

**From:** [Michael Tierney](#)  
**To:** [Peterson, Suzanne](#); [Cozad, Claire](#)  
**Subject:** Additional comments on Accessory Dwelling Units  
**Date:** Wednesday, September 04, 2019 2:21:40 PM

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Suzanne Peterson  
Land Use Associate Planner

cc  
Claire Cozad  
Policy Director

### **Accessory Dwelling Units:**

The members of the community who felt that the restrictions on the accessory dwelling units were unreasonable are simply the same small group of community members who own and profit from renting these accessory dwelling units out as STR's. They profit at the expense of their neighbors peace and freedom to enjoy their own properties.

These units are **not** the least problematic ones but I would argue from first hand experience that they are the MOST PROBLEMATIC units. Given that many ADU's (especially trailers, airstreams...) are very low square footage, all of the living activity happens outside, drinking alcohol, loud talking, musical instruments, fires, cooking and recreation therefore creating a public nuisance for all the surrounding neighbors. Also, these low square footage units regularly have more guests than are permitted for their size, a condition that is impossible to police, even with an onsite owner/agent. You are simply creating unregulated or at best case under-regulated campsites. These issues inevitably conflate into an endless public nuisance.

The same phenomena do not exist in single family housing units being rented. I know this first hand as I live directly next to two SFR houses being used full time as STR units and one ADU (airstream trailer) being used as a STR. I have had no issues in three years with either of the SFR units while I have issues almost daily with the ADU.

This assumption that ADU's are the least problematic could not be more off base. I would also argue that many of these "community members" arguing in favor of ADU's are not community members at all and are simply absentee owners who will find a way around the owner or "agent" occupied restriction.

This small but vocal group is successfully changing what was well thought out policy to benefit only themselves at the expense of the greater community.

Sincerely,

Michael Tierney  
Joshua Tree Resident

michael tierney  
[t] 323.788.7878

**From:** [Progressive Press](#)  
**To:** [Peterson, Suzanne](#); [Supervisor Rowe](#); [Cozad, Claire](#)  
**Subject:** Comments re Draft STR Ordinance  
**Date:** Thursday, September 05, 2019 12:53:58 AM

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Suzanne Peterson, Land Use Services Staff [Suzanne.Peterson@lus.sbcounty.gov](mailto:Suzanne.Peterson@lus.sbcounty.gov)  
Claire Cozad, Policy Director, [Claire.Cozaad@bos.sbcounty.gov](mailto:Claire.Cozaad@bos.sbcounty.gov)  
Dawn Rowe, Third District Supervisor email: [SupervisorRowe@sbcounty.gov](mailto:SupervisorRowe@sbcounty.gov)

To the County Board of Supervisors,

STR's meet with opposition from sections of the local community for various reasons, primarily increasing rent, and problems like noise. Such opposition is not generally well thought through. Too much attention is given to isolated or even hypothetical cases, and measures may be proposed that are actually counter-productive.

Thus, County Supervisors should be wary of moves to regulate STR's that serve no real purpose.

**Proposal: Allow gatherings as ancillary uses, provided BnB is the primary use.**

I do not see the point in restricting STR's from occasionally hosting events. What difference does it make what brings guests to Joshua Tree, or what they talk about when they are here? Whether it's tourism or a retreat?

There is a great deal of competition among event venues. Events are higher priced occasions, but few and far between, so an STR is unlikely to attract many such events per year. Unless an STR specializes exclusively in events, there is no reason to regard this as more of a commercial activity than hosting an STR itself, which after all, is a lot like the hotel business.

Events like retreats, meetings, weddings and so on generally attract a good class of people, not rowdies who go off-roading on the desert flora. They provide income for local caterers and shops, without taking any beds away from local residents. Events help put Joshua Tree on the map, making it better known to an upscale clientele.

Why should the County discourage the best class of visitors, when there is so much competition for them from Palm Springs and other upscale venues? Why shouldn't SBC get more of the action?

**Proposal.** I would suggest to handle the issue as follows:

**The allowed number of day guests for each property be specified in the STR permit as a function of its carrying capacity (e.g. bedrooms, baths, as well as square feet).**

**A certain number of day events per year (e.g. 14 days) should be allowed without the restriction on commercial activity.**

STR's can provide a benefit to society by increasing the supply and lowering the cost of meetings for charitable, non-profit and educational groups, which typically are on limited

budgets. Accordingly suitable STR's can be encouraged to offer meeting facilities by not imposing unnecessarily strict and costly permission requirements,

Regarding

§ 84.28.010 Purpose.residential dwelling units [or portions thereof] located in the Mountain Region and Desert Regions

**Proposal: do not strike "or portions thereof"** if you want hosts to be present at all times enforcing house rules (hosts can't be there when guests are occupying the whole property, of course) -- Or if you want to avoid taking too much living space away from the local housing supply -- and if you prefer local hosts who spend their rental income in the community rather than absentee hosts or corporations etc.

Home sharing is a significant sector of the BNB market which appeals to certain guests and hosts

Re: Adding Desert Region: ensure that rules conceived for the Mountain Region are suited to the Desert region.

For instance, there is no lack of parking space in Joshua Tree.

Regarding: "The short-term residential rental unit owner shall be personally available by telephone on a 24-hour basis"

The language in the permit application indicates that "personally available by telephone" means

"a response to an initial call shall be made within two hours of the time the call was made" and that "within 24 hours of the initial call, corrective action shall be commenced"

This language is more reasonable and clear.

**Proposal to align the language in the ordinance to that in the permit application.**

Regarding [§84.28.070 (b)]

There is no purpose for STR's to hire receptionists to take vehicle details and names of all visitors; AirBnb and other hosting platforms have enough information about the primary guest who is responsible for the group. The police are able to trace everyone by their cell phones, which is a lot more effective than trying to muster AirBnb hosts as reluctant tentacles of a vigilante police force.

This seems to be an **attempt to criminalize guesthood** for no real reason except the annoyance of some neighbors, and when there have been few if any crimes committed, other

than minor nuisances like noise, which the police are in any case too busy to concern themselves with. It's not like noise wasn't a problem before STRs. Real criminals are not likely to use Airbnb to hide out from the law in Joshua Tree. It's mainly just plain middle class folks wanting to get away from the city for the weekend.

In short, recording license plates is overkill, fixing what isn't broken, and being a busybody. What earthly use is the description of the vehicle - if a crime has not been committed? Why should STR guests be singled out and presumed guilty of a crime until proven innocent?

Allegedly the county made an intensive comparison with other jurisdictions on this matter. It would be interesting to see this data. None of the major STR platforms, like AirBnb, VRBO, Booking.com ask for data on all guests or all vehicles.

This record keeping requirement is more onerous than Supervisors might realize. Many guests check in with a lock box and you never meet them.

Re [§84.28.070 (c)]

The requirement for owners to personally review and get guests to sign the regulations is absurd and just more unfair criminalization of STRs and guests. Do you have to sign such paperwork when you check into a hotel? This is really overkill.

By no means do I want to be responsible for collecting pointless sheafs of paper signed by each guest, nor is it practically feasible.

Everything is being done over the Internet now. If the envious gossips and complainers out there in Voterland are so angry about STR's that you have to demand tons of useless signatures, then the County should provide the website themselves. Then hosts can just remind guests in the welcome message that they're supposed to sign on at the County website that they've received a copy of the regulations. I don't think AirBnb is going to set up the digital signing for us!

**Proposal: Hosts shall remind guests to sign whatever the County wants on the County website before checking in,**

**or,**

**Keep your text short enough so we can just send it to guests over the AirBnb messaging. (That way we can remind them of our house rules at the same time.)**

The draft ordinance envisions limiting STR's to one unit per parcel. No such restriction is imposed on hotels or long term rentals. Yet STR's are being held to the same standard as hotels and a higher standard than LTR's. Do LTR owners also have to be personally present on the premises within an hour at all times? I doubt it.

It's better to let **more** units per parcel be STR's if you want to absorb the demand for them. If you want STR's to have a **worse** impact on the supply of housing for residents, then make sure each STR takes a whole parcel off the housing market.

At the 2010 census Joshua Tree had a population of 7414. According to a recent estimate, AirBnb has about 700 units in JT – about one for every 10 residents. It follows that STR's are now probably the major revenue earner for the community, and also that they must have an impact on housing availability and prices. JT occupies 37 sq mi. Compare that to San Francisco with 860,000 people on 47 sq. mi. Our population density is only 1% of San Francisco's. Consider further that if 90% of JT's inhabitants occupy only a few square miles in built up central areas, then the most of the area is practically deserted.

Some residents bemoan that it's not the sleepy village it once was. But the USA has about a third of a million square miles of desert. Anyone who seeks solitude can still be a pioneer around here.

STRs have been a great blessing to Joshua Tree. Until recently, there was practically no economy here. Most new businesses quickly failed. It was practically impossible to find tenants with a good credit rating. We tried that before we tried AirBnb. The only prospects who could afford it wanted to turn our house into a drug lab.

Historically, Joshua Tree got its start with free land for homestead cabins. Property prices have always been depressed here. For decades house prices were a fraction of the price it costs to build one – until recently, around \$70 per square foot, when it costs about \$250 per sq ft to build one. So, the area was a haven for economic refugees who could not afford the rent elsewhere. Understandably, renters are upset, but it's better for the community to flourish and enter a new stage of gentrification than to remain an economic desert.

The ordinance should not aim to impose all the same conditions on STR's as on hotels. Hotels can afford night receptionists because they have a large enough number of guests. STR's are typically only one guest or group at a time.

Moreover, desert STR's are vacant most of the time because most visitors come only on the weekend during the cooler months. Mostly it's about people from LA having a national park to visit on the weekend – Yosemite is booked up a year ahead.

Families and others on lower incomes and with health or special diet needs like STRs since the lodgings are cheaper, and cooking your own food is cheaper and healthier than restaurants for big families.

So, STR's are currently the only option to meet the winter weekend demand for touring Joshua Tree National Park. Hotels can't operate with such high vacancy rates. No new hotels are being built in the Morongo Basin.

In fact, the growth in BnB's has probably played a major role in the upsurge in visitors to JTNP over the last few years, simply by making it possible for more people to spend weekends here. Since 2014, the annual number of visitors to the Park has almost doubled, from 1.5 to almost 3 million. This coincides with the period of growth of AirBnb.

Operating an STR in Joshua Tree is not as lucrative as many residents imagine. They look at the nightly rate and extrapolate, forgetting the vacancy rate. It's high because there is so much competition, which is because there are so few good long term tenants around. But just charging a permit fee is going to discourage those who aren't making much on their mostly

empty properties.

So it's not necessary to harass operators out of existence. That won't bring back the low rents of yesteryear anyway. Accept that STR's are a blessing for this area.

JP Leonard

9/4/19

**From:** [Finance Account](#)  
**To:** [Peterson, Suzanne](#)  
**Cc:** [Cozad, Claire](#); [hello@joshuatreevra.com](mailto:hello@joshuatreevra.com); [Robert Brada](#); [David McAdam](#)  
**Subject:** Desert Region STVR Ordinance Comments  
**Date:** Wednesday, September 04, 2019 12:42:09 PM

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Dear Suzanne Peterson, Land Use Services Staff

After reviewing the latest draft of the proposed Short-Term Residential Rentals Ordinance, we wanted to thank you for taking into the consideration the concerns voiced by the Desert region at the August 8th meeting.

There were a few small items in the latest version we were hoping to address/get clarification on:

- A) For the desert, 1 hour in person response is difficult for remote properties on dark dirt roads. Perhaps 2 hours would be permissible?
- B) Was the elimination of "Day guest" meant to remove limitation on the number of Day guests or to make maximum occupancy during the day the same as for overnight guests?
- C) For trash collection, we at Homestead Modern support the effort to reduce unsightly and excessive garbage on vacation rental properties. To ensure sufficient capacity on the properties we manage, we ask many of our owners to contract dumpsters from Burrtec which may be shared with a neighboring Homestead Modern rental. Our property managers and cleaners ensure trash is moved from the conveniently located cans to the dumpster after each check out. Our concern is the current wording of the ordinance (84.28.070 (k) (2)) would seem to preclude this practice, as we do not contract pull-out service from Burrtec at each property where it is available. Is there a way to make it a OR between 84.28.070 k (2) and (3)?

Once again, we appreciate your responsiveness to the uniqueness of the Desert Region. We look forward to the final draft and any suggested wording the County has for the registration materials, posted signage and directions for when and how to guests can obtain permits for small gatherings.

Sincerely,

H O M E S T E A D  
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[www.HomesteadModern.com](http://www.HomesteadModern.com)

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56351 29 Palms Highway Suite B  
Yucca Valley, CA 92284-2885



**From:** [miriam Seger](#)  
**To:** [Peterson, Suzanne](#)  
**Cc:** [Cozad, Claire](#); [hello@JoshuaTreeVRA.com](mailto:hello@JoshuaTreeVRA.com)  
**Subject:** Final STRADUORD, Draft 2  
**Date:** Wednesday, September 04, 2019 9:10:54 PM

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Dear Ms. Peterson,

A well crafted ordinance will streamline permitting, and reduce inspection loads by helping owners comply on a first inspection. A well crafted ordinance will reduce divisiveness within our community by offering reassurance and recourse to residents. It will allow good operators to thrive, it will educate unintentionally poor operators by helping them to develop best practices, and it will eliminate exploitive operators. We're almost there, but please indulge the following easy tweaks.

Pg. 6, Notification Requirements(c). Post the maximum number of occupants allowed by **owner**, which shall not exceed occupancy limits of ordinance. Most good operators will want to reduce the liberal maximums allowed under this ordinance.

Pg. 7, Permit Required 3(c). Operation During the Application Process. This section is messy. Confirm that while a permit is pending, operations may continue as long as units meet code. SBC can require a Hold Harmless as a release from liability while existing business continues. Therefore, continued operation will not be a violation as described in this ordinance. The Hold Harmless will act as a placeholder until permitting can be completed.

Pg. 8, Maximum Occupancies. These are too high, and maximums should be about 50% lower in the desert regions. 6 persons per 800 sq. ft., or 8 people per 1200 sq. ft. is basically a Twister game. 12 on one-half acre or 15 people on one acre can only be a party, in which case other permits apply. In the open desert, one acre is a tiny parcel in an environment where residents can be disturbed by noise literally a mile away. By acknowledging the ordinance at registration, renters may have confusion over allowances. Add the following language: Owner may have lower occupancies that supersede county allowances.

Pg. 9, Conditions of Operation, Registration(c). Strike language "at least one adult renter" and change to "the short term renter". The short term renter is defined in the ordinance as the individual who has entered into the rental agreement. Therefore, from a legal standpoint, only this person can be held accountable.

Pg. 10, Posted Notices. Snow removal is not applicable in the desert. Section 5 should begin with "In the mountain regions".

Pg. 11, Conditions of Operation, Safety (i). Direct owners to tables specifying fire extinguishers, carbon and smoke alarms.

Thank you for your time.

Respectfully,

Miriam Seger  
63421 Quail Springs Rd.  
Joshua Tree, CA. 92252  
(213)705-8003

**From:** [Cozad, Claire](#)  
**To:** [Peterson, Suzanne](#)  
**Subject:** FW: Short-term rental residential rental ordinance  
**Date:** Wednesday, September 25, 2019 9:40:42 AM  
**Attachments:** [image001.png](#)  
[image003.png](#)

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Hi Suzanne,

Can you please include this as public comment regarding STRO?

Thank you,

**Claire Cozad**

Policy Director  
Dawn Rowe, Third District Supervisor

Phone: (909) 387-4361  
[www.SBCounty.gov](http://www.SBCounty.gov)

*Our job is to create a county in which  
those who reside and invest can  
prosper and achieve well-being.*

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**From:** Supervisor Rowe <Supervisor.Rowe@bos.sbcounty.gov>  
**Sent:** Monday, September 23, 2019 8:12 AM  
**To:** Cozad, Claire <Claire.Cozad@bos.sbcounty.gov>  
**Subject:** FW: Short-term rental residential rental ordinance

Claire,

This is in Dawns Supervisor account. Do you want me to continue to send STR comments to you?

Gayle

**From:** Alyson Ford Perez <[fordalysonford@gmail.com](mailto:fordalysonford@gmail.com)>  
**Sent:** Sunday, September 22, 2019 12:25 PM  
**To:** Supervisor Rowe <[Supervisor.Rowe@bos.sbcounty.gov](mailto:Supervisor.Rowe@bos.sbcounty.gov)>  
**Subject:** Short-term rental residential rental ordinance

Dear Supervisor Rowe:

I would greatly appreciate your consideration of the following when ruling/commenting on the short-term rental issues concerning Morongo Valley:

Our roads are not maintained by the county. They are maintained by the residents by pooling together our monies, purchasing dirt and recycled concrete, and pouring it onto the roads to smooth out severely rough areas. When those roads are disrupted by the excess use of short-term renters, it is neither the renters nor the immediate property owners that pays for the road's maintenance. It becomes obligation of the residential community as a whole. However, that same community receives neither compensation nor benefit for doing so.

Those of us who have moved to this remote part of the desert have done so for a reason: to get away from the noise and the traffic of the cities and to appreciate nature in its undisturbed state. Short-term renters who visit our area tend to bring the noise and the traffic with them. The more short-term renters there are, the greater the human footprint there is. We do not want Morongo Valley to turn into a Coachella, a place of partying, noise and traffic.

I do believe in and respect the rights of homeowners who lease and rent out their properties; but I also believe there should be a cost for doing so (fees that would go direct to the community for maintenance costs) and a limit to how many such rentals are allowed to exist (to limit the impact on our environment).

I thank you for your time and consideration.

Most sincerely,

Alyson Perez  
Morongo Valley, CA 92256  
213 200 3699

**From:** [Laura McCormally](#)  
**To:** [Peterson, Suzanne](#)  
**Cc:** [Cozad, Claire](#); [hello@joshuatreevra.com](mailto:hello@joshuatreevra.com); [David McAdam](#); [Robert Brada](#)  
**Subject:** Short-Term Vacation Rental Ordinance (proposed)  
**Date:** Wednesday, September 11, 2019 12:58:02 PM

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Dear Suzanne Peterson, Land Use Services Staff

Homestead Modern is a Yucca Valley based full-time property manager for 25+ high-end short-term vacation rentals in and around Joshua Tree. We attended the most recent Planning Commission meeting discussing the STVR Ordinance, and wish to share our viewpoint on the three issues that the commission left open.

### **1. Trash**

While we support the need for proper trash removal, the commission was provided inaccurate information by the Code Enforcement staff regarding trash service during the 9/5/19 meeting.

First, pull-out trash service is not uniformly available in the desert as was represented in the meeting.

Second, when pull-out service does exist, the sole vendor in our area (Burretec) imposes restrictions on this service that are impossible to police with short-term renters: (i) a 25lb bag limit; (ii) relining of bags (i.e. placing a white kitchen trash bag inside a black outer bag inside the bin); and (iii) refusal to enter the property if the cans are at a location convenient for the renters. As a result, Burretec often passes properties without picking up trash and allows it to accumulate. To combat this, we have installed dumpsters at properties, in which our property management staff deposits trash following every guest check-out, and the dumpsters are emptied by Burretec. This process is more expensive than pull-out service, but more effective, however it would not be allowed under the current draft of the ordinance.

We request a reversion to the prior language of the draft ordinance that required animal-proof bins, commercial service or removal after every guest. This was both reasonable and feasible.

### **2. Digital signatures**

All Airbnb and VBRO renters must digitally acknowledge the terms and conditions of rental prior to payment, and the agreements are kept on record by the hosting platforms. Each host can incorporate detailed rules and directions into those agreements, including any provisions required by the STVR ordinance, which will be accepted by the guest prior to the reservation being confirmed.

The current ordinance draft would require hosts to collect a signature, whether it is an email acknowledging receipt of the ordinance provisions, or scanned PDF signature, after the rental has been confirmed. In addition to being duplicative and logistically onerous, it would put hosts in a position of asking the renter to change the terms of their agreement after it has been entered into - this will expose all hosts to breach of contract claims (which we believe Airbnb will adjudicate in the renters' favor and fine hosts).

As an example, someone may reserve on Airbnb and acknowledge the property's "house rules" but then not respond to an email requiring a second consent to the ordinance provisions. What is the burden on the host? Deny entry to the home until it is signed, cancel and lose the rental income as well as be penalized by Airbnb?

We urge the Board of Supervisors to accept the comments of Clint Stoker (Yucca Valley planning commissioner) submitted prior to the September 5 meeting for suggested language, allowing acceptance by the renter on the hosting platform.

### **3. Fire**

Residents and hosts appear to uniformly support the expansion of the fire ban language. Leaving it to hosts means the "bad actors" are the hosts that will permit it. Incorporating the fire ban into the ordinance will reduce the administrative issues the county has with disseminating the information on fire bans to the community at large).

Homestead Modern is a long-standing member of the high desert community, including the Yucca Valley and Joshua Tree Chambers of Commerce, supporter of the California Welcome Centre and Mojave Desert Land Trust. We strive to ensure all our properties are fully permitted, safely maintained and respect the desert by disallowing alternative structures, multiple rentals per APN and/or open flame cooking or entertainment features. As such we welcome this new ordinance and look forward to working with the county on the permitting process for all of our properties.

Please feel free to reach out to us with any questions or need for clarification on the above. Thank you for your time and consideration in this matter.

**Laura McCormally**

**HOMESTEAD**

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

Instagram: @homesteadmodern  
56351 29 Palms Highway Suite B  
Yucca Valley, CA 92284-2885

**From:** [Patty Hume](#)  
**To:** [Peterson, Suzanne](#); [Cozad, Claire](#)  
**Subject:** STR -- ADU comments  
**Date:** Friday, September 06, 2019 9:36:50 AM  
**Attachments:** [patty\\_email\\_sig.gif](#)  
[34x1s78.png](#)

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Regarding the ADU rules —

I'd like to respectfully suggest you consider allowing ADU and main houses to be rented out, regardless of owner occupancy, on parcels over 2 acres, as long as the total occupancy of both houses combined is the same or lower than would be allowed for a single family home without an ADU.

There are a number of unique condition in the desert region. There are many 2, 5, 10, 50, 100+ acre properties renting out to guests. These are very large rural parcels, some the equivalent size of a whole neighborhoods in urban situations where thousands of people would be living.

My husband and I own a 5 acre compound in Joshua Tree with a large main house and an ADU. Our max occupancy on our main house is 10 people, but groups are more commonly 5-6 people. Our ADU sleeps 2-4 people, but is usually one couple renting it. So typically there might be 7 people on the property on a typical nights, and an absolute max of 14 people, between both houses, occasionally. On a 5 acre property this is very low density.

Renting them together is not a good option because groups are rarely big enough to want to pay for that much space and the over \$200+ cleaning fees that would be required if the main house and guest house were listed together as a vacation rental. Only occasionally, maybe 6 times, do we get groups that rent both houses together.

We recently bought a home nearby in 29 Palms, and are not currently owner occupying our house in Joshua Tree. We plan to eventually when retire. Even if we were owner occupying the main house at our property in Joshua Tree, we would be retired and traveling 3-4 months a year. We would wan to be able to rent the main house when we were traveling. But the current rules would seem to prohibit this, which seems unnecessary.

On a large parcel like ours it seems very reasonable to rent both houses separately, as long as owe are respecting the normal occupancy limit for a single family parcel.

I'd like to respectfully suggest you consider allowing ADU and main house state be rented out, regardless of owner occupancy, on parcels over 2 acres, as long as the total occupancy of both houses combined is the same or lower than would be allowed for a single family home without an ADU.

Thanks and cheers...  
Patty Hume

-



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**From:** [Sharon Dove](#)  
**To:** [Peterson, Suzanne](#); [Supervisor Rowe](#)  
**Subject:** STR Ordinance Morongo Valley  
**Date:** Thursday, September 26, 2019 6:45:25 AM

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September 26, 2019

San Bernardino County  
Planner Suzanne Peterson  
Supervisor Rowe

I would greatly appreciate your consideration of the following when ruling/commenting on the short-term rental issues concerning Morongo Valley.

Our roads are not maintained by the county. They are maintained by the residents by pooling together our monies, purchasing dirt and recycled concrete, and pouring it onto the roads to smooth out severely rough areas. When those roads are disrupted by the excess use of short-term renters, it is neither the renters nor the immediate property owners that pays for the road's maintenance. It becomes the obligation of the residential community as a whole. However, that same community receives neither compensation nor benefit for doing so.

As well, all county services to Morongo Valley are limited because of staffing and budget constraints. Morongo Valley residents struggle with the void left by code enforcement, law enforcement, animal control and dangerous speeding conditions on hwy. 62. Adding an unlimited transient population only stresses all of these services already strained.

Those of us who have moved to this remote part of the desert have done so for a reason: to get away from the noise and the traffic of the cities and to appreciate nature in its undisturbed state. Short-term renters who visit our area tend to bring the noise and the traffic with them. The more short-term renters there are, the greater the human footprint there is. We do not want Morongo Valley to turn into a Coachella, a place of partying, noise and traffic.

I do believe in and respect the rights of homeowners who lease and rent out their properties; but I also believe there should be a cost for doing so (fees that would go direct to the community for maintenance costs) and a limit to how many such rentals are allowed to exist (to limit the impact on our environment).

I thank you for your time and consideration.

Most sincerely,  
Sharon Dove  
Morongo Valley, CA 92256

**From:** [Bernard Leibov](#)  
**To:** [Peterson, Suzanne](#)  
**Cc:** [Cozad, Claire](#); [hello@JoshuaTreeVRA.com](mailto:hello@JoshuaTreeVRA.com)  
**Subject:** STR Revised Proposed Ordinance  
**Date:** Wednesday, September 04, 2019 5:15:17 PM

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Dear Ms. Peterson -

First, let me thank you for the changes made to the current draft which reflect several of the concerns of the affected desert community and are much appreciated.

There are some remaining issues in the new draft which I'd like to raise:

**§ 84.28.070 Conditions of Operation.**

c) Registration - This paragraph includes the possibility of providing rules and regulations and related penalties to the renter in a digital form. Can you please clarify that digital acceptance of the terms is sufficient to indicate acknowledgment.

k) Trash / Refuse - for those of us who do not have contracted trash service, and who rent out an str on an occasional basis, this is an added unwelcome expense. Roll out containers are also not convenient for large properties where the dwelling is located at a distance from the dwelling being rented out. I use a contracted dumpster rather than pull out service for instance. Can this para go back to just ensuring proper trash containers and specifying regular clearance as per those who do not have service available.

Thank you for your consideration in advance.

Bernard Leibov  
PO Box 1525  
Joshua Tree, CA 92252



October 21, 2019

Honorable Curt Hagman, Chair and Fourth District Supervisor  
Honorable Robert A. Lovingood, First District Supervisor  
Honorable Janice Rutherford, Second District Supervisor  
Honorable Dawn Rowe, Third District Supervisor  
Honorable Josie Gonzales, Fifth District Supervisor  
San Bernardino Board of Supervisors  
385 N. Arrowhead Ave., 5th Floor  
San Bernardino, CA 92415

Via electronic delivery

**Re: Proposal to Revise the Regulations Relating to Short-Term Residential Rentals in Chapter 84.28**

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Dear Chairman Hagman and Members of the Board:

On behalf of Airbnb, I would like to thank the Board of Supervisors for seeking input from stakeholders on its proposed regulatory revisions relating to short-term residential rentals. This comment letter specifically addresses the proposal to amend § 84.28.040 to prohibit the short-term rental of an accessory dwelling unit (ADU) separately from a primary dwelling unit. We encourage the County to embrace the use of ADUs as short-term rentals, which can help offset the investment needed to build ADU (and therefore expand housing supply long-term), and provide homeowners with an additional avenue to confront rising costs of living in the Golden State.

Founded in 2008, Airbnb's mission is to create a world where people can belong through healthy travel that is local, authentic, diverse, inclusive and sustainable. Our accommodation marketplace provides access to 7 million unique places to stay in more than 100,000 cities and 191 countries and regions, including the County of San Bernardino. Airbnb's people-to-people platform benefits entire communities in which we operate, including hosts, guests, businesses, and the public at large.

We appreciate that the Board of Supervisors wants to balance short-term and long-term housing supply, and also wants to ensure that the County leverages tourism to enhance public services via transient occupancy tax (TOT). To that end, we recommend the proposed ordinance allow owners to permit and use their ADUs for short-term rentals (less than 30 days) when the ADU meets the code requirements outlined in 84.01.060. We further recommend amending 84.01.060(c) to allow for the short-term rental of ADUs in compliance with 84.28.040 for regulatory alignment.

Section 84.01.060 requires ADUs to meet certain standards to ensure for safe occupancy and usage. In fact, § 84.01.060 allows owners to rent ADUs separately from their primary residences on a long-term basis (more than 30 days). ADUs, therefore, are safe and sound structures that can be used for dwelling purposes regardless of the time frame.

It is very likely that ADUs not already rented on a long-term basis will continue to be withheld from long-term housing stock and utilized instead for short-term stays, such as to host relatives or friends from out of town. As a recent survey from Portland State University found, nearly as many ADU owners used their property as a temporary residence for family/friends (36%), as for long-term rentals (39%), with short-term rental use cited by 28% of ADU owners.<sup>1</sup> Of those who used their ADU as a short-term rental, nearly half cited the need for flexibility for friends and family as the primary motivation.

As a result, allowing short-term rental use for ADUs would maintain flexibility for homeowners while providing the County with public benefits in the form of permit fees and transient occupancy taxes for ADU usage. People in San Bernardino County who hosted their homes on Airbnb earned a collective total of approximately \$90.2 million over the past 12 months. Explicitly allowing ADUs to be used for short-term rentals could continue to generate significant tax revenue for the County, which in turn can be used to benefit property owners, visitors, and local businesses.

Alternatively, and at a minimum, we request that the County: 1) allow individuals who currently rent their ADUs on a short-term basis to obtain permits for their ADUs separately from their main residences, and 2) allow owners to separately permit new (not currently used for short-term rental) ADUs when the primary dwelling resident is present. “Grandfathering in” existing short-term rental ADUs will ensure that individuals and families do not lose a stream of supplemental income they currently rely on, including to pay the loan for the ADU itself. Limiting short-term rentals of new ADUs to individuals who will be present in the main residence will decrease the amount of TOT for the County, but it will still enable the County to gain some additional revenue while also enabling households to generate supplemental income for otherwise vacant and unused ADUs.

\*\*\*

Thank you for the opportunity to submit comments on the proposed ordinance. We look forward to continuing to work with the County to bring healthy and sustainable tourism to your cities and foster economic opportunity of home sharing for your County’s households.

Sincerely,  
Matt Middlebrook  
Senior Campaign Manager  
Airbnb  
Matt.Middlebrook@airbnb.com

Cc: Suzanne Peterson, Planner II

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<sup>1</sup> Gebhardt, Gilden, and Kidron, “Descriptive statistics of a survey of ADU owners, residents, and owners who live in an ADU,” 2018, available: <https://www.pdx.edu/sustainability/sites/www.pdx.edu.sustainability/files/iss/Portland%20ADU%20Survey%20Report%20June%202018.pdf>.

September 26, 2019

**Planner Suzanne Peterson**

San Bernardino County Planning  
385 N Arrowhead Ave 1st Floor  
San Bernardino, CA 92415

**Supervisor Dawn Rowe**

San Bernardino Third District  
385 N. Arrowhead Ave., Fifth Floor  
San Bernardino, CA 92415-0110

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2019 SEP 30 PM 2: 55

LAND USE SERVICES  
ADMINISTRATION

**RE: Short term rental ordinance under consideration – Morongo Valley**

I would greatly appreciate your consideration of the following when ruling/commenting on the short-term rental issues concerning Morongo Valley.

Our roads are not maintained by the county. They are maintained by the residents by pooling together our monies, purchasing dirt and recycled concrete, and pouring it onto the roads to smooth out severely rough areas. When those roads are disrupted by the excess use of short-term renters, it is neither the renters nor the immediate property owners that pays for the road's maintenance. It becomes the obligation of the residential community as a whole. However, that same community receives neither compensation nor benefit for doing so.

As well, all county services to Morongo Valley are limited because of staffing and budget constraints. Morongo Valley residents struggle with the void left by code enforcement, law enforcement, animal control and dangerous speeding conditions on hwy. 62. Adding an unlimited transient population only stresses all of these services already strained.

Those of us who have moved to this remote part of the desert have done so for a reason: to get away from the noise and the traffic of the cities and to appreciate nature in its undisturbed state. Short-term renters who visit our area tend to bring the noise and the traffic with them. The more short-term renters there are, the greater the human footprint there is. We do not want Morongo Valley to turn into a Coachella, a place of partying, noise and traffic.

I do believe in and respect the rights of homeowners who lease and rent out their properties; but I also believe there should be a cost for doing so (fees that would go direct to the community for maintenance costs) and a limit to how many such rentals are allowed to exist (to limit the impact on our environment).

I thank you for your time and consideration.

Most sincerely,  
Sharon Dove

Morongo Valley, CA 92256



Sharon Dove  
P.O. Box 179  
Morongo Valley, CA 92256



September 30, 2019

**Supervisor Dawn Rowe**  
San Bernardino Third District  
385 N. Arrowhead Ave., Fifth Floor  
San Bernardino, CA 92415-0110

**Planner Suzanne Peterson**  
San Bernardino County Planning  
385 N Arrowhead Ave 1st Floor  
San Bernardino, CA 92415

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2019 OCT -2 AM 11:26  
LAND USE SERVICES  
ADMINISTRATION

Please consider the following concerns regarding the proposed vacation rental ordinance and how it impacts the unincorporated communities in the Morongo Basin.

**As proposed:**

**REACTIVE RESPONSE (complaint driven) = CRISIS MANAGEMENT**

This is our service level now BEFORE adding legal vacation rentals:

**Law Enforcement:** often only 1 deputy is on shift to cover the vast unincorporated areas of Morongo Basin - from Cadiz to Morongo Valley. Understaffed and underfunded, we live with unsafe response times, no preventive patrolling, and escalating crime.

**Code Enforcement:** I have been told by CE that there is currently a backlog of over 1000 outstanding complaints.

**Roads:** most roads in Morongo Valley are either maintained by residents at their own expense or unmaintained entirely. County assistance on some paved roads is inconsistent and infrequent. Our dirt roads take a beating by increased traffic.

**Animal control:** 2 officers are assigned weekdays to the vast area of the Morongo Basin - from Morongo Valley to the eastern California state line. This service challenge would be exacerbated with the added population of visitors with pets.

**MV fire and paramedic service:** the added layer of transient occupants in a town of 4,000 will naturally increase the demands on fire and medical service delivery.

**Housing Displacement in a low-income community:**

Escalating the housing crisis by displacing residents in our low-income community is socially irresponsible and morally corrupt. Illegal vacation rentals already make it difficult to purchase or rent. Neighbors have been evicted to make way for another vacation rental. Many displaced residents are low-income, disabled, retired, elderly, and families with children in our local elementary school. All have ties to the community. Low cost housing is very difficult to replace.

Knowing that our community services are already seriously compromised by inadequate funding and staffing and that you are creating a housing displacement crisis across the high desert – How do you go forward with this?

Supervisor Dawn Rowe  
385 North Arrowhead Avenue  
San Bernadino, Ca 92415

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2019 SEP 30 PM 2:53  
LAND USE SERVICES  
ADMINISTRATION

Cc: Suzanne Peterson, San Bernadino County Planner

September 26, 2019

Dear Supervisor Rowe:

I would greatly appreciate your consideration of the following when ruling/commenting on the short-term rental issues concerning Morongo Valley:

Our roads are not maintained by the county. They are maintained by the residents by pooling together our monies, purchasing dirt and recycled concrete, and pouring it onto the roads to smooth out severely rough areas. When those roads are disrupted by the excess use of short-term renters, it is neither the renters nor the immediate property owners that pays for the road's maintenance. It becomes the obligation of the residential community as a whole. However, that same community receives neither compensation nor benefit for doing so.

Those of us who have moved to this remote part of the desert have done so for a reason: to get away from the noise and the traffic of the cities and to appreciate nature in its undisturbed state. Short-term renters who visit our area tend to bring the noise and the traffic with them. The more short-term renters there are, the greater the human footprint there is. We do not want Morongo Valley to turn into a Coachella, a place of partying, noise and traffic.

All County services to Morongo Valley are limited because of staffing and budget constraints and residents struggle with the void left by Code Enforcement, Law Enforcement, Animal Control and dangerous speeding conditions on Highway 62. Adding an unlimited transient population only stresses all these already limited services.

The shortage of long term housing is also exacerbated by greedy landlords jumping on the STR bandwagon by eviction of good tenants who now have no place to go. Many of these tenants are disabled, elderly or low income.

I do believe in and respect the rights of homeowners who lease and rent out their properties; but I also believe there should be a cost for doing so (fees that would go direct to the community for maintenance costs) and a limit to how many such rentals are allowed to exist (to limit the impact on our environment).

Please do not push this legislation through like the Dollar General – with little or no regard for the effect on the community. Studies are now finding how disruptive and unhealthy Dollar Generals are on poor communities as in the following link: [https://getpocket.com/explore/item/the-dollar-store-backlash-has-begun?utm\\_source=pocket-newtab](https://getpocket.com/explore/item/the-dollar-store-backlash-has-begun?utm_source=pocket-newtab). I suspect similar feedback will be the result of going forward with the current short term rental ruling.

I thank you for your time and consideration.

Most sincerely,

  
Susan Lefevre

PO Box 1067

Morongo Valley, CA 92256