

Vacation Rental Program Implementation Update & Introduction of Ordinance Amending Civil Penalties

Sonoma County Board of Supervisors

April 30, 2024

Staff: Doug Bush



Vacation Rental Program Background

- Ordinance 6423
 - Amended and applied the “X Vacation Rental Exclusion and Cap Combining District” to certain parcels in the 1st, 4th and 5th Supervisorial Districts
- Ordinance 6427
 - Refined Vacation Rental performance standards and required licenses for existing and proposed Vacation Rentals to address health, safety, and quality of life issues
 - Set maximum occupancies, noise limits, stricter parking, included fire safety provisions, and modified enforcement process and penalties

Cap and Exclusion Zone Status

Cap Area	Cap	Current Concentration
Austin Creek	5%	14%
Hacienda	5%	8%
Monte Rio	5%	13%
Northwood	5%	15%
Rio Dell	5%	4%
Summerhome Park	5%	8%
Terraces and Villa Grande	5%	13%
Hughes Chicken Colony	5%	17%
Fitch Mountain	5%	8%
Norton Rd	5%	15%
Chiquita Rd	5%	17%

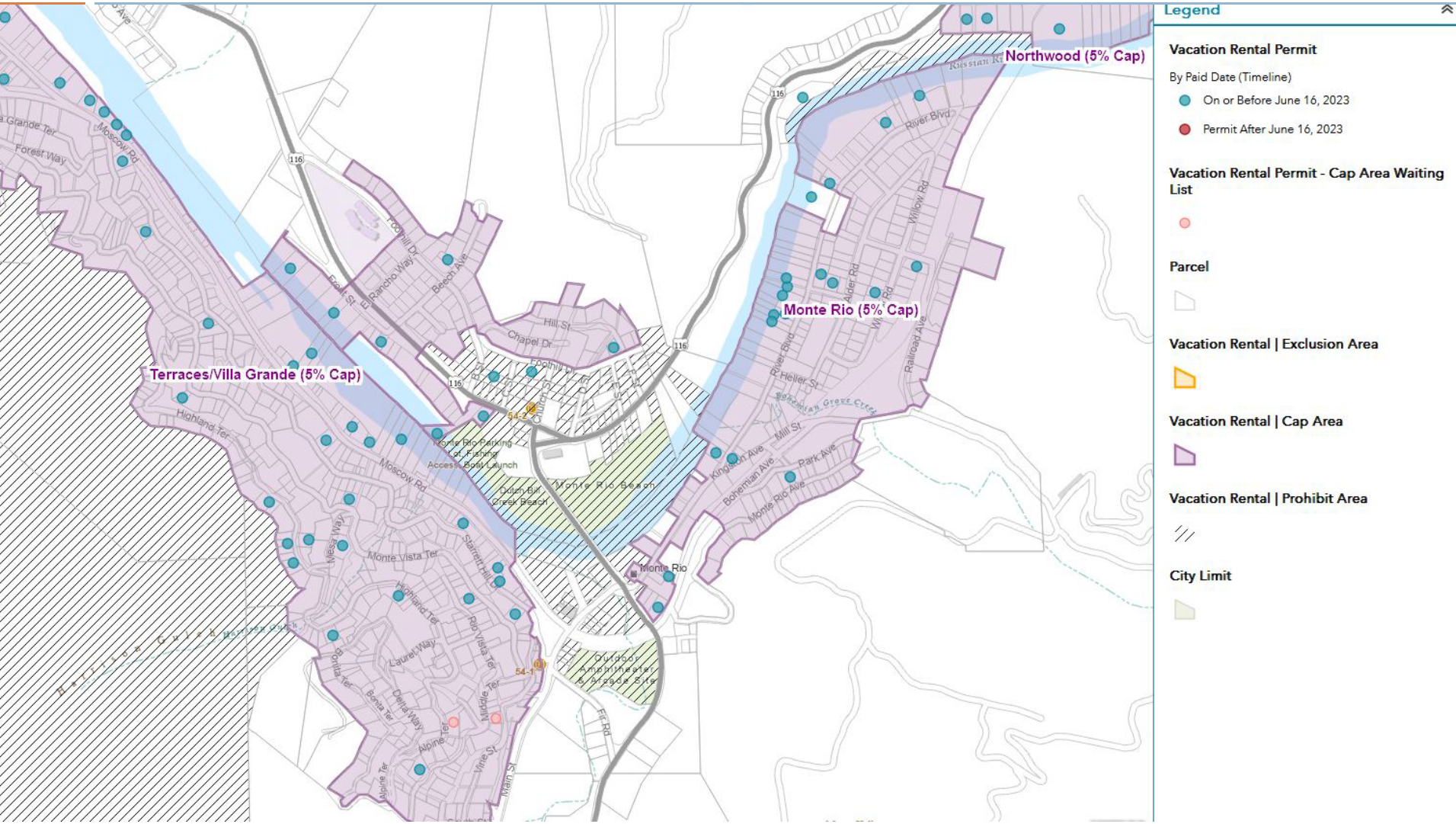
Online Vacation Rental Map

The map answers many common questions:

- What is the status of a cap area?
- Where are Vacation Rentals allowed?
- Where are they prohibited?
- Does a parcel have an issued permit?

PermitSonoma.org/VacationRentalMap

Online Vacation Rental Map



Enforcement

- Dedicated 24/7 Hotline
- Updated process for complaints and enforcement
- Increased fees/penalties
 - ▣ First, Second and Third Penalty: up to \$1,500, \$3,000 and \$5,000 fines
 - ▣ Unauthorized VR: 10x the application fee

Complaint Type	Count (2024)	Count (2023)
Noise	50	42
General Inquiries	29	18
Unauthorized Rental	26	12
Trash	17	16
Other Complaints	9	7
Parking	6	4
Disturbance or Trespassing	3	1
Total Calls	140	100

Licensing Requirement

- County's first business license requirement
- Required to operate vacation rental
- Renewed yearly
- 300 ft public notice upon issuance and renewal
- Rental is subject to performance standards
- May be suspended or revoked for code violations

License Standards

- One VR per Parcel
- One VR per owner
- Permit Term – one year
 - ▣ All VR permits expire upon transfer of property
- Maximum Occupancy of 2 per bedroom + 2 additional guests (no more than 12)
- Parking must be on-site except 1 space on street

License Standards – Cont.

- Noise
- Lighting
- Trash and Recycling
- Outdoor Burning
- Fireworks
- Defensible Space
- Emergency Access and Evacuation
- Emergency Communications

Licensing Implementation

- Permit Sonoma has received ~500 license applications out of ~2,000 that will be required
- Outreach includes monthly email and mailed notices to operators, social media outreach and public workshops
- All operators must have a license to continue operating after June 15, 2024, and those who continue operating without a license will be subject to enforcement.
- Licenses are not issued if there are unresolved code violations or unpaid fees

Coastal Zone Status

- September 26, 2023, the Board adopted an ordinance amending Chapter 26C of County Code to regulate Vacation Rentals in the Coastal Zone
- April 11, the Coastal Commission held a public hearing, where staff recommended certification
- Vacation Rentals in the Coastal Zone will be subject to the same permit requirements (e.g. zoning permit and license) and performance standards as inland
- Current operators who have been paying Transient Occupancy Tax as of CCC certification will be exempt from the zoning permit requirement, but must obtain a license

Introduction of Ordinance to Update Civil Penalties

- Vacation Rentals operating without required permits or licenses are subject to a penalty of 10 times the normal application fees.
- The Board directed staff to return with an amendment to County Code Section 1-7.1 to modify civil penalties for such rentals to provide a range of potential penalties.
- Modifying the penalty to allow a range from 3 to 10 times application fees, would allow the County to apply a penalty that consider the relevant facts of the violation.
- The ordinance would come back to the Board on consent for final adoption, no earlier than two weeks after April 30, 2024.

Recommendation

- Hold a public hearing to receive an informational update on the implementation of the Vacation Rental Program;
- Adopt an Ordinance amending Sonoma County Code Section 1-7.1 to modify civil penalties for unpermitted and unlicensed Vacation Rentals; and find the ordinance exempt from CEQA

Questions?





End Presentation