

ORDINANCE NO. 6209

**URGENCY INTERIM ORDINANCE OF THE BOARD OF SUPERVISORS OF
THE COUNTY OF SONOMA, STATE OF CALIFORNIA, PROHIBITING THE
ISSUANCE OF VACATION RENTAL AND HOSTED RENTAL PERMITS TO
FACILITATE EMERGENCY HOUSING FOR PERSONS DISPLACED BY THE
SONOMA COMPLEX FIRE
URGENCY ORDINANCE: 4/5 VOTE REQUIRED**

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

Section I. Emergency Findings. This urgency ordinance is adopted pursuant to California Government Code section 65858 and shall take effect immediately upon its approval by at least a four-fifths vote of the Board of Supervisors, for a period of no more than 45 days unless extended after notice and public hearing. The Board finds that this ordinance is necessary for the immediate preservation of the public peace, health and safety, based upon the following facts:

1. Conditions of extreme peril to the safety of persons and property within the County were caused by fast-moving and widespread fires, referred to as the Sonoma Complex Fire, commencing on the 8th day of October, 2017, at which time the Board of Supervisors was not in session.
2. California Government Code section 8630 and Sonoma County Code section 10-5 empower the County Administrator to proclaim the existence of a local emergency when the county is affected or likely to be affected by a public calamity, subject to ratification by the Board of Supervisors at the earliest practicable time.
3. On October 9, 2017, the County Administrator of the County of Sonoma proclaimed the existence of a local emergency within the Sonoma County Operational Area and also requested that the Governor of the State of California make available California Disaster Act Assistance and seek all available forms of disaster assistance and relief programs, including a request for a Presidential Declaration of a Major Disaster.
4. On October 9, 2017, the Governor of the State of California proclaimed a State of Emergency for Sonoma and other counties and has declared Sonoma County eligible for Fire Management Assistance Grant and other relief programs.
5. On October 10, 2011, the Board of Supervisors adopted Resolution No. 17-0389 ratifying the County Administrator's proclamation of the existence of a local emergency with the Sonoma County Operation Area and requesting that the Governor of the State of California make available

California Disaster Act Assistance and seek all available forms of disaster assistance and relief programs, including a request for a Presidential Declaration of a Major Disaster.

6. On October 10, 2017, the President declared the existence of a major disaster in the State of California and ordered Federal aid to supplement state and local recovery efforts in the areas affected by wildfires, including the Sonoma Complex Fire, beginning on October 8, 2017, and continuing.
7. The Sonoma Complex Fire to date has consumed well over one hundred thousand acres and has led to the destruction of thousands of homes. It is estimated that thousands of households in Sonoma County, including unincorporated Sonoma County and municipal jurisdictions within Sonoma County, are without homes.
8. The Board of Supervisors has previously found that Sonoma County is experiencing a housing crisis. Even prior to the Sonoma Complex Fire, there existed in the unincorporated county area a severe lack of rental housing that is affordable to lower and moderate income residents.
9. The housing units destroyed by the Sonoma Complex Fire increased this rental housing shortage by several orders of magnitude and also severely reduced the number of owner-occupied housing units in the County.
10. Destruction of housing units in other nearby counties, including Lake, Napa, Solano and Mendocino Counties further exacerbates the inability of persons who live and work in Sonoma County and have been displaced by the Sonoma Complex Fire to relocate to other housing.
11. There are currently more than 1500 dwellings approved for use as vacation rentals in Sonoma County, many of which are operated by owners living off-site. Additional dwellings are approved for hosted rentals. The operation of these properties as vacation rentals or hosted rentals reduces the number of dwellings otherwise available for longer term rentals for persons living and working in Sonoma County.
12. The County of Sonoma wishes to consider whether changes or amendments to its existing regulation of vacation rentals and hosted rentals are necessary in light of the severity of the housing crisis in Sonoma County, as exacerbated by the Sonoma Complex Fire.
13. Conversion of additional single family housing units, including accessory dwellings and junior accessory dwellings, to vacation rentals and hosted rentals presents a current and immediate threat to the public health, welfare and safety based on the facts and findings made herein. Approval of additional vacation rental or hosted rental permits in the County during

an interim period in which the County will consider amending or otherwise modifying its existing regulation of vacation rentals and hosted rentals would contribute to the existing housing emergency and lack of rental housing available to persons and families displaced by the Sonoma Complex Fire.

Section II. Temporary Prohibition on Issuance of Vacation Rental and Hosted Rental Permits.

1. From and after the effective date of this ordinance and during the term of this ordinance and any extension(s) of this ordinance which may be approved pursuant to existing law, no zoning permit and/or use permits for vacation rentals otherwise subject to Sonoma County Code section 26-88-120 or hosted rental permits subject to Sonoma County Code section 26-88-118 shall be issued by the Sonoma County Permit Resources and Management Department. Provisions of the Sonoma County Zoning Ordinance which would otherwise allow vacation rentals or hosted rentals in various zoning districts, whether as permitted or conditional uses, shall not allow the issuance of vacation rental or hosted rental permits during the life of this ordinance and any subsequent extension of this ordinance.

2. From and after the effective date of this ordinance and any extension(s) of this ordinance approved pursuant to existing law, no zoning and/or use permit for vacation rental or hosted rental unit(s) currently in process shall be granted and no such permit shall be issued, whether or not said application is considered complete. Provisions of the Sonoma County Zoning Ordinance which would otherwise allow vacation rentals and hosted rentals in various zoning districts, whether as permitted or conditional uses, shall not allow the issuance of vacation rental or hosted rental permits currently in process during the life of this ordinance and any subsequent extensions of this ordinance.

Section III. Adoption of this Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080(b)(3) regarding projects to replace property or facilities damaged or destroyed after a declared disaster and Section 21080(b)(4) regarding actions to mitigate or prevent an emergency, and CEQA Guidelines Section 15269(a) regarding maintaining, repairing, restoring, demolishing, or replacing property or facilities damaged or destroyed as a result of a disaster stricken area in which a state of emergency has been proclaimed by the Governor pursuant to the California Emergency Services Act, commencing with Section 8550 of the Government Code.

Section IV. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or 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 immediately upon its passage by a four-fifths (4/5) vote and shall continue in effect for a period of 45 days, unless extended by the Board of Supervisors following notice and public hearing. A fair and accurate summary of this ordinance shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in *The Press Democrat*, 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, introduced and passed on the 24th day of October, 2017, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Gorin: ___ Rabbitt: ___ Gore: ___ Hopkins: ___ Zane: ___

Ayes: _____ Noes: _____ Absent: _____ Abstain: _____

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

SO ORDERED.

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Sheryl Bratton,
Clerk of the Board of Supervisors