

State of California, County of Siskiyou

Board of Supervisors

Minute Order, August 3, 2021

Public Hearings - Community Development - Continued public hearing for the second reading of an ordinance establishing a moratorium on accepting new short-term vacation rental applications for all properties less than 2.5-acres Countywide. Second reading approved; Ordinance 21-15 adopted.

This was the time set for a continued public hearing for the second reading of an ordinance establishing a moratorium on accepting new short-term vacation rental applications for all properties less than 2.5-acres Countywide, having been continued from July 6, 2021.

Deputy Director of Planning Kirk Skierski provided a staff report, recommending the moratorium to allow County staff and consultants to analyze short-term rentals as part of the process to update the County's Housing Element.

In response to Chair Haupt, Mr. Skierski and Deputy County Clerk Wendy Winningham advised that no correspondence related to the issue had been received.

The Chair opened the item to public comment.

Pursuant to California Governor Newsom's Executive Order N-08-21, June 11, 2021, participation in presentations from the public by various members of the public was provided via teleconference phone.

Caller Reid Dixon spoke in opposition to the proposed moratorium.

There being no further public comments received, the public hearing was declared closed.

Discussion followed between members of the Board and Mr. Skierski regarding the current status of short-term vacation rental applications, the impact of vacation rental properties on the availability of housing for the local workforce, the need for specific, non-residential zones that allow vacation rentals, the timeline associated with completion and adoption of the County's Housing Element, ongoing efforts to address unpermitted vacation rental operations and public outreach efforts being made.

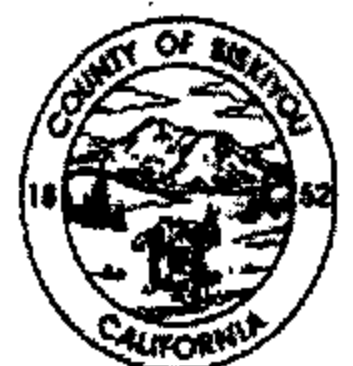
County Counsel Edward J. Kiernan advised of the need to correct a typographical error on page one of the Ordinance, to correct 'house' to 'housing'.

Supervisor Haupt advised of the need to address housing regulations in the future.

It was moved by Supervisor Kobseff and seconded by Supervisor Criss to introduce, waive, and approve the second reading of the proposed moratorium on accepting new short-term vacation rental applications for properties less than 2.5-acres countywide (Z-21-03), including the verbiage correction on page one of the Ordinance. Following a roll call vote with Supervisors Criss, Kobseff and Valenzuela voting YES and Supervisors Ogren and Haupt voting NO, the motion to adopt Ordinance 21-15 carried.

I certify that the foregoing is a full, true and correct copy of a Minute Order adopted by the Board of Supervisors, Siskiyou County, State of California.

ATTEST: Laura Bynum, County Clerk and ex-Officio Clerk of the Siskiyou County Board of Supervisors.



By: _____

Deputy

State of California, County of Siskiyou

Board of Supervisors

Minute Order, July 6, 2021

Public Hearings - Community Development - Public hearing for the first reading of an ordinance establishing a moratorium on accepting new short-term vacation rental applications for all properties less than 2.5-acres Countywide. First reading approved; public hearing continued to August 3, 2021 for the second reading.

This was the time set for a public hearing for the first reading of an ordinance establishing a moratorium on accepting new short-term vacation rental applications for all properties less than 2.5-acres Countywide.

Chair Haupt opened the public hearing.

Deputy Director of Planning Kirk Skierski provided a staff report/overview of the request to place a moratorium on applications for short-term vacation rental permits for properties less than 2.5 acres in size county-wide. Mr. Skierski advised that a vacation rental study would be beneficial to the efforts to update the County's General Plan Housing Element, which would be accomplished with the assistance of a third-party consultant. Mr. Skierski requested the moratorium to allow time to complete the study, which could provide direction with regard to vacation rentals in relation to housing in the County.

In response to Supervisor Haupt regarding the anticipated timing associated with the moratorium, Mr. Skierski advised of potentially lifting the moratorium in the spring or early summer of 2022.

There were no public comments received.

Supervisor Haupt voiced opposition to the moratorium being effective County-wide.

Supervisors Kobseff, Valenzuela and Criss spoke in support of the moratorium, advising of receiving constituent complaints related to the increasing number of vacation rentals in residential areas and the negative impacts on housing availability within the County and Community Development staff time.

Supervisor Ogren voiced opposition to the moratorium being effective County-wide.

Following discussion between members of the Board and Mr. Skierski regarding the vacation rental user permit process that are associated with the property, not the property owner, and the need for vacation rentals to be situated on commercial zoned properties (versus residential zoning), it was moved by Supervisor Criss and seconded by Supervisor Kobseff to introduce, waive, and approve the first reading of the proposed moratorium on accepting new short-term vacation rental applications for properties less than 2.5-acres countywide (Z-21-03); and direct the Clerk to schedule a continued public hearing for the second reading on August 3, 2021. Following a roll call vote with Supervisors Criss, Kobseff and Valenzuela voting YES, and Supervisors Ogren and Haupt voting NO, the motion carried.

I certify that the foregoing is a full, true and correct copy of a Minute Order adopted by the Board of Supervisors, Siskiyou County, State of California.

ATTEST: Laura Bynum, County Clerk and ex-Officio Clerk of the
Siskiyou County Board of Supervisors.



By: _____

Deputy

AGENDA WORKSHEET

Submit completed worksheet to: Carrie
Siskiyou County Clerk, 510 N Main St, Yreka, CA

3/2 motion

Regular Time Requested: 15 minutes Meeting Date: 08/03/2021 10C

OR
Consent

Contact Person/Department: Kirk Skierski, Community Development Department Phone: 530-842-2100

Address: 806 South Main Street, Yreka CA 96097 21-15

Person Appearing/Title: Kirk Skierski, Planning Director

Subject/Summary of Issue:

Over the past several years, the County has seen an increased number of short-term vacation rental applications as compared to the early 2000s. It is staff's opinion that this is due to the availability and expansion of online booking platforms. As a result of the increased application submittals for short-term vacation rentals, there also has been an increase in public opposition due to neighborhood compatibility concerns and wildfire risk.

On April 6, 2021, the Board of Supervisors directed staff to move forward with an Ordinance to establish a moratorium on accepting new short-term vacation rental applications for all properties less than 2.5-acres countywide. The moratorium would remain in effect while the County moves forward with its General Plan House Element Update, which is required to be completed and adopted by November 15, 2022. The HE Update would analysis short-term rentals and potentially provide recommended regulations pertaining to short-term rentals.

Financial Impact:

NO Describe why no financial impact:

YES Describe impact by indicating amount budgeted and funding source below

Amount: _____

Fund: _____ Description: _____ Org.: _____ Description: _____

Account: _____ Description: _____

Activity Code: _____ Description: _____

Local Preference: YES NO

For Contracts – Explain how vendor was selected:

Additional Information:

Recommended Motion:

I move to introduce, waive, and approve the second reading of the proposed moratorium on accepting new short-term vacation rental applications for properties less than 2.5-acres countywide (Z-21-03).

1 copy to
Carrie Dew
8/3/21

Reviewed as recommended by policy:

County Counsel _____
Auditor _____
Personnel _____
CAO _____

Special Requests:

Certified Minute Order(s) _____ Quantity: _____

Other: _____

NOTE: For consideration for placement on the agenda, the original agenda worksheet and backup material must be submitted directly to the Board Clerk (after reviewing signatures have been obtained) by 12:00 p.m. on the Wednesday prior to the Board Meeting.

8/3/21

AGENDA WORKSHEET

Submit completed worksheet to:
Siskiyou County Clerk, 510 N Main St, Yreka, CA

Regular Time Requested: 15 minutes Meeting Date: 07/06/2021

105

OR
Consent

Contact Person/Department: Kirk Skierski, Community Development Department Phone: 530-842-2100

Address: 806 South Main Street, Yreka CA 96097

Person Appearing/Title: Kirk Skierski, Planning Director

Subject/Summary of Issue:

Over the past several years, the County has seen an increased number of short-term vacation rental applications as compared to the early 2000s. It is staff's opinion that this is due to the availability and expansion of online booking platforms. As a result of the increased application submittals for short-term vacation rentals, there also has been an increase in public opposition due to neighborhood compatibility concerns and wildfire risk.

On April 6, 2021, the Board of Supervisors directed staff to move forward with an Ordinance to establish a moratorium on accepting new short-term vacation rental applications for all properties less than 2.5-acres countywide. The moratorium would remain in effect while the County moves forward with its General Plan House Element Update, which is required to be completed and adopted by November 15, 2022. The HE Update would analysis short-term rentals and potentially provide recommended regulations pertaining to short-term rentals.

Financial Impact:

NO Describe why no financial impact:

YES Describe impact by indicating amount budgeted and funding source below

Amount: _____

Fund: _____ Description: _____ Org.: _____ Description: _____

Account: _____ Description: _____

Activity Code: _____ Description: _____

Local Preference: YES NO

For Contracts – Explain how vendor was selected:

Additional Information:

Recommended Motion:

I move to take the follow actions: 1. Introduce, waive, and approve the first reading of the proposed moratorium on accepting new short-term vacation rental applications for properties less than 2.5-acres countywide (Z-21-03); and 2. Direct the Clerk to schedule a continued public hearing for the second reading.

Reviewed as recommended by policy:

County Counsel _____

Auditor _____

Personnel _____

CAO _____

Special Requests:

Certified Minute Order(s) _____ Quantity: _____

Other: _____

NOTE: For consideration for placement on the agenda, the original agenda worksheet and backup material must be submitted directly to the Board Clerk (after reviewing signatures have been obtained) by 12:00 p.m. on the Wednesday prior to the Board Meeting. Revised 1/15/15

Ordinance No. 21-15

**An Ordinance of the Board of Supervisors of the County of Siskiyou,
State of California, Establishing a Moratorium on Accepting New Short-Term
Vacation Rental Applications for all Properties Less than 2.5-Acres Countywide**

Whereas, on June 30, 2020, Siskiyou County applied for the State's Local Early Action Planning Grant Program (LEAP) to request \$150,000 in grant funding in order to update the County's General Plan Housing Element; and

Whereas, on July 17, 2020, Siskiyou County was awarded \$150,000 through State's Local Early Action Planning Grant Program (LEAP); and

Whereas, on April 6, 2021, the Board of Supervisors directed staff to bring forward an Ordinance to establish a moratorium on accepting new short-term vacation rental applications for all properties less than 2.5-acres countywide; and

Whereas, the short-term vacation rental moratorium would be established and remain in effect while the County completes the General Plan Housing Element Update, which would include analysis of short-term vacation rentals and consider additional regulations that could affect future short-term vacation rental applications; and

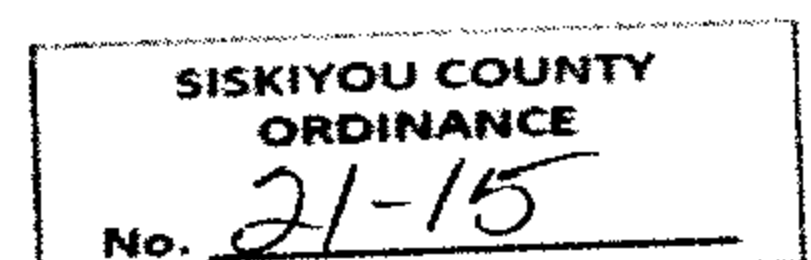
Whereas, following the conclusions of the short-term vacation rental analysis to be included in the General Plan Housing Element Update, the Planning Division shall present the findings to the Board of Supervisors to request direction on County Code amendments for additional regulations pertaining to short-term vacation rentals; and

Whereas, the proposed Short-Term Vacation Rental Moratorium on accepting new short-term vacation rental applications for all properties less than 2.5-acres countywide is necessary while the County considers amendments to the Siskiyou County Zoning Ordinance.

Now, Therefore, Be It Resolved the Board of Supervisors hereby ordains as follows:

Section 1. Short-Term Vacation Rental Moratorium

- (a) The Board of Supervisors hereby establishes a Short-Term Vacation Rental Moratorium on accepting new short-term vacation rental applications for all properties less than 2.5-acres countywide.
- (b) The application for, or issuance of, a conditional use permit for the use described under Siskiyou County Code Section 10-6.1502(h), commonly known as a "short-term vacation rental", is prohibited for all properties less than 2.5-acres countywide until such time as this ordinance is repealed.
- (c) The prohibition set forth in this Section shall not apply to any application that was submitted to the County prior to the effective date of this ordinance. Any such application may continue to proceed under Title 10, Article 12 of the Siskiyou County Code.



Section 2. Authority/Effective Date

This ordinance establishing a Short-Term Vacation Rental Moratorium on accepting new short-term vacation rental applications for all properties less than 2.5-acres countywide shall become effective 30 days after its passage and shall, within 15 days of adoption, be published once in a newspaper of general circulation, printed and published in the County of Siskiyou.

Section 3. Severability

If any section, subsection, sentence, clause, phrase, or portion of this ordinance or the application thereof to any person or circumstance is held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the remaining portions or other applications of the ordinance, and the provisions of this ordinance are declared to be severable.

Section 4. CEQA

The Board hereby finds that this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) because it can be seen with certainty that there is no possibility of a significant effect on the environment from the adoption of the moratorium on accepting new short-term vacation rentals for properties less than 2.5-acres countywide. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. In addition, the Board of Supervisors further finds that the ordinance is categorically exempt from further review under CEQA Class 8 Categorical Exemption, 14 CCR § 15308, (regulatory activity to assure protection of the environment).

Passed and Adopted this 3rd day of August, 2021 at a regular meeting of the Board of Supervisors by the following vote:

Ayes: Supervisors Criss, Kobseff and Valenzuela
Noes: Supervisors Ogren and Haupt
Absent: None
Abstain: None


Ray A. Haupt, Chair
Board of Supervisors

Attest:
Laura Bynum, Clerk,
Board of Supervisors

By Wendy Dyer
Deputy

Ordinance No. _____

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State of California, Establishing a Moratorium on Accepting New Short-Term
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Whereas, on April 6, 2021, the Board of Supervisors directed staff to bring forward an Ordinance to establish a moratorium on accepting new short-term vacation rental applications for all properties less than 2.5-acres countywide; and

Whereas, the short-term vacation rental moratorium would be established and remain in effect while the County completes the General Plan House Element Update, which would include analysis of short-term vacation rentals and consider additional regulations that could affect future short-term vacation rental applications; and

Whereas, following the conclusions of the short-term vacation rental analysis to be included in the General Plan Housing Element Update, the Planning Division shall present the findings to the Board of Supervisors to request direction on County Code amendments for additional regulations pertaining to short-term vacation rentals; and

Whereas, the proposed Short-Term Vacation Rental Moratorium on accepting new short-term vacation rental applications for all properties less than 2.5-acres countywide is necessary while the County considers amendments to the Siskiyou County Zoning Ordinance.

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- (b) The application for, or issuance of, a conditional use permit for the use described under Siskiyou County Code Section 10-6.1502(h), commonly known as a "short-term vacation rental", is prohibited for all properties less than 2.5-acres countywide until such time as this ordinance is repealed.
- (c) The prohibition set forth in this Section shall not apply to any application that was submitted to the County prior to the effective date of this ordinance. Any such application may continue to proceed under Title 10, Article 12 of the Siskiyou County Code.

Ordinance No. _____

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Whereas, the short-term vacation rental moratorium would be established and remain in effect while the County completes the General Plan House Element Update, which would include analysis of short-term vacation rentals and consider additional regulations that could affect future short-term vacation rental applications; and

Whereas, following the conclusions of the short-term vacation rental analysis to be included in the General Plan Housing Element Update, the Planning Division shall present the findings to the Board of Supervisors to request direction on County Code amendments for additional regulations pertaining to short-term vacation rentals; and

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Whereas, the short-term vacation rental moratorium would be established and remain in effect while the County completes the General Plan House Element Update, which would include analysis of short-term vacation rentals and consider additional regulations that could affect future short-term vacation rental applications; and

Whereas, following the conclusions of the short-term vacation rental analysis to be included in the General Plan Housing Element Update, the Planning Division shall present the findings to the Board of Supervisors to request direction on County Code amendments for additional regulations pertaining to short-term vacation rentals; and

Whereas, the proposed Short-Term Vacation Rental Moratorium on accepting new short-term vacation rental applications for all properties less than 2.5-acres countywide is necessary while the County considers amendments to the Siskiyou County Zoning Ordinance.

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- (c) The prohibition set forth in this Section shall not apply to any application that was submitted to the County prior to the effective date of this ordinance. Any such application may continue to proceed under Title 10, Article 12 of the Siskiyou County Code.

Section 2. Authority/Effective Date

This ordinance establishing a Short-Term Vacation Rental Moratorium on accepting new short-term vacation rental applications for all properties less than 2.5-acres countywide shall become effective 30 days after its passage and shall, within 15 days of adoption, be published once in a newspaper of general circulation, printed and published in the County of Siskiyou.

Section 3. Severability

If any section, subsection, sentence, clause, phrase, or portion of this ordinance or the application thereof to any person or circumstance is held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the remaining portions or other applications of the ordinance, and the provisions of this ordinance are declared to be severable.

Section 4. CEQA

The Board hereby finds that this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) because it can be seen with certainty that there is no possibility of a significant effect on the environment from the adoption of the moratorium on accepting new short-term vacation rentals for properties less than 2.5-acres countywide. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. In addition, the Board of Supervisors further finds that the ordinance is categorically exempt from further review under CEQA Class 8 Categorical Exemption, 14 CCR § 15308, (regulatory activity to assure protection of the environment).

Passed and Adopted this _____ day of _____, 2021 at a regular meeting of the Board of Supervisors by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Ray A. Haupt, Chair
Board of Supervisors

Attest:
Laura Bynum, Clerk,
Board of Supervisors

By _____
Deputy

Staff Report

Meeting Date: July 6, 2021
To: Siskiyou County Board of Supervisors
From: Kirk Skierski, Planning Director
Subject: Moratorium on Accepting New Short-Term Vacation Rental Applications (Z-21-03)

Background

Over the past several years, the County has seen an increased number of short-term vacation rental applications as compared to the early 2000s. It is staff's opinion that this is due to the availability and expansion of online booking platforms. As a result of the increased application submittals for short-term vacation rentals, there also has been an increase in public opposition due to neighborhood compatibility concerns and wildfire risk. In addition, there is public perception that short-term vacation rentals have a direct causation of impacts to housing availability and housing/rental prices. While there may be a correlation between short-term vacation rentals on housing availability and housing/rental prices, in actuality, housing is a complex issue with multiple factors that affect how a private property owner wants to utilize their property.

County staff was directed to bring forward to the Board of Supervisors during the March 2, 2021, meeting an Urgency Ordinance that would establish a moratorium on accepting new short-term vacation rental applications countywide. California Government Code Section 65858 grants local governments' legislative authority to adopt an urgency ordinance by four-fifths vote. However, the March 2, 2021, Urgency Ordinance did not receive the required four-fifths vote to become effective. On April 6, 2021, County staff went to the Board of Supervisors requesting direction for a potential short-term vacation rental moratorium. The Board of Supervisors directed staff to move forward with an Ordinance to establish a moratorium on accepting new short-term vacation rental applications for all properties less than 2.5-acres countywide.

Analysis

On June 30, 2020, Siskiyou County applied for the State's Local Early Action Planning Grant Program (LEAP) to request \$150,000 in grant funding in order to update the County's General Plan Housing Element. The County's LEAP grant application was approved on July 17, 2020, and staff is currently working on releasing a request for proposal (RFP) for a third-party consultant to complete the necessary Housing Element update.

Short-term vacation rentals present opportunities and constraints to each of the County's communities and rural neighborhoods. It is staff's opinion that a county-wide short-term vacation rental study should occur as part of the Housing Element update and would be feasible with a grant award of \$150,000. The short-term vacation rental study could provide recommended direction and regulations for short-term vacation rentals within Siskiyou County. It is staff's opinion that a short-term vacation rental moratorium would be appropriate while the County analyzes short-term vacation rentals and considers additional regulations that could affect future short-term vacation rental applications. In addition, staff believes the establishment of a moratorium on accepting new short-term vacation rental applications for all properties less than 2.5-acres countywide to be appropriate metric in that the majority of public opposition to short-term vacation rentals occur when proposed on smaller acreage properties.

Planning Commission Recommendation

During the May 19, 2021, Planning Commission meeting, staff brought the proposed short-term vacation rental moratorium for all properties less than 2.5-acres countywide to the Commission for their consideration and recommendation. Generally, the Commission felt a short-term vacation rental moratorium was not appropriate nor warranted. The Commission highlighted the importance of short-term vacation rentals and their relationship with tourism and business in the county. In addition, smaller acreage properties tend to be located closer to incorporated cities and unincorporated community centers that heavily rely on tourism for their operations. Establishing a moratorium on these smaller acreage properties could result in short-term vacation rentals moving away from city and community centers towards larger, more rural properties where the use and associated effects can be exacerbated compared to properties close to city and business centers. Essentially, the Commission felt short-term vacation rentals are more appropriate in urban areas opposed to rural areas.

Due to these concerns, the Planning Commission recommended the Board of Supervisor reject the Short-Term Vacation Rental Moratorium.

Environmental Review

Staff finds that the proposed Short-Term Vacation Rental Moratorium is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) because it can be seen with certainty that there is no possibility of a significant effect on the environment from the adoption of the moratorium on accepting new short-term vacation rentals for properties less than 2.5-acres countywide. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. In addition, staff further finds that the moratorium is categorically exempt from further review under CEQA Class 8 Categorical Exemption, 14 CCR § 15308, (regulatory activity to assure protection of the environment).

As such, the Board of Supervisors would need to determine the project to be categorically exempt from CEQA prior to adopting the proposed Short-Term Vacation Rental Moratorium Ordinance.

Fiscal Impact

No direct fiscal impact other than staff time processing this project. Short-term vacation rental study can be included in the Housing Element update, which would be covered by grant monies received by the state. There is potential for indirect fiscal impact relating to prohibition of establishing new short-term vacation rentals while the moratorium is in effect (e.g. application fees; transit-occupancy tax; etc.), however this is speculative in nature.

Recommendation

The Planning Commission recommended the Board does not adopt the proposed Ordinance establishing a moratorium on accepting new Short-Term Vacation Rental applications for all properties less than 2.5-acres. Should the Board of Supervisors agree with the Planning Commission's recommendation, the Board could move to deny the proposed Ordinance.

Should the Board of Supervisors find merit in establishing a moratorium, staff recommends the following motion:

I move to take the following actions:

1. Introduce, waive, and approve the first reading of the proposed moratorium on accepting new short-term vacation rental applications for all properties less than 2.5-acres countywide (Z-21-03); and
2. Direct the clerk to schedule a continued public hearing for the second reading.

Attachments

1. Draft Ordinance, an Ordinance of the Board of Supervisors of the County of Siskiyou, State of California, Establishing a Moratorium on Accepting New Short-Term Vacation Rental Applications for all Properties Less than 2.5-Acres Countywide

Notice of Public Hearing

The Siskiyou County Board of Supervisors will hold a Public Hearing on Tuesday, July 6, 2021, at 9:00a.m., or as soon thereafter as may be heard, in the Board of Supervisors' Chambers, 311 Fourth Street, Yreka, California on the following item:

Moratorium on Accepting New Short-term Vacation Rental Applications

On April 6, 2021, the Board of Supervisors directed staff to bring forward a moratorium on accepting new short-term vacation rental applications for all properties less than 2.5 acres countywide. Should the proposed moratorium be adopted, only properties 2.5 acres or larger, countywide, may submit a Conditional Use Permit request for short-term vacation rental use while the moratorium is in effect. The length of the moratorium is expected to be 18 months, or until the County completes its analysis for the General Plan Housing Element, which will include analysis of short-term vacation rentals and potential policy recommendations. At that time, staff intends to return to the Board of Supervisors following the analysis to get direction on permanent modifications to the County's short-term vacation rental regulations.

Siskiyou County is in the process of updating its General Plan Housing Element, which is required to be adopted by November 15, 2022. On June 30, 2020, Siskiyou County applied for the State's Local Early Action Planning Grant Program (LEAP) to request \$150,000 in grant funding in order to update the County's General Plan Housing Element. The County's LEAP grant application was approved on July 17, 2020, and staff is currently working on releasing a request for proposal (RFP) for a third-party consultant to complete the necessary Housing Element update. As part of the Housing Element Update, staff will request analysis of short-term vacation rentals and potential policy recommendations be provided by the third-party. Staff intends to return to the Board of Supervisors following the analysis to get direction on modifications to the County's short-term vacation rental regulations.

It is anticipated that the proposed moratorium will be determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) and 15308. A "categorical exemption" implies that the project will not result in any significant adverse environmental effect. The Board of Supervisors will consider the appropriateness of said environmental recommendation based on the record of evidence before them. If substantial evidence is presented demonstrating a more appropriate environmental determination than the one being recommended, the Board of Supervisors may require and/or approve an alternative environmental determination pursuant to the requirements of CEQA.

All publications are on file in the Planning Division of the Siskiyou County Community Development Department, 806 South Main Street, Yreka, CA, 96097 and are available for public review. In addition, a staff report will be available at the Planning Division office three working days prior to the Board of Supervisors' meeting. Please contact the Planning Division at (530) 841-2100 if you have any questions regarding this project.

The public may attend by zoom/teleconference or in person, but please review each agenda for participation guidelines as attendance via ZOOM or teleconference may change. All interested persons are invited to be present and be heard thereon or present comments in writing to the Board of Supervisors, 510 North Main Street, Yreka, CA 96097. If not allowed or you are unable to attend the public hearing, you may direct written comments to the Board of Supervisors, 510 North Main Street, Yreka, CA 96097 or the following email: wendy@sisvotes.org. All items presented to the Board of Supervisors during a public hearing, including but not limited to, letters, e-mail, petitions, photos, or maps, become a permanent part of the record and must be submitted to the Clerk of the Board. It is advised that the presenter bring 7 copies of anything presented to the Board and that the presenter create copies in advance for their own records.

All public records related to an open session item on the agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a **majority of** the legislative body will be available for public inspection at 510 North Main Street, Yreka, CA 96097 at the same time that the public records are distributed or made available to a majority of the members of the legislative body. All supporting documentation is available for public review in the office of the Clerk of the Board of Supervisors, located in the Siskiyou County Clerk's Office, 510 North Main Street, Yreka, CA 96097, during regular business hours, 9:00 a.m. – 12:00 p.m. and 1:00 p.m. – 4:00 p.m., Monday through Friday.

If you challenge the moratorium and/or CEQA determination in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Clerk of the Board at, or prior to, the public hearing.

Laura Bynum, County Clerk



By: Wendy Winningham, Deputy County Clerk

PROOF OF PUBLICATION
(2015.5 C.C.P.)

Mt. Shasta Area Newspapers
Mount Shasta Herald, Weed Press, Dunsmuir
News,
Siskiyou Daily
STATE OF CALIFORNIA
County of Siskiyou

PROOF OF PUBLICATION OF

NOTICE OF PUBLIC HEARING

The Siskiyou County Board of Supervisors will hold a Public Hearing on Tuesday, July 6, 2021, at 9:00a.m., or as soon thereafter as may be heard, in the Board of Supervisors' Chambers, 311 Fourth Street, Yreka, California on the following item:

MORATORIUM ON ACCEPTING NEW SHORT-TERM VACATION RENTAL APPLICATIONS

On April 6, 2021, the Board of Supervisors directed staff to bring forward a moratorium on accepting new short-term vacation rental applications for all properties less than 2.5 acres countywide. Should the proposed moratorium be adopted, only properties 2.5 acres or larger, countywide, may submit a Conditional Use Permit request for short-term vacation rental use while the moratorium is in effect. The length of the moratorium is expected to be 18 months, or until the County completes its analysis for the General Plan Housing Element, which will include analysis of short-term vacation rentals and potential policy recommendations. At that time, staff intends to return to the Board of Supervisors following the analysis to get direction on permanent modifications to the County's short-term vacation rental regulations.

Siskiyou County is in the process of updating its General Plan Housing Element, which is required to be adopted by November 15, 2022. On June 30, 2020, Siskiyou County applied for the State's Local Early Action Planning Grant Program (LEAP) to request \$150,000 in grant funding in order to update the County's General Plan Housing Element. The County's LEAP grant application was approved on July 17, 2020, and staff is currently working on releasing a request for proposal (RFP) for a third-party consultant to complete the necessary Housing Element update. As part of the Housing Element Update, staff will request analysis of short-term vacation rentals and potential policy recommendations be provided by the third-party. Staff intends to return to the Board of Supervisors following the analysis to get direction on modifications to the County's short-term vacation rental regulations.

It is anticipated that the proposed moratorium will be determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) and 15308. A "categorical exemption" implies that the project will not result in any significant adverse environmental effect. The Board of Supervisors will consider the appropriateness of said environmental recommendation based on the record of evidence before them. If substantial evidence is presented demonstrating a more appropriate environmental determination than the one being recommended, the Board of Su-

pervisors may require and/or approve an alternative environmental determination pursuant to the requirements of CEQA.

All publications are on file in the Planning Division of the Siskiyou County Community Development Department, 806 South Main Street, Yreka, CA, 96097 and are available for public review. In addition, a staff report will be available at the Planning Division office three working days prior to the Board of Supervisors' meeting. Please contact the Planning Division at (530) 841-2100 if you have any questions regarding this project.

The public may attend by zoom/teleconference or in person, but please review each agenda for participation guidelines as attendance via ZOOM or teleconference may change. All interested persons are invited to be present and be heard thereon or present comments in writing to the Board of Supervisors, 510 North Main Street, Yreka, CA 96097. If not allowed or you are unable to attend the public hearing, you may direct written comments to the Board of Supervisors, 510 North Main Street, Yreka, CA 96097 or the following email: wendy@sisqvotes.org. All items presented to the Board of Supervisors during a public hearing, including but not limited to, letters, e-mail, petitions, photos, or maps, become a permanent part of the record and must be submitted to the Clerk of the Board. It is advised that the presenter bring 7 copies of anything presented to the Board and that the presenter create copies in advance for their own records.

All public records related to an open session item on the agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at 510 North Main Street, Yreka, CA 96097 at the same time that the public records are distributed or made available to a majority of the members of the legislative body. All supporting documentation is available for public review in the office of the Clerk of the Board of Supervisors, located in the Siskiyou County Clerk's Office, 510 North Main Street, Yreka, CA 96097, during regular business hours, 9:00 a.m. - 12:00 p.m. and 1:00 p.m. - 4:00 p.m., Monday through Friday.

If you challenge the moratorium and/or CEQA determination in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Clerk of the Board at, or prior to, the public hearing.

Laura Bynum, County Clerk
By: s/ Wendy Winningham, Deputy County Clerk
NEWS#11643 PUB. JUNE 23, 2021

I am a citizen of the United States of the County aforesaid; I am over 18 years, and not a part to nor interested in the matter. I am the Administrator of the Mt. Shasta Area News, a newspaper of general circulation, published at Mount Shasta, Weed, Dunsmuir, and which newspaper is a newspaper of general circulation under the dates of: Mount Shasta, 1951, Case Number 14392; Dunsmuir, 1953, Case Number 15231; Dunsmuir, 1953, Case Number 15186; and which newspaper is adjudicated May 18, 1953, No. 1953, of which the annexed is a print smaller than nonpareil), has been published in regular and entire issue of said newspaper, and any supplement thereof on the

June 23

Fill in the year 2021

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Mount Shasta, California

This 23rd day of June

20 21

Authorized Signature

FILED

Siskiyou County

JUL 1 2021

LAURA BYNUM, CLERK
BY: Wendy Winningham
Deputy Clerk

PROOF OF PUBLICATION
(2015.5 C.C.P.)

Mt. Shasta Area Newspapers
Mount Shasta Herald, Weed Press, Dunsmuir
News,
Siskiyou Daily News
STATE OF CALIFORNIA
County of Siskiyou

I am a citizen of the United States and a resident of the County aforesaid: I am over the age of eighteen years, and not a part to nor interested in the above entitled matter. I am the Administrative Assistant of the Mt. Shasta Area Newspapers newspapers of general circulation, published weekly in the cities of Mount Shasta, Weed, Dunsmuir, and Yreka. County of Siskiyou, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Siskiyou, State of California, under the dates of: Mount Shasta Herald – July 9, 1951, Case Number 14392; Weed Press – June 22, 1953, Case Number 15231; Dunsmuir News – May 25, 1953, Case Number 15186; Siskiyou Daily News adjudicated May 18, 1953, No. 15190 that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspapers and not in any supplement thereof on the following dates, to-wit:

August 11

Fill in the year 2021

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Mount Shasta, California

This 11th day of August

2021

Authorized Signature

PROOF OF PUBLICATION OF

ORDINANCE NO. 21-15
AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SISKIYOU, STATE OF CALIFORNIA, ESTABLISHING A MORATORIUM ON ACCEPTING NEW SHORT-TERM VACATION RENTAL APPLICATIONS FOR ALL PROPERTIES LESS THAN 2.5-ACRES COUNTY-WIDE

Whereas, on June 30, 2020, Siskiyou County applied for the State's Local Early Action Planning Grant Program (LEAP) to request \$150,000 in grant funding in order to update the County's General Plan Housing Element; and

Whereas, on July 17, 2020, Siskiyou County was awarded \$150,000 through State's Local Early Action Planning Grant Program (LEAP); and

Whereas, on April 6, 2021, the Board of Supervisors directed staff to bring forward an Ordinance to establish a moratorium on accepting new short-term vacation rental applications for all properties less than 2.5-acres countywide; and

Whereas, the short-term vacation rental moratorium would be established and remain in effect while the County completes the General Plan Housing Element Update, which would include analysis of short-term vacation rentals and consider additional regulations that could affect future short-term vacation rental applications; and

Whereas, following the conclusions of the short-term vacation rental analysis to be included in the General Plan Housing Element Update, the Planning Division shall present the findings to the Board of Supervisors to request direction on County Code amendments for additional regulations pertaining to short-term vacation rentals; and

Whereas, the proposed Short-Term Vacation Rental Moratorium on accepting new short-term vacation rental applications for all properties less than 2.5-acres countywide is necessary while the County considers amendments to the Siskiyou County Zoning Ordinance.

Now, Therefore, Be It Resolved the Board of Supervisors hereby ordains as follows:

Section 1. Short-Term Vacation Rental Moratorium

(a) The Board of Supervisors hereby establishes a Short-Term Vacation Rental Moratorium on accepting new short-term vacation rental applications for all properties less than 2.5-acres countywide.

(b) The application for, or issuance of, a conditional use permit for the use described under Siskiyou County Code Section 10-6.1502(h); commonly known as a "short-term vacation rental", is prohibited for all properties less than 2.5-acres countywide until such time as this ordinance is repealed.

(c) The prohibition set forth in this Section shall not apply to any application that was submitted to the County prior to the effective date of this ordinance. Any such application may continue to proceed under Title 10, Article 12 of the Siskiyou County Code.

Section 2. Authority/Effective Date
This ordinance establishing a Short-Term Vacation Rental Moratorium on accepting new short-term vacation rental applications for all properties less than 2.5-acres countywide shall become effective 30 days after its passage and shall, within 15 days of adoption, be published once in a newspaper of general circulation, printed and published in the County of Siskiyou.

Section 3. Severability
If any section, subsection, sentence, clause, phrase, or portion of this ordinance or the application thereof to any person or circumstance is held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the remaining portions or other applications of the ordinance, and the provisions of this ordinance are declared to be severable.

Section 4. CEQA
The Board hereby finds that this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) because it can be seen with certainty that there is no possibility of a significant effect on the environment from the adoption of the moratorium on accepting new short-term vacation rentals for properties less than 2.5-acres countywide. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. In addition, the Board of Supervisors further finds that the ordinance is categorically exempt from further review under CEQA Class 8 Categorical Exemption, 14 CCR § 15308, (regulatory activity to assure protection of the environment).

Passed and Adopted this 3rd day of August, 2021 at a regular meeting of the Board of Supervisors by the following vote:

Ayes: Supervisors Criss, Kobseff and Valenzuela

Noes: Supervisors Ogren and Haupt

Absent: None
Abstain: None
RAY A. HAUPT,

CHAIR, BOARD OF SUPERVISORS

ATTEST:
LAURA BYNUM,

CLERK, BOARD OF SUPERVISORS
NEWS#11735 PUB. AUG. 11, 2021

FILED

Siskiyou County

19 2021

NMM, CLERK

Deputy Clerk

Wendy Winningham

From: Kirk Skierski
Sent: Tuesday, June 15, 2021 1:53 PM
To: Wendy Winningham
Subject: Short-Term Vacation Rental Moratorium PHN
Attachments: STR Moratorium_PHN.docx

RECEIVED

JUN 16 2021

SISKIYOU COUNTY
CLERK'S OFFICE

Wendy,

Attached is the public hearing notice for the Short-Term Vacation Rental Moratorium scheduled for the July 6, 2021 Board meeting. The hearing notice will need to be an 1/8th page ad in the newspaper. The PHN includes the same language as the June 1, 2021 hearing notice. There was additional text about zoom/teleconference, which I am not entirely sure is applicable for July 6th.

Kirk Skierski
Planning Director
County of Siskiyou
(530) 842-8203
Office Schedule: Mondays-Thursdays

PH on 7/6/21

PUBLIC HEARING CHECKLIST

Public Hearing for: Short Term Vac Rental Moratorium

	Date	Initials
Prepare public hearing notice and meet 10 day publication requirements in the Siskiyou Daily News. A courtesy publication may be needed, depending on the project location. SDN Publication Date: <u>6/23/21</u> Courtesy publication in _____ on <u> / / </u>	<i>1/8 page ad</i> 6/17/21	ww
Post the public hearing notice to the County's webpage.	6/17/21	ww
Post at County Clerk's Office	6/17/21	ww
Post at three locations at the Courthouse	6/18/21	ww
Send notice to property owners within 300 feet of the project, if applicable. Planning Department will provide address information Prepare letter Prepare mailing Complete Proof of Mailing	<i>1/8 page ad requested</i> /	/
Place on appropriate agenda template in Questys, and scan public hearing notice	6/17/21	ww
Place a "tickler" in Outlook for 5 days after publication, to see if affidavit of publication was received. If not, call newspaper.	6/17/21	ww
Scan affidavit of publication into Questys once received.		
Email public hearing notice to Public Hearing Distribution list members	6/18/21	ww
Notify Dept that public hearing is in Questys and to start a workflow project	6/17/21	ww

***If an ordinance was adopted it is to be posted on the County's webpage (send to Central IT for placement)