

ORDINANCE NO. 6248

AN ORDINANCE OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING CHAPTER 40 (SONOMA COMPLEX FIRE DISASTER RECOVERY) OF THE SONOMA COUNTY CODE TO PREVENT ESTABLISHMENT OF NEW VACATION RENTALS WITHIN THE SONOMA COMPLEX FIRES PERIMETER

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

SECTION I. The Board finds and declares that the adoption of this Ordinance is necessary to protect residential lands within the perimeter of the Sonoma Complex Fires from speculative development and conversion to visitor-serving uses. The Board makes the following additional findings in support of the adoption of this ordinance:

1. The proposed amendments to the Sonoma County Code are substantially consistent with the Sonoma County General Plan, including but not limited to the following Housing Element objective and policy:
 - a. Housing Element Objective HE1.5, which provides that the County should limit the loss of existing housing stock to visitor-serving uses. This ordinance would prevent conversion of existing housing stock and housing sites to vacation rentals within the perimeter of the Sonoma Complex Fire and during the effective period of Chapter 40.
 - b. Housing Element Policy HE-1j, which provides that the County should avoid the loss of residential land in urban land use designations for vacation or time-share uses. This ordinance would prevent the conversion of residential land in urban land use designations to vacation rentals, within the perimeter of the Sonoma Complex Fires and during the effective period of Chapter 40.
2. In light of the housing impacts of the Sonoma Complex Fire combined with the pre-existing housing crisis, there is a continuing and demonstrated need to prevent housing and lands zoned for housing from being converted to visitor-serving uses.

SECTION II. The Board of Supervisors hereby finds and determines that the proposal is exempt from further review under the California Environmental Quality Act (CEQA) under Section 15061 (b)(3) of the CEQA Guidelines, because it can be seen with certainty that there is no possibility that adoption of the proposal may have a significant impact on the environment.

SECTION III. Chapter 40 (Sonoma Complex Fire Disaster Recovery) of the Sonoma County Code is amended as follows:

A. Section 40-21 (Definitions) is amended to add the following definition in its alphabetical order:

“Burn Area” refers to all of that land contained within the California Department of Forestry and Fire Protection (CALFIRE) October 2017 Sonoma Complex Fire Perimeter.

B. New Section 40-47 is added, to read as follows:

Sec. 40-47. – Prohibition on the Establishment and Operation of New Vacation Rentals.

Notwithstanding any contrary provision of this code, the establishment or operation of any vacation rental not previously permitted and legally operating shall be prohibited

within the burn area. Properties on which a fully approved and permitted vacation rental was legally operating prior to the Sonoma Complex Fire may continue to operate upon reconstruction if property ownership has not changed and if the number of guestrooms within the vacation rental does not change. Hosted rentals, as defined in Chapter 26, may be established and operated upon granting of a hosted rental permit and registration for Transient Occupancy Taxes (TOT).

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

SECTION V: This Ordinance shall be and the same is hereby declared to be in full force and effect from and after 30 days following the date of its passage and shall be published once before the expiration of fifteen (15) days after passage, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation, published in the County of Sonoma, State of California.


In regular session of the Board of Supervisors of the County of Sonoma, passed and adopted on the 23rd day of October, 2018, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Gorin: Aye	Rabbitt: Aye	Zane: Aye	Hopkins: Aye	Gore: Aye
Ayes: 5	Noes: 0	Absent: 0	Abstain: 0	

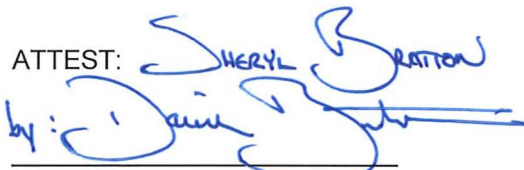

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED



Chair, Board of Supervisors
County of Sonoma

ATTEST:


by: 

Sheryl Bratton,
Clerk of the Board of Supervisors