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Consideration of Minor Land Use Permit application MU-20-11 to establish a Vacation Rental - Unhosted on a 2.8 acres parcel located at 4367 Edinburg Court, 1.8 miles northwest of the City of Fairfield in the Rural Residential (RR-2.5) zoning district, APN 0147-182-120

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Published Notice Required? Yes   X   No     
Public Hearing Required? Yes   X   No   

**DEPARTMENTAL RECOMMENDATION:**

Staff recommends that the Planning Commission ADOPT the attached resolution and APPROVE Use Permit No. MU-20-11 based on the enumerated findings and subject to the recommended conditions of approval.

**EXECUTIVE SUMMARY:**

The applicants, Lee Heyman and Amanda Rothstein are requesting that the Planning Commission consider Minor Land Use Permit application MU-20-11 to establish a Vacation Rental - Unhosted on a 2.8-acre parcel located at 4367 Edinburg Court, 1.8 miles northwest of the City of Fairfield in the Rural Residential (RR-2.5) zoning district, APN 0147-182-120.

**ENVIRONMENTAL ANALYSIS:**

The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures.

**FINANCIAL IMPACT:**

The costs associated with filing the Use Permit application has been paid by the applicant.

**DISCUSSION:**

**Background:**

**Prior approvals:** Major Subdivision Green Valley Highlands Unit 3, Building Permits B-3041 (primary dwelling) and B9800711 (room addition), B2003-0021 (replace damaged sheetrock in living room), B2019-0722 (hot tub), B2020-0934 (roof mount solar array), B2020-0966 (generator).

**Adjacent Zoning and Uses:**

**North:** Rural Residential (RR-2.5) Residential  
**South:** Rural Residential (RR-2.5) Residential  
**East:** Residential – Traditional Community (RTC-1AC) Residential  
**West:** Rural Residential (RR-2.5) Residential

**General Plan/Zoning Consistency:**

The 2.8-acre lot is designated partially Rural Residential (1.74 ac. / 62%) and partially Traditional Community - Residential (1.09 ac./ 38%) by the Solano County General Plan Land Use Diagram. The majority of the property, including the primary dwelling, is in the Rural Residential General Plan designation. The subject site is zoned Rural Residential (RR-2.5). As indicated on the General Plan land use consistency table (General Plan Table LU-7) the Rural Residential (RR-

2.5) Zoning District is consistent with the General Plan's Rural Residential designation, but not with the General Plan's Traditional Community – Residential designation. Within the Rural Residential (RR-2.5) Zoning District, a Vacation House Rental – Unhosted, is allowed subject to a Minor Use Permit, which is a discretionary permit. A Vacation House Rental – Unhosted must meet the development standards contained in Section 28.75.30 of the Solano County Code.

The proposed unhosted vacation rental will make use of the 3,239 square foot primary dwelling for rental of less than 30 days and for up to a maximum of 10 overnight guests.

**Setting:**

The subject site is located at 4376 Edinburg Court, Fairfield, which is 1.8 miles northwest of the City of Fairfield in the upper Green Valley area. This parcel is in the Rural Residential (RR-2.5) zoning district, adjacent to Residential Traditional Community (RTC-1AC) and Exclusive Agriculture (A-20) zoning districts. The surrounding parcels are all developed with at least one dwelling. This site is in the *Moderate* area of the CalFire State Responsibility Area (SRA).

The property is comprised of one Assessor's Parcel totaling 2.8 acres. The lot slopes to the east and is developed with a primary dwelling. The remainder of the lot is largely covered in oak trees.

**Project Description:**

The proposed project involves use of the existing dwelling as a Vacation House Rental – Unhosted. The residence will be advertised for rent for groups of up to 10 people for 30 days or less as allowed by Section 28.75.30 of the Solano County Code. The owners have arranged for both an online complaint and monitoring service, and a local property manager who can respond in person if necessary. Contact information for both will be posted near the front door of the residence.

- *Access/Parking:* The site is accessed via driveway encroachment from Edinburg Court, with parking available in the garage and driveway area in front of the residence.
- *Domestic Water Supply:* The project will use the existing City of Vallejo water connection.
- *Wastewater:* There is an existing septic system on site, and a suitable replacement area will be identified and mapped as part of this project. A December 19, 2020 Site Evaluation Report (**See Attachment F**) for a reserve leach field assumes six bedrooms based on the home's design (However, the short-term rental is limited to 5 bedrooms / 10 total overnight guests).

**Development Review Committee:**

As part of the Department of Resource Management project review process, the application has been reviewed by various County and outside Departments. Recommended conditions of approval have been incorporated into the use permit resolution. The following entities contributed during project review:

Solano County Public Works Division  
Solano County Building & Safety Division  
Solano County Environmental Health Division  
Vacaville Fire Protection District

## **Short Term Rental Ordinance (partial list of requirements):**

**Ordinance # 2018-1798** (Vacation House Rental) was passed by the Board of Supervisors on October 2<sup>nd</sup>, 2018. A partial list highlights:

- Overnight occupancy limited to two (2) persons per bedroom plus two (2) additional persons, not to exceed a total of ten (10) persons
- Three off-street parking spaces shall be provided for all guests. On-street parking is prohibited for any property on which vacation house is located.
- A dwelling or guest house may not be used a vacation house rental if it is the subject of an enforcement action pursuant to any provision of this code.
- The property shall be covered by commercial property insurance.
- The property owner shall obtain the required permit and complete transient occupancy tax registration prior to advertising or operating the vacation house rental.
- Online advertisements and / or listings for the vacation house rental shall include:
  - Max occupancy of ten (10), not including children under three (3);
  - Max # of vehicles;
  - Notification that quiet hours must be observed between 10pm and 8am
  - Notification that no outdoor amplified sound is allowed; and
  - The Transient Occupancy Tax (TOT) Certificate number for the property
- Vacation house rentals shall meet the building and fire codes at all times and shall be inspected by the Fire Department before any short-term rental can occur.
- An exterior display with the name of the property owner or manager and a current contact phone number shall be located near the front door of the rental unit. While a vacation house is rented, the owner or a property manager shall be available 24 hours per day, seven days per week, for responding within forty-five minutes to complaints regarding the condition, operation, or conduct of occupants of the vacation house rental or their guests.

## **Property History:**

In the past, the applicant has rented the home without a permit. The unpermitted rental did result in neighbor complaints to the County, including:

- Late night noise,
- On-street parking issues,
- Instances of trespassing,
- Trash left behind and unsafe drivers,
- Combustible materials (fire danger)
- Advertising of the rental unit over and above the maximum allowed occupancy,
- Site manager calls that routed to a foreign county and,
- Advertisements offering alcohol sales without an ABC license.

The Sheriff has been called (*by the property owners themselves*), Board of Supervisors contacted, and the owners notified of these complaints. As a result, two code enforcement cases were opened by the County to address these issues – and both subsequently dismissed after investigations. A Code Enforcement Officer met with the applicant numerous times onsite to discuss the complaints and each of the above-listed complaint areas have been corrected, including removing the short-term rental advertisement and only allowing 30 days or more rentals (long-term rental) until a short-term rental minor use permit can be obtained by the owner.

A petition was received by the County on September 20<sup>th</sup>, 2020 from the Green Valley Highlands neighbors with ±65 signatures in opposition to unhosted short-term rentals in their neighborhood and they do not support a minor use permit for this project. **See Attachment D.**

Although two code enforcement complaints have been legitimate, at least one complaint was in error. The owners provided photographic proof with a date and time stamp that the home was not being rented out as a short-term rental as the complaint indicated but were themselves home and entertaining guests. Currently, there are no open code cases on the property.

In the owner's response letter, dated September 23<sup>rd</sup>, 2020 (**See Attachment E**) they have responded directly to each of the complaints made by neighbors about their property / past renters. Of note in this correspondence is that:

- Mr. and Mrs. Heyman have lived and worked in the Bay Area since 2012 and currently split their time between Arizona and California in 2018 and 2019 for family reasons.
- Airbnb and VRBO listings were made County compliant in August 2020 including, enforcing a 10-adult guest maximum on new reservations.
- One group of young, noisy guests were problematic. The Heyman's called the Sherriff's office *themselves*. After a brief visit to the home, the Sheriff *dismissed* the complaint without recourse.
- Code Enforcement Case # 20215 "Unpermitted Fire Pit" – *case closed* for lack of validation.
- Code Enforcement Case # 20476 "Operating Unpermitted Vacation Rental" – *case closed*. Applicant is only allowing 30 plus day rentals while minor use permit application is pending.
- Alcohol Sales Complaint with Alcohol Bureau Control (ABC) – *case closed* after ABC inquiry.

Additionally, future correspondence from the applicant indicated:

- They are not allowing guests to park anywhere other than in their driveway,
- They are not allowing outdoor amplified sound (they have installed a "Noiseaware" decibel meter (<http://noiseaware.io>) on the pool deck to assure compliance with real-time smartphone alerts should the noise thresholds be exceeded.
- They have hired a "three-tier local property manager to address potential property issues.
  - A complaint hotline monitored by the primary property manager during normal work hours which are 8am-5pm M-F with phone number monitored for texts and calls by backup at all other hours for 24/7 coverage
  - A local property manager in Fairfield who can handle the issues requiring his physical presence and is able to be on the site within 45 minutes, and
  - The homeowners themselves.

## **FINDINGS:**

Staff is recommending the following findings in support of recommendation for **APPROVAL**. However, the Planning Commission makes its own findings based both the enclosed staff report and the public testimony presented during the public hearing.

1. **The establishment, maintenance, or operation of the proposed use is in conformity with the County General Plan with regard to traffic circulations, population densities and distribution, and other aspects of the General Plan.**

The parcel is designated partially Traditional Community - Residential and partially Rural Residential by the Solano County General Plan Land Use Diagram. As indicated on the General Plan land use consistency table (General Plan Table LU-7) the Rural Residential (RR-2.5) Zoning District is consistent with the Rural Residential designation but not the Traditional Community – Residential designation.

2. **Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.**

The site is provided with water by the City of Vallejo and sewer service by an on-site sewage disposal system. Access is proposed via encroachment off Edinburgh Court.

3. **The subject use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.**

As conditioned, the proposed Vacation Rental - Unhosted use will not constitute a nuisance to surrounding properties, nor will it be detrimental to the health, safety, peace, morals, comfort or general welfare of County residents.

### **STAFF RECOMMENDATION:**

Staff recommends that the Commission conduct the public hearing, evaluate the evidence presented and:

- **APPROVE** the minor use permit application (MU-20-11) with conditions of approval. Although the property has been rented out in the past prior to receiving a use permit and there have been complaints made by neighbors, the applicant has resolved outstanding issues by meeting the required criteria of the County Vacation House Rental Ordinance. Staff believes the applicant is making a concerted effort to operate a short-term rental as professionally and respectfully as possible per County Vacation House Rental Ordinance requirements. As such, staff is recommending **APPROVAL** of the minor use permit application (MU-20-11).

### **ALTERNATIVES:**

It is within the Planning Commission's authority to take the following actions:

- **DENY** the minor use permit application (MU-20-11) if the Commission cannot make the findings recommended in this staff report based on the evidence presented;

OR

- **CONTINUE** the decision for collection of additional information required to render a Commission decision. If continued, the Planning Commission would establish the date to continue the hearing, presumably in two weeks.

### **RECOMMENDED CONDITIONS OF APPROVAL:**

#### **General**

1. The above use shall be established in accord with the application materials and development plans as submitted with Minor Use permit application MU-20-11 filed July 23, 2020 and as approved by the Solano County Planning Commission.
2. The Vacation Rental - Unhosted will maintain a current Solano County Business License for as long as the business remains in operation.

3. Any further expansion to the business or additional development may require approval of a Minor Revision to MU-20-11.
4. **Initial Inspection Prior to Commencement of Activities.** Prior to the commencement of activities under this use permit or the admission of the public to the site, the permittee shall be present on site for an inspection of the premises by the Department of Resource Management and other agencies with jurisdiction, to determine if all prerequisite conditions and requirements have been met. Commencement of activities authorized under this permit shall not begin until the Director of Resource Management (Director) determines that the permittee is in compliance with the necessary prerequisite conditions of approval.
5. **Subsequent Inspections.** If additional inspections are required before the Director determines the permittee is in compliance with the use permit, the permittee shall be charged inspection fees based on the adopted rate established by the Board for hourly work by the Department.
6. **Failure to Comply.** Failure to comply with any of the conditions of approval or limitations set forth in this permit shall be cause for the revocation of the use permit and cessation of the permitted uses at the Permittee's expense.

### **Specific Conditions**

7. **Occupancy and Parking.** Occupancy of the rental dwelling must be limited to two persons per bedroom and two additional persons, not to exceed 10 occupants total. At least 3 off street parking spaces must be provided for use of guests. No off-street parking of rental dwelling occupants is allowed.
8. This dwelling may not be advertised, offered, or used as a special events facility that includes events such as weddings, parties and similar events. No outdoor amplified sound is allowed.
9. Prior to operation or advertising of the Vacation Rental – Hosted, the permittee shall provide a copy of the proposed listing which complies with Section 28.75.30(A)(9) of the Solano County Code.
10. **Fire District Inspection.** Prior to occupancy by any guests, the permittee will provide a letter from the Cordelia Fire District verifying compliance with all applicable building and fire codes.

### **Building and Safety Division**

11. While the following comments are not all inclusive, they will act as a guideline for the requirements for the construction of any buildings or structures on the site now and in the future. These comments are not required on the application plan for the Use Permit, but all plans shall reflect the requirements in the latest edition of the codes adopted by the State of California and Solano County at the time of a construction permit application. These requirements, as well as all other required code requirements, shall be reflected on all construction drawings submitted for permit through Solano County Building Division.

12. The Building and any site improvements shall be designed using the 2019 California Building Standards Codes including the mandatory measures found in the new 2019 California Green Building Code, Chapter(s) 1, 2, 3, 5, 6, 7, 8, and A5 for Voluntary Measures, or the most current edition of the code enforced at the time of building permit application.
13. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per Section 105 of the 2019 California Building Code, or the most current edition of the code enforced at the time of building code
14. Plans and Specifications shall meet the requirements as per Section 105 of the 2019 California Building Code. "Construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional." Electronic media documents are permitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official."
15. The fire district will reassess the site for fire life and safety requirements.

### **Environmental Health Division**

16. A Site and Soil Evaluation shall be performed, under permit and by a Registered Consultant, to map a reserve septic area meeting current county code for on-site sewage disposal for the property. A plan depicting the mapped area will be provided for approval to the Environmental Health Division.

### **Permit Term**

17. The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic renewals occurring at five (5) year intervals from the date of granting this permit. The cost associated with the periodic renewals shall be charged at that time.

### **ATTACHMENTS:**

- Exhibit A - Draft Resolution
- Exhibit B - Site Plan, Photos
- Exhibit C - Vacation House Rental Ordinance
- Exhibit D - Comments and Letters
- Exhibit E - Owner's response to complaints
- Exhibit F - Inspection letters

# SOLANO COUNTY PLANNING COMMISSION

## RESOLUTION NO. 4687

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**WHEREAS**, the Solano County Planning Commission has considered the Minor Use Permit Application No. MU-20-11 to establish a Vacation Rental - Unhosted on a 2.8 acres parcel located at 4367 Edinburg Court, 1.8 miles northwest of the City of Fairfield in the Rural Residential (RR-2.5) zoning district, APN 0147-182-120, and

**WHEREAS**, said Commission has reviewed the report of the Department of Resource Management and heard testimony relative to the subject application at the duly noticed public hearing held on January 7, 2021, and

**WHEREAS**, after due consideration, the said Planning Commission has made the following findings in regard to said proposal:

**1. That the establishment, maintenance or operation of the use applied for is in conformity to the General Plan for the County with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan considered by the Planning Commission.**

The parcel is designated partially Traditional Community - Residential and partially Rural Residential by the Solano County General Plan Land Use Diagram. As indicated on the General Plan land use consistency table (General Plan Table LU-7) the Rural Residential (RR-2.5) Zoning District is consistent with the Rural Residential designation but not the Traditional Community – Residential designation.

**2. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.**

The site is provided with water by the City of Vallejo and sewer service by an on-site sewage disposal system. Access is proposed via encroachment off Edinburg Court.

**3. The subject use will not, under the circumstances of this particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.**

As conditioned, the proposed Vacation Rental - Unhosted use will not constitute a nuisance to surrounding properties, nor will it be detrimental to the health, safety, peace, morals, comfort or general welfare of County residents.

**BE IT, THEREFORE, RESOLVED**, that the Planning Commission of the County of Solano does hereby approve Use Permit Application No. U-20-11 subject to the following recommended conditions of approval:

1. The above use shall be established in accord with the application materials and development plans as submitted with Minor Use permit application MU-20-11 filed July 23, 2020 and as approved by the Solano County Planning Commission.

2. The Vacation Rental - Unhosted will maintain a current Solano County Business License for as long as the business remains in operation.
3. Any further expansion to the business or additional development may require approval of a Minor Revision to MU-20-11.
4. Initial Inspection Prior to Commencement of Activities. Prior to the commencement of activities under this use permit or the admission of the public to the site, the permittee shall be present on site for an inspection of the premises by the Department of Resource Management and other agencies with jurisdiction, to determine if all prerequisite conditions and requirements have been met. Commencement of activities authorized under this permit shall not begin until the Director of Resource Management (Director) determines that the permittee is in compliance with the necessary prerequisite conditions of approval.
5. Subsequent Inspections. If additional inspections are required before the Director determines the permittee is in compliance with the use permit, the permittee shall be charged inspection fees based on the adopted rate established by the Board for hourly work by the Department.
6. Failure to Comply. Failure to comply with any of the conditions of approval or limitation set forth in this permit shall be cause for the revocation of the use permit and cessation of the permitted uses at the Permittee's expense.
7. Occupancy and Parking. Occupancy of the rental dwelling must be limited to two persons per bedroom and two additional persons, not to exceed 10 occupants total. At least 3 off street parking spaces must be provided for use of guests.
8. This dwelling may not be advertised, offered, or used as a special events facility that includes events such as weddings, parties and similar events. No outdoor amplified sound is allowed.
9. Prior to operation or advertising of the Vacation Rental – Hosted, the permittee shall provide a copy of the proposed listing which complies with Section 28.75.30(A)(9) of the Solano County Code.
10. Fire District Inspection. Prior to occupancy by any guests, the permittee will provide a letter from the Cordelia Fire District verifying compliance with all applicable building and fire codes.
11. While the following comments are not all inclusive, they will act as a guideline for the requirements for the construction of any buildings or structures on the site now and in the future. These comments are not required on the application plan for the Use Permit, but (4) sets of plans will be required to be submitted to reflect all of the requirements in the latest edition of the codes adopted by the State of California and Solano County at the time of a construction permit application. These requirements, as well as all other required code requirements, shall be reflected on all construction drawings submitted for permit through Solano County Building Division.
12. The Building and any site improvements shall be designed using the 2019 California Building Standards Codes including the mandatory measures found in the new 2019 California Green Building Code, Chapter(s) 1, 2, 3, 5, 6, 7, 8, and A5 for Voluntary Measures.
13. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per the 2019 California Building Code, or the most current edition of the code enforced at the time of building permit application. "Any owner or authorized agent who intends

to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.”

- 14. Plans and Specifications shall meet the requirements as per Section 105 of the 2019 California Building Code. “Construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.” Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.”
- 15. The fire district will reassess the site for fire life and safety requirements.
- 16. A Site and Soil Evaluation shall be performed, under permit and by a Registered Consultant, to map a reserve septic area for the property.
- 17. The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic renewals occurring at five (5) year intervals from the date of granting this permit. The cost associated with the periodic renewals shall be charged at that time.

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I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on January 21, 2020 by the following vote:

AYES:	Commissioners	_____
		_____
NOES:	Commissioners	_____
ABSTAIN:	Commissioners	_____
ABSENT:	Commissioners	_____

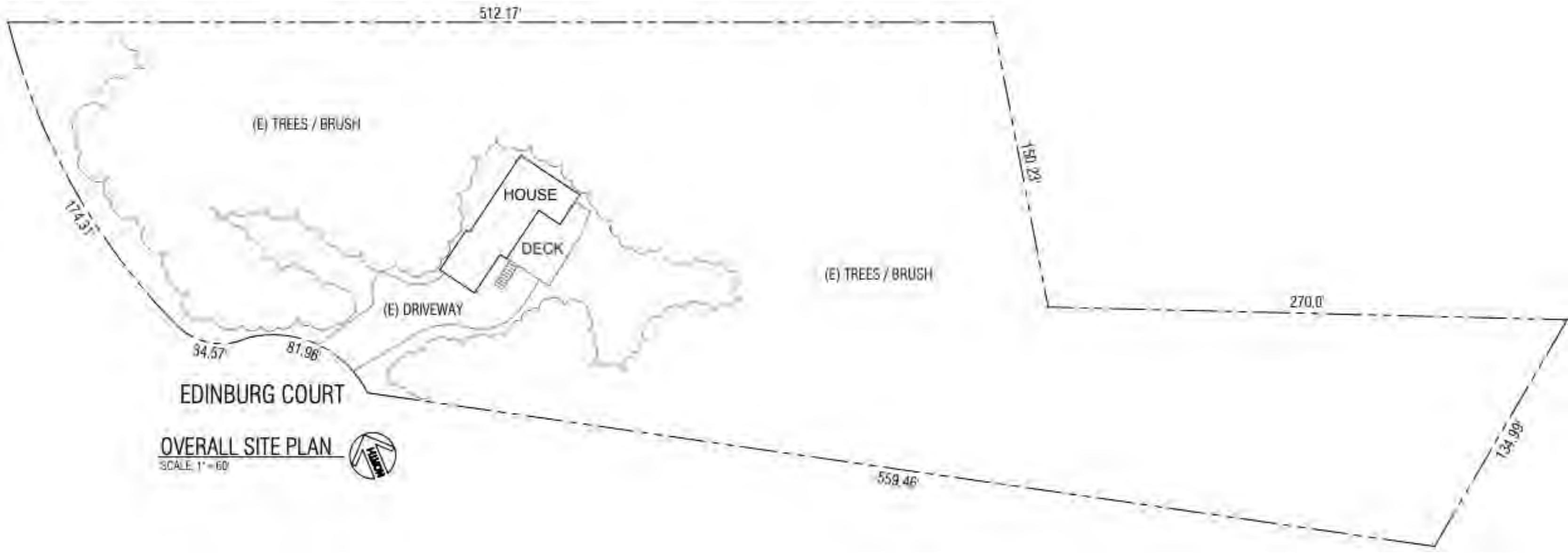
By: \_\_\_\_\_  
Terry Schmidtbauer, Secretary











**ORDINANCE NO. 2018 - 1798**

**AN ORDINANCE AMENDING CHAPTER 28 OF THE SOLANO COUNTY CODE TO DEFINE THE SHORT-TERM RENTAL OF A DWELLING AS A "VACATION HOUSE RENTAL" AND TO AUTHORIZE SUCH LAND USE, SUBJECT TO EITHER AN ADMINISTRATIVE PERMIT OR A MINOR USE PERMIT, WITHIN THE A-20 EXCLUSIVE AGRICULTURAL, SUISUN VALLEY AGRICULTURAL, RURAL RESIDENTIAL, AND WATERSHED ZONING DISTRICTS**

The Board of Supervisors of the County of Solano ordains as follows:

**SECTION I: DEFINITIONS**

The following definitions are amended or added, in alphabetical order, to section 28.01 of Chapter 28 (Zoning Regulations) the Solano County Code:

**Guest house.** Detached living quarters of a permanent type of construction, without a kitchen, and accessory to the primary dwelling on the same building site. A guest house may not to be rented, let, or leased separate from the primary dwelling, whether compensation be direct or indirect.

**Vacation house rental.** A dwelling with no more than five guestrooms or sleeping rooms that is offered, used, let, or hired out for compensation for periods of 30 consecutive days or less. Does not include an occasional home exchange of a dwelling used as the property owner's primary residence. Includes any dwelling used pursuant to a time share plan or other similar form of co-ownership if any time share period or other entitlement to occupancy of the dwelling is limited to 30 days or less per year.

**Vacation house rental. Hosted.** A vacation house rental on a parcel with a primary and secondary dwelling where the property owner resides on the property in the non-rental dwelling.

**Vacation house rental. Unhosted.** A vacation house rental where the owner does not reside on the property.

**SECTION II: EXCLUSIVE AGRICULTURE ZONING DISTRICTS**

Table 28.21A of Section 28.21 of Chapter 28 of the Solano County Code is amended by inserting the following two rows into that table under heading 28.75 Tourist Uses – A. Agritourism:

ALLOWED USES	Permit Requirements				Land Use Regulations
	A-40	A-80	A-20	A-160	
Vacation house rental, Hosted	---	---	AP	---	28.75.30(A) & (B)(1)
Vacation house rental, Unhosted	---	---	MUP	---	28.75.30(A) & (B)(2)

**SECTION III: SUISUN VALLEY AGRICULTURE ZONING DISTRICTS**

Table 28.23A of Section 28.23 of Chapter 28 of the Solano County Code is amended by inserting the following two rows into that table under the heading of Tourist Uses:

ALLOWED USES	Land Use Regulations			
	A-SV-20	ATC	ATC-NC	
Vacation house rental, Hosted	AP	AP	---	28.75.30(A) & (B)(1)
Vacation house rental, Unhosted	MUP	MUP	---	28.75.30(A) & (B)(2)

**SECTION IV: RURAL RESIDENTIAL ZONING DISTRICTS**

Table 28.31A of Section 28.31 of Chapter 28 of the Solano County Code is amended by deleting the row titled "None Allowed" and inserting the following two rows into that table under heading 28.75 Tourist Uses – C. Agritourism:

ALLOWED USES	Land Use Regulations			
	RR-2.5	RR-5	RR-10	
Vacation house rental, Hosted	AP	AP	AP	28.75.30(A) & (B)(1)
Vacation house rental, Unhosted	MUP	MUP	MUP	28.75.30(A) & (B)(2)

**SECTION V: WATERSHED AND CONSERVATION ZONING DISTRICT**

Table 28.51A of Section 28.51 of Chapter 28 of the Solano County Code is amended by deleting the row titled "None Allowed" and inserting the following two rows into that table under heading 28.75 Tourist Uses – C. Agritourism:

ALLOWED USES	Land Use Regulations		
	W District		
Vacation house rental, Hosted	---		
Vacation house rental, Unhosted	MUP		28.75.30(A) & (B)(2)

**SECTION VI: REGULATIONS**

Section 28.75 of Chapter 28 of the Solano County Code is amended to add a new subsection 28.75.30, as follows:

**28.75.30 Vacation House Rentals****A. General Requirements**

Vacation house rentals shall comply with the following general standards:

1. A dwelling used as a vacation house rental shall meet all of the development standards for dwellings specified in subsection 28.72.10(A)(1) and in Tables 28.21B, 28.23B, and 28.31B as applicable to the zoning district. If the dwelling includes a guest house, the guest house shall also meet those development standards.

2. Space used for overnight accommodations as part of a vacation house rental must be located entirely within a dwelling or a dwelling in combination with an approved guest house. Other accessory buildings, recreational vehicles, recreational vehicle parking space, or tents may not be used as a vacation house rental.
3. Overnight occupancy is limited to 2 persons per bedroom plus 2 additional persons, not to exceed a total of 10 persons.
4. Three off-street parking spaces shall be provided for all guests. On-street parking is prohibited for any property on which a vacation house is located.
5. A vacation house rental may not be advertised, offered, or used as a special events facility that includes events such as weddings, parties and similar events. No outdoor amplified sound is allowed.
6. A dwelling or guest house may not be used as a vacation house rental if it is the subject of an enforcement action pursuant to any provision of this code.
7. Transient occupancy tax registration and payment are required, pursuant to Chapter 11 of this code. A business license is required, pursuant to Chapter 14 of this code.
8. The property shall be covered by commercial property insurance.
9. The property owner shall obtain the required permit and complete transient occupancy tax registration prior to advertising or operating the vacation house rental. Online advertisements and /or listings for the vacation house rental shall include the following:
  - a. Maximum occupancy, not including children under 3;
  - b. Maximum number of vehicles;
  - c. Notification that quiet hours must be observed between 10 p.m. and 8 a.m.;
  - d. Notification that no outdoor amplified sound is allowed; and
  - e. The Transient Occupancy Tax Certificate number for that property.
10. Vacation house rentals shall meet all building and fire codes at all times and shall be inspected by the Fire Department before any short-term rental can occur.
11. An exterior display with the name of the property owner or manager and a current contact phone number shall be located near the front door of the rental unit. While a vacation house is rented, the owner or a property manager shall be available twenty-four hours per day, seven days per week, for the purpose of responding within forty-five minutes to complaints regarding the condition, operation, or conduct of occupants of the vacation house rental or their guests. Items in need of repair may take longer to correct.

**B. Specific Requirements**

Vacation house rentals listed below shall comply with the general requirements in section 28.75.30(A) above and the following specific standards.

**1. Vacation House Rental-Hosted**

- a. A hosted vacation house rental requires the property owner to reside on the property during the vacation house rental period.

- b. Only one dwelling may be used as a vacation house rental and the property owner must reside in the other dwelling.

#### **SECTION VII:**

All ordinance and parts of ordinances in conflict herewith are repealed.

#### **SECTION VIII**

The Board of Supervisors has made the following findings and declarations in regard to the zoning amendments:

1. These zoning amendments are in conformity with the Solano County General Plan.
2. The zoning amendment will not constitute a nuisance or be detrimental to the health, safety, comfort, or general welfare of the people of the County or be detrimental to adjacent property or improvements in the neighborhood.
3. This ordinance is exempt from the California Environmental Quality Act pursuant to section 15061(b)(3) of the CEQA Guidelines. This ordinance will not permit the development of new dwelling units at locations not already allowed, and the ordinance imposes standards on vacation house rentals sufficient to ensure that the use of existing and new dwelling units as vacation house rentals will not have a greater adverse effect on the environment than the use of such structures as residences. Because the use of some dwelling units as vacation house rentals will require discretionary approval of a minor use permit, consideration of any potential site-specific impacts related to a particular location is properly deferred.
4. The use of a dwelling unit as a vacation house rental, as defined in this ordinance, is a commercial land use rather than as a residential land use and is not currently authorized by Chapter 28 of the Solano County Code. Therefore, this ordinance is amendatory rather than declarative of existing law. Any use of a dwelling unit as a vacation house rental prior to the effective date of this ordinance or prior to the approval of a use permit pursuant to the regulations set forth in Sections III through V of this ordinance shall not be considered a legal nonconforming land use.

#### **SECTION IX**

This ordinance will be effective thirty (30) days after its adoption.

#### **SECTION X**

If any provision of this ordinance or the application thereof to any persons or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

**SECTION XI**

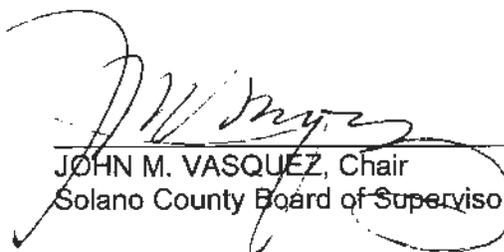
A summary of this ordinance shall be published once in the Daily Republic, a newspaper of general circulation in the County of Solano, not later than fifteen (15) days after the date of its adoption.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on October 2, 2018 by the following vote:

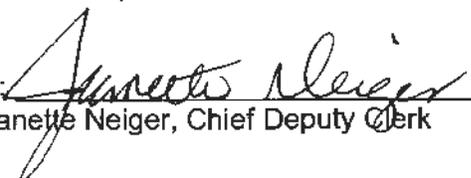
AYES: SUPERVISORS Brown, Spring, Thomson  
and Chair Vasquez

NOES: SUPERVISORS None.

EXCUSED: SUPERVISORS Hannigan

  
\_\_\_\_\_  
JOHN M. VASQUEZ, Chair  
Solano County Board of Supervisors

ATTEST:  
BIRGITTA E. CORSELLO, Clerk  
Board of Supervisors

By:   
\_\_\_\_\_  
Jeanette Neiger, Chief Deputy Clerk

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**From:** A McKenna <annmckenna@comcast.net>  
**Sent:** Monday, January 4, 2021 8:21 PM  
**Subject:** Unhosted Short-term Rental Application

[Possible Phishing!] DO NOT REPLY without verifying the address belongs to someone you know. Do not purchase gift cards for anyone.

To Whom it May Concern:

I wish to have my name added to the list of Green Valley Residents who are opposing the Unhosted Short-Term Rental application permit for the property on Edinburg Court in Green Valley, which will be discussed at a meeting on January 7, 2021.

Further, I am in favor of the effort to Stop All Unhosted Short-term rentals in Green Valley in the future.

Sincerely,  
Ann McKenna Joseph  
602 Via Palo Linda  
Fairfield, CA 94534

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**From:** Cathy Spencer <cathyspencer17@gmail.com>  
**Sent:** Wednesday, January 13, 2021 10:35 AM  
**To:** Harrison, Jamielynne B.  
**Subject:** Minor use permit application MU-20-11 Rothstein

As a resident of the Green Valley Highlands, I am registering my protest to allow an unhosted vacation rental in our rural neighborhood. We have been residents of the Green Valley Highlands since 2003. Up until last summer, we have never heard loud music or experienced speeding traffic in our rural location. This area is atypical of other neighborhoods in that we are rural, heavily forested subject to wildfire and power outages. Edinburgh Court is no place for loud parties and traffic.

The owners of this property bought it with every intention of adding it to their string of other vacation rentals they maintain. They purposefully chose not to apply for a use permit and the demeanor at the public hearing was a pack of lies and deceit. They have no intention of policing their guests and provide no onsite or readily available management.

This is a rural neighborhood in an impacted area and my vote is NO!

Cathy A. Spencer  
4428 Glencannon Dr., Fairfield, CA 94534

707-290-9509



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**From:** Charlene Archibald <chararchibald@aol.com>  
**Sent:** Wednesday, January 6, 2021 11:05 AM  
**To:** Planning Commission; Harrison, Jamielynn B.; Calder, Allan M.; Brown, Monica E.; cliff.b.neal@gmail.com  
**Cc:** archwhiteoak@aol.com; chararchibald@aol.com  
**Subject:** unhosted short-term rentals in Green Valley

This e mail is being resent due to incorrect e mail addresses that were entered for Solano county addresses. .

Further comment from Harold Archibald;

These buyers lied on the remodeling and use of this home. They spoke repeatedly , that they were going to remodel to accomodate an ailing relative with Parkinsons , install ramps, add a downstairs bath and convert dining room back to a bedroom for easy access and use.

We fully support stopping all party houses or unhosted short term rentals in Green Valley.

---

**From:** chararchibald@aol.com  
**To:** planningcommission@solanocounty.comjimbharrison  
**Cc:** amcalder@solanocounty.commebrown  
**Sent:** 1/6/2021 11:41:37 AM Mountain Standard Time  
**Subject:** unhosted short-term rentals in Green Valley

We were the owners of 4376 Edinburg Court who sold to buyers in 2019.

We viewed the Airb&b web site in August this year. I contacted Airb&b, telling them that we believed this rental violated the local CC&Rs. Their response was that they would contact the owner and advise the owner to follow the code.

The investors have turned a beautiful five bedroom home into a small hotel. With no onsite manager, neighbors have little recourse from objectionable behavior. It seems this has become a party house.

Green Valley is a quiet and rural neighborhood. The Planning Commission should reject the permit application. Regulations should be enacted that stop all unhosted short-term rentals in Green Valley. The Commission should work with Green Valley Landowners Association as this organization exists to protect and enhance the character of rural Green Valley.

Sincerely,  
Charlene Archibald  
Harold Archibald

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**From:** Dania Atanassova-Een <Daniaa@westcomncs.com>  
**Sent:** Wednesday, December 23, 2020 12:42 PM  
**To:** Harrison, Jamielynne B.; Planning Commission; Calder, Allan M.; Brown, Monica E.; Hallett, Stephen L.  
**Cc:** Cliff Neal; William Fell; Suzanne Frank Adair; Jack Dold  
**Subject:** Short term rentals Green Valley and Solano County Minor Use permit application MU-20-11

Ladies and Gentlemen of the Solano County Planning Commission,

My name is Dania Atanassova-Een. I reside at 4397 Edinburg Ct. Fairfield, California.

I am writing to you today in response to the public hearing notice (MU-20-1, APN 0147-182-120.) I received it in the mail this week.

**I strongly protest and oppose a yes vote to grant the Minor Use Permit for the above-referenced MU application.**

I will not talk about how the current owners of 4376 Edinburg Ct. have disturbed our quiet residential neighborhood or how many laws they have broken since they started renting the property.

I am only going to touch on the county's economic impact a yes vote could cause.

1. Prior to COVID 19, the poverty rate for the city of Fairfield was estimated to be nearly 10%.
2. The Median Household Income ~\$85,000.00 per annum
3. Unemployment rate ~8.2%
4. As of November, the overall leisure and hospitality industry in the state of California was down ~25% from the prior year

AirBNBs in the county will generate an income, no doubt! 5% of the Gross income of the property, to be exact.

Currently, there are no government (State or Local) regulations that cover residential properties. No security, fire, or health and safety codes to enforce. Unlike the hotels, motels, and bed and breakfast inns, which are governed by California code, civil code - civ § 1865. All calls made from neighbors will be going to the local police and sheriff. Are these two entities adequately equipped to handle the influx of calls and responses to residential neighborhoods?

In our particular situation, they would have had a minimum of 20 calls in the past eight months.

By issuing this unhosted vacation rental permit, you will be putting a strain on law enforcement staff in the community.

By issuing this unhosted vacation rental permit, you will be eliminating ~1 hospitality employment position in the community per permit, causing the unemployment rate to remain at an all-time high.

By issuing this unhosted vacation rental permit, you will be lowering the Median Household Income in the City by ~\$1,465.00 per annum.

By issuing this unhosted vacation rental permit, you will be lowering the Average Home Value. Let's face it! None of you would buy a home next to a hotel and pay two million dollars for it!

Green Valley-Fairfield (close to) singlehandedly brings up the current average for home values in the City to \$380,000.00 and is one of the four biggest contributors in the counties average of \$442,000.00. Without our home values I speculate the County will be measuring up to Glenn and Lassen counties.

We will sell and move.

The question is: Are you prepared to be known as the most significant contributor to poverty in Solano County, California?

Sincerely,

Dania Atanassova-Een

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**From:** GARY ECKMAN <gaeckman@comcast.net>  
**Sent:** Thursday, December 31, 2020 10:08 AM  
**To:** Harrison, Jamielynn B.  
**Cc:** Brown, Monica E.  
**Subject:** Opposition to Approval of MU-20-11  
**Attachments:** Edinburg Ct Use Permit.docx

Attached are our comments to the Planning Commission that we wish to be heard at their meeting on January 7, 2021. My wife and I are among the many residents who feel approving the Minor Use Application MU-20-11 at 4367 Edinburg Court serves no useful purpose to our community. There are other areas in Solano County and adjacent counties where Vacation Rentals are welcomed and encouraged which are not in Rural Residential neighborhoods such as Green Valley. Please respect those of us who have made this our home for many years!

Gary and Mary Eckman

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**From:** Jack Dold <jackdold@yahoo.com>  
**Sent:** Wednesday, December 23, 2020 11:29 AM  
**To:** Harrison, Jamielynne B.; Planning Commission; Calder, Allan M.; Brown, Monica E.; Hallett, Stephen L.  
**Cc:** Cliff Neal; William Fell; Suzanne Frank Adair; Dania Atanassova-Een  
**Subject:** Short term rentals Green Valley and Solano County

To:  
J.B. Harrison  
A.M. Calder  
M.E. Brown  
S.L. Hallett  
Solano County Planning Commission

Dear Fellow Citizens:  
Attached is a letter to express my concern about a problem our neighborhood is facing, a problem that is certain to become county-wide if action is not taken about short-term rentals in neighborhoods that are clearly zoned as "residential." I do hope that my appeal will be heard.

**December 25, 2020**

**Dear Sirs:**

**I am writing to you today to protest as strongly as I can, the opening of an AirBnB on our street in the Green Valley Highlands. There is no possible reason for the county to allow its existence.**

**My wife and I built our home on Edinburg Court in 1985. The area was designed for private, residential homes. It is quiet, very natural, with incredible views of Mount Diablo, the Suisun Marsh and San Pablo Bay. It was then, and it is now, zoned strictly residential, one of our main reasons for deciding to settle here.**

**The peace and serenity of our neighborhood has been rocked by the invasion of a so-called AirBnB at 4376 Edinburg Court, directly across the street from our house. The owners, who at first purported to have found their "dream home," have converted it into a tourist dormitory, advertising as many as seven bedrooms, a wine cellar, swimming pool, in the wine region. Those owners never had the slightest idea of ever living there. They reside in Arizona and have rented their Edinburg house out to groups of people, mostly young, who have**

**transformed the very nature of our neighborhood. They have had loud parties well into the night, with music, yelling and sometimes vulgarity. They have wandered through the heavily-forested private land of neighbors, clearly trespassing and creating the ever-present danger of wildfire. The dangers they are presenting to our lives is abundantly evident.**

**Those owners have built a hotel on our residential street. They are operating a business, to date without a license, in what the county publicly advertises is zoned residential. How is this being allowed? For what possible reason would Solano County even consider such an aberration? Of course, the glib answer is that you are allowing it to create revenue. I would refer you to the tax roles and have you deny that our residences have not been most generous in creating revenue. Greater Green Valley is an asset to Solano County, a beautiful residential region, largely in a natural setting. Why on earth would anyone want to endanger such an asset?**

**One doesn't have to look far to see the effect of these AirBnB hybrids. They have produced shootings, and fighting, become major disturbances to the tranquility of their neighbors. They are often completely unsupervised, with those neighbors depending on help from depleted police services. They have decreased the value of homes around them, which in itself goes far to erase any tax incentives for the cities and counties where they are found.**

**The owners of AirBnBs bring nothing to the table. They simply take away. They are designed to create cash flow for absentee owners. They don't participate in neighborhood dynamic in any way. They are not "neighbors." They are an unwanted, foreign invasion of otherwise peaceful, attractive districts, the kind of districts that governments on all levels boast about. An AirBnB is designed to be a party house. The people who purchase these short-term rentals care nothing for the neighborhood. Upper Green Valley is set in a dense oak forest. The combination of large groups of young people, alcohol and partying is a recipe for fire disaster. Have we not had enough of wild fires in our county and the surrounding land?**

**My wife and I demand that Solano County ban all short-term rentals from any residentially zoned district in the county. Allow them to operate down in Cordelia or Suisun if you want, with the other hotels in the area. Because that is what they are—hotels, built to make money. And built to destroy the serenity of good neighborhoods of quiet, tax-paying citizens. And designed by nature to be a threat to the land. Solano County owes its citizens the protection they have earned the right to receive.**

**The AirBnB at 4376 Edinburg Court has applied for a permit to operate, to violate the zoning regulations of the county. Deny it.**

**Sincerely,**

**John and Mary Dold**

**4377 Edinburg Court**

**Fairfield, CA 94534**

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**From:** Jared Heyman <jared.heyman@gmail.com>  
**Sent:** Thursday, October 22, 2020 2:24 PM  
**To:** Kroger, Travis J.  
**Cc:** amanda rothstein  
**Subject:** Re: Complaint on 4376 Edinburg

Travis, I hope all is well. Please find attached the items that you requested in your September 24th letter regarding our vacation rental permit application. Please let me know if you need anything further, and the next steps and anticipated timeline for your permit approval process.

All the best,

Jared

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**From:** Katie Carter <katieepetty@gmail.com>  
**Sent:** Tuesday, December 29, 2020 9:18 PM  
**Subject:** STOP UNHOSTED short-term rentals in Green Valley

Please do not approve any UNHOSTED short term rentals in this area. Please DENY the use permit for the home on Edinburg Court.

I am writing out of great concern for our community. My husband and I moved to Green Valley four years ago to raise our family. We purchased our home here because of the serene surroundings, and we have found a welcoming group of neighbors that kindly look after us. We like to support our community in positive ways, and feel compelled to do our part to make our neighborhood a safe and welcoming place to raise our children.

An unhosted short term rental is not appropriate for our neighborhood setting. The irresponsible nature of the terms of these home rentals has no place in this area. Our fire and sheriff departments resources are already stretched incredibly thin. Without on-site management, our local resources would have to answer the problem behavior of renters whose objective is to not have a quiet weekend in the suburbs.

The annoyance and grief that the home on Edinburg Court has already caused cannot go unnoticed. Also, Green Valley is in an extreme fire zone. My family has had to evacuate three times in the four years we have lived here due to real fire threat to our home.

Please do not approve any UNHOSTED short term rentals in this area. Please DENY the use permit for the home on Edinburg Court. Would you want a party house next door to your family's home?

Wishing you a safe and healthy 2021,

Katherine (Katie) Carter  
26 Country Club Drive  
Fairfield, CA  
94534  
(925)890-5822

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**From:** Le <lenow94@gmail.com>  
**Sent:** Saturday, December 26, 2020 11:48 AM  
**To:** Harrison, Jamielynne B.  
**Subject:** Permit MU-20-11 (Archibald)

Hello,  
I live in the area of this short term vacation rental. I am very concerned about it. Not only has the owners been reckless with keeping the vacationers in check, but it completely effects our quality of life. They are doing this without a permit. That's illegal.  
We now have short term renters who are there for one reason, party.  
This effects us because...  
We live in a high fire area-  
It lowers property values-  
Very loud noise-  
Many cars and people-  
Trash-  
Strangers walking on private property-  
Would you like to live near this?  
Please DO NOT allow Air B and B's, short term rentals in our area! We have enough to deal with. I vote no on permitting this application.  
Thank you,

Sent from my iPhone  
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**From:** Lea Fisher <leafisher@att.net>  
**Sent:** Wednesday, January 13, 2021 1:48 PM  
**To:** Harrison, Jamielynne B.  
**Subject:** Minor Use Permit Application MU-20-11

Dear Mr. Harrison

We have lived in Green Valley for almost 50 years, and used to live on Edinburg Ct. next door to the proposed short-term rental house. Now we live about a block away from our old house. We are strongly opposed to the concept of allowing short-term vacation rentals to be used in our area as we do not believe that this type of operation is compatible with the residential setting of the neighborhood. Another factor that we are concerned about is the fact that this proposed vacation rental will allow un-hosted use of the house since the owners live in another state.

In talking to the people who bought our old house, they indicated that past rentals of the house have resulted in numerous complaints about noise, trespassing, and other issues. The renters have used the house as a "party house" and complaints have been filed with the Sherriff several times about the problems encountered with rentals. We also understand that the property is not permitted for use as a short-term vacation rental.

We believe that if Solano County is going to allow short-term vacation rentals at all, there need to be strict, well defined regulations on the location and use of such rentals. Only by having strict regulations, that are enforced, can issues such as those experienced by our neighbors be controlled or eliminated.

We believe that allowing a vacation rental in the Green Valley Highlands area is incompatible with the nature of the neighborhood, and we are therefore opposed to the County issuing the Minor Use permit requested.

Lea and Penny Fisher  
4420 Glen Cannon Dr.  
Fairfield, CA 94534  
707-864-1329

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**From:** Lisa Earle <lisaerules@hotmail.com>  
**Sent:** Tuesday, January 5, 2021 8:31 PM  
**To:** Harrison, Jamielynne B.  
**Cc:** Brown, Monica E.; JimZSpering  
**Subject:** Hearing RE: Un-hosted Vacation Rentals in Green Valley [Permit Application MU-20-11 (Archibald)]

Dear Solano County Representatives:

**Please do not allow Un-hosted short-term 'vacation rentals' in our community.** Particularly not in our rural areas and highlands, which are heavily forested and with steep and rough terrain. Having the potential of large groups of outside tourists presents a potential fire disaster waiting to happen. There are environmental impacts as well, in addition to the serious problems we've already experienced.

We are well-aware of the multiple complaints and very serious issues raised by the 4367 Edinburg Ct residence. Edinburg is a street above ours, and in close proximity. Our neighbors are justifiably deeply worried about having a Party House next to them. They have experienced strangers hiking across their properties, and found things like cigarette butts and trash strewn about. They've had to deal with extended loud music (lasting for days) and a lot of loud noise from large parties, and a whole lot more vehicles driving around fast, parking and crowding our narrow and hilly country roads.

When our neighbors tried to get help with these ongoing issues with this location, they learned that there is No local property manager to resolve them, and after complaints were filed, only a phone number to a call center in the Philippines was provided. This is an example of how easily a single vacation rental can become a nightmare and in a potentially dangerous way.

I've been a resident of this area since 1999, and moved from the valley floor into the GV Highlands area in 2017. Since being here, we have been evacuated twice in the past 3 years, and we live the constant fear of a wildfire happening in our area during the "fire season" - which is now becoming "normal" and starts as early as April and can run through November. As you're aware; the abundant dry vegetation and hilly conditions here can make a spark into an instant and uncontrollable wildfire.

Having seen other communities suffer the devastation that a fast-moving 'fire tornado' can create; we must do all that we can to help prevent and minimize risking careless behavior. Tourists coming into our area are typically not aware of the fragility and very real fire risk. Additionally, if our neighborhood needed to suddenly evacuate, the last thing we need is to have a lot more vehicles all trying to escape via our extremely limited access to a main road (Green Valley Rd. and Rockville Rd. being the only real escape routes). By allowing short-term vacation rentals, we are potentially opening ourselves up for an emergency evacuation nightmare that could very easily become another horrible tragedy, like what happened in Paradise CA just a couple years ago.

**Please DENY the request to grant a permit to allow Short-Term, Un-hosted Rentals.** We are aware that our area has been recently targeted as 'Desirable' to outside investors who seek to turn larger country homes into

cash machines; with no regard for the impact it will make to our beautiful and natural area. Additionally, short term rentals have the potential to hurt our ecosystem, since we are on septic and not city sewer service.

Our area is well known for plentiful wildlife. We literally have herds of roaming deer, also turkeys, foxes, squirrels, skunks, and others who call this area their home. The last thing they (and we) need is to allow the degradation of our beautiful and natural environment, along with the careless and potentially dangerous acts of those who have already demonstrated they will not treat this area with the careful attention it needs.

I am not even going to really address the potential impacts that allowing short-term rentals will have on our home values, and the fact that they will likely drive away families who have lived here for decades.

Please, we implore you to do the responsible and right thing for Green Valley. Preserve and protect our fragile rural area and community, by NOT allowing short-term un-hosted rentals.

Respectfully and sincerely,

Lisa Earle  
1562 Rockville Road  
Fairfield, CA

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**From:** Mark Choi <drchoister@aol.com>  
**Sent:** Tuesday, September 1, 2020 1:03 PM  
**To:** Kroger, Travis J.  
**Subject:** Airbnb at 4376 Edinburg Ct  
**Attachments:** Amanda Rothstein LinkedIn.png; Amanda Heymans Scottsdale AirBnB.png; Jared Heyman BiggerPockets.webarchive

Dear Solano Planning Commission.

I am writing you to inform you that out of state real estate investors have turned a residential home into a non-permitted Vacation Home Rental at 4376 Edinburg Ct. Fairfield. These investors are actively looking for low enforcement counties with high end homes and are exploiting the Solano County Code. In doing this, they have created a neighborhood with excessive noise, unsafe behaviors and rotating party guests.

The home was purchased by Jared and Amanda Heyman in June of 2019. The Heymans immediately set about extensive renovations of the home, converting every conceivable space into a bedroom and adding a full bath (the house was sold as a 5 bedroom, 2 1/5 bath but is now being rented as a 7 bedroom, 3 1/2 bath home).

By May 2020, 11 months later, they had listed this house on AirBnB, Travelocity and VRBO as a 7 bedroom, 3 1/2 bath, 16+ guest "Wine Estate" vacation rental.

The Heymans are not new to rental homes nor to vacation rentals. See Jareds and Amandas post to "Bigger Pockets" a real estate investment site, (attached) which clearly indicates that have multiple rentals. Amanda is on Linked in, and states her profession as a "Vacation home owner and manager" (attached). Amanda is also a "superhost" on AirBnB and has been managing a Scottsdale AirBnb since 2018 (attached).

How is it that when they opened this airBnB in Fairfield they acted ignorant and seemingly utterly unaware of the Solano County Code regarding Vacation Home Rentals. Is it because they aren't complying with the vacation home rental code in Scottsdale, which requires a maximum family size of 6 + dependent children, yet the Heymans advertise the home for 24 guests! Or is it that they are specifically looking at Solano County and our specific neighborhood as a county/area which has not previously enforced existing code.

In the short 4 months that the vacation rental home has been active, we the neighbors on Edinburg court, have filed multiple code violations that include, the maximum number of people, the maximum number of bedrooms, noise, lack of local property manager, multiple trespassing, on street parking, garbage bins not removed from street for days, and the list goes on. We have filed them with both the county and with the Heymans. This has put an undue burden on the neighborhood, forcing us into the unwanted position of code violation monitoring and reporting.

Initially we thought that the Heymans would make changes, but this has not occurred. The Heymans reside in Arizona and have never resided in the home in Edinburg Ct. It is simply a vacation home business to the Heymans, and they have no regard for Solano county or for our neighborhood, except for how it affects their profits.

I urge you not to approved this vacation house permit that the Heymans have applied for, as the Heymans have clearly demonstrated a lack of concern for Solano County Code and our neighborhood, and a clear lack of interest in complying with Solano County Codes (or any county codes for that matter). I would urge you also not to consider approval for this permit with increased compliance, it is unlikely that they would comply with any increased compliance requirements based on their

history of non compliance, here in Fairfield as well as in Scottsdale.

Thanks for your consideration

Dr. Mark Choi  
4340 Edinburg Court  
[drchoister@aol.com](mailto:drchoister@aol.com)

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**From:** Mark Sievers <mark@wealthmatters.com>  
**Sent:** Tuesday, January 5, 2021 8:36 PM  
**To:** Harrison, Jamielynn B.; Planning Commission; Calder, Allan M.; Brown, Monica E.; Cliff.B.Neal@gmail.com  
**Subject:** short term rentals

Mark and Ann Sievers  
Green Valley, Solano County

January 5, 2021

Solano County Planning Commission clerk: jbharrison@solanocounty.com  
Solano County Planning Commission: planningcommission@solanocounty.com  
Alan Calder, Planning Manager: amcalder@solanocounty.com  
Monica Brown, our Supervisor: mebrown@solanocounty.com  
Green Valley Property Owners Association: Cliff.B.Neal@gmail.com

**Please confirm receipt of this email**

We are writing to you about the issue of short term rentals in Green Valley.

We have been residents of Solano County for 42 years and residents of Green Valley for 21 years. We have multiple businesses in the County. Clearly we have a commitment to the County and the environment it offers. We also have a vested interest to maintain Green Valley as a comfortable and safe place to reside.

Our concern is that some investors have acquired houses in Green Valley which they offer as rentals but are actually intended for rent as unsupervised “party houses”. The people who rent such venues use them for activities which are not compatible with the neighborhoods, the quiet enjoyment of the actual residents, or the intent of short term rentals as generally described by such websites as Air B&B.

Such uncontrolled and inappropriate behavior actually increases the risk of fires, illegal activities, disturbing the peace and depriving the actual residents of their right to “quiet enjoyment”.

Quiet enjoyment is generally legally defined as “the right of an occupant of real property, particularly of a residence, to enjoy and use premises in peace and without interference and without interference”. ([https://www.law.cornell.edu/wex/covenant\\_of\\_quiet\\_enjoyment](https://www.law.cornell.edu/wex/covenant_of_quiet_enjoyment))

Napa and Sonoma have strict rules about short term rentals, especially those which might be called “party houses”. Solano does not yet have applicable rules. This discrepancy has drawn some investors to acquire property to take advantage of the difference in local rules and regulations.

The relevant issues are: 1) whether unhosted rentals, particularly “party houses”, are suitable for the community; 2) the use of property by the short term tenants and whether such use interferes

unreasonably with the quiet enjoyment of the full-time neighbors; 3) whether such use constitutes a de facto commercial and hotel use; 4) whether the property owners' behavior constitutes an overt action to circumvent any of the requirements or laws governing retail and hotel establishments; 5) whether such properties have requested the standard process from the County for such commercial use and obtained the appropriate Use Permit.

The specific situation at question is the house on Edinburg Court. The owners have advertised for 16+ guests, 5 bedrooms and 9 beds; in other words, a short-term rental house for \$1000 to \$2000 a night. While the property was initially advertised as 7-bedroom rental, the number of bedrooms was reduced to 5 in their printed posting in order to apply for a permit. In the past 4 months, since this short-term rental has been in business, Green Valley neighbors and residents have been subject to:

- Excessive noise, including screaming and profanity through the night – sometimes at nearby neighbors who politely asked them to keep the noise down
- Multiple instances of trespassing on nearby neighbors' well-identified private property
- Advertised wine for sale in the house (illegal and 18 yr. olds can rent the entire house)
- 2-3 day Parties with loud music lasting later than most County ordinances and certainly later than acceptable for the neighbors
- 6+ cars (even a motorhome) with some of the cars parking in the street
- Unsafe, unfamiliar drivers on the winding streets
- Trash left out and tossed on the street and on neighboring properties
- Irresponsible disposal of combustible materials, such as cigarettes and marijuana butts which present a major fire risk to our entire community. Given the risk of fires for the last several years, this is a concern of great magnitude
- No local property manager to resolve issues – after complaints were filed, a phone number to a call center in the Philippines was provided. Clearly such a method does not allow for a prompt resolution of any problems.

The local residents have called the Sheriff multiple times; the County is aware of the issues; the investors have been notified, yet these issues are allowed to continue.

The current COVID pandemic highlights the need for attention to health matters. The behavior of the renters and the owners implies that no precautions are taken for the protection of the neighborhood or the renters. In the pandemic situation today, this is a serious breach of responsibility and concern for the health of any and all people in the vicinity of the property.

We strongly urge the Planning Commission and all relevant County departments to refuse the request for a Use Permit for this specific property on Edinburg Court and any other such unhosted short term rental property.

Also, we understand that several other such “party houses” exist in Green Valley. We request and urge the County to identify these properties and require them to comply with all relevant laws, rules, and regulations. Such actions are truly and actually in the best interest of the real residents of Green Valley and their right to quiet enjoyment of their property and the neighborhood that Green Valley has been for decades.

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**From:** Matt Y <mattyttrup@gmail.com>  
**Sent:** Thursday, January 7, 2021 11:52 AM  
**To:** Harrison, Jamielynn B.  
**Subject:** Stop All Unhosted Short-Term Rentals in Green Valley

Hello, As a Green Valley resident, I am writing to express my strong concerns with allowing Unhosted Short-Term Rentals in Green Valley. After hearing from several neighbors who have recently been directly impacted with these rentals, please stop allowing them. Some of the concerns include:

- Excessive noise, including screaming and profanity through the night – sometimes at nearby neighbors who politely asked them to keep the noise down
- Multiple instances of trespassing on nearby neighbors' well-identified private property
- Advertised wine for sale in the house (illegal and 18 yr. olds can rent the entire house)
- 2-3 day Parties with loud music – obviously rented exclusively to have a party
- 6+ cars (even a motorhome) with some of the cars parking in the street
- Unsafe, unfamiliar fast drivers on our winding streets
- Trash left out and tossed on the street and on neighboring properties
- Irresponsible disposal of combustible materials, such as cigarettes and marijuana butts which present a major fire risk to our entire community
- No local property manager to resolve issues – after complaints were filed, a phone number to a call center in the Philippines was provided

Thank you for your consideration.

-Matt Yttrup

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**From:** Melissa Finley Neal <melissafinleyneal@gmail.com>  
**Sent:** Wednesday, August 26, 2020 2:48 PM  
**To:** RMAdminFax  
**Cc:** Kroger, Travis J.  
**Subject:** Code Violations 4376 Edinburg Ct - Vacation House Rental - AirBnB, VRBO, Travelocity

Hi RM Admin;

I wanted to anonymously report the following code violations for the Vacation House Rental located at 4376 Edinburg Ct, Fairfield. Please note all screen shots which are attached were taken from the AirBnB site on August 26, 2020. The link to the advertisement for this vacation rental home is here [https://www.airbnb.com/rooms/43486576?source\\_impression\\_id=p3\\_1598476802\\_9%2BLrIjKugGpPBZiN](https://www.airbnb.com/rooms/43486576?source_impression_id=p3_1598476802_9%2BLrIjKugGpPBZiN)

Violation 1: Per the ordinance of Oct 2018, section A 3 states a maximum of 10 guests. The overall number on the listing states 10, however under "Key Features" they are still listing the house as accommodating 16+ guests (which is what the overall number was prior to August 24th 2020). See Capacity Violation screen shot attached.

Violation 2: Per the ordinance of Oct 2018 the definition of a vacation rental house is a dwelling with no more than 5 guests rooms or sleeping rooms. They are listing the house with 7 bedrooms. See Bedroom violation screenshot attached.

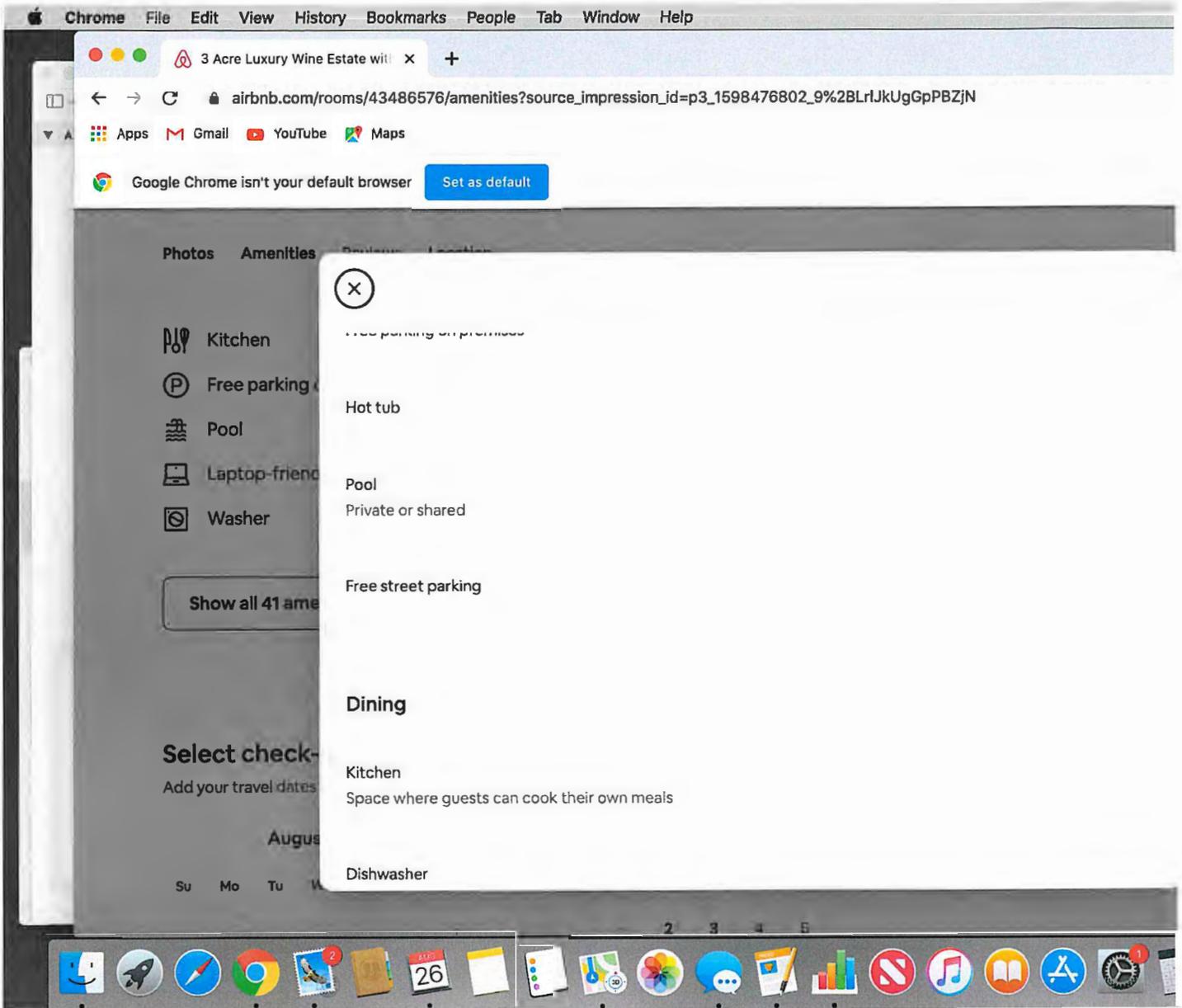
Violation 3: Per Vacation House Rental Comparison Table from Oct 2018, item 9 states; On-line advertising or listing shall include maximum occupancy, number of vehicles, quiet hours, TOT certificate and no amplified sound. The listing does not include the number of vehicles allowed and does not state no amplified sound. We know that the rental in the past has had up tot 6 vehicles and we know that their renters have used amplified sound (outdoor speakers) when renting this vacation rental home.

Violation 4: Per the ordinance of Oct 2018, section A 4. On street parking is prohibited for any property on which a vacation house is located. Their renters have parked on street and we have sent the owners pictures of the renters cars/ RVs on street, in addition the advertisement for this vacation rental home includes, under amenities "Free street parking". See screen shot Free Street parking

Violation 5: We understand that this Vacation Rental home has been rented from May 2020 (based on the reviews on the AirBnB site), however they currently do not have a permit to run an AirBnB.

Please let me know if you need additional information

Melissa Neal



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Free emergency housing is available for people affected by this disaster.  
Northern California Fires

[Learn more](#)

\$1,013 / night

CHECK-IN	CH
Add date	Ac
GUESTS	
1 guest	

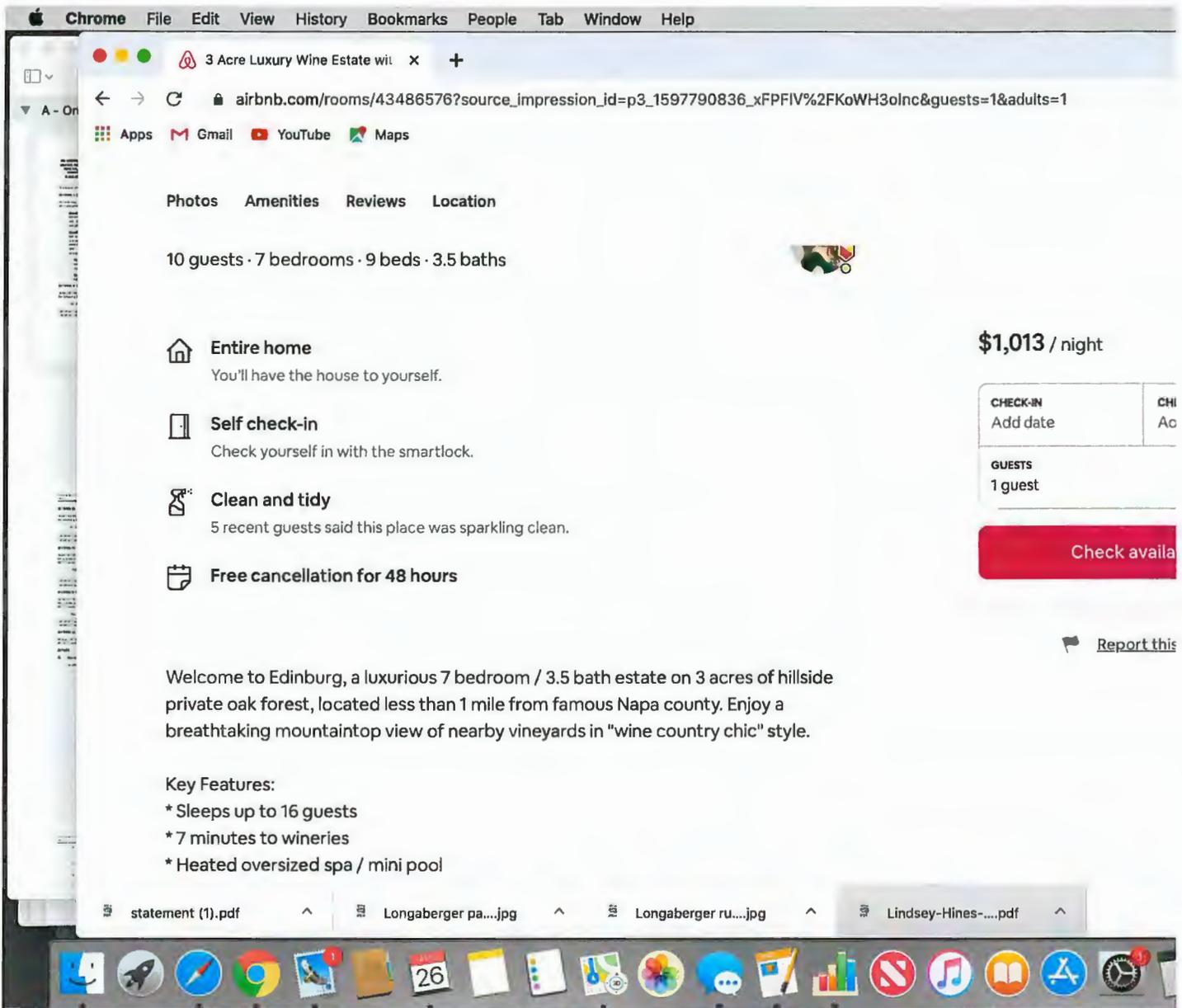
Entire house hosted by Mandy

10 guests · 7 bedrooms · 9 beds · 3.5 baths



[Check available](#)





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**From:** Melissa Finley Neal <melissafinleyneal@gmail.com>  
**Sent:** Thursday, September 3, 2020 2:14 PM  
**To:** Kroger, Travis J.  
**Cc:** Bill Fell; Mark; Cliff Neal; Annette Fell  
**Subject:** Trespassing with Vacation Home Renters at 4376 Edinburg Ct  
**Attachments:** Tresspassing Edinburg Ct

Hi Travis,

Unfortunately last weekend we had the vacation home renters from 4376 Edinburg Ct, trespass on our properties, again. This is the 3rd trespassing event by renters at this home in August, August 8th, August 19th and now August 29th. We have notified the owners each time, we have posted "no trespassing" signs, yet the trespassing continues. We felt it was prudent at this point to get the sheriff involved. The attached letter was sent to the sheriff's department. Could you please also include it within the file for the vacation home permit associated with 4376 Edinburg Ct Fairfield?

Thanks in advance,  
Melissa Neal

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**From:** Melissa Finley Neal <melissafinleyneal@gmail.com>  
**Sent:** Thursday, September 10, 2020 4:31 PM  
**To:** Kroger, Travis J.  
**Cc:** Mark; Bill Fell; Jack Dold; Sue Adair; Thomas Johnston  
**Subject:** Labor Day Party Weekend at 4376 Edinburg Ct, Fairfield AirBnB

Hi Travis,

Last weekend was a “party weekend” at 4376 Edinburg Ct. The AirBnB was rented out for Sat/Sun/Mon night.

Saturday night the group, with 6+ cars were outside partying until 1am. On Sunday, after having enough on Saturday night, I called the call service in the Philippines, which the owners had given us as their property manager, as the renters were being loud again outside. They were playing a trivia game and hooting and hollering when someone won (yes I could even hear the exact trivia questions). I called the call service at 10:19 and left a message (no one has ever picked up the phone when this number has been called to date). The call service got back to me at 11:24 pm (1 hour after I called) and said they would ask the renters to “tone down”. The renters finally did go inside around 12:15 am. Please note on this night there was a lot of profanity being used by the renters, which could be clearly heard at my house, across the street.

Also note when I had not heard back from the Philippine call center by 11 pm Sunday night, I also called the AirBnB neighbor complaint line. In addition, I know that at least one other neighbor called the AirBnB neighbor complaint line on that night. Lastly, at least 2 other neighbors said that they heard the party and that it was loud.

Monday night was another party night, as we really didn’t get much help on Saturday from either Philippines call center or AirBnB neighbor complaint line, we decided to wait it out. However I lost my patience at 1am (Tuesday early morning by this time) and called the Philippine call center at 1:06 am, they did respond more quickly and I heard back from them at 1:20 am, that they would ask the renters to “tone down”. They finally did go inside around 1:45am

Just want to ensure we are documenting the issues with this AirBnB. We also thought of calling the Sheriff but we don’t feel like it is a good use of their resources. Obviously we are frustrated that there is no way to enforce Solano County Code Rules on a Vacation Rental Home which is un-permitted.

Thanks  
Melissa  
707 294 7714

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**From:** Michael Warchut <michaelw@alibris.com>  
**Sent:** Monday, December 21, 2020 7:16 PM  
**To:** Harrison, Jamielynne B.  
**Subject:** MU-20-11 4367 Edinburg Court

To Whom It May Concern:

As a resident of upper Green Valley Highlands and a founder of the Green Valley Fire Safe Council I am in opposition of the issuing of a use permit at 4376 Edinburg Court for multiple reasons.

First and foremost are the safety concerns of an un-hosted rental on a property that is intermixed with the natural surroundings as opposed to integrated with it. As you may well know wildfires are endemic with California and 85% of them are human caused. Since the owner of this property has started renting out the property in 2020, with no permit, there have been incidents of renters smoking in the woods and outside the property. Neighbors of the property have found evidence of cigarette butts in the forested areas as well as on the street. In 2020 the Green Valley Fire Safe Council did property assessments and found that the majority of the properties were intermixed with the natural surrounding and many would not pass the CalFire LE-100. If a fire were to start on this property because of reckless renter it could quickly spread to all of the neighboring homes potentially causing millions of dollars in property damage to Upper Green Valley homes.

Along the lines also of wildfire during the evacuation of 2020, this address was currently occupied by a group of renters. They had several vehicles with them, had no clue what to do during the evacuation and caused a traffic jam during the evacuation while residents on the street were trying to vacate their homes. Also having occupants in the home that don't live here represents a security concern of people that have to evacuate if the occupants don't abide to the evacuation order.

My final concern is more of a selfish personal nature. Over the summer almost every weekend that the property was rented out we could hear parties coming from that property. The residents of Upper Green Valley live here for the beauty, the nature and for the quietness at night. Because of the elevation difference of the property in relation to our property, about 120' of elevation, the sound carries far and wide.

As you may already be aware of, a petition was distributed around Upper Green Valley by Cliff and Melissa O'Neal. Last I knew there were over 100 signatures in opposition to this un-hosted rental. We hope you will seriously consider denying this use permit as well as implement stricter guidelines for AirBNB rentals in Solano County as have our neighboring counties.

Sincerely,  
Michael Warchut

Michael Warchut | Director, IS&T  
Alibris.com  
1250 45th St Emeryville, Ca 94608  
Office 510-594-4500  
Cellular 707-718-5818

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**From:** Roger Merrill <rogermerrill@hotmail.com>  
**Sent:** Wednesday, December 30, 2020 10:15 AM  
**To:** Harrison, Jamielynne B.; Planning Commission; Calder, Allan M.  
**Cc:** Brown, Monica E.; Hallett, Stephen L.; Spring, Jim P.; Cook, Catherine M.; Cliff Neal; Mary Burczyk (mburczyk@mindspring.com)  
**Subject:** Opposition to ALL Short-Term Rentals in Green Valley; Specific Request to DENY First Permit Application  
**Attachments:** UNHOSTED SHORT TERM RENTAL\_PLANNING COMMISSION.pdf

Attached are our written comments in opposition to Minor Use permit application MU-20-11 (Archibald) for a Vacation (Short-Term) Rental - Unhosted located at 4367 Edinburg Court, 1.8 miles northwest of the City of Fairfield in the Rural Residential (RR-2.5) zoning district, APN 0147-182-120 scheduled for Public Hearing on January 7, 2021, at 7:00 p.m. We view this as a precedent-setting permit application and we oppose this specific application and ALL UNHOSTED Short-Term Rentals in unincorporated Green Valley.

In addition, we urge the Planning Commission to consider this topic more broadly across Solano County and consider, at a minimum, exclusion zones for UNHOSTED Short-Term Rentals in areas such as unincorporated Green Valley. Neighboring counties have adopted clear regulations and restrictions on such UNHOSTED rentals and investors are taking advantage of the lack of regulations and weak enforcement within our County to the detriment of our citizens.

Respectfully,

Roger Merrill

President, Green Valley Landowners Association  
4160 Suisun Valley Road, #E240  
Fairfield, CA 94534-4027

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**From:** Samantha Nicole <samantha.nicole82@gmail.com>  
**Sent:** Sunday, September 13, 2020 3:19 PM  
**To:** Kroger, Travis J.  
**Cc:** Schmidtbauer, Terry  
**Subject:** Upper Green Valley - Short Term Rentals

Good Afternoon Travis,

We understand that as part of your duties in the county Planning Services division, that you review short term rental applications. We're writing to express our concern regarding a property recently added to AirBNB in the Green Valley Highlands (this particular place is on Edinburg Ct).

The area has always been rural and quiet in nature and this recent change has already disrupted the tranquility and beauty of our area. We have noticed a decent uptick in the noise that proliferates the area, especially on the weekends and during the evening, when it is typically quieter. A few weekends ago, we heard what sounded like a stadium full of people cheering on some unknown event.

Upper Green Valley has traditionally been an owner occupied mini community, with the few if any rentals going to longer term residents - basically people who feel they have a stake in this magical place, not someone here for a few days of fun. Us, along with other neighbors, worry about disrupting this valley and are especially concerned with a number of areas that only long term residents understand: like extreme fire potential and the cautiousness needed in navigating our narrow winding roads carefully to avoid run-ins with wildlife.

Please carefully consider this application and ones like it for our area. This has always been a quiet corner of the world, one of the few left in the greater Bay Area, with the noisiest of our neighbors being turkey and deer tromping around ... it would be great to keep it that way.

Thanks for your careful consideration,

Samantha & Sukhada Gholba, concerned neighbors at the top of Rockville Rd.

(510) 394-4755

cc'd [tschmidtbauer@solanocounty.com](mailto:tschmidtbauer@solanocounty.com)

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**From:** Stacy Hofacre <diablo55@sbcglobal.net>  
**Sent:** Monday, December 21, 2020 5:32 PM  
**To:** Harrison, Jamielynne B.  
**Subject:** 4367 Edinburg Ct.

We would request you deny the permit for 4367 Edinburg Ct. 94534 to be an unhosted short term rental as it would provide no benefit to the neighborhood, neighbors or local wildlife. This is a pretty quiet, family oriented and senior neighborhood, not one for weekly parties . We also believe this would be a problem for real estate prices in the neighborhood. We certainly would not buy a home next to a short term rental where you never know who your neighbors are from week to week.

Thank you,  
Brian & Stacy Hofacre  
4450 Glencannon Dr. 94534

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**From:** Tom Baker <tomb@insightglass.com>  
**Sent:** Tuesday, December 22, 2020 6:06 AM  
**To:** Harrison, Jamielynne B.  
**Subject:** Use permit application MU-20-11

To whom it may concern

My name is Tom Baker. I live at 109 Siebe Dr. Fairfield CA 94534.

Unhosted vacation rentals in the correct spot are a wonderful idea. We use them in Sun River, Oregon often. This area consists of large numbers of vacation rentals. I don't have figures on exactly how many vacation rentals versus full time residences but I can safely say the unhosted vacation rentals far outweigh the primary residences. This area is considered a vacation destination.

Green Valley is a residential neighborhood. Properties here are lived in by Solano County residents. We pay taxes, support businesses, and vote for elected representatives. Our homes are our sanctuary and a source of pride. It is no place for a unhosted vacation rental.

Personally, I have had an unhosted vacation rental behind my house, at 105 Siebe Dr. We experienced bachelor parties and quiet users. Unfortunately, it is a source of aggravation and stress as you have no idea what we will be confronted with for the oncoming weekend. Fortunately, our neighbors decided to sell and it looks as though it may be off the rental market.

The people in this valley are secluded. Our only help is Solano County Sheriff. They will respond rapidly in the event of emergency but a noise complaint really doesn't qualify. Therefore, residents are left on their own to deal with problems created by the unhosted vacation rental. Further, the sheriff's department has plenty of other this to take care of, i.e. stolen mail, burglary, and the many other crimes happening in Solano county daily.

If a rental is hosted it becomes the resident's issue to control the renters. I believe the occupancy is smaller, the guests are quieter and the need for outside help becomes somewhat obsolete.

In closing, I would urge the board to reject the permit and any permit for a unhosted vacation rental in any Solano County neighborhood.

Respectfully,  
Tom Baker  
109 Siebe Dr.  
Fairfield CA 94534  
707 333 8896

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**From:** Tom Giugni <tggiugni@aol.com>  
**Sent:** Monday, September 21, 2020 8:01 AM  
**To:** Kroger, Travis J.  
**Subject:** Re: 4376 Edinburg. Parcel number 0147182120

Travis, I would like to add that the home is back on Air BnB as a long-term rental (30 days or more.)

*Tom Giugni*  
*tggiugni@aol.com*  
*707-249-1046 (cell)*

-----Original Message-----

**From:** Kroger, Travis J. <TJKroger@SolanoCounty.com>  
**To:** Tom Giugni <tggiugni@aol.com>  
**Sent:** Mon, Sep 21, 2020 7:55 am  
**Subject:** RE: 4376 Edinburg. Parcel number 0147182120

Hello,

Thank you for the reply, your email is filed with the applicable project and will be considered in the review and hearing process.

Thanks,

Travis Kroger

Planning Technician

**From:** Tom Giugni <tggiugni@aol.com>  
**Sent:** Monday, September 21, 2020 7:01 AM  
**To:** Kroger, Travis J. <TJKroger@SolanoCounty.com>  
**Subject:** 4376 Edinburg. Parcel number 0147182120

Travis, good morning. I am a resident of Green Valley and writing about the subject property. It has come to my attention that the property owner, Jared Heyman, has purchased the home, updated it and applied to the county for a permit to operate a short-term, un-hosted rental. I learned of this as Jared has already been renting his property and have heard

other neighbors complain of noise, trash and excessive traffic. As a result of on-line comments in the nextdoor app, Jared changed his advertised rental to long-term (30 days or more) and then he or AirBnB took the advertisement down.

As a neighbor, I oppose Jared's application for a non-hosted, short term rental. In the attached document, emailed directly to me as a group email, he claims he is a resident of San Francisco and admits renting his home while he travels. Yet, in a heated conversation on the nextdoor app (which has been taken down) he claimed to live in Concord. Jared also claims to have a property manager who lives in the area and who can respond immediately to problems, however when asked where or in what town that manager lived, he declined to answer.

I also question his truthfulness as he chose to rent his property prior to receiving a use or operating permit from the county until he was challenged by neighbors.

In short, I oppose Jared Heyman's application for a non-hosted, short-term rental at 4376 Edinburg Ct., Fairfield.

*Tom Giugni*

[tggiugni@aol.com](mailto:tggiugni@aol.com)

-----Original Message-----

From: Kroger, Travis J. <[TJKroger@SolanoCounty.com](mailto:TJKroger@SolanoCounty.com)>  
To: [tggiugni@aol.com](mailto:tggiugni@aol.com) <[tggiugni@aol.com](mailto:tggiugni@aol.com)>  
Cc: Calder, Allan M. <[AMCalder@SolanoCounty.com](mailto:AMCalder@SolanoCounty.com)>  
Sent: Fri, Sep 18, 2020 9:02 am  
Subject: RE: Contact?

Hello,

You can send any comments to me, along with the address of the site in question, and I will make sure that it gets filed appropriately to be considered as part of the review and hearing process.

Thanks,

Travis Kroger  
Planning Technician

---

**From:** Tom Giugni [<mailto:tggiugni@aol.com>]  
**Sent:** Friday, September 18, 2020 5:27 AM  
**To:** CAO-Clerk  
**Subject:** Contact?

Good morning. Who may I contact to oppose a permit request for an AirBnB permit in Green Valley?

*Tom Giugni*  
[tggiugni@aol.com](mailto:tggiugni@aol.com)  
707-249-1046 (cell)

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**From:** Tom Giugni <tggiugni@aol.com>  
**Sent:** Monday, September 21, 2020 7:01 AM  
**To:** Kroger, Travis J.  
**Subject:** 4376 Edinburg. Parcel number 0147182120  
**Attachments:** Important Notice to Green Valley Highlands Neighbors.pdf

Travis, good morning. I am a resident of Green Valley and writing about the subject property. It has come to my attention that the property owner, Jared Heyman, has purchased the home, updated it and applied to the county for a permit to operate a short-term, un-hosted rental. I learned of this as Jared has already been renting his property and have heard other neighbors complain of noise, trash and excessive traffic. As a result of on-line comments in the nextdoor app, Jared changed his advertised rental to long-term (30 days or more) and then he or AirBnB took the advertisement down.

As a neighbor, I oppose Jared's application for a non-hosted, short term rental. In the attached document, emailed directly to me as a group email, he claims he is a resident of San Francisco and admits renting his home while he travels. Yet, in a heated conversation on the nextdoor app (which has been taken down) he claimed to live in Concord. Jared also claims to have a property manager who lives in the area and who can respond immediately to problems, however when asked where or in what town that manager lived, he declined to answer.

I also question his truthfulness as he chose to rent his property prior to receiving a use or operating permit from the county until he was challenged by neighbors.

In short, I oppose Jared Heyman's application for a non-hosted, short-term rental at 4376 Edinburg Ct., Fairfield.

*Tom Giugni*  
[tggiugni@aol.com](mailto:tggiugni@aol.com)

-----Original Message-----  
From: Kroger, Travis J. <TJKroger@SolanoCounty.com>  
To: tggiugni@aol.com <tggiugni@aol.com>  
Cc: Calder, Allan M. <AMCalder@SolanoCounty.com>  
Sent: Fri, Sep 18, 2020 9:02 am  
Subject: RE: Contact?

Hello,

You can send any comments to me, along with the address of the site in question, and I will make sure that it gets filed appropriately to be considered as part of the review and hearing process.

Thanks,

Travis Kroger

Planning Technician

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**From:** Tom Giugni <tggiugni@aol.com>  
**Sent:** Thursday, December 31, 2020 10:19 AM  
**To:** Harrison, Jamielynn B.; Planning Commission; Calder, Allan M.; Brown, Monica E.  
**Subject:** Short-Term, Non-Hosted Rental Permit - 4576 Edinburg Ct., Fairfield (Green Valley Highlands)

To the Solano County Planning Commission

I am a long-time resident of the Fairfield area, currently living on Cerrada Cielo and facing Rockville Rd in the Green Valley Estates subdivision. I am also a retired police captain from the Fairfield PD.

I am writing to urge you to vote "NO" for the request for a permit to operate a non-hosted, short-term rental at 4576 Edinburg Ct. in Green Valley Highlands.

As I am sure you are aware, there have been several violent incidents in short-term rental properties. In June 2020, the San Francisco Chronicle reported that there had been 42 shooting incidents at short-term rental properties across the country; 17 of those resulted in deaths. Such shooting incidents have occurred in Moraga and Rocklin.

To date, there have been no shooting incidents at 4576 Edinburg Ct. However, the property owners have shown that they cannot be trusted to comply by county rules by allowing large groups of people and not providing local oversight of their property. Since the property owner started operating as a short-term rental without a permit this past spring, neighbors and residents have been subject to:

1. Excessive noise, including screaming and profanity through the night – sometimes at nearby neighbors who politely asked them to keep the noise down
2. Multiple instances of trespassing on nearby neighbors' well-identified private property
3. Advertised wine for sale in the house (illegal and 18 yr. olds can rent the entire house)
4. 2-3 day Parties with loud music – obviously rented exclusively to have a party
5. 6+ cars (even a motorhome) with some of the cars parking in the street
6. Unsafe, unfamiliar fast drivers on our winding streets
7. Trash left out and tossed on the street and on neighboring properties
8. Irresponsible disposal of combustible materials, such as cigarettes and marijuana butts which present a major fire risk to our entire community
9. No local property manager to resolve issues – after complaints were filed, a phone number to a call center in the Philippines was provided

You will note that several of these instances violate Solano County ordinances and state laws.

The Air BnB corporation has tightened their own rules around non-hosted, short-term rentals. However, Air BnB and other knowledgeable people have stated that short-term rental companies cannot manage these problems when they occur, only local government can manage them either via the permit process, code enforcement or law enforcement response.

I suspect that the property owner will state that they have recently been complying with local ordinances by ceasing their short-term rental efforts once the neighborhood took notice and began to apply pressure for compliance. However, their past actions show they have little regard for local ordinances.

I do not support permitting non-hosted, short-term rentals in Solano County. I urge you to NOT allow such a permit for the property at 4576 Edinburg Ct.

CC: Supervisor Monica Brown

---

**From:** william fell <bill-fell@sbcglobal.net>  
**Sent:** Friday, August 28, 2020 4:49 PM  
**To:** Kroger, Travis J.  
**Subject:** Fwd: 4376 Edinburg

**Subject: 4376 Edinburg**

Hello Travis

My name is William Fell and I reside at 4320 Edinburg Ct. Recently a new owner purchased 4376 Edinburg Ct and they are in the process of applying for a permit to operate it as a vacation rental home. They are currently operating with out a permit

And advertise on the Airbnb website. As a homeowner at the above address for 30 years I have a strong objection to permitting a commercial enterprise into a residential neighborhood.

Some of my objections are as follows:

The owners are off site and claim to have a manager. The manager is also off site and only available by phone Monday thru Friday from 9:00 am to 5:00 pm

Loud music at night and on weekends is common.

The guests continually park on the street over night and the garbage cans are left on the street for days at a time (see attached photos) Garbage continually blows in the court and neighbors property

My property is posted with NO TRESPASSING signs however on several occasions their renters have been walking thru the property. We are part of the Green Valley Highlands and the area is heavily wooded. Since the guest house does not permit smoking, the chance of combustible material being enjoyed on or near neighboring property is likely. We sit above Green Valley Estates and Country Club and the possibility of fire is constantly on home owners minds. This is enhanced with the struggles of the Cordelia Fire Dist.. With the recent fires this is a major disaster waiting to happen.

As a previous Director of the Cordelia Fire District I highly encourage the County to deny a permit for this commercial enterprise in a residential neighborhood that has existed for 40 years.

William and Annette Fell

January 6, 2021

Planning Commission  
Solano County, California  
675 Texas Street, Suite 5500  
Fairfield, CA 94533

*Sent via email only*  
jbharrison@solanocounty.com

**RE: Opposition to Minor Use Permit Application MU-20-11  
(Archibald) for a Vacation Rental – Unhosted  
4367 Edinburg Court, APN 0147-182-120**

As neighbors and as county and state taxpayers we strenuously **oppose** the above referenced minor use permit application. This is because it fails to meet the legal requirements specified by county ordinances and state law. The intensity of the proposed use as an unhosted vacation rental is incompatible with the applicable zoning district -- single family rural residential. In addition to it violating Solano County Code (chapter 28 – Zoning Regulations), the county has not, but must also comply with the state mandated California Environmental Quality Act. (“CEQA” Public Resources Code §§ 21000, *et seq.*) State law requires that the county conduct environmental review in considering this application because it triggers potentially significant impacts, including potentially significant cumulative impacts, which must be analyzed and disclosed. An ill-advised approval of this application would set dangerous precedent by allowing unhosted vacation rentals in the Rural Residential zoning district without meeting the mandatory prerequisites. For these reasons and for the reasons that are further detailed below, we respectfully request that the Planning Commission DENY the application.

**I. The Application Violates Solano County Code**

The proposed use is incompatible with family residential and is not allowed in the applicable zoning district. The applicable Rural Residential zoning district is reserved for “low density, single family homes, where agriculture is not the sole land use and commercial agricultural production capability is low, where self-sufficiency and privacy are desirable and only minimal essential public services and facilities are available.” (Solano County Code § 28.31.11, *Purpose of Rural Residential Districts.*) Here, the subject application, if approved, will foreseeably bring in high density use based on the recent rentals for large parties. This type of use disrupts the privacy of the single-family neighborhood and undermines the integrity of the Rural Residential zoning district.

In addition, this Rural Residential zoning district has “minimal essential public services,” such as sheriff and fire department, so there is no room for error or live testing. It would be irresponsible to allow unhosted hotel-type uses because they carry significant risk of problems that will foreseeably require more availability of law enforcement and the assistance of the limited public services and resources.

## **II. The Mandatory Restrictions of the Solano County Code Unequivocally Prohibit the Proposed Use**

The proposed use for an unhosted vacation rental may be allowed in the applicable Rural Residential zoning (2.5 acres) *only if* there is agritourism present on the property, which is not the case here. (Solano County Code, Table 28.32A and §§ 28.75.10 and 28.75.30.) The use of the unhosted vacation rental must be “incidental to the principal ag use of the property.” (Solano County Code § 28.75.10(A), *Agritourism*.) However, here, there is no “principal ag use of the property.”

The County Code defines agritourism as follows:

“Agritourism: The provision of facilities, amusement activities, commercial services, guides, or instructional content to encourage visitors to any agricultural, horticultural or agribusiness operation, either temporarily or on a permanent basis, for the purpose of enjoyment, education, or active involvement in the activities of the farm or operation other than as a contractor or employee of the operation. Agritourism includes agriculturally related indoor and outdoor amusement and recreation activities such as farm tours, hayrides, sleigh rides, corn mazes, picnic and party facilities and other similar uses as determined by the zoning administrator. ...” (Solano County Code § 28.01, *Definitions*.)

Here, there is no agritourism to support a minor use permit for a vacation rental.

Additionally, the applicant fails to meet Solano County’s other mandatory requirements for a proposed Unhosted Vacation Rental, including, but not limited to Solano County Code requirements pertaining to “Vacation House Rentals,” as follows:

- 3.** ... Overnight occupancy is limited to two persons per bedroom plus two additional persons, not to exceed a total of 10 persons.
- 4.** Three off-street parking spaces shall be provided for all guests. On-street parking is prohibited for any property on which a vacation house is located.
- 5.** A vacation house rental may not be advertised, offered, or used as a special events facility that includes events such as weddings, parties and similar events. No outdoor amplified sound is allowed.
- 6.** A dwelling or guest house may not be used as a vacation house rental if it is the subject of an enforcement action pursuant to any provision of this code....
- 10.** Vacation house rentals shall meet all building and fire codes at all times and shall be inspected by the Fire Department before any short-term rental can occur.
- 11.** An exterior display with the name of the property owner or manager and a current contact phone number shall be located near the front door of the rental unit. While a vacation house is rented, the owner or a property manager shall be

available 24 hours per day, seven days per week, for the purpose of responding within 45 minutes to complaints regarding the condition, operation, or conduct of occupants of the vacation house rental or their guests. Items in need of repair may take longer to correct....” (Solano County Code § 28.75.30, *Vacation House Rentals*.)

Notably, the applicant has *already violated* many of the above restrictions, such as the limitation of 10 overnight guests, use of the property for parties, and availability of the owner. On this basis alone, the Planning Commission must DENY the application. The property is being currently rented as an unhosted vacation rental, but without the required permit. (See the AirBnB website link, below.) Further yet, in this case there is no proven safety net where the owners are responsive within 45 minutes. Rather, such a requirement is unproven by the applicant, as the neighbors have attempted to contact the owners during the past parties at the unpermitted vacation rental, but the owners (or their agents) were not available within 45 minutes, as required.

The county must enforce the provisions in this chapter for the protection of the quiet rural neighborhood. (Solano County Code § 28.113, *Enforcement of Chapter*.)<sup>1</sup> As such, the subject application fails to overcome such minimal hurdles that are mandated by the County’s Code. The well-known problems at the property have occurred in the recent past and are foreseeable and unacceptable for the future.

### **III. The County Must Conduct Environmental Review for this Project Because there May Be Potentially Significant Impacts**

In addition to the foregoing inconsistencies with the Solano County Zoning Regulations, the Planning Commission must also comply with state law by conducting environmental review for this project pursuant to CEQA. This is because the proposed project may cause potentially significant impacts to several environmental issues, including but not limited to:

- excessive noise
- noise, especially after 10:00 p.m.
- land use planning by disrupting a single-family residential neighborhood
- trespassing on nearby neighbors’ private property
- parking problems
- unsafe driving on rural streets with low-speed limits and children present

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<sup>1</sup> Solano County Code § 28.113, *Enforcement of Chapter*, states, “All departments, officials and public employees of the county which are vested with the duty or authority to issue permits or licenses shall conform to the provisions of this chapter, and shall issue no such permits or licenses for uses, buildings, or purposes where the same would be in conflict with the provisions of this chapter; and any such permits or licenses, if issued in conflict with the provisions of this chapter, shall be null and void.” Here, any minor use permit issued for the proposed application would be null and void because it violates several provisions of the Zoning Regulations.

- trash in the street and on neighboring properties
- fire dangers from fireworks, cigarettes and marijuana use
- controversial land use opposed by the neighborhood.

While we urge the Planning Commission to deny the permit application OUTRIGHT, at a minimum the Planning Commission must require sufficient environmental review to fully inform itself and the public, prior to evaluating the application.

**IV. The County Must Not Approve the Subject Application Due to the Potentially Significant Cumulative Impacts from Allowing Vacation Rentals in the Rural Residential Zoning District without Compliance to Solano County Code**

As noted above, the applicable zoning district is Rural Residential (2.5 acres). The county zoning map designates several other areas with this same zoning. There may be potentially significant impacts if the county were to allow this unhosted vacation rental in the Rural Residential zoning district without meeting the requirements as set forth Solano County Code, as described above. These potentially significant impacts are cumulatively considerable when one considers all of the areas that are zoned Rural Residential in the county. Such cumulatively considerable impacts include but are not limited to: noise, traffic, land use planning, litter, trespassing, parking and vehicle speeding problems, land use planning inconsistencies, and an overall partying atmosphere in a family residential setting. As such, the county must disclose and analyze the potentially significant cumulative impacts so as to inform itself and the public prior to making a determination on the subject application.

**V. The Notice of Public Hearing is Inaccurate and Must be Re-noticed**

The Planning Commission must not consider the permit, as noticed. This is because the address of the application is incorrect on the Notice of Public Hearing which stated that the street address is 4367 Edinburg Court. However, there is no such address. The correct address *appears* to be 4376 Edinburg Court. However, it is too difficult for the public to locate the property with the incorrect street address, as it was stated on the Notice of Public Hearing. Therefore, if the county does not deny the permit application OUTRIGHT, which it should do, then the county must re-notice the public hearing with an accurate address for the proposed application.

**VI. The Proposed Project Description is Inaccurate and Misleading**

In addition to the inaccuracy of the Notice of Public Hearing, the description of the proposed use at the property is also inaccurate, changing, and uncertain.

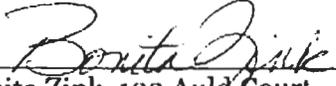
Recently, the proposed project was advertised for 16+guests. Now it is advertised as 5 bedrooms, PLUS a common space with an additional bed for a total of 9 beds! Therefore, it is really advertising sleeping accommodations for at least 14 adults. (See AirBnB at:

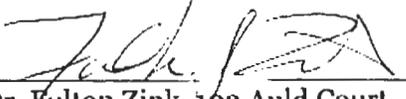
[https://www.airbnb.com/rooms/11286176?source=refinement\\_filters](https://www.airbnb.com/rooms/11286176?source=refinement_filters))

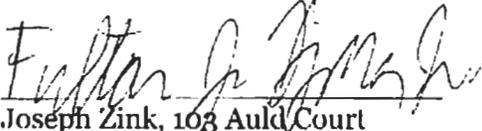
gUkriKvi1z1a2Bn1lo&guests=1&mfid=1, last visited 1-4-2021.)<sup>2</sup> As such, the proposed project contains an inaccurate and unstable project description for its proposed permit use. The extent and intensity of the *actual* use of the vacation rental must be vetted and clarified, and ultimately be enforceable.

Therefore, **the Planning Commission must DENY the application** and apply the relevant and applicable laws and ordinances. The local landowners and taxpayers deserve to be protected from such incompatible uses in our rural residential area, as are prohibited by Solano County Code. Thank you for your consideration.

Sincerely,

  
Bonita Zink, 103 Auld Court

  
Dr. Fulton Zink, 103 Auld Court

  
Joseph Zink, 103 Auld Court

/s/ Rupert Scammell  
Rupert Scammell, 101 Auld Court

/s/ David Stauffer  
David Stauffer, 101 Auld Court

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<sup>2</sup> The AirBnB link advertises the proposed project as having, "Sleeping Arrangements: 5 bedrooms upstairs, all with high-quality memory foam mattresses; Merlot Room: 2 Queen beds; Rosé Room: 1 Queen bed; Mimosa Room: 1 Queen bed; Champagne Room: 2 Twin XL beds; Cabernet Room: 1 King bed; Bonus Area: Chardonnay Room\*: 1 Queen bed. \* Please note: Chardonnay Room is accessed via the Cabernet Room through a secret bookcase door, so it's apart of the Cabernet Room." Accordingly, as admitted by the applicant there are beds for, at least, 14 individuals (counting 2 individuals for each king and queen bed). Therefore, the number of bed spaces alone, will foreseeably violate Solano County's restriction for a maximum of 10 overnight guests. (Solano County Code § 28.75.30 (3).)

September 23, 2020

Solano County  
Department of Resource Management  
Planning Services Division

Re: Minor Use Permit Application MU-20-11

Dear Mr. Kroger,

This is a follow up letter for your files and consideration by Solano County Zoning Administrator when reviewing our application for a Minor Use Permit to establish a Vacation Rental - Unhosted for our home at 4367 Edinburg Ct (APN 0147-182-120) in advance of the county's Departmental Review Committee meeting.

Since sending my previous letter on 9/9/20, it has come to my attention that our across-the-street neighbor, Mr. Cliff Neal, is circulating a neighborhood petition calling upon County Supervisor, Monica Brown, and Solano County Planning Manager, Allan Calder, to deny our Vacation Rental permit, along with unhosted vacation rental permits in the Green Valley Highlands more generally, presumably regardless of the homeowner's compliance with Solano County ordinances.

This petition includes a number of false, exaggerated, and out-of-context claims about ourselves and our home, with the apparent intention of eliciting support from neighbors to pressure Solano County to deny our permit and spark regulatory change. We've outlined these mistruths to Mr. Neal last week, requesting a full retraction and apology, but without response.

Therefore, the purpose of this letter is to expose the mistruths in Mr. Neal's petition and to prevent what we believe to be a blatant manipulation of the county's permit approval process to advance an agenda that really should be handled at a neighborhood CC&R or county policy level.

I'll outline some of these mistruths below:

1. **“Out of state investors”** My wife and I have lived and worked in the Bay Area since 2012. While we split time between Arizona and California in 2018 and 2019 for family reasons, we've always maintained a Bay Area home. Since purchasing our Green Valley home over a year ago it has been our primary residence, and we only had short-term rental guests in the home for a few months this summer while traveling. As an across-the-street neighbor whom we saw frequently before our summer travels and even hosted a housewarming party for us, Mr. Neal should know well that we've been living at our home for over a year now, but continues to spread this mistruth to neighbors.

2. **“Advertising for 16+ guests”** After thoroughly reviewing Solano County Code Section 28.75.30 ‘Vacation House Rentals’ we made our Airbnb and VRBO policies fully compliant in August, including enforcing a 10 adult guest maximum on new reservations (see **Exhibit A**). Mr. Neal was made aware of this via email on 8/26/20 (see **Exhibit B**) but continues to spread this mistruth in his petition dated 9/9/20.
3. **“Excessive noise; Trespassing; Yelling and profanity; Parties; Cars parked in street; Unsafe drivers; Trash; Combustible materials; No local property manager”** All of these accusations are false, unsubstantiated, or exaggerated. Only one group of young guests violated our house policies around noise, which my wife Amanda addressed with neighbors on 8-11-20 (see **Exhibit C**) and there have been no ‘parties’ hosted on our property. ‘Trespassing’ refers to things like a guest retrieving a stray ball from a neighbor’s bushes. We also do have a local property manager in addition to our 24/7 complaint monitoring service. Mr. Neil appears to be actively searching for and even inventing complaints rather than reporting legitimate concerns.
4. **“Sheriff has been called”** The only time the Sheriff has been called on our guests is when we called them *ourselves* on the aforementioned young guests whom neighbors complained to us were being too loud after 10pm. After a quick visit to the home, the Sheriff dismissed the complaint without recourse. Mr. Neal’s petition gives a much different impression.
5. **“Unpermitted vacation rental”** We allowed our first short-term rental guest in June and submitted our Vacation Rental permit application to the county in July. Once we learned of the first complaint to Solano County in August, we increased our minimum stay for new reservations to 30+ nights, which Mr. Scott Tippet has acknowledged in his notes regarding code enforcement case #20476. There are no longer any short-term vacation rental guests staying at our home while our permit is pending approval, as we have already made known to Mr. Neal.

As you may know, further to their attempt to derail the approval of our Vacation Rental permit, some neighbor(s) has filed a series of anonymous, false code complaints with the county and state:

1. **Case #20215 “Unpermitted Fire Pit”** Mr. Scott Tippet inspected the property on 6/19/20 and did not see anything to validate this complaint. The case was closed as unfounded and no further actions were taken.
2. **Case #20476 “Operating Unpermitted Vacation Rental”** As outlined above and acknowledged by Mr. Scott Tippet, we addressed this concern by only allowing rentals over 30 days. A duplicate of this case was also called in on 8/26/20 and has been closed.
3. **“Alcohol Sales” Complaint** An agent at the California Department of Alcoholic Beverage Control, Anthony Sam #1246, reached out to us regarding an anonymous complaint of sales of alcoholic beverages on our property. We advised Agent Sam that no such activity is taking place and the case is closed.

A number of false complaints have been sent to Airbnb as well in a further attempt to interfere with the use of our home as a vacation rental, which have all been dismissed by the company.

We believe this to be a coordinated attempt by several of our neighbors, lead by Mr. Neal, to prevent us from offering our home as a vacation rental regardless of our compliance with current neighborhood rules and Solano County ordinances.

The truth is that we've been making every effort to not only properly apply for our permit and abide by all relevant rules and regulations, but also generally run our home as respectfully and professionally as possible when it was used as a vacation rental. We carefully screened guests and strictly enforced county and house policies regarding guest count, noise, parties, parking, and more. As you can see by our [Airbnb](#) and [VRBO](#) listings, our house policies and reviews, we run a very tight ship.

We hope that the county will base its permitting decision upon our professionalism and good faith efforts to abide by all Solano County ordinances, rather than a dishonest petition and pattern of false code complaints by neighbors who appear to have ulterior motives.

Sincerely,

Jared & Amanda Heyman  
419-704-5548 (cell)  
[mandyrothstein@gmail.com](mailto:mandyrothstein@gmail.com)

# Exhibit A

## Airbnb

The screenshot shows an Airbnb listing for a "3 Acre Luxury Wine Estate with Breathtaking Views" in Green Valley, California. The listing features a grid of six photos: a large landscape view of the estate, a swimming pool, a dining table on a deck, a lounge area with a patio umbrella, a close-up of the pool, and another view of the pool area. The listing is hosted by Mandy, a Superhost, and is priced at \$1,102 per night. The listing details include 10 guests, 7 bedrooms, 9 beds, and 3.5 baths. A red box highlights the text "Entire house hosted by Mandy" and "10 guests · 7 bedrooms · 9 beds · 3.5 baths".

airbnb Start your search Switch to hosting

### 3 Acre Luxury Wine Estate with Breathtaking Views

★ 4.88 (8) · Superhost · Green Valley, California, United States

Share Saved

Entire house hosted by Mandy  
10 guests · 7 bedrooms · 9 beds · 3.5 baths

\$1,102 / night ★ 4.88 (8)

## VRBO

The screenshot shows the "Policies" section of a VRBO listing. It includes sections for "Cancellation Policy", "Damage and Incidentals", and "House Rules". The "House Rules" section lists various rules, including a maximum of 14 guests (10 adults and 4 children under 3 years old). A red box highlights the text "Max guests: 14 (sleeps up to 10 adults) Maximum of 10 Adults and 4 children under 3yrs".

### Policies

#### Cancellation Policy

Your booking will not qualify for a refund based on your trip dates. If you have upcoming trips, you can manage or cancel your booking in your traveler account.

Learn more about our [cancellation policies](#). [View upcoming trip](#)

#### Damage and Incidentals

You will be responsible for any damage to the rental property caused by you or your party during your stay.

#### House Rules

Check in after: 3:00 PM Check out before: 11:00 AM

- Children allowed  
Kids permitted
- Pets allowed  
\$150 per dog upon approval, 2 dogs max. No cats
- No smoking
- Max guests: **14** (sleeps up to 10 adults)  
Maximum of 10 Adults and 4 children under 3yrs
- Minimum age of primary renter: **18**
- No parties/events

# Exhibit B



Jared Heyman <jared.heyman@gmail.com>

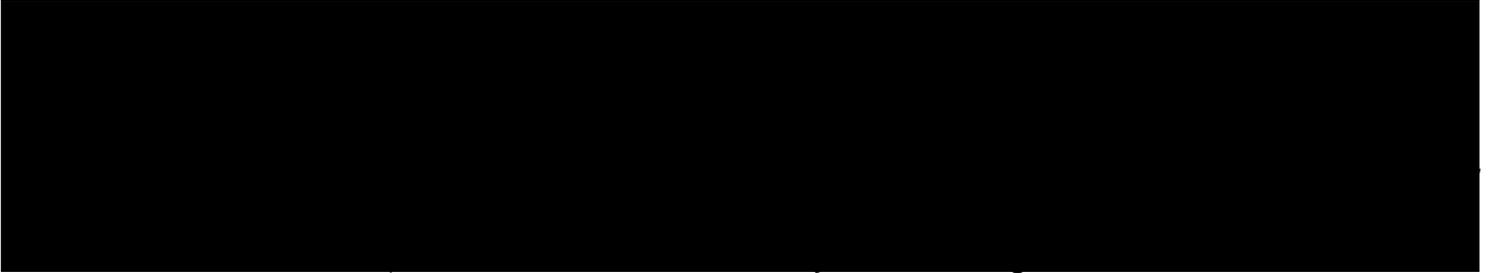
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## Edinburg Estate Update

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Jared Heyman <jared.heyman@gmail.com>

Wed, Aug 26, 3:17 PM



Dear Neighbors,

I hope everyone is safe and resituated after the wildfire scare.

I wanted to provide a quick update on the steps that Mandy and I have taken to assure that we and our rental guests are good neighbors to Green Valley. This is especially important given the recent wildfires, with 1000+ homes in our area destroyed, there are many displaced families in urgent need of short-term housing. We've hired a real estate agent to help us find a displaced family to rent our home at a discounted rate in the coming months.

### Noise monitoring

As you've seen from my emails with Tom, we are using Solano County Noise Ordinance Section 28.1-40 as our guide for permissible sound levels. We are installing a Noiseaware decibel meter (<https://noiseaware.io>) on our pool deck to assure compliance, with real-time smartphone notification alerts should noise thresholds be exceeded.

### Vacation house rental code compliance

We have referenced Solano County Code Section 28.75.30 "Vacation House Rentals" to assure that we're in compliance with all local regulatory requirements. While we're already meeting most standards, we have made the following improvements to assure 100% compliance:

- Limiting overnight occupancy to a maximum of 10 adults

- Not allowing guests to park off our driveway
- Not allowing any outdoor amplified sound
- Making a property manager available 24/7 to respond to any neighbor complaints within 45 minutes (more below)

### Property management

While Mandy and I have been acting as de facto property managers, we've determined that a professional property manager will be necessary to meet the 24/7 complaint response requirement above. The service we're using has one primary point of contact and several backup contacts to assure 24/7 coverage. We're providing our property management team with access to our outdoor security cameras and Noiseaware device for real-time monitoring.

Please reach out to the property management contact below if there are any future complaints. Her normal work hours are 8am-5pm M-F, but her phone number is monitored for texts and calls by backup contacts at all other hours:

**Beverly Cabanero**  
**(415) 598-7791**

As I hope you can appreciate, we're making every effort to run our home as professionally and respectfully as possible whenever it's being used as a short-term rental. We'll also be using our home personally more often in the coming weeks now that our summer travels are winding down, so hope to see many of you around the neighborhood.

Sincerely,

Jared & Mandy

# Exhibit C



Jared Heyman <jared.heyman@gmail.com>

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## Neighbor emails in regards to your AirBnB at 4376 Edinburg ct..

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amanda rothstein <mandyrothstein@gmail.com>

Tue, Aug 11, 8:51 AM

[REDACTED]

Cliff, thank you for passing along everyone's email. I've moved you and everyone else to bcc since group threads can get so noisy.

For those of you I haven't met, this is Mandy Heyman and my husband Jared and I are your neighbors at 4376 Edinburg Court.

By way of introduction, Jared is an entrepreneur and venture capitalist and I work in real estate & property management. We got married a year ago, and purchased our beautiful Green Valley home shortly after. We have spent the past year, remodeling, renovating, and furnishing the house into our forever home, including adding a pool! We're very proud of it.

We look forward to one day moving in full-time and raising a family there, but in the meantime we're renting the house to guests to help recoup some of the money we invested into it. Most of the guests we've hosted so far have been lovely families with kids, but last weekend we rented to a younger group that unfortunately caused a lot of noise in the neighborhood. We are very sorry for any inconvenience this may have caused you and want to let you know what we are doing to ensure it never happens again.

For one, we'll never again host a group of 20-year-olds who don't respect our house rules! We have very strict rules in place like no parties or events, and only light outside music during the day and no outside music or excessive noise after 10pm. We are also installing an audio system to reach guests immediately if issues arise and talking with private security companies about other enforcement options (we ended up calling the police on our last guests). We

already have outside cameras installed all around the house for safety and security. Making sure that our neighbors and neighborhood are respected are top priorities for us.

If you have any questions, suggestions, or issues, you can reach me via phone or text anytime day or night. My number is 419-704-5548.

Warm Regards,  
Mandy

|

SOLANO COUNTY Short Term Rental FIELD CARD  
FOR INSPECTIONS REQUESTS CALL (707) 784-4750

**IMPORTANT NOTICE REGARDING PERMIT FEES AND INSPECTION PROCEDURES.** Pursuant to California Government Code Section 17951 (d), the permittee may be entitled to reimbursement of inspection fees in the event that Solano County fails to conduct a final inspection within 60 days of receiving notice by the permittee. Any failure by the permittee to request a final inspection does not constitute reimbursement.

**UNIT TYPE**

*NOTE: Code allows for one (1) vacation rental per owner, per parcel.  
(For additional information or questions call the Planning Department at: 707-784-6765)*

Single Family Dwelling Unit (SFDU)  (or) Accessory Dwelling Unit (ADU)

Duplex  Which unit? \_\_\_\_\_ (ex. "Unit A" and/or address number)

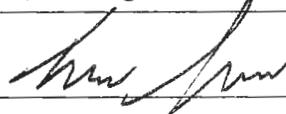
Address: **4376 EDINBURG COURT  
FAIRFIELD, CA 94534**

**Permit # STR-2020-0003**

**SHORT TERM RENTAL  
INSPECTION**

*(For additional information or questions call Building Services at: 707-784-6765)*

- Handrails and guard rails installed on stairways and porches.
- GFCI protection are provided at all receptacles in kitchen, bathroom, laundry areas, garage and outdoor areas.
- All sleeping areas have egress windows or a door directly to the outside.
- Smoke detectors are mounted on the ceiling, in the correct location, and installed on each floor, in each sleeping room and outside each sleeping area.
- Does unit have gas appliances or an attached garage? YES  NO
- If yes, working and tested Carbon Monoxide (CO) detectors installed outside sleeping areas.

Inspector: 

Date: 10-21-20

Approved: Yes  No

# VACAVILLE FIRE PROTECTION DISTRICT

FOR THE CORDON FIRE PROTECTION DIST.  
FIRE INSPECTION REPORT

BUSINESS NAME \_\_\_\_\_ DATE 10-14-80

ADDRESS 4376 FIDELITY ST PHONE 419-704-5948

CONTACT PERSON AMANDA ROTLSTEIN REINSPECTION \_\_\_\_\_  
DATE \_\_\_\_\_

## NON-COMPLIANCE ITEMS

NO VIOLATIONS AT THIS TIME

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FAILURE TO MEET OR COMPLY WITH THESE REQUIREMENTS BY 5:00 P.M. ON \_\_\_\_\_  
MAY RESULT IN YOUR FIRE CLEARANCE BEING DENIED.

FIRE CLEARANCE GRANTED 10-14-80  
DATE

FIRE CLEARANCE DENIED ~~\_\_\_\_\_~~ <sup>TW</sup>  
DATE

RECEIVED BY [Signature]

FIRE OFFICIAL [Signature]

420 Vine Street \* Vacaville \* California \* 95688 \* (707) 447-2252

White - licensee copy

Yellow - bureau copy

# Acuantia. SEPTIC

490 Chadbourne Rd, Suite A120, Fairfield CA 94534

Mobile: 707.718.2122 email: [lesliem@basixcd.com](mailto:lesliem@basixcd.com)

## Site Evaluation Report

<b>Name:</b> Amanda Rothstein	<b>Tel:</b> (419) 704-5548
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### A – Site & Soil Evaluation Information:

<b>Site Address:</b> 4376 Edinburg Ct., Fairfield		
<b>County:</b> Solano		
<b>APN:</b> 0147-182-120		
<b>Parcel Size:</b> 2.8 GIS Acres		
<b>Date of Soil Evaluation(s):</b> 12/14/2020		
<b>Consultant:</b> Les Miyashiro	<b>Email:</b> Lmiyashiro@acuantia.com	<b>Tel:</b> 707-718-2122
<b>Inspector:</b> Solanao County Environmental Health		
<b>Water Source:</b> City of Vallejo, municipal water		

### STRUCTURES:

<b>Structure Type and Status:</b> Existing single-family house
<b>Current Number of Bedrooms:</b> Six (6).
<b>Proposed Number Bedrooms:</b> Same, no additions proposed. Project is to designate a reserve disposal area so that a vacation rental permit may be obtained.
<b>Proposed Ancillary/Accessory Structures:</b> none

**DESIGN FLOW:**

<b>Current (GPD):</b> 900	<b>Basis:</b> Number of bedrooms (6).  cf. County Memo (Attn: Travis Kroger; 08.11.2020; MU-20-11: Rothstein)
<b>Proposed Additional (GPD):</b> None	
<b>Total Max Design Flow (GPD):</b> 900	
<p><b>Notes:</b> Current Septic Tank is 2000 gallons installed in approximately 1984 According to County file records there are two leach beds, 66' x 13' &amp; 88' x 13', no record of depth. At the time a replacement / reserve system will be constructed, a surveyed boundary and topographical map will be required.</p>	

**B - Soil Characteristics and Permeability**

<p><b>SOIL PROFILE SUMMARY (See field sheets for details):</b> One hydrometer sample from each of the two test pits at approximately 24 inches below ground surface was analyzed for grain size analysis. One sample indicates a Sandy Clay Loam and the other Loam per United States Department of Agriculture (USDA) soil naming convention; associated lab reports and National Resource Conservation Service (NRCS) soil triangle are attached to this report.</p> <p>The encountered lithology in the soil test pits revealed no mottling, no groundwater at the depths of the investigation. A limiting layer of weathered bedrock was observed at approximately 35 inches below ground surface.</p>
<p><b>PERCOLATION TEST SUMMARY (See field sheets for details):</b> A percolation test was not run for this site based on soil type (sandy clay loam and loam that were verified by hydrometer/grain size analysis as stated in Solano County Sewage Standards Regulations Section 6.4-81.2 (c) 3.</p>
<p><b>CONCLUSION:</b></p> <p>Based on lab verified soil profile data (Sandy Clay Loam and Loam) and field recorded soil structure (strong; blocky) an infiltration rate of 0.35 gallons/ft<sup>2</sup>/day is proposed. A reserve field size of approximately 2,800 square feet would be required for a 900 gpd design flow. Location of the reserve field is delineated on the attached site plan.</p> <p>A pretreatment to drip dispersal system would be proposed due to shallow limiting horizon at 35 to 36 inches below ground surface.</p> <p>Application rate is based on soil hydrometer results (Table 5 of the Solano County OWTS Regulations, Chapter 6.4.) Receiving soil is Sandy Clay Loam or Loam texture and structure support the size of reserve area as shown on the site plan.</p>

### C – CERTIFICATION

Therefore, based on these findings, I recommend approval of the requested use permit and validation of the parcel to support an OWTS. I am a Qualified Professional Registered with the State of California. Please contact me if you have any questions regarding the contents of this

Signed: *Mi*



### D – County Comments & Approval

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SER Reviewed by:	Date:
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Attachments:

- Site Plan
- Soil Profile Log
- Hydrometer Test Results

cc: Ms. Amanda Rothstein (Client)

**SOILS EVALUATION FORM - PER ASTM D 5921**

Property Owner: Amanda Kollstain  
 Location: 4376 Edinburg Ct. Fausel APN: 0147-182-120  
 Date: 12/14/2020 CA

Investigators: EC  
 Excavation Method: hand-dug  
 Weather, lighting: Clear sky

Soil	Depth	Color	Rock Fragments	Texture	Rock	Mottles			Structure			Rupture Resistance			Roots			Pores			Boundary		Water	
						ABUNDANCE	SIZE	CONTRAST	GRADE	SIZE	SHAPE	DRY	MOIST	ABUNDANCE	SIZE	LOCATION	ABUNDANCE	SIZE	LOCATION	SHANE	DISTANCES	TOPOGRAPHY		
		H, V/C C = 2 H = N, S	V X	CO F VF	C SIC SC SICL CL SIL SI L SL LS S	UWB WB	t c m	F D P	Color HV/C	1 2 3	VF F M CO VC	PR COL ABK SBK GR PL MA SGR	L S SH MH H VH EH R VR	L VFR FR FI VFI EFI SR R VR	V I I I 2 3 3 4	VI 1 1 2 3 4	P C M S T	1 2 3 4	VI 1 2 3 4	VS TU	I N E X	A C G D	S W I B	D M W
	0-35	5YR 3/3	V GR		CL	UWB	-	-		2 N	GR			FR	3	2	C	2	2	W	TU	-	-	D
	0-33	3/3	V GR		CL	UWB	-	-		2 M	GR			FR	3	2	C	2	2	W	TU	-	-	D

The limiting layer is a bit more than 33 inches, it is more like 35, 36 inches.

**NRCS Soil Triangle for:**

**Site:** Rothstein

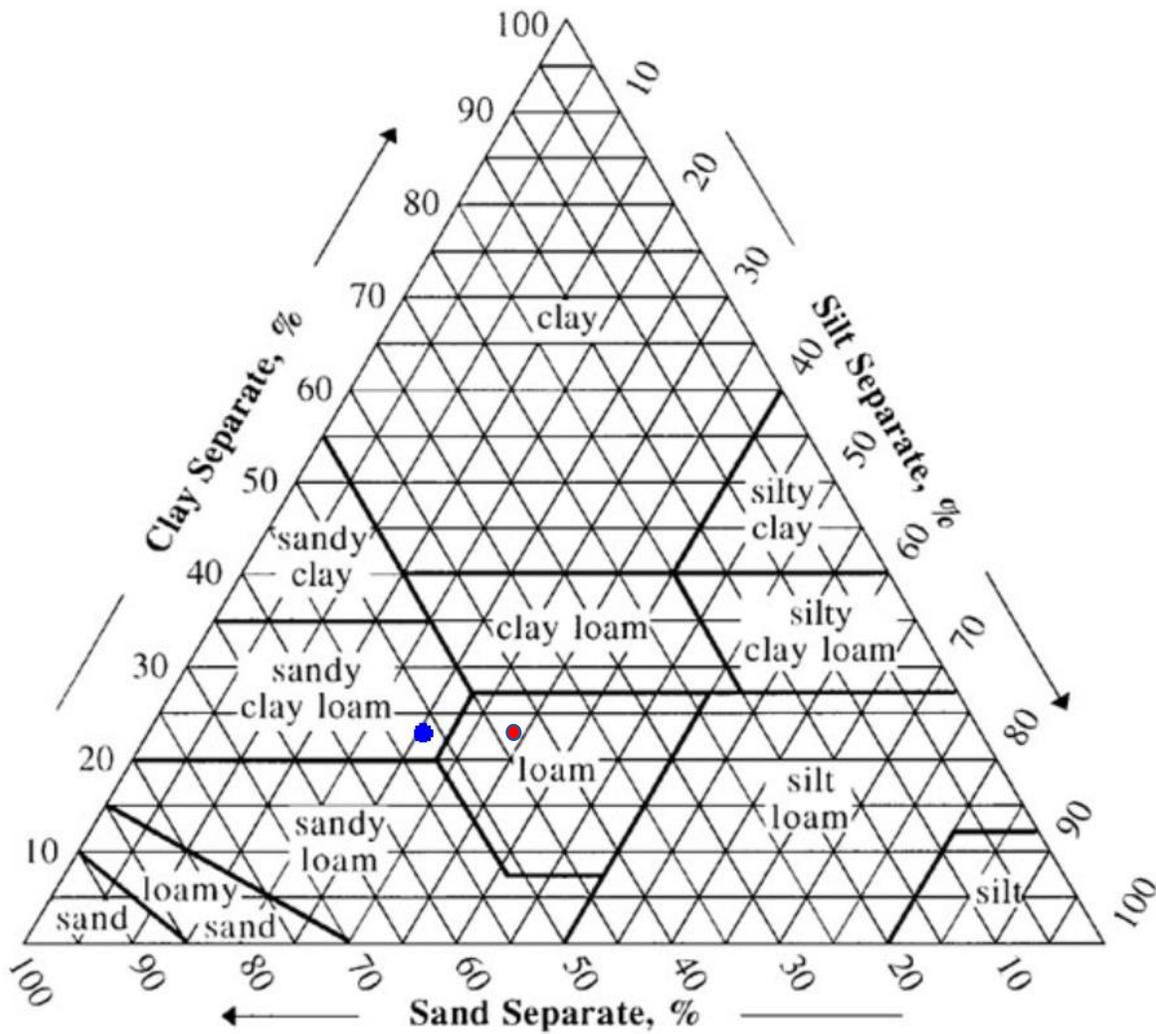
**Address:** 4376 Edinburg Court, Fairfield

**Sample ID** – HA-1, HA-2

**Sample Depth** – Les do you know this?

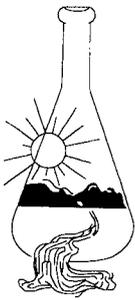
**Sample Collection Date:** 12/1/2020

- - HA-1 Sample result based on hydrometer analysis
- - HA-2 Sample result based on hydrometer analysis



Source: National Resource Conservation Service Soils web site.

[https://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/survey/?cid=nrcs142p2\\_054167](https://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/survey/?cid=nrcs142p2_054167) . Accessed on December 16, 2020.



# *Sunland Analytical*

11419 Sunrise Gold Circle, #10  
Rancho Cordova, CA 95742  
(916) 852-8557

Date Reported 12/16/2020  
Date Submitted 12/11/2020

To: Les Miyashiro  
Acuantia  
490 Chadbourne Rd.#A120  
Fairfield, CA 94534

From: Gene Oliphant, Ph.D. \ Randy Horney *RO*  
General Manager \ Lab Manager

The reported analysis was requested for the following:

Location : ROTHSTEIN Site ID : HA-1.

Thank you for your business.

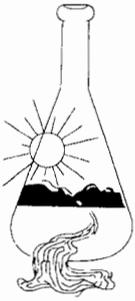
\* For future reference to this analysis please use SUN # 83650-174476.

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SOIL TEXTURE ANALYSIS (HYDROMETER) \*

SAND % 52.8  
SILT % 25.0  
CLAY % 22.3

USDA Soil Texture: SD.CL.LOAM

\* Note - Analysis is for particles less than 2.0 mm (passing # 10 sieve).



# Sunland Analytical

11419 Sunrise Gold Circle, #10  
Rancho Cordova, CA 95742  
(916) 852-8557

Date Reported 12/18/2020  
Date Submitted 12/16/2020

To: Les Miyashiro  
Acuantia  
490 Chadbourne Rd. #A120  
Fairfield, CA 94534

From: Gene Oliphant, Ph.D. \ Randy Horney   
General Manager \ Lab Manager

The reported analysis was requested for the following:  
Location : ROTHSTEIN Site ID : HA2 .  
Thank you for your business.

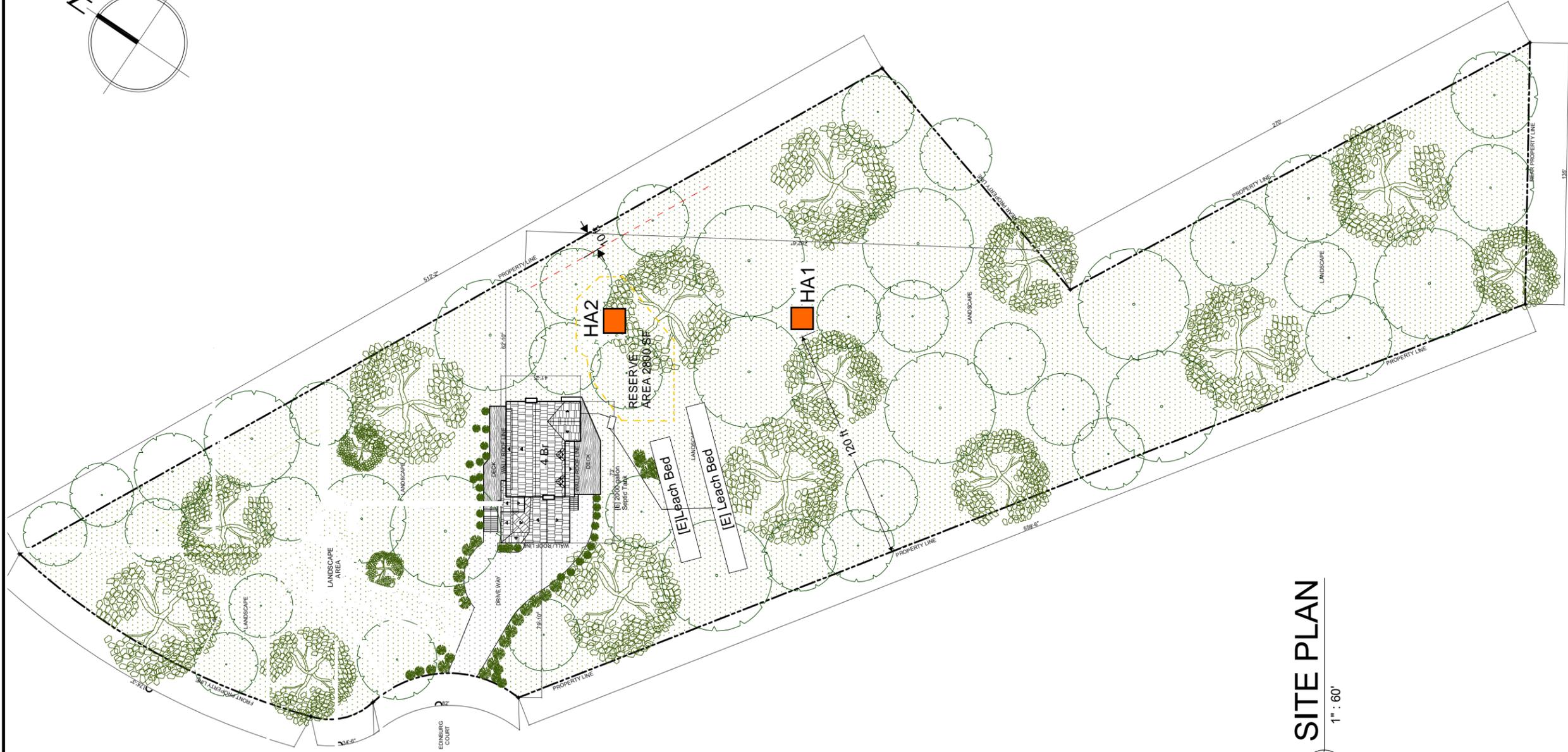
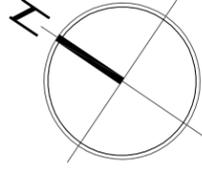
\* For future reference to this analysis please use SUN # 83684-174534.

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SOIL TEXTURE ANALYSIS (HYDROMETER) \*

SAND % 43.6  
SILT % 33.0  
CLAY % 23.4

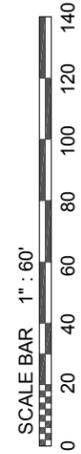
USDA Soil Texture: LOAM

\* Note - Analysis is for particles less than 2.0 mm (passing # 10 sieve).



**PROPERTY LINES  
NOT SURVEYED**

**1**  
**SITE PLAN**  
1" : 60'



Site plan basemap prepared by drawsiteplan™, F.J.G, on 11/20/2020.  
**NOT SURVEYED MAP**  
**\*\* DISTANCE BETWEEN ROOF LINES AND WALL LINES ARE APPROXIMATE ESTIMATES ONLY. VERIFY ACTUAL MEASUREMENTS.**



LES MIYASHIRO, REHS  
 490 CHADBOURNE RD.  
 SITE: A120, FAIRFIELD, CA 94534  
 P: 707.718.2122  
 E: LMIYASHIRO@ACUANTIA.COM

Site: Rothstein  
 4376 Edinburg Ct.,  
 Fairfield – Solano County;  
 APN: 0147-182-120

Revisions



Item #  
File

# **Rothstein Unhosted Vacation Rental (MU-20-11) 4376 Edinburg Court**

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**Amanda Rothstein & Lee Heyman**

**Solano County Planning Commission**

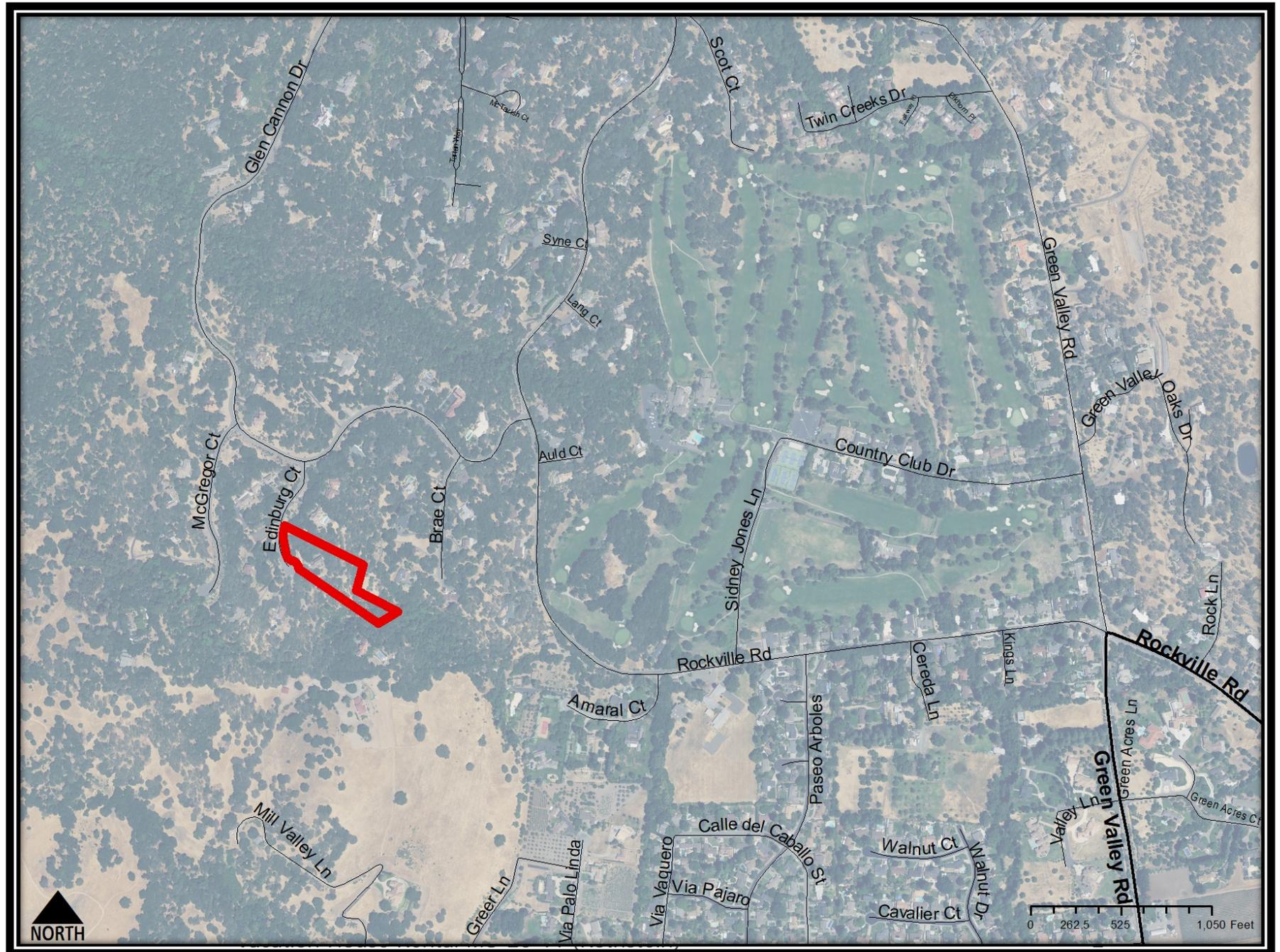
January 21, 2021

Department of Resource Management



# 4376 Edinburg Court - Vicinity Map

January 21, 2020





# Aerial view of Property



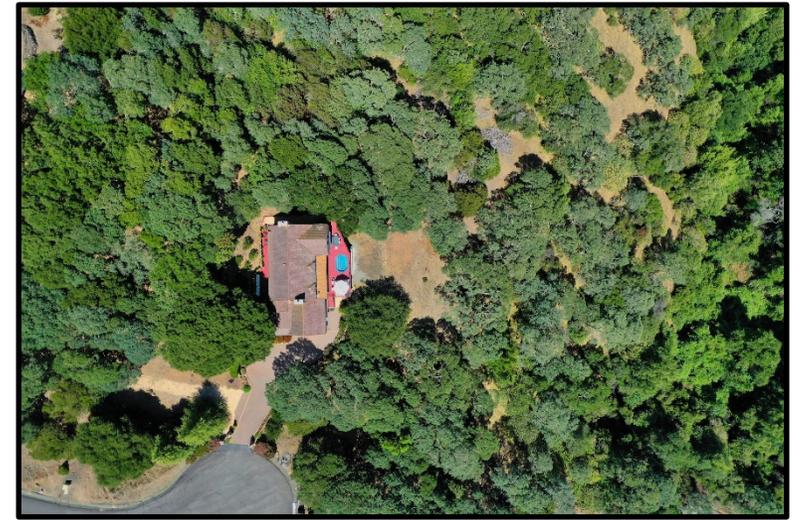
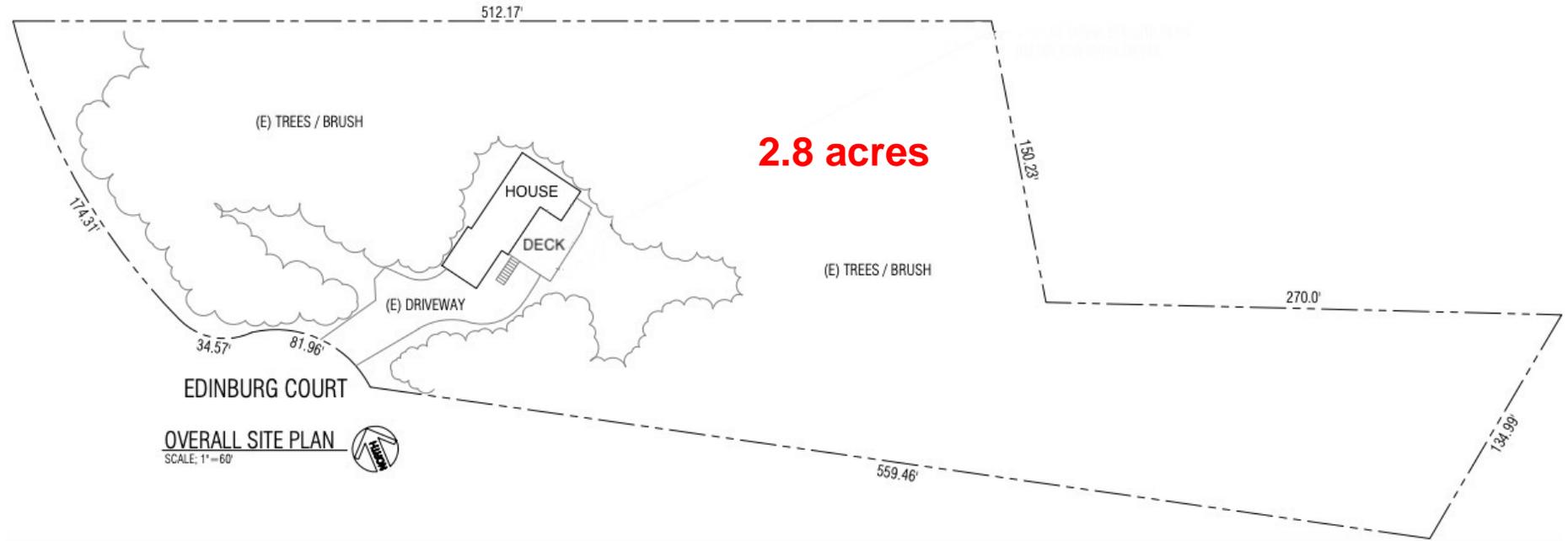
January 21, 2020

Vacation House Rental MU-20-11 (Rothstein)



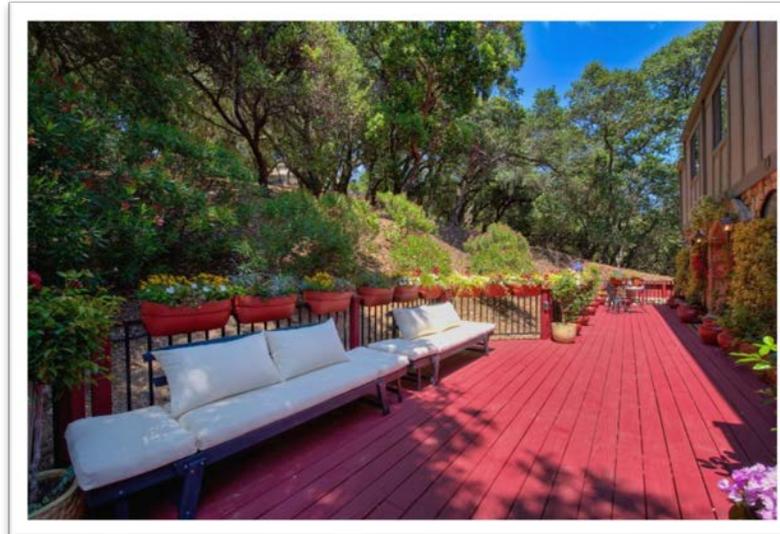


# Property plan and photos





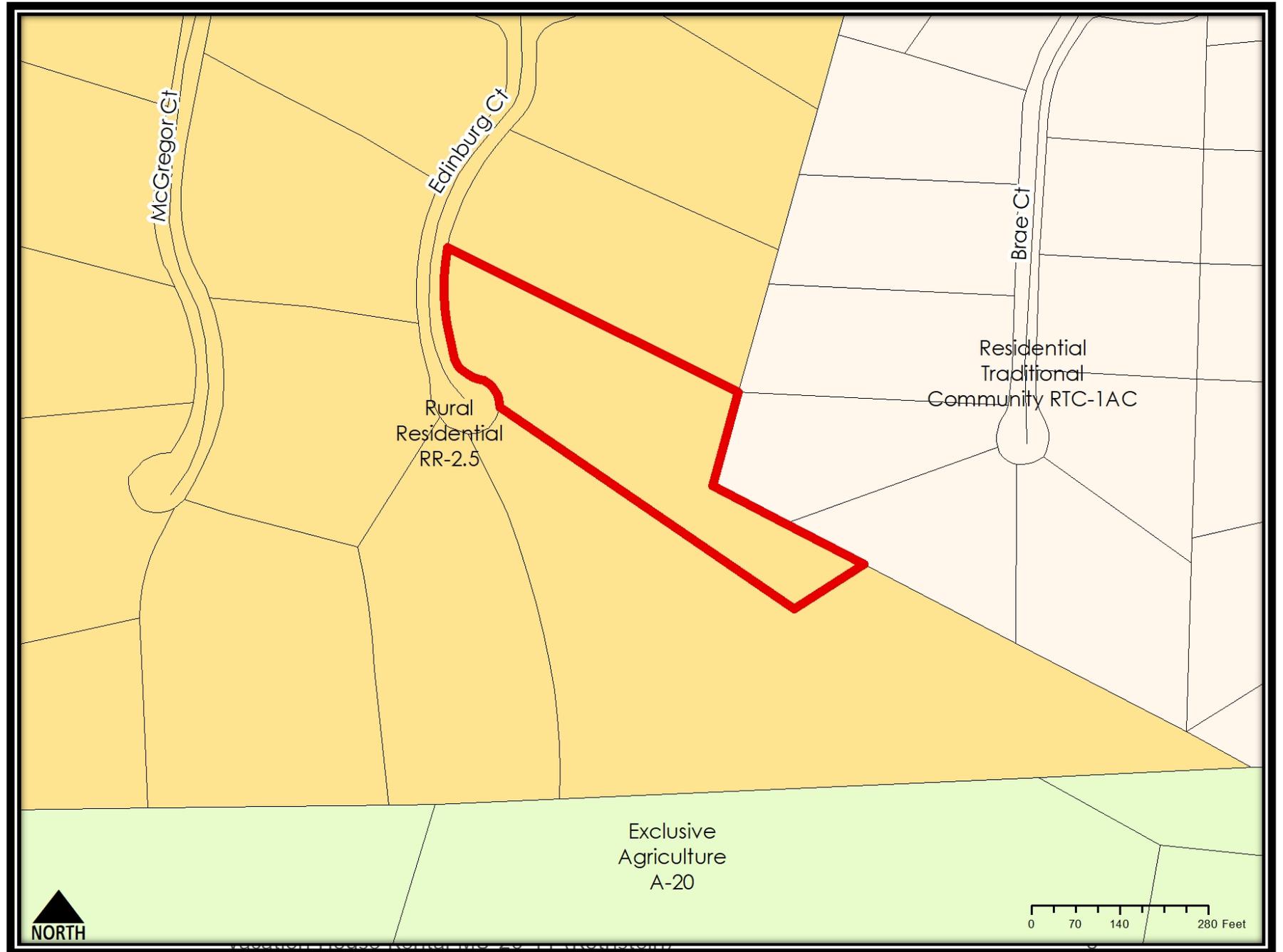
## Property photos





# 4376 Edinburg Court - Zoning

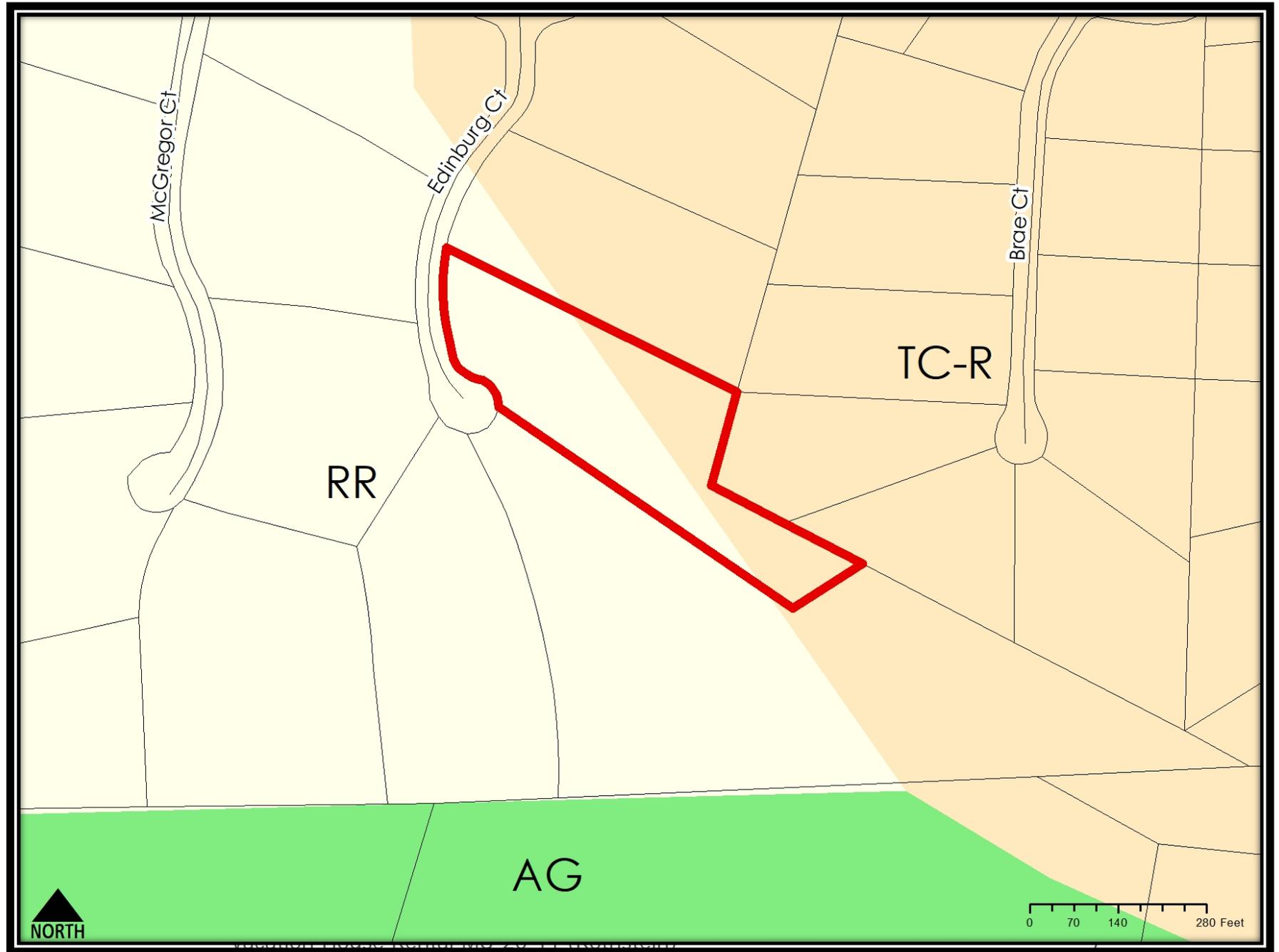
January 21, 2020





# 4376 Edinburg Court - General Plan

January 21, 2020





# Project Description

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- Use of existing home for unhosted vacation rental
- Would adhere to Section 28.75.30 of Solano County Code
- Online complaint & monitoring service (info at front door)
- Local property manager on site within 45 min
- Contact information for both above posted near front door
- Installed “Noiseaware” decibel meter on deck with real-time alerts



# Short-Term Rental Ordinance

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- 10 total occupants
- 3 off-street parking spaces
- Commercial property insurance
- Transient Occupancy Tax registration
- Accurate online advertisements
- Building and Fire Department inspections
- 24/7 property manager – on site within 45 min.



# Property History

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## Unpermitted rentals in past yielded complaints:

- Late night noise
- On-street parking issues
- Instances of trespassing
- Trash left behind and unsafe drivers
- Combustible materials (fire danger)
- Advertising of the rental unit over and above the maximum allowed occupancy
- Site manager calls that routed to a foreign county and,
- Advertisements offering alcohol sales without an ABC license



# Property History

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- Sheriff, BOS and owners notified of complaints.
- Petition from the Green Valley Highlands neighbors with ±65 signatures in opposition to unhosted short-term rentals in their neighborhood and do not support a minor use permit.
- Two County code enforcement (CE) cases were opened and dismissed. One errant complaint filed on property.
- CE officer worked closely with applicant to resolve outstanding cases. Currently, no open code cases.



# Owner's response to complaints

## Sept 23<sup>rd</sup> 2020 letter states:

- Heymans have lived and worked in the Bay Area since 2012 and split their time between AZ and CA in 2018 and 2019 for family reasons.
- Airbnb and VRBO listings were made County compliant in Aug 2020
- One group of young, noisy guests were problematic. The Heyman's called the Sherriff's office *themselves*. After a brief visit to the home, the Sheriff dismissed the complaint without recourse.
- **Code Enforcement Case # 20215** "Unpermitted Fire Pit" – *case closed* for lack of validation.
- **Code Enforcement Case # 20476** "Operating Unpermitted Vacation Rental" – *case closed*. Applicant is only allowing 30 plus day rentals while minor use permit is under review.
- **Alcohol Sales Complaint with ABC** – *case closed* after ABC inquiry.



# Findings

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Staff is recommending the following findings in support of recommendation for APPROVAL. However, the Planning Commission makes its own findings based both on the enclosed staff report and the public testimony presented during the public hearing.



# Findings

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**1. The establishment, maintenance, or operation of the proposed use is in conformity with the County General Plan with regard to traffic circulations, population densities and distribution, and other aspects of the General Plan.**

As indicated on the General Plan land use consistency table the Rural Residential (RR-2.5) Zoning District is consistent with the Rural Residential designation but not the Traditional Community – Residential designation.



# Findings

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## **2. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.**

The site is provided with water by the City of Vallejo and sewer service by an on-site sewage disposal system. Access is proposed via encroachment off Edinburgh Court.



# Findings

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**3. The subject use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.**

As conditioned, the proposed Vacation Rental - Unhosted use will not constitute a nuisance to surrounding properties, nor will it be detrimental to the health, safety, peace, morals, comfort or general welfare of County residents.



## Conditions of Approval

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***Failure to Comply.*** *Failure to comply with any of the conditions of approval or limitation set forth in this permit shall be cause for the revocation of the use permit and cessation of the permitted uses at the Permittee's expense.*



## STAFF RECOMMENDATION

- **APPROVE** the minor use permit application (MU-20-11) with conditions of approval. Although the property has been rented out in the past prior to receiving a use permit and there have been complaints made by neighbors, the applicant has resolved outstanding issues by meeting the required criteria of the County Vacation House Rental Ordinance. Staff believes the applicant is making a concerted effort to operate a short-term rental as professionally and respectfully as possible per County Vacation House Rental Ordinance requirements. As such, staff is recommending **APPROVAL** of the minor use permit application (MU-20-11).



## ALTERNATIVE RECOMMENDATION

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It is within the Planning Commission's authority to take the following actions:

- **DENY** the minor use permit application (MU-20-11) if the Commission cannot make the findings recommended by staff in their report based on the evidence presented;

OR

- **CONTINUE** the decision for collection of additional information required to render a Commission decision. If continued, the Planning Commission would establish the date to continue the hearing, presumably in two weeks.