



Sonoma Coast Municipal Advisory Council

Sept 15, 2022 MAC Meeting, 5:30 pm – 7:30pm

Members

Bodega/Valley Ford

Beth Bruzzone

Alternate: Che Casul

Timber Cove

Scott Farmer

Alternate: Annie

Cresswell

Sea Ranch/Annapolis

Marti Campbell,

Chair

Paul Plakos

Kashi Band/Pomo

Indians Abreanna Gomes

Fort Ross

Wanda Swenson

Alternate: Caroline

Madden

Jenner

Jill

Lippitt

Alternate: Elizabeth

Gallagher

Bodega Bay

Brian Leubitz

Ginny Nichols

Alternate: Carl Osier

Clerk: Cindy Culcasi

Staff: Leo Chyi

In accordance with AB 361, Governor Newsom's March 4, 2020 State of Emergency due to the COVID-19 pandemic and the Sonoma County Board of Supervisors Resolution 21-0399, the Coast MAC meeting will be held virtually. The meeting will be on Zoom and on Facebook live, links below. After the event, videos are available both on Facebook and on YouTube under **Sonoma County 5th District**. Facebook: <https://www.facebook.com/supervisorlyndahopkins>

Zoom:

<https://sonomacounty.zoom.us/j/96903154846?pwd=N0JNk55MDBsQitXb28waGNueXhjdz09>

Passcode: 459853

Or One tap mobile :

US: +16694449171,,96903154846# or +16699009128,,96903154846#

Meeting Agenda

Call to order and Pledge of Allegiance Clerk of the Board Cindy Culcasi

Roll Call

A. Approval of Agenda Chair Marti Campbell

B. Statement(s) of conflict of interest: if any, from Council members

C. Correspondence

D. Consent Calendar

1. Approval of July Minutes

E. Public Comment

Comment from the public regarding matters of general interest not on the agenda, but related to the Sonoma Coast MAC business. Pursuant to the Brown Act, the Sonoma Coast MAC cannot consider issues or take action on any requests during this comment period. Due to time constraints, comments will be limited at the discretion of the Chair.

F. Regular Calendar Items

1. **Supervisor Lynda Hopkins**

2. **Presentation by Ross Markey and Gary Helfrich from Permit Sonoma regarding the 2022 Vacation Rental Ordinance**

3. **MAC (S)elections: Application period closes 9/30**

G. Council Member and Staff Reports

a. **Water Ad Hoc**

b. **Land Use Standing Committee and possible steps forward**

c. **Roads Ad Hoc**

H. Call for Agenda Items

I. Adjournment

**Sonoma Coast Municipal Advisory Council
Marti Campbell, Chair
July 21, 2022, 5:30 – 7:30
Online Zoom/Facebook Meeting**

Meeting Called to Order – 5:31 pm

Cindy Culcasi

Pledge of Allegiance

All

Roll Call – Present

Marti Campbell – Chair
Paul Plakos
Brian Leubitz
Scott Farmer
Ginny Nichols
Wanda Swenson
Beth Bruzzone

Caroline Madden (alternate)

Absent

Abreanna Gomes
Jill Lippitt
Liz Gallagher (alternate)
Che Casul (alternate)
Carl Osier (alternate)
Annie Cresswell (alternate)

Approval of Agenda

Paul Plakos moved to approve the agenda and Wanda Swenson seconded. The motion carried 7-0.

Statements of Conflict of Interest: if any, from Council members

Clerk Cindy Culcasi asked if there were any conflicts of interest. There were none.

Correspondence

Cindy Culcasi asked if there was any correspondence. There was none

Consent Calendar

Chair Campbell thanked everyone for attending the Coastal MAC Meeting and noted that the focus will be on the Local Coastal Plan (LCP). Supervisor Hopkins is off the grid but Leo Chyi and Elise Weiland, her staff, will be representing her and helping us through the agenda. Supervisor Hopkins will review the recording of the meeting when she returns.

Approval of May Minutes

Chair Campbell asked for a motion to approve the minutes. A motion was made by Wanda Swenson and seconded by Paul Plakos. The motion carried 7-0.

There were two corrections:

- Page 8, the Coast Collaborative - They started talking in 2017 after the Tubbs Fire.
- Page 9, Coast Ridge not Bridge

Public Comment

- **Margaret Grahame** - Ms. Grahame was not clear about providing feedback for the LCP and was wondering if now the time was to provide it. Ms. Grahame was asked to wait until the agenda item was discussed.

Regular Calendar Items

Beth Bruzzone asked to make a comment regarding feedback she is hearing from her constituents. She noted that many are losing faith in the MAC process. She noted that tonight's attendance isn't bad, but sometimes there is less than 10 people. Elise Weiland responded this is an agenda item that will be discussed later in the meeting.

Elise Weiland on behalf of Supervisor Lynda Hopkins

After the release of the free Wi-Fi in Guerneville, the following towns will be getting Wi-Fi:

- Cazadero
- Jenner
- Bodega Bay
- Bodega
- Forestville

The Alliance has the funding and has ordered all the supplies. There is some supply chain backup. As soon as the backordered items come in, the team is ready to go. This is good for people, businesses, and disaster preparedness. Starlink is being used with a battery backup. During disasters, people will be able to go downtown and connect to Wi-Fi even if the power is out or cell towers are down.

As people learn about the free Wi-Fi, they are calling the District 5 Office and asking why they aren't getting this Wi-Fi. The District 5 Office is working with the Russian River Alliances and have applied for additional grants through CASF (California Advanced Services Fund) Broadband Infrastructure Grant Account to add an additional 8 communities and are awaiting word on that funding. The free Wi-Fi is paid for the next 5 years. They have also been working with the Economic Development Board Broadband Task Force.

The State is working on a public/private ownership to provide the middle mile and also working to provide the County funding for the last mile of the Wi-Fi infrastructure. The process is moving way too slowly to get Wi-Fi to the rural communities, so providing the free Wi-Fi is a first step.

Parking enforcement has been stronger. We paid out of our TOT (transient occupancy tax) to pay for dedicated CHP parking enforcement. During the month of June, they wrote 91 parking tickets, 21 tickets in other categories, in other categories, 4 verbal warnings, and one towed car that was blocking emergency access. The July numbers are looking like they will be similar. Chair Campbell will be talking later in the meeting about communicating problems with parking through the MAC to the CHP.

The County of Sonoma Department of Transportation and Public Works has received a \$74,000 grant to install smart meters to the water system in Jenner. This project is part of the project to address water losses in drought areas. By using this system, in general, water losses and leaks can be identified in the system.

The Sonoma County Economic Development Board approved funding for visitor's centers and the Chambers of Commerce. The application for funding is open now. Bodega Bay applied for the funding and Supervisor Hopkins is very happy since she has been advocating for this.

Questions/Comments

- **Paul Plakos (MAC)** – Mr. Plakos asked the people who live in the Bodega and Jenner area if they are seeing a significant change in illegal parking in their areas? **Elise Weiland** noted she has seen a distinct drop in both trash and parking issues and the number of complaints received are drastically lower.
- **Beth Bruzzone (MAC)** – She believes there is a quicker response when there is a problem. She thinks it is having a good effect on the repeat offenders and the trespassers along Hwy 1. **Elise Weiland** stated that the additional enforcement is a result of the survey done by the MAC Traffic AdHoc Committee and the community voice that the MAC brings.
- **Paul Plakos (MAC)** – Mr. Plakos added that EMS (Emergency Services) will probably also bring good feedback since this impacts them dramatically when they can't get through.
- **Chair Campbell (MAC)** announced that Beth Bruzzone has agreed to be the point person interfacing with the CHP Officer who is managing this process. Please contact Ms. Bruzzone directly if you have comments, hot spots, etc.
- **Brian Leubitz (MAC)** asked if we know when Bodega Bay will be getting the resident officer assigned? Also is the amount paid for the tickets paid back to the TOT? **Elise Weiland** responded there is no relationship. The ticket money does not come back to us. CHP enforcement is from Memorial Day to Labor Day and one day a weekend.
- **Beth Bruzzone (MAC)** said this will be a sheriff and not CHP. The Deputy will be here shortly and will make contact when he arrives. Ms. Bruzzone will contact Brian Leubitz with an update.

Regular Calendar Items

MAC Election and Engagement - Elise Weiland

There is concern by both the Coastal MAC and the Russian River MAC, that sometimes there are few participants attending the meetings.

Some thoughts regarding the reasons:

- Some people forget about the meetings, and we also have new people who aren't familiar with the MAC
- Since the pandemic, almost all communication was via social media, so some people may not be getting all the information. Post cards have been created using the MAC budget, that will be sent in September to all people within the MAC Region. Ms. Weiland said she is surprised by people who call and email into the District 5 Office who don't know about the MAC, the YouTube Channel and the newsletter. The postcard includes MAC Meeting information, social media details, along with contact information and other important details. See the following link: <https://www.youtube.com/watch?v=0CUNjHhEJsQ&t=3279s> for Zoom at 22 minutes, 3 seconds with details.
- The postcard should remind people and let new people know about the MAC.
- The postcard will also remind people about the MAC election coming up in the fall. There is also talk about doing a survey.

The first step is to send out the postcard. The second step is to create a survey asking what would make the MAC more valuable or interesting. Ms. Weiland is also asking the MAC and other participants to send in questions they think should be included in the survey, e.g., is the meeting too long, should we have a different number of panelists, public comment should be longer, etc. Questions can be emailed to district5@sonoma-county.org.

MAC Representatives should ask themselves what they can do better? For example, how can I communicate with my community better? ,etc.

The third step is in person meetings. Ms. Weiland said they are working hard on testing hybrid meetings, and they hope to get to that soon so there will be both online and in person meetings.

Questions/Comments

- **Paul Plakos (MAC)** – Rep Plakos noted the postcard, survey, and in person meetings are all very good and will help. He would like the numbers for attendance from past MAC Meetings. It could be that the issues were “juicier”, e.g., bike riders, parking enforcement. It would be interesting to see if the attendance is high when there are big issues and low when there are few issues. **Elise Weiland** noted it would be interesting how many people view the meeting afterwards. If there is a large number viewing after the meeting with only a few people who actually attended the meeting, the timing may be poor. Ms. Weiland asked Jason Wilson (staff) for the numbers. He responded that the number of views is available on the YouTube recording.
- **Scott Farmer (MAC)** - Rep Farmer believes that COVID and Zoom has played out and the sooner we can get back to in person meetings that rotate, that will help improve the numbers.
- **Beth Bruzzone (MAC)** - Rep Bruzzone agreed with what was said and believes that in person meetings will be very helpful. She likes the post cards, and the forum of MAC Reps

communicating more when they are not meeting. She suggested a Facebook page for the Coast MAC similar to what the River MAC has created. She believes we need assistance to market the MAC, e.g., booths at some of the craft and artisan fairs. There is a fair coming up at the end of August in Bodega. Rep Bruzzone also noted that she is hearing from people that they aren't attending meetings since they thought there would be far more give and take in the meetings. They are not always able to engage with the MAC Reps when they are in the meetings. **Elise Weiland** responded that one of the factors is the Brown Act, but we do have control over the agendas. She noted that we do tend to pack the agendas and having more room in the agendas would help with this issue since it would allow more time for each agenda item. Regarding more outreach, Ms. Weiland is happy to talk to members and help, e.g., furnishing a table at a fair, setting up a mailing list, helping post on the Coast Facebook group and other outreach items. Prior to the pandemic, MAC Reps met in small groups, such as meeting for coffee to discuss issues, but that has stopped. On August 9, a new member will be joining the staff full time, Tracy Lyons. On August 9, Debbie Ramirez will be joining the staff part time. The staff will now have more time to assist the MAC.

- **Chair Campbell (MAC)** - Chair Campbell asked if the Brown Act allows for give and take? **Elise Weiland** responded that it does. The structure gives people a limited time for a response, or you can take the limited time requirement off. If it is public comment and not on the agenda, you can't answer. If it is a topic like the LCP, the response depends upon how many people and how much time they have. The first priority is to give everyone who wants to speak the time to do so. If there were shorter agendas, that would give people more time to comment. There is a balancing act to make sure that everyone can comment and that the item is on the agenda.
- **Ginny Nichols (MAC)** - Ms. Nichols said as a new member, she feels at a disadvantage and would like training, a mentor, or perhaps rules she can read so she can add value to the MAC and community, **Elise Weiland** will pull up the original training video and see what is lacking so the training can be improved for next year. The training is done in January.
- **Wanda Swenson (MAC)** - She asked if anyone within the community (not MAC members) has taken advantage of submitting agenda items? **Elise Weiland** responded that it is incredibly rare. Participants are asked at the end of every meeting if they have an agenda item to add.

Elections

Elise Weiland proposed an amendment to the bylaws. Section 3 of the current bylaws state a member's term is a 2 year period. Members may serve a total of 2 terms, 4 years in total. In a small community it is difficult to bring together this level of volunteerism. The Coast MAC is at a point that many members terms are ending. Supervisor Hopkins and the MAC Chairs got together to discuss whether the bylaws should be updated. They would like to change the bylaws to state that the terms of a MAC Member is two years and they may be reappointed. A vote needs to be taken the change the bylaws.

Questions/Comments

- **Scott Farmer (MAC)** - Rep Farmer asked if a third term is allowed, even if there is someone to run? **Elise Weiland** said this process will not stop anyone from running. They can still run. This is simply not limiting people to just two terms. Ms. Weiland noted they want people to run.

- **Brian Leubitz (MAC)** – Rep Leubitz thinks it's a good idea. He thanked Ginny Nichols for stepping up to run for Bodega Bay and said it was difficult to find someone.
- **Elise Weiland** stated that not all the things that the MAC does are in the meeting, e.g., Rep Farmer brought up the issue of the Annapolis Yard being a problem, Rep Bruzzone brought up the speeding problems in Bodega. There are issues that are addressed outside of the meetings, and they are not always agenda items. MAC Reps bring up problems and the MAC works to find solutions. There are multiple reasons why the MAC is a valuable group.
- **Paul Plakos (MAC)** made a motion to accept the changes to the bylaws as proposed with additional discussion. **Brian Leubitz** seconded the motion.
- **Wanda Swenson (MAC)** added that she was appointed/handpicked for Fort Ross, not elected.
- **Scott Farmer (MAC)** noted that there is a nomination process. A recommendation is given to Supervisor Hopkins, and she picks the candidate.
- **John Woodware (Public)** - Mr. Woodward asked what is the mechanism that would be most equitable and fair to everyone. He would hate cronyism to get into the MAC.

Elise Weiland said the MAC is eager to get back to individual town caucuses, having in person meetings, and town halls. Rep Farmer at one point put together a meeting of nonprofit groups, community leaders, and fire groups and Supervisor Hopkins and Ms. Weiland came up and had a full afternoon of meetings with everyone. If your area is ready for this type of meeting, Ms. Weiland will help put together an outdoor meeting. Feel free to call on her to help.

Paul Plakos made a motion to accept the changes to the bylaws as proposed. Brian Leubitz seconded the motion. The motion was approved 8-0.

Discussion of the Local Coastal Plan (LCP) Process and Community Feedback – Leo Chyi

Chair Campbell said that Leo Chyi is the point person on Supervisor Hopkins's staff for Permit Sonoma. Mr. Chyi has been following Permit Sonoma and the LCP activities for several years. Mr. Chyi will present the issues as they exist now, and then he will lead the discussion of the MAC and the public to discuss the issues.

Correction to the Minutes - Wanda Swenson (MAC) asked if the minutes were already approved. She had some corrections. Cindy Culcasi (Clerk) requested she bring up the changes now, so they are discussed in public. The corrections are noted under the Consent Calendar agenda item.

Discussion of Latest Local Coastal Plan (LCP) Process and Community Feedback – Leo Chyi

Since Permit Sonoma wasn't able to attend this meeting, Leo Chyi will frame and lay out the timeline for where we are today and some of the resources available. (Share screen starts at 50 minutes on Zoom <https://www.youtube.com/watch?v=0CUNjHhEJsQ&t=3279s>)

Mr. Chyi and Elise Weiland met with the with Permit Sonoma Staff in advance of the MAC Meeting today. Mr. Chyi shared the landing page for the LCP and will also share some of the preparation that Elise Weiland and Leo Chyi created when they met with Permit Sonoma prior to this meeting.

Highlights of meeting with Permit Sonoma (follow along in the Zoom link above):

- While the resources online have continued to improve, there is a demand to create a better landing page online and to assist people finding the information that they are seeking.
- Mr. Chyi shared the LCP landing page which was launched a couple of months ago. There is a May version of the LCP at the top of the landing page.
- The June 29 Planning Commission Hearing information is located on the landing page. Use the June 29 link to find files and the agenda. In the Planning Commission link you will find all the documents, including, agendas, elements, draft minutes, etc.
- The most recent elements are located, for example, under the agenda of the Planning Commission meetings under the Planning Commission Regular Calendar near the top. Hopefully the documents will be updated in late July so people will be able to see all the information.
- See the Public Comment folder where the Planning Commission tried to capture all the comments that people have submitted.
- See the Staff Memo for a shorter highlights version of the comments (within the Memo, Attachments, and Draft Resolution folder)
- Going forward, the County would like the LCP updated every 5 years. Leo Chyi believes they are hoping the Coastal Commission will approve this step in the fall. After the LCP is approved, they will need to codify and create the regulations and policies included in the plan.

Leo Chyi was not here to represent Permit Sonoma, but to convey his experience working with them. Permit Sonoma is working hard to get this document done 30 days prior to the Planning Commission Meeting. Ms. Weiland and Mr. Chyi told Permit Sonoma they would gather feedback at the MAC Meeting. Ms. Weiland shared the questions with Permit Sonoma, and they received written answers to their questions.

The document, [Issues of Concern on the LCP](#), is available on the Coast MAC website in the District 5 website. Leo Chyi shared the document at minute 59 in the Zoom Meeting (<https://www.youtube.com/watch?v=0CUNjHhEJsQ&t=3279s>)

The Vacation Rental Ordinance will be handled in parallel with the LCP.

Leo Chyi has been impressed with the level of engagement and number of meetings that were held, along with the hundreds of pages of comments that Permit Sonoma has compiled. A new version will be ready after the June 29th meeting. Anyone with comments they want to share with the Board of Supervisors, can email BOS@sonoma-county.org. All emails from this address are shared with the 5 members of the Board of Supervisors by the Secretary as part of the agenda. Comments can also be shared with Permit Sonoma via email as long as they are in time to be included. Emails to the Board of Supervisors that are sent prior to the meeting will be shared with the 5 Supervisors.

Questions/Comments

- **Chair Marti Campbell (MAC)** asked Leo Chyi to encourage Permit Sonoma to stick to the deadlines for releasing the documentation. The last of the documents were supposed to be out

by the end of May. She noted that Scott Orr (Deputy Director, Permit Sonoma) pointed out that parts of the document came out the beginning of the first week in June. The last of the documents came out two days prior to the June 29th meeting. It is difficult to review a document of this scope two days prior to a meeting. The last document prior to the meeting did not have a red line that she was aware of. Chair Campbell understood that the changes were massive and perhaps they couldn't provide a red line document, but at least a list of the changes would have been helpful.

- **Leo Chyi (Staff)** read from a message he received from Gary Helfrich (Permit Sonoma): "There were no substantive changes to the 2022 LCP draft by the Planning Commission. "There will be clean up of typos, internal references, improvements to the cartography, and finally additions to the glossary of all references used in the LCP". Attached was a memo to staff that included most of the changes from final Planning Commission Meeting (which Leo Chyi attended). They also reviewed a letter from Rue noting that people should have 30 days to review the document prior to a meeting. Mr. Chyi weighed in also and said Permit Sonoma would do their best to meet the 30 day recommendation.
- **Beth Bruzzone (MAC)** - Ms. Bruzzone spoke to the reopening of Cheney Gulch to gravel mining. She noted it would cost about \$1 million to reopen the mine just to do the paperwork and she is familiar because it is located on her ranch. She doesn't see the gravel pit opening up and commented they have been working to open the Roblar Pit for 20 years. She also spoke about vacation rentals. She asked if all vacation rentals must be in the LCP, except for Sea Ranch. **Chair Campbell** responded that she is incorrect. **Leo Chyi** added there has been much confusion regarding coastal vacation rentals and a discussion regarding the licensing of vacation rentals has been discussed for some time and included the details of a licensing requirement. The licensing will not apply to the coastal area at this time. They are looking at a modification to the LCP to include a process to roll out a business license for the coast. The Coastal Commission would need to approve the license plan. The County and Permit Sonoma would like to align the coastal policy with the rest of Sonoma County. It isn't a part of the LCP but would be part of the program that is approved by the Coastal Commission.
- **Chair Campbell (MAC)** stated her understanding from the Planning Commission Meeting she attended about a month ago is that the Commission is expecting the administration of the Policy to be the same for both the County and the coastal area, but they did not expect the Coastal Commission to approve density requirements in the coastal area. Her understanding is that everyone would have the opportunity to comment on the vacation rental policy outside of the LCP. This information may be different than a month ago since there have been numerous changes.
- **Beth Bruzzone (MAC)** asked if this is the Local Coastal Program, the functional arm/implementation arm of the Local Coastal Program. There is a lot of confusion on this issue and the MAC may want to address this specific issue separately. **Mr. Chyi** agreed and stated that Permit Sonoma generally starts with the LCP, followed by the administrative policies. They would need approvals before they start.
- **Scott Farmer (MAC)** - Permit Sonoma has a way of capturing comments on a timeline. He assumes that will remain in place after the LCP is final. This gives us a chance to post items we aren't happy with the day after the LCP is approved. We can log the items, so they are in the public record. **Leo Chyi** responded that Permit Sonoma would have to weigh in on the process

in terms of keeping track of all the existing and future records. You can send a comment to BOS@sonoma-county.org and they will go directly to the Board, but he doesn't know how these get archived. **Scott Farmer** suggested the Permit Sonoma create a place where people can go in and post their comments which would create a library of comments and suggestions for the next round of LCP updates. **Leo Chyi** commented that there are numerous ways to submit your comments prior to BOS Meetings, Planning Commission Meetings, and the Coastal Commission Meetings. He believes that if you sent in a comment to Permit Sonoma, they must have some sort of mechanism to record the comments for future reference, but he couldn't speak to it.

- **Richard Charter (Public)** – Mr. Charter spoke to federal support for a large oil and gas drilling facility to support drilling off the coast then planned back in the 1980's near Bodega Bay. Bodega Bay is the only navigable harbor in the area. The Local Coastal Plan (LCP) now requires a vote of the electorate for any such oil projects to be proposed there. Now Bodega Bay is on the map for offshore wind companies to build a facility to bring a large sub-sea electrical cable from the offshore wind arrays to the north, on shore into a large substation which would be connected to high voltage lines to the San Francisco Bay Area. The cable remained active when the Bodega Nuclear Power Plant was stopped. He stated that we have a one-time opportunity to keep this under local control with the LCP Update is the only feasible opportunity to keep the future of Bodega Bay under local control at the county level. Our Coast looks this way today because of the people who cared to keep it this way. **Paul Plakos (MAC)** stated that it sounds like Mr. Charter wants to keep the same language in the LCP that would require a vote of the electorate. **Richard Charter** agreed.
- **Chair Campbell (MAC)** added that Scott Orr is aware of Mr. Charter's comments. The document with the comments is posted on the MAC website and she suggested that Mr. Charter review the comments. If he doesn't agree with the response, he should let the BOS know.
- **Beth Bruzzone (MAC)** fully supports Richard Charter's position. She noted that what we do to the Coast today, could make it a very different Coast in 10 years. We need to put protection in place now so we don't end up with power facilities in our stunning special and fragile environment.
- **Scott Farmer (MAC)** asked if the vote would be statewide or countywide? **Mr. Charter** responded that it would be a county wide vote. The route would come right through this area, either Bodega Bay or Tamales Bay.
- **Margaret Grahame (Public)** - Ms. Grahame spoke to her concerns with visitors serving development in the LCP. The goal in this section is to encourage public access to the coast and establish adequate commercial services for the coast. She noted that such development could be accommodated with minimal with impact on views and natural resources. The LCP has 17 policies regarding this issue developed in the 1980's. There is no active engagement with the stakeholders regarding visitors serving development. Some of the existing policies are illogical and speak to existing businesses or suggest, e.g., development of a horse stable at an existing private ranch, not land use. PRMD recommended the removal of references of specific businesses, but the Planning Commission voted to override the recommendation. She understands the concern that development of businesses along the coast will damage the natural environment and for this reason there must be stringent regulation to protect the coast. She stated the LCP has no authority to regulate specific businesses thus she is requesting the

removal of any policies referring to specific businesses. She has requested that a collaborative review be done in section C-LU-5.1 of the LCP.

- **Paul Plakos (MAC)** – Margaret Grahame should definitely bring this before the Board of Supervisors (BOS). He agreed that it is a mistake, generally, to refer to specific businesses. He is not familiar with the 17 policies that relate to specific businesses, but generally an LCP shouldn't be specific down to the business level, because it leaves other businesses out. He thanked Ms. Grahame for her comments.
- **Chair Campbell (MAC)** thanked Margaret Grahame for her comments and also encouraged her to submit her comments to the BOS.
- **Brian Leubitz (MAC)** knows of at least one business in Bodega Bay that is mentioned in the LCP. He did not have a position on the business, but he did think it was weird. The LCP should be a matter of policy, rather than granular. He thought this would be better dealt with at the Planning Commission level rather than the LCP.
- **Scott Farmer (MAC)** agreed with Margaret Grahame that specific businesses don't have a place in the LCP. Permit Sonoma felt the same and the Planning Commission was teetering either way and finally voted to leave the section as is. He noted this definitely needs to be considered.
- **Paul Plakos (MAC)** – Scott Farmer answered his question when he noted that the Planning Commission was teetering regarding listing specific businesses in the LCP. Mr. Plakos asked Margaret Grahame if she had a sense why the Planning Commission left the section in when PRMD was looking at removing it?
- **Margaret Grahame (Public)** - She watched the Planning Commission hearings and said that many people in the area look at development as a dirty word and want to do anything to shut down any development, regardless. The Planning Commission realized that the LCP didn't have the authority to specify a specific business, but they could not figure out how to target the specific businesses without using a business name because it is not land use. They still wanted to have control over these businesses to ensure there was no development at all even though there are other safeguards in place. **Scott Farmer** said he believes the strongest proponent to keep it had history with the LCP when it was added and seemed to be hanging on to it.

Chair Campbell urged everyone who is interested in the LCP continue to follow the issues. The last public meetings will be when the LCP is brought before the BOS on August 30. There are mechanisms on email to be notified when things are coming up on the agenda. Please email Chair Campbell at mcampbell.coastmac@mcn.org if you have questions regarding how to set up an alert.

Chair Campbell thanked Leo Chyi.

Community Reports

Water AdHoc Committee – Paul Plakos

The survey has been sent out and data is still being collected. Data was also obtained from some of the smaller water agencies under the umbrella of Russian River Utilities (Carmet, Jenner, Salmon Creek, Sereno, and West Beach. The data is very consistent with the small water agencies in that they all noted that short term rentals are having an effect on water usage. The survey didn't ask how much so the Committee will have to go back and request that data. All indicated that buying water would potentially be required. In September (the midst of the drought), they should be able to talk about how things are

going this year. Every agency, big and small, communicated the need for conservation during a drought and high usage period. Everyone should communicate water usage during a drought and share here's how you can save water, and they are doing that. There will be more information, and perhaps discussion at the next MAC Meeting.

Questions/Comments

- **Scott Farmer (MAC)** – The new LCP has lots of new things about water. Will you fold that into your duties to understand it? For example, we have been asked to meter some of our new wells or monitor them. **Paul Plakos** would be interested in hearing from the water administrators what effect that has on their utility? When the committee meets again, they can start talking about these issues and perhaps in the MAC also.
- **Brian Leubitz (MAC)** – The way ground water is regulated over the past 18 months has changed substantially. He believes over the next 5 to 10 years, it will be even more substantial. He also believes the smaller agencies can't predict where this is going. Brian Leubitz and Paul Plakos have discussed a future MAC Meeting to talk about how this can go for future regulations.
- **Wanda Swenson (MAC)** - Ms. Swenson asked about the LCP stating that water used must be reported to the County. Is that happening now? **Paul Plakos** did not have that information and referred to **Brian Leubitz**. The water delivered to the Bodega Bay area is from Cassini Ranch near the Russian River.
- **Beth Bruzzone (MAC)** doesn't believe all the water delivered is tracked, but an approved water source is needed if the water is to be sold. There is talk about tracking all water delivered, but she doesn't think the legal pieces are there yet.
- **Margaret Grahame (Public)** heard Elise Weiland talk about a water district that was able to get a grant to buy smart meters. She asked if the Committee could help other districts find grants also.
- **Elise Weiland (Staff)** - Water and drought were brought up in the requests for agenda items and became this Committee. It is apparent that the small water agencies, and not just agencies along the coast, have a lack of capacity for getting grants. They don't generally coordinate with other water agencies unless there is, for example, a drought and they may need to buy water. One of the goals of this program was to start a convening program where we get them together to talk about water issues. They agreed with this approach and liked the idea about discussing crossed system solutions and as a group submitting grant requests. Ms. Weiland is hoping to bring in county support to help with grant writing, etc. If we get good questions and solutions when the water agencies convene, we can really get behind this and bring it to life. **Paul Plakos** said the Committee hasn't discussed this issue yet but will bring in Ms. Weiland when they do since she has background to share with them. Mr. Plakos added that Sea Ranch has ample water, however, in their water agreement it states that they can not sell their water. **Elise Weiland** noted that Jenner does sell their water and this issue varies depending upon their agreements.

Roads AdHoc Committee - Marti Campbell

The Committee is comprised of Chair Campbell, Beth Bruzzone, Carolyn Madden and Annie Cresswell. They held their first meeting and Annie Cresswell, and Chair Campbell will be co-chairing the Committee.

After they meet with the County Roads Division staff, they will be reaching out to each area with an action plan so they can get information in a consistent way across all the areas, and in a way that the County will be able to easily use it for their purposes. A request from the Roads AdHoc will probably be coming before the next meeting.

Land Use Committee – Brian Leubitz

There was no report. If anyone has a specific project to share, they should contact Rep Leubitz.

Questions/Comments

- **Leo Chyi (Staff)** - Mr. Chyi wanted to point out some items coming up on the Board Calendar, especially the land use issues. If anyone wants to see the calendar significant items through the end of the year, you can scroll down to the end of the agendas, and you should see it. All agenda items are subject to change.
 - August 2 - Short Term Rentals will be discussed.
 - August 9 - Housing Element Workshop is part of the Board Meeting.
 - August 30 - The Local Coastal Plan (LCP)
 - September 13 - Winery events, and the special events ordinance update
 - September 20 – Sonoma Development Center
 - September 27 – The Tree Ordinance adoption
 - November 1 – A consultant will share management review of PRMD

Leo Chyi ask MAC Members and the public to contact him directly if they are interested in giving feedback regarding their experience with PRMD. He was going to submit the members of the MAC Land Use Committee to give feedback if they have an interest.

Request for Agenda Items – Chair Campbell

- **Scott Farmer (MAC)** had two items to add:
 - There is a program to bring the kelp back to the Timber Cove Coast. He is interested in hearing about it.
 - The State Parks, particularly in the Salt Point area has fallen short in serving the community. There are closed down rest room facilities and long term closed down sections of the parks. It would be helpful to put a flame under them to improve.
- **Ginny Nichols (MAC)** would like an agenda item on fire mitigation resources that may be available at the fire district county level for dead trees, debris, and such to deal with these concerns. **Brian Leubitz** asked if Ms. Nichols had seen the presentation by Fire Chief Marshal Turbeville a couple of months back. **Beth Bruzzone** agreed with the suggestion.
- **Chair Campbell** reiterated that Ms. Nichols would like to learn about the many programs to help, including grants and existing County programs. **Ginny Nichols** agreed.
- **Scott Farmer** spoke to the permitting process and the LCP that would bring together the County and the Coastal Commission. The County is going to undertake a program, we hope, that would exempt the need to get a permit for fuel management in the coastal area. He noted this is the elephant in the room and maybe we should engage that process when addressing the issue that Rep Nichols is talking about. If you want to take a tree down, you need a permit, and it is a big process.

- **Brian Leubitz** stated this might be worth more research and perhaps an AdHoc as well. Ms. Nichols volunteered for an AdHoc Committee. **Ms. Nichols** is ready to work with anybody to try and get movement on this and make some progress to make all of our communities safer.
- **Wanda Swenson (MAC)** - There is a meeting this Saturday (July 23) at 10:00 am at PPI (Padmasambhava Peace Institute) on Fort Ross Road. The meeting is getting together people who are involved in fuels management all along the Coast, laying out maps, and strategy for fuels reduction. Fire Chief Marshall Turbeville and Matt Green, a local forester, will be there. This is a good place to connect with people and learn what is going on with the local restriction for cutting trees. **Brian Leubitz** added that Wanda Swenson would be a good person on the Committee also.
- **Paul Plakos (MAC)** alerted people that the meeting will also be available on Microsoft Teams for viewing. Bonnie Plakos will send the link to Ms. Nichols with instructions for how it works. **Chair Campbell** will follow up with Ms. Nichols after the meeting. This agenda item will be discussed in the future in the MAC and is a future AdHoc Committee.

Adjournment

A motion was made to adjourn by Paul Plakos and seconded by Ginny Nichols. The motion was approved, and the meeting was adjourned at 7:41 pm.

Respectively submitted,

Cindy Culcasi, Clerk

DRAFT

ORDINANCE NO. ()

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING CHAPTER 26 OF THE SONOMA COUNTY CODE TO CLARIFY AND SIMPLIFY THE VACATION RENTAL PERMIT ORDINANCE, AMENDING THE X COMBINING DISTRICT TO ENABLE A CAP ON VACATION RENTALS, AND AMENDING CHAPTER 26C OF THE SONOMA COUNTY CODE TO REGULATE VACATION RENTALS IN THE COASTAL ZONE

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

Section I. Purpose and Authority. The purpose of this Ordinance is to amend the vacation rental zoning ordinance to enhance clarity and accommodate a new business license requirement for vacation rentals to ensure they operate in a manner that maintains the public health, safety, and welfare of each community and the county and as a whole. The purpose of this Ordinance is also to amend the X Vacation Rental Exclusion Combining District to allow imposition of a cap on vacation rentals. This Ordinance is adopted pursuant to California Government Code § 65850 et seq.

Section II. Findings.

- A. The Board of Supervisors adopted its first ordinance regulating the transient rental of single-family homes, known as vacation rentals, in 2009 (Ordinance. 5908) and established a land use permit requirement for vacation rentals in the inland zone.
- B. The Board of Supervisors held public meetings on December 15, 2021, and July 20, 2021, at which it directed staff to revise the County's Vacation Rental Program, including studying and developing regulations for the County's Coastal Zone;
- C. Following extensive public outreach with a diverse array of stakeholders, the Planning Commission held duly noticed public hearings on March 17, 2022, and May 5, 2022, on proposed changes to the Vacation Rental Program;
- D. Vacation rentals constitute a significant segment of Sonoma County's local tourism economy and generate a substantial amount of revenue from transient occupancy tax, which is primarily used to promote and mitigate the impacts of tourism.
- E. While the majority of vacation rentals are well operated causing minimal issues for their guests or the neighboring community, the County nonetheless receives numerous complaints related to noise, garbage, parking, septic capabilities, and public safety.

- F. It is necessary to the public health and welfare to regulate non-land use health and safety standards related to the nature and ongoing operations of vacation rentals through a vacation rental business license program and thus to simplify the zoning ordinance accordingly to ensure vacation rentals are properly located.
- G. Overconcentration of vacation rentals reduces housing stock and contributes to increased housing costs for both renters and buyers and in some areas can adversely affect residential character, neighborhood stability, public safety, and quality of life. Applying a cap on vacation rentals in certain areas can provide a balance between enabling the use and minimizing its potential negative impacts.
- H. Eliminating vacation rentals in the low-density residential zoning district (in addition the medium and high-density residential districts) is particularly critical to retaining valuable housing stock and protecting neighborhood character as these urban residential zones provide lower-cost housing, are more densely developed, and house residents of all ages.
- I. Vacation rentals in the Coastal Zone serve an important role in providing access to coastal resources; however, vacation rentals are not currently subject to use-specific regulations in the Coastal Zone and sensible regulations are required to protect environmental resources, address nuisance, and protect the public health and safety.
- J. This Ordinance is consistent with the overall goals, objectives, and policies of the General Plan, particularly related to balancing the interests of permanent residential housing stock and vacation rentals. This Ordinance carries out the provisions of Housing Element Program 6, which states that “The County will review and consider revisions to the Vacation Rental Ordinance to limit conversion of permanent housing stock and make vacation rental uses more compatible, and to facilitate enforcement when necessary.” Regulation of vacation rentals is also consistent with Policy HE-1j, which states “Avoid the loss of residential land in urban land-use designations for vacation or time-share uses” and Policy HE-1k, which states “Continue to regulate the use of existing residences on residential lands for vacation rentals”.

Section III. Definitions. Chapter 26 (Zoning Code) Section 26-04-020(V)(1) is amended to read as follows:

Vacation rental. The tenancy of residential property for a term of 30 days or less that is subject to transient occupancy tax. Vacation rental does not include a hosted rental or a bed and breakfast inn.

Section IV. Residential Zones Allowed Uses. The “Lodging: Vacation Rentals” line of the land use table in Chapter 26 (Zoning Code) Section 26-08-030 is amended to read as follows:

Land Use	AR Zone	RR Zone	R1 Zone	R2 Zone	R3 Zone	Use Regulation
Lodging: Vacation Rentals	P	P	-	-	-	26-28-160

Section V. Vacation Rental Permit Standards.

- A. Chapter 26 (Zoning Code) Section 26-88-120 (Vacation Rentals) is repealed.
- B. Chapter 26 (Zoning Code) Section 26-28-160 (Lodging: Vacation Rentals) is repealed and replaced with the provisions in Exhibit A, attached and incorporated by reference.
- C. Vacation rental permit applications submitted prior to May 10, 2022, will be processed in accordance with the provisions of the Zoning Code in effect at the time their applications were accepted.

Section VI. X Combining District. Chapter 26 (Zoning Code) Article 79 (Vacation Rental Exclusion Combining District) is repealed and replaced with the provisions in Exhibit B, attached and incorporated by reference.

Section VII. Coastal Zone. The following changes will become effective upon certification by the California Coastal Commission:

- A. The following program is added to the Development Element of the Local Coastal Plan:

Establish performance standards for the use of existing residences for vacation rentals and hosted rentals. In developing standards consider; requirements for designated property managers, safety, parking, noise, and number of guests allowed for daytime and nighttime occupancy.
- B. Chapter 26C (Coastal Zoning Resource Districts) Section 26C-325.10 is added as provided in Exhibit C, attached and incorporated by reference.

Section VIII. Environmental Determination. The Board of Supervisors finds and determines that this Ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to State CEQA Guidelines sections 15307 and 15308 as an action taken to assure the maintenance, restoration, enhancement, and protection of natural resources and the environment, because requiring a vacation rental permit and a vacation rental license that impose standards that continue, add, or enhance requirements related to wastewater management, refuse management, noise, outdoor burning, and emergency evacuation will only serve to further protect natural resources and the environment from potential impacts related to vacation rentals. The Ordinance also adds these standards in the Coastal Zone where vacation rentals are currently unregulated. Additionally, the Ordinance allows for there to be a cap on vacation rentals in specified areas to reduce impacts to natural resources and the environment that could occur from overconcentration of vacation rentals. The Ordinance is further exempt under CEQA

Guidelines section 15061(b)(3) because it can be seen with certainty that the project will have no significant effect on the environment, because the project further regulates a currently allowed use, makes clarifying changes to existing standards, and establishes the potential for new limits on vacation rental concentration. The Director of the Permit and Resource Management Department is directed to file a notice of exemption in accordance with CEQA and the State CEQA Guidelines.

Section VII. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section III. Effective Date. This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in *The Press Democrat*, a newspaper of general circulation published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma, introduced, passed, and adopted this 2nd day of August, 2022, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Gorin: Rabbitt: Coursey: Hopkins: Gore:

Ayes: Noes: Absent: Abstain:

WHEREUPON, the Chair declared the above and foregoing Ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Sheryl Bratton,
Clerk of the Board of Supervisors

EXHIBIT C

Sec. 26C-325.10. Vacation Rentals.

A. **Definition.** Vacation rental means the tenancy of residential property for a term of 30 days or less that is subject to transient occupancy tax.

1. Excludes: Hosted rentals and bed and breakfast inns.

B. Permits.

1. Required. Zoning permit and vacation rental license (Chapter 4 Article VII) required.
2. Exceptions. A vacation rental permit is not required until the parcel transfers ownership if the vacation rental was legally operated between September 2, 2017, and September 2, 2022, as demonstrated by payment of transient occupancy tax and additional documentation as required by the Department.

C. Standards.

1. **Permit Term.** A vacation rental permit automatically expires upon sale or transfer of the parcel.
1. **Allowable Structures.** A vacation rental is only allowed in the following:
 - i. A detached single family dwelling unit.
 - ii. A detached single family dwelling unit together with its legally established guest house.
2. **Restricted Structures.** A vacation rental is not allowed in the following:
 - i. A structure subject to a recorded governmental restriction, including covenants or agreements for an affordable housing unit, agricultural employee unit, farmworker housing, or a farm family dwelling.
 - ii. A structure on a parcel under a Land Conservation (Williamson) Act contract.
 - iii. A timeshare.
 - iv. Any dwelling unit on a lot created pursuant to Government Code § 66411.7 or local ordinance adopted to implement Government Code § 66411.7.
 - v. Any dwelling unit created pursuant to Government Code § 65852.21 or local ordinance adopted to implement Government Code § 65852.21.

- vi. An accessory dwelling unit or junior accessory dwelling unit.
- 3. **Maximum Occupancy.** Maximum occupancy for a vacation rental is up to 2 guests per bedroom, plus 2 additional guests per property, up to a maximum of 12 guests, not including children under 3 years old.
- 4. **Wastewater Treatment Systems.** If a vacation rental is on a conditional or non-standard septic system, or a septic system with capacity limited by a voluntary repair, the maximum occupancy is calculated using the number of bedrooms the septic system is designed to serve. Where no record exists showing size and capacity of the septic system, maximum occupancy is limited to 4 guests, not including children under 3 years old.
- 5. **One Vacation Rental per Parcel.** Only 1 vacation rental is allowed per parcel.
- 6. **Parking.**
 - i. Parking spaces must be provided as follows:

Number of bedrooms in the vacation rental	Number of required parking spaces
1 or 2	1
3 or 4	2
5+	3

- ii. Required parking spaces must be provided on-site, except that 1 required parking space may be provided on-street.
- iii. Where there is no on-site parking the maximum occupancy is limited to 4 guests, not including children under 3 years old.
- iv. An on-site parking space must be at least 9 feet by 20 feet.
- v. On-street parking must conform to the Sonoma County Parking Regulations and the California Vehicle Code.
- vi. A vacation rental permit cannot be issued where there is no on-site parking or on-street parking within 500 feet of the parcel.

EXHIBIT D

CHAPTER 4 ARTICLE VIII OF THE SONOMA COUNTY CODE

ARTICLE VIII – VACATION RENTAL LICENSES

Sec. 4-200 Title.

This article is known as the Vacation Rental License Ordinance.

Sec. 4-201 Purpose.

The purpose of this article is to establish standards for vacation rentals that enable them to operate in a manner that does not create a nuisance and maintains the public health, safety, and welfare of each community and the county and as a whole.

Sec. 4-202 Definitions.

The following words and phrases have the meanings provided by this section. Citations to federal and state law refer to the act, statute, or regulations as may be amended from time to time.

- A. “Certification” means the approval issued by the Director to a certified property manager.
- B. “Certified property manager” means an individual authorized by certification to manage a vacation rental.
- C. “Department” means the Permit and Resource Management Department.
- D. “Director” means the Director of the Permit and Resource Management or the director’s designee.
- E. “Individual” means a natural person.
- F. “Land use permit” means a permit authorizing a vacation rental issued under the Sonoma County Zoning Code (Chapter 26), or Coastal Zoning Code (Chapter 26C).
- G. “Operate/operating a vacation rental” includes allowing tenancy of a vacation rental, entering into a rental agreement or otherwise arranging tenancy, and advertising a vacation rental (e.g. online posting, social media, sign, flyer).
- H. “Parcel” means a legal parcel of record in compliance with the California Subdivision Map Act (California Government Code Section 66410 et. seq.) and the Sonoma County Subdivision Ordinance (Chapter 25).

- I. “Person” includes an individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, tribe, or any other group or combination acting as a unit, and the plural as well as the singular.
- J. “Property owner” means a person with an ownership interest in the real property upon which a vacation rental is located or proposed. If the property is held in trust, “property owner” includes the present beneficiaries, but not the trustee, unless the trustee is also a present beneficiary. “Property owner” does not include a person with an ownership interest that is solely a security, lien, or encumbrance.
- K. “Vacation rental” means the tenancy of residential property for a term of 30 days or less that is subject to transient occupancy tax. Vacation rental does not include a hosted rental or a bed and breakfast inn.

Sec. 4-203 Administration.

This section will be administered under the direction of the Board of Supervisors, by and through the Director of the Permit and Resource Management Department subject to the standards and criteria contained in this section.

Sec. 4-204 General.

- A. **License and compliance required.** A property owner must obtain a license through the application process established by the Director prior to operating a vacation rental in the unincorporated county. A licensee must comply with the standards required by this section.

B. Property Owner and Licensee Requirements.

- 1. The licensee must be a property owner, except if the vacation rental property is held in trust, in which case the trustee may apply for a license on behalf of the trust beneficiaries.
- 2. All property owners must be individuals.
- 3. Each property owner must consent to the application.
- 4. A property owner may only have an ownership interest in one licensed vacation rental at a time.
- 5. Subsections 2 and 4 do not apply to a nonconforming vacation rental that was legally operating prior to September 2, 2022.

C. Term and Renewal.

- 1. A license expires 1 year from the date of issuance and may be renewed annually in accordance with the license renewal process established by the Director.

2. A license or renewal will not be issued if there is an open code violation associated with a vacation rental on the parcel. An open code violation means a notice and order or administrative citation has been issued and the violation has not been abated or the costs and civil penalties have not been paid, or both.
- D. **Liability.** Nothing in this section, including the issuance of a license, nor compliance with the provisions of this section, relieves a person from responsibility for damage to other persons or property, or imposes liability upon the county, its officers, agents, or employees, for damage to other persons or property.
- E. **Other Laws and Permits.** Nothing in this section eliminates the need for a licensee to comply with local, state, or federal law, or to obtain other permits, approvals, or authorizations required by this code or state or federal agencies.

Sec. 4-205 License Standards.

A vacation rental must comply with the following:

- A. **Compliance Generally.** A vacation rental must obtain zoning clearance and comply with all applicable laws and regulations.
- B. **Noise.**
1. **Daytime noise.** Between the hours of 7 a.m. and 9 p.m., average noise must not exceed the following limits:
 - 50 decibels for 30 minutes in any hour
 - 55 decibels for 15 minutes in any hour
 - 60 decibels for 5 minutes in any hour
 - 65 decibels for 72 seconds in any hour
 2. **Night time noise.** Between the hours of 9 p.m. and 7 a.m., average noise must not exceed the following limits:
 - 45 decibels for 30 minutes in any hour
 - 50 decibels for 15 minutes in any hour
 - 55 decibels for 5 minutes in any hour
 - 60 decibels for 72 seconds in any hour
 3. **Decibel definition.** “Decibel” means the sound pressure relative to 20 micropascals as measured at the property line, adjusted to International Organization for Standardization ISO 266 equal loudness contours.

4. **Amplified sound prohibited.** Amplified sound and loud impulsive sounds such as fireworks or drumming are prohibited.
- C. **Parking.** On-street parking must conform to the Sonoma County Parking Regulations and the California Vehicle Code.
- D. **One Tenant.** A vacation rental may only be rented to 1 tenant group at a time.
- E. **Pets.** A pet, if allowed by licensee, must be secured on the property at all times and cannot be left unattended. Guests must comply with Sonoma County leash law (Section 5-115).
- F. **Trash and Recycling Facilities.** Recycling and refuse storage bins must not be stored within public view unless in compliance with neighborhood standards. Recycling and trash receptacles must be returned to screened storage areas within 24 hours of trash pick-up.
- G. **Outdoor Burning.**
 1. Outdoor burning of solid fuels is prohibited.
- H. **Transient Occupancy Tax and Business Improvement Area Assessments.**
 1. **Tax Compliance.** A licensee must maintain a transient occupancy tax (TOT) certificate and remain current on all required reports and payments for TOT and Business Improvement Area assessments (BIA).
 2. **Online Hosting Platform.**
 - i. A licensee must disclose if the vacation rental is registered with an online host.
 - ii. If an online host will pay TOT and BIA on the licensee's behalf, it is the licensee's responsibility to confirm the correct amount of TOT and BIA are collected. The licensee remains liable for any TOT and BIA not collected on its behalf.
 - iii. "Online host" means an online hosting platform for vacation rentals, such as VRBO, Airbnb, HomeAway, etc.
- I. **Emergency Access.** If a vacation rental is located behind a locked gate or within a gated community, a gate code or a lockbox with keys ("Knox Box" or similar) must be provided for exclusive use by first responders.
- J. **Evacuation During Emergencies.** Written evacuation instructions identifying the evacuation zone, evacuation route, and the Calfire Evacuation Checklist must be provided to guests and posted within the vacation rental. Guests must leave the property

when a Voluntary Evacuation Order is issued for the evacuation zone. The certified property manager must inform guests when a Voluntary Evacuation Order is issued.

K. Contact Information. Licensee and certified property manager must provide the Department a current phone number, email address, and mailing address, and update the contact information as needed. This contact information may be used to address complaints, convey general program information, and serve legal notices related to violations and suspension or revocation. Messages and mail must be checked regularly.

L. License Posting and Inclusion in Rental Agreements.

1. A copy of the license, the license standards, and land use permit must be posted inside the vacation rental in a prominent location within 6 feet of the front door.
2. A copy of the license, the license standards, and land use permit must be included in all rental agreements.

M. Advertisements. Advertising, handouts, flyers, internet listings, and any other information provided for a vacation rental must conform to the license, land use permit, and this section and include the following:

1. License number;
2. Maximum occupancy, not including children under 3 years old;
3. Maximum number of vehicles allowed on and off site;
4. Notification that quiet hours must be observed between 9:00 p.m. and 7:00 a.m.;
5. Notification that no outdoor amplified sound is allowed; and,
6. The transient occupancy tax certificate number for the property.

Sec. 4-206 Neighbor Notification.

Following license approval or renewal, at the licensee's expense, the County will mail notice of license issuance to each property and property owner within 300 feet of the vacation rental. The notice will include a copy of the license and contact information for the certified property manager.

Sec. 4-207 Certified Property Managers.

A. Certified Property Manager Required. A vacation rental must be managed by a certified property manager. A certified property manager is an individual who has successfully completed the training course and passed the certification test administered by the County. A licensee can be a certified property manager if the requirements of this section are met. A property management company cannot be a certified property manager, but may employ or work with a certified property manager.

- B. **Contact.** A certified property manager must be available to the public and the Department at all times while a vacation rental is occupied. Direct contact information for the certified property manager is required. A call center or third party phone service is not allowed.
- C. **Location.** A certified property manager must reside within 30 road miles of all vacation rentals they manage.
- D. **Complaint Response and Resolution.** After a certified property manager receives a complaint related to a vacation rental from either the public or the Department, the certified property manager must contact the tenants within 1 hour between 7 a.m. and 10 p.m., and within 30 minutes between 10 p.m. and 7 a.m. The certified property manager is responsible for resolving all complaints related to violation of the license, land use permit, or this section. Each complaint and its resolution must be reported to the Department within 24 hours of the complaint being received. If a certified property manager is unable to resolve a complaint related to a vacation rental, they must immediately report it to the Department.
- E. **Change in Certified Property Manager.** If the certified property manager changes, the licensee must submit a supplemental license form. The vacation rental cannot operate until the supplemental license form has been received and accepted by Department.

Sec. 4-208 Enforcement.

- A. **Violations.** An activity performed contrary to this section or a license is a violation of the Sonoma County Code and a public nuisance and may be subject to any remedies contained in Chapter 1 and any other remedies available under law.
- B. **Enforcing Officer.** The Director is authorized to enforce the provisions of this section and is the enforcing officer for purposes of Chapter 1.
- C. **Responsible Parties.** A responsible party, as defined by Sonoma County Code Section 1-7, includes the licensee, each property owner, the certified property manager, and the tenant. Under Sonoma County Code, each responsible party is jointly and severally liable for abating a violation, paying associated costs and civil penalties, and otherwise complying with an order or final determination.

Sec. 4-209 License or Certification Suspension or Revocation.

- A. **Suspension or Revocation.** The Director may suspend or revoke a license or certification in the event of one or more of the following:
 - 1. License issuance or certification was based on inaccurate or incomplete information.
 - 2. The vacation rental has operated in nonconformance with the Sonoma County Code or license.

3. The vacation rental constitutes a nuisance.
4. The certified property manager has not complied with the requirements of this section.
5. Licensee has failed to pay fees or civil penalties associated with the vacation rental.

B. Notice of Suspension or Revocation. To revoke or suspend a license or certification, the Director must issue a written notice to the licensee and certified property manager. The notice must include:

1. The address of the vacation rental;
2. License number or certification number;
3. Reason for suspension or revocation; and
4. A statement of appeal rights.

C. Service of Notice. A notice of suspension or revocation must be sent via email and certified mail to the licensee's and certified property manager's addresses on file with the Department.

D. Appeals.

1. **Right of Appeal.** A notice of suspension or revocation may be appealed by the licensee or the certified property manager to a hearing officer.
2. **Form and Timing.** An appeal must be made in writing and submitted to the Department within 10 calendar days from the date of the notice.
3. **Failure to Appeal.** Failure to file a timely appeal makes the suspension or revocation final and constitutes a waiver of the right to an appeal hearing and adjudication of the suspension or revocation.
4. **Appeal Hearing.** An appeal hearing must be noticed, conducted, and decided in accordance with the rules and timelines established by Section 1-7.3.
5. **Consolidation.** The Department may consolidate an appeal hearing for a notice of suspension or revocation with an appeal hearing for a related administrative enforcement action under Section 1-7.3.

E. Effect of Suspension or Revocation.

1. **License Suspension.** If a license is suspended, a vacation rental cannot operate on the parcel until the suspension expires. If the license expires during the suspension, a license application will not be accepted for the parcel until after the suspension expires.

2. **License Revocation.** If a license is revoked, a new license cannot be issued and a vacation rental cannot operate on the parcel for at least 2 years and until a new vacation rental license is issued.
3. **Certification Suspension.** If a certification is suspended, the individual cannot serve as the certified property manager for any vacation rental until the suspension expires. A vacation rental that was managed by the individual may continue to operate only if the licensee changes certified property managers in accordance with this section.
4. **Certification Revocation.** If a certification is revoked, the individual cannot serve as a certified property manager for any vacation rental for at least 2 years and until a new certification is issued. A vacation rental that was managed by the individual may continue to operate only if the licensee changes certified property managers in accordance with this section.

Sec. XX-XX Fees.

The Board of Supervisors will establish a schedule of fees for services provided under this section. Services subject to fees may include, but are not limited to, licensing, license renewal, monitoring, and enforcement. Fees may be changed from time to time by a resolution of the Board of Supervisors.