

Fred Allebach  
Sonoma  
7/17/21  
Local Coastal Plan public comments

My only comments are on the Public Access Element.

**Policy C-PA-3g**

Lower-fee camping access/ low-cost camping accommodations are very important in an era of extreme social inequity. The coast can't just be for the rich and wealthy. Please ensure that low-cost camping opportunities are set aside and maintained.

The camping reservation system, for both county and state camping facilities has added a layer of difficulty for equitable public access. More walk-ins and spots held for same-day spots should be offered. What has happened now is that you go to find a spot and they are all reserved for months at a time.

This farming out of reservations to low-cost companies who are not even from around here affects public access by favoring the privileged. Consideration should be given to going back to the old reservation system, with on-site personnel. Give real people real jobs, stop the automation.

If the state is flush with \$76 billion after Covid-19, spend some on restoring all the great features that were gradually taken away over the last 20 years.

**Policy C-PA-4d**

**Program C-PA-1**

Policy C-PA-4d says: "Maintain and provide free parking, subject to reasonable restrictions, at all public access points on the coast which do not contain special facilities in excess of restrooms, parking, gated access, trash enclosures, informational kiosks, and other minor amenities. If user fees are implemented for any coastal park areas, encourage discounts to County residents."

For both Policy C-PA-4d and Program C-PA-1 of the Public Access Element, I in the strongest terms support free parking access everywhere it is offered now. Absolutely NO user fees should be implemented to county access areas. This whole document goes on and on about not restricting public access. The worst thing the county could ever do would be to put a paywall on coastal access. NO FEES for parking or access!!!!!!!!!!!!!!!!!!!!!!

The demonstrable and objective county housing crisis underlines that the lower area median income cohort here is being heavily squeezed by high cost of living, inflation and gentrification. Parking fees and coastal access fees are one more nail in the coffin for equitable coastal access for poor people.

The implementation of county access and parking fees should be expressly prohibited in the Local Coastal Plan, now and in the future; no weasel word phrases that allow parking and access fees. Just do it, prohibit all county parking and access fees except for camping.

<https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/Local-Coastal-Program/Public-Review-Draft/#factsheets>

Fred Allebach  
Sonoma  
7/18/21

### **Local Coastal Plan, additional public comments**

The Sonoma County coast is a tremendous and special natural and public resource to which free parking and no-cost/ low-cost public access should be fully protected and preserved. I made previous comments strongly supporting free parking in perpetuity, Policies C-PA-4d and Program C-PA-1, and supporting low-cost camping accommodations, Policy C-PA-3h.

In addition, I strongly support Policy C-PA-2f: "Provide low cost overnight camping and lodging facilities at periodic intervals along the California Coastal Trail corridor to support long term hiking and bicycling excursions. (NEW)"

-Low cost should be \$20 or less, not more than \$30.

I also strongly support Program C-PA-XX: "Evaluate feasibility of providing bus shuttle service from inland areas to popular coastal destinations. (NEW)"

-While Sonoma County's spread out geography and generally poor rural transit service and long headways almost demand residents have a car, a linked coastal shuttle service from Roseland in Santa Rosa and the Springs in Sonoma Valley, would target areas of known low-income residency where families may not own cars.

-For the shuttle, target low-income areas with Census designated DACs (disadvantaged communities). Roseland and the Springs are high DAC areas.

### **General comments on the Plan:**

-Discourage or ban vehicles on the beach except for emergency purposes. Tire tracks on the beach (Salmon Creek/ Bodega Dunes) cheapen the natural experience and create a "trammeled" feel that people going to nature for inspiration are seeking to escape.

-Avoid over-development and keep things simple.

-Don't let homes and commercial development encroach on areas where there are few or none now.

-Create free or low-cost designated fire evacuation camping areas so county residents will have a place to go with a sea breeze to get fresh air during fire and smoke emergencies. All you need is a flat area for tents or RV rigs, water, and portable toilets. Allow temporary tent camping on the beach out of Bodega Dunes and Salmon Creek. In the western US, there is nowhere to go inland to escape fire and smoke; the coast is natural haven. My family went to Lawson's Landing in 2017, and it was great, but they no longer offer that free service. Doran Beach, Bodega Harbor, Bodega Dunes, Wright's Beach, Salt Point, Gualala could all be repurposed for emergency fire evac camping.

-Ban drones.

-Dedicate more funds to keep up signage to protect nesting wildlife and resting sea mammals.

-Dedicate more funds to take out invasive pampas grass.

-Put a guard rail on the road up to Bodega Head, or at least a sign noting a dangerous shoulder drop-off.

-Improve signage from the Gualala campground out to the coast, current signage and maps are vague and don't let the public know what's coming.

**From:** [Ward Bouwman](#)  
**To:** [PRMD-LCP-Update](#)  
**Subject:** Comments on the Local Coastal Plan Update 2/8/2021  
**Date:** Monday, February 08, 2021 12:59:28 PM

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## EXTERNAL

RE with regard the Vacation Rental (VR) homes in the county.

I am arguing against regulation or limiting access to VR on the Sonoma coast.

As a young family for 20 years we have renting VR rentals at the Sonoma coast. Recently we were able to purchase a home with the goal of 50% personal occupation. We are now proud Sonoma county Tax payers. This is made possible by personal saving and vacation rentals. Regulations would be devastating for our financing.

I understand that some very vocal rich neighbors prefer to keep the coastal access and enjoyment for themselves, without children, without regard for the discretionary TOT tax for the board of supervisors, without regard to employment of tourist support industry\*, without regard to the impact this has on (young) families enjoyments. I do not see what problem the county is try to solve other then annoying very vocal rich neighbors noice.

- I oppose limiting the VR at the coast. 60% of the properties are seasonal occupied of which only a few are VR. Further limiting VR quickly becomes an equity issue as it drive VR the price up.
- I oppose limiting VR requiring a local management company. The quotes I got was for \$30K a year, which will force us to do VR year round, rather then occasionally
- I oppose rules that makes the owner of the property owners responsible the guest annoying behavior. This is unprecedented. While rare that guest are annoying, LONG term rental property owners are not responsible for their renters annoying behavior, ADU owners are not responsible the their renters, neither are hotel property owners. Generally, a VR owner is under a duty to receive all persons who offer themselves as guests. As such, misbehavior should be enforced with the guest causing the annoyance.
- I oppose the county enforcing complains about VR by prohibiting rentals for 2 years after a noice complained. By the nature of VR the guest stay is short, unlike noice complains form long term rentals. In the latter, the county does not prohibit rentals for 2 years either, nor does the county revoke a plumber's license after 2 complains.
- I oppose raising the TOT tax to discourage VR or any other special increase in pricing for utilities . Marin County and Mendocino County are have a lower TOT tax. Increasing utility pricing for a VR is unfair for occasional VR's.

Thanks you for considering my view,

\* Even in a time of COVID, VR guest order takeout, while the VRs need more cleaners, plumbers, roofers, carpenters than idle sitting houses.

Submitted by

Ward Bouwman  
[Ward.Bouwman@gmail.com](mailto:Ward.Bouwman@gmail.com)

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**From:** [Kimberly Burr](#)  
**To:** [PRMD-LCP-Update](#)  
**Cc:** [Sean McNeil](#); [rick.rogers@noaa.gov](mailto:rick.rogers@noaa.gov); [Maxfield](#); [Matt St. John](#); [Bob Coey - NOAA Federal](#); [Hansen](#); [Caryl.Hart@coastal.ca.gov](mailto:Caryl.Hart@coastal.ca.gov)  
**Subject:** Comments LCP update 2021  
**Date:** Friday, July 16, 2021 10:09:42 PM

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EXTERNAL

Dear Gary. Thank you for all your hard work on the LCP. It is my understanding that comments that I submitted on ESHA are in the Administrative record, however recently I was made aware that perhaps they are not. There was a previous effort on the LCP update and now there is another effort preparing an updated LCP for Sonoma county. I want all my comments to be in the record for this process. Please bring them forward and make them a part of the official record.

The habitat must be generous and take into account that the coastal areas are some of the only places many species can survive. Individuals of a species must be protected and their habitat but that is not enough. The Local coastal Plan must acknowledge the realities of biology, habitat loss, climate change, etc in order to properly protect what is left to us.

My concerns are that the draft ESHA designations are too limited. We are forcing species to migrate due to climate change and development. The ESHA to date is too small for the habitat needs of plant and animal species. Recovery planning by agencies and critical habitat designated species including room for migration due to climate change must be considered ESHA. To date I do not see that my comments have been addressed.

Thank you for ensuring that my all my comments on this process are captured rather than having public comments arbitrarily lost in the different phases of this update.

No project or activity specific surveys or opinions at a later date will suffice to define habitat considered ESHA. That is to continue the improper segmentation for which unfortunately Sonoma county is famous. Proper and generous (given the margin of error we must build in) designation of ESHA now based on best available science must occur now. Thank you again for your kind attention and important work.

Kimberly Burr

Sent from my iPhone

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**From:** [Pettis, Kelsey@DOT](mailto:Pettis.Kelsey@DOT)  
**To:** [PRMD-LCP-Update](#)  
**Subject:** Jenner Beach Focused Vulnerability Assessment (2016)  
**Date:** Wednesday, June 23, 2021 2:22:02 PM

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**EXTERNAL**

Hi,

My name is Kelsey Pettis, and I am an Associate Transportation Planner for Caltrans District 4. The System Planning Branch is working on finishing the SR 1 North Transportation Concept Report (TCR). The document will include Sonoma County's LCP. I noticed that there was a separate vulnerability assessment completed for Bodega Bay and was curious if the vulnerability assessment for Jenner was completed. I searched the county website but could not find it. If the Jenner Vulnerability Assessment was completed, can you please send me a copy or the link. We would like to include this information in the TCR.

Thank you,

-Kelsey Pettis

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**From:** [Elise VanDyne](#)  
**To:** [Cecily Condon](#)  
**Subject:** Public Comment on the LCP  
**Date:** Thursday, January 30, 2020 1:13:54 PM

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Elise VanDyne  
Field Rep for Supervisor Lynda Hopkins  
Board of Supervisors / Fifth District  
[Elise.VanDyne@sonoma-county.org](mailto:Elise.VanDyne@sonoma-county.org)  
707.565.2241

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-----Original Message-----

From: lenachyle <[lwchyle@sonic.net](mailto:lwchyle@sonic.net)>  
Sent: Thursday, January 30, 2020 11:17 AM  
To: Lynda Hopkins <[Lynda.Hopkins@sonoma-county.org](mailto:Lynda.Hopkins@sonoma-county.org)>  
Subject: Local Coastal Update

EXTERNAL

Dear Supervisor Hopkins,

Thank you for your service to Sonoma County and for reading this letter.

I am a resident of Jenner and am very concerned about the Proposed Local Coastal Plan Update.

The updated draft is hard to read and understand. It is difficult to find areas I am concerned about, since there is an incomplete Table of Contents and no Index. I don't see definitions of many terms in the Glossary. Much of the science is outdated. There are no goals or objectives which address Climate Change or Environmental Justice concerns. Our community, local environmental non-profits, Coastal Tribes, and State Parks- that manages a significant portion of our Coastline- apparently were not involved in drafting the document.

I urge the County to go back to the drawing board to rewrite the draft with the input from citizen advisory committees made up of local concerned citizens, scientist & experts, as they did with the Existing LCP, to produce a draft that includes current issues facing our Coast. Only then will it be possible to offer meaningful comment and ensure that the intent of the existing LCP and the unique character of the Sonoma Coast is preserved .

Thank you for your consideration.

Lena Chyle

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## **COMMENTS - LOCAL COASTAL PLAN REVISION 6/2021**

**From: Sonoma County Coalition of Hosts**

**July 2, 2021**

We commend Permit Sonoma staff and the county for their multi-year effort in completing the Local Coastal Plan draft and updating the prior LCP in so many important areas.

As a group of homeowners who rent or host their homes in Sonoma County and to coastal visitors on a short-term basis we were especially interested in the Land Use Element – Implementation Programs – Program C-CU-1 to establish performance standards for the use of existing residences for vacation rentals and hosted rentals. We look forward to the proposed performance standards and any public workshop that may be held to discuss them.

We have reviewed and are aware of the existing inland VR Ordinance and Special Use Standards for Hosted Rentals. We look forward in working with you in the preparation of performance standards that include coastal zone homes. We ask that you make clear that short-term renting or hosting our homes is still a residential use of our homes.

### **Short Term Rental Owners/Hosts Provide Public Coastal Access**

Our vacation rental (VR) owners and hosts want to operate responsibly and continue to open our homes to the public by providing affordable accommodations to many Californians who would otherwise not be able to stay overnight on the coast. The revised LCP noted there are 374 hotel/motel rooms on the Sonoma County coastal zone. This is a small number of overnight facilities for a 55 miles long coastal area.

The coastal VR/short-term rentals and hosts add so many more tourist overnight facilities to these few hotel/motel rooms. They have done this for decades. These owners have been a part of the fabric of our coastal communities and have done much to ensure the public's access to the coast.

Many of the VR owners/hosts are “mom & pop” owner/hosts – some even “mom” only - who are doing their best to keep their homes, pay off their mortgages, and be part of the communities they have enjoyed for years. It is a win-win for the county and the Coastal Commission that so many of us are willing to share our homes with the public.

Most whole-house short-term rental (STR) properties are someone's home that is being rented out when they are not able to be there. The ability to earn short term income on the property is what makes that ownership affordable for them. Otherwise they may not be able to afford the home which may be their dream home where they plan to live in retirement or leave to their grandkids.

Coastal VR owners and hosts come in many versions but one thing is for sure: nearly all VR owners have only one coastal home and they work hard to keep it and share it with the public. They may have bought it for future residency on the coast. For retirees, pensions are becoming a thing of the past and owning a vacation rental home is not only a way to make ends meet, it's a retirement nest egg. These coastal owners may have inherited it from their family, or are folks who live and work in the bay area and cannot afford a home there but want to begin building equity themselves (and enjoy a weekend at the coast when they can) while continuing to work/rent down south.

Without the option to earn extra income through flexible short term rentals, siblings might have to sell the inherited family home, divorced or widowed mothers may not be able to maintain the coastal home. Only the uber-rich who can afford to maintain a vacant second home during their own absences will be purchasing. In this scenario many lovely coastal homes will be vacant and the public will truly suffer.

Most short term rental properties are someone's 2d home, or with bay area renters – their *only* home. These individuals may have hopes of retiring and living in it permanently one day, but while working they can't afford two homes, two mortgages, two insurance policies, or pay taxes on two properties. The only way average folks can retain use and still afford a retirement home is to offer it short term until they pay off the property in many years – at which time they can retire and live permanently in their coastal home.

The Sonoma Coast VR owners/hosts easily double the number of overnight tourist facilities in the coastal zone. There will not always be owners who choose to open their home to the public. The availability of VR homes will wax and wane depending on the price of the homes and who buys them. It is difficult to mandate that people live in their homes permanently or rent their homes long-term. This is often a personal decision based on family needs and personal preference. There may be a time when few coastal owners want to rent their homes short term – that will be a loss for the public seeking low cost, affordable overnight rentals.

## **Comments – Short Term Rental Restrictions**

Allow Coastal Zone homeowners the option to choose how they wish to purpose their home, and don't prohibit lower cost housing from being used as a vacation rental, as the cost of other properties that are higher value, will ultimately make it too expensive for low to moderate income families to enjoy the Coastal Zone. This will help ensure maximum public access, because without lower cost visitor serving facilities, members of the public with low or moderate incomes would be more limited in their ability to access and enjoy the coast. **Creating an ordinance that only allows wealthy homes to be used as vacation rentals, only allows the wealthy to stay in Sonoma County.**

Hosted rentals allow anyone to use a portion of their home, for additional, flexible income. This extra income helps people make ends meet or meet their goals. Restricting hosted rentals to only 1 room limits not only the homeowner, but the supply of affordable accommodations to low or moderate income individuals. **Allow hosted**

**rentals the option to purpose more than 1 room short-term, so affordable accommodations can be available to singles, couples, and low or moderate income visitors.** This will help ensure maximum public access, by providing lower cost visitor facilities, so all members of the public can enjoy the coast. Food Service, if provided, could be “grab” and “go” items as in budget hotels/motels, so there is a distinction from B&B’s.

**Accessory Dwelling Units that are offered short term would allow public access along the Sonoma Coast by offering affordable accommodations to lower and middle income individuals and families, as they are often less expensive than equivalent lodging in a hotel.**

- Short-term rental use of ADU/JADU units offer property owners much more flexibility in how their property is being used.
- Units can be used by adult children or other family members who have short-term need of housing (school breaks, job change, visiting family).
- Units can easily be converted to full-time rentals or any other use, as the owner sees fit depending on family needs.

## **Comments – Additional Points**

We agree with Permit Sonoma that a better way to regulate STRs is to limit the number of permits one owner can be issued. This is recommended over density limits and proximity limits – especially on the coast where so many homes are not occupied by permanent residents, and the population is about 3500.

- All existing STR homes should be grandfathered in when the coast is regulated
- There should be a maximum of 3 permits allowed for an owner
- Corporations should not be issued permits for STRs

This would be fair to Coastal Zone owners, a boon to the California public seeking coastal access, and allow private individuals the option to purpose a home short term.

## **Conclusion**

We ask that the county not place restrictions on vacation rental or hosting in the Coastal Zone. We can work with performance standards. That can be an enhancement for the public and our communities. But placing density caps, proximity limits, and other restrictions on vacation rental homes negatively affects average folks. In their time of need, will a permit even be available for them? One never knows when some unexpected event will happen (i.e. loss of a job, care of a loved one, divorce or death of a spouse) and they find themselves needing to earn extra income – offering a home short-term could be the only way to make ends meet. Please do not close the doors on us and create obstacles to our way of life.

Thank you for the opportunity to share our thoughts.

**From:** [Lance Coletto](#)  
**To:** [Scott Orr](#); [Scott Hunsperger](#); [Chelsea Holup](#); [PRMD-LCP-Update](#)  
**Subject:** Proposed Model Rule 6.7  
**Date:** Monday, July 19, 2021 11:57:37 AM

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## EXTERNAL

I am writing to express my opposition to the Model Rule 6.7 that would limit short-term rentals at The Sea Ranch.

As a native of the Bay Area, life-long visitor to Sonoma Coast and, in the past 15 years, The Sea Ranch, I am grateful to the owners who have chosen to open their homes and share this precious place with those who could not otherwise experience the beauty of staying at The Sea Ranch (the lodge is wonderful, but does not compare with the many homes we have enjoyed).

As a guest, my family and I have always been respectful of the land and especially respectful of other inhabitants and their privacy. We have made countless memories and it would be a shame to curtail the ability of others to do so as well.

I urge you to oppose the rules that would severely curtail the ability of families to experience all that the Sonoma Coast has to offer and impinge on the rights of existing homeowners.

Sincerely,

Lance Coletto

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**From:** [Cyane Dandridge](#)  
**To:** [PRMD-LCP-Update](#)  
**Subject:** Comments on the Local Coastal Plan Update 2/8/2021  
**Date:** Monday, February 08, 2021 1:56:32 PM

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## EXTERNAL

To whom it may concern:

I have comments regarding Vacation Rentals homes in the county.

I am arguing against regulation or limiting access to Vacation Rentals (VR) on the Sonoma coast.

For 20 years we have been renting vacation homes on the Sonoma coast. Recently we were able to purchase a home with the goal of 50% personal occupation. We are proud Sonoma County tax payers. This was only possible by diligent savings on our part. Regulations and limitations would be devastating for us financially.

I understand that some very vocal, very wealthy neighbors prefer to keep the coastal access and enjoyment for themselves, without regard for the discretionary TOT tax for the board of supervisors, without regard to tourism-supported industries\*, without regard to the impact this has on (young) families' continued access and enjoyment of the Coast. I do not see what problem the County is trying to solve. I do not feel it is equitable for wealthy families to have such exclusive access to the beautiful Sonoma Coast. Vacation rentals enables increased access for families of all types of incomes and backgrounds, and I would hope this is the priority of planning departments.

- I oppose limiting the Vacation Rentals at the coast. 60% of the properties are seasonally occupied of which only a few are Vacation Rentals. Further limiting Vacation Rentals quickly becomes an equity issue as it would drive up prices and limit availability.
- I oppose limiting Vacation Rentals requiring a local management company. Management companies are prohibitively expensive, again limiting access. We live 40 minutes from our property, and in most cases have no issue in managing the property. In cases where the issue needs immediate attention, we have a local resident who helps us solve the issue. In addition, in order to pay those costs, owners would have to rent properties more to cover the higher costs.
- I oppose rules that makes the property owners responsible for annoying guest behavior. This is unprecedented, as long term rental property owners are not responsible for their renters behavior, ADU owners are not responsible the their renters, and neither are hotel property owners. Generally, a VR owner is under a duty to receive all persons who offer themselves as guests. As such, misbehavior should be enforced with the guest causing the annoyance.
- I oppose the County enforcing complaints about Vacation Rentals by prohibiting rentals for 2 years after a noise complaint. By nature of Vacation Rentals, the guest stay is short, unlike noise complaints from long term rentals. In the latter, the county does not prohibit rentals for 2 years either, nor does the County revoke other licenses that provide local service after 2 complaints. In addition, it opens up the possibility of an owner unduly complaining about a renter, even if there is not actual basis for the complaint.
- I oppose raising the TOT tax to discourage VR or any other special increase in pricing

for utilities. Marin County and Mendocino County have a lower TOT tax. Increasing utility pricing for a VR is unfair for occasional VR's.

Thank you,  
Cyane Dandridge

\* Even in a time of COVID, VR guests order takeout food, while the VRs need more cleaners, plumbers, roofers, carpenters than idle sitting houses.

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415-507-2184 Phone

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## Comments on Local Coastal Plan Update – 12/10/2019

Submitted by C. Estrada (est3520@gmail.com)

### OVERVIEW

The Sonoma Coast State Beaches are one of the most popular coastal drive destinations in the California State Park system. Bodega Bay and nearby coastal communities form the heart of the area visited by millions of tourists each year. Tourism is a major part of the local economy, and is a high commercial priority for the area as stated in the current and draft Local Coastal Plan (2001 and 2019 draft).

The Local Coastal Plan update will benefit all those who live or own property in the area. I have one area of concern as the owner of local property that is used as a vacation rental (“VR”). I do not support an extension of existing Sonoma County VR Ordinance rules to the coast. We do not have the same problems as the inland short-term rentals the Sonoma County VR regulations seek to address. We are unique in that Sonoma County coastal VR owners provide affordable public access to the coast. Many of the local Bodega Harbour homes are million dollar properties that owners, their property managers and staff care for and make available to the public for awesome views, coastal access, and spectacular memories.

There is no consistent history of vacation rental guests creating significant problems on the coast. In the occasional exception, most owners are responsible and they or their property managers take immediate action to address the issues raised.

Below are specific comments regarding coastal short-term vacation rental home regulation.

#### **Local VRs provide public access to the coast**

As stated above, existing coastal VR homes provide many non-resident guests with coastal access they would not otherwise have access to. Few hotel or other large establishments provide rooms on the coast. VR owners supplement the 238 Bodega Bay hotel and inn room availability by opening their homes to the public. These guests support the local tourist economy during their stay in the area. Unlike the inland Sonoma County economy, the Bodega Bay economy is essentially a *tourist* economy consisting of VRs, fishing, and some small commercial ventures.

VR regulations that limit the availability of VR homes to the public would be counter-productive. The county’s 3-strikes rule is particularly punitive and the application of this rule to remove coastal housing from public access for any extended period is unacceptable. Of course, there should always be a way to penalize any truly poorly managed home from future rental, but it should not be a 2-year prohibition as included in the current county VR ordinance.

#### **Tourism and vacation rentals are extremely important to the coastal area and the county**

The LCP draft (at p. 82) states that the “California Coastal Act of 1976 encourages providing support facilities for visitors to the coast, especially those available to the public at moderate cost...[T]ourism and recreation, makes a substantial contribution to the State’s economy.” In 2018, 24% of all tourism business was located in unincorporated Sonoma County – including the coastal communities of Bodega Bay, Jenner, and The Sea Ranch. “Lodging,” including vacation rentals and campgrounds “contained the greatest percentage of tourist industry business for the County, at 25 percent and just above wineries at 33 percent”. Id. Coastal vacation rentals also

## Comments on Local Coastal Plan Update – 12/10/2019

Submitted by C. Estrada (est3520@gmail.com)

provide local jobs for persons working in tourist-related jobs, as well as the various vacation rental companies and lodging facilities.

### **The LCP and its drafters must distinguish between *tourists* and *vacation rentals***

VR guests are tourists, but the problems tourists may bring to the area should not be blamed on the smaller universe of VR guests. Rather than accept general complaints about tourists or VR guests the county and CCC should ask for specifics and actual facts regarding any individual's concerns. Without such specificity, the LCP drafters are guessing at solutions.

### **Many of the reasons the county and CCC has regulated VRs do not exist on the Sonoma Coast**

Other California coastal communities have had vacation rentals regulated in order to:

1. *Maintain low rents or the availability of rental housing:* The Bodega Bay area has very little existing housing and long-term rents are already high in the area.
2. *Reduce parking and traffic problems:* It would be extremely difficult to limit tourism or reduce traffic/parking problems via VR regulation. The tourists who rent VR homes are a very small sub-set of the tourists who visit the area.
3. *Protect long term rentals from being taken off the market:* The expansion of VR regulation to the Sonoma coast will have negligible impact here because there are so few "long-term" rentals in the area to begin with. The majority of property owners on the coast buy homes as second homes or vacation rentals with a plan to retire in the area.

### **The coastal population make-up is significantly different from other areas with VR regulation**

The Bodega Bay and nearby coastal areas are primarily rural areas. As stated in the 2001 LCP "Bodega Bay is primarily a fishing and tourist oriented community. Both activities are high priority uses identified in the Coastal Act, and should be preserved and encouraged by the Coastal Plan". 2001 LCP, VII. Development, Housing, p. 125

The Sea Ranch and Bodega Harbour are the largest planned communities on the coast and these communities provide a modicum of "suburban" living to those who choose to permanently live there. Bodega Harbour has public sewer service provided by the Bodega Bay Public Utility District. Thus, there is no need to limit VR guests due to sewer capacity as is done along the River or other inland areas where properties do not have public sewers. The Sonoma coast is unlike the inland county area, or the Southern California coastal areas (Santa Monica, Long Beach etc.), in population, density, and the types of problems to be addressed by VR regulation.

Persons who move to the Sonoma coast permanently cannot expect to have the same amenities or surroundings as an urban area because this is, and historically has been, a tourist destination and rural in nature. It is unreasonable for a person to move to the coast and have a NIMBY (not-in-my-backyard) approach to tourists and tourism and vacation rentals. This area is the essence of tourism.

### **Census Data shows that permanent residents are a minority of coastal population or owners**

The Bodega Bay population is 1,077 (2010 Census). This is a 24.3% reduction from the 2000 population of 1423. The 94923 zip code population – a wider area – was 1,769 in 2000 and

## Comments on Local Coastal Plan Update – 12/10/2019

Submitted by C. Estrada (est3520@gmail.com)

dropped to 1,065 in 2010. An online source, *Data USA*, reports the 2017 Bodega Bay population as 629 people. The majority of “housing” in the Bodega Bay area reported by the Census is “vacant” or “for seasonal or recreational use”. Of 1,449 total housing units reported in the 2010 Census only 708 were “occupied”. The majority of housing in the area was either “vacant” (741) or for “seasonal or recreational use” (615). This is not unusual. This reflects the true nature of the area as a tourist destination, not a typical town of permanent residents.

### **The coastal area is unique. VR regulations should not be applied, or be modified, if applied**

It would be preferable to allow the coast VR owners to manage themselves as they have done for decades. Responsible owners pay the TOT tax either directly or via their property managers. To add more regulation to a coastal area where most of the owners live in other counties or states is a significant burden to those owners. Any coastal VR rules or timelines should take into consideration that property owners may live outside of the county or even in different time zones.

If any VR rules must be applied, there should be no 3 strikes VR rule, no cap on the number of vacation rental homes on the coast, nor any exclusion zone. These limitations would be unworkable where non-occupied homes are the rule, not the exception. The rationale for doing so, to maintain low cost rental homes or protect the availability of rental properties, does not apply on the Sonoma coast.

The Bodega Harbour Homeowners Association (BHHA) has recently established *Community Rules* for all owners and their guests. The Rules already limit the number of guests, noise, garbage and other areas covered by the County VR Ordinance. The one area that the BHHA could use county granted authority is in the area of street parking, as the streets in our subdivision are public and the BHHA can only suggest but not require vehicle limits.

Thank you for the opportunity to comment.

## **Comments on the Local Coastal Plan Update – 2/3/2021**

Submitted by Carmen Estrada, Bodega Bay Resident

Sonoma County has regulated vacation rental (VR) homes in the county, excluding the coastal zone. The County Board of Supervisors has responded to inland residents complaining of VRs disrupting their neighborhoods by implementing VR permit caps and other short-term rental limits. The Supervisors' tools for dealing with residents' grievances inland are not appropriate for the coastal zone. Unlike the inland county areas, VR homes provide the public with access to the coast. Also the population and land use differ on the coast. Any VR regulation the county considers must take this into consideration.

The California Coastal Act of 1976 (the Coastal Act) provides the Commission with the authority to prevent Sonoma County from regulating VRs in the Sonoma County coastal zone without first obtaining Commission approval. The coastal area is less dense, more remote, and has less population and fewer hotel rooms than the inland county area. VR homes in the coastal area provide much needed access to the coast for the state's public.

Unlike the inland county areas, VR coastal zone homes provide the public with low-cost accommodation and coastal access. The population differs on the coast, and any VR regulation the county considers must take this into consideration.

### **POPULATION AND DEMOGRAPHIC OVERVIEW**

#### **California Population**

The US Census estimates California's 2019 population to be 39,512,223, of which 36.5% are white (not including Hispanic/Latino), 39.4% Hispanic/Latino, 15.5% Asian, 6.5% Black/African American.

#### **Sonoma County Population Characteristics and Housing Units**

The US Census estimates the 2019 Sonoma County population at 494,336, of which 63% are white (not including Hispanic/Latino), 27% Hispanic/Latino, 4.6% Asian and 2% Black/African American or American Indian respectively.

The county has 208,305 housing units (as of 2019), of which 60.8% are owner-occupied, and 39% are renter-occupied. The mean time to travel to work is 25.4 minutes. Median household income is \$76,753 (US Census).

#### **Bodega Bay Population Characteristics and Housing Units**

Bodega Bay and The Sea Ranch are the largest population areas on the Sonoma coast. The Bodega Harbour development is the largest housing subdivision within Bodega Bay, is zoned "PC" (Planned Community), and has about 725 parcels. Over 60% of those parcels are not occupied by permanent residents. These single-family dwellings are either second homes or short-term rentals with some long-term rentals (5%-7% of the housing stock). Bodega Bay is

fortunate to have the Bodega Bay Public Utility District provide sewer and water services to our area. The Sonoma Coast is a rural tourist magnet with few full-time residents.

In 2000 the Bodega Bay population was 1,769; in 2010 it dropped to 1,077 (US Census). During this time period commercial fishing and other employment opportunities in the area diminished.

### **Coastal Zone Population**

The population of the nine communities in the Sonoma Coastal Zone is sparse. The LCP 2019 (draft) states:

“The population in the Coastal Zone was 3,690 and 3,385 residents in 2000 and 2010 respectively (U.S. Census). The population estimates for 2018 and 2023 are 3,427 and 3,359 residents (Permit Sonoma GIS Community Profile). This date reflects the loss of commercial fishing operations along the coast and may indicate a trend away from permanent residency towards vacation homes and tourism industry....In summer 2014 approximately 110 homes in the coastal zone were registered to pay Transient Occupancy Tax. By June of 2017 approximately 550 residences were registered, indication that the vacation rental industry has become an integral part of the tourist industry on the coast “(Id. pp. 2-3).

The largest of the northern central coast communities are:

- The Sea Ranch (1,305 population; 93% white; 9% Hispanic, 1% Black, median age 69.5; US Census). The estimated Sea Ranch population has dropped as low as 1,110 in 2020.
- Bodega Bay (1,077 population; 81-97% white (depending on source), 12% Hispanic, 3% Asian; median age 65; US Census). The estimated Bodega Bay population has dropped as low as 733 in 2020.

### **Sonoma County Coastal Zone Population Characteristics**

Over 70% of the coastal zone population resides in two planned communities – Bodega Harbour (zip code 94923) and The Sea Ranch (zip code 95497). The residents of the Sonoma coast are homogeneous in that they are primarily white and older as stated above. The residents in the largest areas (Bodega Bay and The Sea Ranch) are also highly educated with many residents holding college degrees (Bodega Bay 28%; The Sea Ranch 34%) and even more having obtained college and graduate degrees (38% and 34% respectively). US Census 2018 ACS 5-Year Survey (Table S1501).

While some of the permanent coastal residents work locally or at home and a few commute to other areas for work, the majority of residents are retired. The residents of Bodega Bay have a high income as well (\$112,933 average earnings for men and women. *Id.*) The Sea Ranch median household income is \$78,350, with 37% earning over \$100,000. The cost-of-living index for Bodega Bay (136.6) and The Sea Ranch (127.8) are far above the national average (100).

**Sonoma Coastal Zone Housing Characteristics**

The availability of coastal homes as vacation rentals is a benefit to the county with increased tourism income and transient occupancy taxes, and provides the public access envisioned by the Coastal Act.

US Census data tells us that most Bodega Bay housing units are not occupied by permanent residents. A large percentage of the housing units are “vacant” or used for “seasonal or recreational use”. This has been true for decades:

**HOUSING OCCUPANCY BODEGA BAY – US CENSUS**

<b>Year</b>	<b>Total Housing Units</b>	<b>Occupied Housing Units</b>	<b>Vacant Housing Units</b>	<b>For Seasonal or Recreational Use</b>
2000	1,505	838 (57%)	667 (44%)	603
2010	1,449 (-3.72%)	708 (49%)	741 (51%)	615 (+1.99%)

Similar figures are available for The Sea Ranch subdivision which has 1800 units; the entire area, including homes outside of The Sea Ranch, has 1908 total housing units. The 2010 Census reported that The Sea Ranch had 62% vacant housing units; in 2018 the Census reported 69% vacant housing units. There were 37% occupied housing units (of which 86% were owners and 14% renters) in 2010; and 31% occupied housing units in 2018. (The Sea Ranch administration estimates that about 360 of their housing units are VRs.)

<b>Year</b>	<b>Total Housing Units</b>	<b>Occupied Housing Units</b>	<b>Vacant Housing Units</b>
2010	1908	706 (37%)	1183 (62%)
2018	1908	591 (31%)	1317 (69%)

**Summary**

The north central coastal zone is a primary residence for very few persons, a majority of whom are retired, white, highly-educated, and affluent. It is an area where tourism abounds and VRs have existed for decades.

**SONOMA COAST COMMUNITY CHARACTER**

The primary claims of Sonoma Coast residents seeking VR regulation are like those from other areas seeking regulation:

- Noise, parking, traffic and trespass issues
- VRs diminish the quality of life of coastal residents

However, a significant part of the Sonoma County coastal population and homes are located in a Homeowners Association (HOA). The population in Bodega Harbour and The Sea Ranch is 2382 out of the total coastal population of 3385, or 70%. Those communities already have

rules, Bylaws, Covenants, Conditions & Restrictions unlike the inland county communities where VR homes are regulated.

For example the Bodega Harbour CCRs restrict owners in their “use of lot”, “nuisances”, “vehicle restrictions”, “parking”, “commercial activity”, “signs”, “animals”, “garbage and refuse disposal”, “devices mounted on rooftops, walls, etc”, and have a variety of additional limits on owners including “no outside laundering.”

Bodega Harbour Homeowners’ Association developed “community rules” for all owners in 2019.

The rules established, using the CC&Rs and bylaws, include:

- Owners are limited in the number of overnight guests they are allowed with a maximum of 2 persons per sleeping room or guest room, plus two additional persons per property, for a maximum of 12 persons, excluding children under 3 years of age.
- The maximum number of total guests and visitors allowed at any time in a single Bodega Harbour home shall not exceed the maximum overnight occupancy plus 6 additional persons per property during the daytime, or 18 persons, whichever is less, excluding children under 3 years of age.
- “Quiet hours” are between 10pm and 7 am.
- Daytime visitors shall not be on the property during quiet hours.
- Excessive noise, nuisance or serious annoyance is prohibited in residences or the common area.
- Outdoor amplified sound is prohibited at any time.
- No noxious or offensive activities shall be carried out in residences or the common area.
- All rubbish, trash and garbage shall be regularly removed from lots; no accumulation allowed.
- Trash and waste shall be kept in sanitary containers, kept clean, and be screened from view.
- Vehicle limits are proscribed in accordance with our CC&Rs (the streets in the Harbour are public).
- Owners who rent their homes must display a 1 page summary of the HOA rules in a visible place.

The Sea Ranch also has detailed owner requirements that include “vegetation”, “planting”, “illegal parking”, “noxious or offensive activity (noise, smoking, night light etc.)”, “loose dogs” and a myriad of other offenses.

Both Associations have complaint procedures and penalties for owner or tenant rule breaking. These are the kind of limitations that are needed for VRs in communities not governed by homeowners associations. But, a minority of coastal residents want no VRs in their midst, and for them no rules—other than complete prohibition—are enough.

The “community character” these coast residents seek would be a radical change from the history and status quo in the community in which over half of existing homes are, and have been historically, vacant. The area is a tourist mecca supported by millions of dollars in Transient Occupancy Taxes (TOT) paid to the county to support tourism. The Bodega Bay

coastal area has no Burger King, Raley's, Target, CVS. Residents need to drive 30-40 minutes to shop for weekly groceries or buy a quart of paint. This is a rural, sparsely populated area that has the character of a tourist destination with sub sandwiches, fish tacos, taffy, and Realtors. We are not Santa Cruz or Santa Barbara. We have no college, no doctor's office, no dentist. The Bodega Bay "downtown" has no sidewalks or curbs. We are rural. Our small businesses, restaurants, property managers, and VR owners serve, and have served tourists for decades.

### **Summary**

I recommend the County, Supervisors, and Commission not accept resident complaints of "noise, parking, garbage" where it is clear the homeowners' association has already established community standards, unlike other communities like those along the Russian River where no standards existed prior to VR regulation by the county. The coastal area with 55 miles of dramatic, sweeping coastline is for the public to access and enjoy.

## **WHAT COASTAL RESIDENTS REALLY WANT**

Many coastal residents want to coast to themselves. No tourists, no VRs, no VR owners. They want to change the nature of the coast to create a residential community that does not currently exist: a coastal area with no short-term rentals, and devoid of outsiders, the public, on their residential streets. This will result in the permanent coastal population in Sonoma County being over 90% white, older, highly educated, affluent and very much unlike the rest of the state of California.

Any governmentally applied limits, caps, or freezes on coastal VR homes will add to the calm and exclusivity for these few coastal residents. It will also result in the lack of public access to the coast. With short-term rentals excluded, the 55 mile long coastal strip that constitutes the Sonoma county coastal area would become a private enclave for only a few thousand people, less than 0.001% of the state population.

In order to achieve this coastal dream, some residents will continue to demand that the Board of Supervisors, and their District 5 Supervisor, establish short-term rental limits that have already been implemented inland: VR permit limits, VR caps, Exclusion Zones, freezes on VRs. Supervisors might be inclined to grant those requests because they have already done so in the inland county areas and because the residents making the requests are county voters, and the coastal VR homeowners typically are not. Those coastal VR limits, if established, would create private communities that are closed to the public and will be enjoyed by very few Californians.

## **THE COASTAL AREA DOES NOT MEET LEGAL REQUIREMENTS FOR VR LIMITS**

As stated above the Sonoma coast is rural with two large Planned Community zones encompassing 70% of the coastal population. The county can control VRs in limited circumstances:



“The Sonoma County General Plan Housing Element calls for a program to prohibit vacation rentals and time shares in high density residential zoning districts and to develop standards in other districts to ensure they are operated in a manner consistent with the intent of the purposes of the underlying zoning districts; to prevent conversion of the housing stock or residential land supply to non-residential or visitor-serving use, and, to ensure public safety and neighborhood compatibility.” Sonoma County Ordinance 5908, Sec. 1.3

The above ordinance has little application to the coastal area for the following reasons.

**The Coastal Area is Not a High Density Residential Zoning District**

Bodega Harbour and The Sea Ranch have managed density as “PC” zones. Those areas have been overseen by the Commission and prior LCPs for decades. There are no changes in those areas without the county and Commission’s involvement. The population areas outside of the Planned Communities are rural single family dwellings or agricultural or limited commercial areas. There is no ‘high density’ area on the Sonoma coast.

**The Coastal Area is, within Homeowners’ Associations, Operated in a Manner Consistent with the Intent of the Purposes of the Underlying Zoning Districts**

The majority of the coastal area homes already have CC&Rs, bylaws, and community rules governing owner and guest behavior. Many of those owner prohibitions were discussed above. Proponents of VR limits or regulation must make a clear showing of the need or legal rationale before coastal VR regulation or limits can be implemented. A desire or request for VR regulation alone is insufficient to limit public access and housing accommodations on the coast.

**VR Limits Are not Needed to Prevent Conversion of the Housing Stock or Residential Land Supply to Non-residential or Visitor-Serving Use**

The coastal zone has had short-term rentals for decades. It is not a residential area that needs protection as the area has, per the US Census, mostly vacant homes. It is unfair to current property owners to limit VRs in an attempt to protect neighborhoods that do not exist, or by comparing the coastal zone to much denser, mostly residential neighborhoods inland.

The rents for Harbour homes are in the \$4000+ per month range and far from affordable. A 3 bedroom VR home’s rental rate averages \$75 per night per person with an occupancy of 6, compared to local hotels charging \$279 for 2 persons. VR homes offer a yard for children, and a kitchen for a family, as well as coastal access. They provide affordable access to the public.

**VR Limits Are Not Needed to Ensure Public Safety and Neighborhood Compatibility**

Bodega Harbour owners are roughly 1/3 full-time residents, and 2/3 part-time 2d home or VR homeowners. That is the “neighborhood”. The Harbour has a security staff that drives through the area, and a local fire department and sheriff to call during emergencies. There are occasional problems that arise but VR limits would not solve those problems as existing drug, alcohol, and other laws are applicable.

Owners who buy homes in Bodega Harbour have full knowledge that it is in the unincorporated area of the county next to public parks, beach areas, and has a mix of owner-occupied houses, rentals and 2d homes. This has been the nature of the Harbour for over 40 years.

## **COASTAL VR HOME OVERSIGHT OPTIONS**

Any VR home limits will block public coastal access and result in a diminution in coastal property values. In addition to VR home caps or permit limits, those seeking to eliminate VRs from the coast advocate for extension of a “three strikes” rule to the coast, or creation of an “Exclusion Zone.” Either would allow coastal residents to achieve VR limits without the county establishing VR caps or limits on the coast.

### **The Vacation Rental Exclusion (X) Zone on the Coast**

The creation of an Exclusion or “X” Zone on any part of the Sonoma coast would prohibit new VR homes. Current VR homes would be allowed to operate; those homes would slowly leave the VR market as owners sold or moved into their home. An “X” Zone will create an enclave of exclusive coastal homes for whomever can afford to buy the homes, currently averaging more than \$1 million per home. The public’s low-cost accommodations would dry up and be nonexistent. The limited existing hotel, B&B rooms, and RV Park or camping would be the only option for public access overnight. Hundreds of VR homes would cease to exist.

An Exclusion Zone is incompatible with the Coastal Commission’s goal of protecting public access to the coast. Such a zone should not even be considered as it clashes with the public’s coastal access.

### **Three Strikes Penalty**

The county inland VR regulations’ enforcement process provide for an owner’s rental zoning permit to be revoked for a minimum of 2 years “upon receipt of any combination of three administrative citations” etc., within a two year period. The application of this penalty would have a serious impact on the ability of a coastal VR owner to continue to offer accommodations to the public. A problematic VR owner should be reigned in, but the “three strikes” rule is a severe penalty that would remove coastal housing from the public for a prolonged period. It is suggested the penalty be modified – perhaps scaled to a 3 month penalty for the initial round of citations, then 6 months for the next. Or an owner can be allowed to apply for reestablishment of a vacation rental after 3 or 6 months (not 2 years).

### **Allowing HOA Oversight of VR Homes**

Recent law makes clear that HOAs cannot prohibit or regulate VR homes. The County and and/or the Commission have this authority. Some coastal residents may suggest Sonoma County and the Commission allow HOAs on the coast to craft their own VR rules. This would be both unfair and improper. HOA Boards in both Bodega Harbour and The Sea Ranch have no short-term rental owners represented. As it is, many board members are full time residents and are often more than willing to limit VR homes, except that they lack the authority. That authority should not be given to them for the first casualty will be public access to the coast.

**Accessible Process**

Many coastal VR owners do not live in Sonoma County. They may live elsewhere in California but can also live in other states or time zones. This should be taken into consideration when allowing for local representation in citation matters or hearings, or when setting the time periods for action, filing, responses etc.

**CONCLUSION**

The heart of the issue of VR homes at the coast is that the two major developments—Bodega Harbour and The Sea Ranch—are naturally-occurring retirement communities in which some residents would prefer the age-restrictions and quiet life of a restricted, formal retirement community. The VR complaints often relate to the ordinary noise of children, teenagers, and young adults. Some residents prefer to create restrictions so that everyone enjoying the homes will be more like them—older, well-off, white, and highly educated. Public access to the Coast is too important to be compromised in this way.

Thank you for your consideration of my views.

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cc: Sonoma County Board of Supervisors  
Coastal Commission

[ Carmen Estrada is a resident of Bodega Bay, CA. She is a licensed CA attorney and CA real estate broker. She attended Sonoma County schools before attending college and law school in the Bay Area. She has owned a home in Bodega Harbour for twenty years.]

**Public Comments on Local Coastal Plan Update  
28 January 2020**

**FIRE ABATEMENT – DEFENSIBLE SPACE: Program C-OSRC-7; Appendix A 1.1(g)**

Problem:

Requiring an extremely costly Coastal Development Permit (CDP) for removing vegetation to maintain defensible space—as directed by County Fire inspectors—virtually assures rural property owners will be unable to protect their property from wildfire.

Recommendation:

Appendix A 1.1. Exempt Coastal Zone property owners from LCP requirement to obtain a CDP for fire abatement vegetation removal; allow owners discretion in fuels reduction to protect residences, barns and outbuildings, and firebreaks appropriate to the property.

**LOCAL ECONOMY – AFFORDABLE HOUSING: Objective C-LU-5b; Appendix A1.1**

Problem:

Requiring conventional sewage and water disposal systems prevents development of existing residential parcels for low income housing, and artificially constrains the local labor market.

Recommendation:

Objective C-LU-5c. Authorize use of newer technology sewage and water systems appropriate to the local environment.

**AGING IN PLACE – ADDITIONAL DWELLING UNITS: Objective C-LU-5b**

Problem:

Onerous and expensive permitting processes for Additional Dwelling Units (residential extensions) reduces ability of seniors to Age in Place, by restricting availability of quarters for live-in care givers.

Recommendation:

Policy C-LU-5b. Waive or minimize permitting processes and costs for Coastal Zone ADU construction.

**From:** [Chelsea Holup](#)  
**To:** [Gary Helfrich](#); [PRMD-LCP-Update](#)  
**Subject:** FW: Vacation Rentals (Public comment)  
**Date:** Monday, July 19, 2021 10:47:10 AM

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**From:** Pamela Greenhalgh <[pgreenhalghccc@gmail.com](mailto:pgreenhalghccc@gmail.com)>  
**Sent:** July 19, 2021 10:46 AM  
**To:** Chelsea Holup <[Chelsea.Holup@sonoma-county.org](mailto:Chelsea.Holup@sonoma-county.org)>  
**Subject:** Vacation Rentals

## **EXTERNAL**

Dear Ms. Holup,

I stand with the Sea Ranch owners who use their homes for vacation rentals. I am one of those renters. I come as often as I can, from Southern California. Please do not make it more difficult for them to continue as they do now. I stand with them and I reiterate their comments to you:

The County of Sonoma should not support or endorse the TSRA Board's Model Rule 6.7 or other restrictions on Short Term Rentals at The Sea Ranch, nor should it delegate short term rental performance standards or restrictions on The Sea Ranch to the TSRA Board. Such restrictions are inconsistent with the long history of The Sea Ranch welcoming visitors from all walks of life, and with TSRA CC&Rs. They are not supported by TSRA members, not based on credible studies or facts and are very damaging both to public access and to owners who rent their home on a short term basis.

I support reasonable performance standards -- indeed we already exceed them and have done so for decades. We look forward to working with the County of Sonoma on establishing reasonable short term rental performance standards through the LCP.

Thank you.

[Pamela Greenhalgh](#)

(714) 403-5586 cell

(714) 870-7145 home

*"Alone we can do so little. Together we can do so much." Helen Keller*

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**From:** [Chelsea Holup](#)  
**To:** [Gary Helfrich](#)  
**Subject:** FW: The Sea Ranch Hosting Coalition, Submission to Sonoma County Local Coastal Plan July 26 2021 (Public Comment)  
**Date:** Monday, July 19, 2021 8:38:55 AM  
**Attachments:** [page2image2079699264.png](#)  
[page2image2079768544.png](#)  
[page5image2019333920.png](#)  
[page7image2080237520.png](#)

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**From:** Eileen Ho <[eileenho05@gmail.com](mailto:eileenho05@gmail.com)>  
**Sent:** July 16, 2021 8:35 PM  
**To:** Chelsea Holup <[Chelsea.Holup@sonoma-county.org](mailto:Chelsea.Holup@sonoma-county.org)>  
**Subject:** The Sea Ranch Hosting Coalition, Submission to Sonoma County Local Coastal Plan July 26 2021

## EXTERNAL

Dear Ms Holup,  
For your consideration.  
Thank you,  
Eileen Ho, The Sea Ranch Homeowner  
36804 Green Cove Drive  
The Sea Ranch, CA 94597

# The Sea Ranch Hosting Coalition

## Submission to Sonoma County Local Coastal Plan July 26 2021

### Summary

We are a coalition of property owners on The Sea Ranch who welcome renters to our homes responsibly on a short term basis. We provide public access to the Sonoma coast to a diverse range of visitors, supporting the local tourism economy and generating tax revenue for the County. Short term rentals have been part of The Sea Ranch since its founding and their numbers have not changed in the last 15 years [1].

We **support** the introduction of reasonable **performance standards** determining how Short Term Rentals are operated as proposed in the revised Local Coastal Plan (LCP, Program C-LU-1).

We **oppose restrictions** on whether and when owners may rent their properties, as proposed by The Sea Ranch Association (TSRA) Board in their "Model Rule 6.7" [10]. We present a detailed justification for this position in the attachment. In summary:

- • The Sea Ranch is not a residential community. 69% of the houses are second homes [2018 census] -- approximately 20% of houses are used as short term rentals.
- • The ability to rent a Sea Ranch home is a valuable asset. Its prohibition requires clear justification. None has been suggested.

- TSRA has done no studies, engaged no consultants and expressed no opinion on the effects of the proposed restrictions. This is irresponsible.
  - • TSRA's own Short Term Rental Task Force did not recommend restrictions, citing a lack of data, evidence or necessity.
  - • TSRA's proposed restrictions on Short Term Rentals in the coastal zone are beyond their authority, have not followed TSRA rules and are strongly opposed by TSRA members.
  - • There has been no proliferation of short term rentals at TSR -- the number has remained stable for more than 15 years.
  - • There has been tension between long term residents and renters for many years. Short term rental restrictions will not resolve this and represent a significant overreaction to a minor problem.
  - • Short Term Rentals make a significant contribution to the local economy and Sonoma County tax revenue. Restrictions would reduce these contributions.
  - • Increased utilization, if it occurs, is adequately addressed by performance standards.
- 
- • Short Term Rentals at The Sea Ranch do not displace affordable long-term rental housing because at current real estate prices, no properties at The Sea Ranch would be available at an affordable long term rent.
  - • There is no evidence of corporate ownership of rental homes at TSRA and it would not in any case be economically viable.
  - • The Coastal Commission does not support restrictions on short term rentals unless there is significant proliferation -- none is taking place at the Sea Ranch.
  - • Nuisance, whether caused by renters, second home owners or permanent residents, is not a significant issue at The Sea Ranch in part because its nuisance ordinances are already stronger than most Short Term Rentals performance standards.

## Conclusion

The County of Sonoma should not support or endorse the TSRA Board's Model Rule 6.7 or other restrictions on Short Term Rentals at The Sea Ranch, nor should it delegate short term rental performance standards or restrictions on The Sea Ranch to the TSRA Board. Such restrictions are inconsistent with the long history of The Sea Ranch welcoming visitors from all walks of life, and with TSRA CC&Rs. They are not supported by TSRA members, not based on credible studies or facts and are very damaging both to public access and to owners who rent their home on a short term basis.

We support reasonable performance standards -- indeed we already exceed them and have done so for decades. We look forward to working with the County of Sonoma on establishing reasonable short term rental performance standards through the LCP.

### **Attachment. DEFINITIONS**

**Restrictions** refers to regulations that would determine **whether** or **when** an owner can rent their home as a short term rental. **Performance standards** prescribe **how** a home may be rented.

**Proposed restrictions** by TSRA Board members in their "Model Rule 6.7" include:

- • A cap on the total number of STR properties at The Sea Ranch
- • A maximum of 180 days each year that a home can be rented
- A minimum distance of 300 ft between STR properties

**SHORT TERM RENTAL RESTRICTIONS ARE UNNECESSARY FOR THE SEA RANCH**

The largest category of TSRA properties is vacant 2<sup>nd</sup> homes, representing 69% of its housing units (2018 census). The Sea Ranch Association estimates [1, page 7d46] that 365 homes on the Sea Ranch (20% of the total) are Short-Term Rentals and that this percentage has been stable for 15 years. This number is consistent with the number of TOT permits reported by Sonoma County.

There are 1,134 people in 604 households (2018) permanently resident on the Sea Ranch. They are 92.9% white, <1% asian and 6.3% other races, older (median age of 66.1), highly educated (41.4% having a graduate or professional degree) and affluent (mean household income \$116,782) [2,3,4].

Since the large majority of Sea Ranch owners are white and wealthy, short term rentals represent the only realistic path to diversity. Short term rentals are relatively affordable, providing access to Sea Ranch’s natural beauty and amenities for people who cannot yet afford to purchase a house.

The Sea Ranch demographics are changing as younger owners, some with children, are now buying, driven by the pandemic and the availability of a state of the art fiber optic network. This has also driven real estate prices up substantially. Over time this may reduce the proportion of permanent residents.

The Sea Ranch has been a popular vacation destination for short term renters since its founding. Many purchasers of Sea Ranch real estate begin as renters. In 2019, The Sea Ranch generated \$1.5 million of Transient Occupancy Tax revenue for Sonoma [1, 7d48] and over \$350,000 in voluntary contribution revenue to The Sea Ranch Association (6% of the Association’s budget [5]) directly from short-term rentals.

With its high proportion of vacant second homes, The Sea Ranch is not primarily a residential community. TSRA has misstated the density of STRs at The Sea Ranch: In their report [1, page 7d28] a geographic image of the North 2 region of TSR purporting to show “high” density of STRs shows 20% of the lots<sup>1</sup> as STRs, slightly more than the long-term historic rate for the Sea Ranch. There are a few isolated streets with higher density, as chance would dictate. The Sea Ranch is not suffering a proliferation of Short Term Rentals, even at the North end.

The California Coastal Commission was established in part to protect public access to the coastal zone. Public access at The Sea Ranch consists mainly of access to affordable Short Term Rental accommodation and thereby access to the trails and coast along with specific public access to certain beaches.

Coastal Commission approval of some Local Coastal Plans that include restrictions on Short Term Rentals has only addressed communities that are different from The Sea Ranch, with higher population density, larger household sizes, more families, proximity to higher education institutions and fewer vacant units [6]. These communities also offer hotel accommodations providing alternative public access.

According to the Coastal Commission, restrictions on Short Term Rentals are appropriate in the Coastal Zone only where proliferation of STRs presents a genuine threat to the character of the community. This is not the case at The Sea Ranch as STRs have always been present at their current levels.

**LEASING IS EXPLICITLY ALLOWED IN THE SEA RANCH CC&R’s AND is A VALUABLE ASSET TO HOMEOWNERS**

The Sea Ranch Common Covenants & Restrictions (CC&Rs) explicitly provide an exception to their restriction to residential use for “the leasing of any lot from time to time by



the Owner thereof” [7, 3.02(c)(3)]. Sonoma County also considers short term rental to be a “residential” activity with respect to Zoning ordinances. Removing or restricting this right would have a major impact on Sea Ranch owners who rent their homes and requires compelling justification. This is not provided either in the TSRA STR Task Force report or in Model Rule 6.7.

For many owners, renting their home on a short term basis is the controlling factor in enabling their purchase. It is what makes ownership affordable. For people who do not presently rent their home, the ability to do so is an asset that can protect them in a time of need.

Second generation owners who inherit their Sea Ranch home from their parents may only be able to afford to keep the home if they earn income from short term rentals. Only the very affluent, who can afford to maintain a vacant home during their own absences, will be able to purchase a home that cannot be rented due to the restrictions.

<sup>1</sup> Across the ranch, 20% of the lots are vacant, so it is more than 20% of the *properties* that are STRs.

Restrictions on short term rentals take this valuable asset away from homeowners. This can have a serious effect on a family’s finances, perhaps forcing a sale of the home.

### **THERE HAS BEEN NO STUDY OF THE PROPOSED RESTRICTIONS**

The TSRA Board has conducted no study, engaged no consultants and offered no opinion on the expected impacts of the proposed restrictions, either with respect to the supposed problems they will solve or to the financial impacts on members, the Association and public access to the coast. Specifically, the Board refuses to state whether they expect the restrictions to significantly reduce visitor numbers, despite repeated requests.

By failing to properly study the proposal or properly consult members, the TSRA Board has not acted in good faith. This is not an issue where the county should defer to the TSRA Board’s supposed authority or expertise since it lacks either.

### **TSRA’s OWN SHORT TERM RENTAL TASK FORCE DID NOT RECOMMEND RESTRICTIONS**

The TSRA Board established a Task Force to consider regulation of Short Term Rentals in the spring of 2019. The Task Force collected data and held several public meetings for member comments and produced a report in December 2020 [1] recommending the introduction of performance standards.

The Task Force explicitly considered the topic of restrictions and concluded that they would **not** include any restrictions in their proposal because:

*“(1) Not enough irrefutable data could be collected to support decisive recommendations, and (2) It is unclear if these more restrictive density policies will be necessary. Said differently, the TF hopes its initial set of recommendations will reduce STR problems to the point that some density limitation recommendations are not needed.” [1, page 7d26]*

(note that in the reference it is clear that “density policies” refers to all the types of restrictions now proposed in Model Rule 6.7)

Restrictions were subsequently added by the Board without further evidence, without study of the consequences, without substantive member consultation and in the face of strong opposition from members.

### **THE PROPOSALS OF THE TSRA BOARD DO NOT REPRESENT THE VIEWS OF MEMBERS AND ARE BEYOND THE AUTHORITY OF THE TSRA BOARD TO ADVOCATE**

Model Rule 6.7 has not been published for public comment as is required for a new TSRA Rule, or put to a vote of the members. Most TSRA members are unaware of this proposed

rule. Multiple board meetings have produced overwhelming objections from members present.

The TSRA Board lacks legal authority to lobby the county or Coastal Commission on behalf the

<sup>2</sup> Association because courts have made clear a HOA cannot limit STRs in the coastal zone

## **THERE IS NO PROLIFERATION OF SHORT TERM RENTAL PROPERTIES AT THE SEA RANCH**

The TSRA Board states as justification for their Model Rule 6.7: *As with many living systems, community is difficult to build, and easy to disrupt, even destroy. Sometimes, particular shifts and innovations occur that need fairly quick responses to prevent significant harm from occurring. Such is the case with the rise of online vacation rental platforms. These platforms have supported the commercialization and “hotel-ification” (sic) of residential communities across the nation. In these cases, **uncontrolled and unmanaged growth of STRs** has eroded people’s sense of safety and their connection to one another, and risks changing a community’s character in perpetuity.*

The TSRA Short Term Rental Task Force itself [1] identified that the number of Short Term Rental properties at The Sea Ranch has been stable at about 20% of properties for at least 15 years.

The Model Rule assumes that “*proliferation of STRs*” is the major cause for action but the evidence shows that there is no growth of STRs at The Sea Ranch. The TSRA Board cites “problems” that may exist elsewhere as justification for their proposed restrictions. These problems have not been demonstrated at The Sea Ranch - which has had hundreds of STRs since its inception and has welcomed generations of a diverse public to share in the beauty of the Sea Ranch.

## **TENSION BETWEEN HOME OWNING COMMUNITIES ON THE SEA RANCH**

There is a long history of tension between Sea Ranch residents and short term renters. During the Coastal Commission building moratorium in the late 1970s, a group of homeowners threatened to take the Commission to the Supreme Court to oppose their demand for public access to Sea Ranch beaches. The 1980 Bane Bill resolved the issue, providing public access to beaches as well as other very substantial changes to the Sea Ranch. These changes included a sharp reduction in the number of lots and the requirement to provide low-cost employee housing on the Sea Ranch.

<sup>2</sup> Lamden v. La Jolla Shores Clubdominium Homeowners Assn (1999)

Some residents object to the presence of short term renters and in particular their utilization of Sea Ranch amenities like the recreation centers. The voluntary contribution of 3.5% of rental revenue to the Sea Ranch by owners who rent, introduced in 1991, was an attempt to solve this problem. (The Sea Ranch as an HOA is not empowered under the Davis/Stirling act to levy taxes). In the recent past, former community manager Frank Bell, in response to a rising tide of complaints from residents, wrote in the Sea Ranch Bulletin that Sea Ranch was not originally designed for permanent residence and short term rentals were always an integral part of the founders’ vision, saying that renters have every right to be at the Sea Ranch.

Pressure to restrict short term rentals, evidenced in Model Rule 6.7, may be driven in part by this same dynamic. It is entirely understandable that some of these tensions exist. But long term restrictions on short term rentals proposed by Model Rule 6.7 are not the right way to fix the situation. The Sea Ranch is about to embark on the creation of a long term strategic plan. This is precisely the project within which these and other issues should be resolved.

## **SHORT TERM RENTALS MAKE A SIGNIFICANT CONTRIBUTION TO THE LOCAL**

## ECONOMY

3

With conservative assumptions, an average vacation rental home at The Sea Ranch contributes over \$30,000 per year directly to the local community. Across 365 homes, this is an annual contribution of well over \$10 million. This does not include non-essential improvements owners make to their homes that support local construction businesses. Significantly curtailing this revenue would seriously impact the local economy. There is already a shortage of critical local service providers. Any reduction in short term rentals and the consequent impact on ownership would make an already serious problem worse.

### **INCREASED UTILIZATION IS ADEQUATELY ADDRESSED BY PERFORMANCE STANDARDS**

The Sea Ranch Association Board claims there has been a significant increase in visitors in recent years [1]. Since the number of STR properties is not growing, this could only occur through increased utilization. They infer this increased utilization [1] from a one-off increase in Sonoma TOT revenue between 2017 and 2018, a 14% increase in number of rented nights per unit between 2016 and 2019<sup>4</sup> and an increase over time in TSRA 3.5% fee revenue (the latter is in line with inflation). This is hardly compelling.

Homeowners at Sea Ranch have, over five decades, made their homes available to vacation renters and have demonstrated admirable responsibility in ensuring that renters conform to Sea Ranch standards. Nuisance is caused by both second home and permanent residents as well as renters. There is no evidence that renters cause any more problems than other categories of owners. The Sea Ranch has an outstanding rental performance record.

<sup>3</sup> Average 40 x 3 day stays per home, \$500 guest spending per stay in local businesses, \$2,000/yr additional maintenance paid to local businesses, 3.5% TSR fee, Sea Ranch Connect and Sea Ranch Water company fees

<sup>4</sup> They include projected 2020 figures data published early in 2020, but this is hardly reliable due to the difficulty of projecting a seasonally varying metric and the COVID-19 pandemic.

The Sea Ranch has in place and has recently enhanced nuisance rules (for all members) that are already stronger than most STR performance standards. Where there have been specific issues, TSRA has not enforced the regulations that are already in place. According to TSRA Security there were **20** noise complaints [8] associated with short-term-rentals in 2018 - the year presented with the highest number - and **19** complaints associated with owners and others. This represents one noise complaint per rental home every 18 years. This was *before* the introduction of enhanced nuisance rules which appear to have caused a significant reduction in complaints.

This data suggests the situation is well under control with The Sea Ranch's nuisance rules (Rule 6.6), which are currently being even further enhanced.

### **SHORT TERM RENTALS DO NOT DISPLACE AFFORDABLE HOUSING AT THE SEA RANCH**

The Sea Ranch Association claims [10, 4a9], without evidence, that "*The proliferation of STRs has reduced the stock of housing available for long-term rentals. This has contributed to a housing crisis for moderate income and low income residents with employment in the region.*"

As noted above, there is no proliferation of STRs at The Sea Ranch, but the converse proposition that *reduction* in the number of STRs would *increase* availability of affordable long-term housing at The Sea Ranch is also simply not true.

None of the Sea Ranch homes now in the STR market would become housing options to fill that need, urgent as it is. A current Zillow search shows that no homes are available for sale on the Sea Ranch at less than \$1.1 million. Long-term rentals for these properties will not be "affordable".

The result of Short Term Rental restrictions will not be more affordable housing. It will be more vacant or For Sale homes and a resulting reduction in both house prices [12] and public access to the coast.

### **CORPORATE OWNERSHIP OF STRs HAS NOT OCCURRED AND IS ECONOMICALLY UNATTRACTIVE**

TSRA claims that there is a threat of individual or corporate investors descending on The Sea Ranch to purchase multiple homes for use as STRs. News reports of Marriott's marketing arrangement with Vacasa [13] have been wrongly characterized as such a threat.

This phenomenon has not been observed at The Sea Ranch. The economics of owning and renting an STR property purely for investment at The Sea Ranch are not at all favorable.

Allowing (generously) for \$50,000 gross annual income on a \$1MM property, after subtracting management fees (25%), property tax (~1% of property value), insurance (~\$4k), utilities and maintenance (~\$10k) and HOA fees (\$2.7k) the owner is left with less than \$10k. This is a 1% annual return on a \$1MM investment. This would not fund a loan. There is no credible case for investor ownership as a threat to TSR.

### **THE COASTAL COMMISSION FAVORS RESTRICTIONS ONLY IN THE CASE OF PROLIFERATION OF VACATION RENTALS**

The California Coastal Commission has stated [14]:

*... the Commission has **not** historically supported blanket vacation rental bans under the Coastal Act, and has found such programs in the past not to be consistent with the Coastal Act. In such cases the Commission has found that vacation rental prohibitions unduly limit public recreational access opportunities inconsistent with the Coastal Act. However, in situations where a community already provides an ample supply of vacation rentals and where **further proliferation of vacation rentals would impair community character or other coastal resources, restrictions may be appropriate**. In any case, we strongly support developing reasonable and balanced regulations that can be tailored to address the specific issues within your community to allow for vacation rentals, while providing appropriate regulation to ensure consistency with applicable laws.*

This is a broad statement applying to the entire California coastal zone. It is appropriate in densely populated communities with families, children, and a robust long-term rental housing community. None of that exists at The Sea Ranch where only 1,134 [2] full time residents reside. Only 38% of the homes here are occupied by owners, 15% are renter occupied, a large majority are "vacant" using Census terminology.

Restrictions on STRs will diminish the availability of affordable vacation accommodations in an important coastal zone and leave the beauty of the northern Sonoma County coast to be enjoyed by a small number (1,134) of entitled property owners.

As noted above, the evidence proves there is no proliferation of STR homes at The Sea Ranch. The proposed restrictions are not *tailored to address specific issues* as the Coastal Commission suggests.

### **CONCERNS ABOUT VISITOR BEHAVIOR ARE ADEQUATELY ADDRESSED BY PERFORMANCE STANDARDS AND NUISANCE ORDINANCES**

Current Sea Ranch owners who rent their properties on the STR market do so in a highly responsible manner. Overwhelmingly, short-term renters fit well into the Sea Ranch environment and cause few community issues. Very occasional nuisances are resolved in the field. Existing regulations on the Sea Ranch are perfectly adequate to deal with

occasional challenges -- but they are not being enforced. And these nuisances are not confined to short term renters. The head of Sea Ranch security states that there is no problem resolving the small number of nuisances that arise.

The Board of TSRA argues without evidence, that “*Without reasonable regulation, STRs allow conduct that damages the tranquility, safety, and beauty of coastal communities.*” [8, 4a9]. They claim online vacation platforms are ‘*causing commercialization and “hotel-ification” of residential communities*’.

The Sea Ranch has never been, and is not now, primarily a residential community.

The evidence is that there is no proliferation of STRs. The TSRA Board claims that *generic internet marketing* is resulting in an increasing number of visitors who do not evince the same respect for the natural environment and TSR’s strict rules as residents, or specifically Board members, expect. There is no evidence supporting this claim.

The TSRA Board appears to seek a reduction in visitors to the Sea Ranch without evidence or justification.

## References

- [1] Report of the Short Term Rental Task Force to The Sea Ranch Association Board on December 12, 2020 (<https://www.tsra.org/wp-content/uploads/2020/12/2020-12-12-TSRA-BOD-Reg-AgendaPkt-0a2-Full-r.pdf>, page 7d1).
- [2] <https://data.census.gov/cedsci/table?q=95497&tid=ACSSST5Y2019.S0601>
- [3] <https://data.census.gov/cedsci/table?q=95497&tid=ACSSST5Y2019.S1101>
- [4] <https://data.census.gov/cedsci/table?q=95497&tid=ACSSST5Y2019.S1901>
- [5] [https://www.tsra.org/wp-content/uploads/2019/11/2019-20-Adopted-Budget-TSRA-ID\\_5336.pdf](https://www.tsra.org/wp-content/uploads/2019/11/2019-20-Adopted-Budget-TSRA-ID_5336.pdf)
- [6] Comments on the Local Coastal Plan update submitted to the Planning Commission by Carmen Estrada, 3/25/2021 ([link](#))
- [7] [https://www.tsra.org/the-sea-ranch-restrictions-articles-2-3/#Article\\_III](https://www.tsra.org/the-sea-ranch-restrictions-articles-2-3/#Article_III)
- [8] <https://www.tsra.org/wp-content/uploads/2021/06/2021-06-26-TSRA-BOD-Reg-AgendaPkt-0a-Full.pdf>
- [9] TSRA Short Term Rental Task Force presentation 8/20/20, p20 <https://www.tsra.org/wp-content/uploads/2020/08/STRTF-August-8-2020-Meeting-8-24-corrected.pdf>
- [10] <https://www.tsra.org/wp-content/uploads/2021/06/2021-06-26-TSRA-BOD-Reg-AgendaPkt-0a-Full.pdf>, page 4a8
- [11] <https://ecms.newportbeachca.gov/Web/0/doc/2674168/Page1.aspx>
- [12] <https://www.sciencedirect.com/science/article/pii/S0094119021000383>
- [13] <https://www.vacasa.com/news/select-vacasa-homes-added-to-homes-villas-marriott-international> [14] <https://documents.coastal.ca.gov/reports/2018/4/w20a/w20a-4-2018-exhibits.pdf>

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**From:** [Nolan Hughes](#)  
**To:** [PRMD-LCP-Update](#)  
**Subject:** Map correction C-Pa-1 sub area 8  
**Date:** Friday, June 25, 2021 5:57:58 PM

---

**EXTERNAL**

Hi, I noticed that the trailhead symbol for H-27 designated as follows : "SCSP: Willow Creek Coleman Valley Access" is on the wrong spot on your Map. It should be about a mile south west at the next corner of the Park property where Coleman Valley Rd intersects the Park land briefly. Your present location is not on a road and is on private property.

--

Regards,  
Nolan Hughes

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**From:** [Chelsea Holup](#)  
**To:** [Gary Helfrich](#); [Brian Oh](#)  
**Subject:** FW: The Sea Ranch short-term Rental rules (Public Comment)  
**Date:** Monday, July 19, 2021 8:15:31 AM

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-----Original Message-----

From: Robert Hutchinson <hutchinsonra@yahoo.com>  
Sent: July 18, 2021 3:47 PM  
To: Chelsea Holup <Chelsea.Holup@sonoma-county.org>  
Subject: The Sea Ranch short-term Rental rules

EXTERNAL

As an occasional visiting renter, I agree with the new rules being proposed by the Sea Ranch Association Board. I have reviewed the complaints (such as those from the Abalone Bay house which is a permanent short-term rental, newly renovated for that purpose) and find them shallow and in no way understanding the issues that full time and longer term residents of the Sea Ranch are clearly having and want to forestall. Please approve the new rules

Robert Hutchinson  
Boulder, Colorado

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**From:** [Yahoo!](#)  
**To:** [PRMD-LCP-Update](#); [BOS](#); [district5](#); [stephanie.rexing@coastal.ca.gov](#); [abigail.black@coastal.ca.gov](#)  
**Cc:** [C. Estrada](#); [BB Bix Swain](#); [Nina Dronkers](#); [BHHA Anna Taylor](#); [Pam Warren](#)  
**Subject:** Local Coastal Plan (LCP) Update  
**Date:** Friday, February 05, 2021 1:27:00 PM

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## EXTERNAL

I have reviewed the recent commentaries to your respective bodies and to the District 5 Supervisor Lynda Hopkins that were sent by C. Estrada, B. Swain and N. Dronkers relevant to the above issue.

I have lived in or medically served in both the South Lake Tahoe (SLT) and Sonoma County areas since 1969. I have witnessed the evolution of, and cited problems associated with, short term rental (STR) properties. I can attest to the following regarding SLT: the Swain-Dronkers report is essentially accurate and, while sharing an inherent STR circumstance, these two communities are significantly different as correctly reported by the above cited authors.

Therefore, with regard to the Sonoma County area, I supply our personal experience as an historic perspective. In the 1980s, it was very difficult for our eleven member family to find suitable housing for a Bodega Bay annual weekend stay because residential rental housing was limited to only a couple of 3 bedroom homes; we often stayed in the Chancellor Ranch bunkhouse!

In 1994 we purchased a two level, three bedroom and three bath home in Bodega Harbour (BH.) This home had permissible lower level renovation enabling enhanced interim rental opportunity as well as sufficient room to accommodate visitations by our eight children in this, our desired, permanent home after my medical practice retirement.

We, at all times, retained a Bodega Bay rental home manager who very promptly assessed and reported any neighbor complaints regarding our guests. I personally visited any neighbor who reported an issue in our remote southwest cliff area and provided them the phone number to my permanent home in Roseville, California, in order to expediate any corrective action, including sheriff eviction if warranted. We also promptly instituted a substantial "courtesy deposit" that our guests understood would be forfeited if a complaint was validated by a BH security staff citation.

We shortly thereafter discovered neighbor complaints were exaggerated and/or fabricated with some of our guests verbally abused and, in one instance, a party was harassed because of their ethnicity by our "neighbors." These neighbors were somewhat clandestine participants in an organized body of permanent BH residents militantly seeking community support for extreme STR restrictions with draconian penalties. After their misrepresentative publications were exposed, the BH community rejected their expressed elitist positions, e.g., resistance to a new public beach access trail. By an approximate two-to-one vote, the flag of the (as I best recall) "friends of BH" was temporarily lowered.

The Kemper organization was retained at that time to help manage community affairs thereby restoring stability and some civility. However, my wife unfortunately determined that the type of BH "friends" we encountered had failed as true neighbors; some twenty-plus years later, we relocated to a more preferred retirement site acquired in 1997. Nonetheless, in the interim, my wife and I, our family and friends, and personal (and repetitive rental) guests, including winners of charity fundraising auctions, have continued to enjoy our former "dream" retirement home without any actionable community complaint. We continue to courteously respect the privacy rights of all we encounter in BH.

While inclement weather occasionally dampens otherwise spectacular scenery which could benefit all, there remains an intransigent component of self-centered permanent resident homeowners, that unlike sporadic bad weather, persistently covet a more exclusive access to that unique scenic experience. While I could minimally add to the "Suggested Remedies" section of the above referenced Swain-Dronkers report, I agree their recommendations would substantially mitigate current concerns and



hopefully ameliorate a presently very workable circumstance.

Summarily, as an unencumbered BH homeowner, I support the beacon of the California Coastal Commission's commendable concern for public access to the pristine Sonoma coast which is most practically achieved by the current limited availability of affordable and safely maintained STR homes.

Respectfully submitted,  
William J. Keenan  
Managing Partner, Keenan Family LLC

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**From:** [bizkeith@keithnavarro.us](mailto:bizkeith@keithnavarro.us)  
**To:** [PRMD-LCP-Update](#)  
**Subject:** Revised Public Review Draft - June 2021  
**Date:** Wednesday, June 23, 2021 6:36:37 AM

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EXTERNAL

Why is there tracking on the link to the draft plan? There is no reason I should be tracked to see a government plan.

- Keith

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**From:** [Jonathan Kesterson](#)  
**To:** [Scott Orr](#); [Scott Hunsperger](#); [Chelsea Holup](#); [PRMD-LCP-Update](#)  
**Cc:** [Janice Kesterson](#)  
**Subject:** Opposition to Restrictions on Short Term Rentals as part of the Revised Sonoma County Local Coastal Plan  
**Date:** Saturday, July 17, 2021 7:56:24 PM

---

## EXTERNAL

Hello - as an owner of a Sea Ranch property since 1972, we wanted to voice our opinion in hopes you can make the right choice in this matter.

We strongly oppose restrictions on whether and when owners may rent their properties as proposed by The Sea Ranch Association (TSRA) Board in their "Model Rule 6.7". These restrictions include limits on the number of days a home can be rented, a reduction in the total number of rental homes and a minimum of 300ft between any two rental properties.

Some of the reasons are as follows:

- Restrictions on Short Term Rentals are unnecessary in the coastal zone. The California Coastal Commission has held that restrictions are justified only in cases of proliferation of short term rentals.
- The evidence indicates that there is no proliferation of Short Term Rentals at The Sea Ranch as the number has been stable for over 15 years.
- The Sea Ranch is and has always been a popular vacation destination – nearly every homeowner was once a renter.
- It is not fair that once they are homeowners that they lock the doors behind them.
- Renting a Sea Ranch home is a valuable asset that cannot be removed from the owner without strong justification. No such justification has been suggested.
- There has been no analysis of the effects of the proposed restrictions. TSRA has conducted no study, engaged no consultants and offers no opinion on the expected impacts of the proposed restrictions. This is irresponsible.
- TSRA's own Short Term Rental Task Force did not recommend restrictions, citing a lack of data, evidence or necessity.
- Short Term Rentals make a significant contribution to the local economy and Sonoma County tax revenue. Restrictions would reduce these contributions.
- Short Term Rentals at The Sea Ranch do not displace affordable long-term rental housing because at legacy real estate prices, no properties at The Sea Ranch would be available at an affordable long term rent.
- Nuisance, claimed by TSRA as justification for Short Term Rental restrictions, is not a significant issue at The Sea Ranch, in part because nuisance ordinances at The Sea Ranch are already stronger than most Short Term Rentals performance standards.

- “The Sea Ranch is not Tahoe” quoted by the Sea Ranch Security Head.

Thank you.

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**From:** [no-reply@sonoma-county.org](mailto:no-reply@sonoma-county.org)  
**To:** [PRMD-LCP-Update](#)  
**Subject:** Local Coastal Plan Update: Re. Vacation rental impact  
**Date:** Monday, February 01, 2021 6:43:28 PM

---

Sent To: County of Sonoma  
Topic: Local Coastal Plan Update  
Subject: Re. Vacation rental impact  
Message: Hello,

Thank you for your work to update the local coastal plan. I wanted to add a comment regarding vacation rental. I know the topic can be somewhat contentious and that temporary vacationers do not always engage with the community the same way as community members do.

As a second-generation homeowner in Bodega Bay, my family relies on vacation rentals to support our ability to keep our parents' home. We are committed to renting to those who treat our home and the larger community with respect, and we recognize that it can be challenging to screen renters in this way. We hope that they see the loving way that we care for our home and extend that to the community at large.

I know that there are many Bodega Harbour community members who are able to maintain a second home based on their standard income. And I recognize that not all renters (and have cleaned up after them) share my family's community-minded values. I hope, though, that the coastal plan can support both homeowners who have the financial means to sustain a their home and those who rely on some income from that home to sustain it.

Thanks for you time - it's appreciated!

Sender's Name: Maura  
Sender's Email: [mauraking@gmail.com](mailto:mauraking@gmail.com)  
Sender's Address:  
CA 94602

**From:** [Susann Lucero](#)  
**To:** [PRMD-LCP-Update](#)  
**Subject:** Sea Ranch  
**Date:** Monday, July 19, 2021 6:48:51 AM

---

**EXTERNAL**

As a renter in Sea Ranch once a year since it was built....you would be taking away the privilege of enjoying everything they offer and maintain with excellence. Rentals on the California coast ...and the coast should be open to the public !!! What gives you the right to take that happiness away from human beings ???--  
Susann Lucero

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**From:** [1mjmack](#)  
**To:** [BOS; PRMD-LCP-Update](#)  
**Subject:** Tuesday Agenda Item #34  
**Date:** Monday, May 24, 2021 9:11:10 PM

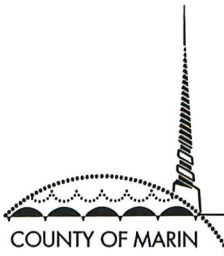
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## EXTERNAL

I am elderly trying to keep my home through short term rental and not become homeless or a burden on the state. If Sonoma County and the Coastal Commission limit days for short term rentals homes will rent at a higher value due to limited access or only be available for the rich as second homes to access, This will ultimately make it too expensive for low to moderate income families to enjoy the Coastal Zone. Short term rentals help small businesses stay open as locals don't contribute enough year-round to keep the doors open. Short term rentals help ensure maximum public access, because without lower cost visitor serving facilities, members of the public with low or moderate incomes would be more limited in their ability to access and enjoy the coast. Creating an ordinance that only allows wealthy homes to be used as their own, or those of friends, vacation homes doesn't serve the greater good. This type of plan limiting or canceling short term rentals only allows the wealthy to stay in Sonoma County. This plan under the guise of taking care of the homeless obliterates the lower and middle class from enjoying the coast. It seems short sighted and only contributes to the rich.

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COMMUNITY DEVELOPMENT AGENCY  
PLANNING DIVISION

March 24, 2021 (Sent Via Email to [PRMD-LCP-Update@sonoma-county.org](mailto:PRMD-LCP-Update@sonoma-county.org))

Cecily Condon  
Sonoma County Permit and Resource Management Department  
2550 Ventura Venue  
Santa Rosa, CA 95403

RE: Sonoma County Draft Local Coastal Plan Update - Public Access Plan

Dear Ms. Condon:

This letter supplements our comment letter of March 8, 2021 and addresses the recommendations for the Estero Americano Valley Ford Access (J-4) contained in the 2019 Sonoma County Public Review Draft Local Coastal Plan.

On Page 90 of Appendix B: Public Access Plan, reference is made to a gravel road leading from Marsh Road to an unimproved parking area for paddle craft access to the Estero Americano. Both Marsh Road and the gravel road are located in Marin County on the south side of Estero Americano, which is outside the jurisdiction of Sonoma County. Please see attached map.

Recommendation #1 (Page 90) states:

Retain the existing Marin County public access point by encouraging Marin County Parks & Open Space District to acquire fee title or record the easement and improve the access. Prescriptive rights may exist.

As Recommendation #1 applies to lands outside the jurisdiction of Sonoma County, I'm writing to request that this be removed from the Sonoma County Local Coastal Plan. In addition, the Marin County Local Coastal Program does not reference existing or potential prescriptive public access to the Estero Americano at this location.

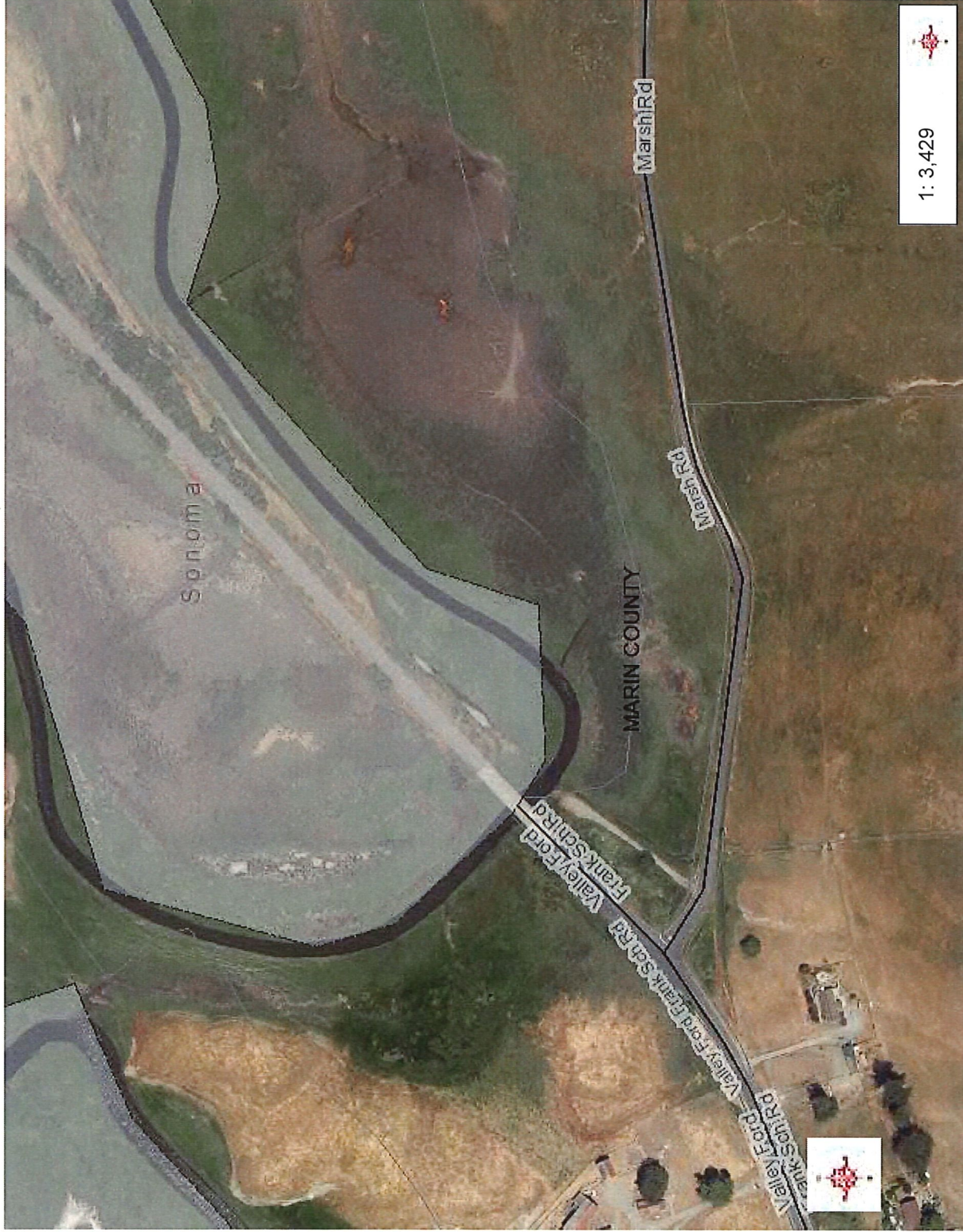
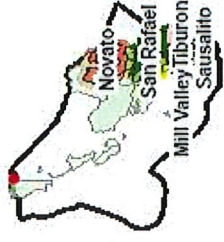
Please let me know if you have any questions regarding this matter. I can be reached at (415) 473-6292 or by email at [tlai@marincounty.org](mailto:tlai@marincounty.org).

Sincerely,

Tom Lai, Interim Director

Attachment: Aerial Map





1: 3,429

0.1 Miles

0 0.05

0

0.1

NAD\_1983\_HARN\_StatePlane\_California\_III\_FIPS\_0403\_Feet  
© Latitude Geographics Group Ltd.

**Legend**

- County Maintained Roads**
- Arterial
  - Collector
  - Interstate
  - Local
  - Other Freeway
- Condominium Common Area**
- Mobile Home Pad**
- City**
- Community**
- Marin County Legal Boundary**
- Other Bay Area County**
- Ocean and Bay**
- Address**
- Parcel Secured**

**Notes**

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
THIS MAP IS NOT SURVEY ACCURATE

**From:** [Mark](#)  
**To:** [PRMD-LCP-Update](#)  
**Subject:** small error  
**Date:** Tuesday, June 22, 2021 6:21:13 PM

---

**EXTERNAL**

On the Fire Department map, the colors (or the labels for the colors) for Bodega Bay and Bodega are reversed.

**Mark**

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**From:** [Ellen](#)  
**To:** [Cecily Condon](#)  
**Cc:** [Lynda Hopkins](#); [abigail.black@coastal.ca.gov](mailto:abigail.black@coastal.ca.gov); [PRMD-LCP-Update](#); [stephanie.rexing@coastal.ca.gov](mailto:stephanie.rexing@coastal.ca.gov)  
**Subject:** LCP  
**Date:** Sunday, January 12, 2020 3:09:53 PM

---

## EXTERNAL

Dear Cecily:

Please correct the spellings of **Harbour** and **Harbor** in the document. **Harbour** refers to the 720 parcel development in Bodega Harbor. It is confusing and misleading if the two not carefully delineated.

Thanks and best regards,

Ellen

Ellen S. Meuse  
President, BHHA board of directors

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**From:** [Laura Morgan](#)  
**To:** [Cecily Condon](#)  
**Cc:** [Chris Poehlmann](#)  
**Subject:** A cogent, current, scientific article on the role of forestry practices to optimize mitigation of climate change and conserve biodiversity  
**Date:** Tuesday, December 10, 2019 7:52:59 AM

---

EXTERNAL

Hi, Cecily.

I hope you're not too busy to enjoy our amazing wintry landscape and weather.

Here is a lengthy article in which scientific guidelines for forest management have direct implications for the LCP. You can skip down to the sections on "proforestation" for the meat of it. I would appreciate your adding it to the record of input toward the 2020 LCP draft.

Happy holidays!

Laura

<https://www.frontiersin.org/articles/10.3389/ffgc.2019.00027/full>

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**From:** [Paul Newacheck](#)  
**To:** [PRMD-LCP-Update](#)  
**Subject:** Sea Ranch Rentals  
**Date:** Sunday, July 18, 2021 4:13:34 PM

---

**EXTERNAL**

**I support** limits on Sea Ranch rental properties as proposed by The Sea Ranch Association (TSRA) Board in their “Model Rule 6.7”. These restrictions are intended to prevent a proliferation of rental properties and are consistent with the California Coastal Zone Commission.

Sincerely,

Paul Newacheck  
293 Grey Whale  
The Sea Ranch

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**From:** [Derek Norman](#)  
**To:** [PRMD-LCP-Update](#)  
**Subject:** Sonoma coastal access - short term rentals  
**Date:** Saturday, July 17, 2021 6:21:10 AM

---

## EXTERNAL

Sonoma County Planning Department,

I am a homeowner at Sea Ranch - my family has owned the home since 1986 and I inherited the home two years ago. I have learned the TSRA Board is submitting comments on short term rentals that are not reflective of Sea Ranch's diverse community of owners.

I strongly support continuing the status quo for short term rentals at Sea Ranch. There is nothing broken about the system. In my 36 years I have never had an issue with a short term renter, and I have never heard of a complaint about one. Sea Ranch is a calm and isolated place, and it attracts people who like that style.

Putting further restrictions on short term rentals is effectively an economic "taking". It should only be done to mitigate a significant downside, of which there is no concrete evidence other than hearsay. The main complaints tend to come from full time residents who represent a minority of the Sea Ranch community. They signed up and moved to a community where short term rentals were the status quo. Now they are in a place of power and would like to change it. But that is unfair, and not right.

Restricting STR will further decrease the community diversity at Sea Ranch. It will be less directly accessible to renters who likely represent a more diverse socioeconomic background. It also decreases ownership diversity by placing restrictions on how owners may finance the ownership of their property. Whether or not it is an ulterior motive, full time residents and long term renters shouldn't have a monopoly on enjoying the Sonoma coastline. STR in fact remains a crucial accessibility tool for tourists outside Sonoma to come and enjoy its coast. Isn't an underlying principle of California coastal property that it is highly accessible? Do you want to be complicit in changing this norm?

Thank you for hearing my message. I feel very strongly about this. I have learned in business that breaking and renegotiating contracts is done only in emergency circumstances.

Regards,  
Derek  
+1 919 360 3963

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**From:** [Chris Poehlmann](#)  
**To:** [Cecily Condon](#)  
**Subject:** Re: A cogent, current, scientific article on the role of forestry practices to optimize mitigation of climate change and conserve biodiversity  
**Date:** Tuesday, January 14, 2020 1:09:23 PM

---

## EXTERNAL

Hi Cecily,

I would like to add this new science to the LCP comments as a resource to how we must codify how we now approach our forest resources on the coast.

Thank you for your efforts on the LCP.

The need for public access to the Gualala River is also of concern as I expressed in the Sea Ranch meeting. The recent acquisition of the large estuary parcel on the Gualala is an important first step for a larger river park.

I look forward to a full addressing of forestry issues in the LCP formulation.

Best,

Chris Poehlmann

Annapolis, CA

707-888-4252

**Climate change and its consequences are arguably the biggest existential threat to mankind and life on earth. Any foreseeable levels of reductions in greenhouse gas emissions will not be enough to meet the conservative maximum target (2.0°C and under) that climate scientists say is needed. We need to additionally increase carbon sequestration in existing forests, wetlands and soils. This study (link below) points to conserving the existing bigger trees in existing healthy forests as a best method to meet the needed target reductions. The term to describe this approach is “Proforestation.” The principal author has been a lead author of five Intergovernmental Panel on Climate Change (IPCC) Reports.**

**<https://www.frontiersin.org/articles/10.3389/ffgc.2019.00027/full>**

**The temperate, mixed conifer/redwood forests of our region are the world’s best at capturing and storing the maximum amount of atmospheric carbon. This new science points to increasing the effort by forest advocates to protect watersheds from being managed as “tree farms” and more to being managed as diverse, mature, healthy, ecosystems that are vital to the global effort needed to counter climate change.**

On Dec 10, 2019, at 7:56 AM, Cecily Condon <[Cecily.Condon@sonoma-county.org](mailto:Cecily.Condon@sonoma-county.org)> wrote:

Thank you Laura,

This comment has been added to the file.

I will look into this, I am also copying our project manager for the upcoming Multi-Jurisdictional Hazard Mitigation Plan update so she has it available as well.

Best,

Cecily

Cecily Condon  
Planner III  
[www.PermitSonoma.org](http://www.PermitSonoma.org)  
County of Sonoma  
Planning Division | Comprehensive Planning  
2550 Ventura Avenue, Santa Rosa, CA 95403  
Direct: 707-565-1958 | Office: 707-565-1900

-----Original Message-----

From: Laura Morgan [<mailto:thesquig@yahoo.com>]  
Sent: Tuesday, December 10, 2019 7:53 AM  
To: Cecily Condon <[Cecily.Condon@sonoma-county.org](mailto:Cecily.Condon@sonoma-county.org)>  
Cc: Chris Poehlmann <[chrispoehlmann@gmail.com](mailto:chrispoehlmann@gmail.com)>  
Subject: A cogent, current, scientific article on the role of forestry practices to optimize mitigation of climate change and conserve biodiversity

EXTERNAL

Hi, Cecily.

I hope you're not too busy to enjoy our amazing wintry landscape and weather.

Here is a lengthy article in which scientific guidelines for forest management have direct implications for the LCP. You can skip down to the sections on "proforestation" for the meat of it. I would appreciate your adding it to the record of input toward the 2020 LCP draft.

Happy holidays!  
Laura

<https://www.frontiersin.org/articles/10.3389/ffgc.2019.00027/full>

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Chris Poehlmann  
[chrispoehlmann@gmail.com](mailto:chrispoehlmann@gmail.com)

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**From:** [Beth Richman](#)  
**To:** [PRMD-LCP-Update](#)  
**Subject:** Local Coastal Plan  
**Date:** Thursday, December 05, 2019 6:10:29 PM

---

**EXTERNAL**

To Ms. Cecily Condon,

I'm not yet sure if I will be able to attend a community meeting in Monte Rio for the Local Coastal Plan, though I'd like to register my concern about the current proposal. I do NOT want to see more of Sonoma County developed for wine or wine tourism. This industry dominates far too much of the county already. The precious coastal environment requires careful protection, not exploitation for private profit. Basically I would echo the well-stated piece from the *Sonoma West Times* on 12/4/19 by

- Reuben Weinzveg.

Thank you for your consideration.

Sincerely,  
Beth Richman

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**From:** [Chelsea Holup](#)  
**To:** [Gary Helfrich](#)  
**Subject:** FW: Share the Sea Ranch  
**Date:** Monday, July 19, 2021 8:34:10 AM

---

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**From:** Tamir Scheinok <tscheinok@gmail.com>  
**Sent:** July 16, 2021 5:56 PM  
**To:** Scott Orr <Scott.Orr@sonoma-county.org>; Scott Hunsperger <Scott.Hunsperger@sonoma-county.org>; Chelsea Holup <Chelsea.Holup@sonoma-county.org>; PRMD-LCP-Update <PRMD-LCP-Update@sonoma-county.org>  
**Cc:** Mimi Choi <lilmouse.choi@gmail.com>  
**Subject:** Share the Sea Ranch

## **EXTERNAL**

Greetings, I am a homeowner at The Sea Ranch.

We support the introduction of reasonable performance standards, dictating how Short Term Rentals are operated responsibly, as proposed in the revised Sonoma County Local Coastal Plan (LCP, Program C-LU-1).

The TSRA Board has authorized its Short Term Task Force to lobby the county for the proposed Model Rule 6.7 ([here](#), page 4a8), including these restrictions, on its behalf. The Model Rule has not been sent out for member comment and is opposed by many members. It is not based on credible studies or facts and is very damaging to owners who rent their home on a short-term basis.

We strongly oppose restrictions on whether and when owners may rent their properties as proposed by The Sea Ranch Association (TSRA) Board in their "Model Rule 6.7" ([here](#), page 4a8). These restrictions include limits on the number of days a home can be rented, a reduction in the total number of rental homes and a minimum of 300ft between any two rental properties.

We urge the Sonoma County Planning Commission and Board of Supervisors to reject the proposed Rule and not to delegate the creation of performance standards and / or restrictions to the TSRA Board.

Sincerely, Tamir

--

Tamir Scheinok  
41557 Hatchway Ct  
The Sea Ranch

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**From:** [Carol Sklenicka](#)  
**To:** [PRMD-LCP-Update](#)  
**Subject:** Comment on LCP  
**Date:** Wednesday, June 23, 2021 11:06:50 AM

---

EXTERNAL

I write again to object to Policy C-LU-60 in the revised LCP draft.

There has long been a moratorium on new water hook-ups in Jenner. The town has NO capacity for “infill” of any kind.

Lack of water, lack of parking spaces, and lack of public bathrooms plus noise and traffic impacts on the ESHA of the Russian River Estuary would all make it any commercial expansion impossible. (There is a wine bar said to be operating without permits.)

Carol Sklenicka  
P O Box 13  
Jenner CA 95450

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**From:** [Nichola Spaletta](#)  
**To:** [PRMD-LCP-Update](#); [Nichola Spaletta](#)  
**Subject:** LCP- Valley Ford Sub Area 10  
**Date:** Saturday, November 07, 2020 1:09:07 PM

---

## **EXTERNAL**

To Whom it may Concern,

Local Coastal Plan -Valley Ford Sub Area 10

(J-1) page 89. Proposed California Coastal Trail.

The coastal route follows the shoreline of the Bodega Bay Harbor Subdivision from Doran Regional Park to the Marin County Line at the Estero Americano. This pedestrian only route is only available during low tides.

Our family has a ranch in the corner of Marin County at the Marin County line. Sonoma County wants to propose and stop a coast trail at our property line. We have no intention of selling our historical ranch as it is in MALT and is a working beef ranch. Sonoma County has not contacted us or answered our many letters of concern regarding this CCT trail proposal. For years we have been asking both Marin and Sonoma County to NOT propose the California Coastal Trail on our ranch coastal area. Marin County Local Coastal Plan agreed that the CCT trail would NOT be placed along the Marin County coast in this area. Marin County placed this trail away from the coast on Highway One as it was safer and continuous. Placing a trail in this area would cause people to walk on an unsafe, unstable and unmanaged footing. The terrain along this area coast is rocky, slippery and mostly impassive due to tidal change. Having people travel this area would cause harm to the shoreline habitat and it's environment and lead to trespassing on private property. The Estero Americano's sand bar opens on storm events splitting the proposed trail and making it impossible to navigate as well. Sonoma County LCP wants the trail to stop at the Marin County Line. There is NO continuous alignment of any trail in this area on the Marin County side because it becomes impassable and becomes private property. Placing a trail in this area from Sonoma County to Marin Country line is not going to work for the public as there is nowhere to walk. The coast has sheer cliffs that stop at water's edge and can trap people and it becomes a rescue safety factor on private lands. People would have to try and climb the cliffs to walk and that leads to trespassing. We hope that Sonoma County understands our view to protect the environment, safely manage hikers and support working farms regarding trespassing issues. The California Coastal Trail needs to stay on Highway One as asked and amended by Marin County Supervisors in their Marin County Local Coastal Plan. Sonoma County LCP needs to follow a California Coastal Trail continuous alignment along Highway One that has been proposed by Marin County.

Please remove the proposed California Coastal Trail off our coast and ranch area near the Marin County Line. We do not approve of a trail going to nowhere and is unsafe and detrimental to the environment.

(J-3, J-4 and J-5) page 91 and 92. Estero Americano Water Trail Estero Americano Valley Ford Access-Create a maximum public access plan.

We ask that Sonoma County LCP work on proposed public access plans in their county and not put public access plans on Marin County property relating to their Local Coastal Plan.

The boat launch site on Marsh road is in Marin County and is private land and is not a public boat launch. This area needs to be governed by Marin County landowners, not Sonoma County. The boat launch sites that are proposed for Sonoma County LCP in the Estero Americano are going to damage the fragile estuary and all of its habitat. Placing a floating dock at the Bordessa Property. Placing a boat pull out at the Esteros entrance/Wildlands Conservancy property. Also, encouraging Marsh road boat launch to be bought for public use. Estero Americano's integrity will then surely be at risk with overload of public use. Who will manage all these people, and protect the Esteros environment? The Estero Americano is recognized by the California Department of Fish and Wildlife as one of the most significant habitat areas in the State! Marin County according to their Local Coastal Plan allows NO DEVELOPMENT in or along the Estero Americano. Only scientific study or restoration is permitted. Sonoma County LCP surely wants to develop the Estero Americano by building three boat docks. While the same body of water on the Marin County side is preserved from development. Why can't Sonoma County LCP work to protect the Esteros integrity? Why is Sonoma County not working together with Marin County for the protection of the environment in the same estero?

We do not want development on the Estero Americano, no boat docks! Let's preserve our waters for the future, not degrade them!

We can be reached at

[nspaletta@gmail.com](mailto:nspaletta@gmail.com)

Sonoma County has not responded to any of our letters, we would like to hear from you. We will send in hard copies of our past letters. Also letters from our County of Marin and local Farm Bureaus in our support of preserving the Estero and rerouting CCT.

Sincerely,

The Spalettas

Valley Ford,CA

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**From:** [Bix Swain](#)  
**To:** [PRMD-LCP-Update](#)  
**Cc:** [Nina Dronkers](#)  
**Subject:** Comments for the Draft LCP, Vacation Rentals and Access to the Sonoma County Coast  
**Date:** Sunday, January 12, 2020 3:36:29 PM

---

## EXTERNAL

(Aside: please excuse this late submission. Our family had a severe medical issue that kept me very busy.)

To Whom It May Concern:

I appreciate the hard work that has gone into helping to preserve and maintain the wildlife habitats and at the same time allow the residents of California access to experience the beauty of the Sonoma County Coast.

I offer the following perspectives as an owner of two vacation rentals in Bodega Bay for the past 20 or so years-allowing roughly 5,100 person-stays, and as President of a small water company north of Bodega Bay for the past 15 years.

The arbitrary, harsh Sonoma County Three-Strikes Penalty should not be applied to the long-running, well-established vacation rental management company model in use along the Sonoma County coast. Unlike the recent "AirBnB craze," the Vacation Rental Management Companies (VRMC) in both the Bodega Bay area and Sea Ranch began operations in the late 1970's. As evidenced from the disastrous passage of South Lake Tahoe's measure T, which includes a Three-Strikes rule, the effect has been to harm the local economy and the real estate market as well as pit opposing sides against each other in fierce, costly court battles, see flyer below that I presented to the Bodega Harbour Homeowners Association Board. The Sonoma County Three-Strikes Penalty is arbitrary in the sense that a one-time bad renter could violate 3 or more rules, see Three-Strikes Penalty below, which would result in the removal of the vacation rental from the small stock of vacation rentals along the coast and unfairly harm not only the vacation rental owner but prospective renters and the local economy. As a compromise to the Three-Strikes Penalty, require that all vacation rental owners be under contract with a licensed VRMC. As an added fiscal benefit to Sonoma County, because VRMC are businesses, they already contribute 2% of the vacation rental proceeds in addition to the 12% TOT to the coffers of Sonoma County.

Bix Swain

### **Flyer Presented to the Bodega Harbour HomeOwners Association on 4/20/18**

VACATION RENTAL (VR) ISSUE AT THE HARBOUR

LET'S LEARN FROM SOUTH LAKE TAHOE(SLT)

by Bix Swain, Parcel 47, 4/20/018

The following is from a recent conversation with the top seller of real estate in SLT to work through issues related to VR as

well as the following link to an article in the SF Chronicle:

<https://www.sfchronicle.com/business/article/Tahoe-ski-town-cracks-down-on-vacation-rentals-12762862.php>

The VR Issue for SLT

Bad renters in SLT -- those who partied noisily late into the night, parked too many cars, and left garbage out that attracted animals -- made life miserable for nearby residents. VR owners or management companies did not always intervene when their renters misbehaved.

Overreaction by SLT Board

SLT adopted very punitive regulations for VR renters and owners in December, 2017:

- a cap of 1,400 VR rentals was instituted, which was the total number of VR at the time

- hefty penalties for violation of rules were enforced, including but not limited to:

  - \$1,000 fines for both the renters and owners for too many parked cars

  - 3-strikes-you're-out rule: for 3 violations of any of the rules within 24 months

resulted in a permanent ban for that owner from renting a VR

Unintended Result

- real estate sales dropped since 70% of prospective buyers are those who want a second home with the option to turn their property into a VR once their children were grown

- renters stopped coming since they learned that renters had been fined \$1,000 for having too many parked cars

- local businesses suffered from the loss of vacation renters: tourists who would have otherwise visited their stores and restaurants

- the community became divisive, with permanent residents pitted against VR owners, 2nd home owners, and the business community, including real estate companies, restaurants, and retail shops

What Lessons Were Learned

- reasonable rules were needed that are not excessively punitive but represented a



compromise among all parties that would address the precipitating issues

enforcement of these rules are necessary when renters continue to pose a problem

the VR industry needs to be recognized as an important part of a healthy community that

helps the economy as well as real estate sales and home values

Vacation rentals are an important part of public access to the coast

#### Suggested Remedies

continue the requirement for owners to maintain their VR license

renters currently pay a Transient Occupancy Tax (TOT) of 14%. Could some of these funds be used toward maintaining the adopted rules?

require a one-time inspection of each VR to ensure safety (e.g., smoke and carbon dioxide detectors, handrails, etc.)

encourage VR owners to let prospective renters know in the very first communication that nuisances such as noise, over parking, and misbehavior are prohibited; and, that renters are expected to learn and follow the Harbour rules for their safety and the safety of the community members.

#### Thoughts and More Information

A rough calculation of total annual TOT revenue from Bodega Harbour VR homes to Sonoma County: 14% tax rate for 150 VR homes amounts to \$630,000 per year.

### **Three-Strikes Penalty currently enforced in Sonoma County East of the Sonoma Coast:**

1. **Three Strikes Penalty.** Upon receipt of any combination of three administrative citations, verified violations, or hearing officer determinations of violation of any of the permit requirements or performance standards issued to the owner or occupants at the property within a two year period, the vacation rental zoning permit is summarily revoked, subject to prior notice and to appeal, if requested within 10 days. Should such a revocation occur, an application to reestablish a vacation rental at the subject property shall not be accepted for a minimum period of two years.

2. **Violation of Performance Standards – Administrative Citations.**

In addition to all other legal remedies, criminal or civil, which may be pursued by the County to address any

violation of the County Code, this subsection provides for Administrative Citations.

- a. Use of Administrative Citations shall be at the sole discretion of the County.
  
- b. This subsection is adopted pursuant to the authority conferred by the Government Code, including Section 53069.4.
  
- c. Violations of the following permit requirements and performance standards may be deemed infractions for the purposes of this subsection, and are subject to administrative citation:
  1. Conduct of a cultural event, special event, party, wedding or other similar activity exceeding the allowable maximum occupancy;
  2. Exceeding the maximum permitted occupancy, not including children under 3 years of age;
  3. Noise violations, as set forth in (f), above, including the use of outdoor amplified sound;
  4. Violations of quiet hours (10:00 PM – 7:00 AM);
  5. Exceeding maximum number of vehicles;
  6. Exceeding fire limits, including lighting fires during bans;
  7. Unsecured pets and/or nuisance barking;
  8. Operation of a vacation rental without a certified property manager;
  9. Failure of the property owner to include the specified limits in rental agreements and online listings or advertisements;
  10. Failure to include the individual property's Transient Occupancy Tax Certificate number in all contracts, advertising and online listings;
  11. Failure of the property owner to maintain current Transient Occupancy Tax status.

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**From:** [Gayle & Wanda](#)  
**To:** [PRMD-LCP-Update](#)  
**Subject:** Re: Preparation for Meeting 1/15/2020 Timber Cove  
**Date:** Sunday, January 26, 2020 12:11:03 PM

---

**EXTERNAL**

Hi Cecily,

I spoke with you at the Timber Cove Meeting and said I'd get back to you about some things I noticed in the update that weren't accurate.

**Public Facilities and Service** section 6.1/page 27/3rd paragraph:

*The County has established the Department of Fire and Emergency Services (DES) to coordinate the fire protection service agencies in the County. DES contracts with various Fire Protection Districts and municipal fire agencies to provide support services including code enforcement, construction plan checking, and fire safe planning.*

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**The Sea Ranch Association**

975 Annapolis Road  
P.O. Box 16  
The Sea Ranch, CA 95497-0016

Administration

tel: 707-785-2444  
fax: 707-785-3555

Tennis Wick, Director  
PRMD  
2250 Ventura Blvd.  
Santa Rosa, CA 95403

RE: LCP Update

June 22, 2021

Dear Director Wick:

I am writing to share with you two actions The Sea Ranch Association (TSRA) Board of Directors has recently taken in relation to Short Term Rental (STR) policies and regulations; to request that this letter be included in the public record for the LCP update; and to provide language.

- 1) At a Special Session on May 22, 2021, the TSRA Board unanimously approved a recommended asking Sonoma County to include a minor policy amendment in the Local Coastal Plan Update and proposed STR Regulatory Concept.

Considering escalating and evolving needs for affordable housing and extreme lack of long-term rental housing stock in the Coastal Zone, and the unique qualities and characteristics of communities in the Coastal Zone, TSRA request that Sonoma County revise Policy C-LU-1 in the draft LCP update to the following language:

Program C-LU-1: Establish standards for the use of existing residences for **vacation rentals** and hosted rentals. In developing standards consider requirements for designated property managers, safety, the number of guests allowed for daytime and nighttime occupancy, parking, noise, and advertisements, availability of affordable long-term rental housing, and allowing different regulations in different parts of the Coastal Zone to preserve the core values of different coastal communities. (New: HCD certified General Plan 2014 Housing Element Policy HE-1k Revised)<sup>1</sup>

TSRA makes this revised recommendation because we believe it sets the policy stage for future Implementing Regulations that allow for unique and narrowly tailored STR regulations in different coastal communities, as aligned with individual community values.

- 2) Submit on behalf of TSRA membership a proposed STR Regulatory Concept that could be considered for application to Coastal Communities. (See attachment)

Following a year-long process to understand the STR issue as it affects The Sea Ranch, community input, research of other coastal community approaches and review of options with agencies, counsel and members, a recommendation has emerged for regulating short-term rentals in The Sea Ranch. Key concepts include a further focus on quality of life, including limiting private automobiles, number of occupants per home, number of STRs per neighborhood and communicating TSR community values so visitors may strive to be good neighbors, if only on a temporary basis.

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<sup>1</sup> TSRA withdraws its earlier comments on STRs and replaces its November 2019 comments with the STR comments set forth in this letter. The remainder of TSRA's November 2019 letter remains in full force and effect.

The Board of Directors received a comprehensive report at its Regular Meeting held on December 12, 2020, summarizing the work of the Short-Term Rental Task Force, which was created by the Board on December 14, 2019. The report included metrics specific to The Sea Ranch, member feedback from multiple open meetings and research about other coastal community best practices and regulations.

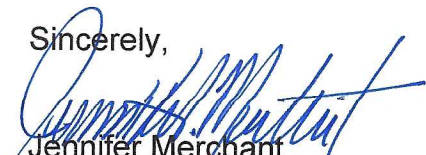
On April 24, 2021, the Board held a workshop to share the proposed Rules with the membership, accept questions, feedback and to deliberate on possible amendments. Since that time, the STRTF has been working with the Community Manager, Association Counsel, Sonoma County and the California Coastal Commission to better understand the regulatory overlay on the Sonoma Coast and how it impacts TSRA's ability to amend its own Rules. That understanding led to the recommendations unanimously approved by the Board of Directors on May 22, 2021, which are transmitted in this letter.

TSRA understands that it is unable to codify the proposed concept in its Rules at this time, but in establishing a formal position, intends to offer the concept for consideration to policymaking and regulatory agencies such as Sonoma County and the California Coastal Commission. The Association therefore submits the attached concept for the County's consideration.

The Association realizes that as currently planned it will be years before PRMD is able to bring forth Implementing Regulations under the amended LCP. We stand at the ready to work with your staff, the Coastal MAC, yourself and your staff, to assess how our proposed concepts may be reasonably applied, either through the entirety of the Coastal Zone or, by developing policy that would allow them to be applied only at The Sea Ranch. The Association is also keen to discuss creative options that could move STR regulations forward at a faster pace, given their impacts on affordable housing, long-term rental housing, neighborhood and community character and the changing coastal landscape, often exacerbated by unfettered STR growth.

Thank you for your attention to our work. We look forward to discussing with you further in the near future.

Sincerely,



Jennifer Merchant  
Community Manager

cc: Supervisor Lynda Hopkins



## THE SEA RANCH ASSOCIATION

### Proposed Rule 6.7

#### REGULATION OF SHORT-TERM RENTALS

WHEREAS, the novel development concept, known as "living lightly on the land," is the foundation of The Sea Ranch Restrictions (the "Restrictions"), as reflected in the following declaration:

*It must be assumed that all owners of property within The Sea Ranch, by virtue of their purchase of such property, are motivated by the character of the natural environment in which their property is located, and accept, for and among themselves, the principle that the development and use of The Sea Ranch must preserve that character for its present and future enjoyment by other owners.*

WHEREAS, for decades, The Sea Ranch Association ("TSRA") has monitored, managed, and maintained almost every significant aspect of both natural and built environments within The Sea Ranch ("TSR") development to guide the development to an expected outcome consistent with the Restrictions that reflects the following important qualities: TSR's architecture, design and community; natural beauty; and tranquility, quiet, peace and privacy. There is one notable exception: short-term rentals ("STRs") of private residences. TSRA wishes to regulate STRs to help ensure that STRs are operated in a manner consistent with the Restrictions.

WHEREAS, TSR is a community of full-time residents, part-time residents, property owners, investors and lot owners who, by virtue of purchasing property at TSR, have agreed to a common set of rules and principles as enumerated in TSRA's governing documents, including the Restrictions and TSR Rules (the "Rules"). Among TSR's core values are caring for and stewarding TSR's natural environment: its beaches, bluff-tops, meadows, riparian streams, forested commons, and wildlife. TSR's founders believed deeply in the value and importance of community. Community is a fundamental aspect of who we are at TSR – members dedicated to maintaining and preserving TSR's natural environment, and to growing, nurturing and sustaining one another. Maintaining community, as with TSR's natural environment, is tenuous. As with many living systems, community is difficult to build, and easy to disrupt, even destroy. Sometimes, particular shifts and innovations occur that need fairly quick responses to prevent significant harm from occurring. Such is the case with the rise of online vacation rental platforms. These platforms have supported the commercialization and "hotel-ification" of residential communities across the nation. In these cases, uncontrolled and unmanaged growth of STRs has eroded people's sense of safety and their connection to one another, and risks changing a community's character in perpetuity.



WHEREAS, Sonoma County has enacted an inland vacation rental ordinance. Following over two years of experience with its ordinance, Sonoma County Planning staff observed that high-occupancy vacation rentals cause a loss of residential character, a feeling of living among strangers and increased security concerns:

*“ . . . [Among] residents who live with vacation rentals in their neighborhoods, . . . by far the major concern expressed was commercialization of neighborhoods and a loss of residential character. Homes that are rented to different vacationers every week year-round do not retain a primarily residential character. When the fabric of a neighborhood is interrupted with many homes being used by non-residents on a transient basis, the remaining residents find that they are living among strangers rather than neighbors and have increased security concerns.”*

WHEREAS, the proliferation of vacation rental platforms has greatly expanded and transformed the vacation rental industry. STRs have both positive and negative effects on the Sonoma Coast, including at TSR. Chief among them:

- STRs allow people to visit the Sonoma coast. Whole house rentals may provide lodging superior to hotels or motels for some visitors such as large families or those needing less expensive accommodations.
- Owners of coastal houses who operate STRs obtain supplemental income that assists in affording mortgage and maintenance of their homes.
- The proliferation of STRs has reduced the stock of housing available for long-term rentals. This has contributed to a housing crisis for moderate income and low income residents with employment in the region.
- Without reasonable regulation, STRs allow conduct that damages the tranquility, safety, and beauty of coastal communities. Excessive numbers of STRs destroy neighborhood character and relationships.

WHEREAS, every Owner at TSR is entitled to the quiet enjoyment of his or her home, and every Owner, resident, visitor, guest and renter is obligated to act in a way that does not destroy others' quiet enjoyment of TSR.

WHEREAS, the California Coastal Commission issued a memorandum in December 2016 stating:

*In situations where a community already provides an ample supply of vacation rentals and where further proliferation of vacation rentals would impair community character or other coastal resources, restrictions may be appropriate. In any case, we strongly support developing reasonable and balanced regulations that can be tailored to address the specific issues within your community to allow for vacation rentals, while providing appropriate regulation to ensure consistency with applicable laws.*





WHEREAS, TSRA Rule 2.3 provides a subjectively rational and procedurally fair process for determining violations and penalties in accordance with the Davis-Stirling Act.

WHEREAS, California suffers from a lack of affordable housing, which is particularly acute on the coast and creates a labor shortage for local employers. TSRA, the Redwood Coast Medical Service, the Sea Ranch Lodge, Point Arena schools and local shops and restaurants have experienced great difficulty recruiting, hiring and retaining staff due to the paucity of local affordable long-term rental housing. To address the housing crisis, the California legislature enacted (among other things) California Government Code Section 65852.2, providing that a local agency may require that Accessory Dwelling Units (ADUs) be used for rentals of terms longer than 30 days.

WHEREAS, extrapolating from Sonoma County Transient Occupancy Tax revenues, the size and scope of STRs at TSR appears to be the single largest economic driver at TSR, and is estimated to generate between \$11 million to \$16 million in gross annual rental revenue, which is 2-3 times the size of TSRA's annual budget (note: this amount excludes any additional dollars that STRs generate for the broader local community in Gualala and along the Mendonoma coast such as local dining, shopping, home management, maintenance and cleaning services).

WHEREAS, the Restrictions give TSRA broad authority to impose rules regulating Owner rental activities for the peace, health, comfort, safety, and welfare of the community, and to avoid nuisances. See generally Restrictions 5.05, 5.06.

NOW, THEREFORE, the Board of Directors of TSRA hereby endorses the following Rule 6.7 as a model set of STR regulations to be considered for adoption with modifications to serve as an ordinance governing the Sonoma County Coastal Zone, and for The Sea Ranch in particular.

**Rule 6.7 Regulation of Short-Term Rentals**

6.7.a. Effective Date. [To be determined.]

6.7.b. Definitions.

1. "Bedroom" means any room in the conditioned (heated) area of a residence which: (1) is seventy (70) square feet or greater in size; (2) has an exterior door or window for egress meeting building code standards at the time the residence was constructed; and (3) has a closing door that separates the room from other areas of the residence. The following shall not be considered a Bedroom: any interior room that must be passed through to access a Bedroom; a hallway; bathroom; kitchen; living room; lofts; window seats; unpermitted garage conversions; dining room; family room; breakfast nook; pantry; laundry room; or closet/dressing room opening off a Bedroom.



Adopted Unanimously by the Board of Directors of the Sea Ranch  
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2. “Hosted Rental” means the rental, lease, or license of one or more Bedrooms within a residence, where the property owner or primary tenant remains in the residence during the rental, lease or license term.
  3. “Principal STR Renter” means a person who is contractually obligated as a renter in connection with the rental, lease, or license of an STR. There may be more than one Principal STR Renter with respect to a given STR.
  4. “Short-Term Rental” or “STR” means a residence at TSR that is rented, leased, or licensed, in whole or in part, for one or more terms of thirty (30) or fewer continuous nights. Hosted Rentals may be STRs.
  5. “STR Owner” means the person or persons, entity or entities, who hold(s) legal title to the real property that is used as an STR.
  6. “STR Renter” means a person using or otherwise occupying an STR, whether during the day or overnight, and includes the Principal STR Renter.
  7. “TOT” means the Sonoma County Transient Occupancy Tax.
  8. “TSR Principles and Ethics” means tranquility, quiet, peace and privacy; preserving night skies by minimizing night-time artificial light; respecting private property; reducing vehicle traffic and shielding parked vehicles from view; caring for and stewarding the natural environment, including beaches, bluff-tops, meadows, riparian corridors, forested commons, and flora and fauna; preserving for all persons the quiet enjoyment of their homes; and requiring every Owner, resident, visitor, guest and renter to act in a way that does not diminish others’ quiet enjoyment of TSR.
- 6.7.c. Purpose. This Rule 6.7 provides requirements and standards for the operation of STRs at TSR and is intended to strike a balance between public access to TSR and preservation of TSR’s residential neighborhoods.
- 6.7.d. Annual STR Registration.
1. Within 60 days of TSRA’s notice to Owners that registration of STRs is required, each Owner of an existing STR must (a) register their STR in the manner provided by TSRA and (b) pay a registration fee established by TSRA.
  2. An Owner wishing to commence using their property as an STR after TSRA has provided the notice described in Section 6.7.d.1. above must, before accepting the first STR Renter, (a) register their STR in the manner provided by TSRA, (b) pay a registration fee established by TSRA, and (c) agree to hold harmless, defend and indemnify TSRA from and against any claims and liabilities arising out of the use of the Owner’s property as an STR.
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3. No Owner may operate an STR unless the Owner has received written notice from TSRA that the Owner's STR registration is complete and approved.
  4. STR registrations expire on December 31 of the year for which the rental registration was issued. Subject to Rule 6.7.o, an STR Owner may apply to renew their STR registration at such times and in such manner as provided by TSRA, and the issuance of any such renewal will be subject to this Rule 6.7.
  5. To register an STR or renew an STR registration, the STR Owner must provide such information as may be then required by TSRA, which may include, to the extent applicable:
    - a. Gross rental revenue (if any) for the STR, for such period of time as determined by TSRA.
    - b. A copy of the Owner's approved TOT registration form or TOT certificate number.
    - c. Proof of payment of TOT to Sonoma County in connection with any past STR rentals.
    - d. Rental data for the STR showing the number of days of rentals and the number of persons occupying the STR during each rental, for such period of time as determined by TSRA.
    - e. Designated Responsible Party information (as further described in Rule 6.7.e.).
    - f. Parking information (as further described in Rule 6.7.h.).
  6. TSRA may establish a schedule of fees for STR registrations and renewals and may modify such schedule from time to time.
  7. STR registrations are non-transferable and non-assignable, and automatically terminate:
    - a. Upon the sale, conveyance or transfer of title to the property other than to trustees or spouses, to be defined later.
    - b. If the Owner has not rented the property or paid TOT within the 12-month period prior to expiration.
- 6.7.e. Designated Responsible Party. In an Owner's STR registration and renewal, the STR Owner must designate and provide full contact information for no fewer than three (3) responsible parties (each, a "Designated Responsible Party") having authority to communicate with such Owner's STR Renters, including with respect to complaints of TSR Rule violations. STR Owners may use locally-based property managers as Designated Responsible Parties.
- 6.7.f. Complaint Response (two tiers). When a residence is functioning as an STR:
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1. Within 60 minutes of notice by TSRA to a Designated Responsible Party regarding a complaint involving the STR or an STR Renter, the Designated Responsible Party shall communicate with the STR Renters, either telephonically or in person, and shall attempt to cure the condition or activity that gave rise to the complaint.
2. Notwithstanding the provisions of Rule 6.7.f.1, if the STR Owner has previously been determined through the enforcement procedures set forth in Rule 2.3 to have violated any TSR Rule with respect to the ownership, registration or operation of that Owner's STR, whether directly or indirectly as the result of the action or inaction of an STR Renter, then a Designated Responsible Party shall appear in person at the STR within 60 minutes of notice by TSRA regarding a complaint involving the STR or an STR Renter and shall attempt to cure the condition or activity that gave rise to the complaint.

6.7.g. Owners' Responsibility and Renter Education; Principal STR Renter Obligations. STR Owners are responsible for the conduct of STR Renters at their respective STR and shall ensure that STR Renters comply with all applicable provisions of the then current TSRA governing documents, including without limitation, the Restrictions and the Rules. TSRA shall make available to STR Owners (1) a list of TSR Principles and Ethics and (2) a list of key Rules governing the conduct of STR Renters. Before the start of each rental, lease, or license of an STR, the STR Owner shall obtain from each Principal STR Renter an acknowledgement that each STR Renter (1) has reviewed the TSR Principles and Ethics and the Rules, understands them, and agrees to comply with them, and (2) will comply with the approved parking plan (described in Rule 6.7.h) and (3) any specified water restrictions and water conservation measures applicable to that STR. Each Principal STR Renter must be at least twenty-one (21) years of age and must occupy the STR for the duration of the STR rental period.

6.7.h. Parking. In an Owner's STR registration and renewal, the STR Owner must submit a parking plan depicting the proposed location of parking spaces for the prescribed number of vehicles, as set forth in Rule 6.7.j. TSRA staff shall review the proposed parking plan and approve the plan, deny the plan, or approve the plan subject to modifications. No recreational vehicles, buses, boats or trailers shall be parked on property that is being used as an STR.

6.7.i. Signage. STR Owners must post in a visible location within the STR (1) the list of TSR Principles and Ethics and the list of key Rules provided by TSRA, (2) the approved parking plan, and (3) any water restrictions or water conservation measures promulgated by the Sea Ranch Water Company that are applicable to the STR.

6.7.j. Occupancy and Vehicle Limits. No STR may be advertised to house, or be occupied by, more than the following number of occupants overnight. The following vehicle limits shall also apply to STRs:



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Type of Residence	Maximum Number of Occupants	Maximum Number of Vehicles
One-Bedroom (or less, such as loft-only homes or walk-in cabins) residences	Four occupants	Two vehicles
Two-Bedroom residences	Six occupants	Two vehicles
Three-Bedroom residences	Eight occupants	Three vehicles
Greater than three-Bedroom residences	Eight occupants	Three vehicles

An STR Owner shall ensure that all online listings for their STR clearly set forth the maximum number of occupants and vehicles permitted. All persons of any age are considered occupants.

6.7.k. Rental Check-In. Using an electronic check-in system designated by TSRA, each Principal STR Renter shall check-in with TSRA before commencing occupancy of the STR. The Principal STR Renter shall provide such information as may be requested by TSRA, which may include: (1) the names of all STR Renters, (2) the dates of stay, (3) a description of all vehicles that will be at the STR, including license numbers, (4) the number of dogs, if any, and (5) the Principal STR Renter's agreement, on behalf of all STR Renters, to abide by the TSR Principles and Ethics and the Rules. As part of the check-in process, the Principal STR Renter shall register all vehicles that will be at the STR, to obtain parking passes to be displayed on each STR Renter's vehicle. No STR Renter's vehicle may (a) be on the property of TSR without having been registered with TSRA, or (b) display an Owner's parking sticker or hang tag.

Notwithstanding Rule 6.1.06, no day use or overnight parking passes available to owners will be issued to an STR Renter, and no STR Owner may provide such passes to STR Renters. Each STR Renter shall have a TSRA issued Identification Card on her or his person at all times when on TSR property and shall present it to TSRA Security when requested.

6.7.1. Health and Safety Features. Each STR Owner shall provide the following in the STR: a landline or equivalent telephone and such other features as are required by law, such as smoke and carbon monoxide detectors. Charcoal or wood-burning barbeques or firepits are prohibited at STRs; propane barbeques and firepits are permitted. If the STR has an interior wood-burning fireplace or stove, the STR Owner shall provide a metal receptacle for ashes and instructions for use. In addition to the foregoing, the STR Owner shall provide a sufficient number of trash and recycling containers, with animal-resistant covers, for the maximum number of occupants per Rule 6.7.j. The STR Owner shall arrange for weekly commercial walk-in trash and recycling service. Recycling and refuse storage bins shall not be stored within public view.



6.7.m. Lighting and Shades. If the STR Owner has been determined through the enforcement procedures set forth in Rule 2.3 to have violated the evening light pollution provision of Rule 6.6.06, whether directly or indirectly as a result of the action or inaction of STR Renters at the Owner's STR, the STR Owner shall install count-down timer switches or a remote control device on all exterior light fixtures for no greater than three hours and window shades on all windows that face other homes.

6.7.n. Short-Term Rental Violation Enforcement. Penalties for violations of this Rule 6.7 shall be assessed against the STR Owner pursuant to Rule 2.3. Penalties for violation of any of TSRA's governing documents, including without limitation the Restrictions or the Rules, by any STR Renter will be assessed against the STR Owner.

6.7.o. Three Strikes. An STR Owner who has been determined through the enforcement procedures set forth in Rule 2.3 to have violated any TSR Rule with respect to the ownership, registration or operation of that Owner's STR, whether directly or indirectly as the result of the actions or inactions of STR Renters at the Owner's STR, on three (3) separate occasions within any rolling 18-month period, shall be prohibited from operating an STR and shall have their STR registration(s) revoked. No sooner than twelve (12) months after revocation of the Owner's STR registration(s), the Owner may apply to TSRA Board of Directors for permission to re-register to operate an STR. The Owner has the burden of convincing the Board of Directors that if the Board of Directors allows the Owner to again operate an STR, the STR will be operated and used by the STR Owner and STR Renters in compliance with TSRA's governing documents and with all TSR Rules relating to the ownership, registration and operation of the Owner's STR.

6.7.p. No Violation of Ordinances, Laws, Statutes, Regulations or Orders. STR Owners and STR Renters shall not violate federal, state or county ordinances, laws, statutes, regulations or other orders during or in connection with the operation or use of an STR.

6.7.q. Accessory Dwelling Units (ADUs) May Not be Used as STRs. Owners are prohibited from using an ADU as an STR, and no STR registration will be approved for an ADU.

6.7.r. Emergency Ban on STRs. In the event of the declaration of an emergency by an appropriate governmental agency that could affect TSR, the TSRA Board of Directors may temporarily suspend STRs for the duration of the emergency. Examples of emergencies include (but are not limited to) pandemics, fires, earthquakes, evacuation orders, or a drought. During such time, no STR Owner may rent, lease, or license the STR Owner's STR.

6.7.s. Multiple Rental Ownership Prohibited. Subject to the exception in the following sentence, an Owner may only use one property at TSR as an STR, regardless of the number of properties the Owner may own at TSR, and each Owner shall be limited to one STR registration total. Owners who owned more than one property at TSR before January 1, 2021 and who



demonstrate to the satisfaction of TSRA that they used such properties as STRs before January 1, 2021 shall be allowed to continue operating those properties as STRs until such properties are sold or otherwise transferred.

6.7.t. **Cap on Total Number of STRs.** The maximum number of TSR residences permitted to be registered and used as STRs shall not exceed the lesser of (1) 20% of the improved lots at TSR or (2) 350 residences (the “STR Cap”). If the number of residences for which STR registration is requested exceeds the STR Cap, TSRA’s Board of Directors will decide which residences will be permitted to be registered and used as STR. Priority will be given to Owners who have rented properties as STRs prior to May 1, 2021, who have paid the required Transient Occupancy Tax to the County of Sonoma, and who have continuously maintained and renewed registrations on such properties consistent with Rule 6.7 (d) (7) (b).

6.7.u. **Entity Ownership Restricted.** A residence on property fully or partially owned by a corporation, partnership, limited liability company, or other legal entity that is not a natural person shall not be registered or operated as an STR, except in the event the ownership interests in the legal entity are held by no more than six (6) natural persons in total, directly or indirectly, and the satisfaction of the foregoing requirements is demonstrated to the reasonable satisfaction of TSRA through credible documentation provided by the Owner to TSRA.

6.7.v. **Neighbor Notification.** Before accepting the first STR Renter for an STR, each STR Owner must notify neighbors within One Hundred (100) feet of the STR that the STR Owner is operating the property as an STR, and as part of such notice must provide those neighbors with the telephone number and email address of the Designated Responsible Parties for the STR and of each STR Owners. Notification may be made in person, by email, or by leaving a letter in an envelope at the entrance to the neighbors’ homes.

6.7.w **Neighbor Consent for STRs with Common Walls.** No STR registration will be approved for a residence having a common wall or walls with another residence unless at the time of submission of their registration application, the Owner provides a written agreement in the form provided by TSRA and signed by all record owners of all adjoining residences having a common wall or walls with the residence for which STR registration is sought, stating that they are aware of the proposed STR use and have no objection to issuance of a registration for such use. The agreement shall be binding on the parties thereto and on their successors in interest for so long as the STR registration issued in reliance on such agreement (if such a registration is issued) remains valid and is continuously renewed for successive registration periods, and each adjoining residence owner signing such agreement shall be responsible to inform their own respective successors in interest with respect to the ownership of such adjoining residence of the existence and terms of such agreement as part of the sale or transfer of the adjoining residence to such successors.



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6.7.x. 180 Night Annual Maximum. No STR may be rented for more than 180 nights in total in any calendar year.

6.7.y. 2-Night Minimum Stay. No STR rental may be for fewer than two (2) consecutive nights.

6.7.z. 2-Dog Maximum. No more than two (2) dogs shall be present at any STR.

6.7.aa. Density Limits. The density limit in this Rule 6.7.aa shall not apply to STRs in operation as of May 1, 2021 and whose Owners have paid all required TOT's to the County of Sonoma as of such date; provided, that the foregoing exception shall apply only for so long as a valid STR registration is maintained and continuously renewed for successive registration periods. A property may not be used as an STR, and an STR registration or renewal will not be approved, if the STR is located within 300 feet of an existing STR. The 300-foot separation is to be measured horizontally from the closest point of each house's perimeter. Owners who have rented properties as STR's before May 1, 2021, who have paid the required TOT to the County of Sonoma, and who have maintained and renewed a valid registration consistent with Rule 6.7 (d)(7)(b), shall be allowed to continue as STR's. This density limit shall not apply if all non-renting neighbors located within 300 feet of the STR annually consent in writing to an STR within 300 feet.

6.7.bb. Events and Activities. No STR shall be rented or used for any event or activity that (a) results in a total number of persons being on the property at any one time that exceeds the maximum permitted occupancy under Rule 6.7.j plus six additional persons, (b) violates the Nuisance Noise standards in TSR Rule 6.6.03, or (c) violates any other standard or requirement of this Rule 6.7 or of any local, State or federal law.

6.7.cc. Severability. It is intended that each part of this Rule 6.7 be viewed as separate and divisible, and if any part of this Rule is held to be invalid by a court of competent jurisdiction or is required by any governmental authority to be deleted as a condition of issuing any required permits for the implementation and/or enforcement of this Rule 6.7, such part will be deemed stricken and removed from this Rule, and the remaining parts of this Rule will continue to be in full force and effect.

Adopted by a unanimous 7-0 vote by the Board of Directors of the Sea Ranch Association on May 22, 2021



# The Sea Ranch Hosting Coalition

## Submission to Sonoma County Local Coastal Plan

July 26 2021

### Summary

We are a coalition of property owners on The Sea Ranch who welcome renters to our homes responsibly on a short term basis. We provide public access to the Sonoma coast to a diverse range of visitors, supporting the local tourism economy and generating tax revenue for the County. Short term rentals have been part of The Sea Ranch since its founding and their numbers have not changed in the last 15 years [1].

We **support** the introduction of reasonable **performance standards** determining how Short Term Rentals are operated as proposed in the revised Local Coastal Plan (LCP, Program C-LU-1).

We **oppose restrictions** on whether and when owners may rent their properties, as proposed by The Sea Ranch Association (TSRA) Board in their "Model Rule 6.7" [10]. We present a detailed justification for this position in the attachment. In summary:

- The Sea Ranch is not a residential community. 69% of the houses are second homes [2018 census] -- approximately 20% of houses are used as short term rentals.
- The ability to rent a Sea Ranch home is a valuable asset. Its prohibition requires clear justification. None has been suggested.
- TSRA has done no studies, engaged no consultants and expressed no opinion on the effects of the proposed restrictions. This is irresponsible.
- TSRA's own Short Term Rental Task Force did not recommend restrictions, citing a lack of data, evidence or necessity.
- TSRA's proposed restrictions on Short Term Rentals in the coastal zone are beyond their authority, have not followed TSRA rules and are strongly opposed by TSRA members.
- There has been no proliferation of short term rentals at TSR -- the number has remained stable for more than 15 years.
- There has been tension between long term residents and renters for many years. Short term rental restrictions will not resolve this and represent a significant overreaction to a minor problem.
- Short Term Rentals make a significant contribution to the local economy and Sonoma County tax revenue. Restrictions would reduce these contributions.
- Increased utilization, if it occurs, is adequately addressed by performance standards.

- Short Term Rentals at The Sea Ranch do not displace affordable long-term rental housing because at current real estate prices, no properties at The Sea Ranch would be available at an affordable long term rent.
- There is no evidence of corporate ownership of rental homes at TSRA and it would not in any case be economically viable.
- The Coastal Commission does not support restrictions on short term rentals unless there is significant proliferation -- none is taking place at the Sea Ranch.
- Nuisance, whether caused by renters, second home owners or permanent residents, is not a significant issue at The Sea Ranch in part because its nuisance ordinances are already stronger than most Short Term Rentals performance standards.

## Conclusion

The County of Sonoma should not support or endorse the TSRA Board's Model Rule 6.7 or other restrictions on Short Term Rentals at The Sea Ranch, nor should it delegate short term rental performance standards or restrictions on The Sea Ranch to the TSRA Board.

Such restrictions are inconsistent with the long history of The Sea Ranch welcoming visitors from all walks of life, and with TSRA CC&Rs. They are not supported by TSRA members, not based on credible studies or facts and are very damaging both to public access and to owners who rent their home on a short term basis.

We support reasonable performance standards -- indeed we already exceed them and have done so for decades. We look forward to working with the County of Sonoma on establishing reasonable short term rental performance standards through the LCP.

## **Attachment.**

### **DEFINITIONS**

**Restrictions** refers to regulations that would determine **whether** or **when** an owner can rent their home as a short term rental. **Performance standards** prescribe **how** a home may be rented.

**Proposed restrictions** by TSRA Board members in their “Model Rule 6.7” include:

- A cap on the total number of STR properties at The Sea Ranch
- A maximum of 180 days each year that a home can be rented
- A minimum distance of 300 ft between STR properties

### **SHORT TERM RENTAL RESTRICTIONS ARE UNNECESSARY FOR THE SEA RANCH**

The largest category of TSRA properties is vacant 2<sup>nd</sup> homes, representing 69% of its housing units (2018 census). The Sea Ranch Association estimates [1, page 7d46] that 365 homes on the Sea Ranch (20% of the total) are Short-Term Rentals and that this percentage has been stable for 15 years. This number is consistent with the number of TOT permits reported by Sonoma County.

There are 1,134 people in 604 households (2018) permanently resident on the Sea Ranch. They are 92.9% white, <1% asian and 6.3% other races, older (median age of 66.1), highly educated (41.4% having a graduate or professional degree) and affluent (mean household income \$116,782) [2,3,4].

Since the large majority of Sea Ranch owners are white and wealthy, short term rentals represent the only realistic path to diversity. Short term rentals are relatively affordable, providing access to Sea Ranch’s natural beauty and amenities for people who cannot yet afford to purchase a house.

The Sea Ranch demographics are changing as younger owners, some with children, are now buying, driven by the pandemic and the availability of a state of the art fiber optic network. This has also driven real estate prices up substantially. Over time this may reduce the proportion of permanent residents.

The Sea Ranch has been a popular vacation destination for short term renters since its founding. Many purchasers of Sea Ranch real estate begin as renters. In 2019, The Sea Ranch generated \$1.5 million of Transient Occupancy Tax revenue for Sonoma [1, 7d48] and over \$350,000 in voluntary contribution revenue to The Sea Ranch Association (6% of the Association’s budget [5]) directly from short-term rentals.

With its high proportion of vacant second homes, The Sea Ranch is not primarily a residential community. TSRA has misstated the density of STRs at The Sea Ranch: In their report [1, page 7d28] a geographic image of the North 2 region of TSR purporting to show “high” density of STRs shows 20% of the lots<sup>1</sup> as STRs, slightly more than the long-term historic rate for the Sea Ranch. There are a few isolated streets with higher density, as chance would dictate. The Sea Ranch is not suffering a proliferation of Short Term Rentals, even at the North end.

The California Coastal Commission was established in part to protect public access to the coastal zone. Public access at The Sea Ranch consists mainly of access to affordable Short Term Rental accommodation and thereby access to the trails and coast along with specific public access to certain beaches.

Coastal Commission approval of some Local Coastal Plans that include restrictions on Short Term Rentals has only addressed communities that are different from The Sea Ranch, with higher population density, larger household sizes, more families, proximity to higher education institutions and fewer vacant units [6]. These communities also offer hotel accommodations providing alternative public access.

According to the Coastal Commission, restrictions on Short Term Rentals are appropriate in the Coastal Zone only where proliferation of STRs presents a genuine threat to the character of the community. This is not the case at The Sea Ranch as STRs have always been present at their current levels.

### **LEASING IS EXPLICITLY ALLOWED IN THE SEA RANCH CC&R's AND is A VALUABLE ASSET TO HOMEOWNERS**

The Sea Ranch Common Covenants & Restrictions (CC&Rs) explicitly provide an exception to their restriction to residential use for “the leasing of any lot from time to time by the Owner thereof” [7, 3.02(c)(3)]. Sonoma County also considers short term rental to be a “residential” activity with respect to Zoning ordinances. Removing or restricting this right would have a major impact on Sea Ranch owners who rent their homes and requires compelling justification. This is not provided either in the TSRA STR Task Force report or in Model Rule 6.7.

For many owners, renting their home on a short term basis is the controlling factor in enabling their purchase. It is what makes ownership affordable. For people who do not presently rent their home, the ability to do so is an asset that can protect them in a time of need.

Second generation owners who inherit their Sea Ranch home from their parents may only be able to afford to keep the home if they earn income from short term rentals. Only the very affluent, who can afford to maintain a vacant home during their own absences, will be able to purchase a home that cannot be rented due to the restrictions.

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<sup>1</sup> Across the ranch, 20% of the lots are vacant, so it is more than 20% of the *properties* that are STRs.

Restrictions on short term rentals take this valuable asset away from homeowners. This can have a serious effect on a family's finances, perhaps forcing a sale of the home.

## **THERE HAS BEEN NO STUDY OF THE PROPOSED RESTRICTIONS**

The TSRA Board has conducted no study, engaged no consultants and offered no opinion on the expected impacts of the proposed restrictions, either with respect to the supposed problems they will solve or to the financial impacts on members, the Association and public access to the coast. Specifically, the Board refuses to state whether they expect the restrictions to significantly reduce visitor numbers, despite repeated requests.

By failing to properly study the proposal or properly consult members, the TSRA Board has not acted in good faith. This is not an issue where the county should defer to the TSRA Board's supposed authority or expertise since it lacks either.

## **TSRA's OWN SHORT TERM RENTAL TASK FORCE DID NOT RECOMMEND RESTRICTIONS**

The TSRA Board established a Task Force to consider regulation of Short Term Rentals in the spring of 2019. The Task Force collected data and held several public meetings for member comments and produced a report in December 2020 [1] recommending the introduction of performance standards.

The Task Force explicitly considered the topic of restrictions and concluded that they would **not** include any restrictions in their proposal because:

*“(1) Not enough irrefutable data could be collected to support decisive recommendations, and (2) It is unclear if these more restrictive density policies will be necessary. Said differently, the TF hopes its initial set of recommendations will reduce STR problems to the point that some density limitation recommendations are not needed.” [1, page 7d26]*

(note that in the reference it is clear that “density policies” refers to all the types of restrictions now proposed in Model Rule 6.7)

Restrictions were subsequently added by the Board without further evidence, without study of the consequences, without substantive member consultation and in the face of strong opposition from members.

## **THE PROPOSALS OF THE TSRA BOARD DO NOT REPRESENT THE VIEWS OF MEMBERS AND ARE BEYOND THE AUTHORITY OF THE TSRA BOARD TO ADVOCATE**

Model Rule 6.7 has not been published for public comment as is required for a new TSRA Rule, or put to a vote of the members. Most TSRA members are unaware of this proposed rule. Multiple board meetings have produced overwhelming objections from members present.

The TSRA Board lacks legal authority to lobby the county or Coastal Commission on behalf the Association because courts have made clear a HOA cannot limit STRs in the coastal zone<sup>2</sup>.

## **THERE IS NO PROLIFERATION OF SHORT TERM RENTAL PROPERTIES AT THE SEA RANCH**

The TSRA Board states as justification for their Model Rule 6.7: *As with many living systems, community is difficult to build, and easy to disrupt, even destroy. Sometimes, particular shifts and innovations occur that need fairly quick responses to prevent significant harm from occurring. Such is the case with the rise of online vacation rental platforms. These platforms have supported the commercialization and “hotel-ification” (sic) of residential communities across the nation. In these cases, **uncontrolled and unmanaged growth of STRs** has eroded people’s sense of safety and their connection to one another, and risks changing a community’s character in perpetuity.*

The TSRA Short Term Rental Task Force itself [1] identified that the number of Short Term Rental properties at The Sea Ranch has been stable at about 20% of properties for at least 15 years.

The Model Rule assumes that “*proliferation of STRs*” is the major cause for action but the evidence shows that there is no growth of STRs at The Sea Ranch. The TSRA Board cites “problems” that may exist elsewhere as justification for their proposed restrictions. These problems have not been demonstrated at The Sea Ranch - which has had hundreds of STRs since its inception and has welcomed generations of a diverse public to share in the beauty of the Sea Ranch.

## **TENSION BETWEEN HOME OWNING COMMUNITIES ON THE SEA RANCH**

There is a long history of tension between Sea Ranch residents and short term renters. During the Coastal Commission building moratorium in the late 1970s, a group of homeowners threatened to take the Commission to the Supreme Court to oppose their demand for public access to Sea Ranch beaches. The 1980 Bane Bill resolved the issue, providing public access to beaches as well as other very substantial changes to the Sea Ranch. These changes included a sharp reduction in the number of lots and the requirement to provide low-cost employee housing on the Sea Ranch.

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<sup>2</sup> Lamden v. La Jolla Shores Clubdominium Homeowners Assn (1999)

Some residents object to the presence of short term renters and in particular their utilization of Sea Ranch amenities like the recreation centers. The voluntary contribution of 3.5% of rental revenue to the Sea Ranch by owners who rent, introduced in 1991, was an attempt to solve this problem. (The Sea Ranch as an HOA is not empowered under the Davis/Stirling act to levy taxes). In the recent past, former community manager Frank Bell, in response to a rising tide of complaints from residents, wrote in the Sea Ranch Bulletin that Sea Ranch was not originally designed for permanent residence and short term rentals were always an integral part of the founders' vision, saying that renters have every right to be at the Sea Ranch.

Pressure to restrict short term rentals, evidenced in Model Rule 6.7, may be driven in part by this same dynamic. It is entirely understandable that some of these tensions exist. But long term restrictions on short term rentals proposed by Model Rule 6.7 are not the right way to fix the situation. The Sea Ranch is about to embark on the creation of a long term strategic plan. This is precisely the project within which these and other issues should be resolved.

### **SHORT TERM RENTALS MAKE A SIGNIFICANT CONTRIBUTION TO THE LOCAL ECONOMY**

With conservative assumptions,<sup>3</sup> an average vacation rental home at The Sea Ranch contributes over \$30,000 per year directly to the local community. Across 365 homes, this is an annual contribution of well over \$10 million. This does not include non-essential improvements owners make to their homes that support local construction businesses. Significantly curtailing this revenue would seriously impact the local economy. There is already a shortage of critical local service providers. Any reduction in short term rentals and the consequent impact on ownership would make an already serious problem worse.

### **INCREASED UTILIZATION IS ADEQUATELY ADDRESSED BY PERFORMANCE STANDARDS**

The Sea Ranch Association Board claims there has been a significant increase in visitors in recent years [1]. Since the number of STR properties is not growing, this could only occur through increased utilization. They infer this increased utilization [1] from a one-off increase in Sonoma TOT revenue between 2017 and 2018, a 14% increase in number of rented nights per unit between 2016 and 2019<sup>4</sup> and an increase over time in TSRA 3.5% fee revenue (the latter is in line with inflation). This is hardly compelling.

Homeowners at Sea Ranch have, over five decades, made their homes available to vacation renters and have demonstrated admirable responsibility in ensuring that renters conform to Sea Ranch standards. Nuisance is caused by both second home and permanent residents as well

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<sup>3</sup> Average 40 x 3 day stays per home, \$500 guest spending per stay in local businesses, \$2,000/yr additional maintenance paid to local businesses, 3.5% TSR fee, Sea Ranch Connect and Sea Ranch Water company fees

<sup>4</sup> They include projected 2020 figures data published early in 2020, but this is hardly reliable due to the difficulty of projecting a seasonally varying metric and the COVID-19 pandemic.

as renters. There is no evidence that renters cause any more problems than other categories of owners. The Sea Ranch has an outstanding rental performance record.

The Sea Ranch has in place and has recently enhanced nuisance rules (for all members) that are already stronger than most STR performance standards. Where there have been specific issues, TSRA has not enforced the regulations that are already in place. According to TSRA Security there were **20** noise complaints [8] associated with short-term-rentals in 2018 - the year presented with the highest number - and **19** complaints associated with owners and others. This represents one noise complaint per rental home every 18 years. This was *before* the introduction of enhanced nuisance rules which appear to have caused a significant reduction in complaints.

This data suggests the situation is well under control with The Sea Ranch's nuisance rules (Rule 6.6), which are currently being even further enhanced.

### **SHORT TERM RENTALS DO NOT DISPLACE AFFORDABLE HOUSING AT THE SEA RANCH**

The Sea Ranch Association claims [10, 4a9], without evidence, that "*The proliferation of STRs has reduced the stock of housing available for long-term rentals. This has contributed to a housing crisis for moderate income and low income residents with employment in the region.*"

As noted above, there is no proliferation of STRs at The Sea Ranch, but the converse proposition that *reduction* in the number of STRs would *increase* availability of affordable long-term housing at The Sea Ranch is also simply not true.

None of the Sea Ranch homes now in the STR market would become housing options to fill that need, urgent as it is. A current Zillow search shows that no homes are available for sale on the Sea Ranch at less than \$1.1 million. Long-term rentals for these properties will not be "affordable".

The result of Short Term Rental restrictions will not be more affordable housing. It will be more vacant or For Sale homes and a resulting reduction in both house prices [12] and public access to the coast.

### **CORPORATE OWNERSHIP OF STRs HAS NOT OCCURRED AND IS ECONOMICALLY UNATTRACTIVE**

TSRA claims that there is a threat of individual or corporate investors descending on The Sea Ranch to purchase multiple homes for use as STRs. News reports of Marriott's marketing arrangement with Vacasa [13] have been wrongly characterized as such a threat.

This phenomenon has not been observed at The Sea Ranch. The economics of owning and renting an STR property purely for investment at The Sea Ranch are not at all favorable.



Allowing (generously) for \$50,000 gross annual income on a \$1MM property, after subtracting management fees (25%), property tax (~1% of property value), insurance (~\$4k), utilities and maintenance (~\$10k) and HOA fees (\$2.7k) the owner is left with less than \$10k. This is a 1% annual return on a \$1MM investment. This would not fund a loan.

There is no credible case for investor ownership as a threat to TSR.

## **THE COASTAL COMMISSION FAVORS RESTRICTIONS ONLY IN THE CASE OF PROLIFERATION OF VACATION RENTALS**

The California Coastal Commission has stated [14]:

*... the Commission has **not** historically supported blanket vacation rental bans under the Coastal Act, and has found such programs in the past not to be consistent with the Coastal Act. In such cases the Commission has found that vacation rental prohibitions unduly limit public recreational access opportunities inconsistent with the Coastal Act. However, in situations where a community already provides an ample supply of vacation rentals and where **further proliferation of vacation rentals would impair community character or other coastal resources, restrictions may be appropriate.** In any case, we strongly support developing reasonable and balanced regulations that can be tailored to address the specific issues within your community to allow for vacation rentals, while providing appropriate regulation to ensure consistency with applicable laws.*

This is a broad statement applying to the entire California coastal zone. It is appropriate in densely populated communities with families, children, and a robust long-term rental housing community. None of that exists at The Sea Ranch where only 1,134 [2] full time residents reside. Only 38% of the homes here are occupied by owners, 15% are renter occupied, a large majority are “vacant” using Census terminology.

Restrictions on STRs will diminish the availability of affordable vacation accommodations in an important coastal zone and leave the beauty of the northern Sonoma County coast to be enjoyed by a small number (1,134) of entitled property owners.

As noted above, the evidence proves there is no proliferation of STR homes at The Sea Ranch. The proposed restrictions are not *tailored to address specific issues* as the Coastal Commission suggests.

## **CONCERNS ABOUT VISITOR BEHAVIOR ARE ADEQUATELY ADDRESSED BY PERFORMANCE STANDARDS AND NUISANCE ORDINANCES**

Current Sea Ranch owners who rent their properties on the STR market do so in a highly responsible manner. Overwhelmingly, short-term renters fit well into the Sea Ranch environment

and cause few community issues. Very occasional nuisances are resolved in the field. Existing regulations on the Sea Ranch are perfectly adequate to deal with occasional challenges -- but they are not being enforced. And these nuisances are not confined to short term renters. The head of Sea Ranch security states that there is no problem resolving the small number of nuisances that arise.

The Board of TSRA argues without evidence, that “*Without reasonable regulation, STRs allow conduct that damages the tranquility, safety, and beauty of coastal communities.*” [8, 4a9]. They claim online vacation platforms are ‘*causing commercialization and “hotel-ification” of residential communities*’.

The Sea Ranch has never been, and is not now, primarily a residential community. The evidence is that there is no proliferation of STRs. The TSRA Board claims that *generic internet marketing* is resulting in an increasing number of visitors who do not evince the same respect for the natural environment and TSR’s strict rules as residents, or specifically Board members, expect. There is no evidence supporting this claim.

The TSRA Board appears to seek a reduction in visitors to the Sea Ranch without evidence or justification.

## References

- [1] Report of the Short Term Rental Task Force to The Sea Ranch Association Board on December 12, 2020  
(<https://www.tsra.org/wp-content/uploads/2020/12/2020-12-12-TSRA-BOD-Reg-AgendaPkt-0a2-Full-r.pdf>, page 7d1).
- [2] <https://data.census.gov/cedsci/table?q=95497&tid=ACSSST5Y2019.S0601>
- [3] <https://data.census.gov/cedsci/table?q=95497&tid=ACSSST5Y2019.S1101>
- [4] <https://data.census.gov/cedsci/table?q=95497&tid=ACSSST5Y2019.S1901>
- [5] [https://www.tsra.org/wp-content/uploads/2019/11/2019-20-Adopted-Budget-TSRA-ID\\_5336.pdf](https://www.tsra.org/wp-content/uploads/2019/11/2019-20-Adopted-Budget-TSRA-ID_5336.pdf)
- [6] Comments on the Local Coastal Plan update submitted to the Planning Commission by Carmen Estrada, 3/25/2021 ([link](#))
- [7] [https://www.tsra.org/the-sea-ranch-restrictions-articles-2-3/#Article\\_III](https://www.tsra.org/the-sea-ranch-restrictions-articles-2-3/#Article_III)
- [8] <https://www.tsra.org/wp-content/uploads/2021/06/2021-06-26-TSRA-BOD-Reg-AgendaPkt-0a-Full.pdf>
- [9] TSRA Short Term Rental Task Force presentation 8/20/20, p20  
<https://www.tsra.org/wp-content/uploads/2020/08/STRTF-August-8-2020-Meeting-8-24-corrected.pdf>
- [10] <https://www.tsra.org/wp-content/uploads/2021/06/2021-06-26-TSRA-BOD-Reg-AgendaPkt-0a-Full.pdf>, page 4a8
- [11] <https://ecms.newportbeachca.gov/Web/0/doc/2674168/Page1.aspx>
- [12] <https://www.sciencedirect.com/science/article/pii/S0094119021000383>
- [13] <https://www.vacasa.com/news/select-vacasa-homes-added-to-homes-villas-marriott-international>
- [14] <https://documents.coastal.ca.gov/reports/2018/4/w20a/w20a-4-2018-exhibits.pdf>

5 January 2020

Dear Ms. Condon

Thank you for providing the opportunity to comment on the Permit Sonoma Local Coastal Plan Update. I attended the December 14, 2019 public workshop at the Bodega Bay Fire Station. My first comments are about the meeting itself. I believe perhaps the county underestimated the community's concerns about the plan. Every seat as well as floor space was occupied. There were many people who either left or were outside the building out of earshot of the speakers. I am not sure all received the opportunity to have their concerns addressed. I would also like to support two of the public who spoke at the meeting:

1. Steve Herzog from the Bodega Bay Fire Department and a resident of our community spoke about the budgetary constraints of the fire department to meet the needs and obligations of its coastal district. It is an aging population and most of the accidents and situations they deal with arise from tourists and people from out of the area. The County Sheriff's Office did not have a representative in attendance - they may be operating under the same restraints as well. In your listed purpose of the Local Coastal Plan Update, you state that the intent is NOT to encourage new or increased development, but when you look at the public access component of the plan, it shows a different story. This is a concern for the public and safety agencies that support the area.
2. Nichola Spalleta, a rancher from Marin County also spoke. She informed us that the Marin County LCP does NOT allow development on the Estero Americano. Her concern is that Sonoma County may allow development in the future to the detriment of the preservation of the Estero and private property rights. It is counterintuitive that the two counties, which straddle the same estuary a stone's throw away, should have not the same policy protecting it. It is all part of the same marine protected area.

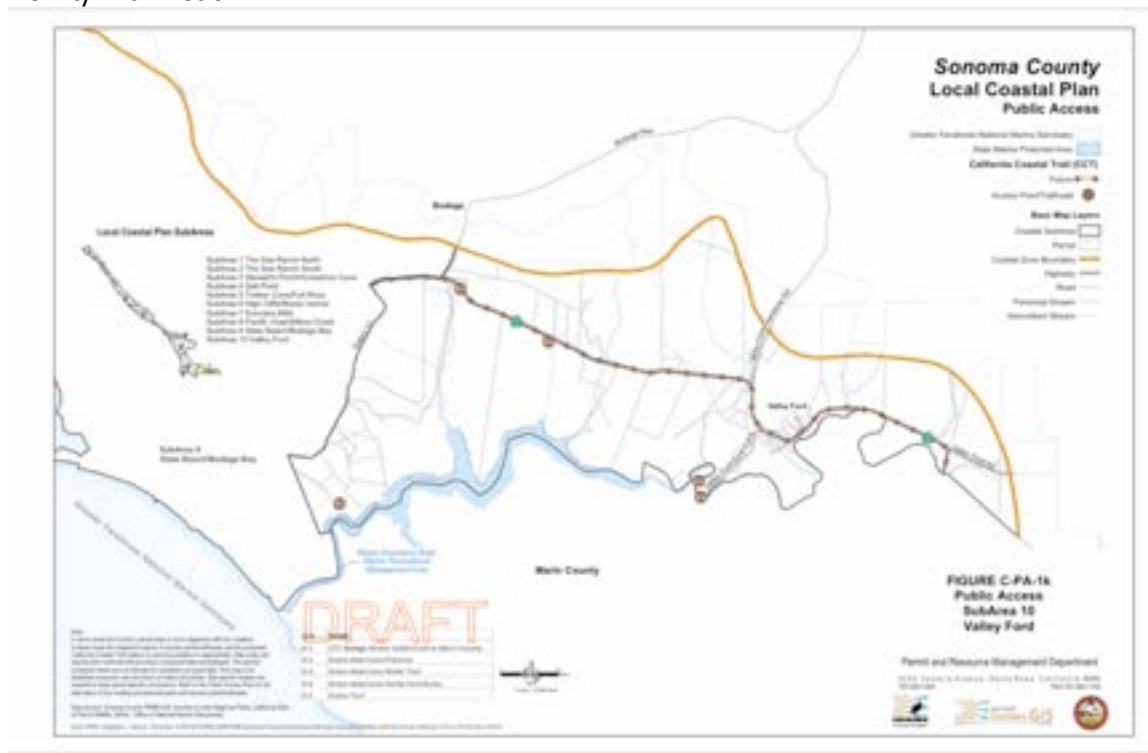
The Sonoma County Open Space District has a big role in what happens in Sonoma County and should be considered in the Local Coastal Plan. I believe that the Open Space District has taken a departure from its historical roots of protecting agricultural land with open space, prompted by the need to appeal to voters to retain the tax advantage - the carrot being public access. The expenditure plan is a machine - Acquire, Acquire, Acquire! Worry how to take care of things later - with limited funds available for maintenance - less than 10% being in the budget for this use. Existing infrastructure should be taken care of first before new acquisitions are acquired. When the economy slumps, existing regional parks/Sonoma State beaches - park facilities are closed due to budgetary restraints. An example of this is when the Bordessa conservation/trail easement was purchased by the Open Space district, the Salmon Creek parking lot and rest room facilities were closed, as were many other regional parks in the county due to lack of funding. Several of our supervisors agreed with this position, to no avail. An additional concern with the

Open Space expenditure plan is that the overall tax base is shrinking and how that affects the service agencies that protect our community.

There needs to be more oversight when using public funds to acquire properties, especially in regards to respecting and adhering to the intent of easement language, assessment of value and private property issues.

There have been maps produced by different public agencies that are incorrect and misleading. It is irresponsible for public agencies to publish maps that potentially could lead the public to trespass on private property.

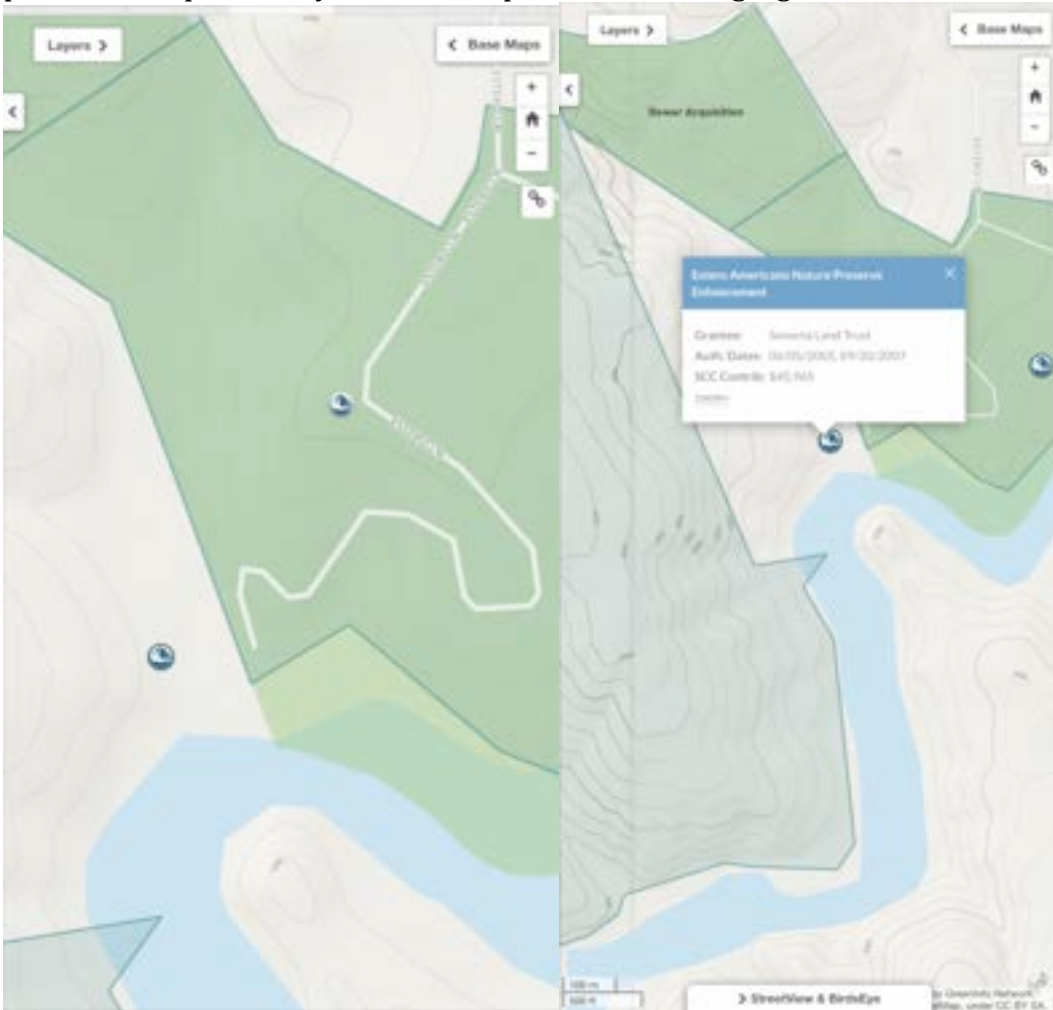
One specific example of this is a map featured in the public access component of this proposed Local Coastal Plan. In FIGURE C-PA-1k Public Access SubArea 10 Valley Ford Map, it displays K-2 in the Estero Americano Preserve as an Access Point/Trailhead.



The Estero Americano preserve is a 3 parcel, 127 acre preserve surrounded by 5 other privately owned parcels (approximately 220 acres) that share a private road and water easement. There is very limited access, by permission only. This map, which is produced for the public, potentially will confuse the public. There have been serious incidents in the past where trespassing, theft of boats and destruction of gates have occurred.

I have also included an additional map which is not displayed in the Coastal Plan update, but is on the Coastal Conservancy website, so is worth noting. This map is part of a greater map that illustrates all the places in California where the CCC has

contributed funds. It displays a parcel that is not owned by the Preserve. The previous owners and I, who currently own it, have no knowledge of why the money was given to them on behalf of this parcel. This map, which is also produced for the public, could potentially confuse the public concerning rights of access.



Finally, one more very important point needs to be made and upheld concerning your public access component. The public access to the Estero Ranch is from the west ONLY. There is no vehicular public access to the Estero Americano Coastal Preserve. At the time of purchase, there was no existing road easement across private property.

Thank you for your consideration.

Denny and John Tibbetts  
Bodega Bay, CA

## COMMENTS ON THE LOCAL COASTAL PLAN UPDATY

**Submitted 5/24/2021, Owners of homes in The Sea Ranch, Ca 95497**

We, the undersigned, are owners of homes in The Sea Ranch and are members in good standing of The Sea Ranch Homeowners Association (TSRA). We all use our homes as short term rentals and accordingly have rented responsibly, some as long as decades. We take pride in demonstrating that renters and residents can peacefully coexist.

Many owners rent short term (STR) to help reduce second home expenses while giving the owner ability to use the home for themselves. TSRA has had "Vacation Rentals" since its beginning in 1965. During this period houses available for STR have held relatively constant in total numbers but have decreased in percentage terms to total houses at TSRA.

By opening our homes to the general public, we responsibly contribute to the excellent reputation our community has built over the years. This results not only in making the Sea Ranch a richer experience for everyone, but also provides reasonable public lodging and access to an otherwise exclusive corner of the northern Sonoma County Coastline.

### **As a Body We Affirm:**

- Careful oversight and accountability through a well-defined set of rules and procedures reduce uncertainty and inconsistency in our community.
- A uniform, well-defined set of guidelines assure greater compliance, oversight, and accountability benefits for all.
- We shall continue to create a diverse and inclusive community going forward.
- As stewards of the philosophy and values of the Sea Ranch founders, we all can live lightly together.
- Short-term rentals historically serve to create a more diverse and inclusive community as well as introduce new potential owners.
- Short-term rentals provide an important source of visitor accommodations in the coastal zone, especially for larger families and groups and for people of a wide range of economic backgrounds.

### **TSRA RULE 6.7**

The Sea Ranch Homeowners Association and its elected Board of Directors continues locally in its due process capacity to develop appropriate and reasonable rules and ordinances, **specifically the newly proposed TSRA Rule 6.7 that the TSRA board elected not to enact as an actual rule but instead to present to Sonoma County as a suggestion for Sonoma County to enact.**

**It is important to recognize this proposal is very controversial among TSRA members and has not been presented to the TSRA membership for a vote.** Given "Rule 6.7" does not currently represent the full body of membership of The Sea Ranch community it should not be used as guidance for Sonoma County's LCP or California Coastal Commission's decision making process.

## COMMENTS ON THE LOCAL COASTAL PLAN UPDATY

Submitted 5/24/2021, Owners of homes in The Sea Ranch, Ca 95497

### RULES ALREADY IN PLACE

It is also important to note, when you compare Sonoma County's inland STR rules with TSRA's existing CC&Rs and Rules (specifically the newly adopted and agreed upon Rule 6.6) you will find they meet or exceed the Inland Ordinance for STRs and also provide measurable performance indicators.

### OVERREACH

However, we remind the Sonoma County Board of Supervisors and other external parties, including the California Coastal Commission, that the rules within TSRA-6.7 remain only an overreaching wish list that flies in the face of the letter and the intent of the California Coastal Commission's goal: ***to provide an important source of visitor accommodations in the coastal zone***. The TSRA BODs have indicated their intention to present those rules as an "official rules policy" that is merely a proposal for what Sonoma County should adopt for coastal vacation rentals.

It is important to note the TSR Association failed to

- Complete the proposed rules
- Present the rules to the TSR-HOA for a public comment period or a vote,
- Establish them as By-laws, and
- Codify them within our TSRA-Homeowners CC&Rs.

Furthermore, TSRA's proposal is written without any basis in evidence or data, other than anecdotes, to establish that the problems actually exist that they have concluded need fixing. The proposed rules-

- Use general statements by the commission and the county that do not relate to the Sonoma coastal zone.
- Do **not represent** TSRA- HOA membership body
- Are **not approved** by the membership.

As such ***The Sea Ranch Homeowners Association presentation of "Rule 6.7" does not represent the full body of membership of The Sea Ranch community and should not be used as guidance for Sonoma County's LCP or California Coastal Commission's decision making process.***

### Summary Regarding TSRA Rule 6.7

## **COMMENTS ON THE LOCAL COASTAL PLAN UPDATY**

**Submitted 5/24/2021, Owners of homes in The Sea Ranch, Ca 95497**

Therefore, as a united body of homeowners who provide visitors to our coastal region an important source of visitor accommodations, we strongly affirm any reference to Rule 6.7 offered by TSRA representatives to the Sonoma County Board and the LCP submitted be denied and not allowed as it does not have full community support. It serves nothing more than to take a hammer to fix a problem that needs much more finesse and experience.

### **SONOMA COUNTY NOT HOAs TO OVERSEE SHORT TERM RENTALS**

The TSRA Rule 6.7 presented as an uncodified “official policy” shows why homeowners' associations should not be allowed to oversee Short Term Rental. Furthermore it clearly demonstrates why reasonable, lawful regulation from the county and the Coastal Commission is needed. This becomes even more evident when the HOA is located in an undeveloped rural coastal area.

TSRA has no authority to engage in the oversight of STRs and they do not have the public's access in mind. If the county and commission allow TSRA or any homeowners association to oversee STRs you will find that public access will start to dwindle the minute you grant them the authority.

**Respectfully submitted by the following homeowners in The Sea Ranch,**

Donna Martinez, Ed.D.  
Jorge Martinez  
James Cook, M.D.  
Nate Rosenthal  
Nora Rosenthal  
David Workman  
Monica Martinez  
Trini Amador  
Lisa Amador  
Jeff Unze  
Linda Shaltz  
Klause Heinemann  
Gundi Heinemann  
Mallory O. Johnson, Ph.D  
Bruce Rizzo  
Paul Mundy  
Brian Iso



**From:** [Steve Ehret](#)  
**To:** [Cecily Condon](#)  
**Subject:** RE: Local Coastal Plan Update  
**Date:** Monday, December 02, 2019 11:35:49 AM

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Hi Cecily,

Hope you had a great Thanksgiving!

Mr. Tucker is correct, the text should state Osprey Drive. The LCP mapping is correct.

Google maps illustrates both the Osprey and Oyster access points. We'll ask them to adjust, but our success with having them make map adjustments is highly variable.

Coastal Conservancy is asking for better public signage to direct people to both Short tail and Pinnacle - this will drive up visitation.

I hope to make the other meetings. It can be tough, as the meeting dates weren't coordinated with my availability - I was just informed on when the meetings will be.

Looking forward to hearing other comments....

Steve

-----Original Message-----

From: Cecily Condon <[Cecily.Condon@sonoma-county.org](mailto:Cecily.Condon@sonoma-county.org)>  
Sent: Wednesday, November 27, 2019 3:37 PM  
To: Steve Ehret <[Steve.Ehret@sonoma-county.org](mailto:Steve.Ehret@sonoma-county.org)>  
Subject: FW: Local Coastal Plan Update

Hello Steve,

Below is a public comment item related to public access. It would be great if we could see you or other staff at one or more of the workshops. Of course, I will continue to send comments related to Public Access your way. Have a happy Thanksgiving,

Cecily Condon  
Planner III  
[www.PermitSonoma.org](http://www.PermitSonoma.org)  
County of Sonoma  
Planning Division | Comprehensive Planning  
2550 Ventura Avenue, Santa Rosa, CA 95403  
Direct: 707-565-1958 | Office: 707-565-1900

-----Original Message-----

From: Prudence Tucker [<mailto:usattuckers@gmail.com>]  
Sent: Wednesday, November 27, 2019 3:02 PM  
To: Cecily Condon <[Cecily.Condon@sonoma-county.org](mailto:Cecily.Condon@sonoma-county.org)>; [Stephanie.rexine@coastal.ca.gov](mailto:Stephanie.rexine@coastal.ca.gov);  
[Lynda.Hopkinzx@sonoma-county.org](mailto:Lynda.Hopkinzx@sonoma-county.org)  
Cc: Stoessel Christian <[cstoessel@sonic.net](mailto:cstoessel@sonic.net)>  
Subject: Local Coastal Plan Update

EXTERNAL

Dear Cecily Condon, PMRD Planner

Thank you for notification of the Bodega Bay LCP Draft Workshop scheduled for December. As a homeowner in the Bodega Bay I forward the following comments after reading the complete draft LCP Draft. An error in placing the entrance for the Short-tail Gulch Trail (p.87) on Oyster Catcher instead of its location on Osprey has impacted the beach as well as our neighborhood. An immediate edit is in line as Social Media has identified a clearly marked Homeowner Access to the County Beach trail as the County access point allowing night beach access, fishermen, poaching, tour operators etc. to bypass our Coastal Commission approved trail at Osprey and Owl Court where parking is available. Please accept this edit for clarification of the Draft at our upcoming meeting to aid our efforts to curb beach litter, poaching and free roaming dogs on the trail and beach which threatens wildlife.

I hope to attend the December meeting and will share other items if time permits. I applaud the overall draft and efforts as expressed to Christian Stoessel to add short term vacation rental policy into the LCP next year.

Sincerely,  
Tom Tucker

Sent from my iPad

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**From:** [Ward Bouwman](#)  
**To:** [PRMD-LCP-Update](#)  
**Subject:** Comments on the Local Coastal Plan Update 2/8/2021  
**Date:** Monday, February 08, 2021 12:59:28 PM

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## EXTERNAL

RE with regard the Vacation Rental (VR) homes in the county.

I am arguing against regulation or limiting access to VR on the Sonoma coast.

As a young family for 20 years we have renting VR rentals at the Sonoma coast. Recently we were able to purchase a home with the goal of 50% personal occupation. We are now proud Sonoma county Tax payers. This is made possible by personal saving and vacation rentals. Regulations would be devastating for our financing.

I understand that some very vocal rich neighbors prefer to keep the coastal access and enjoyment for themselves, without children, without regard for the discretionary TOT tax for the board of supervisors, without regard to employment of tourist support industry\*, without regard to the impact this has on (young) families enjoyments. I do not see what problem the county is try to solve other then annoying very vocal rich neighbors noice.

- I oppose limiting the VR at the coast. 60% of the properties are seasonal occupied of which only a few are VR. Further limiting VR quickly becomes an equity issue as it drive VR the price up.
- I oppose limiting VR requiring a local management company. The quotes I got was for \$30K a year, which will force us to do VR year round, rather then occasionally
- I oppose rules that makes the owner of the property owners responsible the guest annoying behavior. This is unprecedented. While rare that guest are annoying, LONG term rental property owners are not responsible for their renters annoying behavior, ADU owners are not responsible the their renters, neither are hotel property owners. Generally, a VR owner is under a duty to receive all persons who offer themselves as guests. As such, misbehavior should be enforced with the guest causing the annoyance.
- I oppose the county enforcing complains about VR by prohibiting rentals for 2 years after a noice complained. By the nature of VR the guest stay is short, unlike noice complains form long term rentals. In the latter, the county does not prohibit rentals for 2 years either, nor does the county revoke a plumber's license after 2 complains.
- I oppose raising the TOT tax to discourage VR or any other special increase in pricing for utilities . Marin County and Mendocino County are have a lower TOT tax. Increasing utility pricing for a VR is unfair for occasional VR's.

Thanks you for considering my view,

\* Even in a time of COVID, VR guest order takeout, while the VRs need more cleaners, plumbers, roofers, carpenters than idle sitting houses.

Submitted by

Ward Bouwman  
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