

Presented at the 9.12.2017 Mendocino County Board of Supervisors Meeting

Per: File# 17-0815, Item 5(e)

Subject: Proposed Change to Short Term Rental Moratorium Extension
and Ordinance 20.164.015 (L)

Distinguished Supervisors,

I greatly appreciate the Board's previous consideration to make adjustments to Code 20.164.015 (L), however, I respectfully ask for further consideration to remove any type of Use Permit requirement for Inland Zone Room and Board business licenses based on many factors including private road issues being civil matters and the same private roads are being treated differently.

There is currently a segment of properties and property owners with existing short term rentals that have already demonstrated, by action and intent, compliance with the County by previously and currently paying TOT/BID and having applied for Inland "Room and Board" Business Licenses prior to the August 1st, 2017 at present awaiting final approval.

Requiring any Use Permit for short term rentals only in the Inland Zone, only for Inland "Room and Board" Business Licenses, and only for properties on private non-publicly maintained roads with requirement of an arduous process of lengthy application, exposure and approval from a selection of 40 departments, notices, meetings, EIR's, staff time, all for properties without any building changes or changes to the primary use, consistent with the Zone use, and that have already been through this exhaustive process, including road approval at time of the property subdivision and construction, is unnecessarily over burdening to the applicant without reason.

It is requested to amend Mendocino County Ordinance 20.164.015 (L) Room and Board by removing the following language:

"provided the parcel has frontage on a publicly maintained road. A Major Use Permit is required if the parcel does not have frontage on a publicly maintained road."

To be congruent in language, I kindly request the following language referred to in the Moratorium Ordinance #4391 and the extension Ordinance, before you today, that in Section 2, (E), language also be deleted: "Including all related approvals (such as a zoning clearance or use permit)"

The inconsistent administration of how the County has approved properties on private non-publicly maintained roads, without frontage on publicly maintained roads over the years for Inland "Room and Board" Business Licenses without requiring use permits is evident; from properties with mailboxes on County roads for properties accessed via private roads parcels deep, to what appears to be random selection or what could be construed to be accepted practice.

The County recently approved Inland cannabis cultivation businesses, without any restrictions in relationship to private non-publicly maintained roads, with their commercial nature of trucks, employees, etc. even though these are the identical same private roads of which 20.164.015 (L) limits Inland "Room and Board" which customarily only generates one passenger vehicle.

If the Supervisors were to make these two changes today:

1. Direct staff to address changes in Code 20.164.105 (L) to completely eliminate any Use Permit requirement for Inland "Room and Board" Business Licenses and
2. Eliminate language in today's Moratorium extension to eliminate "Including all related approvals (such as a zoning clearance or use permit)"

it would pave the way to expedite full compliance from property owners on Inland non-publicly maintained roads that in good faith have been paying TOT/BID and applied for Inland "Room and Board" business licenses prior to August 1, while relieving applicant and staff from a lengthy process that is duplicitous.

Thank you for your time and consideration.

Respectfully,

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