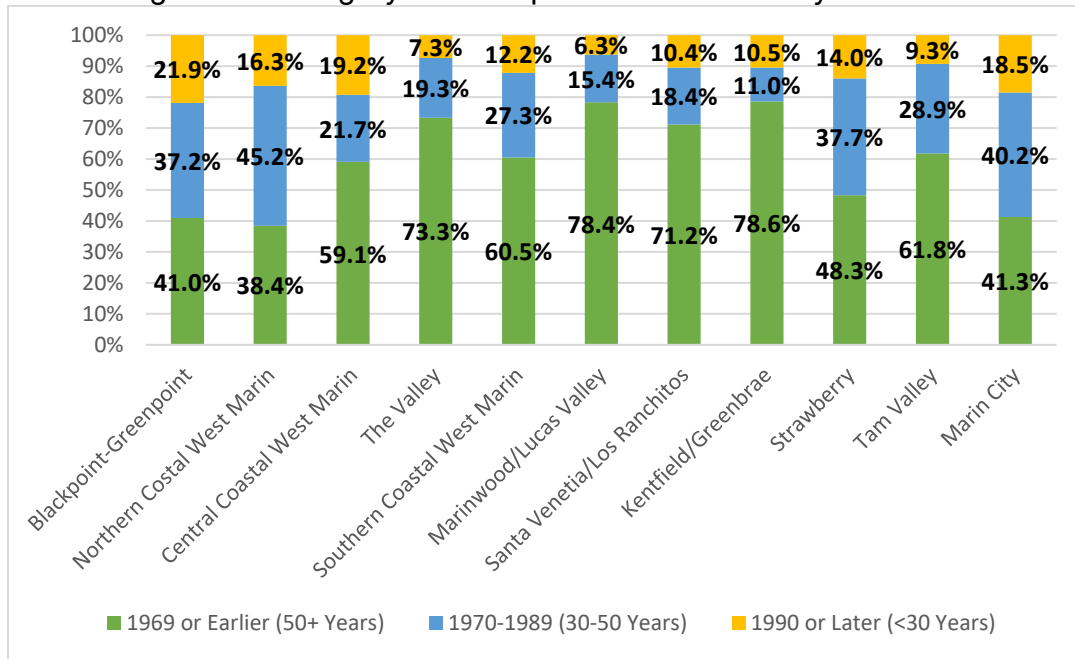


perceived to come from another unit or home. In most cases, these complaints are not substantiated. Therefore, the County does not have any standardized count of substandard units.

EHS inspects all buildings that are have three or more units every other year. However, this inspection is voluntary and requires tenant authorization. Of the units EHS inspects, only a “handful” were considered substandard. However, there are several 3+ unit buildings that seem very much substandard that EHS has not been authorized to inspect, especially in West Marin. Marin Housing Authority conducts inspections at a more regular basis as part of Housing Quality Standard inspections of units receiving housing choice vouchers. Fail rates between 2017 and 2021 ranged from 28 percent to 31 percent. However, data was not provided by community/area. Units fail if they don’t meet HUD’s Housing Quality Standards “HQS” for decent, safe and sanitary housing. Examples of reasons for failing include: Missing or inoperable smoke detectors; appliances not working; windows or doors not locking or operating as designed; electrical hazards; and unsafe conditions interior or exterior.

Within the unincorporated County, the Valley, Southern Coastal Western Marin, and Tam Valley have the largest proportion of housing build before 1990 (Figure D- 42). More than 90 percent of housing units in these communities are more than 30 years old. By contrast, Black Point-Green Point, Central Coastal West Marin, and Marin City have the largest percentage of housing stock build after 1990. About 20 percent of housing units in these communities is less than 30 years old.

Figure D- 42: Age of Housing by Unincorporated Community



**Homelessness<sup>51</sup>**

Categories of housing needs include not only such factors as cost burden, overcrowding, and substandard housing conditions but also homelessness.

*Protected Groups*

Homelessness in the County has a disparate impact on protected classes. According to the data collected during the 2019 Point in Time<sup>52</sup> count and the needs assessment conducted to inform the Marin County 2020-2024 Consolidated Plan, the populations being impacted disproportionately by homelessness include African American individuals, families, individuals with mental and physical disabilities, and older adults in the very low and low income range.

The 2019 PIT count found that Black or African American individuals were overrepresented in the homeless population (Table D- 32). While Black residents made up 5% of the general population in the County, they made up 17% of the homeless population in 2019. Black or African American individuals were also overrepresented in homeless subpopulations- they represented about 22% of homeless individuals in families and 15% of the older (over 60 years old) homeless population.

Table D- 32: General County Population vs County Homeless Population by Race /Ethnicity (2019)

Race/Ethnicity	General Population	Homeless Population
White	71.2%	66.0%
Black/African American	2.1%	17.0%
Multi-Race/Other	4.7%	11.0%
American Indian/Alaska Native	0.2%	3.0%
Asian	5.9%	2.0%
Latinx/Hispanic	16.0%	19.0%
Sources: 2019 Marin County Homeless County and Survey Comprehensive Report ; 2015-2019 American Community Survey		

National data from 2018 suggest that 33% of all people experiencing homelessness are persons in families.<sup>53</sup> In Marin County, 15 percent of persons experiencing homelessness in the 2019 PIT count were persons in families. The 2019 PIT count also reported that nationally, the majority of families experiencing homelessness are households headed by single women and families with children under the age of six. The 2019 report did not

<sup>51</sup> Analysis of disparate impacts on protected classes only available at County level (not unincorporated county level) because the 2019 Marin County Homeless County and Survey Comprehensive Report provides population characteristics for the entire County population surveyed.

<sup>52</sup> While the PIT Count is normally conducted every two years, the 2021 count was delayed to 2022 due to the COVID-19 pandemic. Only preliminary results of Marin County's 2022 PIT Count have been released as of November 2022 and do not include survey results or characteristics of the homeless population. The 2019 PIT results are used for this analysis,

<sup>53</sup> U.S. Department of Housing and Urban Development. (2018). The 2018 Annual Assessment Report (AHAR) to Congress. Retrieved 2019 from <https://www.hudexchange.info/resources/documents/2018-AHAR-Part-1.pdf> as cited by the 2019 Marin County Homeless County and Survey Comprehensive Report.

provide data on the family type for families experiencing homelessness. However, given that single female-headed households with children have the highest rates of poverty in the County(15.4 percent, Table D- 33) and poverty is a risk factor for homelessness, single female-headed households with children may be disproportionately impacted by homelessness in the County.

Family/Household Type	Total	# in Poverty <sup>1</sup>	% in Poverty
All Families	66,052	2,477	3.8%
All Families with children	29,767	1,568	5.3%
Single- Female Headed	8,102	1,000	12.3%
Single- Female Headed with children	4,825	744	15.4%

Note: 1. Income in the past 12 months below federal poverty level  
 Source: 2015-2019 American Community Survey, Table B17012

Persons with disabilities are also disproportionately affected by homelessness in the County as health conditions affect the housing stability or employment. In 2019, 38% of respondents reported having a disabling condition that prevented them from working or maintaining stable housing. Two-thirds (66%) of respondents reported experiencing at least one health condition, with 42% reporting a psychiatric or emotional condition, 35% reporting Post-Traumatic Stress Disorder, and 29% reporting chronic health problems. About 25% of respondents also reported having a physical disability. Thus, it is important to consider accessibility to the location of homeless services.

Older adults have the compounding factors of having lower incomes and disabilities that put them at higher risk of homelessness. The number of older adults experiencing homelessness has risen in accordance with the overall growth of the older adult population in the County. While homeless older adults have not been identified as a specific subpopulation of interest by the federal government, Marin County recognized the growing trend and initiated an effort to gather additional information on the population in the 2019 PIT. Older adults and those under age 60 identified similar causes of homelessness. For both populations, economic issues such as job loss and eviction was the primary reason for homelessness. Fifty-eight percent (58%) of older adults cited economic issues, 30% cited personal relationship issues, and 16% reported mental health issues as the primary cause of their homelessness.

A key divergence between persons under 60 and over 60 experiencing homelessness is in the length of homelessness. Older adults were almost twice as likely to be likely to be homeless for 11 years or more than those under age 60, (29% and 15%, respectively). Eighty-six percent (86%) of older adults reported being homeless for one year or more compared to 77% of those under age 60.

*Access to Services*

According to the 2019 PIT Count, North Marin and Central Marin had the highest share of the population experiencing homelessness (Table D- 34). In 2019, about 30% and 36% of the homeless population resided in North and Central Marin. Among the

unincorporated County areas, West Marin had the highest concentration of homeless population, with 13.5% of the County's total homeless population. West Marin also had the highest percentage change between 2017 and 2019. In 2017, only 8.9% of the County's homeless population resided in West Marin while in 2019, 13.5% of the County's homeless population was counted in West Marin. This represented a 41 percent increase in the homeless population in West Marin from 99 to 140 persons. The share of homeless population in North and Central Marin actually decreased between 2017 and 2019. The data indicates the need to continue to provide services in North and Central Marin and the growing need in West Marin.

	2017		2019		Percentage Change
	#	%	#	%	
North Marin	350	31.3%	310	30.0%	-1.4%
Novato	350	31.3%	310	30.0%	-1.4%
Central Marin	389	34.8%	371	35.9%	1.1%
San Anselmo	2	0.2%	20	1.9%	1.8%
San Rafael	318	28.5%	255	24.7%	-3.8%
Corte Madera	26	2.3%	39	3.8%	1.4%
Fairfax	13	1.2%	5	0.5%	-0.7%
Larkspur	2	0.2%	28	2.7%	2.5%
Mill Valley	11	1.0%	8	0.8%	-0.2%
Unincorporated Central Marin	17	1.5%	16	1.5%	0.0%
South Marin	136	12.2%	144	13.9%	1.8%
Sausalito	36	3.2%	25	2.4%	-0.8%
Richardson Bay Anchor Outs	86	7.7%	103	10.0%	2.3%
Belvedere	0	0.0%	0	0.0%	0.0%
Unincorporated South Marin	14	1.3%	16	1.5%	0.3%
West Marin	99	8.9%	140	13.5%	4.7%
Unincorporated West Marin	99	8.9%	140	13.5%	4.7%
Other	143	12.8%	69	6.7%	-6.1%
Domestic Violence Shelter	89	8.0%	69	6.7%	-1.3%
Rotating Shelter	54	4.8%	0	0.0%	-4.8%
<b>Unincorporated Total</b>	<b>85</b>	<b>7.6%</b>	<b>172</b>	<b>16.6%</b>	<b>9.0%</b>
<b>County Total</b>	<b>1117</b>	<b>100%</b>	<b>1,034</b>	<b>1,034</b>	<b>--</b>

Source: 2019 Marin County Homeless County and Survey Comprehensive Report

When asked what services they would most like to access in the 2019 PIT County, 42% of respondents requested housing placement assistance, followed by free meals (38%), bus passes (38%), and emergency shelter (34%).

In addition, there are numerous community-based services and programs made available to individuals experiencing homelessness. These services range from day shelters and meal programs to job training and healthcare. Figure D- 43Figure D- 31: shows the

location of homeless services that appear through a Google search in Marin County. Most service locations appear to be along major transportation corridors, such as Highway 101. Figure D- 43 in the Transportation section above shows that transit routes mirror the location of homeless services. On July 1, 2020 Marin Transit introduced an expanded Low-Income Fare Assistance (LIFA) program. Eligible riders can receive \$20 of credit per month to use for trips on local Paratransit, Pt. Reyes Dial-A-Ride, Dillon Beach Dial-A-Ride, and the base fare for Catch-A-Ride. Eligible riders can opt-in to receive a free pass to use on Marin Transit local bus service.

Community Action Marin, a non-profit social service agency, also has Community Alternative Response (CARE) homeless outreach teams, through which vital support and assistance to unhoused people throughout Marin County is provided. CARE teams are often the first point of contact for people experiencing homelessness. CARE teams find people in need of service and help them in simple ways like wellness checks, bringing people food, socks or sleeping bags, or transportation to a detox center, homeless shelter or hospital, until they are receptive to accessing services.

The mobile CARE (Community Alternative Response Engagement) Teams can be contacted across Marin County by the geography they cover:

CARE I – All Marin County: 415.847.1266

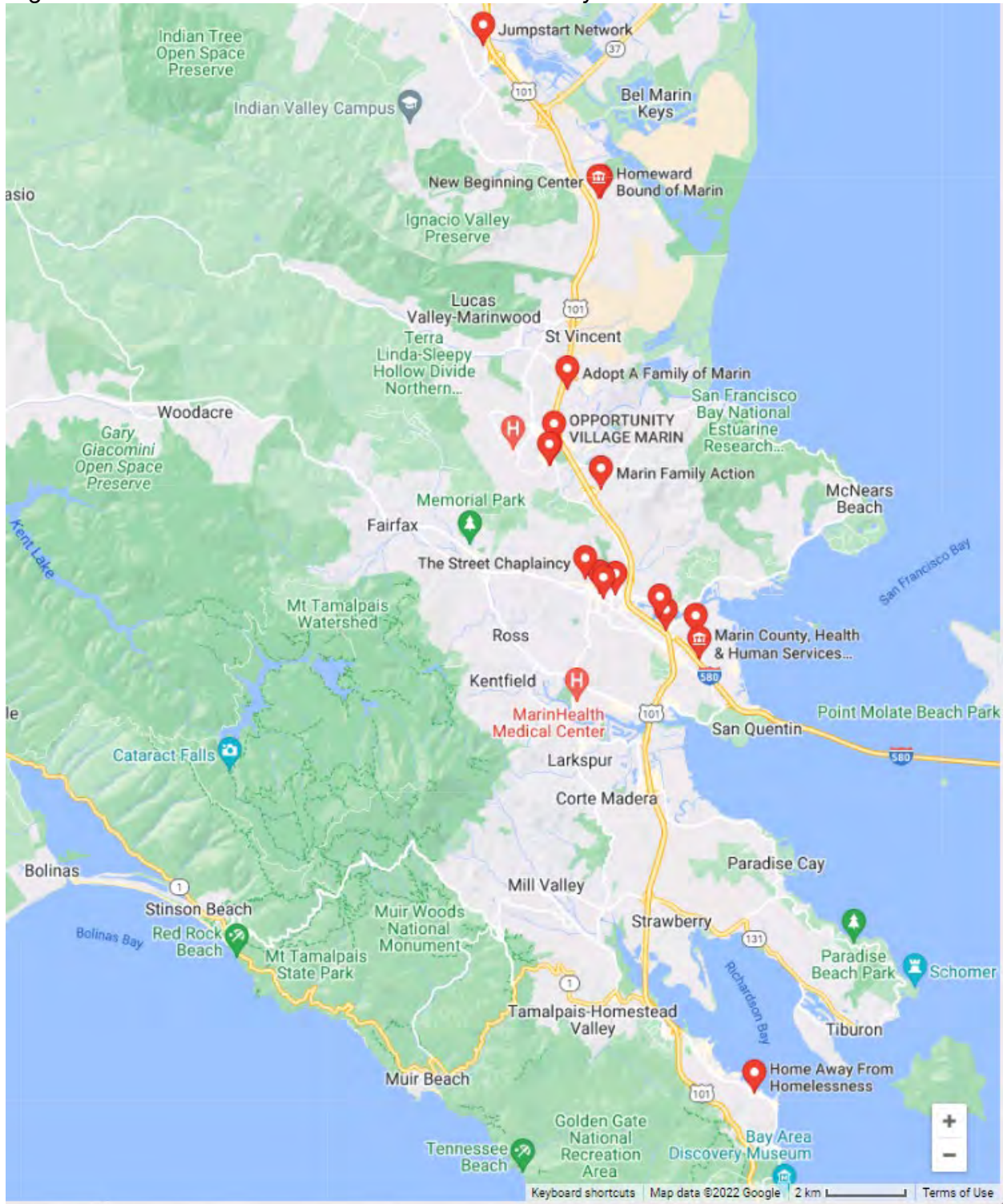
CARE II – Downtown San Rafael: 415.847.6798

CARE III – Novato: 415.302.0753

CARE IV – All Marin County: 415.599.5200



Figure D- 43: Homeless Services in Marin County

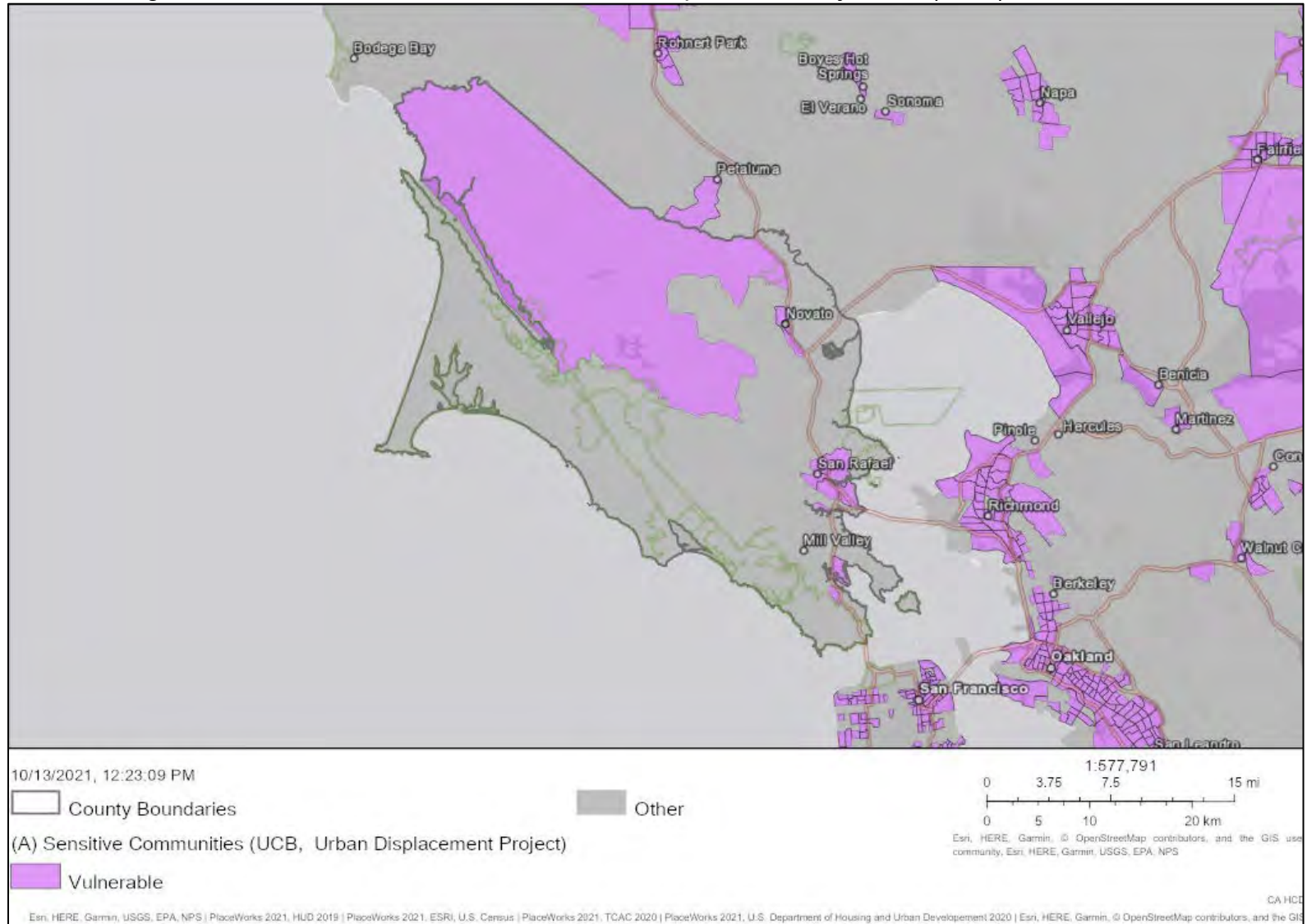


## **Displacement Risk**

### *Regional Trends*

UC Berkley's Urban Displacement project defines residential displacement as "the process by which a household is forced to move from its residence - or is prevented from moving into a neighborhood that was previously accessible to them because of conditions beyond their control." As part of this project, the research has identified populations vulnerable to displacement (named "sensitive communities") in the event of increased redevelopment and increased housing costs. They defined vulnerability based on the share of low income residents per tract and other criteria including: share of renters is above 40 percent, share of people of color is more than 50 percent, share of low income households severely rent burdened, and proximity to displacement pressures. Displacement pressures were defined based on median rent increases and rent gaps. Using this methodology, sensitive communities in the Bay Area region were identified in the coastal census tracts of Contra Costa, Alameda, and San Francisco County, specifically in the cities of Vallejo, Richmond, Berkeley, Oakland, and San Francisco (Figure D- 44). In Marin County, sensitive communities were identified in the cities of Novato and San Rafael, and the unincorporated areas of Marin City, Strawberry, Northern and Central Coastal West Marin and Nicasio in the Valley.

Figure D- 44: Regional Sensitive Communities At Risk of Displacement by Tract (2021)





### *Local Trends*

As stated above, the sensitive communities identified in the unincorporated county are located in Marin City, Strawberry, Northern and Central Coastal West Marin and Nicasio in the Valley. These communities have also been identified in earlier sections as having disproportionate housing needs, especially Marin City.

Marin City has a confluence of factors that make its residents susceptible to displacement. In addition, the displacement pressures appear to be disproportionately affecting African American residents. As discussed in earlier sections, Marin City has a high concentration of African American residents though this share has been decreasing since the 1980s. In Marin City, permanent low-income housing is allowing many residents to stay in Marin and in an area where African Americans feel comfortable living. While many residents wish to stay in their community, many African American residents are leaving Marin City due to lack of affordable housing in Marin City or in Marin in general. In 1980, 75 percent of Marin City residents were African American compared to 23 percent in 2019. Marin City is one of the most affordable areas with a large concentration of multifamily housing and more affordable housing stock (condos and townhomes) for the workforce in both Marin County and San Francisco's commuting workforce. UC Berkley's Urban Displacement Project has published a case study on gentrification and displacement pressures in Marin City.<sup>54</sup> According to the study, "concern in this community is future displacement due to potential increases in population, interest in redevelopment and the continued pressures of being surrounded by affluent neighbors in one of the most exclusive counties in the country."

On a broader scale, West Marin is also feeling the effects of the growing divide between wealth and poverty in the Bay Area. Increasing home prices, increased short-term rentals and second home-owners are forcing people to move further from their areas of employment. Undocumented immigrants who work in agriculture and are often isolated by living conditions, language and culture are severely affected by the lack of low-income housing which put workers in vulnerable positions. "With housing so difficult to find, many residents don't complain about substandard conditions or report them to authorities, for fear of finding themselves with no housing at all." These workers who are the foundation of the economy both in agriculture and the service sectors cannot afford to live near their jobs and are forced to have long commutes as the tourist industry continues to grow.

### **Short-Term Rentals**

Online platforms for rental of private homes as commercial visitor accommodations have become a popular amenity for travelers and property owners. The services have also created a multitude of challenges for communities everywhere, most notably around neighborhood disruption, service needs, and housing supply and affordability.

Community discussions connected with the Housing Element effort have indicated that STR uses may be affecting the supply and affordability of housing, particularly in West Marin communities which have become increasingly attractive to homebuyers and where

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<sup>54</sup> [https://www.urbandisplacement.org/wp-content/uploads/2021/08/marin\\_city\\_final.pdf](https://www.urbandisplacement.org/wp-content/uploads/2021/08/marin_city_final.pdf)

there are relatively small numbers of homes. Overall, it appears that in the context of labor shortages, increased costs, and demand, STRs are increasingly impacting the health and safety of local communities, especially in the West Marin Area. Table D- 35 shows the concentration of STRs in West Marin. About 70 percent of the County’s STR properties (476) are located in West Main. Within West Marin, Dillon Beach, Muir Beach, Stinson Beach, and Marshall have the highest concentration of STRs. More than 20 percent of these communities’ housing stock are registered as STRs.

Table D- 35: Short Term Rental Distribution on West Marin

	# of STR properties <sup>1</sup>	# of residential properties with at least 1 living unit <sup>2</sup>	Proportion of STRs
Bolinas	39	625	6.2%
Dillon Beach	97	394	24.6%
Inverness	65	892	7.3%
Lagunitas-Forest Knolls	8	592	1.4%
Muir Beach	14	40	35.0%
Nicasio	9	239	3.8%
Point Reyes Station	41	397	10.3%
San Geronimo	5	224	2.2%
Stinson Beach	148	703	21.1%
Tomales	13	139	9.4%
Woodacre	6	577	1.0%
Marshall	27	106	25.5%
Olema	4	32	12.5%
Total West Marin/ Measure W Area	476	4,960	9.6%
Marin County	677	82,043	0.8%

<sup>1</sup> Marin County Department of Finance Business License, [www.marincounty.org/bl](http://www.marincounty.org/bl), Retrieved 01/24/22.

<sup>2</sup> 2021 Marin County Assessor-Recorder Secured Roll Data File

Housing shortages and prices are affected by the use of homes as STRs instead of residences. Of the approximately 5,250 residentially developed parcels in West Marin, 551 are currently registered with a valid Business License and Transient Occupancy Tax Certificates, the two required licenses currently needed to legally operate an STR. In some cases existing housing is converted to STR use, and in other cases newly constructed units or ADUs are used as STRs rather than adding to the County’s housing supply. A

significant proportion of the housing in some communities has been converted to commercial use in the form of STRs; for example, 20 percent of all housing units in Marshall and 22 percent in Stinson Beach are registered as STRs.

In addition, only 2,251 of the approximately 5,250 developed lots in the West Marin area receive the Primary Home Tax Exemption, indicating that 2,999 properties may not be in use as full-time homes. While all are not currently operating as STRs, the flexibility and the income generated by STRs, where nightly rates can range up to over \$1,000/night, in comparison to that earned with a long term rental is likely an incentive for property owners to seek STR use serving visitors rather than traditional rental housing for a community of residents. This condition has led to growing concerns in West Marin communities about impacts of STRs on the availability of housing for workforce, families, and community members.

On August 7, 2018, the Marin County Board of Supervisors adopted the County’s first STR ordinance (Ordinance No. 3695) with a limited, two-year term. The ordinance requires neighbor notification of STRs, 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). Additionally, the Ordinance requires STR operators register for a Business License and TOT Certificate, providing accountability and payment of taxes and fees commensurate with the commercial use.

On May 2022, the County Board of Supervisors adopted an urgency ordinance establishing a moratorium on new short-term rental registration in the West Marin Area, also known as the Measure W or West Marin Transient Occupancy Tax (TOT) Area, to maintain stability in housing supply while County staff evaluates policies and contemplated zoning proposals to improve the availability of middle- and lower-income housing in the West Marin Area, while maintaining existing coastal access.

### **Santa Venetia’s Housing Needs**

Santa Venetia’s racial composition has changed significantly in the past decade, notably that of the Hispanic/Latin community. In 2010, about 24.0 percent of the community identified as Hispanic/Latin, as opposed to 5.7 percent in 2019. The County has been engaging with the Santa Venetia community through a committed County-led initiative called “Community Conversations”. These meetings have been occurring monthly or bi-monthly since Fall 2021 and are led in Spanish with English interpretation. Through this initiative, the County has learned about the needs of this community, and the specific housing needs of the Hispanic/Latin community. These meetings are hosted by the Venetia Valley K-8 school, whose students are 86.4 percent Hispanic/Latin (2021-22 California Department of Education). The following topics were brought up by the community and representatives were invited to speak directly to community members and answer questions:

- Need for more affordable housing – participants ask about location of available affordable units in the County and are actively looking to apply to remain housed.
- Specific interest in Section 8 housing – representative from MHA came to talk about it to address questions/interest from the community from previous meetings. Interested in learning if any vouchers are available and how to apply and access.
- Habitability – representative from County’s Environmental Health Services EHS) Multi-Family Inspection Program came to discuss how to report habitability issues. Explained tenants’ rights when experiencing this issue. Questions that were addressed include: how to request inspection; how/when to involve landlord; fears around retaliation (confirmation that landlord will not be notified without tenant permission)
- Rental Assistance – first meeting was held in Fall 2021 and impacts of COVID were still being acutely experienced by the community. Per suggestion from Venetia Valley school staff, the County asked representatives from the County’s Rental Assistance program to set up a table and answer questions/search applications.
- Tenant Legal Assistance – representative from Legal Aid of Marin came to discuss tenants’ rights and landlord responsibilities

Based on this engagement process that County has included actions in its Housing Plan to address the needs of Santa Venetia residents.

### **Summary: Disproportionate Needs**

Disproportionate needs in unincorporated County communities were more apparent by income level, tenure, and race. As a result, some areas with concentrations of these populations also had disproportionate housing needs. Black and Hispanic renters tended to have the highest rates of cost burdens compared to other races and owners. While more than 50 percent of all Black and Hispanic households experience cost burdens, cost burden rates for Black or Hispanic renters are even higher (about 60 percent). Geographically, tracts in Northern Coastal west Marin, Black Point-Green Point, and Marin City had the highest rates of cost burdened renters.

Overcrowding and substandard conditions rates were low overall in unincorporated communities but renters in Marin City and the Valley had disproportionately high rates of overcrowding compared to other communities. Of note is that both Marin City and the Valley have significant shares of renter households, 73 percent and 24 percent, respectively. In addition, lower income households were more likely to live in overcrowded conditions.

Not only are residents in Northern Coastal West Marin and Marin City experiencing housing problems at higher rates than other communities in the region, these communities have also been identified as being at risk of displacement. This indicates a need to increase the availability of affordable housing within these communities as well as outside to facilitate the mobility of residents out of these areas and to protect existing residents from displacement when place-based strategies and investments improve the

conditions of the area. Some actions to ameliorate displacement risk include Measure W and the identification of RHNA sites of mixed-income in these areas.

### E. Site Inventory

HCD requires the City’s sites inventory used to meet the RHNA affirmatively furthers fair housing. This includes ensuring RHNA units, especially lower income units, are not disproportionately concentrated in areas with populations such as racial/ethnic minority groups, persons with disabilities, R/ECAPs, cost burdened renters, etc. For the purposes of analyzing the City’s RHNA strategy through the lens of Affirmatively Furthering Fair Housing, the sites inventory is shown at the tract level by Community (Table D- 36).

Table D- 36: Unincorporated County CDPs by Community	
Community Name	CDPs Included
<b>North Marin</b>	
Black Point-Greenpoint	Black Point – Green Point
Marinwood/ Lucas Valley	Lucas Valley-Marinwood
<b>West Marin</b>	
Northern Costal West Marin	Dillon Beach, Tomales
Central Coastal West Marin	Point Reyes Station, Inverness
The Valley	Nicasio, San Geronimo Valley, Woodacre, Lagunitas, Forest Knolls
Southern Coastal West Marin	Stinson Beach, Bolinas, Muir Beach
<b>Central Marin</b>	
Santa Venetia/ Los Ranchitos	Santa Venetia
Kentfield/Greenbrae	Kentfield
<b>Southern Marin</b>	
Strawberry	Strawberry
Tam Valley	Tamalpais-Homestead Valley
Marin City	Marin City

Table D- 37: Marin County RHNA Distribution by Unincorporated Community and Census Tract											
Tract by Community	Tract Total HH	Total RHNA	Lower	Mod	AM	TCAC Score	% Non-White	% LMI Pop	% Ovcrd HH	% CB Renter	% CB Owner
<b>North Marin</b>											
<i>Black Point-Green Point</i>	<i>1,186</i>	<i>111</i>	<i>0</i>	<i>0</i>	<i>111</i>		<i>30.7</i>	<i>52.6</i>	<i>5.9</i>	<i>20.0</i>	<i>35.0</i>
01200	1,186	111	0	0	111	Moderate	30.7	52.6	5.9	20.0	35.0
<i>Marinwood/Lucas Valley</i>	<i>2,426</i>	<i>273</i>	<i>253</i>	<i>20</i>	<i>0</i>		<i>25.9</i>	<i>20.0</i>	<i>5.4</i>	<i>49.0</i>	<i>39.0</i>
07000	2,426	273	253	20	0	Highest	25.9	20.0	5.4	49.0	39.0
<b>Other- North Marin</b>	<b>2,386</b>	<b>396</b>	<b>109</b>	<b>38</b>	<b>249</b>		<b>30.6</b>	<b>52.9</b>	<b>3.2</b>	<b>27.7</b>	<b>39.7</b>
33000*	1,200	249	0	0	249	Low	30.3	53.3	5.9	43.0	49.0
01200*	1,186	147	109	38	0						
<i>Total North Marin</i>		<i>780</i>	<i>362</i>	<i>58</i>	<i>360</i>		<i>28.3</i>	<i>36.4</i>	<i>4.7</i>	<i>37.1</i>	<i>38.6</i>
<b>West Marin</b>											
<b>Northern Coastal West Marin</b>	<b>1,200</b>	<b>60</b>	<b>0</b>	<b>13</b>	<b>47</b>		<b>18.5</b>	<b>53.3</b>	<b>5.9</b>	<b>43.0</b>	<b>49.0</b>
33000	1,200	60	0	13	47	Low	18.5	53.3	5.9	43.0	49.0
<b>Central Coastal West Marin</b>	<b>1,200</b>	<b>156</b>	<b>149</b>	<b>3</b>	<b>4</b>		<b>18.7</b>	<b>52.4</b>	<b>2.0</b>	<b>46.0</b>	<b>48.0</b>
33000	1,200	156	149	3	4	Low	25.4	53.3	2.3	43.0	49.0
<b>Southern Coastal West Marin</b>	<b>913</b>	<b>26</b>	<b>13</b>	<b>0</b>	<b>13</b>		<b>17.2</b>	<b>49.4</b>	<b>5.9</b>	<b>38.0</b>	<b>61.0</b>
32100	913	26	13	0	13	High	17.2	49.4	5.9	38.0	61.0
<b>The Valley</b>	<b>2,685</b>	<b>97</b>	<b>48</b>	<b>35</b>	<b>14</b>		<b>15.6</b>	<b>49.5</b>	<b>3.4</b>	<b>39.7</b>	<b>49.0</b>
13000	1,485	81	32	35	14	Highest	15.2	48.7	2.8	39.0	49.0
33000	1,200	16	16	0	0	Low	17.7	53.3	5.9	43.0	49.0
<b>Other-West Marin</b>	<b>2,074</b>	<b>114</b>	<b>64</b>	<b>45</b>	<b>5</b>		<b>31.4</b>	<b>52.5</b>	<b>3.8</b>	<b>45.7</b>	<b>48.1</b>
32200	874	56	20	31	5	Moderate	46.8	51.6	1.3	49.0	47.0

33000	1,200	58	44	14	0	Low	18.5	53.3	5.9	43.0	49.0
<i>Total West Marin</i>		453	274	96	83		20.3	51.7	3.8	43.2	50.0
<b>Central Marin</b>											
<b>Kentfield/Greenbrae</b>	<b>3,076</b>	<b>225</b>	<b>130</b>	<b>92</b>	<b>3</b>		<b>13.5</b>	<b>26.1</b>	<b>2.2</b>	<b>21.6</b>	<b>33.0</b>
19100	1,874	222	130	92	0	Highest	13.5	25.1	2.0	20.0	33.0
19201	1,202	3	0	0	3	High	15.4	48.3	5.9	56.0	32.0
<b>Santa Venetia/Los Ranchitos</b>	<b>4,373</b>	<b>861</b>	<b>561</b>	<b>13</b>	<b>287</b>		<b>35.2</b>	<b>55.5</b>	<b>2.4</b>	<b>40.0</b>	<b>49.3</b>
06001	2,138	680	440	0	240	Moderate	34.0	48.9	1.5	40.0	48.0
06002	2,235	181	121	13	47	Moderate	35.8	59.1	3.0	40.0	50.0
<b>Other-Central Marin</b>	<b>12,622</b>	<b>539</b>	<b>247</b>	<b>119</b>	<b>173</b>		<b>42.2</b>	<b>40.5</b>	<b>3.9</b>	<b>53.2</b>	<b>35.9</b>
07000	2,426	26	0	0	26	Highest	13.7	20.0	5.9	49.0	39.0
09002	1,735	67	13	0	54	Highest	14.7	34.2	3.3	46.0	40.0
12100	1,881	119	26	0	93	Moderate	63.6	48.5	5.5	57.0	33.0
14200	1,440	36	36	0	0	High	18.8	37.3	1.0	48.0	43.0
15000	2,668	61	57	4	0	Highest	13.7	25.2	0.7	50.0	40.0
21200	2,472	230	115	115	0	High	34.9	34.3	0.4	56.0	27.0
<i>Total Central Marin</i>		1,625	938	224	463		30.3	40.0	2.9	38.4	38.9
<b>Southern Marin</b>											
<b>Marin City</b>	<b>4,092</b>	<b>286</b>	<b>94</b>	<b>117</b>	<b>75</b>		<b>49.6</b>	<b>38.1</b>	<b>3.4</b>	<b>43.0</b>	<b>41.5</b>
28100	2,863	145	20	50	75	Highest	20.5	20.1	2.4	30.0	36.0
29000	1,229	141	74	67	0	Moderate	78.7	56.2	4.3	56.0	47.0
<b>Strawberry</b>	<b>4,162</b>	<b>354</b>	<b>100</b>	<b>8</b>	<b>246</b>		<b>29.5</b>	<b>32.8</b>	<b>3.5</b>	<b>52.8</b>	<b>40.5</b>
24100	2,287	59	0	8	51	Highest	23.5	21.2	3.4	34.0	38.0
25000	1,875	295	100	0	195	Highest	30.8	35.3	3.5	57.0	41.0
<b>Tam Valley</b>	<b>7,276</b>	<b>130</b>	<b>72</b>	<b>12</b>	<b>46</b>		<b>16.3</b>	<b>26.0</b>	<b>0.3</b>	<b>29.8</b>	<b>46.0</b>
28100	2,863	12	0	12	0	Highest	20.5	20.1	0.4	30.0	36.0
28200	1,918	82	72	0	10	Highest	17.4	25.0	0.5	31.0	42.0
30202	2,495	36	0	0	36	Highest	9.9	33.7	0.0	27.0	64.0
<b>Other-Southern Marin</b>	<b>2,345</b>	<b>32</b>	<b>0</b>	<b>0</b>	<b>32</b>		<b>22.8</b>	<b>21.2</b>	<b>0.6</b>	<b>34.8</b>	<b>40.3</b>

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24100	2,287	32	0	0	32	Highest	23.5	21.2	0.8	34.0	38.0
<i>Total Southern Marin</i>		802	266	137	399		31.1	31.1	2.5	43.9	41.6
<b>Grand Total</b>		3,660	1,840	515	1,305		26.8	42.3	3.3	40.7	43.0

	Low	Moderate	AM	Total
<b>North Marin</b>	<b>19.7%</b>	<b>11.3%</b>	<b>27.6%</b>	<b>21.3%</b>
Black Point-Green Point	0.0%	0.0%	8.5%	3.0%
Marinwood-Lucas Valley	13.8%	3.9%	0.0%	7.5%
Other	5.9%	7.4%	19.1%	10.8%
<b>West Marin</b>	<b>14.9%</b>	<b>18.6%</b>	<b>6.4%</b>	<b>12.4%</b>
Northern Coastal West Marin	8.1%	0.6%	0.3%	4.3%
Central Coastal West Marin	0.0%	2.5%	3.6%	1.6%
Southern Coastal West Marin	0.7%	0.0%	1.0%	0.7%
The Valley	2.6%	6.8%	1.1%	2.7%
Other	3.5%	8.7%	0.4%	3.1%
<b>Central Marin</b>	<b>51.0%</b>	<b>43.5%</b>	<b>35.5%</b>	<b>44.4%</b>
Kentfield/Greenbrae	7.1%	17.9%	0.2%	6.1%
Santa Venetia/Los Ranchitos	30.5%	2.5%	22.0%	23.5%
Other	13.4%	23.1%	13.3%	14.7%
<b>Southern Marin</b>	<b>14.5%</b>	<b>26.6%</b>	<b>30.6%</b>	<b>21.9%</b>
Marin City	5.1%	22.7%	5.7%	7.8%
Strawberry	5.4%	1.6%	18.9%	9.7%
Tam Valley	3.9%	2.3%	3.5%	3.6%
Other	0.0%	0.0%	2.5%	0.9%
<b>Grand Total</b>	<b>1,840</b>	<b>515</b>	<b>1,305</b>	<b>3,660</b>



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### North Marin

North Marin is made up of the unincorporated communities of Black Point-Green Point and Lucas Valley-Marinwood. As shown in Table D- 37, 780 total RHNA units (21 percent) are distributed in the North Marin communities of Black Point-Green Point, Lucas Valley-Marinwood, and other areas in North Marin not associated with either CDP. The County has allocated 111 above-moderate income units in Black Point-Green Point. Black Point-Green Point is made up of moderate resource tracts with an average minority population of 31 percent and LMI population of 53 percent.

The adjacent community of Lucas Valley-Marinwood is considered Highest Resource and has nonwhite population of 26 percent and LMI population of 20 percent. The County has allocated 273 lower and moderate income units in Lucas Valley. This unit distribution is intended to improve the availability of affordable housing in a high resource area. Cost burdens in Lucas Valley-Marinwood is highest between the two North Marin communities (49 percent for renters and 39 percent for owners). Lower income housing can also improve cost burdens in the area by increasing the availability of lower income housing for renters.

### West Marin

West Marin covers the coastal areas of the County as well as the Valley in the middle of the County. Northern Coastal West Marin is a low resource area, also considered an LMI area, with high shares of cost burdens for renters (43 percent) and owners (49 percent). The County has allocated 60 RHNA moderate and above-moderate income units in this community. Lower income units were not allocated here to avoid placing housing in an area that has low infrastructure and connectivity of the County's economic center and services.

Central Coastal West Marin has a tract with moderate resources (for the CDPs along the coast) and low resources (for the CDPs in the Valley). Both tracts in Central Coastal West Marin have similar shares of LMI population and cost burdens for both renters and owners. The County has allocated 156 RHNA units of all income levels in this community- 149 lower income, three moderate income, and four above moderate. All 149 lower income units are located in Point Reyes Station- within a low resource tract. However, many of the sites in Point Reyes are vacant and public sites and are more likely to develop affordable housing than in surrounding underutilized sites.

Southern Coastal West Marin is considered a high resource tract. This tract has less than 1,000 units and the County has allocated 26 mixed income RHNA units in this area. Units are both in Stinson Beach and Bolinas, but the 13 lower income units in the area are located in Bolinas as part of Credit projects. These units increase the availability of affordable units in an area with high resources.

The Valley is located inland in the County, and has tracts with a mixture of resources- Highest in the Lagunitas, Woodacre, San Geronimo area and low in isolated Nicasio. Despite their differences in resources, the tract's population characteristics are similar for nonminority concentration, LMI population, and owner cost burdens. However, overcrowding and renter cost burden is higher in tract 33000. The County has allocated

a total of 97 RHNA units in The Valley, with the majority (81) in the tract with the highest resources. Of the 48 combined lower income units in both of the tracts, 32 are in the tract with highest resources. This should increase the availability of low income housing in high resource areas in the Valley community.

Overall, 453 RHNA units (12 percent) were distributed in West Marin, which has one of the lowest population densities in the County but the largest land area. The County took care to distribute units in a way to both increase housing availability of all incomes as well as allocating lower income units in areas with high resources and/or with access to infrastructure. About 60 percent of the units in sites in West Marin are lower income (274), and most (109) are in Central Coastal West Marin.

### **Central Marin**

Central Marin is one of the most densely populated areas in the County, but the majority of the land area is made up of incorporated cities. Kentfield/Greenbrae and Santa Venetia/Los Ranchitos are the only unincorporated communities in the area. However, these two communities are located at opposite ends of Central Marin and have differing levels of resources. Kentfield/Greenbrae is made up of high/highest resource tracts while Santa Venetia/Los Ranchitos has lower resources. There are also large areas of unincorporated land not belonging to either community where the County has allocated 539 RHNA units. Of the 1,625 total RHNA units in Central Marin, 225 are located in Kentfield/Greenbrae. About half of the units in Kentfield/Greenbrae (130) are on sites suitable for lower income households- thus providing affordable housing in an area with high resources. In Santa Venetia/Los Ranchitos, where resources are moderate, most of the units (561 of 861) are lower income units. Most of these units are designated for the St Vincent's site and have a high probability of being developed as lower income housing due to incentives for lower income housing development on religious sites.

The remaining 539 RHNA units in Central Marin are spread out in areas not within Kentfield/Greenbrae or Santa Venetia/Los Ranchitos. These areas range in resources from Highest to Moderate. However, the majority of these units are located in the northern end of the County (near Fairfax, California Park, Lucas Valley, and Sleepy Hollow). Most of the sites designated for lower income units (221 of 247) located in "other" areas of Central Marin are in High and Highest resource tracts.

### **Southern Marin**

Southern Marin is made up of a mixture of unincorporated communities- Marin City, Strawberry, Tam Valley, as well as -incorporated cities:- Mill Valley, Sausalito, Tiburon, and Belvedere. Southern Marin, while predominantly High and Highest resource, also has Marin City, which has been identified as being a racially and ethnically segregated area of Poverty (RECAP), has a higher share of single-female headed households with children and persons with disabilities than other unincorporated communities, has disproportionate access to opportunities and disproportionate needs, and is a historically Black/African American community that has been impacted by discriminatory policies, redlining, and even was even the subject of discriminatory home lending headlines in 2021.

About 22 percent of the unincorporated County’s RHNA (802 units) is located in Southern Marin- 266 lower income, 137 moderate income, and 399 above moderate income. Of these 802 units, 286 are located in Marin City. In an effort to avoid the concentration of lower income units in an area already with a concentration of LMI population, yet with a need for affordable housing units (about 30 to 56 percent of renters are cost burdened), the County allocated 94 lower income units in Marin City, while the rest are Moderate and Above Moderate income. Most of these lower income units (74) are located in the tract with the highest percentage of cost burdened renters. The existing residents are also vulnerable to displacement so the County has included considerations for more robust tenant protections in its 6<sup>th</sup> Cycle Housing Element Programs.

In Strawberry, where resources are “highest”, the County has allocated 354 RHNA units, split across all income levels . Despite both tracts being considered highest resource, one tract (25000) has a considerably higher concentration of LMI population, and cost burdened renters and owners (57 percent and 41 percent, respectively). All lower income units in Strawberry are within the tract with the highest concentration of cost burdened households. This strategy helps increase the availability of affordable housing in an area with disproportionate needs but highest resources.

The County allocated 130 RHNA units in Tam Valley, split between lower, moderate and above moderate income. This community has one of the highest concentration of cost burdened owners in Southern Marin and all of Marin County in Tract 30202 (64 percent). Above Moderate units in this tract can help improve conditions for owner households by increasing the supply of housing.

though Figure D- 55: and Table D- 39 through Table D- 49 under section F. RHNA Unit Distribution by Fair Housing Characteristics show the distribution of RHNA units relative to a variety of characteristics that impact fair housing choice.

## F. Identification and Prioritization of Contributing Factors

Table D- 38 below shows a Summary Issues and Identification and Prioritization of Contributing Factors based on the analysis presented above. Meaningful actions to address these issues are described in detail in the Housing Element’s Program Section.

Table D- 38: Summary Issues and Identification and Prioritization of Contributing Factors			
Issue/Justification	Contributing Factor	Priority	Program
<p><b>Fair Housing Outreach and Education</b></p> <p>Disability status is the most common basis for discrimination complaints. Testing on the basis of disability in the County revealed that persons with disabilities most to have received less favorable treatment or more likely to be denied reasonable accommodations. Most importantly, testing revealed higher rates of discrimination on the basis of disability in properties with less than 11 units, indicating a need for increased fair housing education with “mom and pop” landowners.</p> <p>Source of Income Protection has been protected since 2017 in the County and has become protected under California Law since 2020. Testing in Marin County has also revealed discriminatory treatment for all HCV holders, but higher rates for Latinx and Black HCV holders. Of note is the finding that landlords made exceptions of HCV holders for White residents in areas of high opportunity. This indicates a higher need for outreach education on Source of Income and Race in areas with high resources. Information about all protected classes as well as source of income protection needs to be disseminated to both landlords and residents.</p> <p>Because discrimination in the private market is higher for landlords with buildings with a lower number of units, the County is placing high priority on education to landlords- particularly landlords of smaller buildings (townhomes, condos, ADUs).</p> <p>Because testing is complaint-based, the County is placing moderate priority to extending education to residents. Residents need to know the fair housing resources available and their fair housing rights. For this</p>	Higher discrimination in private small landlord market		
	Lack of property owner/landlord education.		
	Lack of property owner/landlord education.	High	30
	Testing is complaint-based and discrimination based on disability is more apparent. Reporting based on disability may be an overrepresentation of the discrimination activity occurring. Residents need to know their fair housing rights.	Moderate	30,32

<p>reason the County is prioritizing outreach and education, both to residents and realtors.</p>			
<p><b>Integration and Segregation</b></p> <p>Most communities in unincorporated Marin are predominantly white. Marin City has the highest concentration of Black/African American and Hispanic/Latinx residents compared to other unincorporated communities. In addition, Marin City was identified as R/ECAP, indicating a concentration of minority population and poverty. Marin City also has the highest concentration of persons with disabilities and single-female headed households with children compared to other unincorporated communities. This indicates a concentration of special needs populations within Marin City. Not only are there areas of concentrated special needs populations and poverty, but affluent and white populations also appear to be concentrated and segregated from these populations. Regional trends show that white residents and above moderate-income residents are significantly more segregated from other racial and income groups. This trend is also seen in unincorporated Marin County where Above Moderate-income residents are the most isolated income group while very-low income communities have become more isolated. As a result, very-low income communities and above moderate communities remain moderately segregated (compared to slightly lower segregation indices between lower income residents and non-lower income residents).</p> <p>The County is placing a high priority on housing mobility strategies to facilitate the movement of persons from areas with high concentration of special needs populations (especially Marin City) to other high resource areas and on facilitating affordable housing production. Actions include considering concessions/incentives for universal design, facilitating ADU construction, an SB9 mapping tool, efficient use of multi-family land, by-right approval in reuse sites for lower income units and streamlining approval, and addressing infrastructure constraints to residential development. On the other hand, the County has signed a voluntary agreement with HUD to not invest in any more affordable housing in Marin City to avoid the overconcentration of low income housing.</p>	<p>Concentration of low income housing (associated with special needs populations and minority population) in the Marin City attributed to historical settlements, discriminatory practices, and land use policies.</p>	<p>High</p>	<p>10, 12, 27, 29</p>
	<p>Lack of opportunities for residents to obtain housing in areas of higher opportunities .</p>	<p>High</p>	<p>2,4, 5, 6, 14, 24</p>

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<p>The County is placing a high priority on Place-Based strategies to improve the condition of Marin City. This includes objective design standards for off-site improvements to streamline timelines and improve certainty across all unincorporated communities as well as increasing investment in Marin City neighborhood improvement.</p>			
<p><b>Access to Opportunities</b></p> <p>The analysis of access to opportunities revealed disproportionate access in three different communities: Northern Coastal West, Black Point-Greenpoint, and Marin City. Northern Coastal West Marin is not well connected by transportation to the rest of the County, and perhaps due to a lack of connection, also has low jobs proximity and economic scores. The County’s economic center is located in Central and Southern Marin. Northern Coastal West Marin also had low educational outcomes.</p> <p>Marin City, which has already been identified as a RECAP and a community with a concentration of special needs population, was classified as being predominantly moderate resource. Marin City’s lower TCAC composite score (compared to its neighboring areas) is due to its lower economic score. Since the TCAC score is a combination of poverty, adult education, employment, job proximity, and median home value, but Marin City is close to the County’s employment centers, the resources most necessary in the area are related to improving the human capital- poverty, education, employment, as well as neighborhood improvements to increase home values. Home values are also directly linked to past discriminatory practices that did not allow Black residents to move to other areas and remain in Marin City. As early as 2021, Marin City also has seen complaints of home loan discrimination. Residents of Marin City also have limited access to protected open space.</p> <p>Black Point- Green Point in North Marin also had moderate TCAC resource scores accompanied by lower education scores and lower jobs proximity and lower economic scores. However, this area is not known regionally to lack resources or have special needs. The population in the area is White, affluent, and well educated.</p>	<p>Development patterns and land use policies isolating West Marin, especially Northern Coastal West Marin, from areas of high opportunity</p>	<p>Low</p>	
	<p>Lack of opportunities for residents to obtain housing in higher opportunity areas</p>	<p>High</p>	<p>1, 4, 5, 24</p>
	<p>Low opportunities and resources in Marin City due to lack of human capital and home values</p>	<p>High</p>	<p>10,12,27, 29</p>

<p>West Marin has historically been rural with a focus on agriculture, open space preservation, and park lands. Northern Coastal West Marin is not well connected to the rest of the County where there are more job opportunities and higher overall resources. Further impacting the area is the Coastal Act, which preserves access to the coast and promotes visitor serving uses over uses for local residents. Since overall population density is low in these areas and residential development in these areas are limited by the Coastal Act, the County is placing low priority in addressing the land use patterns in West Marin (MCCDC) and improve neighborhood through community planning. The first community plan for the 6<sup>th</sup> Planning Cycle for Marin City has already secured funding through ABAG.</p>			
<p><b>Disproportionate Needs</b></p> <p>Disproportionate needs in unincorporated County communities were more apparent by income level, tenure, and race. As a result, some areas with concentrations of these populations also had disproportionate housing needs. Black and Hispanic renters tended to have the highest rates of cost burdens compared to other races and owners. While more than 50 percent of all Black and Hispanic households experiences cost burdens, cost burden rates increased to 60 percent for Black or Hispanic renters. Geographically, tracts in Northern Coastal West Marin, Black Point-Green Point, and Marin City had the highest rates of cost burdened renters.</p> <p>Overcrowding and substandard conditions rates were low overall in unincorporated communities but renters in Marin City and the San Geronimo Valley had disproportionately high rates of overcrowding compared to other communities. Of note is that both Marin City and the San Geronimo Valley have the significant shares of renter households, 73 percent and 24 percent, respectively. In addition, lower income households were more likely to live in overcrowded conditions.</p> <p>Not only are residents in Northern Coastal West Marin and Marin City experiencing housing problems at higher rates than other communities, these communities have also been identified as being at risk of displacement. This indicates a need to increase the availability of affordable housing within these communities as well as outside to facilitate the mobility of residents out of these areas and to Protecting</p>	<p>Lack of affordable housing due to due to constraints to residential development</p>	<p>High</p>	<p>7, 14, 10, 17</p>
	<p>Lack of affordable housing due to short-term rentals</p>	<p>Moderate</p>	<p>18, 19</p>
	<p>Lack of housing condition inspection and monitoring in the majority of the unincorporated County's housing stock (single family housing)</p>	<p>Moderate</p>	<p>20</p>
	<p>Lack of renter protections, especially in communities with high displacement risk (Marin City and Northern Coastal West Marin)</p>	<p>High</p>	<p>31</p>

<p>existing residents from displacement when place-based strategies and investments improve the conditions of the area.</p> <p>Many issues affect housing needs- constraints to production, lack of incentives for production, and short-term rentals affect the availability and cost of housing. Meanwhile, a lack of monitoring for housing condition may lead to substandard conditions, particularly for renters. Marin County is addressing most of these issues but higher priority is being given to incentivizing new housing production.</p> <p>Because cost burden is related to housing availability, the County is placing a high priority on incentivizing and facilitating affordable housing production throughout the unincorporated communities. Part of the strategy includes reducing the concentration of affordable housing in Marin City and facilitating it in areas with higher resources.</p> <p>Because short-term rentals reduce housing availability which can increase the demand for housing and inflate housing prices, especially in West Marin and its coastal communities, exploring options for limiting short-term rentals is considered a moderate priority. Higher priority is being given to incentivizing new housing production.</p> <p>The majority of the incorporated County housing stock is single units dwellings. Inspections for substandard conditions are currently only done in buildings with 3 or more units. Because renters are experiencing housing problems – substandard conditions- in single unit dwellings, the County is placing moderate priority on expanding the inspection program to single-unit dwellings/homeowners. .</p> <p>The combined forces of increased housing cost as well as the production of unaffordable housing is creating displacement risk for Marin City and Northern Coastal West Marin. The County is placing a high priority on exploring tenant protection options such as rent stabilization, just cause for eviction, relocation assistance, tenant commissions, right to purchase, and right to return.</p>			
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# G. RHNA Unit Distribution by Fair Housing Characteristics

## 1. Integration and Segregation

Figure D- 45: RHNA Unit Distribution by % Non-White Population in Tract

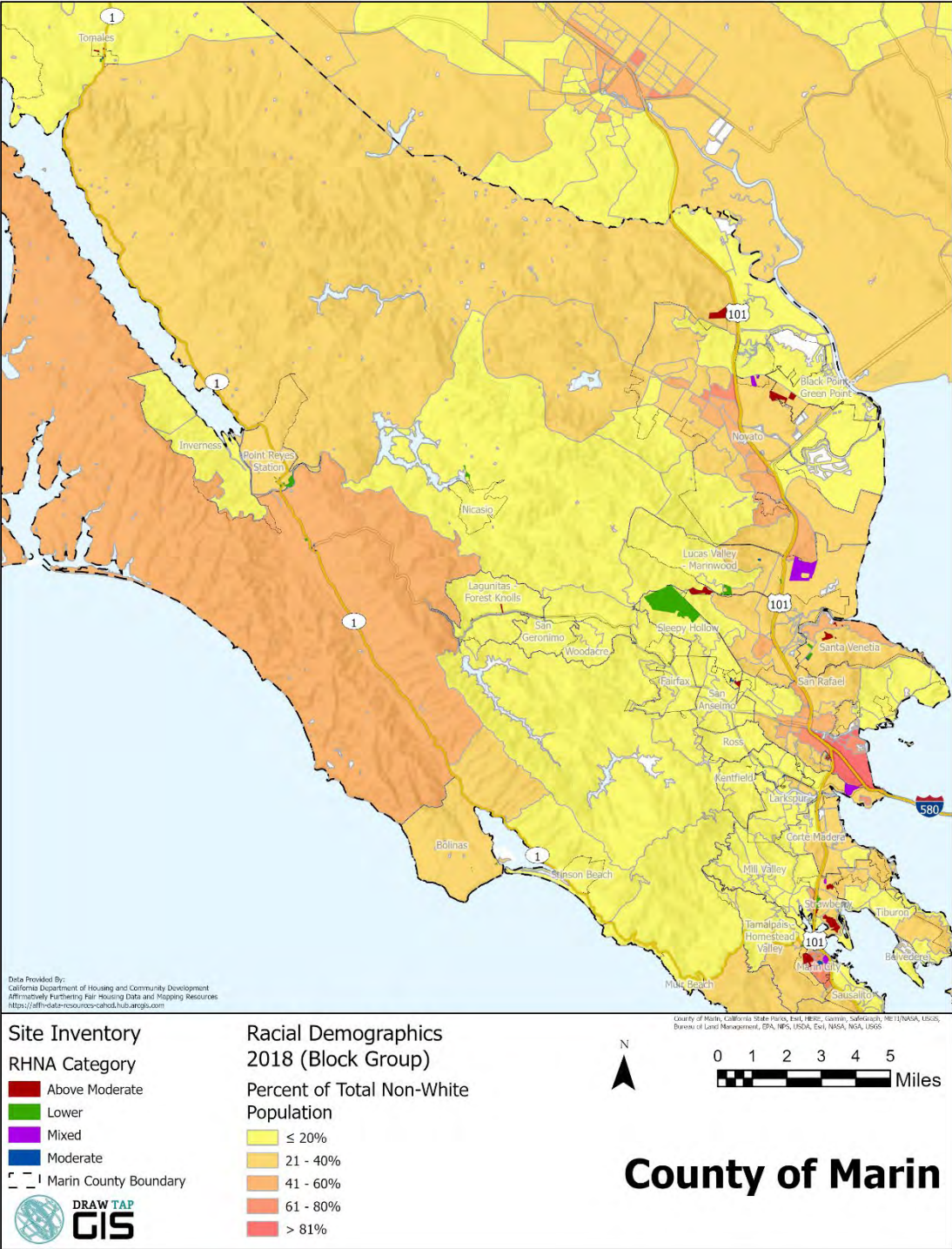


Table D- 39: RHNA Unit Distribution by % Non-White Population in Tract

	Lower	Moderate	Above Moderate	Total RHNA Units
<20 %	26.0%	42.7%	21.3%	26.7%
21 - 40%	67.6%	38.3%	69.1%	64.0%
41 - 60%	1.1%	6.0%	3.1%	2.5%
61 - 80%	5.4%	13.0%	6.5%	6.9%
> 81%	0.0%	0.0%	0.0%	0.0%
Total Units	1,840	515	1,305	3,660

Figure D- 46: RHNA Unit Distribution by % Population with a Disability in Tract

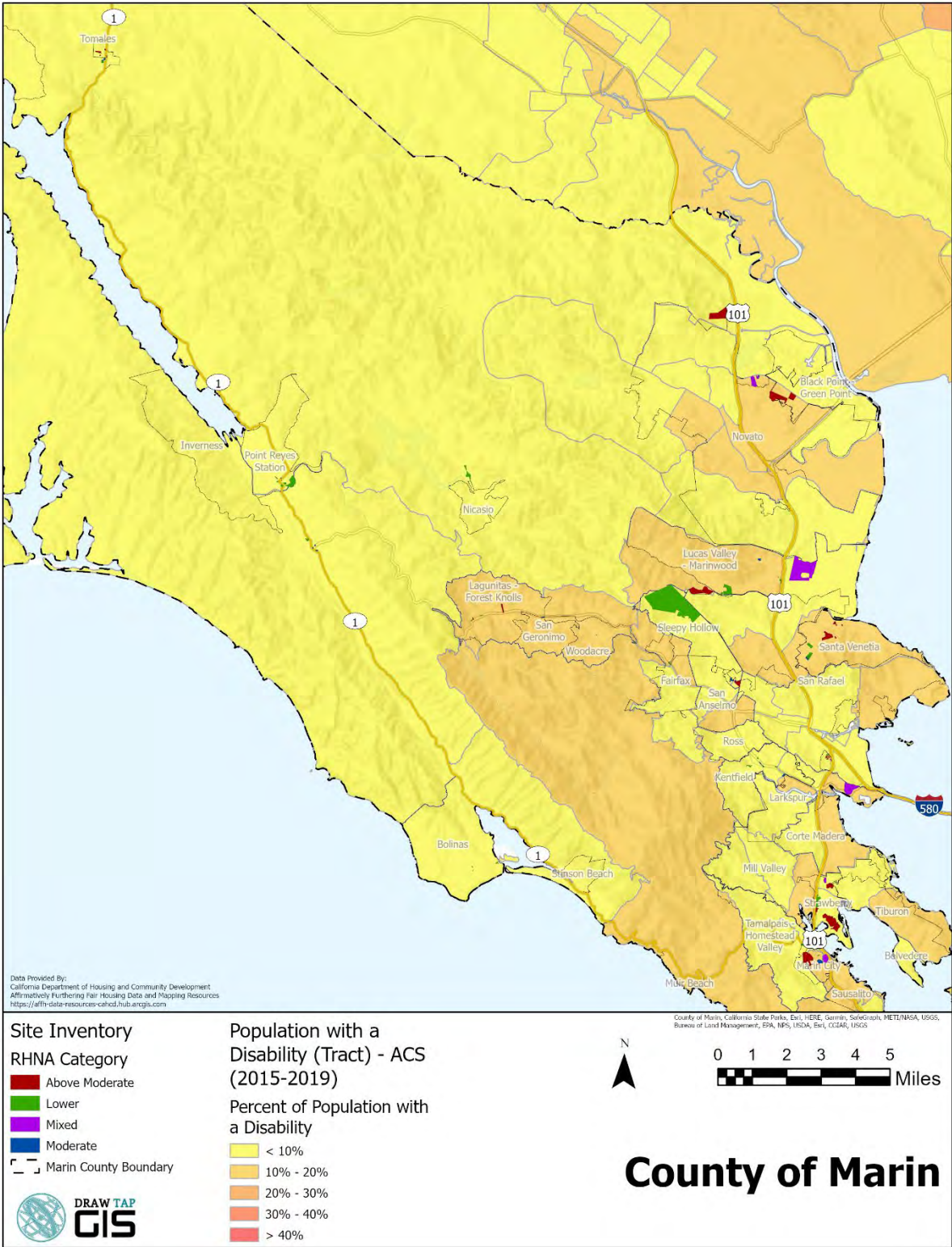


Table D- 40: RHNA Unit Distribution by % Population with a Disability in Tract

	Lower	Moderate	Above Moderate	Total RHNA Units
<10%	59.8%	44.1%	81.8%	65.4%
10 - 20%	40.2%	55.9%	18.2%	34.6%
Total Units	1,840	515	1,305	3,660



Figure D- 47: RHNA Unit Distribution by % Children in Married-Couple Households in Tract

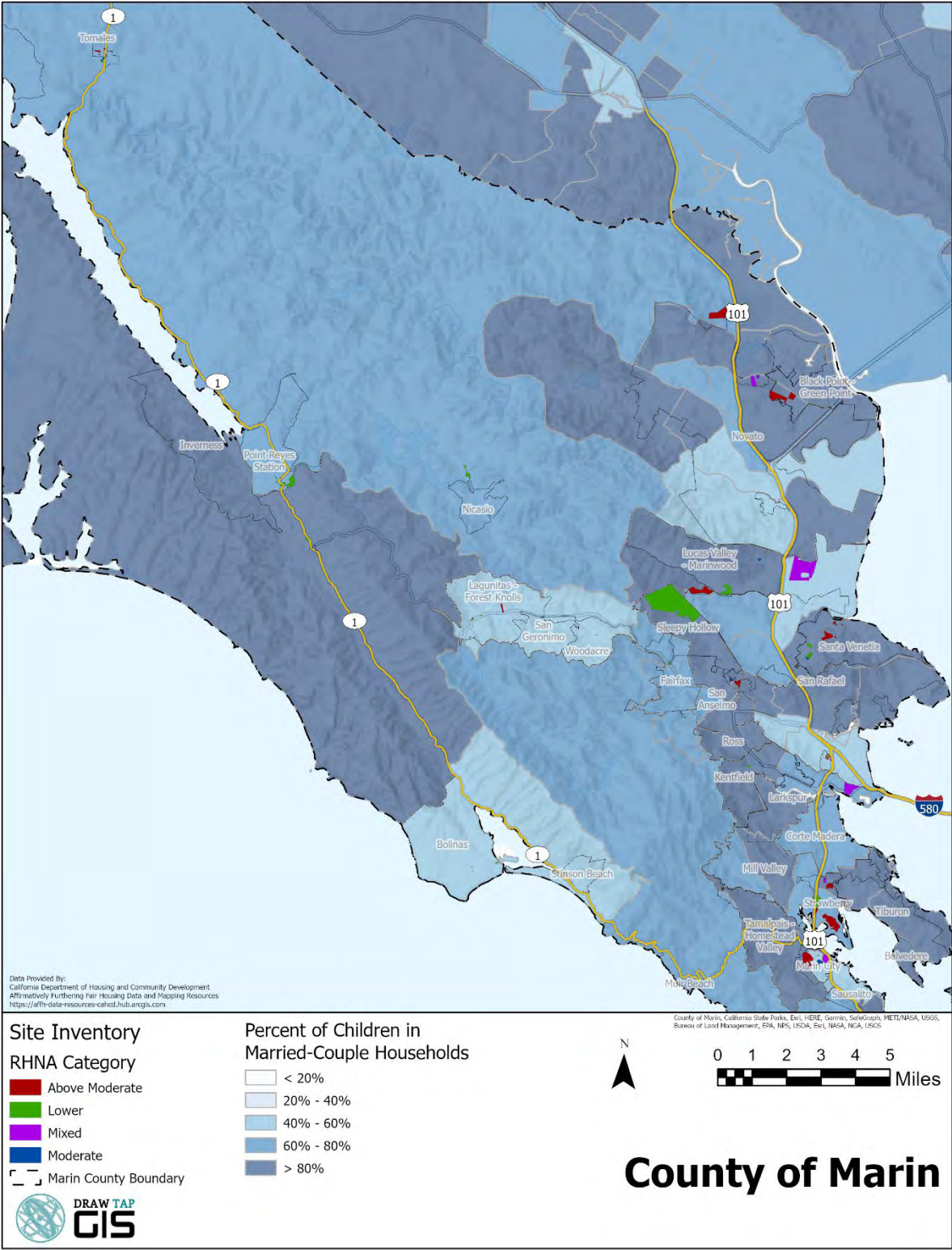


Table D- 41: RHNA Unit Distribution by % Children in Married-Couple Households in Tract

	Lower	Moderate	Above Moderate	Total RHNA Units
0 - 20%	0.0%	0.0%	0.0%	0.0%
20 - 40%	0.0%	0.0%	0.0%	0.0%
40 - 60%	31.8%	19.8%	30.3%	29.6%
60 - 80%	25.0%	28.2%	38.2%	30.1%
> 80%	43.2%	52.0%	31.5%	40.3%
Total Units	1,840	515	1,305	3,660

Figure D- 48: RHNA Unit Distribution by % Children in Single Female-Headed Households in Tract

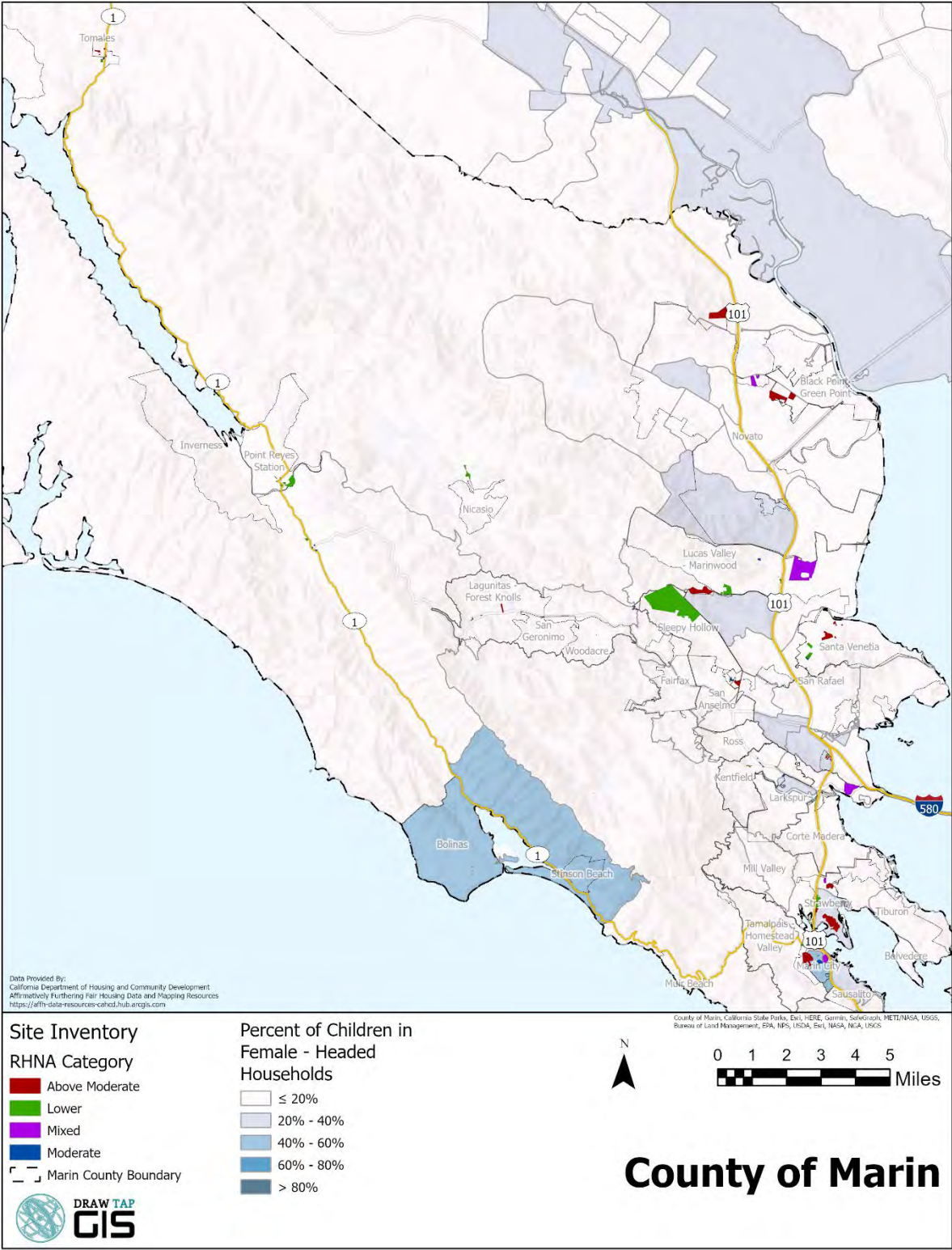


Table D- 42: RHNA Unit Distribution by % Children in Single Female-Headed Households in Tract

	Lower	Moderate	Above Moderate	Total RHNA Units
0 - 20%	88.4%	87.0%	73.9%	83.1%
20 - 40%	6.8%	0.0%	25.1%	12.4%
40 - 60%	4.7%	13.0%	1.0%	4.6%
60 - 80%	0.0%	0.0%	0.0%	0.0%
> 80%	0.0%	0.0%	0.0%	0.0%
Total Units	1,840	515	1,305	3,660



Figure D- 49: RHNA Unit Distribution by % LMI Population in Tract

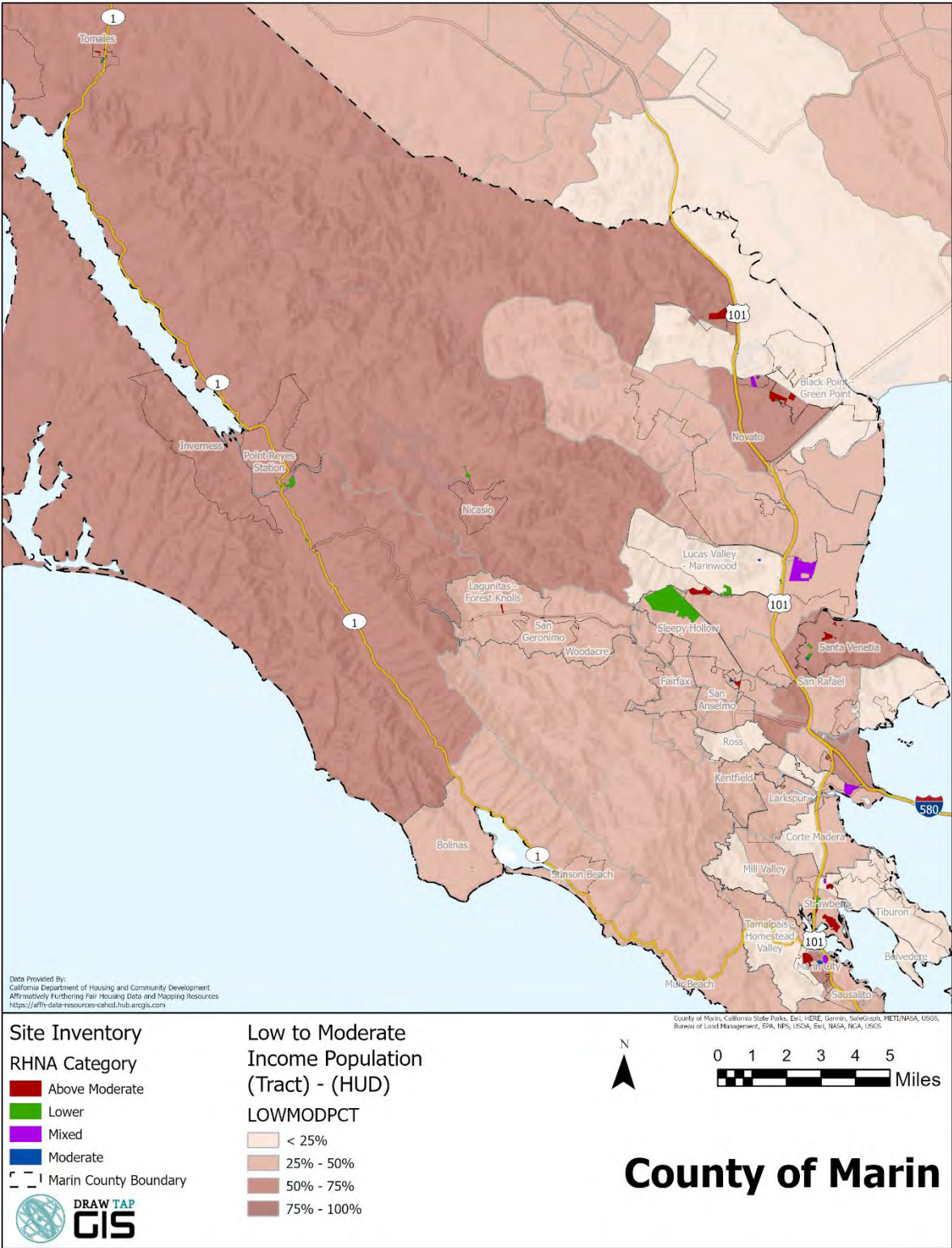


Table D- 43: RHNA Unit Distribution by % LMI Population in Tract

	Lower	Moderate	Above Moderate	Total RHNA Units
< 25%	4.8%	0.0%	2.0%	3.1%
25 - 50%	66.1%	50.3%	57.7%	60.9%
50 - 75%	23.6%	36.7%	33.8%	29.1%
> 75%	5.4%	13.0%	6.5%	6.9%
Total Units	1,840	515	1,305	3,660

Figure D- 50: RHNA Unit Distribution by R/ECAPs

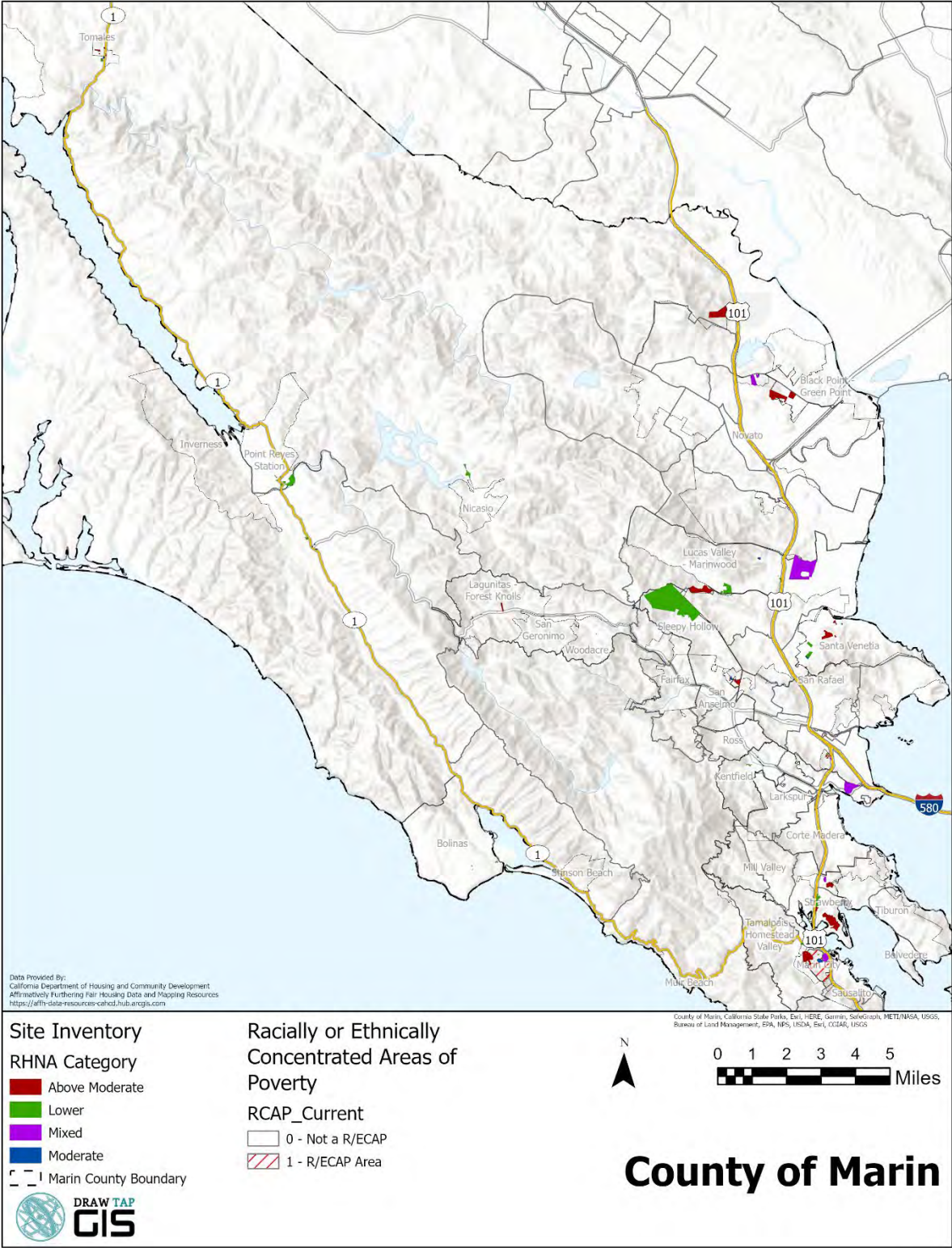


Table D- 44: RHNA Unit Distribution by R/ECAPs

	Lower	Moderate	Above Moderate	Total RHNA Units
No RECAP	95.5%	88.7%	100.0%	96.1%
R/ECAP	4.0%	13.3%	0.0%	3.9%
Total Units	1,840	515	1,305	3,660



**Access to Opportunities**

Figure D- 51: RHNA Unit Distribution by TCAC Opportunity Areas

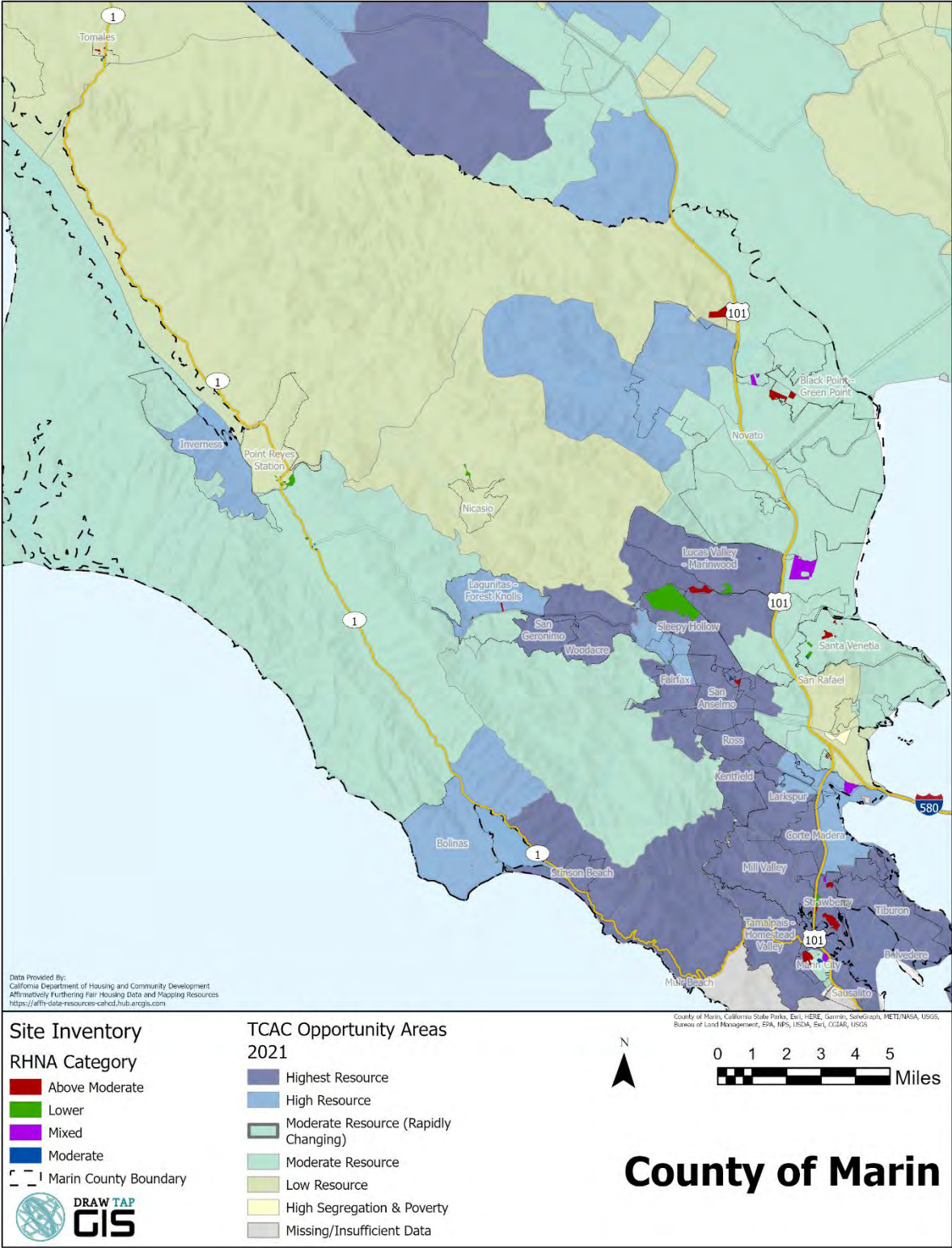


Table D- 45: RHNA Unit Distribution by TCAC Opportunity Areas

	Lower	Moderate	Above Moderate	Total RHNA Units
Low Resource	11.4%	5.9%	23.0%	14.7%
Moderate Resource	42.7%	29.5%	39.9%	39.9%
High Resource	10.6%	24.8%	1.3%	9.2%
Highest Resource	34.9%	41.8%	35.8%	36.1%
Total Units	1,840	515	1,305	3,660

Figure D- 52: RHNA Unit Distribution by CalEnviroScreen 4.0 Score

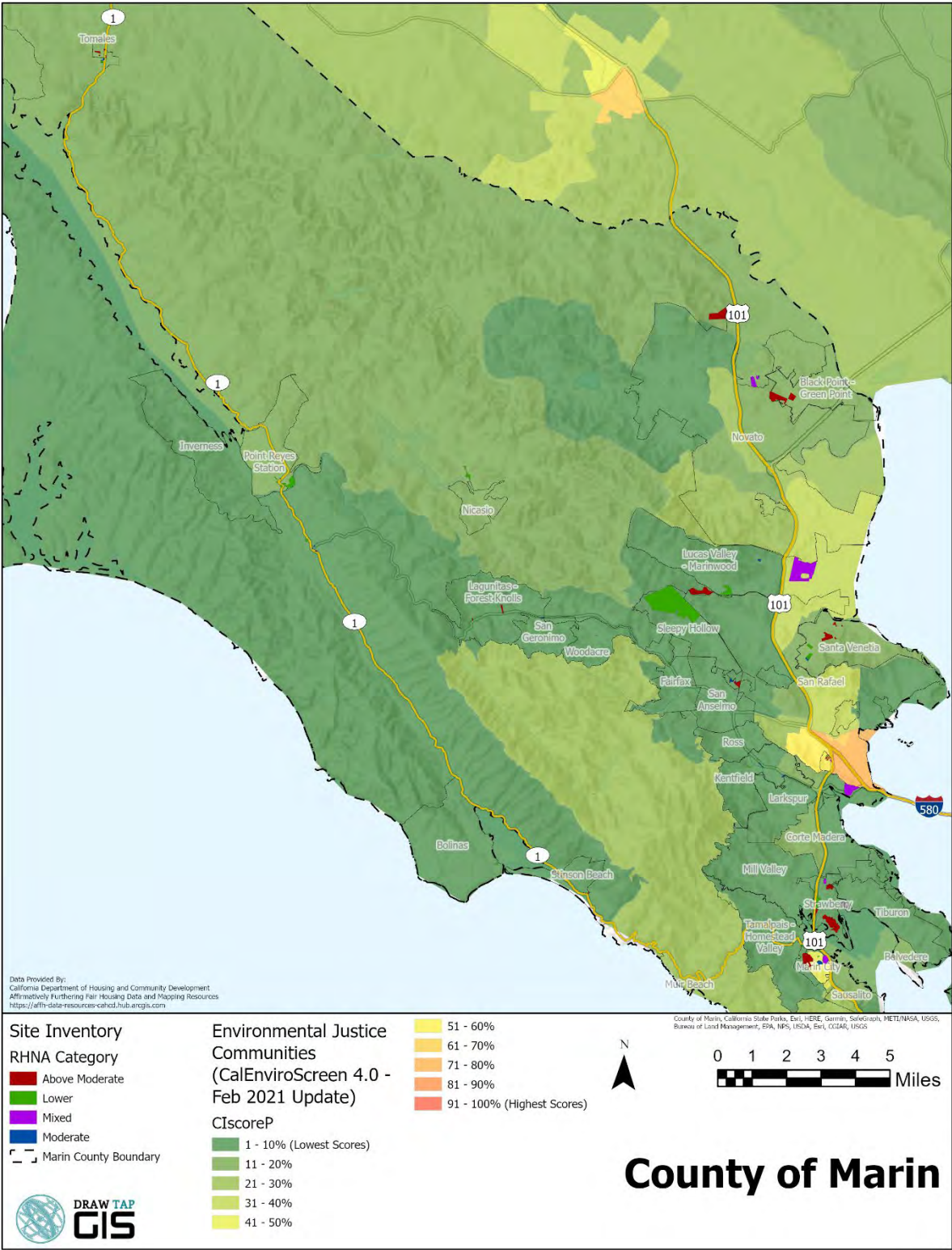


Table D- 46: RHNA Unit Distribution by CalEnviroScreen 4.0 Score

	Lower	Moderate	Above Moderate	Total RHNA Units
1 - 10% (Lowest Score)	46.8%	71.3%	36.6%	46.6%
11 - 20%	23.9%	15.7%	37.9%	27.7%
21 - 30%	0.0%	0.0%	0.0%	0.0%
31 - 40%	27.9%	13.0%	18.4%	22.4%
41 - 50%	0.0%	0.0%	0.0%	0.0%
51 - 60%	1.4%	0.0%	7.1%	3.3%
61 - 70%	0.0%	0.0%	0.0%	0.0%
71 - 80%	0.0%	0.0%	0.0%	0.0%
81 - 90% (Highest Score)	0.0%	0.0%	0.0%	0.0%
Total Units	1,840	515	1,305	3,660



**Disproportionate Needs**

Figure D- 53: RHNA Unit Distribution by % Cost-Burdened Renters in Tract

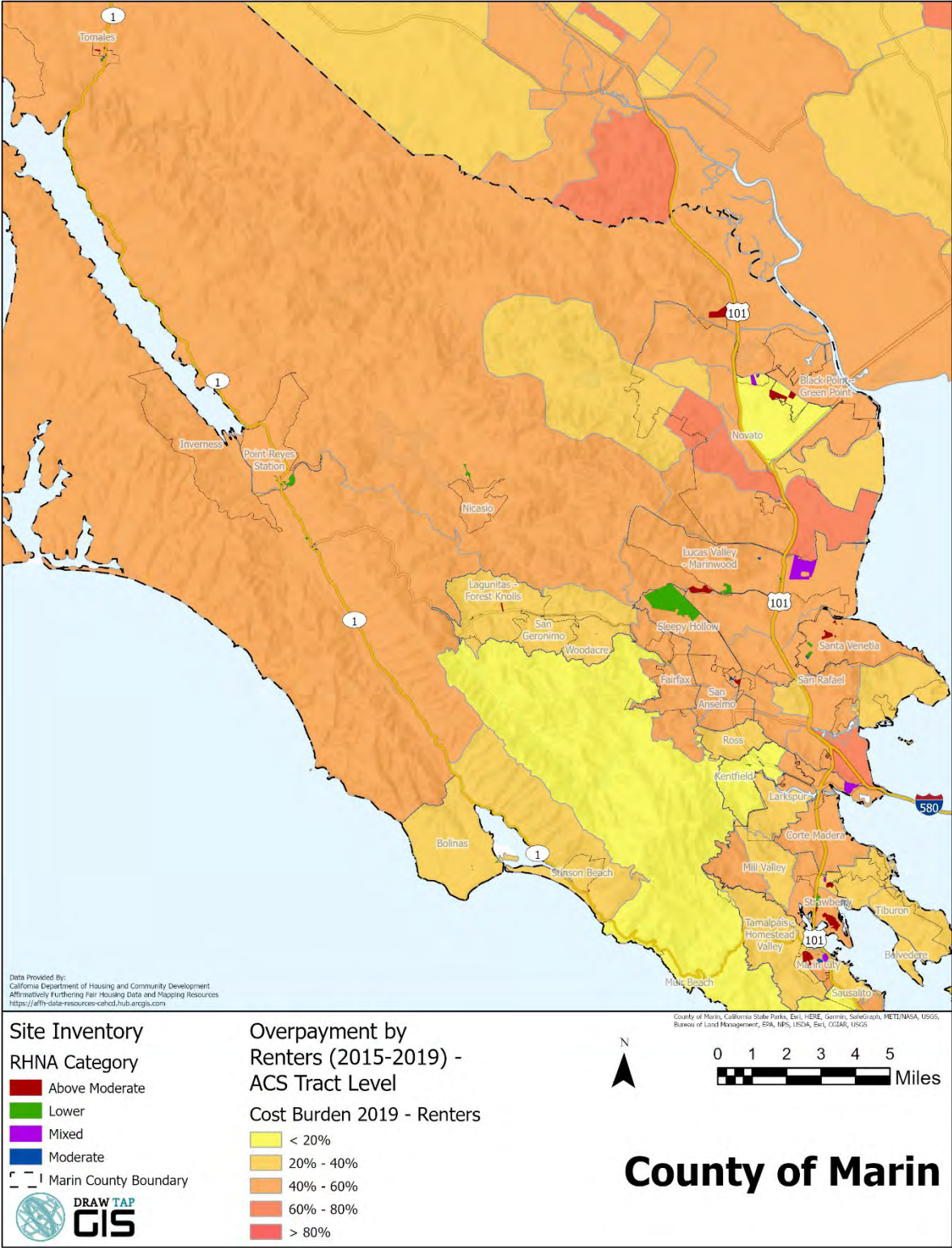


Table D- 47: RHNA Unit Distribution by % Cost-Burdened Renters in Tract

	Lower	Moderate	Above Moderate	Total RHNA Units
< 20 %	0.0%	0.0%	0.0%	0.0%
20% - 40%	20.4%	45.6%	26.2%	26.0%
40% - 60%	79.6%	54.4%	73.8%	74.0%
60% - 80%	0.0%	0.0%	0.0%	0.0%
> 80%	0.0%	0.0%	0.0%	0.0%
Total Units	1,840	515	1,305	3,660

Figure D- 54: RHNA Unit Distribution by % Cost-Burdened Owners in Tract

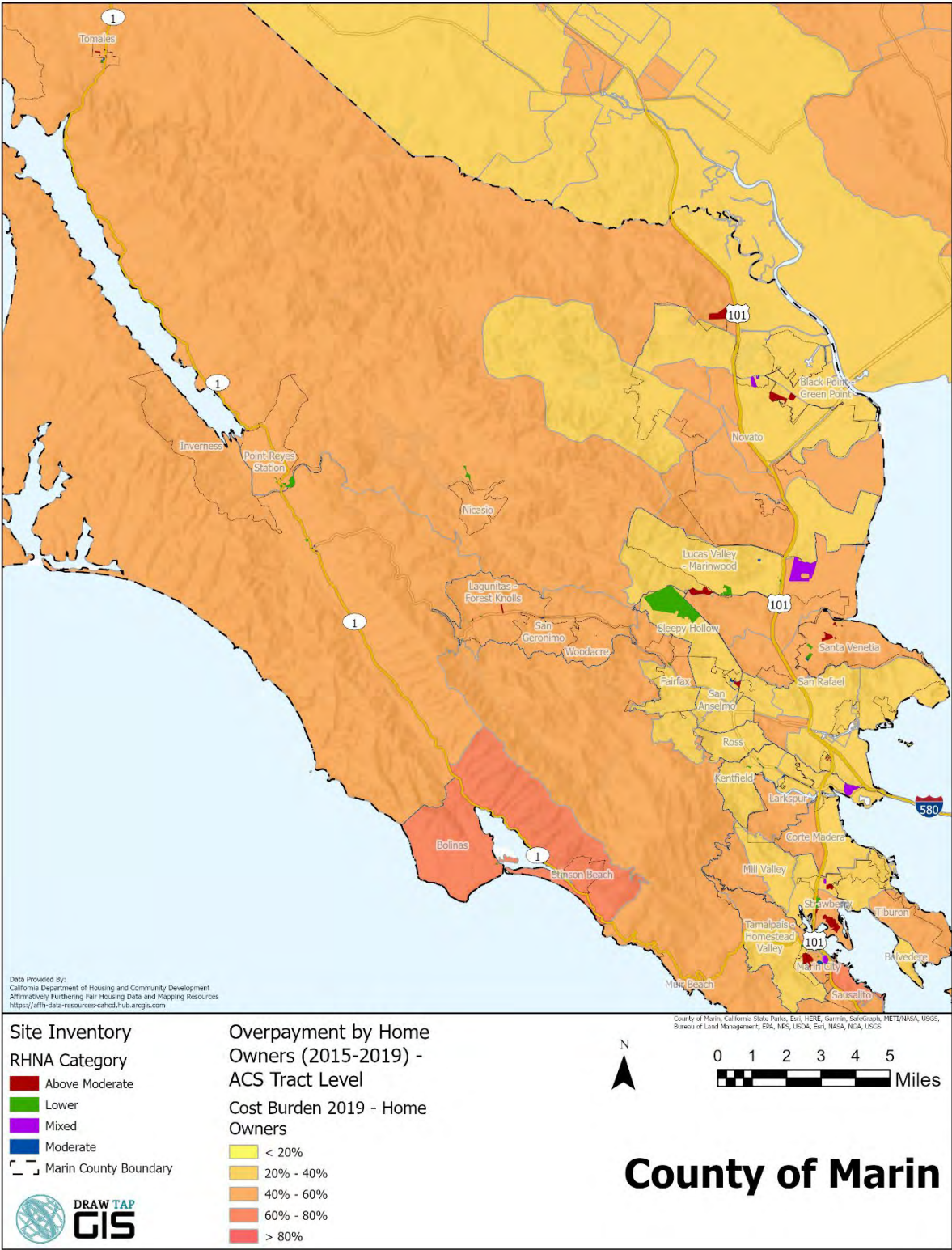


Table D- 48: RHNA Unit Distribution by % Cost-Burdened Owners in Tract

	Lower	Moderate	Above Moderate	Total RHNA Units
< 20 %	0.0%	0.0%	0.0%	0.0%
20% - 40%	38.6%	65.8%	30.0%	39.3%
40% - 60%	60.7%	34.2%	66.3%	59.0%
60% - 80%	0.7%	0.0%	3.8%	1.7%
> 80%	0.0%	0.0%	0.0%	0.0%
Total Units	1,840	515	1,305	3,660



Figure D- 55: RHNA Unit Distribution by % Overcrowded Households in Tract

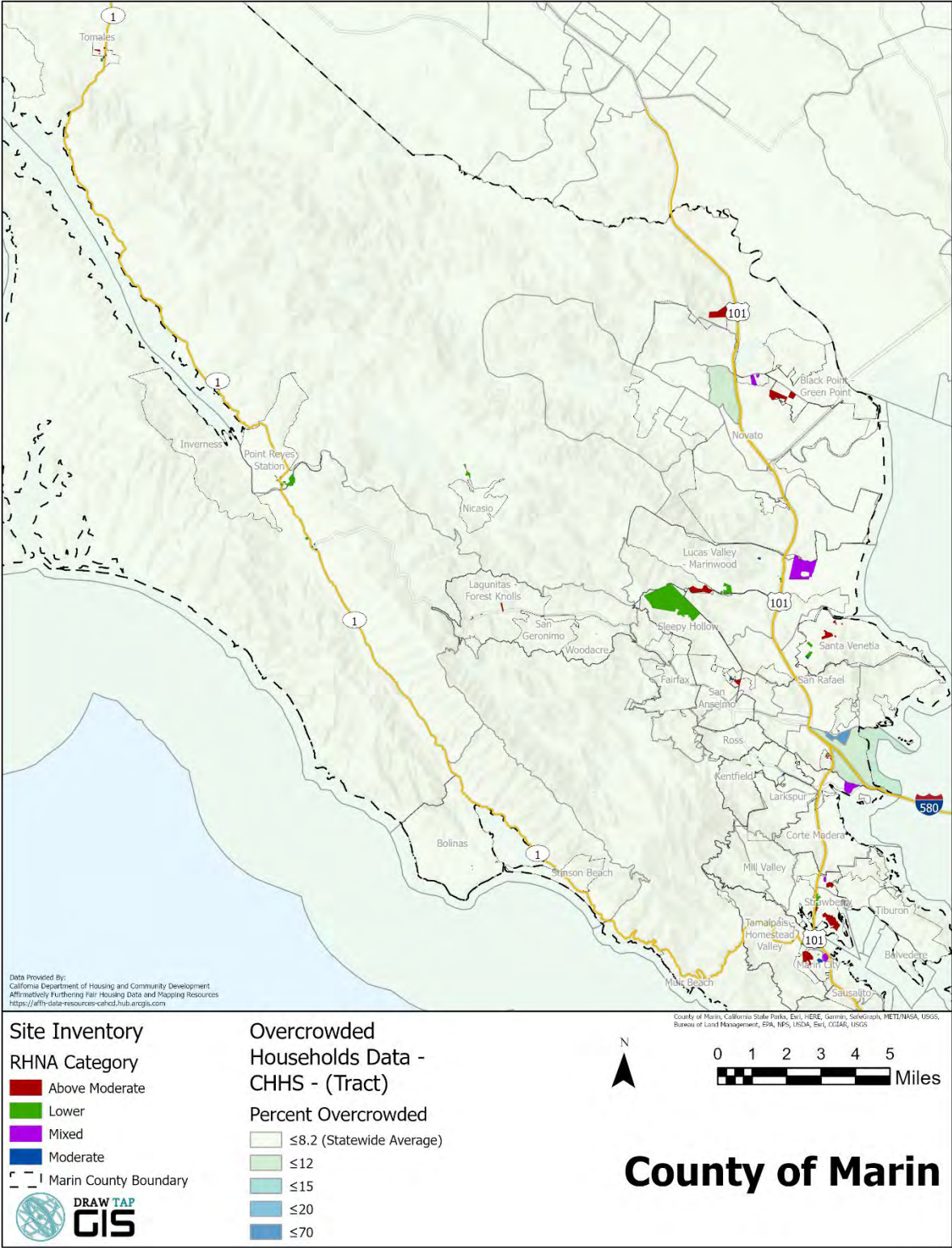



Table D- 49: RHNA Unit Distribution by % Overcrowded Households in Tract

	Lower	Moderate	Above Moderate	Total RHNA Units
≤ 8.2 (Statewide Average)	100.0%	100.0%	100.0%	100.0%
≤ 12%	0.0%	0.0%	0.0%	0.0%
≤ -5%	0.0%	0.0%	0.0%	0.0%
≤ 20%	0.0%	0.0%	0.0%	0.0%
≤ 70%	0.0%	0.0%	0.0%	0.0%
Total Units	1,840	515	1,305	3,660

# Short Term Rentals



COUNTY OF MARIN

## MARIN COUNTY SHORT TERM RENTAL ORDINANCE COASTAL ACT CONSISTENCY ANALYSIS

### INTRODUCTION

Since the Fall of 2022, County staff has been working to update the Short Term Rental (STR) regulations for the unincorporated areas of Marin. Proposed regulations would apply in the Coastal Zone and therefore would require an amendment to the County's Local Coastal Program (LCP), which is a land use plan for Marin County's Coastal Zone that guides land use and development in accordance with the California Coastal Act.

As noted in the LCP, assuring housing choices at prices within reach is also important indirectly in carrying out Coastal Act resource protection goals. The Coastal Act places a high priority on maintaining agriculture and mariculture as viable land uses in the Coastal Zone and encourages provision of visitor-serving facilities including overnight accommodations. These land uses depend on the availability of local labor and pay scales for workers in these industries tend to be relatively low. Provision of housing opportunities for those employed in the Coastal Zone is thus essential if these high-priority land uses are to be maintained.

Because of these factors, the following policy and programs are included in the LCP, which was certified by the California Coastal Commission (CCC) in 2019:

**C-HS-6 Regulate Short-Term Rental of Primary or Accessory Dwelling Units.** Regulate the use of residential housing for short term vacation rentals.

**Program C-HS-6.a Vacation Rental Ordinance:**

1. Work with community groups to develop an ordinance regulating short-term vacation rentals.
2. Research and report to the Board of Supervisors on the feasibility of such an ordinance, options for enforcement, estimated program cost to the County, and the legal framework associated with rental properties.

To ensure that STR regulations are applicable in the Coastal Zone, the County must modify its LCP, through a process referred to as an LCP Amendment (LCPA). Planning staff will submit the LCPA after the Board of Supervisors has adopted a Resolution authorizing the submission of an LCP amendment application.

The County must conduct a Coastal Act consistency analysis as it relates to Chapter 3 of the Coastal Act, which must be included in local decision-making materials for an LCPA.

In general, Chapter 3 of the California Coastal Act, titled "Coastal Resources Planning and Management Policies," outlines key policies and objectives for the management and protection of California's coastal resources. The chapter emphasizes the importance of preserving and enhancing the natural and scenic beauty of the coastline while promoting sustainable development. It sets forth policies to ensure public access to coastal areas and protect environmentally sensitive habitats.

This Chapter also establishes the CCC as the primary agency responsible for implementing and enforcing these policies. Overall, Chapter 3 of the Coastal Act underscores the state's commitment to responsible coastal development and the preservation of its unique coastal environment.

## **THE CALIFORNIA COASTAL ACT**

The Coastal Act guides how the land along the coast of California is developed or protected from development. It emphasizes the importance of the public being able to access the coast, and the preservation of sensitive coastal and marine habitat and biodiversity. The Coastal Act defines the area of the coast that comes under the jurisdiction of the California Coastal Commission, which is called the "Coastal Zone."

The Marin County Coastal Zone is a strip of land and water defined by the California Coastal Act of 1976 that extends along the Pacific Ocean coastline. Each coastal city and county in California is required by that law to prepare and implement a Local Coastal Program (LCP) for its portion of the Coastal Zone to carry out the coastal resource protection policies of the Coastal Act. The villages of Bolinas, Dillon Beach, Inverness, Marshall, Olema, Point Reyes Station, Stinson Beach, and Tomales are located within the Coastal Zone. As such, STR regulations put forward in these areas must be certified by the California Coastal Commission (CCC) as part of an LCP Amendment.

As required by Coastal Act Section 30500, an LCP comprises a Land Use Plan, an Implementation Program, accompanying land use and zoning maps, as well as other implementing actions including those represented in the Appendices. The Land Use Plan contains written policies that indicate which land uses are appropriate in the various parts of the Coastal Zone. The LUP policies and programs also guide how natural resources shall be protected when land is developed, how public access to the coast shall be preserved, and how other coastal resources shall be maintained and enhanced.

The Appendices contain elements that are essential to the interpretation and application of Land Use Plan policies. Proposed STR regulations would be included in Chapter 5.41 of the Marin County Code and incorporated into the LCP as an appendix item (as proposed, Appendix 11).

## **CHAPTER 3**

Included in the LCP are specific references to the following Coastal Act sections as they relate to visitor-serving accommodations, which are further addressed in the Consistency section of this document.

**Section 30213 Lower cost visitor and recreational facilities; encouragement and provision; overnight room rentals**



Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

### **30220 Protection of certain water-oriented activities**

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

### **30222 Private lands; priority of development purposes**

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

## **ROLE OF THE LOCAL COASTAL PROGRAM**

The role of an LCP is to manage and regulate land use and development within a specific coastal zone in accordance with the policies and provisions set forth by the California Coastal Act. The LCP serves as the standard of review because it represents a comprehensive and locally tailored approach to coastal management and land use planning. The LCP was developed in collaboration with the California Coastal Commission, and it is specifically designed to align with the goals and policies of the California Coastal Act while addressing the unique needs and characteristics of the local coastal area.

## **STANDARD OF REVIEW**

The proposed amendment affects the Land Use Plan and Appendices of the LCP only and must be consistent with the policies outlined in the Land Use Plan as described below.

## **CONSISTENCY ANALYSIS**

For the purpose of this analysis, please note that the proposed definition of a Short Term Rental is:

A rental of a residential unit, or a portion of a residential unit, for a time period of less than 30 consecutive nights. Short term rentals are a residential use of property.

Because a STR is defined as a residential use, it is not considered a commercial use or enterprise. As such, certain policies in the LUP that are associated with the typical visitor-serving enterprises and over-night accommodations noted in the LUP are not applicable to this analysis. That said, all residential property owners have the ability to apply for the necessary Coastal Development Permit to turn their property into a Bed and Breakfast, a land use that is specifically called out in the LCP to be protected and encouraged, subject to specific regulations.

## **THE COASTAL COMMISSION AND SHORT TERM RENTALS**

The CCC has recognized that STRs provide a unique and important source of visitor-serving accommodations in the Coastal Zone, especially for larger families and groups, and has found that outright bans are inconsistent with Coastal Act policies prioritizing public access and visitor-serving uses.

However, given the rise of popularity in STRs in recent years and the current housing crisis in the State, the CCC has begun to consider whether unlimited, unregulated STRs are an appropriate use when so many coastal communities are facing housing shortages. In response, The CCC has asked their Housing Subcommittee to further investigate the impact of STRs on available housing for long-term residents and to report back on their findings to better inform policy decisions related to the topic.

Coastal Commission guidance to local governments has emphasized the need to allow, but regulate, STRs in a manner that balances the important public access and visitor-serving benefits of STRs with reasonable regulations to limit adverse impacts on coastal communities.

In response, proposed STR regulations aim to strike a balance between ensuring the continued use of STRs in Marin’s coastal communities, subject to reasonable regulations and limits that will protect the County’s available housing stock for long-term residents.

### SHORT TERM RENTALS IN THE COASTAL ZONE

There are currently 568 registered STRs in the Coastal Zone. This amounts to 16% of the parcels that are developed with living units, meaning a high percentage of the available housing stock in the Coastal Zone is currently used on a short-term basis. While the average is 16%, as shown in the below table, the communities of Marshall, Stinson Beach, and Dillon Beach have much higher percentages (25%, 27%, and 31%, respectively).

Proposed regulations distinguish between Hosted and Unhosted STRs because Hosted STRs have a Host who lives onsite while the STR is in use, and the STR is not taking away available housing. Therefore, the proposed regulations only place a cap on the overall number of Unhosted STRS. Limits on the number of Unhosted Short Term rentals aims to reduce the overall percentage by 5% and limits the overall number of STRs to 510 (11% of the of residentially developed parcels).

Township	Initial Number of STRS	Number of Parcels Developed with Living Units	Percentage of Parcels Used as STRs	Number of TOT Certificates Added Before the Moratorium	Ultimate Number of Unhosted STRs	Ultimate Percentage of Parcels Used as Unhosted STRs	Percentage Change
Dillon Beach	125	408	31%	15	110	27%	4%
Stinson beach	192	704	27%	18	174	25%	3%
Marshall	28	110	25%	1	27	25%	1%
Muir Beach	20	147	14%	1	19	13%	1%
Bolinas	63	624	10%	9	54	9%	1%
Inverness	93	939	10%	7	86	9%	1%

<b>Pt. Reyes Station</b>	32	350	9%	6	26	7%	2%
<b>Olema</b>	3	33	9%	0	3	9%	0%
<b>Tomales</b>	12	135	9%	1	11	8%	1%
<b>Total</b>	<b>568</b>	<b>3450</b>	<b>16%</b>	<b>58</b>	<b>510</b>	<b>11%</b>	<b>5%</b>

## LAND USE PLAN POLICIES ANALYSIS

The LCP notes that, although Marin County’s coastal communities reflect a long-standing commitment to maintain the characteristics that draw residents and visitors to them, changing economics and land development practices could threaten community character. Achieving a balance between local- and visitor-serving businesses continues to be a challenge in Marin County, as elsewhere along California’s coast. At the same time, the Coastal Act places a high priority on visitor-serving facilities, particularly lower-cost facilities, and visitors as an important part of the local economy.

The policies listed below reaffirm the need to strike a balance between both the residential character of the coastal communities, and the need to welcome visitors to the Coast. All the CCC certified STR regulations in other jurisdictions (for example, San Diego, Half Moon Bay, City of Trinidad, Santa Cruz County, etc.) have been reviewed and the proposed regulations seem to be consistent with past approvals. Proposed regulations conform to the policies listed below as follows:

- No STR ban is proposed.
- Establish a STR License with the following limits:
  - Only one license is permitted per owner and per property. Said differently, if someone has two properties, the County would only issue one license for one of the properties, not both.
  - STR license priority would be given to those who currently have the required licenses (Business License and Transient Occupancy Tax Certificate) to operate an STR.
  - Licenses must be renewed every two years.
  - STR licenses may not be renewed if there are two documented Code violations in the previous two-year license term.
- Limit the number of Unhosted STRs to 510. No limit established for Hosted STRs.
- Ensure basic life and health safety standards for rentals, including basic emergency preparedness requirements.
- Ensure compliance with existing County regulations related to noise, trash, and allowed STR unit types, and administrative penalties.

Further, over-night accommodations are not limited to STRs, and other lodging options include hotels, motels, inns, bed and breakfasts, and campgrounds. Appendix 2 in the LCP contains an exhaustive inventory of visitor-serving, commercial, and recreation facilities in the coastal zone. While it does not include all licensed Short Term Rentals, it is the most comprehensive list developed to date and is summarized in the below table.

<b>Overnight Accommodations in the Coastal Zone</b>	
Hotel/ Motel/ Inn/ Bed and Breakfast (rooms)	279

Private Rentals (units)	357
Campsites	830
Trailer RV (spaces)	80
Hostel (beds)	56
Capacity (number of people)	4659

As such, the evidence supports that the County can continue to provide the necessary over-night accommodations and preserve existing housing by implementing the proposed STR regulations.

## LIST OF APPLICABLE LCP POLICIES

### Housing

**C-HS-1 Protection of Existing Affordable Housing.** Continue to protect and provide affordable housing opportunities for very low, low, and moderate income households. Prohibit demolition of existing deed restricted very low, low, and moderate income housing except when:

1. Demolition is necessary for health and safety reasons; or
2. Costs of rehabilitation would be prohibitively expensive and impact affordability of homes for very low, low and moderate income households; and
3. Units to be demolished are replaced on a one-for-one basis with units of comparable rental value on site or within the immediate Coastal Zone area.

**C-HS-6 Regulate Short-Term Rental of Primary or Second Units.** Regulate the use of residential housing for short term vacation rentals.

#### **Program C-HS-6.a Vacation Rental Ordinance**

1. Work with community groups to develop an ordinance regulating short-term vacation rentals.
2. Research and report to the Board of Supervisors on the feasibility of such an ordinance, options for enforcement, estimated program cost to the County, and the legal framework associated with rental properties.

### Community Character

**C-MB-1 Community Character of Muir Beach.** Maintain the small-scale character of Muir Beach as a primarily residential community with recreational, small scale visitor, and limited agricultural use.

**C-SB-1 Community Character of Stinson Beach.** Maintain the existing character of residential, small-scale commercial and visitor-serving recreational development in Stinson Beach. New development must be designed to be consistent with community character and protection of scenic resources.

**C-BOL-1 Community Character of Bolinas.** Maintain the existing character of residential, small-scale commercial and visitor-serving, and agricultural uses in Bolinas.

**C-OL-1 Community Character of Olema.** Maintain Olema's existing mix of residential, small-scale commercial and visitor-serving, and open space land uses and small-scale, historic community character...

**C-PRS-1 Community Character of Point Reyes Station.** Maintain the existing mix of residential and small-scale commercial and visitor-serving development and small-scale, historic community character in Point Reyes Station.

**C-PRS-3 Visitor-Serving and Commercial Facilities.** Encourage development of additional visitor-serving and commercial facilities, especially overnight accommodations. Establish overnight accommodations in the Grandi Building (Assessor Parcel Number 119-234-01) and Assessor Parcel Built Environment 64 Community Development Land Use Plan Amendments Number 119-240-55, located at the junction of Highway One and Point Reyes – Petaluma Road (See also C-PRS-4 below).

**C-INV-1 Community Character of Inverness.** Maintain the existing character of residential and small-scale commercial and visitor-serving development in the Inverness Ridge communities.

**C-ES-1 Community Character of the East Shore of Tomales Bay.** Maintain the existing character of low-density, residential, agriculture, mariculture, visitor-serving, and fishing or boating-related uses. Allow expansion or modification of development for visitor-serving or commercial development on previously developed lots along the east shore of Tomales Bay, provided that such expanded uses are compatible with the small scale and character of existing development along the Bay.

**C-TOM-1 Community Character of Tomales.** Maintain the existing character of residential and small-scale commercial and visitor-serving development in the community of Tomales. No expansion of commercial zoning is recommended since there is adequate undeveloped land zoned for visitor-serving and commercial development for anticipated future needs. Encourage development of overnight accommodations such as a motel, cottages, and a hostel. New development shall reflect the historic character of the town's architecture and shall be set back from the creek which flows through commercially zoned areas.

**C-DB-1 Community Character of Dillon Beach.** Maintain the existing character of residential and small-scale commercial and visitor-serving development in Dillon Beach and Oceana Marin. Dillon Beach Resort, including all properties zoned C-RCR and C-RMPC between Dillon Beach Road and Dillon Creek, would be an appropriate site to consider for new development of a modest scale motel, cafe, delicatessen, or restaurant, and/or day-use facilities. Due to its proximity to the shoreline, the former Pacific Marine Station is an especially suitable area for facilities where many people can enjoy its prime location. The site offers opportunities, for example, for community services, a conference center, and/or a youth hostel. Limited residential development would be appropriate at the Dillon Beach Resort, provided it were developed as a secondary use in conjunction with visitor-serving uses. All development shall demonstrate adequate water supply and sewage disposal, and shall be sited out of sand dunes and other environmentally-sensitive areas. Building heights shall be limited to that which is compatible with the scale and character of the area. Existing CRCR and C-RMPC zoning shall be maintained. Maintain existing C-RCR and C-APZ-60 zoning at Lawson's Landing.

## **Parks, Recreation and Visitor-Serving Uses**

**C-PK-4. Balance of Visitor-Serving and Local-Serving Facilities.** Support a level of local-serving facilities such that an adequate infrastructure can be maintained to ensure the health, vitality, and survival of the visitor-serving segment of the coastal economy.

**C-PK-6 Bed and Breakfast Inns.** Support bed and breakfast facilities in the Coastal Zone as a means of providing visitor accommodations, while minimizing their impacts on surrounding communities. Restrict the conversion of second units and affordable housing to bed and breakfast inns. In addition, support the location of bed and breakfast inns in areas that are easily and directly accessible from usual tourist travel routes and where there is adequate off-street parking for guests and where the problem of nearby residents being inconvenienced by noise and increased transient traffic is minimized. Bed and breakfast inns shall be permitted to host or provide facilities for gatherings, such as weddings, receptions, private parties, or retreats if located in the C-APZ, C-ARP or C-R-A and if such activities are otherwise LCP consistent. Each bed and breakfast inn must be operated by a householder who is the sole proprietor of the enterprise and whose primary residence is on the premises where the inn accommodations are located.

## **Attachment**

1. Proposed Land Use Plan Amendments



## Introduction

The Marin County Local Coastal Program (LCP) is made up of the following documents. These documents are available online at: [www.MarinLCP.org](http://www.MarinLCP.org).

- The “Land Use Plan (LUP)” document includes policies and programs, as well as background and introductory text for each policy section.
- The “Coastal Zoning Code” document is a means of implementing the policies and programs of the LCP Land Use Plan.
- Policy maps and zoning maps for the Coastal Zone.
- Appendices:
  - Appendix 1: List of Recommended Public Coastal Accessways
  - Appendix 2: Inventory of Visitor-Serving, Commercial, and Recreation Facilities in the Coastal Zone
  - Appendix 3: Coastal Village Community Character Review Checklist (Local Coastal Program Historic Review Checklist)
  - Appendix 4: Design Guidelines for Construction in Areas of Special Character and Visitor Appeal and For Pre-1930’s Structures
  - Appendix 5: Seadrift Settlement Agreement
  - Appendix 6: 1977 Wagner Report “Geology for Planning, Western Marin County”
  - Appendix 7: Categorical Exclusion Orders and Maps
    - a. Zoning in effect in Marin County on May 5th, 1981 (Date of approval of E-81-2)
  - Appendix 8: Certified Community Plans
    - Dillon Beach Community Plan
    - Bolinas Gridded Mesa Plan
  - Appendix 9: Hillside Subdivision Design Ordinance (Marin County Development Code Section 22.82.050)
  - Appendix 10: Seismicity (Alquist-Priolo Special Studies Zone Act), which only applies as it relates to Unit I Environmental Hazard Policies

- [Appendix 11: Short Term Rental License Requirements \(Marin County Code Chapter 5.41\)](#)



Because the adopted Marin County Housing Element and Marin County Code include measures such as density bonuses and reduction in site development standards, which affect the intensity of land uses that can be allowed in the Coastal Zone, the LCP contains select housing policies. These policies achieve compliance with housing-related requirements of the Government Code and the Marin Countywide Plan’s Housing Element, and with the Coastal Act requirement to specify the potential density of future development in the Coastal Zone, including residential development.

The LCP provides several measures to address low and moderate income housing needs in the Coastal Zone, such as affordable housing provisions and retention of zoning for small lots of 6,000 to 10,000 square feet. These needs are also addressed by LCP policies that support development of Accessory Dwelling Units and agricultural worker housing where appropriate. To protect existing lower income units, the LCP also limits conditions under which such units can be demolished, although hazardous structures may be demolished even if no replacement housing is built. Finally, it should be noted that the County’s draft Housing Element identifies several sites in the Coastal Zone that could potentially accommodate affordable housing.

## Policies

**C-HS-1 Protection of Existing Affordable Housing.** Continue to protect and provide affordable housing opportunities for very low, low, and moderate income households. Prohibit demolition of existing deed restricted very low, low, and moderate income housing except when:

1. Demolition is necessary for health and safety reasons; or
2. Costs of rehabilitation would be prohibitively expensive and impact affordability of homes for very low, low and moderate income households; and
3. Units to be demolished are replaced on a one-for-one basis with units of comparable rental value on site or within the immediate Coastal Zone area.

**C-HS-2 Density for Affordable Housing.** Allow the maximum range of density for deed-restricted housing developments that are affordable to extremely low, very low or low income households and that have access to adequate water and sewer services.

**C-HS-3 Affordable Housing Requirement.** Require residential developments in the Coastal Zone consisting of 2 or more units to provide 20 percent of the total number of units to be affordable by households of very low or low income or a proportional “in-lieu” fee to increase affordable housing construction.

**C-HS-4 Retention of Small Lot Zoning.** Preserve small lot zoning (6,000 – 10,000 square feet) in Tomales, Point Reyes Station, and Olema for the purposes of providing housing opportunities at less expense than available in large-lot zones.

**C-HS-5 Accessory Dwelling Units.** Consistent with the requirements of California Government Code Section 65852.2 and this LCP, continue to enable construction of well-designed Accessory Dwelling Units in both new and existing residential neighborhoods as an important way to provide workforce and special needs housing. Ensure that adequate services and resources, such as water supply and sewage disposal, are available consistent with Policy C-PFS-1 (Adequate Services).

~~**C-HS-6 Regulate Short-Term Rental of Primary or Accessory Dwelling Units. Regulate the use of residential housing for short term vacation rentals.**~~

~~Program C-HS 6.a Vacation Rental Ordinance~~

- ~~1. Work with community groups to develop an ordinance regulating short-term vacation rentals.~~
- ~~2. Research and report to the Board of Supervisors on the feasibility of such an ordinance, options for enforcement, estimated program cost to the County, and the legal framework associated with rental properties.~~

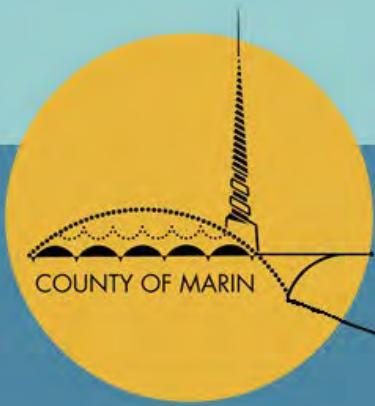
C-H S-6 Short Term Rentals. Short Term Rental regulations are included in Appendix 11, and establish Short Term Rental License requirements for all Short Term Rentals in the Coastal Zone.

C-HS-7 Williamson Act Modifications to the Coastal Zoning Code. Allow farm owners in a designated agricultural preserve to subdivide up to 5 acres of the preserved land for sale or lease to a nonprofit organization, a city, a county, a housing authority, or a state agency in order to facilitate the development and provision of agricultural worker housing. Section 51230.2 of the Williamson Act requires that the parcel to be sold or leased must be contiguous to one or more parcels that allow residential uses and developed with existing residential, commercial, or industrial uses. The parcel to be sold or leased shall be subject to a deed restriction that limits the use of the parcel to agricultural laborer housing facilities for not less than 30 years. That deed restriction shall also require that parcel to be merged with the parcel from which it was subdivided when the parcel ceases to be used for agricultural laborer housing.

C-HS-8 Development of Agricultural Worker Housing Units in Agricultural Zones. Support policy changes that promote development of agricultural worker units in agricultural zones.

*Program C-HS-8.a Administrative Review for Agricultural Worker Housing Units.* Establish an administrative Coastal Development Permit review process for applications for agricultural worker units in order to expedite the permitting process and facilitate development of legal agricultural worker units.

C-HS-9 Density Bonuses. Provide density bonuses for affordable housing in the Coastal Zone consistent with Government Code Section 65915 and Coastal Act Section 30604(f), to the extent that such increases in density are consistent with the provisions of the LCP.



# Short Term Rentals



## MARIN COUNTY SHORT TERM RENTAL ORDINANCE PUBLIC OUTREACH SUMMARY

Staff has been working to update Short Term Rental regulations since Fall 2022. Below is a summary of outreach conducted to date.

### LEARNING SESSIONS

To kick off the STR Ordinance Update staff hosted five, district wide STR Learning Sessions during Fall 2022. At these Learning Sessions, staff shared background on STRs in Marin, presented STR data (related to the number of STRs in the Unincorporated Areas and percentage of residential properties used as STRs by community, complaints received by the STR Hotline, rental market data), and discussed draft Guiding Principles with attendees.

The feedback and anecdotes shared informed the Guiding Principles, that in turn inform the direction of this STR Ordinance Update:

1. Prioritize housing supply and affordability, and consider regulations in light of their effects on the cost and availability of housing within individual communities.
2. Advance equity in access to economic opportunities, services and activities.
3. Recognize that Marin County has historically provided vacation opportunities to the greater Bay Area region and State.
4. Distinguish among types of STR operations and operators, e.g., hosted and whole house, single and multiple ownerships, etc.
5. Consider environmental constraints such as water and sewage capacity.
6. Develop regulations that are clear, affordable, simple, and enforceable (C.A.S.E).
7. Assure that STRs are good neighbors considering noise, parking, trash and other neighborhood quality of life concerns.

In addition to the early learning sessions where the Guiding Principles were developed, staff has continued to engage with the public using the following approaches:

- In response to feedback provided at the Learning Sessions, staff held a meeting focused entirely on the STR moratorium in January 2023. The purpose of this meeting was to discuss and take further comments on the STR moratorium and ways the County can improve communication with community members, especially when the property owner may not live in the area.
- Planning staff attended Supervisor Rodoni's Fall 2022 and Spring 2023 Office Hours, which are biannual meetings that are held throughout District 4 communities.

- Planning staff extended the offer to attend other community meetings, hosted by neighborhood groups, HOAs, or professional organizations. To date, the Dillon Beach Neighborhood Group and a self-formed group of individuals from various coastal communities have accepted this offer.
- Staff conducted and widely distributed a STR Survey to garner feedback on potential STR regulations (further discussed below).

## **STR SURVEY**

One element of the County's efforts to solicit community input is a STR survey. It served as a way to gather feedback on potential STR regulations, including, limits on the overall number of STRs and operating requirements.

The survey period ran from March 30 through May 2, 2023. The County used both digital and paper platforms for this survey and it was made available in both English and Spanish. The digital survey was promoted extensively through County communication channels including email communications, social media posts, and media coverage (press release, KWMR and Point Reyes Light coverage). Additionally, staff posted flyers throughout the unincorporated areas of the County and publicized the survey at community meetings. The paper format of the survey was made available at all library locations.

There were a total of 2,467 responses. 1,191 of the respondents indicated that they lived in Unincorporated Marin, 828 respondents noted that they lived in a town or city in Marin, 416 respondents identified as living outside of Marin, and 32 respondents did not identify where they live.

In general, there is a high level of support for STR limits and regulations from those who live in the unincorporated areas of the County. When reviewing responses from all respondents, there is lower support for limits on the number of STRs but strong support for operating requirements that ensure STRs tenants are safe and act as good neighbors. The overall survey summary is included in Attachment 1.

## **PLANNING COMMISSION WORKSHOP**

The Marin County Planning Commission hosted a STR workshop on June 12, 2023, as part of the outreach for this initiative. The purpose of the workshop was to provide the Planning Commission with background information on the STR Ordinance, including the project history, outreach and public engagement conducted to date; and to allow for public feedback on the direction of the proposed regulations.

Over 100 written public comments were received and shared with the Commission leading up to the June 2023 workshop. At the workshop, over 40 members of the public shared their feelings about STRs and potential regulations.

The Planning commission received the feedback, asked questions of staff, and requested additional information for consideration at future meetings.

## **ADDITIONAL OUTREACH AFTER JUNE 12, 2023**

- In June and July of 2023, staff conducted Facilitated Group Discussions with respondents to the survey who indicated that they would like to participate in additional conversations

on this topic. Three diverse groups of residents from all parts of Marin met to discuss their experiences with STRs in their communities (as neighbors, as current or former STR operators, etc.).

Staff attempted to meet with a Spanish-speaking group as part of this work, but there was not sufficient interest. In response, in August 2023, staff presented to the West Marin Collaborative – a forum for community-based organizations serving the area to meet and exchange ideas to better serve the West Marin community – and extended the offer to continue to meet with any groups or individuals that they serve who may be impacted by STR regulations. We commit to continual improvement with all populations and will continue to bridge the gaps between English and Spanish speaking populations.

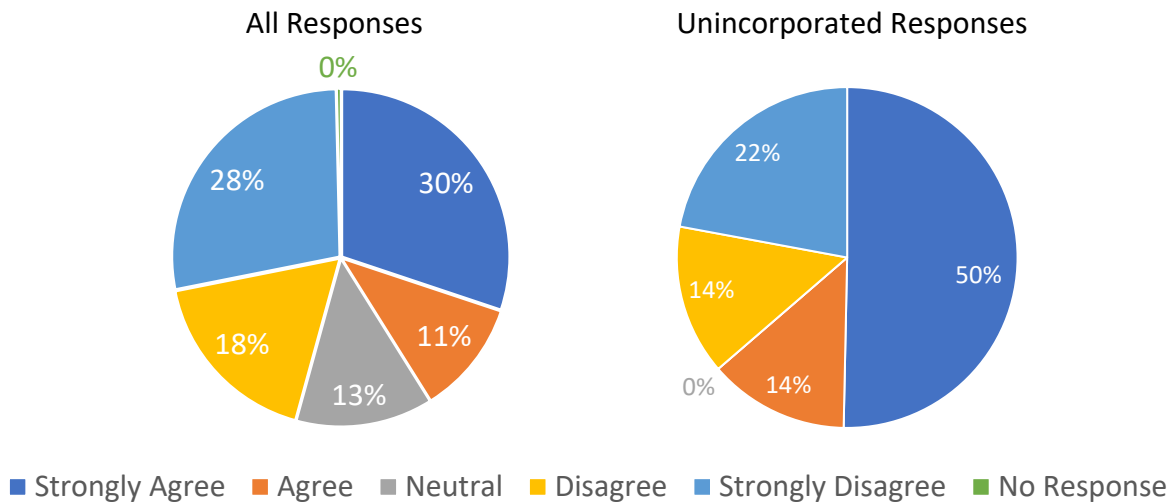
- Staff discussed proposed regulations with Supervisor Rodoni during his monthly radio show on KWMR on September 6, 2023.
- Staff presented STR background information, and a high-level summary of proposed regulations to the Bolinas Civic Group at the beginning of September 2023.
- Staff discussed proposed regulations with Megan Goldsby from KCBS, which aired September 20, 2023.
- Staff discussed proposed regulations with Jeffrey Manson on KWMR, which aired September 28, 2023.
- Staff met with the East Shore Planning Group at the end of September 2023 to answer any questions related to the proposed STR standards.
- Staff met with the Point Reyes Village Association in October to answer questions related to the proposed STR standards.

We continue to extend the offer to discuss STRs with any interested parties.

## **ATTACHMENT**

Attachment 1 – Short Term Rental Survey Results Summary

1. There should be a limit on the number of Short Term Rentals allowed in the unincorporated areas of the County.



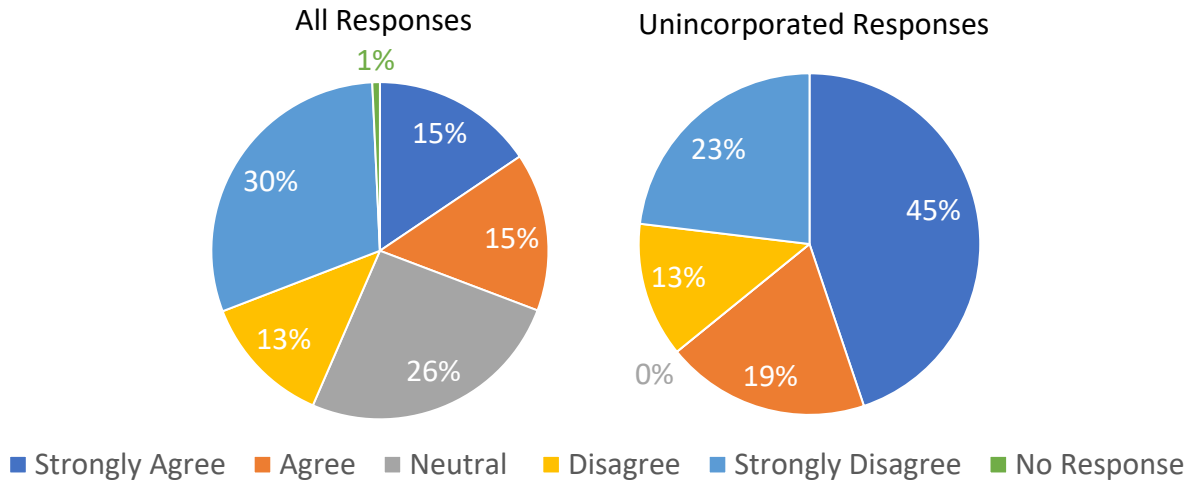
1

**1. There should be a limit on the number of Short Term Rentals allowed in the unincorporated areas of the County.**

	All Responses	Unincorporated Responses
Strongly Agree or Agree	41%	64%
Strongly Disagree or Disagree	45%	36%
Neutral or No Response	14%	0%

2

2. The County should establish different regulations for hosted Short Term Rentals (where the primary occupant stays onsite while the property is rented) and those that operate whole house Short Term Rentals (where no host is on site).



3

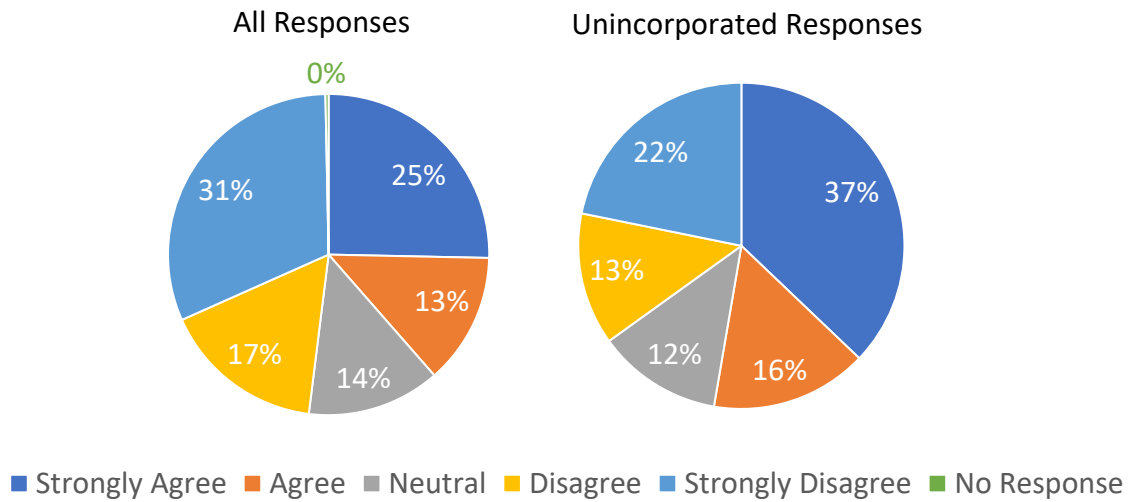
**2. The County should establish different regulations for hosted Short Term Rentals (where the primary occupant stays onsite while the property is rented) and those that operate whole house Short Term Rentals (where no host is on site).**

	All Responses	Unincorporated Responses
Strongly Agree or Agree	30%	64%
Strongly Disagree or Disagree	43%	36%
Neutral or No Response	27%	0%

4



### 3. Short Term Rental owners should only be allowed to operate one Short Term Rental.



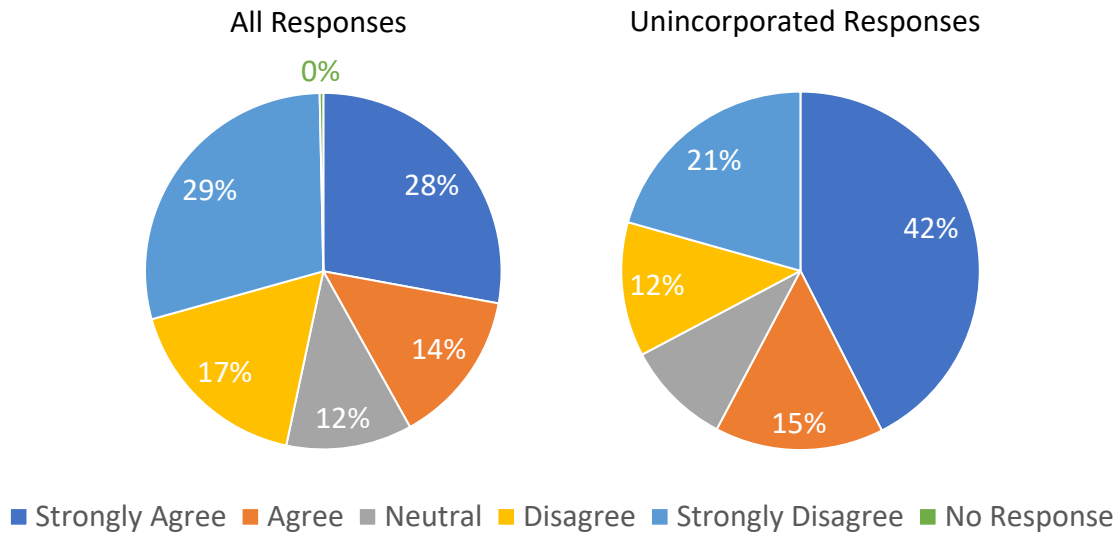
5

### 3. Short Term Rental owners should only be allowed to operate one Short Term Rental.

	All Responses	Unincorporated Responses
Strongly Agree or Agree	38%	53%
Strongly Disagree or Disagree	48%	35%
Neutral or No Response	14%	12%

6

4. There should be a limit on the number of Short Term Rentals by community.



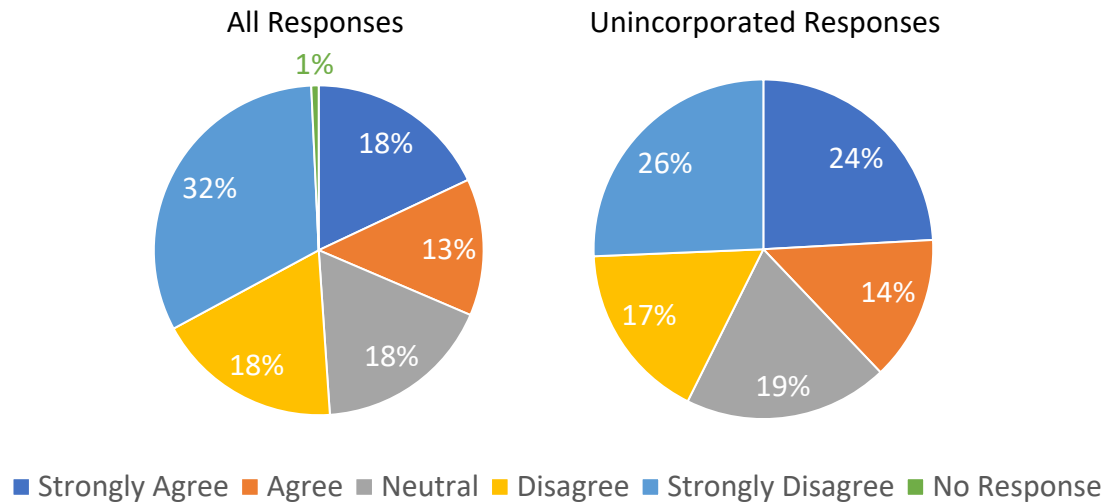
7

4. There should be a limit on the number of Short Term Rentals by community.

	All Responses	Unincorporated Responses
Strongly Agree or Agree	42%	57%
Strongly Disagree or Disagree	46%	33%
Neutral or No Response	12%	10%

8

5. The County should require a local property manager or vacation rental company to manage whole house Short Term Rentals.



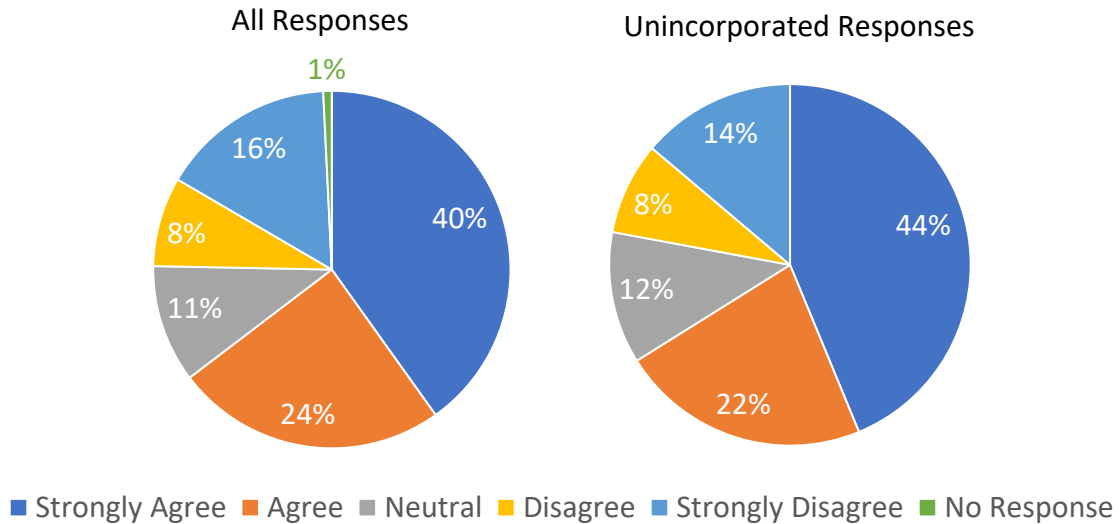
9

5. The County should require a local property manager or vacation rental company to manage whole house Short Term Rentals.

	All Responses	Unincorporated Responses
Strongly Agree or Agree	31%	38%
Strongly Disagree or Disagree	50%	43%
Neutral or No Response	19%	19%

10

6. Short Term Rental owners should have to show that their property meets basic building safety standards.



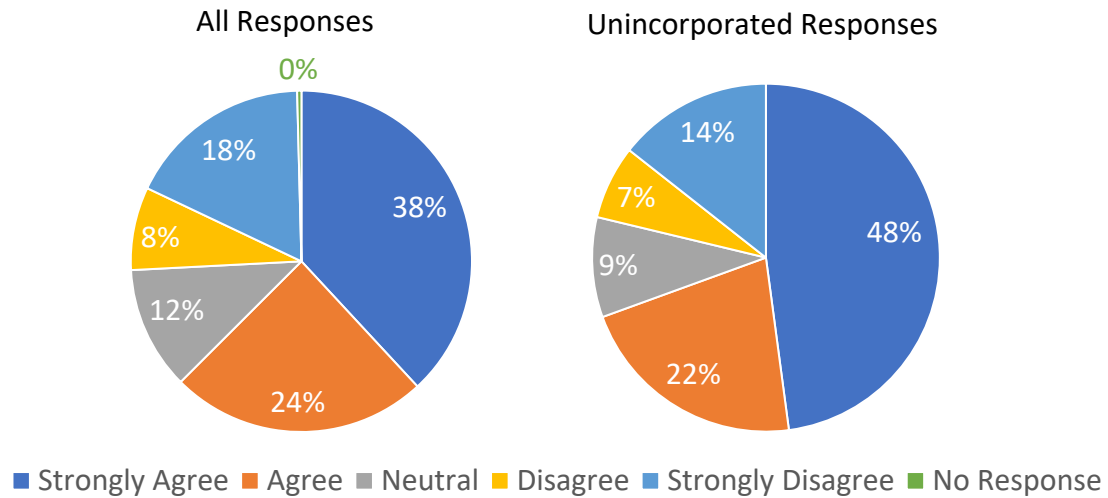
11

6. Short Term Rental owners should have to show that their property meets basic building safety standards.

	All Responses	Unincorporated Responses
Strongly Agree or Agree	64%	66%
Strongly Disagree or Disagree	24%	22%
Neutral or No Response	12%	12%

12

7. Short Term Rental owners should have to show that their property meets basic septic system standards.



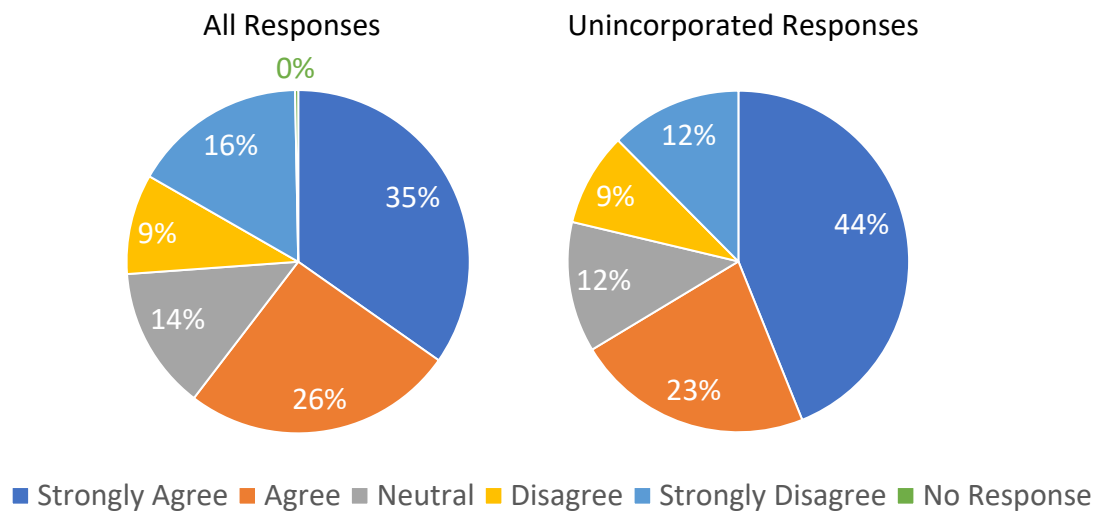
13

7. Short Term Rental owners should have to show that their property meets basic septic system standards.

	All Responses	Unincorporated Responses
Strongly Agree or Agree	62%	70%
Strongly Disagree or Disagree	26%	21%
Neutral or No Response	12%	9%

14

8. Short Term Rental owners should have to show that their property has enough onsite parking.



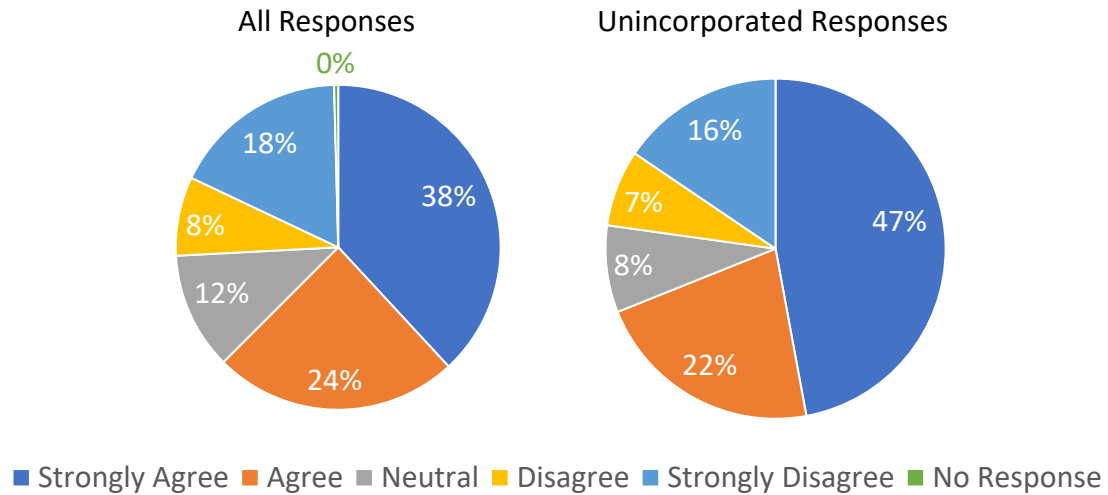
15

8. Short Term Rental owners should have to show that their property has enough onsite parking.

	All Responses	Unincorporated Responses
Strongly Agree or Agree	61%	67%
Strongly Disagree or Disagree	25%	21%
Neutral or No Response	14%	12%

16

9. The County should require Short Term Rental owners to have adequate water supply and water conservation measures in place.



17

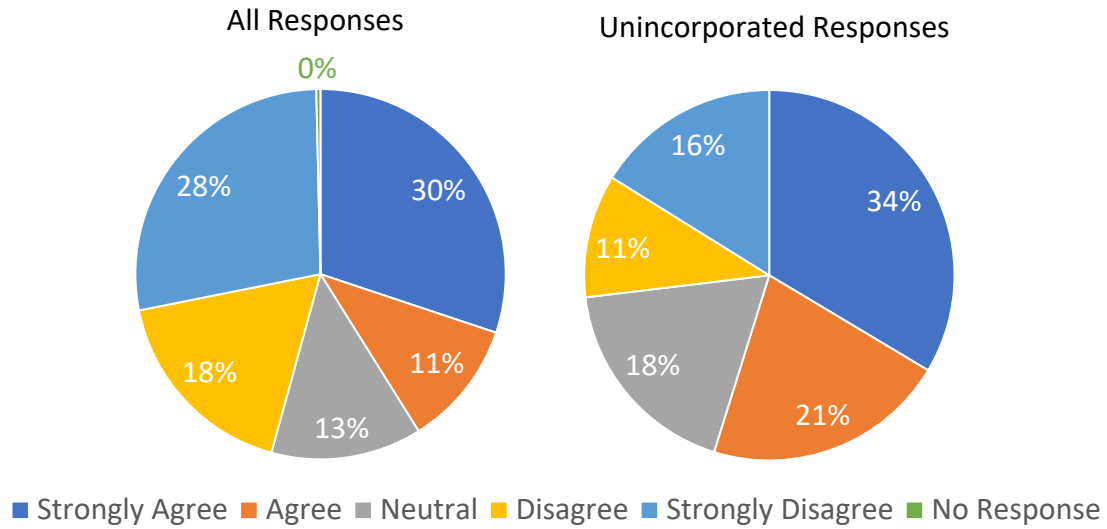
**9. The County should require Short Term Rental owners to have adequate water supply and water conservation measures in place.**

	All Responses	Unincorporated Responses
Strongly Agree or Agree	62%	69%
Strongly Disagree or Disagree	26%	23%
Neutral or No Response	12%	8%

18



10. Short Term Rental owners should have to show that their property has enclosed trash storage.

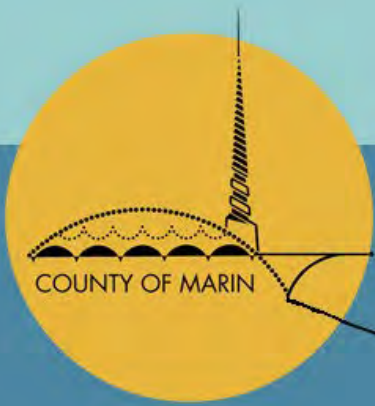


19

10. Short Term Rental owners should have to show that their property has enclosed trash storage.

	All Responses	Unincorporated Responses
Strongly Agree or Agree	41%	55%
Strongly Disagree or Disagree	46%	27%
Neutral or No Response	13%	18%

20



# Short Term Rentals



## CALIFORNIA JURISDICTION COMPARISONS

### The City of San Diego

- STR License Required
  - One license per Host allowed
  - Host must be a natural person
- STR Caps established - Tiered Approach
  - Tier 1
    - Rented for 20 days or less
    - Permanent resident does not need to reside onsite
  - Tier 2
    - Rented for more than 20 days
    - Permanent resident must reside onsite, though may be absent up to 90 days per year
  - Tier 3
    - Unhosted STR, rented for more than 20 days
    - STR must be rented a minimum of 90 days
    - Two-night minimum stay required
    - 1% of San Diego's total housing units outside the Mission Beach Community Planning Area – 5,419 total units
  - Tier 4
    - Unhosted STR, rented for more than 20 days
    - STR must be rented a minimum of 90 days
    - Two-night minimum stay required
    - 30% of the Mission Beach Community Planning Area – 1,082 total units
- Exterior signage required

### Placer County

- STR License required
  - One license per Host allowed
- STR Caps established
  - Owner-occupied units are not subject to the cap
  - Total number of STRs capped at 3,900 units
- Onsite parking required
- Exterior signage required
- 2 guests/bedroom plus 2 additional guests, up to a max 12 guests overnight, not including children under 12

- Restricted structures:
  - Affordable housing units
  - Deed restricted properties
  - Tiny homes
  - Mobile homes
  - Manufactured homes
- Only one STR unit per property is permitted
- No special events allowed

## **Sonoma County**

- Excludes Coastal Zone
- License required
- Only one STR per parcel allowed
- Restricted structures:
  - ADUs and JADUs
  - Affordable housing units
  - Timeshares
  - Deed restricted properties
- Restricted Zones:
  - The Low-Density Residential zone (R1)
  - Higher-density residential districts (R2, R3, PC)
  - Lands within an Agricultural Preserve that is subject to a Land Conservation Act (Williamson Act) Contract
  - Land Intensive Agriculture (LIA) zoned properties
- Many small communities are capped at 5-10% of single-family dwellings in the zone to reduce vacation rental concentration.
- Guests
  - 2 guests/bedroom plus 2 additional guests, up to a maximum of 12 total, not including children under 3
  - If on septic, guest limit is based on number of bedrooms septic is designed to serve
  - If no record of septic permit, max occupancy is 4, not including children under 3
- Parking requirements based on number of bedrooms, up to 3 spaces required

## **The City of San Francisco**

- Business registration required
- Only one STR per parcel allowed
- Restricted structures:
  - Affordable housing units
  - Student housing, dormitories, and SROs
  - Buildings subject to the Ellis Act after 2014
  - ADUs
  - Shipping containers, tents, tree houses
  - Vans and RVs
  - Commercial properties
  - Properties located on Treasure Island, Fort Mason or the Presidio
  - Boats and similar watercraft
  - Group Housing properties
- Permanent residency required

- Only one permanent resident may host an STR
- Must occupy the unit for no less than 275 days
- An Unhosted unit may only be rented for 90 nights/year
  - Permanent resident shall submit a quarterly report to the Department beginning on January 1, 2016, and on January 1, April 1, July 1, and October 1 of each year thereafter, regarding the number of days the STR has been rented for compliance
- No special events permitted

### **The City of Half Moon Bay**

- STR License required
- One license per operator
- No more than one STR per property
  - If located on a multi-family property, at least one of the units must be the primary residence of the owner
- Restricted structures:
  - Mobile homes
  - Recreational vehicles
  - Multi-family developments with four or more units
  - Any mixed-use or residential development containing one or more units restricted to be affordable to lower income households, farmworker housing
  - Accessory Dwelling Units
- Restricted Zones:
  - Open Space Reserve (OS-R)
  - Urban Reserve (UR) zoning districts
  - Substantially undeveloped Planned Developments in Chapter 2 of the Land Use Plan
- Primary Residency required
- Unhosted STRs may not be rented for more than 60 nights/year; no limits on Hosted STRs
- Maximum guest occupancy limited to 2 people per bedroom
- One off street parking space per bedroom is required
- Limits water use to 350 gallons per day
- No special events permitted

### **The City of Trinidad**

- STR License Required
- No more than 2 licenses per owner
- STR Caps established
  - 32 STRs allowed
    - 18 in the UR Zone
    - 7 in the SR Zone
  - Additional licenses may be permitted subject to Conditional Use Permit approval
- No STR may be located adjacent to a property with an existing STR license
- Hosted STRs may not be rented more than 59 nights per year
- Unhosted STRs must be rented for a minimum of 60 nights per year
- Maximum guest occupancy for Unhosted STRs is limited to 2 people per bedroom plus an additional 2 people
- One off-street parking space for every two guests required

- Limits water use to 150 gallons per day
- Exterior signage required

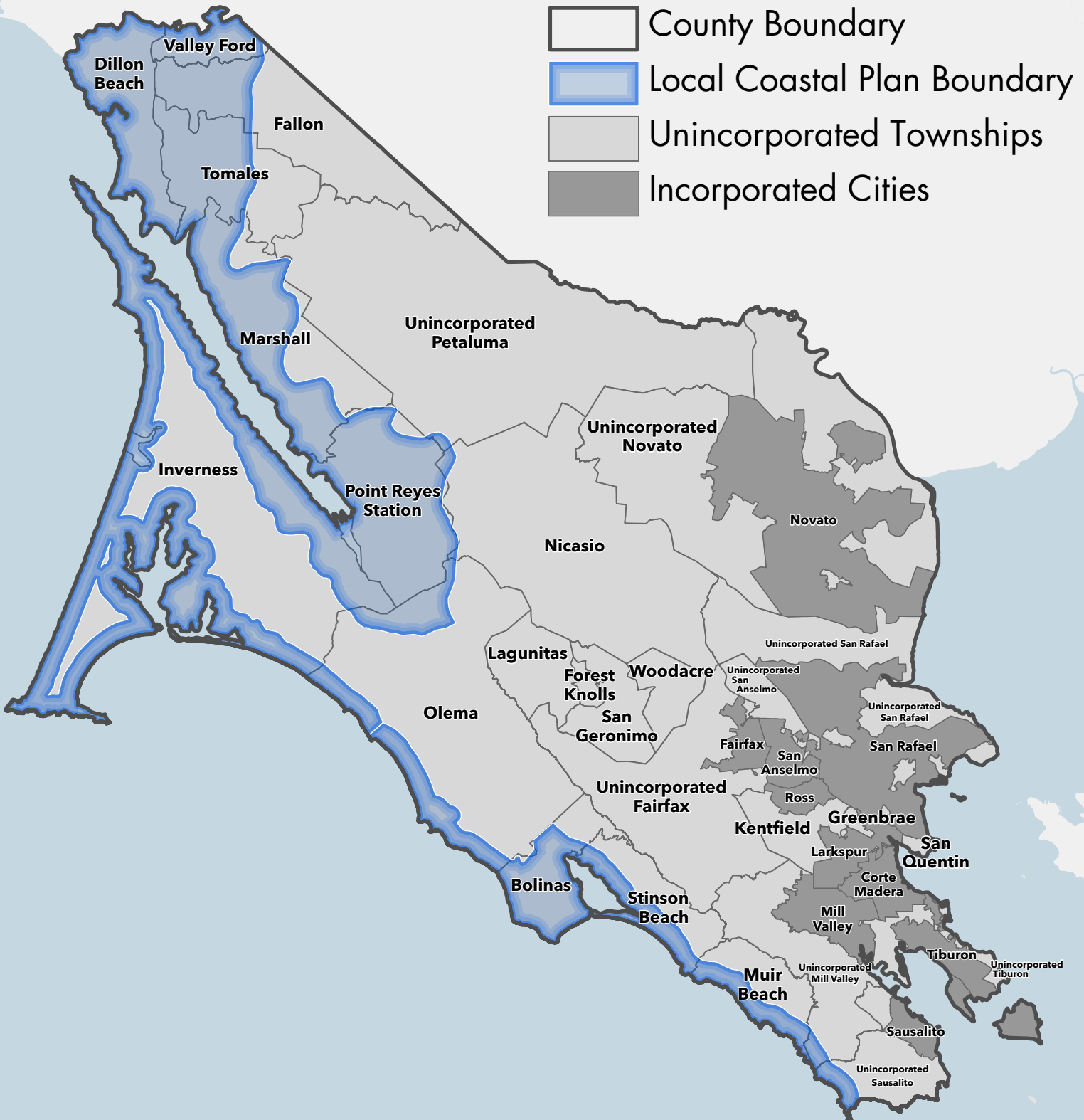
### **The City of Novato**

- STR License required
- Permanent residency required, must be a natural person
  - Permanent resident must occupy unit for a minimum of 60 days
  - Permanent resident is not required to be onsite during the rental
- Off-street parking required
- Restricted structures:
  - Affordable housing, deed restricted units
  - ADUs approved for building permits in 2017 or later
  - Student housing, dormitories, or SROs
  - Properties with non-residential uses as the principal use (commercial, etc.)
  - Any building or structure that are not permitted for residential use
  - RVs, motorhomes, or trailers; motor vehicles or vans, tents, yurts, or boats
- Maximum guest occupancy is limited to 2 people per bedroom plus an additional 2 people
- Exterior signage required
- Property inspection required. Inspection can be self-certified and must document, with photographic evidence, the following:
  - Egress
  - CO2 and smoke detectors
  - Interior signage for guests
  - Designated off-street parking
- Wildland Urban Interface (WUI) inspection by the Novato Fire District for properties in the WUI

### **The City of San Rafael**

- STR License required
- Permanent residency required, must be a natural person
  - Permanent resident must occupy unit for a minimum of 60 days
  - Permanent resident is not required to be onsite during the rental
- Restricted structures:
  - Affordable housing
  - Student housing, dormitories and SROs
  - Commercial or industrial zoned lots
  - Non-residential areas within buildings, such as storage areas, and living/sleeping quarters added in garages
  - RVs, including non-motorized Travel Trailers
  - Boats/House Boats
  - Yurts, Tents, and Treehouses
  - Sleeping Quarters in Vans or Cars
- Maximum guest occupancy is limited to 2 people per bedroom, plus an additional 2 people if the rental has additional living space (like a studio)
- Onsite parking required
- Self-certified safety and vegetation inspections required

# Unincorporated Townships of Marin County



0 4 8 Miles

This map is representational only. Data are not survey accurate.

**PC ATTACHMENT 8**

**From:** [Eoin McMillan](#)  
**To:** [Rodoni, Dennis](#); [Kilgariff, Kathleen](#); [STR](#)  
**Subject:** (Photo) Who here thinks there are too many vacation rentals in Bolinas?  
**Date:** Wednesday, June 14, 2023 10:37:34 PM  
**Attachments:** [IMG\\_8828.png](#)

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

Hi Dennis and Kathleen,

I gave a quick working update at the monthly Bolinas Community Meeting. Before I started the presentation I asked the room to raise their hand if they thought there were too many vacation rentals in Bolinas. Here was the response.

I must admit, unanimous opposition was quite surprising until I remembered that full-time vacation renters aren't turning up to community meetings, organizing the baby blessing, helping to mow grass to reduce our fire load, helping with the local monarch habitat, helping to organize events, or volunteering at the local Lions Club (the first in America to admit women, now 50% of membership).

I hope to see you both at the July 4th parade!

-- Eoin



--  
Eoin McMillan | [eoin.me](#) | [@mceoin](#)  
*miseris succurrere disco*



**From:** [Danny Speirn](#)  
**To:** [STR](#)  
**Subject:** Bolinas short term rentals  
**Date:** Wednesday, June 28, 2023 7:55:27 PM

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

To whom it may concern

Small Towns and communities are important. People generally find purpose through community, and purpose is a key factor to happiness. As we destroy small communities we destroy peoples lives by taking away their purpose and happiness. Small towns and communities create unique cultures and perspectives that lend themselves to innovation. Many ideas are born through living differently than others which is why we need to preserve small towns and communities.

I grew up in Bolinas and have now lived here almost 25 years. Over those 25 years I have watched this community dwindle before my eyes. There have been many contributing factors, but the main factor has been a lack of affordable housing. Due to an influx of people who buy houses to use as vacation homes or short term rentals, there are simply no homes for long term residents.

In Bolinas' original town plan it is stated that the goal of this town is to not be a tourist economy. The town is supposed to be, and was, a small, self sustaining economy and community in which people could live together and rely on one another for help and services. Its population was big enough that it didn't have to rely on money coming in from outside. With every house that becomes a vacation home or short term rental; we lose another neighbor, another person to patronize local businesses, another kid in our schools, and another person that contributes a service to the town. This is detrimental to the health of our community. Once enough people are pushed out that's the end of the town, the culture and community here.

This is a common problem in many small, coastal communities. Each with their own unique set of problems. This is why I believe that each community in West Marin should be able to determine its own policy on short term rentals.

In Bolinas' case I believe the rules should be as follows:

\*No property shall be used solely as a short term rental

\*Short term rentals should only be allowed on property's that have residents, weather the resident is the owner or a long term renter

Although this may not be on the table I would like to express that I believe every home in Bolinas should have to be the owners "primary residence". Meaning they spend the majority of their time here.

Thank you for creating this open forum.

Daniel Speirn

**From:** [Rick Gordon](#)  
**To:** [STR; Rodoni, Dennis](#)  
**Cc:** [Don Smith](#); [Eleanor Lyman](#)  
**Subject:** Concerning Short Term Rentals in Bolinas  
**Date:** Tuesday, June 20, 2023 9:17:32 PM

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Dear Supervisor Rodoni, and whoever else is involved with the limitations on STRs:

As a Bolinas resident, and long-time resident of West Marin, I feel that it is vital to our communities to severely limit short-term rentals.

The proliferation of short-term rentals has created a situation where...

- There is an extreme lack of housing for local residents
- Rents are inflated to vacation rental rates
- Neighborhoods are decimated.
- Vacationers with no relationship to the community or understanding of the cultural context of the place exhaust the resources of our small communities and/or act in ways that are disruptive or disrespectful to the residents.

**Suggested Practices:**

- There should be a hard cap on the number of STR licenses per community, with limitations to those properties where the owner is a full-time resident.
- License acquisition and renewal should be compliant with all existing codes.
- There should be no more than a single STR license for any individual or corporation.

Thank you,

RICK GORDON

PO Box 291, 34 Marin Way, Bolinas, CA 94924

PHONE: 415-246-2756

EMAIL: [rick@rickgordon.com](mailto:rick@rickgordon.com)

**From:** [Mike Durrie](#)  
**To:** [STR](#)  
**Subject:** Data  
**Date:** Thursday, July 27, 2023 6:35:39 PM

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Still waiting to see your efforts to determine just how many long term rentals became STR.

And during moratorium have there been more long term rentals?

My sense is that a solution may be found that doesn't address the need for more affordable, or otherwise, rentals, but makes it appear that we have done something worthy because new limits on STR imposed.

Just because people say STR take away long term rentals doesn't make it true, it just means people believe it to be true. Scapegoats have long been a solution to concerns about how things "are".

But it may be good politics to make people feel that something worthy has been done. Just not very honest.

Mike Durrie 69 1948

**From:** [Olia Vorobeva](#)  
**To:** [STR](#)  
**Subject:** Fix the housing crisis  
**Date:** Wednesday, June 21, 2023 3:42:41 PM

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To whom it may concern,

Cities should stop avoiding the housing crisis they are responsible for through failing to adjust zoning to accommodate housing demand over the course of the past few decades.

STR growth is a consequence of failed local housing policies, not the cause of it. If housing wasn't such a commodity, it wouldn't turn into a business.

Fix the local housing policy instead of shirking the blame and responsibility onto the people who have recognized the business opportunities that the asinine housing policies had created.

~Olga Vorobeva

**From:** [Rodoni, Dennis](#)  
**To:** [STR](#)  
**Subject:** FW: I am OPPOSED to the Short-term Rental moratorium  
**Date:** Wednesday, August 23, 2023 5:06:39 PM

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Supervisor 4th District  
Marin County Board of Supervisors  
3501 Civic Center Drive, Suite 329  
San Rafael CA 94903  
415-473-7331

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**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org) <[no-reply@marincounty.org](mailto:no-reply@marincounty.org)>  
**Sent:** Wednesday, August 23, 2023 11:13 AM  
**To:** Rodoni, Dennis <[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)>  
**Subject:** I am OPPOSED to the Short-term Rental moratorium

Chris Anderl with email address [christopheranderl@gmail.com](mailto:christopheranderl@gmail.com) would like information about:

Dennis, I have lived in West Marin for 30 years, first in Tamalpais Valley, now in Inverness for the past 20. Always (and I thought) forever a Renter, I had the great good fortune to buy the home I'd rented for 16 years, two years ago. My mortgage is expensive, and while I'm a full time occupant and self/home employed, meeting my monthly expenses are always a concern. I'd like to be able to travel occasionally and still be able to afford my mortgage, so short-term renting of a few weeks to a few months per year would allow me those financial and vacation freedoms, ie: self-determination, which I understand to be foundational to being an American. My home is too small and open plan designed to have a full-time renter, nor do I wish to have a room-mate, so my home is not a candidate for offering long term housing to anyone. I hope you can see that a blanket approach to the issue of short and long housing rental does NOT WORK for my life needs! THANKS

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

**From:** [Thomas, Leelee](#)  
**To:** [Kilgariff, Kathleen](#)  
**Subject:** FW: I've never heard of these no-AirBnB deed restrictions  
**Date:** Thursday, August 17, 2023 12:18:37 PM

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I think this should come to you.  
Thanks!

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**From:** Maureen Kennedy <[mkennedy104@icloud.com](mailto:mkennedy104@icloud.com)>  
**Sent:** Thursday, August 17, 2023 10:04 AM  
**To:** Kutter, Rhonda <[RKutter@marincounty.org](mailto:RKutter@marincounty.org)>; Thomas, Leelee <[LThomas@marincounty.org](mailto:LThomas@marincounty.org)>  
**Subject:** Fwd: I've never heard of these no-AirBnB deed restrictions

You don't often get email from [mkennedy104@icloud.com](mailto:mkennedy104@icloud.com). [Learn why this is important](#)

Begin forwarded message:

**From:** Maureen Kennedy <[mkennedy104@gmail.com](mailto:mkennedy104@gmail.com)>  
**Subject:** I've never heard of these no-AirBnB deed restrictions  
**Date:** August 17, 2023 at 9:55:43 AM PDT  
**To:** Steve Costa <[stevegcosta@gmail.com](mailto:stevegcosta@gmail.com)>, Tom Kizzia <[tkizzia@gmail.com](mailto:tkizzia@gmail.com)>



[Can Affluence and Affordable Housing Coexist in Colorado's Rockies?](#)  
[nytimes.com](https://www.nytimes.com)

Have to think about it. The conceptual link to MALT (ag land) or KHLT protections is nice and presumably eases uptake/generates trust.

One issue I've seen in NYC, where for 35 years you've see a quid pro quo like "we'll give you an additional floor in the new building if you agree to set aside 15% for L/M income, or integrate a public park into the envelope," is that the deed restriction is forgotten/ignored (except at marketing and sale as it's recorded and disclosed—definitely affects resale value). The public bench in Trump Tower is the classic example. See J. Kayden Privately Owned Public Spaces, which argues for creating and managing a portfolio of public assets. I.e. have a staffer who goes out and checks to

see if the bench is still there, or the rooftop public park is accessible to the public, or if the public park/courtyard has been taken over as outdoor seating for the adjacent restaurant. Oakland/Berkeley's live/work deed restrictions were a concession to those opposed to losing functionality of former warehouse space (for artists, makers, etc.). The restrictions are regularly worked around—"well, I have a side hustle as a jewelry maker so I qualify."

I don't think the deed restriction approach has come up in Marin County discussions relative to the current new-short-term-rental moratorium. Compared to SF's "command and control" AirBnB regulation, it's voluntary/you don't get x units in compliance on day 2, not changeable by future administration/permanent, not staffed/self-enforced, involves payment to owner/public budget commitment, reduces market value of the property at the margin .....

If you have a legal obligation to register your short term rental with the county, it's easy to compare the list of deed-restricted units to the STR registry and go after any overlap. I think in Marin you'd have some folks open to a deed restriction without compensation, who then would be off the STR list/less trackable.

M



Name: [Nicole Schudy](#)  
 Email: [nicole@nicoleanddoug.com](mailto:nicole@nicoleanddoug.com)  
 Phone: 250.733.1481 (Cell) / 250.733.1481 (Home)  
 Address: [250.733.1481](#)

Hi Kathleen,

Happy Friday! Had a typo on your email when copying you on the below email, so wanted to make sure you receive it for the STR meeting on Fri.

Have a great weekend!

From: [Nicole Schudy](mailto:nicole@nicoleanddoug.com) [\[mailto:nicole@nicoleanddoug.com\]](mailto:nicole@nicoleanddoug.com)  
 Sent: August 1, 2023 at 11:41 AM PST  
 To: [kathleen@strbc.ca](mailto:kathleen@strbc.ca)  
 Cc: [nicole@nicoleanddoug.com](mailto:nicole@nicoleanddoug.com), [Loren.Poncin@strbc.ca](mailto:Loren.Poncin@strbc.ca), [lin.poncin@strbc.ca](mailto:lin.poncin@strbc.ca), [tondore@strbc.ca](mailto:tondore@strbc.ca), [kirkjordan@strbc.ca](mailto:kirkjordan@strbc.ca), [jessica@strbc.ca](mailto:jessica@strbc.ca), [chris@strbc.ca](mailto:chris@strbc.ca), [dan@strbc.ca](mailto:dan@strbc.ca), [blake@strbc.ca](mailto:blake@strbc.ca), [eric@strbc.ca](mailto:eric@strbc.ca), [andrea@strbc.ca](mailto:andrea@strbc.ca)  
 Subject: [Farm Day Agriculture STR Edition 19](#)

Good Afternoon,

I wrote this email to review expanded healthcare project schedules on a conference call for my role as a Project Manager for Kaiser Permanente while I sat through brief calls from my husband from my phone after a collection of eggs from my chicken coop, also for my phone. My day began at 6:45 AM when I loaded my ranch truck by hand with 14 boxes of hay to feed my herd of beef cattle, followed by me finishing washes for my sporting, Arabidh recreation. I take pride in small things, such as using the skills and setting out fresh ingredients so that my phone can enjoy that Cow Truck Ranch but as a woman and a woman farmer. There are my own and I always ensure that someone is present on a call for the cattle that time was in "Nancy" on the weekend, and the ranch is in hand. Last night's phone message from my phone, saying that "Nancy" was a great reminder to me of the wonderful memories in West Main, completing the work prepared for them from Cow Truck Ranch in Toronto. They were in one of the best areas at Cow's Valley Roadhouse with ingredients from local farms and ranches and told me this morning on the depend back to the city. "You have such a special place here and we feel so lucky to be here. Thank you for sharing this with us, we read your family story in the book on the coffee table. We enjoyed visiting the cows the most, we couldn't believe they were going right inside the window! We only enjoyed the sunset from the top of the hill and the wonderful view and fresh air. We will be back!" My team on a local 1.5 mile from the main road with no view of any nature or mountains and a very scenic - something to value from, as do our visitors. A connection to nature, one which is valued as an STR establishment.

I felt obligated to send a follow-up to my letter sent via email to the Planning Commission on July 16th to express the absolute necessity for business diversification for ranchers. This took hours each day, when my phone wanted to allow 6 hrs to visit, yet a mail glimpse into the ranching lifestyle and culture. My father, a large animal veterinarian for 36 years, found it rewarding to take phone calls into the old ranch truck to feed cows. I specifically remember a group of Cowdell employees, where they were so amazed by this experience and used a recent year later to thank our family for providing this unique experience. I still have a photo of my dad in the bed of that ranch truck with a huge smile. Sharing the ranch was everything to my father, as it is the same for me as I carry on this special legacy in West Main, the other Main County farm my rancher. My goal for the cattle business was hand with land conservation and agri-tourism agriculture. Higher quality pasture and beef cattle. I have achieved this goal of making my herd 100% and bringing the farm on the combined to the goal by providing supplemental income to replace the reduction in herd size. The farm may support my ranch operation and I depend on this income to afford to be here - no pig raise, afford the maintenance and purchase feed for my animals along with the many other monthly expenses. My mission is to connect these disconnected with agriculture on the ranch and look forward to handing this down for the future generations. In order to do so, and to protect the land and heritage, the ranch must be diverse in ways to generate income.

While working full time, managing the daily ranch operation and care, creating homestead products to sell and the farm stay, I have been performing all of the bookkeeping duties for my STR myself. I understand that when my phone from my single bookkeeper's income, but it also necessary to my effort in this. This is not an easy thing to do as a single woman business owner. Since the rancher occupancy tax rate was increased to 14% on January 1, 2019, the demand on my budget on my phone to provide an affordable stay for guests, even though the cost for me to do business has skyrocketed. I currently have minimal insurance cover with reduced coverage as a very limited market and check my credit's annual spending daily to compare the year flow from the previous day as we continue to conserve during this decreasing through 30 full-time seasons of 7 years are highly connected to the environmental conditions of the ranch, specifically through drought, and they understand the importance of water conservation. I educate my farm my phone on the subject of drought as well - something many are uneducated on, or oblivious to. The Summer and Fall seasons bring many challenges and my calendar availability is reduced, primarily based on the amount of natural water.

I would like the County to consider the many challenges ranchers face in terms of operations, natural resources and cow while they establish a proposed list of regulations and/or changes to the STR ordinance. We have been committed to land stewardship, along with diligently operating our multi-faceted business with permits and licenses to do so - and contributing a large portion of tax dollars for housing. As STRs are being discontinued, it is important to remember that agriculture and tourism are the heartbeat of this county, and they rely on hand with providing high volume of income for the County.

In closing, I would like to thank some of the recent guest book entries written by Cow Truck Ranch guests.

July 21 to 24, 2023

Here for my 60th Birthday! with one of my best friends - who drove from Idaho! What a beautiful place. Hearing the birds chirping vigorously, My mom used to like "The Down Chorus", but the birds were so loud on 1st morning here that we said it's a "Down Symphony". Love the white dogs - Pyrenees - who were so loving when we arrived! And yesterday seeing Jared/Jax? non-verbally "push home" the bull, and then to see Wesley & the other horses, just being all the details of the in the Bunk House - brass horse heads, Jessa wood structure, horse medals! that remind me of my youth photos on the walls - including of your father! your Cow Truck Ranch - cow photos! And interesting book collection - Wesley on Old Rowing Book! & Saskatchewan, & local Nicasio Ranch history! Had a beautiful Birthday celebration at Rimantown Beach w/ girlfriends yesterday! Looking forward to music & BBQ at Parcho Nicasio this afternoon! Also love the Pixmaoy sett, & seeing cows w/in 4-5 ft of the bunk truck!

And so glad to learn your keeping your family traditions alive, and have developed the beef sustainability! My sister knew it was a real little Ranch when she drove over the cattle band, I wish you the best with this Ranch! And hopefully, all returns in the future! Nancy Schudy

July 25, 2023

Mike and I had a wonderful time at Cow Track Ranch!

It was such a lot of breaths of fresh air to be so far away from the madding crowds. Three nights without internet, cell service, or television was such a gift.

But most of all, we loved being surrounded by the cows, bulls, horses, chickens & --- Willow and Chloe, who were great fun. And your hospitality was so appreciated.

We felt very much at home and loved meeting and talking to both of you. This was very much a farm to take experiences eating eggs for breakfast while the chickens pecked away outside the door. Not to mention the delicious (or so I heard) sausages.

Thank you so much for sharing with us a glimpse into your bucolic lives. Please don't ever give up on Cow Track Ranch. We were privileged to stay with you.

Lindette Hanson & Michael Travis

July 27<sup>th</sup> 2023

I was seeking a short get away to connect with nature and Cow Tracks Ranch has been the perfect experience. Sitting on the porch with coffee (chem-x makes a great brew) and a book... listening to the peaceful sounds of nature has been perfect. I love watching the chickens roam and the cows in the distance. The dogs have also been super friendly 😊 I do wish the honey was in a smaller jar so I could bring some home in my carry on bag. I got an excellent nights sleep in the very comfy bed. I also purchased a filet and cooked it last night. Even though I slightly over-cooked it... it was still one of the best steaks I've ever made and was juicy and delightful. I used some of the rosemary salts in the cupboard. I think it is important to experience a farm/ranch style living so people can see what it's like and how good it feels to live with the land and treat it with care and respect. Will 100% be returning. You are doing great work here 😊

♥ Jenn Z.





**From:** [gayatri.r.gadepalli](mailto:gayatri.r.gadepalli)  
**To:** [STR](#)  
**Subject:** Fwd: SUBMIT FEEDBACK re: Short Term Rentals THIS WEEK!  
**Date:** Thursday, June 22, 2023 1:33:49 PM

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NO OPINION,

----- Forwarded message -----

**From:** Grace Gubbins <[ggubbins@bolinaslandtrust.org](mailto:ggubbins@bolinaslandtrust.org)>  
**Date:** Wed, Jun 21, 2023 at 3:24 PM  
**Subject:** SUBMIT FEEDBACK re: Short Term Rentals THIS WEEK!  
**To:** Bolinas Community Land Trust <[info@bolinaslandtrust.org](mailto:info@bolinaslandtrust.org)>

Dear BCLT Community,

I'm writing to let you know that **Marin County is in the midst of reviewing its temporary short term rental (STR) moratorium in West Marin to decide what kind of permanent regulations should be applied to STR's.** They have heard from a lot of STR rental owners and operators **but they have not heard from many people who are renters or impacted by short-term rentals...people like, You?**

**Now is the time to make your opinions on this matter known, next week will be too late. So, please take 2 minutes and send an email TODAY to [str@marincounty.org](mailto:str@marincounty.org) to make your opinion known on this matter.**

BCLT knows each of you cares about affordable housing and several of you have communicated with us about short-term rental regulations of the years. We know people in our community rely on short-term rentals for income and work. We are also aware that the unregulated explosion in STRs are a driving force behind our affordable housing crisis. In our coastal zone, there are currently 568 STR's registered with the County. The County Staff Report that was recently submitted to the Marin Planning Commission states that, *"Housing shortages and prices are likely affected by the high number of homes used as STRs instead of as permanent residences. A significant proportion of the housing in some communities has been converted to commercial use in the form of STRs."*


If you would like to learn more about potential policy options, one group working on this issue is [West Marin Residents for Housing](#), which has done extensive research on how other Coastal jurisdictions in CA have addressed this issue and is attempting to put forth fair, balanced policy measures that will have the effect of allowing a reasonable number of STRs to continue while increasing the likelihood that full-time residents can occupy homes. Another information source is the [County's STR page](#).

If you have a perspective on the future regulations of STR's, PLEASE submit your thoughts via email to: [str@marincounty.org](mailto:str@marincounty.org).


Sincerely,

Grace Gubbins  
Communications Associate  
Bolin Community Land Trust

Have a nice day, Many thanks, Sincerely,

 **Gadepalli, Gayatri**  
Mobile App developer

Pronouns : he/him/his/she/hers/her



We cannot direct the direction of wind but can adjust the sails - UNKNOWN

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**From:** [Paul Helzer](#)  
**To:** [STR](#)  
**Subject:** housing crisis  
**Date:** Thursday, June 22, 2023 9:28:01 AM

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Howdy,

Thanks for taking the time to collect public comment before you decide how to handle STR regulations. I feel compelled to report what I see in my small town of Bolinas in Marin County. The families and community members that provide the life blood, culture, work force, and loving energy that nourishes the town is being squeezed out. We are in a state of emergency and we can no longer support a policy that allows folks who don't live in our community to put a higher profit before the people that build community here everyday. We need all the ports we have during this storm and need to take simple common sense action that will have a big impact. End STRs that take entire households off the market today. The county has indicated it is serious about addressing the housing crisis. Let this be an opportunity that shows you are serious.

-Paul

--

[paulhelzer.tumblr.com](http://paulhelzer.tumblr.com)

**From:** [Autumn Doherty](#)  
**To:** [STR](#)  
**Subject:** Housing  
**Date:** Thursday, July 6, 2023 9:43:34 AM

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it's pretty basic math: if you don't have housing your at the hands of mercy or the back seat of a car! There is absolutely no reason we can't figure out how to provide for low income people. Times wasting and encampments like the one in Novato are draining resources and destroying lives! Please stop procrastinating solutions and make affordable housing a top priority! It's not rocket science!

Sent from my iPhone

**From:** [Kimmy Haines](#)  
**To:** [STR](#)  
**Subject:** I am a Bolinas resident and renter - my living situation  
**Date:** Thursday, June 22, 2023 7:48:57 AM

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Hello - I moved to Bolinas in 2018. Im a single female aged 36. I do not have a trust fund and my family is not wealthy. I work full time locally and received my housing thanks to a referral from my boss who grew up here. I make about \$45k yearly. I live in an in law rental below my elderly landlords in a 120 year old house. We are walking distance to the beach and have a lush garden and I love where I live. I have decently priced rent at \$1600 monthly, and was told I am welcome here because I am an Artist, a Surfer and not a weirdo. I am an active member of AA and help facilitate meetings in the neighborhood. I moved out of circumstance, not by choice. The deal was too good to pass up. With 6 years in this situation I now feel differently. My unit is an illegal dwelling technically. I never signed a lease and was told I never will , month to month basis only, and “we don’t need to do that”. My Landlords are cool , but they enter my home without notice while im not there and are quite noisy. I do not complain for fear of rocking the boat. There are rats and mice in the walls, slugs crawl through floorboards sometimes, the bath water is not always hot, the stove has a gas leak and I am pretty sure mold is abundant. Termites , and other critters, and no heat. I keep things tidy but it is also part of living in nature. These issues are often frustrating and I feel very unprotected legally, living here. I am not listed as a resident because my landlord doesn’t want that , and I have no PO Box or permanent address. With lack of privacy , no heat, spotty electricity, no phone service in the house, and only a mini fridge and bad stove , I might have a lot to raise concern with my landlords. When I have I was treated like an ignorant child, and with disregard of my basic rights. so I have learned to just be quiet and deal with things as best I can on my own. My landlord never pays for repairs, he likes to do things himself, which isn’t always professional or up to code. I worry that I could get kicked out if I raise too much concern , and being an independent female, I know how valuable having my own apartment is.

In the radius of where I live there are approximately 12 homes that sit empty for 95% of the year. I do not know why that is, and it makes for a quiet neighborhood. I am grateful for my home. I have worked very hard in life to live here and I know that I have a great place. The general view I have seen from homeowners like my landlords is they are careful of who they allow in to rent, and into the community. A lot of lost and sick people are drawn to Bolinas and I think see it as a vacation destination where they can let loose and assume a new identity while here, not always a respectful one. That is not what Bolinas is for me or the community members I know. I wish Bolinas was not so complicated , I love it here and would love to stay. It would be nice to have some security.

Thank you for reading



**From:** [Nicole Lavelle](#)  
**To:** [STR](#)  
**Subject:** I support the regulation of short term rentals in west marin  
**Date:** Wednesday, June 21, 2023 11:00:50 PM

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Hello,

I am a homeowner in Lagunitas, and I work in Olema and Bolinas. I support the regulation of short term rentals. I believe the amount of STRs in the county is contributing to the affordability crisis and the housing shortage.

I support limiting the number of STRs per village is appropriate.

I support the limitation of STR licenses going only to individuals, and not to LLCs or large corporate owners.

I support requiring a STR to have a full-time resident living on the premises.

Thank you for your consideration and thank you for working to make West Marin a more affordable place to live.

nicole

**From:** [Linda Bailey](#)  
**To:** [STR](#)  
**Subject:** Impacted By Noise  
**Date:** Thursday, June 22, 2023 6:44:36 AM

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Hello!

We are impacted by noise of vacationers overhead. We live in a basement apartment below the landlords. Occasionally they have people staying for 2 to 6 days while they're away. The floors and walls have zero insulation and we can hear every footstep (especially the heavy-footed ones. they shake and buzz the light fixtures!!), door slam and anything that they might drop on the floor. Since sudden noises are extremely startling to me, It is really stressful. Check out the research on how women are more impacted by noise stress much more readily than men!

One time, holiday revelers partied until midnight and we couldn't sleep. We're up at 5am and are asleep by 9pm usually, so this is anxiety provoking for us. The landlords tell them the rules, but they don't always follow them. It's no fun! Fortunately, we've had a break due to the moratorium!

Thanks for listening,

Lyn

**From:** [Kathleen O'Neill](#)  
**To:** [STR](#)  
**Subject:** Is Bolinas becoming a ghost town?  
**Date:** Saturday, June 17, 2023 5:03:53 PM

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[You don't often get email from [kathleen-oneill@att.net](mailto:kathleen-oneill@att.net). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

As a 28-year resident of Bolinas I consider myself a relative newcomer; but in those years I've watched the downtown, where I live, become darker and emptier, while vehicles become fuller. On holidays it gets a little cheerier, but on regular days there aren't many lit houses, it looks like a ghost town. School and businesses have a harder time, and workers commute to their employment here, not good for Bolinas, or the World.

I hope you will vote to restrict short-term rentals, and vote to encourage local B&Bs that include people living here full-time. You'll hear much louder voices who are concerned with profits and don't live here, and you'll hear quieter but very passionate voices who want to preserve Bolinas as a living town.

Thank you for the hard work you do of trying to achieve consensus.

Sincerely,  
Kathleen O'Neill  
P. O. Box 144  
Bolinas

5770 Winfield Boulevard, # 158  
San Jose, CA 95123

August 14, 2023

Marin County Board of Supervisors  
3501 Civic Center Drive, Suite 329  
San Rafael, CA 94903

Re: Cow Track Ranch – short-term farm stay in Nicasio

I am writing to support that farm-stay rentals should not be included in the proposed regulations for short-term rentals in Marin County. Ranch short-term rentals (such as exists at Cow Track Ranch) should be carved out from regulation because their purpose is vastly different than those of most short-term rentals.

### **Background**

My wife and I with her two young children first started going to Cow Track Ranch in 2009. We have been there many times since and have steered other family members there to experience the ranch and a world that is so different from our urban world. My wife and I live in San Jose. In 2009, I was looking for a place where my wife's children could see cows, chickens, horses, organic vegetables, and other features of rural place not just for a short day-visit but at a place where we would spend the night and wake up to the sounds and movements of animals. Cow Track Ranch turned out to be even more special than that because we were hosted by Liz and Bruce Daniels, Liz being an organic farmer and Bruce being a large animal veterinarian. My wife's children followed Liz around the whole time as she tended to her many gardens on the property. Bruce told us stories of his work as a vet and put on a little show lassoing horns that he had set up on a sawhorse. It was and continues to be an unforgettable experience that we repeated many times now under Melissa's care after her parents sadly passed away.

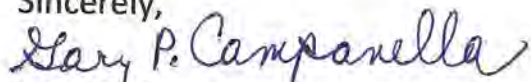
**Reason for my request**

I have stayed at short-term Airbnb rentals across the country for convenience. The rental itself was just a place to stay while tending to the real reason for my visit – work, visiting family, seeing sights. To repeat, the Airbnb stay was for convenience but it was not a destination. I realize that Airbnb is both a blessing and a curse. I understand many of the issues around “Airbnb” type of short-term rentals and the disruption that they can cause to a community. I assure you, however, that a stay at Cow Track Ranch is not that kind of stay. It is an experience and a destination that attaches urban and other visitors to a rural community that they will not only never forget but that they will continue to support and take back to their lives making their world better.

**Conclusion**

I ask you to exclude farm-stay rentals for proposed regulations. Farm-stay agricultural stays not only provide a unique experience to visitors but they also support the local community both culturally and environmentally.

Sincerely,



Gary P. Campanella

**From:** [Sasami Ashworth](#)  
**To:** [STR](#)  
**Subject:** Marin STR concerns from a county resident  
**Date:** Wednesday, June 21, 2023 4:31:13 PM

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

To whom it may concern,

I am a Marin county resident and long term renter that is directly affected by the consequences of short term rentals in this community.

I would like to recommend the county find ways of dealing with the harmful effects that short term rentals have on disturbing rental and homeownership options.

Suggestions:

- Enact a cap on the number of short term rental licenses specific to each village.
- Make those STR licenses available by lottery and for a fixed term
- Investment groups, time share groups, ect should not be eligible for STR licenses.
- Only one STR license per property owner should be allowed.

In addition, I also encourage the county to offer incentives for homeowners to provide long term below market rate rentals through tax incentives or other methods to mitigate the current housing crisis across the county and state at large.

Thank you for your attention,  
Sasami Ashworth of Bolinas

Sent from my iPhone

**From:** [Renee](#)  
**To:** [STR](#)  
**Subject:** no more STR"s in Bolinas!  
**Date:** Wednesday, June 14, 2023 7:18:01 PM

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You don't often get email from reneem1999@gmail.com. [Learn why this is important](#)

Dear Board Members,

I am a long time Bolinas resident (almost 30 years). I believe the proliferation of STR's - such as VRBO's and AirBnB's - has had a strong negative impact on our town. There is a drastic housing shortage (both to rent and buy) and a dire lack of affordability - all severely aggravated by STR's. The numbers of STR's are out of proportion to our small and community-oriented town. I hope you will place restrictions and limitations on the #s of STR's.

Thank you so much.

Renee Emunah  
PO Box 955/118 Aspen Road, Bolinas

**From:** [Marthine Satris](#)  
**To:** [STR](#)  
**Subject:** Opinion on regulating short term rentals  
**Date:** Wednesday, June 21, 2023 7:46:49 PM

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

Hi!

I grew up in Bolinas and have been living in Oakland because I cannot afford to live in my home town. My husband and I both have PhDs and together we make more than a quarter of a million dollars a year.

We moved in with my mother, with 2 kids, on the Bolinas Mesa during the pandemic, and we looked and looked for rentals or affordable buying options to keep our kids in the local school system, but eventually had to move back to Oakland.

Bolinas has been a community, and a multi generational community, before. STRs are keeping families from being able to live together in our home towns.

During our stay with my mom there was exactly ONE kid from Stinson Beach in the preschool. Stinson is nearly all vacation homes. When I was a kid at the bo-stin school, at least 4-5 kids in each class lived in Stinson, all the kids or working people. Not possible any more.

You have to regulate this. It's ok with me if residents rent out a guest house or yurt or spare room to out of towners. But turning every house into a mini hotel owned by people who live over the hill is vacuuming out the possibility of families living together and growing community in Bolinas and Stinson.

Thanks,  
Marthine Satris



**From:** [Kriz Bell](#)  
**To:** [STR](#)  
**Subject:** Permanent regulations to STRs in Marin County  
**Date:** Thursday, June 22, 2023 12:09:36 AM

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

Hello,

I am writing in reference to the review of moratorium on short term rentals in West Marin. I am a single parent and professional who has lived in West Marin for the past 12 years. We were recently evicted from our home of 8 years because our landlords sold the property. In looking for a new rental I found that the cost was less an issue than actually finding a home to live in. Airbnb and VRBO had more properties available to rent than Zillow, [rent.com](#), [apartments.com](#), Trulia, Craigslist, Facebook and Nextdoor combined.

Please consider the potential that West Marin has to suffer like Switzerland. Much of the country is rural and not densely populated. Their housing crisis is such that businesses leave and communities suffer because their workers cannot afford to live there and not only do the businesses suffer, but there is no community. As it stands much of West Marin relies heavily on small businesses, tourism, and blue collar labor to supply both with workers.

According to a recent Marin IJ article, 25% of Marin county residents cannot afford their housing. 50% of the homeless population is in the state of California with the great Bay Area counting at least 35,000 unhoused. Overwhelmingly studies show that the top cause of homelessness is poverty and lack of funds to pay rent. If rental units are scarce and prices continue to outpace income, bucolic West Marin will be transformed into another tech centric 2nd or 3rd home area as the vibrant and eclectic community it's known for withers under the pressure of investment properties that replace families and homes. These STR investment properties won't be worth much when the surrounding community that gives its value disappears.

Please consider the impacts on families and communities that make rental properties **homes** and not just the opportunities for investment like STR's benefitting the fortunate few.

Thank you,  
Kriz Bell  
Brand Strategy and Creative Communications  
Founder, By Friday Media

**From:** [jonna.alexander.green](mailto:jonna.alexander.green)  
**To:** [STR](#)  
**Subject:** plea to control number of str's for the sake of my community  
**Date:** Wednesday, June 21, 2023 9:29:34 PM

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

to whom it may concern,

i'm writing to share my first hand experience of watching many local bolinas houses get sold to buyers who see their property as an investment rather than housing. allowing houses to sit empty or be used only for short term housing has the effect of hollowing out our community. we need housing teachers, essential workers, first responders, full time residents who contribute to the well being of our coastal hamlet and see the benefit of cultural stewardship. please do all you can to support limiting the number of str's in marin county.

best regards,

**jonna alexander green**

architectural designer

mobile: 1-612-751-4141

website: [jonnaalexandergreen.com](http://jonnaalexandergreen.com)

**From:** [Claire Molesworth](#)  
**To:** [STR](#)  
**Cc:** [Nate Siedman](#)  
**Subject:** Public comment on Short Term Rentals  
**Date:** Friday, June 23, 2023 7:41:20 AM

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You don't often get email from molesworth77@gmail.com. [Learn why this is important](#)

Dear Marin Community Development Agency,

As full-time residents of Bolinas, we support the County adopting measures that prevent short term rentals from eroding our coastal residential neighborhoods. We urge the County to adopt the recommendations of the West Marin Residents for Housing, which we believe strike a balance of providing access for coastal visitors, but preventing the acceleration and commercialization of short term rental activity. In particular, we support:

- A cap on the number of STR licenses specific to each village;
- Only one STR license per property owner in the coastal zone;
- STR licencing to preference property that is the owner's principal residence; and
- License acquisition and renewal requires compliance with all health-and-safety building codes.

Thank you.

Claire Molesworth  
Nate Siedman  
440 Birch Road, Bolinas

**From:** [Barreto, Fernando](#)  
**To:** [golubjennifer@gmail.com](mailto:golubjennifer@gmail.com)  
**Cc:** [STR](#)  
**Subject:** RE: Welcome STR"s!  
**Date:** Thursday, July 27, 2023 3:38:10 PM

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Thank you for your feedback, Jennifer.

Fernando Barreto  
Aide to Supervisor Dennis Rodoni  
Asistente del Supervisor Dennis Rodoni  
He/him/él  
Marin County Board of Supervisors  
3501 Civic Center Drive, Suite 329  
San Rafael CA 94903  
415-473-3092

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

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**From:** no-reply@marincounty.org <no-reply@marincounty.org>  
**Sent:** Thursday, July 27, 2023 3:31 PM  
**To:** Barreto, Fernando <fbarreto@marincounty.org>  
**Subject:** Welcome STR's!

Jennifer Golub with email address [golubjennifer@gmail.com](mailto:golubjennifer@gmail.com) would like information about:  
As the fire department advises on preparedness, I face significant arborist bills. Having prevailed through a tough winter with roof repairs, and power outages, this str moratorium is especially punitive. I am a homeowner, a senior and occasionally rent out my home with a welcoming spirit. I urge you to welcome str's. The source of the complaints is from an aggressively outspoken minority. Attendance at the local public school is robust, steadily rising since an all-time low in 2013, data that was excluded in what I saw as a pr, biased effort. San Francisco has experienced 40% migration since remote work has been standardized. More people live here, driving up costs for limited supply. Fearmongering around over population is absurd, as the roads and trails are virtually empty. My guests have gone to the restaurants, and shops, supporting the local economy. What we need is a bus to Petaluma! I live here. My survival is dependent upon this additional income. Thank you for your service.

**From:** [Robert Densmore](#)  
**To:** [STR](#)  
**Subject:** Regulate Short Term Rentals  
**Date:** Wednesday, June 14, 2023 7:02:53 PM

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[You don't often get email from densmorerobert4@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

To Whom It May Concern,

I am a resident renting in Bolinas for the last 16 years. I am strongly in favor of limiting STR's and regulating the short term rental market.

Our town is withering because of limited housing for people that want to live here full time. Our school is withering, our essential work force is withering, and many people that have grown up here are being forced to leave. This is not OK.

Please limit short term rentals in West Marin, especially when the owners do not live in West Marin and who only have a financial interest.

Please limit short term rentals.

Thank you,

Bob Densmore

Sent from my iPhone

**From:** [Robert Densmore](#)  
**To:** [STR](#)  
**Subject:** Regulate Short Term Rentals  
**Date:** Wednesday, June 21, 2023 8:15:22 PM

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You don't often get email from densmorerobert4@gmail.com. [Learn why this is important](#)

I've lived in Bolinas for 16 years and I'm noticing that the town is becoming a hollowed out town. Long term residence have been forced to leave, while STR are taking over. We need some STRs but we need regulations and limits before the town collapses (for example the Bolinas/Stinson school is shrinking with only 12 - 8th graders graduating this year! Down from dozens in the past).

I strongly support the West Marin Residents For Housing and all their ideas to regulate the STR market.

Please regulate STR's.

Thank you,  
Bob Densmore





**From:** [Harriet Moss](#)  
**To:** [Dennis Rodoni](#)  
**Cc:** [Barreto, Fernando](#); STR  
**Subject:** Regulation of short term rentals  
**Date:** Saturday, July 1, 2023 12:59:16 PM

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Dear Dennis,

To start, I'd like to commend Kathleen Kilgariff and the Planning Department staff for the excellent job they're doing in soliciting community input on the short term rental issue, the subject of this email. As someone who has lived in Stinson Beach for the past 33 years, it's been sad and demoralizing to see what was once an active, thriving community unraveling since the advent of STR sites like AirBnB. We all know that Stinson has been a vacation community since people first pitched tents at Willow Camp, but as recently as 10 years ago short-term rentals were limited to Seadrift and the patios/calles on the west side of Highway One. Now, the entire "Hill" in Stinson, where I live and where there were virtually no short term rentals a decade ago, is blanketed with STR's. In the community overall, there are 192 registered STR's while only 122 primary homes — which means there are 10% MORE houses commercialized as STR's than there are primary residences. A community can not be sustained with that kind of imbalance.

We all know that there will always be STR's along the coast serving visitors. That's not the question. The question is: how do you balance visitor needs (which somehow seemed to be adequately accommodated by existing B&B's and inns before the advent of AirBnB) with the needs of West Marin communities for workers, teachers, firefighters, families and other people invested in making a community function?

It is patently obvious that permitting houses in residentially-zoned neighborhoods to be purchased and used as commercial enterprises completely throws off the economics of the local real estate market, substantially raising home purchase prices and - here in Stinson Beach, at least - eliminating virtually all long term rentals.

I am writing to strongly urge you to pass regulations that will substantially reduce the number of short term rentals in West Marin. Besides requiring all STR's to be licensed and pay TOT, I support limiting the number of STR's in each village to a certain % of the housing stock; giving hosted-STR's priority in licensing; and requiring all STR's to comply with the same health and safety codes (fire, septic, electrical, etc.) that B&B's must adhere to.

West Marin certainly is not alone in tackling this issue and there are plenty of examples of legislation from other California coastal communities that strictly reduce - and in some cases, totally eliminate - short term rentals in residential neighborhoods. As you know, a number of the municipalities here in Marin County have already done this. I strongly encourage you and the Board of Supervisors to take bold steps to save our unincorporated West Marin communities from becoming commercialized ghost towns. Should the existing situation in West Marin not seem dire enough (I, and many other community residents, believe it's beyond that already), I've attached two articles below to show the shape of things to come should the County not take effective action now.

Best regards,

Harriet

Harriet Moss  
5 Laurel Avenue  
Stinson Beach, CA 94970  
415-254-3492



Investors look to buy homes to use as Airbnb rentals  
spokesman.com

**LA Times: Airbnb taps big landlords to list rentals in bid to find hosts:**  
<https://www.latimes.com/business/story/2022-11-30/airbnb-taps-big-landlords-rentals-hosts>

**From:** [njeswani@gmail.com](mailto:njeswani@gmail.com)  
**To:** [STR](#)  
**Subject:** Regulations for short term rentals  
**Date:** Thursday, June 15, 2023 7:14:40 AM

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[You don't often get email from [njeswani@gmail.com](mailto:njeswani@gmail.com). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Hello, my name is Natasha and I am a recent Bolinas resident. I am writing to suggest and encourage limits on short term rentals to keep more housing available for locals here in bolinas.

Thank you,  
Natasha

Susan Kelley  
P.O. Box 338  
Stinson Beach, Ca. 94970  
susankelley3456@gmail.com

Dear Supervisor Rodoni:

As a long term resident of Stinson Beach, as well as a health care provider here in West Marin, I am writing to urge action to limit and reduce the number of short term rentals. I have witnessed the erosion of our community, as permanent rental housing has almost disappeared. Approximately 1/3 of the houses in Stinson are Air B&B or other short term rentals. Where once there was a clinic serving the town of Stinson, there is now a third coffee cart. The population has decreased to between three and four hundred, as there is no place to rent. Enrollment in the Bolinas Stinson School which was over 325 when my children attended, is now under 100, as families cannot afford to live here.

As Stinson is a beach town, we have always had some short term rentals, especially in summer. However, now many houses stay empty except for occasional use by new owners who do not live here.

In order to reduce the number of short term rentals, I am asking that when title is transferred to new owners STR permits not be grandfathered in. Also that no corporate ownership be allowed, and that hosts be required to be on site. Also, that health and safety codes be enforced.

Thank you.

Susan Kelley

**From:** [Trishna Horvath](#)  
**To:** [STR](#)  
**Subject:** Save West Marin  
**Date:** Thursday, June 22, 2023 4:55:07 AM

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

To whom it may concern,

As a lifetime West Marin renter I can say with certainty that short term rentals are killing the community.

I make my way now by housesitting and caretaking a friend's cottage. This is temporary. I have work in West Marin, I raised children here, I have long friendships that are very precious to me.. but I do not have housing security.

The whole situation is disintegrating rapidly, and the longer people buy into the real estate market with the idea that they can make money off of the real estate, Tha harder it will be to establish community oriented boundaries.

The existing housing is less and less lived in because the rents are established on the amounts that owners would make if they did short term rentals.

I hope that you can respond to this quickly worsening situation by putting serious conditions and limitations on short term rentals in Bolinas, Stinson, Inverness, and Point Reyes.

Thank you,  
Trishna Horvath

**From:** [Jacqueline Mallegni](#)  
**To:** [STR](#)  
**Subject:** Short Term Rental perspective  
**Date:** Wednesday, June 21, 2023 7:07:46 PM

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

Greetings Grace,

I certainly do have an opinion about short term rentals in West Marin.

Because of the disappearance of rentals in Bolinas, I had to move away from my community of 30 years. It's very disheartening to see how West Marin has become gentrified and elitist.

I'm grateful to BCLT and CLAM for their efforts in helping people stay in the community. I'm on the waitlist for both communities, and hopefully I'll be able to return home someday.

Thank you,  
Jacquie

--

Jacqueline Mallegni

**From:** [Angela Sterpka](#)  
**To:** [STR](#)  
**Subject:** Short term rental tragedy  
**Date:** Wednesday, June 21, 2023 8:44:12 PM

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Hello

Thanks for taking the time to hear our pleas. I just want to state my piece:  
I have been living in Bolinas for about 5 years and in that time I have known 6 different families that have lost their long-time rentals because the new owners want to Airbnb it. Two of these families ended up living in their cars because that was preferable to changing school districts, and another family in their car because they had no other options within Marin.  
Uncontrolled Short term rentals = homelessness

A law mandating that each STR must have a full-time occupant housed on-site would encourage many of these properties to rent the primary residence or ADU (which most of them already have) to a full-time family. This would help ease the housing dilemma and still allow vacation rentals.

Thank you  
Angela sterpka

Sent from my iPhone

**From:** [natalie.pepper](#)  
**To:** [STR](#)  
**Cc:** [Rodoni, Dennis](#)  
**Subject:** Short term rentals - West Marin  
**Date:** Thursday, June 22, 2023 9:57:29 AM

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

To whom it may concern:

I am a 25+ year full-time resident of Bolinas. My first 10 years in town I worked in the Bolinas Stinson School Union School District (BSUSD) and at the local health food store, the Bolinas People's Store. I am currently an education specialist at Redwood High School in Larkspur, and the founder and program director of a local nonprofit surf therapy program for children and adults with unique needs.

Over the years I have seen countless families and friends displaced from Bolinas by new homeowners buying property solely to rent as vacation rentals. The BSUSD's enrollment went from a high of 400 students to less than 100 for the 2022-2023 school year because of the lack of long term housing. The town is a ghost town during the work week due to all the empty homes that are strictly short term rentals. In our zone, there are 568 registered str properties. A small town cannot survive without full-time residents.

I implore the county to take action on limiting the number of str and sustaining small coastal hamlets by taking the following actions set forth by the West Marin Residents for Housing:

- A cap on the number of STR licenses specific to each village
- Only one STR license per property owner in the coastal zone
- STR licencing to preference property that is the owner's principal residence
- License acquisition and renewal requires compliance with all health-and-safety building code

Let's try and keep our community together!

Sincerely,  
Natalie Pepper



**From:** [Kate Ryan Ross](#)  
**To:** [STR](#)  
**Subject:** Short term rentals  
**Date:** Wednesday, June 21, 2023 5:00:43 PM

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To whom it may concern ,

I am a lifelong Bolinas community member , and I am for restricting short term rentals in my hometown. I have seen way too many of my friends and family have to move out of town because they cannot find a home to rent or the house they lived in was turned into a short term rental. Two of my neighbors homes are empty most of the year and another is being turned into a Airbnb. This will displaced another family out of Bolinas !

My own in-laws had to move out of town due to their home being rented out as a short term rental.

I ask for this short term rental rules to include that only people that live full time in their home to have short term rentals , also known as bed and breakfast.

I ask that NO LLC or companies be able to purchase homes and rent them out short term rentals.

I ask for restricted number of rentals in my small home town , so that there are homes for people to rent and live in full time.

The local schools have less and less students each year due to the lack of housing in our town. We also have teachers that work at the school that would like to be able to rent housing where they work, BUT due to the amount of short term rentals there is NO housing in my town !

This needs to change , I am raising children here and hope that one day they will be able to rent homes and have their own family here.

Please make a change to help my hometown grow its community !!!!!

Thank you for your tome ,  
Kate Ryan-Ross

**From:** [Sabrina Page](#)  
**To:** [STR](#)  
**Subject:** short term rentals in Bolinas  
**Date:** Wednesday, June 21, 2023 4:40:48 PM

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[You don't often get email from [sabrinapage@earthlink.net](mailto:sabrinapage@earthlink.net). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

hello.

I have lived on the west marin coast since 2010 first in Inverness and now in Bolinas.

It has become increasingly difficult to find a rental for long term and thus the prices are very high. Locals end up having to move.

The other issue is that so many homes are unoccupied except for occasionally, and the fabric of the neighborhoods is affected by so many empty homes.

Short term rentals are destructive to coastal communities.

Thank you for reading,  
Sabrina Page  
Bolinas

**From:** [ANNA DESEMBERG](#)  
**To:** [STR](#)  
**Cc:** [Rodoni, Dennis](#)  
**Subject:** Short Term Rentals in West Marin  
**Date:** Saturday, June 24, 2023 2:56:56 PM

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

Hello,

My name is Anna Desenberg. My parents purchased our home in Inverness in 1952. My father was a professor at Cal and we spent weekends there, lived there full-time during sabbaticals, and every summer when we moved to Oregon. When my parents died in the late 1990's my husband and I inherited the house in Inverness. We worked in the east bay and we could not live in Inverness full-time. We were not wealthy enough to maintain a second home, so we put the house in a vacation rental program managed a local realtor. Currently our home is managed by a local property manager and the people that help her manage the property are local as well. We have only hired local contractors to do the larger scale maintenance projects.

We have been extremely fortunate to be able to rent our home to visitors to Inverness and the Pt Reyes National Seashore as well as having family and friends stay at the home as well. With the high maintenance costs of owning this home, our short term rental is the only way we could afford to keep this family home while still enjoying quality time there often.

If we were not able to continue with our STR we would not rent this house full time. We would sell for a very high price, and most likely the home would be purchased by someone who would never rent it (because they don't need to). This would not help local people looking for long-term rentals, and might result in less income for the local workers and the local businesses.

In one of the recent surveys I did say I thought limiting STR permits to only one person managing their own rental is wise. I do not like the idea of investors buying up multiple properties to rent as short term rentals, however I realize this would be hard to manage.

Respectfully,  
Anna Desenberg

**From:** [Linda Mornell](#)  
**To:** [STR](#)  
**Subject:** Short term rentals in West Marin  
**Date:** Sunday, August 27, 2023 11:55:47 AM

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You don't often get email from linda@summersearch.org. [Learn why this is important](#)

Aug 26, 2023

RE: Short Term Rentals in West Marin

To the Marin Board of Supervisors

Thank you for your valuable concern about short term rentals (STRs) proliferating throughout West Marin with resulting damage to our small and fragile communities. My husband and I support a reduction in the number of STRs even though I have an STR on my property. Let me explain.

I have lived at 480 Horseshoe Hill Rd on 14 acres of property for the past 50 years. For the past decade the lower house that our kids grew up in had been used as a short-term rental. I continue to live on the property in a much smaller home. We would be unable to continue to live here unless we had rental income as the place is a lot to manage and my husband and I have turned 80 this year. We hire local people to help us and pay well above normal salaries. For example, my housekeeper makes at least \$75 an hour. I also wrote letters in support of raising the TOT tax from 10% to 14%.

So, I am obviously making a case for personal STR's with property owners who also live on the property and who deeply care and invest in the community. What concerns me the most however is the impersonal purchasing of homes to turn into STR's to the exclusion of reasonable housing for families who will use our local stores, schools, libraries, donate to our local nonprofits, as well as turn to each other in times of crisis.

I support a reduction in the number of STRs in our communities unconditionally. As concerned Supervisors it is your job to do the same.

Please don't hesitate to contact me directly.

Linda Mornell, Founder of Summer Search  
[linda@summersearch.org](mailto:linda@summersearch.org)  
415-269-6655

**From:** [Eleanor Lyman](#)  
**To:** [STR](#)  
**Subject:** Short Term Rentals  
**Date:** Tuesday, June 20, 2023 10:56:27 AM

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

I'm writing to express my support for legislation that *limits* short term rentals in Bolinas!  
People need places to live. Long term rentals should be the priority!

Thank you.

Eleanor Lyman  
49 Wharf Rd.  
Bolinas, California  
94924

--

Eleanor Lyman  
[eleanor@eleanorlyman.com](mailto:eleanor@eleanorlyman.com)

From: [Mary Nisbet](#)  
To: [Mary Nisbet](#)  
Subject: Short term rental  
Date: Wednesday, June 21, 2017 3:38:21 PM

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[You don't often get email from [callisonnichols@gmail.com](mailto:callisonnichols@gmail.com). Learn why this is important at <https://aka.ms/WindowsMailProtection>]

I am totally opposed to short term rentals where the home owner is not a full time resident.

Thank you, Mary Nisbet

Mary Nisbet  
<https://www.callisonnichols.com/>  
url=https://www.callisonnichols.com/?fAdms=49%2C31%2Ccar%40innomassary.org%2C113180464393380840729916%2C2727126464484839341946064%2C0%2C%2C1822903688422%2CUnknown%2C7Wp4ZaMdyFWp0M04eLjwMDALCQjpuV2iM64iCBT1604IuWwLZVXCH8M6P4DP%2C2009%2C%2C%2CAdms=45%2C2F8YDqP%2BFFSZV7%2F1GaaRBladHhKankFGHh%2CDAresesad-0

**From:** [Janice Tweedy](#)  
**To:** [STR](#)  
**Subject:** Short term rentals  
**Date:** Tuesday, June 27, 2023 12:23:55 PM

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

Dear Supervisors,

I have lived in Bolinas for 47 years. I am one of the lucky ones and own my home. I have seen many community members who have also lived here for decades move away for lack of housing. An absence of any long term rentals at any price!!

Many of these people are contributing community members and some are personal friends.

This is heartbreaking and the community is suffering. For the love of God, please restrict all no-host short term rentals and continue the moratorium for new STR's.

Thank you,

Janice Tweedy

**From:** [Cheryl Ruggiero](#)  
**To:** [STR](#)  
**Subject:** Short Term Rentals  
**Date:** Thursday, June 22, 2023 11:58:14 AM

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

We believe that residents who reside on their Bolinas property should be able to rent out their additional rooms or units as they wish, short or long term. However, those "landlords" who do not reside on their Bolinas properties, and corporate owners, should be subjected to a minimum rental requirement of 30 days.

Thank you,  
Cheryl and Damiano Ruggiero



**From:** [Beth Nelson](#)  
**To:** [STR](#)  
**Subject:** Short term rentals  
**Date:** Wednesday, June 21, 2023 8:02:58 PM

---

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

Dear Marin County,

At 68 I'm experiencing housing uncertainty after living in West Marin for 25 years.

Please, limit short term rentals.

Soon the working population of West Marin will be unable to live here.

We can already feel the destabilization.

Please take this issue seriously.

Thank you

Beth Nelson

Box 535

Stinson Beach

Ca 94970

Via Beth's phone

**From:** [David Lich](#)  
**To:** [STR](#)  
**Subject:** Short-term rental problem in Bolinas  
**Date:** Wednesday, June 21, 2023 5:20:33 PM

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You don't often get email from davidlich2245@gmail.com. [Learn why this is important](#)

There are definitely not near enough short-term rentals in Bolinas every time my family moves because the house is being sold or turned into an Airbnb we have to move within two years we've moved 11 times since our daughter was born thank God we landed in the Land Trust because we almost had to move out of beleness cuz there was nowhere to rent and we were paying \$3,500 a month and there was still nowhere to rent it's a bit ridiculous.

thanks

David Lich

**From:** [halo and swan](mailto:ella@haloandswan.com)  
**To:** [STR](#)  
**Subject:** STOP SHORT TERM RENTALS IN WEST MARIN  
**Date:** Wednesday, June 21, 2023 11:36:28 PM

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[You don't often get email from [ella@haloandswan.com](mailto:ella@haloandswan.com). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

To whom it may concern.

I am writing to make a statement about the proposed moratorium on short term rentals. I 100% am adamantly against ALL Air B and B's, and ALL short term rentals. ALL short term rentals should be STOPPED IMMEDIATELY.

It is horrific what they have made of our once diverse and happy community in West Marin. The heartbreak, and suffering which has been caused for so many of us, who lived in W Marin for decades, is unspeakable...and our voices have been silenced as we have been forgotten.

I lived in West Marin for 30 years. My livelihood, health, business, well being, depend on having a home, and having stability. Imagine what it is like to be in a community and place....a place you love deeply, that is everything to you...that is HOME...and then being set adrift and be homeless for 3 years, and not be able to find a home any longer...

My last home in Bolinas I loved. I was paying \$2700 a month. I always pay my rent early and on time. I tend to home with mindfulness, and loving care. My friends tell me my homes could be in interior magazines, because I make my homes into sanctuaries. I am a good neighbor, and super responsible, wholesome, clean...a gardener without a garden....I live a quiet, peaceful contemplative life. I have improved the value of about every home I lived in. I have fixed up the most funky places and upgraded them significantly...turning them into gems.. I am a hard working small business owner, divorced, 65 year old woman. I have no children or family,. I have close long time friends, and loving business alliances as well....but I have not had a home in almost 3 years now.

In Sept 2020, in the middle of the shutdown world, and my shutdown business. ( I have a wholesale organic scarf company) , where every single customer of mine, stores I sell to Internationally was shut down overnight as we all know. It was devastating to my business I worked my entire adult life to build. Regardless, I managed to pay the rent on time as always. I changed my business to be partly online retail, in hopes of surviving all the unknown. I was in the middle of working hard daily to change my business and restructure it to an online business in my trying to be resilient and survive ....but then I was seriously undermined.....

What happened was devastating to my life.....

I came downstairs one morning to find that the kitchen ceiling had buckled and collapsed....I had an inspector come and investigate, and they discovered a major long time leak in the upstairs wall behind the shower, that had leaked into the floor below for a long time....the ceiling floor cavity was full of Stachybotrys.(toxic mold) I had to flee the house, in the middle of a shutdown world....My landlady was not humane or ethical. It should have been fixed and my security stabilized....but she threw me to the curbside instead...and far worse than just that....I will not elaborate here... I have not been able to find a healthy good home for the same price...My business and health have suffered seriously. I fear for my future....Ones life becomes irreparably destabilized when something like this happens, with too many conditions colliding against ones favor....

**BRING BACK THE LONG TERM RENTAL MARKET AND HUMANITY TO WEST MARIN**

COUNTRY.GIVE HOMES TO THOSE OF US WHO CONTRIBUTE TO OUR COMMUNITIES,  
WHOSE PLACE THIS HAS BEEN FOR DECADES.

Ella Zarum

**From:** [Georgia Woods](#)  
**To:** [STR](#)  
**Subject:** STR- a school's perspective  
**Date:** Wednesday, June 21, 2023 8:56:11 PM

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You don't often get email from georgiaw@bolinas-stinson.org. [Learn why this is important](#)

Dear Marin County Representatives,

As a school board trustee at the Bolinas-Stinson school, I want to convey how STRs have affected the school community over the last couple of decades, and how, if left unchecked, STRs have the potential to decimate West-Marin schools. I hope that the county will adopt stricter regulations of STRs, in order to mitigate these destructive forces.

The conversion of Bolinas' and Stinson's housing stock to vacation rentals over the last decades has had dire consequences on the school's enrollment. When I attended Bolinas-Stinson in the 1990's, there were 38 students in my graduating class, and the school's enrollment was stable at ~250 students. Fast forward to today, and it is not uncommon for our graduating classes to have as few as 6 students, and K-8th enrollment is now below 100 students!

The trends that have been playing out for decades in our sister community—Stinson Beach—are a glimpse into Bolinas' future. 20-30 years ago, there was robust Stinson representation in the student body, with nearly half my classmates residing in Stinson. There are now only 2 students from Stinson in the entire school! If these trends continue unchecked, and Bolinas effectively mirrors Stinson, it is easy to see that our beautiful sweet school will close within a decade or two.

A common and depressing story that has plaid out routinely in Bolinas over the last 20 years: happy family with young kids rents a home in Bolinas, often for years; home owner evicts family in order to sell; new owner converts house to vacation house and it sits empty as a 'second home' or is converted to an STR; despite desperate measures, family is unable to find a new home to rent in town; family reluctantly leaves town; school loses yet another student; children lose playmates and classmates.

It's also essential to consider the impact that a school closure would have on the few children who would actually remain living in Bolinas and Stinson. It's especially important, while peeking into this imagined future, to keep in mind that the number

of longterm rentals is dwindling all across coastal Marin, and consequently tapering school enrollment is playing out across West-Marin. And keep in mind, we are not talking about the closure of a 'neighborhood' school — we are talking about the closure of far flung rural schools across West-Marin, where children, as young as 4, may be busing (if they are lucky!) over an hour to 'mainland' Marin in order to access education.

I know that curbing STRs will not solve all our enrollment problems- but thoughtful and compassionate regulation around STRs will undoubtedly help stem the tide that has pushed so many school families out of our communities over the last decade or two. Please understand, that with our fragile numbers now as low as they are, the retention of a few extra families (because they are able to rent homes, that would otherwise be converted to STRs) has an outsized positive impact on the vibrancy of our school, and is at this point essential for our schools to subsist.

These west-Marin schools are iconic gems worth preserving! Let's do what we can now, to stabilize west-Marin's housing stock, so that we can ensure that these schools can exist, and remain reflections of a thriving community, and that they can continue to serve West-Marin's children for the next 20 years and beyond!

Thank you for your time and attention in addressing this important matter,

-Georgia Woods

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**From:** Georgia Woods <gfwoods@ucdavis.edu>  
**Sent:** Wednesday, June 21, 2023 4:31 PM  
**To:** str@marincounty.org <str@marincounty.org>  
**Subject:**

Dear Marin County Representatives,

As a school board trustee at the Bolinas-Stinson school, I am writing to express my support for the adoption of stricter regulation of the short term housing market in Bolinas and Stinson.

The conversion of Bolinas' and Stinson's housing stock to vacation rentals over the last decades has had dire consequences on the school's enrollment. When I attended Bolinas- Stinson in 1990's there were 38 students in my graduating class, and K- 8th grade was ~250 students. It is not uncommon for our graduating classes now have only 6 students, and K-8th enrollment is now below 100 students!

The trends that have been playing out for decades in our sister community—Stinson—are a glimpse into Bolinas' future. When I attended the school there was robust representation of Stinson in the student body, with nearly half my class residing in Stinson. There are now only 2 students from Stinson in the entire school! If these trends continue, and Bolinas effectively mirrors Stinson, it is easy to see that the beautiful Bolinas-Stinson school will close in a matter of a decade or two.

In my class there were as they surely will without policy change aimed at stemming the tides,

Please that there are several times that the school is be irreparably decimated by the forced exodus of these families. These families are not only the lifeblood of our community, but they are ESSENTIAL to the vibrancy of our school!

I know that there are many disparate voices that must be heard on this issue. But do not forget: **there are over 100 children in this community that will be severely negatively impacted if this project does not go forward and these families are forced out of Bolinas.**

Thank you,  
Georgia Woods

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**From:** [Amanda Ross](#)  
**To:** [STR](#)  
**Subject:** STR hurt our community  
**Date:** Wednesday, June 21, 2023 10:26:07 PM

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

As a long term tenant in Bolinas I feel the instability of housing insecurity & I know the prevalence of short term rentals has a HUGE impact on this.

Our town needs more HOMES not vacation rentals. Our schools need families, our community needs active members and not more passing through tourists.

The greedy nature of capitalism at its worst has injured the heart of Bolinas.

It's sad . Does it have to be this way?

I feel like if we limited STRs there may be more families , more life, more hope for the future. As it is now, children who grow up with housing insecurity already feel defeated as young adults and that's not emotionally healthy.

We can do better as humans.

Lets try.

In truth,  
amanda

--

[www.amandarossskincare.com](http://www.amandarossskincare.com)



**From:** [leahvermulen](mailto:leahvermulen)  
**To:** [STR](#)  
**Subject:** STR moratorium  
**Date:** Thursday, June 22, 2023 10:22:40 AM

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

Dear Marin County Planning Commission,

Thanks for your review of this important issue. I was in the room last week for the hearing but unfortunately had to leave prior to my name being called.

My middle-class family of 3 has been renting in West Marin for over 12 years b/c purchasing a \$2m+ home is not a current viable option. We have moved every 2 years as EVERY rental has turned over to a sale and become an STR. We certainly have not seen any new long-term rentals come on the market. Meanwhile, due to the lack of inventory, long-term rental prices have tripled.

My daughter attends school in West Marin (Bollinas) and I contribute my time (over 30 hrs per week) to several local non-profits to help create a vibrant community where people LIVE. I also rent short-term when I travel and agree they are worth keeping around. But we have enough in West Marin. As we know, most of the STRs sit empty during non-peak weeks of the year.

I heard many owners of STR in the hearing last week suggest that their renters contribute to local businesses. There will be no local businesses in the very near future as there is no place for employees to live within an hour (each way) drive.

Please consider restricting the number of new STRs much like so many counties in CA have been able to do, including Big Sur and Nevada City.

Best regards,

Leah Vermulen

*"Housing shortages and prices are likely affected by the high number of homes used as STRs instead of as permanent residences. A significant proportion of the housing in some communities has been converted to commercial use in the form of STRs."*

Leah Vermulen  
LeahVermulen@Gmail.com  
[LeahVermulen.com](http://LeahVermulen.com)  
PH: 415.846.1929

**From:** [sherry baty](#)  
**To:** [Kilgariff, Kathleen](#); [djrodoni4@gmail.com](#)  
**Subject:** STR policy concern  
**Date:** Friday, June 30, 2023 8:00:17 AM

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

Hi Kathleen,

While I've commented earlier on the County's development of a STR policy, I wanted to describe a real situation that happened recently that illustrates (at least in my mind) the specific need to address parking requirements.

On Memorial Day weekend my wife and I experienced two situations with a nearby STR: the first where an ambulance or fire truck could not have accessed our address (35 Trossach) due to bad parking by rental clients and the second where we could not even drive through on our way home one evening (I had to stop my vehicle, walk down to the front door, knock, and request that their car be moved). Granted our home is accessed by a one lane, dirt, not-county-maintained road and I drive a full-size pickup truck. These neighbors have no off-street parking. They have built a wooden stair railing and garbage enclosure that precludes squeezing to their side of the street

I did not call our local fire chief as it was the holiday weekend and I could hear from their sirens that they were already quite busy with emergency calls. I have asked the volunteer fire department in the past to speak with the owners and/or rental clients. I have also asked numerous rental clients to be more aware of our thoroughfare. But someday asking for more responsible parking manners might not cut it----particularly in the case of an emergency.

The mismanagement of garbage is annoying. The utter lack of awareness to the neighborhood is disheartening. The bad parking practices are problematic and borderline dangerous. I know I am not the only West Marin resident in this situation. As the County proceeds with drafting STR policy, at the absolute minimum they need to require adequate off-street parking for all vehicles associated with the STR or not allow STRs in some neighborhoods or on certain streets.

Thanks again for hearing me out on this issue.

Best,

Tom Baty

**From:** [Laura Angel](#)  
**To:** [STR](#)  
**Subject:** STR vs Bolinas Community Plan  
**Date:** Thursday, June 22, 2023 12:48:54 PM

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You don't often get email from [lauraangel340@gmail.com](mailto:lauraangel340@gmail.com). [Learn why this is important](#)

**Bolinas Community Plan forbids Transient Housing!**

Our Community Plan is our Law and the County is obliged to Honor and enforce all the Community Plans. The Country wide vote on violation of San Geronimo Valley Plan Golf Course required, as is this violation that also needs a County wide VOTE.

Laura Angel  
415-306-2380

Scott Miller  
P.O. Box 145  
Dillon Beach, CA. 94929  
(707) 878-2167

June 29, 2023

Marin County  
3501 Civic Center Drive, Suite 308  
San Rafael, Ca. 94903



Re: STR Ordinance Update

Dear Planning Staff and Commissioners,

I previously submitted comments and documentation regarding water shortages in Dillon Beach in response to STR operators' false claims that "Dillon Beach has plenty of water."

The situation may be caused by the proliferation of STR's, but it might be better addressed by water providers and the CDA outside of this process.

It's an issue that differs by community and within a community.

There's not much time before the moratorium expires.

The County doesn't set water rates (but it *does* issue CDP's for wells).

Example 1: Inverness Public Utilities District

During the drought (the new normal), the Inverness PUC enacted water conservation measures that allotted water *per capita*, not per hookup.

Inverness PUC appears to have addressed the issue.

Example 2: Coast Springs Water District (Dillon Beach)

Coast Springs runs out of water on weekends, not weekdays.

Every connection in Coast Springs has an AMI meter ("smart meter").

CalWater (owner of Coast Springs) *could* use dynamic pricing to address the issue with *zero* investment in infrastructure, but they don't seem interested in the idea.

That's where the CDA comes in.

They don't listen to me, but they have to listen to you, because they get some of their water from a well without a CDP (see attached).

Example 3: Estero Mutual (Dillon Beach)

They already got a CDP for a new well to augment supplies.

Residents and Short Term Renters throughout the Coastal Zone would be better served if staff spent their limited time and resources addressing other STR issues before the clock runs out.

*Then* we can work on Coast Springs' water shortages.

Sincerely,

**Scott M.**

## Where there's a well, there's a way.

The Coast Springs water system in Dillon Beach is owned and operated by CalWater. Coast Springs experiences water shortages on weekends. CalWater purchases water from outside sources to meet increased weekend demand. Every water connection in the Coast Springs system is equipped with an AMI meter that tracks and records water use by the hour. Cal Water *could* implement dynamic pricing to financially incentivize water conservation, reduce the need for water purchases, and fund purchases.

Some of the supplemental water comes from Dillon Beach Resort. Dillon Beach Resort's well was developed without a Coastal Development Permit. Dillon Beach Resort and CalWater both benefit from the unpermitted well.

Dynamic pricing *could* be required as a condition of the well CDP.

Marin County *could* require a CDP through an enforcement action (i.e. no more selling water from the well until there is a valid CDP.)

The California Coastal Commission *could* require the County to require a CDP if CalWater, DBR, and Marin County continue to do nothing.

### Action Plan:

1) CalWater enacts Dynamic Pricing.

### Alternative Action Plan #1:

- 1) Marin CDA requires a CDP to sell water from the well.
- 2) CDA requires dynamic pricing as a condition of the CDP.
- 3) CalWater enacts Dynamic Pricing.

### Alternative Action Plan #2:

- 1) CCC requires Marin CDA to require a CDP to sell water from the well.
- 2) Marin CDA requires a CDP to sell water from the well.
- 3) CDA requires dynamic pricing as a condition of the CDP.
- 4) CalWater enacts Dynamic Pricing.

### How Dynamic Pricing Would Work:

Water would cost more on weekends.

Weekend water users creating the higher demand would pay higher prices.

Residents could choose to do their laundry and watering during the week when rates are lower.

There would be no differentiation between types of weekend water users.

Rates would be directly tied to costs, not visitor vs. resident.

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Str  
**Date:** Friday, July 28, 2023 8:24:46 AM

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Sandra Buckley with email address [sandrabuckley@att.net](mailto:sandrabuckley@att.net) would like information about:

The delay regarding str's is unreasonable.

You have all the data you need.

I have been subjected to poverty because of this moratorium.

I'm 70 yrs old, sold everything I had to buy my own home , as a single woman.

I have been an rn, and a professor. Neither afford a decent retirement income, as there were no unions or retirement for nurses.

My social security is \$300/mo.

I planned on renting out a bedroom I have in my owner occupied home, occasionally, to pay my extraordinarily high taxes. My neighbors, those opposed to str, do not pay those taxes as they have owned for so many years, it's minimal.

My neighbor, who doesn't live in bolinas, has an arbnb that he rents everyday, for \$300/ night.

He's making \$9000/mo. The place is a mess.

He uses it as a business, and we never see him.

The supervisors need to represent seniors, single old women, who are contributing to the community, and live on fixed incomes!

Expedite your decision! I am facing selling my home!

**From:** [sierra.dierks](mailto:sierra.dierks)  
**To:** [STR](#)  
**Subject:** STR  
**Date:** Friday, June 23, 2023 5:27:08 PM

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

To whom it may concern,

I have lived in the small town of Bolinas for 30 years and I have watched the progression of short term rentals and their impact on this community.

I can say with certainty that STRs have had the single greatest negative impact on this town than any other factor in these 30 years.

The declining school rates, lack of affordable housing, minimal available long term rentals, community division, and housing owner-community disconnect are just a few of the issues it has generated.

On a more personal level I have watched local workers scramble to make ends meet, countless families lose their long term housing for fast sales for STR investment, combined grade levels and depleted sports teams or activities in the schools, and the dream of buying a home for myself or anyone I grew up with disappear all together.

The way in which these impact a community on a larger level is heartbreaking and the town I once knew is shattered. There needs to be an end to short term rentals. Major regulatory changes is a minimum to solving this issue before we lose the town all together. It is past time that this issue was addressed. Please for the community and future of Bolinas end short term rentals so that families can stay together and afford to live here once again. It shouldn't be a town only for the wealthy beach goers but a thriving community it once was.

Thank you for your time, compassions, and willingness to listen to the needs of this town.

Best regards,  
Sierra

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**From:** [Steve Trivelpiece](#)  
**To:** [STR](#)  
**Subject:** STR's  
**Date:** Sunday, June 25, 2023 8:19:01 AM

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[You don't often get email from [stevetrivelpiece@yahoo.com](mailto:stevetrivelpiece@yahoo.com). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Short term rentals have all but destroyed the community in Bolinas. My family and I are lucky enough to have housing associated with my position at Audubon Canyon Ranch but countless friends and family have been forced to move elsewhere due to the lack of affordable housing. These are people who were raised in this community. who wish to raise their own children in their home towns. people who volunteer at the school and fire department. Who work in the local shops and store. People who grow the food and tend to the gardens or repair the homes. It is heartbreaking to see the lives and dreams destroyed so that someone can breeze in for a weekend and enjoy this “quaint and colorful little beach town”. Enough is enough!

Steve Trivelpiece



**From:** [Nicole Skibola](#)  
**To:** [STR](#)  
**Subject:** Strongly Oppose STRs  
**Date:** Saturday, June 24, 2023 7:31:07 PM

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

Dear Marin County leadership,

My name is Nicole Skibola and I am a Bolinas resident, artist and small business owner. I moved to Bolinas five years ago after living for nearly a decade in New York. I am originally from Marin County and was drawn to Bolinas' eclectic creative community. In the past five years I have lived in three different locations and was forced to move from the first two involuntarily. I have never experienced the degree of housing insecurity that I have living in west Marin. It is far worse than anything I experienced living in San Francisco or Brooklyn for many years.

I live downtown on Brighton Avenue next to the beach and on any given evening it is a total ghost town. Most of the houses near me are vacation rentals which are bustling on the weekends and are totally dead at night during the week. I have witnessed family after family being forced to leave this town because they cannot find a place to live. I myself live in 240 ft<sup>2</sup> and I have been searching for a larger place to live for over three years now.

Short term rentals are destroying our community. I have heard of countless homes that could be occupied by single, double or even families but these have been kept empty 90% of the time because homeowners seem to find it to be more lucrative to rent to short term renters despite the dramatic cost to our community. Within five houses either side of my residence there are multiple empty homes and ADU's which could easily accommodate full time residents.

The fact is that if we let it run its course rampant capitalism will squeeze every penny that it can out of this community. I do not want to live in a community that is filled with second and third and fourth homes owned by billionaires that are sitting empty. What a travesty to lose this incredible community of artists, writers, poets, intellectuals and elders who have made Bolinas (and West Marin) One of the most incredible places in the world.

Please help us take back control of our community. Please move to ban short term rentals.

Nicole

--

Nicole Skibola, Co-Founder  
+ 1 415 328 1053  
[nicole@cosmicview.com](mailto:nicole@cosmicview.com)

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Cosmic View is a values-driven, women-owned and operated company devoted to supporting small farms and the craft cannabis movement.

**From:** [Anne Sands](#)  
**To:** [STR](#)  
**Cc:** [gqubbins@bolinaslandtrust.org](mailto:gqubbins@bolinaslandtrust.org)  
**Subject:** STRs in Bolinas/Dogtown area  
**Date:** Wednesday, June 21, 2023 5:36:46 PM

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

Dear STR staff,

Thank you for tackling this sensitive issue.

My feeling is that people who do not live in the home they purchase in West Marin as STR investments should not be allowed to do so..

Homeowners who live here and have an apartment or second unit that could be rented short - term, should be encouraged to consider a full time tenant.

If a homeowner lives here and decides to rent an apartment or second unit as a STR, the homeowner should be required to be on the property anytime the STR is rented and to be available to monitor the renters and respond to any complaints from neighbors.

I live in Dogtown/Bolinas. I have an apartment that I rented as an STR for several years and decided I would rather have a full time tenant. My tenant has been here for 12 years and I am delighted. The rental income supplements my Social Security and allows me to stay in my home. It is much less work than an STR and it is nice to have her on the property. We look out for each other while still respecting each other's privacy.

I suggest that if an entire house is being rented Short Term while the homeowner is away, then the homeowner should have a 24/7 Property Manager available to monitor the site and be sure renters are being considerate of the neighbors regarding noise both inside and outside. This property manager must have a cell phone or other means of being contacted and all the immediate neighbors should have that number in order to call if anything illegal (fireworks, drugs, etc) or annoying (loud noise) is going on.

Looking at the percentages of housing being used as STRs in various West Marin villages, it is clear that the Dillon Beach and Bodega Bay areas are dominated by STRs. Traditionally those villages have been vacation destinations. I am not sure how you would reduce those rentals, or if you should.

In Bolinas, and other villages in West Marin with lower %STRs, I encourage a limit be placed on the number of STRs somehow, and that NO one can buy a home solely as a rental investment for STRs.

Respectfully,  
Anne

*Hope is being able to see that there is light despite all of the darkness.*

*-Desmond Tutu*

Anne Sutherland Sands, Manager  
Woodville Ranch in Dogtown  
5755 Highway One  
Bollinas, CA 94924  
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415.847.0678 TEXT only  
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**From:** [Andrea Densmore](#)  
**To:** [STR](#)  
**Subject:** STRs  
**Date:** Thursday, June 15, 2023 8:00:33 AM

---

[You don't often get email from annypan3@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Greetings STR Committee,

STRs have gutted Bolinas. The ongoing plight of longtime local working families having no rental options is increasingly a daily concern.

I favor the town by town, nuanced approach: let STRs remain in places where the livelihoods of the locals depend on it as a business. In Bolinas, where the work force has nowhere to live however, the current situation must change or there will be no village.

Thank you for expansive, creative thinking in designing a plan that caters to the respective communities.

Good luck!

Andrea Densmore

**From:** [judith shaw](#)  
**To:** [STR](#)  
**Subject:** STR"s  
**Date:** Thursday, June 22, 2023 8:04:09 AM

---

[You don't often get email from [judithshaw1935@gmail.com](mailto:judithshaw1935@gmail.com). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

They are devastating our community....folks who shouldn't be here are BLIND renting for a week or two, getting here and discovering it is not Easthampton (NY) but just a plain place with minimal options other than the beach.

**From:** [gopherrefuge@sbcglobal.net](mailto:gopherrefuge@sbcglobal.net)  
**To:** [STR](#)  
**Subject:** STRs  
**Date:** Wednesday, June 21, 2023 7:28:11 PM

---

You don't often get email from [gopherrefuge@sbcglobal.net](mailto:gopherrefuge@sbcglobal.net). [Learn why this is important](#)

To Dennis Rodoni, all supervisors, and staff,  
I would like to see a 5% cap in STRs in West Marin. LLCs should not be able to run STRs, since they have no stake in the communities that they are destroying. A sunset clause is also a necessity, so this can be reevaluated in, say, 5 years. Please help us save our towns and decimated schools.

As you know, in a democracy, citizens should hold more sway in their futures than money.

Thank you for considering the voices of your voters.

Susie Stewart, Bolinas

**From:** [Stu Art](#)  
**To:** [STR](#)  
**Subject:** support for limiting short term rentals in Bolinas  
**Date:** Thursday, June 15, 2023 3:28:20 PM

---

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

My community is fragile.  
and needs help  
short term rentals have some merits  
but need to be strictly limited  
otherwise the community gets hollowed out  
by commercial interests  
Help save Bolinas and West Marin  
vote yes on stricter restrictions  
thank you, Stuart Chapman, Bolinas

**From:** [Tina Ann](#)  
**To:** [STR](#)  
**Subject:** there are NO rentals in Bolinas, STRs guilty  
**Date:** Friday, June 23, 2023 3:40:44 PM

---

You don't often get email from 8tinaann@gmail.com. [Learn why this is important](#)

I have been given notice at the rental I've been living in for 15 years.

In the time I've been living in Bolinas, since 1989, I have watched long-term rentals for locals disappear into Airbnb or VRBO. I have seen more and more houses bought by investment companies of various sorts, only to be STRed.

Of course, no one wants the senior who rents a room in their house, or in an ADU or a JADU not be able to, thus risking their ability to stay here. The County needs to require an on site resident for STRs.

thank you  
Tina Ann  
p.o. box 265  
Bolinas 94924  
(415) 868-2523



**From:** [Susanna Henderson](#)  
**To:** [STR](#)  
**Subject:** West Marin neighborhoods  
**Date:** Thursday, July 6, 2023 2:08:30 PM

---

You don't often get email from sanohend9@gmail.com. [Learn why this is important](#)

I have lived here 50 years and in a small neighborhood with a dirt road where 6 of the 9 houses have been owned by the same people!!

I strongly feel the need for homes *to be lived in*, not made empty and then put in the hands of profit generators.

However, I still would want to welcome travelers, and wish we had a large affordable hotel to put them all into.

Susanna Henderson  
19 Buena Vista Road  
Point Reyes Station.

**From:** [Koré D'Abравanel](#)  
**To:** [STR; Rodoni, Dennis](#)  
**Subject:** West Marin STR Public Comment  
**Date:** Thursday, June 22, 2023 4:32:24 PM

---

Short term rentals impact the community by decreasing affordable housing, increasing transient tourists and creating more disparity within the community.

If the trend continues, it will create artificial upscale resort communities in West Marin that only the wealthy can afford.

We will be creating another “Montecito” that caters to the rich and powerful.

The real beauty of the natural agrarian environment of West Marin will be destroyed.



**From:** [David Kimball](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Sarah Jones](#); [Tejirian, Jeremy](#); [Lacko, Leslie](#)  
**Subject:** West Marin Residents for Housing - STR Position Paper  
**Date:** Thursday, July 20, 2023 11:00:27 AM  
**Attachments:** [WMrFH Position Paper 071923.pdf](#)

---

**TO:** Kathleen Kilgariff, Sarah Jones, Jeremy Tejirian, Leslie Lacko and Marin County Planning Commissioners  
**FROM:** West Marin Residents for Housing  
**DATE:** 7/20/23

*West Marin Residents for Housing* is a group of West Marin residents, business people and civically engaged community members from across coastal West Marin concerned that Short Term Rentals (STRs) are not being sufficiently regulated to insure the continued viability of our coastal communities.

Our group has been meeting weekly since December 2022 to gather input from concerned local residents, research STR ordinances in California's coastal zone, and ultimately draft a proposed set of revised STR terms for consideration by the County's Community Development Agency. We understand that the Planning Staff will first present their draft update to the Planning Commission and then the Board of Supervisors.

Attached is a three page position paper summarizing our work over the past several months. We hope you will consider it in formulating the County's new STR regulations. This is a complex, nuanced issue and the actions that the County take now will have lasting impact on the future health and viability of our coastal villages and the life we all value.

David Kimball  
for *West Marin Residents for Housing*

*West Marin Residents for Housing:*  
Maureen Cornelia, Inverness  
Carolina Dutton, Marshall,  
David Kimball, Bolinas  
Ruth Kantor Lopez, Point Reyes Station  
Jorge Martinez, Point Reyes Station  
Eoin McMillan, Bolinas  
Leila Monroe, Bolinas  
Harriet Moss, Stinson Beach  
Susan Scott, Inverness  
Don Smith, Bolinas

Andrew Zlot, Point Reyes Station

## **To Marin County Board of Supervisors and Planning Commission**

### **Short Term Rental Position Paper - West Marin Residents for Housing**

#### **Who We Are**

*West Marin Residents for Housing* is a group of long-term residents, business owners, and civically active community members from across coastal West Marin. We came together to understand the effect Short Term Rentals (STRs) are having on our West Marin communities and have undertaken significant research to inform a proposed set of regulations that we believe are fair, balanced and will create long-term viability for the coastal communities.

In 1973, Marin County adopted the Marin Countywide Plan, a bold move that created A60 zoning to protect Marin's rangelands from the economic pressure of conversion to higher-value commercial exploitation. Today's threat of unchecked conversion of residential parcels to short term rentals is of equal consequence as the earlier threat to Marin's agricultural land. It's now time for Marin County to take a similarly bold move to protect West Marin's limited pockets of residential housing from the pressure of conversion to commercial STR lodging.

#### **The Problem: Loss of Housing, Community and Historic Character of Coastal Marin**

- Our communities have seen a substantial loss of full-time residents, forced to leave in large part due to the rapid proliferation of STRs.
- STR's designed to compete with hotels are contrary to the intent and appropriate use of residential housing.
- The Marin County Local Coastal Program emphasizes the essential role of small-scale agriculture and the proximate ag-worker housing it requires; the importance of protecting affordable housing; a directive to "discourage the conversion of residential to commercial uses in coastal villages"; and the need to regulate STRs.<sup>1</sup>
- The price of housing (purchase and rental) has dramatically risen to such a level that it is impossible for individuals and families of moderate means to purchase homes or afford rents.
- This has resulted in a labor shortage, adversely affecting our schools, fire departments, medical providers, utility districts and local businesses.
- The viability of our communities is at risk.

---

<sup>1</sup> Marin County Local Coastal Program Land Use Plan, Adopted by the Coastal Commission, February 6, 2019 at pgs 9-10, 53, 75 - 77.

## **The Cause: Residential Areas Are Being Commercialized**

- STR operators such as Airbnb, VRBO, Lodgify, Vacasa and Pacasa are capitalizing on the lack of regulation in West Marin enabling individual and commercial real estate investors to acquire residential properties and turn them into STRs, creating mini-hotels in residentially-zoned areas.
- Corporate investors are realizing huge profits by operating in residential neighborhoods:
  - *Airbnb reports that “2022 was another record year...revenue of 8.4 billion grew 40% ... and free cash flow grew \$3.4 billion year over year”<sup>2</sup>*
  - *“Now some of the biggest names in commercial real estate are ... turning short term rentals into long term investments”<sup>3</sup>*
- Home equity wealth is being transferred out of West Marin communities, as non-local investors buy up the housing stock.
- Aggressive marketing of STRs to homeowners by on-line commercial agents tout the high profitability of STRs.
- Enabled by the promise of STR income to pay high returns, STR investors invariably outbid primary-home buyers, artificially raising the price of real estate throughout the market.
- Realtors and homeowners have testified in recent CDA listening sessions that “homes have been devalued by the STR moratorium,” providing anecdotal evidence that STRs increase home prices. The revenue generated from STRs can be many times greater than long-term rent.

## **Analysis: West Marin Is At a Tipping Point**

- At least 16% of parcels in the Coastal Zone are being used as STRs. Countywide, 71% of STR licenses are in West Marin, while only 1% are in East Marin.<sup>4</sup>
- In most West Marin villages, long-term rental housing is severely limited. In Stinson Beach, where STRs make up 31% of housing stock, there are virtually no long-term rentals advertised, either formally or through the grapevine.
- Sustainable and viable communities need long-term residents, young families and essential workers. These residents staff the utility districts, school districts, emergency and senior services, boards and local businesses.
- The Bolinas Community Land Trust (BCLT) has 320 applicants (more than 600 persons) waiting for housing. The average annual household income of those waitlisted is \$57,200 while county-wide average annual household income is \$121,200.<sup>5</sup>
- Driven by profit potential the conversion of housing to STRs is accelerating across the country. Strong regulation is necessary to stop this trend and retain residential

---

<sup>2</sup> Airbnb Q4 & 2022 Annual report

<sup>3</sup> <http://www.multihousingnews.com/opening-the-door-to-short-term-rental-investing/>

<sup>4</sup> Staff Report to the Marin County Planning Commission, June, 12, 2023

<sup>5</sup> Source: Bolinas Community Land Trust

housing in our communities. Once gone, residential neighborhoods will be very difficult to restore.

- Many California coastal jurisdictions have implemented strong STR regulations. Importantly, many approaches to STR regulation have been approved by the California Coastal Commission and withstood court challenges.
- These regulations have included STR caps as low as 1% in residential areas. Notably, the City of San Diego did not grandfather existing licenses.

### **Our Proposal: Achieving Long-Term Housing Viability**

We propose that the following specific regulations be included in any new STR ordinance:

- a) Licensee must be a “natural” person (i.e. not a corporate entity).
- b) Only one license per natural person.
- c) Set village-specific caps to achieve an overall average reduction of STR licenses throughout the West Marin Coastal Zone to 50% of current levels (568 to 264).
- d) Sunset existing and future licenses in two years and adjust numbers to the village caps.
- e) Require that all STR units meet health and safety standards for licenses.
- f) Grant licensing priority to properties “hosted” by primary residents who live full-time on site. Consider secondary priority to longest-running operators in good standing.

### **Your Vote Has Substantial and Lasting Consequences**

We are asking for your vote to reverse the current excessive presence of unhosted Short Term Rentals in Coastal West Marin. We urge you to pass a balanced and comprehensive STR ordinance that will return homes to the long-term housing stock. **We believe that homes should be lived in, not monetized, and that communities need long-term residents to thrive.**

West Marin Residents for Housing:

Maureen Cornelia, Inverness  
Carolina Dutton, Marshall  
David Kimball, Bolinas  
Ruth Kantor Lopez, Point Reyes Station  
Jorge Martinez, Point Reyes Station  
Eoin McMillan, Bolinas  
Leila Monroe, Bolinas  
Harriet Moss, Stinson Beach  
Susan Scott, Inverness  
Don Smith, Bolinas  
Andrew Zlot, Point Reyes Station

July 7, 2023

To: Dennis Rodoni  
Supervisor, District 4, County of Marin  
Cc: Fernando Baretto, Kathleen Kilgariff

From: West Marin Housing Collaborative

Dear Dennis,

The member organizations of the West Marin Housing Collaborative are writing with one voice to express our concern about the proliferation of short-term rentals across the West Marin region. We applaud and appreciate the expertise of County planners working on this issue, and also acknowledge the thoughtful and carefully researched policy platform put forward by the West Marin Residents for Housing, accessed [here](#).

As West Marin housing organizations rooted in our communities that have always had tourist-serving facilities and lodging, we understand the complexity of this issue. But we feel strongly that the unchecked proliferation of short-term rentals has, and continues to, negatively impact the historically diverse economy of West Marin. The increased commercialization of home spaces has substantially diminished the housing available to local workers, local farmers and artists, seniors and families. This unfortunate trend, combined with home prices that are out of reach for most locals, contributes to the hollowing out of our villages, changing the character of the place we love, and the place tourists love to visit.

Member organizations of WMHC are all directly involved in creating local housing - and see first-hand that we cannot "build our way out" of our housing crisis. In West Marin, the cost of development, the cost and timeline to meet regulations as well as funding requirements, and the delicate nature of our beautiful coastal environment are the high-challenge realities we deal with every day. These challenges dictate that we work almost entirely within existing housing stock to remodel and preserve residential homes for our current and future community. In addition to eliminating local housing stock, the growing economy of STR's also impacts the ability of WMHC organizations to get their work done. This happens when high-capital acquisition, rehab, and maintenance of homes for short term rentals drives up the prices for housing acquisition, rehab, and maintenance for everyone else - including WMHC members that already have a significant fundraising lift for each unit we develop annually.

Finally, we implore the County of Marin to implement a policy that has the total effect of reducing the number of short-term rentals over time, rather than simply putting a cap on them. Why? Every community in West Marin has experienced substantial displacement in recent years given our housing market conditions. Bolinas Community Land Trust, for example, has more than 600 people, most of whom are local, on its wait list for housing. As more and more housing is used for STR's, there is simply not enough for long term residents. West Marin still has the hotels and historic bed and breakfasts it is known for; and we know short term rentals will continue to exist.



But it's time to restore balance for the benefit of everyone who loves West Marin, and everyone who calls West Marin **home**.

Sincerely,

Annie O'Connor, Executive Director  
Bolin Community Land Trust

Pam Dorr, Executive Director  
Staff of Community Land Trust Association of West Marin

Chris Harrington and Harriet Moss  
Stinson Beach Affordable Housing Committee

Hal Russek, Executive Director  
Two Valleys Community Land Trust

Kim Thompson  
Coordinator, West Marin Housing Collaborative

Report & Recommendations re Draft STR Regulations  
Marin County Planning Commission  
October 11, 2023

October 11, 2023

Marin County Planning Commission  
Board of Supervisor Chambers, Room 330  
Civic Center  
San Rafael CA

***Report & Recommendations Concerning Draft Short Term Rental Regulations for Unincorporated Marin County, September 2023***

Dear Members of the Planning Commission:

We are members of the West Marin Access Coalition (WMAC), a grass-roots organization of 225 individuals (and growing), predominantly West Marin homeowners, but including long- and short-term rental (STR) hosts, visitors, local businesses, and concerned citizens interested in preserving West Marin’s tourism-friendly community.<sup>1</sup> We are entirely volunteer-operated and receive no funding whatsoever.

We believe that everyone should have access to the beautiful parks, beaches, and forests of West Marin. This area has a unique and unparalleled range of coastal and outdoor recreation offerings, framed by over 100 miles of coastline in Marin County along the Pacific Ocean and Tomales Bay and their inlets. The area includes three national park units—Golden Gate National Recreation Area, Muir Woods National Monument and Point Reyes National Seashore—collectively receiving millions of visitors per year. Also in or adjacent to West Marin are three spectacular state parks (Mt. Tamalpais, Samuel P. Taylor and Tomales Bay State Parks), and further open space and beaches owned or administered by local agencies and Marin County Parks. Beyond enjoying the coast and open space, visitors come to the region to connect with nature, family, and self.

On June 9, 2023, we submitted a letter in connection with a June 12, 2023 hearing held before the Marin County Planning Commission. The June 9, 2023 Letter was co-signed by 51 members of the community who are concerned with the County’s targeting of short-term rentals (STRs) and ongoing efforts to reduce or eliminate this essential means of visitor access and mainstay of the local economy. Many of our members spoke at the June 12 hearing. Our central message has been consistent: the County’s recent efforts to target STRs under the guise of protecting housing have been misplaced and not backed by sound data or analysis. In its zeal to target STRs, the County risks jeopardizing coastal access for visitors while irreparably harming the local economy.

---

<sup>1</sup> See <https://www.westmarinaccesscoalition.com/>.

With the following Report & Recommendations, we address the 11 pages of draft regulations released by the County, after several unexplained delays, on September 18, 2023. These draft regulations, relating to the licensure, operation and reduction of STRs in all of unincorporated Marin County, are referred to below as the “September 2023 Draft Regulations” or “Draft Regulations.”

We recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin. Our position is explained below. We thank you for your time and attention to this matter which is essential to the security and livelihood of so many members of our community.

With our gratitude,

West Marin Access Coalition

**Signatories:**

Sean Callagy Inverness	Payton Stiewe Stinson Beach	Garrett Schwanke Marshall
Claire Hunsaker Inverness	Barbara Schwanke Marshall	Maggie Washburn Stinson Beach
Rachel Dinno Inverness	Steven Schwanke Marshall	Richard Volk Stinson Beach
Jess Taylor Inverness	Winslow Strong Marshall	Tim Corriero Stinson Beach
Claire Herminjard Petaluma	Tom Duncan Dillion Beach	Roberta Hawthorne Stinson Beach
Audry Koh Stinson Beach	Camille LeBlanc Inverness	Jim Hawthorne Stinson Beach
Gaeta Bell Stinson Beach	Anna McDonnell Inverness	Sophia Schwanke Marshall
Lynn Fuller Stinson Beach	John Arguelles Dillion Beach	Brianna Schwanke Marshall
Bettina Stiewe Stinson Beach	Morgan Schwanke Marshall	Scott Grooms Stinson Beach

Report & Recommendations re Draft STR Regulations  
Marin County Planning Commission  
October 11, 2023

Loren Quaglieri  
Stinson Beach

Catherine Lucas  
Inverness

Roger Ravenstad  
Dillion Beach

Tucker Grooms  
Stinson Beach

Jesus Cardel  
Stinson Beach

Ken Abrams  
Dillion Beach

Griffin Grooms  
Stinson Beach

Ashley Bird  
Stinson Beach

Elizabeth Sterns  
Stinson Beach

Daniel Kramer  
El Dorado Hills

Nancy Painter  
Walnut Creek

Gerald Sterns  
Stinson Beach

Ann Kramer  
El Dorado Hills

Joe Tobin  
Stinson Beach

Laurie Hughes  
Stinson Beach

Yaella Frankel  
Richmond

Zoe Johns  
Stinson Beach

Jennifer Battat  
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Pat Gallagher  
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Report & Recommendations re Draft STR Regulations  
Marin County Planning Commission  
October 11, 2023

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James Wayand Stinson Beach	Liliana Salgado Petaluma	Ramon Cadiz Inverness
Sarah Butler Stinson Beach	Maira Garcia Marshall	Lisa Hielscher Bollinas
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Meg Cadiz Inverness	Katie Beacock Stinson Beach	Jhaya Warmington Bollinas
Michael Anderson Forest Knolls	Chip Fuller Bollinas	Adam Warmington Bollinas
Brittany Anderson Forest Knolls	Neal George Bollinas	Nicole Brownstein Woods Stinson Beach
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Hanna Morris Point Reyes Station	Jeanice Skvaril Inverness	Jan O'Connor Stinson Beach
Curtis Linton Petalum		John O'Connor Stinson Beach

Report & Recommendations re Draft STR Regulations  
Marin County Planning Commission  
October 11, 2023

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Mill Valley

Dimitra Havriluk  
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Mark Talucci  
Bollinas

Ali Palmer  
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Felix Chamberlain  
Inverness

Nancy York  
Inverness

Robert Palmer III  
Mill Valley

Don Anderson  
Stinson Beach

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## **I. Introduction & Summary of Analysis**

Because we cover considerable subject matter with this Report & Recommendations, we begin with an Executive Summary and then provide an outline of the detailed discussion points that follow.

### **A. Executive Summary**

The September 2023 Draft Regulations are deeply flawed, and the Planning Commission should vote to reject them. In brief, the Draft Regulations suffer from the following key flaws:

1. The September 2023 Draft Regulations will reduce visitor access by imposing arbitrary numerical caps for unhosted or whole-house STRs—by far the most popular form of rental—that are *lower* than those currently in place. These caps were not arrived at by any form of democratic process, and appear to simply represent the status quo ante from the period immediately prior to the County’s announcement of its intent to impose a moratorium. This would create a permanent moratorium frozen at early 2022 levels. Reducing STRs in this manner will reduce lodging options, especially of more modestly priced homes. The result would be to greatly limit public access to the 100+ miles of Pacific and Tomales Bay coastline in Marin County and the nearly 500 square miles of land comprising all of unincorporated Marin County and each of the parks therein. This would represent the single greatest loss in public access in the history of Marin County, if not the entire state of California.
2. The Draft Regulations will further reduce visitor access to the Coast and unincorporated Marin County by making the ongoing operation of existing STRs so burdensome, costly and uncertain that many STR operators will be driven from the market. Potential operators of new STRs will be discouraged from applying for a license due to the unreasonably high costs and uncertainty of completing an application and qualifying for the onerous criteria the County is seeking to impose. The loss of coastal access will be felt most acutely by visitors of modest means who lack the resources to rent luxury homes or stay in expensive local hotels.
3. The September 2023 Draft Regulations irreconcilably conflict with the Coastal Act and applicable Local Coastal Program by changing the long-standing legal status of STRs from a principal permitted use under current law to a presumptively illegal use absent a County-issued permit. This flaw renders the Draft Regulations vulnerable to being rejected by the California Coastal Commission or overturned via costly legal challenges.
4. The County has not outlined the purpose of the September 2023 Draft Regulations, nor presented data or analysis showing that the Draft Regulations will do anything to increase housing availability or affordability in West Marin,

despite the County's claim that this is the main reason for proposing the Draft Regulations in the first place. The County has likewise presented no data demonstrating what impacts these unprecedented regulations will have on the economy of the region, especially the low- and middle-income workers whose livelihood depends on the local tourist economy. Finally, the County has not shown that the 11 pages of detailed and highly burdensome Draft Regulations are justified by current risks to public health, safety or welfare uniquely created by STRs. Indeed, the County's pivot away from a housing-focused approach and toward enacting hyper-technical and unnecessarily burdensome "health and safety" and "good neighbor" rules—with no showing that current regulations are falling short or that the Draft Regulations will be a net benefit to the community—appears indicative of an ulterior motive to punish STR operators and drive them out of the market.

5. By reducing or taking away an economic lifeline counted on by homeowners and local workers alike, the September 2023 Draft Regulations will destroy local jobs and destabilize the very communities they purport to protect. The Draft Regulations will also reduce tax revenues and Measure W funds that are intended to support fire safety and affordable housing goals—directly undermining the very goal the County purports to be protecting. The County has done nothing to quantify these impacts, much less explain how (if at all) it intends to ameliorate these very foreseeable adverse consequences. This further deprives the Commission of the ability to perform a meaningful analysis of the costs and benefits of the Draft Regulations.
6. The September 2023 Draft Regulations are discriminatory. They single out a long-standing residential property use for unprecedented levels of scrutiny and financial burden, as well as unequal and illegal treatment by local agencies. To give one example, the Draft Regulations would expressly permit water companies to cut water allotments to any property with an STR license, such that any property with an STR license could be allotted *less* water than any other similarly situated residential use. If long-term tenants were treated in this way, housing advocates would be howling in protest. The full extent of the burdens is presently unknown, as the County has not disclosed the anticipated permitting fees or the scope of future administrative regulations to be enacted outside of the democratic process. The Draft Regulations would also deprive STR operators of due process rights by vesting unfettered enforcement authority in the Community Development Agency (CDA). Under the Draft Regulations, the CDA could suspend an STR license based on any claim of violation, with no due process rights or recourse for property owners. Owners are concerned about being subject to the whims of the CDA, an unelected body that has shown unjustified hostility by scapegoating STRs for the last several years for a housing situation that STRs did not create.

7. The September 2023 Draft Regulations will create unintended but entirely foreseeable consequences beyond reducing visitor access, destroying local jobs and reducing tax revenues. For instance, the requirement for highly conspicuous signage announcing that a property operates as an STR will act as an invitation for vandalism or break-ins when guests are away. The County's collection of burdensome levels of private data will also bring unwelcome and unnecessary scrutiny to any individual with an interest in a property operated as an STR while risking data breaches. For example, the CDA has made available for download on its website, perhaps accidentally, the names, addresses and business license numbers of all people currently operating Short Term Rentals in unincorporated Marin County, inviting vandalism and theft to these properties. And, by making the lawful operation of STRs virtually impossible to achieve for many properties, the Draft Regulations will encourage individuals to look for ways to circumvent the law and operate in a shadow market.<sup>2</sup>

For each of these reasons, and as further explained below, we recommend that the Planning Commission vote to reject the September 2023 Draft Regulations.

## **B. Outline of Report & Recommendations**

In this Report & Recommendations, we first provide a Historical Background discussing: (1) the history of the region and the fact that STRs have long played a leading role in providing public access to unincorporated Marin County; (2) housing-related issues in unincorporated Marin County; (3) the unfortunate history of anti-visitor sentiment in West Marin; (4) facts and data concerning the operation of STRs in West Marin; and (5) a discussion of the lack of data presented by the County supporting its efforts to target and reduce STRs in West Marin.

Second, we provide a Regulatory Background discussing: (1) the regulatory framework applied by the California Coastal Commission in the evaluation of STR regulations, and (2) the Local Coastal Program (LCP) in unincorporated Marin County and its applicability to STRs.

Third, we provide a Summary of Comments and Questions received during the Planning Commission's June 12, 2023 Hearing, both from members of the Planning Commission and the public.

Fourth, we provide a detailed Analysis of the September 2023 Draft Regulations. We begin by articulating the major flaws in the September 2023 Draft Regulations, before providing commentary in response to each individual provision.

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<sup>2</sup> For a cautionary tale of what happens when overzealous bureaucrats try to limit STRs by governmental fiat, see Amanda Hoover, *New York's Airbnb Ban Is Descending Into Pure Chaos*, Wired (Oct. 9, 2023), available at: <https://www.wired.com/story/airbnb-ban-new-york-illegal-listings/>.

Fifth, we provide questions that we suggest members of the Planning Commission ask County Staff at forthcoming hearings, including questions that Commission members previously asked during the June 12 Hearing and follow-ons thereto but which remain unanswered by the County.

Sixth, we provide concluding remarks and a recommendation that the Planning Commission vote to reject the September 2023 Draft Regulations as unjustified, unworkable and inequitable.

## **II. Historical Background**

In this section, we discuss the background of the communities of West Marin and the role played by STRs in the development of the region. We then discuss housing issues in West Marin over time. Next, we discuss the history of anti-visitor sentiment in the region. We then discuss relevant facts and data concerning STRs in West Marin. Finally, we discuss the lack of data the County has presented in support of its efforts to reduce and hyper-regulate STRs in West Marin.

### **A. Development of Unincorporated West Marin and STRs**

The first settlers of European descent in West Marin largely made their livelihoods through ranching, dairying, farming, fishing, and logging. Several small towns in West Marin formed around these activities. Tomales, Olema and Nicasio were each small towns surrounded by agricultural activity. Bolinas formed around a logging and fishing port on the Bolinas Lagoon. With the construction of the North Pacific Coast Railroad connecting East Marin to Tomales and beyond after 1876, other small communities formed and grew along the railroad's route, including communities in the San Geronimo Valley (Woodacre, San Geronimo, Forest Knolls, Lagunitas), the town of Pt. Reyes Station, and communities on the east shore of Tomales Bay (Bivalve, Marshall, Marconi).

As early as the late 19<sup>th</sup> Century, and continuing throughout the 20<sup>th</sup> Century, short-term rentals have been a prominent means of visitor access to West Marin. For decades, many homeowners spent part of the summer in their homes and rented their homes out during periods the property would otherwise be vacant. The term "short-term rental" was not in parlance; these arrangements were simply called "vacation rentals." Often, visitors returned to the same summer home for several weeks or a set month each summer. Vacation rentals were also arranged by word of mouth, classified ads, bulletin boards in town centers, or set up through local real estate offices.

In the late 19<sup>th</sup> Century and into the 20<sup>th</sup> Century, new communities were also formed to serve summer visitors, while existing communities increasingly shifted to hosting seasonal visitors as well. Inverness was formed as a "summer colony" with dozens of small lots platted for cabins along the west shore of Tomales Bay<sup>3</sup>; the area expanded throughout the 20<sup>th</sup> Century to encompass all of present-day Inverness and Inverness Park. Willow Camp formed across the lagoon from Bolinas as a summer destination; it is now known as Stinson Beach. Dillon Beach was formed in the early 20<sup>th</sup> Century as a resort with rental cabins and saw most of its growth in summer homes after World War II. When the Bolinas Lagoon silted in due to logging and the railroad could more efficiently transport the wood and paper products milled at the S.P. Taylor mill, Bolinas also became more of a summer destination for visitors from Marin and beyond.

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<sup>3</sup> Inverness Community Plan, at 1-2, *available at*: [https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/publications/communityandareaplans/inverness\\_ridge\\_communities\\_plan\\_1983.pdf](https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/publications/communityandareaplans/inverness_ridge_communities_plan_1983.pdf).

Throughout the 20<sup>th</sup> Century, and especially following World War II, the region saw a gradual shift away from farming and ranching being the predominant form of land use, toward conservation-oriented and recreational uses. In 1908, President Roosevelt established Muir Woods National Monument. Mt. Tamalpais became a state park in 1912, followed by Tomales Bay State Park in the 1950s. Congress authorized the creation of Point Reyes National Seashore in 1962, and the park was established in 1972 along with the Golden Gate National Recreation Area, which runs from the north end of the Golden Gate Bridge all the way to the southern boundary of Point Reyes National Seashore at Bolinas. Between GGNRA and PRNS, the entire coastline of Marin is held in public trust, primarily by the National Park Service. Marin is thus unique in having all of the coast and coastal zone, with the exception of the villages themselves, dedicated to the public. Many other parts of West Marin are protected or made accessible to the public by conservation easements and the creation of numerous smaller park units. Parks are our history. They are what attract residents and visitors alike, and they are a pillar of the present-day local economy.

Many present-day homeowners first became acquainted with West Marin as visitors staying in “vacation rentals,” now referred to as short-term rentals. Indeed, for much of the history of the region, vacation rentals were the sole or predominant means to visit a community. Many individuals with longstanding ties to the community continue to patronize short-term rentals if they are not fortunate enough to have a home of their own. Of course, first-time and infrequent visitors to the region also use short-term rentals because they provide a private, cost-effective, and authentic way to experience the communities and the coastal recreational opportunities nearby. The County recognized this in its Staff Report in advance of the June 12 Hearing, noting: “A number of communities in the Coastal Zone have traditionally been popular vacation destinations with many homes being used as vacation rentals for many years, if not generations.” Moreover, renting out a vacation home has traditionally been a path to enabling homeownership, as the owner can use the supplemental income to pay down the mortgage and manage the carrying costs. This is a practice very much in evidence today, as many individuals use STR income to afford a home and remain members of the community.

With the advent of online platforms such as VRBO and AirBNB, the rental of STRs shifted from informal and local means (word-of-mouth, classified ads or listings hosted by real estate companies) to centralized platforms. This has made the process of searching for and booking an STR more convenient, secure and cost-effective for individuals while providing a greater share of revenues to homeowners. The effect has been to preserve and increase visitor access without requiring the creation of new large hotels or resorts and the stresses on infrastructure and resources that these entail.

Considering the established history of vacation communities in which STRs have indisputably been a feature of how visitors have accessed the region’s public resources for generations, the County has not presented data concerning the historical levels of STRs by community, nor how they will meet visitor housing needs. While it may be that more homes are now available for rent that would previously have simply sat vacant, thanks to the ease and

security of platforms like VRBO and AirBNB, this Commission has not been presented with a numerical basis for assessing long-term trends in the numbers of STRs over time. What is clear is that STRs are not a new phenomenon, and banning or reducing STRs would not only be contrary to long-standing traditions and local and state policy, it would be deeply unfair and inequitable.

## **B. Housing in Unincorporated West Marin**

As with much of California, the need for housing has been a topic in Marin County and West Marin for decades. From 1940 to 1970, the population of Marin County increased fourfold, from 52,907 to 206,038.<sup>4</sup> In recent decades, many more individuals have chosen to reside in West Marin full-time, creating the pattern of limited housing options and relatively high prices evident today.

Many factors have contributed to a housing shortage in West Marin. In 1971, the Bolinas Community Public Utility District passed an emergency moratorium on new connections to the town's water system. That moratorium, still in effect today, has acted both as a limit on growth and a catalyst for more expensive housing.<sup>5</sup> Other communities such as Inverness have had similar water metering policies and moratoria in place at various times that have limited growth. In addition, zoning rules require single-family homes on large lot sizes in many communities, leading to the construction of expensive homes that are not affordable for lower- or middle-income residents.

With supply limited (or capped outright) and demand increasing over the course of decades, it should come as no surprise that the availability and affordability of housing have long been a concern. The Bolinas Community Plan of 1975, for example, recognized that the price of a single-family home had "increased dramatically" from just 1970 to 1974 (*i.e.*, following the enactment of the water meter moratorium).<sup>6</sup> The same Plan recognized the "increasing difficulty for low- and medium-income families and individuals to find housing in Marin. The elderly and young families with restrict incomes have less and less chance to live here," such that "[o]ut-law buildings and shared households are rapidly becoming the only low income housing in Bolinas."<sup>7</sup> In other words, housing availability and affordability were just as much of a topic in 1975 as they are today.

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<sup>4</sup> See <http://www.bayareacensus.ca.gov/counties/MarinCounty50.htm>, <http://www.bayareacensus.ca.gov/counties/MarinCounty70.htm>.

<sup>5</sup> See Sean Callagy, *The Water Moratorium: Takings, Markets, and Public Choice Implications of Water Districts*, 35 *ECOLOGY LAW QUARTERLY* 223 (2008), available at <https://www.jstor.org/stable/24114645>.

<sup>6</sup> Bolinas Community Plan, at 51, available at: [https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/publications/communityandareaplans/bolinas\\_community\\_plan\\_1975.pdf](https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/publications/communityandareaplans/bolinas_community_plan_1975.pdf).

<sup>7</sup> *Id.*

While housing-related concerns are not new, what is unprecedented is laying the blame for this state of affairs on STRs. A vocal minority has, without evidence and contrary to studies that show this is not the case, claimed that STRs are chiefly responsible for reducing the stock of affordable housing. The County itself has echoed this without critical analysis or evidence, stating without evidentiary support in a recent Staff Report that:

*a high percentage of homes being dedicated to STRs in some smaller towns and villages is seen as hollowing out local communities, adversely affecting the schools and social fabric enjoyed in these smaller towns and villages. Further, there are growing concerns in Marin communities about impacts of STRs on the availability of housing for workforce, families, and community members as well as the ability to build and maintain the human relationships that form community.*

The County's use of the passive voice, and failure to cite evidence, are telling. The County has offered no data or reliable analysis of the impact of STRs on schools, housing, or other aspects of the "social fabric" that anti-STR voices claim are adversely impacted. We implore the Commission to ask the County why it has not presented data and why it has uncritically accepted the unsubstantiated claims and opinions of anti-STR voices in lieu of fact-based analysis.<sup>8</sup>

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<sup>8</sup> For example, the County's Background Information page on STRs relies entirely on unsubstantiated and anecdotal concerns and claims about what effects "may" be flowing from STRs, or what "appears" to be happening, yet never offers proof or data in support. Namely:

*At the time the Ordinance No. 3739 was approved [in 2020], both staff and the Board acknowledged that a number of public commenters expressed concerns about the impacts of STRs on communities and requested reevaluation of the County's STR Ordinance to expand its scope and purpose. [...]*

*Community discussions connected with the Housing Element have indicated that STR uses may be affecting the supply and affordability of housing, particularly in West Marin communities which have become increasingly attractive to homebuyers and where there are relatively small numbers of homes. Overall, it appears that in the context of labor shortages, increased costs, and demand, STRs are increasingly impacting the health and safety of local communities, especially in the West Marin Area.*

See <https://www.marincounty.org/main/short-term-rental-background-information>.



### **C. Anti-Visitor Sentiment in West Marin**

While all can seemingly agree that West Marin is a wonderful place, some residents appear to be of the view that they should not have to share it with visitors. For decades, West Marin has displayed a hostility toward visitors (often derisively referred to as mere “tourists”) bordering on xenophobia. This appears to be especially prevalent among those who are economically privileged enough that they do not need to rely on visitors, or the economic activity they generate, for any part of their livelihood or ability to remain in West Marin. As the drafters of the Bolinas Community Plan put it in surprisingly blunt terms nearly fifty years ago: “It is not the proper business, nor is it the duty of Bolinas to provide overnight facilities for tourists just because we are here!”<sup>9</sup> The California Coastal Commission and Local Coastal Program do not agree with this sentiment, as will be discussed below.

While certain Bolinas residents have long been notorious for tearing down road signs and organizing shadowy anti-visitor groups like the “Bolinas Border Patrol” that leave nasty notes and faux “parking tickets” on visitors’ cars<sup>10</sup>, other communities have shown their own flavors of hostility to visitors as well.

When the Point Reyes National Seashore was being created, residents of Inverness did not want visitors to the park driving through their community. Rather than take Sir Francis Drake, the residents of Inverness advocated for the development of a new “bypass” route that would cut directly across the middle of the National Seashore, across Muddy Hollow, to reach the Point Reyes Lighthouse.<sup>11</sup> This would have caused the destruction of a natural landscape simply to limit visitors from driving on a public road through the community. Fortunately, they were overruled.

This history is repeating itself. In 2018, the County added a 4% increase on the cost of every short-term rental in West Marin, and only West Marin, bringing the county tax to 14% on visitors to West Marin (one of the highest transient occupancy taxes in the nation). And, with the September 2023 Draft Regulations, opposition to visitors and efforts to erect legal roadblocks and reduce overnight stays are on full display.

### **D. Facts and Data Concerning STRs**

Because the County has not fairly presented facts concerning STRs, we endeavor to do so here.

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<sup>9</sup> Bolinas Community Plan, at 59.

<sup>10</sup> See <http://www.adobebooks.com/adobe-blog-scroll/2018/11/11/the-bolinas-scene>;  
<https://www.ptreyeslight.com/news/new-parking-tickets-bolinas/>.

<sup>11</sup> Inverness Ridge Communities Plan (1983), at 100, available at: [https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/publications/communityandareaplans/inverness\\_ridge\\_communities\\_plan\\_1983.pdf](https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/publications/communityandareaplans/inverness_ridge_communities_plan_1983.pdf).

**1. Overnight visitors spend money in the local community.** In addition to the transient occupancy tax revenues, visitors create jobs by spending money in our restaurants, stores and galleries, as well as on wildlife and sporting-related amenities and services. In California’s coastal communities, studies have found that for every \$100 spent on lodging, visitors spend an additional \$69 on food, \$48 on recreational activities, and \$59 on retail shopping. This is supported by a report released by the National Park Service in August 2023 that calculates that the 2.3 million visitors to the Point Reyes National Seashore contributed over \$117 million to the economy of the nearby communities, supporting over 1,120 jobs with an accumulative benefit of \$149 million to Marin’s local economy in 2022.<sup>12</sup>

Other studies return consistent findings: overnight guests contribute far more to the economy than day-only visitors. A 2019 study by the Marin County Visitor’s Bureau and Marin Economic Forum found that “Marin County visitors spend on average \$147 when they stay overnight and just over \$59 when they do not per person per day.”<sup>13</sup>

The County has not calculated how the September 2023 Draft regulations would impact this economy. Nor has the County modeled what the sudden loss of transient occupancy tax revenues would mean for the County’s general funds, nor for achieving fire safety and housing affordability goals that Measure W taxes directly support. The Planning Commission should ask the County why it has not performed any of this analysis, despite purporting to have studied this issue for several years.

**2. Tourism is West Marin’s primary economic driver,** and overnight stays are a vital part of West Marin, ultimately creating jobs and millions of dollars in economic activity, wages and tax revenue. The County needs to encourage overnight visitors, not push them away or deter them with artificially constrained options at prohibitive costs. What will happen if fewer homes are available for vacation purposes? The local economy will suffer a loss of jobs, services and tax revenue; the community will be less vibrant due to the rise in neglected homes, and the middle class who depend on the revenue to pay mortgage and property tax will be driven out of the community and lose their path toward homeownership.

**3. Limiting visitors to the region will result in a loss of jobs, quality services and tax revenue.** Most businesses in our community (from restaurants, grocery stores, artists, shops, galleries as well as operators of farm and oyster tours, cheese and wine tastings) depend on visitors to the region. If people don’t stay in West Marin, they will not shop in our stores, dine in our restaurants, buy our art, rent kayaks, tour and taste delicacies from nearby farms. This will

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<sup>12</sup> See <https://www.kron4.com/news/bay-area/tourism-at-point-reyes-contributed-149m-to-local-economy-report/>.

<sup>13</sup> Marin Economic Forum & Marin County Visitor’s Bureau, State Of The Visitor Industry in Marin County (November 2019), available at: <https://marineconomicforum.org/wp-content/uploads/2020/02/MCVB-visitors-study-120619-Final.pdf>.

result in a decline in the goods and services provided to the existing residents, jobs will be lost, and tax revenue will decline.

**4. Affordable accommodations within the park are slim and becoming more scarce and costly.** There are only four hike-in campgrounds within the Point Reyes National Seashore and limited public and private camping options elsewhere in West Marin that are regularly completely booked during peak times (and not suitable for all visitors). In 2021, the NPS closed the Marin Headlands Youth Hostel and in 2023, NPS transferred the management of the Limantour Youth Hostel from a nonprofit to a corporation. The campground at Tomales Bay State Park is now closed, and the number of overnight spaces at other low-cost options such as Lawson’s Landing has been reduced over time.

**5. Short-term rentals provide a range of affordable options with minimal community impact.** Short-term vacation rentals/homes, spread throughout West Marin, provide many housing options from camping to single-family luxury homes. Visitor housing, spread throughout the region, preserves the unique character of our community, avoids large concentrations around mega-hotel projects, reduces traffic from those that would otherwise be forced to find housing elsewhere and commute to West Marin daily, and ensures that services on which we each depend (groceries, restaurants, and stores) have enough business to economically sustain themselves.

Short-term rentals, dispersed throughout the region, increase both the supply and variety of tourist accommodation, making travel more affordable, especially for families and groups for whom purchasing multiple hotel rooms can be costly. In a recent analysis, short-term rentals were found to be nearly 3x less expensive than hotels, motels and lodges in the region. An assessment of the cost of every available home on a randomly sampled date, in the communities closest to the National Parklands (including Marshall, Point Reyes Station, Olema, Inverness, Bolinas, Stinson and Muir Beach) revealed that the average cost per bed in a single-family home was \$162 per night. In comparison, the average cost of a bed in a single room in one of the six hotels, motels, resorts, and inns is \$427 per night.

In addition to providing a more affordable nightly rate per room, a home provides families with private kitchens and dining areas where they can share meals, lounging and relaxation areas, and outdoor patios and yards, as well as greatly appreciated services such as washers and dryers. For larger families and groups of more modest socioeconomic means, this may be the only way they can afford to spend time in the region. Other visitors from diverse communities value the ability to feel safe and “at home” in a private home in a way that is often not possible in a large hotel or campground. By shutting out these visitors, the County will make an area that already has shockingly little socioeconomic and racial diversity even more exclusive.

The Planning Commission should ask why the County has not considered the needs of diverse visitors and is seemingly willing to bar visitors of lower socioeconomic means from their ability to enjoy a stay in the local communities of West Marin.

**6. STRs fund affordable housing and fire safety.** In addition to providing the most affordable vacation housing on the coast, STRs provide a key funding source for affordable housing in West Marin. Since its inception, the 4% Measure W tax on every STR visit (imposed over and above the County's 10% transient occupancy tax) has generated over \$3 million for affordable housing and another \$3 million for emergency services. Why undermine or cut off this source of funding for affordable housing and vital, life-saving services?

The Planning Commission should ask why our county officials are targeting vacation rentals when these hosts are providing a much-needed service in a manner that has the least impact on our community's character and our collective climate footprint while providing the financing that ensures daily services for the permanent residents.

**7. STRs do not drive up housing or rent prices.** A recent study by Oxford Economics<sup>14</sup> has concluded that, in inflation-adjusted terms, STRs contributed just 0.4% to the increase in U.S. housing prices from 2014 to 2021. In the same period, STRs contributed just 0.5% to the increase in U.S. inflation-adjusted rents. In other words, even if STRs had been *banned* in West Marin in the last decade—which of course would not be permitted under the Local Coastal Program—the economic factors affecting housing prices would have been virtually identical, and the housing situation would be the same. Conversely, this shows that the proposed caps and reductions on STRs in the Draft Regulations would have virtually no impact on long-term housing affordability and availability.

**8. The economics of STRs are challenging.** A common misconception among the County and opponents of STRs is that the operation of STRs is so simple and lucrative that they excessively drive up property values, create a huge incentive to drive out long-term tenants, and attract absentee corporate investors. None of these assumptions is true.

Many operators of STRs are only able to defray a portion of homeownership costs and are not anywhere near breaking even in paying for their mortgage, taxes, utilities, upkeep costs, and operating costs (including platform fees, local agent fees, perks for guests, etc.). West Marin visitor patterns are highly weekend-oriented and seasonal, with few visitors mid-week and a significant drop-off in visitors in colder, wetter months. As a result, year-round occupancy rates are often well below 50%. This distinguishes West Marin from markets with sustained year-round demand, such as New York City. Moreover, the spike in visitors seen in 2021 and early 2022 has ebbed as the Coronavirus pandemic has ended and international destinations are open once again. Many owners hope at best to break even or make a small surplus in the summer months and accept that they will make almost nothing and lose money in the winter months.

To illustrate: one single-family house in Inverness's Seahaven neighborhood saw a total of 34 nights rented over a six-month period from December 2022 to May 2023, an occupancy rate of under 19%. After costs, the operators netted approximately \$800 per month. Even after

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<sup>14</sup> *Understanding The Real Drivers of Housing Affordability, An Assessment of the Role of Short-Term Vacation Rentals*, Oxford Economics, June 2023.

factoring in the higher summer occupancy rates of around 50%, the operators netted just under \$1300 per month on an *annualized* basis. This did not pay even a quarter of the carrying costs of the home. Had the homeowners rented the house on a long-term basis and received the median rent for unincorporated Marin (\$2900, as reported by the County), they would have netted over double the revenue over the course of the year (yet still lost money on the property as a whole). However, a long-term tenancy was not an option for the homeowners, who enjoy spending time with their family at the home as well.

Furthermore, visitors are discerning. They carefully select from among options in picking a home of the appropriate size, stocked with the appropriate amenities and safety features, in their desired location. STR operators have to invest in their properties and quickly respond to guest inquiries to earn favorable reviews. Thus, the operating costs and sweat equity that come with operating an STR are often far higher than for a long-term rental. The communities benefit from this dynamic, as these additional efforts create and support many local jobs.

Several homeowners who spoke at the June 12, 2023 Planning Commission meeting confirmed that occupancy rates have come down substantially from pandemic-era highs, as much as 40% from the high-water marks briefly seen in 2021 and 2022. In tandem with this trend, nightly rates have come down, too. These trends, and other factors making STR ownership a challenge, have been evident in other STR markets nationwide. The County cannot make good policy based on assumptions concerning a brief but extraordinary set of market conditions that is unlikely to recur.<sup>15</sup>

**8. The only “corporations” operating STRs in West Marin are the hotels and motels that the County would exempt from the Draft Regulations.** There is no evidence for the often-heard talking point about “corporate” investors allegedly snapping up properties locally to operate as STRs. Our members have reviewed practically every STR listing in West Marin and were able to identify individuals associated with each property who either reside locally or have long-standing ties to the community. A commenter at the June 12, 2023 Hearing provided numerical support to explain that, at typical property prices in West Marin, it would make no economic sense for a Real Estate Investment Trust (REIT) or other investor-driven entity to buy properties to add to the local STR market—the median nightly rates and occupancy rates would cause each property to immediately lose thousands of dollars per month. The claim that “corporations” are behind STRs or are driving out residents is an empty talking point devoid of evidentiary support. The only instances in which corporations have invested in and driven up prices of overnight accommodations are for larger hostel properties, such as the Marconi Conference Center, which just this year became “part of a larger hospitality portfolio owned by Oliver Hospitality who own multiple high-end properties across the U.S.”<sup>16</sup>

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<sup>15</sup> See <https://www.bloomberg.com/news/features/2023-08-10/why-being-an-airbnb-host-is-much-harder-than-in-the-past?srnd=premium>.

<sup>16</sup> See <https://brokeassstuart.com/2023/06/02/youll-soon-be-able-to-stay-at-an-infamous-cult-house/>.

### **E. The County Has Not Presented Data In Support of its Draft Regulations**

Despite its efforts to blame STRs for various ills, the County has provided no data concerning the historic levels of STRs in prior periods and thus has offered no evidence to contextualize the degree to which STRs have grown in popularity versus simply becoming more visible due to being listed on easy-to-search online platforms. Rather, the County has, time and again, repeated talking points from the anti-STR contingent or cited isolated anecdotes without connecting these to broader trends.

Last year, the County presented projections from companies like AirDNA in lieu of the County's data. After substantial and justified public criticism that AirDNA's projections vastly overstated the occupancy rates and median returns from STRs in the region, the County abandoned these projections.<sup>17</sup> However, the County has not come forward with actual data relevant to occupancy rates and nightly prices. The County has indicated that it does not have such data in readily available form. This is a surprising statement given that each STR operator must submit a monthly report indicating the revenues received. These reports include the number of nights that STR guests have stayed in a home. Why isn't the County using the very data it requires STR operators to submit? Instead of doing so, the Draft Regulations rely on faulty and misleading assumptions.

Further compounding the problem, the County has provided no data concerning how STRs were previously used – *i.e.*, how many homes simply sat vacant when the owners were away. At the June 12 Hearing, the Director of the Community Development Agency admitted that the County does not have this information, meaning it would be pure speculation to assert that today's STRs were yesterday's long-term rentals, or something other than vacation homes that sat vacant for part of the year. It would therefore be further speculation to assume that a property that loses its STR license would convert to a long-term tenancy or low-income housing, perhaps for the first time in the property's history. Indeed, many STR owners have made abundantly clear that they have no interest in becoming long-term landlords. However, the false assumption that there is a direct, inverse correlation between the number of STRs and long-term rentals is at the heart of the County's assertion that by imposing operational barriers and numerical limits on the numbers of STRs allowed to legally operate, it can somehow cause more long-term rentals to come into existence.

Furthermore, the County has presented no data concerning the *intensity* of use. As this Commission recognized during the June 12 hearing, context matters, and there can be a qualitative difference in the impacts made by a home that is used as an STR part-time and

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<sup>17</sup> To give one example of the flawed methodology behind the projections, it appears that AirDNA assumed that any period of unavailability shown on a listing calendar was indicative of a paid booking, ignoring that it was at least equally likely that this was a time in which the homeowner had blocked out the calendar for personal use.

occupied by the owners part-time (which describes the vast majority of STRs in West Marin), versus a property that is solely used as an STR and occupied virtually every night of the year (which are comparatively few). Additionally, we are aware of some STRs that have a TOT license but are currently not available for rent, either because the owners rented in the past but have taken a break from doing so, or because an STR license was acquired “defensively” in anticipation of the moratorium. The County has not collected or presented any data on the intensity of the use of STRs, acknowledging that the Department of Finance does not track such information. Without data concerning the range and intensity of uses, however, there is no basis to accept the County’s assertion that it is now necessary to impose caps or additional, highly burdensome health and safety and “good neighbor” measures. There is also no support for the assertion that a property primarily used as an STR is tantamount to a “commercial use.”<sup>18</sup> Nor is there evidence to support the County’s assertion that reduced numerical limits on whole-house STRs should be implemented in every single community in West Marin.

The draft regulations and the Community Development Agency webpage on STR regulation repeatedly assert that the goal of the regulations is to create affordable housing. As shown above, there is no data to suggest that driving out or hyper-regulating STRs will do anything in this regard. The creation of affordable housing has not been supported by a single piece of data, professional or academic research. It is simply a reiteration of talking points or rationales from non-comparable housing markets by STR opponents. The communities impacted by the proposed regulations are predominantly tourist destinations developed and maintained at great public expense—many of these communities were originally developed exclusively as vacation home communities. The housing stock covered by this regulation is not consistent with the goals of affordable housing creation, offering limited employment opportunities, high cost of living, low transit service and limited public services, especially medical service. Moreover, the housing stock covered by this policy, even if transitioned from STR to other use, would not be affordable based on the level of finish, square footage and location. The ordinance will have the effect not of creating affordable long-term housing, but eliminating affordable short-term housing—reducing the public’s access to the Coast at affordable levels. Affordable outdoor recreation opportunities will be removed with no resulting increase in affordable housing.

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<sup>18</sup> We discuss why STRs are not legally considered a “commercial” use in Section III.B.

### **III. Regulatory Background**

In this Section, we describe the framework that applies to the September 2023 Draft Regulations and other regulations applicable to STRs within the Coastal Zone of Marin County.

#### **A. The Coastal Commission’s Regulatory Framework**

The Coastal Act of 1976 provides the framework for making land use decisions in the state’s Coastal Zone. The Act is administered by the California Coastal Commission. As the Coastal Commission has explained, the Coastal Act emphasizes, among other things, “the importance of the public being able to access the coast.”<sup>19</sup> The Act also “prioritizes coastal recreation as well as commercial and industrial uses that need a waterfront location. It calls for orderly, balanced development, consistent with these priorities and taking into account the constitutionally protected rights of property owners.”<sup>20</sup>

In 2016, Steve Kinsey, then Chair of the Coastal Commission and formerly a Marin County Supervisor for West Marin, issued a guidance memorandum for Coastal Planning and Community Development Directors with respect to the regulation of STRs.<sup>21</sup> While we will not attempt to summarize the entirety of this document, the Kinsey memorandum did note that “vacation rental regulation in the coastal zone must occur within the context of your local coastal program (LCP) and/or be authorized pursuant to a coastal development permit (CDP). The regulation of short-term/vacation rentals represents a change in the intensity of use and of access to the shoreline, and thus constitutes development to which the Coastal Act and LCPs must apply.”

The Kinsey memorandum further noted that “in situations where a community already provides an ample supply of vacation rentals and where further proliferation of vacation rentals would impair community character or other coastal resources, restrictions may be appropriate. In any case, we strongly support developing reasonable and balanced regulations that can be tailored to address the specific issues within your community to allow for vacation rentals, while providing appropriate regulation to ensure consistency with applicable laws.” Further, the Kinsey memorandum stated: “We believe that vacation rentals provide an important source of visitor accommodations in the coastal zone, especially for larger families and groups and for people of a wide range of economic backgrounds.” The memorandum later reiterated its obligation to uphold “Coastal Act provisions requiring that public recreational access opportunities be maximized.”

We will not purport to summarize the various STR provisions and limits that the California Coastal Commission has rejected as inconsistent with the Coastal Act, or the limited

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<sup>19</sup> See <https://www.coastal.ca.gov/coastalvoices/IntroductionToCoastalAct.pdf>.

<sup>20</sup> *Id.*

<sup>21</sup> See [https://documents.coastal.ca.gov/assets/la/Short\\_Term\\_Vacation\\_Rental\\_to\\_Coastal\\_Planning\\_&\\_Devt\\_Directors\\_120616.pdf](https://documents.coastal.ca.gov/assets/la/Short_Term_Vacation_Rental_to_Coastal_Planning_&_Devt_Directors_120616.pdf).



instances in which the Commission permitted limits to be enacted based on the required showings discussed above. However, it is worth noting that, in rejecting as unduly restrictive certain proposals by the City of Half Moon Bay, the Commission reiterated that it “has long recognized that STRs can provide a unique and important source of visitor-serving accommodations in the Coastal Zone, especially for larger families and groups, and has typically found that bans or undue restrictions on this type of lodging are inconsistent with Coastal Act and/or LCP policies prioritizing public access and visitor-serving uses.”<sup>22</sup>

In sum, the Coastal Commission requires that STR regulation be consistent with the Local Coastal Program and maximize recreational access to the public, including for individuals of a wide range of economic backgrounds. And, for limits on STRs to be considered appropriate, the County must come forward with evidence that “a community already provides an ample supply of vacation rentals,” and that “further proliferation of vacation rentals would impair community character or other coastal resources.” To date, nothing in the data or analysis presented by the County meets these requirements. This lack of evidence cannot be backfilled by talking points and mere opinions. Indeed, it is worth noting that many of the communities in West Marin and areas close to the most popular visitor attractions have little to no other overnight options, making STRs the main, of not only, way to experience many unique attractions in West Marin. In short, the County has not explained or presented evidence that the September 2023 Draft Regulations are consistent with the mandates of the Coastal Act and the requirements of the Local Coastal Program.

## **B. Relevant Policies of the Marin County Local Coastal Program**

The Marin County Local Coastal Program consists of a Land Use Plan (LUP), a Development Code, and various maps and appendices.<sup>23</sup> The Community Development portion of the LUP provides numerous community-specific policies. Fully ten pages of the LUP are dedicated to “Parks, Recreation, and Visitor-Serving Uses” (PK).

In the Background to the PK policies, the LUP notes (emphasis added):

*Provision of recreational opportunities in the Coastal Zone is important as a means to preserve the natural landscape, as well as to enable the public to use and enjoy its many parks and recreation areas. Enjoyment of coastal resources increases public knowledge about the value of the natural environment and the need to protect it. **Overnight accommodations are a key element in the provision of coastal***

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<sup>22</sup> California Coastal Commission, City of Half Moon Bay LCP Amendment Number LCP-2-HMB-21-0078-2 (Short Term Rentals and Home Occupations), Staff Report for Feb. 24, 2023 and Mar. 8, 2023 Hearing, at 2.

<sup>23</sup> See <https://www.marincounty.org/-/media/files/departments/cd/planning/local-coastal/2021/plans-policies-regulations-lcpage/new-lup-policies.pdf?la=en>.

***recreational opportunities***, since many coastal visitors travel long distances to reach the variety of recreation options found throughout the County. ***By supporting lower cost overnight facilities and public recreation, the Local Coastal Program (LCP) is helping to ensure that everyone, regardless of economic status, can take advantage of such opportunities.***

Several specific policies further support these goals:

***C-PK-1 Opportunities for Coastal Recreation.*** Provide high priority for development of visitor-serving and commercial recreational facilities designed to enhance public opportunities for lower-cost coastal recreation. [...]

***C-PK-7 Lower Cost Recreational Facilities.*** Protect and retain existing lower cost visitor and recreational facilities. Prohibit conversion of an existing lower-cost overnight facility unless replaced in kind. [...]

Many community-specific policies call for maintaining or increasing visitor-serving facilities and overnight accommodations. For example, in Point Reyes Station:

***C-PRS-3 Visitor-Serving and Commercial Facilities.*** Encourage development of additional visitor-serving and commercial facilities, especially overnight accommodations.

Finally, the LUP recognizes the role of short-term rentals in the LUP, and merely permits the County to regulate—but not reduce or eliminate—the use of “primary or second units” as short-term vacation rentals. And, in implementing this policy, the County must work together with community groups:

***C-HS-6 Regulate Short-Term Rental of Primary or Second Units.***  
*Regulate the use of residential housing for short term vacation rentals.*

***Program C-HS-6.a Vacation Rental Ordinance***

- 1. Work with community groups to develop an ordinance regulating short-term vacation rentals.*
- 2. Research and report to the Board of Supervisors on the feasibility of such an ordinance, options for enforcement, estimated program cost to the County, and the legal framework associated with rental properties.*

Indeed, the County has already implemented two separate Ordinances to “regulate” the STR market. In 2018, the County passed Ordinance No. 3965. This “required neighbor notification of STRs, required renters be provided with ‘Good Neighbor’ house rules, and established a STR Hotline for complaints (which is currently operated by Host Compliance, the County’s third party STR monitor). Additionally, the Ordinance requires STR operators register for a Business License and TOT Certificate, providing accountability and payment of taxes and fees commensurate with the commercial use.”<sup>24</sup>

The County re-enacted and updated certain of these provisions in 2020 with the enactment of Ordinance No. 3739.<sup>25</sup> Thus, the County has already complied with the LUP’s policy guidance to provide regulations. Nothing in the LUP permits the County to cut out community involvement in the way it has done, nor to *reduce* STR access via moratoria, caps or over-regulation. But, with the County’s surprise moratorium enacted via Ordinance Nos. 3768 (initial 45-day moratorium) and 3769 (extending the initial moratorium through May 23, 2024), and now with the Draft September 2023 Regulations drafted behind closed doors and released with virtually no involvement of the communities in question, the County would undermine the policies and requirements of the LUP.

The County’s Implementation Plan for the LUP contains several zoning provisions relevant to STRs that confirm that the County’s efforts to reduce STRs are contrary to law.<sup>26</sup> In particular, Table 5-2-c provides that, in the Coastal Residential Districts that comprise the majority of the areas where STRs are located, “Room rentals” and “Residential accessory uses and structures” are both “principal permitted uses” for which no use permit is required. The County defines “Residential Accessory Uses and Structures (land use)” to consist of and include “any use that is customarily a part of, and clearly incidental and secondary to, a residence and does not change the character of the residential use.” STRs have been customarily a part of residential use for generations in West Marin, as discussed above. Further, the character of the use of an STR is identical to that of a residential use—in both cases, individuals are using a residential property for sleeping, cooking, washing, recreation, etc. Contrary to this longstanding history, the September 2023 Draft Regulations would usher in a fundamental change in land use by treating STRs as presumptively *banned* and unpermitted unless the owner obtains and renews a use permit in the form of an STR license.

In discussions about this issue, some opponents of STRs have espoused the view that the operation of an STR is tantamount to a “commercial use” and thus not within the scope of the above-listed principal permitted residential uses. This is false. *Protect Our Neighborhoods v. City of Palm Springs*, a decision issued by the California Court of Appeal just last year, addresses this issue. In its decision, the Court of Appeal rejected the “STR as commercial use”

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<sup>24</sup> See <https://www.marincounty.org/main/short-term-rental-background-information>.

<sup>25</sup> See *id.*

<sup>26</sup> See <https://www.marincounty.org/-/media/files/departments/cd/planning/local-coastal/2021/plans-policies-regulations-lcpage/new-development-standards.pdf?la=en>.

argument as resting on “a false dichotomy between ‘residential’ and ‘commercial.’”<sup>27</sup> Specifically, the Court recognized that under the applicable Palm Springs ordinance—just as in the above-cited ordinances in West Marin—operating an STR “is a use *customarily incident to* use as a single-family dwelling. An owner customarily can rent out a house short-term as well as long-term. Airbnb did not invent this practice; it just made it easier and more common.”<sup>28</sup>

In other words, whether the owner rents to guests on a short-term basis or tenants on a long-term basis, the fact that money changes hands does not change the character of the *use* of the property by the occupant—it is still being used as a residence. Indeed, if all it took to make a use “commercial” was the use of a property in exchange for money, during which time the owner was not present, then every single long-term rental would have to be recharacterized as “commercial use.” This does not make sense, nor does recharacterizing STRs in this manner.

Because vacation rentals have been a use customarily incident to residential use for generations in West Marin, the novel argument that they are “commercial” uses, and not principal permitted uses under local law, should be rejected outright.

In sum, STRs are a long-recognized, principal permitted form of residential use in West Marin. Their legal status as such is reflected in the Local Coastal Program and its associated policies and implementation materials. These policies require maintaining or increasing visitor access to the Coastal Zone through STRs and other lower-cost forms of accommodation. In seeking to undermine these policies, the September 2023 Draft Regulations would be a step backward and are incompatible with the Coastal Act and Local Coastal Program.

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<sup>27</sup> See <https://www.courts.ca.gov/opinions/archive/E074233.PDF>.

<sup>28</sup> *Id.* at 15 (emphasis in original).

#### **IV. Summary of June 12, 2023 Planning Commission Meeting**

On June 12, 2023, the Marin County Planning Commission held its first meeting devoted to STRs. County Staff first provided a presentation and the results of a survey concerning STRs. This was followed by questions from Commissioners concerning the presentation and Staff Report. The bulk of the meeting was devoted to public commentary, at which approximately 40 individuals spoke. Finally, the Commissioners provided another round of questions and comments before adjourning the meeting. Below, we summarize the questions and commentary from the Planning Commission and then summarize some of the public comments received.

##### **A. Comments and Questions from Planning Commission Members**

We first summarize the questions and comments from Commissioners at the outset and conclusion of the June 12 Meeting.

Commissioner Desser noted the need for public participation in the County’s development of draft regulations, and that it was important that all voices be heard, even if it meant hosting numerous focus groups to speak to every interested member of the public.

After the public comment period, Commissioner Desser commented that, in response to specific trash concerns raised about an STR in Marshall, a complaint should be made to the County or the Eastshore Planning Group. She also noted that many communities were historically not comprised mainly of full-time residents, and the trend toward greater full-time residency in West Marin is relatively recent. Further, a one-size-fits-all approach is not appropriate for the various communities in West Marin, including when it comes to regulating or limiting hosted and unhosted rentals. Commissioner Desser also emphasized the need for accurate data and noted the distinction between LLC ownership, which often indicates ownership by individuals, and REITs, which may signify corporate ownership.

On the issue of parking, Commissioner Desser noted that the state is no longer imposing parking requirements for new construction, such that parking rules may not be appropriate or justified here. On health and safety matters, Commissioner Desser noted that achieving basic health and safety standards may not require cost-prohibitive efforts to bring properties into compliance with current code requirements. Finally, Commissioner Desser noted that for many years, STRs were simply called “vacation rentals” and were the only way to stay in the area.

Commissioner Dickinson noted that the Planning Commission had not previously been involved in crafting rules and regulations for STRs enacted in 2018 and 2020. In response, CDA Director Sarah Jones acknowledged this and noted that the County had not previously viewed the issue through the lens of land use or housing, and instead was focused on “good neighbor” and taxation issues. More recently, the focus on STRs as a land-use issue prompted the County to seek the input of the Planning Commission.

Commissioner Dickinson further noted that in Sonoma County, a temporary moratorium was enacted that *exempted* the Coastal Zone because of the Coastal Commission’s policy favoring visitor-serving uses, which precluded Sonoma County from adopting a moratorium in the Coastal Zone. Commissioner Dickinson asked whether the County had received a different opinion from the Coastal Commission. Ms. Jones responded that in the case of Sonoma County, the moratorium was enacted closer to the implementation of final regulations due to a large number of applications. In contrast, Marin County’s intent in imposing the moratorium was to preemptively “stabilize” housing pending further consideration of the issue. According to Ms. Jones, the Coastal Commission understood and was aligned with this approach. County Staff Kathleen Kilgariff also noted that Sonoma County saw a spike in STR applications pending their consideration of new rules, and to avoid this, Marin County sought to “set the number” of STRs to allow planning. She also acknowledged that more STRs have been added since that time in East Marin.

After the public comment period, Commissioner Dickenson noted the potential for unintended consequences from regulations and then asked for data concerning whether outside corporate ownership is truly a factor in West Marin. Ms. Kilgariff noted that other jurisdictions require that a “natural person” operate an STR, but agreed that it is difficult to regulate and enforce ownership in this manner. She also noted the difficulty of determining a primary residence. Commissioner Dickenson noted the difference between occasional rentals versus a property that is solely operated as an STR, and asked whether there is data that bears on this. Ms. Kilgariff and Ms. Jones agreed to look into this, but Ms. Jones stated that it does not appear the case at present that full-time STRs are the predominant form of rental in West Marin. Ms. Kilgariff stated that over half of STRs are owned by trusts, indicating that these are not typically operated in a full-time manner or owned by corporations.

Commissioner Curran asked about the data for the number of bed-and-breakfast units provided in the Staff Report, observing that the Staff Report indicated that there were 27 bed-and-breakfasts listed for a total of 43 housing units, or less than 2 housing units per bed-and-breakfast, a number that appeared questionable. Ms. Kilgariff explained that the County was relying on a mix of parcel data and self-reported data collected by the Department of Finance that the County “cleaned up” and manually adjusted.

Commissioner Curran also noted seemingly incongruous occupancy and income data from the Marin County Visitor’s Bureau. Ms. Kilgariff noted that a table from the Department of Finance may have been flipped, which the County intended to follow up on. Ms. Kilgariff also noted that the data originated from the Department of Finance, whose definition of STRs included any short-term accommodation, including hotels, motels, inns and campsites, and that the Finance Department data did not separately track STRs in residential properties. Ms. Kilgariff acknowledged that this made it harder to garner accurate data about STRs.

After the public comment period, Commissioner Curran discussed ADUs, as well as the need to study hosted versus unhosted options for STRs. Ms. Jones discussed in response some of the County’s measures to encourage the construction of ADUs, as well as septic and water

regulations and ways to assist in conservation efforts. Commissioner Curran agreed with the sentiment that a one-size-fits-all approach across each of the communities in West Marin was not appropriate.

Commissioner Lind asked County staff what the purpose of the meeting was—whether to receive input from the Commission or to listen to public comment and receive information from County staff. Ms. Kilgariff indicated that the purpose was the latter. Commissioner Lind also asked if traditional bed-and-breakfasts were treated the same as STRs or “AirBNB” rentals. Ms. Kilgariff confirmed the land uses were different, namely that bed-and-breakfasts were considered commercial operations.

After the public comment period, Commissioner Lind reiterated the need for data on the types of hosts and STR uses to support any proposed regulations and respond to the varied needs articulated by the public. Commissioner Lind also noted that land use typically does not zone by ownership. Ms. Kilgariff acknowledged the need for improved coordination with the Department of Finance to obtain reliable data moving forward. Commissioner Lind also asked the County to look into flexibility to allow ADUs to be rented as STRs in West Marin.

Commissioner Stepanicich asked whether the County had data as to what percentage of housing units in West Marin were used as long-term rentals. Ms. Kilgariff stated that the County does not have data to answer that question.

After the public comment period, Commissioner Stepanicich asked about how other communities regulate STRs in multi-family housing units and preserve affordable housing.

Commissioner Muralles asked about the County’s data concerning parcels with STRs relative to all parcels with living units, as listed in the Staff Report. Ms. Kilgariff acknowledged that the data may not capture all parcels with more than one living unit.

Commissioner Muralles also asked whether the County had data on housing insecurity in West Marin. Ms. Kilgariff indicated that the County did not have this data at hand, but agreed to look into the issue with the County’s housing team. Ms. Jones noted that in the County’s Housing Element, the County needed to track housing within the Coastal Zone in terms of how many housing units were added in the Coastal Zone, and that in the last 12 years, very few units were added (fewer than 10), whereas nearly 600 units are currently registered as STRs. Ms. Jones acknowledged that this did not show if any of these STRs had previously served as long-term rentals.

After the public comment period, Commissioner Muralles asked about the community’s commitment to affordable housing goals and how the new regulations would reflect a commitment to this goal.

Commissioner Biehle also indicated that she would like to hear more from the County about housing security and its outreach efforts to community members to discuss these issues.

## **B. Summary of Comments From the Public**

In total, approximately 40 members of the public spoke at the hearing. As the Commissioners will recall, members of the public presented a wide range of viewpoints. By our tally, approximately two-thirds of these individuals spoke favorably about the history and benefits of STRs for visitors, homeowners, and the communities as a whole. Approximately one-third of commenters expressed concerns about what they perceived to be some of the downsides of STRs or raised concerns about issues such as trash from a specific neighbor or fears about corporate ownership of property in West Marin. Here, we highlight several common themes that came across in public comments:

- For decades, STRs have been a primary way to provide access to a diverse range of visitors, and are especially important in providing reasonably priced overnight accommodation options, as measured on a per-person basis.
- Several West Marin communities, including those where the greatest number of STRs are found today, have primarily been summer and vacation destinations for much of their history.
- STRs support many jobs in the community, including among low- and middle-income workers, and also allow many community members to remain in the community by partially offsetting the high costs of purchasing and maintaining a home in West Marin.
- There is no evidence of corporate investors purchasing homes in West Marin for use as STRs. One speaker explained why this model would simply not be economically feasible. Namely, investors would not be able to make a positive return given the high prices of properties and the highly viable seasonal occupancy patterns in West Marin.
- Another speaker explained that she had spoken to virtually every STR operator in her community and confirmed that none were backed by outside investors. It appears that some individuals have falsely conflated ownership of a property by an LLC or trust—common structures for individual owners—as indicative of outside “corporate” ownership.
- There is likewise no evidence that STRs have caused other broader trends that have been attributed to them, such as a drop in school enrollments, which were declining long before AirBNB and VRBO were founded.
- Singling out STR properties that were compliant when built for extensive upgrades to meet current codes would be cost-prohibitive and amount to a *de facto* ban on these properties continuing to operate STRs.



- Complaints about noise or trash issues often originate from a single property or tenant. These are not indicative of a broader problem.
- Many commenters called for this process to be data-driven, and were dissatisfied with the County’s reliance on anecdotes and opinions, and failure to collect and present methodologically sound data throughout the process.
- Commenters also called for the County to come forward with data concerning the impact of the present moratorium—*i.e.*, if STRs truly led to housing shortages, one would expect to see a change after the passage of the moratorium in May 2022. Indeed, this was a stated purpose of the moratorium—in Ms. Jones’s words, to have a “baseline” for studying the relationship, if any, between STRs and long-term housing options. However, it appears that the County has not used the moratorium as a time to gather data, instead proceeding with drafting highly restrictive regulations that would reduce STR access both by express caps and by burdensome regulations that will inevitably drive operators from the market.

## V. Analysis of September 2023 Draft Regulations

In this Section, we provide detailed Commentary on each of the provisions in the County’s September 2023 Draft Regulations. We first provide an overview. Below, we provide the text of the draft provisions or sub-provisions, followed by commentary.

### A. Overview

As an initial matter, however, the Draft Regulations are styled as Chapter 5.41 of Marin County Code, and thus to be codified within Title 5 – Business Regulations and Licenses. There is already a Chapter 5.41, currently titled “Notice of Short Term Rentals,” the codification of ordinances regulating STRs that were enacted by Ordinance Nos. 3695 and 3739, passed in 2018 and 2020, respectively. This current code provides, *inter alia*, relevant definitions, the establishment of the STR complaint hotline, local contact person and signage rules, STR tenant notification requirements for good neighbor purposes, and provisions regarding the process for issuing and adjudicating administrative citations. The County has not explained why current Chapter 5.41 has fallen short in the areas it already regulates. Nor has the County explained how to reconcile current Chapter 5.41 with the September 2023 Draft Regulations.

Thus, the legal effect of the new Draft Regulations is unclear. Would the new Draft Regulations repeal and entirely supersede the current regulations in Chapter 5.41? Would some prior provisions be maintained or carried over (*e.g.*, the complaint hotline)? Which provisions does the County intend to maintain, and would they be modified as well in part? In other words, the County has not communicated what the intended end result will be in terms of a final, comprehensive body of law, leading to greater uncertainty in the public as to what the County ultimately intends to do.

In total, the Draft Regulations have 8 subchapters: (1) Purpose of Chapter (5.41.010); (2) Applicability (5.41.020); (3) Exemption (5.41.030); (4) Short Term Rental Licenses (5.41.040); (5) Short Term Rental Property Standards (5.41.050); (6) Caps on the Number of Unhosted Short Term Rental Licenses (5.41.060); (7) Violations (5.41.070); and (8) Definitions (5.41.080). The vast majority of the text of the Draft Regulations—8 ½ out of 11 pages—is found in the subchapters concerning Short Term Rental Licenses and Short Term Rental Property Standards.

Aside from their sheer length and byzantine nature being of serious concern, the substance of the September 2023 Draft Regulations is deeply troubling and retrograde in many regards. Below are the most worrisome provisions that the Commission should be deeply troubled with:

1. **Draft Regulation §5.41.020** – “Applicability” aka “restrict access to public land”—applies to all coastal villages adjacent to the coast and national parks in the county.
2. **Draft Regulation §5.41.030** – “Exemption” aka “the corporate carve-out”—exempts all major facilities and commercial properties from the Draft Regulations.

3. **Draft Regulation §5.41.040(A)** – “License Required” aka “the presumptive ban”—violates the LUP by treating STRs as presumptively illegal absent a permit.
4. **Draft Regulation §5.41.040(C)** – “License Term” aka “the death penalty”—causes the forfeiture of an STR license upon any change in ownership, including the death of a co-owner such as a spouse.
5. **Draft Regulation §5.41.040(D)** – “Administrative Procedures” aka “the due process killer”—gives the CDA unfettered powers of rulemaking, administration, and enforcement.
6. **Draft Regulation §5.41.040(D)(2)** – “License Suspensions and Revocation” aka “guilty until proven innocent”—allows for immediate suspension of STR licenses with no recourse.
7. **Draft Regulation §5.41.040(D)(2)** – “Application Materials” aka “paperwork hell”—requires dozens of hours of homeowner time and thousands of dollars to merely *apply* for an STR license; must be repeated every 2 years.
8. **Draft Regulation §5.41.040(D)(7)** – “Exterior Signage” aka “rob me, please”—mandates visually jarring signage that creates security risks.
9. **Draft Regulation §5.41.040(D)(8)** – “Requirements for Advertisements” aka “rob me again, please”—requires online posting of information that creates additional security risks.
10. **Draft Regulation §5.41.040(I)** – “License Fee” aka “pay us to make you miserable”—allows the County to impose substantial, non-refundable application fees. The County has not stated what the fees will be.
11. **Draft Regulation §5.41.050(B)** – “Restricted Structures” aka “no creativity allowed”—outlaws any non-conventional or creative STR options, even those that cannot be used as long-term housing.
12. **Draft Regulation §5.41.050(C)** – “One Short Term Rental Per Property” aka “you will be a landlord and you will like it”—forces homeowners to remove guest cottages and second units from the STR market.
13. **Draft Regulation §5.41.050(G)** – “Municipal Services” aka “your forced septic system overhaul”—forces septic upgrades as a condition of STR operation.
14. **Draft Regulation §5.41.050(K)** – “Special Events” aka “the no fun rule”—bans weddings and other special events.
15. **Draft Regulation §5.41.050(M)** – “Host responsibilities” aka “the house arrest rule”—bans hosts from leaving their properties at night.
16. **Draft Regulation §5.41.060** – “Caps”—aka “the permanent moratorium”—eliminates 70 STRs, mainly in the Coastal Zone, makes the 2022 moratorium permanent, and enshrines gross disparities among communities.

17. **Draft Regulation §5.41.070** – “Violations” – aka “guilty until proven innocent II” — allows CDA to suspend or revoke STR licenses without due process.

## **B. Detailed Commentary on the September 2023 Draft Regulations**

Below, we provide, provision-by-provision, the language of the September 2023 Draft Regulations, followed by commentary relevant to each passage.

### **1. Chapter 5.41.010 – Purpose of Chapter**

#### **Draft text:**

#### ***5.41.010 Purpose of Chapter.***

*This Chapter establishes standards that regulate short term rentals. This Chapter is enacted to ensure that short term rental activity does not adversely impact the health and safety of residents and visitors, and that such activity is conducted in a manner that preserves existing housing and communities while balancing the protection of private property rights.*

*This Chapter is administered by the Marin County Community Development Agency.*

#### **Commentary:**

1. The precatory language of this section is divorced from what the statute would actually accomplish. The County has offered no evidence that the burdensome proposed provisions would maintain health and safety standards in a manner superior to those already in place. The County also has not shown that the Draft Regulations would “preserve existing housing and communities.” As discussed elsewhere in this Report, they are far likelier to have the opposite effect. The reference to “private property rights” is not credible in light of the extreme burdens and intrusions on both privacy and property rights that the Draft Regulations would impose.

2. Further, the County has not explained why it is appropriate to give sole, unfettered, and unreviewable power of administration to the Community Development Agency (CDA). Notably, the Draft Regulations contain no provisions providing for administrative review, a hearing officer selected from outside the CDA, or an appeal to the Superior Court, all of which are in the current code (Section 5.41.090). Does the County intend to strip away all due process rights currently afforded to STR operators?

## **2. Chapter 5.41.020 – Applicability**

### **Draft text:**

#### ***5.41.020 Applicability.***

*This Chapter shall apply to short term rentals in unincorporated Marin County, except as exempt per Section 5.41.030.*

### **Commentary:**

1. Unincorporated Marin County comprises over 85% of the County's 520 square miles of land and all of the County's Coastal Zone and 100+ miles of Coastline along the Pacific Ocean and Tomales Bay. And these are both the most popular areas with visitors and the areas that the Coastal Commission and Local Coastal Program are charged to protect public access to. These facts underscore the unprecedented scope of this Draft Regulation. It appears that all prior STR regulations considered by the Coastal Commission operated at the level of individual cities; none concerned an effort by a *County* to curtail visitor access to the entire Coastal Zone and the vast majority of the County itself. That a handful of small communities within Marin, such as Belvedere (land area: 0.51 mi<sup>2</sup>), have taken an anti-STR position in no way justified rolling this out to the vast majority of the County.

2. Moreover, despite admonitions from community members and members of the Planning Commission to be sensitive to individual community needs, with these Draft Regulations, the County is taking a one-size-fits-all approach, with the only variety between communities being the extent to which STRs will be capped and reduced (about which we have further commentary below). The County has drafted these regulations with no meaningful input from community organizations and groups, instead compiling a wish list of every conceivable restriction put forward by unelected employees and bureaucrats. This is not how the democratic process is supposed to work.

## **3. Chapter 5.41.030 – Exemption**

### **Draft text:**

#### ***5.41.030 Exemption.***

*This Chapter does not apply to any commercial lodging use including a hotel, motel, bed and breakfast inn, or campground.*

**Commentary:**

1. The County has not explained why it is singling out STRs while exempting all other forms of residential use and large-scale overnight accommodation from any further review or legislation. The County Code provisions addressing Auto Courts, Resorts and Motels (Chapter 5.20) contain none of the drastic and far-reaching provisions put forward in the Draft Regulations, and instead incorporate by reference different state-wide standards. Do campgrounds, resorts, hotels and motels not use water or generate trash and sewage, such that the goals of public health and safety do not apply to them? Of course they do. Are campgrounds, resorts, hotels and motels subject to the unfettered powers of the CDA? No. The fact that the County is taking aim at STRs alone is highly indicative of disparate treatment, if not animus.

2. In public meetings, the County justified regulations in part by stating concerns about corporations buying homes to operate as STRs. Yet the Draft Regulations are solely directed toward small, individually operated vacation rentals while exempting all corporate lodging operators.

3. What justifies holding STRs to different, and far higher and more stringent standards, than actual commercial operations often owned by large corporations and intended to be operated 365 days of the year and exclusively catering to visitors? STRs are used by guests for only part of the year, and very often used by the owners for a substantial majority of the time.

**4. Chapter 5.41.040 – Short Term Rental Licenses**

**Draft text:**

***5.41.040 Short Term Rental Licenses.***

*A. License Required. Advertising or operating a short term rental without a valid and current short term rental license issued pursuant to the requirements of this Chapter is prohibited. A license allows the operation of a single short term rental. Short term rental licenses are not transferable. Once a license expires or is revoked or suspended, the short term rental operation must immediately cease.*

**Commentary:**

1. As noted above in our discussion of the Local Coastal Program, this provision would fundamentally change the land use designations of all residential property in unincorporated Marin and the Coastal Zone. As discussed above, room rentals and STRs are a long-standing use, are clearly residential uses, and are thus legally a principal permitted use. This has been the case for decades, such that STRs cannot be banned as a default without running afoul of the Local Coastal Program and the Coastal Act. The present-day legal status under current Chapter

5.41 of the County Code reflects this, as it merely requires the operation of an STR to be consistent with the provisions therein, including health and safety requirements, notice to neighbors, and obtaining a business license.

2. By changing land use regulations from permitting STRs as of right to *banning* all STRs absent a limited license controlled exclusively by the CDA, the Draft Regulations would usher in a new legal regimen, one that is fundamentally inconsistent with the Local Coastal Program, and likely to be rejected when the Coastal Commission reviews the regulations, and/or via litigation.

3. The ban on operating or advertising an STR without a valid and current license “issued pursuant to the requirements of this Chapter” would immediately render illegal all current STR listings—because none of the current STRs have yet been issued licenses under “this Chapter,” and would not be issued until sometime after the Chapter was enacted. While this was not likely the intent of the drafters, at a minimum it reflects poor draftsmanship.

4. Given the expansive definition of “advertising” under state law, this provision also risks unjustly silencing individuals from offering the use of their property to friends or family even on an informal basis, or engaging in home-swapping, lest it be construed as “advertising” an STR. Once again, through incautious drafting, the County would sweep in activities that are beyond its purview and impinge on free speech rights.

5. The ban on transferability of licenses is not justified and would likely lead to inequitable results. If title to a property (and thus the STR license) is held by one spouse only, and that spouse passes away, the surviving spouse would be obliged to immediately cancel all pending reservations and cease all STR usage—a “death penalty” that cuts off an economic lifeline precisely when it is likely to be most needed, and potentially causing the surviving spouse to lose their home. Other such situations are easy to envision—one generation wishes to transfer a family property to the next, but cannot do so because to do so would lead to the immediate loss of the STR license. Or, siblings wish to transfer property rights among one another or otherwise clarify title. Or, a homeowner marries and wishes to share title with a new spouse. All of these situations would potentially jeopardize the ability to continue operating an STR and potentially lead to forfeiture of the license with zero justification.

6. Finally, the provision that all STR usage must cease if a license is “revoked or suspended” presents serious due process concerns. A license may be suspended without notice if the CDA believes that “the licensee [has] fail[ed] to meet the standards set forth in this Chapter or the requirements of the license.” Draft Regulations § 5.41.040(D)(2). Given the minutiae in the Regulations themselves and the unknown further administrative provisions the CDA may enact, this creates the potential for a Kafka-esque situation where an STR operator sees his license suspended for any alleged failure to comply that he may be unaware of, no matter how trivial or unrelated to health and safety standards. This would upend reasonable investment-backed expectations and require the cancellation of any and all upcoming reservations. Even more troublingly, the requirement that STR usage cease “immediately” upon an edict from the CDA would require evicting an STR guest for the duration of their stay. Many visitors look

forward to returning to the same property year after year, but this Draft Regulation jeopardizes this prospect by making it anyone's guess whether a given STR will still be in business tomorrow, much less a year hence. The lack of any due process rights in the Draft Regulations, or the right to continue operating the STR pending administrative review (which is likewise nowhere to be found in the Draft Regulations), only exacerbates this concern.

**Draft text:**

***5.41.040 Short Term Rental Licenses (continued)***

*B. License For Property Owner. The short term rental licensee must own the property where the short term rental is located. Only one license shall be issued per short term rental property owner.*

**Commentary:**

1. The County has provided no explanation for why this provision is necessary or what effect it would have on current STR operators. A non-owner such as a trustee may manage a property and thus it would make more sense to have a license issued in that person's name.

2. Further, while most owners of STRs appear to operate just one property, some do operate more than one. There is nothing inherently wrong with this, and it is a practice going back decades. The owners are typically individuals with long-standing ties to the community; there has been no showing that absentee or corporate investors are snapping up properties for this purpose. Further, the properties in question typically have been STRs for decades and are relied upon by visitors for some of the most economical overnight options in the area. Cutting them off now makes no sense and would take away visitor access to popular sites.

3. There has been no showing that merely owning more than one STR is contrary to the County's health and safety, good neighbor, or housing goals. Destroying STR owners' investment-backed expectations and forcing the sale of rental properties (for which no STR license can be acquired unless the transferee completes all requirements and is processed through the waitlist) raises takings concerns. It will also demonstrably reduce visitor access. The County has made no showing that eliminating such STRs is likely to convert them to full-time rentals, either. Given that there are very few people who own more than one STR in West Marin, the County should have studied this issue, presented data, and explained why it believes this proposed rule was necessary.

4. Finally, the proposed limit of one STR per person presents enforcement difficulties. Title can be held in the names of one's spouse, children, grandchildren, or other designee, but beneficial ownership may still ultimately reside in one individual. Alternatively, a family may jointly own multiple properties with ownership interests spread among siblings or cousins; will they collectively be limited to one STR because each of their names is on more than one title



document? The County has not addressed how it proposes to police this requirement or shown any regard to impacts in light of currently existing ownership patterns.

**Draft text:**

***5.41.040 Short Term Rental Licenses (continued)***

*C. License Term. A short term rental license expires two years after the date of issuance unless the license is renewed by the licensee for an additional two-year term. The term of the license expires immediately and automatically upon any change of ownership of the property.*

**Commentary:**

1. Together with §5.41.040(A), this draft provision calling for the automatic expiration of STR licenses after two years (or upon any partial change of ownership) would represent a fundamental shift in land-use policy contrary to the Local Coastal Program. Instead of STR operators being permitted to continue operating as of right, the Draft Regulations posit a presumptive expiration date of every single STR in West Marin unless the operator completes anew the burdensome and expensive application requirements. This will inevitably lead to a reduction in the number and variety of STR options if operators are unable to devote the time and money necessary to re-applying for a license every period (or simply miss the application window, for instance, because they have not yet secured a necessary certification from a separate agency, discussed further below). Lower-cost STRs will be particularly impacted, as these bring in more modest returns, and thus owners would be less likely to find it worthwhile to invest the time and resources necessary to re-applying. This will hurt visitors of lower socioeconomic means the most, as they may not be able to afford higher-priced lodging options from hotels or luxury STRs.

2. As noted above, a provision causing an STR license to expire upon “any change of ownership” would cause hardships as well. If a property is owned as community property among spouses, the death of one spouse causes a “change” in ownership as the surviving spouse would now own the property in her individual capacity. Under the draft regulation, however, that surviving spouse would immediately lose the right to continue operating the STR, jeopardizing his or her ability to remain in the community. Further, this rule makes it far more difficult to transfer a family property among members of a family or among generations, as doing so would cause the family to lose their STR license, potentially meaning they could no longer afford to maintain their tie to the community. The County has shown no facts supporting a need to impose rules with such punitive and anti-community impacts.

**Draft text:**

***5.41.040 Short Term Rental Licenses (continued)***

***D. Administrative Procedures.*** *Administrative procedures for short term rental licenses shall be prepared and made publicly available by the Agency Director. These administrative procedures shall set forth the process to apply for, obtain, maintain, monitor, and renew short term rental licenses. The administrative procedures shall set forth a ministerial licensing process based on objective criteria and shall be updated periodically by the Agency Director. The administrative procedures shall be consistent with the license framework set forth in the sections below.*

**Commentary:**

1. The Draft Regulations already propose a very intrusive and burdensome process. They include eight separate new requirements under this subsection, along with 23 additional sub-subsections. But here, the County is signaling that even more is to come in the form of “administrative procedures.” The County has not explained what those additional procedures would encompass or why it is appropriate for the CDA Director to impose them outside of the legislative process, for which there would be no review by the Planning Commission, Board of Supervisors, or Coastal Commission for compliance with the policies of the Local Coastal Program. STR owners are justifiably concerned, as the CDA has shown hostility toward STRs for the last several years, continuing to blame STRs for housing shortages despite failing to present evidence for this accusation.

2. Further, while the Draft Regulations assert there will be a “ministerial” process for issuing STR licenses based on “objective criteria,” there are several areas in which no objective standard has been articulated, and the CDA Director would be given unfettered discretion to deem an application incomplete, for instance, whether one’s garbage service is “sufficient” (Draft Regulation §5.41.040(D)(4)). Moreover, the ability for the CDA Director to impose additional requirements outside of the democratic process is highly worrisome, as it would make the process even more expensive and uncertain, and leave applicants with no form of redress for violations of due process.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D) continued)***

***1. Application Process.*** *An application for a short term rental license shall be submitted by the property owner or their agent (written property owner authorization and contact information is required for an agent to file the application) to the Community Development Agency.*

*No license application shall be accepted until the Agency Director has prepared and made publicly available the administrative procedures.*

*In townships where there is a cap limiting the number of short term rentals, only license applications for legal unhosted short term rentals in existence on January 1, 2024 will be accepted before July 1, 2025. Applications for properties where there is no legal unhosted short term rental in existence on January 1, 2024, will be placed on a wait list until all existing short term rentals have had the opportunity to apply for a license.*

**Commentary:**

1. As discussed above, the Draft Regulations make clear that even more “administrative procedures” are coming that will further complicate the process of applying for and maintaining an STR. Since the CDA Staff drafted these regulations, why have they not also specified or drafted the administrative procedures? The failure to do so leaves the Planning Commission, Board of Supervisors, and Coastal Commission without the ability to assess the full impact of these Regulations, in terms of the costs or impacts on visitor access. It appears that the County is intending that the “administrative procedures” will not be subject to any form of review or certification process. This is undemocratic and contrary to the Coastal Act. Moreover, there is no timeline provided for when the regulations will be prepared. That the County would not accept any applications until the regulations are complete might leave too little time to understand and comply with the regulations, causing STR operators to run out of time and lose their right to operate.

2. Furthermore, by only permitting legal STRs in place as of January 1, 2024 to apply for a permit prior to July 1, 2025, and refusing all other *applications*, and only thereafter placing applicants on a waitlist, the Draft Regulations extend the current moratorium by an additional thirteen months. And, the “caps” not only impose a permanent moratorium on net additional STRs, but they also envision a *reduction* in the number of STRs county-wide, with the greatest reductions proposed for the Coastal Zone. The Board of Supervisors only authorized the current moratorium for a period of two years under a specific declaration of emergency. Without saying so, these Regulations enshrine this so-called “state of emergency” in a permanent fashion, and provide no objective measure for what it would mean for the “emergency” to be over. They impose no housing goals or other criteria that might indicate when and how the County would consider revising the caps. Given the stated purpose of the Draft Regulations to protect and promote long-term housing, the failure to tie any of the current regulations to housing goals or the completion of the Housing Element is unjustifiable.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D) continued)***

***2. License Suspensions and Revocations.*** *Short term rental licenses may be temporarily suspended or permanently revoked if the licensee fails to meet the standards set forth in this Chapter or the requirements of the license. Suspension or revocation pursuant to*

*this subsection will be imposed according to the process described in the administrative procedures.*

**Commentary:**

1. As noted above, the Draft Regulations provide for no measures to protect due process in the suspension or revocation of an STR license, but require the immediate cessation of rentals if the CDA unilaterally deems any portion of the STR or license non-compliant, even a trivial provision of the 11 pages of Draft Regulations plus however many pages of administrative procedures the CDA may later promulgate. This is a recipe for arbitrary suspension of rights. It will require the cancellation of any future bookings and destroy individuals' investment-backed expectations in their properties.

2. The County has not explained why it wishes to put off specifying a process for adjudicating suspension or revocation until the promulgation of "administrative procedures." The current law has provisions for administrative procedures and review. *See* Marin County Code § 5.41.080–.090. The current Draft Regulations would apparently repeal this and place the procedures entirely within the control of the CDA. This is another troubling development that would make the new Draft Regulations subject to less democratic accountability and due process than current law.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D) continued)***

***3. License Wait Lists.*** *The Community Development Agency will maintain short term rental license wait lists for townships where the number of unhosted short term rental license applicants exceeds the number of available licenses. Licenses for qualifying properties on the wait list shall be issued on a first come first serve basis.*

**Commentary:**

1. Under this provision, the CDA will have to maintain community-specific waitlists for each of the 15 communities listed in § 5.41.060. The County has not provided a coherent rationale for the reduced caps and waitlists for unhosted rentals, as discussed further below. And, the fact that caps and waitlists only apply to "unhosted" rentals is indicative of discriminatory treatment of the most prevalent and popular form of rental, as recognized by the Coastal Commission.<sup>29</sup> A recent review of AirBNB listings showed only 9 listings in all of

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<sup>29</sup> California Coastal Commission, City of Half Moon Bay LCP Amendment Number LCP-2-HMB-21-0078-2 (Short Term Rentals and Home Occupations), Staff Report for Feb. 24, 2023 and Mar. 8, 2023 Hearing, at 18 (noting that "it has generally been the Commission's experience that unhosted rentals are the predominant and most popular form of STR in most coastal communities.").

unincorporated Marin County that might qualify as “hosted” listings under the Draft Regulations. By taking away 70 unhosted STRs and substituting in their place fewer than a dozen, less desirable “hosted” listings, the County would be significantly restricting public access to the Coastal Zone.<sup>30</sup>

2. The discriminatory treatment of unhosted STRs is especially worrisome as these are the types of rentals relied on by families or other groups seeking economical and private overnight options. Hosted options may be suitable for individuals or a couple with no children, but anyone who has traveled with children can recognize the difficulty of asking children to observe boundaries in a shared space. The same is true of groups who wish to cook and dine together; having to share the space with a host greatly detracts from the experience. Finally, if a host is required to be onsite during the stay, this will inevitably mean less space for guests, taking away, at a minimum, a bedroom and bathroom that otherwise could have hosted visitors. This will make STRs less economically attractive on a per-person basis, and reduce the capacity county-wide to host visitors.

3. A further concern is that there is no provision requiring CDA to regularly publish data on the status of waitlists, meaning the public may not know whether there is a waitlist in their community, or if so, the likely time it would take for the waitlist to turn over.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D) continued)***

***4. Application Materials.*** *No short term rental license shall be issued unless the application has first been deemed complete. The administrative procedures shall specify all the information necessary for a complete application, including, but not necessarily limited to, the following:*

**Commentary:**

1. The Draft Regulations specify sixteen subparts and four sub-subparts to an application, making for an extremely burdensome, expensive, and uncertain application process. In addition to 115 lines of particularized requirements, 3 of these line items include additional, unspecified, multi-tiered, multi-page inspections (modeled after cities that have self-inspections), but go even further. In addition, there are layers upon layers of requirements: several requirements simply cite code to other regulations and state that the homeowner needs to address everything in

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<sup>30</sup> Opponents of STRs in West Marin have argued, incorrectly, that the lower caps actually would permit more unhosted STRs in West Marin. An unstated premise of this argument is that the proposed reduced caps are higher than the actual number of unhosted STRs currently operating. The County (and anti-STR voices) have presented no data showing this to be the case. Given the scant number of rentals apparently meeting the County’s proposed new stringent standard for “hosted” rentals, this argument is untenable.

different code sections throughout other governmental regulations. A homeowner would have to hire an attorney simply to understand the application requirements.

2. Further, there is no requirement that the CDA review applications within a specified time period or provide feedback as to what in an application may cause it to be “deemed” incomplete.

3. Of even greater concern, with the prefatory language above, the County is signaling that the CDA wishes to impose additional requirements via the forthcoming administrative procedures. The fact that a “complete application” would include but “not necessarily [be] limited to” these already-burdensome requirements is highly troubling. And, the provision is written such that the CDA may “deem” an application incomplete for an unstated reason. The County needs to be transparent and explain what a completed application *will* include, not the partial list it has provided.

4. In sum, the draft application requirements and allusion to further administrative procedures appear to represent a compilation of everything every department head or unelected official within the County could think of throwing at a small mom-and-pop industry. This is in addition to adding every requirement every city regulating STRs has ever required, plus a wish list from other bureaucrats for any other requirement they would like to see imposed on homeowners. This is an unprecedented attack on the right to use one’s property in a “principal permitted” manner that goes back generations. With the Draft Regulations’ application requirements alone, the County may have drafted the most onerous STR regulations ever conceived of.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D)(4) continued)***

*i. The name(s) and contact information for all property owners. If the property owner(s) applying for the license own/s less than a 100% fee interest in the property, then such property owner(s) must provide proof that all persons and/or entities with an interest in the property consent to such application and license. If the host is different from the property owner, their contact information must be listed as well. All adults for whom the property provides a permanent residence shall be listed.*

**Commentary:**

1. This provision raises significant privacy concerns. Any individual with an ownership interest (no matter how small or remote) must complete paperwork and provide personal contact information and consent merely for the application to be deemed complete. This appears to be part of how the County intends to police its new “one STR per person” and “no corporations” policies. Many properties in the region are owned by a mixture of individuals, often from different generations. Requiring burdensome paperwork from each of them seems to be an

unnecessary hurdle not intended to protect valid interests, but to simply make it harder to apply for and receive an STR license. And, privacy concerns are valid here. The CDA is currently making available for download on its website, perhaps accidentally, the names, addresses and business license numbers of all people currently operating Short Term Rentals in unincorporated Marin County, inviting vandalism and theft to these properties.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D)(4) continued)***

*ii. The name of the local contact person for unhosted short term rentals, if different from the property owner, and an email and telephone number at which that party may be reached.*

*iii. Address and Assessor's parcel number for the property where the short term rental is located.*

*iv. Rental unit type (i.e., hosted or unhosted short term rental).*

*v. Number of bedrooms and bathrooms.*

**Commentary:**

1. Requiring objective data about the property is not in itself objectionable. However, as discussed below, the draft definitions of “hosted” and “unhosted” STRs are vague and raise compliance concerns in their own regard.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D)(4) continued)***

*vi. Total number and dimensions of onsite parking spaces.*

**Commentary:**

1. We agree that it is a good goal to avoid parking conflicts, and virtually all STRs currently have more than adequate parking. The County thus has not shown a need for requiring dedicated “onsite” parking spaces. Some STRs in village cores may not have parking dedicated to particular units, yet adequate parking may be available in the neighborhood without adversely impacting other residents or creating unsafe conditions. In the case of San Rafael, a parking plan is only required if a property with an STR shares parking with other properties. The County should implement a similar requirement here—only requiring a diagram and parking plan where an STR shares parking with other properties or there are *bona fide* parking complaints or documented safety-related concerns. Requiring measurements and diagrams of every single

parking space for every single STR in West Marin is unnecessarily burdensome and regulatory overkill.

2. Furthermore, as noted at the Planning Commission hearing on June 12, state law no longer requires identification and creation of parking for new construction. Thus, this Draft Regulation reflects an outdated mindset and legal framework. Requiring two dedicated parking spots for every single STR is not good land-use or environmental policy, and is contrary to the goal of encouraging people to visit via other means of transportation.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D)(4) continued)***

*vii. Site Plan showing:*

*a. Location of all existing buildings and location and dimensions of on-site parking.*

*b. Floor plan showing all rooms with each room labeled as to room type, and location of fire extinguishers, smoke and carbon monoxide alarms.*

*c. Location of waste containers.*

*d. If the rental property is served by a private water supply (well or spring) and/or a private sewage disposal system, the location of any existing or proposed septic system, including dimensions and sizes of the septic tank, disposal fields, and reserve area, and wells and water systems on the subject property.*

**Commentary:**

1. To comply with these regulations, STR owners would have to hire architects or draftspersons to visit, document, and measure their site, and thereafter prepare a detailed site plan. It is difficult and expensive to hire qualified individuals to do this in remote parts of the County. This would likely cost anywhere from \$500 to \$1000, plus the owner's time. By treating the mere rental of a property as tantamount to seeking a building permit or other major change for which a site plan is required, the County would violate and undermine the LUP's designation of STR usage as a customary incidental use and thus permitted as of right. Certainly the County is not proposing site plans for any other form of residential use, including long-term rentals, reflecting once more a discriminatory approach to STRs.

2. The County has not shown a need for any of this—that the creation of detailed site plans is justified by current needs, or that problems have arisen that these provisions would address. This appears to be singling out STRs for make-work and more stringent regulations than apply to any other properties or residential uses in the County. In addition, these interior



site plans would become public information, which further raises security and privacy concerns for homeowners.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D)(4) continued)***

*viii. If the rental property is served by a private water supply (well or spring), provide proof of a water supply permit with the County's Environmental Health Services Division and potability with a current bacteriological test.*

*ix. If the rental property is served by a private sewage disposal system, provide proof that the system is documented with the County of Marin Environmental Health Services Division and provide an inspection report for proper operation by an approved licensed professional.*

**Commentary:**

1. Beyond the costs of site plans identified above, documentation and certification of water and sewage systems every two years (far more often than justified) would cost homeowners thousands of dollars more. As most properties in West Marin are on septic systems, these requirements will impact a substantial majority of STRs, and all STRs in certain communities, like Inverness. This will create massive compliance costs and reduce the range of STRs available to visitors.

2. Further, singling out STR operators for stringent new sewage requirements that would not apply to any other form of residential use is unfair. Many homes were code-compliant when built and do not pose any known health and safety risks. Bringing them up to current standards such that they can receive certifications under today's standards may be cost-prohibitive and drive these STRs from the market, jeopardizing the homeowners' ability to keep and maintain their property. If the County were to impose the same requirements on all homeowners or long-term tenants, it would have to analyze their impacts and weigh costs and benefits. (Indeed, some of the same voices seeking to reduce STRs would likely object that these requirements would make it difficult, if not impossible, to continue providing long-term rentals on a cost-effective basis). Indeed, that the County is singling out STRs for standards that would not apply to any other residential use, including long-term leases, suggests that the County is using these provisions as a pretext to forcibly convert STRs to other uses, such as long-term rentals.

3. Aside from the discriminatory nature of this provision, the County has done nothing to model the impact of these regulations on ongoing STR operations. If the County is imposing these requirements on STRs as a mere prelude to imposing similar requirements on all other residential uses and long-term rentals at a later date, the County should disclose as much and give all owners the opportunity to assess compliance costs and a reasonable timeline for seeking to come into compliance.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D)(4) continued)***

*x. Bills from a hauler as proof of a minimum level of service with an authorized waste collector that is sufficient to handle the volume of garbage, recyclable materials and organic materials generated or accumulated.*

**Commentary:**

1. The County has provided no analysis or data to support this regulation. The County has not explained whether there have been a high number of complaints regarding waste from STRs, nor any study indicating that STRs are under-served in their waste-hauling arrangements. While some individuals at the June 12 Hearing raised complaints about waste, these complaints inevitably related to a single property or operator who was not following existing rules. The solution to this is for the County to enforce its current rules. The County has not explained, however, why the current regulations and enforcement mechanisms are insufficient to address any of the situations described at the hearing.

2. Furthermore, this draft provision is vague and fails to provide an objective standard. What level of service is “sufficient”? This will apparently be entirely for the CDA to determine in its sole discretion, which will allow it to impose higher costs on STR operators than are justified. What standards are to be applied? How will the director of CDA evaluate the level of service required? Without justifications and objective standards, what will prevent the director of CDA from requiring that homeowners purchase expensive and unnecessary add-ons?

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D)(4) continued)***

*xi. Proof of a working landline phone, Voice Over Internet Protocol, or National Oceanic and Atmospheric Administration (NOAA) radio.*

**Commentary:**

1. The County has not presented data showing why this provision is necessary. According to County staff, the Office of Emergency Services asked that this provision be included. But nobody has explained why it is necessary or whether there are less intrusive means to accomplish its goals.

2. The fact that this Draft Regulation is unnecessary is illustrated by the fact that STR platforms like AirBNB provide means of direct contact for the host and visitors. And, virtually all STRs offer internet service, but no visitor in 2023 would expect to find a working landline in

a rental (and if the phone rings, most visitors will not answer). VOIP services and NOAA radios may be comparatively less expensive, but will still impose recurring costs. And, most guests would not think or know how to use these services in an emergency.

3. In sum, this Draft Regulation would impose costs that are not required of any other form of residential use, nor of long-term rentals (despite there being an arguably greater need for such measures in long-term rentals), nor commercial forms of overnight visitor accommodation such as hotels, motels and campgrounds. The County should not single out STRs in this manner.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D)(4) continued)***

*xii. Documentation of a vehicular evacuation route from the short term rental property to an area of safety in case of an emergency, including proof that the evacuation route is posted near the door of the short term rental.*

**Commentary:**

1. Providing emergency evacuation information is sensible, however, the County has not indicated what it would deem sufficient “documentation” or whether it would require STR operators to create such evacuation routes. If so, this will be another significant cost to operators. If, on the other hand, the County is willing to provide maps, it can be relatively simple to provide these to guests, so long as the map is appropriate for the location of the property and does not contain confusing or superfluous information (such as the location of “paper streets”). However, there is no need for the County to micro-manage where within a property such route information is posted, as it may not make sense to post the information near the main entry door.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D)(4) continued)***

*xiii. All short term rental applicants shall provide a self-certified building safety inspection upon permit application or renewal.*

*xiv. All short term rental applicants shall provide a self-certified fire-life safety inspection upon permit application or renewal.*

*xv. All short term rental applicants shall provide a self-certified defensible space inspection, conducted within the preceding twelve months, upon permit application or renewal.*

**Commentary:**

1. Encouraging building safety, fire safety, and defensible spaces is not objectionable. (Indeed, the County would be wise to promote this for all residential uses.) However, some defensible space standards, if rigorously applied, would invalidate STRs in forested areas of Marin. The County should thus specify and indicate what each of these self-certifications would entail, to ensure that the checklists contain objective, ascertainable standards, and do not bake in unobtainable standards that are not justified by valid safety concerns or would make the operation of an STR prohibitively expensive relative to other forms of use.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D)(4) continued)***

*xvi. All short term rental applicants with properties served by a local water provider must provide water use bills. If the water use documentation demonstrates short term rental water use exceeding an average of 250 gallons per day, or a lower limit established by the local water provider, the short term rental license renewal application shall include strategies to reduce water use to below an average of 250 gallons per day during the next year. If water use is not reduced as required, the license shall not be renewed.*

**Commentary:**

1. The County has presented no data concerning water use by STRs. Despite this lack of data, under this draft provision, the County or local water providers could impose stricter water-use requirements than would apply to any other residential use, long-term rental, or form of overnight accommodation (hotels, motels, etc.). This would be particularly unfair for properties that serve as an STR part-time and are used by the owners part-time.

2. If a local water provider were to set a lower water use cap, owners of STRs could be put to the choice of giving up their STR license or not being able to enjoy their own properties on an equal footing to other community members. The power to curtail water rights to STRs would act as a second, “stealth cap” on STRs by community. Current and former board members of local water companies such as BCPUD and IPUD have gone on record to oppose STRs, so the concern for unequal treatment is not merely hypothetical.

**Summary of Commentary of Draft Section 5.41.040(D)(4) Application Requirements:**

1. The detailed requirements of Section 5.41.040(D)(4) of the Draft Regulations would force STR applicants to comply with sixteen detailed requirements and various sub-requirements merely to *apply* for an STR license. Conservatively, we estimate that the minimum costs of compliance for each two-year period would range from \$1500 to \$5000 and require between 20

and 40 hours of preparation time. And there would be no guarantee that these costs would lead to a permit being issued. For certain requirements, such as bringing septic systems to current standards, compliance costs can amount to tens of thousands of dollars. The prospect that the CDA would impose additional procedural requirements or non-objective criteria could increase these requirements as well. It is thus inevitable that the Draft Regulations will dramatically increase compliance costs, drive many STRs from the market, and deter applicants from seeking to operate an STR in the first place. The STRs that remain will likely raise costs due to the lack of supply and due to the need to recoup the substantial costs imposed by the Draft Regulations. The County has not provided data justifying these new requirements, nor any estimates regarding compliance costs or the effects of implementing these regulations on the availability or price of visitor accommodations. The County thus has no basis to estimate what impact these Draft Regulations will have on visitor access to West Marin.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D) continued)***

***5. Public Notification.*** *Within five days after issuance of a short term rental license, the Community Development Agency will provide written notification to all properties within a radius of three hundred feet of the property with the short term rental.*

*The notice shall indicate that the subject property will be the location of a short term rental and provide the name of the local contact person or host, the phone number and email address for the local contact person or host, and the street address of the short term rental.*

**Commentary:**

1. We do not object to notifying neighbors of STR usage. In fact, the Regulations enacted in 2018 and 2020 provide for such notice. The County has not explained why it believes existing procedures are insufficient. Indeed, in our experience, notifying and speaking to neighbors about intended STR usage performs a salutary function, as it encourages neighbors to discuss any concerns in an up-front manner and promotes the resolution of any issues before a problem arises. The County has not explained why it would make sense for the CDA to take over this function and cut homeowners out of the process. At a minimum, this would mean increased costs for County personnel to handle this function, which costs would be passed onto homeowners. This is not a good policy.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D) continued)***

***6. Tenant notification of County Rules.*** *The owner or operator of the short term rental shall post a County-prepared information sheet inside the unit and provide the tenants with a "good neighbor" brochure, developed by the County, at the time of their arrival.*

**Commentary:**

1. We do not oppose notifying guests of basic information and “good neighbor” policies; in fact virtually all STR operators already do so as part of their “House Rules” on STR platforms. However, requiring that information be “posted” on a given wall or door can create an eyesore. Private homes are not the same as workplaces and lunchrooms regulated by OSHA. Further, this would be yet another discriminatory provision as there is no requirement that long-term rentals or commercial accommodations hand out “good neighbor brochures” (or any other government-prepared literature with a catchy and Orwellian name). Absent documented problems—of which the County has presented no evidence—it should be sufficient for STR operators to make relevant information available to review in a house manual (physical or online) or other location likely to be reviewed by guests without plastering it to walls and doors.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D) continued)***

***7. Exterior Signage.*** *Each short term rental shall be identified with a single exterior sign that includes the name of the local contact person, the phone number and email address for the local contact person, and the street address of the short term rental. At a minimum, the sign shall be posted while the unit is being used as a short term rental. The sign shall be made of durable materials and 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.*

**Commentary:**

1. The County has, once more, not explained or presented data showing that fixed exterior signage is necessary. This provision would, at a minimum, impose additional compliance costs and create an eyesore.

2. The unintended consequences of this Draft Regulation will invite property damage, create security issues, and negatively impact our neighborhoods. When not occupied by the homeowner or rented as an STR, these homes are empty. Once identified as an STR home beyond the immediate neighbors, the larger public will know when the home is empty. A sign, or in this case, the temporary absence of a sign when guests are not on-site, will notify the public

that the home is likely empty, which will invite vandalism and theft. As a consequence of the County's action, property will be exposed to vandalism and squatting. Is the County prepared to take responsibility for the property damage due to the Board's action? Is the Sheriff's Department prepared for more calls to their office and more property inspections?

3. In addition, streetside signage will visually harm the neighborhood aesthetic of our rural community. A sign, visible from the street, changes the look and feel of a community. There is a reason that the Board of Supervisors did not support this effort in early 2018 when considering prior STR regulations. Communities reject the visual degradations of the landscape. Why is the County trying once again to lower the aesthetic quality of our neighborhoods in West Marin?

4. Under County Ordinance No. 3695, STR hosts are required to notify their neighbors of the permit, and to provide personal contact information and hotline information. The Draft Regulations likewise provide for written notification to all neighbors. Why is the county requiring so much redundancy and in a manner that will have a negative impact on property and the neighborhood?

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D) continued)***

***8. Requirements for Advertisements.*** *All permitted short term rentals shall include the following information in any online or printed advertisement:*

*i. Valid Marin County short term rental license number.*

*ii. All permitted parking locations and the quantity of vehicles that fit on said locations.*

*iii. Further information where applicable as specified in the administrative procedures, such as water use restrictions.*

**Commentary:**

1. The County has not provided a reason or data to support the need for minutely specifying the contents of STR advertisements. Posting one's STR license number to all online forums could invite phishing and data and identity theft. There is likewise no reason to require that all listings include parking locations and number of vehicles. Indeed, posting a property diagram and the precise location of the property and parking spaces *prior* to booking creates a security risk for vandalism and break-ins. A bad actor could peruse listings, identify all STR properties in a neighborhood, and then if any of the designated parking spaces are empty, identify an STR home as unoccupied and a prime target for vandalism, break-ins, or squatting.

This is why STR platforms do not provide exact address information until after booking. This Draft Regulation would undermine this essential security feature.

2. Finally, the “catch-all” provision requiring the inclusion of any information specified in yet-to-be-drafted “administrative procedures” invites further micromanagement from the CDA with no democratic review or accountability and no due process. Failure to post any of the existing or yet-to-be-released required pieces of information (even those announced after an STR license was issued) could lead to immediate suspension or revocation of the STR license with no recourse for the homeowner.

**Draft text:**

***5.41.040 Short Term Rental Licenses***

***E. License for Hosted Short Term Rental.*** *The host of a hosted short term rental can be either the property owner or a long term tenant of the property. The property must be the primary residence of the host. To prove that the hosted short term rental is the primary residence of the host, the host must provide at least three of the following five types of documents at the time of initial application and renewal application: motor vehicle registration; driver’s license; voter registration; a utility bill sent to the subject property; tax documents showing the property as the property owner’s primary residence for the purposes of a homeowner’s tax exemption; a lease showing that a host other than the property owner is renting a unit on the property on a long term basis.*

**Commentary:**

1. The County has not presented any explanation as to why it now seeks to restrict “hosted” STRs to a host’s primary residence. A host may have a primary residence elsewhere for valid reasons but still wish to occasionally rent out a portion of their home when they are present. Conversely, someone may have a primary residence in West Marin but not have all of the documentation the County demands to prove it (for instance, because mail service in rural areas requires renting a P.O. Box). Requiring burdensome documentation to qualify as a “hosted” STR will further reduce the number of lodging options for visitors.

**Draft text:**

***5.41.040 Short Term Rental Licenses***

***F. License for Unhosted Short Term Rental.*** *A license for a unhosted short term rental shall be issued with no requirement for an onsite host, but a local contact person meeting the requirements specified in the administrative procedures shall be identified.*



**Commentary:**

1. Requiring a local contact person is not objectionable, and the current regulations already provide for this. The County has not specified what “requirements” it intends to impose in further administrative procedures, and whether these would differ in any regard from current requirements. As noted above, we are concerned by the County’s effort to delegate so many of the details that may be determinative of whether an STR can continue operating to the non-democratically accountable discretion of the CDA.

**Draft text:**

***5.41.040 Short Term Rental Licenses***

***G. License Issuance.*** *A Short Term Rental license will be issued on a ministerial basis by the Community Development Agency based on a review of whether the Short Term Rental would satisfy all the applicable requirements. Licenses can be issued with conditions ensuring compliance with the applicable requirements.*

**Commentary:**

1. As noted above, the criteria and standards for STR licenses are not sufficiently objective. The prospect of further administrative regulations only exacerbates this. This will not allow for ministerial review of applications and issuance of STR licenses on a predictable basis, and thus will deter individuals from applying in the first place.

**Draft text:**

***5.41.040 Short Term Rental Licenses***

***H. License Term and Renewal.***

*1. A short term rental license issued under this Chapter shall expire immediately and automatically two years from the date of license issuance, unless revoked earlier. The license authorizes the property owner to conduct only such services as is described in this Chapter and in accordance with the terms and conditions of the license.*

*2. A short term rental license renewal application for an existing short term rental license must be submitted at least sixty days prior to the expiration date of the license. Upon timely submittal of a renewal application, the license will remain effective until such time the license renewal application is approved or denied.*

*3. Failure to submit a timely application for a renewal of an existing short term rental license shall result in that license not being renewed. In locations where there is a cap on the number of unhosted short term rentals, an unrenewed license will not be reinstated*

*to the property owner unless there are available licenses within the cap. A property owner who fails to renew a license may join the wait list for the next available license under the cap.*

*4. Once a license expires, a new license is required to operate the short term rental. Renewals can only be issued for an existing license, and in compliance with this section. Conversion from a hosted to an unhosted short term rental shall require a new license. The administrative procedures issued by the Community Development Agency pursuant to this chapter may describe modifications to short term rental operations that are eligible for consideration within a license renewal.*

*5. A short term rental license renewal application shall be denied if there have been more than two verified substantial violations of this Chapter or of the administrative procedures related to the short term rental during the previous two year license period. Substantial violations are violations for which a complaint has been received and a code enforcement case opened with an investigation verifying the existence of the violation.*

#### **Commentary:**

1. As discussed above, a provision causing for the automatic and immediate expiration of STR licenses after two years is a fundamental change in land-use law and contrary to the Local Coastal Program and its policies. In allowing the CDA to specify additional “terms and conditions” of a license on pain of non-renewal, this provision also allows the CDA to further constrain STR operations in a manner that would not pass muster by the Coastal Commission, evading the requirements of the Coastal Act.

2. Further, requiring renewal applications to be submitted at least 60 days *prior to* expiration creates a trap for the unwary that will lead to unwitting forfeiture of STR licenses, and will require that any delayed application go to the back of the line for purposes of waitlists and complete an entirely new application (with the costs and delays this entails). Further, if the renewal application is submitted 60 days prior to expiry but immediately denied, under the wording of this draft Regulation, the STR license would terminate prematurely. These are all highly unfair outcomes.

3. Furthermore, this Draft Regulation allows for the CDA to implement additional regulations limiting what can be done in the context of a permit renewal, all without democratic accountability.

4. Finally, the Draft Regulation states that the County “shall” deny a renewal application if there are “more than two” violations. This is ambiguous—is it two strikes and you’re out, or is it three? Further, while the Draft Regulation uses the term “substantial,” this term is defined to mean *anything* for which a complaint is received and a code compliance case opened with an investigation finding the existence of a violation. Thus, any technicality could lead to a strike, such as lettering on a sign being too small or trash cans left out for an extra day after pick-up.

There is no provision allowing for administrative review or appeal of these findings, which is a step backward from the current STR regulations that do provide such due process rights.

**Draft text:**

***5.41.040 Short Term Rental Licenses***

***I. License Fee.***

*i. Each short term rental license or renewal application shall be accompanied by the applicable short term rental license fee.*

*ii. The fee schedule shall be established by resolution of the Board of Supervisors following a public hearing. Said fee schedule may be adjusted by resolution of the Board following a public hearing. Permits and fees required are non-refundable and are in addition to any license, permit, certificate or fee required by any other chapter of the Marin County Code or other applicable law.*

**Commentary:**

1. The County has not specified or estimated what fee schedule would be required to cover the administration and enforcement of the September 2023 Draft Regulations. Currently the fee is \$20. County Staff has indicated that the new fee structure would have to be *substantial* to cover all the new requirements. This is obvious from the scope of the new Draft Regulations. The County should be asked what its estimated costs of administration would be, and how many employees would need to be hired in order to fully implement the Draft Regulations and the planned administrative procedures.

2. Furthermore, the fact that these fees would be required over and above the substantial compliance costs noted above, and would be non-refundable even if an application is rejected, will serve as yet another deterrent to individuals applying for or renewing their STR licenses. The costs of application and compliance will inevitably be baked into STR rates, driving up costs for visitors and thus shutting out guests of less fortunate socioeconomic status. The County should provide estimates as to how many STRs will cease operating due to these substantial burdens and costs, and how costs will rise for those that do remain.

3. Finally, STRs already remit 14% transient occupancy tax. The vast majority of the tax revenues (a base occupancy tax of 10%) flow directly to the County's general fund, amounting to millions of dollars per year. Because the County already receives substantial revenues from STRs, it is deeply unfair to impose *additional*, substantial fees on top of this simply to pay for the punitive framework in the Draft Regulations to administer the continued licensure and operation of STRs.

## 5. Chapter 5.41.050 – Short Term Rental Property Standards

### Draft text:

#### **5.41.050 Short Term Rental Property Standards**

**A. Undeveloped Properties.** *A property where there is no existing legal residential unit is not eligible for a short term rental license.*

**B. Restricted Structures.** *A short term rental is not allowed in any of the following:*

- 1. A structure subject to a recorded governmental restriction, including covenants or agreements for an affordable housing unit, agricultural employee unit, farmworker housing.*
- 2. An accessory dwelling unit or junior accessory dwelling unit.*
- 3. A multi-family dwelling or condominium unit.*
- 4. Non-residential areas within buildings, such as storage areas, and living/sleeping quarters added in garages.*
- 5. Recreation vehicles (RVs), including non-motorized travel trailers.*
- 6. Other structures without permanent foundations, including but not limited to tipis/teepees, yurts, tents, and treehouses.*

### Commentary:

1. Visitors like variety. Stays that may be suitable or even sought out for short-term stays may not be suitable as long-term housing, such as treehouses, “glamping,” stays in yurts, etc. These unconventional options can be some of the most memorable, fun and cost-effective ways to visit a region. Why is the County proposing to eliminate these when these eclectic options and structures would not be used for long-term or permanent housing? Won’t eliminating these vacation housing options put more pressure on other housing throughout the county?

2. In addition to not being suitable as long-term housing, options that include RV, tent, or “glamping” experiences are the most affordable short term rental opportunities for tourists. The restriction of such STR opportunities thus appears to be directly targeted at reducing the opportunities for lower-income people to enjoy the public coast. There is a severe limitation of available campsites in the many parks in West Marin. Over time, the availability of such low-cost options has *decreased* due to limits imposed at popular visitor destinations like Lawson’s Landing and the closure of the campground at Tomales Bay State Park. And, throughout this time, the regional, state and national populations have grown. By banning STR hosts from

providing campsites, RVs sites and yurts for travelers, lower-income travelers will be unable to access public park recreation in the numbers that currently enjoy them. Moreover, such a ban may have the unintended consequence of dramatically increasing the incidence of car camping in roadside pullouts or encampments on public lands and right of way in the environmentally sensitive areas impacted by the regulations—an activity which would actually worsen the sanitary and refuse issues the Draft Regulations claim to address.

3. The County has shown no data or health and safety basis for this punitive proposal. And, doing this would clearly remove options from the STR market that indisputably do not conflict with long-term housing goals. Restrictions based on governmental rules, restrictive covenants and the like make sense, but by quashing any and all creative and non-conventional options, the County would be throwing out the baby with the bathwater and reducing economical visitor accommodations.

**Draft text:**

***5.41.050 Short Term Rental Property Standards (continued)***

***C. One Short Term Rental Per Property.*** *Only one short term rental is allowed per property. If a property contains both a main dwelling and an accessory dwelling unit, only the main dwelling unit may be rented on a short-term basis.*

**Commentary:**

1. The Draft Regulation does not define “property,” in this provision or in the definitions. Does it refer to a parcel? Any structure with one or more dwelling units? Any home and set of structures adjoining one another, even if spanning multiple parcels? Depending on what definition is applied, the results could be drastically different.

2. More perniciously, this Draft Regulation would outlaw traditional STRs that have operated for decades in the form of guest cottages, in-law units and the like. It would especially target homeowners, including many senior residents, who count on the income these units bring in to allow them to stay in their homes. By forcing these residents to rent their main home or nothing at all on the STR market, this Draft Regulation would undermine one’s sense of home and economic security.

3. Legally, the Draft Regulation is contrary to policy C-HS-6 of the LUP, which provides for the ongoing “Short-Term Rental of **Primary or Second Units.**” Nothing in the LCP or LUP permits the County to *eliminate* second units as a source of STRs and only permit them in primary units. This Draft Regulation will thus be voided by the Coastal Commission and/or challenged via litigation.

4. Furthermore, visitors rely on guest cottages and in-law units as some of the more economical STR options. Forcing visitors to only rent a main house that is larger than they need will exclude visitors of more modest means, harming the diversity of visitors to the region.

5. It appears that the County's intent with this provision is, once again, not to promote health and safety or "good neighbor" policies, but instead to force owners of in-law units to convert these into long-term rentals. But individuals should not be conscripted into becoming long-term renters against their will (especially given the County's just-cause eviction laws). Further, many individuals host family members and friends in their guest accommodations during part of the year and have STR guests at other times. Having a long-term tenant would make it impossible to host friends and family in this manner.

**Draft text:**

***5.41.050 Short Term Rental Property Standards (continued)***

***D. Short Term Rental Parking Requirements.*** *Parking spaces must be provided for properties with short term rentals as follows:*

*1. Two onsite parking spaces must be provided while the property is in use as a short term rental, with at least one of the parking spaces reserved for guests of a hosted short term rental and two reserved for guests of an unhosted short term rental.*

*2. Parking for short term rentals shall comply with Marin County Code Section 24.04.380 (Dimensional Standards), as verified by the Department of Public Works.*

**Commentary:**

1. With this provision, the County has proposed yet another solution in search of a problem. As discussed above, the County has presented no data concerning parking conflicts in need of fixing or dedicated "onsite" parking and would be enacting a far more stringent requirement than applied anywhere else in the region. The County also has not explained the need for a minimum of two dedicated parking spots for any unhosted STR, no matter if it only accommodates 1 or 2 guests, and no matter if there is ample on-street parking that does not impede emergency access. Requiring compliance with "Dimensional Standards" and verification from the Department of Public Works will create more make-work and costs for STRs, the vast majority of whom have never had any parking-related conflicts.

**Draft text:**

***5.41.050 Short Term Rental Property Standards (continued)***

***E. Noise.*** *The property owner is responsible for ensuring any and all guests of a short term rental comply with the standards of Section 6.70.030 (Loud and Unnecessary Noises).*

**Commentary:**

1. While we agree that STRs should be good neighbors, the County has not presented data showing that the current noise and good neighbor provisions are inadequate. Further, it is not clear what is intended with the statement that a “property owner is responsible” for ensuring compliance, especially when the property is managed by a local designee. Does this mean the County intends to impose vicarious liability, and cite and fine owners of properties if there is a single noise violation by an STR guest? Is this the enforcement that would be executed if the complaint is from noise created by a permanent resident or a long-term rental? Why target STR owners?

**Draft text:**

***5.41.050 Short Term Rental Property Standards (continued)***

***F. Solid Waste.***

*1. With the exception of waste properly deposited in and fully contained within collection containers with secure lids, accumulation of solid waste outside of the short term rental at any time is prohibited. No collection container other than those consistent with Chapter 7.00 (Solid Waste, Collection, Diversion and Disposal) shall be placed or kept in or on any public street, sidewalk, footpath, or any public place whatsoever, but shall be maintained on the property, except as may be provided for removing and emptying by the authorized collector on the day and in the location designated for collection.*

*2. The property owner is responsible for ensuring that short term renters comply with Chapter 7.00 (Solid Waste Collection, Diversion, and Disposal).*

*3. A minimum service level per short term rental per week must be maintained for unhosted short term rentals. If the Agency Director determines the minimum service level is insufficient to accommodate all waste (including garbage, recyclable materials, and organic materials) generated by the short term rental, the property owner shall arrange for a higher level of service which will accommodate all waste generated by the short term rental.*

**Commentary:**

1. The County has presented no data that STRs have created garbage problems in need of addressing through this draft provision. And, it is a long-standing pattern for West Marin homeowners to leave their garbage can on the street for a day or two before and after collection day. Now, however, the County apparently is singling out STR operators for scrutiny if their cans are streetside on any other day of the week. If minutely regulating trash can placement, or prohibiting placement of any trash near a home, is necessary to preserving community aesthetics, why not require it of all residential uses?

2. Further, as noted above, it is unclear what the County intends with the statement that the “property owner is responsible for” ensuring compliance. Imposing vicarious liability for a single misplaced trash can is unfair.

3. Finally, there has been no showing that the CDA Director actually needs to supervise and dictate the service level subscribed to by unhosted STRs. This is yet another instance of the County seeking to micro-manage and raise the costs of STR operations without a valid basis.

**Draft text:**

***5.41.050 Short Term Rental Property Standards (continued)***

***G. Municipal Services.*** *The short term rental property shall have adequate water and sewer connections and shall be served by local utility agencies for water and sewer service wherever such utilities are provided.*

*1. In the event that the short term rental is served by a private water supply (well or spring), the property owner will need to possess a domestic water supply permit from the Marin Community Development Agency Environmental Health Services Division or other appropriate public agency and prove potability with a current bacteriological test.*

*2. In the event that the short term rental is served by a private sewage disposal system, then that system must be documented as legal with the Community Development Agency Environmental Health Services Division or other appropriate public agency, shall be inspected for proper operation by an approved licensed professional, and shall be sized appropriately for the short term rental and any other combined use.*

**Commentary:**

1. This Draft Regulation provides no objective criteria for what it means to have “adequate water and sewer connections.” This appears to be another instance in which the CDA



will have unfettered discretion to reject a property based on unstated grounds and non-objective criteria.

2. Further, the County has not shown why it makes sense to mandate that STRs connect to municipal water and sewer service where available. If an STR is currently on a self-sufficient septic system or well water system, why require it to connect to municipal services and provide greater strain on limited resources?

3. Above, we discuss the burdens of compliance with other water and sewer requirements. In short, these would impose tens of thousands of dollars in costs on properties that were legal when constructed and pose no current health and safety risks. The County has shown no data justifying the imposition of these additional costs and burdens on STRs alone. The effect will be to drive STRs off the market and reduce visitor access.

**Draft text:**

***5.41.050 Short Term Rental Property Standards (continued)***

***H. Emergency Preparedness.***

***1. Visible Address.*** Each short term rental shall have an address identification. The address identification must be maintained and shall be legible, measuring no less than 4 inches in height with a 3/8 inch stroke, and placed in a position that is visible from the street or road fronting the property. Whenever the address on the short term rental will not be clearly visible from the street or access road fronting the property, the address shall also be placed at the public street or access road in a manner which is clearly visible from both directions of travel on the frontage road or street.

***2. Smoke Alarms.*** Smoke alarms, in good working order, shall be installed in accordance with the California Building Code and at a minimum shall be installed in each bedroom, and at least one alarm on every level of the short term rental, including basements and habitable attics.

***3. Carbon Monoxide Alarms.*** Carbon monoxide alarms, in good working order, shall be installed in accordance with the California Building Code and at a minimum shall be installed outside each bedroom, on every level of the rental unit, including basements and habitable attics, and bedrooms or attached bathrooms with a fuelburning appliance, and shall be installed in accordance with the manufacturer's installation instructions.

***4. Fire Extinguisher.*** Each short term rental shall be equipped with one five-pound fire extinguisher, type 3-A:40-B:C, installed at a readily available location near the kitchen. If the short term rental has more than one level, an extinguisher must be mounted within each level. Fire extinguishers shall be inspected annually by a certified professional to ensure the extinguishers are in good working order.

**5. *Emergency Communications.*** *Each short term rental shall contain at least one working landline phone, Voice Over Internet Protocol (VOIP), or a National Oceanic and Atmospheric Administration (NOAA) radio as a means of receiving emergency communications. Locations with a working landline and/or VOIP should have the direct phone number and address listed near the device. If NOAA radios are employed, a set of direction for use of the radio shall be accessible.*

**6. *Evacuation Routes.*** *The short term rental owner or operator must provide vehicular evacuation route maps, provided by Fire Safe Marin or the County of Marin, for the rental area. Evacuation routes must be posted near the front door, with a QR code or link to the County's online evacuation map, of the short term rental. Further, a vehicular evacuation routes map must be provided as a handout so guests can take the map with them in the case of an emergency.*

**Commentary:**

We agree that protecting the safety of guests is paramount. Aside from this being the right thing to do, guests expect safety equipment and procedures to be in place, and insurance companies often require it. Yet the County's Draft Regulations go far beyond common-sense measures. Concerns include:

1. The County has presented no data or analysis showing that STRs are in need of the minute and redundant provisions set forth above, including landlines or VOIP services that are not found even in many commercial establishments. By dictating standards down to the size and positioning of address signs, the County is harming the aesthetic value of the neighborhood and arrogating control in a manner that will increase burden and cost without a demonstrable nexus to safety. Enforcing such regulations will also take substantial County resources. Will an employee of the CDA visit every STR with a ruler to measure the height and stroke of street signage?

2. The mandates for precise placements and annual inspections of multiple fire extinguishers "by a certified professional," will raise costs and create more compliance traps that can lead to the suspension or loss of an STR license. Will local fire departments visit each STR to certify the location and working order of fire extinguishers each year? Why the one-size-fits-all requirement which is untethered from heat or ignition sources? And why require fire extinguishers on floors that only contain a bedroom and no appliances? Why is the County seeking to impose fire standards that are far higher than state-wide standards? Why is this proposal being directed at STRs but no other form of residential use (including long-term rentals, where tenants occupy the premises year-round) or commercial lodgings? By singling out STRs, the County once again reflects a discriminatory animus behind these Draft Regulations.

3. Dictating the placement of evacuation maps is unnecessary and potentially counterproductive. If there is a more logical place and means to alert guests to such routes and procedures, the County would now bar STR operators from doing so.

**Draft text:**

***5.41.050 Short Term Rental Property Standards (continued)***

***I. Construction Requiring a Building Permit.*** *Short term rentals shall not be rented while the building they are in is undergoing any form of construction that requires a building permit.*

***J. Code Enforcement Cases.*** *Short term rentals shall not be rented while a code enforcement case is open on the property.*

***K. Special Events.*** *Weddings, corporate events, commercial functions, and any other similar events shall not be held on a property with a short term rental license.*

**Commentary:**

1. The County has presented no justification for these three draft provisions. Where construction or repairs are ongoing that will affect the habitability of an STR, it makes sense for no rentals to take place—indeed, most owners would never book an STR rental during such periods. However, the Draft Regulation above goes far further and precludes any rentals if any part of a larger building is undergoing any work involving a permit. In the instance of a main house with an attached ADU, minor construction (*e.g.*, a bathroom renovation) may be going on in a part of the structure that is completely separated from the ADU and have no bearing on the safety or habitability of that unit. The County has no justification for banning STR usage elsewhere on the property. Indeed, this appears to be another punitive rule designed to limit STR operations. It is especially backward as it will disincentive homeowners to make repairs to their properties (or to avoid seeking permits for repairs). Were the County to propose a rule that no *long-term* rentals could take place while any building permit was active anywhere in the building, one would expect vociferous protests from housing advocates about how retrograde such a policy would be. It is no less so for having been proposed for STRs.

2. Separately, that a “code enforcement case” is open is not grounds to suspend STR usage absent a clear, documented threat to the health and safety of guests or the neighborhood. If this rule were to go into effect, a code enforcement case could be opened for the most picayune matter—a one-time noise complaint, a garbage can raided by raccoons, street signage less than 4” in height, or even nothing at all if a vindictive neighbor calls in a baseless complaint—and immediately cut off STR rights until the County closes the case. This “guilty until proven innocent” approach makes no sense and would deprive homeowners of any semblance of due process rights.

3. Finally, by proposing to bar any kind of use of the entire “property with a short term rental license” for any “weddings, corporate events, commercial functions, and any other similar events,” the County would unduly restrict the use of entire properties (and not just the STR unit).

Some properties have multiple facilities onsite and are well-equipped to host such events and STRs at the same time or at different times without any adverse impact on the neighborhood. Requiring such properties to forfeit an STR license in order to host any such events is punitive and unfair. Further, the language “any other similar events” is vague and would give the County arbitrary power to decide that, for instance, a family reunion or birthday party ran afoul of this provision and should lead to the forfeiture of an STR license.

**Draft text:**

***5.41.050 Short Term Rental Property Standards (continued)***

***L. Local Contact Person Responsibilities.*** *A short term rental licensee must identify a local contact person for every unhosted short term rental. The local contact person shall respond to any complaint received regarding the conduct of the short term rental guests or the condition or operation of the short term rental and take any necessary remedial action to resolve violations of Marin County Code requirements in a timely manner. The short term rental licensee is responsible for the local contact person’s compliance with all provisions of this Chapter.*

***M. Host Responsibilities.*** *A short term rental licensee must identify a host for every short term rental that is not an unhosted short term rental. A host shall be on the premises between the hours of 10 PM and 5 AM every night when the short term rental is rented. The host shall respond to any complaint received regarding the conduct of the short term rental guests or the condition or operation of the short term rental and take any necessary remedial action to resolve violations of Marin County Code requirements in a timely manner. The short term rental licensee is responsible for the host’s compliance with all provisions of this Chapter.*

**Commentary:**

1. The County has not explained or presented data showing that current local contact person standards are inadequate. And, it is unclear what is intended with the provision that the licensee is “responsible for” the contact person’s compliance. Does the County intend to hold licensees strictly and vicariously liable for any action or inaction by the local contact person? Thus, once more, the County has proposed a Draft Regulation that is unnecessary and would inject further uncertainty into the operation of STRs.

2. The County’s proposed “house arrest” Regulation for hosts is especially baffling, unnecessary and, frankly, creepy. The essence of a hosted STR, even under the County’s proposed definition, is that a host shares a part of their own living space with a guest. Doing so makes efficient use of the space without having a living unit being solely dedicated to STR usage. There is no reason why a host should also have to be present during the STR rental, much less onsite overnight for specified hours any and every time a guest is present. The host is not a chaperone or a butler, and most guests would prefer to have the feeling of privacy that comes

with *less* interaction with a host, not more. The rule is thus bizarre and unnecessary at a minimum, and likely unenforceable absent extraordinary measure, thus making it of questionable constitutionality. Will the CDA's administrative regulations next require hosts to wear an ankle tracker to verify that they were home at the specified hours?

3. The same comments above regarding the vagueness of assigning the licensee host "responsibility" for host compliance apply here as well. Is the County intending that the licensee will monitor the host's nightly activities, and make the licensee vicariously liable for any actions by the host?

**6. Chapter 5.41.060 – Caps on the Number of Unhosted Short Term Rental Licenses**

**Draft text:**

***5.41.060 Caps on the Number of Unhosted Short Term Rental Licenses***

*The number of short term rental licenses for unhosted short term rentals shall be capped at the limits indicated below. Limits are based on the geographic areas in Marin County’s unincorporated jurisdiction shown on that certain map entitled “Townships of the County of Marin” kept on file by the Marin County Community Development Agency.*

**Table 1 – Short Term Rental Caps**

<b>Township</b>	<b>Initial Number of Unhosted Short Term Rentals</b>	<b>Ultimate Number of Unhosted Short Term Rentals</b>	<b>Reduction in Rentals / Percentage<sup>31</sup></b>
Bolinas	63	54	9 units / 14%
Dillon Beach	125	110	15 units / 12%
Forest Knolls	8	8	0 units / 0%
Inverness	93	86	7 units / 7.5%
Lagunitas	6	4	2 units / 33%
Marshall	28	27	1 unit / 3.6%
Muir Beach	20	19	1 unit / 5%
Nicasio	11	8	3 units / 27%
Olema	3	3	0 units / 0%
Petaluma	6	6	0 units / 0%
Point Reyes Station	32	26	6 units / 19%
San Geronimo	10	7	3 units / 30%
Stinson Beach	192	174	18 units / 9.4%
Tomales	12	11	1 unit / 8.3%
Woodacre	12	8	4 units / 33%
<b>TOTALS<sup>32</sup></b>	<b>621</b>	<b>551</b>	<b>70 units / 11.3%</b>

*The “Initial Number of Unhosted Short Term Rentals” referenced above in Table 1 establishes the number of licenses available for issuance for the valid applications submitted before July 1, 2025 (first round licenses).*

*First round licenses may be renewed. However, subsequent to these first round licenses being issued, the number of new licenses being issued shall decrease to the “Ultimate Number of Unhosted Short Term Rentals” established in Table 1. The cap on the*

<sup>31</sup> This column added by WMAC for purposes of analysis.

<sup>32</sup> This row added by WMAC for purposes of analysis.

*ultimate number of short term rental licenses in each township shall be eventually achieved as license applications or renewals decline over time.*

**Commentary:**

1. With this Draft Regulation, the County’s overt purpose in reducing visitor access to the Coast is on full display. The County has presented no data or analysis to support either the village-level proposed reductions or the aggregate proposed reduction of 70 units in West Marin. The County has presented no data concerning the impacts of this Draft Regulations on visitors, the local economy, or resources. The County has presented no data or analysis showing that the reductions in STRs shown above will have any impact whatsoever on the availability or affordability of long-term housing. The County has no justification whatsoever for the proposals above.

2. Contrary to the provisions of the LCP and LUP, which require the County to “[p]rotect and retain existing lower cost visitor and recreational facilities,” and expressly “[p]rohibit conversion of an existing lower-cost overnight facility unless replaced in kind” (C-PK-7 of the LUP), the caps would mandate the removal of one in every 11 STRs in unincorporated West Marin. Indeed, the greatest reductions in STRs are proposed for the Coastal Zone (58 out of 70 eliminated STRs, or 83% of the overall reduction). The proposed reductions would directly target some of the most sought-after communities among visitors (Bolinás, Dillon Beach, Inverness, Pt. Reyes Station, Stinson Beach) without providing any equivalent replacement options in kind, as mandated by the LUP. Stripping away economical visitor options from the Coastal Zone and popular visitor destinations adjacent to these communities is backward and illegal. This would represent the single greatest loss in public access to the Coast in the history of Marin County, if not the entire state of California.

3. Moreover, if adopted, the Draft Regulations would treat similarly situated communities in an unequal fashion. Some of the most popular communities among visitors, such as Dillon Beach and Stinson Beach, are slated for significant reductions in visitor access, while others are slated for a comparatively smaller reduction (Inverness, Marshall) or no changes at all (Olema). Adjacent communities will see disparate impacts. For instance, three of the four communities in the San Geronimo Valley (Lagunitas, San Geronimo, Woodacre) would each see reductions of 30% or more, whereas Forest Knolls would see no change at all. This is a bizarre and non-sensical result.

4. Furthermore, by comparing the caps to the parcel numbers provided in a prior County Staff Report<sup>33</sup>, one can see that the percentages of parcels in various communities that can be used as STRs will vary wildly. Under the proposed caps, some communities would see STRs as a percentage of parcels with developed living units in the low or mid-single digits:

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<sup>33</sup> Staff Report to the Marin County Planning Commission for June 12, 2023 Hearing, available at: [https://marin.granicus.com/MetaViewer.php?view\\_id=3&clip\\_id=11854&meta\\_id=1268019](https://marin.granicus.com/MetaViewer.php?view_id=3&clip_id=11854&meta_id=1268019).

Lagunitas: 4 / 282 parcels, or **1.4%**  
Woodacre: 8 / 578 parcels, or **1.4%**  
Pt. Reyes Station: 26 / 350 parcels, or **7.4%**  
Bolinas: 54 / 624 parcels, or **8.7%**

On the other hand, other communities would see dramatically different percentages of parcels with living units permitted to operate as STRs:

Dillon Beach: 110 / 408 parcels, or **27%**  
Stinson Beach: 174 / 704 parcels, or **25%**  
Marshall: 27 / 110 parcels, or **25%**

These disparate results are not the result of any kind of community input or deliberative process. They do not take into account any public health and safety factors or environmental concerns, nor patterns of visitors in each community. They instead simply reflect the status quo of how many parcels happened to be registered as STRs prior to the County's announcement of a potential moratorium. In other words, the County has done no data-driven analysis of visitor or resident needs in any of the communities in question. The County is instead proposing to turn back the clock and lock in STR limits based on the happenstance of how many TOT licenses were in place by community at a discrete point in the past. And, the caps forbid the elimination of an STR in one community (*e.g.*, Olema) being replaced by a new STR in an adjacent community (*e.g.*, Pt. Reyes Station). The absurdity of this approach is on display with the proposal to permanently lock in ten to fifteen-fold disparities from community to community. This is arbitrary, unfair and exclusionary.

5. The Community boundaries are unclear. We have been unable to locate online the map referenced in this Draft Regulation, titled *Townships of the County of Marin*. We thus cannot review whether the line-drawing between unincorporated townships is clear enough to delineate parcels or tracks communities' traditional boundaries. Requiring potential applicants to visit the CDA in person simply to know which "township" and set of caps their property would fall under adds further to the compliance burden of the Draft Regulations. Some owners might be surprised to learn that their property is classified in a township other than the one they feel most closely connected to.

6. More troublingly, it appears that by proposing a framework with strict caps and reductions over time, the County is trying to turn back the clock to, and permanently enshrine, the number of STRs in place prior to the County's announcement of a moratorium in early 2022. This does not represent a reasoned basis on which to project visitor needs going forward; it instead pretends that visitor needs and demands are static for all times. It creates a permanent moratorium, exactly what the County said the Coastal Commission would not permit by overt means. This will exclude visitors, especially those of lower economic means and those from diverse communities.



7. Studies have estimated that every \$65,000 spent on STRs creates a local job through direct and indirect economic activity.<sup>34</sup> By this estimate, STRs in West Marin support well over 100 local jobs. The County's proposed reduced caps will lead to anywhere from ten to dozens of lost jobs in the very communities the County claims it is trying to help.

8. Similarly, a loss of STRs will reduce TOT revenues for the County, and Measure W revenues that are dedicated to affordable housing and fire safety. If the County is permitted to reduce the number of STRs by 11.3% as proposed, we conservatively estimate that this would lead to the loss in the following five years of nearly \$3 million in TOT funding, and nearly \$1 million in Measure W funding. The County has no plan to replace this lost revenue. This will indisputably make it harder to achieve housing and fire safety goals. The County's actions reflect a mindset that it needs to destroy the community in order to save the community.

## 7. Chapter 5.41.070 – Violations

### Draft text:

#### **5.41.070 Violations**

*Any violation of the provisions in this Chapter shall be enforced through any legal remedies available to correct and/or abate a nuisance or violation of the Marin County Code, as provided in Marin County Code Chapters 1.05 (Nuisance Abatement), 1.06 (Recordation of Notice of Violation), and 1.07 (Imposition of Administrative Fines for Ordinance Violations) as they pertain to violations related to real property.*

*Short term rental licenses may be suspended or revoked if the licensee fails to meet the standards set forth in this Chapter and/or the requirements of the license. Short term rental licenses shall not be renewed if there have been more than two verified violations of the standards or administrative procedures during the previous two-year licensing period.*

### Commentary:

1. As discussed at several points above, the Draft Regulations provide no modicum of due process, no right to an independent hearing officer, and no right to appeal. By allowing the CDA to revoke property rights without notice or an opportunity to be heard, the County would be subjecting itself to due process claims and takings-related litigation.

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<sup>34</sup> Milken Institute, *Staying Power: The Effects of Short-Term Rentals on California's Tourism Economy and Housing Affordability*, available at: [https://milkeninstitute.org/sites/default/files/2022-05/Short\\_Term\\_Rentals\\_California.pdf](https://milkeninstitute.org/sites/default/files/2022-05/Short_Term_Rentals_California.pdf).

2. Furthermore, the Draft Regulation requiring revocation or non-renewal for “more than two verified violations of the standards or administrative procedures during the previous two-year licensing period” makes no sense. First of all, the standard is vague—does it require two or three violations? Second, there is no distinction between a minor and a major violation. Shutting down rentals over foot faults and trivial but fixable areas of non-compliance is punitive and unfair. Third, by referring to yet-to-be-drafted “administrative procedures,” the CDA would be giving itself power to cause licenses to be forfeited based on standards that do not exist currently. Finally, if an STR encounters a handful of issues at the beginning of a two-year period, but then fixes them all and sees no more violations for the duration of the period, the CDA would nevertheless be *required* to deny a renewal permit. Giving STR operators no opportunity or incentive to improve their performance simply makes no sense as a matter of policy.

## 8. Chapter 5.41.080 – Definitions

### Draft text:

#### *5.41.080 Definitions*

*Terms used in this Chapter are defined below, or when undefined below are subject to the definitions in Marin County Code Titles 20 and 22.*

**Commentary:** Title 20 is an interim portion of the code, and there are two versions of Title 22. The Draft Regulations should specify which Titles the definitions will be adopted from. Further, in omitting the Local Coastal Program and its various policies and definitions, the Draft Regulations would seemingly omit numerous relevant definitions and policies that apply to properties in the Coastal Zone. At a minimum, this creates the potential for ambiguous and conflicting regulatory standards.

*Agency Director: The Marin County Community Development Agency Director or their designee.*

**Commentary:** By allowing the CDA to appoint a delegee to administer the Draft Regulations, the County would be further shielding administration from democratic accountability.

*Change of ownership: A change in ownership of the property as defined in California Revenue and Taxation Code section 60 et seq., or its successor.*

**Commentary:** See comments above about the unfair consequences for allowing any change in ownership or “the beneficial use thereof” (Cal. Rev. & Taxation Code § 60) to cause the immediate loss of an STR license, potentially causing a surviving spouse to lose their home, or many other entirely foreseeable hardships that further no rational policy goal.

*Guest or Guests: The individual(s) occupying the short term rental for the purpose of overnight lodging, including any individual(s) invited to a short term rental by those occupying the unit for the purposed of overnight lodging.*

**Commentary:** This definition, as written, would encompass not only paying guests but also family members and non-paying invitees. It would give the County the ability to regulate any use of an STR property, even when used solely for personal purposes by the owner.

*Host: A host is a person identified by a short term rental licensee to reside at the property at which a short term rental is located.*

**Commentary:** By requiring a host to reside “at the property” during specified hours of an STR stay via the “house arrest” rule, the Draft Regulations would create burdensome and unnecessary requirements that will make for a worse visitor experience, all with no policy justification.

*Hosted Short Term Rental: A short term rental that is the primary residence of a host, or that is located on the same property as the short term rental to which the host’s role relates.*

**Commentary:** This definition states a test in the disjunctive, making vague what the County would consider to be a bona fide hosted STR. The phrase “to which the host’s role relates” is also unclear. Finally, this definition appears to be in tension with the “house arrest” requirement discussed above (§5.41.050(M)), suggesting that hosts must be physically present overnight when guests are present. If a “hosted” rental is simply one that occurs in the space that the owner typically occupies as his full-time residence, why also require the owner to be on-site during the STR rental period? Doing so will mean less guest space and privacy, leading to a less enjoyable experience and reduced visitor access. Such a requirement will also make it impossible for the owner of a primary residence to rent it as an STR during any period when the owner may be away for 1 or more nights. This makes no sense as a matter of economics or policy.

*Local Contact Person: The person or business designated by the short term rental owner to receive and respond to communications regarding a short term rental.*

**Commentary:** None.

*Long Term Tenant: A property lessee who occupies a unit as a primary residence for a period exceeding 30 days.*

**Commentary:** None.

*Natural Person: A human being as distinguished from a person (as a corporation) created by operation of law.*

**Commentary:** The term “natural person” does not appear in the Draft Regulations, but instead appears only in the separate definition for “property owner.” As discussed above, there is no evidence of corporate ownership of STRs, making such regulations distinguishing between natural and other persons unnecessary, in addition to raising questions of enforceability and constitutionality.

*Primary Residence: The dwelling in which a person lives for at least six months each year. A person must demonstrate a property is their primary residence by claiming a homeowner’s exemption on the property for the purpose of property tax assessment, or by providing document sufficient to establish, as determined by the Agency Director, the required residency, such as motor vehicle registration, driver’s license, voter registration, a utility bill, and lease.*

**Commentary:** This Draft Definition raises significant privacy concerns, as it would require the submission of substantial amounts of personal information to the CDA Director (or their designee). Further, it fails to provide an objective standard, as it allows the Director (or their designee) to subjectively determine what documentation is sufficient or not.

*Property owner: The owner(s) of record of the real property on which the short term rental is operated, and to the extent any such owner is a legal entity, any and all natural persons with an interest in such legal entity.*

**Commentary:** This Draft Definition raises further privacy concerns, as it would require information about any person with an interest in a property. Many properties are owned among multiple family members of different generations; requiring records for each of these individuals to be submitted is unnecessary and invasive.

*Short Term Rental (STR): A rental of a residential unit, or a portion of a residential unit, for a time period of less than 30 consecutive nights. Short term rentals are a residential use of property.*

**Commentary:** We appreciate the County’s acknowledgment that STRs constitute a residential use of a property, consistent with the discussion of their proper treatment as a principal permitted use under the Local Coastal Program. This confirms that Draft Regulations that unfairly single out STRs versus other residential uses are discriminatory and improper.

*Unhosted Short Term Rental: Short-term rental occupancy of a residential unit on a property that does not provide a primary residence for the property owner or a long term tenant.*

**Commentary:** With this Draft Regulation, the County apparently intends to ban any residential unit that serves as a “primary residence” from being offered as an unhosted STR. This makes no sense. Many homeowners offer whole-house rentals of their primary residence precisely when they will be away (on vacation, work travel, visiting family, etc.). This is the quintessential use

of home-sharing in a manner that does not risk taking away a long-term housing option from any other residents. By forcing the homeowner to offer their “primary residence” only as a less-desirable *hosted* STR (again, subject to the bizarre “house arrest” rule), the County would be taking away the most logical and lucrative option for the use of primary residences as occasional STRs. Doing so would harm many homeowners’ ability to defray mortgage and carrying costs via unhosted rentals, jeopardizing their ability to remain in their community. This further demonstrates that the County does not understand the industry it seeks to regulate and how frequently an owner rents their home for STR purposes. The County needs to do their homework before drafting regulations impacting residents.

## **VI. Suggested Questions**

Below, we provide suggested questions by topic for County Staff concerning the September 2023 Draft Regulations, and the County's process for drafting and evaluating the Draft Regulations.

### **A. Access to the Coast**

1. Why is the County targeting short-term lodging in the County's coastal communities and the villages adjacent to the largest percentage of the County's public land?
2. Has the County assessed how the Draft Regulations will impact visitors from diverse communities and their stay in coastal communities?
3. Has the County assessed how the prices and availability of lodging, especially lower-cost options, will be impacted by these Draft Regulations?
4. Has the County modeled the effect of losing 70 unhosted STRs upon Coastal Access, especially given that 58 of the STRs slated for elimination will be in the Coastal Zone?
5. Has the County studied visitor patterns for each of the coastal villages, and made an assessment as to how each community will be able to accommodate visitors going forward, especially in light of the proposed reductions?
6. Has the County modeled the effect of the loss of 70 STRs, and other rules such as the ban on second units being used as STRs, on diverse visitors and low- and middle-income visitors?
7. Has the County assessed how many currently operating STRs would meet the County's proposed definitions and restrictions to qualify as a "hosted" rental?
8. Given that the County has acknowledged that it does not have reliable data concerning the numbers of unhosted vs. hosted STRs currently offered in West Marin, does the County have a basis for disputing that the proposed reduction in STRs, largely concentrated in the Coastal Zone, will reduce visitor access to the Coast?
9. What is the rationale for obligating hosts to remain overnight any time a guest is on the premises? Won't doing so make the STR less desirable for guests and leave less space for guests, thereby further reducing access? Does any data suggest that this measure is necessary?
10. Is the County aware of any regulations approved by the Coastal Commission that cap and reduce visitor accommodations for the vast majority of a whole County, in this case, nearly 500 square miles of land directly adjacent to the Coast?

## **B. Economic Impacts**

1. Has the County modeled the loss in Transient Occupancy Taxes and Measure W revenues likely to result were the September 2023 Draft Regulations to be enacted? Does the County dispute that the proposed reduced caps would reduce TOT revenues by approximately \$3 million over five years, and Measure W revenues by an additional \$1 million over five years?
2. Has the County assessed what the loss of these revenues would mean for achieving affordable housing and fire and safety goals?
3. Has the County assessed the impact on West Marin residents who rely, directly or indirectly, on income from STRs for their livelihood?
4. Has the County identified any alternative sources of revenue for lost Transient Occupancy Taxes and Measure W revenues?
5. Why has the County not calculated occupancy rates or revenues for STRs based on the monthly TOT forms submitted for each STR in unincorporated Marin County?
6. Has the County estimated the likely job losses from the proposed reduction in STRs?
7. Has the County estimated the impact on related hospitality industries in the region—*e.g.*, impact on restaurants, stores, etc.?
8. Has the County assessed which communities would likely be most impacted by the loss in economic activity and jobs attendant with the proposed reduction in STRs—*i.e.*, the impacts on low- and middle-income workers who clean and maintain STRs or hold many jobs in the visitor-facing service industry?

## **C. Housing**

1. Why is the County proposing to hold STRs to different and far higher and more stringent standards than other residential uses, including long-term tenancies?
2. Has the County attempted to quantify how many STRs previously were used as long-term residences versus summer or part-time homes?
3. Has the County analyzed the use of STRs by guests, versus times in which STRs are used by homeowners, versus the number of homes that sit empty?
4. Has the County done any analysis concerning what impact the loss or reduction in STR operations (*e.g.*, due to banning second units) will have on homeowners' ability to remain in their homes?
5. Has the County done any analysis concerning these impacts on vulnerable communities or individuals on limited or fixed incomes (*e.g.*, retired persons)?

6. What data or analysis, if any, did the County consider before proposing to ban STRs in non-conventional structures (glamping, yurts, treehouses, etc.) that cannot be legally used as long-term housing?
7. Has the County collected any data or performed any analysis concerning the impacts of the current moratorium on long-term housing options?
8. Does the County have any data or analysis showing that reducing the number of STRs will improve the availability or affordability of long-term housing?
9. Has the County compiled data concerning housing insecurity in West Marin, as previously requested by the Planning Commission?
10. Why has the County not presented data supporting its assertion that STR operations conflict with housing goals for low- and moderate-income residents?
11. Given the lack of evidence showing that STRs reduce long-term housing in West Marin, why has the County uncritically repeated the talking points of anti-STR voices who have made this assertion?

#### **D. Health & Safety**

1. How many complaints has the County received in the past 2 years relating to STRs and (i) parking, (ii) trash, (iii) fire safety, (iv) water usage, (v) septic issues, and (vi) any other health and safety issues? How many of these complaints has the County verified as being well-founded?
2. Has the County considered whether enforcement of current regulations against STRs that have received complaints would sufficiently address the complaints that have been documented?
3. Why has the County exempted hotels, inns, campgrounds and other commercial operations from the proposed Draft Regulations?
4. How will the CDA Director determine what service levels of trash pickup are “sufficient” for unhosted STRs? Will this be a case-by-case assessment or will all STRs be required to pay for a particular service level?
5. Why is the County re-proposing signage requirements of the kind rejected by the Board of Supervisors in 2018? Has the County assessed potential security risks from requiring exterior signage announcing STRs and online advertisements disclosing STR license numbers and parking diagrams?
6. What is the rationale for obligating STRs that are currently self-sufficient and serviced by well water or a septic system to connect to municipal water or sewage systems? Won’t this *increase* the impacts of STRs on local resources? Does the County intend to ultimately require this of all other forms of residential use?
7. Why is the County holding STRs to different, and far higher and more stringent health and safety standards than any other form of residential use?



8. Why is the County holding STRs to different, and far higher and more stringent health and safety standards than actual commercial operations often owned by large corporations and intended to be operated 365 days of the year and exclusively catering to visitors?

**E. Enforcement & Legal Matters**

1. Has the County estimated or modeled the costs to homeowners of applying for STRs under the Draft Regulations and the range of compliance costs to homeowners?
2. Has the County estimated or modeled how many current STRs would no longer be able to legally operate under the new Draft Regulations, for instance due to the proposed parking requirements, the proposed septic requirements, or the proposed ban on the use of second units as STRs?
3. Has the County estimated the costs to the Community Development Agency for administering and enforcing the Draft Regulations? Has the County estimated how many individuals would need to be hired to administer and enforce the Draft Regulations county-wide?
4. Has the County modeled the likely range of application fees it would have to charge to cover the costs of administration and compliance?
5. Has the County considered paying for the costs of administration and compliance out of the 10% Transient Occupancy Taxes already remitted by STRs (thus, without affecting Measure W revenues)?
6. Why is the County proposing to treat residential property uses differently for the first time when the law and Local Coastal Program support treating both short- and long-term rentals the same?
7. Has the County coordinated with the California Coastal Commission about the September 2023 Draft Regulations?
8. Has the Coastal Commission expressed views concerning the proposed 11.3% reduction in STRs in unincorporated West Marin, or the fact that 58 out of the 70 proposed reductions would be concentrated in the Coastal Zone?
9. Has the Coastal Commission been informed that the Draft Regulations will increase costs and reduce the availability of economically priced visitor accommodations in an area adjacent to the Coast covering nearly 500 square miles?
10. Has the County asked County Counsel to review the Draft Regulations for their consistency with the Local Coastal Program or LUP? If so, what was County Counsel's response?
11. How does the County intend to reconcile the September 2023 Draft Regulations with the currently existing STR regulations under Chapter 5.41 of the Marin County Code? Would the existing regulations be maintained in whole or in part?

12. Does the County intend to remove provisions from current Chapter 5.41 concerning due process rights and the right to a neutral administrative hearing and appeal?
13. Will STR operators have any recourse or the right to a neutral hearing officer and appeal to Superior Court if their license is suspended or revoked for any reason?
14. Will STR operators be subject to suspension or revocation for any violations of the Draft Regulations or forthcoming administrative provisions, or will only specified violations subject the license to suspension and revocation?
15. Has the County begun drafting the proposed administrative procedures? When does it intend to release a draft of the procedures?
16. What is the basis for promulgating administrative procedures beyond those specified in the Draft Regulations?

**F. Follow-up Questions From June 12, 2023 Hearing Before Marin County Planning Commission**

1. How many workshops or focus groups has the County held since the June 12 Hearing? How is the County ensuring that all voices are heard and considered?
2. Why has the County taken a one-size-fits-all approach for the Draft Regulations, with only unhosted STR caps varying by community?
3. Has the County collected ownership data to assess the extent to which there is any evidence of non-resident corporate entities acquiring and operating STRs in West Marin?
4. Why is the County proposing detailed parking requirements when this is no longer a component of state law? Has the County considered the impacts of such requirements on visitors who do not have access to a car (*e.g.*, potentially eliminating STRs in village cores serviced by the West Marin Stagecoach)?
5. Has the County assessed the extent to which the proposed health and safety requirements will prove cost-prohibitive for a significant number of owners?
6. Has the County received input from the Coastal Commission concerning the effect of reducing STR licenses in the Coastal Zone?
7. Given the County's stated intent of enacting the moratorium to "stabilize" housing, what has the County done to measure the efficacy of this policy since its enactment?
8. Why, given County Staff's acknowledgment of the difficulties of policing a "natural person" requirement, is the County nevertheless proposing such a policy here? Has County Counsel opined as to the enforceability of such a limitation?
9. Has the County collected data concerning the intensity of uses of STRs, *i.e.*, how many STRs see occasional versus full-time occupancy as STRs?
10. Has the County taken any steps since the June 12 hearing, such as working with the Department of Finance, to improve the accuracy of data collected about STRs?

11. Why has the County seemingly rejected the idea that there should be flexibility in allowing second units and guest cottages to be operated as STRs—why mandate that only a main unit on a property be operated as an STR? Has County Counsel opined on whether this proposed rule is consistent with the policies of the Local Coastal Program?
12. Has the County made any effort since the June 12 hearing to obtain current or historical data concerning what percentage of housing units in West Marin are used as long-term rentals?
13. Has the County made any effort to calculate the number of living units affected by the Draft Regulations, as opposed to parcels with one or more living units? Won't counting parcels as opposed to living units undercount the total number of living units in West Marin, and thereby overstate the proportion of STRs to total living units?
14. Has the County gathered data on housing insecurity in West Marin?
15. What data or analysis indicates that the Draft Regulations would further the County's affordable housing goals, as opposed to undermining them by significantly reducing Measure W funds and destroying tens to dozens of local jobs in the service industry?

## **VII. Conclusion and Recommendation**

The September 2023 Draft Regulations represent the most backward and anti-visitor proposal to be put forward in the County in decades, if not generations. If enacted, they would cause the immediate loss of visitor access, with most of the reductions concentrated in the Coastal Zone of Marin, and the most likely losses concentrated among economical overnight accommodations. The Draft Regulations would cause this loss by hyper-regulating every aspect of applying for and operating an STR, driving up costs directly and indirectly. The County's approach would also deprive owners of due process, to the point that many operators will be driven out of the market due to the costs and burdens far outweighing the modest benefits of operating an STR.

The Draft regulations will also overtly limit access to the Coast by phasing out 70 unhosted STRs—the most popular form of rental, and the only form appropriate for groups—with the vast majority of the reduction concentrated in the Coastal Zone and near popular visitor destinations.

The Draft Regulations, if enacted, would harm the local economy, destroying dozens of local jobs depended on by low- and middle-income workers, and depriving the County of TOT and Measure W revenues. The Regulations would destabilize and harm the very communities it purports to protect. The only individuals who would benefit from enactment of the Draft Regulations are those relatively few individuals who are seeking to make their communities more exclusive, and who are already fortunate enough to own property independent of any support from the local tourist and visitor economy.

The County has presented no data or analysis that the onerous Draft Regulations are necessary or proper to address present-day problems. The County has presented no data or analysis that the Regulations that have been in place for the last several years are not serving their purpose. The County has presented no data or analysis that the Draft Regulations will improve the decades-long challenge of creating affordable housing in the area. It is clear that the manifest negative consequences that would flow from the Draft Regulations greatly outweigh any hypothetical benefits the County suggests could be achieved.

For these reasons, we respectfully recommend that the Planning Commission vote to reject the September 2023 Draft Regulations.

Respectfully,

West Marin Access Coalition

(Individual signatories listed on pages 2-5 above)

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: Short term rental legislation  
**Date:** Wednesday, October 11, 2023 12:09:43 PM

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Public Comment

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**From:** Camille LeBlanc <[camille@camilleleblanc.com](mailto:camille@camilleleblanc.com)>  
**Sent:** Wednesday, October 11, 2023 8:51 AM  
**To:** PlanningCommission <[PlanningCommission@marincounty.org](mailto:PlanningCommission@marincounty.org)>  
**Subject:** Short term rental legislation

You don't often get email from [camille@camilleleblanc.com](mailto:camille@camilleleblanc.com). [Learn why this is important](#)

To Planning Commission of Marin County:

In light of the upcoming vote on the legislation for short-term rentals, I would like to convey my personal experience as a host to guests. There are two points that I would like to raise.

The first and most important to the vitality of the Inverness economy is the fact that the revenue flows to the community by virtue of the fact that guests in my two guest rooms unfailingly visit the local restaurants Salt Water Oyster Depot and Inverness Park Market are unfailingly frequented by my guests at least once and often nightly during their stay. But as a resident who does not frequent restaurants, putting a moratorium on the flow of revenue to local businesses and to the County for that matter would stop. The second point is of a personal nature. Due to recent health events, the income from the guest houses is significant to my ability to stay in West Marin.

Sincerely,  
Camille LeBlanc

**From:** [John Arguelles](#)  
**To:** [Kilgariff, Kathleen](#)  
**Subject:** STR  
**Date:** Wednesday, October 11, 2023 11:03:18 AM  
**Attachments:** [A9463CFD-EE05-401A-A9CC-BAB4E0936F55.png](#)

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You don't often get email from johngo2dillonbeach@gmail.com. [Learn why this is important](#)

Hi, my name is John Arguelles,

I have lived in Dillon Beach for 35 years, my family has ranch cattle through tamales and Marshall. I have built homes and then handyman work and Dillon Beach since I was 19. My mother worked as a real estate agent and Dillon Beach during those 35 years growing up out here.

In the last 10 years I was lucky enough to start a property management Company to support me and my family.

Dillon Beach has always been vacation tourist spot ever since I have started living out here. Half of the homes out her or second homes that no one uses, another portion or second homes that are used for a vacation rentals. We have maybe 40 full time residents and out of those 60% are retired.

Dillon Beach is an isolated coastal town with no infrastructure whatsoever. I've seen families trying to live out here only realizing they have to spend hours driving the kids to school or to go to the grocery store and decide it's too much to stay.

Most of the owners of the second homes rent their property out not because they're wealthy or making huge sums of income but only to cover the cost of maintaining their properties. The rich do not need to rent their homes and that's why you will find a large amount of vacant homes sitting with no one occupying them or using them.

I've seen properties that the owner will visit maybe twice a year and the rest of the time the home just sits.

It seems like Marin county had a goal for low income housing which it realizes it is a far more complex project, then they changed agendas and now the focus has gone on to blaming short term rentals for the demise of communities.??

I don't understand why the board of supervisors put us an unincorporated zone when clearly we are coastal zoning and should be treated such. I don't understand why the agenda has changed from affordable housing which has not changed anything in the full-time rental market. In fact three full-time families that live out here are moving either do to health issues or work location. They are having a difficult time selling their properties in the real estate market due to high interest rates and the STR moratorium when we had healthy real estate market on the coast due to short term rentals.

We are heading to uncertain financial times and this is causing more hardship for no reason whatsoever.

The new regulations for parking in the village for Dillon Beach which the county allowed homes to be built without parking and septic inspections would cause half of the homes in the Village area not to be able to rent out. Does this regulations imply for full-time renters if not why?

The existing short term rentals should be grandfathered in, we should be treated as a coastal zoning not an unincorporated zone, the coastal commission realize the importance of short trip rentals for all the state parks not to mention all the businesses out here that depend on tourism.

They've had two years to gather data to show that this is helping communities a long-term rental but there is no data to back up any of their proposals. There is data showing this is causing tremendous harm and will for years to come.

Again, I ask you what is the agenda? To me it seems like a political gambit gone wrong;

.

Thank you

John Arguelles  
Dillon Beach

John Arguelles  
Dillon Beach Rentals  
707-346-0328  
[dillonrents@gmail.com](mailto:dillonrents@gmail.com)



**From:** [Susan Raynes](#)  
**To:** [PlanningCommission](#); [Kilgariff, Kathleen](#)  
**Subject:** Fwd: Draft Letter to Supervisor Rodoni  
**Date:** Wednesday, October 11, 2023 10:10:06 AM

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

Hello,

I am forwarding a letter I sent to Supervisor Rodoni in early March, related to proposed limitations on short term rentals in West Marin. As a long time local homeowner I am very concerned about how limitations might impact the well being of the local community, access to the local parks and resources, as well as my own long term ability to retain my retirement home in the area.

Thank you for your consideration,  
Susan Raynes

----- Forwarded message -----

**From:** Susan Raynes <[susanraynes@gmail.com](mailto:susanraynes@gmail.com)>  
**Date:** Sat, Mar 4, 2023 at 10:56 AM  
**Subject:** Letter to Supervisor Rodoni regarding Short Term Rentals in West Marin  
**To:** <[drodoni@marincounty.org](mailto:drodoni@marincounty.org)>, <[STR@marincounty.org](mailto:STR@marincounty.org)>

Dear Supervisor Rodoni,

I am a homeowner at 60 Cromary Way in Inverness, and would like to share my experience and views on the proposed short term rental limitations in West Marin. As background, I am a 4th generation Marin resident--I grew up in San Geronimo Valley and broader Marin, attended Lagunitas School, (then) Drake High School and graduated from Cal Berkeley. My family and I have a deep love for West Marin and the North Coast and my long term goal is to retire to my home in Inverness.

I purchased my home in 2009--it was falling apart and the house and property had been severely neglected for many years. I secured local contractors and workers to completely renovate the home and property, improve systems to code, and do significant tree work and fire abatement. I have rented my home both on a long term basis when I lived abroad for several years (to a local bakery owner and other local residents), and in more recent years I have rented it on a short term basis when my family and I are not using it, which is quite frequently. While I have no plans to rent the house on a long term basis, short term rentals provide some financial support for me, an opportunity for visitors to enjoy Inverness, the National Park and broader West Marin, and support for the local economy as many shop and dine quite locally. Short term rentals are an affordable and attractive way for people of all income levels to enjoy the area and visit the National Seashore.

My short term rental income provides less than break even coverage for me, however it helps me maintain the home and support those who help me do so--local repair, garden, tree and cleaning staff as a start, as well as local deli's, restaurants and shops where I purchase all my food and supplies. If I was not allowed to rent my home on a short term basis it would be a



financial hardship as I am about to retire and I count on that income to cover some ongoing expenses, however I would not sell the home or rent it full time. It would sit empty when I was not using it.

I also understand that the Marin Transient Occupancy Tax paid by short term renters helps support local nonprofits, and that there are no plans to replace that source of funding if STR tax revenues decline. I am concerned that defunding affordable housing and emergency services would be devastating to the local community that relies on those services. Further, I am concerned that prohibiting short term rentals and taking that source of affordable visitor housing away will simply encourage more 'day trippers' in cars who clog the two lane roads and create significant environmental impact.

I hope my experience helps support a solution that allows short term rentals to continue in West Marin, albeit with sensible parameters.

Thank you,

Susan Raynes  
60 Cromary Way  
Inverness, CA

**From:** [KATHLEEN HURLEY](#)  
**To:** [STR](#)  
**Subject:** Comments to Draft STR Ordinance for Stinson Beach: Request to Grandfather some aspects of ongoing rentals; parking, admin review and appeal procedures  
**Date:** Tuesday, October 10, 2023 4:01:31 PM

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You don't often get email from kjhurley77@aol.com. [Learn why this is important](#)

Attention Kathleen Kilgariff for Staff Report consideration and inclusion please:

I write as one who currently owns two licensed short-term rental cottages in Stinson Beach on a private street near the beach. I bought the cottages in 2007 for my own weekend use as well as for part time vacation rentals. Both cottages were successfully managed for about ten years by Oceanic Realty, a long-established company in Stinson Beach and also the company that sold the property to me. More recently the two cottages are professionally managed for me by Colby Gilbert of StinsonBeachPM. These beach cottages have been licensed as vacation rentals, collecting taxes and providing happy experiences for beach visitors over the last 15 years. By renting them I am able to cover my mortgage costs to make ownership affordable to me while also being able to realize my own dream to have a part time beach haven of my own. I would like to continue to rent both my small, one bedroom beach cottages as I successfully have under professional management and in compliance with community standards.

If the proposed draft on short term rentals (STRs) is adopted it would seem to put both my ownership and rental income status at risk. Two new barriers to my existing rentals are presented though they have been managed and rented without complaint for nearly 15 years: 1) prohibition to rent more than one dwelling on a property and 2) newly mandated guest parking requirements.

Unless my cottages are accepted to continue based on their years of successful past use, the terms of this draft would seem to disqualify me from renting them based on draft **standard 5.41.050 C One Short Term Rental Per Property**. It says: **Only one short term rental is allowed per property. If a property contains both a main dwelling and an accessory dwelling unit, only the main dwelling unit may be rented on a short-term basis.**

Given I have two cottages of essentially equal size on a double lot, neither is an accessory unit in my case. My double-sized lot has one cottage of approximately 400sq feet on each side with as much land space as a regular Calle neighborhood lot. Each has a separate entrance and fenced yard. These are literally small beach cottages, built for beach vacation use. They rent for essentially the same amount. When I purchased the property it was with the advice of my local realtor that I would be able to rent them to help cover my ownership costs and then to use them when vacant or as booked for my own use. This is what I have been doing for many years. It would be a **taking** of half my rental income to deny me the ability to continue to rent my cottages that were bought years ago with that purpose and intention.

If the goal is to restrict the number of STR licenses to protect the character of the community, I believe discouraging the rental of original weekend beach cottages is contrary to that goal. There are still small beach cottages remaining and in use as rentals. These are not the ones typically causing community complaints compared to larger and newer structures that advertise occupancy of 8 to 18 persons. Does the community really want to favor larger and more modern occupancy dwellings and take the little ones off the market? Please consider the impacts on historic character.

**Section D Short Term Rental Parking Requirements** potentially could disqualify a number of small beach cottages such as mine in the Calles at Stinson Beach where the streets are privately owned. Some of the single lots are so small and the parking parallel that only one car fits in road out front. I have a double lot and in theory there could be enough room created for two off street parking spaces for each cottage. However, due to a number of factors including placement of a telephone pole and stability ground wires, the location of required trash bins and of deep sunken posts to rope access, various plantings, fencing and the stop sign, there are physical obstacles that are there existing reasonably for public benefit and for character. As a result, I have advertised one parking spot per cottage and then directed others visiting to park on the adjacent public street nearby. This has worked well, especially as my property is on a corner next to public street parking. I have a third unadvertised off street parking place that has been helpful at times though the renters understand only one space is promised. In the private Calle renters are told not to park in front of any other home on the street as each owner has their own parking. By limiting the number of renters to 2 or very occasionally 3 by arrangement, and by advertising in advance only one guaranteed space per cottage, the provided parking has worked out without complaint. If I were forced to create a fourth parking place in front of the cottages almost certainly that would be an encouragement to invite more people to come out and put more cars on our street. By removing fencing, plants and the wood posts that have been there on the corner for more years than I have been in the neighborhood, it will change the look of the area and take away some rustic character that makes for the charms of an older beach cottage. I know other small cottage owners are in a similar bind with only one advertised place per cottage which naturally serves to screen out renters who are looking to invite a bigger group of guests.

One solution would be to adopt language similar to that used in the Santa Cruz STR ordinance: **Please note that the property must be in full compliance with the current minimum parking requirement, which is 1 parking space for each studio/1-bedroom residence and 2 parking spaces for each residence containing 2 or more bedrooms.**

Some vacation rentals I saw advertised in Stinson Beach on VRBO have 8, 10, 12 or even 18 person occupancies so perhaps the number of offstreet parking places could be adjusted such as minimum one space for studio or single with no more than persons occupancy; two parking spaces for a 4-6 person occupancy and one extra space for every 3-4 additional persons.

In addition, if there is supplemental street guest parking within easy walking distance would that possibly be sufficient to address the guest parking provision for small studio or one bedroom cottages who only have (and only advertise) use of one off street parking space?

For these two new and impactful proposed standards, I respectfully suggest modification of draft ordinance with application of a “grandfather clause.” Successfully operating rental properties in the current license pool could be grandfathered in with assurance the successful policies in place would continue to be implemented. For example, one could add language such as this: Studio or one bedroom dwellings may be granted a waiver of the above requirements if already serving as existing licensed vacation rentals for ( X number) years or more without a record of complaints or violation. A provision such as this would allow the older, smaller cottages, as well as other established rentals, to stay in the rental pool without adversely affecting the owner’s existing income ability or putting more burden on the community. Could we not add language or provisions to this ordinance to avoid taking from owners the use of the property and income in the ways they have been previously been legally allowed and which they expected to be able to continue?

Given all the new proposed requirements that if not met could result in license loss or denial to renew before implementation will there will be a way for questions to be clarified or time allowed to applicants to make any needed corrections or adjustments? Will there be any appeal process or time to amend an application if there is something deemed insufficient? For example, what if required plans, site details, safety inspections, water use bills, proofs of parking are questioned by the deciding application staff? What discretion will be allowed to resolve an application issue? Shouldn’t there be a time frame to be advised of possible denial and for the owner to rectify whatever the problem is? That seems fair given how seriously a denial could impact an existing rental property owner who is depending upon ongoing rental income and has commitments to honor. Abrupt cancellation doesn’t reflect well on the community if planned vacations are abruptly stopped with out a reasonable notice period, perhaps 30 days ahead.

In reading the draft policy, many interests are represented that will ultimately impact and limit the number of units available in the Stinson Beach community as well as elsewhere. It is challenging to write a regulating policy document that fits all situations well since there are large and newer diverse homes in non-vacation areas mixed in with small cottages and buildings intended for weekend and summer use at the beach, the woods, by hiking trails or in other vacation areas. For this reason, I believe there must be an administrative appeal process and timeline to allow some back and forth for regulators and applicants as well as for special or unusual cases to be considered and addressed.

Thank you for your thoughtful work and consideration.

Kathleen Hurley

Stinson Beach

Photos of my two cottages on Calle del Occidente across from Fire Station on Calle del Arroyo.

My two cottages, pictured with the current offered parking spaces and the various existing obstacles to adding more guest parking without tearing out aspects of local character. Why create a problem with the small cottages when it is the big party houses advertising 8-18 occupants allowed yet two parking spaces are required for both. Would it not make more sense to moderate this to align with size and advertised occupancy limits? If only two people are allowed and only one offstreet parking space is guaranteed, should that be denied use when a house that allows 10 has only two places? Why not one guaranteed spot for studio or one bedroom, two parking spots for 2 bedrooms or 4-7 person occupancy, three parking spots for 8 to 10 and 4 parking spots for more? This will provide significant help to the community without encouraging the highest occupancies.













**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: STR restrictions  
**Date:** Wednesday, October 11, 2023 12:15:30 PM

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Public Comment

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

From: PAULA EMIGH <paulaemigh@sbcglobal.net>  
Sent: Sunday, October 8, 2023 2:50 PM  
To: PlanningCommission <PlanningCommission@marincounty.org>  
Subject: STR restrictions

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

Dear Commission Members,

I am a property owner in Dillon Beach. I am very concerned about the proposed restrictions the county is wanting to impose on short term rentals in coastal communities. My property is used by myself, family members and friends for weekend get aways and vacations. When we are not using it, the house is available for short term rental through a local property manager.

You have received and will continue to receive letters and communications which articulate the facts, figures, and statistics about the advantages of allowing STRs. I will not repeat what others are able to express so much better than I. I will ask that you exercise your influence and authority in this matter by taking careful consideration of both the details of the ordinance and the process by which it was developed.

Thank you!  
Paula Emigh  
Tax Payer  
Dillon Beach

Sent from my iPad

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: New regulations concerning Commercial Overnight Housing in West Marin  
**Date:** Wednesday, October 11, 2023 12:14:12 PM

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Public Comment

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

From: george marzocchi <zaki23@earthlink.net>  
Sent: Sunday, October 8, 2023 8:48 PM  
To: PlanningCommission <PlanningCommission@marincounty.org>  
Subject: New regulations concerning Commercial Overnight Housing in West Marin

[You don't often get email from zaki23@earthlink.net. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

You know the details on this so I ;ll keep it short:  
Please consider the impact the abundance of STRs is having on West marin.  
Any regulating should be done with consideration of the shortage of affordable housing around here.  
It's a serious issue and will not improve without considerate regulation regarding rentals and housing at large,

Thanks for your work,

George Marzocchi  
445 Cedar Rd  
Bollinas CA 94924  
415 609 7002

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Marin STR comments  
**Date:** Sunday, October 8, 2023 9:09:20 PM

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Alice Fang with email address [xalicefang@gmail.com](mailto:xalicefang@gmail.com) would like information about:  
Comment re: "Special Events. Weddings, corporate events, commercial functions, and any other similar events shall not be held on a property with a short term rental license."

What constitutes a "special event" is unclear. Is a 25 person family reunion a special event? What about an overnight retreat from a small group at church? If a couple wanted to have a 25 person wedding in a large private ranch, why should that be not allowed?

It doesn't make sense to have be a blanket ban. If the event is a disturbance to neighbors and they complain, the STR owner should be warned and their STR permit revoked if the issue continues and is not resolved. If the property is miles away from the nearest neighbor, this shouldn't be an issue.

Also, if a property acquires a conditional use permit to hold special events and also has a short term rental on site, the language here implies they need to forfeit their STR in order to hold special events, which also doesn't make sense.

**From:** [Patricia Bradford](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Saturday, October 7, 2023 4:29:54 PM

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

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. Please ensure that the following provisions are added or strengthened:

1. No corporate ownership;
2. Strict enforcement of health and safety standards by the County. "Self-certifying" by the owner that these standards are being met is completely ineffective - it's the County abrogating its responsibility to provide safe accommodations to visitors;
3. Most importantly A MUCH LARGER REDUCTION in the number of unhosted STRs than what is proposed in the draft. Much lower caps on unhosted STRs are needed to restore the health of our coastal West Marin communities, while the current draft ordinance actually increases the allowable number. This is in direct conflict with the County's own Housing Element and Local Coastal Program, as well as the wishes of a majority of West Marin residents.

Thank you for your consideration,  
Name: Patricia Bradford  
Address: 445 Cedar Rd  
Email:pbradford@me.com

Sent from my iPhone

From: [marie@spectrumskamps.org](mailto:marie@spectrumskamps.org)  
To: [marie@spectrumskamps.org](mailto:marie@spectrumskamps.org)  
Cc: [marie@spectrumskamps.org](mailto:marie@spectrumskamps.org)  
Subject: 2019-2020 School Year  
Date: Wednesday, October 11, 2019 10:17:57 AM

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Public Comment

-----Original Message-----  
From: marie@spectrumskamps.org <marie@spectrumskamps.org>  
Sent: Friday, October 11, 2019 8:11:04 AM  
To: PlanningCommission@marioncountymn.gov  
Subject: VTL in West Maric

[You don't often get email from marie@spectrumskamps.org. Learn why this is important at <https://www.linkedin.com/company/spectrumskamps>]

I am writing to express my deep disappointment in the county's plan for short-term rentals in Marion County. I have been a full-time resident of Marion for more than 25 years. In that time I've seen the number of children attending the school drop significantly and the number of vacant homes rise astronomically. This town is a virtual ghost town during the week because hundreds of homes sit empty, no longer available for residents and families to rent long term. Owners of these homes are sometimes a mystery and make no effort to be a part of the community. Homeowners need homes. Do better.

Marie Popper

Founder and Program Director

Spectrums of Camp

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

415-302-7112 (cell)

"There are a million ways to surf and, as long as you are smiling, you're doing it right." - unknown

Sent from my iPhone

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: STR Plan  
**Date:** Wednesday, October 11, 2023 12:17:02 PM

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Public Comment

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**From:** Renee <reneeem1999@gmail.com>  
**Sent:** Friday, October 6, 2023 9:33 PM  
**To:** PlanningCommission <PlanningCommission@marincounty.org>  
**Subject:** STR Plan

You don't often get email from [reneeem1999@gmail.com](mailto:reneeem1999@gmail.com). [Learn why this is important](#)

Dear Planning Commissioners,

I have been hoping you would be decreasing the use of Airbnb's and other short term housing measures in West Marin, which has gotten out of control. I know of so many people who lost their long term rentals, or had to move out of Bolinas, because there were no rentals available - and this shortage is largely the result of owners using their 2nd homes as VRBO's and Airbnb's. Cities and counties all over the country - actually the world! (my Parisian friends tell me Paris' new limitations) - are enforcing new restrictions on STRs. Hearing that you are about to increase rather than decrease the numbers of STR's was shocking and extremely disheartening. Please don't make our situation even worse.

I live in Bolinas and am fortunate to own a home (after decades of renting), but friends of mine cannot find rentals. And my neighbor is airbnb'ing his house to groups on the weekends, which means a lot of noise that carries into my bedroom - and a lack of neighborly feeling.

Restrictions can be made on the #s of homes that can be used as STRs - especially in a small community like Bolinas - and/or on the #s of days/year an owner can do STRs, or having people who don't reside in their homes or properties restricted from doing STR's.

Please help us - and please don't hurt us further!

Renee Emunah

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Marin STR comments  
**Date:** Friday, October 6, 2023 8:39:05 PM

---

Alice Fang with email address [xalicefang@gmail.com](mailto:xalicefang@gmail.com) would like information about:  
Comment on "Host Responsibilities. A short term rental licensee must identify a host for every short term rental that is not an unhosted short term rental. A host shall be on the premises between the hours of 10 PM and 5 AM every night when the short term rental is rented."

Part of our goal of STR is to be able to rent our primary residence when we are out on vacation. This requirement seems unnecessarily restrictive. Could the planning commission consider the same 'Local Contact Person' requirement for hosted STRs?

**From:** [Lisa Martin](#)  
**To:** [PlanningCommission](#)  
**Cc:** [Kilgariff, Kathleen](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Please VOTE NO on the draft short term rental standards  
**Date:** Friday, October 6, 2023 2:36:41 PM

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Some people who received this message don't often get email from [ljmartin70@gmail.com](mailto:ljmartin70@gmail.com). [Learn why this is important](#)

Dear Commissioners of the Marin County Planning Commission, Supervisor Rodoni, Supervisor Rice, and Ms. Kathleen Kilgariff,

As a frequent visitor, I write in opposition to the County's draft short term rental standards which will result in making vacation homes in West Marin more expensive for everyone and limit access to the coast and parks in the region.

My wife and I are frequent visitors to the area, enjoying the Pt. Reyes National Seashore and have been for more than 20 years. We visit as both campers and guests in vacation rental homes. We visit several times a year to hike, camp, or take week-long vacations.

I fear that fewer vacation homes will make it even more difficult and even more expensive for those coming from afar, or even just across the bridge, to experience the coast and parks. Marin is a very special place to us and one that we fear will become inaccessible to those with less means. This regulation feels like one more step the residents of Marin are taking to keep everyone else out. Is that the intent?

West Marin should not be protected for just those who were fortunate to buy houses there. It is the home to millions of acres of public land. That means land that belongs to all of us and to all our future generations. You should be thinking of ways to increase the access for more and more diverse communities to these national treasures - NOT limit it only to those of rarified socio-economic means.

Please send these regulations back to the drawing board, and ask County staff to define the issue, provide documentation, analyze the impact and work with the stakeholders they seek to regulate. Please vote no on the draft regulations and help stop the County's misguided effort to limit visitor access to the region's public lands.

Lisa Martin  
Oakland, CA



**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: STRS  
**Date:** Thursday, October 12, 2023 9:59:04 AM

---

Public Comment

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**From:** Pat Wrobel-Dickens <pwdickens@yahoo.com>  
**Sent:** Thursday, October 5, 2023 9:22 AM  
**To:** PlanningCommission <PlanningCommission@marincounty.org>  
**Subject:** STRS

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

Please decrease STRS in coastal Marin, not increase them. Thank you. Pat Dickens Bolinas resident for 30 years.

[Sent from Yahoo Mail for iPhone](#)

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: STR  
**Date:** Thursday, October 12, 2023 9:58:46 AM

---

Public Comment

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

From: ChouChou Mora-Lopez <[choubedo@gmail.com](mailto:choubedo@gmail.com)>  
Sent: Thursday, October 5, 2023 8:00 AM  
To: PlanningCommission <[PlanningCommission@marincounty.org](mailto:PlanningCommission@marincounty.org)>  
Subject: STR

[You don't often get email from [choubedo@gmail.com](mailto:choubedo@gmail.com). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

I am shocked and beyond disappointed that you have not significantly changed the STR rules in West Marin

My family and many others have been forced to move for lack of housing

I grew up in Bolinas, raised  
My kids there, worked there, went to school there, volunteered there, supported the small businesses and this is just so incredibly sad

We had to move to sonoma County and my kids commute to college in SF, an awful awful Commute

They had to Leave the only home they have ever known. We moved 5 times in their 20 years. All were because the owners were selling for a ridiculous amount of money, or leaving empty as a second home and eventual vacation rental We (Bolinas ) are well on our Way to becoming another Carmel, where at least they have better rules in place

Any further meetings MUST be over zoom, we should all have the ability to listen comment

Shame shame shame

Siobhan Mora-Lopez  
-kicked out Ex-Bolinas resident

We are soon to be

Sent from my iPhone

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: STR's  
**Date:** Wednesday, October 11, 2023 12:21:58 PM

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Public Comment

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

From: Robert Densmore <[densmorerobert4@gmail.com](mailto:densmorerobert4@gmail.com)>  
Sent: Thursday, October 5, 2023 12:17 PM  
To: PlanningCommission <[PlanningCommission@marincounty.org](mailto:PlanningCommission@marincounty.org)>  
Subject: STR's

[You don't often get email from [densmorerobert4@gmail.com](mailto:densmorerobert4@gmail.com). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

I'm really upset that Marin County is planning to allow more short term rentals in West Marin! There is a problem with housing in West Marin and this is not the answer. Please reconsider, and consider limiting short-term rentals, especially when people are making large amounts of money and gobbling up the housing inventory. Your plan to allow more short term rentals, only benefits, the wealthy and the corporate owners, and does nothing for the local people and local housing issues. East Marin is limiting short term rentals, West Marin should be in the same boat. I urge you to reconsider and don't go through with your plans.

Thank you,  
Bob Densmore  
Bolinās Resident  
PO Box 836

Sent from my iPhone

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: Draft STR Standards West Marin  
**Date:** Wednesday, October 11, 2023 12:20:14 PM

---

Public Comment

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**From:** Amelia Straton <ameliastraton@gmail.com>  
**Sent:** Thursday, October 5, 2023 3:11 PM  
**To:** PlanningCommission <PlanningCommission@marincounty.org>  
**Subject:** Draft STR Standards West Marin

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

Dear Planning Commissioners and Supervisors,

While drafting a STR ordinance is a step in the right direction, but this draft fails to protect our residential communities and is out of line with the current need to provide long term housing, It is allowing an already destructive industry to increase and forcing more more full time residents to leave by decreasing the number of units. That should never be allowed to happen before The required level of housing for our residents has been met (not planned but actually built and provided).it has no teeth and doesn't go far enough. Please ensure that the following provisions are added or strengthened:

1. No corporate STR ownership; when housing is owned by a natural person they can develop a caring relationship with a community and possibly change course and become part of that community. A corporate or investment property portfolio is simply an extractive relationship....all take.
2. Strict enforcement of health and safety standards by the County. "Self-certifying" by the owner that these standards are being met is completely ineffective - it's the County abrogating its responsibility to provide safe accommodations to visitors;
3. Most importantly A MUCH LARGER REDUCTION in the number of unhosted STRs than what is proposed in the draft. Much lower caps on unhosted STRs are needed to restore the health of our coastal West Marin communities, while the current draft ordinance actually increases the allowable number. This is in direct conflict with the County's own Housing Element and Local Coastal Program, as well as the wishes of a majority of West Marin residents.

Thank you for your consideration,

Amelia Straton  
86 Wharf Road  
Bolinas, CA 94924

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: Opposition to STR Regulations  
**Date:** Wednesday, October 11, 2023 12:19:55 PM

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Public Comment

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**From:** Audrey K <audreyaced@gmail.com>  
**Sent:** Thursday, October 5, 2023 3:55 PM  
**To:** PlanningCommission <PlanningCommission@marincounty.org>  
**Subject:** Opposition to STR Regulations

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

Dear Marin County Planning Commission,

I am in opposition to the County's draft short term rental standards which will result in making housing in West Marin less cost-efficient for everyone and limit the ability of local, national and international travellers to visit this region.

The regulations as drafted will greatly impact visitors to the region, and present economic hardship to some homeowners in W. Marin.

Some homeowners depend upon ST rentals to help cover their costs of property taxes, mortgage, insurance and maintenance. The payment of all of these expenses helps the local and State tax bases and services, provides employment to service and crafts people locally. Further the ST renters provide revenue by their purchasing of goods and services (at a higher rate than a permanent resident, due to needing to buy groceries and supplies for ST rental, or frequenting cafes and restaurants, rental of sports equipment, visiting local parks. By reducing housing options for visitors, the county is inadvertently reducing visitor access to the coast and parklands.

Additionally, homes such as the one I own and all my neighbors own at Stinson Beach which we reside in part time, but rent ST are NOT removing housing stock for local residents, as these homes are not affordable for LT or permanent rental. Local residents would not be able to afford the rent required to cover the baseline yearly expenses for "vacation homes" at Stinson Beach.

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

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

I hope that you will consider these factors and my opinion in your deliberations on the STR regulations, which I find short-sighted, and unhelpful, in fact, harmful for your purported goals.

Sincerely,  
Audrey Koh  
homeowner

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: Welcome Short Term Rentals for Fire Safety + Economic Recovery  
**Date:** Wednesday, October 11, 2023 12:19:17 PM  
**Attachments:** [TREE BRUSH REMOVAL.png](#)  
[West Marin Elementary School.png](#)

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Public Comment

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**From:** J. G. <[golubjennifer@gmail.com](mailto:golubjennifer@gmail.com)>  
**Sent:** Thursday, October 5, 2023 10:37 PM  
**To:** PlanningCommission <[PlanningCommission@marincounty.org](mailto:PlanningCommission@marincounty.org)>  
**Subject:** Welcome Short Term Rentals for Fire Safety + Economic Recovery

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

Greetings-

**How does West Marin stay Fire Safe?** By people like **me**. Indeed, individual homeowners like me. Annually I hire a full team of arborists to cut limbs, and cart deadwood off my 1-acre wooded property to keep it fire safe. The crew costs have run tens of thousands of dollars over the years. **How do I fund it?** By periodically renting my home.

I urge you to encourage Short-Term Rentals without limitations in West Marin County.

I'm a full-time resident of Inverness. I commute to an Oakland based 5013c dedicated to improving public high school education. I am 65 years old, hoping to retire. This moratorium on rentals has crushed me. Any further rental limitation would force me to sell and be displaced.

I urge you to encourage as many Short-Term Rentals as possible. I am watching a town be decimated with financial loss and closures at every turn. The Cowgirl Creamery has left, the restaurant Stellina pulled up stakes, the butcher Marin Sun Farms, and The Sir and Star shuttered. Overnight guests double the investment of daytime visitors! They generate four times the amount of revenue versus local residents. The **West Marin community is desperate for the economic recovery that Short Term Rentals bring.**

The Hamptons outside of New York City welcomes the taxes they earn from Short Term Rental vacation homes with **no limitations**. Short Term Rentals have zero impact on the cost of housing, a whipped-up fallacy with zero data support. The enrollment data at local schools has the highest population of students they have had in a decade with a growing trajectory.

I have made ends meet by renting in the summer months and the holidays such as Thanksgiving and Christmas, operating my residence as a part time STR since 2018. (The county blundered my license paperwork despite multiple emails and appeals.) That income has been immediately reinvested in the property and county, upkeep with concern for fire, storms, and taxes.

I choose guests with discerning care, academics and professionals who are quiet and flawless. I know they bring vitality to the community with kayak rentals and dining out. They shop at our wonderful bookstore, Brick Maiden Bakery, and Inverness Park Market. Everyone heads home with linens from beloved Coyuchi.

Importantly, welcome people to this national treasure of a seashore. Don't build a virtual wall limiting

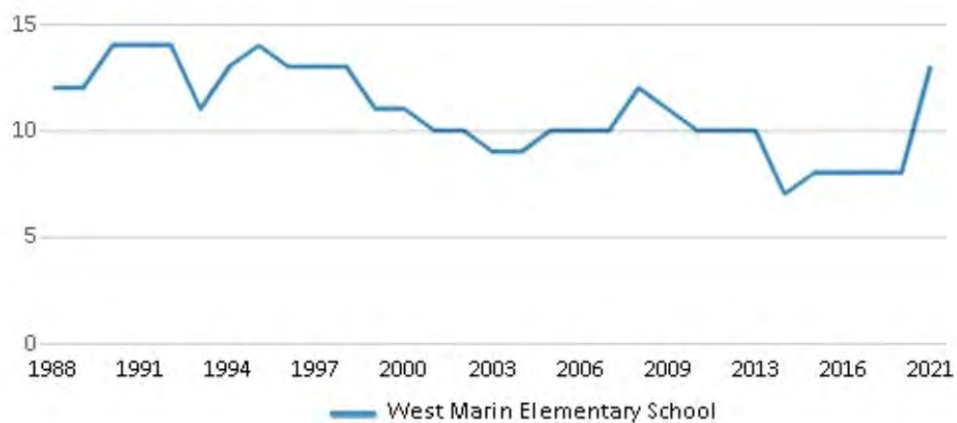


accessibility. With respect, too much bias with unsupported claims has been indulged by this process, seeding a divisiveness. We were in a better place before this rushed, reactive moratorium, fueled by small, entitled, disproportionately vocal NIMBYism. Please, be sure to maintain standards that are thoughtful and fair, but not overly legislated, protecting a neighborly community spirit.

With true gratitude for your service.

Jennifer Golub  
23 Drakes View Drive  
Inverness, Ca. 94937









**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Marin STR comments  
**Date:** Thursday, October 5, 2023 3:03:30 PM

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Alice Fang with email address [xalicefang@gmail.com](mailto:xalicefang@gmail.com) would like information about:  
Hi Kathleen,

Thank you for sharing the Updated STR draft.

I noticed that "Other structures without permanent foundations, including but not limited to tipis/teepees, yurts, tents, and treehouses" are restricted.

We have a 50 acre plot of land with our primary residence (zoned ARP), and we were hoping to put 1-2 yurts on it for glamping to help pay our mortgage. It looks like the only way to do that now is to apply for a conditional use permit that costs 10k+ and half a year+ of approvals, which is prohibitively expensive for us.

Is there a way the STR committee can consider allowing a limited number of campsites for agricultural zoned land without going through the extensive CUP for campground process?

Having a yurt in our backyard wouldn't affect the affordable housing crisis. We have a beautiful view on our land, and we just want to share it with others and make living in Marin slightly more affordable for ourselves.

Thank you for considering,  
Alice

**From:** [Melodie Holley](#)  
**To:** [STR](#)  
**Subject:** Feedback on STR rental ordinance  
**Date:** Thursday, October 5, 2023 1:47:03 PM

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

Dear Kathleen and members of the Planning Commission,

Thank you for welcoming feedback on the proposed STR ordinance. As a property owner in unincorporated San Rafael and an enthusiastic Airbnb host, I wanted to share my personal journey and perspective with you.

Our decision to renovate our ADU (Accessory Dwelling Unit) was driven by a desire to create a welcoming space for our friends and family to enjoy. However, when construction costs unexpectedly soared, we made the decision to share it on Airbnb as a means to offset expenses and bolster our retirement income. It's essential to note that offering our ADU as a long-term rental was not a viable option for us, as it would limit its availability for our loved ones, which is our primary intention.

Becoming Airbnb hosts has had a profound impact on our family's financial stability. Marin County, renowned for its beauty, should not exclusively cater to the super-wealthy. Allowing homeowners like us to generate additional income enables us to continue residing in this wonderful area. We, the average citizens of Marin, make ends meet through innovation and resourcefulness, and short-term rentals have proven to be an invaluable solution to bridge our income gap in retirement.

Being a host has given me a renewed sense of purpose. I take immense pride in crafting a unique and comfortable experience for my guests, and I personally handle all the behind-the-scenes work. My Airbnb rental not only offers guests a one-of-a-kind Marin experience but also contributes to the local economy by attracting tourists to the area. It brings me immense joy to provide hospitality to visitors, and my family has relished the opportunity to meet people from various corners of the world.

However, my concern arises from the proposed changes to the short-term rental policy, particularly the disallowance of my guest house as a short-term rental and future rental possibilities I've been envisioning. I must emphasize that my guests have consistently been respectful and considerate; quiet hours are clearly outlined in my policies, and I have never encountered any issues. Adequate parking is available, and my neighbors have not expressed any concerns.

I firmly believe that as a property owner, I should retain the right to utilize my property in a manner that does not disrupt my neighbors. Removing my ability to earn an income and pursue work that I'm passionate about would have a devastating impact on my livelihood.

I acknowledge the housing crisis we face and the need for more long-term rental options. However, I implore you not to inadvertently penalize individuals like me, who rely on short-term rentals to make Marin County an affordable place to live. I wholeheartedly support allowing multiple rentals per property, provided they do not become nuisances to our neighbors.

In the event that you move forward with new regulations, I kindly request the inclusion of an exception policy for small ADUs with kitchenettes, recognizing that they are not suitable for long-term rentals. This exception would provide economic stability and growth opportunities for families like mine who call Marin County home.

I also propose that grandfathered short-term rental units be considered, allowing for a balanced transition to any new policies.

Your consideration of these suggestions would not only support the economic well-being of Marin County residents but also preserve the diverse and welcoming spirit of our community. We should strive to find solutions that benefit everyone, including the "little guys" who contribute to the fabric of our neighborhood.

Thank you for your time and thoughtful consideration.

Warm regards,  
Melodie Holley

**From:** [Audrey K](#)  
**To:** [BOS; Kilgariff, Kathleen; Rodoni, Dennis; Rice, Katie; info@westmarinaccesscoalition.com](#)  
**Subject:** Fwd: Opposition to STR Regulations  
**Date:** Thursday, October 5, 2023 3:58:41 PM

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

Please see my letter opposing STR regulations in W Marin.

----- Forwarded message -----

**From:** Audrey K <[audreyaced@gmail.com](mailto:audreyaced@gmail.com)>  
**Date:** Thu, Oct 5, 2023 at 3:54 PM  
**Subject:** Opposition to STR Regulations  
**To:** <[PlanningCommission@marincounty.org](mailto:PlanningCommission@marincounty.org)>

Dear Marin County Planning Commission,

I am in opposition to the County's draft short term rental standards which will result in making housing in West Marin less cost-efficient for everyone and limit the ability of local, national and international travellers to visit this region.

The regulations as drafted will greatly impact visitors to the region, and present economic hardship to some homeowners in W. Marin.

Some homeowners depend upon ST rentals to help cover their costs of property taxes, mortgage, insurance and maintenance. The payment of all of these expenses helps the local and State tax bases and services, provides employment to service and crafts people locally. Further the ST renters provide revenue by their purchasing of goods and services (at a higher rate than a permanent resident, due to needing to buy groceries and supplies for ST rental, or frequenting cafes and restaurants, rental of sports equipment, visiting local parks. By reducing housing options for visitors, the county is inadvertently reducing visitor access to the coast and parklands.

Additionally, homes such as the one I own and all my neighbors own at Stinson Beach which we reside in part time, but rent ST are NOT removing housing stock for local residents, as these homes are not affordable for LT or permanent rental. Local residents would not be able to afford the rent required to cover the baseline yearly expenses for "vacation homes" at Stinson Beach.

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

For the County, the regulations will limit economically feasible lodging for visitors who come to experience the nearby public land. A single-family home is more cost-effective for a family than renting multiple single rooms in a hotel. In addition to allowing a family to experience the national parks more deeply, these homes give visitors an authentic experience in unique

communities throughout West Marin.

I hope that you will consider these factors and my opinion in your deliberations on the STR regulations, which

I find short-sighted, and unhelpful, in fact, harmful for your purported goals.

Sincerely,  
Audrey Koh  
homeowner



**From:** [Meg St. John](#)  
**To:** [PlanningCommission](#)  
**Cc:** [Kilgariff, Kathleen](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Please VOTE NO on the draft short term rental standards  
**Date:** Thursday, October 5, 2023 10:31:52 AM

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

Dear Commissioners of the Marin County Planning Commission, Supervisor Rodoni, Supervisor Rice, and Ms. Kathleen Kilgariff,

As a frequent visitor, I write in opposition to the County's draft short term rental standards which will result in making vacation homes in West Marin more expensive for everyone and limit access to the coast and parks in the region.

I am a frequent visitor to the area, enjoying the Pt. Reyes National Seashore as both a camper and a guest in vacation rental homes. We visit several times a year to hike, camp, or take week-long vacations in beautiful towns of West Marin. I fear that fewer vacation homes will make it difficult for those coming from afar, or even just across the bridge, to experience the coast and parks.

We spent our honeymoon in a vacation rental in Inverness. The same vacation rental we have been visiting for almost 10 years. And last year we saw that house go off the rental market for reasons unknown to us. Marin is a very special place to us and one that we fear will become inaccessible to those with less means.

And by reducing lodging you will reduce the number of visitors. How many shops and restaurants will this shutter? Businesses that are probably already hanging on by a thread post-pandemic. People - your constituents - will lose jobs. Your tax base will be reduced with the loss of thriving businesses. All in the name of what?

West Marin is not some exclusive club to be protected for just those who were fortunate to buy houses there. It is the home to millions of acres of public land. That means land that belongs to all of us and to all our future generations. You should be thinking of ways to increase the access for more and more diverse communities to these national treasures - NOT limit it only to those of rarified socio-economic means.

Please send these regulations back to the drawing board, and ask County staff to define the issue, provide documentation, analyze the impact and work with the stakeholders they seek to regulate. Please vote no on the draft regulations and help stop the County's misguided effort to limit visitor access to the region's public lands.

Margaret St. John  
Oakland, CA

**From:** [Pam Fabry](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** STR"s  
**Date:** Thursday, October 5, 2023 9:32:40 AM

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

Dear Planning Commissioners and Supervisors:

Our communities in West Marin are being hollowed out by the huge growth of STR's in the last few years. I am disappointed in the recommendations currently put forward which could result in more STR's rather than fewer. At the very least, I would like to see the following added:

1. No corporate ownership;
2. Strict enforcement of health and safety standards by the County. "Self-certifying" by the owner that these standards are being met is completely ineffective - it's the County abrogating its responsibility to provide safe accommodations to visitors;
3. Most importantly A MUCH LARGER REDUCTION in the number of unhosted STRs than what is proposed in the draft. Much lower caps on unhosted STRs are needed to restore the health of our coastal West Marin communities, while the current draft ordinance actually increases the allowable number. This is in direct conflict with the County's own Housing Element and Local Coastal Program, as well as the wishes of a majority of West Marin residents.

Thank you for your attention.

Pam Fabry  
80 Oak Rd, #719  
Bolinas, CA 94924

**From:** [Christine Cunha](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 5, 2023 5:12:46 AM

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[Some people who received this message don't often get email from [balancingact.marin@gmail.com](mailto:balancingact.marin@gmail.com). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Dear Planning Commissioners and Supervisors,

I am a West Marin resident (Bolinias) deeply concerned about the lack of affordable housing due, in large part, to the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. Please ensure that the following provisions are added or strengthened:

1. No corporate ownership;
2. Strict enforcement of health and safety standards by the County. "Self-certifying" by the owner that these standards are being met is completely ineffective - it's the County abrogating its responsibility to provide safe accommodations to visitors;
3. Most importantly A MUCH LARGER REDUCTION in the number of unhosted STRs than what is proposed in the draft. Shockingly, the current draft ordinance actually increases the allowable number! Much lower caps on unhosted STRs are needed to restore the health of our coastal West Marin communities. This proposed increase directly conflicts with the County's own Housing Element and Local Coastal Program, as well as the wishes of a majority of West Marin residents.

These draft recommendations are extremely disappointing. Please do better on behalf of West Marin tenants and renters. We need homes and people that LIVE IN them!

The cost of West Marin housing has skyrocketed because people buy the house specifically to STR it rather than live in it. IF STRs are capped by County regulation, we might actually see downward pressure on home prices.

The monied interests will tell you there's no relationship between available rentals and STRs but community after community across the USA is grappling with these very same issues. Obviously, there is a strong connection between the commercialization of our neighborhoods and the lack of affordable housing.

If neighborhoods were meant to be commercialized then the zoning should be different than "residential".

STR is like plopping a hotel in place of a home.

Thank you for your consideration,  
Name: Christine Cunha  
Address: 60 Oak Road, Bolinas CA 94924  
Email: [cncunha415@gmail.com](mailto:cncunha415@gmail.com)

Christine Cunha  
Sent from my iPhone  
415-797-2106

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: Short term rentals  
**Date:** Thursday, October 12, 2023 9:57:35 AM

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## Public Comment

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**From:** Suraya Brendel <surayabrendel@icloud.com>  
**Sent:** Wednesday, October 4, 2023 10:05 PM  
**To:** PlanningCommission <PlanningCommission@marincounty.org>  
**Subject:** Short term rentals

You don't often get email from [surayabrendel@icloud.com](mailto:surayabrendel@icloud.com). [Learn why this is important](#)

Dear Members of the Planning Commission,

I am writing to express my concerns regarding the growing prevalence of short-term rentals in our town and the detrimental effects they are having on both our community and place of business.

While short-term rentals may seem like an attractive option for tourists, it is my belief that their unchecked proliferation poses several significant challenges to our town's overall well-being:

1. Short-term renters often have little vested interest in the community, leading to a decline in the sense of neighborliness and shared responsibility that is the backbone of our town's identity.
2. The popularity of short-term rentals has driven up property prices and rents, making it increasingly difficult for long-term residents to find affordable housing.
3. Excessive short-term rentals can result in increased noise, traffic, and disturbances in otherwise tranquil residential areas, negatively affecting the quality of life for residents.
4. As a restaurant owner, I have observed a decline in foot traffic and patronage due to tourists opting for the convenience of cooking in rental properties. This has had a direct impact on my restaurant's revenue and the livelihoods of my employees.
5. Increased tourism can strain local resources, including emergency services, parking facilities, and public infrastructure, putting additional burdens on our town's budget.

I urge the Planning Commission to consider the following actions to mitigate these negative impacts:

1. Enforce strict regulations on short-term rentals, including limits on the number of rental properties allowed in West Marin. Enforce noise ordinances to protect the peace and quiet of our town.
2. Explore initiatives to promote affordable housing for long-term residents, ensuring that our community remains accessible to all.
3. Encourage tourism while also supporting local businesses and the community.

I believe that with careful planning and thoughtful regulations, we can strike a balance between preserving the charm of our town and welcoming responsible tourism. It is my hope that the Planning Commission will consider these issues earnestly and take appropriate measures to protect our community's interests.

Thank you for your attention to this matter, and I am willing to offer further insights or participate in discussions to find sustainable solutions for our beloved town.

Sincerely,

Suraya Brendel

(415)4197874

Suraya Brendel

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: Oppose Draft STR Regulations  
**Date:** Thursday, October 12, 2023 9:56:45 AM

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Public comment

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**From:** David Hegarty <davidhegarty@gmail.com>  
**Sent:** Wednesday, October 4, 2023 8:21 PM  
**To:** PlanningCommission <PlanningCommission@marincounty.org>  
**Subject:** Oppose Draft STR Regulations

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

Dear Marin County Planning Commission,

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

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

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

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

For the homeowner, the regulations are costly, burdensome, and possibly unattainable. The unprecedented 11-pages of detailed restrictions and requirements will all but ensure compliance failure among a substantial number of homes and result in less lodging to visitors. For those few that can comply, the time and expenses associated with gathering the documentation, additional services, and the annual inspections will lead to a large increase in the overall costs of operation, which will result in increased nightly rates for visitors to the region.

Overall, these regulations will make homeownership more costly and out of reach for more people—

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

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

Sincerely,

David Hegarty



**From:** [Christine Machado](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Wednesday, October 4, 2023 8:21:38 PM

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

Dear Planning Commissioners and Supervisors, I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live! The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. Please ensure that the following provisions are added or strengthened: 1. No corporate ownership; 2. Strict enforcement of health and safety standards by the County. "Self-certifying" by the owner that these standards are being met is completely ineffective - it's the County abrogating its responsibility to provide safe accommodations to visitors; 3. Most importantly A MUCH LARGER REDUCTION in the number of unhosted STRs than what is proposed in the draft. Much lower caps on unhosted STRs are needed to restore the health of our coastal West Marin communities, while the current draft ordinance actually increases the allowable number. This is in direct conflict with the County's own Housing Element and Local Coastal Program, as well as the wishes of a majority of West Marin residents.

Thank you for your consideration,

Christine Swain Machado  
[christine@onenessfirst.com](mailto:christine@onenessfirst.com)

**From:** [J Bird](#)  
**To:** [Kilgariff, Kathleen](#)  
**Subject:** Deep concern over STR draft regulations  
**Date:** Wednesday, October 4, 2023 11:44:36 AM

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

Dear community development agency,

I have read the new draft regulations and as a small STR cottage owner, find them totally unacceptable. They are costly, burdensome, pose security risks to me and my property, and will not increase affordability nor add more long term housing to the area.

Does the planning commission care what will happen to homeowners like me if these draft regulations go into effect? In all reality, I will be harassed and targeted thanks to the new signage required and my personal information being on very public display. As a woman, and a mom of small children, and just a human living in this era of identity theft and violence, it feels very unsafe and downright wrong to require that my personal and contact information be publicly displayed. My home and property will become such an easy target for break ins and vandalism as well.

Worst is that your draft regulations are so costly, time consuming and unjust that I may be forced to sell my property. If that happened, there is no way my coastal cottage would sell at an "affordable price" to a nice local family who's been struggling to find affordable housing. I know this because I watch what happens to the few properties that come on the market in my area. I know this because I get realtors contacting me regularly about selling it and know my property value. It would very likely sell off market for an all cash over asking offer to someone (or a corporation) wealthy enough not to need bother renting it at all. It would become yet another empty house owned by someone with many houses who comes out once a year, if at all, and not provide the ongoing support to local businesses and the local economy year round like my STR guests and I do. Or, it would become just another investment property to a big corporation oddly exempt from your draft regulations. This is the reality I've watched take place all over my part of west marin in recent years and is what happens when a property in a rare beachfront location such as mine is sold. You will NOT create more affordable housing with these draft regulations.

Your draft regulations are an unfair, nonsensical, knee jerk reaction to the voices of a small number of (understandably) frustrated long term renters in west marin. I would love to see more affordable housing being created. Why don't our TOT and property tax dollars go toward this??? Why instead punish the small mom and pop STR operators and responsible homeowners like me who can't afford NOT to short term rent our property? I also find it interesting and hypocritical that some of the most vocal anti STR voices around this topic are the ones whose businesses and livelihoods depend most on STR visitors. There is an underlying attitude of localism and elitism as well to that argument that I cannot support and nor should you.

I actually tried to rent my cottage out as a long term rental initially but discovered that the west marin residents in need of long term housing rentals were unable to afford to even cover my baseline expenses of mortgage + property taxes. I'm not in a financial position to subsidize someone else's rent and not have my property at least break even on monthly expenses, which led to turning it into an STR. By the way, I am not getting rich off my STR in the slightest. It is my long term investment and retirement property though and I have poured everything I have into it. I feel great about providing affordable lodging to visitors (mainly families) in an area with extremely limited lodging. My visitors support the local economy, are quiet and respectful. Plus my family and I get to use and enjoy our own property regularly and also support the local economy. We love providing an affordable overnight accommodation to so many people who are in turn able to enjoy our beautiful public beach and town in an area that they otherwise would not have easy access to. I love that my modest property generates enough income to provide regular, well paid work for local cleaning and maintenance folks year round as well.

Which leads to my last point of how discriminatory and unfair these draft regulations are...they will hugely impact the hardest working and lowest income residents of west marin such as the cleaners, maintenance specialists, restaurant and store workers, etc whose livelihoods truly depend on and revolve around STRs. These residents (whose voices are not as loud) will lose work and likely be forced out of the area.

Your draft regulations are not the solution to the affordable housing crisis in west marin and beyond. The County needs to go back to the drawing board. Define the issue, provide documentation, and work with the stakeholders they seek to regulate to ensure the standards are fair, achievable, and non-discriminatory. Thanks for taking the time to read this.

Sincerely,

A very concerned west marin resident and homeowner

**From:** [Claire Hunsaker](#)  
**To:** [PlanningCommission](#)  
**Cc:** [Kilgariff, Kathleen](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#)  
**Subject:** Opposition to Marin STR Regulations  
**Date:** Wednesday, October 4, 2023 9:45:22 AM

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To the Marin County Planning Commission and Concerned Parties,

I write to express my strong opposition to the proposed regulations limiting short-term vacation rentals in West Marin. The draft regulations lack supporting data, will profoundly impact equitable access to the park and lack a comprehensive understanding of the potential impacts on our community and visitors.

West Marin, with its beautiful parks and coastline, is a magnet for millions of visitors. The new rules will absolutely make it harder for these visitors to find places to stay by making visits more expensive. The regulations, with their vaguely worded and in some instances impossible requirements, will allow regulation to be applied subjectively and by fiat. For instance, when most homes were built in West Marin, there was no requirement for septic drawings. How does the county expect homeowners to provide a site map of a system that was never documented? This ability to apply "ministerial discretion" arbitrarily, will unfairly drive STRs out of business, leading to fewer available rentals and higher prices for visitors.

These overreaching regulations also undermine property rights and impose unfair burdens on homeowners by limiting utilities. A house can only hold so many people, whether inhabited by an owner or a guest, so limiting things like water seems to be less about environmental protection and less more about discouraging rentals.

I also ask you to consider the implications for racial and economic equity. By making visits more expensive, we risk excluding diverse communities. Economic barriers can inadvertently become racial barriers, and we must be cautious not to create a system that favors only those privileged enough to afford a home in a county where the median home price is \$1.4Million. By limiting access to West Marin, the regulations effectively privatize public land.

The economic benefits visitors bring are undeniable. In 2022, the Point Reyes National Seashore significantly boosted our local economy. Fewer visitors mean fewer jobs, less business for local shops which already depend on seasonal visitor inflow, and less tax revenue.

In conclusion, these proposed rules seem to have unintended consequences that could hurt our community, our visitors, and the principles of equity and public access. I hope the Planning Commission will reject them.

Warm regards,

Claire Hunsaker  
Inverness property owner and STR Operator  
Resident of and Voter in District 4

**From:** [Nicolas Tucker](#)  
**To:** [PlanningCommission](#); [Kilgariff, Kathleen](#); [Rodoni, Dennis](#)  
**Subject:** Draft STR Regulations (oppose)  
**Date:** Tuesday, October 3, 2023 8:37:31 AM

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

Dear Commissioners of the Marin County Planning Commission, Ms. Kathleen Kilgariff, and Supervisor Dennis Rodoni:

As a visitor to a region that is almost entirely composed of public land, I write in opposition to the County's draft short term rental standards which will result in making vacation homes in West Marin less cost-efficient for everyone and limit visitor access to the coast and parks in the region.

Define the actual problem. Visitors are not the problem, unless the goal is to have fewer restaurants, fewer options at the hardware and grocery store, fewer local jobs, and fewer artists in the community. The County has failed to provide any data stating the problem they are trying to address. These draft regulations ensure that the outcome will be to house fewer visitors and to provide fewer job opportunities in the region.

Marin County is proposing to exclude people from lower economic communities from staying in West Marin. Reducing the number of permits allowed in each community adjacent to national parks undermines the community's ability to provide needed lodging at affordable costs. Do you travel? If so, you know that vacation homes are far more economical and provide an authentic experience in communities. The public parks do not belong to the residents of Marin only. It's imperative that lodging is made available so others can appreciate these lands and the vast coastline of Marin County.

Why is Marin County making rules that essentially claims these public lands as resources of Marin only, while making it costly and difficult for others to stay?

Create incentives for visitors to enjoy the landscape and unique community services (restaurants, art galleries, and nature tours), not putting up barriers to entry. Why is the County proposing rules that will put businesses and community at risk of losing the region's greatest economic base and negatively impacting our economic diversification in the region?

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

Sincerely,  
Nick Tucker  
Oakland, California

**From:** [PATRICIA LEE](#)  
**To:** [STR](#)  
**Subject:** Re: Short-term rental draft ordinance - comments  
**Date:** Thursday, September 28, 2023 11:28:47 AM

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

To whom it may concern:

I am 69 years old and retired on a limited income. I purchased the Dillon Beach property from the sale of my home in SF as an investment to augment my social security. I now rent in Petaluma and live on SS and the rental income from Dillon Beach Property. I absolutely depend on this income in order to live in California and the corresponding high cost for everything. To change the rules seems unfair and unjust for existing short term rentals especially when the property was specifically purchased for that reason. It would also decrease the value of the property if I had to sell. My other arguments are as follows:

- 1) There are few to no hotel options in the costal areas and this would create limitations to access for those that cannot afford to own property or simply just want to vacation.
- 2) Setting caps will also ultimately increase the cost / decrease competitive pricing for visitors by way of restricting supply, which further limits access for the general population.
- 3) Operators of vacation rentals take bookings in advance from families planning their summer or holiday vacations. The caps create an environment of uncertainty if there is more demand for licenses than the cap allows which hurts renters as well as operators.

**I would kindly ask that at minimum, Coastal communities specifically should be excluded from the proposed changes and continue to operate under the existing standards. Everyone should have access to enjoy the limited beach communities and the ocean.**

Thank you for sharing my comments at the hearing.

**From:** [Jessica Yau](#)  
**To:** [STR](#)  
**Subject:** Short-term rental draft ordinance - comments  
**Date:** Thursday, September 28, 2023 10:16:41 AM

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You don't often get email from [jessica.yau@me.com](mailto:jessica.yau@me.com). [Learn why this is important](#)

Hello,

I would like to know what the 'initial' and 'ultimate' rental caps for each locale are based on?

My comments are specifically for the coastal areas of Dillon Beach and others. It is not appropriate to create caps on the number of un-hosted short term rental licenses in the coastal areas which are vacation and tourism destinations.

- 1) There are few to no hotel options in these areas and this would create limitations to access for those that cannot afford to own property or simply just want to vacation.
- 2) Setting caps will also ultimately increase the cost / decrease competitive pricing for visitors by way of restricting supply, which further limits access for the general population.
- 3) Operators of vacation rentals take bookings a year in advance from families planning their summer or holiday vacations. The caps create an environment of uncertainty if there is more demand for licenses than the cap allows which hurts renters as well as operators.

**Coastal communities should be excluded from the proposed changes and continue to operate under the existing standards with no changes.**

Thank you for sharing my comments at the hearing.

Jessica Yau  
[jessica.yau@me.com](mailto:jessica.yau@me.com)  
415.944.0901

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Oceana Marin and County moratorium on VRBO licensing/ADU needs  
**Date:** Thursday, September 28, 2023 10:01:50 AM

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Jeff Toquinto with email address [jtoquinto@gmail.com](mailto:jtoquinto@gmail.com) would like information about: Kathleen, My wife Lyn and I bought a open lot in Ocean Marin just months before Covid. When we purchased the lot, our plan was to VRBO the house until we retire(2030), at retirement, it will become our fulltime residence. The VRBO income is how we planned to make building the home feasible. I'm a general contractor and have been in business for 40 years. The cost of building our retirement home has doubled since pre-Covid. We are facing a complex financial issue if we will not be allowed to have a short term rental license. BTW.. I'm submitting the plans for permit next week. Feel free to call me if you have any questions. (415)246-0108 Thx, Jeff



**From:** [Daniel Kramer](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [STR](#)  
**Subject:** We urge your continued support for short-term rentals in West Marin  
**Date:** Tuesday, September 26, 2023 3:43:57 PM

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September 26, 2023

Supervisor Dennis Rodoni  
[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)

Community Development Agency  
[STR@MarinCounty.org](mailto:STR@MarinCounty.org)

Dear Supervisor Dennis Rodoni and the Community Development Agency,

We urge your continued support for short-term rentals in West Marin. They are a tremendous value to the County and region.

In the past decade we've stayed in vacation rentals in Marin County more than a dozen times visiting friends and family. It has given us the opportunity to see all that Marin County has to offer. Over the years we've primarily stayed in Dillon Beach, but we've also visited and hiked Pt. Reyes National Park [multiple times], shopped at Pt. Reyes Station, had Oysters at Hog Island, had a picnic lunch on Shell beach, and a burger or two at Nick's in Marshall. Lodging options have been limited in these areas. Short term rentals allow us to hike, dine and shop in relatively remote parts of Marin without having to travel a long distance both ways from our home to access these locations.

Every time we visit Marin it's usually for at least a three-day weekend and sometimes up to a week. Our family probably spends on average \$200 to \$300 a day on drinks, meals, shopping, and supplies that we purchase in West Marin County, not including the money we spend on lodging.

It's inconceivable that the short-term housing unit owners and full-time residents (which undoubtedly include owners of some of the same short-term properties) and Marin County would want to lose sales tax and 4% TOT funds allocated to affordable housing and emergency services in Marin County. Loss of tax revenue would have to be made up by increasing taxes or lowering benefits if short term rentals were eliminated.

It would be a shame to lose coastal access, but we could understand if an owner in Marin wants to maximize the value of his or her property. But it should be the owners decision who they choose to rent their property to and for how long. The consequences of STR income loss to a property owner who depends on it for their livelihood may cause these owners to seek other sources of revenue like those in

nearby (to us) Sacramento County – where the rent is steady for the owner but over which the County and neighbors have little control – transitional housing for developmentally disabled, addiction and treatment recovery services to name a few such examples.

Please keep us updated on your progress and efforts to maintain STR rentals in Marin. Thank you.

Respectfully,

Dan & Ann Kramer  
1460 Crocker Drive  
El Dorado Hills, CA 95762  
[kramersaccount@gmail.com](mailto:kramersaccount@gmail.com)

Attachments: A few pics of our travels to West Marin

**From:** [Steve rubin](#)  
**To:** [Kilgariff, Kathleen](#); [PlanningCommission](#)  
**Cc:** [Rodoni, Dennis](#); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** Lack of engagement  
**Date:** Tuesday, September 26, 2023 11:04:10 AM

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To Kathleen Kilgariff and the Marin county Planning Commission,

I am writing to officially protest the process by which the planning department drafted new regulations on short term rentals in unincorporated Marin. The planning department has not allowed stake holders to have a say or meet with planning department. I am a large stake holder and business owner in Stinson Beach and have requested to meet with the planning multiple times and have not been consulted in anyway. I was on the commish for STR stakeholder during the covid crises and have asked to have my say during the drafting of the document. Why have my requests gone un-answered. Please put this complaint on file. I do not want the planning department to pretend that they have reached out to stake holders when indeed they have not been at all transparent.

Steve Rubin  
Stinson Beach

**From:** [Wine Country to Coast Vacation Rentals](#)  
**To:** [STR](#)  
**Subject:** Good Afternoon - STR Standards Feedback  
**Date:** Monday, September 25, 2023 3:49:10 PM

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

My name is Stace Jardine. Karyn Lawson and I have owned Dillon Beach Property Management, Inc. (dba Wine Country to Coast Vacation Homes) since 1994. We are in great standings with the HOA in Dillon Beach and the County of Marin.

If you are limiting vacation homes in our area in hopes that it will supply housing to Lower and Middle income residents that is an impossibility.

1. Rent for a beach house would range from \$6,000 to \$9,000+ *per month* for a long term rental. Those prices would certainly not reflect low or middle income rental amounts that would be considered "affordable housing".

2. The drive to and from Dillon Beach is 25 to 30 minute to a freeway. Not good for commuting.

3. Dillon Beach has been a Vacation Destination for over 100 years.

Trying to create affordable housing at a beach destination is not realistic. Not only does it not meet the general public's needs, but the real estate prices, regardless of short-term rentals, is prohibitive to middle and lower income buyers.

Our company has always gone above and beyond what other vacation rentals companies do by providing security checks to houses to protect year-round residents from typical vacation rental problems.

1. We have a Security person that drives by all of our vacation homes. They count cars and make certain there are no parties happening. If anything looks out of the ordinary, or we can hear people being too loud after-hours, we stop, knock and assess the situation. We are the only vacation rental company that does this and we have been doing this from the beginning of our company.

2. We screen people that are trying to rent with us by asking questions. How many in your party, is this a family or friend gathering etc. We limit the number of people and cars at each property day and night with no exceptions. We go beyond County standards and turn people away that are clearly trying to have a party. We want to be fantastic neighbors to everyone in the Dillon Beach Community.

We hope you will reconsider the restrictions you are wanting to put on Dillon Beach vacation homes.

Thanks,  
Stace Jardine  
Wine Country to Coast Vacation Rentals  
707-878-2204

Please visit our websites for info and on-line reservations  
<http://www.winecountrytocoastvacationrentals.com>

Please View our Dillon Beach and Russian River Videos to see more of the areas!

## **Dillon Beach**

<https://www.youtube.com/watch?v=gJtcOKbM8tE&feature=youtu.be>

## **Russian River Wine Country**

<https://vimeo.com/188226954>

"Like us" on Facebook and be the first to get information on special rates and Fall/Winter deals.

<https://www.facebook.com/WineCountrytoCoastVacationRentals/>

**From:** [Remick Hart](#)  
**To:** [STR](#)  
**Subject:** Comments re:STR draft  
**Date:** Monday, September 25, 2023 2:21:49 PM

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

The draft more fairly balances STR's with the many existing (for many years) low income housing units in Bolinas. The population in Bolinas should not expand further unless there is significant infrastructure improvements, fire, water, sheriff, sidewalks so you don't have to walk in the streets, and medical. There has been and continues to be a need for septic updates to code of private home systems. The septic failures are know to all including BCPUD board members but intentionally not address as all are worried about fiends and neighbors. An independent agency needs to oversee the septic issue especially during winter at high water table.

Tax revenue from STR's helps Bolinas, if tax revenues actually are directed back. The short term renters spend money in our community and are very respectful to neighbors as well as the homes they rent. Property owners don't need to be at the property but a neighbor could be a contact for issues that arise. The owner sets the rules for the property and there are consequences for violating as well as our local sheriff. The STR's provide needed taxable income to the property owners to supplement their income.

Respectfully submitted,

Sent from my iPhone

**From:** [Paul Gray](#)  
**To:** [STR](#)  
**Subject:** Thoughts on Housing  
**Date:** Saturday, September 23, 2023 2:07:21 AM

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I strongly suggest a full-on ban of any short-term rental housing in Marin, until the county reaches its mandates for new housing.

We can't let renters suffer as tech-enabled apps artificially increase prices, often pushing locals into homelessness and out of Marin.

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Draft of Short termrental  
**Date:** Friday, September 22, 2023 1:12:46 PM

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Nicholas B. Clark with email address [nclarkca@aol.com](mailto:nclarkca@aol.com) would like information about:  
I understand the concerns about the concern about multiple short term rentals by non-owners.  
It seems to me that your restrictions on single short term rentals by an owner is too restrictive  
requiring multiple restrictions and approvals.

You might consider less restrictions and approvals for a single short term rental but require  
multiple unit rentals by the same owner as more like a hotel with the corresponding  
restrictions and approvals

I do not plan on any short term rental.



**From:** [Wynne Furth](#)  
**To:** [STR](#)  
**Subject:** Re: How do I tell what town my home is in for STR purposes?  
**Date:** Thursday, September 21, 2023 4:06:06 PM

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I think I do understand it. I object to the policy recommendation. We are not trying to avoid a tax reassessment; we are trying to keep a family house even with the higher taxes rather than being forced into a sale after a death because of losing the STR permit. I hope I'm wrong in my reading.

On Thu, Sep 21, 2023, 9:59 AM STR <[str@marincounty.org](mailto:str@marincounty.org)> wrote:

Hi Wayne,

Yes, there are a few areas in Inverness that share a zip code with Point Reyes Station so it can be a little unclear as to where they are located. I'm going to post the township map (attached) online so that people can see where they are located.

The regulations define a change in ownership as, "A change in ownership of the property as defined in [California Revenue and Taxation Code section 60 et seq.](#), or its successor."

You could reach out to the [Assessor's office](#) to better understand your specific situation.

Best,

Kathleen

**Kathleen Kilgariff**  
PLANNER

she/her

County of Marin

Community Development Agency

3501 Civic Center Drive, Suite #308

San Rafael, CA 94903

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**From:** Wynne Furth <[wynne.furth@gmail.com](mailto:wynne.furth@gmail.com)>

**Sent:** Wednesday, September 20, 2023 11:04 PM

**To:** STR <[str@marincounty.org](mailto:str@marincounty.org)>

**Subject:** Re: How do I tell what town my home is in for STR purposes?

Got it - I was a little shook when the county website said that my address was Point Reyes Station. None of us

think we live in PRS. Thanks for your quick response Kathleen. I gather our more serious problem is that on my death

the permit would be revoked and my daughter would not be able to use

STRs to help support the extended family house?

On Wed, Sep 20, 2023 at 3:14 PM STR <[str@marincounty.org](mailto:str@marincounty.org)> wrote:

Hi Wynne,

Paradise Ranch Estates falls under Inverness. The [proposed regulations](#) would prioritize existing, legal STRs so long as you apply for a license prior to July 1, 2025.

Best,

Kathleen

**Kathleen Kilgariff**  
PLANNER

she/her

County of Marin

Community Development Agency

3501 Civic Center Drive, Suite #308

San Rafael, CA 94903

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**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org) <[no-reply@marincounty.org](mailto:no-reply@marincounty.org)>

**Sent:** Tuesday, September 19, 2023 3:58 PM

**To:** STR <[str@marincounty.org](mailto:str@marincounty.org)>

**Subject:** How do I tell what town my home is in for STR purposes?

Wynne Furth with email address [wynne.furth@gmail.com](mailto:wynne.furth@gmail.com) would like information about: Our home is in Paradise Ranch Estates. We have had a short term rental permit for decades. Which West Marin community are we considered to be a part of? Our address is 420 Drakes View Drive.

Is the initial quota set to make room for all existing permits?

Thanks,

Wynne Furth 650.444-5888

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

**From:** [myra drotman](#)  
**To:** [STR](#)  
**Cc:** [Rice, Katie](#); [Vernon, Nancy](#)  
**Subject:** KEEP SHORT TERM RENTALS FOR ADU'S!  
**Date:** Wednesday, September 20, 2023 3:07:37 PM

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KEEP ADUS AVAILABLE FOR SHORT TERM RENTALS.

I HAVE STARTED MY ADU PROCESS WITH THE UNDERSTANDING THAT I WILL BE ALLOWED TO HAVE IT AS A SHORT TERM RENTAL! You are changing the rules one mid process.

I can not believe that you are planning on not allowing ADU's to have short term rentals.

I have spent over \$50,000 on all the ridiculous fees and have plans submitted to the county. I did not take advantage of the particle fee waiver because at this time I want to do some short term rentals.s

At some time in the future I may decide to rent full time. Or if I sell my home , the new owners may want a full time renter. I may have to stop and just lose this \$50,000 because I do not want a full time tenant at this point living on my property.

Right now I do not want a rent controlled rental property on my property with a full time tennant.

I can not believe that I have spent all this money and time planning my ADU and now will not be able to allow people to enjoy it and try to regain some of my costs.

I have no clue why you keep taking away people's property rights. People do have property rights and you just keep eating away at them. YOU tell us that ADU's won;t be under your rent control and then you put it under rent control. You let us believe we can build an ADU and have it as a short term rental and now you say no!

I am also a realtor and many people will not build these extra housing units if they will only be able to rent them full time. The rich will not care. The poor folks who have ADU's will have to wind up with full time rent control tenants. And the middle class gets screwed in the middle .

hey- you supervisors: Past supervisors fought hard to keep Marin a rural suburban area. You are just giving in and giving up.

*Thank you.*

Regards,  
**Myra Drotman**  
Realtor DRE #: 01305621  
[mdrotman16@gmail.com](mailto:mdrotman16@gmail.com)  
415-601-5445

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** STR Draft Comments - ADU's West Marin  
**Date:** Wednesday, September 20, 2023 12:29:30 PM

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Kaye Fleming with email address [kayefdesign@gmail.com](mailto:kayefdesign@gmail.com) would like information about: Removing ADU's entirely and only allowing Main House STR misses the point!! Many elderly couples or families have a guest house used for occasional family guest visits that would not be considered for a long term rental. It would only be used for supplemental income on a part time basis. Not allowing these removes their ability to STR for needed income. Only allowing Main house STR removes these needed homes from the long term rental and sales market. They will claim to rent out the ADU long term to an onsite manager and STR the big house. This removes too many family size homes in West Marin combined communities from the potential long term rental market! It needs to be a mix. Incentives for long term rentals need to be addressed, especially to seniors needing an ADU. Glamping in teepees or tents should not be removed!! This doesn't take housing off the market and it's a great way for homeowners to provide access to young travelers to rural West Marin.

**From:** [David O'Brien](#)  
**To:** [STR](#)  
**Subject:** Short Term Rental Concern  
**Date:** Wednesday, September 20, 2023 8:25:46 AM

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Good morning,

Are there going to be restrictions on property owners in relation to them having the ability to rent out there ADU or accessory dwelling unit? I would hope that there's a separate rule related to those homeowners that live in the main structure on the property and those that live off the property.

If what the county is proposing is something that restricts a property owners ability to offer their accessory dwelling unit or ADU up for short term rent. I would strongly object. Marin is an expensive place to live, and to restrict somebody's income, would be restricting their ability to continue to keep their home and live in Marin in many cases, which would in my opinion be criminal and the government overstepping it's bounds and infringing on property rights in a egregious manner.

My overall opinion is that the county should not be able to restrict the right of short term rentals in anyway. I believe in property owners rights. However, I know I live in a liberal county that is more inclined to infringe on those rights. I am therefore tempering my response in the hopes that a middle ground can be met.

Thank you for your response,

David O'Brien  
Broker Associate 01832087  
Attain Real Estate-Team O'Brien  
415-342-1968  
Sent from my iPhone. Please excuse typos and auto spell corrects.

**From:** [Hilary Jeffrils](#)  
**To:** [STR](#)  
**Subject:** Short term rentals  
**Date:** Wednesday, September 20, 2023 7:09:42 AM

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[You don't often get email from [hjeffris@me.com](mailto:hjeffris@me.com). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

I hope the new plan includes a limited duration for those who are permitted. Say two to three years. That prevents hoarding by existing permit holders and allows new people to get the same opportunity.

Best,  
Hilary

**From:** [Stephen Pringle](#)  
**To:** [STR](#)  
**Subject:** Re: Questions about new county short term housing guidelines. PRA request (FOIA)  
**Date:** Wednesday, September 20, 2023 4:50:13 PM

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I think your caps are ridiculous. I support a lot of what you are doing but you take this way to far. Just like Fairfax with their just cause going way to far. What if someone loses their job and needs some temp income? Nope can't rent it

On Wed, Sep 20, 2023 at 4:21 PM STR <[str@marincounty.org](mailto:str@marincounty.org)> wrote:

Hi Stephen,

- We are still working to develop the administrative side of the STR program, but self-certification could look like what the City of San Rafael currently requires. For example, here is their [building safety checklist](#) and here is their [vegetation checklist](#).
- As it relates to Accessory Dwelling Units (ADUs), current State Law prohibits the use of ADUs as Short Term Rentals. The language proposed in the draft regulations is in conformance with this State mandate.
- The ultimate number is based on the number of licensed STRs before the County announced the STR moratorium last May 2022. We looked at the number of licenses issued between May 1, and May 24, 2024 and subtracted those numbers from the current number. You could request this information from the Department of Finance by emailing [BusinessLicense@marincounty.org](mailto:BusinessLicense@marincounty.org).

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

Best,

Kathleen

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**From:** Stephen Pringle <[springle@sfnorth.com](mailto:springle@sfnorth.com)>  
**Sent:** Wednesday, September 20, 2023 7:25 AM  
**To:** STR <[str@marincounty.org](mailto:str@marincounty.org)>; [sbarry@cbnorcal.com](mailto:sbarry@cbnorcal.com)  
**Subject:** Questions about new county short term housing guidelines. PRA request (FOIA)

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You State:

xiii. All short term rental applicants shall provide a self-certified building safety inspection upon permit application or renewal. 4 xiv. All short term rental applicants shall provide a self-certified fire-life safety inspection upon permit application or renewal. xv. All short term rental applicants shall provide a self-certified defensible space inspection, conducted within the preceding twelve months, upon permit application or renewal.

What exactly is a self-certified inspection? Be specific please

Restricted Structures. A short term rental is not allowed in any of the following: 1. A structure subject to a recorded governmental restriction, including covenants or agreements for an affordable housing unit, agricultural employee unit, farmworker housing. 2. An accessory dwelling unit or junior accessory dwelling unit. 3. A multi-family dwelling or condominium unit. 4. Non-residential areas within buildings, such as storage areas, and living/sleeping quarters added in garages. 5. Recreation vehicles (RVs), including non-motorized travel trailers. 6. Other structures without permanent foundations, including but not limited to tipis/teepees, yurts, tents, and treehouses.

An ADU and Junior ADU can never be rented as short-term housing?

Please provide me with any and all information as to how you determined the caps for each area in the county for your "ultimate number of unhosted short-term rentals".

Thank you

Stephen

**Stephen Pringle**

Corcoran Global Living

**t:** 415.720.7832 | **e:** [springle@sfnorth.com](mailto:springle@sfnorth.com) | **w:** [www.sfnorth.com](http://www.sfnorth.com)

BRE#01326676

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**From:** [Jacqueline Hilger-Rolfe](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [STR](#)  
**Subject:** Re: Now Available: Draft Short Term Rental Ordinance Standards-for hosted STRs  
**Date:** Tuesday, September 19, 2023 10:07:12 AM

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Hi Kathleen;

Appreciate your reply. Maybe in your draft you could separate hosted from “un hosted.” It did not seem clear to me if hosted needed to follow the same rules as un-hosted and they were excluded from the cap proposed. That makes more sense.

Many thanks,

Jacqueline Hilger-Rolfe

On Sep 19, 2023, at 9:55 AM, Kilgariff, Kathleen <KKilgariff@marincounty.org> wrote:

Hi Jaqueline,

Hosted STRs are included in the regulations. As proposed, both Hosted and Unhosted STRs would be required to obtain a STR license and comply with the operating standards. However, a Hosted STR is not subject to any cap. There are a few specific standards that speak to the requirements for Hosted STRs as well – see, 5.41.040.E (License for Hosted STR) and 5.41.050.M (Host Responsibilities).

It is important to note that these are just draft regulations and we will be sharing any feedback on these draft regulations with the Planning Commission.

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

Thank you,

Kathleen

**Kathleen Kilgariff**  
PLANNER  
she/her

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

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**From:** Jacqueline Hilger-Rolfe <jhilger1@me.com>  
**Sent:** Monday, September 18, 2023 6:14 PM  
**To:** Kilgariff, Kathleen <KKilgariff@marincounty.org>  
**Subject:** Fwd: Now Available: Draft Short Term Rental Ordinance Standards-for hosted STRs

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Dear Kathleen;

I hope that all is well! Sorry if this is not clear to me. I don't see any provisions for “hosted” STRs, do they follow under the same rules as hosted STRs? Or do they have different rules?

Thank you,

Jacqueline Hilger-Rolfe PhD

Begin forwarded message:

**From:** Marin County Subscriptions <camarin@public.govdelivery.com>  
**Date:** September 18, 2023 at 12:09:32 PM PDT  
**To:** jhilger1@me.com  
**Subject: Now Available: Draft Short Term Rental Ordinance Standards for Public Review and Comment**  
**Reply-To:** camarin@public.govdelivery.com

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## **Now Available: Draft Short Term Rental Ordinance Standards for Public Review and Comment**

The standards for the draft Short Term Rental ordinance are now available and Planning Commission hearings to consider them are tentatively scheduled for October 23<sup>rd</sup> and November 13<sup>th</sup>, 2023.

The draft is available on both the [County's Short Term Rentals homepage](#), and project specific [Short Term Rental Ordinance Update page](#). A staff report will be prepared before the Planning Commission and will be made publicly available October 12, 2023.

If you would like to submit comments on the draft standards to the Planning Commission, please email your comments to Kathleen Kilgariff at [str@marincounty.org](mailto:str@marincounty.org) and she will provide them to the Planning Commission before the hearing.

You may present oral comments on the Draft Ordinance at the hearing, which will be held in person in the Hearing Chambers, Room 330, Marin County Civic Center, San Rafael. For more information about the Planning Commission hearing, please see [the Planning Commission hearings webpage](#), where agendas and other information will be posted before the hearings.

The Planning Commission will make a recommendation to the Board of Supervisors, which will hold a hearing on the draft ordinance at a later date. Ultimately, the California Coastal Commission must certify Short Term Rental regulations in the Coastal Zone as part of a Local Coastal Program Amendment.

**¿Necesita esta información en español? Comuníquese con el personal del condado de Marin al (415) 473-7173 o [str@marincounty.org](mailto:str@marincounty.org).**

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a County program, service, or activity, requests may be made by calling (415) 473-4381 (Voice), Dial 711 for CA Relay, or by [email](#) at least five business days in advance of the event. We will do our best to fulfill requests received with less than five business days' notice. Copies of documents are available in alternative formats upon request.

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**From:** [Jeff Polick](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Stanley and Judy Cooper](#); [Tim Sowerby](#)  
**Subject:** STR Draft Document  
**Date:** Tuesday, September 19, 2023 10:10:26 AM

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Kathleen,

I just completed my second read of the new draft document. I am impressed by the work the team has done.

They have listened to the community and adjusted the regulations in a meaningful way.

There are examples to note from the first paragraph on, consequences for violations, focus on water, sewer, septic, floor plans, fire safety.....

Thank you very much.

Best,

Jeff

Jeff Polick  
jpolick415@icloud.com  
415-754-5294 iPhone

**From:** [Melissa Daniels](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [vtrotter@ucanr.edu](mailto:vtrotter@ucanr.edu); [kirk@calcattlemen.org](mailto:kirk@calcattlemen.org); [manager@marincfb.com](mailto:manager@marincfb.com); [Kilgariff, Kathleen](mailto:Kilgariff, Kathleen); [officeofpublicaffairs@cdfa.ca.gov](mailto:officeofpublicaffairs@cdfa.ca.gov); [pansel@cfbf.com](mailto:pansel@cfbf.com)  
**Subject:** Draft Short Term Rental Ordinance Standards  
**Date:** Tuesday, September 19, 2023 10:37:41 AM

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Dennis,

Please review the below commentary in regard to the draft short term rental ordinance standards released by the County yesterday.

[Draft Short Term Rental Ordinance Standards](#)

**5.41.050 Short Term Rental Property Standards**

**5.41.050 C.** One Short Term Rental Per Property. Only one short term rental is allowed per property. If a property contains both a main dwelling and an accessory dwelling unit, only the main dwelling unit may be rented on a short-term basis.

The County asked for short term rental hosts, specifically agriculture farm stay hosts, to participate in multiple forums where we provided our feedback and explained our business operations with full transparency as it is our civic responsibility. Those in the agricultural industry who have farm laborers provide long-term housing for these individuals in addition to their short-term rentals. Those ranch/farm owners who do not have farm laborers have at a minimum of one full-time tenant based upon the natural resources available. The vacancy of short-term rentals is determined by natural resources. If the County restricts the # of short-term rental units on a larger property that already has long term tenants based on natural resources and farm labor needs – this is significantly hindering agritourism and significantly reducing the County’s tax income revenue. Furthermore, these homes would in fact sit vacant as there are not the natural resources for another full-time occupant. **Environmental impact is of the utmost importance to those in the agriculture industry**, our livelihood depends on it. **We are unable to sustain life on our land if we do not ration our resources provided by our land.** I can speak from personal experience during peak seasons, I have blocked out my booking calendar to ensure that we are not over consuming and depleting our natural resources. I educate EVERY guest on the importance of water conservation and the preservation of our natural resources as well as sell my product (FOOD) solely to the individuals who come to stay at the ranch.

**The short-term rentals on agricultural properties support ranch/farm operations, contribute to long term housing for those who work on the ranch/farm, those who live within the community and also very importantly, provide jobs for local residents.** These local residents are people whom I grew up in West Marin with and want to see that they have the economic resources to be able to afford to continue to be a Marin County resident and not pushed out of the area like so many have been. The list of individuals who are hired for their services as it pertains to short-term rental: housekeeper (Lagunitas), window washer (Point Reyes), arborist (Inverness), plumber (Nicasio), driveway maintenance (Nicasio), mowing/fire prevention (Woodacre), building maintenance (San Rafael), fire safety (Novato). These are not ranch related expenses, these are specific to short-term housing. **Creating jobs in West Marin is necessary for our local residents to be able to live here.**

**5.41.050 G.** Municipal Services. The short term rental property shall have adequate water and sewer connections and shall be served by local utility agencies for water and sewer service wherever such utilities are provided. **1. In the event that the short term rental is served by a private water supply (well or spring), the property owner will need to possess a domestic water supply permit from the Marin Community Development Agency Environmental Health Services Division or other appropriate public agency and prove potability with a current bacteriological test. 2. In the event that the short term rental is served by a private sewage disposal system, then that system must be documented as legal with the Community Development Agency Environmental Health Services Division or other appropriate public agency, shall be inspected for proper operation by an approved licensed professional, and shall be sized appropriately for the short term rental and any other combined use. –**

Agricultural properties would not apply, nor is this the jurisdiction of the County. Agriculture is exempt from many of the requirements established for single family residences in town and most, if not all ranch/farm properties hosting short-term rentals are Marin Agricultural Land Trust properties, restricting development and ensuring preservation. Furthermore, all agricultural properties which operate short-term rentals have been in existence for generations and are in existence for the purpose of agriculture and providing food to our community - let's not forget about the vitality of this and the means necessary to stay in business. If ranchers/farmers were NOT environmentally sustainable with water supply and septic already, we simply would not be here. To be a sustainable rancher, one must not deplete the land and therefore have relied upon short-term rental in order to be sustainable and ensure the livelihood of the land for the generations to come. Moving forward, if a property owner is to build a new structure for short-term rental purposes and they do not have long term tenants on their property already, the proposed drafted requirement would make sense.

**5.41.050 K.** Special Events. Weddings, corporate events, commercial functions, and any other similar events shall not be held on a property with a short term rental license. Events have absolutely no relation to short term rentals. This is a direct target toward agricultural properties who host events. Events have zero impact on short term rentals, nor do they have impact on neighbors or community for rural properties and there is no supporting information to back this up. This is the first time I have heard of 'events' in the subject of short-term rentals and it has not been included in any agendas, meetings or publications until now.

Please understand that agricultural properties and residential properties for short-term housing should not fall under the same category as these entities are far different.

Thank you,

**Melissa Daniels**

Owner/Operator



707-360-7789

*One Woman Owned and Operated*





**From:** [Daniel Yost](#)  
**To:** [STR](#)  
**Subject:** Short term rentals  
**Date:** Tuesday, September 19, 2023 2:31:22 PM

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I'm writing in favor of maintaining and increasing short term rentals in west Marin. We have stayed there many times in short term rentals, and unless more hotels will be built, That is the only real opportunity for people to visit overnight and bring tourism to West Marin.

We have Three generations in our family so it's easier to stay in an Airbnb rather than separate hotel rooms.

Daniel

Sent from my iPhone

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Short Term Rental Enforcement  
**Date:** Monday, September 18, 2023 11:25:43 PM

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Margo Wixsom with email address [wixword@sbcglobal.net](mailto:wixword@sbcglobal.net) would like information about:

Dear Ms. Kilgariff,

I attended the last public meeting and the majority of speakers, like me, stated that limiting short term rentals in West Marin is a "problem" that is manufactured: blaming STRs for the lack of affordable housing. The vast majority of homes in West Marin are vacation homes owned by non-residents that will never be available for long term rentals. This is an historic fact, as West Marin is a tourist locale. Secondly, Marin has always been an expensive housing market located so close to a major city offering weekend residences. Creating all of this enforcement seems to only be hurting the few elderly and long term residents renting out rooms or part of their homes for AirBnB, which has become the scapegoat of renters angry about affordability in a high priced market and demanding housing where there is very little to begin with. Additionally local owners ignore this ordinance and advertise on Zillow for short term rentals - there is no enforcement.

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Dillon Beach  
**Date:** Monday, September 18, 2023 9:21:11 PM

---

Jacqueline Rolfe with email address [jhilger1@me.com](mailto:jhilger1@me.com) would like information about:  
Dear Council;

I strongly oppose a rental cap in Dillon Beach. This community was meant to be 2nd homes and vacation homes. This cap is driving our home prices down and creating an inability to sell or be able to pass them down to our children for generations. I need the income to supplement my social security when I retire. I am not opposed to capping how many days one could rent in a year, but don't create a community where some can rent and others cannot. That is not fair.

Thank you,  
Jacqueline

**From:** [Lisa Symonds](#)  
**To:** [STR](#)  
**Subject:** Draft short term rentals  
**Date:** Monday, September 18, 2023 9:05:41 PM

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Kathleen

I live in an area in Loma Verde neighborhood of Novato which is unincorporated and part of Marin County but this is not listed on the table of short term rental limits. Will this short term rental ordinance apply to that area? it's next to Loma Verde Elementary.

I live in a single home and would like the option as I get older to perhaps rent out a bedroom or two in my home and add a small kitchenette in one of the two bedrooms so guests would have own meal prep area.sink and cabinet. I was surprised that the draft did not separate requirements for hosted vs non hosted short term rental. I think the requirements and license should be different for non hosted properties as more things can go wrong to pose safety risk to neighborhood- unwelcome flash mob parties, poor kitchen and hygiene of property etc.

I saw junior ADUs were not allowed as short term rentals. I would like that requirement removed as two bedrooms rented out in a single residence home could be designated as a jr adu. I need the ability to do short term rentals to support my retirement income. You will discourage home owners from registering their Jr dwellings built within their homes if you make this restriction. I understand the need to prohibit short term rentals for separate structures in a property but sharing my home with guests should not be restricted.

Please clarify what the thinking was with all these restrictions on the use of my property as a hosted short term rental where I live in one bedroom and living area and short stay guests stay in my other two bedrooms and extra bath. I need the option to have extra income opportunities as inflation out paces social security increases. Long term rental is an option for my bedrooms but I hear nightmare stories about bad roommates and the difficulty of evicting them.

Lisa Symonds

Sent from my iPhone

**From:** Jeff Greenberg  
**To:** [STR](#)  
**Subject:** questions re the draft  
**Date:** Monday, September 18, 2023 3:21:38 PM

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Kathleen,

I really like the new short term rental draft. It seems like you guys listened to people who were complaining and tried to help out.

I have two specific situations (neighbors) that it sounds like this will help but I want to confirm my understanding.

One person has a duplex with no on site parking for either unit. It sounds like duplexes (multifamily) won't be awarded licenses? And that on site parking will be a requirement? This particular person has only one off site spot where she parks so it's a pain for the renter and worse for us residents as they block our driveways etc for "loading".

My other neighbor has two small houses on his property which his long term renter who lives in Hawaii rents as short term rentals all year. It sounds from my reading like only one of the two houses can have a license? And that the renter would need to be present for 6 months and thus not be able to do short term rentals for the entire year?

Also when will this take affect? I couldn't tell if it's 2024 or 2026 I'm sure you'll have lots of pissed off people, but I for one am pleased and appreciative that you are trying to help both sides.

Thanks

Jeff Greenbberg

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Short term rental regs  
**Date:** Monday, September 18, 2023 8:12:28 PM

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Nick Gross with email address [jngross@pacbell.net](mailto:jngross@pacbell.net) would like information about:  
Greetings I have no issue with the bulk of the requirements of obtaining an STR what I take issue with is apparently you gave no weight whatsoever to the declared wishes of residents in specific communities (e.g. Dillon Beach) about NOT imposing a CAP because of historical practice It seems to me that the "cap" is really an illegal extension of the "moratorium," because it states that no new licenses beyond 125 will be allowed, a # which just happens to be? almost identical to the current license count? the same was done for other jurisdictions as well moreover, instead of the cap growing over time (as it should given increases in population and construction) you have it being REDUCED this does not look like a good faith proposal at this point, and I do not support it - its basically an attempt to make the moratorium permanent and with improper future restrictions Nick Gross

**From:** [Amanda Pirot](#)  
**To:** [STR](#)  
**Subject:** Question -- Short-Term Rental Ordinance Languageing  
**Date:** Monday, September 18, 2023 12:39:38 PM

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Hi, I'm a 16-year resident of Mill Valley. I rent in a multi-unit apartment complex in MV.

Is there any language in the Marin County short-term rental ordinance that documents what constitutes a short-term rental? I believe AirBnb type rentals, ADU's and JADU's are the main focus, correct?

In my apartment complex (8 units), most of us have lived here 10-25 years. Yet after 1 year living here, the landlord puts everyone on month-to-month lease. Since we are all now on month-to-month lease is there any legal way that the landlord (or any other Marin landlord in similar circumstances), could decide to state they we are under a "short-term rental"? (The implication being they can charge more money under short-term rental laws)?

I just want to make sure the legal languaging for short term-rentals is defined in the document (if necessary), and makes it clear that landlords of month-to-month rental apartments can not re-categorize themselves as short-term rentals.

Thank you for your reply to my inquiry.  
Amanda Pirot

**From:** [Warren Dodge](#)  
**To:** [STR](#)  
**Subject:** STR question  
**Date:** Monday, September 18, 2023 4:18:44 PM

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I am a SA homeowner with a small ADU on my property. Am I reading this correctly that I could only rent my primary residence and NOT the ADU? That does not make sense?

**C. OneShortTermRentalPerProperty.** Only one short term rental is allowed per property. If a property contains both a main dwelling and an accessory dwelling unit, only the main dwelling unit may be rented on a short-term basis.

Cheers,

*Warren*

Warren Dodge  
(c) 415-302-8819

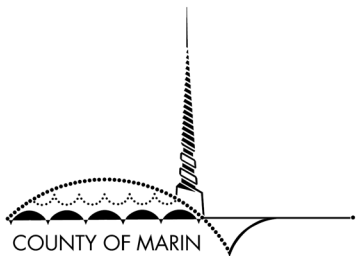


**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Short term rental rules- county  
**Date:** Monday, September 18, 2023 1:30:23 PM

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Angela Maroevich with email address [angela.maroevich@cbnorcal.com](mailto:angela.maroevich@cbnorcal.com) would like information about:

Hello, I'm wondering why you wouldn't allow people to short term rent an ADU or Jr. ADU, as many people add these units with short term renting in mind. Some people do rent them longer term, but many prefer to rent short term or have that option. I don't think the county should be restricting ADU's and Jr ADU's and keeping those out of the short term rental pool. This could impact the future resale value of homes in the area since many potential investors opt out of areas where there are too many rental restrictions. And older retired folks may prefer to short term rent their units for extra income, and not have the responsibility of keeping a long term tenant.



## MEMORANDUM

**TO:** Marin County Planning Commission  
**FROM:** Kathleen Kilgariff, Planner  
**DATE:** October 19, 2023  
**RE:** Short Term Rental (STR) Ordinance Update Workshop

This memorandum provides additional correspondence received for the STR Workshop, which were received after the Staff Report was completed on October 11, 2023. Staff received over 150 public comments as of 12pm on October 19, 2023, and they are included in Attachment 1.

### Attachment

1. Public Comments

**From:** [Yeshi Neumann](#)  
**To:** [PlanningCommission](#); [Rodoni, Dennis](#); [Kilgariff, Kathleen](#)  
**Subject:** Draft STR regulations - Please Vote NO! Thank you  
**Date:** Wednesday, October 11, 2023 9:00:42 PM

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

Dear Marin County Planning Commission, Ms. Kathleen Kilgariff, and Supervisor Dennis Rodoni:

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

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

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

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

**For the homeowner, the regulations are costly, burdensome, and possibly unattainable.** The unprecedented 11-pages of detailed restrictions and requirements will all but ensure compliance failure among a substantial number of homes and result in less lodging to visitors. For those few that can comply, the time and expenses associated with gathering the documentation, additional services, and the annual inspections will lead to a large increase in the overall costs of operation, which will result in increased nightly rates for visitors to the region.

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

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

Sincerely,  
Yeshi Neumann  
Muir Beach  
Yeshi Neumann, *Certified Nurse Midwife, MPH MA*  
[www.mindfulfamilycircles.com](http://www.mindfulfamilycircles.com)

**From:** [Angela Calpestri](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Wednesday, October 11, 2023 6:16:15 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,

Name: Angie Calpestri

Address: PO Box 752, Bolinas, CA 94924

Email:[cbsolution@att.net](mailto:cbsolution@att.net)

**From:** [Jacqueline Patterson](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Wednesday, October 11, 2023 6:17:20 PM

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Thank you for your consideration,  
Jacqueline Patterson  
140 Maple Road PO Box 846 Bolinas, CA 94924  
[medicalmaryjane@gmail.com](mailto:medicalmaryjane@gmail.com)

Sent from my iPad

**From:** [Jane Curtis](#)  
**To:** [STR](#)  
**Subject:** unhosted/investor-owned STRs  
**Date:** Wednesday, October 11, 2023 8:23:21 PM

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I am unable to attend the Planning Commission hearing on Mon Oct 23rd, so I am writing to express my views. I am strongly in favor of reducing the number of unhosted short-term rentals in West Marin. I understand the value of hosted STRs as providing income for local residents and encouraging visitors to our area. However, I would like to see investor-owned and unoccupied homes which provide income sources for companies/corporations with no personal connection to the community be severely limited or even gradually banned. Please count my voice in your decision-making.

thank you

Jane Curtis  
51 Carmencita Ave  
Point Reyes Station  
[jcurtis.jane@gmail.com](mailto:jcurtis.jane@gmail.com)

**From:** [Eoin McMillan](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** STR Draft Regulation feedback (West Marin Resident)  
**Date:** Wednesday, October 11, 2023 10:51:18 PM

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Dear Dennis, county staff, and supervisors,

Overall, I like where the STR draft ordinance is headed, and commend the efforts of county and staff.

My main concern is that the lack of an STR cap below present levels does little to prune back the excess proliferation of STRs that has happened in recent years, and entrenches their negative effects in perpetuity. Unfortunately, what the ordinance as proposed would allow is a recycling effect from one STR owner to the next, but no real underlying adjustment back to a healthier baseline.

Here is how it could be improved:

- **Goal** with a **timeline**: “Reduce the total number of STRs in West Marin to half present levels within X number of years”.
- **Mechanism**: Increased hosting & safety requirements + prioritization of STR licenses in the following order: hosted stays, then stays at properties owned by primary residents, then longest operating.
- **Review cycle**: bi-annually, by the county and a community working group to ensure that the ordinance is moving towards meeting the goal, within the timeline, and without any excessive/unintentional consequences.

The reason I propose the “goal”, “mechanism”, “feedback loop” framework is that it plants a flag that aligns with a supermajority of West Marin residents and orients towards their will. Namely, that STRs are generally problematic and too-numerous, and should be reduced in number. A timeline to achieve this goal allows for a more graceful tapering off for commercial and County interests (TOT), while providing space for a transition that can support and maintain non-resident access to Coastal Marin through alternate means. The review cycle accepts that no policy is perfect, and adjustments will need to be made.

I hope we can all keep sight of the bigger picture here: Non-resident access to Coastal Marin should be supported and celebrated. Meanwhile, residents should not have to compete against commercial STRs in our housing market. These two goals are not mutually exclusive, and a reduce-by-half STR ordinance does not preclude their co-existence.

Thank you for all the work and consideration you're all putting into this, and have a great partial eclipse this Saturday morning.

— Eoin

--

[@mccoin](#)



Eoin McMillan | [eoin.me](http://eoin.me) |

*miseris succurrere disco*

**From:** [Melissa Bloom](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 8:08:14 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,

Name: Melissa Bloom

Address: 31 Mesa Rd.

Email: [melissa@jbloom.com](mailto:melissa@jbloom.com)

**From:** [evan.wilhelm](mailto:evan.wilhelm@gmail.com)  
**To:** [Rodoni, Dennis](mailto:Rodoni.Dennis@planning.commissioners.org)  
**Cc:** [Rice, Katie](mailto:Rice.Katie@planning.commissioners.org); [Moulton-Peters, Stephanie](mailto:Moulton-Peters.Stephanie@planning.commissioners.org); [Sackett, Mary](mailto:Sackett.Mary@planning.commissioners.org); [Lucan, Eric](mailto:Lucan.Eric@planning.commissioners.org); [STR](mailto:STR@planning.commissioners.org); [PlanningCommission](mailto:PlanningCommission@planning.commissioners.org)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 8:43:39 AM

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Dear Planning Commissioners and Supervisors,

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With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Evan Wilhelm  
Address: 145 Birch Road  
Email: [evanawilhelm@gmail.com](mailto:evanawilhelm@gmail.com)

Sent from my iPhone

**From:** [Alana Lowe](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 8:49:32 AM

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Dear Planning Commissioners and Supervisors,

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Thank you for your consideration,  
Alana Lowe  
231 elm rd, bolinas

—  
Alana Lowe  
415.939.4099

**From:** [Van Waring](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [planningcomission@marincounty.org](mailto:planningcomission@marincounty.org)  
**Subject:** Houses Should be Homes (West Marin Resident)  
**Date:** Thursday, October 12, 2023 8:52:15 AM

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Dear Planning Commissioners and Supervisors,

I am a Bolinas/West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. My husband and I both have local jobs and local housing (for now) which is extremely rare out here and would become even more impossible with your proposed ordinance for STRs.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

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With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. **Please make the right decision and do the work for the people that live and work in this community!**

Thank you for your consideration,

Vanessa Waring  
PO Box 732  
Bolinas CA 94924

**From:** [asia\\_thorpe](mailto:asia_thorpe)  
**To:** [Rodoni, Dennis](mailto:Rodoni, Dennis)  
**Cc:** [Rice, Katie](mailto:Rice, Katie); [Moulton-Peters, Stephanie](mailto:Moulton-Peters, Stephanie); [Sackett, Mary](mailto:Sackett, Mary); [Lucan, Eric](mailto:Lucan, Eric); [STR; PlanningCommission](mailto:STR; PlanningCommission)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 9:01:46 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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Thank you for your consideration,  
Name: Asia Thorpe  
Address: 201 mesa rd Bolinas, Ca 94924  
Email: [asiat22@hotmail.com](mailto:asiat22@hotmail.com)

Sincerely, Asia Thorpe

**From:** [Suraya Brendel](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 9:10:03 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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Thank you for your consideration,

Name:  
Address:  
Email:

Suraya Brendel

**From:** [erin barker](#)  
**To:** [STR](#)  
**Subject:** PRIORITIZE REAL HOMES OVER VACATION RENTALS  
**Date:** Thursday, October 12, 2023 9:31:20 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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PS. SHORT TERM RENTALS HAVE ALMOST ENTIRELY DESTROYED THIS TOWN. its impossible to afford to live here because landlords can make more from short term rentals. its impossible to FIND housing because most homes are short term rentals or not used at all.



Thank you for your consideration,

Name: erin barker

Address: 375 overlook dr. unit B #271 bolinas ca 94924

Email: [ebarker133@gmail.com](mailto:ebarker133@gmail.com)

**From:** [Eleanor Bagley](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 9:36:27 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,

Name: Eleanor Bagley Suda ( 3rd generation resident of west Marin)  
Address: 534 Overlook Drive, Bolinas Ca 94924  
Email: ellebagley@gmail.com

**From:** [Dan Suda](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 9:36:31 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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Thank you for your consideration,  
Name: Dan Suda  
Address: 534 Overlook Dr. Bolinas  
Email: [djdsuda@gmail.com](mailto:djdsuda@gmail.com)

Sent from my iPhone

**From:** [gail.greenlees](mailto:gail.greenlees)  
**To:** [Rodoni, Dennis](mailto:Rodoni, Dennis)  
**Cc:** [Rice, Katie](mailto:Rice, Katie); [Moulton-Peters, Stephanie](mailto:Moulton-Peters, Stephanie); [Sackett, Mary](mailto:Sackett, Mary); [Lucan, Eric](mailto:Lucan, Eric); [STR; PlanningCommission](mailto:STR; PlanningCommission)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 10:05:27 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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Thank you for your consideration,

Name: Gail Greenlees

Address: 600 A. Street, Pt. Reyes Station, CA. 94956

Email: [gail.greenlees@hotmail.com](mailto:gail.greenlees@hotmail.com)

**From:** [Colleen Richardson](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Lucan, Eric](#); [Rice, Katie](#); [Sackett, Mary](#); [PlanningCommission](#); [Moulton-Peters, Stephanie](#); [STR](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 10:13:37 AM

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Some people who received this message don't often get email from [calicookie13@gmail.com](mailto:calicookie13@gmail.com). [Learn why this is important](#)

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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Thank you for your consideration,  
Name: Colleen Richardson  
Address: PO Box 974  
Email: [calicookie13@gmail.com](mailto:calicookie13@gmail.com)

**From:** [deborah.b.jones](mailto:deborah.b.jones)  
**To:** [Rodoni, Dennis](mailto:Rodoni.Dennis)  
**Cc:** [Rice, Katie](mailto:Rice.Katie); [Moulton-Peters, Stephanie](mailto:Moulton-Peters.Stephanie); [Sackett, Mary](mailto:Sackett.Mary); [Lucan, Eric](mailto:Lucan.Eric); [STR; PlanningCommission](mailto:STR@PlanningCommission)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 10:36:59 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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Thank you for your consideration,

Deborah Jones  
70 Overlook Road  
Point Reyes Station CA 94956  
[Debbyjones@aol.com](mailto:Debbyjones@aol.com)

**From:** [Chloe McCollum](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 10:46:42 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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Thank you for your consideration,

Name:  
Address:  
Email:

Sent from my iPhone

**From:** [Peggy Day](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 10:57:11 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident, and a constituent of Dennis Rodoni, who is deeply concerned about the number of residential properties that have been commercialized and turned into short-term rentals (STRs) over the past five years. I've lived here for 50 years and have many many stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

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In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages and existing campgrounds, motels, and B&B's are more than enough to serve visitors. This would return the number of STRs to 2018 levels.

With this ordinance, you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

I appreciate your consideration,

Peggy Day, Grandmother to 7 West Marin residents  
DarkSky West Marin:  
PO Box 1131, Point Reyes Station, CA 94956  
[Daynurse@gmail.com](mailto:Daynurse@gmail.com)



**From:** [Chris Anderl](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Short term rental perspectives from Marin 26 year renter, 2 year owner  
**Date:** Thursday, October 12, 2023 11:10:52 AM

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Dear Planning Commissioners and Supervisors,

Here are my thoughts as 26 year Renter and 2 year Owner in West Marin:

As a former 26 year Marin renter, and now 2 year home-owner who can barely afford my mortgage, property taxes, and insurance on my Inverness home, I have a different perspective for you to consider in regard to the Short term rental situation. I completely agree that Marin and Sonoma desperately need more affordable, below market rate rentals. I had lived in substandard, over-priced rentals of varying sorts in Marin for 26 years. Two years ago when I had the great good fortune (but also great responsibility and burden) of being able to buy the place I've rented for 16 years, I went ahead, even knowing all the flaws and issues with the house, and knowing that I'd barely be able to afford it, to have some sense of housing security. So when you lump ALL owners who would like to supplement their income to pay for the EXORBITANT costs of OWNING (particularly when bought in the past 5-10 years) with occasionally renting out a room or their entire house for a few weeks or months per year, I think you are missing the point that each owner has their own particular situation and needs. We home-owners are NOT all super rich, absentee owners. If you bought your house many years ago in Marin, perhaps you (and others) can't quite relate to how stretched some of us are just being able to cover OWNERSHIP.

I'm sure I'm not alone when I also feel that I do not want a full-time roommate, nor do I have an ADU (nor want one, as I greatly value my privacy and space), and so those who are pushing the county to legislate against ALL home-owners how they see fit for homeowners to use their own, hard-earned property does not come across well to many home-owners. It comes across as authoritarian over-reach, actually, for a government to be telling private home-owners how they are allowed to use their own homes. Why not put more of your well-intentioned good energies into lobbying the County to CREATE MORE AFFORDABLE HOUSING INSTEAD?!?

I understand feelings toward ABSENTEE owners doing short-term rentals in our community, but I would argue that you are not going to turn most of those into longer-term rentals even if you're successful lobbying the County for greater restrictions. Many owners are simply not interested in EVER having their second homes rented long term, because they would like to be able to use them as well short term. At any rate, I do hope you realize that many of us owners here in West Marin are NOT absentee, and would appreciate the understanding of the difficulties in affording to be a RECENT OWNER. I also think its good to consider that we do have millions of tourists who would like to visit our wonderful area every year, and they also would like a place to stay.

Chris Anderl, POB 507, Inverness 94937

**From:** [Summer Abdel](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 11:24:14 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Personally, I work in West Marin and have been unable to secure safe, affordable housing for myself, despite being an active member of the community for the past ten years. I am at the verge of moving away from this community which breaks my heart. This is an act of economic displacement and I have had to watch many friends and families relocate.

Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Summer Abdel  
14 Wharf Rd, Bolinas  
[Summermakesgood@gmail.com](mailto:Summermakesgood@gmail.com)

**From:** [Eleanore Despina](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 11:35:06 AM

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Dear Planning Commissioners and Supervisors,

I was really shocked to see your draft proposal allowing an increase in the number of short term rental units in our community. Where are our young people and workers going to live?

Everyone in West Marin has stories of friends, family and neighbors who have had to relocate because their rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live! Housing for locals should be our first concern.

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

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Thank you for your attention to these views.

Sincerely,  
Eleanore Despina  
PO Box 478, Pt Reyes Sta, 94956  
[edespina10@gmail.com](mailto:edespina10@gmail.com)

Eleanore Despina

Sent from my iPhone

**From:** [Amanda Ross](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Lucan, Eric](#); [Rice, Katie](#); [Sackett, Mary](#); [PlanningCommission](#); [Moulton-Peters, Stephanie](#); [STR](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 12:18:34 PM

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Dear Planning Commissioners and Supervisors,

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Thank you for your consideration,  
Name: Amanda Ross  
Address: 43 Brighton Ave Bolinas 94924  
[Email:amandarossskincare@gmail.com](mailto:amandarossskincare@gmail.com)

--

[www.amandarossskincare.com](http://www.amandarossskincare.com)

**From:** [Maile Sivert](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** We need a strong short term rental ordinance  
**Date:** Thursday, October 12, 2023 1:21:53 PM

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Dear Planning Commissioners and Supervisors,

I am a long term renter in West Marin. I have also been trying to buy a home out here for 14 years and have not been able to afford it or have been outbid by second home owners with cash bids. I live in fear of the day my landlord wants to sell and know how hard it will be for me to stay in the community at that time.

I am **deeply concerned** about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Since I have lived here, I have lost many friends, due to them losing housing and having to move to more affordable communities where there are more housing options. Our communities cannot continue to function without places for local workers, school staff, firefighters, families, and seniors to live!

I am the disaster coordinator for my neighborhood. I am one of two full time renters in my assigned area. Two others are second home/part time owners and three are airbnb/vacation rentals. None of those people will be helping in a community disaster. We will be helping them. It takes a community to make West Marin thrive and this capitalist choice to allow second/third/fourth/investors to buy and rent vacation properties out here will ruin the Marin we all enjoy.

The draft STR ordinance is a step in the right direction but it doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

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With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision. Please firmly limit Short Term Rentals!

Thank you for your consideration,

Name: Maile Sivert

Address: 12759 Sir Francis Drake Blvd., Inverness, CA 94937

Email: [mailesivert@gmail.com](mailto:mailesivert@gmail.com)

**From:** [Alya Toquinto](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes! (West Marin Resident)  
**Date:** Thursday, October 12, 2023 1:36:43 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. I myself have faced near constant housing insecurity, and have mostly lived in dwellings that do not meet legal requirements for living space (as that is what is available and "affordable"). I cannot tell you the amount of mental and emotional stress I have incurred from not being able to find adequate housing in the community I was born and raised in. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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Thank you for your consideration,  
Name: Alya Toquinto  
Address: PO Box 550 Inverness CA  
Email: [alya.toquinto@gmail.com](mailto:alya.toquinto@gmail.com)

**From:** [Barbara](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 1:53:20 PM

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Thank you for your consideration,  
Name:Barbara Gaman  
Address: 24 Kehoe Way Inverness  
Email:bgaman@hotmail.com

Sent from my iPhone

**From:** [Kelly McFarling](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 2:10:15 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. I am personally affected by this right now as I have lost my long term rental and cannot find a place to live here! My husband and I both work here - I teach and he installs internet. To leave this community would mean having to completely unwind our lives. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Kelly McFarling  
Address: PO Box 835 Bolinas, CA 94925  
Email: [kmcfarling@gmail.com](mailto:kmcfarling@gmail.com)



**From:** [Ninaf](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 2:24:38 PM

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Dear Planning Commissioners and Supervisors,

I have been a Bolinas resident for over 50 years. I have become increasingly concerned over the past 5 or so years about the number of residential properties that have been commercialized and turned into short term rentals (STRs). My two sons who have grown up here have been unable to find housing here in their hometown. I have friends who have had to leave town when their long-term rentals have been lost. A community can not function without places for local workers, teachers, firefighters, families, and seniors to live. I understand that short term rentals have a legitimate place in a seaside destination such as ours, but the situation has become untenable. I am appalled to learn that the draft STR ordinance proposes an increase in STR licenses! I have heard that currently 16% of our limited housing stock is devoted to short term rentals. This is too much for our community to sustain.

I urge you to substantially reduce the number of permitted STRs. Other coastal communities have done this, and we deserve the same consideration.

Specifically, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and B&B's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels. Please make the right decision.

Thank you for your consideration,  
Name:Nina Bellak  
Address: 510 Dogwood Rd. PO Box 493  
Email: [ninafrederica@sonic.net](mailto:ninafrederica@sonic.net)

Sent from my iPhone

**From:** [Sierra](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 2:28:16 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Sierra miller  
Address: 210 paradise valley rd  
Email: [sierradierks@gmail.com](mailto:sierradierks@gmail.com)

Sierra Miller

**From:** [Harriet Barlow](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 2:34:57 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

**The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough.** The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., **substantially reduce the number of permitted STRs.**

**In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.**

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Harriet Barlow  
PO Box 265, 3 Los Reyes Drive, Point Reyes Station, CA 94956  
[hsbarlow@outlook.com](mailto:hsbarlow@outlook.com)  
415-663-8834

**From:** [Leanne K](#)  
**To:** [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#); [Rodoni, Dennis](#); [Rice, Katie](#)  
**Subject:** NO MORE STRs!!!!  
**Date:** Thursday, October 12, 2023 3:04:13 PM

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

Dear Planning Commissioners and Supervisors,

I'm a West Marin resident deeply concerned about the growing trend of residential properties being transformed into short-term rentals (STRs) over the past 5 years. We all have stories of friends, family, and neighbors who've had to move because they lost their long-term rentals. The very fabric of our communities is at stake, and we're in danger of losing places for local workers, teachers, firefighters, families, and seniors to call home.

While the draft STR ordinance is a step in the right direction, it lacks the necessary strength and falls short of addressing the issue adequately. The adverse impact of STRs on West Marin's housing crisis is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities simply can't function when 16% of their limited housing stock is being siphoned away.

To make a significant change, we should follow the example of other coastal communities. That means significantly reducing the number of permitted STRs. In the case of the Coastal Zone, I strongly urge you to cut the number of unhosted STRs in half, from 480 to 230. With the existing 108 hosted STRs, we'd still have 338 STRs in our coastal villages, in addition to the existing campgrounds, motels, and BnBs. This would bring the number of STRs back to 2018 levels.

With this ordinance, you have the power to either restore balance in our coastal communities or perpetuate their hollowing out. Please make the right decision.

Thank you for your consideration,

Name: Leanne Kriz  
Address: 210 Laurel Road  
Email: [leannekriz@gmail.com](mailto:leannekriz@gmail.com)

**From:** [Lynn Bagley](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 3:08:28 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half or more, from 480 to 230 or less. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Lynn spalding  
Address: 530 overlook Dr. Bolinas Ca  
Email: [lynnbagleyphoto@gmail.com](mailto:lynnbagleyphoto@gmail.com)

Thanks,

~ Lynn

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: short term rental proposal falls short  
**Date:** Thursday, October 12, 2023 10:23:28 AM

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Public comment.

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

From: Pamela Ross <[rossgay108@gmail.com](mailto:rossgay108@gmail.com)>  
Sent: Thursday, October 12, 2023 9:23 AM  
To: PlanningCommission <[PlanningCommission@marincounty.org](mailto:PlanningCommission@marincounty.org)>  
Subject: short term rental proposal falls short

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Dear Planning Commissioners,

We are 20+year West Marin residents deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. You and everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The current draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities have done: substantially reduce the number of permitted STRs. In the Coastal Zone, we urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.  
Thank you for listening to the residents,

Pamela Ross

Charles Gay

60 Drake Summit Rd

Inverness

**From:** [danny.speirn](mailto:danny.speirn)  
**To:** [Rodoni, Dennis](mailto:Rodoni, Dennis)  
**Cc:** [Rice, Katie](mailto:Rice, Katie); [Moulton-Peters, Stephanie](mailto:Moulton-Peters, Stephanie); [Sackett, Mary](mailto:Sackett, Mary); [Lucan, Eric](mailto:Lucan, Eric); [STR; PlanningCommission](mailto:STR; PlanningCommission)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 3:35:42 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Daniel speirn  
Address: 305 overlook drive Bolinas ca 94924  
Email: dspeirn@yahoo.com

Sent from my iPhone

**From:** [ChouChou Mora-Lopez](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 4:00:29 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,

Siobhan Mora-Lopez  
P.O. Box 941  
Bolinas CA 94924  
[choubedo@gmail.com](mailto:choubedo@gmail.com)

Sent from my iPhone



**From:** [ssmurch@gmail.com](mailto:ssmurch@gmail.com)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** West Marin Resident Asking for Decrease in Permitted STRs  
**Date:** Thursday, October 12, 2023 4:01:41 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident and renter who is deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years.

I walk around our town and see the empty houses, devoid of community members, except on occasional weekends and summer months when rented.

Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,

Sam Murch  
Bolinas, California  
[Ssmurch@gmail.com](mailto:Ssmurch@gmail.com)

**From:** [carol cotton arts](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 4:13:26 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

Thank you for your consideration,  
Carol Cotton  
Bolin

**From:** [Aniela GOTTWALD](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 4:57:35 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Aniela Gottwald  
Address: 465 Ivy Road Bolinas, CA 94924  
Email: [anielagottwald@mac.com](mailto:anielagottwald@mac.com)

Sent from my iPhone

**From:** [Harriet Moss](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Save our residential neighborhoods!  
**Date:** Thursday, October 12, 2023 5:12:37 PM  
**Attachments:** [Screenshot 2023-10-06 at 10.15.16 AM.png](#)

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Dear Dennis, the Board of Supervisors and the Planning Commissioners,

A picture (or in this case, an ad) is worth 1000 words. THIS is why STR's should have been capped 5 years ago when there were literally half the number of unhosted STRs in the Coastal Zone as there are now. This is also the reason that the so-called "West Marin Access Coalition" is so vocal - it has very little to do with visitors' access to the coast, of which there is plenty. Please do the right thing for our West Marin communities and reduce the total number of STR licenses back to the 2018 level, when there were approximately 345\* — as opposed to the 568 there are now or the 676 the draft ordinance proposes as a starting point. This is nothing less than a fight for the soul - and survival - of our coastal villages. Thank you for the time and consideration you will undoubtedly spend on this complicated matter.

\* From Marin County Finance Department records



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Harriet Moss  
5 Laurel Avenue  
Stinson Beach, CA 94970  
415-254-3492

**From:** [Cristina di Grazia](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 5:32:00 PM

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Dear Planning Commissioners and Supervisors,

No MORE vacation rentals in West Marin. There's plenty already.  
It changes the demographics of our towns and is undermining the stability of long term housing in our communities and lessening kids in local schools.

Thank you for your consideration,  
Name: cristina di grazia  
Address: 59 Altura Ave Bolinas ca 94924  
Email: [cdnigrazia@gmail.com](mailto:cdnigrazia@gmail.com)

**From:** [Nancy Stein](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 5:52:15 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years.

As a home owner with a legal second unit, I have always rented it to a single person at affordable rates.

I do so because my neighborhood in Inverness Park is one of the rare ones that doesn't have a single STR. Recently, I tried to find an inexpensive weekend lodging for friends coming and I was honestly shocked. Nothing under \$250/night plus a \$100 cleaning fee.

Please don't tell me that STR's are to serve visitors - possibly only very wealthy visitors, and certainly, absolutely no one who doesn't plan a few months in advance. STR's are not only ruining the long term rental market - they are now so profitable that they have knocked out the affordable weekend rentals!

Here is the story of my neighborhood: When I sent out a plea to the neighbors to have a place for a friend, I got 7 replies. Many of these people own second homes. NONE of them have STR's. Not a single one. Not a single person asked me to compensate them.

THAT IS A NEIGHBORHOOD! A place where people know each other well enough to open their doors to each other. Unfortunately, most of us are old, including myself. As these homes sell, I fear the advent of STR's, and corporate entities and investors. I hope to sell myself to someone who will care for the land and the community as I have. Do I have to write this in my deed, because my governmental agencies are themselves beholden to wealthy, private investors who fund campaigns? Believe me, we who live here know that certain greedy realtors are salivating over our lands! We get letters asking us to sell.

This is not a problem exclusive to the California coast - it has happened to every beautiful place world wide. Many many places have outlawed STR's altogether. There is nothing wrong with BnB and people making a living catering to tourists. However, there is a reason that hotels have a concierge. As a landlord, I know there are many things for me to take care of in my rental and I do responsibly. It should not be my job to do that for someone who invests in a property and then isn't here when the pipes freeze or a tree falls.

What happens to the world when only the rich, especially those who rarely visit, are the only people who get to live or visit a national park, a beach, etc.?

Can you see how this is going? Can you see how it defeats the very nature of a democracy by destroying a community?

Why should the people who SERVICE these str's only get to be in them as a house cleaner or gardener?

The current draft STR standards are woefully inadequate!

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be **338** STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,

Name: Nancy Stein

Address: 56 drakes summit, p.o. bx 28, Pt. Reyes 94956

[Email: nancysteinart@gmail.com](mailto:nancysteinart@gmail.com)



**From:** [Nancy Stein](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 6:01:19 PM

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

Dear Planning Commissioners and Supervisors,

I have commented already but wanted to say one more thing.

Why is it that any government agency has to protect the “right” of homeowners to have an existing STR? Obviously, buying property has inherent risks subject to the housing market. Why are those who bought property with the intention of renting it at all suddenly being protected from risk?

Railroads failed. Ranches are being shut down. No one uses a floppy disk and many don't have CD's anymore. Things change, and often they change because they should

STR's NEED regulating. Why should hotels have regulations, standards, concierges, but not STR's?

The following reasonable to me, and I am someone who could have had an STR for the last 20 years but didn't!

---

Thank you for your consideration,  
Name: Nancy Stein  
Address: box 28, 56 drakes summit  
Email: [nancysteinar@gmail.com](mailto:nancysteinar@gmail.com)

**From:** [C Dorinson](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 6:26:28 PM

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

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

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In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Cathleen Dorinson  
Address: 45 Viento Way, Pt Reyes Station, CA  
Email: cdorinson@hotmail.com

**From:** [April ginsberg](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 6:47:55 PM

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Some people who received this message don't often get email from [aprilginsberg70@gmail.com](mailto:aprilginsberg70@gmail.com). [Learn why this is important](#)

Dear Planning Commissioners and Supervisors,

I am appalled that the current draft which includes a 20% increase in rentals. This will kill my community and leave long term residence house less. Have you been listening? Or are you influenced by money and the people who care about profit over community. Please open your ears and hearts and make meaningful restrictions on str's!

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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Thank you for your consideration,  
April ginsberg  
430 aspen rd  
Bollinas ca  
Email: [aprilginsberg70@gmail.com](mailto:aprilginsberg70@gmail.com)

**From:** [Kate Elisabeth Gaffney](#)  
**To:** [STR](#)  
**Date:** Thursday, October 12, 2023 7:15:17 PM

---

You don't often get email from kg1622101@berkeley.edu. [Learn why this is important](#)

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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Thank you for your consideration,  
Kate Gaffney  
[Kg1622101@berkeley.edu](mailto:Kg1622101@berkeley.edu)

**From:** [Ezra Bowers](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Locals need homes!  
**Date:** Thursday, October 12, 2023 7:23:15 PM

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

Dear Planning Commissioners and Supervisors,

My name is Ezra, I've lived in West Marin for over a decade now, and I'm deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. I personally have close peers and friends that have had to relocate because their long-term rental has been lost. Our communities require essential workers, like: store clerks, firefighters, teachers... and they will not continue to function without them. These are the people we are evicting.

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

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Thank you for your consideration,  
Ezra Bowers  
200 Elm Rd, Bolinas  
[ezratobey@gmail.com](mailto:ezratobey@gmail.com)

**From:** [Annie O'Connor](mailto:Annie.O'Connor@gmail.com)  
**To:** [Rodoni, Dennis](mailto:Rodoni.Dennis@planningcommission.com)  
**Cc:** [Rice, Katie](mailto:Rice.Katie@planningcommission.com); [Moulton-Peters, Stephanie](mailto:Moulton-Peters.Stephanie@planningcommission.com); [Sackett, Mary](mailto:Sackett.Mary@planningcommission.com); [Lucan, Eric](mailto:Lucan.Eric@planningcommission.com); [STR](mailto:STR@planningcommission.com); [PlanningCommission](mailto:PlanningCommission@planningcommission.com)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 8:44:23 PM

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Thank you for your consideration,  
Name: Annie O'Connor  
Address: 125 Cedar Rd, Bolinas, CA 94924  
Email: [Annie.s.oconnor@gmail.com](mailto:Annie.s.oconnor@gmail.com)

-

Annie O'Connor  
m: +1.415-858-5401

**From:** [Dana Testa](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 9:21:14 PM

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[You don't often get email from [dctesta13@yahoo.com](mailto:dctesta13@yahoo.com). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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Thank you for your consideration,  
Name: Dana Testa  
Address: 958 Patricia Way, San Rafael  
Email: [dctesta13@yahoo.com](mailto:dctesta13@yahoo.com)



**From:** [Giovanna Bustamante](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 12, 2023 9:55:37 PM

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

Dear Planning Commissioners and Supervisors,

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Thank you for your consideration,

Name:  
Address:  
Email:

Sent from my iPhone

October 12, 2023

Tony Ragona  
Windsong Cottage Bed & Breakfast  
Est 1988  
25 McDonald Lane  
Point Reyes Station, CA 94956  
415-663-9695

I own and operate Windsong Cottage Bed and Breakfast which we started in 1988. Back then there were only a few Bed & Breakfast owners.

Firstly, I do support limiting the number of Short Term Rentals.

There are a couple of new requirements in the draft that impact our neighbors who have lived in this community for generations. A few of the new rules threaten their ability to stay in their homes.

One rule states one can only rent a main house not a second unit or ADU.

Personally this essentially means the end of my business (which can be argued as government 'taking'). I do not want to give up my home that I've lived in for thirty eight years and move into my B&B in order to continue business.

More than likely if forced to close I would leave the second unit cottage available for family visits.

I've spoken with a few short term rental owners who have been in business long before the advent of Airbnb and even before the advent of the modern internet. These folks are in their 70's and 80's and are dependent on the income.

While talking to them about the proposed septic inspections, I could sense fear creeping into the conversation. Some of these people have old septic's that are operational, but they wonder if they will pass modern requirements? So rather than risk having to replace a septic system they could not afford, they will be left in a difficult situation and possibly be forced to move on.

*Could something please be included in the final draft to make sure this does not happen to the handful of folk who may be at risk?*

*Perhaps exempting them or make allowances for those who have been in business for more than twenty or thirty years?*

Sadly, in fear of being targeted, these folks will not be speaking up tonight.

So, please be careful with this proposal, the end result may open a **FEW** long term rentals but may also have the **unintended consequence** of forcing ourmost **vulnerable senior neighbors** out of the community.

I'm also wondering if anyone has reached out to people looking for housing? Have they been thoughtfully surveyed?

And has anyone asked short term rental owners the amount they would need to charge for their long term rental unit?

I believe more comprehensive studies are needed before enacting any new regulations.

Sincerely,

Tony Ragona



October 12, 2023

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Windsong Cottage Bed & Breakfast  
Est 1988  
25 McDonald Lane  
Point Reyes Station, CA 94956  
415-663-9695

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I believe more comprehensive studies are needed before enacting any new regulations.

Sincerely,

Tony Ragona

**From:** [Tristan](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** STR West Marin  
**Date:** Friday, October 13, 2023 8:00:06 AM

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[You don't often get email from [tristanconway@yahoo.com](mailto:tristanconway@yahoo.com). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

To consider increasing the number of STR in West Marin is to disregard one of the most important community needs, housing. Affordable or not, options are dwindling.

This feels like yet another local issue where people who do not live here are making the decisions. Who developed your community surveys? Who reviewed them? How much time have your teams spent talking with the people and evaluating demographics?

Who are you trying to support by increasing STR and why?

Marin County is facing an epidemic of the wrong people in positions of power making the wrong decisions.

Tristan

**From:** [Ian Hopping](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Friday, October 13, 2023 9:10:26 AM

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Dear Planning Commissioners and Supervisors,

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With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Ian Hopping  
Address: 465 Birch Road, Bolinas CA 94924  
Email: [Ian.hopping@gmail.com](mailto:Ian.hopping@gmail.com)

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Short erm Rental DRAFT Ordinance  
**Date:** Friday, October 13, 2023 10:40:14 AM

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Victor Gomez with email address [gad@arinrealtors.org](mailto:gad@arinrealtors.org) would like information about:  
Hello Kathleen - The Marin Association of Realtors would like to formally request that the county consider allowing STR permits to be transferred to new owners.

Thank you





October 13, 2023

To: Marin County Planning Commission

CC: Marin County Planning Department, CDA, Marin Board of Supervisors

**RE: Short term rentals draft regulations conversation on October 23, 2023**

Dear Marin County Planning Commission Members,

Hipcamp is a Marin County-founded business that partners with local landowners to open up new and unique places for people to camp and get outside. Hipcamp has unlocked over 41 million acres of private lands internationally for public recreation, with over 50% of our Hosts in California operating on family farms, ranches, or other working lands.

Hipcamp is grateful for the opportunity to offer comments on the October 23, 2023 Planning Commission meeting agenda in regards to the conversation on short-term rental (STR) regulations.

**Hipcamp is advocating for the following three requests in relation to the drafted language:**

1. Include the recommended exemption for “agricultural lands” under Section 5.41.030 as mentioned in the staff report under “alternatives to consider,” page 2.
2. Set a definition of “agricultural lands” that aligns with the federal definition. Since 1974, the Census of Agriculture has defined a farm as “any place from which \$1,000 or more of agricultural products were produced and sold, or normally would have been sold, during the census year.”<sup>1</sup>
3. Work with the Board of Supervisors to direct the planning department to undertake a review and update to regulations regarding overnight stays and hospitality on agricultural lands in early 2024.

Ranching and farming is an historically tough business. The average net income for a farm in Marin is approximately \$56,000 annually<sup>2</sup>, which is making it harder every year for agricultural operations to avoid sell-offs and stay afloat. At the same time, farms and ranches in Marin are essential to meeting the county’s stated goals of protecting biodiversity, promoting climate diversity, and supporting a local food and tourism economy. Hosting safe and responsible

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<sup>1</sup> 2017 U.S Federal Census of Agriculture, Highlights, [link here](#).

<sup>2</sup> Marin Agricultural Land Trust, May 26, 2022, [link here](#).

overnight accommodations on their lands can help keep agricultural operations open, especially smaller properties that have less capacity to absorb hardship.

That's why, in addition to exempting agricultural operations from STR regulations, we urge the county to update all overnight hospitality options for working lands in early 2024. Creating a simple and accessible permitting pathway for low-impact camping on agricultural lands would create an additional revenue stream for working lands while also creating low-cost visitor-serving accommodations that are hard to find across Marin<sup>3</sup>. Similarly, we recommend defining "agricultural lands" based on the federal census definition to ensure parity for large and small properties alike.

We are grateful for the opportunity to offer comments on these draft regulations, and would be happy to provide additional context, support, or policy expertise where it would be helpful.

Sincerely,

A handwritten signature in black ink, appearing to read 'mro', with a long horizontal line extending to the right.

Michal Rosenoer  
Team Lead, Government and Community Relations  
Hipcamp, Inc.

---

<sup>3</sup> Whereas the staff report notes that the average Marin STR lists for an average of \$550 per night, the average cost of camping on agricultural lands around Marin costs \$65 per night on platforms like Hipcamp.

Dear Commissioners,

I write to you as a small, independent farmer in Marin County. I operate ten acres just outside of the Novato city limits, growing a modest, annual fruit crop. As you can imagine, the economics of the operation are tough. In most years, breaking even is a success.

Agriculture is and has always been at the heart of Marin County. I highly value being part of that honored tradition. But one also has to be realistic. I receive a steady stream of phone calls from developers anxious to get their hands on my land. I have watched over the decades as others in my position have yielded to such calls, have seen the luxury homes that sprout in the once-empty rolling hills. I resist the urge to sell, though it would mean financial security for my family. I do this because I am not willing to abandon the ideals I have worked, cried, sweat and bled for. The land is in me, and I am in the land.

What those of us who choose this path need is a partner. As the commission moves forward with new legislation regarding STRs in the county, I urge you to also consider the impacts to our agricultural community. We are not buying housing stock to place on that market. We are not investors looking to pad a rental portfolio. We are hard-working, local people trying to keep our businesses going. We request that Marin County prioritize a development code update related to all hospitality on agricultural lands, including recreational camping. Farms and ranches need every tool in the toolbox to stay in operation, and additional forms of hospitality on farms and ranches should be addressed quickly.

Thank you,  
Sam Belletto

**From:** [Hilary Avalon](#)  
**To:** [STR](#)  
**Subject:** Draft ordinance  
**Date:** Friday, October 13, 2023 11:50:49 AM

---

Dear Kathleen, et al.,

I would like to go on record with my opinion that there should not be a max limit on STRs in vacation communities like Dillon Beach. Vacation is the target use for those houses, by and large, and not full time rental or primary residence. Also, I think it's profoundly unfair that those who already have a license will be able to renew their license in perpetuity, keeping any new applicants from consideration. If you are going to limit the STRs, everyone should have one term licenses and then get back in line. Also, another effective way to limit STRs activity is to limit the overall number of days an STR can operate annually, instead of reducing the overall number of STRs. Then everyone can rent their property, assuming they can qualify for the license and permit, but only for the designated number of days per year.

I think the way the County currently has it drafted is profoundly unfair and biased.

Also, for the record, I'm not planning to use my property as an STR, although I used to have a license and permit in the past. I am writing today because I felt the need to speak for others when I read the proposed ordinance and had the thoughts I did about it.

I hope you will revise the ordinance in a way that considers the whole community and not just a few individuals.

Thank you,  
Hilary Avalon  
DBNG Board Member (but speaking personally, not for the Board)  
707-481-8673

**From:** [Melissa Daniels](#)  
**To:** [Kilgariff, Kathleen](#); [Lacko, Leslie](#); [Rodoni, Dennis](#); [Jones, Sarah](#); [STR](#)  
**Cc:** [Pearlman, Isaac](#); [Alton, Megan](#); [Liebster, Jack](#); [Drumm, Kristin](#); [Jeremy Tejirian](#); [Barreto, Fernando](#); [djllewis@ucanr.edu](mailto:djllewis@ucanr.edu); [vtrotter@ucanr.edu](mailto:vtrotter@ucanr.edu); [lyverdone@malt.org](mailto:lyverdone@malt.org); [Lisa.poncia@stemplecreek.com](mailto:Lisa.poncia@stemplecreek.com); [loren.poncia@stemplecreek.com](mailto:loren.poncia@stemplecreek.com); [vivienstraus@gmail.com](mailto:vivienstraus@gmail.com); [manager@marincfb.com](mailto:manager@marincfb.com); [mysticmilkman@gmail.com](mailto:mysticmilkman@gmail.com); [kirk@calcattlemen.org](mailto:kirk@calcattlemen.org)  
**Subject:** Letter Follow Up to 10/12/23 Zoom Meeting RE Marin Agricultural Farm Stay Exemption to STR Ordinance  
**Date:** Friday, October 13, 2023 1:56:03 PM  
**Attachments:** [Letter Follow Up to 10.11.23 Zoom Meeting & Article.pdf](#)

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

Good Afternoon,

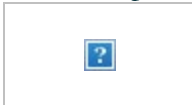
I hope this email finds you well. Please find the attached letter as a follow up to the meeting which was held via Zoom on Wed., October 12, 2023 with Leslie Lacko of the Community Development Agency along with the great folks at the UC Cooperative Extension office, Vince Trotter and David Lewis. I appreciate the opportunities given to have discussions about STRs on agricultural properties and the chance to explain the criticality for such diversification in order to sustain our agricultural operations. I am very glad that the County Planning Commission is in agreement that farm stays should be exempt from the proposed ordinance. We, as agricultural producers in West Marin, are a very important part of Marin County and the future of agriculture as a whole.

Please review the attached and forward to anyone who may not be included in this original email. Please maintain this information on file with the correspondence on this subject.

A special thank you to Dennis Rodoni and Sarah Jones for their supportive comments at the ag roundtable meeting held on Thurs., September 28th and their time and dedication to this subject in hearing from the ag community on short term rentals.

Thank you,

**Melissa Daniels**  
Owner/Operator



707-360-7789

*One Woman Owned and Operated*

*National Cattlemen's Beef Board Member*

*NCBA Certified Beef Advocate*

[Podcast Episode 29: Stories from Cattle Country, California Cattlemen's Association](#)



October 13, 2023

RE: Follow Up to 10/11/23 5:30PM Zoom Meeting with Leslie Lacko, UC Cooperative Extension and Marin County Agricultural Farm Stay Hosts

To the Marin County Planning Commission and Board of Supervisors,

As we continue to attend the many meetings and provide important feedback on our diversified agricultural properties, let us acknowledge that this is how we stay in business in the agricultural industry - and how we afford to feed our families. **It is important to recognize that Marin was founded on agriculture, yet the many factors of the ever-changing climate, both economically and environmentally has dissolved the ability to survive solely on agricultural income.** Diversification on agricultural lands has been in effect for many years and is an absolute necessity for farmers and ranchers. I am pleased to hear in our last conversations that the County staff are in support of the exemption from the current STR ordinance as our local agricultural community is a far different from any other STR and cannot be compared.

As mentioned in my letter dated 7/12/23, in addition to agritourism which is key to our agricultural operations and local economy, agricultural STRs provide temporary housing for seasonal ranch labor and individuals visiting to learn about agriculture. **The need to promote agriculture in the United States is critical for the future of our food industry with limited access to agriculture for the public, and less agricultural operations, in general.**

For many years, my family hosted individuals from around the world who have come to learn to farm and gain hands on experience in the cattle industry. Some of the individuals who have stayed in the STR include disabled veterans, troubled youth and adults and those with disabilities which is something very unique and equally as important. To have the STR space to temporarily house these groups provides the opportunity for these people to get their hands in the dirt and learn about farming and ranching which is both healing and educational to learn new skills to apply in their everyday lives and for a more positive future for those in need. We have also hosted many mental health retreats in the STR as we know there is a mental health crisis and a 33% increase in need after 2020 published in memo by Kaiser Permanente on 10/12/23. To provide an opportunity to those in need who would otherwise never have the chance is giving back to the community, which is something my family believed in, and I carry the same belief and dedication.

On my ranch, one full-time tenant resides at a below market value monthly rent and contributes to my ranch's needs for livestock care and miscellaneous duties such as ensuring water systems are working properly for livestock. My tenant is not only a huge resource for me but closely understands the challenges faced with very limited natural resources, especially in the drought we have been experiencing which has, for many years, impacted my entire agricultural operation and housing. Drought adversely affects many aspects of the U.S. agricultural sector. Agricultural regions rely on rainfall for agricultural production and drought diminishes crop and livestock outputs and severely affects farm profitability. I am a single woman owner and operator of my ranch in West Marin, working a full-time job for a local healthcare provider, and I could not afford to employ a ranch laborer, nor does my property's natural resources provide enough water to sustain another full-time tenant. I have had to order water for delivery by truck on numerous occasions without rainfall which costs \$525 per load and only yields 2,500 gallons. The challenge with water availability and septic capacity is something I do not think many people understand. **To live and work on the land and understand how nature works is how we are sustainable.** If we do not care for our land, our land cannot provide. **Our land sets the precedence on what we can sustain without negatively impacting the environment and depleting natural resources.** Farmers and ranchers are environmentalists and conservationists, and we would not be here if we were otherwise. There is no security for the future, and one must do what is necessary to continue to provide food to our community and afford to stay on our land - and to pass this down to the next generation of those thereafter as part of the land conservation easement for some, if not all. We, as Marin producers and STR/event hosts have been operating our business' in a professional manner, contributing largely to the local government through TOT and other taxes and have followed all health and safety needs which is also required by our insurance companies as the inflation of insurance policies with limited coverage and availability has been challenging and additional measures are being made each year for safety as the climate changes. Agricultural producers are at the utmost highest level of health and safety to protect their properties, their surroundings and those who visit.

5730 Nicasio Valley Road | Post Office Box 742 | Nicasio, California 94946 | [cowtrackranch.com](http://cowtrackranch.com)



**In the last two decades, at a minimum, the need for income diversification to sustain agricultural operations across the United States has become a necessity – not an option.**

As previously mentioned in my 7/12/23 letter, as a hosted STR, I interact with my guests and my mission is to connect those with no link to agriculture to where their food comes from. This is the reason families stay here in the first place. In doing this, I spend time educating the children that stay about the day-to-day ranching activities in hopes of providing them a chance to one day, get involved in the agricultural industry. **As a Certified National Beef Advocate and Board member appointed by the USDA for the National Cattlemen's Beef Board, it is my duty to educate consumers and provide agricultural experience to those without access.**

Based on the USDA, Economic Research Service (ERS) commodity cost and return estimates, feed expenses are the largest operating cost for cow-calf producers, comprising 75 percent of these costs in 2021. Prices for beef cattle feed were up 16 percent in May 2022 relative to May 2021 and only increasing in the years to come. **Feed accounts for 60% - 75% of the cost for cattle operations and there is much uncertainty on the future regarding food production and feed cost and the STR is a critical component to support this.**

Food prices are at above historical-average rates and offering food to our community and expanded communities is pivotal. In addition, hosting events on ranches and providing food from our own operations and those farmers and ranchers in our community along with utilization of all local staffing and business' is another important piece of sustaining our agricultural operations and supporting our local economy. The opportunity to provide a full-circle experience for the urban consumer is my goal – to stay on a working ranch, learn about agriculture and eat the food that is grown is a limited opportunity which, fortunately, has been growing globally. **Most, if not all agricultural properties, mostly those with cattle operations, have diversified their operations with short term rentals/agritourism and events and other facets to be able to keep their operations going.**

Please reference the attached publication excerpt by the National Cattlemen's Beef Association as agritourism is a growing necessity and income diversification is key in sustaining agricultural properties across the United States.

I trust that the Board of Supervisors will understand the criticality of diversification with STRs to sustain our agricultural operations - and to support the local economy and community.

Melissa Daniels  
Owner/Operator  
Cow Track Ranch  
*Woman Owned and Operated*



# NATIONAL CATTLEMEN



National Cattlemen's  
Beef Association

*The trusted leader and definitive voice of the U.S. cattle and beef industry.*

## 2023 DIRECTIONS

THE OFFICIAL PUBLICATION OF NCBA



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Photo provided by Cow Track Ranch.

## MORE THAN CATTLE

### UNIQUE ENTERPRISES ARE ADDING REVENUE AND EDUCATING CONSUMERS

Cattle producers across the country know that ranching is more than just raising cattle. It's a lifestyle that involves family and community with a goal of feeding the world. With the increasing disconnect between producers and consumers, cattlemen and women can share their lifestyle to educate the growing population while adding revenue to their bottom line.

Farmers and ranchers are resourceful, using land and water resources efficiently in their unique environments. However, threats such as drought, input costs and cyclical markets are constantly impacting business success. One way producers can soften these blows is diversifying by incorporating agritourism activities. Regardless of whether an operation encompasses a handful of acres or land stretching for miles, opening the ranch gates to the public and inviting people to experience agriculture at its finest can enhance economic sustainability. It may also give the next generation the opportunity to return to the farm or ranch and continue the family's legacy.

Connecting with consumers on the ranch has many benefits including generating revenue, sharing the family story, and combating misinformation, but producers must be prepared. Anytime people come onto private property there are issues to consider such as liability, insurance, labor and additional regulations. Understanding the reason for incorporating activities on the ranch and the family's goals for diversification are critical for success.

Here's a peek into how producers across the country welcome guests to their ranches in unique ways, conquering challenges while staying true to their roots along the way.

#### Providing a Farm to Table Experience

Located only 30 minutes from the Pacific Coast, Melissa Daniels is carrying on her parents' legacy of ranching in Nicasio, California, on Cow Track Ranch. Daniels' father, originally from Chicago, was a large animal veterinarian in Marin County and his interest in

cattle led him to buy a former dairy farm in 1986 with a handshake. Daniels' mother was born and raised in San Francisco but was grounded in the land, growing organic produce and sharing her love of agriculture with others.

"This ranch was my parents' dream, and they loved sharing it with others the most," Daniels said.

Daniels grew up on the ranch, then went to school in San Francisco, always remaining connected with the family business. That connection strengthened when the family began offering farm stays in 2011. Initially, the lodging was promoted through word-of-mouth, then Daniels discovered Airbnb and transformed the existing bunk house and guest house on the ranch into an experience for visitors. The bunk house sleeps up to five and is perfect for families, while the guest house, the home where Daniels grew up, is a more intimate experience designed for couples.

When her mother passed away in 2018, Daniels moved back to the ranch permanently and now lives on what she affectionately calls "the compound," hosting guests and providing an educational experience for those who visit.

Education is paramount to the visitor experience, and Daniels takes immense pride in sharing the story of U.S. beef producers with guests. She uses each one-on-one interaction to explain the importance of agriculture, the history of the ranch and how cattle are raised with care. Farm-stay guests experience cattle care firsthand as they watch roundups, witness feeding time, and see how animals are given vaccinations.

"Having guests on the ranch is a great way to explain what we do and connect urban dwellers with agriculture," Daniels said. "I can get kids involved and promote agriculture to future generations."

A friend with a USDA-inspected mobile processing unit inspired Daniels to expand her farm-to-table offerings by processing her beef to offer to guests and creating a full-circle experience. Now, 75% of guests also purchase beef and eggs at the ranch, many of whom are repeat customers. Daniels also partners with a local beekeeper and sells honey along with a special Sundried Rosemary Salt she created and artisanal soaps which her mother started making as a way to prevent waste by utilizing produce grown on the ranch that couldn't be sold.

"It was always my dream to provide a full-circle experience for guests, connecting them with agriculture, from lodging to eating homegrown beef and something they would share with others," Daniels said. "The fastest way to educate the public about ranching is to give them an experience and to me, that's everything."



Photo provided by Cow Track Ranch.



As with any business, challenges arise, especially when it comes to regulations, increased lodging taxes and insurance. There are always hurdles to face, however, Daniels leans on local agricultural organizations and her guests for support. She reflected on one guest who had been a vegetarian for 20 years and ended up buying beef during the stay. The guest also came to Daniels' aid writing a letter of support for the on-farm experience when the county began putting in restrictions on short-term rentals.

"Our guests are creating memories on the ranch, but they are also voters who can get up close and personal with agriculture," Daniels said. "A visit may completely change their mind about beef production, especially in California."

In addition to the Black Angus Daniels raises for her beef operation, she maintains several head of Longhorns, carrying on her father's love for the breed. The rugged creatures are a draw for guests, plus they provide predator control and help with land management. Daniels notes that Longhorns will go where Angus will not, in steep canyons and across rocks to graze brush and trees other animals find less palatable.

As herd numbers fluctuate due to drought, the added revenue from lodging supplements ranch income. Repeat business is also essential, and individual guests often return with work groups, weddings or other events. Daniels can't say enough about incorporating agritourism into the ranch's business plan and credits these unique activities for affording her the opportunity to stay on the ranch.

"When I think about what success means to me, I think about the thousands of people we host from around the globe every year," Daniels said. "I love to see a guest's eyes open wide when they first see cattle and enthusiastically take pictures. I'm thankful I can connect them with agriculture."

Moving from the Pacific Coast to America's heartland, on-ranch experiences may look a little different, however, consumer education still abounds.

### Hunting Expands Successful Seedstock Business

Since 1909, the Jorgensen family has cared for the land, animals and natural resources that make up Jorgensen Land & Cattle in Ideal, South Dakota. During those 114 years, the family-run operation has grown to become one of the largest seedstock producers in the

U.S., marketing 6,000 Black Angus bulls each year. In addition to the cattle business, the diversified operation raises small grains and manages an all-inclusive pheasant hunting experience for guests. Whether it is bulls, crops or visitors, the Jorgensen's focus continues to be on soil health, crop diversity and treating the land right so it can remain in the family for another 100 years.

Jorgensen Land & Cattle is located in the "golden triangle" in south central South Dakota where pheasants thrive, offering some of the best pheasant hunting in the world. When Cody Jorgensen returned home from college in the late 1990s, his love of hunting sparked the desire to add a new enterprise to the family's business.

For nearly two decades, the Jorgensens offered guided pheasant hunts on their property for a small trespass fee. The endeavor expanded in 2011 when a neighbor wanted to retire and sold his property, lodge and pheasant hunting business to the Jorgensens. While the existing lodge created new opportunities for the family to expand into the hospitality industry, their sights were set on something greater, so they built the 22-bedroom Lazy J Grand Lodge and began offering all-inclusive hunting packages.

At the same time, the seedstock business continued to grow and family members, and their expertise, needed to remain with the livestock part of the operation. The family also quickly realized that hosting guests requires different skills and personalities. Understanding the differences between the enterprises led the Jorgensens to hire a lodge manager and chef and create a standalone division of the business, with its own resources, enabling further growth and allowing the family to focus on the seedstock operation.

"We found that it wasn't efficient to have Cody spend one-third of his time managing a part of the business that generated 10% of the revenue," said Partner CEO Nick Jorgensen with Jorgensen Land & Cattle, Cody's cousin. "We needed him to focus on the livestock and let someone else manage the hunting operation."

The lodge hosts 500 hunters every year and in the off season is used for weddings, parties and other events, which allows the facility to generate revenue year-round. The Jorgensens experienced some challenges as they became a destination for hunters from across the country. Hunting customers have different requirements than seedstock customers, and they need to be



From L to R: Bryan Jorgensen, Nick Jorgensen, Cody Jorgensen, Greg Jorgensen.



**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: STR CAPS IN WEST MARIN  
**Date:** Friday, October 13, 2023 9:34:31 AM

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

From: Kelley Berg <kelleyberg@gmail.com>  
Sent: Friday, October 13, 2023 9:33 AM  
To: PlanningCommission <PlanningCommission@marincounty.org>  
Subject: STR CAPS IN WEST MARIN

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

Hello- I am a resident of Inverness, Ca. I am writing to urge you to set a cap on STR's that is half the current level. Our community is suffering profoundly from a paucity of long term residences and the long term effect of that is devastatingly lose lose. We can reverse this trend with lower STR Caps.  
Thank you for your consideration.  
Kelley Berg

Sent from my iPhone

**Evans, Joyce**

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**From:** Dorothy McQuown <dr.dorothyym@yahoo.com>  
**Sent:** Friday, October 13, 2023 2:03 AM  
**To:** BOS; Moulton-Peters, Stephanie; Rodoni, Dennis; Sackett, Mary; Rice, Katie; Lucan, Eric  
**Subject:** Housing

**Dear Supervisors:**

Please help to keep some modicum of local control in housing, for many good reasons. If Marin County pursues a "pro-housing designation", then it will be doubling down on programs similar to those within the Housing Element in order to receive a very small grant. The total grant money would be \$3 million divided by all the jurisdictions in Marin. Whatever portion Unincorporated Marin where I live would receive is nothing compared to the costs of mitigating all the adverse impacts caused by the thoughtless growth that is being pushed on the County through the Regional Housing Needs Allocation process, other State laws, and now this proposed unnecessary additional removal of development constraints.

Examples of policies include eliminating or reducing parking requirements for certain projects; establishing ministerial approval for a variety of housing types; allowing impact fee waivers for developers; and providing grants for accessory dwelling units.

The Environmental Impact Report for Marin County's latest Housing Element determined that development consistent with the Housing Element would result in **15 unavoidable significant adverse environmental impacts.**

Please be responsive to your constituents. Thank you. Dorothy McQuown, Ph, D, Homeowner in unincorporated Mill Valley for 41 years.

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: Short term rentals  
**Date:** Monday, October 16, 2023 10:38:25 AM

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

From: Laura Riley <laura.riley@icloud.com>  
Sent: Friday, October 13, 2023 8:50 PM  
To: PlanningCommission <PlanningCommission@marincounty.org>  
Cc: don@horizoncable.com  
Subject: Short term rentals

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

To whom it may concern:

As a 40 year resident of Bolinas, when it came time to sell our home on Tulip Road, we had concerns about the next homeowners to be. We knew that housing was(is) in short supply and that folks were being priced out of the market and forced to leave town.

We received several offers on our home, but the top bidder stated his intention to use it as a short term vacation rental. We rejected this offer.

Fortunately there was a lower offer by a local family of four with both parents employed in town and two children enrolled in Bolinas School. We accepted their offer, fulfilling our promise to contribute to the health of the community as much as possible.

I am writing this in support of legislation discouraging the proliferation of short term rentals in order to preserve communities like Bolinas.

Thank you,

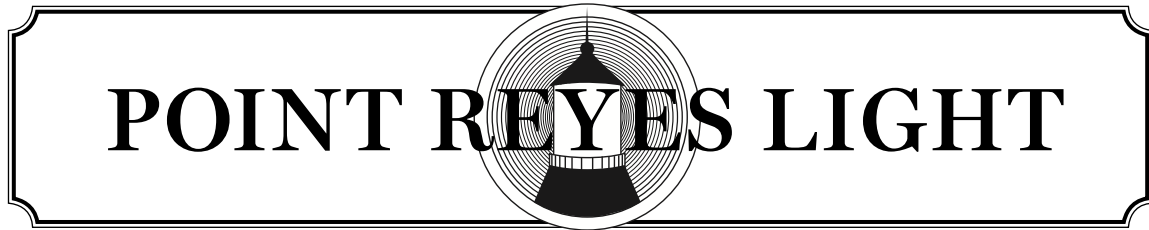
Laurie Riley

Sent from my iPhone

**From:** [Don Smith](#)  
**To:** [PlanningCommission](#)  
**Cc:** [Rodoni, Dennis](#); [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#)  
**Subject:** Choosing Community Over Profit  
**Date:** Friday, October 13, 2023 3:19:49 PM  
**Attachments:** [Choosing community over profit - Point Reyes Light.html](#)

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Dear Planning Commissioners and Supervisors,  
Please see my attached Opinion piece on the STR proliferation crisis in this week's Point Reyes Light.  
Thank you, Don Smith



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OPINION

## Choosing community over profit

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by **Don Smith**  
October 11, 2023

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We've all seen it happen or heard the grim stories: blocks of empty homes, rentals hard to find at any price, families moving away for lack of housing. Our coastal communities are in big trouble as victims of their own desirability. Everyone wants to visit beautiful West Marin and is willing to pay a premium for a vacation rental or a second home.

There are many factors driving up rents and home prices here, but short-term renting to vacationers is a big one. That extra income is hard for a homeowner to turn down. Do I want to retain the family now leasing my property for the \$3,600 that's typical today for a West Marin two-bedroom? Or do I want to post it online as a short-term rental that would net me at least \$300 a night after taxes and fees? At the year-round average of 20 days per month one can expect to have an S.T.R. occupied, that's \$6,000 a month—almost twice what the long-term family has been paying, plus I get to use the place anytime I want. Hard to say no to such a deal!

Or do I want to just sell the place and be done with tenants? At today's \$1.6 million typical for a two-bedroom home in West Marin per Zillow data, I could put the

proceeds in a C.D. at 5 percent and be earning \$6,300 a month—even better than the S.T.R. income.

Now let's say there are two bidders on that house, both able to put \$300,000 down. One is a local family that's been renting and wants to plant a stake in the community and build equity. At today's 7 percent interest on a fixed 30-year mortgage, they're going to have to come up with \$10,300 a month for the mortgage and property taxes. Ouch! Even if the bank will let them spend 40 percent of their income on housing, they'd have to be making over \$300,000 a year to get financing. This is why families leave town when they lose their rental.

Consider the second bidder on that same house. He or she lives elsewhere and wants a second home on the coast, or wants to “park” money there as an investment (yes, this is happening). They can S.T.R. that house, earn \$6,000 a month and still occupy it whenever they want, if they want. With S.T.R. income paying over half of their \$10,300 monthly expenses, they can far outbid the local who wants to live in the house. Hopeful homebuyers who will actually live here don't stand a chance.

The S.T.R. bonanza brought in a big wave of new second-home buyers and investors who'd never have been able to afford to buy otherwise. The second-homers themselves validated this point in county listening sessions on S.T.R. regulations by complaining that the current moratorium was preventing them from being able to sell those homes. Well, yes: at the inflated value that S.T.R.s generate.

Let's face the fact that profit, not an urge to provide visitor access, is driving the boom in S.T.R.s. This is why we see aggressive marketing by online hosting platforms and commercial investor groups. This is why there are now almost twice as many—870—S.T.R.s in unincorporated Marin as there were in 2018, when there were 480. This rise explains why home prices have soared much more—68 percent from 2013 to 2020—in S.T.R.-laden West Marin than countywide, where home prices rose 42 percent in that time period. The situation is completely out of hand. And there is no end in sight.

In 2015, I joined a group of West Marin residents who saw the escalation of S.T.R. activity and urged the county to regulate it. Marin's response was to implement a “good neighbor” policy in 2018 that may have cut back on huge parties but did



nothing to curb growth. Now here we are with 16 percent of West Marin's housing stock in S.T.R.s—much higher than caps already enacted by many other coastal jurisdictions to restore their lost housing.

The California Coastal Commission is generally approving low S.T.R. caps set by coastal communities, recognizing that preserving workforce housing and community vitality is as important as visitor access—indeed, they enhance the experience of those visitors. Courts have backed these restrictions. In June, a federal judge dismissed all claims challenging San Diego's S.T.R. ordinance that reduces unhosted S.T.R.s by 50 percent everywhere except in Mission Beach. “A government regulation that merely prohibits...certain private uses...does not constitute a categorical taking,” the judge said, adding that “preservation of housing stock is a proper exercise of the City's police power.”

Despite all these grim statistics, Marin County has drafted an S.T.R. ordinance that ends up adding 108 houses to the current count, asserting up front that the proposal “is enacted to ensure that STR activity....preserves existing housing and communities while balancing the protection of private property rights.” The draft ordinance does not call for either restoring housing lost since 2018 or preventing commercial entities from buying up residential housing for boutique hotels or money parks. It directly conflicts with Marin's state-mandated Housing Element and the county's Local Coastal Program, which do address our housing crisis.

Please write to [\[email protected\]](#) well before the Planning Commission's Oct. 23 hearing and urge them to direct county staff to set a cap on unhosted S.T.R.s that is half of the current number—just below the 2018 level.

*Don Smith moved to Bolinas in 1999, built a house, served on the community's utility district board for 19 years, and is a longtime active member of the community center and land trust. He is now building an ADU to house a low-income family.*

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**From:** [Joseph Blumenthal](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Fwd: email addresses you asked for  
**Date:** Friday, October 13, 2023 4:00:06 PM

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> Dear Planning Commissioners and Supervisors,

>

> I am a West Marin resident deeply concerned about the number of residential  
> properties that have been commercialized and turned into short term rentals (STRs)  
> over the past 5 years. Everyone living in West Marin has stories of friends, family,  
> and neighbors who have had to relocate because their long-term rental has been  
> lost. Our communities cannot continue to function without places for local workers,  
> teachers, firefighters, families, and seniors to live!

>

> The draft STR ordinance is a step in the right direction but it has no teeth and doesn't  
> go far enough. The negative effects STRs are having on the housing crisis in West  
> Marin is well-documented in both Marin's Housing Element and its Local Coastal  
> Program. Small communities cannot function when 16% of their limited housing  
> stock is taken away.

>

> The only way to improve this situation is to do what other communities up and down  
> the coast have done – i.e., substantially reduce the number of permitted STRs.

>

> In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half,  
> from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338  
> STRs in our coastal villages; along with existing campgrounds, motels and BnB's,  
> more than enough to serve visitors. This would bring the number of STRs back to  
> 2018 levels.

>

> With this ordinance you can either help restore the balance in our coastal  
> communities or further hollow them out in perpetuity. Please make the right  
> decision.

>

> Thank you for your consideration,

> Name:M. Blumenthal

> Address: P.O. Box 642

> Email:maujoe@yahoo.com

>

>

>

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>

>

>

>

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: Short Term Rentals  
**Date:** Monday, October 16, 2023 1:47:38 PM

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**From:** toolset\_hosanna\_0d@icloud.com <toolset\_hosanna\_0d@icloud.com>  
**Sent:** Friday, October 13, 2023 11:55 PM  
**To:** PlanningCommission <PlanningCommission@marincounty.org>  
**Subject:** Short Term Rentals

You don't often get email from [toolset\\_hosanna\\_0d@icloud.com](mailto:toolset_hosanna_0d@icloud.com). [Learn why this is important](#)

Planning Commission,

I've read the 28 pg. staff report re: STR in West Marin. I have questions and comments.

We own a home in Stinson Beach which we successfully rented short term prior to Covid. We had a license and paid TOT monthly.

When Covid appeared in 2019 we decided to take our vacation rental off the market for the safety of our community.

When the Covid vaccine was made available and hospitalization rates declined, we turned our attention to renting short term only to find out that a moratorium had been passed, thus our license had expired and we could not reapply. We truly felt we were doing the right thing to not rent during Covid...and in the end, we were penalized.

I read that notices re: the moratorium were sent to past license owners, however, we NEVER received a notice regarding the upcoming moratorium.

I understand that people in the know rushed to get licenses and that there are more licenses now than the cap proposed.

Question, if all of those same licensees reapply, how will anyone outside of that group receive a license? Other than being placed on a wait list, how is this inequity going to be addressed?

What you are proposing - to limit STR's to increase long term rentals - doesn't apply well to Stinson Beach, much like it doesn't apply well to Marshall.

I have tried renting our home long term but the arduous drive over the mountain or on Hwy 1, the lack of schools, dental and medical offices, services we take for granted in the incorporated parts of Marin, make living full time in Stinson impractical and VERY difficult.

Yes, due to Covid more people are able to work from their homes....but that doesn't mean they want to live in a vacation community where they need to drive over Mt. Tam every other day to get their needs met.

Question: do any of the planning commission members live in Stinson Beach? Do they understand the nature of this community?

In other words, the premise of capping short term housing to create long term housing is a good one...but not for every community, and specifically not for Stinson Beach.

Stinson Beach is a beloved vacation destination, bringing in millions of revenue to Marin County via TOT, in addition to the amounts vacationers spend for food, recreation, sports, shopping, etc.

This is the gift Stinson Beach offers our Marin community.

Trying to turn Stinson Beach homes into long term housing is not only going to fail, it's going to shrink funds that the county needs and can use to create long term housing in communities that people actually want to live in full time.

Question...if you were going to buy an investment property to rent full time...would you purchase a home in Stinson Beach?

I hope you will continue to look at the nature and gifts of each community so that creating long term housing is successful WHILE continuing to bring in taxes and funds from vacation communities.

Thank you,  
A Concerned Marin resident

**From:** [po\\_kutchins](mailto:po_kutchins)  
**To:** [Kilgariff, Kathleen](#); [Rodoni, Dennis](#); [PlanningCommission](#)  
**Cc:** [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)  
**Subject:** short term rental regulations  
**Date:** Saturday, October 14, 2023 8:38:07 AM

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

Dear Marin County Planning Commission, Ms. Kathleen Kilgariff, and Supervisor Dennis Rodoni:

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

By blocking us from short term rentals, you are ensuring that only wealthy people can afford to live in West Marin. Multiple branches of my family have been in Inverness for over half a century. My father built our house in 1979 on Laurel in Inverness Park with love and passion. This home, and West Marin, is part of my family's DNA. He wanted me and my daughter and all of us to have our family home for the rest of our lives and for generations to come. I spend half my time on the hill. Unlike some of the wealthier property owners in West Marin, I cannot afford to maintain a second home. I spend as much time as I can in my home in Inverness Park, but in order to afford to keep it I need to rent for stretches when I'm away working or with my daughter in NY. Excluding my family from being able to rent our home to visitors is unfair and unequal treatment.

Many cities have found reasonable ways to insure that the short term rentals are only used by those who actually occupy their homes more than half of the year. Why not find a way that doesn't disenfranchise so many of us?

Please vote no on the draft regulations and help stop the County's misguided effort to limit visitor access to the region's public lands and endanger existing **home owners ability** to keep their homes.

Sincerely,  
Algren Po Kutchins  
Inverness Park

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** STR requirements  
**Date:** Saturday, October 14, 2023 11:05:38 AM

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Geraldine GaNun with email address [ganunowens@mac.com](mailto:ganunowens@mac.com) would like information about: As a STR homeowner at Dillon Beach, I think it unfair to impose the 2 parking spot restrictions for all STR homes. The village at Dillon Beach consists of small cottages with limited lot sizes and parking restrictions will likely affect the majority of the rental units. The 125 rentals include Oceana Marin where this restriction will not affect those homes. As a side note, I make little to no income on this property as most earning go to taxes, utilities and upkeep. If these rules are enforced, many of the owners will most likely have to sell and in doing so will make less than market value since it will be impossible for new owners to acquire licenses. Also, I see there is an exclusion of hotel,motel,B&B or campground. I assume this includes the tiny houses that have been installed at Dillon Beach whose owners bring throngs of people creating traffic and destruction of sensitive dunes. In conclusion, a very unfair situation for those of us who maintain and care for our property.

**From:** [Carol Whitman](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Be part of the solution! Houses Should Be Homes. (West Marin Resident)  
**Date:** Saturday, October 14, 2023 11:12:21 AM

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

Dear Planning Commissioners and Supervisors,

I am a long time West Marin resident, very worried about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. I've known people who've had to move because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance doesn't do enough and it has no teeth. The negative effects STRs are having on the housing crisis in WestMarin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors.

You have the power to either be part of the solution or be be part of the problem. With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. I beg you to make the community-oriented decision.

Thank you for your consideration,  
Name: Carol Whitman  
Address: 8 Noren Way, PO Box 177, Pt Reyes Station, CA 94956  
Email: whitman.carol@gmail.com

**From:** [Melinda J Stone](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Disappointment with STR Ordinance (West Marin Resident)  
**Date:** Saturday, October 14, 2023 11:33:46 AM

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You don't often get email from stone@usfca.edu. [Learn why this is important](#)

Hello Dennis.

I am very sad and discouraged by the recent proposed short term rental ordinance that will ADD more STRs to our small community of Bolinas.

I have been working on this issue for the past 8 years and feel like things have only gotten worse during this time. More families being forced to move due to housing that turns into short term rentals continues as I type this to you.

Dennis, when you were first elected you were in favor of a Bolinas Test of the Santa Monica ordinance (limiting STRs to houses that were hosted, at least one person living on site, whether in the house being rented or in an ADU), understanding that our hamlet is much different than Stinson Beach, Dillon Beach and other places have embraced STRs as part of their culture. I know we have moved beyond this now but to see it slide in the other direction is disheartening.

Ideally an ordinance can be created that takes into account the different characters of each of the hamlets in West Marin. I notice when I attend county meetings that Dillon Beach residents are the main folks who support an increase in STRs while we in Bolinas come to declare we wish for more restrictions. Please do not adopt a one size fits all ordinance. And if you must, please create one that does not increase the amount of STRs in our community.

I am not as involved in the STR work these days and am so appreciative and thankful for the work that my friends Leila Monroe, Don Smith and others are committed to to ensure our community does not continue to suffer due to the proliferation of STRs. Know that I support their work and believe that what they are proposing for the ordinance is sound and beneficial to a more thriving and just community.

Thank you for all you do for us and please do more in this regard. We need a more nuanced ordinance. Our community needs it.

Best Regards,

Melinda Stone

--

Melinda Stone, Ph.D.  
Associate Professor, Environmental Studies, USF  
[howtohomestead.org](http://howtohomestead.org)



**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** STR  
**Date:** Saturday, October 14, 2023 1:41:34 PM

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Sally Robertson with email address [sally@sallyrobertson.com](mailto:sally@sallyrobertson.com) would like information about: I have been a short term rental host in Bolinas for over 20 years and pay TOT tax monthly. I rent a room in my home on a nightly basis; many of my clients over the years are family and friends of local residents as well as those who come to enjoy our beautiful coast. I am now well into my 70's and rely on this rental income.

The suggestion that hosts be required to live at the location offering the rental is one I support. This would help entire homes from becoming rentals and protect housing for locals.

In looking over the proposed new regulations I am overwhelmed with unnecessary and seemingly impossible hurdles it presents.  
Please protect my livelihood do not pass this overly complex proposal.

**From:** [Laurie Ellis](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** My concerns about STR proposal  
**Date:** Saturday, October 14, 2023 3:45:44 PM

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Dear Planning Commissioners and Supervisors,

I am a full time resident of Stinson Beach who is very concerned about the STRs in my neighborhood and community diminishing the vibrancy of life as we we know it.

The constant turnover of people with no vested interest in our little town negatively impacts all of us with the stress it puts on our emergency services, parking, and detracting from the quality of the community for those of us who actually live here.

I have thoroughly read and reviewed your proposed new regulations and am perplexed by the lack of any changes that would actually improve the situation.

Some of the new licensing standards have some significance but it seems to me that the obvious omission is for a paid employee of the county who would be physically spot checking for compliance to the requirements for licensing. Any new standards, any standards at all, will surely be ignored or defied under a “self” supervising approach.

A reasonable licensing fee, equal to a single night rental for each un-hosted property, would easily cover the salary for that position and give the new requirements some value.

In addition, it is totally unacceptable that the numbers of existing un-hosted properties provided in this proposal , for Stinson and all the other West Marin communities involved, is misleading and allows for increasing the totals we have now, not reducing them. This error must be corrected before any vote can be made.

I would also like to voice my opinion that while the potential profit for the un-hosted property owners may increase the volume of their complaint against the new regulations, the numbers of us who are trying hard to protect our quality of life is a more important voice , if not as loud, because we are the voting constituents of West Marin and we matter!

Please help us improve our communities by significantly reducing the number of permitted STRs, funding the enforcement of new stringent regulations and supporting the quality of life that we all deserve out here in West Marin.

Thank you for your consideration,  
Laurie Ellis  
30 Buena Vista Ave.  
Stinson Beach  
Email: [ljellis71@gmail.com](mailto:ljellis71@gmail.com)

Sent from my iPad

**From:** [Lisa Poncia](#)  
**To:** [Kilgariff, Kathleen](#); [STR](#); [Lacko, Leslie](#); [Jones, Sarah](#); [Rodoni, Dennis](#); [Rice, Katie](#); [Sackett, Mary](#); [Albert, Tanya](#); [Lucan, Eric](#)  
**Cc:** [Cow Track Ranch](#); [Lily Verdone](#); [David Lewis](#); [tvrotter@ucanr.edu](mailto:tvrotter@ucanr.edu); [Pearlman, Isaac](#); [Alton, Megan](#); [Liebster, Jack](#); [Drumm, Kristin](#); [Jeremy Tejirian](#); [Barreto, Fernando](#); [Loren Poncia](#)  
**Subject:** Letter re: Farm Stays - Planning Commission Meeting 10/23/24  
**Date:** Sunday, October 15, 2023 9:43:42 PM  
**Attachments:** [2023.10.15 Letter to Marin County Planning Commission re STRs.pdf](#)

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Please see the attached written comments re: Farm Stays on Agricultural property for the Planning Commission Meeting on 10/23/24.

Thank you very much for your careful attention to this matter and for your support of family farms in Marin County.

Much appreciated,  
Lisa Poncia



**Lisa Poncia**  
**Cell:** (916) 747-3400  
**Office:** (415) 883-8253  
[stemplecreek.com](http://stemplecreek.com)





Stemple Creek Ranch  
P.O. Box 22  
Tomales, CA 94971  
[www.StempleCreek.com](http://www.StempleCreek.com)

October 15, 2023

Marin County Planning Commission  
Marin County Board of Supervisors

Re: Proposed Regulations – STRs in Marin County  
Agricultural Farm Stays

To Whom It May Concern:

Stemple Creek Ranch is a 4<sup>th</sup> generation organic cattle ranch in Marin County, CA. We raise grass-fed, grass-finished beef and lamb and pastured pork. We have worked tirelessly to produce nutrient dense food in a manner that increases carbon in our soil, puts the health of our pastures and our animals at the forefront of decision making, and creates a healthy product for our local community to eat.

I am writing today asking for support of local agriculture by way of exempting agricultural properties from STR regulations. Farm stays and agritourism in general are vital to our agricultural operation and to the local agricultural community, as I will explain more below.

My husband Loren Poncia is a 4<sup>th</sup> generation rancher in Marin County and specifically left a long and successful career in corporate America to "come home" to his roots and continue his family legacy in Marin County agriculture. That decision was not an easy one, as making a living in agriculture is not for the faint at heart. We hope there will be a business for our kids, nieces, and nephews to get involved in when they are ready to be the 5<sup>th</sup> generation – but there needs to be a thriving agriculture community in order for that to happen.

When we moved back to Marin County 18 years ago, we did so with the sole purpose and intent of renting Loren's family ranch, starting our own business in production agriculture, and trying to preserve his family's legacy for the next generation. The last 18 years have not been easy, but we have grown our business, connected with consumers, restaurants, butcher shops, grocery stores, and more throughout the bay area and beyond, and have even been able to purchase the ranch next door to Loren's family's ranch to help us accomplish our goals.



Over the last 18 years we have hosted countless ranch tours and non-profit events to help educate our community about local agriculture. We have volunteered our time and devoted our own personal resources to this cause. We have become certified organic, moved from selling our animals into the conventional market to finishing them on grass on our own land and selling them direct to consumers, restaurants, butcher shops, and grocery stores. We are actively fighting climate change and enhancing ecosystems through carbon farming.

We run our business the hard way. We don't cut corners. We are transparent to our customers. We do this because we are passionate about local agriculture, because we want to produce food that we are proud to feed to our children and neighbors, and because we don't want to see small family agriculture disappear from Marin County. We have considered starting over in a more business friendly environment where the cost of living is less and land is easy to come by. So far we have made the decision to stay here, but that cannot last forever if Marin County is not actively supportive of agriculture. A business cannot be sustainable if it can't sustain the people running it.

In the harsh business environment that we exist in, local agriculture needs to be allowed to diversify. We have diversified our business by selling to both wholesale and retail customers, by adding pastured pigs to our grass-fed and grass-finished beef and sheep, and by producing value-added products such as beef jerky and sausages to our product line. We have also diversified into agritourism – including ranch tours, farm stays, farm to table dinners, and educational events. The visitors that come to our ranch are vital to our business for several reasons. They create an additional revenue stream to us. While this revenue stream is very small compared to our revenue from the ranching and meat enterprises, it is vital to those core agricultural enterprises because the visitors learn about our products and our work, buy our products on site, post to social media and tell their friends, and become long term customers and advocates of our business. They also visit other agricultural and non-agricultural businesses while they are visiting us. It is true grass-roots marketing in every sense of the word.

Our farm stay residences are not taking away from long term rentals or farm worker housing. On our family's properties, we have regular long term rental tenants, agricultural employees that work for Stemple Creek Ranch, agricultural employees that work for other producers, and family all that coexist together. Each of the residential units is maximized for its highest and best use.

It is very clear that consumers and community members support local agriculture. They are craving authenticity and education about where their food comes from. They drive two hours to come take a ranch tour. They show up at the farmer's market in the pouring rain to buy their week's groceries. They seek out grocery stores and restaurants that sell our products. They come for a farm stay to celebrate important milestones and celebrations. Now it is Marin County's turn to show continued, material support of local agriculture.



**STEMPLE CREEK RANCH®**  
GRASS FED & GRASS FINISHED

Agritourism is the lifeblood of the future of agriculture in our small County. If Marin County is not willing to support local agriculture, then Marin County will see local agriculture disappear. It is that simple.

Thank you for your careful consideration.

Thank you,

A handwritten signature in blue ink, appearing to be 'Lisa Poncia', written in a cursive style.

Stemple Creek Ranch, Inc.  
Lisa Poncia, Co-Owner

**From:** [John Hutchinson](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Sunday, October 15, 2023 9:37:41 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

As a long term resident of Stinson beach I have seen the community hollowed out by the short term rental market. We can no longer find enough people to volunteer for committee work in Stinson because of the increasing percent of short term rentals. The businesses in town cannot find workers who can live here, so the businesses are short staffed and the workers they do have drive an hour or two!!! to come to work. Many of our friends have had to leave town as they are unable to find affordable housing in Stinson after living here for decades. It feels as if our tightly knit community is turning into a weekend hotel....

Thank you for your consideration,  
Name: John Hutchinson

Address: 23 Avenida Olema, Stinson Beach  
Email: [jhutch@packetvelocity.com](mailto:jhutch@packetvelocity.com)

**From:** [erica HAWLEY](#)  
**To:** [Sackett, Mary](#); [Lucan, Eric](#); [Rice, Katie](#); [STR](#); [PlanningCommission](#)  
**Subject:** neighbors@westmarinresidentsforhousing.org  
**Date:** Sunday, October 15, 2023 10:11:47 AM

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

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Erica Hawley  
Address: 39 Elm rd Bolinas  
Email: ericahawley@yahoo.com



**From:** [arianne dar](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Comments in consideration of the proposed STR ordinance  
**Date:** Sunday, October 15, 2023 12:31:38 PM

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Dear Dennis and other members of the Board of Supervisors:

I applaud you and your staff for your efforts to evaluate the impact of short term rentals in unincorporated Marin, especially in the communities of West Marin on the coast. I know this task was not a simple one and needed to balance the interests of many important groups. I have read your newly proposed ordinance as best I can and while I cannot say I fully understand all of it, I do not feel it goes quite far enough.

I moved to Bolinas in 2001 as a single parent and quickly joined the school board. At that time the Bolinas Stinson School had just over 150 students ( not including preschoolers ages 3-4). There were virtually no overnight accommodations in Bolinas, with only a few rooms available at Smiley's and the Grand Hotel and a few private bed and breakfasts that pretty much only "the locals" knew about. The town was a thriving diverse community with many full time residents. There were many events at the community center, a full time clinic, and a well staffed volunteer fire department.

By the time the housing crisis of 2008 was over and AirBNB had been fully established, the school was down to roughly 85 students and many homes had been sold and long term rentals converted to short term rentals. There seemed to be a very real housing crisis. In 2014 I responded by joining the Bolinas Community Land Trust Board and in 2017 I became its executive director. Believe me when I say that I have seen the transformation and degradation of our village in the past 20 years and that I have worked with dozens of families and individuals attempting to stay housed here. It has been an extremely sad transition to be a part of.

To be sure, STRs are not the only driver in the negative changes that have taken place in Bolinas, but they have driven the real estate market prices to unreasonable and often absurd highs, and they have brought real estate speculators here who never even knew the place existed. A friend of mine recently sold her home. She got 3 offers, one from a family that had recently been priced out of the market in Stinson Beach and was trying to remain in the area and two others who openly and admittedly volunteered that they were buying purely as a short term rental investment and never planned to vacation here themselves. My friend did the right thing and sold their home to the local family, though that meant taking the lowest offer. I have also heard of many instances in which people buy a home and say they intend to use it themselves and let their friends come upon occasion, and shortly after have it listed on a private social media account for hundreds of dollars a night. How many homes in West Marin are now used not as primary residences or second homes but only as short term rentals? While you have some solid numbers from those who have registered with AirBNB, or another listing company, I don't believe your numbers adequately reflect the real numbers of homes that have been removed from community use. There are dozens more being rented without being tracked.

There are licensing requirements listed in your outlined proposal, most of which I applaud. That said, how do you intend to bring existing STRs into compliance with those terms, or are the ones who are already operating get an exemption? From what I have seen the county does not have a great track record in making sure existing codes are met and code enforcement is loath to even look over a fence to see what is taking place on the other side. Does the county know how many spaces are rented out to RVs as STR spots in Bolinas? Or, how many pieces of vacant land have been converted to private campsites for STRs? I know many local property owners count on these illegal STRs to be able to hold on to their properties and I definitely do not want to jeopardize their businesses, but their rentals do add to the overall numbers of visitors and with the new ordinance being proposed, they are the most likely to be shut

down which also doesn't seem quite right, though may in fact be necessary. I would only hope that wealthy homeowners would also be being scrutinized.

I noticed in the proposed language that says that on a property where an ADU exists the property owner is not allowed to use the ADU as the short term rental but must instead rent out their main house. This seems wrong to me and more likely than not will make it hard for someone to both be a full time resident and property owner and offer a STR. Does a family of 4 with children in the school need to move into an ADU on the weekends so they can make some money on the side to pay their property taxes? Shouldn't they be allowed to stay in their primary residence and rent out their ADU as an STR. Doesn't your proposed law penalize low income homeowners and privilege the wealth second homeowners who can put a "caretaker" in their ADU and rent out their vacation home when they are not their 95% of the time? Do we really want to have our primary residences held for our STRs? This seems really twisted and warrants revision.

My experience is limited to Bolinas, but I am sure that each community has its own story to tell. I am also sure that each community has its own perceived threshold for how many visitors it can accommodate and serve. Stinson Beach has historically had a lot of STRs, Hotels and parking for the State Beach. Point Reyes is a commercial center for the "Northern" towns as well as the gateway to Point Reyes National Seashore. Bolinas is a cul de sac with no parking, no zoning to accommodate hotels and a massive amount of day traffic for people trying to surf. While I believe the county can come up with terms that apply to STRs across all communities, such as that they have a legal and functioning septic system for the number of people served, and proper fire safety equipment available, I think the number of STRs allowed in each jurisdiction should reflect the resources and character of each place. It may be that Stinson Beach can have more unhosted STRS while in Bolinas there is a much smaller percentage. It might be that a full-time owner operator in Inverness should be allowed to stay in their home and rent out their ADU while a vacation home owner in Marshall is required to have full time site manager living in an ADU on the property while the main house is rented out periodically. Why should Lagunitas have only 4 STRs while Bolinas has 54? Can our communities have some say in this?

In conclusion, while I am generally in favor of the direction your new ordinance is going I think it needs to be revised to both look at the impact to full time low income homeowners as well as the specific needs and qualities of each community. I also believe that any laws you imposed must be able to be enforced. If septic systems need to be updated and to code , then ALL septic systems on properties doing STRs must meet that requirement, not just new ones going forward. And, wealthy property owners must be held to compliance as often and as fully as the low income ones.

Thank you for your efforts and consideration.

Arianne Dar

**From:** [Steve Werlin](#)  
**To:** [STR](#)  
**Subject:** Draft standards for STR  
**Date:** Sunday, October 15, 2023 1:58:47 PM

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You don't often get email from divingdoc1947@sonic.net. [Learn why this is important](#)

Dear Ms. Kilgraff,

As a full time resident of Dillon Beach for the last 28 years I am writing in support of the new proposed restrictions on short term rentals. My concern is not so much with the proposals outlined but the enforcement of those rules. Currently, many of the STR properties exceed the restrictions on number of vehicles allowed, number of occupants allowed, etc. And importantly, there are STR properties that operate without any license at all. How will all these rules be enforced? Will there be a designated county official who can be called to report either infractions of the rules or homeowners operating without a license? Will residents wind up “policing” their neighborhood to look for scofflaws? And once reported, what are consequences and assurances that rule-breakers will not continue their actions. STR properties are profitable obviously and the penalties for not following the rules should thus be consequential.

Thank you,  
Steve Werlin

**From:** [Bill Braasch](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Sunday, October 15, 2023 6:32:18 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program.

Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Bill Braasch  
Address: 380 dogwood road. Bolinas  
Email:  
[Bill.braasch@gmail.com](mailto:Bill.braasch@gmail.com)

Bill Braasch

**From:** [stephen\\_marcotte](mailto:stephen_marcotte)  
**To:** [Rodoni\\_Dennis](mailto:Rodoni_Dennis)  
**Cc:** [Rice\\_Katie](mailto:Rice_Katie); [Moulton-Peters\\_Stephanie](mailto:Moulton-Peters_Stephanie); [Sackett\\_Mary](mailto:Sackett_Mary); [Lucan\\_Eric](mailto:Lucan_Eric); [STR](mailto:STR); [PlanningCommission](mailto:PlanningCommission)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Sunday, October 15, 2023 8:34:49 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident of Bolinas and a member of the Bolinas Fire Protection District. I grew up in Bolinas and have watched as our small community has been hollowed out by both STR's and also families/individuals/corporations purchasing homes and then using them for second/third and possibly fourth homes. I can walk down any street and remember the families that used to live in these homes. Now, many other those same homes sit empty most of the year.

These STR's have had a direct negative impact on the fire district and our ability to bring on and retain members.

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

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With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Stephen Marcotte  
201 Elm Rd.  
Bolinas  
[bfd219@gmail.com](mailto:bfd219@gmail.com)

**From:** [Kathleen Hartzell](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Rodoni, Dennis](#); [Maureen Cornelia](#); [Inverness Association/Foundation](#); [Susan Scott](#)  
**Subject:** Hartzell family recommendations on the STR ordinance  
**Date:** Monday, October 16, 2023 6:04:26 AM

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To: Marin County Planning Commission  
From: Chris and Kathy Hartzell, Inverness  
Re: Short Term Rental Regulations for West Marin  
October 16, 2023

Dear Supervisors,

We are interested in the topic of STR's for a few reasons: the diminishing stock of rental housing for those who wish to live full time in our communities, whether because they grew up here and wish to share that experience with their own families or because they work in the area. Employers are suffering because of the shortage of affordable housing. It does not take a great deal of study to know that the advent of the STR platforms changed the rental dynamic significantly.

We participated in the Inverness Association survey while Kathy was president of the organization, and helped formulate its response to you earlier this year.

The following is our opinion, gleaned from living in the community, being involved in many social issues in the community, and the results of the IA study.

We see two objectives: 1) Making West Marin available to everyone and encouraging visitors to share the bounty of West Marin; 2) preserving housing stock to allow a diverse population to live here.

We need a 2-prong strategy: Encourage lodging and visitor facilities, including expanding hotels, inns and desiderated lodgings. And, in a controlled way, (which we describe below) allow less formal B&B's in private homes

#### SUGGESTIONS:

<!--[if !supportLists]-->1. <!--[endif]-->Unlimited "B&B" business when the owner is in residence during the occupancy by guests

<!--[if !supportLists]-->2. <!--[endif]-->Unlimited long-term rentals (defined as over 30 days)

<!--[if !supportLists]-->3. <!--[endif]-->In the case where owner is not on the premises, Limited days for rentals (so that it is not full-time business). A maximum of eight weekends a year or two up to 30 day occupancies

<!--[if !supportLists]-->4. <!--[endif]-->No corporate ownership, and only one STR property per owner

<!--[if !supportLists]-->5. <!--[endif]-->Taxes and fees should apply. They should approximate the taxes/fees paid by the existing hotel/lodging sector, plus compensations for possible neighborhood nuisances

<!--[if !supportLists]-->6. <!--[endif]-->If not on-site management, there must be evidence of a contract or business arrangement with a responsible neighborhood service or individual who would respond to issues that come up.

<!--[if !supportLists]-->7. <!--[endif]-->Clear instructions in advance to tenants regarding potential nuisances (trash, recycling and composting rules, parking, noise, use of drones!)

<!--[if !supportLists]-->8. <!--[endif]-->Continue to require notification of neighbors of owner's intent to rent property as STR, and giving them a contact in the event issues related to occupancy arise

9. Evaluation of need for code upgrades (particularly plumbing and electrical) for homes with STR offerings: is the septic up to code for the number of occupied bedrooms, has the home been inspected (as would a motel) for having safe electrical, fire notification, and similar safety requirements of hosting unrelated guests, etc.

Chris and Kathy Hartzell  
30 Via de la Vista  
chrishartzell1@gmail.com

**From:** [Juliette Delventhal](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Monday, October 16, 2023 9:14:22 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,

Juliette Delventhal  
380 Larch Rd, Bolinas 94924  
[julietteleonore@gmail.com](mailto:julietteleonore@gmail.com)

Sent from my iPhone



**From:** [Dieter Tresp](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#); [Dieter Tresp](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Monday, October 16, 2023 11:10:03 AM

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Dear Planning Commissioners and Supervisors,

I am a long-time and full-time Bolinas resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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At the same time I would urge you not to use water usage as a possible enforcement mechanism.

With the goal of re-creating a vibrant community with affordable housing, increased numbers of school-age children, families and more, home ownership by weekenders would actually provide the "best" water usage numbers. Home ownership by "weekenders" has a long history in West Marin, and many of those home owners positively contribute to our communities. However, they also don't bring much-wanted children to our schools.

As weekenders are likely to have the lowest average water usage, such enforcement mechanism

could easily backfire to the detriment of full-time families renting or owning.

Thank you for your consideration,

Dieter Tresp, Lauren Pollak, Tenaya and Jaana  
165 Alder Drive, Bolinas  
[dietertresp@gmail.com](mailto:dietertresp@gmail.com)

Dieter Tresp  
Senior Associate - ISPO  
ISPO Information Center USA

[dietertresp@gmail.com](mailto:dietertresp@gmail.com)  
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P.O. Box 749  
165 Alder Drive  
Bolinas, CA 94924  
USA  
[www.ispo.com](http://www.ispo.com)



**From:** [Kristen Rieke Morabito](#)  
**To:** [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#); [Rodoni, Dennis](#); [Rice, Katie](#)  
**Subject:** Please take action to reduce Short Term Rental permits  
**Date:** Monday, October 16, 2023 11:22:52 AM

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

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. So many living in West Marin, myself included, has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost.

Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live.

The draft STR ordinance is a step in the right direction but it doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

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Thank you for your consideration,  
Kristen Rieke Morabito  
535 Overlook Drive / Bolinas, CA  
[kristen.rieko@gmail.com](mailto:kristen.rieko@gmail.com)

--

Kristen Rieke Morabito • [kristenmorabito.com](http://kristenmorabito.com)

**From:** [David Kimball](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Monday, October 16, 2023 12:14:40 PM

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Dear Planning Commissioners and Supervisors,

Re: The impact of STRs on community and long-term rentals

Small communities cannot function when at least 16% of their limited housing stock is taken away for commercial use. Houses should be homes! Since 2018, the number of Short Term Rentals (such as Airbnb) in unincorporated Marin **has doubled**. The boom in STRs and the revenue they generate correlates to an astonishing increase in housing costs in Coastal Marin.

The proposed ordinance prepared by the Community Development Agency allows for **MORE** STRs. Many of us know long term residents who have been forced to move out of our communities due to the nearly non-existent availability and affordability of long-term rentals.

To try and personalize the severity of this situation, I submit this true story about a dear family who was forced to move out of our community after living here all their lives. The names have been changed to protect their identity:

*“Beth grew up in Bolinas. She moved to Bolinas with her parents and siblings when she was 2 years old. Beth went to school in Bolinas, met her husband, married and raised her 2 girls (who also graduated from the local school). She and her husband are good, solid, responsible people. They both worked, volunteered and were active in the community. They supported the Bolinas Community Land Trust’s efforts to secure affordable housing for people in Bolinas, for families like theirs.*

*They were responsible renters and had moved 5 times since their 17-year-old girls were born. When their last landlord announced she was moving back to Bolinas and would owner occupy the home, they were forced to move once again. They had 6 months lead time to find a new home so that they could stay in Bolinas until the girls graduated from Tamalpais High School. They could afford to pay reasonable rent.*

*They did whatever was necessary for their family to thrive. Because of COVID, they were able to extend the eviction date and looked for many months to find a new rental in Bolinas. Beth personally reached out to those who own empty homes or more than one home in search of a rental. No one responded. One realtor told her that she prefers to rent to out-of-towners. **Many homes are now operated as short-term rentals.** Beth’s pride and dignity were challenged. The only hometown this family has ever known and called “home” could not house them.*

*And so, they were forced to move away, to find a rental in another county. It is a heartbreaking story, and unfortunately it is not uncommon. Many families, couples and individuals have been forced to leave because of the shortage of affordable long-term rentals.”*

The town of Bolinas is changing. The number of community members who volunteer or serve on district or community boards (water, fire, school, community center, land trust) is

dwindling. The number of children attending school is shrinking. The character of our town and sense of community are threatened. Where will it end?

I urge you to set reasonable caps for STR licenses to reverse this trend. Do not grandfather licenses that are held by corporations, or by property owners who do not live/vote in our communities. Require that STRs are “hosted” by a natural person, and... only one license per natural person. Many other jurisdictions have imposed strict regulations to preserve their communities. Now is the time for Marin County to be bold.

Sincerely, Bobbi Kimball

Name: Bobbi Kimball

Address: 115 Hawthorn Road, Bolinas, California 94924

[email: bobbi.kimball@gmail.com](mailto:bobbi.kimball@gmail.com)

Email:

**From:** [Simon Dunne](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#)  
**Subject:** Criticism of proposed STR Ordinance  
**Date:** Monday, October 16, 2023 12:17:34 PM

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Some people who received this message don't often get email from [dunner6@gmail.com](mailto:dunner6@gmail.com). [Learn why this is important](#)

Dear Planning Commissioners and Supervisors,

I am a resident and property owner in West Marin and I am very concerned about the proposed Short Term Rental Ordinance and the impact it will have on our community here in Bolinas. I am fortunate to own a large property here with several units, some of which I historically managed as lucrative, unregulated, short-term rentals. When I became aware of the housing shortage in our community, I converted them all to long-term rentals. This is a small community and every unit of housing makes a huge difference to the lives and well being of people I know personally, and to the cultural fabric of this town. I have also found that the consistent revenue and greater degree of care long-term tenants show towards their housing have reduced my management burden (and stress level!).

I have seen families pushed out of this community time and again and their properties converted to STRs. These are people who sent their children to our schools, contributed to civic life, worked locally, and were friends and neighbors. Their presence was greatly missed. The inadequate regulation I see proposed here is counterproductive to creating the healthy communities I believe we hope to foster here in Marin County.

A community of STRs is not a community - it is hollow and empty during the week, its schools shrivel, and its businesses struggle to survive the lack of available labor force. I would support a drastic reduction in the number of STRs allowed here in West Marin, for the viability of our small community. Please consider revising the Ordinance.

Thank you for your consideration,

Simon

Name: Simon Dunne  
Address: 280 Mesa Rd, Bolinas, CA, 94924  
Email: [dunner6@gmail.com](mailto:dunner6@gmail.com)  
Phone: 408-722-6156

Scott Miller  
P.O. Box 145  
Dillon Beach, CA. 94929  
(707) 878-2167

October 15, 2023

Marin County Planning Commission  
3501 Civic Center Drive, Suite 308  
San Rafael, Ca. 94903

Re: STR Ordinance Update Workshop



Dear Commissioners,

Staff has obviously been hard at work. The Coastal Act Consistency Analysis shows you are looking ahead at what's to come. Good Job.

### **Registration Process**

My interpretation: Show us the property is safe for random visitors and that you have a place to put the cars.

Looks pretty fair and sensible to me.

Problem: Self-certifying is similar to self-reporting.

Page 12 - "Additionally, this information would likely rely on self-reporting, which can be inherently unreliable."

Page 18 - "Similar to the self-certified building safety checklist, staff will develop a self-certified fire safety inspection and a self-certified defensible space inspection."

### **STR Caps**

The disparate range of caps is not reasonable.

If one town needs to be limited to 1%, 27% can't possibly be good for another. We're not *that* different.

The suggested caps do not take into consideration the abundance or lack of traditional visitor accommodations. This is *always* contemplated during CCC approval.

The "baseline" used to choose the caps does not reflect Coastal Act policies.

Their baseline is 1973.

Remember the Lawson's Landing EIR and Master Plan? The County used the date of the NOP. When it got to the CCC they used 1973 and basically started from scratch.

Sincerely,

Scott M.

Attachment 1: Proposed caps with added pertinent information.

Attachment 2: Proposed caps with non-Coastal Zone towns eliminated.

Outside the Coastal Zone has no CCC access mandate and the low caps for these towns skew the numbers.

Attachment 3: The numbers if each town were given an equal 15%.

Attachment 4: Proposed numbers with commercial accommodations taken into consideration.

Attachment 5: Dillon Beach Census and housing information.

**Table 1 – Short Term Rental Caps**

	Township	Initial Number of Unhosted Short Term Rentals	Ultimate Number of Unhosted Short Term Rentals	STR % of Residential Units	Commercial Short Term units	Total Short Term Units	Total Long Term Units	Short Term % of total units
<b>624</b>	Bolinas	63	54	<b>9%</b>	<b>11</b>	<b>65</b>	<b>570</b>	<b>10%</b>
<b>408</b>	Dillon Beach	125	110	<b>27%</b>	<b>355</b>	<b>465</b>	<b>298</b>	<b>61%</b>
<b>312</b>	Forest Knolls	8	8	<b>3%</b>		<b>8</b>	<b>304</b>	<b>3%</b>
<b>939</b>	Inverness	93	86	<b>9%</b>	<b>62</b>	<b>148</b>	<b>853</b>	<b>15%</b>
<b>282</b>	Lagunitas	6	4	<b>1%</b>	<b>1</b>	<b>5</b>	<b>278</b>	<b>2%</b>
<b>110</b>	Marshall	28	27	<b>25%</b>	<b>53</b>	<b>80</b>	<b>83</b>	<b>49%</b>
<b>147</b>	Muir Beach	20	19	<b>13%</b>	<b>1</b>	<b>20</b>	<b>128</b>	<b>14%</b>
<b>240</b>	Nicasio	11	8	<b>3%</b>	<b>27</b>	<b>35</b>	<b>232</b>	<b>13%</b>
<b>33</b>	Olema	3	3	<b>9%</b>	<b>217</b>	<b>220</b>	<b>30</b>	<b>88%</b>
<b>163</b>	Petaluma	6	6	<b>4%</b>		<b>6</b>	<b>157</b>	<b>4%</b>
<b>350</b>	Point Reyes Station	32	26	<b>7%</b>	<b>9</b>	<b>35</b>	<b>324</b>	<b>10%</b>
<b>223</b>	San Geronimo	10	7	<b>3%</b>	<b>1</b>	<b>8</b>	<b>216</b>	<b>4%</b>
<b>704</b>	Stinson beach	192	174	<b>25%</b>	<b>31</b>	<b>205</b>	<b>530</b>	<b>28%</b>
<b>135</b>	Tomales	12	11	<b>8%</b>	<b>9</b>	<b>20</b>	<b>124</b>	<b>14%</b>
<b>578</b>	Woodacre	12	8	<b>1%</b>	<b>2</b>	<b>10</b>	<b>570</b>	<b>2%</b>
<b>5248</b>	<b>Total</b>		<b>551</b>	<b>10%</b>	<b>779</b>	<b>1330</b>	<b>4697</b>	<b>22%</b>

Table 1 is from the Draft Ordinance  
 Houses and Commercial Short Term Units are from the June 12, 2023 Staff Report.  
 Commercial Units in Dillon Beach has been corrected as per communication with Staff.



## Coastal Zone

These are the numbers the CCC cares about.

**Table 1 – Short Term Rental Caps**

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<del>312</del>	<del>Forest Knolls</del>	<del>8</del>	<del>8</del>	<del>3%</del>	<del>8</del>	<del>8</del>	<del>304</del>	<del>3%</del>
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<b>3450</b>	<b>Total</b>		<b>510</b>	<b>15%</b>	<b>748</b>	<b>1258</b>	<b>2940</b>	<b>30%</b>

Table 1 is from the Draft Ordinance  
 Houses and Commercial Short Term Units are from the June 12, 2023 Staff Report.  
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☒

## Coastal Zone with Even Distribution

These are the numbers the CCC cares about.

**Table 1 – Short Term Rental Caps**

Houses	Township	Initial Number of Unhosted Short Term Rentals	Ultimate Number of Unhosted Short Term Rentals	STR % of Residential Units		Commercial Short Term units	Total Short Term Units	Total Long Term Units	Short Term % of total units
				Even	Steven				
624	Bolinas	63	93	9%	15%	11	65104	570	10% 16%
408	Dillon Beach	125	61	27%	15%	355	465	416	29% 55%
<del>312</del>	Forest Knolls	0	0	0%	0%	0	0	300	0% 0%
939	Inverness	93	140	9%	15%	62	148	202	85% 20%
<del>282</del>	Lagunitas	0	4	1%	0%	1	5	270	2% 0%
110	Marshall	28	16	25%	15%	53	80	69	88% 42%
147	Muir Beach	20	22	13%	15%	1	20	23	12% 16%
<del>240</del>	Nicasio	11	0	3%	0%	27	35	230	13% 0%
33	Olema	3	4	9%	15%	217	220	221	90% 88%
<del>163</del>	Petaluma	0	0	0%	0%	0	0	150	0% 0%
350	Point Reyes Station	32	52	7%	15%	9	35	61	32% 17%
<del>223</del>	San Geronimo	10	7	3%	0%	1	0	210	4% 0%
704	Stinson beach	192	105	25%	15%	31	205	136	53% 28% 19%
135	Tomales	12	20	8%	15%	9	20	29	12% 20%
<del>578</del>	Woodacre	12	0	1%	0%	2	10	570	2% 0%
<b>3450</b>	<b>Total</b>		<b>513</b>	<b>15%</b>	<b>15%</b>	<b>748</b>	<b>1258</b>	<b>2940</b>	<b>30% 30%</b>

1261

Table 1 is from the Draft Ordinance  
 Houses and Commercial Short Term Units are from the June 12, 2023 Staff Report.  
 Commercial Units in Dillon Beach has been corrected as per communication with Staff.

☐



## Coastal Zone with better Distribution

These are the numbers the CCC cares about.

**Table 1 – Short Term Rental Caps**

Houses	Township	Initial Number of Unhosted Short Term Rentals	Ultimate Number of Unhosted Short Term Rentals	STR % of Residential Units	Commercial Short Term units	Total Short Term Units	Total Long Term Units	Short Term % of total units
<del>624</del>	Bolinas	63	<b>62</b> <del>54</del>	<del>9%</del> <b>10%</b>	11	<del>65</del> <b>73</b>	<del>510</del>	<del>10%</del> <b>11%</b>
<del>408</del>	Dillon Beach	125	<b>82</b> <del>140</del>	<del>27%</del> <b>20%</b>	<b>355</b>	<del>465</del> <b>437</b>	<del>298</del>	<del>61%</del> <b>57%</b>
<del>312</del>	Forest Knolls	8	<del>8</del>	<del>3%</del>	-	<del>8</del>	<del>94</del>	<del>3%</del>
<del>939</del>	Inverness	93	<b>94</b> <del>86</del>	<del>9%</del> <b>10%</b>	62	<del>148</del> <b>156</b>	<del>853</del>	<del>15%</del> <b>16%</b>
<del>282</del>	Lagunitas	6	<del>4</del>	<del>1%</del>	1	<del>5</del>	<del>28</del>	<del>2%</del>
<del>110</del>	Marshall	28	<b>27</b> <del>27</del>	<del>25%</del> <b>25%</b>	53	<del>80</del> <b>80</b>	<del>83</del>	<del>49%</del> <b>49%</b>
<del>147</del>	Muir Beach	20	<b>22</b> <del>49</del>	<del>13%</del> <b>15%</b>	1	<del>20</del> <b>23</b>	<del>118</del>	<del>14%</del> <b>16%</b>
<del>240</del>	Nicasio	11	<del>8</del>	<del>3%</del>	27	<del>35</del>	<del>22</del>	<del>13%</del>
<del>33</del>	Olema	3	<b>2</b> <del>3</del>	<del>9%</del> <b>5%</b>	217	<del>220</del> <b>219</b>	<del>30</del>	<del>88%</del> <b>88%</b>
<del>163</del>	Petaluma	6	<del>6</del>	<del>4%</del>	-	<del>6</del>	<del>137</del>	<del>4%</del>
<del>350</del>	Point Reyes Station	32	<b>35</b> <del>28</del>	<del>7%</del> <b>10%</b>	9	<del>35</del> <b>44</b>	<del>314</del>	<del>10%</del> <b>12%</b>
<del>223</del>	San Geronimo	10	<del>7</del>	<del>3%</del>	1	<del>8</del>	<del>26</del>	<del>4%</del>
<del>704</del>	Stinson beach	192	<b>174</b> <del>174</del>	<del>25%</del> <b>25%</b>	31	<del>205</del> <b>205</b>	<del>510</del>	<del>28%</del> <b>28%</b>
<del>135</del>	Tomales	12	<b>14</b> <del>11</del>	<del>8%</del> <b>10%</b>	9	<del>20</del> <b>23</b>	<del>114</del>	<del>14%</del> <b>16%</b>
<del>578</del>	Woodacre	12	<del>8</del>	<del>1%</del>	2	<del>10</del>	<del>520</del>	<del>2%</del>
<b>3450</b>	<b>Total</b>		<b>512</b> <del>510</del>	<b>15%</b> <b>15%</b>	<b>748</b>	<b>1258</b> <del>1258</del>	<b>2940</b> <del>2940</del>	<b>30%</b> <b>30%</b>

1260

Table 1 is from the Draft Ordinance  
 Houses and Commercial Short Term Units are from the June 12, 2023 Staff Report.  
 Commercial Units in Dillon Beach has been corrected as per communication with Staff.



# Dillon Beach Fun Facts

Dillon Beach Population 2010 283 \*(1)  
Dillon Beach Population 2020 246 \*(1)  
Dillon Beach Population 2023 41 \*(2)

“Once it’s happened it’s difficult to pull it back.” \*(3)

\*(1) US Census Bureau

\*(2) Linda Martin, longtime local real estate agent/ STR manager, written and verbal comments

\*(3) Sara Jones, Marin County CDA Director, verbal comments referring to REIT ownership

All West Marin towns are Housing Affordability Sensitive Areas (HASA).

Dillon Beach is degraded HASA.

Degraded ESHA *is* protected and *must* be restored.

Degraded HASA *should* be protected and *can* be restored.

Dillon Beach lost 227 housing units from 2011 to 2016 as a result of the Lawson's Landing CDP.

The population dropped less during that time period than it has since.

The CDP pushed people from the Landing into the town.

STR's pushed them from the town to elsewhere.

STR operators in Dillon Beach have stated:

- 1) We are providing local jobs.
- 2) No one lives here because there are no jobs here.
- 3) People have to commute long distances to live here, which makes it impossible.

1) If they are providing local jobs why are there also not any?

2) There is no such thing as a town without jobs.

Dillon Beach has *two* high speed internet service providers. People live here and work remotely.

Some people have 24-on-24-off or 48-on-72-off schedules that make commuting civilized.

3) The majority of STR workers now commute *to* Dillon Beach.

How is that different than commuting *from* Dillon Beach?

It is entirely possible to live in Dillon Beach and have a job. Except for the house part.

Questa Engineering recently completed a wastewater feasibility study for the village of Dillon Beach.

The community qualified for a grant to pay for the study because of the high percentage of lower income residents.

How did we qualify for the grant if no one has ever lived here full time?

What happened to the residents that helped us qualify for the grant?

The STR cap for "Summer Town" (AKA Inverness) is *one third* of Dillon Beach.

"Summer Town" has *80% fewer* commercial accommodations than Dillon Beach.

Under the proposed caps, "Willow Camp" (Stinson Beach) will have *fewer than half* the total short term units and *78% more* long term units compared to Dillon Beach.

**From:** [Smileys Saloon](#)  
**To:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#); [Rodoni, Dennis](#)  
**Subject:** West Marin Businesses Need Houses to Be Homes  
**Date:** Monday, October 16, 2023 12:51:10 PM

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**To:** The Marin County Planning Commission  
**Re:** Draft Short Term Rental Ordinance

We are writing as the managers and co-owners of Smiley's Saloon, Hotel and Kitchen. We employ 30 people from West Marin, and we are full-time residents of Bolinas and committed to the West Marin community.

We support a reduction in the number of Short Term Rentals in West Marin, because we have witnessed the hardships caused by the conversion of many long-term rentals into STRs in the last decade. The number of STRs has doubled since 2018, and each time a long-term rental is sold and converted, we lose full-time community members and it becomes more and more difficult to find staff or for our existing staff to stay in their community. We have a number of staff who can't find housing but have chosen to live in their vehicles rather than leave Bolinas. This is wrong!

It is also completely unfair that we, as a commercial hotel, are held to very strict standards of health, safety and building codes. But STRs can operate without compliance with these same rules. The new rules need to include the same enforcement standards that apply to all commercial visitor lodging.

Finally, we've heard opponents of new rules say that we need as many STRs as possible to support the local economy, but this is not true. While it's ok to have some of the housing stock as STRs (1-5% of housing, as in East Marin, feels fair), we have an average of 16% of West Marin housing in STRs, and that could go up with the new rules. Most STRs hurt our business, because much of the time they sit empty. When they are full of guests, we've documented that the guests often spend the weekend just partying in their rentals and skip supporting local businesses. We need homes to be filled with people who live here, and if they are STRs, they should be used more frequently so that they're not just sitting empty.

We ask you to strengthen the rules on STRs and include incentives for owners to reinstate long-term rentals. Our local economy and our community need houses to be homes.

Sincerely,

Blair Harris  
General Manager, Co-Owner, Smiley's Saloon, Hotel & Kitchen

Chelsea Kahn  
Assistant General Manager, Co-Owner, Smiley's Saloon, Hotel & Kitchen

**Smiley's Saloon, Hotel & Kitchen**

Hotel Hotline 415-881-1851

Bar 415-868-1311

41 Wharf Rd./PO Box 317

Bolinas, CA 94924

**From:** [Harriet Moss](#)  
**To:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#); [Rodoni, Dennis](#)  
**Subject:** New Draft Ordinance Increases, Not Decreases, Number of STRs  
**Date:** Monday, October 16, 2023 1:28:06 PM  
**Attachments:** [preview.png](#)

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Dear Commissioners and Supervisors,

Page 4 of the *MARIN COUNTY SHORT TERM RENTAL ORDINANCE COASTAL ACT CONSISTENCY ANALYSIS* (see below, attached) in the most recent Staff Report for the October 23rd Planning Commission meeting states:

**"Limits on the number of Unhosted Short Term rentals aims to reduce the overall percentage by 5% and limits the overall number of STRs to 510..."**

This calculation is factually incorrect and misleading - and is repeated all throughout the October 23, 2023 Staff Report. The 510 number **DOES NOT INCLUDE** the (currently) 108 Hosted STRs which magically have been excised from "the overall number of STRs." Were they included, as they are in the first sentence of that same paragraph, i.e., **"There are currently 568 registered STRs in the Coastal Zone."** there would be an "overall number" of permitted STRs in the Coastal Zone of **608**. The Draft Ordinance is actually proposing a **19% INCREASE** in the number of Coastal Zone STRs.

One may have differing opinions on STR regulation but it's the County's obligation not to obfuscate the facts (either intentionally or unwittingly), which is what is happening in the Draft Ordinance and in both Staff Reports. Let's be clear: the Draft Ordinance, as written, increases the number of STRs in the Coastal Zone, not decreases the number as it clearly purports to do.

Given the damage STRs have done to the social fabric of our coastal communities, I urge the County to adopt an ordinance that decreases the "Overall Number" - including both Hosted and Unhosted STRs - back down to 2018 levels, which were about half of what exists now in unincorporated Marin (480 vs the current 873). Regulations that limit the number and actually enforce health and safety standards (and not the "self-certification" called for in the Draft Ordinance) should have been put into place five years ago, before our coastal communities lost almost all of their longterm rental housing.

It seems obvious that a reasonable STR licensing fee of \$500-\$1000 to cover the cost of enforcement can be levied on STR businesses making tens of thousands of dollars per year. And if only one paid firefighter position could be eliminated by the availability of longterm housing, it would replace the cost of any lost Measure W revenue several times over. In my community, the Stinson Beach Fire Department has had to double its staffing budget over the past 4 years, from \$525K in '19-'20 to \$1,087K this year, largely due to lack of volunteers being able find housing locally.

Thank you for your thoughtful consideration of this problem and for taking the bold step required to restore at least a portion of the teacher, firefighter and family housing that has been lost to commercial use.

Harriet Moss  
5 Laurel Avenue  
Stinson Beach, CA 94970  
415-254-3492



**MARIN COUNTY SHORT TERM RENTAL ORDINANCE  
COASTAL ACT CONSISTENCY ANALYSIS**

**INTRODUCTION**

Since the Fall of 2022, County staff has been working to update the Short Term Rental (STR) regulations for the unincorporated areas of Marin. Proposed regulations would apply in the Coastal Zone and therefore would require an amendment to the County's Local Coastal Program (LCP), which is a land use plan for Marin County's Coastal Zone that guides land use and development in accordance with the California Coastal Act.

As noted in the LCP, assuring housing choices at prices within reach is also important indirectly in carrying out Coastal Act resource protection goals. The Coastal Act places a high priority on maintaining agriculture and mariculture as viable land uses in the Coastal Zone and encourages provision of visitor-serving facilities including overnight accommodations. These land uses depend on the availability of local labor and job opportunities for workers in these industries tend to be relatively low. Provision of housing opportunities for those employed in the Coastal Zone is thus essential if these high-priority land uses are to be maintained.

Because of these factors, the following policy and programs are included in the LCP, which was certified by the California Coastal Commission (CCC) in 2019:

**C-HS-6 Regulate Short-Term Rental of Primary or Accessory Dwelling Units.** Regulate the use of residential housing for short term vacation rentals.

**Program C-HS-6.a Vacation Rental Ordinance:**

1. Work with community groups to develop an ordinance regulating short-term vacation rentals.
2. Research and report to the Board of Supervisors on the feasibility of such an ordinance, options for enforcement, estimated program cost to the County, and the legal framework associated with rental properties.

To ensure that STR regulations are applicable in the Coastal Zone, the County must modify its LCP through a process referred to as an LCP Amendment (LCPA). Planning staff will submit the LCPA after the Board of Supervisors has adopted a Resolution authorizing the submission of an LCP amendment application.

The County must conduct a Coastal Act consistency analysis as it relates to Chapter 3 of the Coastal Act, which must be included in local decision-making materials for an LCPA.

str-workshop-attachment-5  
PDF Document · 556 KB



**From:** [eokamura](mailto:eokamura@sonic.net)  
**To:** [Rodoni, Dennis](mailto:Rodoni.Dennis)  
**Cc:** [Rice, Katie](mailto:Rice.Katie); [Moulton-Peters, Stephanie](mailto:Moulton-Peters.Stephanie); [Sackett, Mary](mailto:Sackett.Mary); [Lucan, Eric](mailto:Lucan.Eric); [STR; PlanningCommission](mailto:STR@PlanningCommission)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Monday, October 16, 2023 1:34:09 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

Having grown up and lived in Bolinas for most of my life I've watched as many life long residents have been forced to leave the town they love due to lack of housing. Meanwhile as I walk around our neighborhoods whole blocks of empty houses sit waiting for their next short term guests. I can't see how this is sustainable.

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Ethan Okamura  
Address: 369 Ocean Parkway, Bolinas  
Email: [eokamura@sonic.net](mailto:eokamura@sonic.net)

**From:** [Barrett Purdum](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Monday, October 16, 2023 2:46:14 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Barrett Purdum  
484-354-8399  
368 Overlook Drive  
Bollinas CA 94924

October 16, 2023

Marin County Planning Commission  
[PlanningCommission@MarinCounty.org](mailto:PlanningCommission@MarinCounty.org)

RE: Draft STR Regulations

Dear Marin County Planning Commissioners:

I write regarding the County's draft short term rental standards and urge the Planning Commission to stop this effort before the County creates an equity disaster that will result in making all housing in West Marin less affordable, limit public access to the coast and national parks, and create a negative impact on the region's tourism-based economy.

The County's STR effort appears to be rooted in a dangerous assumption that more government regulations will shift vacation homes into becoming residential housing. But the assumptions are faulty. Housing in West Marin is not an "either/or" scenario but rather an "and" scenario. The villages adjacent to the coast and the coastal national parks need residential AND vacation housing.

The Planning Commission understands the value of visitors using underutilized vacation housing on the County's coast. West Marin, home to numerous state and national parks as well as the County's entire Pacific coastline, is and always has been comprised of vacation homes. Many of these homes sit empty most of the year. Allowing visitors to use these under-utilized homes ensures: 1) the County doesn't need to build additional visitor accommodations, 2) minimal impact while preserving the character of the region by ensuring visitor accommodations are decentralized throughout the entire region, and 3) homes are safe due to being regularly maintained oppose to being a neglected neighborhood blight.

Visitor housing is needed for people traveling from afar to visit the County's coast and the national and state parks. If existing vacation homes cannot provide this lodging, how will the County meet the growing need of visitors to the coast and the national and state public parks? Where does the County propose that visitor lodging be created? How will County ensure this lodging is decentralized to minimize visitor impact to West Marin?

The county should provide incentives for the owners of vacation homes to open their homes when they aren't personally using them, rather than creating regulations that remove all incentives to share vacation homes with visitors to the region.

## WEST MARIN IS ALMOST ENTIRELY PUBLIC LAND:

In the early 1900s and throughout the 1960s and 1970s there was an expansion of local, state and federal parks in West Marin. Currently, over 90% of West Marin is owned and managed for the public as parks and open space (see map). With the park expansion, tourism-services have become the dominant economy in the few villages that are adjacent to these public lands.



## HISTORY OF REJECTING VISITORS:

While West Marin has historically been a place for vacationers, once people secure a home, history shows that these residence do not want to share the public space with visitors. The “Bolinas Border Patrol” is notorious for tearing down signs that would otherwise direct people to the town, setting up false barricades, telling visitors the town is closed, and issuing false parking tickets.

When the PRNS was being created, residents of Inverness advocated for the development of a road that would cut directly through the middle of the national seashore. The residents preferred the destruction of a natural landscape rather than allowing visitors to drive on the public road, on Sir Francis Drake, through the community, to the National Seashore. Fortunately, they were overruled.

In 2018, the County added a 4% increase on the cost of every short-term rental exclusive to West Marin, bringing the county tax to 14% on visitors to West Marin (one of the highest transient occupancy taxes in the nation).

## **DON'T LET HISTORY REPEAT ITSELF**

Our parks and over 100 miles coast along the Pacific and Tomales Bay must be accessible to visitors. By reducing vacation rentals in the entire coastal region of Marin County these regulations will result in the greatest loss of public access in the history of the state of California.

How does the County plan to house the visitors to this region? Single-family homes are the most affordable vacation housing for families. How will the County ensure there is lodging for visitors from all economic levels? The County has an obligation to ensure visitors from afar who come to recreate in our parks have housing. Before the County breaks a visitor housing system that works, please make sure that housing will be available for visitors to the region.

West Marin needs more short-term vacation housing, not less. Over 2.3 million people visited the Point Reyes National Seashore last year. And many millions more visited the Golden Gate National Recreation Area (including Stinson beach and Muir Woods). Yet, according to the Staff Report, there are only 357 vacation homes (which includes singles rooms in a home as well as entire homes) in the entire coastal region. This means **fewer than 0.015% of the people who travel from afar to experience the National Seashore can enjoy a multi-day experience in a vacation home.** Clearly, there is a vacation housing shortage. If the County is trying to balance housing needs, then the shortage of vacation housing must be addressed as well.

### **THE IMPACT ON HOUSING FROM THE REGULATIONS:**

What will happen if vacation homes are limited in West Marin?

**Middle-class will be forced to move from the region.** Nobody is getting rich by renting their primary or second home for vacation purposes. People rent their homes to make ends meet: to pay their mortgage, property taxes, and property maintenance. These people are West Marin's middle class. Limiting their ability to rent a home on a part-time basis, reduces their ability to achieve homeownership, further driving the middle-class from West Marin and creating an inequitable community.

**If forced to sell, these homes will not become affordable permanent housing.** Located along Marin's coast and adjacent to two national parks within a one hour from San Francisco Bay Area, these homes will have no shortage of affluent buyers. The middle class will be forced from their path to homeownership in West Marin. Only the ultra-wealthy, who do not need the additional income to help make ends meet, will benefit.

**Many homes will sit empty.** There are a considerable number of homes that sit empty in West Marin. If second homes aren't allowed to rent for short-term purposes, they will simply sit vacant during the periods in which homeowners are not there.

How does the County, the neighborhood, the local businesses, and the tradespeople whose livelihood depends on the jobs created from vacation homes benefit from additional empty homes? Are empty homes better for the community than visitor-occupied homes? Without visitor use of under-utilized vacation homes, there are fewer people in restaurants, fewer people in stores, fewer people employing local tradespeople. The result of the policy will not create affordable housing, but it will ensure the economic decline of the community.

**Vacation homes provide the most affordable lodging for families.** Multi-bedroom vacation homes provide affordable lodging for entire families. A multi-bedroom home in West Marin can be obtained for \$250-\$400/night as opposed renting a single room in a hotel that on average costs approximately \$500/night. Vacation homes provide families with an authentic lodging that includes beds for everyone, as well as shared space in which to cook, dine and lounge. Spread throughout the region, the impact of visitors in vacation homes is dispersed throughout the region and therefore has minimal impact to any one area. Limiting vacation rentals will make lodging for visitors more costly.

**Reduction in vacation housing adds pressure on other housing in West Marin.** The use of underutilized vacation homes for visitors reduces pressure on other housing. If the County limits the use of vacation housing for short-term rental purpose, people will seek other housing in the region. The vacation housing that remains will be in a greater demand and become more valuable. The demand of all available housing will rise, and the County will have created a giant equity rift.

**More hotels?** If not in under-utilized vacation homes, where is the County proposing that visitors stay? The cap on vacation homes will result in placing pressure on other housing throughout West Marin. The price of the limited decentralized vacation housing will rise and the only lodging would be centralized hotels, motels and lodges (lodging exempt from these regulation). But there are not enough of these accommodations in West Marin. Is the County going to approve and build more hotels in West Marin? Will we have a new Hilton on the banks of Tomales Bay? How will these hotels enhance the community more than using existing decentralized vacation homes?

Short Term Rental owners are providing a service to the community by ensuring vacation homes don't sit empty, that locals are employed, that homes are maintained, and that restaurants, markets and shops have a consistent stream of business throughout the year to be sustainable in the rural community.

Rather than creating obstacles, the County should be creating incentives for people to open their homes for all purposes: including short-term vacation rentals.

## **A FEW OF THE MANY PROBLEMS WITH DRAFT REGULATIONS**

### **Limits are Exclusive to the Coastal Zone:**

The County is making strict regulations that are exclusive to the Coastal Zone. The regulations go beyond what any city and county in California requires, and far beyond what the largest city in the County of Marin requires. Other California counties excluded the coastal zone, areas adjacent to public parks and the coast, from their STR regulations. Marin County is proposing limiting regulations that apply solely to the County's coastal zone, solely to the region that includes the lion-share of the public land in Marin County.

Our national and state parks as well as over 100 miles coast along the Pacific and Tomales Bay must be accessible to visitors from afar. By focusing exclusively and reducing vacation rentals along the entire coastal region of Marin County these regulations will result in the greatest loss of public access in the history of the state of California.

### **Policy driven by a flawed Poll:**

The rationale provided in the Staff Report for most of the regulations that the County is proposing is rooted in one online poll that asked 10-questions. Policy should never be developed from a public opinion poll, especially a flawed, 10-question, unscientific, non-methodical poll, and an extremely biased analysis. Yet from these 10-questions, the county has developed 11-pages of costly and burdensome regulations.

According to the poll, people who reside in West Marin, people who have already secured their housing near the coast and public parks, want limits on vacation rentals. And, these residents want greater regulations on visitor housing than they want for their own housing. Please see the above section titled "History of Rejecting Visitors."

From this poll, the county's is creating health and safety standards exclusive to visitor housing. If the county was truly interested in health and safety:

- 1) Why isn't the county ensuring that every home in West Marin comply with these standards? STRs are a small percentage of the housing stock and aren't used as much as full-time residential homes. Wouldn't residential standards be the same for all residential housing (long-term, short-term, and permanent residents?)
- 2) At a minimum, why not include all rental homes: those for long-term and short-term purposes? Long-term rental homes are used daily. Shouldn't long-term tenants we ensured of the same health and safety standards as short-term renters?
- 3) Why exempt corporations while regulating small mom-and-pop homeowners? Why exempt lodging in which dozens of people are staying on any given night?

Make no mistake about it, these regulations are not about making our community healthier, they are about making it harder for people who wish to come to West Marin for vacation purposes.

### **No Demonstration of Need and No Assessment of Impact:**

A governmental experiment of driving out vacation homes in a hope that they will become residential home will create many unintended consequences. The Planning Commission should require that they County fully understands the impact of these regulations prior to putting the community, and the economy on which it is sustained, at risk.

While the County has been working on this issue for many years, they still cannot produce a record of necessity. Instead, in support of the regulations, the County has produced STR hotline data. Calls received Countywide during the entire year of 2021 totaled 23. Twenty-three calls about vacation rentals in which most fall into the category of "general inquiries" and "other."

Without a demonstrated need and without an assessment of the impact, there is no reason for draconian policy which will not only negatively impact visitors but also the economy of the region.

### **Regulate to Failure:**

This is government's attempt to ensure failure to achieve onerous requirements, which will result in issuing fewer licenses than permitted, and therefore further limiting visitor access to the coast and parks in West Marin.

The County is clearly making it difficult for homeowners to comply with a myriad of requirements within the 11-pages of multi-tiered regulations including provisions that will allowing more regulations and enforcement measures at the discretion of the Director of a County Agency. If one small element in a costly and burdensome application is missing, the entire application and business license can be denied. By making the requirements to obtain a license too burdensome for homeowners, the County will reduce the majority of vacation homes available for visitors.

These costly and burdensome requirements will lead to a far greater decline in lodging options for visitors than the cap.

### **Exempts Corporations while heavily regulating Homes?**

The County states that the corporate exemptions for hotels, motels, and potentially agricultural zoned lands are due to these industries being regulated by other county regulations.

- Shouldn't regulations for corporations and industry be stronger than those regulations for single-family homes?
- If the County wants to welcome visitors to the coast, shouldn't the County be creating incentives for people to share their homes, rather than force the owners to keep them closed to visitors?

Vacation homes sit empty much of the year. By contrast, corporate and industrial homes are used by many more people every day of the year. Shouldn't corporate housing and residential homes that are used daily be required to meet the proposed fire, water, and septic regulations? Why only seldom used vacation homes?

### **Unhosted vacation rentals are the most cost-efficient visitor experience:**

Single-family vacation homes provide the most affordable means for families visiting West Marin. The regulations reduce and cap the number of unhosted homes available to visitors in the region. These are the very homes that are most desired by travelers because they offer the best price for the most space.

The average cost for one bedroom in a local lodge, that offers nothing but one bed in a small room with a small bath, is over \$500 per night. This price is far out of reach for a family in need of multiple bedrooms (as well as a kitchen, dining-, and indoor and outdoor lounge- areas). The quality of a lodge experience is lower and the costs far higher, and it's not what visitors to the region seek.

The regulations will increase the cost to rent vacation rentals. The time and expenses associated with gathering the documentation, additional services, and annual inspections increases the overall cost of operation which will result in increased nightly rates for visitors to the region. In addition, by reducing and capping the number of vacation homes, simple laws governing supply and demand will ensure an increased cost in the nightly rate.



Rather than use under-utilized vacation homes throughout the region to house visitors, the County will limit lodging opportunities, resulting in pressure on other housing, that will make all housing in West Marin less cost-efficient for residents and visitors alike.

## **Nativism**

Nativism is defined by policy created in the interest of residents who seek to protect themselves against those from the outside. We are seeing this on the rise globally. Now we are seeing this at the local level, proposed by our county government. These regulations are designed to keep visitors out of the National Parks and the entire coast of Marin County.

We deserve more from our government. These draft regulations will deny access to visitors wishing to experience the region. We need more housing for people who want to enjoy the natural environment throughout the county, especially in the region where the lion-share of land is protected for public purposes: West Marin

Please vote no on the draft regulations and stop this misguided effort to limit visitor access to the state and national parkland and the entire County coastline.

Sincerely,

Rachel Dinno  
PO Box 852  
Inverness, CA 94937

cc: [DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)  
[KRice@marincounty.org](mailto:KRice@marincounty.org)  
[KKilgariff@MarinCounty.org](mailto:KKilgariff@MarinCounty.org)

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Short Term Rentals  
**Date:** Monday, October 16, 2023 3:35:01 PM

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Donald Read with email address [dread@well.com](mailto:dread@well.com) would like information about:  
Have you considered exempting rentals of less than 30 days a year if the property owner personally uses the property for more than 60 days a year and there is no advertising?

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: Cap on S.T.R.s  
**Date:** Monday, October 16, 2023 1:49:54 PM

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**From:** no-reply@marincounty.org <no-reply@marincounty.org>  
**Sent:** Monday, October 16, 2023 9:27 AM  
**To:** PlanningCommission <PlanningCommission@marincounty.org>  
**Subject:** Cap on S.T.R.s

Pat Dickens with email address [pwdickens@yahoo.com](mailto:pwdickens@yahoo.com) would like information about:  
Please set up a cap on unhoused STRs that is that is half of the current number -  
just below the 2018 level. Thank you! Pat Dickens Bolinas

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: Short term rentals  
**Date:** Monday, October 16, 2023 1:50:10 PM

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**From:** manager <bolinasretreatproject@gmail.com>  
**Sent:** Monday, October 16, 2023 10:59 AM  
**To:** PlanningCommission <PlanningCommission@marincounty.org>  
**Subject:** Short term rentals

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

Please consider finding ways to prohibit and/or tightly restrict corporate abilities to provide any form of short or medium term rental housing.

Please reconsider and reduce STR future authorizations.

Thank you

George Hoke  
Bolinas

**From:** [john.aucoin](mailto:john.aucoin)  
**To:** [Rodoni, Dennis](mailto:Rodoni.Dennis)  
**Cc:** [Rice, Katie](mailto:Rice.Katie); [Moulton-Peters, Stephanie](mailto:Moulton-Peters.Stephanie); [Sackett, Mary](mailto:Sackett.Mary); [Lucan, Eric](mailto:Lucan.Eric); [STR; PlanningCommission](mailto:STR@PlanningCommission)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Tuesday, October 17, 2023 7:21:15 AM

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[You don't often get email from [coyote322@att.net](mailto:coyote322@att.net). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: John Aucoin  
Address: 28 Laurel st. Pt. Reyes , Ca 94956  
Email: [jleroy322@gmail.com](mailto:jleroy322@gmail.com)

**From:** [john.aucoin](mailto:john.aucoin)  
**To:** [Rodoni, Dennis](mailto:Rodoni.Dennis)  
**Cc:** [Rice, Katie](mailto:Rice.Katie); [Moulton-Peters, Stephanie](mailto:Moulton-Peters.Stephanie); [Sackett, Mary](mailto:Sackett.Mary); [Lucan, Eric](mailto:Lucan.Eric); [STR; PlanningCommission](mailto:STR@PlanningCommission)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Tuesday, October 17, 2023 7:22:40 AM

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Dear Planning Commissioners and Supervisors,

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Thank you for your consideration,

Name: Lela Corbitt

Address: 28 laurel st Pt Reyes CA 94956

Email: [coyote322@att.net](mailto:coyote322@att.net)

**From:** [Ashley Hebert](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Tuesday, October 17, 2023 9:00:33 AM

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

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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Thank you for your consideration,  
Name: Ashley Hebert  
Address: 18 Cypress Rd., Point Reyes Station  
Email: [afhebert@gmail.com](mailto:afhebert@gmail.com)

**From:** [Gmail](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Tuesday, October 17, 2023 9:01:26 AM

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

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

I have been a resident and business owner in West Marin for over 30 years and am in **strong favor of the requirement that owners live full time in the house that provides a short term rental. Not caretakers, but actual owners.** This allows people who live on that extra income to survive and reflects the original concept, which was lovely, of tourists to have a spot for a few days and meet the locals. It was a great idea that went completely wrong when it began to be exploited by second home and developer people to gain footing in a small town.

Thank you for your consideration,  
Name: Mary Nisbet  
Address: P.O. Box 1110  
Email: [californiaorchids@gmail.com](mailto:californiaorchids@gmail.com)

*Mary Nisbet/California Orchids*  
[www.californiaorchids.com](http://www.californiaorchids.com)



**From:** [Sophie Wood Brinker](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Tuesday, October 17, 2023 9:12:16 AM

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

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Sophie Brinker  
Address: PO Box 904, Bolinas CA 94924  
Email: [brinker.sophie@gmail.com](mailto:brinker.sophie@gmail.com)

**From:** [Annie Laufman](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes (Bolinás Resident)  
**Date:** Tuesday, October 17, 2023 9:13:45 AM

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Dear Planning Commissioners and Supervisors,

I am a Bolinas resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Annie Laufman  
Address: 190 Maple Rd Bolinas  
Email: annielaufman@gmail.com

**From:** [Dianne Bramwell](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Tuesday, October 17, 2023 9:14:27 AM

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

Dear Planning Commissioners and Supervisors,  
Many of my neighbors/taxpayers are concerned about this vital issue.  
I have heard heartfelt and factual pleas for your mindful action.  
Even tho' the following is a form letter, it states the obvious reasons that we, the residents of West Marin strongly feel.  
Thank you for your service to our communities.

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Dianne Bramwell  
Address: 145 Hawthorn Rd, Bolinas  
Email: [bramwelldianne@gmail.com](mailto:bramwelldianne@gmail.com)

**From:** [Noelle Hiam](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Tuesday, October 17, 2023 9:17:51 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: noelle hiam  
Address: 190 maple rd, Bolinas 94924  
Email: [noellehiam@gmail.com](mailto:noellehiam@gmail.com)

**From:** [jeff.warrin](mailto:jeff.warrin@me.com)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Tuesday, October 17, 2023 9:26:09 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Jeff Warrin  
5 Lauff Ranch Road  
Bolinas CA 94924  
[Jeffwarrin@me.com](mailto:Jeffwarrin@me.com)

Sent from a small device

**From:** [Kari](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Tuesday, October 17, 2023 9:43:15 AM

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Living out here is incredibly stressful, many factors contribute but the cost of housing makes for the highest level of stress. I am currently in a rental I have been in for a few years that is now set to increase yearly, I know I will be priced out sooner than later. The thought of trying to find an affordable house is to say the least, depressing and a constant worry even as I have current housing. I've lived here all my life, I love it, I love our community and we need to ensure that the people have housing they can really afford. As a childcare provider out here, I know housing affects everyone. Also, we are still in an ongoing pandemic people need safe long term housing, we do not need out of towners coming to stay at short term rentals and increasing our local Covid cases. Please get rid of short term rentals, we need less greed and more community.

The Americans most threatened by eviction: young children  
<https://www.nytimes.com/2023/10/02/upshot/evictions-children-american-renters.html>

Dear Planning Commissioners and Supervisors,

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The draft STR ordinance is a step in the right direction but it doesn't go far enough. Please ensure that the following provisions are added or strengthened:

1. No corporate ownership;
2. Only one STR license per property owner, regardless of number of properties owned;
3. \*A much further reduction\* in the number of unhosted STRs than what is proposed in the draft. Much lower caps on unhosted STRs are needed to restore the health of our coastal West Marin communities, while the current draft ordinances actually increase the allowable number. This is not acceptable.

Thank you for your consideration,

Name: Kari Carlsen  
Address: P.O. Box 601 Inverness  
Email: roxygurlkari@yahoo.com

**From:** [Katie Lewis](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Tuesday, October 17, 2023 10:11:12 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Katie Lewis  
Address: 815 A Street, Point Reyes, CA 94956  
Email: ktlewis9@hotmail.com

Sent from my iPhone

**From:** [jonna.alexander.green](mailto:jonna.alexander.green)  
**To:** [Rodoni, Dennis](#); [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [STR](#); [elucan@maincounty.org](mailto:elucan@maincounty.org); [Sackett, Mary](#); [PlanningCommission](#)  
**Subject:** request to reduce STR level to half  
**Date:** Tuesday, October 17, 2023 10:34:57 AM  
**Attachments:** [STR letter 101723.pdf](#)

---

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

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. So many of my friends, family, and neighbors have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live. Housing is necessary to support a thriving local community. This housing crisis greatly effects our ability to sustain and steward a healthy culture in our small isolated town.

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

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**jonna alexander green**  
architectural designer  
mobile: 1-612-751-4141  
website: [jonnaalexandergreen.com](http://jonnaalexandergreen.com)



**From:** [Heidi Gregory](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** neighbors@westmarinresidentsforhousing.org  
**Date:** Tuesday, October 17, 2023 10:42:21 AM

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

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short-term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

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With this ordinance, you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration

Heidi Gregory  
4154399516  
[missheidgregory@gmail.com](mailto:missheidgregory@gmail.com)



Post Office Box 809  
Point Reyes Station  
California 94956  
T 415 663-1158  
F 415 663-1099  
www.malt.org

October 17, 2023

To: Marin County Planning Commission

**RE: Draft Short Term Rental Standards Ordinance September 2023**

Dear Marin County Planning Commission Members:

The Marin Agricultural Land Trust (MALT) appreciates the opportunity to submit comments on Marin County's draft Short Term Rental Standards Ordinance to the Planning Commission.

As a holder of 93 agricultural conservation easements totaling 55,721 acres in Marin County, MALT's mission is to permanently protect Marin's agricultural land for agricultural use with the intent for Marin County to have a thriving and inclusive agricultural community in a healthy and diverse natural environment. Marin County has long embraced agriculture as one of its defining characteristics and MALT feels that county policies should continue to work for and support the continuation of agriculture in Marin.

The land trust community has observed increased interest by agriculturists for alternate sources of income to supplement traditional agricultural operations. In addition to requiring productive agriculture to take place on farms and ranches protected by conservation easements, MALT supports various forms of agritourism that are consistent with the purpose of the easement, including farm stays in short term rentals. These endeavors are ancillary to the agricultural uses on farms or ranches and offer supplemental sources of income that contribute to the overall success of the agricultural operations.

Acknowledging that agricultural worker housing is another important topic in the county, it has been MALT's observation through our annual easement monitoring process that short term rentals often coexist with agricultural worker housing on a ranch when necessary. Those ranches that host farm stays but do not house agricultural workers typically do not have the need for an agricultural worker to live on site.

After reviewing the County's draft Short Term Rental ordinance, MALT feels that limiting agricultural operations to one (1) short term rental and requiring it to be the main dwelling unit misses an opportunity to allow a diverse variety of farm stays that would otherwise contribute to the continued success of agriculture in Marin County through added economic and educational opportunities.

Additionally, MALT feels that it would be unnecessary to limit active farms and ranches to either having a short term rental license or hosting special events. Farm stays and temporary, seasonal events often go hand-in-hand and can be concurrent ancillary uses that not only do not detract from the agricultural activities on a farm or ranch but offer an additional diverse income opportunity to support an agricultural operation.

BOARD OF DIRECTORS Lily Verdone, Executive Director | Tamara Hicks, Chair | Diana Hagan, Vice Chair | Andrew Riesenfeld, Secretary | David Schrader, Treasurer | Kristine Ball | Marcia Barinaga | Barbara Boucke | Andrew Giacomini | Lynne Heinrich | Jim Jensen | Tim Kehoe | Caitlin Landesberg | Paul Martin | Robert McGee | Molly Myerson | Lisa Poncia | Iris Shim | Vivien Straus

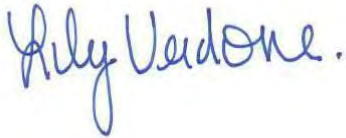
FOUNDED in 1980 by Phyllis Faber and Ellen Straus



Following a review of the Staff Report to the Marin County Planning Commission for the October 23, 2023 hearing, MALT supports the Agricultural Exemption Alternative (Alternative 1) found on page 26 that would exempt agricultural properties from the Short Term Rental Chapter in the Marin County Code.

Thank you for the opportunity to provide comments on the draft Short Term Rental ordinance and we appreciate your efforts to craft a policy that intends to improve the availability of housing while maintaining access to important economic opportunities, services and activities in Marin County and its agricultural community.

Sincerely,



Lily Verdone  
Executive Director  
Marin Agricultural Land Trust



Zach Mendes  
Director of Land Protection  
Marin Agricultural Land Trust

**From:** [Wiley Laufman](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Tuesday, October 17, 2023 11:32:02 AM

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

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Wiley Laufman  
Address: 190 maple rd bolinas, ca  
Email: wileylaufman@gmail.com

**From:** [Dominic Montagu](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Tuesday, October 17, 2023 12:34:37 PM

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

Dear Dennis and other Planning Commissioners and Supervisors,

I have lived in West Marin part time for 20 years and am very concerned by the erosion of community caused by the growing number of short term rentals (STRs). Knowing my neighbors, meeting for food, to play bocce, to help each other with pets, construction, or just to catch up on lives and common friends is the highlight of most weeks. As houses are bought by investors and made into profit-maximizing STRs those bonds break. At some point, when the neighborhood hits a tipping point of too many STRs, it will cease to be a community at all and there will be no path to recovery.

That is a high price to pay for allowing owners to maximize their return on real-estate investment, and it seems completely unjustifiable in West Marin. Non-resident owners have enough money to buy a million-dollar-plus home and rent it out. They could get a slightly lower return on their money by renting the same home as a long-term rental (which would strengthen, not weaken, community bonds); or by investing in the stock market or bonds or gold or any other investment vehicle. It is not the responsibility of communities in West Marin to bear the social cost of STRs so that a small number of people can get a higher return on investment money through home rentals, than they could earn from a dozen other investment or leading options. Assuring profit maximizing by a few, in exchange for the death of a community, is a cost borne by many for the benefit of people who don't require that assistance. It is not right.

The draft SRH ordinance is a step in the right direction but needs to go farther. There is no reason to allow STRs by non-residents or without limit for any 'unhosted' house. And the way to assure this is to limit the number of days a home can be rented as an STRs to a low number each year. Please reduce the number of STRs overall, and reduce the number of days/year any home can be rented to less than 60.

We do not want to lose the community of West Marin. You represent this community — not the investor-owners, and not only the resident owners seeking to maximize income at the cost of their neighbors 'social capital'. Save the sense of belonging, mutual care, and community concern which drove the locals who elected you and who care about each other here. A strong SRH ordinance can do that.

Thank you for your consideration.

Dominic Montagu  
220 Camino del Mar, Inverness

**From:** [Barbara Mitchell](#)  
**To:** [Kilgariff, Kathleen](#)  
**Subject:** Feedback on STR Standards  
**Date:** Tuesday, October 17, 2023 11:05:19 AM

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

Hello Mrs. Kilgriff,

Below is my response to the draft STR standards. I plan to attend the Oct 23<sup>rd</sup> meeting.

For context, my background is as a community member and small business owner of both Stinson Beach and Bolinas. I grew up in Stinson Beach and returned to live there for 7 years in 2014 and moved to Bolinas 2 years ago. I was a long term renter in Stinson for those 7 years, living in 3 different rentals, and now I am a homeowner in Bolinas. I also own Highway One Properties in Stinson Beach, a vacation rental and property management company my mom started 20 years ago, and my sister and I took over 5 years ago.

Regarding the proposed draft STR guidelines, I appreciate the County addressing each village separately as to the number of rentals allowed. I think this is key, as the community of Stinson Beach wants different things than does the community of Bolinas, as does Inverness, Dillon Beach and so on. That said, I don't think the current draft appropriately reflects what those communities want, and in some cases increases the number of STR's in communities where they are not wanted. How were these numbers decided and can each community have a say?

I am for moderation. I understand the history of STR's in communities like Stinson, and I get that a 4 bedroom Seadrift home will never be an affordable long term rental weather the owner wants to or not. So in this situation, allow STR's and reap the benefit of the TOT tax for the community. Provide jobs for cleaners, handymen, gardeners, hot tub service companies, and more. But also regulate these STR operators, do not allow corporations, allow one license per property, prioritize hosted STR owners. And for the small percentage of homes that could be affordable long term housing, give the owner an INCENTIVE. Reward these homeowners and provide the community with affordable rentals. Having had first-hand experience in trying to convince STR property owners to take on a long term renters, it always comes down to the money. They can make the same amount in long term rentals as they can in STRs, only the STR route leave the property vacant 50% of the year for the owner to use. Giving property owners an incentive (property tax break?) to rent to long term tenants is in my opinion the best way to persuade homeowners to rent long term, and perhaps the only way.

Having recently moved to Bolinas from Stinson I am amazed at the huge sense of community I have felt here, not to mention the number of families with kids! In my daughters 2<sup>st</sup> grade class there are 11 students and not a single one lives in Stinson. My neighbors all live in their homes full time and I actually don't know of a short term rental in my neighborhood. This reminds me of what it was like to grow up in Stinson on the hill. Things have changed. Bolinas has fought hard to keep their community and keep STR's out, and this should be respected. Once this community is lost it cannot come back.

**Barbara Sherfey Mitchell**

The Sherfey Group

Highway One Properties

Golden Gate Sotheby's International Realty

3605 Shoreline Hwy. Stinson Beach, California

Office: [415.868.0288](tel:415.868.0288) | Cell: [415.203.2648](tel:415.203.2648) | CalBRE# 01963881

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: Oppose Draft STR Regulations  
**Date:** Tuesday, October 17, 2023 11:49:44 AM

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

From: Lulu <lulu.lulutaylor@gmail.com>  
Sent: Tuesday, October 17, 2023 11:07 AM  
To: PlanningCommission <PlanningCommission@marincounty.org>  
Subject: Oppose Draft STR Regulations

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

Dear Marin County Planning Commission,

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

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

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

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

For the homeowner, the regulations are costly, burdensome, and possibly unattainable. The unprecedented 11-pages of detailed restrictions and requirements will all but ensure compliance failure among a substantial number of homes and result in less lodging to visitors. For those few that can comply, the time and expenses associated with gathering the documentation, additional services, and the annual inspections will lead to a large increase in the overall costs of operation, which will result in increased nightly rates for visitors to the region.

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

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

Sincerely,



Lulu Taylor

**From:** [Diana Craig](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** ["West Marin Access Coalition"](#)  
**Subject:** Re: Proposed Regulations for Short Term Rentals in West Marin  
**Date:** Tuesday, October 17, 2023 12:28:13 PM

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You don't often get email from [diana@walkermoodys.com](mailto:diana@walkermoodys.com). [Learn why this is important](#)

I am opposed to the misguided effort of the Planning Commission to limit short term rentals in West Marin.

Short term rentals allow many people, myself included, the opportunity to spend time visiting our glorious parks that they (and me too) can presently afford.

By limiting the access to short term housing rentals, you will be making these journeys unaffordable to low- or middle-income families.

I have been visiting Stinson Beach since I was 3 years old and I feel that this area, and the surrounding area is practically sacred, and presently open to anyone, and open to everyone. You have absolutely no right to prohibit tourists from staying in short term housing whatsoever!

Further, have no concern how you will be destroying the economy of these little towns with your proposed restrictions?

Shame on you.

Most sincerely,

Diana Craig  
San Anselmo, Ca.



Virus-free [www.avast.com](http://www.avast.com)

**From:** [warren\\_hukill](mailto:warren_hukill)  
**To:** [PlanningCommission](mailto:PlanningCommission); [Kilgariff, Kathleen](mailto:Kilgariff,Kathleen); [Rodoni, Dennis](mailto:Rodoni,Dennis); [Rice, Katie](mailto:Rice,Katie); [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com); [warren](mailto:warren)  
**Subject:** re: Draft STR regulations  
**Date:** Tuesday, October 17, 2023 2:14:54 PM

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You don't often get email from warrenhukill@comcast.net. [Learn why this is important](#)

Marin County Planning Commission, [PlanningCommission@MarinCounty.org](mailto:PlanningCommission@MarinCounty.org)  
Kathleen Kilgariff, Community Development Agency, [KKilgariff@MarinCounty.org](mailto:KKilgariff@MarinCounty.org)  
Supervisor Dennis Rodoni, [DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)

RE: Draft STR Regulations

Dear Marin County Planning Commission, Ms. Kathleen Kilgariff, and Supervisor Dennis Rodoni:

Hello: I am a Artist/photographer working and living part time in West Marine — We purchased our property with the understanding that we would be able to do some rentals to help with our living expenses. For this reason it is important for me to be able to rent my home on an occasional basis. In the past, we have rented many different homes in the area as It was the only way to do a deep dive into the beauty of Pt. Reyes natural resources. Travelers from all over the work come here to see our national seashore and we must have properties like ours available for their visits. I am completely against the draconian and arbitrary requirements that the county has presented to potential STR providers. I am in complete opposition to the County's draft short term rental standards which will result in making housing in West Marin less cost-efficient for everyone and limit visitor access to the coast and parks in the region.

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

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

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

**For the homeowner, the regulations are costly, burdensome, and possibly unattainable.** The unprecedented 11-pages of detailed restrictions and requirements will all but ensure compliance failure among a substantial number of homes and result in less lodging to visitors. For those few that can comply, the time and expenses associated with gathering the documentation, additional services, and the annual inspections will lead to a large increase in the overall costs of operation, which will result in increased nightly rates for visitors to the region.

**Overall, these regulations will make homeownership more costly and out of**

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

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

Sincerely,  
Warren Hukill  
Inverness, Ca

**From:** [Janine Shiota](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Tuesday, October 17, 2023 4:48:39 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Janine Shiota  
Address: 520 Aspen Road Bolinas CA  
Email: [janine.shiota@gmail.com](mailto:janine.shiota@gmail.com)

Sent from my iPhone

**From:** [Allison Evans](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Tuesday, October 17, 2023 7:05:23 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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Thank you for your consideration,

Name: Allison Evans  
Address: 96 Brighton Ave Bolinas ca, 94924

Email: [allisoneva@earthlink.net](mailto:allisoneva@earthlink.net)

Lafranchi Ranch

P.O. Box 107

Nicasio, Ca. 94946

Dear Commissioners,

My name is Rick Lafranchi. I, along with 2 brothers and 3 sisters own the Lafranchi Ranch in Nicasio along with the Lafranchi Dairy and the Nicasio Valley Cheese Co. Our family has been proud members of the Nicasio community since the early 1880's. We've been located on our Nicasio ranches since 1918 and 1985.

To say the community and our ranches are a major part of the fabric of our family is a dramatic understatement. Nicasio is huge for us and could not be more important to all generations of Lafranchi's.

About 7 years ago our mother passed away and left our family home vacant for the first time. On the ranch we provide comfortable housing for our employees that accommodates both families and single men. We are very proud of our relationship with our mostly latino staff. We've had the privilege of several of our staff working with us for nearly or over 50 years. We treat them with the respect they so deserve. Nearly 10 years ago one of our long time employees Florentino Vincenzo passed away far too soon. His family still lives on the ranch. His daughter in law Anna has been a key part of our staff at the cheese company. Her daughter Angelina just graduated from UC Berkeley. She attended Archie Williams High School and was accepted to every college she applied to including Harvard. While doing all this she was also was an intern for Kamala Harris. Angelina is a great example of the American dream. We couldn't be more proud of her.

With the family home empty for the first time we have chosen to rent it on a short term basis. It's still the hub for family holidays and for special guests to stay at. We also conduct a part of our ranch and creamery tours from the house which really helps us to educate the general public on the Marin Ag experience.

The revenue we generate from renting the family home really helps to smooth out some of the peaks and valleys of the income stream realized from our dairy and cheese company while allowing us to still utilize, on occasion, our treasured family home.

We ask you to please allow flexible housing rental uses for agricultural properties. We have huge respect and appreciation for the very difficult challenges you take on. Thanks for reading this.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rick Lafranchi", with a stylized flourish at the end.

Rick Lafranchi



**From:** [Laura King](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Tuesday, October 17, 2023 9:15:01 PM

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[You don't often get email from [laurataking@yahoo.com](mailto:laurataking@yahoo.com). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name:Laura king  
Address: P.O. Box 347 Inverness  
Email:laurataking@yahoo.com

**From:** [Susan Brayton](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Tuesday, October 17, 2023 9:44:55 PM

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

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

**I am particularly concerned about the increase being proposed in the amount of NO HOST vacation rentals which diminish the supply of housing for long-term residents by encouraging corporations and private investors, i.e., No Host STRs (owners who don't live here and have never had a stake in the community) to invest for their financial benefit.**

**The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough.** The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

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Thank you for your consideration,

Susan Brayton  
[susanbrayton@horizoncable.com](mailto:susanbrayton@horizoncable.com)  
105 Vision Road (since 1977)  
Inverness, CA 94937  
(415) 669-1316



**From:** [Cameo Wood](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Smarter STR Regulations needed (West Marin Resident)  
**Date:** Tuesday, October 17, 2023 10:29:55 PM

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Dear Planning Commissioners and Supervisors,

I am a San Francisco resident that recently purchased a weekend house in West Marin. This house is on 20 acres, can't be subdivided, and cannot sustain a full time resident. At its price point, it is not viable long term primary housing. While some STR housing certainly could be taken off the STR market and made into long term rental housing, that isn't true for all homes in West Marin.

While it is true that our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live, it is also true that this economy is driven by second home owners and tourists. We all need to live together.

I think it is critical for you, as our planning commissioners and supervisors, to find a way to separate out viable rental properties being used as STR properties, and occasional rental use properties that allow second home owners to afford their non-viable properties. A limit, perhaps, on how many weeks per year it can be rented out. That seems fair to me.

Thank you for your consideration,  
Name: Cameo Wood  
Address: PO Box 833 Point Reyes, CA 94956  
Email: [cameo@panthers.rest](mailto:cameo@panthers.rest)

Cheers,  
Cameo Wood

--

*she/her/hers*

Call me: +1.415-297-9981

My work: <https://cameowood.com>

Book a zoom chat: <https://calendly.com/cameo>

Watch my Emmy winning film 'Real Artists' at <http://realartists.film>

Land acknowledgement: I acknowledge that I am on unceded land of the Coast Miwok people.

**From:** [Carol Molly Prier](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Tuesday, October 17, 2023 10:50:58 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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Thank you for your consideration,  
Name: Carol Molly Prier  
Address: 41 Cameron Street, Inverness, CA (P.O. Box 660)  
Email: [cmprier@earthlink.net](mailto:cmprier@earthlink.net)

My partner, Scot Anderson works part of the year on Trail Crew for the PRNS. He is the only one on the trail crew living in the local area. Others commute from Sebastapol, Vallejo etc.

STR do not help our businesses!

Someone should do a survey of all the business in town: The Palace Market, all the restaurants, the bank, the hardware store—most of the people who work in our businesses cannot live here. The people who clean the rentals cannot live here nor do the gardeners.

(And Marin considers itself environmentally astute—these long commutes do not help our environment!).

Someone should also survey all the regular visitor accommodations—I know that at the Inverness Motel and the Tomales Bay Resort, their business is negatively affected by short term rentals—I would think that all the others are also.

In addition, I live right next door to a STR—I have had to call the owner (who never answers) a number of times about noise. And when gardeners come to maintain the property, it is often hours and hours of weed eaters, blowers etc. Usually 4+hours at a time—my neighborhood (2nd valley) is very quiet—no one else does hours and hours of noisy maintenance.

**WE ARE LOSING OUR COMMUNITY!!!** Other communities have put a tight cap on STR and have rolled things way back. We need to do the same.

**From:** [Brenda Balanda](#)  
**To:** [Rodoni, Dennis](#); [PlanningCommission](#); [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#)  
**Subject:** Homes not LLC"s  
**Date:** Tuesday, October 17, 2023 11:48:49 PM

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Dear Planning Commissioners and Supervisors,

As a recently-retired real estate broker in West Marin, I witnessed the invasion of vacation-rental buyers, and became increasingly distressed by the degradation of our community-oriented way of life that they have caused.

Sure, there was money to be made in the frenzy, but frankly it is not worth destroying the special nature of our villages over.

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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Thank you for considering this cure for the dilemma,

**Brenda Balanda**

**Marin Sunshine Realty**  
3 Drake Way Inverness, CA 94937  
[brendabalanda@gmail.com](mailto:brendabalanda@gmail.com)  
(415) 640-6803  
(415) 669-7343  
DRE # 01239353





**From:** [Steve rubin](#)  
**To:** [Jeremy Tejirian](#); [Kilgariff, Kathleen](#); [Rodoni, Dennis](#); [PlanningCommission](#)  
**Cc:** [West Marin Access Coalition](#); [Mom Rubin](#); [Rice, Katie](#); [BOS](#)  
**Subject:** Addressing Proposed STR Regulations: Our Perspective  
**Date:** Tuesday, October 17, 2023 5:51:59 PM

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Subject: Comments on STR Proposal

To: The Marin County Board of Supervisors

Attention: Marin County Planning Commission, Dennis Rodoni, Kathleen Kilgariff, and Jeremy Tejirian

Dear Members of the Marin County Board of Supervisors and Planning Commission,

I am writing to express our concerns regarding the proposed short-term rental (STR) regulations, on behalf of Historic Willow Camp in Stinson Beach. My wife and I are the proud owners of this property through an LLC, and we have been operating a short-term rental for many years. While we value the efforts to address this matter, we would like to raise some specific concerns about the proposals and the overall process.

**General Concerns:** First and foremost, we believe that the Planning Department's approach to these regulations requires further scrutiny. It is our view that a more comprehensive assessment and community outreach are necessary. Equally important is the need to ensure that any changes will genuinely contribute to addressing the housing situation in Stinson Beach.

**Why Limit STRs in Stinson Beach?** Stinson Beach, historically known as Willow Camp, has always been a cherished destination for vacationers and a gateway to the coast for the public. We question the wisdom of restricting these activities at this juncture. The issue of housing scarcity has long plagued Marin County. It is worth noting that many STRs in our community primarily originate from second homes that often remain unoccupied for extended periods, failing to provide widespread coastal access. Limiting STRs would not be a solution to the housing crisis, but it would adversely impact local employment and tax revenue.

The Planning Department has indicated a desire to regulate based on intuition, without conducting comprehensive research. For example, the department has not evaluated measurable community metrics like school enrollment. Over the past two decades, Stinson Beach has experienced a 33% increase in student enrollment while the number of STRs has surged. This hardly aligns with the narrative of a community in decline. The presence of STRs significantly contributes to local employment and income, which is crucial for sustaining life in remote West Marin. We advocate for preserving the historic access to the coast and the economic opportunities and tax revenue that STRs offer, subject to thorough research and consideration. It is important to underscore that very few, if any, of the proposed changes would address housing needs, let alone provide low-income housing.

**Specific Issues with STR Draft Standards (September 2023):**

**Section K. Special Events:** The proposed prohibition of events such as weddings and corporate retreats raises significant concerns. The county's rationale behind this restriction lacks substantiated research and explanation, making it challenging to understand why limiting such activities is necessary. Stinson Beach, and in particular Willow Camp, has a longstanding tradition of hosting weddings for well over a century. We are eager to know how many weddings, aside from those held at Willow Camp, have taken place in Stinson Beach, and whether there have been any notable complaints regarding weddings in the area over the past three years.

Equally important is assessing the potential impact on the local economy, including caterers, gardeners,

hotels, restaurants, cleaners, florists, and other businesses that derive a significant portion of their revenue from these events. What are the sentiments of local businesses, especially those that face challenges during the fall season, regarding hosting wedding receptions at Willow Camp?

Additionally, there is a lack of clarity regarding how corporate retreats or similar events negatively affect our community. It is evident that such gatherings do not detract from local housing options; instead, they offer genuine job opportunities to residents and contribute to our tax revenue. We believe that issues pertaining to the "good neighbor" policy should be addressed within the existing regulations, rather than implementing a complete ban without thorough research and careful consideration.

We are more than willing to actively participate in discussions aimed at strengthening our "good neighbor" policy with respect to events like weddings. Addressing concerns related to parking, noise, and waste disposal through constructive dialogue will undoubtedly lead to the development of a more harmonious community.

In conclusion, we respectfully request that these concerns be taken into consideration as you deliberate on the proposed STR regulations. Our aim is to collaboratively build a stronger community through compassionate and informed conversations on these matters, rather than resorting to a blanket ban that may inadvertently harm our local economy.

Thank you for your attention to these matters. We look forward to engaging further in this dialogue.

**For Further Insight into Global impact of Willow Camp:** Please review the following newspaper articles for additional context on this topic:

1) **"History is at every turn in this Stinson Beach estate frequented by Oppenheimer"** San Francisco Chronicle 2023  
<https://www.sfchronicle.com/bayarea/article/willow-camp-property-oppenheimer-18337308.php>

2) **"Was It a Job Interview or a Date? She Soon Found Out."** New York Times 2023  
<https://www.nytimes.com/2023/08/04/style/katherine-maher-ashutosh-upreti-wedding.html>

Sincerely,

Steve and Lovisa Rubin  
Willow Camp, Stinson Beach

<https://www.sfchronicle.com/bayarea/article/willow-camp-property-oppenheimer-18337308.php>

**From:** [Jill Gilbert](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Wednesday, October 18, 2023 1:12:58 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,

Name: Jill Gilbert

Address: 103 Vision Rd. / PO Box 655

Email: [jilgil55@gmail.com](mailto:jilgil55@gmail.com)

**From:** [Robin White](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Wednesday, October 18, 2023 4:05:18 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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Thank you for your consideration,  
Name: Robin White  
Address: po box 133 PRS CA 94956  
Email: [robinlouisewhite@gmail.com](mailto:robinlouisewhite@gmail.com)

**From:** [Michele Stone](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Wednesday, October 18, 2023 6:10:34 AM

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Dear Planning Commissioners and Supervisors,

The letter below mine says what I believe should happen, but I wanted to add my personal experience.

My father and stepmother, Don and Marj Stone had remodeled their home that stood at the foot of Vision Road, right on the shore of Tomales Bay.

A beautiful family home with a cabin out on the pier, over the water, that had a full bathroom and kitchenette.

When they had both passed away, us daughters wanted to sell it to someone that would love and care for it as my family did.

A young couple from the South San Francisco area ended up buying it, and we thought how great that they might start a family in Inverness.

What happened is, this beautiful family home is now used for occasional weekend use.

It sits empty.

Everyone has a right to buy and use it as they please, yet as a kid I remember all the empty houses around Inverness just like it that stood empty as well, most of the year.

So, to add short term rentals on top of this, makes Inverness a ghost town.

It used to be a community hub downtown at the grocery store and coffee shop and other shops and businesses.

Now, a limited product grocery store, two expensive restaurants, and a couple other businesses stand there.

Generally, locals just pick up their mail and drive through.

Michele Stone

Inverness Park

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Thank you for your consideration,

Name:

Address:

Email:

Sent from my iPhone

**From:** [Kerry Livingston](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Wednesday, October 18, 2023 6:27:24 AM

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Dear Planning Commissioners and Supervisors,

I have been a full time resident of Inverness, Pt Reyes for 40 years and I have seen many changes. I have brought up three children here and they struggle to afford to stay. I have worked with CLAM, our affordable housing organization since 2005 to create homes for people. You know what is happening in West Marin and you have the power to help us retain the local character, keep the workers living in town and maintain the diverse community we all love.

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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Thank you for your consideration,  
Kerry Livingston  
PO Box 296  
Inverness, Ca 94937  
[Kmlivings@hotmail.com](mailto:Kmlivings@hotmail.com)

**From:** [Barbara Jay](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Wednesday, October 18, 2023 6:56:10 AM

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Dear Planning Commissioners and Supervisors,

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Thank you for your consideration,

Name: Barbara Jay

Address: 100 Douglas Dr, Inverness 94937

Email: [Barbara.Nelsonjay@gmail.com](mailto:Barbara.Nelsonjay@gmail.com)

Sent from my iPhone



**From:** [Kay McMahon](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Wednesday, October 18, 2023 8:04:42 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident of 40 plus years deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

It is discouraging to continually hear the County, Supervisors, Coastal Commission voice the need to meet the needs of visitors. This need should be met **within** a long overdue cap on visitor serving units, a progressive models used in numerous national/international locations to preserve communities and environment.

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With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Kay McMahon  
Address: 81 Dover Road, Inverness, CA 94937  
Email: [kay.mcmahon6@gmail.com](mailto:kay.mcmahon6@gmail.com)

**From:** [Ellen Serber](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Wednesday, October 18, 2023 8:08:35 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,

Name:

Address:

Email:

Ellen Serber



**From:** [Leslie Adler-Ivanbrook](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Wednesday, October 18, 2023 10:05:24 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. This trend hollows out our community by reducing the number of places for people to live year-round while increasing the numbers of people who stay short-term and are less invested in the health of our community, don't send kids to our schools, etc. And following the laws of supply and demand, the reduced long-term housing rental stock also increases rental costs. My husband and I (teacher and non-profit employee) would not be able to afford living here, let alone find another home to rent, should our landlords need us to vacate.

Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects that STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

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In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,

Name: Leslie Adler-Ivanbrook  
Address: 53A Laurel St, PRS (Inverness Park)  
Email: l.adlerivanbrook@gmail.com

Sent from my iPhone

**From:** [Cathy Scott](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Wednesday, October 18, 2023 10:10:58 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name:Catherine Scott  
Address: PO Box 378 Lagunitas  
Email: cbscott5@gmail.com

Sent from my iPhone

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

**I first moved to West Marin (Inverness) in 2012 and within a year and a half lost my rental/home due to the property being sold. I then bounced around for approximately 3 years before finding the Inverness rental I now live in. If I were to lose my home, which is a real future possibility given my elderly landlord has adult children who may want to sell the property upon his death, what happens then?**

**Will I then, now in my 60s and with a chronic illness/disability that makes it particularly difficult to find suitable housing, have to move out of the community I love and away from this physical area that has been key to the vast improvement in my health? No one likes to lose their home, but to have only the slimmest chance of finding a new home in the area in which one lives, the area that is one's HOME, is terrible and incredibly anxiety producing.**

**My situation, of course, is just one of many. What about my friend who lived in the West Marin area for over 40 years, who took a chance on love and gave up her Inverness rental to move to another state, and who now, in her mid-70s, wants to return to her community of family and friends to live out her days? Or my friend who lost her Inverness home in a contentious divorce and had to leave the area she loves, disrupting her life as well as the life of her special needs son? And if and when the property I live on is sold, another individual and a family of four will also lose their homes. What will they do?**

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,

Name: Mary

Address: 28 Kehoe Way Inverness, CA 94937

**From:** [Jacob Tonski](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Lucan, Eric](#); [Rice, Katie](#); [Sackett, Mary](#); [PlanningCommission](#); [Moulton-Peters, Stephanie](#); [STR](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Wednesday, October 18, 2023 10:49:48 AM

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

Dear Planning Commissioners and Supervisors,

As a school board member of the Bolinas-Stinson Union School District, I'm aware that 2/3 of our school families rent their home here, and I regularly hear people asking if I know of any long term rentals available. Anytime a member of the community loses their rental housing, we brace for the news that our children's friend(s) may have to leave the school. Our community desperately needs more long term rental housing available. The profit motive of short term rentals stands in direct conflict with the health of our school, which makes your decision, unpleasant as it may be, an unavoidably ethical one which will directly shape the lives of children in this community in the near future.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

If this isn't possible, please reconsider the option of setting limits attuned to the distinct needs of distinct communities.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the decision which prioritizes the needs of the existing local communities rather than ROI of those who call other places home.

Thank you for your consideration,

Name: Jacob Tonski

Address: 425 Vine Rd, Bolinas

Email: [j tonski@gmail.com](mailto:j tonski@gmail.com)



**From:** [Janine Aroyan](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Wednesday, October 18, 2023 10:53:13 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Janine Aroyan  
Address: 335 Overlook Dr., Bolinas  
Email: [beauxgardens@aol.com](mailto:beauxgardens@aol.com)

Sent from my iPhone

**From:** [Melissa Poncia Williams](mailto:Melissa.Poncia.Williams)  
**To:** [KKilgariff@marincouty.org](mailto:KKilgariff@marincouty.org); [STR](#)  
**Cc:** [Patton, Morgan](#); [Rodoni, Dennis](#)  
**Subject:** STR Letter: Poncia Home Ranch & James S. Moreda Dairy  
**Date:** Wednesday, October 18, 2023 12:12:18 PM

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Dear Marin County Planning Commissioners,

My name is Melissa Williams, I am the ranch property manager for my mom, Cathie, and late dad, Al Poncia's, "Home Ranch" in Tomales. The letter below was sent to Supervisor Rodoni's office last week, and I am forwarding to you with a few additional details. I hope the letter helps as you consider the proposed exemption of agricultural operations from the changes to STRs in the County code.

Thank you for your consideration and all my best,

Melissa

*Melissa Williams*

*Poncia A. Home Ranch & Poncia Spirits LLC*

415.722.4175

[melissa@ponciaspirits.com](mailto:melissa@ponciaspirits.com)

Hi, Morgan – this is Melissa Williams (Poncia), it was so nice to meet and to talk with you at the Ag Roundtable last month, and it was nice to see and hear Dennis speak around Ag in Marin and to share all the updates and resources with us – we've missed the Ag Round Tables. I really appreciated the opportunity to be with our ag community and to hear from all the leaders – I've attended the last several roundtables with my late dad, Al, who just passed away from pancreatic cancer on Aug 28.

Wanted to reach out to let Dennis know my mom's (Cathie) and my concern about the proposed changes for the Short Term Rental rules. My sister, Jessica (who passed away also from pancreatic cancer in March) and I have been managing our "Home Ranch" property together for the past 8 years, which is the ranch on Hwy 1, where Dad and Mom raised us (Jennifer, Melissa, Jessica and Loren). The ranch straddles the highway; the east side is a dairy and the west side pasture is rented by my brother, Loren, for grazing his cattle, and is where Jessica and I potato farmed for our business, Poncia Spirits. This is a separate ranch from my brother Loren and sister-in-law Lisa's ranches/Stemple Creek Ranch.

Our grandparents, Al and Jenny, raised my Dad and aunt here too. My grandparents and Dad ran the dairy and then Dad and my grandmother eventually sold the cows in 1989 – and from that point, raised beef and sheep. Dad managed to keep the small family dairy farm going through tenants – and eventually, as Jessica and I took over the management, we brought on an innovative, young, local, 5<sup>th</sup> generation dairyman, Jim Moreda (Bianchi), four years ago, who produces for his mom and brother's creamery (Valley Ford Cheese Co) and for Bellwether Farms.

We have been thrilled to have a regenerative, sustainable approach happening on the dairy that goes to the making of special products (all the cheeses from VFCC are created from Jim's pristine herd of Jerseys' milk), and we are proud that the ranch hosts one of the last few dairies in Marin

County. Jim's "great-great" grandfather, Pietro Bianchi, and our great-grandfather, Angelo Poncia, immigrated to Marin/Sonoma Counties together from the same little town on the Swiss-Italian border, through Ellis Island, starting here as farm hands to the Gold Rush pioneers in the 1890's. VFCC's Estero Gold and Highway One cheeses are modeled after the table cheeses Pietro, Angelo, and their other fellow immigrants, would make in Italy and here in West Marin and Sonoma counties on their farms.

It's always been a passion and goal to share our place with others – to not only produce products from the raw materials generated here, but to host and teach the broader community and visitors from other parts of the world, about our history, agriculture, the land, the natural environment, our community and the rural way of life that we so treasure. It's been not just a goal, but a dream, to incorporate agritourism more by hosting people in short term rentals. So, our hearts dropped when we heard about the threat to this dream.

It's not only a dream, but sharing our place is a necessity for our family to continue the Home Ranch. My sister Jessica and I promised Dad we would do everything we can to "make the last place last" into the next generations. It's already hard enough with regulations and restrictions to continue to create what we want to, and Mom needs to continue to generate what she needs financially in order to stay. We want you to be aware that the ranch is still developing into what we hope it to be – and that while it is a Poncia Ranch, it is not Stemple Creek Ranch, and is a separate family property and entity, with separate current, and we hope future, enterprises, that Mom, myself, and Jessica's and my children, plan to develop. There is nothing to be grandfathered in, and adding more limits onto what is already limited on this property, will not allow us to sustain, share, and grow the way we need to in order to last.

Additionally, the dairy property provides ample housing for Jim and his employees, and also allows for another ag worker family from our area to live on our ranch as well. These units will always be ag worker and operator housing.

Please let us know if you have any questions – we'd be happy to share more with you and Dennis.

Thank you and all our best,

Melissa and Cathie

*Melissa Williams*

*Poncia A. Home Ranch & Poncia Spirits LLC*

415.722.4175

[melissa@ponciaspirits.com](mailto:melissa@ponciaspirits.com)

**From:** [Katherine Hunting](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes  
**Date:** Wednesday, October 18, 2023 12:27:06 PM

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Dear Planning Commissioners and Supervisors,

I live in Point Reyes Station. I am deeply concerned about the growing number of residential properties that have been commercialized and turned into short term rentals (STRs). I know many West Marin friends and neighbors who have had to relocate because their long-term rental has been lost. Without places for local workers, young families, and elders to live, our community will cease to feel like a community.

The draft STR ordinance is a step in the right direction. However, it doesn't go far enough and is practically toothless. Marin's Housing Element and its Local Coastal Program have thoroughly documented the negative effects STRs are having on the housing crisis in West Marin. Our housing stock is already severely limited, and if 16% of our existing housing stock is taken away, the impacts on our small communities will be severe.

To improve this situation, we must do what other California coastal communities have done: we MUST substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. When added to the 108 existing hosted STRs, this would still permit 338 STRs in our coastal villages. This seems – when combined with existing campgrounds, motels and B&B's -- plenty for visitors. This policy action would bring the number of STRs back to 2018 levels.

The STR ordinance can help restore the balance in our coastal communities. Or it can perpetuate further hollowing out of our communities. Houses should be homes, and I urge you to make the right decision.

Thank you for your consideration,

Kathy Hunting  
11 Ridge View Ln  
PO Box 415  
Point Reyes Station, CA 94956  
[hunting@gwu.edu](mailto:hunting@gwu.edu)

Sent from [Mail](#) for Windows

**From:** [Anna McDonnell](#)  
**To:** [PlanningCommission](#)  
**Cc:** [Kilgariff, Kathleen](#); [Rodoni, Dennis](#); [BOS](#)  
**Subject:** STR regulations  
**Date:** Wednesday, October 18, 2023 9:27:08 AM

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Hi all

I just want to say that I appreciate the effort that has been made to craft reasonable regulations that might limit the most egregious STR operators who are only in it for the money while continuing to allow full time residents to supplement their income and offer their entire homes as low cost alternative housing to the many people who want to - and deserve - access to all the gorgeous bounty that West Marin has to offer.

I do think, however, that the justification for increasing regulation should be backed up by actual data which seems, in this case, in very short supply. Regulation without data-driven justification shakes people's faith in your process and your work. In the absence of data, erring on the side of less regulation is always a good idea. Additionally, I think it is important that whatever new regulations are imposed should not involve needlessly complex paperwork (is it really 11 pages?) for homeowners to complete.

Thanks for the hard and complex work you are doing. It can't be easy knowing that the best you can hope for is that all sides are a little bit happy and a little bit unhappy!

Anna

Anna McDonnell  
125 Camino del Mar  
Inverness, CA 94937

**From:** [scott.grooms](mailto:scott.grooms)  
**To:** [PlanningCommission](mailto:PlanningCommission)  
**Cc:** [Kilgariff, Kathleen](mailto:Kilgariff.Kathleen); [Rodoni, Dennis](mailto:Rodoni.Dennis); [Rice, Katie](mailto:Rice.Katie); [BOS](mailto:BOS); [West Marin Access Coalition](mailto:WestMarinAccessCoalition); [Loren Quaglieri](mailto:Loren.Quaglieri); [griffin.grooms@gmail.com](mailto:griffin.grooms@gmail.com); [Tucker Grooms](mailto:Tucker.Grooms)  
**Subject:** Oppose Draft STR Regulations  
**Date:** Wednesday, October 18, 2023 12:35:35 PM

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Dear Marin County Planning Commission,

Thank you for all of your dedicated, hard work you do to protect all of your constituents fairly!

I write in emphatic opposition to the County's draft short term rental "STR" standards. Already economically damaging to an important number of West Marin homeowners, the proposed regulations-or any subset thereof-will result in deepening these economic damages and will make housing in West Marin more expensive, less cost-efficient and less attainable for everyone. Ultimately, the proposed regulations will limit visitor access to the coast and parks in the region.

I would appreciate hearing back at some point with your explanation that will help me understand how the County of Marin and its leaders could possibly in good conscious pass and impose emergency short-term and potentially long-term regulations on its tax-paying homeowners seeking to solve a perceived problem (thus far, one for which no logical proof has been provided), with no proof that said regulations will actually solve the perceived problem? Furthermore, what is the County of Marin proposing to do to help repay the substantially economically-damaged homeowners who were hurt by the passing of the "emergency" STR ordinances, when nobody representing the County of Marin has been able to articulate or identify what actual "emergency" the ordinances sought to alleviate?

**Pie in the sky:** With NO rationale NOR reliable data to support the hoped-for efficacy of the draft regulations, the draft regulations are merely a Pie in the Sky desperate and ill-supported theory seeking to solve Marin County's affordable housing "problem." If the regulations-or any subset of the proposed regulations-are adopted, the result will negatively and greatly impact visitors to the region. By reducing housing options for visitors via the proposed-or any subset of the proposed regulations- the County of Marin is inadvertently reducing visitor access to the coast and parklands.

The blunt fact of the matter is that the proposed regulations simply do not have, nor do they offer up, any reliable proof based on any reliable data that they will even scratch the surface of solving Marin County's affordable housing problem. And, I'm glad to go off script and on the record to assert that targeting and proposing to impose anti-STR regulations on West Marin homeowners and homes located in the numerous seaside communities where these homes are located simply will not solve the purported "housing shortage" problem that Marin County alludes it's trying to solve. Such proposed regulations will have the opposite effect of disincentivizing homeowners to jump through the hornets nest of proposed licensing requirements, causing them to simply shut their doors that could have otherwise at least been rented to visiting families to West Marin.

Another blunt fact is that for the visitors, the draft regulations will certainly limit access and raise the cost of available lodging for those wishing a deeper experience in the region. The regulations go beyond the moratorium by decreasing the number of vacation homes available to families visiting the region. GGNRA is the most visited national park in the Nation. PRNS had over 2.3 million visitors last year. Vacation rentals are already limited. Fewer vacation homes, means fewer visitors to the coast and parks, which discriminates on numerous levels against numerous groups. Translation: the proposed regulations-or any subset of them-will prove very, very expensive for the County of Marin to administer and enforce, and very expensive for homeowners and STR operators to adhere to, neither of which bodes well for successfully increasing making lodging in the Western Marin region available

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

Importantly, does the County of Marin even have ample human resources to timely process, maintain, and enforce the quantity of legal STR permits to fulfill its proposed regulations? For the homeowner, the regulations are costly, burdensome, possibly unattainable, again, with no basic proof that such regulations will even solve the problem the County of Marin has manufactured as its target in the first place! The unprecedented 11-pages of detailed restrictions and requirements will all but ensure compliance failure by County of Marin short-staffing AND among a substantial number of homes, resulting in less lodging being available to visitors. For those few who can comply, the time and expenses associated with gathering the documentation, additional services, and the annual inspections will lead to a large increase in the overall costs of operation, which will result in increased nightly rates for visitors to the region.

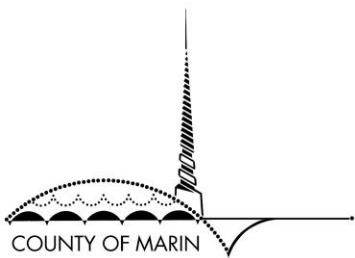
Overall, these regulations will make homeownership more costly and out of reach for more people—visitors and residents alike. West Marin has always been a community with large numbers of vacation homes used in part as short-term rentals for generations. Renting one's second home for others to use for vacation purposes has also been a means by which many local people-often times 2nd or 3rd generation hard-working average-earning folks, are able to live permanently in West Marin during their retirement years. Imposing ill-conceived & efficacy proof-less regulations lacks the application of simple, common logic.

Above all, imposing regulations that limit people's ability to rent their homes, or cottages and in-law units that have been rented literally since the inception of most of these communities on a part-time basis, reduces their ability to achieve homeownership, which is discriminatory and unacceptable!

Please vote "NO" on the draft regulations and help stop the County of Marin's misguided effort (and manufactured theory of a potential housing shortage solution) which will ultimately limit lodging affordability and visitor access to the region's public lands.

Sincerely,

Scott Grooms



October 17, 2023

To: Marin County Planning Commission  
From: UC Cooperative Extension, Marin County  
Re: Short Term Rental Ordinance Update

David Lewis  
DIRECTOR

1682 Novato Boulevard  
Suite 150B  
Novato, CA 94947  
415 473 4204 T  
415 473 4209 F  
CRS Dial 711  
[www.cemarin.ucdavis.edu](http://www.cemarin.ucdavis.edu)

Dear Commissioners,

The UC Cooperative Extension office in Marin County has provided information and resources to the community for more than 100 years. An important part of our mandate is to support the success and viability of agriculture, providing Marin County farmers and ranchers with information and technical assistance on topics that range from animal well-being to preservation of soil health to crop selection and farm business succession planning. Insofar as agritourism and public visits to farms has steadily grown and become an important part of many Marin agricultural operations, we wish to submit comment on the Short Term Rental (STR) Ordinance currently before you.

Over the last 50 years, the experience of farms in Marin County mirrors that of farms throughout the US. Global market forces, climate change and shifting consumer priorities have drastically changed the landscape for producers in a short span of time. For all of its importance to society, the economics of producing food have grown steadily more challenging. To survive, farms and ranches must constantly evolve and adapt their practices, infrastructure and business models.

Marin County has long understood this, writing a Countywide Plan that reflects both the contribution of agriculture to the health of our communities and the importance of supporting farms in their quest for viability. Within the Natural Systems & Agriculture Element, Goals 1.7 and 1.8 of the section "Preservation of Ag Lands & Resources" recognize the need for new agricultural uses as well as non-agricultural land uses which are compatible with agricultural production and the rural character of the area, enhancing the economic viability of agricultural operations. Goals 2.5 and 2.10 of "Improved Agricultural Viability" call on the County to support local farmers in developing more profitable and diverse markets as well as raising public awareness of the ecological, economic, open space and cultural value of Marin County farms and ranches. Goals 3.2 and 3.3 in "Community Food Security" also lean into public outreach, emphasizing activities that increase consumer access to locally produced foods and appreciation of the ways that local agriculture contributes to community food security.

At the intersection of all of these commitments by the County lies diversification – the branching out by farms and ranches into enterprises that complement the core production of food and fiber, enhancing overall income for the operation; put simply, new products and new services for new audiences. And since the advent of platforms such as Airbnb and VRBO, we have seen farms find precisely this kind of market expansion through the hosting of visitors on their farms.

Short term rentals on Marin County ranches fit well with the agricultural goals in the Countywide Plan. When staying on a farm or ranch, people from outside of the area are introduced to local family operations and the unique range of products and practices that are characteristic of Marin. Most farms do not simply provide accommodation – they include farm tours, samples of products and a window into a tradition of agricultural production that is both deeply personal and broadly appealing. The insight that these visitors gain lends itself to return visits and a lasting connection to Marin's rural lands. And many producers talk about the surprise of these visitors that so much food is produced so close to one of America's most densely populated cities. This kind of



revelation facilitates a more intimate understanding of our food system and deeper appreciation for the necessity of preserving agricultural lands and working landscapes.

For many ranches, an STR is also an essential part of their sales strategy, creating loyal customers who seek their products even after returning to their place of origin. The purchase of meat, cheese, fresh fruit or cider by these visitors during their stay, along with the revenue from the accommodation itself, is inseparable from other aspects of the operation such as restaurant sales, farmers markets, or livestock auctions, etc. In this regard, STRs on agricultural lands are somewhat unique from those in other places. They are one strand woven tightly into the fabric of interrelated enterprises which Cooperative Extension and the County itself have helped farmers to create over the last several decades. It is not a stand-alone activity, but an integral part of an overall strategy for diversification and connection with the public that underpins the viability of these operations.

Evidence of this can be seen in the US Department of Food and Agriculture’s annual Ag Census, conducted every five years. In 2012, the census reported that 30 farms generated an average of \$3,300 from “agri-tourism and recreation services”. In the 2017 census, nearly the same number of farms were generating an average of \$25,500 in annual revenue from agritourism. This increase closely tracks with the increase in total net income of Marin County farms which went from \$26,700 in 2012 to \$56,400 in 2017. Can we say that the average farm or ranch in Marin County owes half of its income to agritourism? No. The calculations are more nuanced than that, but it is worth observing that in a county where farmers on average bring home less than \$57,000 per year, a revenue stream that complements their sales and generates new customers to the tune of \$27,000 per year is a lifeline.


The Staff Report prepared by Marin County Planning which accompanies the draft ordinance recommends creating an exemption from the ordinance for STRs operated as part of an agricultural business. This proposed exemption is consistent with the stated goals and intents of the Countywide Plan to reduce regulatory obstacles to agricultural diversification and support development of new, complementary enterprises. In addition to the significance to farms’ overall business model, the Staff Report cites the fact that STRs on agricultural lands pose little to no threat of disturbance to neighbors and typically benefit from the presence on site of the producer or their employees. Generally, on-farm STRs occur where there are residential units sufficient to house the owner and any workers and an opportunity exists to utilize additional units within the ranch core. Staff’s observation of these factors reflects a sensitivity to the unique nature of this activity on agricultural lands.

Marin County provided leadership for the viability of local agriculture when it crafted its Countywide Plan to support agricultural diversification. Marin’s agricultural operators have used that support to be innovators in connecting and building community through agri-tourism and farm stays. And there is evidence that this support and innovation has contributed to the wellbeing of Marin’s agricultural community. The exemption for agriculture proposed by staff is in alignment with the Countywide Plan and will contribute to continued innovation on-farm and the viability of Marin’s farms and ranches.

If we can be of any further assistance in this matter, please do not hesitate to contact Vince Trotter, Agricultural Ombudsman, at [vtrotter@ucanr.edu](mailto:vtrotter@ucanr.edu) or 415-473-4204.

Thank you,

  
David Lewis  
County Director, UCCE Marin

  
Vince Trotter  
Agricultural Ombuds, UCCE Marin



22888 Highway 1, Marshall, CA 94940

[www.StrausHomeRanch.com](http://www.StrausHomeRanch.com)

October 18, 2023

**To:** Marin County Planning Commission and Board of Supervisors

**Re:** Draft Short Term Rental Ordinance / Farm Stays / Agritourism

Dear Commissioners, Supervisors and Staff,

We appreciate the longstanding support the County has given to local agriculture and we urge you to continue by exempting agricultural properties from the Short Term Rental ordinance (as per Planning Commission staff's recommendation). Simply put, different solutions are needed for agricultural properties than for non-agriculturally zoned properties in West Marin.

Agriculture has changed significantly in the last 20 years and, even under the best of circumstances, farming is a brutally difficult business. For example, in the 1960s there were ~150 dairies in Marin County. Today, there are only about 20 remaining.

Soon after we three siblings (Vivien, Miriam and Michael) were fortunate to inherit this beautiful 166-acre ranch on Tomales Bay, we realized that our ranch (which is entirely separate from our brother's dairy / creamery operation) was a financial black hole on the fast track to insolvency.

But we love this land beyond words, and we could never agree to sell. So, we made the leap, diversified into agritourism and have tried to create viable solutions which allow us to protect, enhance and revitalize this property, all while maintaining and enhancing agriculture, the environment and access.

Bottom line: agritourism - including but not limited to short term rentals - has not only protected and enhanced this ranch, but enabled us to reinvest in the



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[www.StrausHomeRanch.com](http://www.StrausHomeRanch.com)

land, environment and community, to share her natural beauty, share her inspirational history, and contribute significantly to the local economy.

We have maintained our status as the oldest certified organic ranch in the county. We've provided critically-important grazing and silage for three certified organic dairies, who've in turn provided milk to Straus Family Creamery, Cowgirl Creamery, BiValve Creamery and Organic Valley.

We've fenced off creeks, restored riparian areas and composted fields, increasing pasture growth and thereby sequestering carbon. We make sure the heifers that graze are moved regularly to different pastures to encourage growth and regrowth of the grasses. We participate in farming practices and research projects designed to combat climate change.

We work diligently to restore and enhance seasonal streams, invest heavily in creating and protecting wildlife habitat, prevent erosion and siltation into the Bay.

We're working with conservation organizations in an innovative collaboration with native American tribes to provide access to land for their next generation.

We've conducted countless educational tours, donated farm stays to dozens of local and environmental and community nonprofits, and provided meaningful and memorable experiences which support the local agricultural and local economy, all while providing enhanced public access to private lands.

And wildlife has flourished. Recently, Audubon Society surveyed the ranch and discovered 42 species of birds, including the largest nesting area on Tomales Bay for Egrets and Blue Herons, and a Bald Eagle nest. Our ranch provides habitat to a broad spectrum of wildlife, too.



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[www.StrausHomeRanch.com](http://www.StrausHomeRanch.com)

Across the street, we maintain public access to our privately-owned waterfront property, providing parking spaces on the beach so that visitors are able to access Tomales Bay, launch their boats and picnic on the beach.

We work tirelessly to educate the public about sustainability, conservation and the local foodshed. Telling the story of MALT and farmland protection, the history of organic farming in this county, and tying it all to this place, this land, provides public benefit beyond measure. Storytelling is integral to our operations.

For Marin agriculture to survive, enhance the environment and continue to provide public benefit, farmers and ranchers need the flexibility to diversify their operations, with the full support of the County.

Our farm stay doesn't impact affordable housing inventory, and a family member lives full time on the ranch. And by proposing that ranches choose between hosting farm stays or hosting special events, the ordinance would eliminate vital agritourism options.

Without agritourism, we - and likely many other ranchers - would be forced to sell ... and the ranch would most likely become a private estate, off limits to all except the privileged few, with owners almost certainly who have not a fraction of the commitment our family has had to the environment and this community.

Viable agriculture requires not only protecting the land, and developing food & fiber production, but landowners who are committed to our community.

Our relatively small farming and ranching community has developed game changing, internationally-heralded models for farmland protection, environmental restoration, regenerative farming, organic food production, local & regional economic development, and increasingly provided extensive



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first-hand opportunities for the public to experience the vast array of benefits which this land provides. Agritourism will play an increasingly large role.

Thank you for your time and consideration, and we're grateful for the opportunity to add our voices to this critically-important process.

Sincerely,

Vivien, Michael and Miriam Straus

**From:** [Nickey Jorgensen](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Isn't Marin County required by law to create MORE housing, not less? (West Marin Resident)  
**Date:** Wednesday, October 18, 2023 1:27:49 PM

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Dear Planning Commissioners and Supervisors,

Below is a letter I did not write, but agree with every word of.

I have sent similar letters in the past.

Aren't you all currently tasked with figuring out places to build new housing in Marin County?

Isn't some of that housing required to be built in the unincorporated part of the county referred to as West Marin?

I hope you can understand why this leads me and others to question why more short term rentals would be allowed in the area.

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Nickey Jorgensen

131 Kehoe Way  
Inverness, CA 94937  
[Nickey.email@gmail.com](mailto:Nickey.email@gmail.com)

**From:** [Eric Morey](#)  
**To:** [STR](#)  
**Subject:** Comments on Draft Short Term Rental Ordinance  
**Date:** Wednesday, October 18, 2023 2:24:09 PM

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

Thank you for the opportunity to comment on Marin County's draft short term rental ordinance.

Unhosted short term rentals (STR), a commercial business, should not be allowed in residential neighborhoods, such as the San Geronimo Valley. Not only do STRs remove housing stock for long term renters, tenants of STRs don't have the same commitment to their neighborhood. This leads to nuisance issues for the other residents, including noise, rowdy behavior and loss of parking.

Unhosted STRs should only be allowed, and carefully regulated, in recreational areas such as Dillon Beach or the national seashore. Your ordinance should be strengthened by adopting these requirements that are used in other areas.

**Noise:** Any radio receiver, musical instrument, phonograph, loudspeaker, sound amplifier, or any machine or device for the producing or reproducing of any sound shall be conducted within a fully enclosed short-term rental dwelling unit and shall not be audible beyond the property lines of the subject property where the short-term rental is located.

**Quiet Hours:** The hours of 10:00p.m. to 7:00a.m. are quiet hours, and there shall be no amplified music and no loud singing, talking or other audible noise during quiet hours that can be heard beyond the property boundaries of the short-term rental property.

**Off-street Parking Spaces Required:** One (1) off-street vehicle parking space is required per bedroom in accordance with this Ordinance. All of the required notices and placards required by this Ordinance shall require the renters to park on-site and to not park on the street, even if on-street parking is otherwise available. The property owner of the short-term rental may contract with owners of other property within 500 feet of the perimeter of the rental property and enter into a shared parking agreement to satisfy this requirement. Where registration certification relies on contractual off-site parking arrangements, the property owner shall provide proof of availability in the form of a legally binding contract for the off-street parking for the duration of time the rental property has a Short-Term Rental Registration Certificate.



No recreational vehicle, travel trailer, or tent or other temporary shelter shall be used as or in conjunction with a short-term rental. No occupancy of a parked vehicle, including recreational vehicles is permitted in conjunction with a short-term rental.

**Maximum Occupancy:** The maximum overnight occupancy for a short-term rental shall be limited to two (2) persons per bedroom plus two (2) additional persons. For example, a two-bedroom short-term rental is permitted a maximum overnight occupancy of six (6) people. The contact person may allow up to three (3) minor children, age 12 or under, to occupy the short-term rental in addition to the maximum number of occupants. The number of bedrooms of a short-term rental shall be verified at the time of physical inspection of the short-term rental and using County Assessor and/or Department Building Division records.

The maximum *daytime* occupancy for any short-term rental shall be limited to the overnight maximum occupancy plus six (6) additional people. For example, a two-bedroom dwelling unit is permitted a maximum daytime occupancy of twelve (12) people.

Maximum overnight occupancy of a rental shall not exceed 10 (ten) persons within the short-term rental dwelling unit and up to two (2) minors aged twelve (12) and under.

Good Neighbor Policy and Guidelines. The property owner and contact person shall acknowledge the County's Good Neighbor Policy, and shall post them in every short-term rental.

These additions to your STR ordinance will go a long way toward reducing most of the problems that are caused by the operation of an unhosted commercial motel business in a residential neighborhood. Please consider including them in the final draft. Thank you.

Source: [4-3\\_tillamook\\_co\\_ord\\_84\\_str\\_draft\\_amendments.pdf](#)

**From:** [william\\_barror](mailto:william_barror)  
**To:** [Rodoni, Dennis](mailto:Rodoni, Dennis)  
**Cc:** [Rice, Katie](mailto:Rice, Katie); [Moulton-Peters, Stephanie](mailto:Moulton-Peters, Stephanie); [Sackett, Mary](mailto:Sackett, Mary); [Lucan, Eric](mailto:Lucan, Eric); [STR; PlanningCommission](mailto:STR; PlanningCommission)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Wednesday, October 18, 2023 2:37:47 PM

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Dear Planning Commissioners and Supervisors,

As a West Marin resident for over 50 years I am deeply concerned and saddened about the number of residential properties that have been turned into short term rentals (STRs). Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Many of these were multigenerational residents. Having been born and raised here. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live! The impact of STRs on towns, communities, neighborhoods, businesses affects us on so many levels, and changes how we can function within our own homes. For example, STRs are expensive and so those who rent are filling and over filling the space. Inviting others to come take advantage of the situation and impacting the entire neighborhood, whether for the day or overnight. In my town the businesses are suffering because from Friday afternoon to Sunday afternoon they do have some business, but Monday through to Friday afternoon there is little business due to the lack of local residents. The quality of residents lost is also a big influence on communities. They are not only the 'worker bees', but the volunteers, the innovators, familiar faces, helping hands, creative spirits that bring a fullness to our lives and daily routines. I ask that each of you spend a moment to reflect and empathize what your own feelings might be were this happening in your home area.

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: "Magi" William J. Barror  
Address: P.O. Box 193; Bolinas, CA 94924  
Email: [magibarror@gmail.com](mailto:magibarror@gmail.com)

**From:** [Jennifer MacGregor Dennis](#)  
**To:** [Rodoni, Dennis](#); [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Homes need to be homes  
**Date:** Wednesday, October 18, 2023 4:35:30 PM

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You don't often get email from [jennifer@awilderharmony.com](mailto:jennifer@awilderharmony.com). [Learn why this is important](#)

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short-term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. Please ensure that the following provisions are added or strengthened:

1. No corporate ownership;
2. Strict enforcement of health and safety standards by the County. "Self-certifying" by the owner that these standards are being met is completely ineffective - it's the County abrogating its responsibility to provide safe accommodations to visitors;
3. Most importantly A MUCH LARGER REDUCTION in the number of unhosted STRs than what is proposed in the draft. Much lower caps on non hosted STRs are needed to restore the health of our coastal West Marin communities, while the current draft ordinance actually increases the allowable number. This is in direct conflict with the County's own Housing Element and Local Coastal Program, as well as the wishes of most West Marin residents.

Thank you for being so considerate,  
Name: Jennifer Macgregor Dennis  
Address: 450 Vine Road, Bolinas  
Email: [jennifer@awilderharmony.com](mailto:jennifer@awilderharmony.com)

--

Jennifer MacGregor Dennis  
*A Wilder Harmony*  
[www.awilderharmony.com](http://www.awilderharmony.com)

Marin County Planning Commissioners  
3501 Civic Center Drive, Room 308  
San Rafael, California 94903

October 18, 2023

Re: Short Term Rental Ordinance

Dear Commissioners,

I am writing about the proposed short term rentals ordinance. I have lived in West Marin for thirty years and I am concerned about the growing phenomenon of residential properties being turned into short term rentals (STRs) in recent years.

I know many people who have lost their housing and had to leave West Marin because their rental home has been turned into a STR. Increasingly, the owners of these properties are not local residents or even second-home owners, but investors with absolutely no connection to our community or interest in its welfare. We need places in which local workers, families, firefighters, teachers, and seniors can live.

The draft STR ordinance you are about to consider does not adequately address that need. The negative effects these units are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to ensure that the number of unhosted STRs is reduced by half, from 480 to 230. With the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

In sum, I urge you to ensure that the proposed ordinance

1. Reduces the number of STRs in coastal West Marin by half.
2. Requires that licensees are people, not corporations.
3. Requires licensees to meet all health and safety code requirements.
4. Prioritizes licensing properties that are hosted by primary residents.
5. Require license renewal every two years, for all existing and new licenses.
6. Allows only one STR license per licensee.

Thank you for the opportunity to express my views.

Sincerely,

A handwritten signature in black ink that reads "Catherine Caufield". The signature is written in a cursive style with a large initial 'C'.

Catherine Caufield  
325 Vision Road  
Inverness, CA 94937  
cc: Supervisor Rodoni

**From:** [Chloe Sladden](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Wednesday, October 18, 2023 5:35:54 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Chloe Sladden  
Address: 66 Altura Ave  
Email: [csladden@gmail.com](mailto:csladden@gmail.com)

**From:** [Nick Harling](#)  
**To:** [Rodoni, Dennis](#); [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** STR Draft - Dillon Beach  
**Date:** Wednesday, October 18, 2023 5:54:48 PM

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

Good morning from Dillon Beach, and a sincere thank you for all you do for us out here and along the coast.

I'm writing to provide some input as a local resident (we live on Kailua Way) and as owners of a small home in the DB Village that is sometimes friends & family, and other times, STR. I feel that our situation is a very common one. A second home for our use AND short term rental to offset the bills, high property taxes, etc. These are not properties that will suddenly become long term rentals. These are homes that will now be empty and void of life and the enjoyment they provide for others not able to live in such a paradise.

I'm sure you are aware that folks are not fighting for long term housing out here. It's not a "live where you work" kinda place. It's just not. It's a vacation spot where some of us who are mostly retired get to live. Banning or severely restricting short term rentals isn't going to contribute to solving the housing crisis. I wish it were, and if so, I'd be all in. I have three kids that struggle to rent in Sonoma County, so I'm invested in this issue on several levels.

While our home in the DB village seems to be able to meet all of the newly drafted requirements, I'm concerned that the majority in the village will struggle greatly, and once again, the LLC's and STR Businesses in the larger houses with the higher \$\$ revenue will continue to benefit at an even higher level (due to decreased inventory caused by pushing out the village homes), all at the expense of the smaller guy,

It would be very wise of the county representatives to also consider talking with housekeepers who rely upon their income out at DB to supplement the income of their husbands who are working on the local farms. Without which, we have been told during a previous meeting, they cannot afford to remain in Marin County.

This issue is very real, and I don't love living next door to a short term rental. It is not my idea of a great neighbor, HOWEVER, Dillon Beach is not a bedroom community, and it will never be a bedroom community.

In my opinion, Dillon Beach is a very unique little town that does not fall into the "housing crisis" category and should be excluded from a further moratorium, STR ban, and the majority of these requirements.

Thank you so much for reading this far. I am more than happy to participate in any discussions or solutions regarding this topic.

Valerie Kumra 707 318-2542

October 17, 2023

Dear Planning Commission and Board of Supervisors,

The Bolinas Community Land Trust, Stinson Beach Affordable Housing Association, and Two Valleys CLT - and their staff, boards, and volunteers - work every single day to retain and increase housing availability for all residents amidst a high-end housing market, and the increasing proliferation of housing enlisted for visitor use. We believe that an economically diverse community is attainable, and that a balance between residents and visitors is attainable – and that these issues are intertwined. Each year we collectively invest thousands of paid and volunteer hours and hundreds of thousands of dollars toward making this vision a reality for our communities.

From this standpoint we feel that while the County's effort to promulgate a short-term rental ordinance is a step in the right direction, there are aspects of the proposed ordinance that take us *in the wrong direction*.

The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when at least 16% of their limited housing stock is taken away for commercial use. Any County ordinance must strive for alignment with other County policy documentation of this issue.

The only way to improve this situation is to follow the precedent established by other communities up and down the California coast: substantially reduce the number of permitted STRs.

STR's have escalated dramatically during COVID years. The current drafted ordinance would lock in this COVID-era inflation of housing for commercial use. This point is substantial enough; but the additional truth is that home prices and home sales have also increased during COVID – resulting in a loss of long-term rental housing and an increase of rent prices - all adding to the displacement of people who are of lower and moderate income from our communities. Any ordinance needs to take into account not just numbers of STRs, but all forces that have already acted to diminish opportunities for community housing.

A more balanced approach would be to reduce the level of unhosted STR's to 2018, pre-Covid levels. Specifically, we propose that the ordinance should reduce unhosted STRs from 460 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and B&Bs, more than enough to serve visitors.

Striving to attain balance along the rural coast is a tough task. We believe that a close look at cumulative impacts on housing clearly demonstrates a need to revise this ordinance to reduce the number of permitted short-term rentals.

Sincerely,

Annie O'Connor, Bolinas Community Land Trust (BCLT)

Harriet Moss & Chris Harrington, Stinson Beach Affordable Housing Committee (SBAH)

Hal Russek, Two Valleys Community Land Trust (TVCLT)

\*These organizations are all members of the West Marin Housing Collaborative.



**From:** [Brent Johnson](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Lucan, Eric](#); STR; [PlanningCommission](#)  
**Subject:** Please consider a more restrictive Short Term Rental Ordinance  
**Date:** Wednesday, October 18, 2023 6:54:21 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident of 16 years. In that time I've witnessed the growth of short term rentals (STRs) and the loss of families in the community and shrinking numbers of kids in our schools. The house and ADU next door to us were previously long-term rentals housing community members. The house and ADU sold to a family living in San Francisco that visits occasionally. I suspect that the purchase only made financial sense because they are able to earn revenue from renting out the property as an STR most of the time. We get along fine with the owners and acknowledge they are perfectly within their rights to do this under the current STR rules - but I'd much rather see ordinances that incent a family renting or owning next door, than allowing the conversion of a residence into a hotel.

This is a direct example of how an STR has reduced community for us. A more restrictive STR ordinance is needed to reduce the financial drivers to turn homes into businesses. Our town need stronger protections to preserve homes for residents that actively participate and build community. If we truly need more housing for visitors, consider more zoning and permitting of hotels, not further reduction in residential housing.

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal

communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Brent Johnson  
12759 Sir Francis Drake Blvd, Inverness  
[brentrjohnson@gmail.com](mailto:brentrjohnson@gmail.com)

**From:** [Mary D Winegarden](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Wednesday, October 18, 2023 7:06:52 PM

---

Some people who received this message don't often get email from [mwinegar@sfsu.edu](mailto:mwinegar@sfsu.edu). [Learn why this is important](#)

Dear Planning Commissioners and Supervisors,

As residents of Inverness Park in West Marin, we very concerned about the number of residential properties that have been converted into short term rentals (STRs) over the past five years.

We know a number of families and friends who have had to move away because they have lost their long-term rentals. Many of these folks work here as firefighters, teachers, and health care providers--all of whom want to continue to live in this community.

The negative effects that STRs have on our housing crisis are well-documented: small communities such as ours cannot function when sixteen percent of their limited housing stock disappears.

Although the draft STR ordinance is a beginning step, it really doesn't go far enough.

The only solution is that which which other coastal communities have done – to substantially reduce the number of permitted STRs.

In the Coastal Zone's case, we urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and B&B's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

Please do the right thing with this ordinance to help restore the balance in our coastal communities.

We thank you for addressing this urgent problem now.

Sincerely,

Geoff Hoyle and Mary Winegarden  
PO Box 1283  
Point Reyes Station, CA 94956

geohoyle@gmail.com  
mwinegar@sfsu.ed

**From:** [Catherine Hall](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Wednesday, October 18, 2023 7:25:44 PM

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[Some people who received this message don't often get email from catherinehall53@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Catherine Hall  
Address: 30 West Robert Dr., Inverness  
Email: [catherinehall53@gmail.com](mailto:catherinehall53@gmail.com)

**From:** [Angelo Sacheli](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Wednesday, October 18, 2023 7:36:25 PM

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[Some people who received this message don't often get email from [angelosacheli51@gmail.com](mailto:angelosacheli51@gmail.com). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Angelo Sacheli  
Address: 30 West Robert Dr., Inverness  
Email: [angelosacheli51@gmail.com](mailto:angelosacheli51@gmail.com)

Sent from my iPad

**From:** [Barbara Garfien](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Wednesday, October 18, 2023 8:56:15 PM

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[Some people who received this message don't often get email from [barbara.garfien@gmail.com](mailto:barbara.garfien@gmail.com). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Barbara Garfien  
Address: PO Box 45 Dillon Beach 94929  
Email: [barbara.garfie@gmail.com](mailto:barbara.garfie@gmail.com)

Sent from my iPhone

**From:** [Caren Quay](#)  
**To:** [STR](#)  
**Cc:** [PlanningCommission](#); [Don Smith](#)  
**Subject:** STR regulations  
**Date:** Wednesday, October 18, 2023 9:49:05 PM

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

Greetings,

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

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

Thank you, in advance.

Caren Quay



**From:** [Lynn Axelrod](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Moulton-Peters, Stephanie](#); [Moulton-Peters, Stephanie](#); [Lucan, Eric](#); [STR: PlanningCommission](#)  
**Subject:** Houses Should Be Homes/Marin Flouts Its Own Zoning (West Marin)  
**Date:** Wednesday, October 18, 2023 11:16:44 PM

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Dear Planning Commissioners and Supervisors,

How do you enforce land use & zoning requirements if you ignore the commercialization of residential areas? Residents must comply with these codes but not the commercial STR industry, apparently.

I consider that Marin County is flouting the law by failing to follow its own zoning. It's one thing for a homeowner to rent out a room for extra income, but for an industry to roll over government this easily?

I'm a West Marin resident who's written the powers-that-be before about problems with the operation of the STR on my road, a property which seems to be one of several in a portfolio of STRs. The owners live in San Francisco.

I'm deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Lynn Axelrod  
Address: 14 Campolindo Rd., PRS  
Email: [lynnaxelrod@hotmail.com](mailto:lynnaxelrod@hotmail.com)

**From:** [E Hamingson](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (Former West Marin Resident)  
**Date:** Thursday, October 19, 2023 7:29:39 AM

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Dear Planning Commissioners and Supervisors,

I am a former West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. After fifteen years of living in Inverness and working in West Marin, I lost my long-term rental, an in-law apartment, which was taken off the rental market. Hoping to stay in the community, I searched for a new home for almost six months, unsuccessfully. During this time, I only found six rentals in Inverness and Point Reyes Station to view, and few were viable options for me. I was shocked to see how few units were available for single/small households. At the same time, I met several other long-time local residents who had to leave their rental units. Additionally, people who hoped to work and/or raise families in West Marin had to move frequently, or leave the area. None of us could ever hope to buy a home in the astronomically priced coastal villages. I finally moved out of state after spending most of my adult life in California, and having hoped to remain part of the community, and live close to friends, for many years.

The housing situation in Marin County, and particularly in West Marin, is causing a hollowing out of the local communities, where our service workers, teachers, firefighters, park rangers, health workers, and more are facing choices among long, carbon-emitting commutes, such high rents that their finances are precarious, or leaving the area. We cannot afford to lose any more housing stock.

The draft short-term rental ordinance is a step in the right direction, but it has no teeth and does not go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Ellen Hamingson  
Address: 1330 N. Emerson Street, Portland OR 97217  
Email: hamingsone@yahoo.com

**From:** [Kris Brown](#)  
**To:** [Rodoni, Dennis](#); [Rice, Katie](#); [Lucan, Eric](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [PlanningCommission](#); [STR](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 19, 2023 9:31:07 AM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. While we support STRs that are hosted by full-time residents, we believe that the number of unhosted STRs need to be greatly reduced. The draft ordinance as currently written does not do that.

The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to seriously reduce the number of unhosted STRs.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Name: Kris Brown  
Address: 170 Camino Del Mar Inverness  
[Email: krisbrown681@gmail.com](mailto:krisbrown681@gmail.com)

Hi Bolinas,

Kelly McFarling here. My Husband Andrew Brennan and I recently lost our housing and are in need of a new home. We've lived in Bolinas for 6 years and both have steady jobs in town. We are also working/gigging musicians, playing mostly folk music locally and beyond. We have two medium pups, so our housing needs to be dog friendly.

We have good local references and have lived and worked as musicians in the Bay Area for the past 16 years. We are hoping to be able to continue living and working in this community. Open to other areas in West Marin, but would greatly prefer to stay in Bolinas.

with love, a Witch, and A Wizard seeking magic.

K + A

17

Like

3



**Leanne Kriz** · Bolinas-Dogtown · 1d

...

My ears are open! We need you here! ❤️

Like Reply Share

3



**Aubrey Trinnaman** · Bolinas-Dogtown · 20h

...

Bolinas would be played a fool to not host such loving humans in its loving arms~

Like Reply Share

2



**Carol Ann Krueger** · Bolinas-Dogtown · 5h

...

Wish I could grow a house for you! More affordable housing needed

Like Reply Share

2

**From:** [David Kimball](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Thursday, October 19, 2023 9:49:29 AM  
**Attachments:** [Untitled 2.pdf](#)  
[Mora LTR Add ND.png](#)

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Dear Planning Commissioners and Supervisors,

I am a member of West Marin Residents for Housing.

Below are two advertisements listed in Bolinas/Stinson Nextdoor within the last week, which provide realtime examples of the consequences of almost non-existent long term housing.

Both adds were placed by valued residents who collectively make a community a community.

These real life examples illustrate how a financial return on investment has taken priority over a community return on investment. 16% of our existing homes are STRs. As our West Marin villages experience the commercialization of residential neighborhoods we are losing our communities to investors who convert a substantial number of second homes to Short Term Rentals, thereby removing them from the stock of potential long term housing. If STR caps of at least a 50% reduction, achieved over a 2 to 3 year sunset are not included in an ordinance we will have failed to begin rebuilding the West Marin coastal communities. While reducing STRs does not guarantee they will become Long Term Rentals, implementing a cap at current levels *does* guarantee that they will never become available to local residents in need.

As you read these two stories please keep in mind that the majority persons in need of housing do not possess the financial means of the majority of STR operators.

This young woman was born and raised in Bolinas and attended the Bolinas/Stinson K-8 and Tamalpais High schools, and was very active in civic activities during her junior and high school years. Her mother, who moved to Bolinas at age 2, and father had to relocate to Petaluma a few years ago as they lost their long term rental. Now this young woman is struggling to live in the town in which she was born and raised.



Respectfully submitted,

David Kimball

Name: David Kimball

Address: 115 Hawthorn Rd. Bolinas, California 94924

Email: [bolinasdavid@gmail.com](mailto:bolinasdavid@gmail.com)



# BOLINAS COMMUNITY PUBLIC UTILITY DISTRICT

BCPUD

BOX 390 270 ELM ROAD BOLINAS CALIFORNIA 94924

415 868 1224



October 19, 2023

**VIA E-MAIL: [str@marincounty.org](mailto:str@marincounty.org)**

Marin County Planning Commission  
Marin County Civic Center  
3501 Civic Center Drive, Suite 328  
San Rafael, California 94903

Re: Marin County Short Term Rental Ordinance Update.

Dear Commissioners:

On behalf of the Bolinas Community Public Utility District (“BCPUD”), I am writing to convey the substance of the comments expressed at the regular monthly meeting of the BCPUD Board of Directors on October 18, 2023 concerning Marin County’s proposed update to its Short Term Rental (“STR”) Ordinance. Principal Planner Leslie Lacko attended the Board’s meeting to make a presentation on the update and she engaged with our Board and community members about their questions and concerns. We truly appreciate her outreach and the opportunity for stakeholder involvement.

The BCPUD Board of Directors and community members speaking at the October 18, 2023 meeting share a deep concern about the impact that the increasing number of STRs in Bolinas have had in our community and the available housing stock (i.e. dramatically reducing the amount of long-term rentals and contributing to the escalation of home prices, among other things). That said, we recognize that other communities have different points of view in this regard, which presents a significant challenge to the County as it seeks to update an ordinance that is applicable throughout unincorporated Marin. We therefore request that the Planning Commission revise the draft STR Ordinance in a manner specific to Bolinas by reducing the cap on the number of un-hosted STRs by half, which would reduce the number back to 2018 levels – we believe this is a critical revision to the draft ordinance and is widely supported by the Bolinas community.

In addition, the BCPUD Board of Directors respectfully urges the Planning Commission to revise the Ordinance to provide that licensees of STRs must be natural persons and not corporate entities. We believe this is a reasonable requirement to apply to all of unincorporated Marin to prevent the commercialization of our rural residential neighborhoods, which already has begun as single family homes have been purchased in recent years by corporate investors and transformed into micro-hotels. We are guided in this recommendation by the excellent work of West Marin Residents For Housing ([www.westmarinresidentsforhousing.org](http://www.westmarinresidentsforhousing.org)) and the BCPUD Board urges you to strongly consider their comments and suggestions, which are set forth in a thoughtful and detailed STR Position Paper available on their website.

Letter to the Marin County Planning Commission  
October 19, 2023  
Page Two

We appreciate this opportunity to comment on the proposed STR Ordinance Update. Please contact me if you have any questions about our comments or would like to discuss them with me. Thank you very much for your consideration of our comments and those of other stakeholders in unincorporated West Marin.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Jennifer Blackman", with a long horizontal flourish extending to the left.

Jennifer Blackman  
General Manager



**From:** [Anna McDonnell](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [Rodoni, Dennis](#); [BOS](#); [PlanningCommission](#)  
**Subject:** Re: STR regulations  
**Date:** Thursday, October 19, 2023 8:31:49 AM

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An addendum - I just read that an alternative that staff has proposed would cap the number of STRs for people who use their homes as their primary residence. I want to object to this as STRENUOUSLY as possible. When primary residents rent their homes they are in no way impacting the available stock of long term housing and in adding the cap you would be punishing the people who rent the least and who are often most need of additional income as many (including me and my husband) are retirees.

Please do NOT adopt this additional cap!

Thanks for hearing me out.

Anna

On Oct 18, 2023, at 12:34 PM, Kilgariff, Kathleen  
<[KKilgariff@marincounty.org](mailto:KKilgariff@marincounty.org)> wrote:

Hi Anna,

Thank you for this communication. I will include this in the project record and share it with the Planning Commission prior to their meeting next Monday, October 23<sup>rd</sup>.

Best,

Kathleen

**Kathleen Kilgariff**  
PLANNER  
she/her

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

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

From: Anna McDonnell <[annamcdonnell@mac.com](mailto:annamcdonnell@mac.com)>  
Sent: Wednesday, October 18, 2023 9:27 AM  
To: PlanningCommission <[PlanningCommission@marincounty.org](mailto:PlanningCommission@marincounty.org)>  
Cc: Kilgariff, Kathleen <[KKilgariff@marincounty.org](mailto:KKilgariff@marincounty.org)>; Rodoni, Dennis <[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)>; BOS <[BOS@marincounty.org](mailto:BOS@marincounty.org)>  
Subject: STR regulations

Hi all

I just want to say that I appreciate the effort that has been made to craft reasonable regulations that might limit the most egregious STR operators who are only in it for the money while continuing to allow full time residents to supplement their income and offer their entire homes as low cost alternative housing to the many people who want to - and deserve - access to all the gorgeous bounty that West Marin has to offer.

I do think, however, that the justification for increasing regulation should be backed up by actual data which seems, in this case, in very short supply. Regulation without data-driven justification shakes people's faith in your process and your work. In the absence of data, erring on the side of less regulation is always a good idea. Additionally, I think it is important that whatever new regulations are imposed should not involve needlessly complex paperwork (is it really 11 pages?) for homeowners to complete.

Thanks for the hard and complex work you are doing. It can't be easy knowing that the best you can hope for is that all sides are a little bit happy and a little bit unhappy!

Anna

Anna McDonnell  
125 Camino del Mar  
Inverness, CA 94937

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



October 18, 2023

Marin County Planning Commission  
Marin County Board of Supervisors  
3501 Civic Center Drive  
San Rafael, CA 94902

**Re: West Marin Residents for Housing Comments on Marin County Draft STR Standards**

West Marin Residents for Housing (WMRH) is a group of West Marin residents, business people and civically active community members concerned that Short Term Rentals (STRs) are not being sufficiently or fairly regulated. Our members have been deeply involved on housing issues for decades, and we have witnessed the impact of STRs on the reduction and removal of housing. In the last year, we have spent many hours participating in the County of Marin’s work to draft STR regulations, and we have the following comments on the Draft STR Standards.

The need for regulating STRs to protect the supply of long term housing is well stated, but the Draft Standards fail to meet this goal. The current Draft STR Standards will allow for STR growth and will continue to make it challenging for local workers to find affordable housing. We hope you will follow the well-established precedent set by jurisdictions through the U.S., internationally, and up and down the California coast to tightly regulate and substantially reduce the number of permitted STRs.<sup>1</sup>

In brief summary, we request the following changes to the Draft STR Standards:

---

<sup>1</sup> We particularly support the STR regulations pursued by San Diego (2023) <https://www.sandiego.gov/treasurer/short-term-residential-occupancy> , but also encourage policymakers to consider the STR regulations promulgated in Dana Point (2023) <https://www.danapoint.org/departments/community-development/code-enforcement/short-term-rental-permit> Half Moon Bay (2023) <https://www.half-moon-bay.ca.us/660/Short-Term-Rentals>

1. Caps on Unhosted STRs should be set at 2018 levels. Use of the total number of Current Operators to set an Initial Cap will result in an *increase* in operators. Failure to reduce Unhosted STR operators is inconsistent with the Housing Element and Marin County LCP.
2. Hosted STRs should be given more flexibility, but oversight of Hosted STRs must be robust.
3. Self-enforcement is inherently unreliable; a rigorous program of enforcement and licensing fees to cover the cost of administering and enforcing the program is necessary.
4. Only Natural Persons should be granted licenses.

We appreciate that staff of the Community Development Agency (CDA) Planning Division have worked hard to analyze existing models of STR regulations and incorporate input from stakeholders. There are aspects of the Draft STR Standards that we support, including the “good neighbor” policies, and the limitation of one license per licensee. However, we respectfully request that CDA revise the Draft Short Term Rental Standards as follows.

## **I. THE SHORT TERM RENTAL STANDARDS MUST BE MADE CONSISTENT WITH AND WORK TO ADVANCE HOUSING AND LAND USE DIRECTIVES**

As described below, the negative effects of STRs on the housing crisis in West Marin are well documented in both the Marin County Housing Element and the Local Coastal Program. Coastal West Marin communities cannot function when an average of 16% of our limited housing stock is taken out of the residential housing market and used STRs, a commercial use.<sup>2</sup> These facts must be stated clearly in the final Ordinance and its supporting documentation, and the STR Standards must be modified to be consistent with these facts and overarching housing and land use directives.

### **A. The Draft STR Standards are not consistent with the Housing Element and Statewide Housing Directives**

The Staff Report for the Draft STR Standards and its appendices acknowledge that West Marin housing and equity are negatively impacted by STRs:

As outlined in the Housing Element, West Marin is particularly feeling the effects of the growing divide between wealth and poverty in the Bay Area, increasing home prices, increased short-term rentals and second homeowners are forcing people to move further from their communities and areas of employment. These changes emphasize the need to consider STR regulations in relation to affirmatively furthering fair housing ...

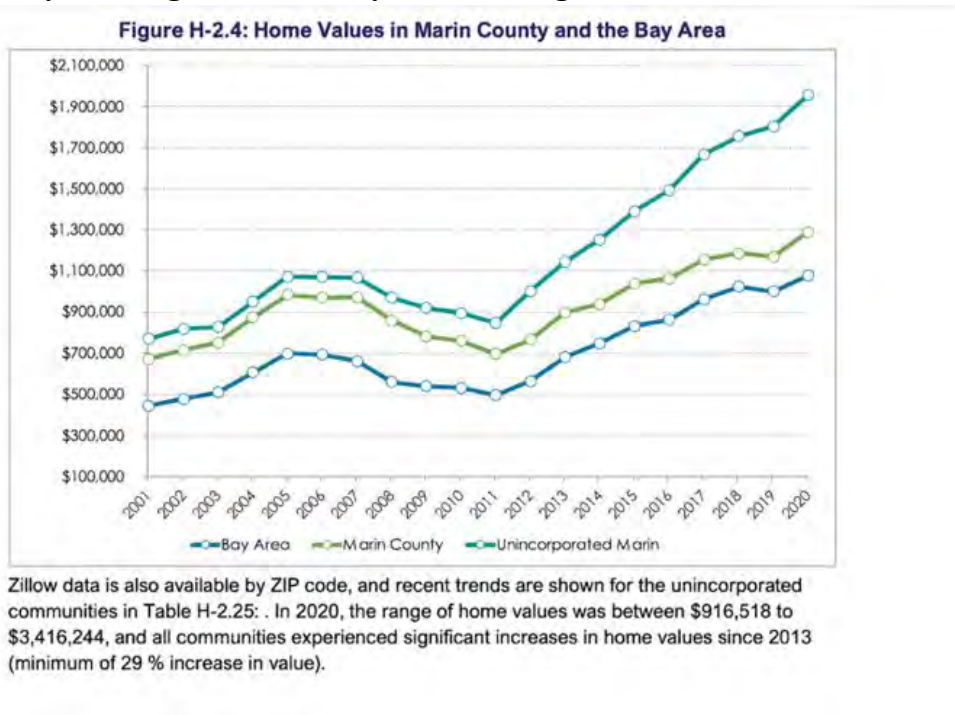
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<sup>2</sup> CDA Staff Report to The Marin County Planning Commission, Short Term Rental (STR) Ordinance Update Workshop, October, 23, 2023, at 4, (hereinafter, “Staff Report”).

The Affirmatively Furthering Fair Housing (AFFH) appendix of the Housing Element (Attachment 4) highlights that, the communities of Central Coastal West Marin and Marin City have the highest percentages of low and moderate income households (62% and 71%, respectively). In addition, both Central Coast West Marin and Marin City have the highest percent of extremely low income households (29% and 40%, respectively). This makes the likelihood of housing cost burden much greater in these areas.<sup>3</sup>

The Staff Report acknowledges that in most of eastern Marin, STRs represent between 1-3% of the housing stock, but in Coastal West Marin, STRs represent an average of 16% of the housing stock. There is a correlation between the proliferation of STRs in West Marin, and the impacts of housing shortage, stated above. Yet the policy of the Draft STR Ordinance abrogates the directives of AFFH and the Marin County Housing Element by failing to significantly reduce the allocation number of STRs or create incentives for owners to maintain short-term rentals.

**Marin County Housing Element analysis of housing market trends:**



**Figure 1.**

Note the top line in Figure 1, which shows the significantly faster increase in home values in unincorporated Marin, compared to the rest of Marin County and the Bay Area. Figure 2, below demonstrates that the change in value in Coastal Marin is much greater than other parts of Marin. These dramatic changes in the cost of homes corresponds to the doubling of number of STRs in the last five years.

<sup>3</sup> Staff Report at 7.

Figure 2.

Table H-2.25: Home Values, Unincorporated Communities

Community Name	Zip Code	Home Value - Dec. 2013	Home Value - Dec. 2020	% Change in Value
Black Point-Green Point	94945	\$670,899	\$927,428	38.2%
Northern Coastal West Marin	94929	\$757,012	\$1,049,628	38.7%
	94971	\$862,154	\$961,486	45.2%
Central Coastal West Marin	94956	\$827,089	\$1,290,055	56.0%
	94937	\$807,195	\$1,271,424	57.5%
The San Geronimo Valley	94946	\$1,322,537	\$1,706,118	29.0%
	94963	\$860,519	\$1,234,562	43.5%
	94973	\$677,232	\$971,882	43.5%
	94938	\$705,037	\$1,025,663	45.5%
	94933	\$645,740	\$916,518	41.9%
Southern Coastal West Marin	94970	\$1,744,475	\$3,416,244	95.8%
	94924	\$1,066,412	\$1,656,332	55.3%
	94965	\$1,036,162	\$1,418,479	36.9%
Marinwood/Lucas Valley	94946	\$1,322,537	\$1,706,118	29.0%
	94903	\$773,354	\$1,144,075	47.9%
Santa Venetia/Los Ranchitos	94903	\$773,354	\$1,144,075	47.9%
Kentfield/Greenbrae	94904	\$1,450,420	\$2,001,013	38.0%
Strawberry	94941	\$1,221,218	\$1,744,308	42.8%
Tam Valley	94941	\$1,221,218	\$1,744,308	42.8%
Marin City	94965	\$1,036,162	\$1,418,479	36.9%

Source: Zillow, Zillow Home Value Index (ZHVI).

Notes: Zillow describes the ZHVI as a smoothed, seasonally adjusted measure of the typical home value and market changes across a given region and housing type. The ZHVI reflects the typical value for homes in the 35th to 65th percentile range. The ZHVI includes all owner-occupied housing units, including both single-family homes and condominiums. More information on the ZHVI is available from Zillow.

Note: Please refer to Table H-2.1 and Figure H-2.1 for the census designated places included in the unincorporated communities

The Staff Report and interviews with policy makers have expressed a desire to balance between the needs for housing and the investment expectation of property owners. However, this is a false directive. There is no mandate to ensure that a property owner can maintain a second (third, or fourth) residence and maximize profit from this residence. There is, however, a clear directive to address the housing crisis that plagues California, and Marin County, and which is most acute in the very areas where there are the most STRs:

Short-Term Rentals Online platforms for rental of private homes as commercial visitor accommodations have become a popular amenity for travelers and property owners. The services have also created a multitude of challenges for communities everywhere, most notably around neighborhood disruption, service needs, and housing supply and affordability. Community discussions connected with the Housing Element effort have indicated that STR uses may be affecting the supply and affordability of housing, particularly in West Marin communities which have become increasingly attractive to homebuyers and where there are relatively small numbers of homes. Overall, it appears

that in the context of labor shortages, increased costs, and demand, STRs are increasingly impacting the health and safety of local communities, especially in the West Marin Area.<sup>4</sup>

The County has been clearly directed to build or rezone or otherwise find 2,864 additional units of housing in Marin<sup>5</sup>, and Program 18 of the Housing Element, Preservation of Housing requires development of STR Regulations, and the prevention of the conversion of residential housing for commercial businesses in residentially zoned areas. It is unreasonable to, on the one hand adopt a policy requiring that significant number of housing units be added in Marin, yet on the other hand fail to maximize the long term housing creation potential of the new STR regulations.

The STR Draft Ordinance contemplates a potential significant increase in the number of Unhosted STR operators (up to 108 additional units available as Unhosted STRs in Unincorporated Marin, See section II.A., below). We view this as a conflict with the Housing Element, as it will worsen the housing crisis rather than ameliorating it. An STR Ordinance that fails to meet these housing directives, or worse, allows for additional units of housing to be converted into STRs is simply not acceptable. In contrast, the reasonable, well-precedented recommendations below would enable the Final STR Ordinance to meet the Housing Element's directives.

## **B. Marin Local Coastal Program**

The Staff Report, Attachment 5, *Marin County Short Term Rental Ordinance Coastal Act Consistency Analysis*, acknowledges the Marin County Local Coastal Program (LCP) preference for Agricultural Worker Housing and the necessity of housing to maintain the character of coastal villages and to provide visitor services. The Consistency Analysis paraphrases the Marin County LCP statements that:

Housing is a vital component of Marin's coastal communities and it is important to respond to current and future housing needs in the Coastal Zone, particularly in planning for sustainable communities by supplying housing affordable to the full range of the Coastal Zone's diverse community and workforce. Provision of affordable and diverse housing opportunities in the Coastal Zone is important to provide decent housing for residents.<sup>6</sup>

While the inclusion of caps on Unhosted STRs is the right mechanism to achieve the land use planning goals of the LCP, the number of those caps is too high. As described in the following

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<sup>4</sup> 2023-2031 *Housing Element*: Marin Countywide Plan, [Appendix D: Affirmatively Furthering Affordable Housing](#) at D-147 (emphasis added).

<sup>5</sup> 2023-2031 *Housing Element*: Marin Countywide Plan, at 221, available at <https://www.marincounty.org/depts/cd/divisions/housing/housing-element/2023-2031-housing-element>

<sup>6</sup> Marin County Local Coastal Program at 75.

section, given that the Coastal Zone has experienced a doubling of STR operators in the last five years, the caps must be adjusted much lower. The analysis of the “Ultimate Caps”, is also misleading as it does not account for the near-term potential significant *increase* in the number of operators, if 108 of those currently registered STRs utilize their primary home tax exemption and become certified as Hosted STRs.

*1. Alternatives Analysis: Agriculturally zone properties should not be exempted from the STR Standards.*

While the Draft STR Standards exclude agricultural housing from the STR licensing program, we noted the assessment of a possible alternative of exempting agricultural properties from the STR Chapter in the Marin County Code.<sup>7</sup> We strongly oppose this Alternative, as it would very likely result in the conversion of long term rentals on agriculturally zoned lands into STRs. The justification for this possible Alternative (the absence of noise complaints or owners likely on site) fails to acknowledge that there would be severe consequences in the loss of housing for some of our most vulnerable community members. This alternative is also entirely inconsistent with the Marin County LCP preference for agricultural worker housing.

## **II. CAPS ON UNHOSTED STRS MUST BE LOWERED**

Since 2018, the number of STRs in Unincorporated Marin has doubled, from 480 to 873.<sup>8</sup> To achieve the directives highlighted in Section I. of this comment letter, the number of Unhosted STRs in Unincorporated Marin must be reduced. The boom in STRs and the revenue that they generate correlates to an astonishing increase in housing costs in Coastal Marin. (See Figures 1 and 2, above.) While housing costs in West Marin track those in the rest of the County up until 2011- the year Airbnb began expanding - from then on, they rise much more quickly than the rest of Marin’s.

We are most concerned about the whole-house type of Unhosted STRs. These houses instead need to be lived in by members of the community. The Caps on Unhosted STRs should be based on 2018, pre-pandemic levels. Specifically, we propose that the ordinance should reduce Unhosted STRs from 460 to 230 in the Coastal Zone.

### **A. Use of a Total Number of Operators to Set Unhosted STR Caps is Inconsistent with the Housing Element**

We are very concerned that numbers used to set the Caps on Unhosted STRs will result in a near term significant increase of up to 108 additional Unhosted STRs, without any clear plan to reach the “Ultimate Caps”. The “Initial Caps”, which are presented in the Draft STR Standards, do not

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<sup>7</sup> Staff Report at 26.

<sup>8</sup> Staff Report at 4.



appear in the Coastal Act Consistency Analysis or other key parts of the background documentation, resulting in analysis that does not capture the total impacts of this approach.

Figure 3 (below), compares the number of operators presented in the June 2023 staff report, particularly the 108 operators which claim the Primary Home Tax Exemption, with the number of operators under the Initial and Ultimate Caps. While it is not certain that all of those properties with STRs and Primary Home Tax Exemptions will use that designation to then qualify as Hosted STRs, it is conceivable that they will. Thus, the number of Unhosted STRs may increase by that 108, resulting in a significant loss of housing to new Unhosted STRs.

Additionally, there is no plan, other than a vaguely understood path of attrition, for getting from the Initial Caps to the Ultimate Caps. Unless corporate entities are excluded from the program, an STR could continue to operate in perpetuity. Thus, it should be assumed that the Ultimate Caps will be difficult to reach and should not be used exclusively for analysis of this program.

**Figure 3.**

Community	Source: Staff Report to the Marin County Planning Commission, STR					Source: Draft STR Standards, 9/18/2023			
	Total Number of STRs	Parcels Developed with Living Units	Percentage of Parcels Used as STRs	HOSTED STRs, Number of Residential Properties with a Primary Home Tax Exemption	UNHOSTED STRs, Number of Residential STRs on Properties WITHOUT Primary Home Tax Exemption	9/18/23 Draft Ordinance "Initial Caps" on Unhosted STRs - these numbers are identical to the June TOTAL of un and hosted STRs, except they are only for Unhosted STRs, meaning there is a significant increase permitted.	% Change in Number of Unhosted Rentals	Ultimate Number of Unhosted STRs	Ultimate % Change in Number of Unhosted Rentals compared to Current Numbers
Coastal Zone									
Dillon Beach	125	408	31%	7	118	125	5.93%	110	-6.78%
Stinson Beach	192	704	27%	16	176	192	9.09%	174	-1.14%
Marshall	28	110	25%	3	25	28	12.00%	27	8.00%
Muir Beach	20	147	14%	12	8	20	150.00%	8	0.00%
Bolinas	63	624	10%	21	42	63	50.00%	54	28.57%
Inverness	93	939	10%	23	70	93	32.86%	86	22.86%
Point Reyes Station	32	350	9%	20	12	32	166.67%	26	116.67%
Olema	3	33	9%	2	1	3	200.00%	3	200.00%
Tomaes	12	135	9%	4	8	12	50.00%	8	0.00%
<b>Totals</b>	<b>568</b>			<b>108</b>	<b>460</b>	<b>568</b>		<b>496</b>	
<b>Averages</b>			16%				75.17%		40.91%
				Increase # Unhosted STRs		108			
				% Increase in Unhosted STRs		23.5%			
				Post - Ordinance Total of Hosted Plus Unhosted STRs		676			

We must reemphasize the inconsistency of acknowledging 1-3% of housing in east Marin as an appropriate number in STRs, yet allowing for a potential 24% increase in Unhosted STRs in the near term (Figure 3, above).

It is unreasonable and arbitrary to set the caps based on the number of operators who happened to get into the registration program prior to the institution of the Moratorium. Instead, the caps should be based on the number of STR operators to restore the balance of housing available for full-time use. 1% of housing stock in STRs was deemed to be appropriate in the majority of San Diego County. Here, we are asking for a 50% reduction, back to 2018 numbers, which allows for community-by-community variation (e.g. more operators in Dillon Beach and fewer in Bolinas). This number is also reasonable because it tracks the accelerated ascendance of property values in West Marin, depicted in Figure 1, above.

### **III. NO SELF-CERTIFICATION; ROBUST PLAN FOR ENFORCEMENT NECESSARY**

Self-certification of health and safety requirements welcomes abuse and should not be allowed under the STR Ordinance. In the Staff report, CDA staff rule out nightly limits on STRs because they are too difficult to enforce, as they “rely on self-reporting, which can be inherently unreliable”.<sup>9</sup> Based on staffs’ own assessment of self-reporting, self-certification of any aspect of the STR Ordinance would be internally inconsistent, ineffective and must not be allowed.

Compliance with the same code requirements that apply to local hotels and BnBs should be verified by a county inspector prior to eligibility for a license. Visitors staying in STRs should be guaranteed the same health and safety protections as those staying in other forms of lodging; otherwise, the County is simply abrogating its responsibilities. Adequate STR licensing fees should be levied to cover enforcement costs.

Annual inspection of Unhosted STRs should be conducted to ensure compliance with all relevant code requirements. Licensing fees should also be sufficient to cover the cost of enforcement and administration of this program.

### **IV. STR LICENSES SHOULD BE GRANTED ONLY TO “NATURAL PERSONS”**

We agree with and reference the letter submitted by Kent Khtikian, Esq. to the Planning Commission on 10/18/23, detailing the enforcement and oversight challenges if corporate entities are allowed to hold STR licenses. The STR licenses should be limited to Natural Persons, and approach that San Diego has also adopted. Commercial investment groups should not be allowed to operate STRs under this program or in residential zoning. If corporate entities are allowed to operate STRs, enforcement of health and safety provisions will be more difficult, and the entities could hold property in perpetuity, despite the sale and transfer of individuals members within the entity.

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<sup>9</sup> Staff Report at 12.

If LLC's and other corporate entity types were to be permitted to own STRs – e.g. for trust, tax and liability protection – restrictions should be placed on the sale or transfer of corporate membership or partner interests. For example, if more than 25% of the membership of an entity changes, the STR license should terminate and reapplication be required. The County can use available records to distinguish between corporate entities that are commercial enterprises vs. those that are corporate entities held for tax, estate planning and liability limitation.

However, it is likely administratively simpler, as well as more effective, to simply not allow corporate ownership of STRs. Although there are only a few corporate entities currently operating STRs in Marin, this is a burgeoning market in destination areas worldwide, so it is prudent to act now instead of waiting until it gets out of hand.

## **V. HOSTED STRS SHOULD RECEIVE LICENSING PRIORITY AND MORE FLEXIBILITY.**

Halving the number of Unhosted STRs to 230 and adding back the current 108 hosted STRs would result in an overall number of operators of 338 STRs in the Coastal Zone. This would bring the ratio of STRs to housing stock down to 10% from the current 16%. We propose that hosted STRs receive first priority in licensing, followed by the longest-term operators in good standing.

Hosted STRs should be more clearly defined as STRs having an owner or renter living full-time on the property as their primary residence. Hosted numbers should be separated out from the Initial and Ultimate STR caps when the Unhosted STR caps are set. Unhosted STR caps should be based only on the number of Unhosted STR operators, not a combined number. And, as stated above, that number of Unhosted STRs should be reduced to 2018 levels.

Proof of primary residence filings on tax returns would be one of many ways to prove primary residence. For a renter, primary residence could be established with a lease and permission to operate the STR from the landlord. Added flexibility could be provided for full-time occupants (owners or tenants) to be offsite, provided there is a local site manager available 24/7.

## **VI. INCENTIVES ARE NEEDED TO SUPPORT THE TRANSITION OF STRS TO LONG-TERM HOUSING.**

Incentives should be added to the regulatory program to support the transition of STRs back to long term housing. Opponents of the Draft STR Standards have expressed fears that if STRs are reduced and regulated, many property owners will simply leave the houses empty when they are not occasionally using them. While this may be true for a few property owners, we have heard

examples from local realtors of property owners expressing the willingness to maintain or convert to long-term housing, if there were any modest incentive to do so.

Adding incentives into the program will increase its effectiveness by utilizing “carrots” as well as regulatory “sticks” to drive the intended result for our communities. This is a great opportunity for CDA to exercise creative leadership, and incentives do not necessarily need to cost the County. There are many examples of jurisdictions in the U.S. that are using incentives to support long term housing. A brief review of options that could be incorporated into the STR program include:

- Amnesty to bring code violations into compliance;
- Cost breaks for upgrades of JADUs and ADUs, modeled on the septic retrofit program;
- Priority in licensing or permitting;
- Grants from state or federal agencies<sup>10</sup>

Other communities in the country have begun to use incentives to support conversion to long-term housing. For example, Sedona Arizona, finding that 15% of housing stock in STRs was too high, is offering stipends to homeowners who convert their homes from STRs back to long term rentals. Similar actions have been taken in: Placer County (Lake Tahoe), CA; Summit County, CO; Portland, ME; and Big Sky Montana.<sup>11</sup>

## **VII. STRS SHOULD BE DEFINED AS COMMERCIAL USE**

We were concerned to review Coastal Act Consistency Analysis and learn more about the decision the classify STRs as a Residential Use:

A rental of a residential unit, or a portion of a residential unit, for a time period of less than 30 consecutive nights. Short term rentals are a residential use of property.

Because a STR is defined as a residential use, it is not considered a commercial use or enterprise.<sup>12</sup>

It is unreasonable that a property use that serves the public, generates significant revenue, and requires a license would be deemed to be residential. STRs are clearly a commercial use of residential property, and they must be treated as such.

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<sup>10</sup> CDA should inquire with the California Department of Housing and Development for grants that Marin County could administer to support this transition, <https://www.hcd.ca.gov/grants-and-funding>

<sup>11</sup> Avalara, MyLodgeTax Blog, “Communities turn to incentives to convert short-term rentals to long-term leases,” Sept 27, 2022, at <https://www.avalara.com/mylodgetax/en/blog/2022/09/communities-turn-to-incentives-to-convert-short-term-rentals-to-long-term-leases.html>

<sup>12</sup> Staff Report, Attachment 5, Marin County Short Term Rental Ordinance Coastal Act Consistency Analysis at 3.

## **VIII. RESPONSES TO ARGUMENTS OPPOSING STRONG REGULATIONS AND REDUCTION IN STRS**

The West Marin Access Coalition and other opponents of the Draft STR Standards utilize fear and hyperbole in their effort to undermine these essential Standards. We trust that Marin County staff and leadership will look to the extensive and growing list of jurisdictions in California, the U.S. and internationally that have implemented bans or tight controls on STRs because of their deleterious effect on housing.

### **A. Response to Possible Takings Challenge with Operator Reduction**

Fear of a property-rights lawsuit does not justify letting our villages be swallowed by out-of-County investors. Local government’s right to regulate STRs has been litigated successfully at both the State and Federal levels. It is well established that jurisdictions have the right to promulgate regulation that is reasonably tied to a legitimate government interest. Federal Courts have consistently upheld regulations cutting back on permits for short term rentals in the face of claims that the regulations amounted to a “taking” in violation of the 5th and 14th Amendments to the US Constitution.

In *San Diego Alliance for Short Term Rentals v City of San Diego*, decided on June 12, 2023, the federal court upheld San Diego's ordinance capping Unhosted Short Term Rentals in the majority of the city (except Mission Beach) to 1% of the housing stock, effectively cutting back existing Unhosted STRs by 50%. The district court dismissed the complaint, on the plaintiff’s motion for summary judgment. As the Court said, “Preservation of housing stock is a proper exercise of the City’s police power in regulating land use”.. and “The ordinance... does not take away the owner’s right to rent out the property but merely imposes conditions on short term rentals.”<sup>13</sup>

In another recent case, *Nekrilov v City of Jersey City* (3rd Cir 2022 45 F4th 602), a Short Term Rental investor claimed to have purchased their property in reliance on an existing ordinance affirmatively allowing STRs in Jersey City. When the city changed the ordinance to disallow short term rentals, the owners sued. The Court of Appeals upheld the lower court’s decision that an investor’s “expectation” of using property for a Short Term Rental did not give them a right to that use.

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<sup>13</sup> <https://www.avalara.com/mylodgetax/en/blog/2022/09/communities-turn-to-incentives-to-convert-short-term-rentals-to-long-term-leases.html>

## **B. Response to Concern That Reduction in Operators will Reduce Measure W Revenue**

An argument is being made that reducing the number of STRs in West Marin would reduce the amount of Measure W revenues. While we recognize that Measure W revenue generates valuable revenue, we have heard from first responders and housing advocates, that it is not sufficient to offset the potential housing gains of reducing the Unhosted STR operators. “According to the DOF, TOT revenue collected for Fiscal Year 2021-2022 totaled \$8.48 million. This includes approximately \$1.86 million for both enhanced fire/emergency services and long-long-term community housing (\$928,738 each).”<sup>14</sup>

First, a reduction in housing will not result in a 1-1 reduction in Measure W revenue, because STRs are currently operating at relatively low occupancy rates, a point made by the West Marin Access Coalition, in opposing the Draft STR Standards. It is far more beneficial to local communities to have few STR operators with higher occupancy rates: by driving this outcome, STR policy can minimize any impact to Measure W funds. In other words, a likely scenario is that the STRs remaining after any reduction in their number would experience a higher occupancy rate, making up the revenue difference.

But even if there was a reduction in revenue, if only one paid firefighter position could be eliminated by the availability of long term housing, it would make up that loss. In Stinson Beach, for example, the Fire Department has had to double its staffing budget over the past 4 years, from \$525K in '19-'20 to \$1,087K this year, largely due to lack of volunteers being able find housing locally. Its Measure W allocation last year was only \$122K.

As for affordable housing, \$850K is only a fraction of the cost of buying or building one house in West Marin; any reduction in that amount would be relatively insignificant.

## **C. Response to Concern That Reduction of Operators will Violate Coastal Access Requirements**

If Unhosted STRs in the Coastal Zone are reduced by half to 230, that number, along with the 108 hosted ones, would leave 338 STRs in our coastal villages. Along with the 991 units of existing campgrounds, motels and BnB's in the Coastal Zone (which itself is a subset of the 2411 rooms in Marin that are within 20 miles of the coast)—this is more than an adequate number to serve overnight visitors.<sup>15</sup>

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<sup>14</sup> Staff Report at 5-6.

<sup>15</sup> <https://www.marineconomicforum.org/wp-content/uploads/2020/02/MCVB-visitors-study-120619-Final.pdf>

Analysis in the Staff Report is based on dated LCP numbers. The analysis of visitor housing must include a more comprehensive review of the infrastructure along the Highway 101 corridor, which is the main transportation artery that feeds into to the Coast. There are dozens of large, low cost hotels in Mill Valley, San Rafael, San Anselmo and other parts of Marin that are less than 20 miles to the coast. These hotels are far more affordable than the rates posted on most AirBnB's on the Coast.

Analysis of Coastal Access should also contemplate that many jurisdictions in East Marin have banned STRs outright, yet they afford sufficient access through public beaches, piers, and hotels.

If Marin County is concerned about Coastal Access, it should take a more holistic approach to visitor accessibility, especially addressing the transportation, traffic and parking challenges of the coastal villages. Bus service should be evaluated to add better connections between the Stage Coach and Marin Airport. More transit options connecting San Francisco and the East Bay are needed.

#### **D. Local Economic Benefits of STRs are Overstated by Opponents of STR Regulation**

Opponents of strict regulation of STRs have presented minimal evidence to support their claims that STRs are highly beneficial to local economies. They have referenced house-keepers who clean STRs as an example to support this assertion. However, we have experience with and have heard testimony from many West Marin whose businesses that have suffered greatly with the doubling of STRs in the last five years. An October 19,2023 article in the Point Reyes Light (Appendix A to this comment letter), presented testimonies from most of West Marin's most prominent restaurant owners who verify that the decline in available housing has made it ever more difficult to find staff or to have steady clientele to support businesses.

Conversion of homes from full-time residences to STRs makes it very difficult to find sufficient staffing in West Marin. The boom in STRs also results in highly erratic income streams: the coastal villages are stretched to capacity on weekends and holidays, then businesses suffer dramatic downturns on weekdays and during the rainy season. Finally, visitors to STRs have a tendency to stock up on food outside of the area (i.e. at Costco), then spend the weekend partying in the house they rented, rather than patronizing local businesses. We also reference the letter submitted by one of the oldest businesses in West Marin, Smiley's Saloon & Hotel as an example of a long-running business that has felt these negative impacts.

## **E. Future STR Hearings Must Take Account of Structural Inequalities in This Process**

Finally, in the year that WMRFH has been actively participating in the drafting of the STR Standards, we have observed structural challenges that have made it very difficult for the individuals who are most vulnerable in the housing crisis to make their voices heard. In particular, the Planning Commission meetings held during the day at the Civic Center with no remote participation option are inherently exclusive of people with limited transportation options from West Marin and those who must work one or more jobs that do not allow them to take time off in the middle of the day. We would strongly urge that future meetings be held in the evenings with a remote participation option.

### **Conclusion**

The economics of the housing market are complex, a fact that opponents of regulation have exploited to create confusion and doubt that STRs have not dramatically changed the viability of full-time home occupancy in West Marin, whether by owners or renters. West Marine Residents for Housing has been tracking the vast array of secondary businesses which offer booking, management and a host of other technology solutions that tap into the profits of the STR industry. Figure 4. is an example of the main reason that existing STR operators do not want regulation:



**Figure 4.**

County regulations should support residents struggling to find an affordable rental or home. Those who can afford second homes do not need government help to make ends meet. The absence of STR profit potential will bring home prices down so that they become accessible to more of the families that we desperately need. To reduce the likelihood of former STRs becoming empty houses, the County must take a holistic approach to incentivizing owners to



transition back to long-term rentals, and to disincentivizing vacancy (e.g. through a vacancy tax, also suggested by the Housing Element).

Thank you for taking the time to carefully review our comments. We are hopeful that these recommendations will be adopted in-full to create an effective Final STR Ordinance that strikes the balance in favor of full-time housing in Marin.

Sincerely,

Leila Monroe, Esq., Don Smith, David Kimball, Harriet Moss, Susan Scott, Maureen Cornelia,  
Ruth Kantor Lopez  
**Representing West Marin Residents for Housing**

## **Appendix A.**

### **Point Reyes Light**

#### **Restaurants face uphill battle amid rising costs**

by David Briggs  
October 18, 2023

Workers like Naima Yoshimoto have been hard to come by, and the owner of Brickmaiden Breads—along with restaurateurs across West Marin—blame the housing shortage along with the rising costs of living, labor, food and fuel. (David Briggs / Point Reyes Light)  
Local restaurants are finding it difficult to stay afloat amid the housing shortage and rising costs of food and labor. Many establishments are cutting hours, raising prices and changing menus in an effort to mitigate the impacts.

“I struggle to keep staff all the time,” said Darcy Matteucci, owner of Brickmaiden Breads. “Some days we have to close because we’re not fully staffed. I’ve been trying to hire a barista for a year, and I can’t get anybody. People don’t know when they can get coffee, so they don’t come for it. At this point, I only do in-person interviews so people applying [from over the hill] can get a feel for the drive.”

California’s minimum wage has risen from \$10.50 in 2017 to \$15.50 in January, but most restaurants in West Marin have to offer more to account for the cost of living. The pay raise has depleted reserves.

In August, Luc Chamberland cut dinner hours for his Inverness restaurant, Saltwater, and is considering closing for November. He said there needs to be a plan for housing if West Marin wants to keep its restaurants.

“I’m not seeing a lot of bright news that’s making me feel warm and fuzzy,” he said. “I’m shortening my hours until the end of the year. The plans the county has for creating immediate and accessible housing are, to me, nonexistent. There’s a big divide.”

Mike Blakely, the C.E.O. of the Marin Economic Forum, said the challenges facing the service industry are complicated. Tax records indicate that more affluent residents have been moving into Marin since the beginning of the pandemic, making it unlikely that newcomers will significantly contribute to the workforce. At the same time, the resident workforce that is willing

to take lower-wage jobs is shrinking, and growing economies in Sonoma and eastern counties have increased competition with better job opportunities closer to home.

“A lot of this has to do with the underlying dynamics of Marin County,” Mr. Blakely said. “A large portion of our residents are not going to take a restaurant job, and that means you’re relying on the existing workforce, or you’re relying on people to come from outside of Marin to fill those jobs.”

In Bolinas, restaurants are buoyed by the town’s local farms and fishermen, which helps keep costs down for restaurateurs. But scarce housing means that workers often live over the hill to afford rent.

The new owners of Smiley’s Schooner Saloon, Blair Harris and Chelsea Maissen-Kahn, said that over the last decade, several of their employees’ rentals have been replaced by short-term rentals, posing an unprecedented threat to one of the oldest bars on the coast.

“When I started here 11 years ago, everyone who worked here lived in town,” Ms. Maissen-Kahn said. “Now we have a couple workers from Lagunitas, one from Novato and one from Petaluma. They love being out here, but the drive is tough on anyone, and they can find jobs just as easy over the hill. Sometimes the staff stays in an open hotel room—it comes with the territory.”

The new owners said they are lucky to be surrounded by organic produce and fresh fish, but they still had to raise prices up to a few dollars on some menu items.

At Eleven in Bolinas, co-owner Rebecca Sterlin has already instituted winter hours, opening for just three days a week, compared to four in the summer. She said her employees all live in West Marin but also have at least one other job.

Since she gets her produce from local farms, rising costs of produce and gas have had less of an effect on her. Nevertheless, a staffing shortage and the seasonal lull in tourism led her to decrease hours. Earlier this year, Eleven was closed from January through mid-February.

“People that come to our trails and beaches don’t even come for the restaurants anymore,” Ms. Sterlin said. “I don’t really recommend having a business in Bolinas—we can’t be a year-round restaurant like we used to.”

For Coast Café owner Roseanne LaVoy, the rising cost of food means a balancing act between discontinuing certain dishes, offering smaller portions and raising prices. She acknowledged the

need to raise the minimum wage but said rising costs throughout the supply chain contribute to inflation.

“[Raising the minimum wage] has a ripple effect so all of the people that box the produce, drive the trucks, etc., are getting paid more—the prices don’t just affect the kitchen,” she said. “Everywhere along that chain, the wage is raised. Then you add the price of gas that’s raised. That produce is the same produce it was a year ago, but it’s now a lot more expensive than it was. I’m no economist, so I can’t say how it’ll turn out, but it does require constant attention in running a business.”

Last January, there was no Caesar salad on the Coast Café menu because romaine lettuce was too pricey. Thankfully, Ms. LaVoy said, she devised an equally tasty kale salad.

In Point Reyes Station, the owner of the Station House Café and Side Street Kitchen, Sheryl Cahill, said hiring has been more robust in recent months, but she still mostly finds staffers from over the hill.

“The cost and limited availability of housing are the main obstacles,” she said. “Very few of our employees still live locally but many would like to either return or resettle here.”

Ms. Cahill, like many other business owners in West Marin, relies heavily on tourism and holiday rushes. When weather dampens an expected high-visitor day, it can have a big impact on business. Still, she said, regular local clientele has kept her establishments going strong in the summer so she can save for the winter.

At Brickmaiden Breads, Ms. Matteucci said the rising costs of labor and food have crimped her ability to sell goods. She pays staff from \$19 to \$25 an hour and offers a gas credit for people traveling from outside town. Workers from over the hill make up about two-thirds of her staff and hiring has been difficult since she bought the business in 2022.

Even after cutting hours, she struggles to staff the bakery and has yet to find a head baker or a steady barista.

“I was trying to find a head baker for a while. It’s a prestigious job so people were willing to relocate,” she said. “I had two people lined up but they couldn’t find housing and had to go elsewhere.”

The cost of organic eggs has more than doubled, from 28 cents per egg before the pandemic to 62 cents now, Ms. Matteucci added.

“Seven dollars for a slice of quiche seems like a lot, but we weren’t making any money off that,” she said. “I had to bump it to \$9, but now, guess what? We don’t make that much quiche. People aren’t willing to pay the higher prices, so we’re trying to figure that out.”

Bread is laborious to produce and expensive to deliver. With the rising gas prices, delivery to and from businesses has been difficult. Expanding to Central Marin—one of Ms. Matteucci’s goals—seems like a long shot.

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October 17, 2023

Marin County Planning Commission  
Marin County Civic Center  
3501 Civic Center Drive  
San Rafael, CA 94902

Marin County Board of Supervisors  
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**Re: Draft Short Term Rental Standards - September 2023**

Dear Planning Commissioners and Supervisors:

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

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

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

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

## I

### **STR LICENSES SHOULD BE GRANTED ONLY TO “NATURAL PERSONS”**

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

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

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

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

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

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

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

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

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## **B. Although Reasonable and Enforceable When Applied to Natural**

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



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

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

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

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

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

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

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

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

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## II

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

III

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

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

**“Public Notification.** Within five days after issuance of a short term rental license, the Community Development Agency will provide written notification to all properties within a radius of three hundred feet of the property with the short term rental. The notice shall indicate that the subject property will be the location of a short term rental and provide the name of the local contact person or host, the phone number and email address for the local contact person or host, and the street address of the short term rental.”  
DSTR Standards ¶ 5.41.040 D5.

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

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

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

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

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

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

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

Thank you for your consideration.

Sincerely,



Kent Khtikian

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## **B. Although Reasonable and Enforceable When Applied to Natural**

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



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

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

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

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

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

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

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

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

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## II

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**“Public Notification.** Within five days after issuance of a short term rental license, the Community Development Agency will provide written notification to all properties within a radius of three hundred feet of the property with the short term rental. The notice shall indicate that the subject property will be the location of a short term rental and provide the name of the local contact person or host, the phone number and email address for the local contact person or host, and the street address of the short term rental.”  
DSTR Standards ¶ 5.41.040 D5.

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

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

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

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

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

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

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

Thank you for your consideration.

Sincerely,



Kent Khtikian

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

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

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,

Corey Ohama  
Olema

October 19, 2023

Honorable members,  
Marin County Planning Commission

**Draft Marin STR Ordinance: Oppose**

Dear Commissioners:

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

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

The California Hotel and Lodging Association has made no secret to its members that it is working to protect the rights and interests of the commercial lodging industry and, as far back as 2016, it has enlisted lawmakers through a "multipronged, national campaign approach at the local, state and federal level," according to an April 16, 2017 *New York Times* article entitled *Inside the Hotel Industry's Plan to Combat Airbnb*. The *Times*, which obtained a copy of the plan, said it provided "an inside look at how seriously the American hotel industry is taking Airbnb as a threat – and the extent to which it is prepared to take action against it." That threat, the article points out, is that the very existence of STRs in a community effectively drives down hotel and lodging rates. It cites the industry's legal and regulatory victories in San Francisco, Los Angeles, Virginia, Tennessee and Utah, where efforts, perhaps similar to the one here, successfully convinced lawmakers to pass ordinances restricting STR activity.

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

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



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

More than 70 new commercial overnight accommodations have recently been added to the sparse commercial lodging options available to visitors in Marshall and Dillon Beach. Oddly, all of these options, which directly compete with STRs in our community, would be exempt from many of the provisions of this ordinance, including those that would put our family out of business. Specifically, imposing limits on the number of homes our family may offer up as STRs is, ostensibly, intended to increase LTR housing stock for the community. Why not then place similar restrictions on commercial lodges whose commercial units could also house workers and others in our community?

Access to affordable housing remains a legitimate problem for our family, friends and neighbors here in West Marin and those seeking affordable housing here deserve to be treated as more than shills in the hotel industry's attempt to foist higher rates on coastal visitors. As an alternative to this proposal, we urge commissioners to consider crafting this ordinance to enhance the lives of people working in our STRs by encouraging the use of ADUs for worker housing as part and parcel of STRs? Why not use this ordinance to keep jobs AND create homes within Marin's unincorporated communities? While we are at it, why not require the same of the owners of commercial lodges in our communities for the people who work in them.

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

The enemy is us: If added housing is truly the goal, incentives rather than punishments may be far more effective tools. Help owners of STRs to build ADUs or to retrofit existing buildings, using grants, county zoning and fee support and other county/homeowner partnerships rather than threatening county policing of water and septic. As a July 6, 2023 article in the *Point Reyes Light* observes (regarding the finding of the Marin County Civil Grand Jury Report on ADUs) building an ADU here "requires spending a lot of money and navigating a thicket of rules, regulations and fees." So why are the authors of this ordinance focusing only on STRs about which little is known? Why are the recommendation of the June 15, 2023 Grand Jury Report not also part of this proposal?



One of the founding tenets of the East Shore Planning Group and our community plan which was amended to the Local Coastal Plan more than 40 years ago was preserving the ability for people of all walks of life to live here. The “gotcha” aspect of this ordinance, i.e., opening septic tanks and prohibiting trucked water, etc., flies in the face of this. It will serve only to accelerate the trend toward coastline exclusivity. If the county uses its policing powers in the manner contemplated by this proposal (to compel owners and would-be owners of STRs to cease business because of resource deficiencies), older owners with less disposable income and young families just starting out who own or rent older homes in unincorporated Marin will be the primary victims. Wealthy buyers who can afford county requirements will be the winners, as formerly productive properties come on the market at today’s market prices. It should go without saying that they will likely not be turning their new purchases into long-term rentals.

Recommended amendments:

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

We seek the following:

- 1) Allow owners who are operators of STRs to operate multiple STRs provided all of the following conditions are met: 1) the owner/operator lives in a contiguous property (contiguous defined as having a common property line or a property line separated only by a street or highway), 2) owner/operator or a designated worker who lives onsite is available to help guests when needed, 3) owner provides low-income housing (on-site or on a contiguous site) at the ratio of at least one full- or part-time worker or family per unit, 4) owners of STRs who create ADUs should be able to pass these family businesses on to the next generation of family or anyone else.
- 2) To remove potentially anti-competitive aspects of this ordinance (i.e. applying one set of rules to a set of competitors acting together in the same marketplace as another set for whom those rules do not apply), we urge commissioners to treat all overnight accommodations (commercial lodging such as the Dillon Beach Resort, Nick’s Cove, the Marconi Lodge as well as farms, campgrounds and bed and breakfasts), equally with respect to limits on number of units, TOT, repairs while open, ownership type and succession, presence and multiple units on one property and all other applicable rules. Similarly, we ask that all exemptions be treated consistently: If, for example, farms are exempted due to economic hardship, then non-agriculturally zoned properties suffering the same or similar hardships (older owners, fixed income, older buildings, etc.) should also be exempted.
- 3) We ask the county to work with STRs, commercial lodgings, bed and breakfasts, campgrounds and farms to offer ADU and resource improvement grants, waiver of

county fees, streamlining of permit processes and other recommendations of the June 2023 Grand Jury.

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

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

Sincerely,

Tom Riley  
Marshall

Cc: Supervisor Dennis Rodoni

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

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

Dear Kathleen,

Thank you for returning my call last week. Unfortunately, I did not email you with my thought before last Thursday.

I've read through most of the documents and attachments concerning the STR Draft and have a few questions and thoughts.

Is it the goal of this new ordinance to reduce short term rentals in the hope that they would become long term rentals and help alleviate a housing shortage and/or create more affordable housing?

To protect communities from unruly vacation renters?

Has the county ever polled the owners of existing short term rentals to see what they would do with their property should short term rental no longer be possible?

For our part, our short term rental was our weekend getaway for 30 years. When we purchased a ranch nearby, the property was use only occasionally byl friends and family. We were encouraged by our goddaughter to list it on VRBO. It has been much better for the house to be occupied than remain mostly unoccupied. If we were no longer able to use this property as a short term rental, we would not convert it to a full time rental.

It seems each of these communities in West Marin have different qualities. Dillon Beach has always been predominately vacation housing/second homes. Never predominately full time residents. Even within Dillon Beach, conditions vary. Oceana Marin has larger homes and no street parking. The Village has mostly street parking which may not conform to Marin's code for parallel parking and the proposed number of parking places required by the new draft.

I plan on attending the meeting on the 23rd, but am not sure if it is possible to pose questions at that time.

Thank you for your time,

*Susan Ferro*  
*650-302-4815 (cell)*

# CALIFORNIA CATTLEMEN'S ASSOCIATION

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

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COMMUNITY SINCE 1917



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

October 19, 2023

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

## Re: Short Term Rental Ordinance Update

Dear Commissioners:

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

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

### *Farmstay STRs promote the viability of Marin County agricultural operations*

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

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

**STEVE ARNOLD**  
PRESIDENT  
SANTA MARGARITA

**BEV BIGGER**  
TREASURER  
VENTURA

**BILLY GATLIN**  
EXECUTIVE VICE PRESIDENT  
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**SHEILA BOWEN**  
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**FRANK IMHOF**  
SECOND VICE PRESIDENT  
PLEASANTON

**RICK ROBERTI**  
FIRST VICE PRESIDENT  
LOYALTON

**JOE DAN CAMERON**  
FEEDER COUNCIL CHAIR  
BRAWLEY

**MIKE MCCLUSKEY**  
SECOND VICE PRESIDENT  
RED BLUFF

**MIKE SULPIZIO**  
FEEDER COUNCIL VICECHAIR  
CALIPATRIA

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

### ***Farmstays do not pose nuisance risk***

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

### ***Agricultural STRs are consistent with Marin County policies***

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

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

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

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

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

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

<sup>5</sup> *See, e.g., id.* at 2-4, 15, 20-21.

<sup>6</sup> *Id.* at 26.

<sup>7</sup> *Id.*

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

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

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

### ***Conclusion***

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

Sincerely,



Kirk Wilbur  
Vice President of Government Affairs

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<sup>8</sup> LAND USE PLAN, *supra* note 3, at 9.

<sup>9</sup> *Id.* at 13.

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

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. I am personally one of them right now! There are plenty of STRs right now and there are no rentals in all of West Marin and I'm not at all exaggerating. There are also a bunch of us locally looking for a home. I don't have anywhere to go as my home is being sold. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live! This also impacts our access to long term community relationships, healthcare providers, and our sense of place and protective relationship with the more than human world.

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

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

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Wendy Botwin  
Bollinas, CA

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

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

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

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

When drought conditions arise, feed prices skyrocket. Several summers Melissa Daniels had to sell off many head of cattle at a less than ideal time in their lifecycle because she couldn't afford to feed them all.

The Farmstay STRs have been an invaluable opportunity at Cow Track to:

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

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

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

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

Agricultural land provides a different way of life for anyone who visits to enjoy.

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

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



Without Ag, Marin loses.

Sincerely,  
Camilla Saufley  
Cow Track Ranch

Without Ag, Marin loses.

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

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Dear Planning Commissioners and Supervisors,

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

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

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

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

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

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

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

Please reduce the number of STRs in West Marin.

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

10/16/2023

Rebecca Ahlers  
PO Box 250  
Valley Ford CA 94972

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

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

Re: Short Term Rental Ordinance Update

Dear Commissioners,

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

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

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

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

Thank you,

*Rebecca Ahlers*  
Spaletta Beef Ranch

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

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Dear Planning Commission and County Supervisors,

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

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

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

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

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

Areas in need revision:

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

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

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

and unhosted STRs.

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

Thank you for your consideration,  
Angela

--

Angela Whitney

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

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Dear Planning Commissioners and Supervisors,

I was born in Berkeley, am a lifelong Bay Area resident, and have lived in Bolinas since 1989. I have become deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years, and longer. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. I am about to be one of them. There is no hyperbole in saying there are NO long term rentals in Bolinas right now; we are not even talking affordable. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, we MUST reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

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

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

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

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

Dear Marin Planning Commission Members,

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

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

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

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

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

Sincerely,

John Gouldthorpe

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

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David Morris with email address [dmorris@ilsr.org](mailto:dmorris@ilsr.org) would like information about:

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



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

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Dear Planning Commissioners and Supervisors,

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

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

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

Thank you for your consideration,

Name:

Address:

Email:

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

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

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

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

Hi Cathleen,

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

Best,

Kathleen

**Kathleen Kilgariff**  
PLANNER  
she/her

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

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

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

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

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

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

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

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

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

Please reduce the number of STRs in West Marin.

Thank you for your consideration,

Name: Cathleen Dorinson

Address: PO Box 267, PRS, CA 94956

Email: [cdorinson@hotmail.com](mailto:cdorinson@hotmail.com)

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

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

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

OCTOBER 19, 2023

## COUNTY OF MARIN COMMUNITY DEVELOPMENT DEPARTMENT

### RE: SHORT TERM RENTAL COMMITTEE

**TO:** Sarah Jones & Kathleen Kilgariff

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

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

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

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

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

Our most pressing comments are:

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

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

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

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

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

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

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

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

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

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

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

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

**Item D 7: Exterior Signage:** This topic was discussed to exhaustion in 2018. We hope that you and your staff understood then that a PRIVATE location is key to our business. The current sign standards should stay in place. We are happy to post the large scale number of the street, but no other exterior sign. We operate a quaint cottage, *private home that is seamless in the neighborhood.*

Our guests do not even get the actual street address of our cottage until the reservation is paid in full. This is a private location.

The exterior sign causes two things: An invitation to enter because it is a business..."Do you have a room for Rent?" "Can we make a reservation for next week?", "Can we tour the house?" and an invitation to a robbery, theft etc ....we are not an INN or a HOTEL – those businesses have exterior signs and ALSO lighting, multiple staff on site, cameras etc overseeing their properties. A sign on a neighborhood cottage on a quiet street is not necessary.

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

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

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

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

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

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

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

As we wrote in 2017:

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

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

<!--[endif]-->

Thank you,

Eileen & Martin

Eileen Connery & Martin Borge

PO Box 1268

Point Reyes Station CA 94956

**PLEASE SUPPORT MARIN AGRICULTURE: [WWW.SAVEMARINFOOD.COM](http://WWW.SAVEMARINFOOD.COM)**

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

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To whom it may concern

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

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

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

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

Respectfully

Chris Boas,

299 Seadrift Rd.,  
Stinson Beach California.



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

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

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

Thanks

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

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Dear Planning Commissioners and Supervisors,

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

Thank you for your consideration,

Name: Suzi Katz

Address: 65 Manana Way

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

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

Dear Planning Commission Members and Planning Department Staff,

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

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

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

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

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

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

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

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

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

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

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

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

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

Thank you for your consideration,

Jeff Finci

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

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Dear all,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

or

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

Thank you for considering these concerns,

Michael Parman and Bojana Miloradovic

STR Investment Economics 101

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



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

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

**From:** [charles.oakander](mailto:charles.oakander)  
**To:** [Rodoni, Dennis](mailto:Rodoni.Dennis)  
**Cc:** [Rice, Katie](mailto:Rice.Katie); [Moulton-Peters, Stephanie](mailto:Moulton-Peters.Stephanie); [Sackett, Mary](mailto:Sackett.Mary); [Lucan, Eric](mailto:Lucan.Eric); [STR; PlanningCommission](mailto:STR@PlanningCommission)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Friday, October 20, 2023 12:53:23 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Chuck Oakander  
2 Opal road  
[chuckoakander@mac.com](mailto:chuckoakander@mac.com)

Sent from my iPhone

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

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

Hello Supervisors and Commissioners

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

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

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

Thank you for considering taking this challenge on.

Arianne Dar

COMMENT ON STR DRAFT 10/19/2023

Dear Planning Commission Members,

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

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

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

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

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

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

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

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

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

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

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

Thank You,

Nancy Vayhinger  
Point Reyes Resident

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

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

Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,

Corey Ohama  
Olema

October 19, 2023

Honorable members,  
Marin County Planning Commission

**Draft Marin STR Ordinance: Oppose**

Dear Commissioners:

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

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

The California Hotel and Lodging Association has made no secret to its members that it is working to protect the rights and interests of the commercial lodging industry and, as far back as 2016, it has enlisted lawmakers through a "multipronged, national campaign approach at the local, state and federal level," according to an April 16, 2017 *New York Times* article entitled *Inside the Hotel Industry's Plan to Combat Airbnb*. The *Times*, which obtained a copy of the plan, said it provided "an inside look at how seriously the American hotel industry is taking Airbnb as a threat – and the extent to which it is prepared to take action against it." That threat, the article points out, is that the very existence of STRs in a community effectively drives down hotel and lodging rates. It cites the industry's legal and regulatory victories in San Francisco, Los Angeles, Virginia, Tennessee and Utah, where efforts, perhaps similar to the one here, successfully convinced lawmakers to pass ordinances restricting STR activity.

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

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

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

More than 70 new commercial overnight accommodations have recently been added to the sparse commercial lodging options available to visitors in Marshall and Dillon Beach. Oddly, all of these options, which directly compete with STRs in our community, would be exempt from many of the provisions of this ordinance, including those that would put our family out of business. Specifically, imposing limits on the number of homes our family may offer up as STRs is, ostensibly, intended to increase LTR housing stock for the community. Why not then place similar restrictions on commercial lodges whose commercial units could also house workers and others in our community?

Access to affordable housing remains a legitimate problem for our family, friends and neighbors here in West Marin and those seeking affordable housing here deserve to be treated as more than shills in the hotel industry's attempt to foist higher rates on coastal visitors. As an alternative to this proposal, we urge commissioners to consider crafting this ordinance to enhance the lives of people working in our STRs by encouraging the use of ADUs for worker housing as part and parcel of STRs? Why not use this ordinance to keep jobs AND create homes within Marin's unincorporated communities? While we are at it, why not require the same of the owners of commercial lodges in our communities for the people who work in them.

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

The enemy is us: If added housing is truly the goal, incentives rather than punishments may be far more effective tools. Help owners of STRs to build ADUs or to retrofit existing buildings, using grants, county zoning and fee support and other county/homeowner partnerships rather than threatening county policing of water and septic. As a July 6, 2023 article in the *Point Reyes Light* observes (regarding the finding of the Marin County Civil Grand Jury Report on ADUs) building an ADU here "requires spending a lot of money and navigating a thicket of rules, regulations and fees." So why are the authors of this ordinance focusing only on STRs about which little is known? Why are the recommendation of the June 15, 2023 Grand Jury Report not also part of this proposal?

One of the founding tenets of the East Shore Planning Group and our community plan which was amended to the Local Coastal Plan more than 40 years ago was preserving the ability for people of all walks of life to live here. The “gotcha” aspect of this ordinance, i.e., opening septic tanks and prohibiting trucked water, etc., flies in the face of this. It will serve only to accelerate the trend toward coastline exclusivity. If the county uses its policing powers in the manner contemplated by this proposal (to compel owners and would-be owners of STRs to cease business because of resource deficiencies), older owners with less disposable income and young families just starting out who own or rent older homes in unincorporated Marin will be the primary victims. Wealthy buyers who can afford county requirements will be the winners, as formerly productive properties come on the market at today’s market prices. It should go without saying that they will likely not be turning their new purchases into long-term rentals.

Recommended amendments:

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

We seek the following:

- 1) Allow owners who are operators of STRs to operate multiple STRs provided all of the following conditions are met: 1) the owner/operator lives in a contiguous property (contiguous defined as having a common property line or a property line separated only by a street or highway), 2) owner/operator or a designated worker who lives onsite is available to help guests when needed, 3) owner provides low-income housing (on-site or on a contiguous site) at the ratio of at least one full- or part-time worker or family per unit, 4) owners of STRs who create ADUs should be able to pass these family businesses on to the next generation of family or anyone else.
- 2) To remove potentially anti-competitive aspects of this ordinance (i.e. applying one set of rules to a set of competitors acting together in the same marketplace as another set for whom those rules do not apply), we urge commissioners to treat all overnight accommodations (commercial lodging such as the Dillon Beach Resort, Nick’s Cove, the Marconi Lodge as well as farms, campgrounds and bed and breakfasts), equally with respect to limits on number of units, TOT, repairs while open, ownership type and succession, presence and multiple units on one property and all other applicable rules. Similarly, we ask that all exemptions be treated consistently: If, for example, farms are exempted due to economic hardship, then non-agriculturally zoned properties suffering the same or similar hardships (older owners, fixed income, older buildings, etc.) should also be exempted.
- 3) We ask the county to work with STRs, commercial lodgings, bed and breakfasts, campgrounds and farms to offer ADU and resource improvement grants, waiver of



county fees, streamlining of permit processes and other recommendations of the June 2023 Grand Jury.

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

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

Sincerely,

Tom Riley  
Marshall

Cc: Supervisor Dennis Rodoni

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

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Dear Kathleen,

Thank you for returning my call last week. Unfortunately, I did not email you with my thought before last Thursday.

I've read through most of the documents and attachments concerning the STR Draft and have a few questions and thoughts.

Is it the goal of this new ordinance to reduce short term rentals in the hope that they would become long term rentals and help alleviate a housing shortage and/or create more affordable housing?

To protect communities from unruly vacation renters?

Has the county ever polled the owners of existing short term rentals to see what they would do with their property should short term rental no longer be possible?

For our part, our short term rental was our weekend getaway for 30 years. When we purchased a ranch nearby, the property was use only occasionally byl friends and family. We were encouraged by our goddaughter to list it on VRBO. It has been much better for the house to be occupied than remain mostly unoccupied. If we were no longer able to use this property as a short term rental, we would not convert it to a full time rental.

It seems each of these communities in West Marin have different qualities. Dillon Beach has always been predominately vacation housing/second homes. Never predominately full time residents. Even within Dillon Beach, conditions vary. Oceana Marin has larger homes and no street parking. The Village has mostly street parking which may not conform to Marin's code for parallel parking and the proposed number of parking places required by the new draft.

I plan on attending the meeting on the 23rd, but am not sure if it is possible to pose questions at that time.

Thank you for your time,

*Susan Ferro*  
*650-302-4815 (cell)*

# CALIFORNIA CATTLEMEN'S ASSOCIATION

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

SERVING THE CATTLE  
COMMUNITY SINCE 1917



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

October 19, 2023

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

## Re: Short Term Rental Ordinance Update

Dear Commissioners:

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

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

### *Farmstay STRs promote the viability of Marin County agricultural operations*

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

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

**STEVE ARNOLD**  
PRESIDENT  
SANTA MARGARITA

**BEV BIGGER**  
TREASURER  
VENTURA

**BILLY GATLIN**  
EXECUTIVE VICE PRESIDENT  
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**SHEILA BOWEN**  
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GLENNVILLE

**FRANK IMHOF**  
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**RICK ROBERTI**  
FIRST VICE PRESIDENT  
LOYALTON

**JOE DAN CAMERON**  
FEEDER COUNCIL CHAIR  
BRAWLEY

**MIKE MCCLUSKEY**  
SECOND VICE PRESIDENT  
RED BLUFF

**MIKE SULPIZIO**  
FEEDER COUNCIL VICECHAIR  
CALIPATRIA

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

### ***Farmstays do not pose nuisance risk***

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

### ***Agricultural STRs are consistent with Marin County policies***

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

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

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

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

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

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

<sup>5</sup> *See, e.g., id.* at 2-4, 15, 20-21.

<sup>6</sup> *Id.* at 26.

<sup>7</sup> *Id.*

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

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

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

### ***Conclusion***

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

Sincerely,



Kirk Wilbur  
Vice President of Government Affairs

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<sup>8</sup> LAND USE PLAN, *supra* note 3, at 9.

<sup>9</sup> *Id.* at 13.

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

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. I am personally one of them right now! There are plenty of STRs right now and there are no rentals in all of West Marin and I'm not at all exaggerating. There are also a bunch of us locally looking for a home. I don't have anywhere to go as my home is being sold. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live! This also impacts our access to long term community relationships, healthcare providers, and our sense of place and protective relationship with the more than human world.

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

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

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Wendy Botwin  
Bollinas, CA

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

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

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

When drought conditions arise, feed prices skyrocket. Several summers Melissa Daniels had to sell off many head of cattle at a less than ideal time in their lifecycle because she couldn't afford to feed them all.

The Farmstay STRs have been an invaluable opportunity at Cow Track to:

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

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

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

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

Agricultural land provides a different way of life for anyone who visits to enjoy.

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

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

Without Ag, Marin loses.

Sincerely,  
Camilla Saufley  
Cow Track Ranch

Without Ag, Marin loses.



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

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Dear Planning Commissioners and Supervisors,

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

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

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

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

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

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

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

Please reduce the number of STRs in West Marin.

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

10/16/2023

Rebecca Ahlers  
PO Box 250  
Valley Ford CA 94972

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

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

Re: Short Term Rental Ordinance Update

Dear Commissioners,

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

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

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

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

Thank you,

*Rebecca Ahlers*  
Spaletta Beef Ranch

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

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Dear Planning Commission and County Supervisors,

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

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

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

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

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

Areas in need revision:

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

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

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

and unhosted STRs.

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

Thank you for your consideration,  
Angela

--

Angela Whitney

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

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Dear Planning Commissioners and Supervisors,

I was born in Berkeley, am a lifelong Bay Area resident, and have lived in Bolinas since 1989. I have become deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years, and longer. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. I am about to be one of them. There is no hyperbole in saying there are NO long term rentals in Bolinas right now; we are not even talking affordable. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, we MUST reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

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

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

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

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

Dear Marin Planning Commission Members,

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

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

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

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

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

Sincerely,

John Gouldthorpe

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

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David Morris with email address [dmorris@ilsr.org](mailto:dmorris@ilsr.org) would like information about:

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

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

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Dear Planning Commissioners and Supervisors,

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

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

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

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

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With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

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

Thank you for your consideration,

Name:  
Address:  
Email:



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

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

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

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

Hi Cathleen,

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

Best,

Kathleen

**Kathleen Kilgariff**  
PLANNER  
she/her

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

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

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

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

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Dear Planning Commissioners and Supervisors,

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

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

Please reduce the number of STRs in West Marin.

Thank you for your consideration,

Name: Cathleen Dorinson

Address: PO Box 267, PRS, CA 94956

Email: [cdorinson@hotmail.com](mailto:cdorinson@hotmail.com)

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

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

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

OCTOBER 19, 2023

## COUNTY OF MARIN COMMUNITY DEVELOPMENT DEPARTMENT

### RE: SHORT TERM RENTAL COMMITTEE

**TO:** Sarah Jones & Kathleen Kilgariff

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

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

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

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

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

Our most pressing comments are:

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

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

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

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

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

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

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

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

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

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

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

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

**Item D 7: Exterior Signage:** This topic was discussed to exhaustion in 2018. We hope that you and your staff understood then that a PRIVATE location is key to our business. The current sign standards should stay in place. We are happy to post the large scale number of the street, but no other exterior sign. We operate a quaint cottage, *private home that is seamless in the neighborhood.*

Our guests do not even get the actual street address of our cottage until the reservation is paid in full. This is a private location.

The exterior sign causes two things: An invitation to enter because it is a business..."Do you have a room for Rent?" "Can we make a reservation for next week?", "Can we tour the house?" and an invitation to a robbery, theft etc ....we are not an INN or a HOTEL – those businesses have exterior signs and ALSO lighting, multiple staff on site, cameras etc overseeing their properties. A sign on a neighborhood cottage on a quiet street is not necessary.

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

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

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

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

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

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

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

As we wrote in 2017:

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

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

<!--[endif]-->

Thank you,

Eileen & Martin

Eileen Connery & Martin Borge

PO Box 1268

Point Reyes Station CA 94956

**PLEASE SUPPORT MARIN AGRICULTURE: [WWW.SAVEMARINFOOD.COM](http://WWW.SAVEMARINFOOD.COM)**

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

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To whom it may concern

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

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

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

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

Respectfully

Chris Boas,

299 Seadrift Rd.,  
Stinson Beach California.

COMMENT ON STR DRAFT 10/19/2023

Dear Planning Commission Members,

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

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

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

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

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

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

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

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

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

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

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

Thank You,

Nancy Vayhinger  
Point Reyes Resident



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

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Greetings:

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

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

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

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

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

Sincerely,

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

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

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Hello,

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

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

Thank you very much.

*Jim*

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

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

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

Thanks

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

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Dear Planning Commissioners and Supervisors,

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

Thank you for your consideration,

Name: Suzi Katz

Address: 65 Manana Way

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

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

Dear Planning Commission Members and Planning Department Staff,

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

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

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

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

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

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

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

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

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

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

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

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

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

Thank you for your consideration,

Jeff Finci

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

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Dear all,

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

or

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

Thank you for considering these concerns,

Michael Parman and Bojana Miloradovic

STR Investment Economics 101

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

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

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

**From:** [charles.oakander](mailto:charles.oakander)  
**To:** [Rodoni, Dennis](mailto:Rodoni, Dennis)  
**Cc:** [Rice, Katie](mailto:Rice, Katie); [Moulton-Peters, Stephanie](mailto:Moulton-Peters, Stephanie); [Sackett, Mary](mailto:Sackett, Mary); [Lucan, Eric](mailto:Lucan, Eric); [STR; PlanningCommission](mailto:STR; PlanningCommission)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Friday, October 20, 2023 12:53:23 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years. Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Chuck Oakander  
2 Opal road  
[chuckoakander@mac.com](mailto:chuckoakander@mac.com)

Sent from my iPhone

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

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Dear Marin County Planning Commission,

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

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

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

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

For the homeowner, the regulations are costly, burdensome, and possibly unattainable. The unprecedented 11-pages of detailed restrictions and requirements will all but ensure compliance failure among a substantial number of homes and result in less lodging to visitors. For those few that can comply, the time and expenses associated with gathering the documentation, additional services, and the annual inspections will lead to a large increase in the overall costs of operation, which will result in increased nightly rates for visitors to the region.

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

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

Sincerely,

Sherri Clearlake  
50+ years Short Term renter at Stinson Beach

COMMENT ON STR DRAFT 10/19/2023

Dear Planning Commission Members,

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

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

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

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

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

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

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

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

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

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

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

Thank You,

Nancy Vayhinger  
Point Reyes Resident

Lynn D. Fuller  
2949 Divisadero St.  
San Francisco, CA 94123  
*lynndfuller@gmail.com*

415-310-7615

Members of the Planning Commission  
Marin County Civic Center  
3501 Civic Center Drive  
San Rafael, CA 94903

Re: Draft Regulations Governing Short Term Rentals

Dear Members of the Commission:

I am the owner of a vacation home in the Seadrift subdivision in Stinson Beach. I'm a member of the California bar and my primary address is in San Francisco. I have followed the County's various steps to regulate short term rentals (hereinafter, "STRs") with considerable concern as they could have a substantial impact on my interests and those of other stakeholders in Stinson Beach.

In January, I submitted an email for the administrative record describing how I came to purchase my Seadrift home, the role that home plays in the life of my family, and the role of vacation rentals in my ownership of the property. I enclose that email with this letter and hereby incorporate it by reference.

In brief, I rent out the Seadrift home to families during the summer months and some winter holidays. A local rental agency, Seadrift Realty, manages these rentals. I have never used AirBnb or any similar platform. Seadrift Realty has a strong presence in the vacation rental market in Stinson Beach, is located about one mile from my house, and does a wonderful job of handling all aspects of the booking, housekeeping and maintenance, payments and providing an outstanding visitor experience. A good number of visitors rent my house year after year. For eight months of the year, when demand for vacation rentals is low, I reserve the house for the use of my family.

This arrangement is a win-win-win-win: for me as a property owner who would like others to be able to enjoy vacationing at Stinson Beach; for the visitors who rent the house; for Seadrift Realty; and for Stinson Beach's stores, restaurants and local attractions. **There is no problem that needs to be "fixed" through government intervention.** This is why the draft regulations published by the Community Development Agency (CDA) are so troubling.



These regulations do not need tweaking; they need to be withdrawn. If the County is determined to involve itself in legislating and regulation of STRs, it needs to first go back and fix the broken process that resulted in this awful draft. There is little I can add to the excellent, 80-plus page report submitted to you by the West Marin Access Coalition, of which I am a co-signer, but my specific comments are set forth below.

#### A. PREAMBLE AND GENERAL FRAMING

A newcomer to this topic would not know that there had been dozens of hours of public testimony and hundreds of pages of letters and other documents submitted by the public that informed the authors of this draft. The draft itself makes no reference to the existence of such an administrative record and it completely ignores the substantial amount of input from crucial stakeholders – specifically, the owners and operators of vacation rentals and the businesses and individuals who depend on them for their livelihoods.

A newcomer to this topic reading this draft would also perceive STRs as something dangerous and harmful – more like an STD! – rather than what they actually are: a crucial pillar of the economies of coastal communities that historically relied on fishing, farming, logging and other such activities but now are almost entirely dependent on tourism. Another benefit of STRs not acknowledged in the draft is their role in providing access to coastal recreation, which should be a top priority of laws and regulations in this space.

The preamble falsely states that it protects property rights, but the ensuing provisions trample property rights in many different ways.

#### B. LEGAL FORMALITIES NORMALLY INCLUDED IN GOVERNMENT-ISSUED RULES ARE MISSING

The draft does not set forth what government body votes or other executive or administrative actions are required to give effect to these regulations, or to amend them. Such provisions are normally included in legal documents of this kind.

The draft does not explain how the proposed regulations would interact with the existing legal scheme for STRs, administered by the Marin County Department of Finance. Will owners/operators be required to comply with the existing requirements (a business license and a TOT tax certificate AND a license to operate a STR from the Marin County Development Agency, or does this new scheme supplant the existing scheme? This should be clearly spelled out, along with the justification for making changes to the existing scheme. .

The draft makes no mention of CCRs that are in effect in coastal areas where STRs are currently operating, like Seadrift. The draft should explain how the regs will interact with these.

#### C. PROPOSED CAPS ON STRS ARE ARBITRARY, OPAQUE AND UNREASONABLE

The draft does not explain how the caps, most of which require reductions from existing levels, are arrived at. There is an obscure reference to maps that does not make sense even to a well-informed reader. Given the testimony received, it is simply incomprehensible why traditional beach house communities like Dillon Beach and Stinson Beach should be subjected to reduced numbers of STRs. The agency should explain and fully justify its reasoning.

#### D. THE UNREASONABLY ONEROUS APPLICATION PROCEDURES ARE LIKELY TO DEPRESS VACATION RENTALS

While the aforementioned caps on STR numbers are an overt attempt to reduce numbers of vacation rentals, the extremely burdensome application requirements seem designed to further suffocate vacation rentals through intentionally burdensome and oppressive application and re-application requirements. The list of supporting documents and items currently numbers 14, many of which blithely duplicate administrative tasks already required of property owners under other codes without regard for the time and effort required. This feels insulting and disrespectful. The draft, moreover, imposes new requirements not required by any state or local code, like the requirement that \*every bedroom\* be equipped with a fire extinguisher.

The goal seems to be to make the process really, really hard so as to gobble up owners' time and resources and create paperwork requirements so extensive and difficult to meet that the agency can trip up applicants. Given that the affected individuals are also citizens, taxpayers, voters and, generally, community members, this feels like a crappy way for a government agency to treat people.

If the County decides to proceed with this process, nearly all of the application steps currently in the draft should be replaced by an affidavit in which the owner/operator affirms compliance with the applicable codes under penalty of perjury. It could include a checklist-style form if desired (which could also be amended easily as needed unlike the draft regulatory scheme under consideration). And the list should be properly tailored to address real, rather than imaginary, issues.

#### E. THE APPLICATION PROCEDURES WILL ALSO BE BURDENSOME TO COUNTY STAFF

It is the year 2023 and public officials designing a regulatory framework should be giving consideration at every step to being efficient with public (i.e., taxpayer) resources. Instead, these draft regulations craft an intentionally burdensome and complex process, placing many tasks (such as reviewing garbage bills and utility bills) on a county-employed clerk. It even shifts tasks currently performed by owners/operators, such as neighbor notification, onto a county staff member. Nearly all of the application steps currently in the draft could and should be replaced by an affidavit in which the owner/operator affirms compliance with the applicable codes under penalty of perjury, which would drastically reduce the administrative burden to the county of reviewing and approving applications.

Given how short-staffed the county is known to be, the draft's establishment of staff-intensive processes is irresponsible and wasteful.

#### F. DUE PROCESS FOR OWNERS/OPERATORS IS MISSING

Under most regulatory schemes involving licenses, the steps to revoke a license are clearly set forth in writing and include due process rights. Not so here. Under the proposed scheme, a malicious neighbor could make two complaints and the county could revoke the permit to operate. This is unconscionable and fundamentally unfair as well as simply bad policy.

#### G. RESPECT FOR ORDERLY BUSINESS INTERESTS AND BUSINESS PLANNING IS MISSING

The draft refers regularly to "immediate" and "automatic" termination of the right to operate STRs based on various events such as a late application for renewal or transfer of ownership. See, e.g. section 5.41.040.C (License term).

Professional rental agencies like Seadrift Realty book vacation rentals months in advance – sometimes as much as a year in advance.

One scenario not countenanced by the draft regulations is if the owner dies and the property becomes part of the owner's estate. There should be a way to ensure an orderly process of honoring existing rentals already booked for that property and giving favorable treatment to the successors (such as owner's children) who inherit the property and may wish to continue renting the property on the same basis as the owner. But the draft rule would require cancellation of all the pending vacation rentals which will be more and more difficult to replace under this scheme. This is bad

public policy and it demonstrates disrespect, or even contempt, for the legitimate interests of property owners, rental agents, and visitors/renters alike.

The owner's death is just one of many scenarios in which the "immediate" termination of STR activity would be unfair and create needless havoc in many people's lives. It appears that the authors of this draft did not think this through. All such scenarios should be carefully considered before a rule of this kind is adopted.

#### H. THE COUNTY'S GAME OF WHACK-A-MOLE WITH THE PROPOSED EXTERIOR SIGNAGE REQUIREMENT IS DISRESPECTFUL TO WEST MARIN COMMUNITIES

There is a well-documented history of the County proposing an exterior signage requirement for vacation rentals and communities' extensive response to it. The result was a compromise that protected the aesthetics of our communities and the privacy of property owners and visitors, while addressing the concerns that the policy was intended to address.

Yet here it is again, without fanfare. Section 5.41.040.D.7. This is disrespectful to the many stakeholders who dropped everything to fight this dumb idea before and breathed a sigh of relief when they prevailed and a solution that works for everyone (annual notification via letter to neighbors) was adopted.

This feels as though the CDA is trolling us, just trying to upset people by putting forth terrible ideas over and over, just because they can.

#### I. THE "ADMINISTRATIVE PROCEDURES" ARE AN UNNECESSARY LAYER OF REGULATION ON TOP OF A TOO-BURDENSOME PROPOSED REGULATORY SCHEME

The draft contains 11 pages of excessively detailed and verbose requirements. Does the County really need to create \*another\* set of procedures on top of whatever regulations emerge from this process? If the regulations are stripped down to the essentials, there might be a justification for publishing more detailed procedures to implement and provide guidance for the scheme with appropriate stakeholder input, of course. But we are nowhere near the point where additional procedures seem justified. And, given the County's long delay in publishing this draft and the extensive problems with it, the County should not countenance the creation of another set of rules at this time.

## J. ADUS SHOULD NOT BE “RESTRICTED STRUCTURES”

In section 5.41.050.B, there is a list of restricted structures that includes accessory dwelling units (ADUs). What authority or even policy justification does the county have for telling property owners they cannot rent out their ADUs?

Though favored by state law, ADUs are very expensive to build due to anti-housing policies in place in Marin and many other counties. Taking away an obvious way for owners to defray some of the cost through these regulations will make it less feasible for owners to build them. Is this, by any chance, intentional?

Again, this nugget of bad policy with potentially far-reaching consequences is buried deep in the long, confusing draft and no explanation or justification is offered.

## K. TOT REVENUES WILL BE ADVERSELY AFFECTED BY THE NUMERICAL CAPS & BURDENSOME RULES

In 2018, West Marin enacted ballot measure W, which increased the TOT rate in order to fund affordable housing and emergency services. The constriction of STR numbers that will follow the adoption of these draft regs or any scheme similar to it will have a negative impact on tax receipts under this program and the activities it funds.

Has the county done a fiscal analysis of how these draft regulations will affect TOT receipts in West Marin? If not, it should undertake and publish that as soon as possible so that decision makers and the public can be better informed about the consequences of these proposed actions.

## L. THE TIMING OF THIS PROCESS IS UNFAIR TO STAKEHOLDERS

After holding several public meetings and taking written evidence from the public over the better part of a year, the agency first announced it would publish its draft regulations in July. Then, it abruptly postponed publication of the draft regulations until September. In the interim, the CDA conducted no focus groups and does not seem to have developed data in support of its planned restrictions.

The published draft is the long, poorly drafted and deeply flawed draft under discussion.

Yet the agency, prioritizing its own interests over the goals of good public policy, seems determined to put in place its regulatory scheme in January 2024. This is unrealistic as a practical matter and downright frightening to the stakeholders who will be affected by this action.

A first step should be revisiting this timeline and putting in place a process that provides for genuine input from all stakeholders. The agency is on track to ram through a lose-lose-lose-lose “solution” to a set of problems it has not even bothered to define.

Thank you in advance for your thoughtful consideration of my concerns and those of other West Marin stakeholders who stand to be adversely affected by the County’s proposed actions to restrict and over-regulate vacation rentals in Stinson Beach and other coastal communities.

Kind regards,

A handwritten signature in black ink, appearing to read 'Lynn D Fuller', with a long horizontal stroke extending to the right.

Lynn D Fuller

Enclosure:

West Marin Short Term Rental Moratorium written comments for January 25, 2023 hearing

**From:** Lynn Fuller lynndfuller@gmail.com  
**Subject:** West Marin Short Term Rental Moratorium -- written comments for January 25, 2023 hearing  
**Date:** January 24, 2023 at 4:29 PM  
**To:** DRodoni@marincounty.org, STR@marincounty.org STR@MarinCounty.org  
**Cc:** info@westmarinaccesscoalition.com, Rentals@seadriftrealty.com  
**Bcc:** Lynn Fuller lynn@cowhollowgardener.net



Dear Supervisor Rodoni:

I'm writing to urge you/the Marin Country Board of Supervisors to slow down and re-evaluate the current policy initiatives to limit and/or regulate short term rentals (STRs) in West Marin. The current course appears certain to damage not only individual property rights but also the economies of small coastal communities like Stinson Beach that depend on tourism.

I own a vacation home in the Seadrift subdivision in Stinson Beach and I hold a business license to rent the house out to vacationers. The bulk of my rentals are one- or two-week rentals during the busy season (June through September) and around Thanksgiving. Many are regular renters who rent the house year after year for their summer holidays. The rest of the year, my family and I use and enjoy the house regularly.

The primary purpose of my owning the property is for personal use of the house, not as an investment. If I were not allowed to rent the house out for STRs for part of the year, I would not sell the house or rent it to a long-term renter (which would make it unavailable to me and my family). It would, however, make it more difficult for me to afford the substantial upkeep that coastal properties require. It would also mean the families who enjoy renting the house for their annual vacations would no longer have my house (which is currently the first choice of many of my renters) as an option. What currently is a win-win-win for me, the short-term renters and the local economy would be turned into a lose-lose-lose — and no additional housing would be created.

My path to owning and operating a Stinson Beach STR began over 20 years ago when my family made a day trip from our home in San Francisco to Audubon Canyon Ranch because my then-first-grader was passionately interested in birds. We enjoyed that visit and the birdwatching at Bolinas Lagoon that day so much that we decided to look into vacation rentals in Stinson Beach. We wanted to spend more time in those surroundings without having to drive home at the end of the day. We found Seadrift Realty on the web and managed to book our first one-week rental just a few weeks later. Every year for the next 14 years, we rented a house in Stinson Beach for one or two weeks each summer and we have happy memories from each visit. We enjoyed walking into town to eat at the Parkside Cafe, renting kayaks and boogie boards from the local rental shop, and visiting the Stinson Beach library. We faithfully attended Shakespeare at Stinson productions until the company left Stinson.

One of our children was born with a genetic condition that led to complex medical needs and limited mobility. This made travel by air impossible and travel anywhere away from home challenging. Even the one-week vacation rentals began to feel unmanageable because of our child's special needs. In 2014, we decided to begin the search for a property of our own that we could make accessible and properly set up for our child. With the assistance of Seadrift Realty, we purchased our house in Seadrift in 2015. Soon afterward, we registered for a business license and began offering it as a vacation rental. I'm proud of the fact that it's one of the most accessible rentals in Stinson Beach and each year we use some of the proceeds from the rentals to improve its accessibility and make it more welcoming to guests with disabilities.

Here are some key points the Board of Supervisors should consider:

1. A thriving vacation rental economy has existed in Stinson Beach and other coastal villages since long before AirBnB.
2. Vacation rentals in West Marin are a popular vacation choice for Bay Area families, avoiding the need for climate-damaging long plane trips to destinations such as Hawaii and Mexico. The bulk of renters of my property are from San Francisco, Marin and the East Bay.
3. Vacation rentals in West Marin are becoming more popular. This is my anecdotal experience, but the Board can and should develop data on this point before taking further action to restrict STRs. My summer rentals used to be fully booked by February/March. Then it was January. This year, it was December. While I'd like to think this is because my house is so fabulous (which it is!) and my rental agency is so great (which it is!), I'm pretty sure this trend reveals a growing scarcity of STRs relative to demand.
4. The local economies in coastal villages like Stinson Beach benefit greatly from STRs. Remember that for people who rent a house for a week or two, this is their vacation. They are more likely to eat out, visit attractions, buy an artwork, take surfing lessons, etc. than they might be in their daily life at home. This spending benefits all those small businesses that make our coastal communities so charming and inviting. In addition, the business of offering and managing STRs directly employs housekeepers, gardeners, handypersons, real estate professionals and others.
5. The housing shortage is a state-wide problem of long standing. The efforts of local governments to address the problem legislatively can backfire if they are undertaken without sufficient concern for economic consequences. The San Francisco Chronicle reported recently that actions by the Board of Supervisors designed to increase the supply of affordable housing units have instead had the effect of stifling the construction of housing of any kind. See "Affordable-housing quotas imperil new S.F. building projects, study says" by Noah Arroyo, Jan 19, 2023. <https://www.sfchronicle.com/bayarea/article/sf-affordable-housing-projects-17727101.php> Similarly, the proposed actions by the Marin BOS to restrict and over-regulate STRs come from the same impulse and seem likely to cause unintended harm without doing anything to increase the supply of affordable housing.
6. Regulation of STRs should be narrowly tailored to achieve the stated objectives, should be clearly supported by high-quality data and should be adopted only with adequate input from all stakeholders. As things stand, many local stakeholders have been left out of the planning and are confused about what is being proposed and why.

In conclusion, the STR economy in Stinson Beach and other coastal villages is a complex and important part of West Marin's ability to thrive in the future. Past mainstays of the economy like fishing and farming are fading, but tourism is growing. The Board needs to understand better who owns STRs, who rents them, and what local businesses and institutions benefit from them before wielding blunt legislative instruments that risk doing more harm than good. I hope that offering my own experience and perspective has contributed to that understanding.

Yours sincerely,

Lynn Fuller  
415-310-7615  
[lynndfuller@gmail.com](mailto:lynndfuller@gmail.com)





Marin County Planning Commission  
Draft Regulations on Short Term Rentals

October 20, 2023

### **Inverness Association response to the County of Marin's Draft Short-Term Rental Standards**

The Inverness Association supports the Draft's restriction to limit short-term rentals to one unit per property. This restriction is consistent with the results from the survey the IA conducted, where the majority of respondents were in favor of limiting STRs to no more than one unit per property owner.

The IA also supports the Draft's restriction preventing the licensing of STRs in accessory dwelling units (ADUs) and junior dwelling units (JDUs), as these housing units are intended to increase housing in unincorporated Marin. However, the Draft needs to specify whether all second units, outbuildings, cottages etc. that meet the specifications of ADUs\* and JDUs\*\* will be restricted from having STRs. The Standards should make clear the criteria by which the county will issue or deny licenses based on the ADU/ JDU restriction.

The IA does not agree with the Draft's distinction between hosted and unhosted STRs. Caps on STRs should pertain to both unhosted and hosted STRs so as not to unintentionally increase the number of STRs in the Inverness Community beyond current levels. A modification to the meaning of a hosted unit, where the host and STR are both within the same unit, for example the STR is a basement or a bedroom in the host's house, could merit a distinction between hosted and unhosted rentals. Furthermore, a hosted unit should exclude units where the primary resident vacates the property for the purposes of renting their unit, instead a host should be required to be onsite during the period of a rental.

The IA supports measures the Draft takes to consider parking, garbage and other impacts STRs have on the community.

Thank you for your consideration,

William Barrett, *president*  
Inverness Association Board of Directors

\*An ADU is accessory to a primary residence and has complete independent living facilities for one or more persons and has a few variations:

- Detached: The unit is separated from the primary structure.
- Attached: The unit is attached to the primary structure.
- Converted Existing Space: Space (e.g., master bedroom, attached garage, storage area, or similar use, or an accessory structure) on the lot of the primary residence that is converted into an independent living unit.

\*\*JADU: A specific type of conversion of existing space that is contained entirely within an existing or proposed single-family residence.

(Source: <https://www.hcd.ca.gov/sites/default/files/2022-07/ADUHandbookUpdate.pdf>)

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#); [Lacko, Leslie](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: Oppose Draft STR Regulations  
**Date:** Monday, October 23, 2023 8:58:16 AM

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**From:** Marisa Atamian-Sarafian <marisa.atamian@compass.com>  
**Sent:** Friday, October 20, 2023 9:37 PM  
**To:** PlanningCommission <PlanningCommission@marincounty.org>  
**Subject:** Oppose Draft STR Regulations

You don't often get email from [marisa.atamian@compass.com](mailto:marisa.atamian@compass.com). [Learn why this is important](#)

Dear Marin County Planning Commission,

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

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

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

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

For the homeowner, the regulations are costly, burdensome, and possibly unattainable. The unprecedented 11-pages of detailed restrictions and requirements will all but ensure compliance failure among a substantial number of homes and result in less lodging to visitors. For those few that can comply, the time and expenses associated with gathering the documentation, additional services, and the annual inspections will lead to a large increase in the overall costs of operation, which will result in increased nightly rates for visitors to the region.

Overall, these regulations will make homeownership more costly and out of reach for more people—visitors and residents alike. West Marin has always been a community with large numbers of

vacation homes used in part as short-term rentals for generations. Renting one's second home for others to use for vacation purposes has also been a means by which many local people are able to live permanently in West Marin during their retirement years. Limiting people's ability to rent their homes, or cottages and in-law units that have been rented for many years on a part-time basis, reduces their ability to achieve homeownership.

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

Sincerely,  
Marisa Atamian-Sarafian

Marisa Atamian-Sarafian #01482275  
Compass Realtor

**From:** [Isaac Pross](#)  
**To:** [STR](#)  
**Cc:** [BOS](#); [Rice, Katie](#); [Rodoni, Dennis](#); [Kilgariff, Kathleen](#)  
**Subject:** West Marin STR Testimony  
**Date:** Saturday, October 21, 2023 8:01:55 AM

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

Dear County of Community Development Agency,

I hope all is well. I'm a twenty-three year old musician visiting from Los Angeles. During my brief visit in West Marin, I have not only enjoyed the peace and quiet, but have felt inspired by the natural landscapes. This is a corner of the state—and world—filled with immense beauty and magic. I understand the desire and need to protect this rare space, but as a short-term resident/visitor, I have found it immensely healing.

A breath of fresh air, a walk into an organic local bakery, perusing a family-owned bookstore. Over the past two weeks, as I've spent time (and money) at plenty of shops throughout Point Reyes Station and Inverness I've also tried to respect the community by having conversations with local residents, whether that's a cheese monger or the owner of a record store.

As a young artist and working professional, accessibility to communities like this is deeply inspiring, nurturing, and productive. At this stage in my life, travel is priceless, even and especially if it's brief.

Thank you,  
Isaac Pross

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Short-term Rental Ordinance  
**Date:** Saturday, October 21, 2023 8:31:49 AM

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Laura Boscoe with email address [laurie\\_boscoe@comcast.net](mailto:laurie_boscoe@comcast.net) would like information about:  
Dear Kathleen,

I am a short-term rental host located in Marin county. I decided to build out the basement of my house in 2018 and convert it to an ADU, as my kids were no longer home. I found it wasteful for one person to occupy a home of my size and I need the extra income to cover my mortgage.

I totally understand the need to regulate short-term rentals in Marin, but not allowing ADU's to be short-term rentals is going to be devastating to people like me. I may be forced to sell my home. I believe this will cause many people with adu's to move into their smaller units and short-term rental their larger homes, which will be more disruptive to our neighborhoods. When I first ventured upon becoming a short-term rental host, I did a lot of research. I wanted a small space where couples or business people could come visit family or work, not a party house. I host locals who need a temporary place to live while remodeling. Many guests are parents of locals coming to visit.

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Egalitarian to reopen STR permits, will not equal lost rentals  
**Date:** Saturday, October 21, 2023 11:15:32 AM

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Chris with email address [moveda@comcast.net](mailto:moveda@comcast.net) would like information about:  
We need short term rentals to maintain the property my family has owned for 100 years. We will not offer it for full time rent in response to this moratorium but will have to find a way to make ends meet. There needs to be an opening for owners to legally generate income without losing access to their home. Additionally, how can people visit the area and keep business open? It's very elitist to only allow those who got their permit during three years to operate while the rest of us can't get access to STR permits.

**From:** [levanrk@gmail.com](mailto:levanrk@gmail.com)  
**To:** [Kilgariff, Kathleen](#)  
**Subject:** Proposed STR Regulation Change  
**Date:** Saturday, October 21, 2023 8:54:57 AM

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

We own a property in the Calles in Stinson Beach that is used for our personal use and for short-term rentals. It is a triplex and I strongly urge you to reconsider the blanket prohibition on multi-family rentals. The people who rent from us are Californians just like us. Many are from Marin County. We really love to share our home with so many individuals and families who we have the pleasure to get to know over the years. It would be a huge shame not to be able to do so due to the ban on licenses for multi-family housing. Instead of hundreds of families being able to stay at our place each year, just our family and friends will use our three units on an occasional basis if this ordinance is passed as written.

While we recognize the theory that traditional multi-family housing is used by long-term renters, we do not believe that is true for all properties that happen to have more than one unit – especially those used as second homes located in historic vacation communities. In our case, we frequently use all of our units to host friends and family so we would not be able to make our three units available for long-term renters. This is likely true of others who use their properties as a second home.

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

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

Thank you for your consideration,

Becky Levan

**From:** [Steven Levan](#)  
**To:** [Kilgariff, Kathleen](#)  
**Subject:** STR Ordinance Public Comment  
**Date:** Saturday, October 21, 2023 11:21:33 AM

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

I own a property in the Calles in Stinson Beach that is used for my personal use and as a short-term rental. The draft STR ordinance proposes requiring on-site parking for all licensees. On narrow roads in the Marin hills, I understand why that is a desirable restriction, but will leave it to county officials and others in those areas to speak to how that should work. However, that approach does not work in Stinson.

If parking is going to be addressed as part of this ordinance, please address it community by community. In Stinson Beach, there is minimal on-site parking for many of the properties west of Highway 1. Whether someone is a renter or an owner, off-street parking is limited. Of the 14 properties on our street, only four have on-site parking, whether for renters or owners.

The concern is not so much about on-site vs off-site parking, but that day trippers to the beach park on Highway 1 and the streets adjacent to the beach causing safety issues and impacting the parking of locals and overnight guests. On public and private roads in the beach communities, street parking should be permitted for valid STR licensees and the ordinance should encourage local law enforcement to protect parking for those residing in homes on the impacted streets.

Please consider a more flexible approach to the parking requirement to address different needs in different parts of the county.

Sincerely,

Steve Levan

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(323) 481-3083 Cell



**From:** [Dakota Whitney](#)  
**To:** [Dennis Rodoni](#); [Kilgariff, Kathleen](#)  
**Subject:** STR Comment  
**Date:** Saturday, October 21, 2023 11:52:28 AM

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[You don't often get email from [dakotawhitney@gmail.com](mailto:dakotawhitney@gmail.com). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

To address the housing crisis in California and particularly in tourist destinations, cities and counties across the State have drastically restricted STRs. I ask you follow their lead by imposing meaningful limitations on the number of STRs in West Marin. The proposed standards are overly bureaucratic and cumbersome for STR operators, but do little to limit the number of STRs in our communities.

Thank you.

**From:** [Shelley Finci](#)  
**To:** [Kilgariff, Kathleen](#)  
**Subject:** STR Ordinance Public Comment  
**Date:** Saturday, October 21, 2023 12:05:53 PM

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

Dear Planning Commission,

I own a property in the Calles in Stinson Beach that is used for our personal use and for short-term rentals. My husband and I have fully supported efforts by the County to regulate STRs up to this point. We have maintained a business license, collected and paid TOT, and complied with all other requirements set forth in recent years (e.g., notification of neighbors about our vacation rental). We also support the County's efforts to update its regulations for many of the reasons noted. We already comply with most of these requirements as a matter of course in being an excellent host.

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

Thank you for your consideration,

Shelley Finci

**From:** [Frank Leahy](#)  
**To:** [PlanningCommission](#)  
**Cc:** [Kilgariff, Kathleen](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [West Marin Access Coalition](#)  
**Subject:** Comments on West Marin STR regulations  
**Date:** Saturday, October 21, 2023 2:10:37 PM

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I read the new regulations with mild amusement, and more than a bit of dismay.

Amusement, because the regulations appear designed to do little more than catch people with little "gotchas", as though that will solve the problem. "One false move and we will strike thee from the list, and never shall ye rent again."

Dismay because numbers are being tossed around by the two sides, numbers that don't add up. And the County could, but isn't, doing anything to set the record straight.

From the October 12, 2023 Pt Reyes Light "Perspective" come these claims:

"year-round average of **\*\*20\*\*** days per month one can expect to have an S.T.R. occupied"

"an S.T.R. ... [can expect to make] **\*\*\$6,000\*\*** a month"

"The S.T.R. bonanza brought in a **\*\*big wave\*\*** of new second-home buyers and investors"

"twice as many - **\*\*870\*\*** - [S.T.Rs](#) in unincorporated Marin [today] as there were in 2018, when there were **\*\*480\*\***"

**\*\*16\*\*** percent of West Marin's housing stock [is] in S.T.R.s"

"[the new] S.T.R. ordinance ... ends up adding **\*\*108\*\*** houses to the current count"

While in a letter to the editor in the same paper was this claim:

"I just can't help think what **\*\*63\*\*** more houses might do...for the people wanting to both work and live in Point Reyes"

Where did these numbers come from? Are they real? Are they made up? Are they quoted from a reputable source, or simply copied from a dubious source with no provenance?

But the County has real data that it could share -- and my question is, why doesn't it? Why was the County relying on AirDNA numbers (that it now disavows), when it could simply publish real numbers?

The data the County has access to, but has decided not to publish, includes:

(All numbers could be easily broken out by town in West Marin, as all of this data is available by parcel number)

- The number of houses in West Marin, by town (Pt Reyes, Inverness, etc.)
- The number of houses that have filed homeowners exemption
- The number of houses currently owned by a corporation or LLC
- The number of houses that have sold, by year, over the past 20 years
- The number of homes that have sold over the past 20 years, by year, which have homeowners exemption, or are now owned by a corporation or LLC

- The number of STRs that are filing tax forms each month
- The number of STRs which are owned by corporations or LLCs
- The number of STRs that have a homeowners exemption filed
- The average, median and P95 number of days STRs are rented per month
- The average, median and P95 of STR income filed each month

And there's plenty of other ways to slice and dice the existing data the County has.

What we don't measure we can't understand. And what we don't understand we can't fix. Let's start by publishing real numbers, so we can all understand whether there is a problem, and if so, how big it really is.

Sincerely,  
-- Frank Leahy  
Inverness, CA

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#); [Lacko, Leslie](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: Proposed Short Term Rental Regulations  
**Date:** Monday, October 23, 2023 8:57:44 AM

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**From:** Aran Kaufer <aran@bright-street.com>  
**Sent:** Friday, October 20, 2023 4:32 PM  
**To:** PlanningCommission <PlanningCommission@marincounty.org>  
**Subject:** Proposed Short Term Rental Regulations

You don't often get email from [aran@bright-street.com](mailto:aran@bright-street.com). [Learn why this is important](#)

Dear Planning Commission:

I am writing in opposition to the proposed Short Term Rental Regulations. I think this is short-sighted and overbearing. Please reconsider.

Thanks,

Aran Kaufer

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#); [Lacko, Leslie](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: Oppose Draft STR Regulations  
**Date:** Monday, October 23, 2023 8:58:39 AM

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

From: Melanie Nichols <[melanienichols@comcast.net](mailto:melanienichols@comcast.net)>  
Sent: Saturday, October 21, 2023 6:58 AM  
To: PlanningCommission <[PlanningCommission@marincounty.org](mailto:PlanningCommission@marincounty.org)>  
Subject: Oppose Draft STR Regulations

[You don't often get email from [melanienichols@comcast.net](mailto:melanienichols@comcast.net). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Dear Marin County Planning Commission,

I write in opposition to the County's draft short term rental standards as currently written. The statute makes it hard for owners to afford to keep and maintain their houses, and be able to also sometimes enjoy them.

We have lived in San Anselmo since 1976.

We have been able to rent a house in the summer for 1 week for the last 30 years. Otherwise we would not be able to afford to visit with our family.

Please vote no and reconsider more balanced options.

For the County, the regulations will limit economically feasible lodging for visitors who come to experience the nearby public land.

Overall, these regulations will make homeownership more costly and out of reach for more people—visitors and residents alike. West Marin has always been a community with large numbers of vacation homes used in part as short-term rentals for generations.

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

Sincerely,

Melanie Nichols

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#); [Lacko, Leslie](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: STRs  
**Date:** Monday, October 23, 2023 9:00:26 AM

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**From:** Lea Earnheart <earnheartlea@gmail.com>  
**Sent:** Saturday, October 21, 2023 10:52 AM  
**To:** PlanningCommission <PlanningCommission@marincounty.org>  
**Subject:** STRs

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To Whom it May Concern;

**PLEASE PLEASE PLEASE reduce the number of Short Term Rentals in West Marin!!!**

There are *so many* reasons that those of us who live in small communities in West Marin are begging for the number of STRs to be reduced . . . but, at this moment in time, may I refer you to the front page of the Point Reyes Light this week (Oct. 19, 2023) "Restaurants face uphill battle amid rising costs".

The first line of this article:

"Local restaurants are finding it difficult to stay afloat amid the housing shortage and rising costs of food and labor", and goes on to describe the crisis wherein these businesses can't find local people to work, nor can they afford to pay wages high enough for any worker to live here, or to commute from the distance of a non-local community where they have managed to find housing.

So, if all those corporate-owned, host-in/host-out owners justify their STR by believing that they are contributing to the local economy, someone needs to inform them that the issues are far more complicated and, in fact, in many ways are undermining it.

If service people cannot afford to live in the area they serve, this is an enormous problem; to say nothing of the fragmenting of the fabric of community and low-income people desperately turning to sub-standard housing (eg. The Tacherra Ranch).

We need those with the authority to seek and implement ways to support affordable housing in Marin to realize that when they protect long term rentals, and limit short-term rentals, they are supporting our local businesses and service industries as well as the continuation of precious communities.

**PLEASE FURTHER LIMIT STRs!**

Sincerely,  
Lea Earnheart

71 Olema-Bolinas Rd.  
PO Box 1002  
Bolinas, CA 94924



**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#); [Lacko, Leslie](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: Oppose Draft STR Regulations  
**Date:** Monday, October 23, 2023 9:01:08 AM

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

From: Kathleen Tilt <kathleentilt@icloud.com>  
Sent: Saturday, October 21, 2023 3:19 PM  
To: PlanningCommission <PlanningCommission@marincounty.org>  
Subject: Oppose Draft STR Regulations

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

Dear Marin County Planning Commission,

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

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

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

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

For the homeowner, the regulations are costly, burdensome, and possibly unattainable. The unprecedented 11-pages of detailed restrictions and requirements will all but ensure compliance failure among a substantial number of homes and result in less lodging to visitors. For those few that can comply, the time and expenses associated with gathering the documentation, additional services, and the annual inspections will lead to a large increase in the overall costs of operation, which will result in increased nightly rates for visitors to the region.

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

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

Sincerely,

Kathleen Tilt  
San Francisco

Sent from my iPhone

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#); [Lacko, Leslie](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: Consider exemption to STR cap  
**Date:** Monday, October 23, 2023 9:01:20 AM

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**From:** no-reply@marincounty.org <no-reply@marincounty.org>  
**Sent:** Saturday, October 21, 2023 9:18 PM  
**To:** PlanningCommission <PlanningCommission@marincounty.org>  
**Subject:** Consider exemption to STR cap

Elizabeth Robbins, M.D. with email address [eliz.robbins@gmail.com](mailto:eliz.robbins@gmail.com) would like information about:  
As you consider regulations on short term rentals, I hope that you will consider adding this exemption from the cap on short term rentals:

Houses that are within 500 yards of the waterfront are exempt from the cap on short term rentals.  
The reason for adding this exemption is as follows:

Houses on or near the waterfront are not likely to ever be affordable housing. They are currently vacation homes or second homes. Limiting short term rentals for these houses by capping the number available for rent means that only billionaires will be able to enjoy these houses; middle class families will no longer have access to the coast for a week's vacation.

Please consider adding this exemption from the cap on short term rentals to ensure coastal access for all.

Sincerely,

Elizabeth Robbins, M.D.

Ross Town Council member

**From:** [Eric Oldmixon](#)  
**To:** [PlanningCommission](#); [STR](#)  
**Subject:** Fwd: STR Ordinance  
**Date:** Sunday, October 22, 2023 10:08:05 AM

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

Good Morning Sup. Rodoni and BOS,

As Sup Rodoni may know, I have been an active member of the West Marin community for over a decade. Over that time, my peer community group of families working and attending school here has decreased dramatically. Watching friends, families, and most of my daughter's classmates be forced to leave West Marin as a result of housing instability is more than sad, it is a real threat to the vitality and functionality of the West Marin Community. We are at a tipping point. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

Escalating home prices and the incredible high percentage of cash sales further squeeze out all but the wealthiest class. **The facts are clear, the easy access to transitioning of new sales to Short Term Rentals has directly fueled this inflation of property value and the reduction of long term rental availability.** Throughout my time living in an affordable home, thanks to the work of the Community Land Trust of West Marin, I have watched countless homes on this street be put on the market because long time resident owners "just cannot pass up the windfall" only to have the new home sit dormant soon to become offered as a vacation rental. One property investor purchased two such homes and rents them together for nearly \$10,000 per weekend. (This is not about access.)

Only two of the homes on my street are listed as permitted short term rentals. Yet a minimum of 6 are used this way on a regular basis, and more less frequently. When the newest ordinance proposal was released I was shocked by the incredibly high number of permits being offered. Furthermore, **the ordinance offers little more than 'giving up when" it comes to creating enforceable policy for the growing number of unpermitted operations.** In less than 5 minutes comparing Marin's permit map to the one on AirBNB.com I found 5 unpermitted offers operating in plain sight. Thus, we need to assume there will always be illegal STR's. In the Coastal Zone's case, **I urge you to reduce the number of unhosted STRs by half, from 480 to 230.**

In terms of the permitting process and proposal, I urge you to gain more insight about the actual feedback garnered in the process and how they arrived at such a simple result. I hear from locals time and again that owner occupied STR's are more highly supported than unoccupied homes. Furthermore, those properties with the space to create both long-term and short term rentals should also be treated as more valuable

to the community. **I propose a weighted permitting system that adds and subtracts points based on factors that support the functioning of the broader community.** Owner occupants, and long term property tenants add points; infractions (STR policy, water and local ordinances, police calls, etc) subtract points. Make the owners more broadly responsible for their impact on the quality of life in the places where they choose to own property.

Do not rush. Work to create and adopt a system for the long term sustainability of our community!

**I appreciate your time spent reading this!** Unfortunately, I cannot be at meetings to comment in person during the regular school day.

Thank you,

Eric Oldmixon,  
Inverness Resident, Teacher, Volunteer, Coach

**From:** [Sally Peacock](#)  
**To:** [STR](#)  
**Subject:** STOP short term rentals  
**Date:** Sunday, October 22, 2023 2:20:59 PM

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

Dear Board members,

I have lived and worked in West Marin since 1976, and have seen a marked shift in the communities of our region during this time. As short term rentals have increased, our ability to house families, essential workers of all types from home caregivers to teachers and firefighters has seriously diminished - even restaurants can't staff their businesses. Please cut the number of short term rentals permitted, in half would be good! Our towns are being hollowed out as long term residents are forced to leave, and the workers we need to function as communities have to drive from out of the county to service West Marin. Let's house residents first!

Sincerely, Sally Peacock

Bolinas

**From:** [Robert Densmore](#)  
**To:** [Rodoni, Dennis](#)  
**Cc:** [Rice, Katie](#); [Moulton-Peters, Stephanie](#); [Sackett, Mary](#); [Lucan, Eric](#); [STR](#); [PlanningCommission](#)  
**Subject:** Houses Should Be Homes. (West Marin Resident)  
**Date:** Sunday, October 22, 2023 7:43:02 PM

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Dear Planning Commissioners and Supervisors,

I am a West Marin resident deeply concerned about the number of residential properties that have been commercialized and turned into short term rentals (STRs) over the past 5 years.

I believe in these top level goals;

Everyone living in West Marin has stories of friends, family, and neighbors who have had to relocate because their long-term rental has been lost. Our communities cannot continue to function without places for local workers, teachers, firefighters, families, and seniors to live!

The draft STR ordinance is a step in the right direction but it has no teeth and doesn't go far enough. The negative effects STRs are having on the housing crisis in West Marin is well-documented in both Marin's Housing Element and its Local Coastal Program. Small communities cannot function when 16% of their limited housing stock is taken away.

The only way to improve this situation is to do what other communities up and down the coast have done – i.e., substantially reduce the number of permitted STRs.

In the Coastal Zone's case, I urge you to reduce the number of unhosted STRs by half, from 480 to 230. Added to the 108 existing hosted STRs, there would still be 338 STRs in our coastal villages; along with existing campgrounds, motels and BnB's, more than enough to serve visitors. This would bring the number of STRs back to 2018 levels.

With this ordinance you can either help restore the balance in our coastal communities or further hollow them out in perpetuity. Please make the right decision.

Thank you for your consideration,  
Bob Densmore  
POBox 836  
Bolinas, Ca 94924  
densmorerobert4@gmail.com

Sent from my iPhone



# Rifkind Law & Mediation, PC

1010 B Street, Suite 200, San Rafael, CA 94901

Telephone: (415) 785-7988

[www.rifkindlawgroup.com](http://www.rifkindlawgroup.com)

Leonard A. Rifkind  
[len@rifkindlawgroup.com](mailto:len@rifkindlawgroup.com)

October 22, 2023

## **Corrected**

Marin County Planning Commission  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903

Re: Proposed Short Term Rental (STR) Ordinance

Dear Planning Commissioners:

Our firm represents Eric Davis, who owns a single-family dwelling in the Village at Dillon Beach that is used as short term rental. We write to express our concerns on behalf of Mr. Davis about proposed revisions to the County's STR Ordinance that will adversely affect his legal non-conforming right to operate a short term rental in his Dillon Beach single family residence.

Mr. Davis has operated a short term rental in Dillon Beach for many years, both prior to the County's first enactment of an STR Ordinance (Chapter 5.41) in 2018 and subsequently. He operates his short term rental in compliance with the current STR Ordinance, having obtained both a business license and transient occupancy tax certificate.

Mr. Davis's Dillon Beach Property is zoned C-R1 (Coastal Residential District) pursuant to the Implementation Plan for Marin County Code in the coastal zone, Section 22.62.070. Under Table 5-2-c, rental of this single family dwelling, whether for long-term or short-term, is a Principal Permitted Use. No use permit is required.

The proposed STR Ordinance now makes short terms rentals *conditional* for the first time, requiring a new two-year STR license, in addition to the existing requirements for a business license and TOT certificate. This new STR license is conditioned upon satisfying a large number of specified standards, including two onsite parking spaces, a positive professional septic report, and a cap on the number of licenses permitted, none of which apply to use of the same single-family dwelling used as either a long-term rental or occupied by the owner.

If the County wishes to *regulate* the *business* aspects of short term rentals, as it has done previously, then amendments to Chapter 5.41 are appropriate. However, Mr. Davis objects properly to a change in the *use* of his property from permitted to conditional, without a change in the applicable zoning ordinance. As made clear above, his use of his single family property would migrate from permitted to conditional without the necessary and required change in the applicable zoning ordinance. At the very least, Chapter 5.41, requiring a use permit would


conflict with Section 22.62.070. We understand that many of the California jurisdictions that have adopted so-called STR ordinances have done so by adoption of amendments to their zoning codes (Sonoma County, Cities in Santa Cruz County and Half Moon Bay) and suggest Marin County should follow suit.

The County certainly has the right to amend the Marin County Code to require in the *future* that owners of single-family dwellings elect to *begin* using such dwellings for short term rentals to comply with the proposed conditional use requirements. However, the County cannot deprive owners of single-family dwellings who are *currently* using their dwellings legally for short term rentals of their vested legal nonconforming rights. Mr. Davis's longstanding legal use of his property in Dillon Beach as a short term rental is a legal non-conforming use. The County cannot legislate away his legal rights to continue that use. He does not oppose reasonable business regulations, like requiring a business license and paying TOT, but is steadfastly opposed an ordinance that purports to take away his legally vested right to continue his short term rental where that is a use by right and cannot be made conditional.

In closing, if the County wishes to proceed with its intention to change the short term rental use of a single-family dwelling from a permitted use to a conditional use, we urge you to direct the Community Development Agency to amend the proposed ordinance to place its conditional use requirement for the short term rental use of single-family dwellings into the County's zoning codes and protect property owners like Mr. Davis by recognizing his legal non-conforming status to operate his short term rental by right as a permitted use.

Sincerely,

RIFKIND LAW & MEDIATION, PC

By:   
Leonard A. Rifkind

LAR/es

cc: Eric Davis, [panamadaviseric@gmail.com](mailto:panamadaviseric@gmail.com)  
Sara Jones, CDA Director, [sbjones@marincounty.org](mailto:sbjones@marincounty.org)  
Jeremy Tejirian, CDA Planning Manager, [jtejirian@marincounty.org](mailto:jtejirian@marincounty.org)  
Kathleen Kilgariff, CDA Planner, [kkilgariff@marincounty.org](mailto:kkilgariff@marincounty.org)

**From:** [Len Rifkind](#)  
**To:** [Kilgariff, Kathleen](#); [Jones, Sarah](#); [Jeremy Tejirian](#)  
**Cc:** [panamadaviseric@gmail.com](mailto:panamadaviseric@gmail.com)  
**Subject:** RE: Rifkind Law & Mediation, PC/ Eric Davis -Proposed Short Term Rental (STR) Ordinance  
**Date:** Sunday, October 22, 2023 10:33:39 AM  
**Attachments:** [Corrected 2023-10-22 Marin County Planning Commission STR Ordinance.doc Final.pdf](#)

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Kathleen,

My apologies, I had two typographical errors in the letter sent on Friday and would appreciate if you will substitute in this corrected letter. There are no substantive changes.

Thank you,

Leonard ("Len") A. Rifkind

**RIFKIND LAW & MEDIATION, PC**

1010 B Street, Suite 200

San Rafael, California 94901

T: 415-785-7988,

C: 415-308-8269

E: [len@rifkindlawgroup.com](mailto:len@rifkindlawgroup.com)

W: [www.rifkindlawgroup.com](http://www.rifkindlawgroup.com)

Named to **Superlawyers**, Northern California Real Estate Law, 2012-2023

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**From:** panamadaviseric@gmail.com <panamadaviseric@gmail.com>  
**Sent:** Saturday, October 21, 2023 10:54 PM  
**To:** Len Rifkind <len@rifkindlawgroup.com>  
**Cc:** Elssy Solano <elssy@rifkindlawgroup.com>  
**Subject:** Rifkind Law & Mediation, PC/ Eric Davis -Proposed Short Term Rental (STR) Ordinance

Len:

I think the letter was great, but unfortunately there were two typos in the second sentence of the first paragraph:

1. The "is" should have been "his". This is the "is" that I referenced in our phone call on Friday but could not specifically point out to you since when we spoke I was at lunch, during my drive with my son from LA to Davis, and did not have access to my computer to review the letter.
2. The "non-confirming" should have been "non-conforming".

I don't know if it makes any sense to send a corrected letter to the parties to whom you emailed the letter last Friday. I will leave that up to you.

Thanks

Eric Davis

530-400-9899

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**From:** Elssy Solano <[elssy@rifkindlawgroup.com](mailto:elssy@rifkindlawgroup.com)>  
**Sent:** Friday, October 20, 2023 4:37 PM  
**To:** [sbjones@marincounty.org](mailto:sbjones@marincounty.org); [jtejirian@marincounty.org](mailto:jtejirian@marincounty.org); [kkilgariff@marincounty.org](mailto:kkilgariff@marincounty.org)  
**Cc:** [panamadaviseric@gmail.com](mailto:panamadaviseric@gmail.com); Len Rifkind <[len@rifkindlawgroup.com](mailto:len@rifkindlawgroup.com)>  
**Subject:** Rifkind Law & Mediation, PC/ Eric Davis -Proposed Short Term Rental (STR) Ordinance

Dear Planning Commissioners:  
Please find attached Mr. Rifkind's correspondence regarding the subject matter identified above.  
Thank you,  
Elssy

Elssy Solano  
Office Administrator / RIFKIND LAW & MEDIATION, PC  
[elssy@rifkindlawgroup.com](mailto:elssy@rifkindlawgroup.com) | [www.rifkindlawgroup.com](http://www.rifkindlawgroup.com)  
1010 B Street, Suite 200, San Rafael, CA 94901  
t.: 415.785.7988



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**From:** [J. S.](#)  
**To:** [PlanningCommission](#)  
**Cc:** [Kilgariff, Kathleen](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [West Marin Access Coalition](#)  
**Subject:** STRs and Rumors of Corporate Buy Up  
**Date:** Sunday, October 22, 2023 3:59:52 PM

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

Dear Members of the Planning Commission:

**In response to Commissioner Desser's request after my verbal testimony on June 12, I am writing about my research on STRs in West Marin. You may add this to the record.**

We've heard a lot of concern about "corporations coming into West Marin and buying homes for profit." These "investors" seem to be one of the top concerns of folks opposed to STRs. Based on my research, they don't exist. **I reviewed every AirBnB and VRBO listing in West Marin and contacted every associated owner or manager and found zero evidence of true corporate ownership or profit-motivated investment.** To be clear: It was not uncommon to find vacation rental owners that held the title in LLCs for personal liability protection, but these are not the nameless faceless corporations or profit-seeking investors that townspeople are concerned about. Nor was it uncommon to find generational owners or families who made some profit because their purchase took place decades ago. However, I did not find evidence of any owner who purchased a home as a purely profit-motivated investment.

I am not claiming that my research is definitive, but my findings make sense based on the simple math of STR ownership in West Marin. With real estate prices and operating costs where they are, you cannot charge enough rent consistently to make a weekend-only rental pencil as an investment. **Despite the claims, West Marin is not a money-maker for a profit-motivated investor.**

#### Summary of my outreach and conversations with owners

Last November, when the County announced it would be updating its restrictions and regulations of STRs, I didn't learn about it in an email from the County, I learned about it from a neighbor. I reached out to other locals who I knew to rent their house on occasion, or with regularity, and found that nobody was aware of this news. It turned out none of us were subscribed to receive the County's STR updates, and it dawned on me how troubling this was.

Over the next several months, I took the time to comb hundreds of STRs listed on AirBnB or VRBO. All of the profiles were personal and appeared authentic. There was no indication of any company or group ownership, other than families. **Importantly, investment groups**

**almost always have more than one property listed, which is revealed on AirBnB. I found no evidence of this.** There are a handful of local property managers who manage multiple properties, but this is different than corporate ownership. I was able to contact every one of them to confirm the relationship and the nature of underlying ownership structures.

From Dillion Beach to Point Reyes, down to Stinson Beach, I did what anyone can do - I scrolled listings, read host profiles, and messaged each one to let them know that changes to restrictions and regulations were coming. I urged every host to sign up for Marin's STR updates. Because I was sharing highly relevant and urgent information, I also had a very high response rate to my survey. I connected with a lot of folks over Airbnb messaging, and then over email and phone when possible. People were surprised, worried, and wanted more information. I didn't have any to give but I hoped that I could help as many folks like me get the information we deserved.

I heard a lot of stories in my conversations with STR owners. **There is a wide range of situations and reasons for people choosing to rent their property (or part of it), for a little bit or a lot of the year.** One thing that became clear to me was that most folks do it to offset some costs, most hosts are the homeowners themselves and love the job of hosting visitors and take their job seriously (like I do!), and **the only people making money are long-time owners with little or no mortgage and low property taxes.** "Airbnb has been a lifesaver for us," said one senior retiree.

### LLC's

I saw no evidence of "corporate" ownership in the commonly understood sense. It is not uncommon for owners, like my husband and me, to take title in a single-asset, single-member LLC structure to limit personal liability. This ownership structure is simply an extra layer of personal liability protection; it does not mean much on its own. **I did not find a single listing with a nameless, faceless corporate investor. Everyone I contacted was a real person with a real story.**

I did not do the additional work to compare each listing to publicly available ownership records and sort out the LLCs to do further investigation. That said, the true ownership of LLCs is about to become public. **Beginning in 2024, new transparency laws will require public disclosure of beneficial ownership for most LLCs across the nation. With a little bit of effort from the County (or any engaged citizen), my findings could be more firmly confirmed early next year.**

*Does the lack of pure investment interest in West Marin make sense?*

Yes. As an STR owner myself, I know how difficult it is to make any profit running an STR in

West Marin. **The only reliable way to make an STR investment pencil out is to have owned it for a long time.** This is just math. The total cost of ownership for a West Marin property purchased in the modern era cannot reliably be covered by STR revenues. Rental rates in West Marin are at a max 30% if you can rent the property every weekend of the year, and a bit more in summer. This is nowhere near high enough to cover property taxes, insurance, management, administrative overhead, repairs, maintenance, and regularly required capital expenditures, let alone debt service. You might have some good months with July and August, but they don't make up for the majority of months when West Marin only has visitors Friday through Sunday.

Anybody can do what I did with a handful of hours. Airbnb and VRBO are open to all to comb. One by one you can read all the host profiles of properties offered for rent when not in use by the owner. Someone might suggest that these "corporations" or LLCs are disguising their greedy intentions with candid profile shots and seemingly genuine host descriptions but that's not the way big business works. Our neighbors are single women and men, working and retired, families with legacy, and enthusiastic newcomers. We are here because we love and cherish West Marin just as much as anyone else.

Sincerely,

Jeanice Skvaril  
Inverness and Ross

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#); [Lacko, Leslie](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: Vacation rental moratorium  
**Date:** Monday, October 23, 2023 9:01:53 AM

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**From:** bayloanmike@aim.com <bayloanmike@aim.com>  
**Sent:** Sunday, October 22, 2023 2:22 PM  
**To:** PlanningCommission <PlanningCommission@marincounty.org>  
**Subject:** Vacation rental moratorium

You don't often get email from [bayloanmike@aim.com](mailto:bayloanmike@aim.com). [Learn why this is important](#)

Dear Sir,

As an owner of rental property in Stinson Beach I oppose any restraint on personal property rights.

My experience is that long term doesn't work for my house.

Please restore my basic right to do what I want with my own property.

Sincerely,

Michael Hanley



**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#); [Lacko, Leslie](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: Oppose Draft STR Regulations  
**Date:** Monday, October 23, 2023 9:02:20 AM

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

From: Daggett Howard <[dagkip@sbcglobal.net](mailto:dagkip@sbcglobal.net)>  
Sent: Sunday, October 22, 2023 4:20 PM  
To: PlanningCommission <[PlanningCommission@marincounty.org](mailto:PlanningCommission@marincounty.org)>  
Subject: Oppose Draft STR Regulations

[You don't often get email from [dagkip@sbcglobal.net](mailto:dagkip@sbcglobal.net). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Dear Marin County Planning Commission,

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

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

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

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

For the homeowner, the regulations are costly, burdensome, and possibly unattainable. The unprecedented 11-pages of detailed restrictions and requirements will all but ensure compliance failure among a substantial number of homes and result in less lodging to visitors. For those few that can comply, the time and expenses associated with gathering the documentation, additional services, and the annual inspections will lead to a large increase in the overall costs of operation, which will result in increased nightly rates for visitors to the region.

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

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

Sincerely,

Kip Howard  
160 Madrone Ave  
Larkspur, CA 94939

**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Happy Airbnb Hostess and Neighbors  
**Date:** Monday, October 23, 2023 6:13:27 AM

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Lis Addison with email address [lis@lisaddison.com](mailto:lis@lisaddison.com) would like information about:  
I have been an Airbnb Hostess since 2017. The experience has been very positive with no complaints from either guests or neighbors. My guests are respectful, quiet, appreciative and follow my rules as well as the guidelines set out by Airbnb. My guests understand that I am opening my home to them and are appreciative and understanding. My neighbors have not once complained. As a hostess I have met interesting people and have earned helpful additional income. I have followed all the protocols of the county, including paying my taxes on time and notifying my neighbors of my STR, and I also follow the rules and protocols set out by Airbnb which are numerous. This is a business after all and I treat it that way. It dismays me to discover that neighbors and the County are trying to shut us down. I often find the behavior of my neighbors more onerous and disrespectful than that of my guests, for example occasional drag racing and loud arguments. Thank you for reconsidering, Lis Addison

**From:** [Maureen C](#)  
**To:** [PlanningCommission](#); [STR](#); [Rodoni, Dennis](#); [BOS](#)  
**Subject:** Comment letter on STR draft ordinance  
**Date:** Monday, October 23, 2023 8:16:20 AM

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Marin County Planning Commission  
Marin County Board of Supervisors  
3501 Civic Center Drive  
San Rafael, CA 94902

**Subject: Comments on Marin County Draft STR Ordinance**

My name is Maureen Cornelia. I am a full-time resident of Inverness, having lived there for the past 20 years. I'm a registered voter in Marin County. I have followed the work of County staff on the STR issue, participating in the Fall 2022 Zoom listening sessions conducted by CDA. In December, I joined with a group of civically engaged housing advocates in West Marin to assess the impact that the escalating number of STRs is having on our rural coastal villages. We have also taken time understand the approaches that other communities have taken to manage and curtail STR growth. Our group, West Marin Residents for Housing, submitted a detailed comment letter on the draft ordinance last week with recommended changes.

My comments here come from serving 12 years on the board of CLAM (Community Land Trust Association of West Marin), eight of those as Board President. I bring the learnings from those 12 years of many volunteer hours to advocate for and create affordable housing options – both rental and home ownership. I have witnessed the changes that STRs have brought to my Inverness neighborhood and our community.

**Access**

Much of the conversation on the STR issue has centered around access. The public has extensive free access to the Point Reyes National Seashore, GGNRA and CA State parks and beaches. Yet somehow access is now being conflated as synonymous with overnight stay accommodations and is being presented as a justification for more STRs in West Marin. But where in the Coastal Commission public access directive does it specify that overnight accommodations must be within 15 minutes of local hiking trails and beaches? There are numerous hotel/motel accommodations from the Marin 101 corridor out to West Marin. I would hope that County staff has documented the number of rooms offered throughout the County and that those numbers are being considered as STR limits are set.

A related question in considering overnight accommodation options is: **access for whom?** In looking at the nightly rental rates for STRs currently operating in West Marin, they are most certainly out of reach for individuals and families with limited incomes. Instead, STRs are for the most part serving a privileged group of visitors who can afford the steep nightly rental rates. Is that really what the Coastal Commission intended for public access? And what about access for people who work every day to serve our community? The draft STR ordinance does not consider the ways in which STRs are limiting access to secure, full-time housing for local community members and workers who serve our community every day, both full-time residents and visitors.

**Commercial Use in Residential Neighborhoods**

The advent of online platforms like Air BnB, VRBO, Picasa et al has transformed the way that residential housing stock is being used. Those platforms have morphed from their early days of renting a room in a private home into an investment model for property owners, investors and corporations. We have watched as houses in our rural villages are being marketed based on STR revenue – most often purchased with all cash offers. That has left middle income families who need a mortgage to purchase a home out of the game. As an STR, the home becomes a commercial venture in a residential zone. Our residential housing stock is being monetized every day in the STR model, most especially by individuals/investors/corporations who don't live in our communities, don't vote in Marin County and in some cases have no intention of ever living in our communities. With those considerations, how can the Planning Commission possibly approve the draft STR ordinance without requiring significant reductions in the current number of STRs?

### **Fear**

The STR issue became front and center in our communities since the County STR moratorium was implemented, I've talked with community members about their housing situations and how they view the dramatic growth in STRs since 2018. A common sentiment is **fear**:

- <!--[if !supportLists]--> <!--[endif]-->Fear that a landlord will give them notice to leave
- <!--[if !supportLists]--> <!--[endif]-->Fear that the death of the property owner will lead to the sale of the property and their displacement as it is converted to an STR
- <!--[if !supportLists]--> <!--[endif]-->Fear of speaking out about sub-standard living conditions: mold, rat infestations, septic issues
- <!--[if !supportLists]--> <!--[endif]-->Fear of identifying property owners who STR their homes without a County STR license
- <!--[if !supportLists]--> <!--[endif]-->Fear that you as Commissioners, the BOS and County staff will fail us in approving a weak STR ordinance.

Dating back to post-WWII years and going forward, Marin County has not had a good track record in implementing progressive housing policy that promotes equity and diversity. While it boasts of its progressive values and its strong environmental policies, it falls far short when it comes to housing policy.

The West Marin housing organizations and community supporters have done a heavy lift for the County in creating affordable full-time homes. It is undeniable that STRs have contributed to the escalating house costs in our community – both home sale prices and monthly rental costs. Marin is behind in reining in STRs but there are plenty of examples of jurisdictions who have implemented effective STR policies. It's time that the Planning Commission and BOS do the same for West Marin.

Thank you for your consideration,  
Maureen Cornelia  
92 Vision Road  
Inverness

October 21, 2023

Dear County Staff & Planning Commission:

My husband and I own a house in Dillon Beach used by our family and friends so we can go to the ocean and get out of the Sacramento valley heat. We subsidize the substantial cost of maintaining a home at the coast by renting it out as a Short Term Rental (STR). We have been licensed STR operators for that entire time, since 2011. The house was built in 1923 and has been a STR for at least 50 years.

### **Overview**

Seeking to reduce the number of STRs at the coast is contrary to the obligation to provide for visitor accommodations at California's coast – especially accommodations for lower and middle income families.

- Commercial facilities are exempt from the proposed STR rules. Commercial lodgings are typically more expensive for a family than an STR.
  - The new “Tiny Houses” at Dillon Beach rent for \$500/night. My house rents for half of that.
  - STRs allow families to cook and thereby help make a beach vacation affordable.
- Remote work for remote locations – The Planning Commission noted that remote work may make living in places such as Dillon Beach possible.
  - Short Term Renters have said they have tried unsuccessfully to work remotely. The wifi is neither sufficiently reliable nor does it have the speed and capacity required for working – plus Dillon Beach has frequent power outages.
  - Even if working remotely might be possible, living full time in Dillon Beach is expensive and time consuming. One must still shop for groceries and other necessities, take kids to school, buy gas, and go to the doctor's. Dillon Beach provides none of the services.

Marin County states that a primary justification for the proposed STR rules is to increase the availability of lower and middle income long term rentals.

- What have been the results in the other California locales? What data do you have that your desired result has been or can be achieved?
- Does the county have any data showing that long term rentals in Dillon Beach have been turned into STRs? Were there ever any or many long term rentals in Dillon Beach?
- STR properties will not be suddenly converted to long term rentals with implementation of the proposed rules.
  - The cost of mortgage, property tax, property insurance, maintenance and utilities result in monthly rental costs being significantly more than affordable rent for lower and middle income households for owners just to break even.

## **Problems with draft STR rules**

Although many of the proposed new STR rules are reasonable (land line phones, proof of Septic permit, one STR per owner), the overall effect of the rules will increase the cost of visitor accommodations at the coast.

- The Cap on the number of STRs will increase costs to visitors due to reduced supply with no reduction in demand.
- The cost of biennial requirement of septic system inspection by a licensed professional.
- The parking requirement of two off-street spaces per STR. Many Dillon Beach village houses simply do not have the ground to allow for a second parking space. Again, increased cost to visitors due to reducing supply of accommodations.

## **My request – Maintain current county grandfathering of parking space requirements**

The proposed parking requirement of two off-street spaces is contrary to existing county policy, is discriminatory and regressive. Further it attempts to solve an issue that is not currently a problem.

- Contrary to current county policy – Section 24.040.332, Applicability, of Title 24 Development, Chapter 24.04 Improvements, Section 24.04.019, Definitions, III. Parking and Loading – states that the parking and loading requirements in that Chapter, (the 2 space requirement) *apply to new developments*. My house, built in 1926, is grandfathered in with its existing onsite parking for one car.
  - The proposed STR rules single out STRs by eliminating this grandfathering of dwellings built prior to adoption of the two space parking requirement.
  - This STR parking proposal does not address an existing problem. Dillon Beach parking is not plentiful, but is and has been adequate for the existing housing. Vacation renters know this and plan accordingly.
- Discriminatory – The proposed parking requirement discriminates against the small, older dwellings on small lots that are the hallmark and charm of the village at Dillon Beach in favor of the newer, larger and more expensive houses in Oceana Marin.
  - Village houses are in walking distance to the beach – people staying in Oceana Marin typically use their cars to drive to the beach.
  - Most renters come in one car. Village houses are small, most accommodate 2 – 6 guests. Our typical renters are either a family or a group of two – three friends. The drive from the Valley is a little over 100 miles, with high gas prices renters economize and drive in one car.
- Regressive – The State of California along with many local entities have abandoned tighter parking requirements – the opposite of your proposal. The State and land use planners have realized that more parking means less space for actual

housing. Your rules purport to want to encourage affordable housing, but your proposed rules have the opposite effect.

- The rules are also regressive in that current STRs which can't meet the new requirements and can't afford to maintain their houses without rental income - will be sold. Buyers will be wealthier people who do not need the offset of rents to defray costs. No additional long term rentals will result.

By revising the proposed rules on: Caps on STRs, septic inspections and especially the parking requirement, you can help Marin County actually meet the intent of the California Coast Act and its intent to allow for accommodations for coastal visitors of all income levels.

Please re-think your overly restrictive requirements and the adverse effect it will have on reasonable cost accommodations for visitors to our coast.

Sincerely,

Nancy and Tom Smith  
9 Summer Street  
Dillon Beach, CA 95822



**From:** [no-reply@marincounty.org](mailto:no-reply@marincounty.org)  
**To:** [STR](#)  
**Subject:** Draft Short Term Rental Standards September 2023  
**Date:** Monday, October 23, 2023 9:20:09 AM

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Dennis OConnell with email address [dennisococonnell@sbcglobal.net](mailto:dennisococonnell@sbcglobal.net) would like information about:

We licensed our short-term rental business about one year ago. We have found this to be a successful venture. Our property is well-rated, and our guests have been very satisfied with their visits to Marin. We have not experienced a problematic impact on our neighbors. We have collected temporary occupancy taxes for the county. If not for quality short term rental properties like ours, these funds would not likely be recouped by local hotels, but visitors would seek other short-term rentals in the bay area. We entered this venture based on the current regulations, and hope that we will be able to continue to operate based on these rules. We hope that any changes to regulations will apply only to new licensees and that these new rules are favorable to short term rental operators. Caps on un-hosted rentals should be minimized. The restrictions proposed for multi-family properties/condos should be nuanced as there is significant variability of the setup of these properties.

October 21, 2023



Dear Planning Commission and Board of Supervisors,

The Bolinas Community Land Trust (BCLT) has observed a clear connection between an increase in short-term rentals and the decrease in long-term affordable housing in our Community over the past 10-years. We believe BCLT waitlist data illustrates this relationship and have offered to share it with the CDA for their analysis.

Your current proposal will result in a net increase in STRs in Bolinas. This is NOT what we have heard our community wants and needs. The only way to improve this situation is to follow the precedent established by other communities up and down the California coast: substantially reduce the number of permitted STRs.

STR's have escalated dramatically during COVID years. The current drafted ordinance would lock in this COVID-era inflation of housing for commercial use. This point is substantial enough; but the additional truth is that home prices and home sales have also increased during COVID – resulting in a loss of long-term rental housing and an increase of rent prices – all adding to the displacement of people who are of lower and moderate income from our communities. Any ordinance needs to take into account not just numbers of STRs, but all forces that have already acted to diminish opportunities for community housing.

The BCLT staff and Board appreciate this is a complex issue, which is why we defer to the expertise and excellent work of the community members represented by West Marin Residents for housing. We endorse their policy recommendation to reduce the level of unhosted STR's to 2018, pre-Covid levels.

We urge the County planners to reconsider their proposal, and the Coastal Commission to recognize the equity and access issues that are at risk if they do not partner with our community to help preserve long-term affordable housing. We know it is the most vulnerable members of our communities that will be displaced and fear a net negative impact on the socioeconomic, racial, ethnic and other diversity of our community. These are also the members of our community, and every community, who can least afford the high STR rental prices. They deserve access to our coastal areas as well and are often essential workers providing the necessary services that enable others to visit and enjoy this region.

Thank you for considering this important opportunity to help those of us who are working on the ground to fulfill our mission to preserve, create, and sustain permanently affordable housing.

Sincerely,

Annie S. O'Connor  
Executive Director, BCLT

## **Bolinas Community Land Trust**

6 Wharf Rd. #8  
P.O. Box 805  
Bolinas, CA 94924  
(415) 868-9468  
info@bolinaslandtrust.org

### **2023-24 Board**

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*President*

Jeff Clapp  
*Treasurer*

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### **2023-24 Staff**

Annie O'Connor  
*Executive Director*

Jasmine Bravo  
*Project Associate*

Grace Gubbins  
*Communications Associate*

José Leyva  
*Community Organizer*

J. Maalis  
*Project Manager*

Lolo Mora-Lopez  
*Intern*

Sergio Pineda  
*Director of Properties*

Pam Springer  
*Office Support*

A non-profit public  
benefit corporation  
Federal Tax ID 68-0007197

**From:** [PlanningCommission](#)  
**To:** [Kilgariff, Kathleen](#); [Lacko, Leslie](#)  
**Cc:** [Damazyn, Michele](#)  
**Subject:** FW: Oppose Draft STR Regulations  
**Date:** Monday, October 23, 2023 9:02:20 AM

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

From: Daggett Howard <[dagkip@sbcglobal.net](mailto:dagkip@sbcglobal.net)>  
Sent: Sunday, October 22, 2023 4:20 PM  
To: PlanningCommission <[PlanningCommission@marincounty.org](mailto:PlanningCommission@marincounty.org)>  
Subject: Oppose Draft STR Regulations

[You don't often get email from [dagkip@sbcglobal.net](mailto:dagkip@sbcglobal.net). Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Dear Marin County Planning Commission,

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

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

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

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

For the homeowner, the regulations are costly, burdensome, and possibly unattainable. The unprecedented 11-pages of detailed restrictions and requirements will all but ensure compliance failure among a substantial number of homes and result in less lodging to visitors. For those few that can comply, the time and expenses associated with gathering the documentation, additional services, and the annual inspections will lead to a large increase in the overall costs of operation, which will result in increased nightly rates for visitors to the region.

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

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

Sincerely,

Kip Howard  
160 Madrone Ave  
Larkspur, CA 94939

**From:** [Frank Leahy](#)  
**To:** [Kilgariff, Kathleen](#)  
**Cc:** [PlanningCommission](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [West Marin Access Coalition](#)  
**Subject:** Re: Comments on West Marin STR regulations  
**Date:** Monday, October 23, 2023 10:03:03 AM

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

Hi Kathleen,

To me it's all the same County...but maybe there's no one in charge who can say "Hey. all you departments, work together to get the right data together so we can see what's really going on?"

Your comment below: "information about the number of STRs that are owned by LLCs and information about the primary home tax exemption"

Is there a table, like that on [page 4](#), that has that info by town? Do you happen to know where it is?

Best,  
-- Frank

On Mon, Oct 23, 2023 at 9:47 AM Kilgariff, Kathleen <[KKilgariff@marincounty.org](mailto:KKilgariff@marincounty.org)> wrote:

Hi Frank,

We have shared the data that we have available. Some of the data you are requesting would need to come from the Department of Finance and we have been told that they do not have this information. We have been clear in the project record about the limitations of some of our data and the manner in which it is collected.

I would take a further look at Staff Report and the Staff Report and Attachments from the previous Planning Commission workshop as some of this information is in those, including information about the number of STRs that are owned by LLCs and information about the primary home tax exemption.

Best,

Kathleen

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**From:** Frank Leahy <[frank@backtalk.com](mailto:frank@backtalk.com)>  
**Sent:** Monday, October 23, 2023 9:28 AM  
**To:** Kilgariff, Kathleen <[KKilgariff@marincounty.org](mailto:KKilgariff@marincounty.org)>  
**Cc:** PlanningCommission <[PlanningCommission@marincounty.org](mailto:PlanningCommission@marincounty.org)>; Rodoni, Dennis <[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)>; Rice, Katie <[KRice@marincounty.org](mailto:KRice@marincounty.org)>; BOS <[BOS@marincounty.org](mailto:BOS@marincounty.org)>; West Marin Access Coalition <[info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)>  
**Subject:** Re: Comments on West Marin STR regulations

Thank you Kathleen.

I took a look at that web page, but don't see any raw data that would allow someone to dive more deeply into questions such as:

- The number of houses in each area that have filed homeowners exemptions
- The number of houses currently owned by a corporation or LLC
- The number of STRs that are filing tax forms each month
- The number of STRs which are owned by corporations or LLCs
- The number of STRs that have a homeowners exemption filed
- The average, median and P95 number of days STRs are rented per month
- The average, median and P95 of STR income filed each month

Without this data, it's hard to look at something like and know if there's truly a problem.

"10% of Inverness parcels with living units have an STR license"

(see [page 4](#) of MARIN COUNTY SHORT TERM RENTAL ORDINANCE COASTAL ACT CONSISTENCY ANALYSIS)

If the bulk of Inverness STR are people who, like us, live in their homes full time, then that home will never be available as a full time rental, and should be considered differently than a house that is nothing but a full time STR.

The Count has more data. Can it be made available in some type of semi-anonymized form for further study?

Sincerely,

-- Frank Leahy

On Mon, Oct 23, 2023 at 8:39 AM Kilgariff, Kathleen <[KKilgariff@marincounty.org](mailto:KKilgariff@marincounty.org)> wrote:

Thank you for this correspondence. A lot of the numbers you ask for are outlined in [the staff report and attachments](#). I will be sure to include this in the project record and share this with the Planning Commission prior to their meeting today.

Best,

Kathleen

**Kathleen Kilgariff**  
PLANNER

she/her

County of Marin

Community Development Agency

3501 Civic Center Drive, Suite #308

San Rafael, CA 94903

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**From:** Frank Leahy <[frank@backtalk.com](mailto:frank@backtalk.com)>

**Sent:** Saturday, October 21, 2023 2:10 PM

**To:** PlanningCommission <[PlanningCommission@marincounty.org](mailto:PlanningCommission@marincounty.org)>

**Cc:** Kilgariff, Kathleen <[KKilgariff@marincounty.org](mailto:KKilgariff@marincounty.org)>; Rodoni, Dennis <[DRodoni@marincounty.org](mailto:DRodoni@marincounty.org)>; Rice, Katie <[KRice@marincounty.org](mailto:KRice@marincounty.org)>; BOS <[BOS@marincounty.org](mailto:BOS@marincounty.org)>; West Marin Access Coalition

<[info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com)>

**Subject:** Comments on West Marin STR regulations

I read the new regulations with mild amusement, and more than a bit of dismay.

Amusement, because the regulations appear designed to do little more than catch people with little "gotchas", as though that will solve the problem. "One false move and we will strike thee from the list, and never shall ye rent again."

Dismay because numbers are being tossed around by the two sides, numbers that don't add up. And the County could, but isn't, doing anything to set the record straight.

From the October 12, 2023 Pt Reyes Light "Perspective" come these claims:

"year-round average of **\*\*20\*\*** days per month one can expect to have an S.T.R. occupied"

"an S.T.R. ... [can expect to make] **\*\*\$6,000\*\*** a month"

"The S.T.R. bonanza brought in a **\*\*big wave\*\*** of new second-home buyers and investors"

"twice as many - **\*\*870\*\*** - [S.T.Rs](#) in unincorporated Marin [today] as there were in 2018, when there were **\*\*480\*\***"

**\*\*16\*\*** percent of West Marin's housing stock [is] in S.T.R.s"

"[the new] S.T.R. ordinance ... ends up adding **\*\*108\*\*** houses to the current count"

While in a letter to the editor in the same paper was this claim:



"I just can't help think what \*\*63\*\* more houses might do...for the people wanting to both work and live in Point Reyes"

Where did these numbers come from? Are they real? Are they made up? Are they quoted from a reputable source, or simply copied from a dubious source with no provenance?

But the County has real data that it could share -- and my question is, why doesn't it? Why was the County relying on AirDNA numbers (that it now disavows), when it could simply publish real numbers?

The data the County has access to, but has decided not to publish, includes:

(All numbers could be easily broken out by town in West Marin, as all of this data is available by parcel number)

- The number of houses in West Marin, by town (Pt Reyes, Inverness, etc.)
- The number of houses that have filed homeowners exemption
- The number of houses currently owned by a corporation or LLC
- The number of houses that have sold, by year, over the past 20 years
- The number of homes that have sold over the past 20 years, by year, which have homeowners exemption, or are now owned by a corporation or LLC
- The number of STRs that are filing tax forms each month
- The number of STRs which are owned by corporations or LLCs
- The number of STRs that have a homeowners exemption filed
- The average, median and P95 number of days STRs are rented per month
- The average, median and P95 of STR income filed each month

And there's plenty of other ways to slice and dice the existing data the County has.

What we don't measure we can't understand. And what we don't understand we can't fix. Let's start by publishing real numbers, so we can all understand whether there is a problem, and if so, how big it really is.

Sincerely,

-- Frank Leahy

Inverness, CA

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

**From:** [Kilgariff, Kathleen](#)  
**To:** [Sharon Fletter](#)  
**Cc:** [info@westmarinaccesscoalition.com](mailto:info@westmarinaccesscoalition.com); [Rodoni, Dennis](#); [PlanningCommission](#)  
**Subject:** RE: STR Regulations  
**Date:** Monday, October 23, 2023 10:02:30 AM

---

Thank you for this correspondence. I will be sure to include it in the project record and share this with the Planning Commission prior to their meeting today.

Best,

Kathleen

**Kathleen Kilgariff**  
PLANNER  
she/her

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

---

**From:** Sharon Fletter <sharonslifeforce@gmail.com>  
**Sent:** Monday, October 23, 2023 9:58 AM  
**To:** Rodoni, Dennis <DRodoni@marincounty.org>; Kilgariff, Kathleen <KKilgariff@marincounty.org>; PlanningCommission <PlanningCommission@marincounty.org>  
**Cc:** info@westmarinaccesscoalition.com  
**Subject:** STR Regulations

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

Dear Marin County Planning Commission, Ms. Kathleen Kilgariff,  
and Supervisor Dennis Rodoni:

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

**Define the actual problem.** Visitors are not the problem, unless the goal is to have fewer restaurants, fewer options at the hardware and grocery store, fewer local jobs, and fewer artists in the community.

The County has failed to provide any data stating the problem they are trying to address. These draft regulations ensure that the outcome will be to house fewer visitors and to provide fewer job opportunities in the region.

**Marin County is proposing to exclude people from lower economic communities from staying in West Marin.**

The Local Coastal Programs states that "Overnight accommodations are a key element in the

provision of coastal recreational opportunities, since many coastal visitors travel long distances to reach the variety of recreation options found throughout the County. . . Lower costs for overnight facilities . . . helps to ensure that everyone, regardless of economic status, can take advantage of public recreational opportunities.”

Reducing the number of permits allowed in each community undermines the community’s ability to keep “costs low.” So does banning all short-term rentals in more modestly priced dwellings,

such as guest cottages and in-law units. A direct consequence will be to exclude people from the local community. In effect, the County of Marin is telling people from lower economic communities that they can use the parks, just don’t stay overnight in our community.

**Imposing an economic barrier, rather than a physical barrier across Sir Francis**

**Drake:** A physical barrier would be illegal, but the economic barrier will have the same result. This proposal is isolationism at its best and economic elitism at it worse. Essentially declaring that *we have our protected resource, now everyone else stay out!*

**We should be creating incentives for visitors to come and enjoy the unique services (restaurants, art galleries, and nature tours), not putting up barriers to entry.** Why is the County proposing rules that will put businesses and community at risk of losing the region’s greatest economic base and negatively impacting our economic diversification in the region?

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

Sincerely,  
Sharon F  
Mt Shasta, CA

--

**From:** [Sean Callagy](#)  
**To:** [Kilgariff, Kathleen](#); [Rodoni, Dennis](#); [Rice, Katie](#); [BOS](#); [PlanningCommission](#)  
**Cc:** [West Marin Access Coalition](#)  
**Subject:** Re: Comments from WMAC to Draft Regulations  
**Date:** Monday, October 23, 2023 10:18:22 AM  
**Attachments:** [2023.10.23 -- WMAC Report to Marin Planning Commission re Draft STR Regulations FINAL with updated signatures.pdf](#)

---

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Ms. Kilgariff and Members of the Planning Commission:

For your consideration at today's hearing, I am resubmitting the October 11 letter from the West Marin Access Coalition, to reflect additional signatures that have been received in the last 2 weeks. A total of 210 members of the community have now signed the letter. Additionally, the West Marin Access Coalition now totals approximately 350 members.

Best regards,  
Sean Callagy

On Wed, Oct 11, 2023 at 3:57 PM Sean Callagy <[mailseancallagy@gmail.com](mailto:mailseancallagy@gmail.com)> wrote:

Ms. Kilgariff and Members of the Planning Commission:

Please see the attached letter from the West Marin Access Coalition, signed by 123 members of the community.

Best regards,  
Sean Callagy

Report & Recommendations re Draft STR Regulations  
Marin County Planning Commission  
October 23, 2023

October 23, 2023

Marin County Planning Commission  
Board of Supervisor Chambers, Room 330  
Civic Center  
San Rafael CA

***Report & Recommendations Concerning Draft Short Term Rental Regulations for  
Unincorporated Marin County, September 2023***

Dear Members of the Planning Commission:

We are members of the West Marin Access Coalition (WMAC), a grass-roots organization of 350 individuals (and growing), predominantly West Marin homeowners, but including long- and short-term rental (STR) hosts, visitors, local businesses, and concerned citizens interested in preserving West Marin’s tourism-friendly community.<sup>1</sup> We are entirely volunteer-operated and receive no funding whatsoever.

We believe that everyone should have access to the beautiful parks, beaches, and forests of West Marin. This area has a unique and unparalleled range of coastal and outdoor recreation offerings, framed by over 100 miles of coastline in Marin County along the Pacific Ocean and Tomales Bay and their inlets. The area includes three national park units—Golden Gate National Recreation Area, Muir Woods National Monument and Point Reyes National Seashore—collectively receiving millions of visitors per year. Also in or adjacent to West Marin are three spectacular state parks (Mt. Tamalpais, Samuel P. Taylor and Tomales Bay State Parks), and further open space and beaches owned or administered by local agencies and Marin County Parks. Beyond enjoying the coast and open space, visitors come to the region to connect with nature, family, and self.

On June 9, 2023, we submitted a letter in connection with a June 12, 2023 hearing held before the Marin County Planning Commission. The June 9, 2023 Letter was co-signed by 51 members of the community who are concerned with the County’s targeting of short-term rentals (STRs) and ongoing efforts to reduce or eliminate this essential means of visitor access and mainstay of the local economy. Many of our members spoke at the June 12 hearing. Our central message has been consistent: the County’s recent efforts to target STRs under the guise of protecting housing have been misplaced and not backed by sound data or analysis. In its zeal to target STRs, the County risks jeopardizing coastal access for visitors while irreparably harming the local economy.

---

<sup>1</sup> See <https://www.westmarinaccesscoalition.com/>.

Report & Recommendations re Draft STR Regulations  
Marin County Planning Commission  
October 23, 2023

With the following Report & Recommendations, we address the 11 pages of draft regulations released by the County, after several unexplained delays, on September 18, 2023. These draft regulations, relating to the licensure, operation and reduction of STRs in all of unincorporated Marin County, are referred to below as the “September 2023 Draft Regulations” or “Draft Regulations.”

We recommend that the Planning Commission vote to reject the September 2023 Draft Regulations as unworkable, impractical, and inconsistent with the mandates under the Coastal Act and Local Coastal Program that the County provide visitor access to coastal Marin. Our position is explained below. We thank you for your time and attention to this matter which is essential to the security and livelihood of so many members of our community.

This letter has been updated since it was originally submitted on October 11, 2023 to reflect the size of the West Marin Access Coalition – 350 members – and the total number of signatories, now at 210.

With our gratitude,

West Marin Access Coalition

<b>Signatories:</b>	Stinson Beach	Inverness
Sean Callagy Inverness	Bettina Stiewe Stinson Beach	John Arguelles Dillion Beach
Claire Hunsaker Inverness	Payton Stiewe Stinson Beach	Morgan Schwanke Marshall
Rachel Dinno Inverness	Barbara Schwanke Marshall	Garrett Schwanke Marshall
Jess Taylor Inverness	Steven Schwanke Marshall	Maggie Washburn Stinson Beach
Claire Herminjard Petaluma	Winslow Strong Marshall	Richard Volk Stinson Beach
Audry Koh Stinson Beach	Tom Duncan Dillion Beach	Tim Corriero Stinson Beach
Gaeta Bell Stinson Beach	Camille LeBlanc Inverness	Roberta Hawthorne Stinson Beach
Lynn Fuller	Anna McDonnell	Jim Hawthorne

Report & Recommendations re Draft STR Regulations  
Marin County Planning Commission  
October 23, 2023

Stinson Beach	Steven Rubin Stinson Beach	Lori Butler Stinson Beach
Sophia Schwanke Marshall	Anna Sonnerstedt Stinson Beach	Catherine Pickel-Hicks Dillion Beach
Brianna Schwanke Marshall	Irving Rubin Stinson Beach	Rosemary Pickel Dillion Beach
Scott Grooms Stinson Beach	Mike Durrie Inverness	Kris Pickel Dillion Beach
Loren Quaglieri Stinson Beach	Catherine Lucas Inverness	Roger Ravenstad Dillion Beach
Tucker Grooms Stinson Beach	Jesus Cardel Stinson Beach	Ken Abrams Dillion Beach
Griffin Grooms Stinson Beach	Ashley Bird Stinson Beach	Elizabeth Sterns Stinson Beach
Daniel Kramer El Dorado Hills	Nancy Painter Walnut Creek	Gerald Sterns Stinson Beach
Ann Kramer El Dorado Hills	Joe Tobin Stinson Beach	Lauri Hughes Stinson Beach
Yaella Frankel Richmond	Zoe Johns Stinson Beach	Jennifer Battat Stinson Beach
Pat Gallagher Stinson Beach	Jennifer Bowman Stinson Beach	Heather Cooper Stinson Beach
Joan Gallagher Stinson Beach	Bassem Yacoubé Dillion Beach	Tom Cooper Stinson Beach
Sandy Barger Dillion Beach	Jennifer Yacoubé Dillion Beach	Esther Martino Inverness
Erick Alvarez Stinson Beach	Katie Beacock Stinson Beach	Graham Chisholm Point Reyes Station
Warren Hukill Inverness	John Butler Stinson Beach	Jane Thrush Inverness



Report & Recommendations re Draft STR Regulations  
Marin County Planning Commission  
October 23, 2023

James Heyman  
Stinson Beach

Michael Parman  
Inverness

Lulu Taylor  
San Francisco

Lisa Hielscher  
Bolinas

Aaron Ely  
Inverness

James Arrigoni  
Stinson Beach

Rob Hielscher  
Bolinas

Hanna Morris  
Point Reyes Station

Jeanice Skvaril  
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Katherine Kennedy  
Stinson Beach  
Anna Edmondson  
Stinson Beach

Curtis Linton  
Petaluma  
Beatriz Gomez  
Petaluma

Lisa Altman  
Inverness  
Gordon Polon  
Inverness

Peter Rumsey  
Stinson Beach

Juan Gomez  
Petaluma

Ramon Cadiz  
Inverness

James Wayand  
Stinson Beach

Liliana Salgado  
Petaluma

Lisa Hielscher  
Bolinas

Sarah Butler  
Stinson Beach

Maira Garcia  
Marshall

Rob Hielscher  
Bolinas

Nick Tucker  
Oakland

Carolina Renteria  
Inverness

Jhaya Warmington  
Bolinas

Meg Cadiz  
Inverness

Katie Beacock  
Stinson Beach

Adam Warmington  
Bolinas

Michael Anderson  
Forest Knolls

Chip Fuller  
Bolinas

Nicole Brownstein Woods  
Stinson Beach

Brittany Anderson  
Forest Knolls

Neal George  
Bolinas

Lynda Balzan  
Bolinas

John Parman  
Inverness

Susan Raynes  
Inverness

Robert Balzan  
Bolinas

Kathy Snowden  
Inverness

Jim Pettigrew  
Inverness

Julianne Havel  
Inverness

Bojana Miloradovic  
Inverness

Christina Pettigrew  
Inverness

Nick Palter  
Inverness

Report & Recommendations re Draft STR Regulations  
Marin County Planning Commission  
October 23, 2023

Peter Havel Woodacre	Michael Malaney Dillon Beach	Maggie Malaney Dillon Beach
Jan O'Connor Stinson Beach	Michael Wechsler Inverness	Diana Craig Stinson Beach
John O'Connor Stinson Beach	Kay Kimpton Walker Stinson Beach	Jennifer Golub Inverness
Jordana Brondo Mill Valley Ali Palmer Mill Valley	Blythe Friedmann Point Reyes Station Linda Martin Dillon Beach	Dino Wilson Petaluma Heidi Wilson Petaluma
Robert Palmer III Mill Valley	Paula Conrad Mill Valley	Jim Patterson Point Reyes Station
Dimitra Havriluk Mill Valley	Matt Soldo Bolinas	Ann Patterson Point Reyes Station
Felix Chamberlain Inverness	Frank Leahy Inverness	Jennifer Maher Placerville
Don Anderson Stinson Beach	Brian Maggi Dillon Beach	Felicia Casper Yakima, Washington
Mark Talucci Bolinas	Linda Maggi Dillon Beach	Michael Egge Casper Yakima, Washington
Nancy York Inverness	Ian MacColl Stinson Beach	Darlene Casper Yakima, Washington
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Report & Recommendations re Draft STR Regulations  
Marin County Planning Commission  
October 23, 2023

Susan Hayes  
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Steve Wiles  
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Peggy Northrop  
Sausalito

Virginia Erck  
Oakland

Molly Burke  
Novato

Sean Elder  
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David Petta  
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Aran Kaufer  
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Cynthia Kula  
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Linda Wiles  
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Adella Kaufer  
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Linda Shane  
Rohnert Park

Brad Wiles  
Stinson Beach

Eamonn Kaufer  
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Kenneth Shane  
Rohnert Park

Report & Recommendations re Draft STR Regulations  
Marin County Planning Commission  
October 23, 2023

Ingrid Evans  
Stinson Beach

Art Klein  
Stinson Beach

Barbara Borruso  
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San Francisco  
Lee Flynn  
San Francisco

Ann Hobson  
Big Sur

Peter Hobbs DiGrazia  
Bolinas

Alecia Cotton  
Novato

Mary Wiese  
Mill Valley

Joseph Wiese  
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## **I. Introduction & Summary of Analysis**

Because we cover considerable subject matter with this Report & Recommendations, we begin with an Executive Summary and then provide an outline of the detailed discussion points that follow.

### **A. Executive Summary**

The September 2023 Draft Regulations are deeply flawed, and the Planning Commission should vote to reject them. In brief, the Draft Regulations suffer from the following key flaws:

1. The September 2023 Draft Regulations will reduce visitor access by imposing arbitrary numerical caps for unhosted or whole-house STRs—by far the most popular form of rental—that are *lower* than those currently in place. These caps were not arrived at by any form of democratic process, and appear to simply represent the status quo ante from the period immediately prior to the County’s announcement of its intent to impose a moratorium. This would create a permanent moratorium frozen at early 2022 levels. Reducing STRs in this manner will reduce lodging options, especially of more modestly priced homes. The result would be to greatly limit public access to the 100+ miles of Pacific and Tomales Bay coastline in Marin County and the nearly 500 square miles of land comprising all of unincorporated Marin County and each of the parks therein. This would represent the single greatest loss in public access in the history of Marin County, if not the entire state of California.
2. The Draft Regulations will further reduce visitor access to the Coast and unincorporated Marin County by making the ongoing operation of existing STRs so burdensome, costly and uncertain that many STR operators will be driven from the market. Potential operators of new STRs will be discouraged from applying for a license due to the unreasonably high costs and uncertainty of completing an application and qualifying for the onerous criteria the County is seeking to impose. The loss of coastal access will be felt most acutely by visitors of modest means who lack the resources to rent luxury homes or stay in expensive local hotels.
3. The September 2023 Draft Regulations irreconcilably conflict with the Coastal Act and applicable Local Coastal Program by changing the long-standing legal status of STRs from a principal permitted use under current law to a presumptively illegal use absent a County-issued permit. This flaw renders the Draft Regulations vulnerable to being rejected by the California Coastal Commission or overturned via costly legal challenges.
4. The County has not outlined the purpose of the September 2023 Draft Regulations, nor presented data or analysis showing that the Draft Regulations will do anything to increase housing availability or affordability in West Marin,

despite the County's claim that this is the main reason for proposing the Draft Regulations in the first place. The County has likewise presented no data demonstrating what impacts these unprecedented regulations will have on the economy of the region, especially the low- and middle-income workers whose livelihood depends on the local tourist economy. Finally, the County has not shown that the 11 pages of detailed and highly burdensome Draft Regulations are justified by current risks to public health, safety or welfare uniquely created by STRs. Indeed, the County's pivot away from a housing-focused approach and toward enacting hyper-technical and unnecessarily burdensome "health and safety" and "good neighbor" rules—with no showing that current regulations are falling short or that the Draft Regulations will be a net benefit to the community—appears indicative of an ulterior motive to punish STR operators and drive them out of the market.

5. By reducing or taking away an economic lifeline counted on by homeowners and local workers alike, the September 2023 Draft Regulations will destroy local jobs and destabilize the very communities they purport to protect. The Draft Regulations will also reduce tax revenues and Measure W funds that are intended to support fire safety and affordable housing goals—directly undermining the very goal the County purports to be protecting. The County has done nothing to quantify these impacts, much less explain how (if at all) it intends to ameliorate these very foreseeable adverse consequences. This further deprives the Commission of the ability to perform a meaningful analysis of the costs and benefits of the Draft Regulations.
6. The September 2023 Draft Regulations are discriminatory. They single out a long-standing residential property use for unprecedented levels of scrutiny and financial burden, as well as unequal and illegal treatment by local agencies. To give one example, the Draft Regulations would expressly permit water companies to cut water allotments to any property with an STR license, such that any property with an STR license could be allotted *less* water than any other similarly situated residential use. If long-term tenants were treated in this way, housing advocates would be howling in protest. The full extent of the burdens is presently unknown, as the County has not disclosed the anticipated permitting fees or the scope of future administrative regulations to be enacted outside of the democratic process. The Draft Regulations would also deprive STR operators of due process rights by vesting unfettered enforcement authority in the Community Development Agency (CDA). Under the Draft Regulations, the CDA could suspend an STR license based on any claim of violation, with no due process rights or recourse for property owners. Owners are concerned about being subject to the whims of the CDA, an unelected body that has shown unjustified hostility by scapegoating STRs for the last several years for a housing situation that STRs did not create.



7. The September 2023 Draft Regulations will create unintended but entirely foreseeable consequences beyond reducing visitor access, destroying local jobs and reducing tax revenues. For instance, the requirement for highly conspicuous signage announcing that a property operates as an STR will act as an invitation for vandalism or break-ins when guests are away. The County's collection of burdensome levels of private data will also bring unwelcome and unnecessary scrutiny to any individual with an interest in a property operated as an STR while risking data breaches. For example, the CDA has made available for download on its website, perhaps accidentally, the names, addresses and business license numbers of all people currently operating Short Term Rentals in unincorporated Marin County, inviting vandalism and theft to these properties. And, by making the lawful operation of STRs virtually impossible to achieve for many properties, the Draft Regulations will encourage individuals to look for ways to circumvent the law and operate in a shadow market.<sup>2</sup>

For each of these reasons, and as further explained below, we recommend that the Planning Commission vote to reject the September 2023 Draft Regulations.

## **B. Outline of Report & Recommendations**

In this Report & Recommendations, we first provide a Historical Background discussing: (1) the history of the region and the fact that STRs have long played a leading role in providing public access to unincorporated Marin County; (2) housing-related issues in unincorporated Marin County; (3) the unfortunate history of anti-visitor sentiment in West Marin; (4) facts and data concerning the operation of STRs in West Marin; and (5) a discussion of the lack of data presented by the County supporting its efforts to target and reduce STRs in West Marin.

Second, we provide a Regulatory Background discussing: (1) the regulatory framework applied by the California Coastal Commission in the evaluation of STR regulations, and (2) the Local Coastal Program (LCP) in unincorporated Marin County and its applicability to STRs.

Third, we provide a Summary of Comments and Questions received during the Planning Commission's June 12, 2023 Hearing, both from members of the Planning Commission and the public.

Fourth, we provide a detailed Analysis of the September 2023 Draft Regulations. We begin by articulating the major flaws in the September 2023 Draft Regulations, before providing commentary in response to each individual provision.

---

<sup>2</sup> For a cautionary tale of what happens when overzealous bureaucrats try to limit STRs by governmental fiat, see Amanda Hoover, *New York's Airbnb Ban Is Descending Into Pure Chaos*, Wired (Oct. 9, 2023), available at: <https://www.wired.com/story/airbnb-ban-new-york-illegal-listings/>.

Fifth, we provide questions that we suggest members of the Planning Commission ask County Staff at forthcoming hearings, including questions that Commission members previously asked during the June 12 Hearing and follow-ons thereto but which remain unanswered by the County.

Sixth, we provide concluding remarks and a recommendation that the Planning Commission vote to reject the September 2023 Draft Regulations as unjustified, unworkable and inequitable.

## **II. Historical Background**

In this section, we discuss the background of the communities of West Marin and the role played by STRs in the development of the region. We then discuss housing issues in West Marin over time. Next, we discuss the history of anti-visitor sentiment in the region. We then discuss relevant facts and data concerning STRs in West Marin. Finally, we discuss the lack of data the County has presented in support of its efforts to reduce and hyper-regulate STRs in West Marin.

### **A. Development of Unincorporated West Marin and STRs**

The first settlers of European descent in West Marin largely made their livelihoods through ranching, dairying, farming, fishing, and logging. Several small towns in West Marin formed around these activities. Tomales, Olema and Nicasio were each small towns surrounded by agricultural activity. Bolinas formed around a logging and fishing port on the Bolinas Lagoon. With the construction of the North Pacific Coast Railroad connecting East Marin to Tomales and beyond after 1876, other small communities formed and grew along the railroad's route, including communities in the San Geronimo Valley (Woodacre, San Geronimo, Forest Knolls, Lagunitas), the town of Pt. Reyes Station, and communities on the east shore of Tomales Bay (Bivalve, Marshall, Marconi).

As early as the late 19<sup>th</sup> Century, and continuing throughout the 20<sup>th</sup> Century, short-term rentals have been a prominent means of visitor access to West Marin. For decades, many homeowners spent part of the summer in their homes and rented their homes out during periods the property would otherwise be vacant. The term "short-term rental" was not in parlance; these arrangements were simply called "vacation rentals." Often, visitors returned to the same summer home for several weeks or a set month each summer. Vacation rentals were also arranged by word of mouth, classified ads, bulletin boards in town centers, or set up through local real estate offices.

In the late 19<sup>th</sup> Century and into the 20<sup>th</sup> Century, new communities were also formed to serve summer visitors, while existing communities increasingly shifted to hosting seasonal visitors as well. Inverness was formed as a "summer colony" with dozens of small lots platted for cabins along the west shore of Tomales Bay<sup>3</sup>; the area expanded throughout the 20<sup>th</sup> Century to encompass all of present-day Inverness and Inverness Park. Willow Camp formed across the lagoon from Bolinas as a summer destination; it is now known as Stinson Beach. Dillon Beach was formed in the early 20<sup>th</sup> Century as a resort with rental cabins and saw most of its growth in summer homes after World War II. When the Bolinas Lagoon silted in due to logging and the railroad could more efficiently transport the wood and paper products milled at the S.P. Taylor mill, Bolinas also became more of a summer destination for visitors from Marin and beyond.

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<sup>3</sup> Inverness Community Plan, at 1-2, *available at*: [https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/publications/communityandareaplans/inverness\\_ridge\\_communities\\_plan\\_1983.pdf](https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/publications/communityandareaplans/inverness_ridge_communities_plan_1983.pdf).

Throughout the 20<sup>th</sup> Century, and especially following World War II, the region saw a gradual shift away from farming and ranching being the predominant form of land use, toward conservation-oriented and recreational uses. In 1908, President Roosevelt established Muir Woods National Monument. Mt. Tamalpais became a state park in 1912, followed by Tomales Bay State Park in the 1950s. Congress authorized the creation of Point Reyes National Seashore in 1962, and the park was established in 1972 along with the Golden Gate National Recreation Area, which runs from the north end of the Golden Gate Bridge all the way to the southern boundary of Point Reyes National Seashore at Bolinas. Between GGNRA and PRNS, the entire coastline of Marin is held in public trust, primarily by the National Park Service. Marin is thus unique in having all of the coast and coastal zone, with the exception of the villages themselves, dedicated to the public. Many other parts of West Marin are protected or made accessible to the public by conservation easements and the creation of numerous smaller park units. Parks are our history. They are what attract residents and visitors alike, and they are a pillar of the present-day local economy.

Many present-day homeowners first became acquainted with West Marin as visitors staying in “vacation rentals,” now referred to as short-term rentals. Indeed, for much of the history of the region, vacation rentals were the sole or predominant means to visit a community. Many individuals with longstanding ties to the community continue to patronize short-term rentals if they are not fortunate enough to have a home of their own. Of course, first-time and infrequent visitors to the region also use short-term rentals because they provide a private, cost-effective, and authentic way to experience the communities and the coastal recreational opportunities nearby. The County recognized this in its Staff Report in advance of the June 12 Hearing, noting: “A number of communities in the Coastal Zone have traditionally been popular vacation destinations with many homes being used as vacation rentals for many years, if not generations.” Moreover, renting out a vacation home has traditionally been a path to enabling homeownership, as the owner can use the supplemental income to pay down the mortgage and manage the carrying costs. This is a practice very much in evidence today, as many individuals use STR income to afford a home and remain members of the community.

With the advent of online platforms such as VRBO and AirBNB, the rental of STRs shifted from informal and local means (word-of-mouth, classified ads or listings hosted by real estate companies) to centralized platforms. This has made the process of searching for and booking an STR more convenient, secure and cost-effective for individuals while providing a greater share of revenues to homeowners. The effect has been to preserve and increase visitor access without requiring the creation of new large hotels or resorts and the stresses on infrastructure and resources that these entail.

Considering the established history of vacation communities in which STRs have indisputably been a feature of how visitors have accessed the region’s public resources for generations, the County has not presented data concerning the historical levels of STRs by community, nor how they will meet visitor housing needs. While it may be that more homes are now available for rent that would previously have simply sat vacant, thanks to the ease and

security of platforms like VRBO and AirBNB, this Commission has not been presented with a numerical basis for assessing long-term trends in the numbers of STRs over time. What is clear is that STRs are not a new phenomenon, and banning or reducing STRs would not only be contrary to long-standing traditions and local and state policy, it would be deeply unfair and inequitable.

## **B. Housing in Unincorporated West Marin**

As with much of California, the need for housing has been a topic in Marin County and West Marin for decades. From 1940 to 1970, the population of Marin County increased fourfold, from 52,907 to 206,038.<sup>4</sup> In recent decades, many more individuals have chosen to reside in West Marin full-time, creating the pattern of limited housing options and relatively high prices evident today.

Many factors have contributed to a housing shortage in West Marin. In 1971, the Bolinas Community Public Utility District passed an emergency moratorium on new connections to the town's water system. That moratorium, still in effect today, has acted both as a limit on growth and a catalyst for more expensive housing.<sup>5</sup> Other communities such as Inverness have had similar water metering policies and moratoria in place at various times that have limited growth. In addition, zoning rules require single-family homes on large lot sizes in many communities, leading to the construction of expensive homes that are not affordable for lower- or middle-income residents.

With supply limited (or capped outright) and demand increasing over the course of decades, it should come as no surprise that the availability and affordability of housing have long been a concern. The Bolinas Community Plan of 1975, for example, recognized that the price of a single-family home had "increased dramatically" from just 1970 to 1974 (*i.e.*, following the enactment of the water meter moratorium).<sup>6</sup> The same Plan recognized the "increasing difficulty for low- and medium-income families and individuals to find housing in Marin. The elderly and young families with restrict incomes have less and less chance to live here," such that "[o]ut-law buildings and shared households are rapidly becoming the only low income housing in Bolinas."<sup>7</sup> In other words, housing availability and affordability were just as much of a topic in 1975 as they are today.

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<sup>4</sup> See <http://www.bayareacensus.ca.gov/counties/MarinCounty50.htm>, <http://www.bayareacensus.ca.gov/counties/MarinCounty70.htm>.

<sup>5</sup> See Sean Callagy, *The Water Moratorium: Takings, Markets, and Public Choice Implications of Water Districts*, 35 *ECOLOGY LAW QUARTERLY* 223 (2008), available at <https://www.jstor.org/stable/24114645>.

<sup>6</sup> Bolinas Community Plan, at 51, available at: [https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/publications/communityandareaplans/bolinas\\_community\\_plan\\_1975.pdf](https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/publications/communityandareaplans/bolinas_community_plan_1975.pdf).

<sup>7</sup> *Id.*

While housing-related concerns are not new, what is unprecedented is laying the blame for this state of affairs on STRs. A vocal minority has, without evidence and contrary to studies that show this is not the case, claimed that STRs are chiefly responsible for reducing the stock of affordable housing. The County itself has echoed this without critical analysis or evidence, stating without evidentiary support in a recent Staff Report that:

*a high percentage of homes being dedicated to STRs in some smaller towns and villages is seen as hollowing out local communities, adversely affecting the schools and social fabric enjoyed in these smaller towns and villages. Further, there are growing concerns in Marin communities about impacts of STRs on the availability of housing for workforce, families, and community members as well as the ability to build and maintain the human relationships that form community.*

The County's use of the passive voice, and failure to cite evidence, are telling. The County has offered no data or reliable analysis of the impact of STRs on schools, housing, or other aspects of the "social fabric" that anti-STR voices claim are adversely impacted. We implore the Commission to ask the County why it has not presented data and why it has uncritically accepted the unsubstantiated claims and opinions of anti-STR voices in lieu of fact-based analysis.<sup>8</sup>

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<sup>8</sup> For example, the County's Background Information page on STRs relies entirely on unsubstantiated and anecdotal concerns and claims about what effects "may" be flowing from STRs, or what "appears" to be happening, yet never offers proof or data in support. Namely:

*At the time the Ordinance No. 3739 was approved [in 2020], both staff and the Board acknowledged that a number of public commenters expressed concerns about the impacts of STRs on communities and requested reevaluation of the County's STR Ordinance to expand its scope and purpose. [...]*

*Community discussions connected with the Housing Element have indicated that STR uses may be affecting the supply and affordability of housing, particularly in West Marin communities which have become increasingly attractive to homebuyers and where there are relatively small numbers of homes. Overall, it appears that in the context of labor shortages, increased costs, and demand, STRs are increasingly impacting the health and safety of local communities, especially in the West Marin Area.*

See <https://www.marincounty.org/main/short-term-rental-background-information>.

### **C. Anti-Visitor Sentiment in West Marin**

While all can seemingly agree that West Marin is a wonderful place, some residents appear to be of the view that they should not have to share it with visitors. For decades, West Marin has displayed a hostility toward visitors (often derisively referred to as mere “tourists”) bordering on xenophobia. This appears to be especially prevalent among those who are economically privileged enough that they do not need to rely on visitors, or the economic activity they generate, for any part of their livelihood or ability to remain in West Marin. As the drafters of the Bolinas Community Plan put it in surprisingly blunt terms nearly fifty years ago: “It is not the proper business, nor is it the duty of Bolinas to provide overnight facilities for tourists just because we are here!”<sup>9</sup> The California Coastal Commission and Local Coastal Program do not agree with this sentiment, as will be discussed below.

While certain Bolinas residents have long been notorious for tearing down road signs and organizing shadowy anti-visitor groups like the “Bolinas Border Patrol” that leave nasty notes and faux “parking tickets” on visitors’ cars<sup>10</sup>, other communities have shown their own flavors of hostility to visitors as well.

When the Point Reyes National Seashore was being created, residents of Inverness did not want visitors to the park driving through their community. Rather than take Sir Francis Drake, the residents of Inverness advocated for the development of a new “bypass” route that would cut directly across the middle of the National Seashore, across Muddy Hollow, to reach the Point Reyes Lighthouse.<sup>11</sup> This would have caused the destruction of a natural landscape simply to limit visitors from driving on a public road through the community. Fortunately, they were overruled.

This history is repeating itself. In 2018, the County added a 4% increase on the cost of every short-term rental in West Marin, and only West Marin, bringing the county tax to 14% on visitors to West Marin (one of the highest transient occupancy taxes in the nation). And, with the September 2023 Draft Regulations, opposition to visitors and efforts to erect legal roadblocks and reduce overnight stays are on full display.

### **D. Facts and Data Concerning STRs**

Because the County has not fairly presented facts concerning STRs, we endeavor to do so here.

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<sup>9</sup> Bolinas Community Plan, at 59.

<sup>10</sup> See <http://www.adobebooks.com/adobe-blog-scroll/2018/11/11/the-bolinas-scene>;  
<https://www.ptreyeslight.com/news/new-parking-tickets-bolinas/>.

<sup>11</sup> Inverness Ridge Communities Plan (1983), at 100, available at: [https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/publications/communityandareaplans/inverness\\_ridge\\_communities\\_plan\\_1983.pdf](https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/publications/communityandareaplans/inverness_ridge_communities_plan_1983.pdf).

**1. Overnight visitors spend money in the local community.** In addition to the transient occupancy tax revenues, visitors create jobs by spending money in our restaurants, stores and galleries, as well as on wildlife and sporting-related amenities and services. In California’s coastal communities, studies have found that for every \$100 spent on lodging, visitors spend an additional \$69 on food, \$48 on recreational activities, and \$59 on retail shopping. This is supported by a report released by the National Park Service in August 2023 that calculates that the 2.3 million visitors to the Point Reyes National Seashore contributed over \$117 million to the economy of the nearby communities, supporting over 1,120 jobs with an accumulative benefit of \$149 million to Marin’s local economy in 2022.<sup>12</sup>

Other studies return consistent findings: overnight guests contribute far more to the economy than day-only visitors. A 2019 study by the Marin County Visitor’s Bureau and Marin Economic Forum found that “Marin County visitors spend on average \$147 when they stay overnight and just over \$59 when they do not per person per day.”<sup>13</sup>

The County has not calculated how the September 2023 Draft regulations would impact this economy. Nor has the County modeled what the sudden loss of transient occupancy tax revenues would mean for the County’s general funds, nor for achieving fire safety and housing affordability goals that Measure W taxes directly support. The Planning Commission should ask the County why it has not performed any of this analysis, despite purporting to have studied this issue for several years.

**2. Tourism is West Marin’s primary economic driver,** and overnight stays are a vital part of West Marin, ultimately creating jobs and millions of dollars in economic activity, wages and tax revenue. The County needs to encourage overnight visitors, not push them away or deter them with artificially constrained options at prohibitive costs. What will happen if fewer homes are available for vacation purposes? The local economy will suffer a loss of jobs, services and tax revenue; the community will be less vibrant due to the rise in neglected homes, and the middle class who depend on the revenue to pay mortgage and property tax will be driven out of the community and lose their path toward homeownership.

**3. Limiting visitors to the region will result in a loss of jobs, quality services and tax revenue.** Most businesses in our community (from restaurants, grocery stores, artists, shops, galleries as well as operators of farm and oyster tours, cheese and wine tastings) depend on visitors to the region. If people don’t stay in West Marin, they will not shop in our stores, dine in our restaurants, buy our art, rent kayaks, tour and taste delicacies from nearby farms. This will

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<sup>12</sup> See <https://www.kron4.com/news/bay-area/tourism-at-point-reyes-contributed-149m-to-local-economy-report/>.

<sup>13</sup> Marin Economic Forum & Marin County Visitor’s Bureau, State Of The Visitor Industry in Marin County (November 2019), available at: <https://marineconomicforum.org/wp-content/uploads/2020/02/MCVB-visitors-study-120619-Final.pdf>.



result in a decline in the goods and services provided to the existing residents, jobs will be lost, and tax revenue will decline.

**4. Affordable accommodations within the park are slim and becoming more scarce and costly.** There are only four hike-in campgrounds within the Point Reyes National Seashore and limited public and private camping options elsewhere in West Marin that are regularly completely booked during peak times (and not suitable for all visitors). In 2021, the NPS closed the Marin Headlands Youth Hostel and in 2023, NPS transferred the management of the Limantour Youth Hostel from a nonprofit to a corporation. The campground at Tomales Bay State Park is now closed, and the number of overnight spaces at other low-cost options such as Lawson’s Landing has been reduced over time.

**5. Short-term rentals provide a range of affordable options with minimal community impact.** Short-term vacation rentals/homes, spread throughout West Marin, provide many housing options from camping to single-family luxury homes. Visitor housing, spread throughout the region, preserves the unique character of our community, avoids large concentrations around mega-hotel projects, reduces traffic from those that would otherwise be forced to find housing elsewhere and commute to West Marin daily, and ensures that services on which we each depend (groceries, restaurants, and stores) have enough business to economically sustain themselves.

Short-term rentals, dispersed throughout the region, increase both the supply and variety of tourist accommodation, making travel more affordable, especially for families and groups for whom purchasing multiple hotel rooms can be costly. In a recent analysis, short-term rentals were found to be nearly 3x less expensive than hotels, motels and lodges in the region. An assessment of the cost of every available home on a randomly sampled date, in the communities closest to the National Parklands (including Marshall, Point Reyes Station, Olema, Inverness, Bolinas, Stinson and Muir Beach) revealed that the average cost per bed in a single-family home was \$162 per night. In comparison, the average cost of a bed in a single room in one of the six hotels, motels, resorts, and inns is \$427 per night.

In addition to providing a more affordable nightly rate per room, a home provides families with private kitchens and dining areas where they can share meals, lounging and relaxation areas, and outdoor patios and yards, as well as greatly appreciated services such as washers and dryers. For larger families and groups of more modest socioeconomic means, this may be the only way they can afford to spend time in the region. Other visitors from diverse communities value the ability to feel safe and “at home” in a private home in a way that is often not possible in a large hotel or campground. By shutting out these visitors, the County will make an area that already has shockingly little socioeconomic and racial diversity even more exclusive.

The Planning Commission should ask why the County has not considered the needs of diverse visitors and is seemingly willing to bar visitors of lower socioeconomic means from their ability to enjoy a stay in the local communities of West Marin.

**6. STRs fund affordable housing and fire safety.** In addition to providing the most affordable vacation housing on the coast, STRs provide a key funding source for affordable housing in West Marin. Since its inception, the 4% Measure W tax on every STR visit (imposed over and above the County’s 10% transient occupancy tax) has generated over \$3 million for affordable housing and another \$3 million for emergency services. Why undermine or cut off this source of funding for affordable housing and vital, life-saving services?

The Planning Commission should ask why our county officials are targeting vacation rentals when these hosts are providing a much-needed service in a manner that has the least impact on our community’s character and our collective climate footprint while providing the financing that ensures daily services for the permanent residents.

**7. STRs do not drive up housing or rent prices.** A recent study by Oxford Economics<sup>14</sup> has concluded that, in inflation-adjusted terms, STRs contributed just 0.4% to the increase in U.S. housing prices from 2014 to 2021. In the same period, STRs contributed just 0.5% to the increase in U.S. inflation-adjusted rents. In other words, even if STRs had been *banned* in West Marin in the last decade—which of course would not be permitted under the Local Coastal Program—the economic factors affecting housing prices would have been virtually identical, and the housing situation would be the same. Conversely, this shows that the proposed caps and reductions on STRs in the Draft Regulations would have virtually no impact on long-term housing affordability and availability.

**8. The economics of STRs are challenging.** A common misconception among the County and opponents of STRs is that the operation of STRs is so simple and lucrative that they excessively drive up property values, create a huge incentive to drive out long-term tenants, and attract absentee corporate investors. None of these assumptions is true.

Many operators of STRs are only able to defray a portion of homeownership costs and are not anywhere near breaking even in paying for their mortgage, taxes, utilities, upkeep costs, and operating costs (including platform fees, local agent fees, perks for guests, etc.). West Marin visitor patterns are highly weekend-oriented and seasonal, with few visitors mid-week and a significant drop-off in visitors in colder, wetter months. As a result, year-round occupancy rates are often well below 50%. This distinguishes West Marin from markets with sustained year-round demand, such as New York City. Moreover, the spike in visitors seen in 2021 and early 2022 has ebbed as the Coronavirus pandemic has ended and international destinations are open once again. Many owners hope at best to break even or make a small surplus in the summer months and accept that they will make almost nothing and lose money in the winter months.

To illustrate: one single-family house in Inverness’s Seahaven neighborhood saw a total of 34 nights rented over a six-month period from December 2022 to May 2023, an occupancy rate of under 19%. After costs, the operators netted approximately \$800 per month. Even after

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<sup>14</sup> *Understanding The Real Drivers of Housing Affordability, An Assessment of the Role of Short-Term Vacation Rentals*, Oxford Economics, June 2023.

factoring in the higher summer occupancy rates of around 50%, the operators netted just under \$1300 per month on an *annualized* basis. This did not pay even a quarter of the carrying costs of the home. Had the homeowners rented the house on a long-term basis and received the median rent for unincorporated Marin (\$2900, as reported by the County), they would have netted over double the revenue over the course of the year (yet still lost money on the property as a whole). However, a long-term tenancy was not an option for the homeowners, who enjoy spending time with their family at the home as well.

Furthermore, visitors are discerning. They carefully select from among options in picking a home of the appropriate size, stocked with the appropriate amenities and safety features, in their desired location. STR operators have to invest in their properties and quickly respond to guest inquiries to earn favorable reviews. Thus, the operating costs and sweat equity that come with operating an STR are often far higher than for a long-term rental. The communities benefit from this dynamic, as these additional efforts create and support many local jobs.

Several homeowners who spoke at the June 12, 2023 Planning Commission meeting confirmed that occupancy rates have come down substantially from pandemic-era highs, as much as 40% from the high-water marks briefly seen in 2021 and 2022. In tandem with this trend, nightly rates have come down, too. These trends, and other factors making STR ownership a challenge, have been evident in other STR markets nationwide. The County cannot make good policy based on assumptions concerning a brief but extraordinary set of market conditions that is unlikely to recur.<sup>15</sup>

**8. The only “corporations” operating STRs in West Marin are the hotels and motels that the County would exempt from the Draft Regulations.** There is no evidence for the often-heard talking point about “corporate” investors allegedly snapping up properties locally to operate as STRs. Our members have reviewed practically every STR listing in West Marin and were able to identify individuals associated with each property who either reside locally or have long-standing ties to the community. A commenter at the June 12, 2023 Hearing provided numerical support to explain that, at typical property prices in West Marin, it would make no economic sense for a Real Estate Investment Trust (REIT) or other investor-driven entity to buy properties to add to the local STR market—the median nightly rates and occupancy rates would cause each property to immediately lose thousands of dollars per month. The claim that “corporations” are behind STRs or are driving out residents is an empty talking point devoid of evidentiary support. The only instances in which corporations have invested in and driven up prices of overnight accommodations are for larger hostel properties, such as the Marconi Conference Center, which just this year became “part of a larger hospitality portfolio owned by Oliver Hospitality who own multiple high-end properties across the U.S.”<sup>16</sup>

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<sup>15</sup> See <https://www.bloomberg.com/news/features/2023-08-10/why-being-an-airbnb-host-is-much-harder-than-in-the-past?srnd=premium>.

<sup>16</sup> See <https://brokeassstuart.com/2023/06/02/youll-soon-be-able-to-stay-at-an-infamous-cult-house/>.

### **E. The County Has Not Presented Data In Support of its Draft Regulations**

Despite its efforts to blame STRs for various ills, the County has provided no data concerning the historic levels of STRs in prior periods and thus has offered no evidence to contextualize the degree to which STRs have grown in popularity versus simply becoming more visible due to being listed on easy-to-search online platforms. Rather, the County has, time and again, repeated talking points from the anti-STR contingent or cited isolated anecdotes without connecting these to broader trends.

Last year, the County presented projections from companies like AirDNA in lieu of the County's data. After substantial and justified public criticism that AirDNA's projections vastly overstated the occupancy rates and median returns from STRs in the region, the County abandoned these projections.<sup>17</sup> However, the County has not come forward with actual data relevant to occupancy rates and nightly prices. The County has indicated that it does not have such data in readily available form. This is a surprising statement given that each STR operator must submit a monthly report indicating the revenues received. These reports include the number of nights that STR guests have stayed in a home. Why isn't the County using the very data it requires STR operators to submit? Instead of doing so, the Draft Regulations rely on faulty and misleading assumptions.

Further compounding the problem, the County has provided no data concerning how STRs were previously used – *i.e.*, how many homes simply sat vacant when the owners were away. At the June 12 Hearing, the Director of the Community Development Agency admitted that the County does not have this information, meaning it would be pure speculation to assert that today's STRs were yesterday's long-term rentals, or something other than vacation homes that sat vacant for part of the year. It would therefore be further speculation to assume that a property that loses its STR license would convert to a long-term tenancy or low-income housing, perhaps for the first time in the property's history. Indeed, many STR owners have made abundantly clear that they have no interest in becoming long-term landlords. However, the false assumption that there is a direct, inverse correlation between the number of STRs and long-term rentals is at the heart of the County's assertion that by imposing operational barriers and numerical limits on the numbers of STRs allowed to legally operate, it can somehow cause more long-term rentals to come into existence.

Furthermore, the County has presented no data concerning the *intensity* of use. As this Commission recognized during the June 12 hearing, context matters, and there can be a qualitative difference in the impacts made by a home that is used as an STR part-time and

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<sup>17</sup> To give one example of the flawed methodology behind the projections, it appears that AirDNA assumed that any period of unavailability shown on a listing calendar was indicative of a paid booking, ignoring that it was at least equally likely that this was a time in which the homeowner had blocked out the calendar for personal use.

occupied by the owners part-time (which describes the vast majority of STRs in West Marin), versus a property that is solely used as an STR and occupied virtually every night of the year (which are comparatively few). Additionally, we are aware of some STRs that have a TOT license but are currently not available for rent, either because the owners rented in the past but have taken a break from doing so, or because an STR license was acquired “defensively” in anticipation of the moratorium. The County has not collected or presented any data on the intensity of the use of STRs, acknowledging that the Department of Finance does not track such information. Without data concerning the range and intensity of uses, however, there is no basis to accept the County’s assertion that it is now necessary to impose caps or additional, highly burdensome health and safety and “good neighbor” measures. There is also no support for the assertion that a property primarily used as an STR is tantamount to a “commercial use.”<sup>18</sup> Nor is there evidence to support the County’s assertion that reduced numerical limits on whole-house STRs should be implemented in every single community in West Marin.

The draft regulations and the Community Development Agency webpage on STR regulation repeatedly assert that the goal of the regulations is to create affordable housing. As shown above, there is no data to suggest that driving out or hyper-regulating STRs will do anything in this regard. The creation of affordable housing has not been supported by a single piece of data, professional or academic research. It is simply a reiteration of talking points or rationales from non-comparable housing markets by STR opponents. The communities impacted by the proposed regulations are predominantly tourist destinations developed and maintained at great public expense—many of these communities were originally developed exclusively as vacation home communities. The housing stock covered by this regulation is not consistent with the goals of affordable housing creation, offering limited employment opportunities, high cost of living, low transit service and limited public services, especially medical service. Moreover, the housing stock covered by this policy, even if transitioned from STR to other use, would not be affordable based on the level of finish, square footage and location. The ordinance will have the effect not of creating affordable long-term housing, but eliminating affordable short-term housing—reducing the public’s access to the Coast at affordable levels. Affordable outdoor recreation opportunities will be removed with no resulting increase in affordable housing.

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<sup>18</sup> We discuss why STRs are not legally considered a “commercial” use in Section III.B.

### **III. Regulatory Background**

In this Section, we describe the framework that applies to the September 2023 Draft Regulations and other regulations applicable to STRs within the Coastal Zone of Marin County.

#### **A. The Coastal Commission’s Regulatory Framework**

The Coastal Act of 1976 provides the framework for making land use decisions in the state’s Coastal Zone. The Act is administered by the California Coastal Commission. As the Coastal Commission has explained, the Coastal Act emphasizes, among other things, “the importance of the public being able to access the coast.”<sup>19</sup> The Act also “prioritizes coastal recreation as well as commercial and industrial uses that need a waterfront location. It calls for orderly, balanced development, consistent with these priorities and taking into account the constitutionally protected rights of property owners.”<sup>20</sup>

In 2016, Steve Kinsey, then Chair of the Coastal Commission and formerly a Marin County Supervisor for West Marin, issued a guidance memorandum for Coastal Planning and Community Development Directors with respect to the regulation of STRs.<sup>21</sup> While we will not attempt to summarize the entirety of this document, the Kinsey memorandum did note that “vacation rental regulation in the coastal zone must occur within the context of your local coastal program (LCP) and/or be authorized pursuant to a coastal development permit (CDP). The regulation of short-term/vacation rentals represents a change in the intensity of use and of access to the shoreline, and thus constitutes development to which the Coastal Act and LCPs must apply.”

The Kinsey memorandum further noted that “in situations where a community already provides an ample supply of vacation rentals and where further proliferation of vacation rentals would impair community character or other coastal resources, restrictions may be appropriate. In any case, we strongly support developing reasonable and balanced regulations that can be tailored to address the specific issues within your community to allow for vacation rentals, while providing appropriate regulation to ensure consistency with applicable laws.” Further, the Kinsey memorandum stated: “We believe that vacation rentals provide an important source of visitor accommodations in the coastal zone, especially for larger families and groups and for people of a wide range of economic backgrounds.” The memorandum later reiterated its obligation to uphold “Coastal Act provisions requiring that public recreational access opportunities be maximized.”

We will not purport to summarize the various STR provisions and limits that the California Coastal Commission has rejected as inconsistent with the Coastal Act, or the limited

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<sup>19</sup> See <https://www.coastal.ca.gov/coastalvoices/IntroductionToCoastalAct.pdf>.

<sup>20</sup> *Id.*

<sup>21</sup> See [https://documents.coastal.ca.gov/assets/la/Short\\_Term\\_Vacation\\_Rental\\_to\\_Coastal\\_Planning\\_&\\_Devt\\_Directors\\_120616.pdf](https://documents.coastal.ca.gov/assets/la/Short_Term_Vacation_Rental_to_Coastal_Planning_&_Devt_Directors_120616.pdf).

instances in which the Commission permitted limits to be enacted based on the required showings discussed above. However, it is worth noting that, in rejecting as unduly restrictive certain proposals by the City of Half Moon Bay, the Commission reiterated that it “has long recognized that STRs can provide a unique and important source of visitor-serving accommodations in the Coastal Zone, especially for larger families and groups, and has typically found that bans or undue restrictions on this type of lodging are inconsistent with Coastal Act and/or LCP policies prioritizing public access and visitor-serving uses.”<sup>22</sup>

In sum, the Coastal Commission requires that STR regulation be consistent with the Local Coastal Program and maximize recreational access to the public, including for individuals of a wide range of economic backgrounds. And, for limits on STRs to be considered appropriate, the County must come forward with evidence that “a community already provides an ample supply of vacation rentals,” and that “further proliferation of vacation rentals would impair community character or other coastal resources.” To date, nothing in the data or analysis presented by the County meets these requirements. This lack of evidence cannot be backfilled by talking points and mere opinions. Indeed, it is worth noting that many of the communities in West Marin and areas close to the most popular visitor attractions have little to no other overnight options, making STRs the main, of not only, way to experience many unique attractions in West Marin. In short, the County has not explained or presented evidence that the September 2023 Draft Regulations are consistent with the mandates of the Coastal Act and the requirements of the Local Coastal Program.

## **B. Relevant Policies of the Marin County Local Coastal Program**

The Marin County Local Coastal Program consists of a Land Use Plan (LUP), a Development Code, and various maps and appendices.<sup>23</sup> The Community Development portion of the LUP provides numerous community-specific policies. Fully ten pages of the LUP are dedicated to “Parks, Recreation, and Visitor-Serving Uses” (PK).

In the Background to the PK policies, the LUP notes (emphasis added):

*Provision of recreational opportunities in the Coastal Zone is important as a means to preserve the natural landscape, as well as to enable the public to use and enjoy its many parks and recreation areas. Enjoyment of coastal resources increases public knowledge about the value of the natural environment and the need to protect it. **Overnight accommodations are a key element in the provision of coastal***

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<sup>22</sup> California Coastal Commission, City of Half Moon Bay LCP Amendment Number LCP-2-HMB-21-0078-2 (Short Term Rentals and Home Occupations), Staff Report for Feb. 24, 2023 and Mar. 8, 2023 Hearing, at 2.

<sup>23</sup> See <https://www.marincounty.org/-/media/files/departments/cd/planning/local-coastal/2021/plans-policies-regulations-lcpage/new-lup-policies.pdf?la=en>.

***recreational opportunities***, since many coastal visitors travel long distances to reach the variety of recreation options found throughout the County. ***By supporting lower cost overnight facilities and public recreation, the Local Coastal Program (LCP) is helping to ensure that everyone, regardless of economic status, can take advantage of such opportunities.***

Several specific policies further support these goals:

***C-PK-1 Opportunities for Coastal Recreation.*** Provide high priority for development of visitor-serving and commercial recreational facilities designed to enhance public opportunities for lower-cost coastal recreation. [...]

***C-PK-7 Lower Cost Recreational Facilities.*** Protect and retain existing lower cost visitor and recreational facilities. Prohibit conversion of an existing lower-cost overnight facility unless replaced in kind. [...]

Many community-specific policies call for maintaining or increasing visitor-serving facilities and overnight accommodations. For example, in Point Reyes Station:

***C-PRS-3 Visitor-Serving and Commercial Facilities.*** Encourage development of additional visitor-serving and commercial facilities, especially overnight accommodations.

Finally, the LUP recognizes the role of short-term rentals in the LUP, and merely permits the County to regulate—but not reduce or eliminate—the use of “primary or second units” as short-term vacation rentals. And, in implementing this policy, the County must work together with community groups:

***C-HS-6 Regulate Short-Term Rental of Primary or Second Units.***  
*Regulate the use of residential housing for short term vacation rentals.*

***Program C-HS-6.a Vacation Rental Ordinance***

- 1. Work with community groups to develop an ordinance regulating short-term vacation rentals.*
- 2. Research and report to the Board of Supervisors on the feasibility of such an ordinance, options for enforcement, estimated program cost to the County, and the legal framework associated with rental properties.*



Indeed, the County has already implemented two separate Ordinances to “regulate” the STR market. In 2018, the County passed Ordinance No. 3965. This “required neighbor notification of STRs, required renters be provided with ‘Good Neighbor’ house rules, and established a STR Hotline for complaints (which is currently operated by Host Compliance, the County’s third party STR monitor). Additionally, the Ordinance requires STR operators register for a Business License and TOT Certificate, providing accountability and payment of taxes and fees commensurate with the commercial use.”<sup>24</sup>

The County re-enacted and updated certain of these provisions in 2020 with the enactment of Ordinance No. 3739.<sup>25</sup> Thus, the County has already complied with the LUP’s policy guidance to provide regulations. Nothing in the LUP permits the County to cut out community involvement in the way it has done, nor to *reduce* STR access via moratoria, caps or over-regulation. But, with the County’s surprise moratorium enacted via Ordinance Nos. 3768 (initial 45-day moratorium) and 3769 (extending the initial moratorium through May 23, 2024), and now with the Draft September 2023 Regulations drafted behind closed doors and released with virtually no involvement of the communities in question, the County would undermine the policies and requirements of the LUP.

The County’s Implementation Plan for the LUP contains several zoning provisions relevant to STRs that confirm that the County’s efforts to reduce STRs are contrary to law.<sup>26</sup> In particular, Table 5-2-c provides that, in the Coastal Residential Districts that comprise the majority of the areas where STRs are located, “Room rentals” and “Residential accessory uses and structures” are both “principal permitted uses” for which no use permit is required. The County defines “Residential Accessory Uses and Structures (land use)” to consist of and include “any use that is customarily a part of, and clearly incidental and secondary to, a residence and does not change the character of the residential use.” STRs have been customarily a part of residential use for generations in West Marin, as discussed above. Further, the character of the use of an STR is identical to that of a residential use—in both cases, individuals are using a residential property for sleeping, cooking, washing, recreation, etc. Contrary to this longstanding history, the September 2023 Draft Regulations would usher in a fundamental change in land use by treating STRs as presumptively *banned* and unpermitted unless the owner obtains and renews a use permit in the form of an STR license.

In discussions about this issue, some opponents of STRs have espoused the view that the operation of an STR is tantamount to a “commercial use” and thus not within the scope of the above-listed principal permitted residential uses. This is false. *Protect Our Neighborhoods v. City of Palm Springs*, a decision issued by the California Court of Appeal just last year, addresses this issue. In its decision, the Court of Appeal rejected the “STR as commercial use”

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<sup>24</sup> See <https://www.marincounty.org/main/short-term-rental-background-information>.

<sup>25</sup> See *id.*

<sup>26</sup> See <https://www.marincounty.org/-/media/files/departments/cd/planning/local-coastal/2021/plans-policies-regulations-lcpage/new-development-standards.pdf?la=en>.

argument as resting on “a false dichotomy between ‘residential’ and ‘commercial.’”<sup>27</sup> Specifically, the Court recognized that under the applicable Palm Springs ordinance—just as in the above-cited ordinances in West Marin—operating an STR “is a use *customarily incident to* use as a single-family dwelling. An owner customarily can rent out a house short-term as well as long-term. Airbnb did not invent this practice; it just made it easier and more common.”<sup>28</sup>

In other words, whether the owner rents to guests on a short-term basis or tenants on a long-term basis, the fact that money changes hands does not change the character of the *use* of the property by the occupant—it is still being used as a residence. Indeed, if all it took to make a use “commercial” was the use of a property in exchange for money, during which time the owner was not present, then every single long-term rental would have to be recharacterized as “commercial use.” This does not make sense, nor does recharacterizing STRs in this manner.

Because vacation rentals have been a use customarily incident to residential use for generations in West Marin, the novel argument that they are “commercial” uses, and not principal permitted uses under local law, should be rejected outright.

In sum, STRs are a long-recognized, principal permitted form of residential use in West Marin. Their legal status as such is reflected in the Local Coastal Program and its associated policies and implementation materials. These policies require maintaining or increasing visitor access to the Coastal Zone through STRs and other lower-cost forms of accommodation. In seeking to undermine these policies, the September 2023 Draft Regulations would be a step backward and are incompatible with the Coastal Act and Local Coastal Program.

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<sup>27</sup> See <https://www.courts.ca.gov/opinions/archive/E074233.PDF>.

<sup>28</sup> *Id.* at 15 (emphasis in original).

#### **IV. Summary of June 12, 2023 Planning Commission Meeting**

On June 12, 2023, the Marin County Planning Commission held its first meeting devoted to STRs. County Staff first provided a presentation and the results of a survey concerning STRs. This was followed by questions from Commissioners concerning the presentation and Staff Report. The bulk of the meeting was devoted to public commentary, at which approximately 40 individuals spoke. Finally, the Commissioners provided another round of questions and comments before adjourning the meeting. Below, we summarize the questions and commentary from the Planning Commission and then summarize some of the public comments received.

##### **A. Comments and Questions from Planning Commission Members**

We first summarize the questions and comments from Commissioners at the outset and conclusion of the June 12 Meeting.

Commissioner Desser noted the need for public participation in the County's development of draft regulations, and that it was important that all voices be heard, even if it meant hosting numerous focus groups to speak to every interested member of the public.

After the public comment period, Commissioner Desser commented that, in response to specific trash concerns raised about an STR in Marshall, a complaint should be made to the County or the Eastshore Planning Group. She also noted that many communities were historically not comprised mainly of full-time residents, and the trend toward greater full-time residency in West Marin is relatively recent. Further, a one-size-fits-all approach is not appropriate for the various communities in West Marin, including when it comes to regulating or limiting hosted and unhosted rentals. Commissioner Desser also emphasized the need for accurate data and noted the distinction between LLC ownership, which often indicates ownership by individuals, and REITs, which may signify corporate ownership.

On the issue of parking, Commissioner Desser noted that the state is no longer imposing parking requirements for new construction, such that parking rules may not be appropriate or justified here. On health and safety matters, Commissioner Desser noted that achieving basic health and safety standards may not require cost-prohibitive efforts to bring properties into compliance with current code requirements. Finally, Commissioner Desser noted that for many years, STRs were simply called "vacation rentals" and were the only way to stay in the area.

Commissioner Dickinson noted that the Planning Commission had not previously been involved in crafting rules and regulations for STRs enacted in 2018 and 2020. In response, CDA Director Sarah Jones acknowledged this and noted that the County had not previously viewed the issue through the lens of land use or housing, and instead was focused on "good neighbor" and taxation issues. More recently, the focus on STRs as a land-use issue prompted the County to seek the input of the Planning Commission.

Commissioner Dickinson further noted that in Sonoma County, a temporary moratorium was enacted that *exempted* the Coastal Zone because of the Coastal Commission’s policy favoring visitor-serving uses, which precluded Sonoma County from adopting a moratorium in the Coastal Zone. Commissioner Dickinson asked whether the County had received a different opinion from the Coastal Commission. Ms. Jones responded that in the case of Sonoma County, the moratorium was enacted closer to the implementation of final regulations due to a large number of applications. In contrast, Marin County’s intent in imposing the moratorium was to preemptively “stabilize” housing pending further consideration of the issue. According to Ms. Jones, the Coastal Commission understood and was aligned with this approach. County Staff Kathleen Kilgariff also noted that Sonoma County saw a spike in STR applications pending their consideration of new rules, and to avoid this, Marin County sought to “set the number” of STRs to allow planning. She also acknowledged that more STRs have been added since that time in East Marin.

After the public comment period, Commissioner Dickenson noted the potential for unintended consequences from regulations and then asked for data concerning whether outside corporate ownership is truly a factor in West Marin. Ms. Kilgariff noted that other jurisdictions require that a “natural person” operate an STR, but agreed that it is difficult to regulate and enforce ownership in this manner. She also noted the difficulty of determining a primary residence. Commissioner Dickenson noted the difference between occasional rentals versus a property that is solely operated as an STR, and asked whether there is data that bears on this. Ms. Kilgariff and Ms. Jones agreed to look into this, but Ms. Jones stated that it does not appear the case at present that full-time STRs are the predominant form of rental in West Marin. Ms. Kilgariff stated that over half of STRs are owned by trusts, indicating that these are not typically operated in a full-time manner or owned by corporations.

Commissioner Curran asked about the data for the number of bed-and-breakfast units provided in the Staff Report, observing that the Staff Report indicated that there were 27 bed-and-breakfasts listed for a total of 43 housing units, or less than 2 housing units per bed-and-breakfast, a number that appeared questionable. Ms. Kilgariff explained that the County was relying on a mix of parcel data and self-reported data collected by the Department of Finance that the County “cleaned up” and manually adjusted.

Commissioner Curran also noted seemingly incongruous occupancy and income data from the Marin County Visitor’s Bureau. Ms. Kilgariff noted that a table from the Department of Finance may have been flipped, which the County intended to follow up on. Ms. Kilgariff also noted that the data originated from the Department of Finance, whose definition of STRs included any short-term accommodation, including hotels, motels, inns and campsites, and that the Finance Department data did not separately track STRs in residential properties. Ms. Kilgariff acknowledged that this made it harder to garner accurate data about STRs.

After the public comment period, Commissioner Curran discussed ADUs, as well as the need to study hosted versus unhosted options for STRs. Ms. Jones discussed in response some of the County’s measures to encourage the construction of ADUs, as well as septic and water

regulations and ways to assist in conservation efforts. Commissioner Curran agreed with the sentiment that a one-size-fits-all approach across each of the communities in West Marin was not appropriate.

Commissioner Lind asked County staff what the purpose of the meeting was—whether to receive input from the Commission or to listen to public comment and receive information from County staff. Ms. Kilgariff indicated that the purpose was the latter. Commissioner Lind also asked if traditional bed-and-breakfasts were treated the same as STRs or “AirBNB” rentals. Ms. Kilgariff confirmed the land uses were different, namely that bed-and-breakfasts were considered commercial operations.

After the public comment period, Commissioner Lind reiterated the need for data on the types of hosts and STR uses to support any proposed regulations and respond to the varied needs articulated by the public. Commissioner Lind also noted that land use typically does not zone by ownership. Ms. Kilgariff acknowledged the need for improved coordination with the Department of Finance to obtain reliable data moving forward. Commissioner Lind also asked the County to look into flexibility to allow ADUs to be rented as STRs in West Marin.

Commissioner Stepanicich asked whether the County had data as to what percentage of housing units in West Marin were used as long-term rentals. Ms. Kilgariff stated that the County does not have data to answer that question.

After the public comment period, Commissioner Stepanicich asked about how other communities regulate STRs in multi-family housing units and preserve affordable housing.

Commissioner Muralles asked about the County’s data concerning parcels with STRs relative to all parcels with living units, as listed in the Staff Report. Ms. Kilgariff acknowledged that the data may not capture all parcels with more than one living unit.

Commissioner Muralles also asked whether the County had data on housing insecurity in West Marin. Ms. Kilgariff indicated that the County did not have this data at hand, but agreed to look into the issue with the County’s housing team. Ms. Jones noted that in the County’s Housing Element, the County needed to track housing within the Coastal Zone in terms of how many housing units were added in the Coastal Zone, and that in the last 12 years, very few units were added (fewer than 10), whereas nearly 600 units are currently registered as STRs. Ms. Jones acknowledged that this did not show if any of these STRs had previously served as long-term rentals.

After the public comment period, Commissioner Muralles asked about the community’s commitment to affordable housing goals and how the new regulations would reflect a commitment to this goal.

Commissioner Biehle also indicated that she would like to hear more from the County about housing security and its outreach efforts to community members to discuss these issues.

## **B. Summary of Comments From the Public**

In total, approximately 40 members of the public spoke at the hearing. As the Commissioners will recall, members of the public presented a wide range of viewpoints. By our tally, approximately two-thirds of these individuals spoke favorably about the history and benefits of STRs for visitors, homeowners, and the communities as a whole. Approximately one-third of commenters expressed concerns about what they perceived to be some of the downsides of STRs or raised concerns about issues such as trash from a specific neighbor or fears about corporate ownership of property in West Marin. Here, we highlight several common themes that came across in public comments:

- For decades, STRs have been a primary way to provide access to a diverse range of visitors, and are especially important in providing reasonably priced overnight accommodation options, as measured on a per-person basis.
- Several West Marin communities, including those where the greatest number of STRs are found today, have primarily been summer and vacation destinations for much of their history.
- STRs support many jobs in the community, including among low- and middle-income workers, and also allow many community members to remain in the community by partially offsetting the high costs of purchasing and maintaining a home in West Marin.
- There is no evidence of corporate investors purchasing homes in West Marin for use as STRs. One speaker explained why this model would simply not be economically feasible. Namely, investors would not be able to make a positive return given the high prices of properties and the highly viable seasonal occupancy patterns in West Marin.
- Another speaker explained that she had spoken to virtually every STR operator in her community and confirmed that none were backed by outside investors. It appears that some individuals have falsely conflated ownership of a property by an LLC or trust—common structures for individual owners—as indicative of outside “corporate” ownership.
- There is likewise no evidence that STRs have caused other broader trends that have been attributed to them, such as a drop in school enrollments, which were declining long before AirBNB and VRBO were founded.
- Singling out STR properties that were compliant when built for extensive upgrades to meet current codes would be cost-prohibitive and amount to a *de facto* ban on these properties continuing to operate STRs.

- Complaints about noise or trash issues often originate from a single property or tenant. These are not indicative of a broader problem.
- Many commenters called for this process to be data-driven, and were dissatisfied with the County’s reliance on anecdotes and opinions, and failure to collect and present methodologically sound data throughout the process.
- Commenters also called for the County to come forward with data concerning the impact of the present moratorium—*i.e.*, if STRs truly led to housing shortages, one would expect to see a change after the passage of the moratorium in May 2022. Indeed, this was a stated purpose of the moratorium—in Ms. Jones’s words, to have a “baseline” for studying the relationship, if any, between STRs and long-term housing options. However, it appears that the County has not used the moratorium as a time to gather data, instead proceeding with drafting highly restrictive regulations that would reduce STR access both by express caps and by burdensome regulations that will inevitably drive operators from the market.

## V. Analysis of September 2023 Draft Regulations

In this Section, we provide detailed Commentary on each of the provisions in the County’s September 2023 Draft Regulations. We first provide an overview. Below, we provide the text of the draft provisions or sub-provisions, followed by commentary.

### A. Overview

As an initial matter, however, the Draft Regulations are styled as Chapter 5.41 of Marin County Code, and thus to be codified within Title 5 – Business Regulations and Licenses. There is already a Chapter 5.41, currently titled “Notice of Short Term Rentals,” the codification of ordinances regulating STRs that were enacted by Ordinance Nos. 3695 and 3739, passed in 2018 and 2020, respectively. This current code provides, *inter alia*, relevant definitions, the establishment of the STR complaint hotline, local contact person and signage rules, STR tenant notification requirements for good neighbor purposes, and provisions regarding the process for issuing and adjudicating administrative citations. The County has not explained why current Chapter 5.41 has fallen short in the areas it already regulates. Nor has the County explained how to reconcile current Chapter 5.41 with the September 2023 Draft Regulations.

Thus, the legal effect of the new Draft Regulations is unclear. Would the new Draft Regulations repeal and entirely supersede the current regulations in Chapter 5.41? Would some prior provisions be maintained or carried over (*e.g.*, the complaint hotline)? Which provisions does the County intend to maintain, and would they be modified as well in part? In other words, the County has not communicated what the intended end result will be in terms of a final, comprehensive body of law, leading to greater uncertainty in the public as to what the County ultimately intends to do.

In total, the Draft Regulations have 8 subchapters: (1) Purpose of Chapter (5.41.010); (2) Applicability (5.41.020); (3) Exemption (5.41.030); (4) Short Term Rental Licenses (5.41.040); (5) Short Term Rental Property Standards (5.41.050); (6) Caps on the Number of Unhosted Short Term Rental Licenses (5.41.060); (7) Violations (5.41.070); and (8) Definitions (5.41.080). The vast majority of the text of the Draft Regulations—8 ½ out of 11 pages—is found in the subchapters concerning Short Term Rental Licenses and Short Term Rental Property Standards.

Aside from their sheer length and byzantine nature being of serious concern, the substance of the September 2023 Draft Regulations is deeply troubling and retrograde in many regards. Below are the most worrisome provisions that the Commission should be deeply troubled with:

1. **Draft Regulation §5.41.020** – “Applicability” aka “restrict access to public land”—applies to all coastal villages adjacent to the coast and national parks in the county.
2. **Draft Regulation §5.41.030** – “Exemption” aka “the corporate carve-out”—exempts all major facilities and commercial properties from the Draft Regulations.



3. **Draft Regulation §5.41.040(A)** – “License Required” aka “the presumptive ban”—violates the LUP by treating STRs as presumptively illegal absent a permit.
4. **Draft Regulation §5.41.040(C)** – “License Term” aka “the death penalty”—causes the forfeiture of an STR license upon any change in ownership, including the death of a co-owner such as a spouse.
5. **Draft Regulation §5.41.040(D)** – “Administrative Procedures” aka “the due process killer”—gives the CDA unfettered powers of rulemaking, administration, and enforcement.
6. **Draft Regulation §5.41.040(D)(2)** – “License Suspensions and Revocation” aka “guilty until proven innocent”—allows for immediate suspension of STR licenses with no recourse.
7. **Draft Regulation §5.41.040(D)(2)** – “Application Materials” aka “paperwork hell”—requires dozens of hours of homeowner time and thousands of dollars to merely *apply* for an STR license; must be repeated every 2 years.
8. **Draft Regulation §5.41.040(D)(7)** – “Exterior Signage” aka “rob me, please”—mandates visually jarring signage that creates security risks.
9. **Draft Regulation §5.41.040(D)(8)** – “Requirements for Advertisements” aka “rob me again, please”—requires online posting of information that creates additional security risks.
10. **Draft Regulation §5.41.040(I)** – “License Fee” aka “pay us to make you miserable”—allows the County to impose substantial, non-refundable application fees. The County has not stated what the fees will be.
11. **Draft Regulation §5.41.050(B)** – “Restricted Structures” aka “no creativity allowed”—outlaws any non-conventional or creative STR options, even those that cannot be used as long-term housing.
12. **Draft Regulation §5.41.050(C)** – “One Short Term Rental Per Property” aka “you will be a landlord and you will like it”—forces homeowners to remove guest cottages and second units from the STR market.
13. **Draft Regulation §5.41.050(G)** – “Municipal Services” aka “your forced septic system overhaul”—forces septic upgrades as a condition of STR operation.
14. **Draft Regulation §5.41.050(K)** – “Special Events” aka “the no fun rule”—bans weddings and other special events.
15. **Draft Regulation §5.41.050(M)** – “Host responsibilities” aka “the house arrest rule”—bans hosts from leaving their properties at night.
16. **Draft Regulation §5.41.060** – “Caps”—aka “the permanent moratorium”—eliminates 70 STRs, mainly in the Coastal Zone, makes the 2022 moratorium permanent, and enshrines gross disparities among communities.

17. **Draft Regulation §5.41.070** – “Violations” – aka “guilty until proven innocent II” — allows CDA to suspend or revoke STR licenses without due process.

## **B. Detailed Commentary on the September 2023 Draft Regulations**

Below, we provide, provision-by-provision, the language of the September 2023 Draft Regulations, followed by commentary relevant to each passage.

### **1. Chapter 5.41.010 – Purpose of Chapter**

#### **Draft text:**

#### ***5.41.010 Purpose of Chapter.***

*This Chapter establishes standards that regulate short term rentals. This Chapter is enacted to ensure that short term rental activity does not adversely impact the health and safety of residents and visitors, and that such activity is conducted in a manner that preserves existing housing and communities while balancing the protection of private property rights.*

*This Chapter is administered by the Marin County Community Development Agency.*

#### **Commentary:**

1. The precatory language of this section is divorced from what the statute would actually accomplish. The County has offered no evidence that the burdensome proposed provisions would maintain health and safety standards in a manner superior to those already in place. The County also has not shown that the Draft Regulations would “preserve existing housing and communities.” As discussed elsewhere in this Report, they are far likelier to have the opposite effect. The reference to “private property rights” is not credible in light of the extreme burdens and intrusions on both privacy and property rights that the Draft Regulations would impose.

2. Further, the County has not explained why it is appropriate to give sole, unfettered, and unreviewable power of administration to the Community Development Agency (CDA). Notably, the Draft Regulations contain no provisions providing for administrative review, a hearing officer selected from outside the CDA, or an appeal to the Superior Court, all of which are in the current code (Section 5.41.090). Does the County intend to strip away all due process rights currently afforded to STR operators?

## **2. Chapter 5.41.020 – Applicability**

### **Draft text:**

#### ***5.41.020 Applicability.***

*This Chapter shall apply to short term rentals in unincorporated Marin County, except as exempt per Section 5.41.030.*

### **Commentary:**

1. Unincorporated Marin County comprises over 85% of the County's 520 square miles of land and all of the County's Coastal Zone and 100+ miles of Coastline along the Pacific Ocean and Tomales Bay. And these are both the most popular areas with visitors and the areas that the Coastal Commission and Local Coastal Program are charged to protect public access to. These facts underscore the unprecedented scope of this Draft Regulation. It appears that all prior STR regulations considered by the Coastal Commission operated at the level of individual cities; none concerned an effort by a *County* to curtail visitor access to the entire Coastal Zone and the vast majority of the County itself. That a handful of small communities within Marin, such as Belvedere (land area: 0.51 mi<sup>2</sup>), have taken an anti-STR position in no way justified rolling this out to the vast majority of the County.

2. Moreover, despite admonitions from community members and members of the Planning Commission to be sensitive to individual community needs, with these Draft Regulations, the County is taking a one-size-fits-all approach, with the only variety between communities being the extent to which STRs will be capped and reduced (about which we have further commentary below). The County has drafted these regulations with no meaningful input from community organizations and groups, instead compiling a wish list of every conceivable restriction put forward by unelected employees and bureaucrats. This is not how the democratic process is supposed to work.

## **3. Chapter 5.41.030 – Exemption**

### **Draft text:**

#### ***5.41.030 Exemption.***

*This Chapter does not apply to any commercial lodging use including a hotel, motel, bed and breakfast inn, or campground.*

**Commentary:**

1. The County has not explained why it is singling out STRs while exempting all other forms of residential use and large-scale overnight accommodation from any further review or legislation. The County Code provisions addressing Auto Courts, Resorts and Motels (Chapter 5.20) contain none of the drastic and far-reaching provisions put forward in the Draft Regulations, and instead incorporate by reference different state-wide standards. Do campgrounds, resorts, hotels and motels not use water or generate trash and sewage, such that the goals of public health and safety do not apply to them? Of course they do. Are campgrounds, resorts, hotels and motels subject to the unfettered powers of the CDA? No. The fact that the County is taking aim at STRs alone is highly indicative of disparate treatment, if not animus.

2. In public meetings, the County justified regulations in part by stating concerns about corporations buying homes to operate as STRs. Yet the Draft Regulations are solely directed toward small, individually operated vacation rentals while exempting all corporate lodging operators.

3. What justifies holding STRs to different, and far higher and more stringent standards, than actual commercial operations often owned by large corporations and intended to be operated 365 days of the year and exclusively catering to visitors? STRs are used by guests for only part of the year, and very often used by the owners for a substantial majority of the time.

**4. Chapter 5.41.040 – Short Term Rental Licenses**

**Draft text:**

***5.41.040 Short Term Rental Licenses.***

*A. License Required. Advertising or operating a short term rental without a valid and current short term rental license issued pursuant to the requirements of this Chapter is prohibited. A license allows the operation of a single short term rental. Short term rental licenses are not transferable. Once a license expires or is revoked or suspended, the short term rental operation must immediately cease.*

**Commentary:**

1. As noted above in our discussion of the Local Coastal Program, this provision would fundamentally change the land use designations of all residential property in unincorporated Marin and the Coastal Zone. As discussed above, room rentals and STRs are a long-standing use, are clearly residential uses, and are thus legally a principal permitted use. This has been the case for decades, such that STRs cannot be banned as a default without running afoul of the Local Coastal Program and the Coastal Act. The present-day legal status under current Chapter

5.41 of the County Code reflects this, as it merely requires the operation of an STR to be consistent with the provisions therein, including health and safety requirements, notice to neighbors, and obtaining a business license.

2. By changing land use regulations from permitting STRs as of right to *banning* all STRs absent a limited license controlled exclusively by the CDA, the Draft Regulations would usher in a new legal regimen, one that is fundamentally inconsistent with the Local Coastal Program, and likely to be rejected when the Coastal Commission reviews the regulations, and/or via litigation.

3. The ban on operating or advertising an STR without a valid and current license “issued pursuant to the requirements of this Chapter” would immediately render illegal all current STR listings—because none of the current STRs have yet been issued licenses under “this Chapter,” and would not be issued until sometime after the Chapter was enacted. While this was not likely the intent of the drafters, at a minimum it reflects poor draftsmanship.

4. Given the expansive definition of “advertising” under state law, this provision also risks unjustly silencing individuals from offering the use of their property to friends or family even on an informal basis, or engaging in home-swapping, lest it be construed as “advertising” an STR. Once again, through incautious drafting, the County would sweep in activities that are beyond its purview and impinge on free speech rights.

5. The ban on transferability of licenses is not justified and would likely lead to inequitable results. If title to a property (and thus the STR license) is held by one spouse only, and that spouse passes away, the surviving spouse would be obliged to immediately cancel all pending reservations and cease all STR usage—a “death penalty” that cuts off an economic lifeline precisely when it is likely to be most needed, and potentially causing the surviving spouse to lose their home. Other such situations are easy to envision—one generation wishes to transfer a family property to the next, but cannot do so because to do so would lead to the immediate loss of the STR license. Or, siblings wish to transfer property rights among one another or otherwise clarify title. Or, a homeowner marries and wishes to share title with a new spouse. All of these situations would potentially jeopardize the ability to continue operating an STR and potentially lead to forfeiture of the license with zero justification.

6. Finally, the provision that all STR usage must cease if a license is “revoked or suspended” presents serious due process concerns. A license may be suspended without notice if the CDA believes that “the licensee [has] fail[ed] to meet the standards set forth in this Chapter or the requirements of the license.” Draft Regulations § 5.41.040(D)(2). Given the minutiae in the Regulations themselves and the unknown further administrative provisions the CDA may enact, this creates the potential for a Kafka-esque situation where an STR operator sees his license suspended for any alleged failure to comply that he may be unaware of, no matter how trivial or unrelated to health and safety standards. This would upend reasonable investment-backed expectations and require the cancellation of any and all upcoming reservations. Even more troublingly, the requirement that STR usage cease “immediately” upon an edict from the CDA would require evicting an STR guest for the duration of their stay. Many visitors look

forward to returning to the same property year after year, but this Draft Regulation jeopardizes this prospect by making it anyone's guess whether a given STR will still be in business tomorrow, much less a year hence. The lack of any due process rights in the Draft Regulations, or the right to continue operating the STR pending administrative review (which is likewise nowhere to be found in the Draft Regulations), only exacerbates this concern.

**Draft text:**

***5.41.040 Short Term Rental Licenses (continued)***

*B. License For Property Owner. The short term rental licensee must own the property where the short term rental is located. Only one license shall be issued per short term rental property owner.*

**Commentary:**

1. The County has provided no explanation for why this provision is necessary or what effect it would have on current STR operators. A non-owner such as a trustee may manage a property and thus it would make more sense to have a license issued in that person's name.

2. Further, while most owners of STRs appear to operate just one property, some do operate more than one. There is nothing inherently wrong with this, and it is a practice going back decades. The owners are typically individuals with long-standing ties to the community; there has been no showing that absentee or corporate investors are snapping up properties for this purpose. Further, the properties in question typically have been STRs for decades and are relied upon by visitors for some of the most economical overnight options in the area. Cutting them off now makes no sense and would take away visitor access to popular sites.

3. There has been no showing that merely owning more than one STR is contrary to the County's health and safety, good neighbor, or housing goals. Destroying STR owners' investment-backed expectations and forcing the sale of rental properties (for which no STR license can be acquired unless the transferee completes all requirements and is processed through the waitlist) raises takings concerns. It will also demonstrably reduce visitor access. The County has made no showing that eliminating such STRs is likely to convert them to full-time rentals, either. Given that there are very few people who own more than one STR in West Marin, the County should have studied this issue, presented data, and explained why it believes this proposed rule was necessary.

4. Finally, the proposed limit of one STR per person presents enforcement difficulties. Title can be held in the names of one's spouse, children, grandchildren, or other designee, but beneficial ownership may still ultimately reside in one individual. Alternatively, a family may jointly own multiple properties with ownership interests spread among siblings or cousins; will they collectively be limited to one STR because each of their names is on more than one title

document? The County has not addressed how it proposes to police this requirement or shown any regard to impacts in light of currently existing ownership patterns.

**Draft text:**

***5.41.040 Short Term Rental Licenses (continued)***

*C. License Term. A short term rental license expires two years after the date of issuance unless the license is renewed by the licensee for an additional two-year term. The term of the license expires immediately and automatically upon any change of ownership of the property.*

**Commentary:**

1. Together with §5.41.040(A), this draft provision calling for the automatic expiration of STR licenses after two years (or upon any partial change of ownership) would represent a fundamental shift in land-use policy contrary to the Local Coastal Program. Instead of STR operators being permitted to continue operating as of right, the Draft Regulations posit a presumptive expiration date of every single STR in West Marin unless the operator completes anew the burdensome and expensive application requirements. This will inevitably lead to a reduction in the number and variety of STR options if operators are unable to devote the time and money necessary to re-applying for a license every period (or simply miss the application window, for instance, because they have not yet secured a necessary certification from a separate agency, discussed further below). Lower-cost STRs will be particularly impacted, as these bring in more modest returns, and thus owners would be less likely to find it worthwhile to invest the time and resources necessary to re-applying. This will hurt visitors of lower socioeconomic means the most, as they may not be able to afford higher-priced lodging options from hotels or luxury STRs.

2. As noted above, a provision causing an STR license to expire upon “any change of ownership” would cause hardships as well. If a property is owned as community property among spouses, the death of one spouse causes a “change” in ownership as the surviving spouse would now own the property in her individual capacity. Under the draft regulation, however, that surviving spouse would immediately lose the right to continue operating the STR, jeopardizing his or her ability to remain in the community. Further, this rule makes it far more difficult to transfer a family property among members of a family or among generations, as doing so would cause the family to lose their STR license, potentially meaning they could no longer afford to maintain their tie to the community. The County has shown no facts supporting a need to impose rules with such punitive and anti-community impacts.

**Draft text:**

***5.41.040 Short Term Rental Licenses (continued)***

***D. Administrative Procedures.*** *Administrative procedures for short term rental licenses shall be prepared and made publicly available by the Agency Director. These administrative procedures shall set forth the process to apply for, obtain, maintain, monitor, and renew short term rental licenses. The administrative procedures shall set forth a ministerial licensing process based on objective criteria and shall be updated periodically by the Agency Director. The administrative procedures shall be consistent with the license framework set forth in the sections below.*

**Commentary:**

1. The Draft Regulations already propose a very intrusive and burdensome process. They include eight separate new requirements under this subsection, along with 23 additional sub-subsections. But here, the County is signaling that even more is to come in the form of “administrative procedures.” The County has not explained what those additional procedures would encompass or why it is appropriate for the CDA Director to impose them outside of the legislative process, for which there would be no review by the Planning Commission, Board of Supervisors, or Coastal Commission for compliance with the policies of the Local Coastal Program. STR owners are justifiably concerned, as the CDA has shown hostility toward STRs for the last several years, continuing to blame STRs for housing shortages despite failing to present evidence for this accusation.

2. Further, while the Draft Regulations assert there will be a “ministerial” process for issuing STR licenses based on “objective criteria,” there are several areas in which no objective standard has been articulated, and the CDA Director would be given unfettered discretion to deem an application incomplete, for instance, whether one’s garbage service is “sufficient” (Draft Regulation §5.41.040(D)(4)). Moreover, the ability for the CDA Director to impose additional requirements outside of the democratic process is highly worrisome, as it would make the process even more expensive and uncertain, and leave applicants with no form of redress for violations of due process.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D) continued)***

***1. Application Process.*** *An application for a short term rental license shall be submitted by the property owner or their agent (written property owner authorization and contact information is required for an agent to file the application) to the Community Development Agency.*

*No license application shall be accepted until the Agency Director has prepared and made publicly available the administrative procedures.*



*In townships where there is a cap limiting the number of short term rentals, only license applications for legal unhosted short term rentals in existence on January 1, 2024 will be accepted before July 1, 2025. Applications for properties where there is no legal unhosted short term rental in existence on January 1, 2024, will be placed on a wait list until all existing short term rentals have had the opportunity to apply for a license.*

**Commentary:**

1. As discussed above, the Draft Regulations make clear that even more “administrative procedures” are coming that will further complicate the process of applying for and maintaining an STR. Since the CDA Staff drafted these regulations, why have they not also specified or drafted the administrative procedures? The failure to do so leaves the Planning Commission, Board of Supervisors, and Coastal Commission without the ability to assess the full impact of these Regulations, in terms of the costs or impacts on visitor access. It appears that the County is intending that the “administrative procedures” will not be subject to any form of review or certification process. This is undemocratic and contrary to the Coastal Act. Moreover, there is no timeline provided for when the regulations will be prepared. That the County would not accept any applications until the regulations are complete might leave too little time to understand and comply with the regulations, causing STR operators to run out of time and lose their right to operate.

2. Furthermore, by only permitting legal STRs in place as of January 1, 2024 to apply for a permit prior to July 1, 2025, and refusing all other *applications*, and only thereafter placing applicants on a waitlist, the Draft Regulations extend the current moratorium by an additional thirteen months. And, the “caps” not only impose a permanent moratorium on net additional STRs, but they also envision a *reduction* in the number of STRs county-wide, with the greatest reductions proposed for the Coastal Zone. The Board of Supervisors only authorized the current moratorium for a period of two years under a specific declaration of emergency. Without saying so, these Regulations enshrine this so-called “state of emergency” in a permanent fashion, and provide no objective measure for what it would mean for the “emergency” to be over. They impose no housing goals or other criteria that might indicate when and how the County would consider revising the caps. Given the stated purpose of the Draft Regulations to protect and promote long-term housing, the failure to tie any of the current regulations to housing goals or the completion of the Housing Element is unjustifiable.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D) continued)***

***2. License Suspensions and Revocations.*** *Short term rental licenses may be temporarily suspended or permanently revoked if the licensee fails to meet the standards set forth in this Chapter or the requirements of the license. Suspension or revocation pursuant to*

*this subsection will be imposed according to the process described in the administrative procedures.*

**Commentary:**

1. As noted above, the Draft Regulations provide for no measures to protect due process in the suspension or revocation of an STR license, but require the immediate cessation of rentals if the CDA unilaterally deems any portion of the STR or license non-compliant, even a trivial provision of the 11 pages of Draft Regulations plus however many pages of administrative procedures the CDA may later promulgate. This is a recipe for arbitrary suspension of rights. It will require the cancellation of any future bookings and destroy individuals' investment-backed expectations in their properties.

2. The County has not explained why it wishes to put off specifying a process for adjudicating suspension or revocation until the promulgation of "administrative procedures." The current law has provisions for administrative procedures and review. *See* Marin County Code § 5.41.080–.090. The current Draft Regulations would apparently repeal this and place the procedures entirely within the control of the CDA. This is another troubling development that would make the new Draft Regulations subject to less democratic accountability and due process than current law.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D) continued)***

***3. License Wait Lists.*** *The Community Development Agency will maintain short term rental license wait lists for townships where the number of unhosted short term rental license applicants exceeds the number of available licenses. Licenses for qualifying properties on the wait list shall be issued on a first come first serve basis.*

**Commentary:**

1. Under this provision, the CDA will have to maintain community-specific waitlists for each of the 15 communities listed in § 5.41.060. The County has not provided a coherent rationale for the reduced caps and waitlists for unhosted rentals, as discussed further below. And, the fact that caps and waitlists only apply to "unhosted" rentals is indicative of discriminatory treatment of the most prevalent and popular form of rental, as recognized by the Coastal Commission.<sup>29</sup> A recent review of AirBNB listings showed only 9 listings in all of

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<sup>29</sup> California Coastal Commission, City of Half Moon Bay LCP Amendment Number LCP-2-HMB-21-0078-2 (Short Term Rentals and Home Occupations), Staff Report for Feb. 24, 2023 and Mar. 8, 2023 Hearing, at 18 (noting that "it has generally been the Commission's experience that unhosted rentals are the predominant and most popular form of STR in most coastal communities.").

unincorporated Marin County that might qualify as “hosted” listings under the Draft Regulations. By taking away 70 unhosted STRs and substituting in their place fewer than a dozen, less desirable “hosted” listings, the County would be significantly restricting public access to the Coastal Zone.<sup>30</sup>

2. The discriminatory treatment of unhosted STRs is especially worrisome as these are the types of rentals relied on by families or other groups seeking economical and private overnight options. Hosted options may be suitable for individuals or a couple with no children, but anyone who has traveled with children can recognize the difficulty of asking children to observe boundaries in a shared space. The same is true of groups who wish to cook and dine together; having to share the space with a host greatly detracts from the experience. Finally, if a host is required to be onsite during the stay, this will inevitably mean less space for guests, taking away, at a minimum, a bedroom and bathroom that otherwise could have hosted visitors. This will make STRs less economically attractive on a per-person basis, and reduce the capacity county-wide to host visitors.

3. A further concern is that there is no provision requiring CDA to regularly publish data on the status of waitlists, meaning the public may not know whether there is a waitlist in their community, or if so, the likely time it would take for the waitlist to turn over.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D) continued)***

***4. Application Materials.*** *No short term rental license shall be issued unless the application has first been deemed complete. The administrative procedures shall specify all the information necessary for a complete application, including, but not necessarily limited to, the following:*

**Commentary:**

1. The Draft Regulations specify sixteen subparts and four sub-subparts to an application, making for an extremely burdensome, expensive, and uncertain application process. In addition to 115 lines of particularized requirements, 3 of these line items include additional, unspecified, multi-tiered, multi-page inspections (modeled after cities that have self-inspections), but go even further. In addition, there are layers upon layers of requirements: several requirements simply cite code to other regulations and state that the homeowner needs to address everything in

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<sup>30</sup> Opponents of STRs in West Marin have argued, incorrectly, that the lower caps actually would permit more unhosted STRs in West Marin. An unstated premise of this argument is that the proposed reduced caps are higher than the actual number of unhosted STRs currently operating. The County (and anti-STR voices) have presented no data showing this to be the case. Given the scant number of rentals apparently meeting the County’s proposed new stringent standard for “hosted” rentals, this argument is untenable.

different code sections throughout other governmental regulations. A homeowner would have to hire an attorney simply to understand the application requirements.

2. Further, there is no requirement that the CDA review applications within a specified time period or provide feedback as to what in an application may cause it to be “deemed” incomplete.

3. Of even greater concern, with the prefatory language above, the County is signaling that the CDA wishes to impose additional requirements via the forthcoming administrative procedures. The fact that a “complete application” would include but “not necessarily [be] limited to” these already-burdensome requirements is highly troubling. And, the provision is written such that the CDA may “deem” an application incomplete for an unstated reason. The County needs to be transparent and explain what a completed application *will* include, not the partial list it has provided.

4. In sum, the draft application requirements and allusion to further administrative procedures appear to represent a compilation of everything every department head or unelected official within the County could think of throwing at a small mom-and-pop industry. This is in addition to adding every requirement every city regulating STRs has ever required, plus a wish list from other bureaucrats for any other requirement they would like to see imposed on homeowners. This is an unprecedented attack on the right to use one’s property in a “principal permitted” manner that goes back generations. With the Draft Regulations’ application requirements alone, the County may have drafted the most onerous STR regulations ever conceived of.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D)(4) continued)***

*i. The name(s) and contact information for all property owners. If the property owner(s) applying for the license own/s less than a 100% fee interest in the property, then such property owner(s) must provide proof that all persons and/or entities with an interest in the property consent to such application and license. If the host is different from the property owner, their contact information must be listed as well. All adults for whom the property provides a permanent residence shall be listed.*

**Commentary:**

1. This provision raises significant privacy concerns. Any individual with an ownership interest (no matter how small or remote) must complete paperwork and provide personal contact information and consent merely for the application to be deemed complete. This appears to be part of how the County intends to police its new “one STR per person” and “no corporations” policies. Many properties in the region are owned by a mixture of individuals, often from different generations. Requiring burdensome paperwork from each of them seems to be an

unnecessary hurdle not intended to protect valid interests, but to simply make it harder to apply for and receive an STR license. And, privacy concerns are valid here. The CDA is currently making available for download on its website, perhaps accidentally, the names, addresses and business license numbers of all people currently operating Short Term Rentals in unincorporated Marin County, inviting vandalism and theft to these properties.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D)(4) continued)***

*ii. The name of the local contact person for unhosted short term rentals, if different from the property owner, and an email and telephone number at which that party may be reached.*

*iii. Address and Assessor's parcel number for the property where the short term rental is located.*

*iv. Rental unit type (i.e., hosted or unhosted short term rental).*

*v. Number of bedrooms and bathrooms.*

**Commentary:**

1. Requiring objective data about the property is not in itself objectionable. However, as discussed below, the draft definitions of “hosted” and “unhosted” STRs are vague and raise compliance concerns in their own regard.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D)(4) continued)***

*vi. Total number and dimensions of onsite parking spaces.*

**Commentary:**

1. We agree that it is a good goal to avoid parking conflicts, and virtually all STRs currently have more than adequate parking. The County thus has not shown a need for requiring dedicated “onsite” parking spaces. Some STRs in village cores may not have parking dedicated to particular units, yet adequate parking may be available in the neighborhood without adversely impacting other residents or creating unsafe conditions. In the case of San Rafael, a parking plan is only required if a property with an STR shares parking with other properties. The County should implement a similar requirement here—only requiring a diagram and parking plan where an STR shares parking with other properties or there are *bona fide* parking complaints or documented safety-related concerns. Requiring measurements and diagrams of every single

parking space for every single STR in West Marin is unnecessarily burdensome and regulatory overkill.

2. Furthermore, as noted at the Planning Commission hearing on June 12, state law no longer requires identification and creation of parking for new construction. Thus, this Draft Regulation reflects an outdated mindset and legal framework. Requiring two dedicated parking spots for every single STR is not good land-use or environmental policy, and is contrary to the goal of encouraging people to visit via other means of transportation.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D)(4) continued)***

*vii. Site Plan showing:*

*a. Location of all existing buildings and location and dimensions of on-site parking.*

*b. Floor plan showing all rooms with each room labeled as to room type, and location of fire extinguishers, smoke and carbon monoxide alarms.*

*c. Location of waste containers.*

*d. If the rental property is served by a private water supply (well or spring) and/or a private sewage disposal system, the location of any existing or proposed septic system, including dimensions and sizes of the septic tank, disposal fields, and reserve area, and wells and water systems on the subject property.*

**Commentary:**

1. To comply with these regulations, STR owners would have to hire architects or draftspersons to visit, document, and measure their site, and thereafter prepare a detailed site plan. It is difficult and expensive to hire qualified individuals to do this in remote parts of the County. This would likely cost anywhere from \$500 to \$1000, plus the owner's time. By treating the mere rental of a property as tantamount to seeking a building permit or other major change for which a site plan is required, the County would violate and undermine the LUP's designation of STR usage as a customary incidental use and thus permitted as of right. Certainly the County is not proposing site plans for any other form of residential use, including long-term rentals, reflecting once more a discriminatory approach to STRs.

2. The County has not shown a need for any of this—that the creation of detailed site plans is justified by current needs, or that problems have arisen that these provisions would address. This appears to be singling out STRs for make-work and more stringent regulations than apply to any other properties or residential uses in the County. In addition, these interior

site plans would become public information, which further raises security and privacy concerns for homeowners.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D)(4) continued)***

*viii. If the rental property is served by a private water supply (well or spring), provide proof of a water supply permit with the County's Environmental Health Services Division and potability with a current bacteriological test.*

*ix. If the rental property is served by a private sewage disposal system, provide proof that the system is documented with the County of Marin Environmental Health Services Division and provide an inspection report for proper operation by an approved licensed professional.*

**Commentary:**

1. Beyond the costs of site plans identified above, documentation and certification of water and sewage systems every two years (far more often than justified) would cost homeowners thousands of dollars more. As most properties in West Marin are on septic systems, these requirements will impact a substantial majority of STRs, and all STRs in certain communities, like Inverness. This will create massive compliance costs and reduce the range of STRs available to visitors.

2. Further, singling out STR operators for stringent new sewage requirements that would not apply to any other form of residential use is unfair. Many homes were code-compliant when built and do not pose any known health and safety risks. Bringing them up to current standards such that they can receive certifications under today's standards may be cost-prohibitive and drive these STRs from the market, jeopardizing the homeowners' ability to keep and maintain their property. If the County were to impose the same requirements on all homeowners or long-term tenants, it would have to analyze their impacts and weigh costs and benefits. (Indeed, some of the same voices seeking to reduce STRs would likely object that these requirements would make it difficult, if not impossible, to continue providing long-term rentals on a cost-effective basis). Indeed, that the County is singling out STRs for standards that would not apply to any other residential use, including long-term leases, suggests that the County is using these provisions as a pretext to forcibly convert STRs to other uses, such as long-term rentals.

3. Aside from the discriminatory nature of this provision, the County has done nothing to model the impact of these regulations on ongoing STR operations. If the County is imposing these requirements on STRs as a mere prelude to imposing similar requirements on all other residential uses and long-term rentals at a later date, the County should disclose as much and give all owners the opportunity to assess compliance costs and a reasonable timeline for seeking to come into compliance.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D)(4) continued)***

*x. Bills from a hauler as proof of a minimum level of service with an authorized waste collector that is sufficient to handle the volume of garbage, recyclable materials and organic materials generated or accumulated.*

**Commentary:**

1. The County has provided no analysis or data to support this regulation. The County has not explained whether there have been a high number of complaints regarding waste from STRs, nor any study indicating that STRs are under-served in their waste-hauling arrangements. While some individuals at the June 12 Hearing raised complaints about waste, these complaints inevitably related to a single property or operator who was not following existing rules. The solution to this is for the County to enforce its current rules. The County has not explained, however, why the current regulations and enforcement mechanisms are insufficient to address any of the situations described at the hearing.

2. Furthermore, this draft provision is vague and fails to provide an objective standard. What level of service is “sufficient”? This will apparently be entirely for the CDA to determine in its sole discretion, which will allow it to impose higher costs on STR operators than are justified. What standards are to be applied? How will the director of CDA evaluate the level of service required? Without justifications and objective standards, what will prevent the director of CDA from requiring that homeowners purchase expensive and unnecessary add-ons?

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D)(4) continued)***

*xi. Proof of a working landline phone, Voice Over Internet Protocol, or National Oceanic and Atmospheric Administration (NOAA) radio.*

**Commentary:**

1. The County has not presented data showing why this provision is necessary. According to County staff, the Office of Emergency Services asked that this provision be included. But nobody has explained why it is necessary or whether there are less intrusive means to accomplish its goals.

2. The fact that this Draft Regulation is unnecessary is illustrated by the fact that STR platforms like AirBNB provide means of direct contact for the host and visitors. And, virtually all STRs offer internet service, but no visitor in 2023 would expect to find a working landline in



a rental (and if the phone rings, most visitors will not answer). VOIP services and NOAA radios may be comparatively less expensive, but will still impose recurring costs. And, most guests would not think or know how to use these services in an emergency.

3. In sum, this Draft Regulation would impose costs that are not required of any other form of residential use, nor of long-term rentals (despite there being an arguably greater need for such measures in long-term rentals), nor commercial forms of overnight visitor accommodation such as hotels, motels and campgrounds. The County should not single out STRs in this manner.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D)(4) continued)***

*xii. Documentation of a vehicular evacuation route from the short term rental property to an area of safety in case of an emergency, including proof that the evacuation route is posted near the door of the short term rental.*

**Commentary:**

1. Providing emergency evacuation information is sensible, however, the County has not indicated what it would deem sufficient “documentation” or whether it would require STR operators to create such evacuation routes. If so, this will be another significant cost to operators. If, on the other hand, the County is willing to provide maps, it can be relatively simple to provide these to guests, so long as the map is appropriate for the location of the property and does not contain confusing or superfluous information (such as the location of “paper streets”). However, there is no need for the County to micro-manage where within a property such route information is posted, as it may not make sense to post the information near the main entry door.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D)(4) continued)***

*xiii. All short term rental applicants shall provide a self-certified building safety inspection upon permit application or renewal.*

*xiv. All short term rental applicants shall provide a self-certified fire-life safety inspection upon permit application or renewal.*

*xv. All short term rental applicants shall provide a self-certified defensible space inspection, conducted within the preceding twelve months, upon permit application or renewal.*

**Commentary:**

1. Encouraging building safety, fire safety, and defensible spaces is not objectionable. (Indeed, the County would be wise to promote this for all residential uses.) However, some defensible space standards, if rigorously applied, would invalidate STRs in forested areas of Marin. The County should thus specify and indicate what each of these self-certifications would entail, to ensure that the checklists contain objective, ascertainable standards, and do not bake in unobtainable standards that are not justified by valid safety concerns or would make the operation of an STR prohibitively expensive relative to other forms of use.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D)(4) continued)***

*xvi. All short term rental applicants with properties served by a local water provider must provide water use bills. If the water use documentation demonstrates short term rental water use exceeding an average of 250 gallons per day, or a lower limit established by the local water provider, the short term rental license renewal application shall include strategies to reduce water use to below an average of 250 gallons per day during the next year. If water use is not reduced as required, the license shall not be renewed.*

**Commentary:**

1. The County has presented no data concerning water use by STRs. Despite this lack of data, under this draft provision, the County or local water providers could impose stricter water-use requirements than would apply to any other residential use, long-term rental, or form of overnight accommodation (hotels, motels, etc.). This would be particularly unfair for properties that serve as an STR part-time and are used by the owners part-time.

2. If a local water provider were to set a lower water use cap, owners of STRs could be put to the choice of giving up their STR license or not being able to enjoy their own properties on an equal footing to other community members. The power to curtail water rights to STRs would act as a second, “stealth cap” on STRs by community. Current and former board members of local water companies such as BCPUD and IPUD have gone on record to oppose STRs, so the concern for unequal treatment is not merely hypothetical.

**Summary of Commentary of Draft Section 5.41.040(D)(4) Application Requirements:**

1. The detailed requirements of Section 5.41.040(D)(4) of the Draft Regulations would force STR applicants to comply with sixteen detailed requirements and various sub-requirements merely to *apply* for an STR license. Conservatively, we estimate that the minimum costs of compliance for each two-year period would range from \$1500 to \$5000 and require between 20

and 40 hours of preparation time. And there would be no guarantee that these costs would lead to a permit being issued. For certain requirements, such as bringing septic systems to current standards, compliance costs can amount to tens of thousands of dollars. The prospect that the CDA would impose additional procedural requirements or non-objective criteria could increase these requirements as well. It is thus inevitable that the Draft Regulations will dramatically increase compliance costs, drive many STRs from the market, and deter applicants from seeking to operate an STR in the first place. The STRs that remain will likely raise costs due to the lack of supply and due to the need to recoup the substantial costs imposed by the Draft Regulations. The County has not provided data justifying these new requirements, nor any estimates regarding compliance costs or the effects of implementing these regulations on the availability or price of visitor accommodations. The County thus has no basis to estimate what impact these Draft Regulations will have on visitor access to West Marin.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D) continued)***

***5. Public Notification.*** *Within five days after issuance of a short term rental license, the Community Development Agency will provide written notification to all properties within a radius of three hundred feet of the property with the short term rental.*

*The notice shall indicate that the subject property will be the location of a short term rental and provide the name of the local contact person or host, the phone number and email address for the local contact person or host, and the street address of the short term rental.*

**Commentary:**

1. We do not object to notifying neighbors of STR usage. In fact, the Regulations enacted in 2018 and 2020 provide for such notice. The County has not explained why it believes existing procedures are insufficient. Indeed, in our experience, notifying and speaking to neighbors about intended STR usage performs a salutary function, as it encourages neighbors to discuss any concerns in an up-front manner and promotes the resolution of any issues before a problem arises. The County has not explained why it would make sense for the CDA to take over this function and cut homeowners out of the process. At a minimum, this would mean increased costs for County personnel to handle this function, which costs would be passed onto homeowners. This is not a good policy.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D) continued)***

***6. Tenant notification of County Rules.*** *The owner or operator of the short term rental shall post a County-prepared information sheet inside the unit and provide the tenants with a "good neighbor" brochure, developed by the County, at the time of their arrival.*

**Commentary:**

1. We do not oppose notifying guests of basic information and “good neighbor” policies; in fact virtually all STR operators already do so as part of their “House Rules” on STR platforms. However, requiring that information be “posted” on a given wall or door can create an eyesore. Private homes are not the same as workplaces and lunchrooms regulated by OSHA. Further, this would be yet another discriminatory provision as there is no requirement that long-term rentals or commercial accommodations hand out “good neighbor brochures” (or any other government-prepared literature with a catchy and Orwellian name). Absent documented problems—of which the County has presented no evidence—it should be sufficient for STR operators to make relevant information available to review in a house manual (physical or online) or other location likely to be reviewed by guests without plastering it to walls and doors.

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D) continued)***

***7. Exterior Signage.*** *Each short term rental shall be identified with a single exterior sign that includes the name of the local contact person, the phone number and email address for the local contact person, and the street address of the short term rental. At a minimum, the sign shall be posted while the unit is being used as a short term rental. The sign shall be made of durable materials and 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.*

**Commentary:**

1. The County has, once more, not explained or presented data showing that fixed exterior signage is necessary. This provision would, at a minimum, impose additional compliance costs and create an eyesore.

2. The unintended consequences of this Draft Regulation will invite property damage, create security issues, and negatively impact our neighborhoods. When not occupied by the homeowner or rented as an STR, these homes are empty. Once identified as an STR home beyond the immediate neighbors, the larger public will know when the home is empty. A sign, or in this case, the temporary absence of a sign when guests are not on-site, will notify the public

that the home is likely empty, which will invite vandalism and theft. As a consequence of the County's action, property will be exposed to vandalism and squatting. Is the County prepared to take responsibility for the property damage due to the Board's action? Is the Sheriff's Department prepared for more calls to their office and more property inspections?

3. In addition, streetside signage will visually harm the neighborhood aesthetic of our rural community. A sign, visible from the street, changes the look and feel of a community. There is a reason that the Board of Supervisors did not support this effort in early 2018 when considering prior STR regulations. Communities reject the visual degradations of the landscape. Why is the County trying once again to lower the aesthetic quality of our neighborhoods in West Marin?

4. Under County Ordinance No. 3695, STR hosts are required to notify their neighbors of the permit, and to provide personal contact information and hotline information. The Draft Regulations likewise provide for written notification to all neighbors. Why is the county requiring so much redundancy and in a manner that will have a negative impact on property and the neighborhood?

**Draft text:**

***5.41.040 Short Term Rental Licenses (subpart (D) continued)***

***8. Requirements for Advertisements.*** *All permitted short term rentals shall include the following information in any online or printed advertisement:*

*i. Valid Marin County short term rental license number.*

*ii. All permitted parking locations and the quantity of vehicles that fit on said locations.*

*iii. Further information where applicable as specified in the administrative procedures, such as water use restrictions.*

**Commentary:**

1. The County has not provided a reason or data to support the need for minutely specifying the contents of STR advertisements. Posting one's STR license number to all online forums could invite phishing and data and identity theft. There is likewise no reason to require that all listings include parking locations and number of vehicles. Indeed, posting a property diagram and the precise location of the property and parking spaces *prior* to booking creates a security risk for vandalism and break-ins. A bad actor could peruse listings, identify all STR properties in a neighborhood, and then if any of the designated parking spaces are empty, identify an STR home as unoccupied and a prime target for vandalism, break-ins, or squatting.

This is why STR platforms do not provide exact address information until after booking. This Draft Regulation would undermine this essential security feature.

2. Finally, the “catch-all” provision requiring the inclusion of any information specified in yet-to-be-drafted “administrative procedures” invites further micromanagement from the CDA with no democratic review or accountability and no due process. Failure to post any of the existing or yet-to-be-released required pieces of information (even those announced after an STR license was issued) could lead to immediate suspension or revocation of the STR license with no recourse for the homeowner.

**Draft text:**

***5.41.040 Short Term Rental Licenses***

***E. License for Hosted Short Term Rental.*** *The host of a hosted short term rental can be either the property owner or a long term tenant of the property. The property must be the primary residence of the host. To prove that the hosted short term rental is the primary residence of the host, the host must provide at least three of the following five types of documents at the time of initial application and renewal application: motor vehicle registration; driver’s license; voter registration; a utility bill sent to the subject property; tax documents showing the property as the property owner’s primary residence for the purposes of a homeowner’s tax exemption; a lease showing that a host other than the property owner is renting a unit on the property on a long term basis.*

**Commentary:**

1. The County has not presented any explanation as to why it now seeks to restrict “hosted” STRs to a host’s primary residence. A host may have a primary residence elsewhere for valid reasons but still wish to occasionally rent out a portion of their home when they are present. Conversely, someone may have a primary residence in West Marin but not have all of the documentation the County demands to prove it (for instance, because mail service in rural areas requires renting a P.O. Box). Requiring burdensome documentation to qualify as a “hosted” STR will further reduce the number of lodging options for visitors.

**Draft text:**

***5.41.040 Short Term Rental Licenses***

***F. License for Unhosted Short Term Rental.*** *A license for a unhosted short term rental shall be issued with no requirement for an onsite host, but a local contact person meeting the requirements specified in the administrative procedures shall be identified.*

**Commentary:**

1. Requiring a local contact person is not objectionable, and the current regulations already provide for this. The County has not specified what “requirements” it intends to impose in further administrative procedures, and whether these would differ in any regard from current requirements. As noted above, we are concerned by the County’s effort to delegate so many of the details that may be determinative of whether an STR can continue operating to the non-democratically accountable discretion of the CDA.

**Draft text:**

***5.41.040 Short Term Rental Licenses***

***G. License Issuance.*** *A Short Term Rental license will be issued on a ministerial basis by the Community Development Agency based on a review of whether the Short Term Rental would satisfy all the applicable requirements. Licenses can be issued with conditions ensuring compliance with the applicable requirements.*

**Commentary:**

1. As noted above, the criteria and standards for STR licenses are not sufficiently objective. The prospect of further administrative regulations only exacerbates this. This will not allow for ministerial review of applications and issuance of STR licenses on a predictable basis, and thus will deter individuals from applying in the first place.

**Draft text:**

***5.41.040 Short Term Rental Licenses***

***H. License Term and Renewal.***

*1. A short term rental license issued under this Chapter shall expire immediately and automatically two years from the date of license issuance, unless revoked earlier. The license authorizes the property owner to conduct only such services as is described in this Chapter and in accordance with the terms and conditions of the license.*

*2. A short term rental license renewal application for an existing short term rental license must be submitted at least sixty days prior to the expiration date of the license. Upon timely submittal of a renewal application, the license will remain effective until such time the license renewal application is approved or denied.*

*3. Failure to submit a timely application for a renewal of an existing short term rental license shall result in that license not being renewed. In locations where there is a cap on the number of unhosted short term rentals, an unrenewed license will not be reinstated*

*to the property owner unless there are available licenses within the cap. A property owner who fails to renew a license may join the wait list for the next available license under the cap.*

*4. Once a license expires, a new license is required to operate the short term rental. Renewals can only be issued for an existing license, and in compliance with this section. Conversion from a hosted to an unhosted short term rental shall require a new license. The administrative procedures issued by the Community Development Agency pursuant to this chapter may describe modifications to short term rental operations that are eligible for consideration within a license renewal.*

*5. A short term rental license renewal application shall be denied if there have been more than two verified substantial violations of this Chapter or of the administrative procedures related to the short term rental during the previous two year license period. Substantial violations are violations for which a complaint has been received and a code enforcement case opened with an investigation verifying the existence of the violation.*

**Commentary:**

1. As discussed above, a provision causing for the automatic and immediate expiration of STR licenses after two years is a fundamental change in land-use law and contrary to the Local Coastal Program and its policies. In allowing the CDA to specify additional “terms and conditions” of a license on pain of non-renewal, this provision also allows the CDA to further constrain STR operations in a manner that would not pass muster by the Coastal Commission, evading the requirements of the Coastal Act.

2. Further, requiring renewal applications to be submitted at least 60 days *prior to* expiration creates a trap for the unwary that will lead to unwitting forfeiture of STR licenses, and will require that any delayed application go to the back of the line for purposes of waitlists and complete an entirely new application (with the costs and delays this entails). Further, if the renewal application is submitted 60 days prior to expiry but immediately denied, under the wording of this draft Regulation, the STR license would terminate prematurely. These are all highly unfair outcomes.

3. Furthermore, this Draft Regulation allows for the CDA to implement additional regulations limiting what can be done in the context of a permit renewal, all without democratic accountability.

4. Finally, the Draft Regulation states that the County “shall” deny a renewal application if there are “more than two” violations. This is ambiguous—is it two strikes and you’re out, or is it three? Further, while the Draft Regulation uses the term “substantial,” this term is defined to mean *anything* for which a complaint is received and a code compliance case opened with an investigation finding the existence of a violation. Thus, any technicality could lead to a strike, such as lettering on a sign being too small or trash cans left out for an extra day after pick-up.



There is no provision allowing for administrative review or appeal of these findings, which is a step backward from the current STR regulations that do provide such due process rights.

**Draft text:**

***5.41.040 Short Term Rental Licenses***

***I. License Fee.***

*i. Each short term rental license or renewal application shall be accompanied by the applicable short term rental license fee.*

*ii. The fee schedule shall be established by resolution of the Board of Supervisors following a public hearing. Said fee schedule may be adjusted by resolution of the Board following a public hearing. Permits and fees required are non-refundable and are in addition to any license, permit, certificate or fee required by any other chapter of the Marin County Code or other applicable law.*

**Commentary:**

1. The County has not specified or estimated what fee schedule would be required to cover the administration and enforcement of the September 2023 Draft Regulations. Currently the fee is \$20. County Staff has indicated that the new fee structure would have to be *substantial* to cover all the new requirements. This is obvious from the scope of the new Draft Regulations. The County should be asked what its estimated costs of administration would be, and how many employees would need to be hired in order to fully implement the Draft Regulations and the planned administrative procedures.

2. Furthermore, the fact that these fees would be required over and above the substantial compliance costs noted above, and would be non-refundable even if an application is rejected, will serve as yet another deterrent to individuals applying for or renewing their STR licenses. The costs of application and compliance will inevitably be baked into STR rates, driving up costs for visitors and thus shutting out guests of less fortunate socioeconomic status. The County should provide estimates as to how many STRs will cease operating due to these substantial burdens and costs, and how costs will rise for those that do remain.

3. Finally, STRs already remit 14% transient occupancy tax. The vast majority of the tax revenues (a base occupancy tax of 10%) flow directly to the County's general fund, amounting to millions of dollars per year. Because the County already receives substantial revenues from STRs, it is deeply unfair to impose *additional*, substantial fees on top of this simply to pay for the punitive framework in the Draft Regulations to administer the continued licensure and operation of STRs.

## 5. Chapter 5.41.050 – Short Term Rental Property Standards

### Draft text:

#### **5.41.050 Short Term Rental Property Standards**

**A. Undeveloped Properties.** *A property where there is no existing legal residential unit is not eligible for a short term rental license.*

**B. Restricted Structures.** *A short term rental is not allowed in any of the following:*

- 1. A structure subject to a recorded governmental restriction, including covenants or agreements for an affordable housing unit, agricultural employee unit, farmworker housing.*
- 2. An accessory dwelling unit or junior accessory dwelling unit.*
- 3. A multi-family dwelling or condominium unit.*
- 4. Non-residential areas within buildings, such as storage areas, and living/sleeping quarters added in garages.*
- 5. Recreation vehicles (RVs), including non-motorized travel trailers.*
- 6. Other structures without permanent foundations, including but not limited to tipis/teepees, yurts, tents, and treehouses.*

### Commentary:

1. Visitors like variety. Stays that may be suitable or even sought out for short-term stays may not be suitable as long-term housing, such as treehouses, “glamping,” stays in yurts, etc. These unconventional options can be some of the most memorable, fun and cost-effective ways to visit a region. Why is the County proposing to eliminate these when these eclectic options and structures would not be used for long-term or permanent housing? Won’t eliminating these vacation housing options put more pressure on other housing throughout the county?

2. In addition to not being suitable as long-term housing, options that include RV, tent, or “glamping” experiences are the most affordable short term rental opportunities for tourists. The restriction of such STR opportunities thus appears to be directly targeted at reducing the opportunities for lower-income people to enjoy the public coast. There is a severe limitation of available campsites in the many parks in West Marin. Over time, the availability of such low-cost options has *decreased* due to limits imposed at popular visitor destinations like Lawson’s Landing and the closure of the campground at Tomales Bay State Park. And, throughout this time, the regional, state and national populations have grown. By banning STR hosts from

providing campsites, RVs sites and yurts for travelers, lower-income travelers will be unable to access public park recreation in the numbers that currently enjoy them. Moreover, such a ban may have the unintended consequence of dramatically increasing the incidence of car camping in roadside pullouts or encampments on public lands and right of way in the environmentally sensitive areas impacted by the regulations—an activity which would actually worsen the sanitary and refuse issues the Draft Regulations claim to address.

3. The County has shown no data or health and safety basis for this punitive proposal. And, doing this would clearly remove options from the STR market that indisputably do not conflict with long-term housing goals. Restrictions based on governmental rules, restrictive covenants and the like make sense, but by quashing any and all creative and non-conventional options, the County would be throwing out the baby with the bathwater and reducing economical visitor accommodations.

**Draft text:**

***5.41.050 Short Term Rental Property Standards (continued)***

***C. One Short Term Rental Per Property.*** *Only one short term rental is allowed per property. If a property contains both a main dwelling and an accessory dwelling unit, only the main dwelling unit may be rented on a short-term basis.*

**Commentary:**

1. The Draft Regulation does not define “property,” in this provision or in the definitions. Does it refer to a parcel? Any structure with one or more dwelling units? Any home and set of structures adjoining one another, even if spanning multiple parcels? Depending on what definition is applied, the results could be drastically different.

2. More perniciously, this Draft Regulation would outlaw traditional STRs that have operated for decades in the form of guest cottages, in-law units and the like. It would especially target homeowners, including many senior residents, who count on the income these units bring in to allow them to stay in their homes. By forcing these residents to rent their main home or nothing at all on the STR market, this Draft Regulation would undermine one’s sense of home and economic security.

3. Legally, the Draft Regulation is contrary to policy C-HS-6 of the LUP, which provides for the ongoing “Short-Term Rental of **Primary or Second Units.**” Nothing in the LCP or LUP permits the County to *eliminate* second units as a source of STRs and only permit them in primary units. This Draft Regulation will thus be voided by the Coastal Commission and/or challenged via litigation.

4. Furthermore, visitors rely on guest cottages and in-law units as some of the more economical STR options. Forcing visitors to only rent a main house that is larger than they need will exclude visitors of more modest means, harming the diversity of visitors to the region.

5. It appears that the County's intent with this provision is, once again, not to promote health and safety or "good neighbor" policies, but instead to force owners of in-law units to convert these into long-term rentals. But individuals should not be conscripted into becoming long-term renters against their will (especially given the County's just-cause eviction laws). Further, many individuals host family members and friends in their guest accommodations during part of the year and have STR guests at other times. Having a long-term tenant would make it impossible to host friends and family in this manner.

**Draft text:**

***5.41.050 Short Term Rental Property Standards (continued)***

***D. Short Term Rental Parking Requirements.*** *Parking spaces must be provided for properties with short term rentals as follows:*

*1. Two onsite parking spaces must be provided while the property is in use as a short term rental, with at least one of the parking spaces reserved for guests of a hosted short term rental and two reserved for guests of an unhosted short term rental.*

*2. Parking for short term rentals shall comply with Marin County Code Section 24.04.380 (Dimensional Standards), as verified by the Department of Public Works.*

**Commentary:**

1. With this provision, the County has proposed yet another solution in search of a problem. As discussed above, the County has presented no data concerning parking conflicts in need of fixing or dedicated "onsite" parking and would be enacting a far more stringent requirement than applied anywhere else in the region. The County also has not explained the need for a minimum of two dedicated parking spots for any unhosted STR, no matter if it only accommodates 1 or 2 guests, and no matter if there is ample on-street parking that does not impede emergency access. Requiring compliance with "Dimensional Standards" and verification from the Department of Public Works will create more make-work and costs for STRs, the vast majority of whom have never had any parking-related conflicts.

**Draft text:**

***5.41.050 Short Term Rental Property Standards (continued)***

***E. Noise.*** *The property owner is responsible for ensuring any and all guests of a short term rental comply with the standards of Section 6.70.030 (Loud and Unnecessary Noises).*

**Commentary:**

1. While we agree that STRs should be good neighbors, the County has not presented data showing that the current noise and good neighbor provisions are inadequate. Further, it is not clear what is intended with the statement that a “property owner is responsible” for ensuring compliance, especially when the property is managed by a local designee. Does this mean the County intends to impose vicarious liability, and cite and fine owners of properties if there is a single noise violation by an STR guest? Is this the enforcement that would be executed if the complaint is from noise created by a permanent resident or a long-term rental? Why target STR owners?

**Draft text:**

***5.41.050 Short Term Rental Property Standards (continued)***

***F. Solid Waste.***

*1. With the exception of waste properly deposited in and fully contained within collection containers with secure lids, accumulation of solid waste outside of the short term rental at any time is prohibited. No collection container other than those consistent with Chapter 7.00 (Solid Waste, Collection, Diversion and Disposal) shall be placed or kept in or on any public street, sidewalk, footpath, or any public place whatsoever, but shall be maintained on the property, except as may be provided for removing and emptying by the authorized collector on the day and in the location designated for collection.*

*2. The property owner is responsible for ensuring that short term renters comply with Chapter 7.00 (Solid Waste Collection, Diversion, and Disposal).*

*3. A minimum service level per short term rental per week must be maintained for unhosted short term rentals. If the Agency Director determines the minimum service level is insufficient to accommodate all waste (including garbage, recyclable materials, and organic materials) generated by the short term rental, the property owner shall arrange for a higher level of service which will accommodate all waste generated by the short term rental.*

**Commentary:**

1. The County has presented no data that STRs have created garbage problems in need of addressing through this draft provision. And, it is a long-standing pattern for West Marin homeowners to leave their garbage can on the street for a day or two before and after collection day. Now, however, the County apparently is singling out STR operators for scrutiny if their cans are streetside on any other day of the week. If minutely regulating trash can placement, or prohibiting placement of any trash near a home, is necessary to preserving community aesthetics, why not require it of all residential uses?

2. Further, as noted above, it is unclear what the County intends with the statement that the “property owner is responsible for” ensuring compliance. Imposing vicarious liability for a single misplaced trash can is unfair.

3. Finally, there has been no showing that the CDA Director actually needs to supervise and dictate the service level subscribed to by unhosted STRs. This is yet another instance of the County seeking to micro-manage and raise the costs of STR operations without a valid basis.

**Draft text:**

***5.41.050 Short Term Rental Property Standards (continued)***

***G. Municipal Services.*** *The short term rental property shall have adequate water and sewer connections and shall be served by local utility agencies for water and sewer service wherever such utilities are provided.*

*1. In the event that the short term rental is served by a private water supply (well or spring), the property owner will need to possess a domestic water supply permit from the Marin Community Development Agency Environmental Health Services Division or other appropriate public agency and prove potability with a current bacteriological test.*

*2. In the event that the short term rental is served by a private sewage disposal system, then that system must be documented as legal with the Community Development Agency Environmental Health Services Division or other appropriate public agency, shall be inspected for proper operation by an approved licensed professional, and shall be sized appropriately for the short term rental and any other combined use.*

**Commentary:**

1. This Draft Regulation provides no objective criteria for what it means to have “adequate water and sewer connections.” This appears to be another instance in which the CDA

will have unfettered discretion to reject a property based on unstated grounds and non-objective criteria.

2. Further, the County has not shown why it makes sense to mandate that STRs connect to municipal water and sewer service where available. If an STR is currently on a self-sufficient septic system or well water system, why require it to connect to municipal services and provide greater strain on limited resources?

3. Above, we discuss the burdens of compliance with other water and sewer requirements. In short, these would impose tens of thousands of dollars in costs on properties that were legal when constructed and pose no current health and safety risks. The County has shown no data justifying the imposition of these additional costs and burdens on STRs alone. The effect will be to drive STRs off the market and reduce visitor access.

**Draft text:**

***5.41.050 Short Term Rental Property Standards (continued)***

***H. Emergency Preparedness.***

***1. Visible Address.*** Each short term rental shall have an address identification. The address identification must be maintained and shall be legible, measuring no less than 4 inches in height with a 3/8 inch stroke, and placed in a position that is visible from the street or road fronting the property. Whenever the address on the short term rental will not be clearly visible from the street or access road fronting the property, the address shall also be placed at the public street or access road in a manner which is clearly visible from both directions of travel on the frontage road or street.

***2. Smoke Alarms.*** Smoke alarms, in good working order, shall be installed in accordance with the California Building Code and at a minimum shall be installed in each bedroom, and at least one alarm on every level of the short term rental, including basements and habitable attics.

***3. Carbon Monoxide Alarms.*** Carbon monoxide alarms, in good working order, shall be installed in accordance with the California Building Code and at a minimum shall be installed outside each bedroom, on every level of the rental unit, including basements and habitable attics, and bedrooms or attached bathrooms with a fuelburning appliance, and shall be installed in accordance with the manufacturer's installation instructions.

***4. Fire Extinguisher.*** Each short term rental shall be equipped with one five-pound fire extinguisher, type 3-A:40-B:C, installed at a readily available location near the kitchen. If the short term rental has more than one level, an extinguisher must be mounted within each level. Fire extinguishers shall be inspected annually by a certified professional to ensure the extinguishers are in good working order.

**5. Emergency Communications.** *Each short term rental shall contain at least one working landline phone, Voice Over Internet Protocol (VOIP), or a National Oceanic and Atmospheric Administration (NOAA) radio as a means of receiving emergency communications. Locations with a working landline and/or VOIP should have the direct phone number and address listed near the device. If NOAA radios are employed, a set of direction for use of the radio shall be accessible.*

**6. Evacuation Routes.** *The short term rental owner or operator must provide vehicular evacuation route maps, provided by Fire Safe Marin or the County of Marin, for the rental area. Evacuation routes must be posted near the front door, with a QR code or link to the County's online evacuation map, of the short term rental. Further, a vehicular evacuation routes map must be provided as a handout so guests can take the map with them in the case of an emergency.*

**Commentary:**

We agree that protecting the safety of guests is paramount. Aside from this being the right thing to do, guests expect safety equipment and procedures to be in place, and insurance companies often require it. Yet the County's Draft Regulations go far beyond common-sense measures. Concerns include:

1. The County has presented no data or analysis showing that STRs are in need of the minute and redundant provisions set forth above, including landlines or VOIP services that are not found even in many commercial establishments. By dictating standards down to the size and positioning of address signs, the County is harming the aesthetic value of the neighborhood and arrogating control in a manner that will increase burden and cost without a demonstrable nexus to safety. Enforcing such regulations will also take substantial County resources. Will an employee of the CDA visit every STR with a ruler to measure the height and stroke of street signage?

2. The mandates for precise placements and annual inspections of multiple fire extinguishers "by a certified professional," will raise costs and create more compliance traps that can lead to the suspension or loss of an STR license. Will local fire departments visit each STR to certify the location and working order of fire extinguishers each year? Why the one-size-fits-all requirement which is untethered from heat or ignition sources? And why require fire extinguishers on floors that only contain a bedroom and no appliances? Why is the County seeking to impose fire standards that are far higher than state-wide standards? Why is this proposal being directed at STRs but no other form of residential use (including long-term rentals, where tenants occupy the premises year-round) or commercial lodgings? By singling out STRs, the County once again reflects a discriminatory animus behind these Draft Regulations.

3. Dictating the placement of evacuation maps is unnecessary and potentially counterproductive. If there is a more logical place and means to alert guests to such routes and procedures, the County would now bar STR operators from doing so.



**Draft text:**

***5.41.050 Short Term Rental Property Standards (continued)***

***I. Construction Requiring a Building Permit.*** *Short term rentals shall not be rented while the building they are in is undergoing any form of construction that requires a building permit.*

***J. Code Enforcement Cases.*** *Short term rentals shall not be rented while a code enforcement case is open on the property.*

***K. Special Events.*** *Weddings, corporate events, commercial functions, and any other similar events shall not be held on a property with a short term rental license.*

**Commentary:**

1. The County has presented no justification for these three draft provisions. Where construction or repairs are ongoing that will affect the habitability of an STR, it makes sense for no rentals to take place—indeed, most owners would never book an STR rental during such periods. However, the Draft Regulation above goes far further and precludes any rentals if any part of a larger building is undergoing any work involving a permit. In the instance of a main house with an attached ADU, minor construction (*e.g.*, a bathroom renovation) may be going on in a part of the structure that is completely separated from the ADU and have no bearing on the safety or habitability of that unit. The County has no justification for banning STR usage elsewhere on the property. Indeed, this appears to be another punitive rule designed to limit STR operations. It is especially backward as it will disincentive homeowners to make repairs to their properties (or to avoid seeking permits for repairs). Were the County to propose a rule that no *long-term* rentals could take place while any building permit was active anywhere in the building, one would expect vociferous protests from housing advocates about how retrograde such a policy would be. It is no less so for having been proposed for STRs.

2. Separately, that a “code enforcement case” is open is not grounds to suspend STR usage absent a clear, documented threat to the health and safety of guests or the neighborhood. If this rule were to go into effect, a code enforcement case could be opened for the most picayune matter—a one-time noise complaint, a garbage can raided by raccoons, street signage less than 4” in height, or even nothing at all if a vindictive neighbor calls in a baseless complaint—and immediately cut off STR rights until the County closes the case. This “guilty until proven innocent” approach makes no sense and would deprive homeowners of any semblance of due process rights.

3. Finally, by proposing to bar any kind of use of the entire “property with a short term rental license” for any “weddings, corporate events, commercial functions, and any other similar events,” the County would unduly restrict the use of entire properties (and not just the STR unit).

Some properties have multiple facilities onsite and are well-equipped to host such events and STRs at the same time or at different times without any adverse impact on the neighborhood. Requiring such properties to forfeit an STR license in order to host any such events is punitive and unfair. Further, the language “any other similar events” is vague and would give the County arbitrary power to decide that, for instance, a family reunion or birthday party ran afoul of this provision and should lead to the forfeiture of an STR license.

**Draft text:**

***5.41.050 Short Term Rental Property Standards (continued)***

***L. Local Contact Person Responsibilities.*** *A short term rental licensee must identify a local contact person for every unhosted short term rental. The local contact person shall respond to any complaint received regarding the conduct of the short term rental guests or the condition or operation of the short term rental and take any necessary remedial action to resolve violations of Marin County Code requirements in a timely manner. The short term rental licensee is responsible for the local contact person’s compliance with all provisions of this Chapter.*

***M. Host Responsibilities.*** *A short term rental licensee must identify a host for every short term rental that is not an unhosted short term rental. A host shall be on the premises between the hours of 10 PM and 5 AM every night when the short term rental is rented. The host shall respond to any complaint received regarding the conduct of the short term rental guests or the condition or operation of the short term rental and take any necessary remedial action to resolve violations of Marin County Code requirements in a timely manner. The short term rental licensee is responsible for the host’s compliance with all provisions of this Chapter.*

**Commentary:**

1. The County has not explained or presented data showing that current local contact person standards are inadequate. And, it is unclear what is intended with the provision that the licensee is “responsible for” the contact person’s compliance. Does the County intend to hold licensees strictly and vicariously liable for any action or inaction by the local contact person? Thus, once more, the County has proposed a Draft Regulation that is unnecessary and would inject further uncertainty into the operation of STRs.

2. The County’s proposed “house arrest” Regulation for hosts is especially baffling, unnecessary and, frankly, creepy. The essence of a hosted STR, even under the County’s proposed definition, is that a host shares a part of their own living space with a guest. Doing so makes efficient use of the space without having a living unit being solely dedicated to STR usage. There is no reason why a host should also have to be present during the STR rental, much less onsite overnight for specified hours any and every time a guest is present. The host is not a chaperone or a butler, and most guests would prefer to have the feeling of privacy that comes

with *less* interaction with a host, not more. The rule is thus bizarre and unnecessary at a minimum, and likely unenforceable absent extraordinary measure, thus making it of questionable constitutionality. Will the CDA's administrative regulations next require hosts to wear an ankle tracker to verify that they were home at the specified hours?

3. The same comments above regarding the vagueness of assigning the licensee host "responsibility" for host compliance apply here as well. Is the County intending that the licensee will monitor the host's nightly activities, and make the licensee vicariously liable for any actions by the host?

**6. Chapter 5.41.060 – Caps on the Number of Unhosted Short Term Rental Licenses**

**Draft text:**

***5.41.060 Caps on the Number of Unhosted Short Term Rental Licenses***

*The number of short term rental licenses for unhosted short term rentals shall be capped at the limits indicated below. Limits are based on the geographic areas in Marin County’s unincorporated jurisdiction shown on that certain map entitled “Townships of the County of Marin” kept on file by the Marin County Community Development Agency.*

**Table 1 – Short Term Rental Caps**

<b>Township</b>	<b>Initial Number of Unhosted Short Term Rentals</b>	<b>Ultimate Number of Unhosted Short Term Rentals</b>	<b>Reduction in Rentals / Percentage<sup>31</sup></b>
Bolinas	63	54	9 units / 14%
Dillon Beach	125	110	15 units / 12%
Forest Knolls	8	8	0 units / 0%
Inverness	93	86	7 units / 7.5%
Lagunitas	6	4	2 units / 33%
Marshall	28	27	1 unit / 3.6%
Muir Beach	20	19	1 unit / 5%
Nicasio	11	8	3 units / 27%
Olema	3	3	0 units / 0%
Petaluma	6	6	0 units / 0%
Point Reyes Station	32	26	6 units / 19%
San Geronimo	10	7	3 units / 30%
Stinson Beach	192	174	18 units / 9.4%
Tomales	12	11	1 unit / 8.3%
Woodacre	12	8	4 units / 33%
<b>TOTALS<sup>32</sup></b>	<b>621</b>	<b>551</b>	<b>70 units / 11.3%</b>

*The “Initial Number of Unhosted Short Term Rentals” referenced above in Table 1 establishes the number of licenses available for issuance for the valid applications submitted before July 1, 2025 (first round licenses).*

*First round licenses may be renewed. However, subsequent to these first round licenses being issued, the number of new licenses being issued shall decrease to the “Ultimate Number of Unhosted Short Term Rentals” established in Table 1. The cap on the*

<sup>31</sup> This column added by WMAC for purposes of analysis.

<sup>32</sup> This row added by WMAC for purposes of analysis.

*ultimate number of short term rental licenses in each township shall be eventually achieved as license applications or renewals decline over time.*

**Commentary:**

1. With this Draft Regulation, the County’s overt purpose in reducing visitor access to the Coast is on full display. The County has presented no data or analysis to support either the village-level proposed reductions or the aggregate proposed reduction of 70 units in West Marin. The County has presented no data concerning the impacts of this Draft Regulations on visitors, the local economy, or resources. The County has presented no data or analysis showing that the reductions in STRs shown above will have any impact whatsoever on the availability or affordability of long-term housing. The County has no justification whatsoever for the proposals above.

2. Contrary to the provisions of the LCP and LUP, which require the County to “[p]rotect and retain existing lower cost visitor and recreational facilities,” and expressly “[p]rohibit conversion of an existing lower-cost overnight facility unless replaced in kind” (C-PK-7 of the LUP), the caps would mandate the removal of one in every 11 STRs in unincorporated West Marin. Indeed, the greatest reductions in STRs are proposed for the Coastal Zone (58 out of 70 eliminated STRs, or 83% of the overall reduction). The proposed reductions would directly target some of the most sought-after communities among visitors (Bollinas, Dillon Beach, Inverness, Pt. Reyes Station, Stinson Beach) without providing any equivalent replacement options in kind, as mandated by the LUP. Stripping away economical visitor options from the Coastal Zone and popular visitor destinations adjacent to these communities is backward and illegal. This would represent the single greatest loss in public access to the Coast in the history of Marin County, if not the entire state of California.

3. Moreover, if adopted, the Draft Regulations would treat similarly situated communities in an unequal fashion. Some of the most popular communities among visitors, such as Dillon Beach and Stinson Beach, are slated for significant reductions in visitor access, while others are slated for a comparatively smaller reduction (Inverness, Marshall) or no changes at all (Olema). Adjacent communities will see disparate impacts. For instance, three of the four communities in the San Geronimo Valley (Lagunitas, San Geronimo, Woodacre) would each see reductions of 30% or more, whereas Forest Knolls would see no change at all. This is a bizarre and non-sensical result.

4. Furthermore, by comparing the caps to the parcel numbers provided in a prior County Staff Report<sup>33</sup>, one can see that the percentages of parcels in various communities that can be used as STRs will vary wildly. Under the proposed caps, some communities would see STRs as a percentage of parcels with developed living units in the low or mid-single digits:

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<sup>33</sup> Staff Report to the Marin County Planning Commission for June 12, 2023 Hearing, available at: [https://marin.granicus.com/MetaViewer.php?view\\_id=3&clip\\_id=11854&meta\\_id=1268019](https://marin.granicus.com/MetaViewer.php?view_id=3&clip_id=11854&meta_id=1268019).

Lagunitas: 4 / 282 parcels, or **1.4%**  
Woodacre: 8 / 578 parcels, or **1.4%**  
Pt. Reyes Station: 26 / 350 parcels, or **7.4%**  
Bolinas: 54 / 624 parcels, or **8.7%**

On the other hand, other communities would see dramatically different percentages of parcels with living units permitted to operate as STRs:

Dillon Beach: 110 / 408 parcels, or **27%**  
Stinson Beach: 174 / 704 parcels, or **25%**  
Marshall: 27 / 110 parcels, or **25%**

These disparate results are not the result of any kind of community input or deliberative process. They do not take into account any public health and safety factors or environmental concerns, nor patterns of visitors in each community. They instead simply reflect the status quo of how many parcels happened to be registered as STRs prior to the County's announcement of a potential moratorium. In other words, the County has done no data-driven analysis of visitor or resident needs in any of the communities in question. The County is instead proposing to turn back the clock and lock in STR limits based on the happenstance of how many TOT licenses were in place by community at a discrete point in the past. And, the caps forbid the elimination of an STR in one community (*e.g.*, Olema) being replaced by a new STR in an adjacent community (*e.g.*, Pt. Reyes Station). The absurdity of this approach is on display with the proposal to permanently lock in ten to fifteen-fold disparities from community to community. This is arbitrary, unfair and exclusionary.

5. The Community boundaries are unclear. We have been unable to locate online the map referenced in this Draft Regulation, titled *Townships of the County of Marin*. We thus cannot review whether the line-drawing between unincorporated townships is clear enough to delineate parcels or tracks communities' traditional boundaries. Requiring potential applicants to visit the CDA in person simply to know which "township" and set of caps their property would fall under adds further to the compliance burden of the Draft Regulations. Some owners might be surprised to learn that their property is classified in a township other than the one they feel most closely connected to.

6. More troublingly, it appears that by proposing a framework with strict caps and reductions over time, the County is trying to turn back the clock to, and permanently enshrine, the number of STRs in place prior to the County's announcement of a moratorium in early 2022. This does not represent a reasoned basis on which to project visitor needs going forward; it instead pretends that visitor needs and demands are static for all times. It creates a permanent moratorium, exactly what the County said the Coastal Commission would not permit by overt means. This will exclude visitors, especially those of lower economic means and those from diverse communities.

7. Studies have estimated that every \$65,000 spent on STRs creates a local job through direct and indirect economic activity.<sup>34</sup> By this estimate, STRs in West Marin support well over 100 local jobs. The County’s proposed reduced caps will lead to anywhere from ten to dozens of lost jobs in the very communities the County claims it is trying to help.

8. Similarly, a loss of STRs will reduce TOT revenues for the County, and Measure W revenues that are dedicated to affordable housing and fire safety. If the County is permitted to reduce the number of STRs by 11.3% as proposed, we conservatively estimate that this would lead to the loss in the following five years of nearly \$3 million in TOT funding, and nearly \$1 million in Measure W funding. The County has no plan to replace this lost revenue. This will indisputably make it harder to achieve housing and fire safety goals. The County’s actions reflect a mindset that it needs to destroy the community in order to save the community.

## 7. Chapter 5.41.070 – Violations

### Draft text:

#### **5.41.070 Violations**

*Any violation of the provisions in this Chapter shall be enforced through any legal remedies available to correct and/or abate a nuisance or violation of the Marin County Code, as provided in Marin County Code Chapters 1.05 (Nuisance Abatement), 1.06 (Recordation of Notice of Violation), and 1.07 (Imposition of Administrative Fines for Ordinance Violations) as they pertain to violations related to real property.*

*Short term rental licenses may be suspended or revoked if the licensee fails to meet the standards set forth in this Chapter and/or the requirements of the license. Short term rental licenses shall not be renewed if there have been more than two verified violations of the standards or administrative procedures during the previous two-year licensing period.*

### Commentary:

1. As discussed at several points above, the Draft Regulations provide no modicum of due process, no right to an independent hearing officer, and no right to appeal. By allowing the CDA to revoke property rights without notice or an opportunity to be heard, the County would be subjecting itself to due process claims and takings-related litigation.

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<sup>34</sup> Milken Institute, *Staying Power: The Effects of Short-Term Rentals on California’s Tourism Economy and Housing Affordability*, available at: [https://milkeninstitute.org/sites/default/files/2022-05/Short\\_Term\\_Rentals\\_California.pdf](https://milkeninstitute.org/sites/default/files/2022-05/Short_Term_Rentals_California.pdf).

2. Furthermore, the Draft Regulation requiring revocation or non-renewal for “more than two verified violations of the standards or administrative procedures during the previous two-year licensing period” makes no sense. First of all, the standard is vague—does it require two or three violations? Second, there is no distinction between a minor and a major violation. Shutting down rentals over foot faults and trivial but fixable areas of non-compliance is punitive and unfair. Third, by referring to yet-to-be-drafted “administrative procedures,” the CDA would be giving itself power to cause licenses to be forfeited based on standards that do not exist currently. Finally, if an STR encounters a handful of issues at the beginning of a two-year period, but then fixes them all and sees no more violations for the duration of the period, the CDA would nevertheless be *required* to deny a renewal permit. Giving STR operators no opportunity or incentive to improve their performance simply makes no sense as a matter of policy.

## 8. Chapter 5.41.080 – Definitions

### Draft text:

#### *5.41.080 Definitions*

*Terms used in this Chapter are defined below, or when undefined below are subject to the definitions in Marin County Code Titles 20 and 22.*

**Commentary:** Title 20 is an interim portion of the code, and there are two versions of Title 22. The Draft Regulations should specify which Titles the definitions will be adopted from. Further, in omitting the Local Coastal Program and its various policies and definitions, the Draft Regulations would seemingly omit numerous relevant definitions and policies that apply to properties in the Coastal Zone. At a minimum, this creates the potential for ambiguous and conflicting regulatory standards.

*Agency Director: The Marin County Community Development Agency Director or their designee.*

**Commentary:** By allowing the CDA to appoint a delegee to administer the Draft Regulations, the County would be further shielding administration from democratic accountability.

*Change of ownership: A change in ownership of the property as defined in California Revenue and Taxation Code section 60 et seq., or its successor.*

**Commentary:** See comments above about the unfair consequences for allowing any change in ownership or “the beneficial use thereof” (Cal. Rev. & Taxation Code § 60) to cause the immediate loss of an STR license, potentially causing a surviving spouse to lose their home, or many other entirely foreseeable hardships that further no rational policy goal.



*Guest or Guests: The individual(s) occupying the short term rental for the purpose of overnight lodging, including any individual(s) invited to a short term rental by those occupying the unit for the purposed of overnight lodging.*

**Commentary:** This definition, as written, would encompass not only paying guests but also family members and non-paying invitees. It would give the County the ability to regulate any use of an STR property, even when used solely for personal purposes by the owner.

*Host: A host is a person identified by a short term rental licensee to reside at the property at which a short term rental is located.*

**Commentary:** By requiring a host to reside “at the property” during specified hours of an STR stay via the “house arrest” rule, the Draft Regulations would create burdensome and unnecessary requirements that will make for a worse visitor experience, all with no policy justification.

*Hosted Short Term Rental: A short term rental that is the primary residence of a host, or that is located on the same property as the short term rental to which the host’s role relates.*

**Commentary:** This definition states a test in the disjunctive, making vague what the County would consider to be a bona fide hosted STR. The phrase “to which the host’s role relates” is also unclear. Finally, this definition appears to be in tension with the “house arrest” requirement discussed above (§5.41.050(M)), suggesting that hosts must be physically present overnight when guests are present. If a “hosted” rental is simply one that occurs in the space that the owner typically occupies as his full-time residence, why also require the owner to be on-site during the STR rental period? Doing so will mean less guest space and privacy, leading to a less enjoyable experience and reduced visitor access. Such a requirement will also make it impossible for the owner of a primary residence to rent it as an STR during any period when the owner may be away for 1 or more nights. This makes no sense as a matter of economics or policy.

*Local Contact Person: The person or business designated by the short term rental owner to receive and respond to communications regarding a short term rental.*

**Commentary:** None.

*Long Term Tenant: A property lessee who occupies a unit as a primary residence for a period exceeding 30 days.*

**Commentary:** None.

*Natural Person: A human being as distinguished from a person (as a corporation) created by operation of law.*

**Commentary:** The term “natural person” does not appear in the Draft Regulations, but instead appears only in the separate definition for “property owner.” As discussed above, there is no evidence of corporate ownership of STRs, making such regulations distinguishing between natural and other persons unnecessary, in addition to raising questions of enforceability and constitutionality.

*Primary Residence: The dwelling in which a person lives for at least six months each year. A person must demonstrate a property is their primary residence by claiming a homeowner’s exemption on the property for the purpose of property tax assessment, or by providing document sufficient to establish, as determined by the Agency Director, the required residency, such as motor vehicle registration, driver’s license, voter registration, a utility bill, and lease.*

**Commentary:** This Draft Definition raises significant privacy concerns, as it would require the submission of substantial amounts of personal information to the CDA Director (or their designee). Further, it fails to provide an objective standard, as it allows the Director (or their designee) to subjectively determine what documentation is sufficient or not.

*Property owner: The owner(s) of record of the real property on which the short term rental is operated, and to the extent any such owner is a legal entity, any and all natural persons with an interest in such legal entity.*

**Commentary:** This Draft Definition raises further privacy concerns, as it would require information about any person with an interest in a property. Many properties are owned among multiple family members of different generations; requiring records for each of these individuals to be submitted is unnecessary and invasive.

*Short Term Rental (STR): A rental of a residential unit, or a portion of a residential unit, for a time period of less than 30 consecutive nights. Short term rentals are a residential use of property.*

**Commentary:** We appreciate the County’s acknowledgment that STRs constitute a residential use of a property, consistent with the discussion of their proper treatment as a principal permitted use under the Local Coastal Program. This confirms that Draft Regulations that unfairly single out STRs versus other residential uses are discriminatory and improper.

*Unhosted Short Term Rental: Short-term rental occupancy of a residential unit on a property that does not provide a primary residence for the property owner or a long term tenant.*

**Commentary:** With this Draft Regulation, the County apparently intends to ban any residential unit that serves as a “primary residence” from being offered as an unhosted STR. This makes no sense. Many homeowners offer whole-house rentals of their primary residence precisely when they will be away (on vacation, work travel, visiting family, etc.). This is the quintessential use

of home-sharing in a manner that does not risk taking away a long-term housing option from any other residents. By forcing the homeowner to offer their “primary residence” only as a less-desirable *hosted* STR (again, subject to the bizarre “house arrest” rule), the County would be taking away the most logical and lucrative option for the use of primary residences as occasional STRs. Doing so would harm many homeowners’ ability to defray mortgage and carrying costs via unhosted rentals, jeopardizing their ability to remain in their community. This further demonstrates that the County does not understand the industry it seeks to regulate and how frequently an owner rents their home for STR purposes. The County needs to do their homework before drafting regulations impacting residents.

## **VI. Suggested Questions**

Below, we provide suggested questions by topic for County Staff concerning the September 2023 Draft Regulations, and the County's process for drafting and evaluating the Draft Regulations.

### **A. Access to the Coast**

1. Why is the County targeting short-term lodging in the County's coastal communities and the villages adjacent to the largest percentage of the County's public land?
2. Has the County assessed how the Draft Regulations will impact visitors from diverse communities and their stay in coastal communities?
3. Has the County assessed how the prices and availability of lodging, especially lower-cost options, will be impacted by these Draft Regulations?
4. Has the County modeled the effect of losing 70 unhosted STRs upon Coastal Access, especially given that 58 of the STRs slated for elimination will be in the Coastal Zone?
5. Has the County studied visitor patterns for each of the coastal villages, and made an assessment as to how each community will be able to accommodate visitors going forward, especially in light of the proposed reductions?
6. Has the County modeled the effect of the loss of 70 STRs, and other rules such as the ban on second units being used as STRs, on diverse visitors and low- and middle-income visitors?
7. Has the County assessed how many currently operating STRs would meet the County's proposed definitions and restrictions to qualify as a "hosted" rental?
8. Given that the County has acknowledged that it does not have reliable data concerning the numbers of unhosted vs. hosted STRs currently offered in West Marin, does the County have a basis for disputing that the proposed reduction in STRs, largely concentrated in the Coastal Zone, will reduce visitor access to the Coast?
9. What is the rationale for obligating hosts to remain overnight any time a guest is on the premises? Won't doing so make the STR less desirable for guests and leave less space for guests, thereby further reducing access? Does any data suggest that this measure is necessary?
10. Is the County aware of any regulations approved by the Coastal Commission that cap and reduce visitor accommodations for the vast majority of a whole County, in this case, nearly 500 square miles of land directly adjacent to the Coast?

## **B. Economic Impacts**

1. Has the County modeled the loss in Transient Occupancy Taxes and Measure W revenues likely to result were the September 2023 Draft Regulations to be enacted? Does the County dispute that the proposed reduced caps would reduce TOT revenues by approximately \$3 million over five years, and Measure W revenues by an additional \$1 million over five years?
2. Has the County assessed what the loss of these revenues would mean for achieving affordable housing and fire and safety goals?
3. Has the County assessed the impact on West Marin residents who rely, directly or indirectly, on income from STRs for their livelihood?
4. Has the County identified any alternative sources of revenue for lost Transient Occupancy Taxes and Measure W revenues?
5. Why has the County not calculated occupancy rates or revenues for STRs based on the monthly TOT forms submitted for each STR in unincorporated Marin County?
6. Has the County estimated the likely job losses from the proposed reduction in STRs?
7. Has the County estimated the impact on related hospitality industries in the region—*e.g.*, impact on restaurants, stores, etc.?
8. Has the County assessed which communities would likely be most impacted by the loss in economic activity and jobs attendant with the proposed reduction in STRs—*i.e.*, the impacts on low- and middle-income workers who clean and maintain STRs or hold many jobs in the visitor-facing service industry?

## **C. Housing**

1. Why is the County proposing to hold STRs to different and far higher and more stringent standards than other residential uses, including long-term tenancies?
2. Has the County attempted to quantify how many STRs previously were used as long-term residences versus summer or part-time homes?
3. Has the County analyzed the use of STRs by guests, versus times in which STRs are used by homeowners, versus the number of homes that sit empty?
4. Has the County done any analysis concerning what impact the loss or reduction in STR operations (*e.g.*, due to banning second units) will have on homeowners' ability to remain in their homes?
5. Has the County done any analysis concerning these impacts on vulnerable communities or individuals on limited or fixed incomes (*e.g.*, retired persons)?

6. What data or analysis, if any, did the County consider before proposing to ban STRs in non-conventional structures (glamping, yurts, treehouses, etc.) that cannot be legally used as long-term housing?
7. Has the County collected any data or performed any analysis concerning the impacts of the current moratorium on long-term housing options?
8. Does the County have any data or analysis showing that reducing the number of STRs will improve the availability or affordability of long-term housing?
9. Has the County compiled data concerning housing insecurity in West Marin, as previously requested by the Planning Commission?
10. Why has the County not presented data supporting its assertion that STR operations conflict with housing goals for low- and moderate-income residents?
11. Given the lack of evidence showing that STRs reduce long-term housing in West Marin, why has the County uncritically repeated the talking points of anti-STR voices who have made this assertion?

#### **D. Health & Safety**

1. How many complaints has the County received in the past 2 years relating to STRs and (i) parking, (ii) trash, (iii) fire safety, (iv) water usage, (v) septic issues, and (vi) any other health and safety issues? How many of these complaints has the County verified as being well-founded?
2. Has the County considered whether enforcement of current regulations against STRs that have received complaints would sufficiently address the complaints that have been documented?
3. Why has the County exempted hotels, inns, campgrounds and other commercial operations from the proposed Draft Regulations?
4. How will the CDA Director determine what service levels of trash pickup are “sufficient” for unhosted STRs? Will this be a case-by-case assessment or will all STRs be required to pay for a particular service level?
5. Why is the County re-proposing signage requirements of the kind rejected by the Board of Supervisors in 2018? Has the County assessed potential security risks from requiring exterior signage announcing STRs and online advertisements disclosing STR license numbers and parking diagrams?
6. What is the rationale for obligating STRs that are currently self-sufficient and serviced by well water or a septic system to connect to municipal water or sewage systems? Won’t this *increase* the impacts of STRs on local resources? Does the County intend to ultimately require this of all other forms of residential use?
7. Why is the County holding STRs to different, and far higher and more stringent health and safety standards than any other form of residential use?

8. Why is the County holding STRs to different, and far higher and more stringent health and safety standards than actual commercial operations often owned by large corporations and intended to be operated 365 days of the year and exclusively catering to visitors?

**E. Enforcement & Legal Matters**

1. Has the County estimated or modeled the costs to homeowners of applying for STRs under the Draft Regulations and the range of compliance costs to homeowners?
2. Has the County estimated or modeled how many current STRs would no longer be able to legally operate under the new Draft Regulations, for instance due to the proposed parking requirements, the proposed septic requirements, or the proposed ban on the use of second units as STRs?
3. Has the County estimated the costs to the Community Development Agency for administering and enforcing the Draft Regulations? Has the County estimated how many individuals would need to be hired to administer and enforce the Draft Regulations county-wide?
4. Has the County modeled the likely range of application fees it would have to charge to cover the costs of administration and compliance?
5. Has the County considered paying for the costs of administration and compliance out of the 10% Transient Occupancy Taxes already remitted by STRs (thus, without affecting Measure W revenues)?
6. Why is the County proposing to treat residential property uses differently for the first time when the law and Local Coastal Program support treating both short- and long-term rentals the same?
7. Has the County coordinated with the California Coastal Commission about the September 2023 Draft Regulations?
8. Has the Coastal Commission expressed views concerning the proposed 11.3% reduction in STRs in unincorporated West Marin, or the fact that 58 out of the 70 proposed reductions would be concentrated in the Coastal Zone?
9. Has the Coastal Commission been informed that the Draft Regulations will increase costs and reduce the availability of economically priced visitor accommodations in an area adjacent to the Coast covering nearly 500 square miles?
10. Has the County asked County Counsel to review the Draft Regulations for their consistency with the Local Coastal Program or LUP? If so, what was County Counsel's response?
11. How does the County intend to reconcile the September 2023 Draft Regulations with the currently existing STR regulations under Chapter 5.41 of the Marin County Code? Would the existing regulations be maintained in whole or in part?

12. Does the County intend to remove provisions from current Chapter 5.41 concerning due process rights and the right to a neutral administrative hearing and appeal?
13. Will STR operators have any recourse or the right to a neutral hearing officer and appeal to Superior Court if their license is suspended or revoked for any reason?
14. Will STR operators be subject to suspension or revocation for any violations of the Draft Regulations or forthcoming administrative provisions, or will only specified violations subject the license to suspension and revocation?
15. Has the County begun drafting the proposed administrative procedures? When does it intend to release a draft of the procedures?
16. What is the basis for promulgating administrative procedures beyond those specified in the Draft Regulations?

**F. Follow-up Questions From June 12, 2023 Hearing Before Marin County Planning Commission**

1. How many workshops or focus groups has the County held since the June 12 Hearing? How is the County ensuring that all voices are heard and considered?
2. Why has the County taken a one-size-fits-all approach for the Draft Regulations, with only unhosted STR caps varying by community?
3. Has the County collected ownership data to assess the extent to which there is any evidence of non-resident corporate entities acquiring and operating STRs in West Marin?
4. Why is the County proposing detailed parking requirements when this is no longer a component of state law? Has the County considered the impacts of such requirements on visitors who do not have access to a car (*e.g.*, potentially eliminating STRs in village cores serviced by the West Marin Stagecoach)?
5. Has the County assessed the extent to which the proposed health and safety requirements will prove cost-prohibitive for a significant number of owners?
6. Has the County received input from the Coastal Commission concerning the effect of reducing STR licenses in the Coastal Zone?
7. Given the County's stated intent of enacting the moratorium to "stabilize" housing, what has the County done to measure the efficacy of this policy since its enactment?
8. Why, given County Staff's acknowledgment of the difficulties of policing a "natural person" requirement, is the County nevertheless proposing such a policy here? Has County Counsel opined as to the enforceability of such a limitation?
9. Has the County collected data concerning the intensity of uses of STRs, *i.e.*, how many STRs see occasional versus full-time occupancy as STRs?
10. Has the County taken any steps since the June 12 hearing, such as working with the Department of Finance, to improve the accuracy of data collected about STRs?



11. Why has the County seemingly rejected the idea that there should be flexibility in allowing second units and guest cottages to be operated as STRs—why mandate that only a main unit on a property be operated as an STR? Has County Counsel opined on whether this proposed rule is consistent with the policies of the Local Coastal Program?
12. Has the County made any effort since the June 12 hearing to obtain current or historical data concerning what percentage of housing units in West Marin are used as long-term rentals?
13. Has the County made any effort to calculate the number of living units affected by the Draft Regulations, as opposed to parcels with one or more living units? Won't counting parcels as opposed to living units undercount the total number of living units in West Marin, and thereby overstate the proportion of STRs to total living units?
14. Has the County gathered data on housing insecurity in West Marin?
15. What data or analysis indicates that the Draft Regulations would further the County's affordable housing goals, as opposed to undermining them by significantly reducing Measure W funds and destroying tens to dozens of local jobs in the service industry?

## **VII. Conclusion and Recommendation**

The September 2023 Draft Regulations represent the most backward and anti-visitor proposal to be put forward in the County in decades, if not generations. If enacted, they would cause the immediate loss of visitor access, with most of the reductions concentrated in the Coastal Zone of Marin, and the most likely losses concentrated among economical overnight accommodations. The Draft Regulations would cause this loss by hyper-regulating every aspect of applying for and operating an STR, driving up costs directly and indirectly. The County's approach would also deprive owners of due process, to the point that many operators will be driven out of the market due to the costs and burdens far outweighing the modest benefits of operating an STR.

The Draft regulations will also overtly limit access to the Coast by phasing out 70 unhosted STRs—the most popular form of rental, and the only form appropriate for groups—with the vast majority of the reduction concentrated in the Coastal Zone and near popular visitor destinations.

The Draft Regulations, if enacted, would harm the local economy, destroying dozens of local jobs depended on by low- and middle-income workers, and depriving the County of TOT and Measure W revenues. The Regulations would destabilize and harm the very communities it purports to protect. The only individuals who would benefit from enactment of the Draft Regulations are those relatively few individuals who are seeking to make their communities more exclusive, and who are already fortunate enough to own property independent of any support from the local tourist and visitor economy.

The County has presented no data or analysis that the onerous Draft Regulations are necessary or proper to address present-day problems. The County has presented no data or analysis that the Regulations that have been in place for the last several years are not serving their purpose. The County has presented no data or analysis that the Draft Regulations will improve the decades-long challenge of creating affordable housing in the area. It is clear that the manifest negative consequences that would flow from the Draft Regulations greatly outweigh any hypothetical benefits the County suggests could be achieved.

For these reasons, we respectfully recommend that the Planning Commission vote to reject the September 2023 Draft Regulations.

Respectfully,

West Marin Access Coalition

(Individual signatories listed on pages 2-5 above)