



Legislation Details (With Text)

File #: 2022-0354
Type: Consent Calendar Item **Status:** Passed
File created: 3/22/2022 **In control:** Permit and Resource Management
On agenda: 4/5/2022 **Final action:** 4/5/2022
Title: Vacation Rental Ordinance
Sponsors: Permit and Resource Management
Indexes:
Attachments: 1. Summary Report

Date	Ver.	Action By	Action	Result
4/5/2022	1	Board of Supervisors	Approved as recommended	Pass

To: Board of Supervisors
Department or Agency Name(s): Permit Sonoma
Staff Name and Phone Number: Brian Oh, 565-1931
Vote Requirement: Informational Only
Supervisorial District(s): Countywide

Title:
Vacation Rental Ordinance

Recommended Action:
Receive Project Update on Vacation Rental Ordinance Changes

Executive Summary:
Vacation Rental Ordinance Update is a project of significant community interest. With this report staff is presenting the March 17th, 2022, Planning Commission deliberations outcomes, which have resulted in not being able to present draft ordinances today, April 5th, 2022, for full Board consideration. Staff is now estimating that draft ordinances will be presented to the Board on August 2, 2022. Ordinance changes are anticipated to address the July 20, 2021 Board of Supervisors' feedback: (1) Implementation of a business license to administer the vacation rental program, (2) better tools for reporting and tracking complaints, and (3) land use regulations outside of the Coastal Zone that address concentration, proximity of rentals, public safety, road access, parking, water and wastewater capacity, and wildfire risk.

Note the following Vacation Rental exclusions zones that will expire this year.
Lower Russian River, District 5: Expires August 06, 2022
Theodor Lane, District 1: Expires August 06, 2022
Fire perimeter areas: Expires December 31, 2022

Discussion:
On December 15, 2020, the Board of Supervisors adopted an urgency ordinance extending a more refined temporary cap on vacation rentals in specified locations within the unincorporated areas of the 1st and 5th Supervisorial Districts, as well as directed Permit Sonoma staff to return to the Board on July 20, 2021, with

additional data and recommendations to improve the Vacation Rental program.

After considering staff recommendations and input from stakeholders at the July 20, 2021, Board workshop meeting, the Board of Supervisors directed staff to take the actions below.

- 1) Study the potential impact that Vacation Rentals may have on housing prices and housing availability.
- 2) Conduct public outreach and informational workshops with stakeholders to help inform policy development.
- 3) Develop a Vacation Rental License program that will apply uniform standards countywide, including in the Coastal Zone.
- 4) Improve tools for applications, reporting and resolving complaints, neighborhood notification, and enforcement of standards.
- 5) Improve standards for parking, road access, emergency response, water and wastewater capacity, and wildfire risk.
- 6) Develop land use policies to address Vacation Rental proximity and concentration in areas where high levels may adversely affect public health and safety, or neighborhood character.

The Planning Commission March 17, 2022 agenda and materials can be accessed via this link <https://sonomacounty.ca.gov/Planning-Commission/Calendar/Planning-Commission-Meeting-March-17-2022/> Staff report included the overview below.

- 1) The update to the Vacation Rental program will retain the existing requirement for a zoning permit outside of the Coastal Zone to establish eligibility of a parcel for use as a Vacation Rental and require a Vacation Rental License that must be renewed annually, countywide for operation of a Vacation Rental.
- 2) Vacation Rentals would continue to be allowed on all parcels within the Coastal Zone without a Zoning Permit, but operation would require a Vacation Rental License. Operational performance standards, such as parking, noise, and trash collection, will be imposed through the Vacation Rental License program.
- 3) Both daytime and nighttime occupancy will be limited to 12 persons, and there will no longer be a provision to exceed this limit with a Use Permit.
- 4) A provision will be added to the Vacation Rental Exclusion Combining District allowing establishment of areas where Vacation Rentals will be capped to no more than 10% of the existing single family dwelling units within the cap area.
 - a. Permit Sonoma staff will return at a future date with recommendations for specific areas and changes to the exclusion area boundaries.
- 5) 24/7 customer service hotline will be deployed and permitting for Vacation Rentals will transition to an online system.

On Thursday, March 17 the Planning Commission reviewed the information presented, took public comment, then voted 4-1 to continue the proposed Vacation Rental Ordinance revisions to a date/time uncertain. The Planning Commissioners directed staff to conduct focused outreach with renters and homeless advocates that may not have been captured through earlier workshops, including, amongst other efforts, the Sonoma Valley Citizens Advisory Commission, Springs Municipal Advisory Council, Lower Russian River Municipal Advisory Council, Sonoma Coast Municipal Advisory Council, and Geyserville Planning Committee.

The Commission also discussed exploring further policy options to allow a more restrictive (i.e. lower) cap

than 10% of existing single-family dwellings in Vacation Rental Exclusion Combining Districts. Furthermore, the Commission received a number of public comments related to Short-term use of fractionally owned single-family dwellings by owners and their guests, but not by renters. These commenters urged the County to address these uses, indicating that they create similar impacts to neighborhoods as short-term rentals.

Strategic Plan:

N/A

Prior Board Actions:

- 1) Ordinance 6332 (December 15, 2020) Extending Ordinance No. 6321 in certain parcels in the First and Fifth Supervisorial Districts until August 6, 2022.
- 2) Ordinance 6326 (September 22, 2020) Extending Ordinance No. 6321 until December 31, 2020.
- 3) Ordinance 6321 (August 18, 2020) Adoption of Urgency Ordinance No. 6321 to Cap Vacation Rentals at August 18, 2020 levels.
- 4) Ordinance 6221 (May 8, 2018) Adds parcels in Glen Ellen to the Vacation Rental Exclusion Combining District ("X" Zone)
- 5) Ordinance 6145 (March 15, 2016) Established current vacation rental regulations and performance standards, special use standards for hosted rentals and bed and breakfast inn, and created the Vacation Rental Exclusion ("X") Combining District.
- 6) Ordinance 6063 (April 15, 2014) Established a limited time extension for Vacation Rentals in the Land Intensive Agriculture Zoning District as an economic stimulus measure.
- 7) Ordinance 5908 (November 9, 2010) Established first Vacation Rental Ordinance with requirement to sunset vacation rentals in the Land Intensive Agriculture Zoning District.

FISCAL SUMMARY

N/A

Narrative Explanation of Fiscal Impacts:

N/A

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

None

Related Items "On File" with the Clerk of the Board:

N/A