

Short-term rentals a growing concern

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Concerns over noise and a lack of affordable housing have put short-term rentals under scrutiny in Del Norte and Curry counties.

The influence of STRs date back to the 1950s, but their market influence wasn't widely felt until Airbnb put them in the spotlight a little over a decade ago.

Since then, a lack of affordable housing has crippled people's ability to find places to live, and as more tourists book weekend stays in places like Crescent City, Brookings and Hiouchi, those who have the ability to regulate such stays are starting to weigh the outcomes.

"We are essentially at a crossroads with the issue of vacation rentals," said Betty Crockett, Curry County's planning director, during a Dec. 1 Board of Commissioners workshop meeting. "They are a positive influence in promoting tourism and bringing dollars to the community for the people that own vacation rentals and the businesses that serve the vacationers, however some have become conduits for nuisance violations and neighbor complaints." So far, a majority of STRs are either lightly regulated or not regulated at all. Vacation rental owners in Curry County are supposed to apply for a county business license and pay a 7 percent transient lodging tax, but according to Crockett, of the 400 vacation properties in the county, only 100 of them have current business licenses and 300 pay the required transient lodging tax during the peak season summer months. "Essentially, they are unregulated," Crockett said. Across the Oregon border and into Del Norte County in Northern California, officials appear to have an even stronger hands off approach. A 10% transient occupancy tax is authorized under State Revenue and Taxation Code section 7280, but that's levied on those occupying a room or rooms "in a hotel, motel, inn, tourist home or house, or other lodging

for a period of 30 days or less.” Read a little further on the county’s website, and it states that business licenses for short term rentals are not required. “Regulating short term rentals of single family homes - the county has not taken a stance on that,” said Heidi Kunstall, the community development director for Del Norte County. According to Barbara Lopez with the Del Norte County tax collector’s office, there are currently 175 short-term rentals in Del Norte County. These numbers do not include STR’s operating within Crescent City limits, or “motels, hotels or RV parks that we collect on,” Lopez said. The influence of the so-called short term rental effect on long-term housing and neighbors who live near them, however, may still be out shadowed by its popular and lucrative juggernaut. The California Coastal Conservancy, a non-regulatory agency that supports projects to protect coastal resources and increase opportunities for the public to enjoy the coast, discussed at its Dec. 2 meeting whether STRs should be included in the conservancy’s Coastal Access Project Standards - a document that’s not been updated since 1983. According to Amy Hutzal, executive director of the conservancy, almost 100 letters from the public were received, and about 70% of them had to do with STRs. “Most of those were including inclusion of short-term rentals as one of the types of overnight accommodations in that particular standard,” Hutzal said, referring to standard nine in the document that seeks to improve access to low-cost overnight accommodations. Joseph Alioto, an appointee out of San Francisco who specializes in antitrust, whistleblower and civil rights cases, urged his peers to use caution. “I’m of the view that the issue should be something that’s going to be decided by local ordinance or by local governments themselves,” Alioto said. “It’s an issue that’s been controversial.”

Indeed. On Nov. 2, 58% of the voters in Lincoln County, Oregon, voted to phase out STRs entirely.

“A large reason for the success of that ballot measure was the fact that citizens repeatedly asked the county commissioners in Lincoln County to do a better job enforcing vacation rentals because of the nuisance problems that existed,” Crockett said Dec. 1. Crockett added if the commission decides to require STRs to obtain a conditional use permit instead of just a business license, the county would be able to weed out nuisance properties from the upstanding ones. The move would also protect owners of vacation homes from getting squeezed out by voters. “What we are trying to accomplish here, and essentially what we determined is it’s important for the county to protect the long-term viability and investments made of numerous well-managed vacation rentals in Curry County, but it’s also important to put into place standards to address those units that are marginally managed, and there are a lot of them,” Crockett said. Meanwhile, Del Norte County commissioners have not yet approached the subject. “About 10 years ago, there was consideration by the board of light regulation of vacation rentals, but that was before they really took off in the last couple of years,” Kunstall said. “They talked about putting information on the front door of homes that would direct neighbors to call for responding to concerns, but at the end of the day the board decided not to consider it.”

Currently, Del Norte County does not have the ability to track STR-related nuisance calls because those complaints tend to go through public safety agencies, which have no way of knowing whether the occupant is the owner or a long or short-term renter. “We are in the process of updating housing development, and I thought this would be a part of the process and the effect they have on long-term rentals, but it will be the board making those calls,” Kunstall said. “The housing development update is due Sept. 22. Short-term rentals are not part of it at this point, and I don’t want to presume they won’t do that because there would be

a place for it to go if they want to address it. As staff, it's our job to implement and follow through with the policies of the county commission.”