

Resolution Number 22-XXX

County of Sonoma
Santa Rosa, California

May 5, 2022
ORD21-0005 Gary Helfrich

RESOLUTION OF THE PLANNING COMMISSION OF THE
COUNTY OF SONOMA, STATE OF CALIFORNIA,
RECOMMENDING TO THE BOARD OF SUPERVISORS THE
ADOPTION OF AN ORDINANCE AMENDING CHAPTER 26 OF
THE SONOMA COUNTY CODE (THE ZONING CODE) TO
REVISE REGULATIONS AND ALLOWANCES RELATED TO
VACATION RENTALS

WHEREAS, The Board of Supervisors adopted its first ordinance regulating the transient rental of single-family homes, known as vacation rentals, in 2009 (Ordinance. 5908) and established a land use permit requirement for vacation rentals in the inland zone, Sec. 26-88-120 (Vacation Rental Permit Ordinance); however, in the Coastal Zone there are currently no health and safety standards specific to Vacation Rentals; and

WHEREAS, Vacation Rentals constitute a significant segment of Sonoma County's local tourism economy and generate a substantial amount of revenue from transient occupancy tax, which is primarily used to promote and mitigate the impacts of tourism; and

WHEREAS, the majority of vacation rentals are well operated causing minimal issues for their guests or the neighboring community, the County nonetheless receives numerous complaints related to noise, garbage, parking, septic capabilities, and public safety; and

WHEREAS, it is necessary to the public health and welfare to regulate non-land use health and safety standards related to the nature and ongoing operations of vacation rentals through a vacation rental business license program and thus to simplify the zoning ordinance accordingly to ensure vacation rentals are properly located; and

WHEREAS, overconcentration of vacation rentals reduces housing stock and contributes to increased housing costs for both renters and buyers and in some areas can adversely affect residential character, neighborhood stability, public safety, and quality of life. Applying a cap on vacation rentals in certain areas can provide a balance between enabling the use and minimizing its potential negative impacts; and

WHEREAS, it is critical to impose heightened standards on vacation rentals related to outdoor burning and emergency evacuations; and

WHEREAS, a land use ordinance and permit are appropriate for determining suitable locations for vacation rentals, an annual business license is necessary and more suitable for imposing and enforcing non-land use health and safety standards related to the nature and ongoing operations of vacation rentals; and

WHEREAS, imposing the license requirement on existing vacation rentals is necessary to protect the public health and welfare because it adds requirements related to outdoor burning

and emergency evacuation and regulations for certified property managers to ensure compliance with all standards. An annual license review will also provide for greater oversight to ensure vacation rentals operate in a safe and compliant manner; and

WHEREAS, on March 17, 2022 the Sonoma County Planning Commission held a public hearing to consider draft changes to the Vacation Rental Ordinance as drafted by staff based on the Board of Supervisors direction; and

WHEREAS, on May 5, 2022 the Sonoma County Planning Commission reopened the public hearing to continue deliberation and consider changes to the Vacation Rental Ordinance in response to additional public outreach as directed by the Commission and input from the Commission at the March 17, 2022 hearing; and

WHEREAS, the Planning Commission, having considered all materials, file information, all public and agency comments, and all reports from staff, and the proposed Ordinance revisions, finds that the proposed revisions are appropriate and necessary to address neighborhood compatibility, protect public health and safety, control nuisance, and avoid loss of permanent housing stock while continuing to provide a valuable service for visitors to Sonoma County; and

WHEREAS, it is the determination of the department that the adoption of the proposed regulations is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the State CEQA Guidelines because allowing vacation rentals meeting the standards adopted herein to be located within existing single-family residences will not involve an expansion of use beyond that currently existing; and further, is exempt under Section 15061(b)(3) because it can be seen with certainty that adoption of the Ordinance does not result in a physical change in the environment. Implementation of the regulations does not increase residential density or the intensity of use as the standards adopted herein are consistent with otherwise allowable residential use.

NOW, THEREFORE, BE IT RESOLVED that the Sonoma County Planning Commission recommends that the Board of Supervisors adopt changes to the vacation rental program as set forth in the attached Draft Ordinance 21-XX1 amending Chapter 26 and Chapter 26C of the Sonoma County Code, and amending the Development Element of the Local Coastal Plan to revise regulations and allowances related to vacation rentals as set forth in Exhibits A, Exhibit B, and Exhibit C attached and incorporated by reference.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the documents and other material which constitute the record of proceedings upon which the Commission's decision herein is based. These documents may be found at the office of the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

THE FOREGOING RESOLUTION was introduced by Commissioner_____, who moved its adoption, seconded by Commissioner _____, and adopted on roll call by the following vote:

Commissioner Cornwall
Commissioner Gilardi
Commissioner Ocana
Commissioner McCaffery
Commissioner Grady

Ayes: Noes: Absent: Abstain:

WHEREUPON, the Chair declared the above and foregoing Resolution duly adopted; and

SO ORDERED.