

From: [Mark Watson](#)
To: [PRMD-VacationRentals](#); [PlanningAgency](#)
Cc: [Gary Helfrich](#); [Brian Chae](#); [Chad DeWitt](#); [Chris Kenber](#); [Donna C. Martinez](#); [James Curley](#); [Pauline Chew](#)
Subject: Comments on Vacation Rental ordinances from The Sea Ranch Hosting Coalition
Date: March 15, 2022 1:56:25 PM
Attachments: [TSRHC Vacation Rental Ordinances Comments for 3_17_22 - Google Docs.pdf](#)

EXTERNAL

Dear Planning Commission,

Please find attached some comments on the proposed Vacation Rental ordinances to be discussed at the Planning Commission on 3/17/22.

Best regards,

Mark Watson, Brian Chae, Chad DeWitt, Chris Kenber, David Workman, Donna Martinez, James Curley, Pauline Chew, Sean SeLeague, Trini Amador

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Comments from The Sea Ranch Hosting Coalition

Sonoma County Planning Commission

Update of Vacation Rental Ordinances 3/17/22

*We are supportive of the initiative to introduce vacation rental performance standards on the coast, however there are many problematic details in the proposed ordinance which require attention. We ask that the Commission **continue their discussion of this ordinance to a later date** to allow time for proper review and amendment before adoption.*

Who are we ?

We are a coalition of over 300 Sonoma County homeowners who rent our properties to the public as vacation rentals. We have been referred to in County staff memos as an “Industry Group” but we are not an industry group. We are a loose coalition of individuals - we do not represent any corporate or commercial interest, only the interests of our supporters and their families. You can see more directly from our supporters at www.thesearanchhostingcoalition.org.

Over 90% of our supporters rent their properties part time, meaning, typically, that we use our Sonoma homes regularly ourselves and rent them the remainder of the time as a way to defray costs. At least on the Sonoma coast this is **not** a profit making activity. We have long relationships with the communities we have chosen for our vacation homes.

To date, the benefits of the proposed vacation rental policies have been referenced extensively in staff reports but the costs to individual homeowners have not received much study. We ask that the Planning Commission become better informed so that you can properly balance the community benefits of your policies against the impacts on homeowner family finances and the ability of families to remain in the communities they love.

Certified Property Managers

We understand the initiative to introduce Certified Property Managers, but the requirements as written are impractical and unreasonable.

It should be possible for a property management agency or others to provide certified property management as a service. This requires that a group of certified property managers can support a pool of properties, with a single set of contact details and an on-call rota. This is not allowed per the draft regulations.

A example of this model exists in Colorado’s Responsible Agent program. You can see an example service provider [here](#).

It is in the interest of the policy that the legally responsible person, the person answering the phone, the person resolving a complaint and the person attending the property in-person are competent and familiar with Sonoma County standards. But there is no good reason to require - as the ordinance does - that they be the *same* person. Also, only the last of these needs to be within 30 miles of the property and the location of their home is not relevant, only their location at the time. The 30 mile requirement is anyway arbitrary and unnecessary when there is a response time requirement and it is the latter which actually matters.

Furthermore, it is unreasonable to require that a specific individual be available 24/7/365 if only for reasons of illness and vacation.

We suggest the policy be amended to require:

- A designated certified property manager who is the legally responsible individual
- A single set of contact details that will be answered at any time by a certified property manager who is at that time in a position to respond to issues with the property
- That at any time there must be a certified property manager available, within 30 minutes typical travel time, to attend the property in person if necessary

Additionally, the County could provide an online, immediate, fee-free way to update the property manager for a property.

We are concerned with a remote location like Sea Ranch the available labor pool will be limited. Allowing multiple PMs to support a 24/7 schedule will hopefully make the position more appealing and thus simplify and improve compliance.

Term and renewal

When there is a recent open code violation, a temporary license renewal should be available for the time necessary for the County to process and hear any appeal.

License Standards

A Wastewater Treatment Systems

Occupancy, measured in *persons*, cannot be "equal" to the design capacity of the septic system measured in *bedrooms*. This should be amended to state that the maximum occupancy shall be *determined by* the design capacity of the septic system based on the formula of two people per bedroom plus two, not including children under 3.

B Compliance Generally

This requires homes to obtain zoning clearance, but this is not required on the coast.

C Noise

This should be aligned with the existing ordinance.

- Noise standards should be specified in dBA, not decibels.
- The location for measurement should be specified.
- Indoor amplified sound within the limits should not be prohibited.

There should be exceptions to daytime noise limits for reasonable and typical necessary property repair work and maintenance and during night time for emergency repair work.

The County could consider offering incentives for the installation of noise meters as [other municipalities](#) have done. These can be set up to automatically notify guests and owners of excessive noise, resolving many problems without intervention.

Enforcement

The ordinance should be enforceable only when the home is actually rented out as a short term rental, and when unoccupied in the case of the requirements for Trash and Recycling Facilities. Owners staying in their own home cannot be subjected to restrictions on noise, pets, evacuation etc. that are not applied to all homeowners equally.

Section A - Violations - needs amendment to restrict the scope of the ordinance to times when the property is rented.

There should only be a violation if the issue is not resolved per the procedures described in 4-207 (D) **Complaint Response and Resolution**. This section should read “*An activity performed contrary to this section or a license **that is not resolved as described in 4-207 (D)**...*”

Suspension or Revocation

- Suspension or Revocation should not be applicable in cases where the issue was resolved or where a violation is subject to appeal or has been abated and the costs and civil penalties have been paid. This ought to be stated in this section.
- The ordinance should specify the factors that will be used to determine when suspension or revocation are appropriate. Revocation should only be applicable when there is clear reason to believe the property will not be adequately managed going forward, for example after multiple unresolved violations and / or multiple failures to follow the response and resolution process.

On behalf of The Sea Ranch Hosting Coalition,

Mark Watson, Brian Chae, Chad DeWitt, Chris Kenber, David Workman, Donna Martinez, James Curley, Pauline Chew, Sean SeLeague, Trini Amador.