

## **Section 26-88-118 – Special Use Standards for Hosted Rentals and Bed and Breakfast Inns**

**(a) Purpose.** This sections provides the requirements and standards for the establishment and operation of Bed and Breakfast Inns and Hosted Rentals.

**(b) Applicability.** The provisions of this section shall apply to the transient use of residential property where the primary owner remains in residence during the rental period, including Bed and Breakfast Inns and Hosted Rentals of a single room or sleeping area. Transient rental of more than one room or sleeping area while the owner remains in residence on the property is a Bed and Breakfast Inn, whether or not food is served. Transient rentals of the entire home without the owner in residence are regulated by 28-88-120 (Vacation Rentals).

**(c) Limitations.** Bed and Breakfast Inns and Hosted Rentals shall not be permitted in non-habitable structures or in tents, RVs, or other provisions intended for temporary occupancy. Bed and Breakfast Inns shall also not be permitted within Second Dwelling Units, not in structures or dwellings with County covenants or agreements restricting their use, including but not limited to affordable housing units, agricultural employee units, farmworker housing, farm family units, or on lands under Williamson Act contract. Only one hosted rental is allowed per parcel. A hosted rental may not be located on the same site as a vacation rental unless a Use Permit has been obtained for the combined use. A whole-house vacation rental is not a hosted rental or a Bed and Breakfast Inn, even if the property owner resides in another dwelling unit on the same property.

**(d) Permit Requirements.** Hosted Rentals (also known as one-room Bed and Breakfast Inns) of not more than one room or sleeping area that meet the standards of this Section are allowed as provided by the underlying zone, subject to issuance of a Zoning Permit. In the case of a legally permitted guest house used as a transient rental, the primary owner will remain in residence within the main home on the same property. Accessory structures may not be used as Hosted Rentals unless they are legally permitted as Guest Houses. Second Dwelling Units may not be used as Hosted Rentals. Rental of more than one room or sleeping area is considered a Bed and Breakfast Inn with 2 or more rooms, and shall be allowed subject to the permit requirements of the applicable zone and the standards set forth in subsection (f).

### **(e) Performance Standards for Hosted Rentals and One-Room Bed and Breakfast Inns.**

- 1. Transient Occupancy Tax.** The property owner shall maintain a transient occupancy tax certificate and remain current on all required reports and payments. Owner or authorized agent shall include the certificate number on all contracts or rental agreements, and in any advertisements, websites or internet listings
- 2. Food service,** if provided, shall be limited to breakfast served to inn guests only, and shall be subject to the approval of the Sonoma County department of health services.
- 3. Events Prohibited.** No weddings, lawn parties or similar activities shall be permitted.
- 4. Vehicles.** Limit of one vehicle associated with the transient use.

5. **Noise Limits.** Outdoor amplified sound is prohibited. All activities associated with the transient use shall meet the general plan noise standards. Quiet hours shall be from 10:00 p.m. to 7:00 a.m. The property owner shall ensure that the quiet hours are included in rental agreements and in all online advertisements and listings.
6. **Pets.** Pets, if allowed by owner, shall be secured on the property at all times. Continual nuisance barking by unattended pets is prohibited.
7. **Outdoor Fire Areas.** Outdoor fire areas, when not prohibited by state or local fire bans, may be allowed but shall be limited to 3 feet in diameter, shall be located on a non-combustible surface, shall be covered by a fire screen, and shall be extinguished as soon as it is no longer in use or by 9:00 pm, whichever is earlier. No fire or fire area shall be located within 25 feet of a structure or combustible material.
8. **Septic Systems and Sewer Connections.** The owner shall maintain a properly functioning septic system or sewer connection.
9. **Expiration.** A zoning permit for a hosted rental expires upon sale or transfer of the property, or when the property is no longer occupied by a primary owner, whichever occurs sooner.

**(f) Performance Standards for Bed and Breakfast Inns with 2 or more guestrooms or sleeping areas.**

1. **Maximum Occupancy.** Maximum number of rooms shall be as provided in the underlying zone.
2. **Transient Occupancy Tax.** The property owner shall maintain a transient occupancy tax certificate and remain current on all required reports and payments. Owner or authorized agent shall include the certificate number on all contracts or rental agreements, and in any advertisements, websites or internet listings
3. **Food service,** if provided, shall be limited to breakfast served to inn guests only, and shall be subject to the approval of the Sonoma County department of health services.
4. **Events only with Use Permit.** No weddings, lawn parties or similar activities shall be permitted unless authorized by the use permit.
5. **Amplified Sound.** No outdoor amplified sound shall be permitted unless authorized by the use permit.
6. **Noise Limits.** All activities associated with the transient use shall meet the general plan noise standards. Quiet hours shall be from 10:00 p.m. to 7:00 a.m. unless otherwise allowed by use permit. The property owner shall ensure that the quiet hours are included in rental agreements and in all online advertisements and listings.
7. **Pets.** Pets, if allowed by owner, shall be secured on the property at all times. Continual nuisance barking by unattended pets is prohibited.
8. **Outdoor Fire Areas.** Outdoor fire areas, when not prohibited by state or local fire bans, may be allowed but shall be limited to 3 feet in diameter, shall be located on a non-combustible surface, shall be covered by a fire screen, and shall be extinguished as

soon as it is no longer in use or by 10:00 pm, whichever is earlier. No fire or fire area shall be located within 25 feet of a structure or combustible material.

9. **Septic Systems and Sewer Connections.** The owner shall maintain a properly functioning septic system or sewer connection. In some cases, a per-room sewer fee may be applied.