

Brooke Larsen

From: Adrienne Thompson
Sent: Monday, June 20, 2022 10:55 AM
To: Brooke Larsen; Marco Rodriguez
Subject: FW: Please Confirm: 06.16.22 Public Comment on Short Term Vacation Rentals
Attachments: 06.16.22 PC Public Comment on Short Term & Vacation Rentals.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Mendocino County
JUN 21 2022
Planning & Building Services

From: Jocelyn Gonzalez-Thies <gonzalezjt@mendocinocounty.org>
Sent: Monday, June 20, 2022 10:14 AM
To: Adrienne Thompson <thompsona@mendocinocounty.org>
Subject: FW: Please Confirm: 06.16.22 Public Comment on Short Term Vacation Rentals

Here is the email with the attachment

Jocelyn Gonzalez - Thies

Staff Assistant II
Planning and Building Services
Mendocino County
860 N. Bush Street
Ukiah, CA 95482
Telephone [\(707\) 234-6650](tel:(707)234-6650)



From: Suzanne Lemley Schein <SLSchein@mcn.org>
Sent: Friday, June 17, 2022 4:53 PM
To: Jocelyn Gonzalez-Thies <gonzalezjt@mendocinocounty.org>
Subject: Fwd: Please Confirm: 06.16.22 Public Comment on Short Term Vacation Rentals

Per our conversation. See pdf attachment submitted for comments.

----- Forwarded Message -----

Subject: Please Confirm: 06.16.22 Public Comment on Short Term Vacation Rentals
Date: Fri, 17 Jun 2022 13:20:50 -0700
From: Suzanne Lemley Schein <SLSchein@mcn.org>
To: pbscommissions@mendocinocounty.org

Yesterday, I submitted comments for the Mendocino Planning Commission's 6.16.22 Meeting, in advance of Item #4. Matters from the Public.

My submitted letter does not appear on the PC Website: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>

Please follow up to ensure my voice was heard and confirm posting of my comments to yesterdays meeting.

Thank you.

Suzanne Lemley Schein

707.937.0699

Mendocino

----- Forwarded Message -----

Subject:06.16.22 Public Comment on Short Term Vacation Rentals

Date:Thu, 16 Jun 2022 09:11:00 -0700

From:Suzanne Lemley Schein <SLSchein@mcn.org>

To:pbscommissions@mendocinocounty.org

Please find attached PDF for

Mendocino Planning Commission Meeting

06.16.22 Public Comment & attach to Short Term Rental opinions files elsewhere.

Thank You

Suzanne Lemley Schein



This email has been checked for viruses by Avast antivirus software.

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June 16, 2022
Mendocino County Planning Commission
Public Comments on Vacation Rentals

Mendocino County
JUN 21 2022
Planning & Building Services

Inland Owners Property Rights

The State of California clearly addresses shared private road maintenance, with or without formal agreements, providing direct statements of responsibility and process for property owners.

California Civil Code Section 845 covers private road maintenance including:
(3) In the absence of an agreement addressing the maintenance of the easement, any action for specific performance or contribution shall be brought in a court in the county in which the easement is located.

Neighbors attempting to block private road usage via voicing concerns pertaining to maintenance agreements or lack thereof, need to be directed to State Law; not part of the Planning & Building Department or Planning Commissions considerations of determinations.

A historical California Civil Case, and in Mendocino County, points out that reputation evidence is inadmissible under code of common law where private property rights are affected because it could cause great wrong of injustice as neighborhood gossip veered with ever changing feelings of friendliness or hostility toward the rightful claimant.

With family farms no longer in existence, areas have divided into smaller parcels with private roads now used for access to and from properties by persons owning the same for recreational, second home, and retirement purposes. On private roads this is consistent with surrounding properties and use.

Businesses allowed throughout the Inland Zone, including on private roads, without the requirement of any type of Use or Administrative Permit, or limitation as to private road include:
Day Care (for 8 children), School, Family Care Home, Beauticians, Barbers, CPA's, Mail Order, Fix It Shops, and Sawmills which potentially, due to use, has more impact than an existing residence that is used for a vacation home, or short term rental. These uses are allowed uses as part of our neighborhoods.

Mendocino County has allowed additional ADU uses which increase usage on private roads without comment or limitation.

Although 20.164.015 (L) states:

Room and Board. The renting of not more than two (2) rooms for occupancy by transient guests for compensation or profit, 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.

April 10, 2018 Board of Supervisors memorandum from the Planning Commission included:
"Room and Board is the only accessory use that requires discretionary review under Chapter 20.164. Per direction of the Board of Supervisors, these discretionary reviews are being processed at the cost of a minor use permit, rather than a major use permit. While reduced, this cost remains a significant barrier to entry for home-owners located on private roads. Additionally, it presents a significant logistical challenge for staff in terms of processing, response, and customer service without significant or demonstrated reasoning as to why the regulation exists."

Mendocino County historically, and rightly so, has not interfered or participated in private road issues because private roads are Civil matters in the hands of California Civil Courts.

Suzanne Lemley Schein