

**From:** [Christina Hernandez](#) on behalf of [PRMD-VacationRentals](#)  
**To:** [Gary Helfrich](#)  
**Subject:** FW: ATTN: Gary Helfrich  
**Date:** Thursday, December 16, 2021 1:54:17 PM

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**From:** Kathy Ann Anderson <waterkagold@yahoo.com>  
**Sent:** Thursday, December 16, 2021 12:51 PM  
**To:** PRMD-VacationRentals <PRMD-VacationRentals@sonoma-county.org>  
**Subject:** ATTN: Gary Helfrich

## **EXTERNAL**

I strongly oppose vacation rentals within communities. Why should neighborhoods have to tolerate vacation rentals in their community? It's a commercial business, within a residential zoning, and there is no supervision of the visitors. Hotels have employees that can monitor guests. There is no such "on site" supervision with vacation rentals.

Thank you, Kathy Anderson  
Forestville  
Sent from [Mail](#) for Windows

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## To the Planning Commission 11/18/2021 Workshop on Vacation Rentals

Below are my comments on the recently released Vacation Rental Workshop memo. I am particularly interested in the Coastal Zone where I have a home, and hundreds of owners open their homes to make the coast available to the public. I believe the county's proposals will have severe ramifications on some coastal VR home owners and will result in less public access to our beautiful coast. Here are my comments:

### **CERTIFIED PROPERTY MANAGER**

*"Rentals must have a certified property manager who lives within 30 miles of each rental and must respond to complaints within 60 minutes during the day and 30 minutes during quiet hours during any rental period."*

This is unfair as the coastal properties by definition are *on the coast*, significantly reducing the availability of potential property managers. Because of the Coastal Zone's unique terrain and housing availability, the requirement that a certified property manager live within 30 road miles and respond within 60 minutes during the daytime and 30 minutes during quiet hours is unreasonable. Instead, require the property manager live within 60 road miles and respond within 2 hours during the day and 1 hour during quiet hours. The Coastal Zone is both remote and rural with very few existing property managers. Should one of them become "de-certified" by the county rules our access to these companies will be reduced by 33%. Please consider our remote location and lack of resources.

### **THE PROPOSED RULES DO NOT CONSIDER AN OWNER'S MIXED USE OF THE HOME:**

The rules the county proposes assumes a full time VR – which is not always the case. Many coastal owners live nearby, use the home regularly, and have a mixed use of the home – for both family and personal use as well as a vacation rental use. Most of the permanent residents on the coast are retired. In contrast, most of the VR homes are owned by people still working and who would love to retire on the coast in the future. For that reason, using the home for a short-term rental allows us to maintain the home, while providing the public access to our wonderful coastal area.

The Workshop proposal seeks to limit the occupation of the home to a mere 90 days. This is unreasonable for the coastal area – where about 50% of the homes are not occupied by permanent residents, and the homes have historically been used as second homes or vacation rental homes. This severe day limitation would require coastal owners to leave our home vacant 9 months year, unless we were using the home for personal reasons. This is an absolute loss, not only for the owner, but for the public who will not have a coastal home to visit because the county has removed the home from the market with a "90 day" limit" on renting. This severe limit in rental days should not apply to the coastal zone.

Will the VR rules apply to an owner when s/he resides in the home licensed as a VR? For example, if a VR owner rents out for 2 months a year, does she now need to comply with the same rules as the paying guest? How will the county know that I am in my own home on the coast when they receive a noise complaint from a neighbor? When she resides in the house for the other 10 months, she cannot have her daughter's wedding or any other celebration on the property? When her teenage sons have a party while she is out, she can lose her VR license?

Meanwhile, her non-VR neighbor can have unlimited visitors, park 12 cars, hold fund raisers, own 5 rental houses, apply for an event permit. Being loud at night is inconsequential for him.

How can the VR owner rights be rectified? Should all these rules only be applied during an active rental?

## **APPEAL PROCESS**

There is no appeal process for a VR revoked permit (like in the case of an administrative error).

## **MONITORING, PERFORMANCE STANDARDS & ENFORCEMENT**

### **Complaints Hotline:**

The owner and property managers should be notified when a complaint is made.

### **Hazards and Evacuation**

#### **Evacuation plan - Property Manager**

I would add that the property manager has no enforcement authority to make guest leave. A property manager is facing an extreme situation in cases of evacuation, for themselves and their guests.

#### **Emergency evacuation**

Again, neither the property manager nor the owner has the enforcement authority to make a guest leave on a moment's notice. This is a law enforcement duty. As such the owner cannot be held responsible. Of course, they should make a best effort to inform guests of the requirement to evacuate, but legally they cannot force a guest to leave as they fear the guest will sue them. This is untenable for an owner. The proposed penalty of permanent decertification of a property manager is shocking and should be not be allowed.

#### **Proximity and Concentration – 90 day limit**

Sea Ranch and Bodega Bay Harbour are remote locations and exclusively developed to provide coastal access to Californians, making these family homes unique and exceptional. There is already a shortage of short-term accommodations in Bodega Bay with an 89% occupation rate. Limiting rental days deprives the people of California from their right to precious coastal access.

#### **Proximity.**

I was pleased to hear that the density and proximity limits will not be used in the Coastal Zone. I thank the California Coastal Commission for this. I encourage the Planning Commission to follow their lead because to use those severe planning tools on the coast is impractical: 1) Is this measured from door to door, property line? 2) Can I sue my neighbor for taking my income potential away when she starts a VR, thereby prohibiting me from renting my home short-term? 3) Can someone who files for a VR license and never rents out their home prevent the nearby neighbors from short-term renting?

## **CONCLUSION**

These are all policy issues not easily answered. In short, they are *unintended consequences* of a well-meaning planning and social policy. Please limit the financial losses we will suffer – especially out in the coastal zone. Please do not apply a cookie-cutter VR policy to all county homes. We are different on the coast. We have few long-term renters, few permanent residents, and our economy is based on tourism. Please do not close down the coast.

Thank you for the opportunity to comment.

Ward Bouwman & family  
Bodega Bay, CA

**From:** [Ward Bouwman](#)  
**To:** [Gary Helfrich](#)  
**Subject:** Keep Sonoma White?  
**Date:** Tuesday, December 28, 2021 10:59:50 AM

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## EXTERNAL

### Keep Sonoma White?

The proposed short term rental regulation - contrary to its broader policy designed to embrace both diversity and tourism - instead discourages economic development and supports interpersonal, institutional and systemic racism. The short term rental regulation must be aligned with policy objectives: encourage homeowners to share their property responsibly and equitably, and support local businesses. I propose to create a policy that is inclusive first and aids neighborhoods that experience legitimate distress around these property rights issues.

Sonoma is developing a short term rental regulation that aims to cap, spread out, limit and increase cost for overnight tourist families, workers, and visiting out-of-town-family members. This regulation change is based **on very few complaints - too small to even express as a percentage of overnight stays in the region - and over the last six years concerns less than 2% of all short term rental properties with more than 1 owner complaint (Smaller than 0.3% per year thus).**

Regulators regulate, without consideration of the impact to people of color, the local county economy, and the individual financial impact on Sonoma's hosting families as it tries to prevent every issue from arising.

*The resulting regulation is exclusive.* The terms used in the regulation "detrimental to the residential character of neighborhoods"\* and "may adversely affect ... neighborhood character" \*\* has historically been used to redline areas seeking to keep people of color and low income families out. Its devastating effects can be seen in our neighbors like Oakland: since WWII this language has actively kept Black, Latinx and Japanese American citizens largely segregated into environmental justice communities. Forced to rent from absentee mostly white property owners who neglect building maintenance incurring gentrification and displacement. Today 70% of Oakland's homeless population is Black while Black residents only make up around 28% of the city's population\*\*\*. This term is now applied to visitors in our very own backyard, confirming my experience.

From Sea Ranch to Bodega Bay, vacation rentals are created by families who have been sharing their properties with others for over 30 years. It is only in the last decade when [#AirbnbWhileBlack](#) trended that calls for reducing vacation rentals began. Vacation rental advertisements have more diverse representation, including people of

color, creating conditions for a better sense of belonging for all. However, this has unfortunately led to a handful of residents seeking to ban these rentals to the end of maintaining segregation and upholding other tenets of white supremacy. This regulation does nothing to protect the rights of people of color to vacation - an effective component to good mental health - or even rights in general - but instead validates frivolous complaints.

Communities want local economic development, so we can keep our local grocery store and diners. Hosts are part of the community and want to be super hosts. They want their guests to have a positive impact on their communities. Guests want to be welcomed in the community and invited back. The interests of all parties are aligned here. A good policy should reflect that.

## **POLICY**

I suggest that **policy is equitable** and collaborative by encouraging economic development of rural and coastal areas. By making it easier for Sonoma home owners to create extra income by sharing their home, it should encourage guests to *stay longer*. The policy should encourage and aid communities to develop their own sets of *'community rules'* that apply to guests and residents alike. Permitting short term rental homes should be *cheap, simple and not limited*. Permits should be issued one year advanced, as is questionable for hosts to accept reservations for next year before the permit is issued.

## **CONFLICT RESOLUTION**

In the rare case **when complaints are filed** with the county, the homeowner and guest should be notified instantly. The county should first investigate if the basis of the complaint is not rooted in interpersonal racism or institutionally racist practices, but indeed breaks the local community rules.

The **county should work with the hosting family** to help them resolve the issue. If needed, the *permit can be put on probation*, in which the hosting family shares where and how their home is being advertised. The conditions of this probation should be made clear to all, at the onset of establishing the rental property, and well ahead of any potential complaints.

The county should consult and **guide probational permit holders** and enforce that the community rules to be stated in the marketing material. The county can advise to *reduce the number of guests* advertised (12 people in a 3 bedroom house! Really?) or to *increase the minimum stay* (One night guests are more likely to party). If parking is the issue, the listing can note that *limited parking or limited daytime guests* (as set in the community rules and code) is posted and sign-off on by the guests. This is easy and cheap for the county staff to enforce this by checking the listing URLs of

probational permits regularly and will resolve 90% of the issues.

If the complaints continue, the county staff should start *mediating* between the anonymous complainer and the hosting family how to resolve the issue. The county shall track but ignore a racial based complaints.

Only when a hosting family does not collaborate nor comply, the county can require a *local certified manager* during the rental periods, *finer* can be imposed and eventually the *permit should be revoked*.

Only a short term rental policy that is not divisive and stimulates economic development, while actively protecting the rights of minorities, is likely to succeed. The regulation should reflect that.

Sincerely,

The Bouwman Family

\* [File #: 2021-0501, Version: 1 Summary Vacation Rental Ordinance Update.pdf](#) p3, regulations (b)

\*\* Vacation Rental Workshop 2021-11-18 PC Staff Report.pdf P2 Point 6

\*\*\* <https://www.sfchronicle.com/news/article/Oakland-homeless-camps-point-to-racial-bias-11260015.php> by Otis R. Taylor Jr

Following are out comments on the proposed "[Version: 1 Summary Vacation Rental Ordinance Update.pdf](#)"

- *The regulation is expensive.* The regulation equates a short term rental with a toxic chemical plant that is about to explode. It requires trained and certified managers on a moment's notice at all the properties at all times. This will raise the pricing of nightly stays significantly. It forces families who have traditionally done the management of their own home themselves, to sign up with a local management company for these services. At the coast there are very few companies offering these services, who already have a full slate and charge 30% extra. This further reduces the ability of people with lower incomes to stay in Sonoma, for work or vacation. *As these local property management companies have been selling their business to national companies (like **Vacasa**)* it further commercializes the short term rental market, which unlikely resolves the underlying issues.
- *The regulation is ineffective.* By raising the operation cost, the regulation will

encourage more and shorter high priced vacation rental days. One night guests are willing to pay more but are also more likely to party. Longer stay guests are more likely to shop and dine out and thus stimulate economic development. The higher nightly cost contradicts Sonoma counties equity and inclusion policy as it leads to a less diverse group of visitors. By increasing the upfront requirements and red tape, it will discourage dual-use short term rental (the resident owner hosts only a few weeks a year) thus reducing the income of Sonoma County families. It will lead to further commercialization by national companies of full-time, short-term rental operations.

- *The regulation is divisive and contractional.* It positions neighbors against neighbors, voters against regulators and hosts against guests. It provides no pathway to resolve conflicts. By trying to limit short term rental, it contradicts the justification for the millions of dollars in tourist tax (TOT), which is used to promote visitors to the county, and contradicts the broader policy of stimulating economic activities. There is a shortage of tourist beds, especially at the coast and wine country. By reducing availability and increasing operation cost, it discourages overnight stays and increases day tourism and increases day trip tourist commute traffic. This contradicts the carbon neutral policy goals.
- *The rules are too broad.* While parking limitations may make sense in the steep Russian River valley, it does not make sense on a 3 acre rural parcel. Limiting short term rentals based on their location to each other is divisive for neighborhoods as are different sets of 'community rules' for guest versus residence. Banning neighborhood short term rentals without having a local vote (like in the case of X-zones) is undemocratic and politically divisive. Banning alternative stays such as yurts and other luxury glamping tents may make sense in dense populated areas, but maybe not in romantic and spacious redwood groves. Capping the number of daytime guests might make sense in Guerneville but not for multi-million dollar mansions in the country.
- *The regulation is a blunt hammer.* It offers no protection against racial or equity based complaints, no guidance, mediation, practical enforcement nor a resolution for a rare complaint. Enforcement of the regulation creates thousands of dollars of lost income and financial distress for the Sonoma hosting family, for as little as a noise complaint.

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**From:** [Josette Brose-Eichar](#)  
**To:** [Gary Helfrich](#)  
**Subject:** Vacation Rental Ordinance  
**Date:** Thursday, December 16, 2021 2:31:13 PM

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## EXTERNAL

Dear Mr. Helfrich,

I will first apologize, as this e-mail is very long. But, I do hope you take the time to read it, as I think it may give you some insight on the vacation rental issue.

My husband and I have owned a vacation rental home in Boyes Hot Springs for 9 years. So we have been through the entire history of what is going on with vacation rentals in Sonoma County, personally. Before we bought the house, which is a few blocks from our house, we used vacation rentals in all our travels for over 15 years. We started doing it well before Air B n B existed. As middle class people, for us this was the only affordable way to travel and have the best experiences possible. During the economic down turn, when foreclosures and short sales were the norm, we decided, why not run a vacation rental here. We thought, why not provide people like us the same experience here at a very reasonable price. It is a 3 bedroom home and we allow 6 guests. The highest rate we charge is \$245 a night for weekends in high season. So as you can see travelers who are in the same financial situation as us will choose this over a tiny \$500 a night hotel room for 2 at the Sonoma Mission Inn. And here again I speak from experience. As a wedding florist, I have brought flowers to these tiny rooms and been told what the guests pay for them.

From the very start we have seen a campaign of misconceptions and yes, lies about who owns vacation rentals and how wealthy they are. We had to listen to some of it again at last night's North Valley MAC meeting. Financial facts about our rental: We make about \$15000 per year after expenses. If we were to rent it as a long term rental we would have to get at least \$3300 per month, just to break even. I doubt we would still be living here if we did not have this additional income. I believe if you talked to actual vacation rental owners, you would find many who fit our profile. You have stated that you talked to "industry" groups. But, it might be more beneficial to reach out to the owners of vacation rentals in Sonoma County instead. We have found that Air B n B and VRBO really do not represent us very well. This was evident during the initial creation of the vacation rental ordinance. We did not join in with Air B n B and rather tried to represent ourselves and others more realistically. As you know who we are in your records, why not reach out to us to get our opinions now?

In 2015 my husband and I advocated for a moratorium on new permits, followed by a real study we were not listened to by the county. We also advocated for caps and proximity limitations, instead of exclusion zones and again were not listened to by the county. Unfortunately we had to focus our time and energy on attending long, in person meetings to fight just to keep a permit we were given in good faith and make sure that rules as strange as no vacation renters allowed outdoors between the hours of 10 PM to 7 AM were not in the ordinance.

You admitted yourself last night, that there may not be a direct financial correlation between vacation rentals and rent and home prices. I think there may be a very minor one, perhaps a couple of percentage points. My husband, David Eichar even went so far as to do his own

number crunching using Zillow and sent it to your department. I think facts and real data should drive the county's dialog with the public.

I think the concept of a business license, renewed every year is sound. I think caps and proximity rules are sound. I think that 24 hour access to report issues and accountable record keeping and follow through are sound. All of these ideas should be implemented, as this is a real, fact and data based way to handle vacation rentals. Over time those of us who hold permits will sell these homes and if you implement these new rules, the numbers of vacation rentals will decrease.

I appreciate and am thankful that the idea of requiring large prominent signage identifying vacation rentals has been abandoned by the county. This would have opened us up to vandalism and robberies and endangered our guests and cleaning crew. So thank you for seeing the facts on this.

But, you must implement rules that are fair to everyone involved. So here are a few suggestions:

Reach out to every vacation rental owner in the county and get their feedback and real demographics, instead of relying on "industry" groups.

Make sure that the reporting process can weed out vengeance complaints. If an owner goes to a home after a complaint and finds nothing illegal or disturbing going on, what will your rules and process be? This is especially important if you will be issuing monetary fines. We have great neighbors surrounding our vacation rental, but not so much around our own home. So I am under no illusion that people are honest all the time.

We prefer to be called first by our neighbors, so that we can handle any complaint immediately. This should be stressed in your roll out. In 9 years we have received only a few calls from neighbors about noise, and each time we were able to handle the complaint quickly and without incident.

There should be no penalties for owners in emergency circumstances where guests refuse to follow our orders. I have been through the fires in our valley and many of my home owning neighbors did not either understand orders or refused to follow them. I would predict some guests may be just as stubborn or uninformed about wild fires.

Again sorry for the very long e-mail. But I think you should reach out to all vacation rental owners in the county before you create a draft ordinance.

Sincerely,

Josette Brose-Eichar

Boyce Hot Springs.

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**From:** [Ceylan Crow](#)  
**To:** [West County Gazette](#)  
**Cc:** [Gary Helfrich](#); [Windsor, Amie](#)  
**Subject:** Re: LETTER for January Gazette - Vacation Rentals Impact  
**Date:** Sunday, December 19, 2021 11:12:12 PM

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## EXTERNAL

Thanks for sharing!

On Sun, Dec 19, 2021 at 11:10 PM Vesta Copestakes <[vesta@sonic.net](mailto:vesta@sonic.net)> wrote:

### **Vacation Rentals Impact**

For the last two years Permit Sonoma has been in the process of updating the county's **Vacation Rental Ordinance**. During this time Municipal Advisory Councils in Sonoma County have been studying the impacts of this business on local neighborhoods from the perspective of both residents and businesses that depend upon tourists to survive.

Many changes have been proposed and public hearings and workshops have been conducted. A public hearing on the DRAFT of the updated ordinance is scheduled for January 20th, 2022. This is the last opportunity to influence this draft with input from neighbors on what works and does not work living with VRs in your neighborhood. The input Permit Sonoma receives will help guide them on what changes need to be made to the ordinance and **MUST** be submitted *before* Jan. 20th.

Public feedback is essential to making this ordinance work for everyone. Learn about the most recent proposed changes to this ordinance presented by Planning Commissioner Gary Helfrich at the December 16, 2021 Lower Russian River MAC meeting video starting at 1:10 (one hour, ten minutes) on Sonoma County's YouTube channel: ([SONOMA COUNTY Lower Russian River MAC Meeting | 12.16.2021](#)) @ <https://www.youtube.com/watch?v=Rgv2xRftC4k>

**SEND your comments via Email to:** [Gary.Helfrich@sonoma-county.org](mailto:Gary.Helfrich@sonoma-county.org) and/or  
Email: [PRMD-VacationRentals@Sonoma-County.org](mailto:PRMD-VacationRentals@Sonoma-County.org).

**INFO:** <https://sonomacounty.ca.gov/PRMD/Regulations/Vacation-and-Hosted-Rentals/Vacation-Rental-Permit/>

**MAIL:**  
**Permit Sonoma**  
**Vacation Rentals**

[2550 Ventura Avenue](#)  
[Santa Rosa, CA 95403](#)

**PHONE:**

707-565-1932

PLEASE SHARE so the commission gets as many letters as possible to help them make decisions that impact the future of our neighborhoods.

THANK YOU,  
Vesta Copestakes  
LRRMAC Forestville representative  
Chair, Vacation Rental Committee

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##  
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Vesta Copestakes  
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All my best,

Ceylan Crow  
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Artist & Illustrator  
Graphic & Web Designer  
Online Marketing & Social Media  
Solar Works Web Consultant  
Sonoma County Gazette Web Associate

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**From:** [Vesta Copestakes](#)  
**To:** [PRMD-VacationRentals](#); [Gary Helfrich](#)  
**Cc:** [Nic Pereira](#); [Lucy Hardcastle](#); [vesta.rrmac@gmail.com](mailto:vesta.rrmac@gmail.com); [Pip Marquez de la Plata](#); [Elise Weiland](#)  
**Subject:** INPUT for UPDATE to Vacation Rental Ordinance Planning Commission  
**Date:** Thursday, January 06, 2022 11:00:15 PM

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## EXTERNAL

As 2021 chairperson of the **Lower Russian River MAC Vacation Rental Committee**, I have been part of a survey of residents and businesses serving this industry, have received feedback from residents, have engaged in social media discussions, and as a private citizen, live on a street with two VRs and two more recent purchases that plan to become VRs. The closer this issue gets to home, the more I see the personal impact it can have on both my home community as well as my neighborhood.

**From the MAC committee's perspective**, I'd love you to read our survey results, reports, and Comments on our website created specifically to address the revamping of this ordinance: <http://russianrivermac.org/vacation-rental-research-committee/>

**Our survey was conducted in 2020** - this was our first report after that survey. Scroll down for survey results: <http://russianrivermac.org/vr-community-reports/>

**We attempted to map VRs** so we could SEE density in neighborhoods based on licensed VRs, but pulling data from the Permit Sonoma webpage proved to be difficult. This mapping program by Google makes it easy to download a spreadsheet into their mapping program to identify these businesses, but Permit Sonoma has numerous designations for VRs. We never learned all of them to make the mapping accurate: <http://russianrivermac.org/vacation-rental-maps/>

**We also tried to get input from residents** with this form: <http://russianrivermac.org/community-input/>, but people accused us of spying on neighbors. We did get about 60 responses but not with enough information to use for the mapping.

To keep people impacted by this industry informed, and **to inspire them to learn enough to give your commission input**, we posted Gary Helfrich's most recent presentation and a copy of the current ordinance. We are hoping people provide input for your decision-making process: <http://russianrivermac.org/11-18-21-planning-commission-workshop-update-presentation/>

**From my personal perspective**, I find it difficult to come to terms with a business model that depends upon personal residences in neighborhoods to sustain their business. I understand that the tourism industry brings millions of dollars into our communities - BUT - the vast majority of us who live here have zero benefit from this industry (other than better restaurants). What we do experience is traffic jams, noise, bright lights from people who live in cities and are afraid of the dark at night in our rural communities, crowds, and a feeling that at least half the year our home towns are run over by strangers. These are annoyances that come from living somewhere so beautiful that others want to visit here. We understand and feel lucky to LIVE here.

I moved to Sonoma County in 1972 and for the majority of those years have lived in Russian River communities. "Vacation Wonderland" is in an unincorporated part of our county and therefore relies heavily upon the efforts of volunteers who love where we live. Visitors are not part of what it takes to build community alliances and work on behalf of the benefit of all. They are not picking up trash on streets and riverbanks, feeding homeless people, supporting local charities, and volunteering on committees for the benefit of those who live here.

Losing residential homes in neighborhoods for the financial gain of those who do not live here erodes the place we call home. So far the VRs in my neighborhood have been reasonable with the exception of bright lights at night, strangers walking by, and the occasional rude partier who claims that they are on vacation and don't care that neighbors need to sleep so they can work in the morning. But with the recent sale of two more homes for VRs, we have now lost four homes out of 100 that used to provide housing for families. That hurts the character of our neighborhood and even the number of people who support our neighborhood swimming pool (*must live on our street & help maintain the pool in order to be a member*).

### **Proposed ordinance changes that I applaud:**

**24 hour hotline.** If there is one item that came up over and over in our committee research, it's that there really is no enforcement of the current ordinance. People think they need to call the sheriff who tells them it's not their jurisdiction. Finding the owner/manager on the Permit Sonoma website for a direct call to a person who could actually solve a problem, is nearly impossible. Even as I became familiar with the site I still found it a serious challenge to find a property then find information that would give me someone to call. This HOTLINE will totally solve that impasse.

**Business Licenses for VRs.** Wonderful. This is a business...call it what it is. Make the license renewable every year based upon protocols/standards. Renew or deny renewals according to their record of conduct (Property Manager Performance Standards) - THANK YOU!

**Parking.** Yes, PLEASE limit on-street parking and require off-street parking. It's horrible to come home to find the parking space in front of your home occupied. Our streets are narrow (9 - 12' wide) and many of us have carved out parking space street-side by placing our fence inside our property line the width of parking spaces. That's our land (our lots are small) not public parking. And because our streets are narrow, when people block part of the street with their vehicle (half on the road/half on the shoulder) some of our streets no longer have room for emergency vehicles.

**Evacuation & Emergencies.** Our committee heard too many times that people felt responsible for banging on the doors of VR renters to inform them of emergency evacuations. That takes time out of their own preparations. All visitors need Nixle alerts and emergency requirements managed by the owner/managers of these properties. THANK YOU

**Fire pits, etc:** Watching people have BBQs and fire pits with sparks rising into our trees is frightening. These people will not live with the consequences of burned out homes in our neighborhoods. Ban them completely for VRs rather than just restrict them to fire season. Most people don't know how to build and maintain a fire. Ignorance is destructive.

**Lights & Noise.** These are neighbor's most frequent complaints. Lights that are on 24/7 that invade resident's homes at night where neighborhoods don't even have street lights. We live

in a rural area for a reason, love stars at night, and natural habitat. Light pollution is offensive. We can talk with a neighbor and come to an agreement but it's unreasonable to have to talk to new people every weekend to explain our neighborhood desire for dark nights. Noise is the same. Why should we have to knock on a door to convince people that neighbors like quiet weekends, evenings, and nights. We live here and weekends when guests arrive is the same time that most residents need to be relaxed at home. **Spelling out light and noise rules** - in addition to the hotline for complaints, could help us live in harmony with visitors.

**Proximity and Concentration.** I know this is challenging and it's why our committee tried to create VR maps. We want to SEE how many homes in a neighborhood are VRs and therefore off-limits to neighbors. When respondents to our survey and social media posts tell us that they are literally surrounded by VRs, they are distraught. Yes, this is a lot more work than just issuing a license, but knowing where that property is and how many other VRs are close by makes the difference between a commercial zone and neighborhood. YES, this is an IMPORTANT item to consider when issuing a license. The two new VRs in my neighborhood are right next to each other. Neither new owner knew the other was intending the same business next door. How can people who are purchasing homes for themselves or a business know in advance that there is a VR next door, up the street, on the property behind, etc.?

**Limiting VR ownership.** When one party owns multiple VRs, it's a franchise, not a way for someone to make a living. It takes too many homes off the market for residents. Not only is our school student body, and therefore budget, impacted, the businesses who rely upon year-round residents suffer as well. The grocery store, convenient mart, retail store, and restaurant cannot survive on seasonal traffic. They need us who LIVE here to support their businesses all year.

**LOCAL Property Managers.** We are hoping the revisions to this ordinance will place an emphasis on property owners and managers who live here so they respond to emergencies, nuisance calls, etc. in a timely manner. The 30 - 60 minute response rule would imply that the manager needs to live nearby. The more LOCAL managers the better this industry is served, and the better the relationship between neighbors and business owners.

I APPLAUD the work that has gone into revising this ordinance to better serve our communities throughout Sonoma County. This is our HOME. We need this industry to understand that we LIVE here and are willing to share our home with visitors that respect our home. The revisions in this ordinance support the balance of living in a location that attracts visitors so that we can function harmoniously.

THANK YOU,

Vesta Copestakes  
Lower Russian River MAC - Forestville  
[vesta@sonic.net](mailto:vesta@sonic.net)  
[vesta.rrmac@gmail.com](mailto:vesta.rrmac@gmail.com)  
707-887-0253 landline  
707-889-0069 cell

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**From:** [Claire Fetrow](#)  
**To:** [West County Gazette](#)  
**Cc:** [Gary Helfrich](#); [Elise Weiland](#)  
**Subject:** Re: Short Term Rentals  
**Date:** Tuesday, December 07, 2021 4:08:32 PM

---

## EXTERNAL

Late or not, public opinion needs to be heard, if even one good thing comes out of it, that's still one good thing.

How about...

No fire pits allowed at STRs?

Quiet hours set back to 8 or 9pm?

No looking the other way on holidays as to numbers of guests allowed, that's just a disaster waiting to happen somewhere for someone.

Limits of people at rentals should be honored ALL of the time.

Educational materials and enforcement paid for through a fee levied to property owners running these internet driven hotels in our neighborhoods, so that THEY provide enforcement for the problems that they create and the burden does not fall to our Sheriffs, and so that residents aren't left to deal with those things at midnight themselves.

Lighting issues, restricting lighting on STR's so that residents are not left to deal with brightly lit neighborhoods whether someone is renting or not, and timers required to turn lighting off at a reasonable hour, so we can feel as though we are in neighborhoods, not hotel zones.

The fact that our community was once a "vacation destination" is more of an argument against STR's in my mind. We are not as much that now, nor should we be, with the demand for single family housing, and the costs being driven out of control due to the demand of out of town investors coming in and outbidding local families, housing needs to be prioritized, our culture and eccentricity and what makes the West County and River area what it is, is at stake.

In Forestville, we were levied a new fire tax, surely some of that is due to the increased use of the resources by tourists, so we as a community are giving, seems like STR's need to do that too with some of the profit they are extracting out of our community.

Most people are completely unaware any of this is going on at all, so creating some action from some of them, regardless of the time frame will show people are interested, and I feel compelled not matter the hour.

Claire Fetrow  
The Hub Cyclery  
Cotati, Ca  
[www.thehubcyclery.com](http://www.thehubcyclery.com)

On Dec 7, 2021, at 2:35 PM, Vesta Copestakes <[vesta@sonic.net](mailto:vesta@sonic.net)> wrote:

It's late in the game to get people to be part of this since we've been working on it for two years! By February it's supposed to be revised and complete! People need to understand that public hearings have been going on this whole time and this is the LAST in the series.

It's very frustrating to have people come in at the last minute after ignoring all the other opportunities they missed! Bringing up topics that have already been addressed gives people the impression that they have NOT been addressed.

I'm trying to get a link to the last meeting/presentation so I can turn it into text for our website. All the other meetings are on the website our committee created: <http://russianrivermac.org/>

I know it's pretty normal for people to ignore a topic as complex as this until it's almost a completed project. Whenever you reach out to the public about a topic that has been in review, please make sure they have access to all previous meeting links and information so - IF they take the time - they can review what has already been accomplished.

THANK YOU ~ Vesta

-----

On Dec 7, 2021, at 12:04 PM, Claire Fetrow  
<[claire@thehubcyclery.com](mailto:claire@thehubcyclery.com)> wrote:

I am trying to create some engagement and spread the word about the upcoming revision of the ordinances, to get people thinking about it and to get them to participate. I am currently doing this on Russian River Resources Facebook Page, with permission,( which has over 4000 members ). I also set up a new page that is open to all, Russian River Neighbors for Neighborhoods, that is slow to get much activity, but I will keep working on it.

I am suggesting people write to me, or to the county at [PRMD-VacationRentals@sonoma-county.org](mailto:PRMD-VacationRentals@sonoma-county.org). If there is a different email they should send messages to, let me know. I can compile what I get as answers too.

I have gotten some well thought out responses so far from some of

my postings from both hosts and residents.

Personally I would really like the concept of “vacation rentals” being turned into “neighborhood stays”, which sets the tone a little better of how to behave.

Here is my most recent post FYI. I set this as a poll to see how people feel about current quiet hours.

I think that limiting outside games and fire pits would be more respectful, and lead to less conflict, as well as considering limiting use of wood burning stoves and fireplaces at the STR's, is not only safer, it is more responsible in an area that is predominantly older cabins that are like matchsticks and people who may be very inexperienced with managing fires. We don't need to burn down what we have left in Sonoma County.

Here is the post.

Short Term Rental Ordinances are being rewritten/Revised. You can be part of the conversation and contribute by doing so.

A public meeting by the county will be held on Zoom January 20th, 2022. Public comment and ideas/solutions are being requested. But now is that time to speak up, before things go into print and get presented to the County Commissioners and Supervisors. You only have two minutes to speak at the meeting, which can get lost without a well written comment, hand up here. So get that written, or better yet, write now to me, or to the county, let's get a compilation of solutions that are useful to us all.

If you currently live full time next to one or more vacation rentals and are thinking about how noise may affect you, especially during the high season, do you think the current quiet hours are early enough? 10pm is the start of quiet hours right now.

What time do you think quiet hours should begin in neighborhoods that have working residents?

I gave 8,9, and 10pm as options.

Happy Holidays and my best to you,

Claire Fetrow  
The Hub Cyclery  
Cotati, Ca  
[www.thehubcyclery.com](http://www.thehubcyclery.com)

Vesta Copestakes  
VESTA Publishing, LLC  
[vesta@sonic.net](mailto:vesta@sonic.net)  
707-887-0253 landline  
707-889-0069 cell

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**From:** [Claire Fetrow](#)  
**To:** [Gary Helfrich](#); [Lynda Hopkins](#)  
**Subject:** Short Term Rentals  
**Date:** Tuesday, December 07, 2021 12:05:05 PM

---

## **EXTERNAL**

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**From:** [Leo Chyi](#)  
**To:** [Claire Fetrow](#); [Lynda Hopkins](#); [Gary Helfrich](#); [PRMD-VacationRentals](#)  
**Subject:** RE: More to consider  
**Date:** Thursday, December 16, 2021 4:44:17 PM

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Hi Claire-

I wanted to acknowledge your message on behalf of my office. I know you have shared a tremendous amount of information, and we continue to welcome documentation about what you are experiencing. I'm really sorry to hear that your anxiety is worsening due to the conditions around you.

I know you know, but when violations occur, please do let code enforcement know right away if the manager is not addressing it. We currently do have legal vacation rentals, and the enforcement piece must also be in place for the system to at all work.

## Leo Chyi

**District Director to**

**Supervisor Lynda Hopkins**

575 Administration Drive 100A

Santa Rosa, CA 95403

707.565.2241

**From:** Claire Fetrow <claire@thehubcyclery.com>

**Sent:** Monday, December 13, 2021 4:36 PM

**To:** Lynda Hopkins <Lynda.Hopkins@sonoma-county.org>; Gary Helfrich <Gary.Helfrich@sonoma-county.org>; PRMD-VacationRentals <PRMD-VacationRentals@sonoma-county.org>

**Subject:** More to consider

## EXTERNAL

Hi Gary and Lynda

Just a tad more perspective on the vacation rental situation from Forestville.

This weekend we had more guests at the cabin on my cul de sac. They were "interesting". I don't mean to profile anyone, but they were quite threatening from a woman's perspective. I am lucky to have the security of living with my husband and a couple that live next door, but if I were a woman living alone down here this weekend, I would have felt incredibly vulnerable being alone. I spoke with the male neighbor that I have, and he had agreed, something just did not feel right. I am gone over the weekend, working, so I missed some of the odd behaviors, but I guess there was enough to ruffle feathers. These three somewhat rough looking guys in a big truck just did not seem the type to rent a quaint cabin in the woods. It was a bit of a Breaking Bad moment, you know, body in the bath tub thing. Lights were on the entire night too, it was just weird.

The property owner even mentioned that she had had to ask them to move the gigantic truck

they showed up in since they were blocking my driveway and left it running, according to neighbors for 30-40 minutes at a time. They were not the sort of guys you would feel that would be approachable to talk to.

This is what we live with never knowing our neighbors, it puts us at risk with the noise, disruption, light, strangers. When I asked another neighbor today how she was doing with the STR that is behind me, and next to her, being that she is older and frailer, she said that she just does not feel comfortable with all the strangers.

Gary, I know you have explained to me before why we allow essentially hotels to run like this within our residential neighborhoods, bringing in all the strangers, cars, garbage, noise and other associated issues, it just does not make sense. And it's very hard for residents to understand it and why our residential districts are not protected from it. It's hard to understand why our investments of home ownership are not being protected, and the dreams we had when we bought our homes in residential neighborhoods are being lost with this influx of commercial behaviors. If we can't stand this anymore and decide to sell, as my nice quiet neighbor did behind me ( and home was purchased by an investor, and is now an STR ) I will likely have to disclose my current situation, how will that affect the resale?

I wish that the county would support its residents and ban this commercial use of homes entirely. It affects our property values, sense of safety within our neighborhoods, the culture of our community, and it feels like we are living in a commercial district. Literally the culture and charm that people are coming here to appreciate is being driven out by the STR's.

What percentage of the total number of STR's are allotted to the river area right now? There should be at the very least an equal spread throughout the county, we should not bear the burden of them all here. It feels like we do.

When we were levied a new fire tax in Forestville, it felt like we are taking on more responsibility for tourists there too. We bear the brunt of the parking, tour buses dropping people off on our streets, naked and drunk people you have to dodge driving home after work in the summer. We used to at least have the evenings to count on to wind down and have some quiet and dark, but now we do not even have that. We are now being targeted for higher fire insurance too, mine may be cancelled this year, or get so expensive we have to consider how that will affect us long term. We pay a bigger and bigger price for living here it seems, its getting less desirable to want to be an active citizen here, and thats how we lose our community over time.

I have realized my anxiety is gradually getting worse, not something that I have struggled with particularly in life, but never knowing who will be here, and how that will go is very difficult for me. I have been asked repeatedly whats worse, a bad full time neighbor, or a bad short term neighbor, but there is that saying " the devil you know verses the Devil you don't". I think I'd prefer the Devil I know.

In thinking about noise and light, please, please consider making the light ordinance not just about Lux, but also about height. Especially here where homes are elevated, varying levels, it makes it particularly difficult to block any exterior light that is strung high.

In thinking about noise, and that these are not resort stays, they are neighborhood stays, please consider setting light curfew and noise curfew to 8pm, this will allow families and those of us



working to expect things to start calming down, as most neighborhoods do well before 10pm.

I appreciate you both taking the time to consider all of this,

Claire Fetrow  
The Hub Cyclery  
Cotati, Ca  
[www.thehubcyclery.com](http://www.thehubcyclery.com)

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**From:** [Claire Fetrow](#)  
**To:** [Lynda Hopkins](#); [Gary Helfrich](#); [PRMD-VacationRentals](#)  
**Subject:** More to consider  
**Date:** Monday, December 13, 2021 4:36:25 PM

---

## EXTERNAL

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This weekend we had more guests at the cabin on my cul de sac. They were “interesting”. I don’t mean to profile anyone, but they were quite threatening from a woman's perspective. I am lucky to have the security of living with my husband and a couple that live next door, but if I were a woman living alone down here this weekend, I would have felt incredibly vulnerable being alone. I spoke with the male neighbor that I have, and he had agreed, something just did not feel right. I am gone over the weekend, working, so I missed some of the odd behaviors, but I guess there was enough to ruffle feathers. These three somewhat rough looking guys in a big truck just did not seem the type to rent a quaint cabin in the woods. It was a bit of a Breaking Bad moment, you know, body in the bath tub thing. Lights were on the entire night too, it was just weird.

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**From:** [Claire Fetrow](#)  
**To:** [Gary Helfrich](#); [Lynda Hopkins](#)  
**Subject:** An Angry and Frustrated Resident  
**Date:** Tuesday, December 14, 2021 6:24:13 PM  
**Attachments:** [1f62e.png](#)

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## EXTERNAL

This is a response from one of the Facebook posts I put onto the Russian River Resources Page, its sad. I also had a conversation while out on a walk in my neighborhood today, when I met with neighbors I did not know. They started telling me how they felt their quality of life was really not the same since an STR set up shop close-by, they were not even aware of the ordinances that exist currently.

Here is the response from Blythe....

Hi Claire, thank u for sharing ur experience. I have owned my home for 30 yrs now...never ever imagining what was to be.

I have been writing SonCounty PRMD for well over a year with no response about noise and light complaints. In the last 5 years I now have 2 vac rentals on my right, 1 on my left, 2 across the street and directly across from me they raised a little country cottage and made it a 3 story 4 unit section 8 housing.

Needless to say, I think u get the picture. My street is in a canyon and is pretty much one lane. All noise echoes, and the amount of cars and people in my face are exhausting. Our houses are extremely close together here so I feel like a rat in a cage, there is no getting away from the noise and partying.

I didn't sign up for this and it's causing me to be angry all the time.

These rentals take away from our community, there is no sustainable housing for our locals who work here and if there is they can't afford it.

I have filed noise complaints with PRMD and nothing is done, except the one thing that came of that is the rich investor apparently gets a copy and now is making my life miserable trying to force me to move, and that's probably gonna happen as this isn't a community anymore, at least not the community I so loved.

Sonoma County only cares about the money, I'm barely hanging on and paying exorbitant taxes for what?? Sad I only have 1 long time neighbor left.

If the powers to be that approve these permits would come walk my neighborhood they could see how close our homes are to each other, maybe they could trade places with me for a month and see how they like it! Sad that I feel like an animal on exhibit when I come out to collect wood for my stove, I guess these vacationers have never seen a local truck

drivin chainsawing hard working woman lol 🤪

Sorry, but f them!

Claire Fetrow  
The Hub Cyclery  
Cotati, Ca  
[www.thehubcyclery.com](http://www.thehubcyclery.com)

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**From:** [Christina Hernandez](#) on behalf of [PRMD-VacationRentals](#)  
**To:** [Gary Helfrich](#)  
**Subject:** FW: INPUT for UPDATE to Vacation Rental Ordinance Planning Commission  
**Date:** Monday, January 10, 2022 8:17:52 AM

---

**From:** Claire Fetrow <claire@thehubcyclery.com>  
**Sent:** Friday, January 7, 2022 9:34 AM  
**To:** West County Gazette <vesta@sonic.net>  
**Cc:** PRMD-VacationRentals <PRMD-VacationRentals@sonoma-county.org>; Lynda Hopkins <Lynda.Hopkins@sonoma-county.org>  
**Subject:** Re: INPUT for UPDATE to Vacation Rental Ordinance Planning Commission

## EXTERNAL

I LOVE it!

My most recent issue with a VR is that the one behind me put in a hot tub that is SO loud I can hear it humming even when all my windows are closed and my TV is on, and it runs like that about 20 hours a day! I walked the neighborhood, and found you could hear it two blocks away!

These owners have only ever spent about a month here in the last year, that was when they were remodeling the place, they were very loud and inconsiderate then, running tools into very late hours and just super loud people in general, and now I fear that it will not only be ridiculously loud with the hot tub and lights and large deck when used as a VR, but that the owners think of it as their party place too, and will be able to be as loud as they want when they are there, since they are not regulated under VR rules, which seems an over-site. Its not conducive to happy neighbors if you are either dealing with loud VR's or loud VR owners who come here to party.

The noise is so bad, that sitting on my deck is hard to enjoy, I have to employ lots of other noise distraction to override it, which I really don't like to do. i have installed two fountains now. I can't be in my own yard without hearing what sounds like a supermarket refrigeration unit running almost constantly, and my lot is about 1/3 of an acre. The VR owner does not think its that bad. I hear it at night, in my bedroom, which is on the other side of the house! But, I guess if you don't actually sleep and live here, and are used to loud cities, it's not bad. But here, we live here for the drop a pin quiet that we bought into, and have nurtured and paid for with our commutes and investments. It's more bringing the city to us, while they collect paychecks from these places and erode our sense of place.

I am trying to resolve this problem with the owners, and have made some headway, but not without a certain amount of smugness from them letting me know they had called the county and the county said they don't have to do anything!

You know how nice and quiet it is once the traffic dies down here, so that is when I used to go to my hot tub myself and sit out and enjoy the stars and the quiet for a while. It's just

impossible now to do that since the hum is trying to kill me. It reverberates off of my cinder block walls and throughout the whole neighborhood. Not to mention the string lights that they have look like stadium lighting ( as pointed out to me by a visitor to my house ) and produce quite a lot of light.

Sometimes I get the feeling that these “city folk” think they have it over us "Forestville Folk" intellectually. Boy do they have it coming if they think thats true.

Once again, we get left holding the bag with the consequences of their behaviors and choices, while they live in Oakland, San Francisco, or wherever, but far enough away that they cannot hear the noise, see the light, or be affected by late evening parties, or like you say, the anxiety of watching fire-pits burn and cast embers into our home.

Right now we are in agreement that he is purchasing some mats to help reduce the vibration, and if that doesn't work, he is at that point in his mind, that he has done what he can, “at his own expense” to "make a neighbor happy”. I will take this to small claims if I need to. I am confidant that if they lived here, as an actual neighbor, the noise would be bothersome to him. My hot tub by comparison, makes small bubbling noises that cannot be heard more than a few feet away from it.

I don't know if you heard, one of my respondents to one of my posts on Russian River Resources Facebook page, who choose to speak out, had to retract her comment, as she was feeling threatened by an aggressive VR owner who has given her ALOT of trouble. She is a 30 year resident of Guerneville. She thinks she may have to move.

I certainly hope that quiet hours are addressed, 10pm outdoors sends the wrong message. I had suggested to Gary that 10pm indoors, and 8pm outdoors is more appropriate for these “neighborhood stays” which is what they should be called rather than "vacation rentals” which also sets the stage for more noise and activity.

The other BIG thing that I had hoped Gary would address is the rule that on holidays, house limits are overlooked. Another BIG over-site, and opens the doors for problems. House limits should be observed year round.

Also, if we are considering how fair this is for Russian River residents who deal with these issues, it would be nice to only have a proportional amount of these VR's within our communities respective to Sonoma County, verses what feels like the Lions share. We have one of the lower population densities in Sonoma County, but my guess is one of the highest numbers of VR's.

While I wish, residential would be used for residences, not businesses, with little hope of that, I really hope this is more than a bandaid, but a wholesale restructuring of this approach to vacation rentals.

Your work is very much appreciated.

Claire Fetrow  
The Hub Cyclery  
Cotati, Ca  
[www.thehubcyclery.com](http://www.thehubcyclery.com)

On Jan 6, 2022, at 11:00 PM, Vesta Copestakes <[vesta@sonic.net](mailto:vesta@sonic.net)> wrote:

As 2021 chairperson of the **Lower Russian River MAC Vacation Rental Committee**, I have been part of a survey of residents and businesses serving this industry, have received feedback from residents, have engaged in social media discussions, and as a private citizen, live on a street with two VRs and two more recent purchases that plan to become VRs. The closer this issue gets to home, the more I see the personal impact it can have on both my home community as well as my neighborhood.

**From the MAC committee's perspective**, I'd love you to read our survey results, reports, and Comments on our website created specifically to address the revamping of this ordinance: <http://russianrivermac.org/vacation-rental-research-committee/>

**Our survey was conducted in 2020** - this was our first report after that survey. Scroll down for survey results: <http://russianrivermac.org/vr-community-reports/>

**We attempted to map VRs** so we could SEE density in neighborhoods based on licensed VRs, but pulling data from the Permit Sonoma webpage proved to be difficult. This mapping program by Google makes it easy to download a spreadsheet into their mapping program to identify these businesses, but Permit Sonoma has numerous designations for VRs. We never learned all of them to make the mapping accurate: <http://russianrivermac.org/vacation-rental-maps/>

**We also tried to get input from residents** with this form: <http://russianrivermac.org/community-input/>, but people accused us of spying on neighbors. We did get about 60 responses but not with enough information to use for the mapping.

To keep people impacted by this industry informed, and **to inspire them to learn enough to give your commission input**, we posted Gary Helfrich's most recent presentation and a copy of the current ordinance. We are hoping people provide input for your decision-making process: <http://russianrivermac.org/11-18-21-planning-commission-workshop-update-presentation/>

**From my personal perspective**, I find it difficult to come to terms with a business model that depends upon personal residences in neighborhoods to sustain their business. I understand that the tourism industry brings millions of dollars into our communities - BUT - the vast majority of us who live here have zero benefit from this industry (other than better restaurants). What we do experience is traffic jams, noise, bright lights from people who live in cities and are afraid of the dark at night in our rural communities, crowds, and a feeling that at least half the year our home towns are run over by strangers. These are annoyances that come from living somewhere so beautiful that others want to visit here. We understand and feel lucky to LIVE here.



I moved to Sonoma County in 1972 and for the majority of those years have lived in Russian River communities. "Vacation Wonderland" is in an unincorporated part of our county and therefore relies heavily upon the efforts of volunteers who love where we live. Visitors are not part of what it takes to build community alliances and work on behalf of the benefit of all. They are not picking up trash on streets and riverbanks, feeding homeless people, supporting local charities, and volunteering on committees for the benefit of those who live here.

Losing residential homes in neighborhoods for the financial gain of those who do not live here erodes the place we call home. So far the VRs in my neighborhood have been reasonable with the exception of bright lights at night, strangers walking by, and the occasional rude partier who claims that they are on vacation and don't care that neighbors need to sleep so they can work in the morning. But with the recent sale of two more homes for VRs, we have now lost four homes out of 100 that used to provide housing for families. That hurts the character of our neighborhood and even the number of people who support our neighborhood swimming pool (*must live on our street & help maintain the pool in order to be a member*).

### **Proposed ordinance changes that I applaud:**

**24 hour hotline.** If there is one item that came up over and over in our committee research, it's that there really is no enforcement of the current ordinance. People think they need to call the sheriff who tells them it's not their jurisdiction. Finding the owner/manager on the Permit Sonoma website for a direct call to a person who could actually solve a problem, is nearly impossible. Even as I became familiar with the site I still found it a serious challenge to find a property then find information that would give me someone to call. This HOTLINE will totally solve that impasse.

**Business Licenses for VRs.** Wonderful. This is a business...call it what it is. Make the license renewable every year based upon protocols/standards. Renew or deny renewals according to their record of conduct (Property Manager Performance Standards) - THANK YOU!

**Parking.** Yes, PLEASE limit on-street parking and require off-street parking. It's horrible to come home to find the parking space in front of your home occupied. Our streets are narrow (9 - 12' wide) and many of us have carved out parking space street-side by placing our fence inside our property line the width of parking spaces. That's our land (our lots are small) not public parking. And because our streets are narrow, when people block part of the street with their vehicle (half on the road/half on the shoulder) some of our streets no longer have room for emergency vehicles.

**Evacuation & Emergencies.** Our committee heard too many times that people felt responsible for banging on the doors of VR renters to inform them of emergency evacuations. That takes time out of their own preparations. All visitors need Nixle alerts and emergency requirements managed by the owner/managers of these properties. THANK YOU

**Fire pits, etc:** Watching people have BBQs and fire pits with sparks rising into our trees is frightening. These people will not live with the consequences of burned out homes in our neighborhoods. Ban them completely for VRs rather than just restrict them to fire season. Most people don't know how to build and maintain a fire. Ignorance is destructive.

**Lights & Noise.** These are neighbor's most frequent complaints. Lights that are on 24/7 that invade resident's homes at night where neighborhoods don't even have street lights. We live in a rural area for a reason, love stars at night, and natural habitat. Light pollution is offensive. We can talk with a neighbor and come to an agreement but it's unreasonable to have to talk to new people every weekend to explain our neighborhood desire for dark nights. Noise is the same. Why should we have to knock on a door to convince people that neighbors like quiet weekends, evenings, and nights. We live here and weekends when guests arrive is the same time that most residents need to be relaxed at home. **Spelling out light and noise rules** - in addition to the hotline for complaints, could help us live in harmony with visitors.

**Proximity and Concentration.** I know this is challenging and it's why our committee tried to create VR maps. We want to SEE how many homes in a neighborhood are VRs and therefore off-limits to neighbors. When respondents to our survey and social media posts tell us that they are literally surrounded by VRs, they are distraught. Yes, this is a lot more work than just issuing a license, but knowing where that property is and how many other VRs are close by makes the difference between a commercial zone and neighborhood. YES, this is an IMPORTANT item to consider when issuing a license. The two new VRs in my neighborhood are right next to each other. Neither new owner knew the other was intending the same business next door. How can people who are purchasing homes for themselves or a business know in advance that there is a VR next door, up the street, on the property behind, etc.?

**Limiting VR ownership.** When one party owns multiple VRs, it's a franchise, not a way for someone to make a living. It takes too many homes off the market for residents. Not only is our school student body, and therefore budget, impacted, the businesses who rely upon year-round residents suffer as well. The grocery store, convenient mart, retail store, and restaurant cannot survive on seasonal traffic. They need us who LIVE here to support their businesses all year.

**LOCAL Property Managers.** We are hoping the revisions to this ordinance will place an emphasis on property owners and managers who live here so they respond to emergencies, nuisance calls, etc. in a timely manner. The 30 - 60 minute response rule would imply that the manager needs to live nearby. The more LOCAL managers the better this industry is served, and the better the relationship between neighbors and business owners.

I APPLAUD the work that has gone into revising this ordinance to better serve our communities throughout Sonoma County. This is our HOME. We need this industry to understand that we LIVE here and are willing to share our home with visitors that respect our home. The revisions in this ordinance support the balance

of living in a location that attracts visitors so that we can function harmoniously.

THANK YOU,

Vesta Copestakes  
Lower Russian River MAC - Forestville  
[vesta@sonic.net](mailto:vesta@sonic.net)  
[vesta.rrmac@gmail.com](mailto:vesta.rrmac@gmail.com)  
707-887-0253 landline  
707-889-0069 cell

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**From:** [Lucas French](#)  
**To:** [Gary Helfrich](#); [PRMD-VacationRentals](#)  
**Subject:** Do not alter the Vacation Rentals Ordinance .  
**Date:** Thursday, December 16, 2021 1:52:17 PM

---

## EXTERNAL

To Gary Helfrich and the Sonoma County Vacation Rental Office:

As a member of this community and vacation rental owner I would like to write on behalf of the economic benefit vacation rentals provide to the county and the large number of people who benefit.

Vacation rentals create jobs, pay taxes and provide access to the unique cultural fabric of Sonoma County and 'Vacation Wonderland'.

I first discovered the lower river 22 years ago when I rented a Forestville vacation rental. Now, I work and pay taxes here.

The disproportionate influence of the small but loud group of "Karens" is undemocratic. People who work in the county need to be granted a voice.

There is no problem with vacation rentals and there is no need to alter anything with regards to the Vacation Rentals Ordinance..

Do not change anything with regards to the Vacation Rentals Ordinance.

Sincerely,  
--Lucas French  
Cell: 415-250-8137

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# **Sonoma County Vacation Rentals**

## **Some considerations regarding modification of Exclusion Zones**

Dave Henderson

Jan. 5, 2022

In 2015-16, rampant explosion of vacation rentals (VRs) and concomitant problems they were causing for certain neighborhoods in Sonoma County led to new regulations by the Board of Supervisors, including the imposition of VR Exclusion, or X, Zones in particularly impacted areas of the County, including the unincorporated area of Fitch Mountain, where my wife Kathryn and I, as homeowners and active in our FM community, strongly advocated for imposition of the such a zone.

We believe the exclusion of new vacation rentals has, in fact, functioned as intended, has stopped the hollowing-out of our community, and has been, overall, beneficial for our area. Some initial opposition by a vocal minority soon died down, and it would be hard to currently find substantial opposition to continuance of the X zone. The number of short-term VRs has steadily declined, and should properties continue to change owners in accord with the current pattern and VR permits to therefore lapse, it is possible that FM could have very few, or no VRs in the future. I don't believe that this was actually the goal of the X zone, nor is it necessarily desirable.

I believe that the Supervisors should re-visit the X zone regulations and adjust its mechanism. I am referring in particular to FM (Fitch Mountain); my suggestions may or may not be applicable, with adjustments, to other areas of the County.

First, FM, lying along the Russian River, has for many generations been a vacation spot and destination for seasonal vacationers, whether for property-owners residing elsewhere (e.g. the SF Bay Area) or for many simply spending a few weeks of vacation enjoying the river or the Healdsburg area in general. Short-term vacation rentals traditionally serve this latter population, and the virtual elimination of VRs here could make it difficult or impossible to continue this long and desirable tradition.

Secondly, operating a short-term VR is an economically-valuable way for many residents here to supplement limited incomes, in particular if they are retired and must rely on fixed income, as many are.

That latter sector of VR owners was, before the imposition of the X zone, in danger of being overwhelmed by VR owners who were outside investors (even corporate entities) who were non-resident here and/or businesspersons with multiple VRs in various areas of the County. VRs were, in effect, becoming small-scale hotels or party sites, in some cases specifically built for such uses (as one has been recently) and in all cases totally out-of-character with our community.

If the VR permitting process is to be cautiously opened again, I believe it should be in a manner that discourages or prevents such disruptive and community-damaging uses and, instead, procedurally encourages more community-friendly establishments.

I propose, first of all, that each community have a voice in determining the percentage of VRs considered “desirable” to maintain, and not threaten, the character of the community, since this may vary from community to community. (I realize that more tourism-intense areas may wish a higher overall percentage; and I realize that not all areas in the County have such easily-defined borders as our FM community.) In our case, as our number of VRs is gradually reduced, we might set a cap at, say, 10-15% of our improved properties, which are currently ca. 350-60. Then, annually, a number of VR permits would be made available to fill-in up to the set cap. Thus, the growth in any one year would be quite limited.

How to assign those new VR permits is the nub of the problem, of course. A lottery would be an impartial method, and easily administered method, and thus has much to recommend it. It would be open to any applicant, as per current regs, and, as just noted, the annual increase of permits would be limited, so there would be no need for the proposed “adjacency” exclusions.

But, I would like to suggest a more community-affirming mechanism that some communities could select, namely, issue new permits on a priority basis favoring longer-term community residents. Simply put, owners who have owned property in the community the longest would have priority in the permit process. These are the persons who, over the years, have contributed to their community and are most sensitive to maintaining its character and values. They would be most likely to ensure that vacation renters respect their (previous) neighborhood and neighbors, and there would thus be fewer “behavior problems” occurring.

I realize that these suggestions are not easy to codify and that many will disagree with them. But I think they will add to the discussion considerations and values hitherto absent from conversations about the X zones.

**From:** [vesta](#)  
**To:** [West County Gazette](#); [Gary Helfrich](#)  
**Subject:** FW: vacation rental w/all-night flashing lights onto hillsides/etc.: any r ecourse?  
**Date:** Wednesday, December 15, 2021 11:20:21 AM

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**EXTERNAL**

Arlene, I am forwarding this to Gary Helfrich at Permit Sonoma. He is in charge of updating the Vacation Rental ordinance so can address your issues.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

**From:** Arlene&Geo Irizary <[irizary@juno.com](mailto:irizary@juno.com)>  
**Date:** 12/15/21 10:19 AM (GMT-08:00)  
**To:** [vesta@sonic.net](mailto:vesta@sonic.net)  
**Subject:** vacation rental w/all-night flashing lights onto hillsides/etc.: any r ecourse?

Dear Vesta:

We live at 8582 Trenton Road (above Mirabel Rd.) Do we have any recourse (Sheriff's Dept or other county dept) re vacation rentals on Mirabel Rd. below us, incl. 8650 Mirabel Rd. which has all-night flashing lights/strobe lights (reds/greens/etc.) projecting into air & onto our hillside & onto Mirabel Hill across the way? The lights are extremely bright. We've put up with noisy parties at that home in the past few months, but these lights are disturbing.

Yesterday we received a County notice of a permit approved on 11/18/2021 for yet another vacation rental below us at 8645 Mirabel Rd. How many vacation homes are now "permitted" in the block on Mirabel between Speer's Market & River Rd?

Also, 8635 Mirabel Rd. (commerical property for sale, used to be Switchwatch Garage) has constant bright white spotlights radiating out to 8170 Mirabel below us. I suppose this is for "security", but these extremely bright lights are energy-wasters & neighborhood disrupters.

Sorry to be so wordy, Vesta----

Thank you for any guidance,  
Arlene & George Irizary  
8582 Trenton Road, Forestville, CA  
707-887-7451

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**From:** [Ann Iverson](#)  
**To:** [Gary Helfrich](#)  
**Cc:** [Cecily Condon](#)  
**Subject:** Re: Follow up: Vacation Rental Ordinance  
**Date:** Wednesday, December 15, 2021 2:04:12 PM

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## EXTERNAL

Hi Gary,

I hope you are well.

It has been some time since I checked on things as I was super busy this year. So, I missed the October meetings.

I see the updated Vacation Rental Ordinance, however, I can't find any information on the 'complete review of the 2016 Vacation Rental Exclusion Zoning Project' you refer to in the email below. Were there changes made to the exclusion zones? In particular by any chance was Theodor and Falcon Lanes added to the zone along with all other parcels in the RR B6 2 zone? Can you point me to the right agenda or meeting materials on this topic?

I would appreciate it.

I like the changes to the website - much better.

Ann

Ann Iverson  
Metaphor Artworks



650-766-9303

[anniverson55@gmail.com](mailto:anniverson55@gmail.com)

[metaphorartworks.com](http://metaphorartworks.com)

On Dec 21, 2020, at 8:28 AM, Gary Helfrich <[Gary.Helfrich@sonoma-county.org](mailto:Gary.Helfrich@sonoma-county.org)> wrote:

Hi Ann,

We will be doing a complete review of the 2016 Vacation Rental Exclusion Rezoning project as part of the analysis to create a comprehensive vacation rental program. While this information will provide background, the most important task is to move forward and create an effective policy that protects areas such as Theodor Lane.

To avoid confusion, and make sure everyone has current information, here is the list of active vacation rental permits in the Theodor Lane Area – please share this list. Under the December 15 cap adopted by the Board, 3 existing permits would need to be



abandoned or revoked before any new permits could be issued. Our records do not show a vacation rental permit associated with 16903 Falcon Lane.

ZPE15-0288	16936 Falcon
ZPE15-0155	16948 Falcon
TVR19-0133	16964 Falcon
ZPE17-0157	16900 Falcon
ZPE16-0578	141 Theodor
TVR18-0051	177 Theodor
TVR19-0138	189 Theodor
TVR18-0097	191 Theodor
TVR20-0067	203 Theodor
TVR20-0024	190 Theodor
TVR20-0102	186 Theodor
TVR20-0126	172 Theodor
TVR20-0029	297 Theodor

Gary

**From:** Ann Iverson <[anniverson55@gmail.com](mailto:anniverson55@gmail.com)>  
**Sent:** Saturday, December 19, 2020 4:57 PM  
**To:** Gary Helfrich <[Gary.Helfrich@sonoma-county.org](mailto:Gary.Helfrich@sonoma-county.org)>  
**Subject:** Re: Follow up: Vacation Rental Ordinance

## EXTERNAL

Hi Gary,  
Ann Iverson, here. I actually was the one who wrote the original note in this string...it gets confusing with so many people chiming in.  
Thanks for clarifying things for us.

### Question:

Will you still be researching whether there was a mistake made when Theodor and Falcon Lanes were left out of the exclusion zone as you had confirmed with me over the phone?

I know Susan Gorin is saying the reason is because they are RR but, as my note says below, the rest of the same RR zone to the north is in the exclusion zone and there are plenty of other RR areas in Sonoma Valley that are as well such as Diamond A, areas west of Arnold Drive, etc. So, I am hoping we can still get to the bottom of why we were left out.

You can see this on the GIS map I sent or you can arrange the settings and see the whole valley -

<https://sonomacounty.maps.arcgis.com/apps/webappviewer/index.html?id=06ac7fe1b8554171b4682dc141293962>

Also,

16903 Falcon Lane just sold:

[https://norcalmls.rapmls.com/scripts/mgrqispi.dll?APPNAME=Bareis&PRGNAME=MLSLogin&ARGUMENT=Uk%2FNmya09RxG%2FuRVmmJO3AkaYtoBEpp3tSEc2MVTRDo%3D&KeyRid=1&Include\\_Search\\_Criteria=&CurrentSID=150315613&MLS\\_Origin=BARI&Report\\_Code\\_String=&SID=&Report\\_Format=HTML&Type\\_Of\\_Search=&Search\\_Type=](https://norcalmls.rapmls.com/scripts/mgrqispi.dll?APPNAME=Bareis&PRGNAME=MLSLogin&ARGUMENT=Uk%2FNmya09RxG%2FuRVmmJO3AkaYtoBEpp3tSEc2MVTRDo%3D&KeyRid=1&Include_Search_Criteria=&CurrentSID=150315613&MLS_Origin=BARI&Report_Code_String=&SID=&Report_Format=HTML&Type_Of_Search=&Search_Type=)

Can you confirm whether this is one of the vacation rentals on Falcon we didn't know about?

Thanks, Ann

Ann Iverson  
Metaphor Artworks  
<image001.jpg>  
650-766-9303  
[anniverson55@gmail.com](mailto:anniverson55@gmail.com)  
[metaphorartworks.com](http://metaphorartworks.com)

On Dec 17, 2020, at 3:34 PM, Gary Helfrich  
<[Gary.Helfrich@sonoma-county.org](mailto:Gary.Helfrich@sonoma-county.org)> wrote:

Hi Cristina,

The ordinance as adopted by the Board of Supervisors states

“With respect to those parcels identified in Exhibit C as “Group 1,” as generally depicted in Exhibit D as “Theodor Lane Area, Sonoma Valley, CA,” the number of vacation rental permits shall be limited to the number of duly approved and valid permits existing within this area as of August 18, 2020, plus vacation rental permit applications submitted to the Permit and Resource Management Department and determined complete on or before August 18, 2020 within this area. For purposes of this ordinance, payment of all required fees was necessary to achieve a complete application.”

Currently, there are 13 issued vacation rental permit in the Theodor Lane neighborhood, but two of these were found complete and issued after the August 18, 2020 cutoff date:

186 THEODOR LN	TVR20-0102	04-Sep-20
172 THEODOR LN	TVR20-0126	12-Nov-20

The two permits approved after August 18 were consistent with the original ordinance that included the entire First District, but under the adopted ordinance, the Theodor Lane Area cap is 11 vacation rentals and no permits will be issued until the total number of rentals falls below 11.

Gary

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**From:** Cristina Bisio <[cristina@highway12winery.com](mailto:cristina@highway12winery.com)>  
**Sent:** Thursday, December 17, 2020 10:49 AM  
**To:** Gary Saperstein <[gary@outinthevineyard.com](mailto:gary@outinthevineyard.com)>  
**Cc:** Ann Iverson <[anniverson55@gmail.com](mailto:anniverson55@gmail.com)>; Susan Gorin <[Susan.Gorin@sonoma-county.org](mailto:Susan.Gorin@sonoma-county.org)>; Gary Helfrich <[Gary.Helfrich@sonoma-county.org](mailto:Gary.Helfrich@sonoma-county.org)>; Tennis Wick <[Tennis.Wick@sonoma-county.org](mailto:Tennis.Wick@sonoma-county.org)>; Cecily Condon <[Cecily.Condon@sonoma-county.org](mailto:Cecily.Condon@sonoma-county.org)>; Pat Gilardi <[Pat.Gilardi@sonoma-county.org](mailto:Pat.Gilardi@sonoma-county.org)>; Jose Luciano <[jerome\\_and\\_jose@att.net](mailto:jerome_and_jose@att.net)>; Al <[elfcop@gmail.com](mailto:elfcop@gmail.com)>; Bobby O'Gorman <[bogorman@sonomaraceway.com](mailto:bogorman@sonomaraceway.com)>; Diane Barbera <[dianebarbera@comcast.net](mailto:dianebarbera@comcast.net)>; Greg Holzer <[gregholzer787@gmail.com](mailto:gregholzer787@gmail.com)>; Rosie Castro <[castrorosie7@gmail.com](mailto:castrorosie7@gmail.com)>; Terry Tenopir <[tenopirt43@gmail.com](mailto:tenopirt43@gmail.com)>; Jennifer Karns <[jlkarnschiro@gmail.com](mailto:jlkarnschiro@gmail.com)>; Leigh Cavalier <[leighcavalier@gmail.com](mailto:leighcavalier@gmail.com)>; Gregory Gonzales <[Greg.Gonzales@acrolon.com](mailto:Greg.Gonzales@acrolon.com)>; Jean Noel <[jbideg@gmail.com](mailto:jbideg@gmail.com)>; Marilyn Benedetti <[marilynebenedetti@gmail.com](mailto:marilynebenedetti@gmail.com)>; [mstansfield@vom.com](mailto:mstansfield@vom.com); [mcfamson@aol.com](mailto:mcfamson@aol.com); [robtog@comcast.net](mailto:robtog@comcast.net)  
**Subject:** Re: Follow up: Vacation Rental Ordinance

**EXTERNAL**

Thank you Ann--well put.

On Thu, Dec 17, 2020 at 10:39 AM Gary Saperstein <[gary@outinthevineyard.com](mailto:gary@outinthevineyard.com)> wrote:

Thanks Ann!

Sent from my iPhone

On Dec 17, 2020, at 10:35 AM, Ann Iverson <[anniverson55@gmail.com](mailto:anniverson55@gmail.com)> wrote:

Supervisor Gorin and County PRMD Staff,

As a follow up to Tuesday's meeting:

1) Regarding the extended cap on Theodor and Falcon Lanes, according to the ordinance, that number should equal all VRs permitted or with a complete application as of 8/18/20. A specific number was not provided and I was told that would be determined at a later date. However, I want to bring up that

172 Theodor was sold on 10/2/20 and permitted after that, so would not fall within that requirement. Because of this, the cap would not be the full 13 vacation rentals but 12.

2) Supervisor Gorin said in the meeting that Theodor and Falcon Lanes had been left out of the exclusion zone because they were zoned as Rural (RR). However, this argument does not stand up. The entire rest of the Agua Caliente Knolls zone to the north of Theodor Lane is also RR - in fact they are a part of the same RR B6 2 zone according to the attached GIS map. However, the rest of that RR area (London way north) IS in the exclusion zone. So, there is still no plausible reason that these two streets were left out.

The parcels on these two streets are much smaller than any in the surrounding area, so when this development went in, they should have updated the zoning.

When developing the upcoming amendment to the VR Ordinance, we urge you to add Theodor and Falcon Lanes to the exclusion zone as they rightly should have been in the first place.

Regards,

34 residents of Theodor Lane, Falcon Lane, Eveton Lane and Bacchus Court

Ann Iverson

<Screen Shot 2020-12-15 at 5.50.05 PM.png>

Metaphor Artworks

<WEB IMAGE - A IVERSON copy.jpg>

650-766-9303

[anniverson55@gmail.com](mailto:anniverson55@gmail.com)

[metaphorartworks.com](http://metaphorartworks.com)

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**Cristina Bisio McNeil**  
***Sales Operations Manager***  
**Highway 12 Winery & Highwayman Wines**  
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## NOTES TO SONOMA COUNTY PLANNING COMMISSION FOR TRANSIENT VACATION RENTAL (TVR) ORDINANCE

MEMO TO: Gary Helfrich, ([Gary.Helfrich@sonoma-county.org](mailto:Gary.Helfrich@sonoma-county.org))  
Planning Commission Members, ([PlanningAgency@sonoma-county.org](mailto:PlanningAgency@sonoma-county.org))  
James Gore, Supervisor District 4 ([district4@sonoma-county.org](mailto:district4@sonoma-county.org))  
Jenny Chamberlain, ([Jenny.Chamberlain@sonoma-county.org](mailto:Jenny.Chamberlain@sonoma-county.org))

FROM: Sandra Loehrer

DATE: 11/23/2021

SUBJECT: Input for Sonoma County Workshop for TVR Ordinance per meeting #21-13.

I attended the meeting on 11/18/2021 via Zoom. However, I was not able to provide information during the public comment session at the end of the meeting due to technical difficulties. So I would like to submit the following to your team for consideration on the Transient Vacation Rental (TVR) Ordinances and rules.

I want to provide you some background from the perspective of a single family homeowner that has lived in this neighborhood for well over 20 years and raised a child in our family friendly neighborhood. My husband and I are owners of a single family home in West Santa Rosa area on Moriconi Drive, Santa Rosa, CA. We purchased our home in our neighborhood because of the safe, quiet family life of this neighborhood. We purchased knowing this area was a good place to raise children and neighbors care for one another. Our younger owners unofficially “adopt” an older neighbor to be sure they are safe and in contact with others. We keep an eye on each other’s home and check in with one another.

I and many others in our neighborhood are very much against the depletion of single family homes from our housing stock in this county. We do not want TVRs in our family neighborhoods. We do not want unknown individuals coming and going down our roadway (which is a dead-end road). We have small children that like to ride their bikes and scooters down the comfort of our quiet road. Neighbors look out for the children as well as the elder residents.

However, over the past several years, our neighborhood has battled and prevailed on several issues that include the following items:

- 1) Location of water treatment pipeline to the Geysers being relocated from Willowside Road to Olivet road. Neighbors rallied to stop the pipeline from being installed on Willowside Road. The planned project was then relocated to Olivet Road.

- 2) The Fieri winery project on Willowside Road. Our neighborhood again rallied and attended hearings and meetings to dispute the plan to have a home on Willowside used as a winery, tasting room, event center, etc. The owner changed plans and moved proposed operations to another location. The home appears to be used as a single family home again.

3) The problematic cannabis production operation in a home at Willowside Road and Moriconi Drive. Again we rallied together, attended meetings and instrumental in voicing concerns about development of Cannabis ordinance for Sonoma County. That home was eventually sold and is now used as a single family home again.

4) A home on Moriconi Drive that was purchased a few years ago by a couple from San Francisco, CA and planned to convert it for vacation rental operations. They applied for a TVR permit with Sonoma County. Neighbors again gathered together and advised the new homeowners that their intended operations are not allowed by the CC&Rs for our neighborhood. We held meetings with them and eventually they withdrew their application from Sonoma County offices for intended TVR operations. They have since sold the home and it is now again used as a single family home by the new owner.

5) We now have another home at 3440 Moriconi Drive, Santa Rosa, CA that was sold in the summer of 2021 to a couple from San Francisco. The new owners have applied and received approval to use the home as a TVR. This planned business venture is opposed by a great majority of the neighbors on our street.

The proposed TVR house is next door to us and raises several concerns. First, when we spoke with the new owner, James Marion, back in July, 2021, he informed neighbors that he and his family would be moving into the home in September or October after doing some renovations. He was informed that we have a very nice neighborhood and that we look after one another and that we look forward to another young family moving in. He did not mention any plans to operate a TVR at the home.

In October, 2021 only a few of the neighbors received the "Neighborhood Courtesy Notification" from Sonoma County Permit and Resource Management Department (PRMD) office. This notification was approved without any prior notice to neighbors or opportunity to provide input or any objection to business practice. The day after receiving the notice the neighbor (Mr. Marion) was heading out to a few neighbors with a printed letter to introduce himself and his plan for the TVR. I spoke with him and advised him of our CC&Rs and displeasure of such operation next door to our home. As requested by him I sent him a copy of the CC&Rs. I told him I objected to any such use of the home and that it is to be used as a single family home. I assured him that many others would also be unhappy about his plans.

6) We now have another home on our street that will be up for sale very soon. It is a concern there may be another buyer from San Francisco that may plan to convert the home from a single family residence to another TVR. If this is correct, then that would bring a third home on our block that an owner plans to operate a TVR. If three homes on our small block were all TVRs, then almost 20% of our housing stock would be converted from single family homes to TVRs. This is just on one small block. We did not buy in this area to have TVRs as neighbors. We purchased our home over 20 years ago because of the friendly, safe, family environment of our neighborhood.

This brings me to the current system of TVR approvals. The current permit process reminds me of the cannabis permitting process whereby the County officials were relying on the cannabis industry to dictate what the rules and non-enforcement action should be for any potential violations. That was great for the cannabis industry parties. However, it was bad for regular residents and homeowners. It was a great deal of work to get more input from the regular citizens (non-cannabis community) to speak

up and express their concerns and recommendations regarding licensing, policy, enforcement and guidance through our County officials.

I find ourselves again in that scenario where the County appears to be hearing primarily from TVR operators and rely primarily on their ideas, desires and needs. I am glad the County is seeking to change the application process. The County Planning Commission and other officials need to reach out to existing neighbors of TVRs and seek their input on concerns and suggestions. In addition, the general public should be notified and heard from regarding concerns and suggestions of TVR operations in residential areas. How does a family/homeowner deal with a TVR next door or down the street from them unless they are notified of such activity?

We do not want any TVRs on our street. In our case, we do have Covenants, Conditions & Restrictions (CC&Rs) which prohibit any operation of businesses including TVRs from our single family homes. We were advised by County officials that we need to enforce our own CC&Rs, which is our plan. However, we were also advised that we may want to file for a zone change to become an Exclusion (X) Zone. I have looked into that option and see it can take well over one year and in excess of \$10,000 for At Cost fees to process the application. This application packet requires several forms, maps and additional data and requires review by County officials, hearings for public comment and review by County Board of Supervisors. This is so much more extensive than simply applying for a TVR. I have started preparing a draft application packet to request a zone change. However, after attending the meeting, I wonder if it is still a viable option.

I find it completely wrong to force existing neighbors in established neighborhoods to jump through more hoops and pay a great deal more in time and costs to hopefully get approval for an "X" zone to preserve our family neighborhood. I don't understand why we established neighborhoods should again defend our peaceful quiet way of life which we have been enjoying for well over 20, 30 and even 60 years for some original homeowners. We embrace our family neighborhood and encourage the single family homes for full time residents, not TVRs.

Why is the County policy to have a property owner of a TVR merely file a simple application and pay less than \$2,000 in fees to get Sonoma County PRMD approval to operate a TVR and disrupt all other established property owners? This is not fair or equitable. As noted in the meeting on 11/18/21 it seems the County is aware there are issues with the density of TVRs located in certain areas of Sonoma County. It seems you are trying to find other ways to make it so the TVRs are not so concentrated in one or a few areas. I understand you are seeking ways to distribute the TVRs in other areas of the County.

However, it should be more work and cost for a new person/entity to apply for such a TVR and request approval from established neighbors to operate a vacation rental. The TVRs are a business, like any other business such as a hotel, motel, cottage rental, etc. I see the County is planning to change from the current permit system to a new licensing system. I applaud the County for this plan of action.

- A. LICENSING:** Based on comments during the meeting, the input from groups reflects that TVRs is a controversial topic and input is all over the map. However, there were some agreements. Primarily is the agreement to use a license approach for TVRs instead of a zone permit. The use of business license approach is preferred. However, the operators of the TVRs do not want it to



be called a “BUSINESS” Licensee. They prefer name of “Vacation Rental” License. Homeowners or other Non TVRs did not voice opposition to the term “Business” or “Vacation Rental” license.

Transition from current permit system to new license system means there would just be an administrative change from permit to license with no additional cost. The new license would be valid for one year or possibly two during the transition. After that all TVRs would need to reapply each year, with no exception.

There is a question on how many people/entities can hold TVR permits/licenses. Regarding the number of permits to hold – consensus was to hold/limit permits or licenses to only one or two per property owner. It seems there should not be any corporate ownership of TVRs, to avoid multiple ownerships of properties. LLC ownership of TVRs was also discussed. Is it okay for LLC to own/operate a TVR?

Coastal Zone – double important. Coastal Zone does not have same adherence requirements to Sonoma County homes that are located inland? Rules are different for Coast Zone TVRs. Need to look through Coastal Act. Need to have separate criteria for Coast and for zoning permit. Possibly just get a business license? Pay a bed tax and that is it?

With TVRs being a business, they should be dealing with the County and others as such. People need to understand definition of terms being used and ensure they agree to terms of such a new license. The applicant of the TVR should abide by the following items and perhaps other items:

1. Apply for a business license with the County officials
2. Agree to County plan that business license will only be valid for one year.
3. Agree to not having an automatic renewal of such business license. No exceptions.
4. Define terms to be used in this business arena.
  - a. **Host Rental**- Where property owner lives at the rental property full time and rents out a room or portion of the home to short term vacation renters (less than 30 days). Considering the 90-day clause noted during the meeting.
  - b. **Transient Vacation Rental** – TVR would be a property where owner of property does not live at property full time and rents out the property to vacation renters on short term basis (less than 30 days at a time). This would also include where owners only occupy home on a part-time basis. Not a DUAL use.
  - c. **Full time owner occupied home** – where owner of property lives in the home at least 9 months of the year?
  - d. **“Dual”** - no definition noted. Either property owner is full time in the home and rents part of home as a short term vacation rental as a “Host rental” Or property owner is not there full time and has short term vacation rentals as a TVR business. There was a common term used by many of the owners that they are “Dual” owner/vacation renters. The County representatives were learning of this new term, which seems to infer they may not be considered a business for whatever purpose. There was a theme of property owners that live in their “second” homes part of the year and rent out the home other times of the year. There was no consistent indication of how much time the owner’s lived in the homes. There is confusion of a “Dual Purpose Rental”. Either an

owner is a TVR (owner not living in the home full time) or Host rental (where the owner lives in the home full time. No Dual status.

- e. **“Business License”** – A license required by anyone wanting to conduct a business in the county. Such licenses can have categories such as:
  - I. Tobacco retailer/wholesaler
  - II. Cannabis grower/retailer
  - III. Hotel/Motel/Vacation Rentals
  - IV. Dining Establishments
  - V. Bakeries
  - VI. Bars/night clubs
- f. **Coastal Zone TVRs** – Provide definition of these and criteria/laws to follow.
- g. **Neighborhood zone** - Possible definition to include - Residential areas where single family homes are located and used primarily as full time residents.
- h. **Resort vacation zone** – Predominately vacation rentals in area known for mostly vacations (Sea Ranch, Coastal area, etc?)
- i. **TOT** – Transient Occupancy Tax???? Explain how this is collected and who is the department responsible for this tax. It seems that a third party like Airbnb, Vrbo or other entity may be responsible for this and in turn pay the County these funds.
  - j. What department at the County collects that tax?
  - k. How does the County track and audit the tax payments?

**B. LOCATION OF TVRs:** Discussion was held regarding the location of TVRs and whether current process is sufficient. In addition, there was mention of Exclusion (X) Zones and whether County should look at other approaches/processes such as “Proximity” and “Density” options to determine location or approval of TVRs.

Density standards vs. proximity standard or X-zones. Need to review location of TVRs in relation to each other or other communities. Use of standards – need to get community involvement. Need to hold meeting(s) to get buy in of neighbors for boundaries and solutions. Discussion was held regarding the location of TVRs and whether current process is sufficient. In addition, there was mention of Exclusion (X) Zones and whether County should look at other approaches/processes such as “Proximity” and “Density” options to determine location or approval of TVRs. Not all neighborhoods are the same and may warrant different criteria or standards for separation of TVRs.

For “Proximity” The County would look at distance between TVRs and other properties based on how many feet between rentals. An example of Proximity criteria - Having two TVRs that are only 60 ft apart on same block. Is that OK?

For “Density” The County would look at the concentration of TVRs and homes. They would look at % of the homes that are TVRs in the area to be examined. An example for Density criteria: In a one square mile, have four TVR properties (one at each corner of that square mile). Is that OK? Add a 5<sup>th</sup> TVR property in the center of that square mile... is that too much?

Example was if they look at one square mile, how many homes are TVRs compared to single family homes. To see if there is too many TVRs concentrated in one area. What should the

county consider for too many TVRs in one area? Factors to consider can include if area is high or low density housing.

There is a recommendation these tools be considered compared to the "X" Zone so there is more than just yes or no. However, the X zones do not match low income area like Russian river area. County did note the need for more tools. In Sonoma Valley – X zone, concentrations in X zone that don't benefit. County needs to look at "Resort community" vs. "neighborhood community".

**EXCLUSION (X) Zones.** FYI - The County now has a process for homeowners/neighbors to apply for a Zone Change to be part of an Exclusion (X) Zone on desired parcels. This (X) zone would be noted on County records for each parcel that has been approved for this zone change. This would be listed along with such codes as RR for Rural Residential, etc. The X zone would alert the County that vacation rental use permits would not be allowed in those areas. It sounds like the County may be trying to get away from X Zones and prefer to use the "Proximity" and "Density" provisions for determination of location of TVRs.

X- Zone in Sonoma Valley, West of Arnold, and low density? There is concern of pockets of areas with too high concentration of TVRs. Also how to determine what will be acceptable in high density and low density housing areas.

Another concern is land use regulations based on wild fire risk. This is more complicated due to roads and access. Need to limit standard of occupancy in high risk areas of fires, etc. Other concerns/pattern of vacation rentals. Along River, small lots on septic systems with narrow roads.

Would County need to examine TVRs based on District wide policy, County wide? Also consider other options or restrictions relating to maximum number of days to rent, could be a policy recommendation. Concern was raised by a group of coastal TVR owners that 90-days would be too restrictive.

Look at Loss of neighborhood due to loss of quiet family residences.

1. Need to gather more specific data on existing TVRs for public review and what should be changed relating to the following:
  - a. Total # of TVRs in Sonoma County
  - b. Location of each TVR in Sonoma County
  - c. Size of parcel/property where TVR is located.
  - d. The number and types of complaints involving TVRs.
  - e. If there was resolution or not and what that resolution was?
  - f. Number of TVRs that have been revoked
  - g. Number and types of issues with PMs and Owners of TVRs?
  - h. Data on outreach with neighbors of existing TVRs?

**C. REGULATIONS:** County clarified that ADUs are prohibited to be used as TVRs. If they someone has a finished ADU – it CANNOT be used for TVR.

1. A set of regulations and forms needs to be established for the new licensing and complaint system.
  - a. I applaud the county for changing from a permit to a “Business License” system for TVRs. The TVRs should have a “Business” license. Concern is why it would be called other than a business license? Tax reasons? Recordkeeping Reasons? What is legal reason? Real estate reason?
  - b. I applaud the county for plans to establish a 24/7/365 system for complaints/concerns, etc.
2. Advance notice (Minimum 90 days) to neighbors should be part of the license application process. A copy of a draft proposal letter is attached for your reference.
3. The County should be able to audit records of TVRs as part of business operation to ensure the TVR is properly reporting rentals and correct revenue is being paid to the County (Transient Occupancy Tax).
4. Why does the County rely on 3<sup>rd</sup> party entity (Airbnb or Vrbo) for reporting?
5. Why does the County only audit the 3<sup>rd</sup> party records every 4 years?
6. Current Ord. - Allows for the rental of primary home for less than 30 days. Is it correct the plan will be to limit to 90 days?
7. TVR are NOT allowed in ADUs, etc.
8. TVRs are prohibited in Exclusion Zones.
9. Limit of persons up to 12 persons per night.
10. County plan is to add tools for regulating where there is impact on neighborhood character.
11. Item to allow residents to sue the property owner for violations of TVR ordinance/code.

**D. INSURANCE:**

1. Need to obtain business liability insurance and submit verification with the application for the business license. Concern is that an “Owner occupied” home may not need same insurance as a “Non-owner occupied” home. More expensive insurance cost for non-owner occupied home.
2. Does insurance cover, fire, flood, damage to neighbors (persons/property)?
3. Does a TVR owner that is a LLC have less or more liability for their property? Question is raised whether property owner’s liability changed if home is in their own name or that of an LLC. By placing home in an LLC, as noted by one member of the commission, liability is less for individuals.

**E. SIGNAGE:**

1. Post a sign for public notice at front of the property to notify neighbors of intended business operation (TVR).
2. Posting of rules in the TVR including map for evacuation and contacts for emergency services.

**F. NOTIFICATION:** County officials noted the need to notify neighbors. They need to review and see who needs/should be notified.

1. I am attaching a sample draft letter that should be sent to neighbors that also include the County Rules and Performance Standards.
2. County officials and TVR property owner must send advanced written notice to each property owner within .25 miles of the proposed TVR.
3. County must provide adequate written notice to the public and allow for public comments (90 days) to be heard and considered before allowing any such permit to be approved.
4. Need to consider the size of parcels, number of neighbors in high density and low density areas.

**G. PROPERTY, HEALTH AND SAFETY:** Concerns were noted regarding impact of renters in the county especially in Fire prone areas and impact on established residents that are keenly aware of safety and evacuations.

1. Prohibit outdoor fire pits (due to increase fire concerns in Sonoma County).
2. Will there be a provision in new ordinance that any renters in the TVR evacuate when County declares an evacuation "Warning" in event of fire, etc?
3. Require proof of adequate septic system in place for property and number of guests allowed. Concern is that septic systems are rated for normal household use. For example a 3 bedroom home may have septic system for up to 4 or 5 people living full time in the home. However, with a TVR, there is increased use with increased occupants, the septic system may not be adequate and can fail.
4. Are the TVR's required to be ADA compliant?
5. If existing homes are ADA compliant for older residents, is it ok for new owners to remove the ADA features?
6. I agree that existing or new ADUs not be used as TVR. These should be for full-time residents.
7. Impact to neighbors is a big concern. From a few calls to the commission, it appears there were several TVRs that impacted the "established homeowners" in a very negative way and even caused dangerous situations for the full time homeowner. This cannot be allowed to continue.

**H. ENFORCEMENT:** Concerns about "License" vs. Land Use "Permit" was a topic of discussion relating to enforcement. Discussion relating to operating a TVR and enforcement relating to large parties, garbage, noise issues and other complaints. Thoughts were perhaps it is better for "License" which would be more streamlined to enforce compared to "permit" which is a Land Use issue and harder to enforce.

Plan would be to set up a department to handle complaints relating to TVRs. County recognized there is a need to up their game dealing with complaints and enforcement. County plan is to enlist a 3<sup>rd</sup> party to implement a 24/7/365 hotline. This would allow residents or concerned parties to call one phone number and report issues. County currently has no good system to track issues or complaints. There is great frustration with "bad players".

Question regarding cost of such operations (3<sup>rd</sup> party)..... Is there Income/Revenue source to do this with fees collected or increased? County needs to find vendor to provide program/service.

1. Implement a 24/7/365 call in center for concerns and complaints. I applaud the County for this action.
2. Enforcement of quiet zones and resolving complaints timely by PM and Property Owners. There seems to be an issue where enforcement may not be happening as expected or at all. County needs to have some enforcement ordinance that will cost the PM and property owner some money/time. I appreciate the addition of holding PM accountable and decertification of PM if not performing their duties.
3. Need to clarify "3-strikes" of violations and penalties to homeowners and ultimate revocation of the TVR license.
4. What tools and methods will Law Enforcement officials need and use to assist in the enforcement relating to violations of TVRs? (For noise nuisance, destruction of property garbage, drugs, guns, fire and evacuations, etc.)
5. Data needed to clarify if "Host" rentals have problems in their locations/neighborhoods. It was noted that someone from the County says there are no issues with "Host Rentals"
6. Data needed to clarify if "TVRs" have problems in their locations/neighborhoods. TVRs are rentals that have issues in their location/neighborhoods.

**I. PROPERTY MANAGERS (PM)** There is a big hole. Concern with issues of TVR and PMs do not adequately handle complaints, or handle them at all. Property managers are not held accountable or restricted from managing properties if there are any complaints or issues. Rather the homeowner is the one to deal with issues. The PM is to maintain standards for TVRs. The County proposes to implement more oversight or requirements regarding PMs. If PM fails to maintain standards then the PM will be DECERTIFIED. A new change to decertify PM when they don't do what is needed.

Example of PM items would be if there are complaints at a TVR, the PM must handle the complaint and respond and resolve issues. This would also include going to the property to resolve issues and also calling law enforcement, if needed.

It was noted that PM does not have legal authority to remove renters in event of emergency.

The concern is when PM does not adequately respond or act on complaints. Hence the new enforcement actions to have PM lose their County certification if they do not notify PD/SO in event of evacuation needed. This would be on file with the County so as to avoid the person being a PM on other TVRs.

1. I applaud the County for implementing this addition to ensure the PM performs duties.

**J. COMMUNITY INVOLVEMENT** - Since 7/2021, County met with advisory committees as noted in their memo. It is not clear how many are regular homeowners or local neighbors that oppose the TVRs.

1. How can our group join the discussion team for TVR ordinance revisions?

**K. OTHER ISSUES:**

1. How can a resident of the County become involved more with the process?
2. Ownership of TVRs - What is # of TVR held by out of town investors....?  
No complete answer known at this point. There is an agreement with Airbnb which keep things behind the curtain... in exchange for collection TOT. Sonoma County can audit information/records only 1 every 4 year. Hard to get data. Need to pull permit of records and see who was issued..... We can see if individuals own 15 TVRs - hard to see. Concern of Set up a separate LLC for each property.
3. Can PRMD provide the commission with needed data?
4. Is the County at all concerned with the validity of homes being purchased as single family homes with at a lower interest rate claimed as "Owner Occupied" vs. a higher interest rate when claimed as a second property as a "Transient Vacation Rentals"? Is applicant being truthful on loan applications? Are applicants truthful with County applications?
5. Isn't the County incurring more liability with TVRs than a single family home where a full time resident is living in the home?
6. What other parts of the Tobacco Licensing Ordinance are you planning to incorporate as part of the TVR ordinance?
7. Parking and Road access. The need to specify the number of parking spaces for the TVR in relation to roadways. Example noted was concerns on narrow roads in fire prone areas and need for emergency services to access roadways and for evacuation needs. Public works code So Co Code Section 26-822-030(q) Design review section. There may be need to duplicate standards into the TVR.
8. Capacity – Concern of letting up to 18 people at TVR, which is more than a family in a home.... Need to reconsider maximum occupancy. Some are as low as eight persons. Perhaps consider no more than 12 per home.
9. Why are children excluded from use of the TVRs? They use the home and have an impact on water, septic and garbage.
10. Informal vacation rentals – Are they identified by County? Are they part of larger websites advertisers like AirBnb, Vrbo or more informal and harder to find.
9. How will those be regulated, if at all? Hope is that all vacation rentals are registered and pay TOT. Difficult to know of individual rental units (Non Vrbo, Non Airbnb, etc.) Some individuals may rent their own home on other formats and County may not know about them.
11. What are the rights of established home owners to live peaceful quiet life where they have been living for many years 10, 20, 30, 40 50+ years?
12. Shall Sonoma County include provision that property owner be a resident of the actual TVR home or a resident of the county (to keep eye on property)?
13. To avoid multiple LLCs – can staff require the TVR applicants disclose owners of LLCs to see ownership of TVRs?
14. Shall the county limit or cap the number of TVRs? If so, how many or what % of total homes and by district, zip code or other means?
15. Is information yet available from the study from Robert Eyler, Economic Forensics and Analytics is still revising. Still need so many factors and data to be obtained for housing

- concerns to be addressed. Work with Dr. Eyler to get revised data and actionable conclusions in November?
16. Can Sonoma County official determine if owners of vacation rentals are from out of the area and should there be a limit on such investors? Question of disclosure is raised.
  17. County should notify residents to submit comments to (Input name, phone number and email address) Example: Submit your concerns, comments and ideas no later than (12/15/2020) to: [Gary.Helfrich@sonoma-county.org](mailto:Gary.Helfrich@sonoma-county.org) or [planningagency@sonoma-county.org](mailto:planningagency@sonoma-county.org).

If you would like to reach me for further discussion or comment, please contact me by telephone (707) 544-4865 or my email ([squirt61@comcast.net](mailto:squirt61@comcast.net)). Thank you for your time and attention to this issue.



Draft letter to notify neighbors of intended Transient Vacation Rental.

USE EITHER COUNTY OFFICE, ADDRESS & TELEPHONE NUMBER

OR

USE THE HOMEOWNER'S NAME, ADDRESS & TELEPHONE NUMBER#

DATE

**NOTICE OF PENDING APPLICATION FOR  
PROPOSED TRANSIENT VACATION RENTAL**

TO:

Neighbors Name

Neighbors Address

This notice is being sent to you because you are located within (distance to proposed, ex: .25 mile) Transient Vacation Rental (TVR) Property to be operated at address listed below.

An application for a TVR in or near your neighborhood has been filed with County of Sonoma Permit and Resource Management Department in accordance with (Sonoma County Code ##### ) and (TVR Ordinance #####) on \_\_\_\_\_.

The Transient Vacation Rental Permit No. TVR-#####

Applicant(s) Name(s): \_\_\_\_\_

Property Address: \_\_\_\_\_

APN: \_\_\_\_\_

TOT Certificate #: \_\_\_\_\_

You can access the Sonoma County Transient Vacation Rental code at: (Include website link)

You can access the TVR Ordinance at: (Include website link)

If you have any concerns or questions regarding this application and proposed operations, please contact (Name of Sonoma County Department Rep and phone number and email address). The deadline for comments, questions, concerns, or objections is: \_\_\_\_\_.

Attached are the rules and standards for operating a Transient Vacation Rental for your reference:

**RULES AND PERFORMANCE STANDARDS**

**Property Address:** \_\_\_\_\_

**TOT Certificate No:** \_\_\_\_\_ **APN** \_\_\_\_\_

1. **Guestrooms.** This vacation rental is permitted to have up to \_\_\_\_\_ guestrooms.
2. **Maximum Overnight Occupancy.** The maximum overnight occupancy for this vacation rental is \_\_\_\_\_ persons, not including children under three (3) years of age.
3. **Maximum Number of Day Guests and Visitors.** The maximum number of registered guests and their visitors allowed during the day is \_\_\_\_\_ persons. This limit does not apply to children under three (3), nor does it apply on Easter, Memorial Day, 4th of July, Labor Day, Thanksgiving, Christmas Eve or Christmas.
4. **Limit on Number of Residences or Structures.** Only one (1) tenant group shall be allowed on-site at any given time. Up to two (2) structures may be used by the single tenant group, if allowed by this permit. Tents, yurts, and RVs are not allowed for vacation rental use.
5. **Parking.** This vacation rental must provide at least \_\_\_\_\_ off-street parking space(s). The maximum number of vehicles allowed for overnight guests is \_\_\_\_\_.
6. **Noise.** All activities associated with the vacation rental shall meet the General Plan Noise Standards. Quiet hours are between 10:00 p.m. to 7:00 a.m. Outdoor amplified sound is prohibited at all times.
7. **Pets.** If allowed, pets and service animals must be secured on the property at all times. Continual nuisance barking by unattended pets is prohibited.
8. **Trash and Recycling Facilities.** Recycling and refuse storage bins shall not be stored within public view unless in compliance with neighborhood standards.
9. **Septic Systems and Sewer Connections.** The owner shall maintain a properly functioning septic system or sewer connection.
10. **Outdoor Fires.** Outdoor fires, when not prohibited by state or local fire bans, shall be allowed only in permitted fire pits and shall be extinguished when not in use, or before 10:00 p.m., whichever is earlier.

**24/7 Property Manager:** \_\_\_\_\_ **24-hour Phone:** \_\_\_\_\_

## **Lower Russian River MAC - Vacation Rental Committee Report - Dec. 16, 2021**

Permit Sonoma/Sonoma County Planning Commission has been tasked with updating the Short-term Vacation Rental ordinance to better address current and future needs of our communities and this industry which relies upon using homes in residential neighborhoods for tourists/vacationers/short-term renters.

Over the last year the Planning Commission held numerous public workshops throughout Sonoma County to gather public input. Updates to the ordinance need to apply county-wide. The next public workshop will be held on January 20, 2022 for your input on changes the Planning Commission will be recommending to the Board of Supervisors.

Two years ago our LRRMAC VR committee conducted surveys of neighbors who live near vacation rentals, and people who rely upon this industry to make a living: owners, managers, maintenance personnel, and others. Challenges with the current ordinance were evident for both neighbors and tourist-dependent businesses. Our goal was to gather input and offer collective input to the Planning Commission that they could use when drafting the new ordinance.

**Top-of-mind for most people was enforcement of ordinance regulations.** Unlicensed operators competing with licenced businesses, and out-of-the-area managers who are unresponsive to neighbor complaints, noise, bright lights at night, barking dogs, parties, etc.

In response to these issues the Planning Commission hired a web-scraping company to find unlicensed operators to bring them into compliance, and is in the process of establishing a 24/7 complaint hotline for reporting problems. Resolution of the problem is reported back to the complainer and if the problem is not fixed within the ordinance timeline, managers/owners are cited with a strike against their performance record.

Both of these solutions to industry and neighbor complaints should help ease conflicts that scar the reputation of the industry as well as create better neighborhood environments. Our committee suggested local managers who can respond in a timely manner would help solve some of these problems.

**Density of VRs in neighborhoods** is still an issue in search of a fine-tuned solution. The Planning Commission has proposed examining each new license application by location, proximity, concentration, and potentially limiting the number of rental days per year. There is no way to generate one rule that applies to all situations so it would have to be a neighborhood-by-neighborhood appraisal before issuing a license.

**Emergency procedures for short-term renters** has also been addressed since too many neighbors felt that renters are left out of the emergency notification system and therefore pose a danger to themselves and neighbors when evacuations, etc. must be enacted. Procedures are being written into the new ordinance to cover how to address these concerns.

**Impact of housing availability for locals keeps coming up.** There is a study being conducted to determine how much impact losing residential homes to licensed vacation rental businesses is impacting neighborhood character as well as school enrollment. Since the housing market is volatile for many reasons, this is a challenge to identify but at least an attempt is being made. Under consideration to potentially lessen the impact of too many VRs is to limit licenses to two per owner.

**Land-use/Zoning Permit vs. Business License oversight** appears to be a potential solution to numerous problem issues. Using systems established in other communities as a model, both property owners and property managers would need to meet license standards to have the license reissued.

**Parking requirements** are especially relevant in our river communities where high-density housing on narrow roads is common. Requiring a minimum road width for on-street parking and off-street parking requirements on narrow roads for a limited number of cars would provide space for emergency vehicles as well as solve neighborhood problems where vacationers take up resident's parking spaces.

The Planning Commission is drafting a revised Vacation Rental Ordinance to present for public review in January 2022. After the next level of review and revision, the draft ordinance will be presented to the Board of Supervisors for review.

We feel our committee has helped the Planning Commission find ways to solve problems when this industry negatively impacts our Russian River neighborhoods. Since our local economy is very dependent upon tourism, finding solutions to how tourism can live in concert with our communities is essential as we move into the future. This revised ordinance must not only address current issues, it must anticipate potential problems as the pressure on rural communities to provide respite for urban dwellers increases in the coming years.

**LRRMAC Vacation Rental Committee:**

Vesta Copestakes  
Nic Pereira  
Lucy Hardcastle

**From:** [Erin McKinney](#)  
**To:** [Gary Helfrich](#)  
**Subject:** Planned Changes to Vacation Rentals Ordinance  
**Date:** Wednesday, January 05, 2022 9:48:00 AM

---

## EXTERNAL

Hi Gary,

I live in Villa Grande and we are surrounded by vacation rentals. While I am no fan of vacation rentals on the whole, primarily because they remove long term rental units from the housing supply which is woefully inadequate, I respect property owners' rights to do what they want with their property.

### **Concerns/Topics for Consideration on Rule Changes:**

I think the 24 hour hot line is a GREAT idea as it is fairly impossible to keep track of who to call if there's an issue with a vacation rental (parking, noise, outdoor fires/pits unattended). However, I am well aware that there are serial complainers who will call for anything, even reasonable noise within normal hours. These serial complainers may/will dilute real problems, so how to deal with that? [We definitely have serial complainers in our neighborhood across the river, sound carries, it's the same cranky people every time, they will call about anything and everything, and that's not fair and a waste of time.]

The permit process AND ENFORCEMENT is very key, the only way to limit the number of vacation rental homes in a given area. The problem is that the more vacation rentals you have, there are less and less true residents who live in the community, know their neighbors, contribute to the community etc. There should be realistic but tighter numbers of permits issued so that possibly some units remain as long term rentals. Additionally, a strong program of ongoing monitoring of Craigslist, Airbnb, VRBO and other well known rental sites to track that homes being advertised are licensed (which would involve some additional expense for the program but is probably well worth it).

Thank you for your work on this, it's a difficult issue in West County (is addition to the homeless issue) and I appreciate all your work on this.

Sincerely,  
Erin McKinney

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**From:** [Sonoma County Coalition of Hosts](#)  
**To:** [Gary Helfrich](#)  
**Subject:** Hi Gary VR Questions - inadequate Road Access & Areas With Significant Fire Hazard  
**Date:** Wednesday, December 08, 2021 2:52:07 PM

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## EXTERNAL

Hi Gary,

Thanks for initially reaching out to SCCH back in March and being so helpful whenever I had questions.

In previous phone calls, we've spoken about "inadequate road access" and "areas, where, because of topography, access or vegetation, there is a significant fire hazard", as it pertains to vacation rentals in the unincorporated areas of Sonoma County.

If I remember correctly, inadequate road access can be:

- roads under a certain width
- dead-end roads
- one way roads

Am I missing any other "type" of road that would fall in this category?

To address the issue of vacation rentals with inadequate road access, I recall you raised several suggestions:

- Limit number of guests and/or visitors
- Limit/or prohibit vacation rental usage during "high fire season"
- Prohibit vacation rental usage entirely in areas with inadequate road access

— and regarding vacation rentals in "areas, where, because of topography, access or vegetation, there is a significant fire hazard", I recollect you had similar suggestions?

- Limit number of guests and/or visitors
- Limit/or prohibit vacation rental usage during "high fire season"
- Prohibit vacation rental usage entirely in areas where there is significant fire hazard

Am I recalling your comments during our conversation correctly?

What are you (or PRMD) currently considering as it pertains to short-term rentals with "inadequate road access" or in "areas, where, because of topography, access or vegetation, there is a significant fire hazard"?

Thanks in advance for your response!

Charles Metz

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**From:** [Christina Hernandez](#) on behalf of [PRMD-VacationRentals](#)  
**To:** [Gary Helfrich](#)  
**Subject:** FW: Vacation rental debate  
**Date:** Monday, December 20, 2021 11:42:11 AM

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

From: Colette O'Brien <c-r-obrien@comcast.net>  
Sent: Sunday, December 19, 2021 10:14 PM  
To: PRMD-VacationRentals <PRMD-VacationRentals@sonoma-county.org>  
Subject: Vacation rental debate

EXTERNAL

Hello Sonoma County Supervisors,

My understanding is there is a debate regarding Russian River short term vacation regulations. As a home owner at Northwood, I currently host guests via Airbnb to offset the cost of the home. We plan to retire there and are committed to the community at large. This year there have already been restrictions placed on the number of short term vacation permits allowed in Sonoma County. I am hoping that the community can come up with some mutually agreed upon guidelines regarding short term rentals so that those who live in Russian River full time as well as those who host guests in their home can have a more cohesive relationship. Some who live in Russian River have openly complained on social media about living around homes that are used as vacation rentals. They expressed being upset about the noise, having strangers in the neighborhood and the use/drain of the county's resources. We need to first make sure that all vacation renters are abiding by the current ordinances including quiet times and no outdoor music, before adding more regulations. Russian River has had a long history of being a vacation location. The area was developed for fishing, logging and vacationers. To be upset about strangers being in your neighborhood, when the area was developed for those "vacationers" is unrealistic. To state that the vacationers put a strain on the areas resources is untrue. We paid over \$9,000 in property taxes and an additional \$8,800 in TOT this year. We don't utilize the school system or many of the other services that are paid through these funding sources. We also employ workers in the community to manage the property and help with maintenance. Lastly, the vacationers bring money into the community by going to restaurants, purchasing gifts or tours, and more. Without the vacationers the community would not survive. I therefore ask that the community as a whole look at ways to work together, rather than quarrel. It is a beautiful area that is loved by the locals and the visitors. I appreciate your time in this manner.

Kindly,  
Colette

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## Gary Helfrich

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**To:** BLYTHE OMICK  
**Subject:** RE: Vacation Rentals on Old Cazadero Rd., Guerneville, CA 95446

From: BLYTHE OMICK <blytheo@comcast.net>  
Sent: Wednesday, December 15, 2021 11:16 AM  
To: Gary Helfrich <Gary.Helfrich@sonoma-county.org>  
Subject: Fwd: Vacation Rentals on Old Cazadero Rd., Guerneville, CA 95446

EXTERNAL

Dear Gary, I read there is to be a meeting to discuss the vacation rental ordinance. I went back to some of my previous emails I sent to you and others as I am so done with constantly writing and writing and nothing is done. You were included on these emails from August. Needless to say things escalated when 14441 was approved a permit to which my neighbors and I contested. That owner who made it a vacation rental also put up cameras looking directly into my bedroom window, I have provided a picture of how close our homes are to each other. Maybe if you all came down here to my road and took a walk down my street you would see how close our homes are to each other and how all noise echoes in the canyon. Better yet, trades places with me for a month in the height of summer and try to get a good nights sleep. There is no sense of community anymore, it is all for the greedy investors. Please take a minute to review the letter written to you from Aug from me and my neighbor. Thank you, Blythe F Omick

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

From: BLYTHE OMICK <mailto:blytheo@comcast.net>  
To: Leo Chyi <mailto:Leo.Chyi@sonoma-county.org>  
Cc: Lynda Hopkins <mailto:Lynda.Hopkins@sonoma-county.org>, Elise Weiland <mailto:Elise.Weiland@sonoma-county.org>, Gary Helfrich <mailto:Gary.Helfrich@sonoma-county.org>, "mailto:jmawod@comcast.net" <mailto:jmawod@comcast.net>, "mailto:kimtudhope@mac.com" <mailto:kimtudhope@mac.com>, "mailto:sincin@pacbell.net" <mailto:sincin@pacbell.net>  
Date: 08/15/2021 2:00 PM  
Subject: Vacation Rentals on Old Cazadero Rd., Guerneville, CA 95446

Dear Mr. Chyi,

Thank you for taking the time to respond to us about our concerns on the prolific use of vacation rentals that have abounded on our street. I drew an overhead map of the amount of vacation homes in ratio to homes occupied by full time residents. The amount of these vacation homes exceeds over 50% of normal homes, and that is just in our short stretch here.

From your letter Mr. Chyi it seems to me the only thing that is concerning to you is if there was a complaint filed. And if a complaint was filed did it go through the proper channels. Yes, I understand the complaint process and did I follow it which is time consuming and creates extra paperwork that in my opinion bogs down the whole process, but I understand you have your procedures you follow and I followed them.

It is very plain and simple. The amount of vacation homes just by looking at our short stretch of our road here on Old Cazadero Rd. way exceeds that of a normal community.

I have filed complaints, I have gone through the proper channels and the owner of the vacation home I filed a legitimate complaint on has threatened me and verbally harassed me making my life a living hell when he is there. He has put up a tarp and cameras pointing directly at my home and the front of MY house, what is that all about? the deck they constructed is 3 ft from my property line. I have parked my truck there for 28 yrs and he is mad that I park it there so when I enter and exit my truck I am looking directly at the people on the balcony.

There is NO sense of community here anymore. These vacation homes are ruining our town. There is NO sustainable housing for our local people who live and work here so they are leaving our town. It is very depressing to come home to my home when there are 7-8 people who are having a grand old time partying and carrying on all throughout the night. They don't want to be bothered with your everyday working class person, they paid good money and they are there to party.

I have lived here a long time. I have seen the town go through ups and downs. We are a tightly connected group of people who love our town and pull together through the tough times...floods and fires.

Are you aware that the AirBnB at 14465 even put people in that place when the whole town was evacuated? I know because I came back to get my medicine and saw them there. They didn't know why it was so smoky and why 8 fire engines just went down our road. I told them we were evacuated and they told me the AirBnB people said everything was ok.

I do know that I am not the only unhappy person on my street or in fact in my town. Mr. Chyi I suggest you pick up and search "Guerneville Locals" on facebook and you will learn what our town truly thinks of these rentals. Our town USED to be a Hate Free community, that was our slogan. Not anymore, all there is now is fighting and name calling and that is because people are having such a hard time trying to support themselves to live here while the happy vacationers are having the time of their lives. The greedy landlords who own these properties don't want ANY interference as that would be detrimental to them making as much profit as they can.

I could just sell my home and walk away, but I love my town and the people in it. It is heartbreaking to see it go down the drain because of greed and money hungry people who do NOT care what so ever about our town.

Thank you for your time,

Blythe F Omick  
707-604-7084

On 08/14/2021 10:43 AM Leo Chyi <mailto:leo.chyi@sonoma-county.org> wrote:

Dear Cynthia and Blythe,

I wanted to do my best to keep everyone on the same page. My office asked Gary for follow-up, and here is what he found. Apologies if this is redundant for either of you.

The vacation rental at 14441 Old Cazadero had not begun operation at the time of the initial email. Permit history for this parcel shows no violations of any kind, including vacation rental complaints.

The triplex across the street provides subsidized low income housing and did have an unpermitted fourth unit. Code Enforcement initiated enforcement action in September of 2017 (VBU17-0364), and the unpermitted unit was removed by demolition the following month (DEM17-0300). From the outside, the units appear to be well maintained and have adequate off street parking.

There are no complaints or violations related to vacation rentals at 14465 Old Cazadero Road. There was a complaint of an unpermitted vehicle repair business at this address received in July of 2018 (VCM18-0693), but investigation by Code Enforcement did not find evidence of an unpermitted business and the violation was closed. A vacation rental permit was issued for this property on September 16, 2020 (TVR20-0089).

In addition to the vacation rentals at 14441 and 14465 Old Cazadero Road, Ms.Omick's email included the following nearby vacation rentals:

14470 Old Cazadero Road; Vacation Rental Permit TVR21-0097; No complaints or violations

14461 Old Cazadero Road; Vacation Rental Permit TVR21-0773; Two noise complaints: February 2021 (VCM21-0171), and June 2021 (VCM21-0773)

14379 Old Cazadero Road; No Vacation Rental Permit on file at this address. The photo of the site provided by Ms. Omick is the home located at 14385 Old Cazadero Road (number is clearly visible on the home from the street). This address does have a Vacation Rental Permit (TVR19-0006). There are no complaints or violations associated with the vacation rental, but there is a violation from 2016 (VBU16-0056) for unpermitted stairs and retaining walls. Permits were obtained to legalize this work (BLD16-5901 and BLD17-2346).

The vacation rental at 14461 Old Cazadero appears to be a problem and Code Enforcement will review these violations. Since none of the other vacation rentals have received any complaints, there's no action we can take at this time on the other vacation rentals.

Thanks to Gary for his detailed investigation, and Blythe and Cynthia, I hope that this at least provides some additional context. If there are future problems, I did want to make sure you were aware that these is this complaint page with options for addressing Vacation Rental problems.

<https://sonomacounty.ca.gov/PRMD/Regulations/Vacation-and-Hosted-Rentals/Complaints/>

There will also be in the upcoming year a lot of work by Permit Sonoma to update the vacation rental policies in the County. This will be a chance for you to share feedback about your experience and how you want to see work going forward.

Sincerely,  
Leo

Leo Chyi  
District Director to  
Supervisor Lynda Hopkins  
575 Administration Drive 100A  
Santa Rosa, CA 95403  
707.565.2241

From: Cynthia J Parker <<mailto:sincin@pacbell.net>>  
Sent: Tuesday, August 3, 2021 9:22 PM

To: Lynda Hopkins <mailto:Lynda.Hopkins@sonoma-county.org>; Elise Weiland <mailto:Elise.Weiland@sonoma-county.org>; Gary Helfrich <mailto:Gary.Helfrich@sonoma-county.org>; Blythe Omick <mailto:blytheo@comcast.net>  
Subject: RE: 14441 & 14461 Old Cazadero Rd., Guerneville, Ca 95446

EXTERNAL

Cynthia J. Parker  
14430 Old Cazadero Rd.  
Guerneville, CA 95446

August 3, 2021

Hello All,

My husband and I bought our house at 14430 in December 2020. We have lived here since October 2011, and our lovely landladies sold us the house. Our good friend was the first to rent from her around 25-30 years ago and had two kids while living in the house. Another good friend moved in after that, and they had two kids while living here. We're not having any kids (too old), but we absolutely love the history that we have helped to embody and plan to keep it going as long as we can.

I wanted to support my neighbor Blythe's complaint. I realize she can be intense, but she has literally been surrounded by "neighbors" building up without permits, saying they were doing one thing "oh It's just a second house for my family" (or some such thing) – and then having them apply and receive a vacation rental permit without any input from us in the neighborhood, and usually for way more parking (and I would assume water) capacity than is logical or reasonable. I have been witness to some of these things and find them extremely intrusive and detrimental to our community as well. If these permits go through, it would mean that out of the 10 houses that I can see from my front porch on a small straightway of Old Caz Rd – 50% are part time houses. 2 are long time part time houses with no retail vacation rental, and the other 3 are obviously profit generated vacation rentals. If you go beyond my porch visibility, the percentage is the same for at least the first 2 miles of our road – with probably even more rentals and less 2nd homes by ratio. That is a lot to deal with, please think about what that would be like in your neighborhood. Air bnb even rented out a place during the evacuation last August and no one informed the people renting, they found out from one of the PERMANENT residents who came back to get some belongings that they should be evacuating. With our limited resources in West County, I ask you to please put a moratorium on vacation rental permits in West County in any way possible.

In particular, the new permit at #14441 seems to be really offensive. The house was a rental occupied by a lovely young blue collar couple for at least 5 years, who birthed 2 amazing children while they lived there. As neighbors, we wanted them to stay a part of the community because we loved them and their children. Last year, during the pandemic, the landlords evicted them with the reason that they were going to sell. Within a month or two, they were already talking about an air bnb. I am not sure if that is legal with the eviction moratorium, but the really bothering part is that every chance we get to have a sense of family and community (like after a flood) is torn away for profit with every one of these additional permits and takes away working class opportunity.

Please, use some empathy. I don't know where any of you live, but please imagine.... You live on a country lane with 10 houses on it. Over time, you have watched people move in (mostly lower class), see them go through their struggles and then they have to leave and the house is just empty waiting for strangers – many

of whom don't want to see anything lower class while they are on vacation, and you have no idea what they will do during the 3 days they are there to party.... It is not a productive neighborhood for any community.

We all love that this is a tourist community, but we are seriously coming close to becoming unsustainable with the massive uptick in vacation rentals. If there is no housing for the working class, along with the disabled and senior community, we cannot sustain the tourist economy. We need a sustainable process for permitting and reviewing vacation rentals, there is no accountability for wrongdoing which is just irresponsible on the part of government and there is no consistent process to review the permits to consider the impact on our resources.

Please find a way to make it easier for us to have input. I have tried to find ways to impact some of these decisions and it is an unneeded labyrinth. If you can figure out ways to collect taxes from these decisions, you can also figure out ways to regulate and make it easy to get input from the communities that are impacted.

Thank you for your time,  
Cynthia J. Parker

Sent from <https://go.microsoft.com/fwlink/?LinkId=550986> for Windows 10

From: <mailto:blytheo@comcast.net>  
Sent: Tuesday, August 3, 2021 1:24 PM  
To: <mailto:sincin@pacbell.net>  
Subject: Fwd: 14441 & 14461 Old Cazadero Rd., Guerneville, Ca 95446

Hi Cindy, I received 2 responses from Sonoma County, they are working on these vacation rentals yay! See below  
Sent from my iPhone

Begin forwarded message:

From: Gary Helfrich <<mailto:Gary.Helfrich@sonoma-county.org>>  
Date: August 3, 2021 at 12:29:17 PM PDT  
To: Elise Weiland <<mailto:Elise.Weiland@sonoma-county.org>>, <mailto:blytheo@comcast.net>  
Cc: Lynda Hopkins >  
Subject: RE: 14441 & 14461 Old Cazadero Rd., Guerneville, Ca 95446<[Lynda.Hopkins@sonoma-county.org](mailto:Lynda.Hopkins@sonoma-county.org)>

Ms Omick,

I will meet with Code Enforcement and get back to you with an update on this complaint. Permit Sonoma is also investigating improving the complaint process to allow quicker response and 24/7 monitoring. I will share any updates as soon as I get them.

I know it's frustrating to hear us say that we are "working on a solution" when the impact to you and your neighbors is immediate and needs to be resolved quickly. Please accept my apologies for not being able to do more, but we are aggressively moving forward with an overhaul of the vacation rental program.

Gary  
Gary Helfrich

Planner III

<http://www.permitsonoma.org/>

County of Sonoma

Planning Division | Comprehensive Planning

2550 Ventura Avenue, Santa Rosa, CA 95403

Direct: 707-565-2404 | Office: 707-565-1900

Cell: 707-565-1900 | Fax: 707-565-1103

[https://www.facebook.com/SonomaCountyPRMD/notifications/?section=activity\\_feed&subsection=checkin&target\\_story=S:\\_l602960580:VK:10158895489800581](https://www.facebook.com/SonomaCountyPRMD/notifications/?section=activity_feed&subsection=checkin&target_story=S:_l602960580:VK:10158895489800581)<https://twitter.com/SoCoPRMD>[https://www.youtube.com/channel/UCDuZWKluf\\_4-rZ\\_\\_fdo3bPg](https://www.youtube.com/channel/UCDuZWKluf_4-rZ__fdo3bPg)<http://stg.sonomacounty.ca.gov/PRMD/Newsletter/>

Due to the Public Health Orders, online tools remain the best way to access Permit Sonoma's services like permitting, records, scheduling inspections, and general questions. You can find out more about our extensive online services at [PermitSonoma.org](http://PermitSonoma.org).

The Permit Center has reopened with limited capacity Monday, Tuesday, Thursday, Friday from 8:00 AM – 4:00 PM; Wednesday, 10:30 AM – 4:00 PM.

Thank you for your patience as we work to keep staff and the community safe.

From: Elise Weiland <<mailto:Elise.Weiland@sonoma-county.org>>

Sent: Tuesday, August 03, 2021 10:28 AM

To: 'blytheo@comcast.net' <<mailto:blytheo@comcast.net>>; Gary Helfrich <<mailto:Gary.Helfrich@sonoma-county.org>>

Cc: Lynda Hopkins <<mailto:Lynda.Hopkins@sonoma-county.org>>

Subject: FW: 14441 & 14461 Old Cazadero Rd., Guerneville, Ca 95446

Dear Ms. Omick,

Thank you for sending this information in on your vacation rental issues. Supervisor Hopkins has been advocating for greater restriction and accountability for vacation rentals. The Board of Supervisors held a workshop on the topic in July and there is a Lower Russian River MAC ad hoc committee working on the issue. We all agree with you that the unchecked proliferation of vacation rentals is a significant problem in West County. At the same time, we legally need to work with the County Supervisors and Permit Sonoma to put in a legal remedy. I am copying Gary Helfrich of Permit Sonoma who can give us an update on this process. It looks like you have done the right thing to submit the PRMD complaint form on those particular vacation rental homes.

We do understand what a difficult situation this is. I have two new vacation rentals on my previously quiet street as well. The immediate route is, as you have done, to register complaints about bad behavior. The next steps, which we are working on, is to change the policies around rentals so that our residential neighborhoods are protected.

Best regards,

Elise

Elise Weiland  
Field Representative  
Supervisor Hopkins

From: BLYTHE OMICK <mailto:blytheo@comcast.net>  
Sent: Tuesday, August 3, 2021 10:00 AM  
To: district5 <mailto:district5@sonoma-county.org>  
Subject: 14441 & 14461 Old Cazadero Rd., Guerneville, Ca 95446

EXTERNAL

To Lynda Hopkins,  
I previously wrote to you and I will continue to keep writing.  
I have attached two more pictures, these pictures reflect how  
close my home is wedged between these vacation rentals.  
How would YOU like to live like this? when the vacationeers  
start running around nude on that back deck I'll be sure to take  
pictures and send them to you as well.  
Blythe F Omick

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

From: BLYTHE OMICK <mailto:blytheo@comcast.net>  
To: "mailto:district5@sonoma-county.org" <mailto:district5@sonoma-county.org>  
Date: 07/30/2021 2:28 PM  
Subject: 14441 Old Cazadero Rd., Guerneville, Ca 95446

Dear Lynda Hopkins,  
Please see map and letter written previously to Christina Hernandez PRMD.. My neighbors and I had asked  
that there PLEASE NOT be another vacation rental and just now I received a notice for 14441 Old Cazadero Rd.  
Guerneville. that it is approved to be a vacation rental.  
I was told by PRMD to contact YOU. YOU are the one approving this.  
I have lived in my beloved home for almost 30 yrs. I bought this home to be in  
the serenity of the beautiful redwoods. Now I have NO PEACE, NO QUIET, NOTHING.  
YOU have put vacation homes on either side of me and across the street a Section  
8 housing with all sorts of felons, documented by our Guerneville Sheriffs.  
Thanks a lot for ruining my retirement in my home I so love and have worked my  
whole life for. YOU have ruined it. The greedy people who have these rentals could  
care less about my community and that I live here year round. These vacationeers  
could care less about being quiet and disturbing the peace.  
I pay an exorbitant amount of property tax to live here, for what????  
Hey Lynda, how about we put all these vacation rentals directly next door to where you  
live, partying every day all night every night. How would YOU like it?  
YOU have destroyed my community. All the longtime residents have moved and now  
I will too as I cannot live like this. I just want peace and serenity. YOU have turned  
the lower Russian River into greedy landlords who have these rentals. All the locals  
CANNOT afford to live here anymore.  
Are you happy now? Go get your greedy ass over there and get that money.  
Blythe F Omick

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

From: BLYTHE OMICK <mailto:blytheo@comcast.net>

To: "mailto:christina.hernandez@sonoma-county.org" <mailto:christina.hernandez@sonoma-county.org>

Date: 07/30/2021 2:14 PM

Subject: 14441 Old Cazadero Rd., Guerneville, Ca 95446

I had written asking to please NOT have another vacation rental and I just received in the mail that 14441 Old Cazadero Rd is approved.

thanks a lot, want to buy my beloved home?

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

From: BLYTHE OMICK <mailto:blytheo@comcast.net>

To: "mailto:Christina.Hernandez@sonoma-county.org" <mailto:Christina.Hernandez@sonoma-county.org>

Date: 05/16/2021 10:58 AM

Subject: 14441 Old Cazadero Rd., Guerneville, Ca 95446

Hi Christina,

Attached is my complaint form and also a map of my home on Old Cazadero Rd. Please read attached.

Thank you, Blythe F Omick 707-604-7084

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From: [Roger Peters](#)  
To: [Gary Helfrich](#)  
Subject: Vacation rental ordinance  
Date: Sunday, December 19, 2021 1:16:56 PM

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## EXTERNAL

Gary,

Thanks for your presentation last week at the SVMAC. There are a lot of interesting and challenging issues to address. I want to add one to the hopper.

I live at the end of Hoff Road just west of Kenwood off of SR12. The parcel we own was a part of a previously larger parcel that was subdivided into 2 parcels. The road in (essentially an extension of Hoff Road with a gate) has a property line running under it that divides the road with mutual easements of 50% from each parcel owner to the other. There is a residence on each parcel. We have issues of road maintenance and whether the gate should be default open or closed, but work those things out as neighbors.

Going forward there is always the possibility that one or the other will sell their property, although that is remote for us. If the other property was to be sold and used for vacation rental or other similar approaches, that would have a significant impact on us, since the road passes directly in front of our residence. With frequent turnover associated with use of the property as a vacation rental we would have safety and security concerns. Those might well turn into easement and other associated disputes based on any authorization by ordinance for such use.

I think it is likely that this sort of problem may not be unique. I would suspect that many private access roads to rural residential areas have road agreements, with or without formal easements.

As far as I know there is an open issue as to whether any property owners in such a situation would have any say in an application for vacation rental use by the other (non-public) road co-user. I believe that it would be appropriate to address this issue, and specifically to adopt a provision that at a minimum required prior notice and **agreement** of the other users/easement holders on the private road **before** any license or use permit was issued for vacation rental use.

I would be happy to discuss this matter with you in greater detail if you believe that would be helpful.

Thank you for letting me add another issue to your already long list.

Regards,

*Roger Peters*

515 Hoff Road  
Kenwood, Ca  
415-686-8530

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**From:** [David Appelbaum](#)  
**To:** [PlanningAgency](#)  
**Subject:** Vacation Rentals - Public Comment  
**Date:** November 16, 2021 2:24:58 PM

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## EXTERNAL

### Why Short-Term Vacation Rental Has Gone Wrong for Sonoma Valley

If you happen to live in Sonoma Valley close to the town of Sonoma but still in the county (and there are many small neighborhoods like this), you are noticing an unbelievable surge in short term vacation rentals. Most of us had to endure clandestine weddings and short-term vacation rental usage by those wanting to escape San Francisco and New York during

Covid even when shelter in place was mandated for our county.

And yet the only monitoring that can happen is by us, the neighbors, who are turned into complainers and whiners and that makes you very unpopular and creates tension between households.

What's different now is that the short-term vacation rental owners are mostly out-of-towners and they are investing in multiple properties. We own a home that can easily be turned into a multi bedroom rental and have been approached by both Pacaso (time share concept that bypasses vacation rental rules even though the "fractional owners" can only stay 2 weeks at a time) and out-of-town investors who can't wait to turn our single-family household dwelling into a short-term vacation rental.

My wife and I resist because we love our community and our neighborhood and already 30% of the homes in our small 16 home cul de sac are already short term vacation rentals. We have noticed how it's changed the nature of our neighborhood. We fear that we will soon be a street of nothing but short-term vacation rentals as we are so very close to the town.

We now have a cavalcade of cars and visitors who are unknown to us travelling down our street at all hours and with little care that they are in a residential neighborhood. We have to complain to a remote entity to get noise abated or parties turned down a notch and often times that does nothing. We all have wells and are doing our best to conserve water by washing less and yet I wonder how the turn for each of these larger homes (yes, we have 2 that boast 12 overnight guests) uses up the valuable ground water unnecessarily for people who don't live in our community.

Is the TOT (transient occupancy tax) so valuable that it can't be made up by the hotels that also pay TOT (there are 2 just half mile away that always seem to have availability). And if these are businesses and clearly the owners increasingly, like our neighbor how just bought their 2<sup>nd</sup> vacation rental house, live full time in their home in Silicon Valley, then they should at least be forced to have business licenses and face real consequences when they break the rules. We were currently told that PRMD has never pulled a short-term vacation permit.

Given our need to keep all neighbors vigilant on fire safety and possible evacuation, I shudder

to think what will happen when a large party house doesn't follow the directions for the community on fire alert. I found myself recently explaining to the new San Mateo-based homeowner of a 5 bedroom short term vacation rental next door as to why using the fire pit during a mega drought wasn't recommended.

Who represents us? We long to be in the town of Sonoma (we are one block away) which values neighborhoods by keeping out these vacation rentals. Instead, we are under the aegis of a county that has no idea how destructive it is to our neighborhoods when they permit, with abandon, these "small hotels." If these short-term vacation investors want to be in the hotel business, then invest in one of the many that we have in our community that could use some investment money. And no, we're not begrudging the room rentals that some do to defray the cost of their home as hosted rentals which were initially the spirit of AirBnB, where you can experience a community through the eyes of a local.

We don't think that Sonoma County PRMD should be in the business of granting permission to anyone who wants to set up a hotel business in a neighborhood. And asking us to pay and beg for exclusion zones seems like an inappropriate pay-for-play model. Some in exclusion zones have reported that when the next street behind isn't excluded, then the short-term rental homes are literally in your backyard and are multiplying like rabbits. Do we want to become Palm Springs? If you live outside the Sonoma (even a block over) you have come to expect that your neighbor will now be vacation rentals who don't even live in the community.

David Appelbaum

Sonoma, CA

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**From:** [Larry](#)  
**To:** [PlanningAgency](#)  
**Subject:** Vacation Rental Ordinance Update (ORD21-0005)  
**Date:** November 15, 2021 10:29:47 AM

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EXTERNAL

My name is Larry Bearg. I own and operate a vacation rental in the Aqua Caliente area of Sonoma.

I would like to express my concerns regarding limiting rental days as a means of reducing the impact of vacation rentals.

The result of such a limit would be to create a “ghost town” effect in which vacations rentals would then sit empty for the majority of the year. This would not seem to achieve the goal of “maintaining the character of the neighborhood” if a significant portion of the housing stock sits empty for 275 days a year. Empty homes are an invitation for vandalism and crime. This is not the impact that is desired as far as I can tell.

Alternatively, it would encourage multiple 30 night or more rentals which would be completely unregulated relative to vacation rental standards and rules.

Controlling for proximity and density is a better solution for managing the impact of vacation rentals, if such regulation is necessary.

However, proximity regulation serves to benefit the most wealthy vacation rental owners who have large lots, while punishing those of us of more modest means.

Density limits would seem to be the most equitable method of managing the concentration of vacation rentals in any given neighborhood and, as the report states, has been successfully utilized in Guerneville.

Larry Bearg

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**From:** [Gary Helfrich](#)  
**To:** [Chelsea Holup](#)  
**Subject:** FW: clarification/comment for Vacation Rental Ordinance update  
**Date:** November 17, 2021 10:12:37 AM

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**From:** Kari Svanstrom <[ksvanstrom@cityofsebastopol.org](mailto:ksvanstrom@cityofsebastopol.org)>  
**Sent:** Monday, November 15, 2021 2:54 PM  
**To:** PRMD-VacationRentals <[PRMD-VacationRentals@sonoma-county.org](mailto:PRMD-VacationRentals@sonoma-county.org)>  
**Subject:** clarification/comment for Vacation Rental Ordinance update

## EXTERNAL

Hello,

I wanted to provide clarification regarding Sebastopol's Vacation Rental Policy, as some of the notes in the staff report may mis-represent how the City regulates and processes process applications (Attachment 3).

While Sebastopol's Code allows non-hosted rentals, and rentals of ADUs created after 2017 with a "use permit", this does not represent the City's strict regulation, particularly of full time/ non-hosted rentals that remove housing from the long-term housing market. The City is embarking on updates to our Vacation Rental ordinance to better clarify the limited criteria for permitting a non-hosted vacation rental. However, as you are in the midst of review for the County's Vacation Rental Ordinance, I wanted to share these thoughts with you so you could better evaluate your policies compared to 'other jurisdictions', particularly as it appears on the list that Sebastopol is much more permissive regarding rentals of non-hosted rentals (vacation rentals in your terminology) and ADUs.

The City of Sebastopol is supportive of Hosted Rentals, where the owner/permanent resident must be present during the stay, and these permits are administrative subject to various criteria (host must be on-site during rentals, noise, parking regs, etc.).

We strongly discourage full-time non-hosted rentals, and indeed had a Moratorium on any new non-hosted rentals in place in 2019/202, due to the housing situation and the high priority of our Council to preserve additional housing from being converted to short-term rentals and taken off of the market for permanent residents (in line with our Housing Element's goal of preserving existing housing for long-term residents).

While our Municipal Code states that a Use Permit is required for a non-hosted rental, the approval of these is extremely limited and difficult (requiring a Use Permit approved by our Planning Commission, of which one application has been approved and one denied since 2019). Additionally, our Code also states that a Use Permit is required for an ADU created after 2017, however the City would only support approval of these in very select circumstances (generally related to having a full-time resident in the unit).

Kari Svanstrom, AICP, Architect  
Planning Director

City of Sebastopol | Planning Department  
7120 Bodega Avenue | Sebastopol, CA 95472  
(707) 823-6167 phone  
[www.cityofsebastopol.org](http://www.cityofsebastopol.org)



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## Gary Helfrich

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**Subject:** FW: Your review of Eric Frasers STR research

**From:** Robert Eyler <eyler.robert@gmail.com>  
**Sent:** Thursday, November 18, 2021 8:53 AM  
**To:** Gary Helfrich <Gary.Helfrich@sonoma-county.org>  
**Subject:** Re: Your review of Eric Frasers STR research

### EXTERNAL

Hi Gary:

Per the following paragraph:

"Santa Rosa has ~ 67,000 housing units, with over 1,000 5-bedroom houses. 1 Research by E.M. Fraser (and verified by Dr. Rob Eyler) stemming from the 2017 Tubbs Fire, indicates that ~37,000 bedrooms in the city's ~67,000 housing units (est. total ~168,000 bedrooms) are likely unoccupied each night."

To be clear, I have advised Eric over time and have answered questions when asked. I have not done any direct work on what Eric has submitted for public record. This work is Eric Fraser's analysis and opinions and not mine.

Please advise. Thanks.  
Rob.



**From:** [Chelsea Holup](#) on behalf of [PlanningAgency](#)  
**To:** [Gary Helfrich](#); [Cecily Condon](#)  
**Subject:** FW: Short Term Rentals - STRs  
**Date:** Friday, September 17, 2021 11:04:36 AM  
**Attachments:** [Santa Rosa STR Summary 091021 .docx](#)  
[Revenue TOT Account Workbook \(1\).xlsm](#)  
[SR City Complaint Manifest ef1.xlsx](#)  
[Suggestions for Santa Rosa STR Policy 091021 \(1\).docx](#)

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**From:** Eric Fraser <truthintourism@gmail.com>  
**Sent:** September 16, 2021 3:26 PM  
**To:** erickoenigshofer@sonoma-county.org  
**Cc:** Short Term Rentals <shorttermrentals@srcity.org>; farmer.cmac@mcn.org; PlanningAgency <PlanningAgency@sonoma-county.org>; Linda Schiltgen <Linda.Schiltgen@sonoma-county.org>  
**Subject:** Short Term Rentals - STRs

## EXTERNAL

Hello Commissioner Koenigshofer;

Thanks for the opportunity to engage during the Coastal MAC meeting last night.

I want to continue to provide some information to you regarding STRs, and appreciate your time to examine and process information for verifiable facts. Our involvement is to try to keep the discussion factual, and under Supervisor Hopkin's leadership that has been very difficult.

First to address some issues about County "Vacation Rental" permits inland. Gary is misleading you about whether a permit is "active" in the sense of whether the STR is accepting guests, or has accepted guests over the past X term (choose month, 6 months, year, etc.). The permit process is cumulative, in that if the permit is not cancelled through sale of the property, by enforcement action, or **voluntarily** cancelled by the property's owner, it stays on the rolls of TOT collecting/remitting properties. Don't forget STR owners must pay for the permit, so why would they relinquish it even if they are not using it? Our hypothesis is that only about 600 - 700 STRs in the inland areas have been accepting guests subject to TOT this year (2021). We have some research already that shows that the 1,900 permit number Gary uses is inaccurate. (See below for our request for more County data using PRA).

# of properties operate without collecting taxes? Well, very few is our hypothesis. Gary and Supervisor Hopkins failed to mention that the County has cooperative agreements in place with Airbnb and VRBO to collect the taxes during the booking process and remit them to the County directly.

They are also deceptive by not explaining that STRs are an incremental use of property. Unused spaces are listed on the platforms for people to reserve, with obvious safeguards in place for property owners to protect their property, and to mitigate potential negative impacts. (Judging

from your comments at the meeting, it doesn't sound like you would agree with the idea that people sharing their homes are concerned about impacts to the neighbors and community, but when you look at verifiable complaints, resolutions, and interview parties involved a completely different story emerges than what Supervisor Hopkins would have you - and us - believe).

We will be able to provide a factual, peer-reviewed analysis to support the above information.

We have also successfully rebutted other important representations made by Supervisor Hopkins and other STR-detractors, and have found them to be false. This is a continuation of the disinformation that Ms. Hopkins is producing (Frankly, I can't believe that you are lining up behind this as well, having respect for your intellectual curiosity and fact-based deliberations from your prior service.) We have research specific to our area which we will gladly share with you ASAP.

- STRs do not diminish workforce housing or affordable housing.
- STRs have no impact on RHNA numbers.
- STRs are not hotels in any way.
- There is no enterprise motivation for the STR property owner (short term profits). Income from STRs offsets housing costs, maintenance, guest services, management, cleaning and the like leaving no profit, but instead a loss from operations (if STRs were actually "businesses"). That's not to say that there isn't an ecosystem of enterprise for STRs. It is certainly true that the platforms, management companies, cleaning companies, as well as the entire "tourist" economy are motivated for near-term operational profits. Research of specific STR properties in Santa Rosa shows the lack of profit, and furthermore supports the counter-intuitive reality that property owners make robust investments in their property and have higher maintenance standards than neighboring properties. (For a related parable, ask me about apples in the West County.) That's why a business license for STR properties makes no sense.

Business licenses may make sense for the actual businesses that are enterprises in the STR ecosystem including management companies, platforms, cleaners, builders, etc that service the STRs (but it appears the Hopkins business license strategy is just to single out STRs). Also, there is a stack of cloud-based companies who would love to serve the government (that's why they have no problems serving up false information about illegal STRs, missing taxes, required "web scraping", problems, problems, problems... they feed that animus that local politicians like Supervisor Hopkins thrive on. This "bought and paid for" environment is also what served up the erroneous report purchased in 2015 with the incorrect notion of STRs' diminishing affordable housing in the County.)

Furthermore we find that STRs are supportive of important legal considerations you should acknowledge:

- STRs are important for creating and maintaining affordable lodging not only where visitors have the law on their side (Coast and River) but everywhere. Obviously, STRs are used for more than vacations, so the area an STR is located in may have a different composition of visitors (people from in-County, people from the region, visiting workers, evacuees, emergency responders, people seeking medical treatment, relatives/friends of County residents, others) . Overall, the market determines whether more or fewer STRs are viable in an area. We are very interested in exploring

how the rights of visitors can be used to keep activist staff and pandering local politicians from diminishing opportunities to stay with willing property owners as guests.

- STRs are recognized as sources of income that can help somebody qualify for a mortgage in some situations. (<https://www.sfgate.com/realestate/article/Just-Approved-Airbnb-income-to-qualify-for-loan-15990116.php>) However, most of the properties we see in Sonoma County operating as STRs are people's second homes (so the mortgage requirements, if financing is even used, is very different from a "hosted" property). These homes would probably just sit empty unless used by the owner's friends or family. We know by studying Healdsburg and Sonoma that their prohibitions on STRs increased the amount of empty homes and bedrooms in their jurisdictions. Only wealthier families can purchase second homes that then can sit mostly empty - these are not turned into affordable or market rate rentals. Ironically, DUIs issued for people leaving Healdsburg are some of the highest in the County according to pre-Covid information, so there's that impact too.

-STRs have important considerations for equity in that the income allows for POC and other disadvantaged people to purchase and hold onto property. Increasingly, STRs figure into a family's retirement strategy, as well as create an opportunity for multi-generational wealth building for protected classes. (Frequently the NIMBY argument left unspoken is "we don't want people who don't look like us to own or visit our neighborhood") AirBNB and VRBO have undergone extensive analysis of their booking processes to eliminate racial bias.

-Changes to make STRs harder to establish and more expensive to management may violate emergency planning best practices and requirements. We have plenty of testimony about the positive role STRs and the platforms played when needed during an emergency. Foolishly wiping away access to unused but ready sleeping spaces needed during an emergency is not only an affront to people who may need to react to an emergency, but may require an EIR. We need to verify with our attorney whether an EIR may be required when regulating STRs, but there must be some mechanism inland to keep policy makers honest to the facts and not blinded by animus to solving actual problems. Research from right after the Tubbs fire shows that around 60,000 bedrooms in our existing housing in the unincorporated areas are unoccupied each night! Whether they are accessible in an emergency is an entirely different question...

The platforms have been doing some amazing work, but are frequently excluded from policy discussion on a local level. Are you afraid that they have been successfully mitigating negative impacts for not only their guests and hosts, but also for neighbors, and the community at large, and that will interrupt the narrative of STRs as bad actors? It is not just collecting/remitting taxes, but also security, training, policies to prevent partying, insurance, and more. Do you even know anything about how the platforms' verify guests and hosts, and how their processes remove offenders from membership?

The County's animus against STRs is very similar to the posture that the City of Santa Rosa is assuming right now in their politically motivated attack on STRs.

We are looking forward to sharing our work with you and have attached a couple of workbooks, a summary, and some suggestions for Santa Rosa. Our work includes analyzing over 24,000

complaints over the past 5 years in the city to find ANY that concern STRs. As you will read in our Summary, or within the workbook, we were hard pressed to find any unresolved legitimate complaints in the City against STRs. You can also follow our public records requests to see source documents at <https://cityofsantarosaca.nextrequest.com/>

We have the granular data set for all TOT accounts in Santa Rosa from over the past five years (commercial hotels/motels and residential STRs). This shows that ~ 430 properties at some time collected some amount of TOT over the past 5 years (around 20 commercial properties and 130 STR properties are "active" in 2021. Upon further research most STRs in the city are hosted STRs, with a few dozen entire house STRs. Occupancy of a commercial property: 365 days; occupancy of a STR: <182 days). The average amount collected/remitted, and the scant amount of time a property is accepting guests as an STR, the lack of verifiable complaints, and other information may open your eyes to what the STR segment really is all about. From a factual basis, we can contrast our information to what rightfully can be considered "disinformation" being served up by activist staff and pandering politicians.

We will continue to do EVERYTHING IN OUR POWER to be sure the official discussion and subsequent policy decisions come from a basis of facts. We have been requesting documents from the County using the legal PRA process but their responses have been evasive and we have not received the data requested that we know they have about tax remitting addresses (contact info, remittance info, characteristics), correspondence regarding emergency prep and response, and facts that buttress some of their tourism claims. Once you see our research about STRs in Santa Rosa we know it will pass muster with your high standards (as it does with the economists from SSU, SFSU, attorneys, and other subject matter experts we work with). Will you help us access the information we need to make a fact-based report to show what the STR segment actually consists of in the unincorporated areas (CC and other)?

Looking forward to being of service,

Eric Fraser  
TRUTH IN TOURISM  
707.479-8247

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## Executive Summary

### City of Santa Rosa

The city of Santa Rosa (CA) with a population of ~175,000 is the fifth largest in the Bay Area (behind San Jose, San Francisco, Oakland, and Fremont). It is the largest city between San Francisco and Portland (OR). Santa Rosa is a charter city, and their incorporation was recognized by the state in 1868.

Santa Rosa has ~ 67,000 housing units, with over 1,000 5-bedroom houses.<sup>1</sup> Research by E.M. Fraser (and verified by Dr. Rob Eyler) stemming from the 2017 Tubbs Fire, indicates that ~37,000 bedrooms in the city's ~67,000 housing units (est. total ~168,000 bedrooms) are likely unoccupied each night.<sup>2</sup>

Santa Rosa has no specific policy regulating STRs. According to a memo issued by Santa Rosa's Department of Finance discovered by a CPRA request<sup>3</sup>, "the City's practice is to consider a vacation rental in concert with the residential use of the property, making no distinction between a transient or permanent nature of the tenancy." Furthermore, "vacation rental owners (hosts) renting more than three dwelling units are subject to the City's Business Tax Ordinance (SRCC 6-04)." For final adoption by the City Council in November 2021, the City endeavors to enact an urgency ordinance to further regulate STRs, citing health and safety concerns.

Regarding taxes for stays of 30 days or less, STRs are required to collect the City's 9% Transient Occupancy Tax (SRCC 3-28), and 3% Santa Rosa Tourism Business Improvement Area Assessment (SRCC 6-56). Commercial operations with over \$350,000 in gross income also collect a 2% Sonoma County Tourism Business Improvement Area Assessment that is remitted to the city before forwarding to the County. The TOT flows to the general fund; the SRTBIA is bifurcated between the Metro Chamber for operation of Visit Santa Rosa, and the City's Planning and Economic Development Department for Out There! Santa Rosa! Total revenue from TOT from commercial and residential lodging in 2015 was (millions) \$5.4, 2016: \$6.0, 2017: \$6.0, 2018: \$5.7, 2019: \$5.9, 2020: \$3.2, and 2021 (2Qs): \$2.0. Records indicate that Airbnb has offered a "Voluntary Collection Agreement"<sup>4</sup> in 2015 and beyond for the collection of taxes from STRs, but the city has refused or ignored AirBNB's offers (the County has collection agreements in place with Airbnb and VRBO). TOT, SRTBIA, and SCTBIA are collected from guests during times of declared states of emergency.

Research led by E.M. Fraser using information provided by the City Clerk in response to CPRA requests, shows that since 2015 ~430 properties (residential and commercial) have established TOT accounts that have remittances in at least 1Q during that time. The amount of TOT collected per year ranges from \$5.00 to \$1,300,000.00. Further analysis shows ~30 Commercial properties compared to ~400 STRs historically in the aggregate. The number of commercial accounts active in 2021: **19**; 2020: **21**; 2019, 2018: **23**; 2017, 2016, 2015: **25**. STRs remitting in any one year shows 2021: **129**; 2020: **174**;

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<sup>1</sup> US Census Bureau, 2011-2015 American Community Survey 5-year Estimates

<sup>2</sup> Sonoma County Bedroom Worksheet, 2018

<sup>3</sup> Nextrequest 17-065

<sup>4</sup> Nextrequest 17-065

2019: **201**; 2018, 2017: **158**; 2016: **136**, 2015: **104**<sup>5</sup>. No information was provided by the City to show whether the STR had a host on-site, or was an entire house rental, the number of bedrooms in the STR, the number of nights occupied, or the cost per night.

In the aftermath of the Tubbs Fire in 2017, as well as subsequent and on-going disasters (declared emergencies), STRs have provided essential housing to evacuees, victims, first responders, and essential workers, according to memos from Eric McHenry, Director and CIO of the City's Information Technology Department.<sup>6</sup>

A survey of STR owners and managers show guests fit several profiles: friends/family visiting City residents; evacuees from the City, County or region; sports participant; workers; authorized government employees; as well as "tourists" on vacation.

In September 2021, E.M. Fraser and his team examined over 24,000 records provided by the City through CPRA and on-line from Code Enforcement, Police, and Fire to determine "complaints" with nexus to TOT remitting addresses since 2015.<sup>7</sup> 157 records were tagged as having some relationship with a TOT remitting address since 2015. Upon further analysis, 102 were connected in some way to a commercial address. 35 of the 55 remaining complaints happened before or after the property was a STR, or irrelevant because they had nothing to do with STRs hosting guests (focus was on chickens, goats, fences, windows, etc.) Of the 20 remaining "complaints", they correspond to just 12 addresses. 9 of those addresses had only one complaint (2 from 2016, 1 in 2017, 1 in 2019, 2 in 2020, and 3 in 2021): violations include erecting a Yurt, using an RV, noise complaints (some unfounded), illegal conversion of a garage, trash cans left out. 3 addresses had a total of 11 complaints (mostly from 2020 and 2021): Montgomery 2, Knob Hill 3, and Sunrise 6. Knob Hill is a 6 br/4 bath valued by the website Redfin at \$1.4 million. Sunrise is a 9 br/7 bath valued at \$2 million.<sup>8</sup>

Research by E.M. Fraser's team highlights concerns about SRTBIA governance (STR owners/managers are barred from serving on the oversight/executive committee), SRTBIA expenditures and receipts, contracts with IRONMAN and subsequent economic impact analysis, Out There! Santa Rosa! expenditures and cash accounting, BIA/TOT collection from special classifications of guests (e.g. evacuees), whether BIA/TOT can be assessed on guests staying at residential properties anyway, and the City's disconnect over the role STRs play in emergencies. There are also financial impacts (mostly positive) that STRs create within a household (both guest and host), in a neighborhood, as well as in the larger community. Since we would be hard pressed to present an enterprise case using any STR property in Santa Rosa, understanding economic benefits sans profit motivations unlocks the benefits STRs bring to almost any neighborhood. We are also very concerned when government strays from verifiable facts when making policy.

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<sup>5</sup> Revenue Account TOT Workbook.xls, Sept 2021

<sup>6</sup> Nextrequest 17-065

<sup>7</sup> SR City Complaint Manifest.xls

<sup>8</sup> <https://www.redfin.com/>

## Suggestions for Santa Rosa STR Policy

### Urgency:

- 1) Reinforce the existing ordinances for Noise, Parking, Special Events, Nuisance, and other property-specific sources of complaints. Insomuch as these complaints implicate STRs, the number of non-STR addresses with multiple complaints within the past 24 months is staggering (in the hundreds) and is the real reason for ongoing constituent concerns. Insomuch as policy makers and politicians attempt to blame STRs for a litany of negative impacts, facts don't support those narratives.
- 2) Facts do not support the premise that there are hundreds of properties in the City limits that are not remitting TOT/BIA. There is an easy fix to assure that the City collect revenue it believes it is entitled to: enter into the cooperative agreements with Airbnb, VRBO and other platforms. According to information surfaced during a PRA request, the City believes that most of the transactions occur on those platforms. As you can see for the attached workbooks, the City's accounting over STRs is in a bit of disarray. We have advocated for the City to sign these agreements for several years. The average STR is active only for a few years and does not produce much TOT when compared to commercial properties.
- 3) Other fixes to Finance Department procedures:
  - a. Issue TOT Certificates with unique account numbers. The account number must be used on all listings wherein the owner/manager advertises the property as available. Annual cost for a tax certificate to be \$25 - \$75 regardless of property size or whether a commercial or residential address.
  - b. TOT Certificates need an application. The application collects information including: Name/address/contact for Owner, name/address/contact for 24-hour manager (shared with police/fire), description of unit (#BRs offered, parking, location address), marketing platforms used, and anticipated TOT remittances for the upcoming year. The certificate might also stipulate what conditions would pre-empt its renewal.
- 4) Zoning and Code Enforcement
  - a. Code Enforcement must be equally applied across all property types. Unless there are clear penalties for violations, and for unfounded complaints then the system (alongside police calls-for-service) with continue to be manipulated by vexatious complaints as well as scoff-law violators.
  - b. "Unhosted" – Homes that accept guests without on-site hosts on the property (or adjacent to it) rise to the top of the pile of the 12 properties with some nexus with complaints over the past 5 years. Neighbors are riled mostly by the irresponsible rhetoric and their constructed beliefs (biases), but to the degree that there are actionable complaints they should be easily remedied using existing ordinances (once perhaps tightened up...see suggestion #1 above). Acceptable practice is to allow 2 people per bedroom plus 2 people when setting occupancy.
  - c. Mandatory Mediation - Complaint resolution should also include the requirement for mandatory mediation so properties (STR and non-STRs) who

have ongoing issues left unmitigated (or are victim to harassment by neighbors) can enter a quasi-legal process to resolve the issues. The cost of mitigation is borne by the parties held responsible (owner/manager, resident, or complainer) by the third-party mediator. Resolution may include a stipulated agreement for the property to limit occupancy, stop the nuisances found to be legitimate, and put people making unfounded complaints on legal notice. The mediation process and stipulated agreements would be the entry point for further legal action should that prove necessary.

- d. "Hosted" – Property owners should continue to have the right to have guests to the extent that legal occupation of the unit allows. Other than those requirements listed above for the TOT Certificate, and to operate under current ordinances in effect, no changes are needed.
- 5) The definitions within the TOT and BIA ordinances need to be clarified. No, STRs are not "hotels", and as we will see there will be more discussion as to whether STRs are legally subjected to the BIA.

#### STR Policy Overall

- 1) STR Policy creation needs to go through the legal process allowing for serious public participation, planning commission process, and allowing time for facts to be verified.
- 2) Stakeholders including the posse present at the 8/10/21 subcommittee meeting (PED, SRPD, activist staff, and blustering politicians) alongside STR owners/managers, representatives from the platforms, economists and other subject matter experts, visitor rights advocates, and the community must be allowed to participate.

To discuss these points:

Eric Fraser  
Lead Researcher  
Truth in Tourism  
[truthintourism@gmail.com](mailto:truthintourism@gmail.com)  
707.479-8247

9/10/21



**From:** [Pat Summers](#)  
**To:** [Susan Gorin](#)  
**Cc:** [Gary Helfrich](#); [Brietta Linney](#); [Connie Mccann](#); [Merrill Herring](#); [Jeanie Schram](#); [Richard Schram](#); [Matt T](#); [Sarah Chandler](#); [Jeff Harmon](#); [Suzanne Harmon](#); [lauren@mx.com](#); [jill Tager](#)  
**Subject:** Gehricke Rd Fire Safe Council  
**Date:** Monday, October 04, 2021 4:54:05 PM  
**Attachments:** [Logo Gehricke Rd FSC.pdf](#)

---

## EXTERNAL

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Dear Supervisor Gorin,

Thank you again for meeting with us several weeks ago to discuss vacation rental permits and zoning. To further complicate the vacation rental issue I learned inadvertently that an interested party was considering purchasing the property at 17355 Gehricke Rd as a vacation rental. I was hopefully able to dissuade them. I have an update and questions.

We have started the process of becoming a Fire Safe Council. Our mission is to ensure the safety of our community in the event of a fire. To that end, we are embarking on projects that will educate the community about wildfire preparedness to reduce our risk during a wildfire. Our primary focus is on evacuation route planning and protocols. This may include but is not limited to: a communication plan for sudden evacuation, vegetation management along the roadway (i.e., shaded fuel breaks which lower fire hazards by thinning dense tree cover and removing underlying brush); creating and maintaining turnouts for both residents and emergency vehicles; and developing strategies that lower our community risk in the event of a wildfire.

We are in hopes that the County of Sonoma will join us in our efforts and help with clearing along the county portion of the road. Personally, I have expended funds on tree and brush removal to create defensible space around my house, as have a number of neighbors.

As stated in our zoom meeting with you and Gary Helfrich, we were surprised to learn that vacation rentals are still allowed on Gehricke Rd after our high risk fire and evacuation in 2017. We were spared from the burn due to the diligence of our neighbor, Jeff Harmon, who stayed with the firefighters and put out hot spots in our neighborhood day and night. Properties further up Gehricke Rd burned in part. Fortunately no houses were destroyed. As I understood it, Mr. Helfrich stated during our zoom meeting that if we had been placed in an exclusion zone, we would have burned. I would like further clarification on this statement. I represent a house on Grove St that is in an exclusion zone and although the owner got a TOT permit, he could not get a vacation rental permit due to having been placed in an exclusion zone following the fire. He is only able to rent the house as a long term rental. To my knowledge none of Grove St or any adjacent properties burned.

According to our Gehricke Rd. Fire Safe Council Advisor, Jeff Paganini of the Schell-Vista

Fire Protection District, the Cal Fire map considers Gehricke Rd an extremely high level fire risk area. I am wondering if there could be a discrepancy between the map utilized by the County of Sonoma and the map used by Cal Fire.

I'd also like to mention that I contacted PRMD quite some time ago and spoke with Charles Rivers who was to have sent someone to meet with us and inspect the area to offer an opinion on the feasibility of vacation rentals on Gehricke Rd. After last speaking with him and after leaving a number of messages for him I have not heard from anyone.

Thank you again for your time and concern. I look forward to hearing from you.

Warm Regards,

Pat Summers  
Inn Wine Country  
707-495-2935

**From:** [Susan Gorin](#)  
**To:** [Gary Helfrich](#)  
**Subject:** Fwd: VRBO  
**Date:** Tuesday, September 21, 2021 11:33:27 AM

---

***Susan Gorin***

1st District Supervisor  
County of Sonoma

*Be #SonomaSmart – Wash hands, wear masks, keep the distance.  
It's all about community.*

575 Administration Drive, Room 100A  
Santa Rosa, CA 95403  
[www.sonoma-county.org](http://www.sonoma-county.org)  
[susan.gorin@sonoma-county.org](mailto:susan.gorin@sonoma-county.org)  
Direct 707-565-2982  
Cell 707-321-2788



Begin forwarded message:

**From:** Merrill Herring <[merrillh@sonic.net](mailto:merrillh@sonic.net)>  
**Date:** September 21, 2021 at 11:33:05 AM PDT  
**To:** Susan Gorin <[Susan.Gorin@sonoma-county.org](mailto:Susan.Gorin@sonoma-county.org)>  
**Subject: Re: VRBO**

**EXTERNAL**

Thanks Susan, this is a very important issue on our road so I hope this can be addressed. We have had at least 2 occasions where a car pulled off the road so they could pass another car and started a grass fire. This is especially a problem in the last couple of year with the drought and dry conditions, I appreciate your efforts.  
Merrill

“How to get rich quick, count your blessings”

On Sep 21, 2021, at 11:27 AM, Susan Gorin <[Susan.Gorin@sonoma-county.org](mailto:Susan.Gorin@sonoma-county.org)> wrote:

Thanks Merrill - I'm going through older emails, and found yours - and a number of folks on Gehricke and East 7th Street echo your thoughts. I will forward your email to Permit Sonoma for comments on our vacation rental ordinance modifications.

***Susan Gorin***

1st District Supervisor  
County of Sonoma

*Be #SonomaSmart – Wash hands, wear masks, keep the distance.  
It's all about community.*

575 Administration Drive, Room 100A  
Santa Rosa, CA 95403  
[www.sonoma-county.org](http://www.sonoma-county.org)  
[susan.gorin@sonoma-county.org](mailto:susan.gorin@sonoma-county.org)  
Direct 707-565-2982  
Cell 707-321-2788



On Jul 30, 2021, at 10:54 AM, Merrill Herring  
<[merrillh@sonic.net](mailto:merrillh@sonic.net)> wrote:

EXTERNAL

Hi Susan hope all is well with you. I'm very concerned about the county allowing VRBO's in a wildfire zone 2 or 3. As you know Gehricke Road is very narrow allowing room for 1 vehicle in many portions of the road. We now have 3 short term vacation rentals at the upper portion of our road. The county needs to reassess their permit process so as not to allow this. The potential for fire is very high when you have people coming to a rental that are not familiar with our road. I have seen these VRBO people smoking in their cars with the windows down. Anything you could do to make the County Permitting people aware of this would be appreciated.

Merrill  
Sent from my iPhone

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**From:** [Janice Herrmann](#)  
**To:** [PlanningAgency](#)  
**Subject:** Comments for the SoCo Planning Commission meeting 11/18/21  
**Date:** November 17, 2021 8:39:40 PM

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EXTERNAL

I would like to add input concerning the proposed changes to the vacation rentals on the Sonoma Coast/ Bodega Bay.

1) The 90 day rental limit is impractical and would damage the economy of the coastal area. Many of us with Vacation rental homes are renting them to help pay for our future retirement home. The extremely high taxes, cost of fire services, increasing expenses of maintaining a home on the coast will result in many of us losing our retirement homes we have worked so hard to acquire.

90 days of rental a year will not offset the cost of the homes. Owners rely on these rental days to keep their homes maintained and affordable. Restricting rentals to 90 days would greatly decrease coastal access for the public.

Part of the ability to keep our retirement homes is the tax deduction our rentals afford us. Federal tax laws greatly limit this deductions if a home is not available 365 days/year. Often we are not covering the expenses of the home by renting. However, these tax deductions enable us to keep our homes and the expenses down. These loses can no longer be claimed if the county limits our rental days.

This loss of rental days will not only effect the public's general access to the coast by restricting the rental days, it will also result in many homes being sold due to unaffordable expense (most at over \$1,000,000 - not adding affordable housing) further decreasing the public's access to the coast.

This reduction will further damage the coastal economy for those individuals that do live at the coast full-time. The stores, restaurants, and local services will suffer (and possibly close) with a decreased number of vacationers to the area. Likewise, the property companies who do rent and service many of the homes & are Sonoma County residents themselves, will lose their income or possibly even close without enough rental days. These companies employ many local residents on the coast.

I think the general economic fall out of reducing the rental days is greatly being underestimated. Additionally, the large amount of TOT which the county receives from the coastal area will decrease 75% as the area currently has an 85% occupancy which is an average of over 300 days per year for a rental home.

Thank you for your consideration,

Janice Herrmann. 916-849-0455 (Responsible VR owner since 2010)

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**From:** [Jan Jonkers](#)  
**To:** [PlanningAgency](#)  
**Subject:** Workshop on Vacation Rentals : November 18th Meeting  
**Date:** November 17, 2021 5:02:13 PM  
**Attachments:** [Workshop Nov 18 2021 comments.pdf](#)

---

## EXTERNAL

As relatively new vacation rental home owners in the Bodega Bay area we are very interested in future policies that may be adopted within the Vacation Rental Ordinance for the Coastal Zone. Please see our comments in the attachment and we hope these can be brought to the attention of the Nov 18 meeting.

With thanks

Carl and Janice Jonkers

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## **Planning Commission Workshop on Vacation Rentals 11/18/21**

Please consider the following comments relating to future policies specifically for the Coastal Zone.

### **Complaints & Responses:**

Since we do not live in Sonoma County full time we have chosen to use a local property manager to oversee the rental, maintenance and other issues. In order to become a responsible owner we feel we have made good contact with our immediate neighbors and always ask that they let us know of any problems with rental guests. So far no problems but I'm wondering what type of behaviour/noise would warrant a "strike" against an owner? Our home is also for mixed use i.e. for ourselves, our family and friends. Are we then non compliant if we have a rather noisy celebration of some kind or a children's party for example?

Expecting a property manager to live within 30 miles and respond within 60 minutes during the day or 30 minutes during quiet time is unreasonable and these figures should, I feel, be stretched. I also feel Property Managers for the Coastal Zone are invaluable and it would be harmful to lose them.

It would also be important for the owner and property manager to be notified when a complaint is made to the hotline.

### **Limiting Days of Rental:**

With the high property taxes, maintenance and upkeep of a comfortable vacation rental we are only just breaking even to keep it alive. Reducing the rental to 90 days a year would put us at an extreme financial loss and probably impossible to continue as a short term rental, as it would for other owners as well. There would also be safety issues since homes would be sitting empty for long periods of time. It would also deprive visitors from having an affordable place to stay for coastal access.

### **Emergency Evacuation:**

An owner and/or property manager should, of course, make the best effort to notify guests of the requirement to evacuate when needed and provide an evacuation route. I don't feel, however, they should be held responsible for the guest to leave in such a situation. The proposed penalty and possible decertification of a property manager should not be allowed.

Thank you for the opportunity to comment.



**From:** [sandra loehrer](#)  
**To:** [Gary Helfrich](#); [PlanningAgency](#)  
**Cc:** [sandra loehrer](#); [papae63@gmail.com](#)  
**Subject:** Vacation Rental Ord.  
**Date:** November 18, 2021 11:14:56 AM  
**Attachments:** [2021 Nov 18 SC Draft letter to notify neighbors of intended Transient Vacation Rental.docx](#)

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## EXTERNAL

Hello Gary Helfrich

I am contacting you regarding the Transient Vacation Rental Ordinance and proposed changes. I hope to join the meeting on-line today. In the event I am not able to do so, I offer the following comments, concerns, suggestions.

First I'd like to begin with stating that I am opposed to vacation rental homes in residential neighborhoods. We have a shortage of housing in Sonoma County and allowing vacation rentals just depletes the inventory of homes for families to move into on full-time basis.

As for my area, we have one street (Moriconi Drive) with about 17 single family homes. We had one homeowner come in from SF and apply for a vacation rental, which was later withdrawn due to neighborhood pressure and our CC&Rs. A second homeowner, from SF, has now applied for and been approved by PRMD for a vacation rental business. We have a third house on our block that will be sold soon. There is concern that it will also be used as a vacation rental operations. This would be almost 18% of housing stock on 1 block going to vacation rental use instead of single family homes for regular family living.

We understand there is a trend of persons or entities in SF enjoying our neighborhood and wanting to convert single family homes to vacation rentals to pay the cost of owning property in Sonoma County. This is not in line with the general plan and destroys the peaceful family way of life we have known for the past 20+years, that I have lived in this beautiful neighborhood.

We ask that Sonoma County stop issuing permits or licenses for vacation rental properties in family neighborhoods. I don't think it is fair or ethical for the County to approve a "Transient Vacation Rental" permit to a "newcomer" that has no intention of living in the neighborhood where they buy property. The new property owners file an application with Sonoma County PRMD and pay a small fee and can get approval within 30 - 60 days with no advance notification to neighbors affected by the vacation rental property. Neighbors only within 300 feet of the property are notified. Not all neighbors on the same street receive notice.

The existing residents "old timers" of the neighborhood are not provided advanced notice or opportunity to object to applications for TVRs. Instead the existing residents are forced to spend a great deal of time to research and a great deal of money to battle the TVRs. Existing residents can apply to Sonoma County for a change in

zoning and be part of an Exclusion Zone which takes an excess of one year to process and in excess of \$10,000 to fund with no guarantee that it will be approved.

Why should it be easier for someone to buy a house and put it up for short term vacation rental in a neighborhood where the owner does not live?

Why should it be more difficult for existing neighborhoods to fight to keep their homes as single family residences and keep out the TVRs?

I understand you want to use the Tobacco Licensing Regulations to improve the current vacation rental permitting process. I applaud the County for reviewing the TVR ordinance. However, I am still very concerned on the loss of housing stock to such operations and believe this should not be allowed to continue.

I offer the following points for consideration:

- 1) Sonoma County should at a minimum require homeowners of proposed TVRs to file applications with PRMD that include prior notification to neighborhoods where the TVR property is located. Notification and hearing of such operations should be paid for by the applicant of the TVR.
- 2) Sonoma County in conjunction with TVR owners should provide written notice to each homeowner on the blocks where the TVR is located (to include the blocks on each side of the TVR within .25 miles).
- 3) A Sonoma County public posting sign should be posted at the intended TVR property to notify intent and ability for public comment.
- 4) Sonoma County should have a check list to include if the TVR property owner has formally notified neighbors of intent of TVR operations prior to securing any permit/license. Why not have the TVR owner prepare letter and send to all neighbors. A copy of those letters can be part of the application packet to the county. This would be at the owner's expense. There could be a formal template letter prepared by So.Co. I am sending you a copy of a draft idea of a letter.

Mrs. S. Loehrer

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**From:** [Sonoma County Coalition of Hosts](#)  
**To:** [Planning Agency](#); [Gary Helfrich](#)  
**Subject:** Public Comment for Nov. 18 Planning Commission VR Update Workshop  
**Date:** November 17, 2021 1:29:23 PM  
**Attachments:** [image.png](#)

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## EXTERNAL



Hey Gary and Commissioners,

Attached to this email is a [Google Doc](#) that we've made available to our folks at [Sonoma County Coalition of Hosts](#), that outlines PRMD's proposed VR policies and our positions on those policies, so hosts can form their Public Comments. Could you make this document available to the Commissioners for tomorrow's Nov. 18th Planning Commission meeting?

Here is our Google Doc:



Just want to highlight 3 positions within the [Google Doc](#):

- Most hosts seem pleased using the term “Vacation Rental Licenses”, instead of “Business Licenses” as it's both clear and accurate as the short-term rental of a home is a “residential use”.
- Instead of proximity, density, or days of operation limits, etc., we believe limits on the number of vacation rental licenses a person can be issued is fair and enough, since every resident would maintain the same rights, and limits.
- Regarding the policy statement: “The property manager is responsible for verifying that guests have been evacuated”, our feeling is the property manager should, at most, be responsible to verify that guests have been informed to evacuate from the contact information provided by the guest.

*When I evacuated during the 2017 fires, folks evacuating were using both lanes on Chanate Rd., to flee the fires, so it would have been impossible for a Property Manager to drive to a vacation rental and “verify” the guests have evacuated, had such a policy been implemented. According to the County, there are 1,864 vacation rentals in the unincorporated areas. I don't think anyone wants a*

*scenario where just as many Property Managers are trying to enter an evacuation zone to verify guests has left, so they aren't held liable or lose their right to be a Property Manager.*

Warmly,

Charles Metz

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**From:** [Cris Rys](#)  
**To:** [PlanningAgency](#)  
**Subject:** dual use vacation rentals should not be treated the same as 100% vacation rental  
**Date:** November 18, 2021 2:54:57 PM

---

## EXTERNAL

I am a home owner in Sonoma county, and I sometimes rent my house. Dual use.

The complaints I've generally seen on vacation rentals are they have owners who don't care about their community, and or vacation rentals take away housing from full time residents.

Vacation rentals that are 100% vacation rentals take away from local housing. Vacation rentals that are 100% vacation rentals, the owners do not know their neighbors, typically do not know their community.

Vacation rentals that are a 2nd home, (dual use), are typically used by the owners but the owner rents from time to time are not the same.

A (dual use) owner knows their neighbors, and their community, and is part of their community.

These do not take away from local housing because people buy 2nd homes for vacation homes, it has been this way for many years before airbnb and other online services have existed.

100% rental and dual use should not be treated the same.

It seems fairly easy to limit vacation rentals to 26 weekends a year (or some other number) would be beneficial to the Sonoma County Community. It could help lessen the houses that are 100% vacation rentals and open up more housing for people who would be invested in their community.

Thank you,

-christopher rys

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**From:** [Carl Sherrill](#)  
**To:** [PlanningAgency](#)  
**Subject:** Letter Regarding Pacaso  
**Date:** November 18, 2021 4:11:31 PM

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## EXTERNAL

Dear Commissioner Helfrich:

I attended your November 18 meeting via Zoom. I applaud your efforts to improve stronger oversight of vacation rentals. It appears that you are taking appropriate measures to enforce reasonable standards, specifically regarding noise, parking, numbers of occupants, and transient occupancy periods.

But there is a potential missing piece in your plan. What happens in the case of *fractionally-owned* vacation properties? As you are surely aware, the Pacaso company claims that their vacation homes are not subject to regulations that apply to vacation *rentals*, because their homes are *owned* by several parties under an LLC.

Pacaso has attempted to reassure community members that there is no need for concern because (1) “owners” are carefully vetted before shares are sold, (2) they sign a *voluntary* Code of Conduct, and (3) property managers are on call to deal with problems in a timely manner. I am highly skeptical about these claims. What happens when one or more of the “owners” is a truly Bad Apple? Pacaso has no effective way of revoking his/her use of the property. Neighbors would actually be worse off than they would be with a typical rental next door.

Please create vacation home ground rules to cover *all types of short-term occupancy*. Don't allow the Pacaso Loophole, which would inevitably result in all the typical problems associated with poorly regulated transient occupancy homes.

Sincerely,

Carl Sherrill and Nancy Gardner

1410 Old Winery Court  
Sonoma (707) 935-3705

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**From:** [Jerry Tsai](#)  
**To:** [PlanningAgency](#)  
**Subject:** Sonoma County Short Term Vacation Rental Workshop  
**Date:** November 13, 2021 12:58:35 PM

---

## EXTERNAL

To Whom It May Concern,

My wife and I have a property in Guerneville CA that we rent out as a short term rental. We stay every few months ourselves as well as a way to get away from our daily grinds of working in the bay area. We take great pride in having a clean, safe property for guests to stay in while they visit the Russian River.

We believe that short term rentals are important to the local community of Guerneville, and Sonoma County in a wider view. Our guests are of the top most caliber and bring revenue to local shops, restaurants, and parks. We make a point to employ local residents of Guerneville and the surrounding neighborhoods in maintaining our property- that includes cleanings, local property management, handyman services, plumbers, electricians, and spa maintenance teams. I strongly believe that this partnership helps the surrounding communities' residents. This work for them is crucial in their day to day lives and income, and we take pride in ensuring our relationships with them are excellent. Further, our neighbors have never had significant concerns with our property as our guests have never violated any noise ordinances or other penalties. We ensure we have the highest level of guest screening as well, which leads to this healthy balance of running a short term rental, and maintaining good relationships with neighbors. In fact, many neighbors rent from us as the property is maintained well and given our close relationship.

We obey each law and file local and county tax returns, including reporting the occupancy taxes that are paid on our behalf quarterly. We have legitimate permits to run our rental, and take pride in doing things by the book.

I hope that the board that meets to discuss potential restrictions or ordinances to Sonoma County vacation rentals takes this into consideration, as I know I am not the only one who feels this way. Short term rentals support local communities by employing residents of the nearby towns, supplies significant revenue for the surrounding businesses, and additionally brings in revenue to the counties in the way of occupancy taxes.

I am in favor of continuing this relationship, and hope the board does not impose further restrictions on short term rentals in Sonoma County.

Thank you for your time.

Jerry Tsai

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## To the Planning Commission 11/18/2021 Workshop on Vacation Rentals

Below are my comments on the recently released Vacation Rental Workshop memo. I am particularly interested in the Coastal Zone where I have a home, and hundreds of owners open their homes to make the coast available to the public. I believe the county's proposals will have severe ramifications on some coastal VR home owners and will result in less public access to our beautiful coast. Here are my comments:

### **CERTIFIED PROPERTY MANAGER**

*"Rentals must have a certified property manager who lives within 30 miles of each rental and must respond to complaints within 60 minutes during the day and 30 minutes during quiet hours during any rental period."*

This is unfair as the coastal properties by definition are *on the coast*, significantly reducing the availability of potential property managers. Because of the Coastal Zone's unique terrain and housing availability, the requirement that a certified property manager live within 30 road miles and respond within 60 minutes during the daytime and 30 minutes during quiet hours is unreasonable. Instead, require the property manager live within 60 road miles and respond within 2 hours during the day and 1 hour during quiet hours. The Coastal Zone is both remote and rural with very few existing property managers. Should one of them become "de-certified" by the county rules our access to these companies will be reduced by 33%. Please consider our remote location and lack of resources.

### **THE PROPOSED RULES DO NOT CONSIDER AN OWNER'S MIXED USE OF THE HOME:**

The rules the county proposes assumes a full time VR – which is not always the case. Many coastal owners live nearby, use the home regularly, and have a mixed use of the home – for both family and personal use as well as a vacation rental use. Most of the permanent residents on the coast are retired. In contrast, most of the VR homes are owned by people still working and who would love to retire on the coast in the future. For that reason, using the home for a short-term rental allows us to maintain the home, while providing the public access to our wonderful coastal area.

The Workshop proposal seeks to limit the occupation of the home to a mere 90 days. This is unreasonable for the coastal area – where about 50% of the homes are not occupied by permanent residents, and the homes have historically been used as second homes or vacation rental homes. This severe day limitation would require coastal owners to leave our home vacant 9 months year, unless we were using the home for personal reasons. This is an absolute loss, not only for the owner, but for the public who will not have a coastal home to visit because the county has removed the home from the market with a "90 day" limit" on renting. This severe limit in rental days should not apply to the coastal zone.

Will the VR rules apply to an owner when s/he resides in the home licensed as a VR? For example, if a VR owner rents out for 2 months a year, does she now need to comply with the same rules as the paying guest? How will the county know that I am in my own home on the coast when they receive a noise complaint from a neighbor? When she resides in the house for the other 10 months, she cannot have her daughter's wedding or any other celebration on the property? When her teenage sons have a party while she is out, she can lose her VR license?

Meanwhile, her non-VR neighbor can have unlimited visitors, park 12 cars, hold fund raisers, own 5 rental houses, apply for an event permit. Being loud at night is inconsequential for him.

How can the VR owner rights be rectified? Should all these rules only be applied during an active rental?



## **APPEAL PROCESS**

There is no appeal process for a VR revoked permit (like in the case of an administrative error).

## **MONITORING, PERFORMANCE STANDARDS & ENFORCEMENT**

### **Complaints Hotline:**

The owner and property managers should be notified when a complaint is made.

### **Hazards and Evacuation**

#### **Evacuation plan - Property Manager**

I would add that the property manager has no enforcement authority to make guest leave. A property manager is facing an extreme situation in cases of evacuation, for themselves and their guests.

#### **Emergency evacuation**

Again, neither the property manager nor the owner has the enforcement authority to make a guest leave on a moment's notice. This is a law enforcement duty. As such the owner cannot be held responsible. Of course, they should make a best effort to inform guests of the requirement to evacuate, but legally they cannot force a guest to leave as they fear the guest will sue them. This is untenable for an owner. The proposed penalty of permanent decertification of a property manager is shocking and should be not be allowed.

#### **Proximity and Concentration – 90 day limit**

Sea Ranch and Bodega Bay Harbour are remote locations and exclusively developed to provide coastal access to Californians, making these family homes unique and exceptional. There is already a shortage of short-term accommodations in Bodega Bay with an 89% occupation rate. Limiting rental days deprives the people of California from their right to precious coastal access.

#### **Proximity.**

I was pleased to hear that the density and proximity limits will not be used in the Coastal Zone. I thank the California Coastal Commission for this. I encourage the Planning Commission to follow their lead because to use those severe planning tools on the coast is impractical: 1) Is this measured from door to door, property line? 2) Can I sue my neighbor for taking my income potential away when she starts a VR, thereby prohibiting me from renting my home short-term? 3) Can someone who files for a VR license and never rents out their home prevent the nearby neighbors from short-term renting?

## **CONCLUSION**

These are all policy issues not easily answered. In short, they are *unintended consequences* of a well-meaning planning and social policy. Please limit the financial losses we will suffer – especially out in the coastal zone. Please do not apply a cookie-cutter VR policy to all county homes. We are different on the coast. We have few long-term renters, few permanent residents, and our economy is based on tourism. Please do not close down the coast.

Thank you for the opportunity to comment.

Ward Bouwman & family  
Bodega Bay, CA

**From:** [Mark Watson](#)  
**To:** [Gary Helfrich](#)  
**Cc:** [PlanningAgency](#)  
**Subject:** Re: Comments on Vacation Rental ordinance for November 18 Planning Commission  
**Date:** November 18, 2021 1:11:19 PM

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## EXTERNAL

Hi Gary,

I submitted the comment below, but it does not appear in the Public Comments folder for today's meeting.

...Mak

On Nov 17, 2021, at 8:51 AM, Mark Watson <[markwatson@cantab.net](mailto:markwatson@cantab.net)> wrote:

**Vacation rental license renewal** Properties are often booked a year in advance, especially for Thanksgiving and the winter holidays. Owners should not face the prospect of having to cancel bookings due to license non-renewal. Licenses could be for 2 years, with the possibility to extend each year, so that they can always maintain at least a year of certainty.

**Three strikes** It is possible that an owner / property manager who "does everything right" may nevertheless have the bad luck (or a neighbor prone to unreasonable complaints) to have three violations in a year. The process for determining violations and non-renewals must include sufficient discretion and right-of-appeal to deal with this.

**Proximity limits** These are a blunt instrument with considerable collateral damage. For those who do not rent their homes now, the possibility to do so is a valuable asset. Proximity limits take that asset from all neighbors of a vacation rental irrespective of whether there is a proliferation of rentals in that area. Proximity limits also favor those with large lots who are less likely to be caught by the limit.

**Policy analysis** The policy analysis so far seems limited to a review of what policies have been imposed elsewhere. This is interesting but insufficient to justify the policies in Sonoma. Before imposing policies with significant cost to Sonoma homeowners, the Planning Agency and Commission should ensure that the problems addressed by each policy and the costs and benefits of the policy are well understood. This may be straightforward for the upgrade of the performance standards where there is experience of those policies in Sonoma to draw on and where the policies are not overly burdensome. Restrictions on proximity, density or rental days, however, impose costs on a completely different scale. These require careful analysis of exactly where they are needed, what problem they will solve and what is the minimum intervention that can achieve that goal. This analysis is absent at present.

Best regards,

Mark Watson  
(Personal capacity, not for TSRHC)

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**From:** [The Hub Cyclery](#)  
**To:** [West County Gazette](#); [Gary Helfrich](#); [Lynda Hopkins](#)  
**Subject:** A writing  
**Date:** Monday, October 04, 2021 6:20:26 PM

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## EXTERNAL

This piece of writing, which is so heartfelt, came with permission from one of my Facebook Groups for The River. It's a tad long, but it says a lot. The writer has given permission to share. I hope that you do. I hope that at least a couple of people read it all the way through to see the heart in it, and whats at stake allowing the STR's to be so prolific and invasive to our community, as well as the sale of the beach to a private resort that excluded so many, when it used to be a hub of local life.

**Phil Weinstein is in Guerneville, California.**

20 hrs ·

Can a town lose it's soul?

A small town is not unlike a river. It needs a constant source of water, a influx of nutrients and a rejuvenation of life all working together in proper balance for it to prosper. If not, the water becomes stagnant, the water levels lower, turning toxic, life moves away, or fades and the river ultimately dies. During the course of a river's life, it can change so much that it is hardly recognizable from what it once was and remains only in name. Is it still the same river or something new and different entirely? Does it become the Ship of Theseus?

Since it's inception the town of Guerneville has gone through many transformations and metamorphoses. But few things have always remained true and constant. One being, and that most small towns experience, a sense of community. Being low in population most people know each other or know of each other. They experience many of the same trials and tribulations together. They participate in the same parades, festivals, holidays and celebrations. They shop at the same stores, drink and share stories at the same watering holes. Their children share the same schools, sports teams, hike the same hills and learn to swim at the same beaches. History and memories are shared and passed down and new ones are created together.

Secondly, Guerneville's diversity stands out making it unique and special. It has always had a reputation not just in Sonoma county, but in Northern California as a eclectic melting pot of diversity. It attracts all walks of life. It attracts misfits and outcasts, young and old alike. It attracts those seeking adventure, and those seeking the peace in nature that the river and the redwoods provide. For the better part of the last 50 years it has

become and remained a heartbeat of the LGBTQ community. It is a town that not only accepts diversity but celebrates and embraces it. It is a place where every man, woman or they can walk down the street feeling safe, loved and respected in the community they chose to call home. From the Guerne family, where the town gets its name and still resides within its borders, to transplants from other parts of the world, from rich and poor, country folk and children of the earth, be it white, black or brown and every religion, all have come together to help shape this town to what it has become today.

Lastly, being consider a local is something that is earned. Long standing residents have faced flood after flood after flood. They suffer through cold dark wet winters, some living in summer cabins never designed to live in through such times . They face paying higher prices on household goods and products, and have to drive further than most to obtain goods that cannot be obtained locally. They face mudslides, falling trees and widowmakers, and now wildfires is another threat one must face yearly. All that being said, there is River pride in their hearts. Most, if not all has faced the stigma of being a Guerneville resident. When outside the borders of town, revealing where they live to strangers, who has not been told “oh you are one of them” -“one of those River people” or “River Rat”. Despite the clothes they may wear, the car they may drive, the house they live, in or how much money is in their bank account. But no shame is shown, River pride runs deep. It strengthens their souls, toughens their skins, it is worn like a badge of honor for all to see. Call us what you want, we are Guerneville, Stumptown, G-Town, G-Ville and Guerne-Vegas, We are River and we are proud!

All that being said, is it the people, the memories and the history that defines a town? Can a town have a soul? Is that a living tangible thing? Over the course of the last decade the town of Guerneville has experienced a shift. It was subtle at first, barely even noticeable but has grown quite apparent over the last few years. As old businesses and resorts closed new ones emerged or changed hands. They brought prosperity, economic growth and jobs to a struggling community. With that growth however, raised property value. In most cases that would be a good thing, however this has come at a cost. As housing prices sky rocket many locals have been priced out. Many hard working blue collar couples and families cannot compete with the the wealth of people outside the community buying up every home that comes on the market. Many if not all of these homes becoming vacation rentals.

I ask this. Is a community not affected when a man and his husband who have owned and lived in their home for over forty years not know who their neighbors will be on any given day? Is it fair that a single working mother of two pray that her landlord will renew her lease because the home is more profitable as a Airbnb? What is more important to a town, when a first time family of four buys their forever home, or when someone from out of state gets a email saying that their reservation has been confirmed? Does a dwindling long term residency even matter? When school enrollment drops and schools

close, is that outweighed by that fact that small business boom? Does it mean more when a third generation resident looks at a stretch of river and says “I remember when I was a kid” or when someone from Los Angeles says “ I can’t wait till we swim here this summer”? What is fairer, when someone gets up at the crack of dawn to throw down a towel and claim a spot by the river, or when someone pays top dollar to reserve that same spot and they may not even show up to use it at all? Does any of it matter in the long run?

Is it better when small businesses and owners of vacation rentals decide what is best for a community rather than Long-term residents and full-time homeowners?

When the former outweighs the latter does a town cease to exist, instead becoming a theme park catering to those living outside its borders rather than the dwindling population of those that lives within?

Can a town have a soul? Was it ever there to begin with or was it just a dream? Is the town of Guerneville a small example The disparity this country is now facing between the haves and the have not’s? How often does small communities face this question, and how often does the sale of a beach, the unofficial heart of a community be the factor that decides this question for you?

Claire Fetrow  
The Hub Cyclery  
Cotati, Ca  
[www.thehubcyclery.com](http://www.thehubcyclery.com)  
707 795 6670  
check out our Facebook Page!  
<https://www.facebook.com/thehubcyclery>

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**From:** [lmimack](#)  
**To:** [PlanningAgency](#); [BOS](#)  
**Subject:** Thursday November 18 Coastal Commission VR meeting comments  
**Date:** November 17, 2021 7:17:20 PM

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## EXTERNAL

If you establish new rules for VR owners who rents out their home different from owners who don't rent, does the VR owner now need to comply with the same rules as the paying guest when they stay in their home? Will VR owners be able to have their child's wedding at the home they rent out if their home is deemed a str?

My home has been available for emergency use for homeless during Covid and for fire victims. If time for non family use is restricted than the county and coast will lose a valuable asset in a time of need.

People need flexibility in their use of their homes. I was physically hit by a car leading to the unwinding of my career. VR renting has been a means to keep my home, my largest asset. For many of us it's our 401k.

It's my understanding that the bad players possibly 2 homes out of 581 are the ones causing trouble and pushing county supervisors to implement new plans. Why hurt 579 owners to solve an extremely minor problem. This is Government overreach.

My neighborhood has 7 VRs out of 35 homes. Many homes are vacant most of the year. My neighbors who are elderly and live here full time like the VR rentals as occupied homes help keep the thieves and vagrants away. Most VR rentals bring families with children. My elderly neighbors love hearing the laughter and play of the children. It adds quality of life on many levels.

There are not a lot of hotel accommodations on the Coast. Limiting VRs limits the general public from accessing the coast.

The 90 day limit is extreme. It will result in empty homes and a lack of the public's access to the coast.

The coastal zone is remote, therefore the 30 mile limit should be 60, and the time to respond to a complaint should be longer: 2 hours during the day, and 1 hour during "quiet hours".

Prop manager 'decertification' on the coast, for any failure to follow rules, is unreasonable. it takes away from our limited resources and hurts all VR owners.

Thank you for your time,

MJ

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**From:** [Chelsea Holup](#) on behalf of [PlanningAgency](#)  
**To:** [Gary Helfrich](#)  
**Subject:** FW: dual use vacation rentals should not be treated the same as 100% vacation rental  
**Date:** Friday, November 19, 2021 11:02:06 AM

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**From:** Cris Rys <cris94107@gmail.com>  
**Sent:** November 18, 2021 2:55 PM  
**To:** PlanningAgency <PlanningAgency@sonoma-county.org>  
**Subject:** dual use vacation rentals should not be treated the same as 100% vacation rental

## **EXTERNAL**

I am a home owner in Sonoma county, and I sometimes rent my house. Dual use.

The complaints I've generally seen on vacation rentals are they have owners who don't care about their community, and or vacation rentals take away housing from full time residents.

Vacation rentals that are 100% vacation rentals take away from local housing. Vacation rentals that are 100% vacation rentals, the owners do not know their neighbors, typically do not know their community.

Vacation rentals that are a 2nd home, (dual use), are typically used by the owners but the owner rents from time to time are not the same.

A (dual use) owner knows their neighbors, and their community, and is part of their community.

These do not take away from local housing because people buy 2nd homes for vacation homes, it has been this way for many years before airbnb and other online services have existed.

100% rental and dual use should not be treated the same.

It seems fairly easy to limit vacation rentals to 26 weekends a year (or some other number) would be beneficial to the Sonoma County Community. It could help



lessen the houses that are 100% vacation rentals and open up more housing for people who would be invested in their community.

Thank you,

-christopher rys

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**From:** [Chelsea Holup](#) on behalf of [PlanningAgency](#)  
**To:** [Gary Helfrich](#)  
**Subject:** FW: Letter Regarding Pacaso  
**Date:** Friday, November 19, 2021 11:04:42 AM

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**From:** Carl Sherrill <carl.sherrill0@gmail.com>  
**Sent:** November 18, 2021 4:11 PM  
**To:** PlanningAgency <PlanningAgency@sonoma-county.org>  
**Subject:** Letter Regarding Pacaso

## **EXTERNAL**

Dear Commissioner Helfrich:

I attended your November 18 meeting via Zoom. I applaud your efforts to improve stronger oversight of vacation rentals. It appears that you are taking appropriate measures to enforce reasonable standards, specifically regarding noise, parking, numbers of occupants, and transient occupancy periods.

But there is a potential missing piece in your plan. What happens in the case of *fractionally-owned* vacation properties? As you are surely aware, the Pacaso company claims that their vacation homes are not subject to regulations that apply to vacation *rentals*, because their homes are *owned* by several parties under an LLC.

Pacaso has attempted to reassure community members that there is no need for concern because (1) “owners” are carefully vetted before shares are sold, (2) they sign a *voluntary* Code of Conduct, and (3) property managers are on call to deal with problems in a timely manner. I am highly skeptical about these claims. What happens when one or more of the “owners” is a truly Bad Apple? Pacaso has no effective way of revoking his/her use of the property. Neighbors would actually be worse off than they would be with a typical rental next door.

Please create vacation home ground rules to cover *all types of short-term occupancy*. Don't allow the Pacaso Loophole, which would inevitably result in all the typical problems associated with poorly regulated transient occupancy homes.

Sincerely,

Carl Sherrill and Nancy Gardner

1410 Old Winery Court  
Sonoma (707) 935-3705

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# **11 Vacation Rental Ordinance Policy Positions for The Sonoma County Planning Commission**

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THE SONOMA COAST VACATION RENTAL OWNERS  
THE SEA RANCH HOSTING COALITION  
SONOMA COUNTY COALITION OF HOSTS

**DATE:** January 6, 2022

**TO:** [PRMD-LCP-Update@sonoma-county.org](mailto:PRMD-LCP-Update@sonoma-county.org) (Permit Sonoma)  
[PlanningAgency@sonoma-county.org](mailto:PlanningAgency@sonoma-county.org) (County Planning Commission)  
[Bos@sonoma-county.org](mailto:Bos@sonoma-county.org) (Board of Supervisors)  
[Susan.Gorin@sonoma-county.org](mailto:Susan.Gorin@sonoma-county.org) (Supervisor 1<sup>st</sup> District)  
[David.Rabbitt@sonoma-county.org](mailto:David.Rabbitt@sonoma-county.org) (Supervisor 2<sup>nd</sup> District)  
[district3@sonoma-county.org](mailto:district3@sonoma-county.org) (Supervisor 3<sup>rd</sup> District)  
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[stephanie.rexing@coastal.ca.gov](mailto:stephanie.rexing@coastal.ca.gov) (CA Coastal Commission)  
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[smccaffery@ci.healdsburg.ca.us](mailto:smccaffery@ci.healdsburg.ca.us) (Planning Commission 4<sup>th</sup> District)  
[eric.koenigshofer@sonoma-county.org](mailto:eric.koenigshofer@sonoma-county.org) (Planning Commission 5<sup>th</sup> District)  
[belen.grady@sonoma-county.org](mailto:belen.grady@sonoma-county.org) (Planning Commission 5<sup>th</sup> District)

**FROM:** SONOMA COAST VACATION RENTAL OWNERS  
THE SEA RANCH HOSTING COALITION  
SONOMA COUNTY COALITION OF HOSTS

## **Introduction**

We are Sonoma County's three leading vacation rental owner groups and premier vacation rental agency, representing a broad spectrum of hundreds of owners and supporters across the county, and we are concerned with the recent policy proposals regarding the regulation of vacation rentals.

We believe the Sonoma County Planning Commission should carefully consider the following 11 policy positions when recommending any modification of any vacation rental ordinance to the Sonoma County Board of Supervisors.

These policy positions include these areas:

Appropriate License Naming, Parcel Limits Not Rental Day Limits, 90 Day Limits, Policy Backed By Data, Protect Owners From Harassment, No Complaints During Unrented Periods, No Restriction of Day Guests, No 3 Strikes Standard for Property Managers, No Non-Resident Restrictions, and Prevent Cancellation of Coastal Bookings.

## **Conclusion**

We thank you for the opportunity to provide input into this important process. We commend Permit Sonoma staff and their willingness to share the status of their regulations and allow for ample public comment.

## **Respectfully Submitted By**

SONOMA COAST VACATION RENTAL OWNERS - <https://sonoma.coastvowners.org>  
THE SEA RANCH HOSTING COALITION - <https://www.thesearanchhostingcoalition.org>  
SONOMA COUNTY COALITION OF HOSTS - <https://www.sonomacountycoalitionofhosts.com>  
**For a complete list of SCCH policy positions, please visit our [regulations page](#)**

**1. Appropriate License Naming** - The “license” to operate Vacation Rentals should be called a Vacation Rental License

PRMD staff appropriately recommend the term “Vacation Rental License” as the term to use in the Vacation Rental (vacation rental) Ordinance. Permit Sonoma, through land use zoning provisions, requires a “permit” in the existing vacation rental program. In granting a permit and/or a vacation rental License, the county planning department is allowing the *use of a residence* (single family dwelling-SFD) for a limited business use.

The home is still used as a residence and does not become a commercial business when an owner rents the home either long-or short-term. This is similar to the “Home Occupational Permit” that allows owners to work out of their SFD. The use of a SFD for limited business purposes does not change the zoning of the home from “residential” to “commercial”. Commercial enterprises consist of businesses like: gas stations, retail stores, drug stores, etc. Therefore, the use of “Vacation Rental License” is accurate.

**2. Percentage of Parcel Limit Instead of Proximity, Density or Rental Day Limits** - There should be no proximity, density or “Rental Day Limit” in historically tourist areas.

The only permit limitation that has been shown to be fair to existing vacation rental owners and other residents is a “percentage of parcel limit” based upon a percentage of current parcels that vacation rentals presently represent in a given district. This limit preserves the investment vacation rentals have made in their property, the expected revenue these business owners have planned as well as preserving housing stock for non short term rental and long term owner occupied housing.

We recommend no limit on the number of rental days per year where tourists have historically visited for the following reasons.

Any vacation rental day limit in the coastal zone will result in a reduction of visitors and public access to the coast. Similarly, the Russian River area will be impacted. The county has presented no data and no rationale for this limit as applied to coastal zone vacation rental homes, or to inland county vacation rental homes. This limitation would be catastrophic for the local economy that depends on tourism, and limit the public’s coastal access to hundreds of vacation rental homes in the coastal zone. It would also severely impact Transient Occupancy Tax revenue the county currently receives.

County staff mentioned that there is a 90-day rental limit in San Francisco and Contra Costa County. Those are very different geographical areas than Sonoma County or the coast area. San Francisco is densely populated and has many long-term rentals and a housing shortage. Contra Costa has many residential areas and has no obligations under the Coastal Act. Both of these areas are unlike Sonoma County or the Russian River area, and should not be used to support a rental day limit in areas where tourists have visited for decades.

In contrast, Los Angeles and Redwood City allow for 120 rental days. The County of San Mateo allows up to 180 days. It should be noted that the majority of jurisdictions have *no day limit* for many reasons, not the least of which it is a difficult prohibition to monitor, e.g., Santa Cruz, Encinitas, Humboldt, City of Imperial Beach, San Luis Obispo County, Capitola, *have no day limit* among others. Many of these areas are in the coastal zone and appropriately have no cap on vacation rental rental days.

The rationale for rental day limits in other jurisdictions has been preservation of neighborhood character in neighborhoods that did not historically attract many transient visitors. In the coastal zone, and many Russian River communities, the character of the neighborhoods historically includes a significant number of second and vacation homes with transient visitors. The coastal zone has a large contingent of these homes that the Census considers “vacant” - where no permanent residents reside. The majority of coastal homes are in The Sea Ranch and Bodega Harbour where over 50% of the homes are vacant. This has been true for decades. There is little evidence that the number of visitors coming to these communities has changed much over recent decades - as is clearly shown by comparing Transient Occupancy Tax revenue with the Consumer Price Index.

Sonoma County vacation rental owners should be allowed to offer their homes without proximity or density limitation, unless the county can show a clear nexus between vacation rental operations and the impact on housing before such a limit can be imposed.

**3. No 90 Day Limits** - We understand the 90 day limit may be applied to “dual use” where the owner uses the home as a primary residence and occasionally rents short-term. This may be a reasonable application of a VR day limit. However, a 90 day VR rental day limit is excessive if applied to all Sonoma County VR operators.

There should be no land use restriction of a day limit for vacation rental operators in the county’s tourist zones. Many vacation rental owners have indicated the reduced revenue will require them to either increase overnight fees, or to sell their home. Many vacation rental owners often pay 33% for property management, and have additional costs with utilities, mortgage and insurance; it is misleading to believe that the entire rental amount is the income made by owners.

Creating a 90-day limit countywide **would represent an extreme restraint of trade** for owners of these small home-based businesses with unknown impact on the long term health and affordability of the profitable overnight visitor segment. This overnight visitor segment generates significant employment and sales tax revenue for other restaurant, retail and entertainment businesses.

**No other county hospitality business such as hotels, motels, or resorts have such an annual room night limit. We view this limitation as arbitrary and unfair and strongly oppose its implementation.**

**4. Create Policy Backed by Data** - All county decisions regarding land use restrictions to limit or regulate vacation rentals should be backed by data.

Nearly all vacation rental owners agree that “performance standards” that follow county law are reasonable and will benefit the community. “*Land use restrictions*” like density, proximity, or use, go beyond performance standards and should be supported by research and data to show they are necessary and proportionate and do not infringe on the owners’ rights.

Several vacation rental operators in the unincorporated county area favor a percentage limit rather than proximity or day limits. Any percentage limit chosen by the county should be based on clear, specific factors why there is a need for such a limit.

Governmental agencies have a limit on their power and authority. The establishment of vacation rental laws is justified in circumstances where it can be shown there is a need to maintain residential character, or when it can be shown that short-term rentals take away from housing stock. Any regulation beyond performance standards, that is consistent with county law, must be shown to be necessary *for public purposes*. The county has used anecdotal resident complaints as a hammer to create the most extreme land use limits in the current or proposed vacation rental Ordinance (X-Zones, caps, limits). Data showing neighborhood transitions and negative impact on neighborhoods (reduction in rentals, impact on low-income homes, etc.), because of recent vacation rental home proliferation is a prerequisite to the establishment of vacation rental use limits.

We support the decision to not use these caps, density limits, or X-Zones in areas where tourists have historically visited such as the Coastal Zone. These restrictions would limit public access to the coast in contravention of The Coastal Act. We recommend no limits in areas that have historically served tourists, like the Russian River area.

**5. Protect Owners from Harassment** - Vacation rental owners must be protected from repeat or harassing complainants.

Vacation rental owners are concerned that any automated complaint process can be abused by

complainants who can confidentially complain about the operation of a vacation rental home. There appear to be no consequences for bad actors who falsely accuse, or make repeated false complaints. Harassment of vacation rental guests or vacation rental owners should be prohibited.

**6. No Complaints During Unrented Periods** - The complaints process should exclude complaints when the property is not let.

Many, if not most, Vacation Rental homes are frequently used by their owners, friends and relatives outside of the rental program. Such use is not subject to supervision by property managers and cannot be subject to regulation by the county (other than for regulations that apply to all residences). Complaints that are received during such use should be dealt with in the same way as a complaint against any ordinary residence and not be recorded or routed through the County vacation rental system.

**7. No Restriction of Day Guests** - The maximum occupancy during the day should *allow guests*.

Overnight maximum occupancy rates are reasonable. But to disallow daytime guests, as was suggested at the 11/18/21 vacation rental Workshop, is not reasonable. Non-vacation rental owners can have guests during the day, as can residents and long-term renters. It appears everyone but a vacation rental owner can have guests visit their home during the day. This appears to be blatantly discriminatory. The county has not shown any rationale for such a requirement limiting vacation rental owners only. We oppose any day guest limitation that is less than the current "6" (six) allowed in the vacation rental Ordinance.

**8. No 3 Strikes Standard** - Property Manager decertification for failure to maintain standards should not use the "3 strikes" standard.

The current vacation rental Ordinance has a "3 strikes provision". This means a single home, with a single owner, may face removal from the vacation rental program after 3 strikes. We would presume some discretion in the county's enforcement of this penalty because it would be extremely unfair to decertify a vacation rental owner or a property manager for a mere garbage infraction, or for parking a car in the street.

Many coastal zone vacation rental homes are managed by professional property managers, often a small business staffed by a handful of people who manage dozens of homes. It would seem unfair to apply "strikes" from any of those homes, cumulatively, when deciding to decertify a property manager. It could be that a single vacation rental home in their vacation rental stable of homes is a "bad actor". The decertification of a professional property manager will have reverberations across the dozens of homes they manage and will hurt vacation rental owners, and limit the public's coastal access.

Please provide clarity when describing the penalty you will propose, and take into consideration that many homes in the coast are owned by out-of-area owners who cannot suddenly be faced with the decertification of a manager who may need to close down his or her business. Please allow for vacation rental owners or property managers to be represented in their appeals, and provide sufficient time for appeals when owners may live elsewhere. Allowing remote appeals (via Zoom if requested) should be allowed to enable an owner to participate in an appeal.

**9. No Non-Resident Owner Restrictions** - Any prohibition of vacation rental operation for non-residents of the county is unconstitutional.

Prohibiting vacation rental owners from participating in the county vacation rental program because they are not residents of Sonoma County is illegal and unconstitutional as County Counsel Kuteira advised at the 11/18/21 Workshop. She was correct to advise that the U.S. Constitution's "dormant commerce clause" bars state protectionism and prohibits state legislation that discriminates against interstate commerce. If a state statute is discriminatory, such as a prohibition of out of county owners to operate vacation rental homes, the state, or in this case the county, has the burden to justify both the local benefits flowing from the statute and to show the state (or county) has no other means of advancing the legitimate local purpose.



**Coast Zone Positions - In addition to the above:**

**10. Coastal 180 Day Grace Period** - A 180-day grace period in the Coastal Zone is recommended.

Coastal Zone vacation rental operators will be new to the vacation rental regulation process and a grace period will assist in their transition to the new county performance standards and Hotline. It is recommended there be no de-certifications of vacation rental property managers or owners during the grace period.

**11. Prevent Cancellation of Coastal Bookings** - Coastal zone owners should not be required to cancel bookings made before the ordinance takes effect.

Vacation Rental bookings in the coastal zone are often made as much as a year in advance, especially for holidays. Owners should not be required to cancel bookings that were legally made before the ordinance comes into effect. Such cancellation and the necessity to rebook at much shorter notice is expensive for guests and comes with significant risk of poor reviews and consequent loss of future revenue for owners. Such costs are not justified by the desire to introduce the standards marginally faster.

**From:** [JULIUS YOUNG](#)  
**To:** [Gary Helfrich](#)  
**Subject:** Vacation Rentals regulation  
**Date:** Thursday, December 02, 2021 1:24:17 PM

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## **EXTERNAL**

Dear Mr. Helfrich:

**As homeowners on the Sonoma County Coast, we are writing to express opposition to imposition of rental days/nights limits on properties at the coast.**

**Let us briefly explain our reasoning.**

We have owned a vacation home in Bodega Bay since the 1980s. It is mixed use. We occasionally use it for ourselves and friends and family and other times rent it through a local rental agency based in Bodega Bay.

We believe that in renting it we provide a meaningful service. Over the past 30 years the house has been very popular for rental to people from the Central Valley such as Sacramento and Davis.

In the last couple years we have rented it for several weeks at a time to families who wanted to escape extreme inland heat and to couples who were seeking a break from being cooped up due to the pandemic. A forced limit on the amount of such rentals would limit access to the coast and the options for those seeking to visit the coast. It would also be bad for the West County restaurants and stores that cater to coastal visitors.

We would urge you to consider room rental rates at hotels on the coast. It is much more economical for a large family with kids to rent a house rather than pay for 2 or 3 hotel rooms. So if you are limiting the number of rental nights, you may well be making it difficult for families to access the coast for their weekend getaways and vacations, as paying for multiple hotel rooms will not usually be practical or economically feasible. At any given time moderate income families would have less rental options.

If there are less rental options due to forced rental limits, the price of rental stays will go up. That is obviously the result of supply and demand.

So rental limits will likely make it more difficult for moderate income Californians to enjoy a vacation rental on the coast.

As long term homeowners in Bodega Bay, we have found that the harsh salt air/wind and rain environment is hard on houses that are directly on the coast. There are problems that are less applicable to inland homes. Double pane windows fail, leaks are always a concern, it is easy to get dry rot, roofs deteriorate faster, metal rusts due to the salt air etc etc.

Houses there are more expensive to maintain, which is one of the reasons we rent out the house. Rentals help defray the cost of keeping a well maintained house. This year alone we have spent more than \$35,000 to replace a roof, failed windows, etc. This is another reason why rental rates would probably rise substantially if there are artificial limits put on rental

days. We would need to squeeze higher rental rates out of the property to make up for lost revenue.

Again, this is a vicious cycle which would ultimately limit the ability of moderate income Californians to enjoy an extended stay at the coast.

We would urge those Sonoma County officials who are involved in the planning process to put the brakes on and give further consideration to this. Any limitation of the number of rental days/nights should be based on data and detailed studies of the effects on coastal access as well as homeowners.

Thank you.

Julius Young

[juliusyoung@mac.com](mailto:juliusyoung@mac.com)

510-593-5180

Barbara Soong

[barbarasoong@yahoo.com](mailto:barbarasoong@yahoo.com)

650-823-6839

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**From:** [Mark Watson](#)  
**To:** [Gary Helfrich](#)  
**Subject:** Limit on rental days  
**Date:** Sunday, November 28, 2021 5:26:42 PM

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## EXTERNAL

Hi Gary,

I wonder if you might be able to answer the first part of this: whether the County considers a limit on the number of rental days per year a “performance standard” that might be applied in the Coastal Zone ?

Best regards,

Mark

On Nov 19, 2021, at 8:28 AM, Mark Watson <[markwatson@cantab.net](mailto:markwatson@cantab.net)> wrote:

Hi Gary,

Thanks! Could the general proposal for limits on rentals days per year be applied in the Coastal Zone (separately from the septic system issue) ? I had assumed not, for public access reasons, but the materials presented yesterday are not clear about this.

The County website materials about occupancy limits use a variety of terms, such as “sleeping room”, “guest room”, “bedroom” etc. so it is not clear whether they mean "permitted bedrooms", as you say below. If “permitted bedrooms” is what is meant it would be good if the materials could use that clearer term or similar.

If, on the other hand, it is possible that the rental occupancy limit be based on the actual number of physical guest rooms / sleeping rooms, even if that is different from the number of permitted bedrooms, then I have a concern about the way septic systems to be policed for short term rentals differently than for other properties. Of course an owner should be responsible for not overusing a septic system, but it is not clear that such overuse is more likely for STRs than non-STRs.

For my own property, the last year it was rented (2019) we rented 266 days with average occupancy through the whole year of 4 persons per day on a septic system rated for 2 bedrooms - i.e same as a family of four living full-time. The property has 3 guest rooms and a sleeping loft. Two of the rooms are very large with trundle beds for kids. You can comfortably fit two families of four for a weekend and we have occasional rentals to 7, 8 or once 9 people. We are still at the design capacity of the septic system. If it was used as a single family home, I think it equally likely the septic system capacity would be exceeded (i.e. not very likely, but no less likely when it's an STR).

...Mark

On Nov 17, 2021, at 4:14 PM, Gary Helfrich  
<[Gary.Helfrich@sonoma-county.org](mailto:Gary.Helfrich@sonoma-county.org)> wrote:

Hi Mark,

A number of factors are used for determining bedrooms, but the go to is how many bedrooms are shown on the permit issued for the parcel. Where parcels are on septic, the design capacity of the septic system determines bedrooms. The occupancy is 2 people per bedroom plus 2 additional people, so a one-bedroom home could have 4 guests, two-bedroom 6 guests, etc.

Our ordinance does not limit the number of days per year a vacation rental may be occupied. Since occupancy days are unrestricted, we need to assume worst case scenario (and there are rentals in Sonoma Valley that appear to be rented most of the time). There may be consideration of a limited license that caps the number of days per year a home could be rented in cases where septic capacity is limited.

Gary

**From:** Mark Watson <[markwatson@cantab.net](mailto:markwatson@cantab.net)>  
**Sent:** Wednesday, November 17, 2021 10:39 AM  
**To:** Gary Helfrich <[Gary.Helfrich@sonoma-county.org](mailto:Gary.Helfrich@sonoma-county.org)>  
**Subject:** Question about interpretation of VR occupancy limits

**EXTERNAL**

Hi Gary,

I have a question about how you interpret the occupancy limits before submitting any comments on this.

The limit is variously described as 2 per "bedroom" or "sleeping room" plus 2. Does the County interpret this according to the number of bedrooms recorded in County records, or the number of rooms in the property set up for sleeping ? As you know, in The Sea Ranch is it a common design feature to have unconventional sleeping arrangements such as sleeping lofts, so I wonder if these count ?

It is also unclear to me how septic system capacity affects occupancy limits. If a house has a septic system certified for 2 bedrooms, does

that mean the occupancy will be 4 people ? If so, that doesn't make much sense if the house is not occupied all the time. I would think if occupancy is to be limited by septic capacity it should be the *average* number of occupants over a year (say) that is limited.

Best ... Mark

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