

Resolution Number 15-008

County of Sonoma
Santa Rosa, California

November 19, 2015
ORD14-0011 Jane Riley

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 AND ONE-ROOM BED AND BREAKFAST INNS (ALSO KNOWN AS HOSTED RENTALS)

WHEREAS, in 2010, the County of Sonoma adopted Ordinance No. 5908 establishing Section 26-88-120 of the Zoning Code, Vacation Rentals, which became effective on January 1, 2011; and

WHEREAS, the Permit and Resource Management Department and the Sheriff have received numerous complaints related to activities at vacation rentals; and

WHEREAS, the existing Vacation Rental Ordinance needs to be revised and amended to better protect existing housing stock and to provide better compatibility within residential neighborhoods; and

WHEREAS, the Vacation Rental Ordinance needs to be further revised to ensure that all vacation rentals are operating safely and in accordance with County Codes, and are properly registered and paying appropriate taxes; and

WHEREAS, on November 4, 2014, the Board of Supervisors adopted a Resolution of Intention directing staff to make revisions to the Vacation Rental Ordinance to address issues related to the potential loss of permanent housing stock, neighborhood compatibility issues, property manager requirements and responsibilities, and other issues as might arise during the public outreach process; and

WHEREAS, staff conducted an extensive outreach campaign which included four community meetings in areas where vacation rentals are concentrated; and

WHEREAS, the Sonoma County Planning Commission conducted a public workshop on May 18, 2015, to hear public input, and conducted a public hearing on September 3, 2015, to consider policy options and to receive additional public input; and

WHEREAS, the Sonoma County Planning Commission continued its deliberations of the policy options to three additional public meetings on September 10, September 15, and September 22, 2015, and at the conclusion direction on each of the policy options were provided to staff in a series of straw votes; and

WHEREAS, on November 19, 2015, the Sonoma County Planning Commission held an additional public hearing to consider draft changes to the Vacation Rental Regulations as drafted by staff based at the Commission's direction; and

WHEREAS, at the November 19, 2015, public hearing, the Planning Commission again received public input on the Draft Vacation Rental Regulation changes; 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 and the 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 and any activities that may exceed the residential character would be subject to further discretionary review.

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 amending Chapter 26 of the Sonoma County to revise regulations and allowances related to vacation rentals and one-room bed and breakfast inns.

BE IT FURTHER RESOLVED that the Sonoma County Planning Commission strongly recommends that the Board of Supervisors give priority to providing additional staff resources to further monitor and enforce the permit requirements and performance standards, including evening and weekend staffing.

BE IT FURTHER RESOLVED that the Planning Commission encourages the Board to direct staff to work with industry groups to establish a preferred Vacation Rental Program for safe, inspected properties that are fully permitted and professionally managed in a way that maintains good relations with neighbors.

BE IT FURTHER RESOLVED that the Planning Commission strongly encourages the Board of Supervisors to dedicate a significant percentage of the Transient Occupancy Tax collected from vacation rentals to affordable and workforce housing as stated in the advertising policy, finding that it is essential to help mitigate the loss of permanent housing stock and rising rents due to vacation rental uses.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board adopt a Resolution of Intention to initiate rezoning to consider adding:

- a. The X Exclusion combining zone to areas where property owner groups request or where neighborhood compatibility is a concern, and
- b. The VR Visitor Residential combining zone to R1 properties located within resort areas, such as in the West County.

BE IT FURTHER RESOLVED that the Planning Commission encourages a shorter and less expensive process for hosted rentals as compared to whole-house vacation rentals.

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 Davis, who moved its adoption, seconded by Commissioner Doyle, and adopted on roll call by the following vote:

Commissioner Carr	No
Commissioner Doyle	Aye
Commissioner Gordon	Aye
Commissioner Davis	Aye
Commissioner Cooke	Aye

Ayes: 4 Noes: 1 Absent: 0 Abstain: 0

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

SO ORDERED.