

March 3, 2022

TO: Sonoma County Planning Commission
FROM: Kathryn and Dave Henderson
RE: Revisions to Vacation Rental regulations

As property-owners deeply involved in the vacation-rental issue from the very beginning, we would like to offer some observations to the Planning Commission.

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 (FM), where we, as homeowners and active in our FM community, strongly advocated for imposition of such a zone.

The X-zone for FM was intended to slow down and hit the pause button on the explosive growth of vacation rentals on Fitch Mountain. It has been 5 1/2 years since its introduction, and time to revisit current restrictions.

We believe the exclusion of new vacation rentals has, in fact, functioned as intended. It 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 on FM. 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. We don't believe that this was actually the goal of the X zone, nor is it necessarily desirable.

A. Exclusion Zone regulations should be, if the local community wishes, custom-tailored to their particular character and needs.

Fitch Mountain's vacation rental needs as a community should and can be treated differently, when it comes to rules and regulations, from, say, Glen Ellen or Guerneville. Those vacation rental areas, like FM, have their own unique character and problems that go with it. FM has easily-defined boundaries and can easily be monitored, since it is on the border with the city of Healdsburg both North and South. Lying along the Russian River, FM 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.

- B. Instead of a blanket policy of no new permits (which would over time result in no vacation rentals at all), perhaps a **“controlled increase” in permits for FM would have some benefits and few negative effects.**

One possibility is to place a 12% or 15% cap on the number of vacation rentals on Fitch Mountain, and as properties with vacation rentals are sold, issue permits annually up to the established cap. FM’s houses number at present ca. 338. A 12% cap would keep the total permits at their current 40, while 15% would allow up to 50, thus adding 10 more. 50 vacation rentals seems reasonable for our community; more than that definitely does not.

- C. **Use it or lose it.** There are approximately 40 current permits for vacation rentals in the FM area, but only ca. 27 of them seem active.

If a property owner no longer uses the permit, or simply applied for it “just in case I might need it someday,” the permit should be revoked. Permit hoarding seems unfair for those who are waiting to apply for and use a new permit. The metric might be if the property goes un-rented for six months / a full year.

- D. If the VR permitting process is to be cautiously opened again, we believe it should be in a manner that discourages or prevents disruptive and community-damaging uses and, instead, procedurally encourages more community-friendly establishments. We propose, as mentioned above, 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. (We realize that more tourism-intense areas may wish a higher overall percentage; and we realize that not all areas in the County have such easily-defined borders as our FM community.)

Secondly, a **more community-centered way to determine who would receive a permit on FM should be by legacy**. Many long-term homeowners on FM who have never rented out before would like the opportunity to do so-- people who have owned their property here for decades, are members of Fitch Mountain Association, many who help maintain the mountain through clean-up days on the river, help in the Open Space Preserve, etc. They would be most likely, too, to ensure that vacation renters respect their (previous) neighborhood and neighbors, and there would thus be fewer "behavior problems" occurring.

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.

New permits, therefore, should be prioritized by length of ownership of property on FM.

- E. Permits should continue to be **non-transferrable upon sale of a property**.
- F. There should be **no grandfathering of vacation rental permits with regard to newly-introduced regulations**, i.e., 2 different sets of regulations. Performance standards are important, in many cases crucial for the safety of the community, and they should apply to all. One set of regulations streamlines administration, which is also important. In cases of hardship, previously-existing permitted property-owners could be granted a year's grace to bring their vacation rentals into compliance.
- G. Another important provision should not be loosened, namely the requirement that the **property manager be within 30 minutes' drive to the rental**. Given the array of possible dangers here on FM (fire, downed trees, etc.), prompt response can be vital. Rather, vacation-rental permit-holders should be encouraged to solicit (and perhaps cooperatively develop and train) property managers *within* their own community, e.g., here in the Fitch Mountain community.
- H. A further crucial component that should be enforced is the requirement for **adequate parking** for permitted VRs. True, legal parking spaces are very

limited on Fitch Mountain; many of the “legacy cabins” have never had parking, and roads are very narrow, often just one-lane (as our own Riverview Dr.). However, illegal roadside parking—by renters as well as homeowners—does present definite hazards, not least to emergency vehicles in case of fires and health-related calls. Current permit-holders and future applicants should be required to submit a site-plan, for PRMD review, that indicates the type of parking available and demonstrates that--if sub-standard--it does not constitute a potential traffic hazard.

- I. A third issue crucial to Fitch Mountain, like that of parking, relates to **emergency preparation and evacuation procedures**. These are life-and-death matters here on FM, and complex. (For instance, in an evacuation for fire at night-time, it will be very difficult for out-of-area renters to orient themselves on some FM roads.) VR permit owners should be required supply detailed, constantly-updated, easy-to-understand and -follow information on these issues, and property managers should be required to respond quickly and adequately when such issues arise. Drawing up such procedures will be complicated, but absolutely necessary.

We thank you for your consideration of our suggestions.

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