March 31, 2022

Board of Supervisors  
Sonoma County  
575 Administration Drive  
Room 100 A  
Santa Rosa, California 95403

**Subject**: Continued inaction on Pacaso Code Enforcement

Chair Gore and Honorable Members of the Board:

We write to convey our deep concern about the continued lack of definitive action by the County Board of Supervisors regarding Pacaso acquisitions and conversion of homes in our area into fractional ownership uses. As you know, we have consistently conveyed these concerns in prior correspondence (see letter dated October 22, 2021) and our presentations, conversations, and additional correspondence since with your office and County staff, yet have seen no action from the County.

Although we submit this letter in our individual capacities, each of us is a member of community-based organizations in the Dry Creek and Alexander Valleys, which have expressed similar concerns. Our concerns are well-founded, at both the individual parcel level as well as on the basis of cumulative effect. We see at least four critical issues arising from fractional ownership (Pacaso) and transient rental (AirBnB/VRBO) activities:

1. These types of ownership on LIA-zoned parcels directly contravene both the spirit and the letter of their LIA zoning, which was developed specifically to preserve and enhance agricultural activity, instead rewarding the conversion of agricultural land to vacation use.
2. By replacing homes with virtual hotels, they take precious housing stock away from our communities at a time when we need more housing, not less.
3. They consequently drive up prices for the housing stock that remains, making already-expensive land and housing even less affordable to those engaged in agriculture.
4. By replacing residents with transients, they adversely impact schools, volunteerism, and overall community; increase VMT and congestion; and reduce the safety of our roads.

In our view, the County’s inaction is, in fact, a tacit endorsement of these activities, and as such represents an abdication of perhaps a government’s most important tasks: protecting the rights of the community it serves.

We call on the County to take clear and decisive action through regulations that provide definitive policy clarification with respect to the General Plan, and by adopting amendments to the County’s Development Code that remove any ambiguity as to what constitutes a ‘single family dwelling’ use, specifically declaring that a ‘single-family dwelling’ is exclusively defined as a housing unit occupied by a single family group.

In this regard we are encouraged by the regulation of time share uses recently adopted in cities of Saint Helena and Sonoma in response to Pacaso acquisitions and conversions of single-family homes into time share vacation units, and recommend considering this approach as well.

We are not convinced by any of the arguments supporting inaction on this matter, including the threats of litigation by Pacaso, given the stakes involved for our community and the County. If the County does not adopt the amendments we have requested, it should consider a freestanding ordinance with the same or supporting effect. In doing so, it could benefit from the work done by other jurisdictions, most of which have not faced legal challenge to date. However, if the County continues to ignore the growing impact of fractional ownership, we will explore our own legal options to compel the enforcement action that the County has initiated.

Sincerely,

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| Yael Bernier | Sarah Hafner | Ridgely Evers |
| A picture containing insect  Description automatically generated  Walter Kieser | Collen McGlynn | Fred Corson |
| Barbara Saarni Oddone | Jan Mettler | Janis Watkins |
| Sonia Beck-Doss | Elliot Beck-Doss | Richard Kagel |
| Karin Warnelius-Miller | Nancy Bevill |  |

cc: Sarah Sigman, Esq.