



Lower Russian River Municipal Advisory Council

In accordance with Executive Order AB361 regarding the Brown Act for public meetings during the public health emergency, the February 1 River MAC meeting will be held virtually. The meeting will be on Zoom and on Facebooklive, links below. After the event, videos are available both on facebook and on Youtube. YouTube Channel can be found under Sonoma County 5th District.

Please click the link below to join the webinar:

<https://sonomacounty.zoom.us/j/99952863525?pwd=QWlpKzhjTzIVdEY4NENEeGxhMVNKZz09>

Passcode: 077827

Or One tap mobile : US: +16699009128,,99952863525# or +13462487799,,99952863525#

- Streaming Facebook Live on Supervisor Lynda Hopkins page

<https://www.facebook.com/supervisorlyndahopkins/>

Agenda

February 17, 2022

5:30 – 7:30 pm

The Lower Russian River Municipal Advisory Council welcomes you to its meeting. Your interest and participation are encouraged and appreciated. Questions and comments may be entered in the zoom chat.

Call to Order	Chair Pip Marquez de la Plata
Pledge of Allegiance	Chair
Swearing in of new Representative	District Director Leo Chyi for Supervisor Lynda Hopkins New Representative Diane Shaw, Pocket Canyon and South Guerneville
Roll Call	Chair
Election of Chair and Vice Chair	District Director Leo Chyi
Approval of Agenda	Chair
Statement of Conflict of Interest	

This is the time for the Chair, Vice Chair and Councilmembers to indicate any statements of conflict of interest for any item listed on this agenda.

Correspondence	none received
Consent Calendar	December 2021 minutes -

Annual report

Council Member Comment: on Matters not listed on the Agenda: Comments are restricted to matters within the Board's jurisdiction. Please be brief and limit spoken comments to one minute.

Public Comment: on Matters not listed on the Agenda: Comments are restricted to matters within the Board's jurisdiction. Please be brief and limit spoken comments to two minutes.

Regular Calendar Items

- Presentation on the SCT/Regional Parks/Leave No Trace program by Claudia Vecchio President/CEO of Sonoma County Tourism
- Sonoma County Water Agency: Brad Sherwood, Assistant General Manager and team members. Presentation on investments needed in Guerneville wastewater treatment infrastructure.
- Proposed letter to PG&E for consideration by Council Representatives – draft by Cazadero/Duncans Mills alternate Mike Nicholls

Supervisor / Staff / Council member reports

- Supervisor Hopkins/5th District Report
 - Polling questions on ADA timing and lights
- AdHoc Reports
 - Trash
 - Land Use
 - Vacation Rental

Documents related to open session agendas:

Any writings or documents provided to a majority of the Lower Russian River Municipal Advisory Council regarding any item on this agenda after the posting of this agenda and not otherwise exempt from disclosure will be made available for public review at 575 Administration Drive, Room 100-A, Santa Rosa, CA, during normal business hours.

Disability Accommodations:

The Lower Russian River Municipal Advisory Council will make reasonable accommodations for persons having special needs due to disabilities. Please contact the Fifth District Field Representative at 707-565-2866 during regular business hours at least 48 hours prior to the meeting to ensure necessary accommodations are made.

River MAC

Please visit the Lower Russian River MAC pages on the County website for agendas, including meeting location and time: Sonomacounty.ca.gov/Irrmac.

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12,16,2021 Lower River MAC minutes

Call to Order – Pip at 5:33

Roll Call : Jeanette Dillman, Mike Nicholls, Kyra Wink, Pip Marquez de la Plata, Vesta Copestakes , Naomi Huffstutter, Lisa Nahmanson, Alice Teeter joined by phone, alternate Avi joined a little later to represent Nic Pereira, who was out.

Chair Comments: Pip – Land Use Committee led by Kyra, now established with a lot of public comment and input. Thank you Kyra

Vacation Rental Ad Hoc – has had a lot of influence and input, partnership with Permit Sonoma and Gary has been invaluable.

Trash and other committees also all doing what the MAC is intended to do. Getting input and influencing the County.

Thanks to Jeanette Dillman for her service for the past 3 years and leadership as Chair.

Jeanette Dillman read a statement about her concern of corporate takeover.

Approval of Agenda Mike Nicholls moved to approve agenda minus residential parking annual report, Kyra seconds. All in favor

B. Statement of conflict of interest – none

The MAC brought this Permit Sonoma presentation up earlier due to Bradley's travel schedule: Permit Sonoma updates on Events Application Process – Bradley Dunn

See attached powerpoint for presentation. Also you can watch the full presentation at minute 9:35 on the video at <https://www.youtube.com/watch?v=Rgv2xRftC4k&t=11s>

Questions and Comments from the Council:

Vesta – Appreciation of coordination of entities and calendar, heading in the right direction.
Lisa – thank you for bringing up zero waste and would like to stay engaged on trash issues from the committee, outreach and calendar, earlier the better, applaud you on that; Third, safety the coordination of events and also discussion on how to help people know how to drive around bicyclists/events. Question? what does delegating regular authority mean?
Bradley: two options, 1) instruct head of department to creates rules and regulations to abide by or 2) in the ordinance itself, list the requirements. When delegated, it's easier to updated the rules and regulations. So we are leaning towards delegating so that it can be more easily updated.

Mike Nicolls – Lives in Cazadero with a lot of cycling. Anything more than 25 disrupts the narrow roads. Stops commerce, economic development when roads effectively get closed by groups of cyclists. Would like at least 30 days notice for preparation. Problem of lack of adequate sanitation facilities and need to address people relieving themselves anyway in the area needs to be considered in environmental impact. Would like to see more representation on Committee from impacted communities.

Bradley – bicyclists are vehicles and therefore considered part of the vehicle codes. Unlikely that we could legally set the regulation below the code. Climate action county and want to encourage biking. Events like Santa Rosa bike safety course often has more than 25 people, so want to encourage this. On representation, will continue to do more outreach, especially with fire districts in impacted areas, to have them on the committee.

Naomi – when you have bicyclists tossing trash, not sharing the road, bad behavior, we need more enforcement of the rules to keep people safe.

Vesta – Where do we find schedule of public hearings and an email address? Maybe not always a permit, but if there are 50 people rides, maybe not a permit, but will have impact and should be added to the calendar.

Bradley – happy to meet with anyone on the process, will send emails to Elise on the hearings to make sure everyone hears of them. Bradley.dunn@sonoma-county.org

Kyra: As Vesta remarked – noticing people also brought up in Land Use committee that we needed to know about events. Need to make sure communities get noticed. Using the MACs to highlight what is coming up.

Bradley – yes, bit part of our goal and process. Understand frustration. Commit to: : 1) will have district centered lists which include the MACs and will send out more forward looking 2) will be noticing permit events and as part of the new regulations, they will have to notice.

Public Comments:

Peter – have been in the Santa Rosa Giro Bella race. Notices on phone polls, may be helpful to have applicant post the route. Have great tech, but people don't necessarily see that. They get out and put arrows on the pavement and can also add notices.

Bradley noted that they are not supposed to be spray painting the pavement.

From Q&A what will this do to annual fundraising events. Currently any event with more than 50 people on the roadway is a special event under California law. Hope to cut red tape to reduce time on applications such as saving money and time by having multi-year applications.

C. Correspondence – None

D. Consent Calendar Approval of October 21, 2021 Minutes – Kyra moved to approve minutes with the typo on page 6 corrected. Vesta seconded. Lisa asked what is the rule when you have typos – send to the clerk, chair and Elise to get it tidied up. All approved.

F. District Update from Lynda Hopkins. You can listen to her full comments at point 50 minutes on the video. Highlights:

Voice of the MAC is important to provide input on the

Representative selection announcements – thank you to Jeanette for her leadership. Shared representatives (s)elected for 2022-2023. Read out bios that are also available on the Representative MAC pages:

Vesta Copestakes, Forestville

Pip de la Plata, Rio Nido

Diane Shaw, new representative for Pocket Canyon

change in Cazadero to have Tony Goodwin as rep and Mike Nicholls as alternate for the remainder of the 2022 term.

Redistricting

Surprise on October 25th to add Rohnert Park to District 5, important map to meet the objective of moving Roseland and Moorland into Santa Rosa, but idea of adding Rohnert Park to D5 was

rejected by many leaders and citizens of both Rohnert Park and District 5. Lynda gave an overview of the process and the new district, final now available on the County of Sonoma website.

Other updates: Board of Supervisors approved \$305,000, half of which will be used for District 5 strategic planning, to be discussed later.

Parking enforcement funds allocated to relieve issues in Lower Russian River and along the Coast.

Council questions and comments:

Kyra – thank you for championing the CHP enforcement. This will be welcome news to communities.

Mike – thank you for ARPA funding of Broadband allocated Tuesday's meeting.

Pip – how will this map change how things work specific to our communities and how will the redistricting impact your work on the Board?

Lynda – sense of relief that this map maintains the rural community of the 5th District. Means at least 1 supervisor on the Board will always be representing the rural identity for West County. The change also retains the District 3 urban nature while creating a strong diverse community and will have them be a big advocate for diverse voices. These are the two biggest take-aways. The other districts stay essentially the same. This is isn't perfect, this was a hard process, and we came to a pretty good place.

Public questions and comments:

Chris Potier – anything in the parking contract to paint new spaces, add fee areas, and notice where people can park.

Lynda – have had conversations around this, but not yet. Also, Regional Parks constantly looking for more ways to relieve the pressure with shuttles and additional parking.

Pip – Is there any kind of update we should be aware of relative to COVID?

Lynda – 1st case of Omicron recently discovered in Sonoma County. Dr Mase says current protocols are sufficient; need to get boosters and vaccines, especially for children in the 5-12 age group.

G. Regular Calendar Items

- Vacation Rental Ordinance Update – Gary Helfrich , VR Ad Hoc – Vesta Copestakes, Chair Full Presentation at 1:09:24 on the you tube video. Pip thanked Gary for this being his 3rd time presenting on this topic. Highlights:

Can reach Gary at gary.helfrich@sonoma-county.org

- 1) Public Outreach – Board of Supervisors emphasized need for robust outreach
- 2) Impacts on housing
- 3) License program to separate land use from performance standards
- 4) Improve application process, enforcement, complaints, and neighborhood notification
- 5) Land Use restrictions accounting for density, proximity, use
- 6) Standards for evacuation, access, wildfire risk, and public health and safety baked into performance standards

Input to date from both neighbors and operators:

- Everyone supports licensing program
- Support for 24 hour complaint hotline
- Restricting number of permits issued to one entity also supported
- All agree on etter standards to avoid impacts to emergency response and evacuation
- Limits on proximity and density – controversial. Neighborhoods want more, operators think concern overblown.

Housing – study by Robert Eyler, Economic Forensics and Analytics did not provide actionable findings pm.

Changes coming:

Establishing a 24/7 hotline. Talked with Marin and other counties on their experience for line. Call center staffed 24/7 and contact property manager

Property manager responds to complaints

Call center verifies and logs response – creating a record

Verify that the issue is resolved

License program – license requires annual application which means another enforcement option. Where a zoning permit authorizes land use, the vacation rental license regulates operation of use. This gives option of incremental steps such as suspension or fines – provides many more tools in the enforcement toolkit.

New policy that property managers can be de-certified as well. So a property manager can be decertified for a period of time and that effects all of their properties. Evacuation and emergency response is part of the property manager's responsibility. The manager is required to communicate evacuation and emergency information, include requirement to vacate at evacuation warning, and for property manager to check evacuation and inform Sheriff if not followed.

Parking – limit rental numbers to available parking. Vacation rentals not permitted without off street parking where vehicles cannot park 6 feet from road centerlines, vacation rentals may not “reserve” parking spaces on public roads, parking space dimensions shall comply with Sonoma Couty Code Section 26-82-030(q). If you do not have parking available, you will not be able to get the license.

Promixity and Concentration. Too many in one area hurt neighborhood character and/or protect public health and safety. This is to be applied in context sensitive manner:

Proximity best tool to prevent residents from being surrounded by vacation rentals.

Concentration works best to prevent overall number of rentals from impacting neighborhood character and public safety.

Draft proposal, looking for input, is to look at issues of proximity and concentration by looking at adjacency. So limit clustering by identify parcels that touch or are across the local street from an existing rental, and parcels adjacent to these. (see map at point 1:34 on the video for clarity.) Difficulty in identifying boundaries of neighborhoods.

Other recommendations: remove provision that allows standards to be exceeded subject to the use permit

Consider limiting rental to no more than 12 people at any time of day (current daytime limit is 18 people). Public and industry support.

Restrict how many vacation rental permits or licenses that can be held by a single entity. Challenging to monitor and enforce, but have heard this is an important policy. But hard to develop a legally defensible rule.

Improve neighbor notification – possible certified letter to nearest neighbors or 300 feet that you have to send out any time your license is up for renewal.

Provide guests manual for standards and evacuation.

Staff anticipates bringing this to the planning commission on January 20, 2022.

Council Comments and questions:

Mike Nicholls: thank you for presentation. Hotline costs to go back to owner or will county pay? Don't think County should absorb these costs. Certified letter, also include the hotline number.

Gary: annual monitoring/license fee is enough to cover all costs, so will be revenue neutral.

Alice Teeter: only to vacation rentals for whole property, not for single room in a house, correct?

Gary: if you have a hosted rental, have had 0 problems. Another AirBandB when you rent out your own house, looking at program. Must be your primary residence and limited to a certain number a year. Considering that as well. Don't have problems with those at all. It's the corporate rentals where guests are turning over again and again is where we have the problems.

Vesta: Important for people who live with these issues to write to Permit Sonoma for the final planning. Send in your input pro and con. Please send your input in before January 20 to Gary.Helfrich@sonoma-county.org.

Naomi: understand need for these regulations and notifications. Feel that having the management company responsible for evacuation of guests is an undue burden on the property management when they are dealing with their own family evacuations at the same time.

Gary: that's why we have that rule at warning stage not at the mandatory stage. To give property manager time to let them know to leave at the warning stage, giving them time between warning and mandatory stage.

Naomi: how are we held responsible if they won't leave? Gary: that's when you tell the Sheriff. You are running a business and someone needs to be held accountable. Gary affirmed that he has heard the comment, is discussing with emergency services, and Naomi can follow up with him again later.

Claire –AirBandB is big business overtaking communities. Time to get control. This is invading our communities. Communities should not have businesses operating within them. Putting culture and community at risk. Loud guests and strangers have made her feel unsafe, been disruptive, parking issues.

Russian River Strategic plan overview from Elise Weiland, D5 staff.

Putting together an RFP now to bring in consultant to help us with a 3 phase plan:

1. Study on what we have now: taxes, services, entities.

2. Robust community engagement on What's missing, what's needed
3. Solutions – iterative process with community and consultants and county team members to create a vision and strategy towards more robust local services in unincorporated Russian river.

H. Committee and Staff Reports

- MAC Communications/Outreach Committee - Lisa Nahmanson:
 - 2020 outreach and communications plan. Reviewing steps to improve, putting a checklist together on how to send information out and inform the public. Will keep it rolling to engage greatest numbers. Vesta shared Forestville Town Hall planned for January (note added that it was moved to March). Pip asks for calendar reminders.
- Chair Trash - Lisa Nahmanson: Want to strengthen impact in 2022. Using trash tracker to help us add areas of focus. Working on events, education, mattresses, Adopt a road and more to come in 2022. Alice – we want businesses that contribute to producing trash to also contribute to roadside clean up. Vesta – new promo of being more conscious of the environment. TPW has signs. Is that something to consider for people to be more conscious? Elise – working hard on launching that, Vesta.
- Chair Land Use Committee Report - Kyra Wink : See minutes on the web and also see the annual report in the attachments. Kyra reviewed that report which can be found in the December council packet and also in the annual report to be provided in February. Lisa asked – how do we provide information back to Permit Sonoma? Through Land Use? Kyra – can be done through MAC and also through Land Use. Pip agreed that the Land Use committee is critical to communicate to planners. Vesta asked where to find it. Google Land Use lower Russian river mac land use committee. Mike noted that we need to be mindful of the Brown Act and noted that questions and comments from MAC members should be emailed in so that the Brown Act is not violated.
- Chair Staff Report – Security Camera project reported on by Nance Jones.
 - Keeping Communities Safe committee working on ways to improve security. Did neighborhood watch and then Charity Koch of Sheriff's department encouraged them on security cameras. Researched programs in similar communities. 28 cameras placed from the River Grill to Fern Grove on Main Street, 3rd street, 4th street by Timberline, parts of Church and parts of Mill streets. Karen Cox, Lois Lebovich, Wendy Bignall, and received letters from all of the business owners, Sheriff's supporting. The program is unusual in that the feeds will not be monitored 24/7. It's a private, secured system, only 2 administrators. Video feed will be supplied only through a Sheriff's request of a subpoena. Were able to get funds that had already been allocated for Security and to make this happen. Installation will be in January or February. A lot of support. Elise has been a driver with the County to get the funds, recognize all her hard work.
 - Pip thanks county staff for taking calls, getting information and support, providing straight information. Now have a lifeline into County government, working tirelessly to do that. Thank you to all of the 5th District staff in making the lives of people better.
 - Lois thanks all the committee members with Nance to make this happen. Found a good company to supply everything and can hardly wait to get it done.

J. Call for agenda items – Dan Fein of the CAG wastewater and septic would like to give a presentation (added note – scheduled for April). No other agenda items proposed. Can always email later to add agenda items. K. Adjournment by Chair

February 17, 2022

Ms. Lynda Hopkins
County of Sonoma
575 Administration Dr.
Santa Rosa CA 95403

Supervisor Hopkins:

This is to serve as a summary of the activities of the Lower Russian River MAC in 2021.

While we meet as a council every other Month via Zoom, our ad-hoc committees have worked throughout the course of the year on issues such as parking, trash, vacation rentals, and community communications. Specifically, the Ad-Hocs were formed at our first meeting in 2021 as follows.

1. **Vacation Rental AdHoc** – To augment existing research done by the previous year's AdHoc and collect additional data to better understand the neighborhood impact of Vacation rentals and to share their findings with the Lower Russian River MAC and the Sonoma County Board of Supervisors.
2. **Parking Permit AdHoc** – To gauge interest in and provide feedback in a Residential Parking Permit Program that may alleviate parking issues related to River Access by non-residents.
3. **Outreach/Communications AdHoc** – To create a resource that allows the Lower Russian River MAC to better communicate with constituents. This will include locations to post notices, neighborhood group contact information, moderators of online neighborhood groups, etc.
4. **Trash AdHoc** – Work with staff at District 5 to connect community clean-up efforts with available resources and ideas to address trash challenges.

We also, formed the first Lower Russian River MAC Standing Committee focused on Land Use. This was formed after months of debate on how best to approach formation, collecting input from LRRMAC and Coastal MAC Councilmembers, community input, legal advice, and opinions from the 5th District office.

Attached to this letter are the annual reports submitted by each of the committees.

Since the formation of the LRRMAC, we have faced numerous challenges (understanding what the MAC is and isn't, process and procedures, how to interact with each other and the communities we represent), disasters (fires and floods), and the Covid pandemic.

I believe that 2021 was a turning point for our MAC in that we have made significant progress on issues and processes that have a direct impact on the Lower Russian River. Of note, is the *Land Use Committee*, which holds bi-monthly meetings, has a process for working with Permit Sonoma, has a process for working with MAC Councilmembers on Land Use projects in their "district" and has a good working relationship with the Coastal MAC. Also, the *Vacation Rental Ad-Hoc* has put in an enormous amount of work collecting feedback from residents and establishing a working relationship with Permit Sonoma – all with the goal of providing consolidated feedback to inform the Board of Supervisors and Permit Sonoma as updates are considered to the Vacation Rental Ordinance. Many of the proposed changes to the ordinance (24-hour Hotline, Light and Noise rules, Proximity and Concentration Maps, etc.) will help with issues that the Vacation Rental Ad-Hoc committee has brought to light through their process.

It has been a pleasure serving as Chair this year and am looking forward to continuing on the MAC in any way that I can be helpful.

If you need further information or have any questions, please reach out.

Sincerely,

Pip Marquez de la Plata
Chair, Lower Russian River Municipal Advisory Council



**2021 Year End Report
Vacation Rental Ad Hoc Committee
Lower Russian River Municipal Advisory Council (MAC)**

Committee Members: Vesta Copestakes, Chair; Nic Pereira; Lucy Hardcastle

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 licensed 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.



FILE: Vacation Rental Ordinance Update (ORD21-0005)

DATE: November 18, 2021

TIME: At or after 1:20 p.m.

STAFF: Gary Helfrich

SUMMARY

Supervisorial District(s): All
Location: Countywide
Description: Vacation Rental Ordinance Update Workshop
CEQA Review: This public workshop is not a project under CEQA

RECOMMENDATION

This report provides background, describes current efforts and identifies next steps to develop an updated Vacation Rental Ordinance (Section 26-88-120). This is an informational item to provide information and policy options for consideration by the Planning Commission as directed by the Board of Supervisors at their July 20, 2021 workshop. Staff request that the Planning Commission receive public comment and provide direction to staff for preparation of a draft Vacation Rental Ordinance tentatively scheduled to be heard on January 20, 2022.

EXECUTIVE SUMMARY

On March 15, 2016, the Board of Supervisors adopted Ordinance 6145, establishing the current regulations of vacation rentals in unincorporated Sonoma County outside of the Coastal Zone. Regulation of vacation rentals in the Coastal Zone would require amendments to the Local Coastal Plan and Coastal Zoning Ordinance. Ordinance 6145 also established the Vacation Rental Exclusion Combining District (X-Zone), which prohibits vacation rentals in certain areas to preserve housing stock, protect neighborhood character, and avoid adding vacation rentals to areas with access limitations and high fire severity. The current ordinance can be found in Attachment 1.

Direction from the Board of Supervisors:

On December 15, 2020, the Board of Supervisors adopted an urgency ordinance extending a more refined temporary cap on vacation rentals in specified locations within the unincorporated areas of the 1st and 5th Supervisorial Districts, as well as directed Permit Sonoma staff to return to the Board on July 20, 2021 with additional data and recommendations to improve the Vacation Rental program. After considering staff recommendations and input from stakeholders at the July 20, 2021 meeting, the Board of Supervisors directed staff to:

(1) Conduct public outreach and informational workshops with stakeholders to help inform policy development.

(2) Study the potential impact that Vacation Rentals may have on housing prices and housing availability.

- (3) Identify process that will shift from a zoning permit to business license program that will apply uniform standards countywide, including the Coastal Zone.
- (4) Improve tools for applications, reporting and resolving complaints, neighborhood notification, and enforcement of standards.
- (5) Improve standards for parking, road access, emergency response, water and wastewater capacity, and wildfire risk.
- (6) Develop land use policies to address Vacation Rental proximity and concentration in areas where high levels may adversely affect public health and safety, or neighborhood character.

Staff has developed policy options and process improvements based on a 3-month long public outreach program and research into best practices in other jurisdictions for consideration and recommendation by the Planning Commission. Based on direction received at this workshop, staff will prepare a draft ordinance and conduct additional public outreach in anticipation of bringing a draft Vacation Rental Ordinance to the Planning Commission on January 20, 2022.

Policy options materials from the July 20, 2021 Board of Supervisors meeting, including staff report and video of the hearing are available at: <https://sonoma-county.legistar.com/LegislationDetail.aspx?ID=5028766&GUID=8D2A9DC4-B392-47B9-9404-6D8B696CB155>. Policy options, and summary of regulations in surrounding areas is also provided as Attachment 1 to this memo.

CURRENT REGULATIONS

The Board of Supervisors adopted the current Vacation Rental Code in March of 2016 (Ordinance 6145, Section 26-88-120 of Sonoma County Municipal Code). Key provisions are:

1. Defines “vacation rental” as the short-term rental of homes for less than 30 days at a time where the primary owner is not in residence;
2. Establishes performance standards that include limits on occupancy and guestrooms; maximum number of guests and daytime visitors, parking, trash facilities, amplified sound, and neighborhood notification; · Allows only one rental per parcel;
3. Does not allow vacation rental permitting of accessory dwelling units, multi-family units, affordable housing units, farmworker housing, farm family units, or on lands under a Williamson Act contract; Tents, yurts, RVs, and other provisions intended for temporary occupancy are not allowed as a part of a vacation rental; and
4. 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.

Fiscal Year 21/22 fees for a vacation rental permit are \$638 with an annual monitoring fee of \$224. Property managers pay a onetime \$67 certification fee, and changes in property management is subject

to an \$88 fee. Per County Municipal Code Section 12-11, permitted vacation rentals must remit payment of Transient Occupancy Tax, which is 12% of lodging revenue paid quarterly.

Ordinance 6145 also established Vacation Rental Exclusion Combining District that prohibits vacation rentals in the following areas outside the Coastal Zone:

1. Areas where there is inadequate road access or off-street parking;
2. Areas where the prevalence of vacation rentals is detrimental to the residential character of neighborhoods;
3. Areas where the residential housing stock is to be protected from conversion to visitor-serving uses;
4. Areas where, because of topography, access or vegetation, there is a significant fire hazard;
5. Areas where residential character is to be preserved or preferred; and
6. Other areas where the board of supervisors determines that it is in the public interest to prohibit the establishment and operation of vacation rentals.

REGULATION IN THE COASTAL ZONE

The current County practice to regulate vacation rentals through land use would require amending the Local Coastal Plan and Coastal Zoning Code, then have these amendments certified by the Coastal Commission as being consistent with the provisions of the Coastal Act. The Coastal Commission considers lodging provided by vacation rentals to be an important component of coastal access, and Commission staff has indicated that a Coastal Zoning Code amendment restricting vacation rentals on the basis of protecting housing or preserving neighborhood character would be difficult to certify. Commission staff indicated that a business license program establishing and regulating performance standards, without limiting location or number of Vacation Rentals, would likely be consistent with the Coastal Act, allowing inland performance standards to be applied in the Coastal Zone.

As there are not currently any provisions in the Coastal Zoning Ordinance regulating vacation rentals, the only current requirement to operate a vacation rental in the Coastal Zone is to obtain a Transient Occupancy Tax certificate and pay taxes on a timely basis. The County has no other regulatory mechanism at this time in the Coastal Zone.

RESPONSE TO BOARD OF SUPERVISORS DIRECTION

Public Outreach

Permit Sonoma Staff has presented workshops at meeting of Sonoma Valley Citizens Advisory Commission, Springs Municipal Advisory Council, Lower Russian River Municipal Advisory Council, Sonoma Coast Municipal Advisory Council, Geyserville Planning Committee, The Sea Ranch Association, Mission Highlands Homeowners Association, and Gehricke Rd Fire Safe Council. Outreach to industry stakeholder groups included North Bay Association of Realtors, Sonoma Coast Vacation Rental Owners, Sonoma County Coalition of Hosts, and The Sea Ranch Hosting Coalition.

Topics and comments raised during public outreach include:

1. Support for a licensing program was high among all groups, as was improved enforcement of standards. Industry groups were especially strong in support of a limiting Vacation Rental license to no more than two licenses per person.
2. Establishing a 24- hour complaint hotline, similar to the system used in Marin County, enjoyed near universal support from the public and industry stakeholders.
3. The public and industry stakeholders expressed concern regarding businesses that own and operate multiple Vacation Rentals. There was support for strengthening the existing policy prohibiting corporate operation of Vacation Rentals and limit licenses or permits to two per person.
4. The public and industry stakeholders support better enforcement of current Vacation Rental standards. Industry stakeholders also supported creating additional performance standards for property managers.
5. Industry stakeholders felt that the application process could be streamlined and simplified.
6. Process for neighbor notification of a Vacation Rental is inconsistent.
7. Vacation Rentals may interfere with evacuation during emergencies, especially during wildfires in areas with limited access. Renters should be provided with an evacuation plan, and property managers should be responsible for making sure that guests have left the premises when an evacuation order is issued.
8. The term “business license” may create problems with interpretation by home owners associations and CC&Rs that restrict business use of homes.
9. Regulation of vacation rentals by location, proximity, concentration, and rental days remains controversial. Residents who live near Vacation Rentals were strongly in favor of additional limits on vacation rentals, and industry stakeholders are skeptical that limits can be fairly implemented and are necessary in most situations.

Vacation Rental Impact on Housing

Through a Department Head authorization, staff has selected the services of Economic Forensics & Analytics to conduct a study of the impact of vacation rentals on the County’s housing stock. An administrative draft has been prepared, but gathering data necessary to generate actionable recommendations has proved more difficult than anticipated, as data sources with similar spatial boundaries are not available in all cases. Additionally, the housing market is influenced by multiple inputs, making it challenging to isolate the impact of Vacation Rentals on the housing market.

Economic Forensics & Analytics is in the process of gathering and analyzing additional data and report is still under review by County staff. It is anticipated the draft report will be released later this year.

Business License Program

Sonoma County remains the only jurisdiction in the Bay area that lacks a comprehensive business license program, and the only license program currently operating in Sonoma County is the Sonoma County Tobacco Retail License (Attachment 2). The significant advantage a license offers as compared to a Zoning Permit is streamlining enforcement and providing additional tools, such as progressive civil penalties, license suspension, and administrative revocation that are not available with a Zoning Permit.

Permit Sonoma Staff is proposing to use the Tobacco Retail License program as a template, and is recommending that the license be referred to as a “Vacation Rental License” rather than “Business License” to clarify this is a residential use.

Permit Sonoma staff recommends that a Vacation Rental License program be a component of the Vacation Rental Ordinance update with the following provisions in addition to those found in the current Vacation Rental Ordinance:

1. Vacation Rental Licenses automatically expire one year after the date issued and must be renewed. Renewal may be denied for Vacation Rentals with more than three violations within 12 months of the renewal date.
2. Vacation Rental Licenses are limited to one license per parcel
3. A Vacation Rental License shall not be issued to property owned by a corporation, as defined in Section 100-195 of the California Corporation Code.
4. No more than two Vacation Rental licenses shall be issued simultaneously to an individual.
5. Zoning permits issued for vacation rentals will automatically convert to a business license at least one year, but not more than two years from the effective date of the ordinance. Conversion will be on the same calendar day and month as the Zoning Permit was issued. Permits issued on February 29 of a leap year will convert on March 1. No fee is associated with the initial conversion, but fees will be required upon renewal.

Monitoring, Performance Standards, and Enforcement

Complaint Hotline

Permit Sonoma is currently evaluating vendors to provide a 24/7/365 complaint hotline. This is a process improvement that can be implemented under the current ordinance. The Vacation Rental hotline is a staffed central point of for all short term rental complaints and provides a simple easy to use reporting system. The hotline will log the call or text, contact the property manager, record the action taken, and contact the complainant to verify that problem has been resolved. Information collected will go into a reporting database, allowing Permit Sonoma to monitor performance of both Vacation Rentals and property managers.

Property Manager Performance Standards

Under the current ordinance, the property manager has limited accountability for resolving complaints. While Vacation Rental owners may have their permit or license revoked for non-compliance with

standards, there is not a similar mechanism in the current code to revoke certification of property managers that fail to meet standards for responding to and resolving complaints. Staff recommends adding a performance standard section for property managers. This section would establish thresholds for suspension or revocation of a property manager certificate for repeated failure to adequately respond to and resolve complaints.

Hazards and Evacuation

Staff recommends the following additions and modifications to the Vacation Rental Standards found in the current ordinance:

1. Evacuation plan: Vacation Rentals shall provide guests with a written evacuation plan identifying the Vacation Rental evacuation zone, evacuation route, and the Calfire Evacuation Checklist. Guests shall be informed that they are required to leave the property when a Voluntary Evacuation Order is issued by Calfire for their evacuation zone. The property manager is responsible for verifying that guests have been evacuated.
2. Emergency evacuation: Vacation Rental license or permit holders and Certified Property Managers of a Vacation Rental that does not comply with a voluntary or mandatory evacuation order are subject to permanent revocation of the Vacation Rental license and/or permit, and/or and permanent de-certification of the Certified Property Manager.
3. Additional restriction on outdoor fire areas: Outdoor burning, other than gas-fired appliances and gas-fired barbecues, is prohibited during Calfire Declaration of Fire Season and during Red Flag warnings outside of the Declared Fire Season.

Proximity and Concentration

The only regulation currently available to limit vacation rentals is the Vacation Rental Exclusion Zone. Staff has found this to be a limited tool, and often has the effect of concentrating Vacation Rentals in nearby areas. At this time there are also temporary caps on Vacation Rentals in the burn zones, and specific areas of Sonoma Valley and the Lower Russian River. Evaluating the success of these measures has been difficult due to the impact of COVID-19 on the tourism industry, but staff feels that other tools, such as limits on proximity, concentration, and rental days, are better suited at balancing the needs of Vacation Rental owners and the neighborhoods where they are located.

Proximity is the distance between vacation rentals, concentration is the percentage of homes within a given area being used as Vacation Rentals, and rental days is a limit on how many days per year a Vacation Rental may operate. Staff is not recommending specific guidelines at this time, but review of other jurisdictions show the following standards:

1. Proximity – A proximity standard is generally applied in areas with high residential density, with the intent to prevent individual residents from being surrounded by Vacation Rentals. Proximity is not an effective policy in areas with large parcels. Staff recommends a proximity limit of 300-500 feet between Vacation Rental represents an effective distance.
2. Density – A density of 10% was used by Permit Sonoma staff to establish the recent Vacation Rental Cap in the Guerneville area. Density is an effective tool for managing Vacation Rentals in areas where Vacation Rentals are distributed evenly and the goal is to preserve neighborhood character.

3. Rental Days – Many jurisdiction limit all Vacation Rentals to a specific number of days per year, and the most common limit is 90 days per year. Rental day limits reduce the intensity of Vacation Rentals and may be an effective alternative to proximity or density limits.

Parking

Off street parking is limited in many areas of Sonoma County, and often these areas are served by extremely narrow roads where on-street parking may interfere with emergency response. Additionally, the current ordinance is not clear on how a parking space is defined. Staff recommends the following standards for parking:

1. One on-site parking space for a Vacation Rental with up to two guestrooms or sleeping rooms
2. Two on-site parking spaces for a Vacation Rental with up to four guestrooms.
3. Three on-site parking spaces for a Vacation Rental with up to five guestrooms.
4. Off-street parking areas shall conform to standards of Sonoma County Code Section 26-82-030(q) Where on-site parking is limited or unavailable, one on-street parking space may be substituted for the required off street parking. Vacation Rentals with no on-site parking are limited to four persons.
5. Vacation Rentals may not block or obstruct parking on public streets, and signs may not be posted that “reserve” on-street parking for Vacation Rental guests or in any way indicate that parking on a public right of way is reserved for private use.
6. Vacation Rentals using on-street parking must demonstrate that adequate space is available on the public road for vehicles to be parked at least six feet from the road centerline, and provide a space that is twenty-four feet long by eight feet wide, consistent with Section 26-82-030(q). Where the roadway is less than twenty feet wide, evidence of adequate on-street parking area, in the form of photographs and/or drawings, shall be provided as part of the license application. Vacation Rentals are not permitted where no on-site parking exists and on-street parking is prohibited, or road width is inadequate to allow vehicles to park at least six feet from the road centerline.

Recommendations and Next Steps

1. Provide staff with direction on incorporating policy options identified in this memo to develop a Draft Vacation Rental Ordinance
2. Staff will review the Draft Vacation Rental Ordinance scope and conduct environmental review consistent with the requirements of CEQA
3. Public outreach will continue throughout development of the Draft Vacation Rental Ordinance.
4. Staff anticipates bringing the Draft Vacation Rental Ordinance back to the Planning Commission on January 0, 2022 for public hearing.

Sonoma County Planning Commission
Memo – Vacation Rental Ordinance Update
November 18, 2021
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Attachments:

Attachment 1. Current Vacation Rental Code Section 26-88-120

Attachment 2. Ordinance 6149 Tobacco Retail License

Attachment 3. July 20, 2020 BOS Regulation Summary and Policy Options



**2021 Year End Report
Outreach and Communications Ad Hoc Committee
Lower Russian River Municipal Advisory Council (MAC)**

Members: Lisa Nahmanson (Chair: Forestville); Naomi Hufstutter (Guerneville)

Objective: To create a resource that allows the Lower Russian River MAC to better communicate with constituents. This will include locations to post notices, neighborhood group contact information, moderators of online neighborhood groups, etc.

Result: The MAC may roll out a LRRMAC Newsletter on social media and in print media to reach as broad an audience as possible. The bottom line is that people in our communities obtain information in many different formats from reading a flyer on a bulletin board at the post office or in a dog park, to picking up the Gazette or the RR Times, or viewing a post on Instagram or Facebook.

- **Solicited Input from all MAC members and alternates**
- **Created a google slide deck compiling all of the information received, including (but not limited to):**
 - **LRRMAC WEBSITE**
 - **LRRMAC YOUTUBE CHANNEL**
 - **LRRMAC FB PAGE**
 - **LRRMAC INSTAGRAM: TBD**
 - **LRRMAC NEWSLETTER: TBD**
 - **DISTRICT 5 SUPERVISOR'S NEWSLETTER**
 - **NEXT DOOR GROUPS**
 - **LOCAL FB GROUPS (CAZ LOCALS/RIO NIDO NEIGHBORHOOD COLLECTIVE)**
 - **PRINT MEDIA**
 - **SOCO GAZETTE**
 - **RR TIMES**
 - **PRESS DEMOCRAT**
 - **SONOMA WEST TIMES**
- **CHAMBERS OF COMMERCE/MERCHANTS ASSOCIATIONS**
- **LOCAL GROUPS (FRN/FOVG/HIA/FPA)**
- **FLYERS POSTED AT POST OFFICES AND OTHER KEY LOCATIONS IN EACH COMMUNITY (PARKS/BULLETIN BOARDS/SENIOR CENTERS)**



**2021 Year End Report
Trash Ad-Hoc Committee
Lower Russian River Municipal Advisory Council**

Members: Lisa Nahmanson (Chair: Forestville); Alice Teeter (Hacienda); Avi Gordon (Guerneville)

Objective: Work with staff at District 5 to connect community clean-up efforts with available resources and ideas to address trash challenges.

Result: This is a vibrant and dynamic Ad Hoc with myriad ongoing challenges. We would like to strengthen our impact in 2022.

Trash Challenges started in 2021:

- **Adopt-a-Road**
 - Promotion Phase (Alice/Avi)
- **Funding Trash Pick Up**
 - Grant Recipients Everclean North (Keary + Sally); Russian Riverkeeper
- **Republic Issues**
 - Enforcing uncovered loads
- **Clean California**
 - Public Art and Trash: building a project
- **Trash Cans**
 - Locations for bins that have 3 components: **landfill/recycling/composting**
- **Mowing Trash**
 - Coordinating adopt-a road clean ups with mowers to avoid microplastics in the River and surroundings
- **Unhoused and Trash**
 - Funding Pickups + Supplies + Trash Staging
- **Dumped Mattresses**
 - Bye Bye Mattress Program and the Illegally Dumped Mattresses Collection Initiative
- **Russian River Revitalization**
 - Launched project and merchandise available for holidays

Additional Trash Challenges for 2022:

- Leave No Trace
- Sonoma Coast Pledge
- SB 1383: Composting



2021 Year End Report
Land Use Committee
Lower Russian River Municipal Advisory Council (MAC)

Members of the LRR MAC Land Use Committee: Kyra Wink (Chair: Monte Rio/Villa Grande); Michael Nichols (Cazadero); and Nic Pereira (Guerneville)

The Lower Russian River and Coastal Municipal Advisory Councils, in consultation with, and by the direction of Supervisor Lynda Hopkins, decided in May of 2021 to appoint Standing Land Use Committees.

Overall Goal: To amplify local voices and empower the community to influence land use decisions being made for their neighborhoods.

Overall Guidelines:

- The Land Use standing committees will meet once every two months (opposite the MAC Meetings)
- They will review permit applications and determine timing / planner / and scope of each project.
- Decide what action to take to open applications:
 - Decline to review application of lesser significance
 - Provide notification to MAC reps & to the community of Permit Sonoma hearings or next steps
 - Invite the permit applicant to provide a presentation at either a full MAC Meeting or at a special meeting
 - Compile and provide public comment data from presentations back to Permit Sonoma
 - Vote to have full MAC Recommend approval or disapproval of a permit
 - Tracking the projects if further action is required
 - The Chair shall review any event permits, which can have timelines of under 30-60 days when they are received and convene a special meeting if necessary
- The Land Use standing committee may make the determination of how each permit is to be reviewed based on perceived interest to the community, timing and other factors unique to the permit under consideration
- The Land Use standing committee will follow all public meeting regulations, policies, and procedures, and minutes will be kept and published on the Sonoma County website
- The Land Use Co will work with District 5 staff to set up timely notifications of meetings, communications with Permit Sonoma and community members

Summary of Land Use Standing Committee work for 2021

- **August 18, 2021:** A Special Meeting was called of the LRR and Coastal Land Use Standing Committees to discuss the permit process specific to Event Permits
- **September 27th, 2021** - Within this meeting, it was agreed that the LRR LUC meetings would be held on the 4th Thursday of the month starting in January 2022. The November 2021 Meeting would be held on the 4th Monday due to the Thanksgiving Holiday. Communications about and from LUC will be through MAC Representatives, County/MAC Newsletters, LRRMAC/LAND USE Webpages and through Supervisor Hopkin's FB page. Permits of interest were reviewed

- **October 27th, 2021** – The Land Use Committee, by way of invitation from Eric Koenigshofer, Sonoma County planning commissioner for the 5th District, met with the Lok Property owner, architects, planners, lawyer and Efren Carrillo to survey the site of the proposed GuerneWood hotel and resort. The purpose was to understand visually the footprint and height of the resort and to discuss community concerns
- **November 22nd, 2021** - Within this meeting there was a presentation regarding the Project Homekey program by Dave Kiff. There was an update and discussion regarding the Lok /GuerneWood Resort project and permits still in process or new projects/applications of interest were reviewed



2021 Year End Report
Residential Parking Permit (“RPP”) Ad-Hoc Committee
Lower Russian River Municipal Advisory Council

Members: Kyra Wink (Chair: Monte Rio/Villa Grande); Lisa Nahmanson (Forestville)

Objective: To gauge potential interest in and provide feedback for a Residential Parking Permit (RPP) program directed to alleviate parking issues by non-residents within Lower Russian River (LRR) Beach communities.

Result: After surveying LRR Beach Communities, there was not enough overall interest to move forward and support funding for a County-wide RPP Program. The Hacienda area strongly supported the RPP Program concept with the Forestville areas coming in second. Lynda Hopkins hopes to find support for the funding of 2 Parking Enforcement Officers (PEO).

- **FEBRUARY MEETING PRESENTATION:** Ad-hoc Chair Kyra Wink presented a synopsis of the RPP survey which ran from 12/17/2020- 2/5/2021; 336 Responses to the survey; Survey structure received some constructive criticism and produced some conclusions for us to build on moving forward.
- **MARCH 2021 AND APRIL 2021:** Ad-hoc committee sent outreach emails to all self-identified “Champions” from the survey: Forestville (17 people) Hacienda (13 people) Guerneville (7 people) Monte Rio (2 people):
 - Forestville Champions held meeting on zoom on 3/23/2021; Elise Weiland (Supervisor’s Field Representative) explained percentages needed for county-wide ordinance drafting and next steps for Champions; Phil Grosse (President of Hacienda Improvement Association) discussed the power point presentation that he has shared with the County
 - Forestville Champions held second meeting on zoom to watch presentation from Phil Grosse and HIA on 3/26/2021
- **SINCE APRIL 2021**
 - There were some Champion led meetings in Forestville & Hacienda, however there was not enough interest within the LRR areas together or with other MAC/ Field Reps districts to support a County Residential Parking Permit Program.
 - Lynda Hopkins, in support of all the parking problems in the LRR, has proposed a County budget ask for (2) parking enforcement officers, funding through CHP, for the 2021-2022 year budget. The budget was said to have been finalized by the County Supervisors on 6/18/21 or before the end of the year.
 - The RPP Program Ad Hoc Co. meetings ended by mid-year due to lack for support/ interest by the LRR Communities.

(Suggested draft - To be inserted onto LRR MAC's letterhead)

February XX, 2022

Ms. Patricia K. Poppe, CEO
Pacific Gas and Electric Co
245 Market Street
San Francisco CA 94105

Dear CEO Poppe,

On January 8, 2022, at approximately 1:30AM, a vehicle struck a PG&E transmission pole near 8244 Trenton Road, Forestville CA. The failure of one pole created a power outage affecting 12,611 ratepayers in Western Sonoma County from Forestville, to Bodega Bay including the communities of Guerneville, Jenner, Monte Rio and Cazadero along the lower Russian River. The power restoration process took up to 23 hours to restore energy delivery to all affected communities.

In addition to residential ratepayers, water companies, waste-water treatment facilities, internet service providers and anchor institutions were affected by the outage, which created a major public inconvenience and created public safety concerns.

The lack of PG&E's transmission redundancy *with the failure of only one pole*, affecting up to 20,000 residents for as long as 23 hours and creating a major public safety issue for many in a Tier 3 High Fire Treat Area is a major concern to the Lower Russian River Municipal Advisory Council.

We therefore ask, what is PG&E's engineering team planning to do to rectify this major issue within your energy transmission grid in Western Sonoma County and when can we expect to see a solution to your energy delivery grid breakdown implemented?

Sincerely,

Cc: Clifford Rechtschaffen – Commissioner – California Public Utilities Commission
Alice Busching Reynolds – President California Public Utilities Commission
Christopher Godley – Sonoma County OES
Board of Supervisors Office – County of Sonoma
Geof Syphers – CEO Sonoma Clean Power