

Thomas P. Byrne

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March 13, 2023

Gary Helfrich, Project Planner
2550 Ventura Ave
Santa Rosa CA 95403

Via email: gary.helfrich@sonoma-county.org

Re: Notice of a Sonoma County Planning Commission
Public Hearing to Consider adding and Amending the Vacation
Rental Exclusion
Hearing Date: March 16, 2023

Dear Mr. Helfrich:

This letter is to urge the commission to vote **NO** for the rezoning of various parcels at this time. My wife and I have lived in the City of Sonoma for 30 years. We also own a Sonoma County parcel on Birch Road directly outside the boundary of the City of Sonoma. In our area, just south of City limits of Sonoma, including, Birch Road, David St., and Palmer Ave. a ban on short term rentals is not wanted or needed.

My first point is an objection to the lack of time to respond to your above-described Notice and the lack of specificity of the Notice. The Notice is dated March 3, 2023, posted marked March 6, 2023, and received March 8, 2023. The Notice states that written comments need to be received 10 days prior to the hearing to be in the staff report. With the hearing March 16, 2023, this Notice effectively is no timely notice at all, or at the very least, this Notice discourages fair public comment. Further, it is impossible to interpret from the face of this Notice whether the rezoning affects, or how it affects, any given parcel. A parcel owner will have one's address and parcel number, but from that one cannot tell whether one's property is subject to a cap, or a complete exclusion or affected at all. (I was told that my parcel on Birch Road falls under the exclusion of Palmer Ave. but I am not entirely sure.) On the Notice there is no link to a map or list of parcels affected. For these reasons, the notice lacks procedural due process.

My second point is only a comment. The commission will not get a fair sampling of public comment because of the lack of time and clarity of the Notice. Further, property owners with existing permits are unlikely to respond as they are unaffected.

My third point is that this new law, if passed, can have unwanted consequences. Finding a hotel room within the City of Sonoma can be tough and very expensive. (The hotel across from my property at the corner of Leveroni and Broadway starts with charges over \$600 a night.) Short-term rentals on Birch Road provide a check and balance to high priced hotels and promote tourism. Short-term rentals are already ban in the City of Sonoma and a further ban here just outside the city limits is not necessary. As

March 13, 2023

Page Two

a side note, I am happy with the existing short-term rentals on Birch Road and surrounding area because the owners are responsible.

My fourth comment is that there should be a fairer way to regulate short-term rentals rather than rezoning a broad brush of parcels to cap or exclude short-term rentals. Blanket exclusionary zones on property parcels are unfair by nature when there are existing permits for short-term rentals already. This down-zoning law will create “the haves” and the “have nots” and create resentment among neighbors. Some owners purchased in this area because short term rentals were allowed rather than in the City of Sonoma. They also paid a premium to be outside of the City of Sonoma where a ban was in effect. Some owners in this area plan to use their house for retirement income from short-term rentals or at least have this option available in the future. Cap Restrictions, which may be better than blanket exclusions, have similar fairness problems. The county can use existing laws concerning noise, nuisance, and occupancy laws to curtail bad actors.

In closing, I feel that there is a rush to get this rezoning law passed without adequate public comment. There is little time for a meaningful response with this Notice. There is no urgency with the current temporary moratorium. An exclusionary zone just south of Sonoma to prevent short-term rentals is unnecessary and unwanted.

If there are any questions, then please contact me. You may reach me on my cellular telephone at (415) 533-3636, email, or the address noted above.

Sincerely

A handwritten signature in black ink, appearing to read "Tom P. Byrne", with a stylized flourish at the end.

Thomas P. Byrne