

Vacation Rentals

PJR-096

PURPOSE:

To summarize the regulations of the Sonoma County Zoning Ordinance for Vacation Rentals.

BACKGROUND:

Vacation Rentals are the rental of a private residence for periods of 30 days or less. Vacation Rentals do not include Bed and Breakfast Inns permitted in accordance with the Sonoma County Code, or occasional home exchanges that are not otherwise subject to Transient Occupancy Tax (TOT). Vacation Rentals must meet Performance Standards to ensure compatibility with surrounding residential uses.

Vacation Rentals may be conducted in homes in most agricultural and single-family residential zoning districts (LEA, DA, RRD, AR, RR, and R1). Vacation Rentals are not allowed in the LIA District, nor on any property subject to a Williamson Act Contract. Vacation Rentals are not allowed in the higher-density residential districts (R2 and R3). Vacation Rentals may not take place in non-habitable structures, or in Farm Family, Agricultural Employee, or Second Dwelling Units constructed after 2005.

A Zoning Permit or Use Permit is required for all Vacation Rentals. Vacation Rentals with up to five (5) guest rooms require a Zoning Permit (see [PJR-004](#)), while larger Vacation Rentals require a Use Permit (see [PJR-010](#)). Vacation Rentals that do not meet one or more of the attached Performance Standards may still be allowed with a Use Permit. Vacation Rentals with five (5) or fewer guest rooms do not require a Building Permit for change of occupancy; however, larger Vacation Rentals may require a Building Permit for change of occupancy.

PROCEDURE:

The applicant submits a complete Vacation Rental Zoning Permit application to the Planning Division at the Permit and Resource Management Department (PRMD) zoning cubicle. The Planner verifies that the proposed Vacation Rental will comply with all Performance Standards and requirements (see Sonoma County Code Section 26-88-120). Each applicant must sign a Vacation Rental Affidavit which is an agreement to comply with the Vacation Rental Performance Standards, and to register with the Sonoma County Treasurer-Tax Collector for payment of TOT. The applicant must provide proof of current TOT payment status from the Sonoma County Treasurer-Tax Collector's office and TOT certificate number. The applicant must also designate and provide contact information for a responsible party who is available 24-hours a day during all rental periods to respond to any issues or complaints, and must provide the same information to the owners of all properties located within a 100-foot radius of the subject property. A copy of the approved Vacation Rental Permit, the Vacation Rental Performance Standards for posting inside the unit, and the addresses of the owners of properties within 100-feet of the Vacation Rental will be provided to the applicant, by mail.

REQUIRED APPLICATION MATERIALS: The application must include all of the following:

1. Zoning Permit ([PJR-004](#)) or Use Permit application ([PJR-010](#)) signed by all property owners.
2. An 8 ½" x 11" site plan that clearly identifies all structures on the property and their uses; the access to the property (public road, private road, driveway); the proposed parking; and any outdoor areas and facilities that will be made available as part of the Vacation Rental (pool, spa, etc).
3. An 8 ½" x 11" floor plan that identifies all rooms in the home or structures, including the number and location of guests rooms to be used as a part of the Vacation Rental. Exits must be clearly shown.
4. A completed and signed Vacation Rental Supplemental Application and Affidavit (see attached).
5. Filing fee - see the current PRMD Project Review Fee Schedule.

Sonoma County Permit and Resource Management Department

2550 Ventura Avenue ♦ Santa Rosa, CA ♦ 95403-2829 ♦ (707) 565-1900 ♦ Fax (707) 565-1103

COUNTY OF SONOMA
PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

Supplemental Application and Affidavit

Vacation Rental Property Information

Property Name or Fictitious Business Name (if any)

Vacation Rental Address

Property Management Company/Owner if no Management Co.

Property Manager Phone/Owner phone if no Management Co.

Designated Representative Information

Designated Representative

Address of Designated Representative

Designated Representative 24 hour contact Phone

Transient Occupancy Tax (TOT) Certificate Number

Proposal (including number and description of structures):

Total Number of Guest Rooms Proposed: _____ Number of Parking Spaces: _____off-street _____on-street

Maximum Allowable Overnight Occupancy Proposed: _____, not including children under 3 years of age

Maximum Allowable Daytime Occupancy Proposed: _____, not including children under 3 years of age

VACATION RENTAL AFFIDAVIT

This is to acknowledge that I, _____, in applying for a Vacation Rental permit pursuant to Section 26-88-120 of the Sonoma County Code, do hereby agree to abide by and conform to the Vacation Rental Performance Standards set forth in the approved permit, and all other provisions of the Sonoma County Code pertaining to the conduct of Vacation Rentals. I further acknowledge that a Vacation Rental permit does not grant an entitlement to the property, but rather to the property owner, which permit automatically expires upon property sale or transfer with no further action required on the part of the County (permit runs with the owner, not with the land).

I understand and agree that the attached Vacation Rental Performance Standards and limitations shall be posted in a prominent place within the Vacation Rental and included as part of all rental agreements, and that all advertising will conform to these approved occupancy limits and standards.

I hereby also acknowledge that the approval of this Vacation rental permit shall in no way permit any activity contrary to the Sonoma County Code, or any activity which would constitute a nuisance under state or local law. I understand and acknowledge that the approval for use of this private residence as a Vacation Rentals are based on my representations to PRMD staff, and does not in any way constitute an evaluation or determination of legal or Legal Non-conforming status of the improvements on this site. I further acknowledge that it is my responsibility, as property owner and/or applicant, to ensure that the conduct of this Vacation Rentals are not contrary to any covenant, code or restriction which may govern the property on which the Vacation Rental will be conducted, which property address is referenced above.

Signature of Property Owner Date

Signature of Property Manager or Representative Date

VACATION RENTAL PERFORMANCE STANDARDS

1. **Limitations on Structures:** The Vacation rental may be conducted only within a single-family dwelling and legally-established guest house. Two residences may be used if the total number of guest rooms does not exceed five (5). No more than one (1) Vacation Rental use is allowed per property. When two separate structures are used as a part of the Vacation Rental, they must be rented to the same party.
2. **Guest Rooms:** Vacation Rentals may have a maximum of 5 guestrooms under a Zoning Permit. The approved number of guest rooms will be listed on the Vacation Rental Permit.
3. **Overnight Guests:** Vacation rentals are limited to a maximum of 2 guests per guestroom plus 2 additional guests per property. This limit will be listed on the Vacation Rental Permit. All advertising must conform to the approved occupancy limits.
4. **Daytime Guests:** In addition to the overnight occupancy limit above ("2+2"), an additional 6 non-registered guests may visit the Vacation rental during the day for family dinners and similar gatherings. The maximum guests allowed at any one time during the day is the overnight occupancy limit +6. This limit will be listed on the Vacation Rental Permit. Children under 3 are not included in the occupancy limits.
5. **Parking Requirements:** Each Vacation rental must provide at least 1 on-site parking space for a rental with 1 or 2 guestrooms, and at least 2 on-site parking spaces for a Vacation rental with 3 or 4 guestrooms. Larger Vacation rentals must demonstrate adequate parking with a minimum of 3 spaces. At the Planner's discretion, on-street parking may be considered to meet a portion of the total parking requirement when the applicant can demonstrate that adequate road capacity and public safety will be maintained.
6. **Sewage Disposal:** A properly functioning sewer connection or septic system must be maintained at all times. For homes on a conditional septic system, the maximum overnight occupancy for Vacation rentals will be limited to the design load of the septic system.
7. **Quiet Hours:** Quiet hours are from 10 p.m. until 9 a.m. Outdoor activities during this time must be limited to those that comply with the nighttime noise limits of the General Plan Noise Element. Outdoor amplified sound is prohibited at any time.
8. **Technical Codes:** A Vacation rental shall comply with all of the codes adopted by reference at [Sonoma County Code](#) Section 7-13 (including the Uniform Building Code, Uniform Plumbing Code, National Electrical Code, Uniform Fire Code, and Uniform Mechanical Code). Certain clearances may be required as determined necessary by the director. The Vacation rental cannot require any utility services modification that would be classed as commercial or industrial in load or design.
9. **Emergency Contact Information:** The applicant must provide a current 24-hour working phone number of the property owner, property manager or other designated representative who can respond on site to issues or complaints within 1 hour. Upon approval of the Vacation Rental Permit, this information must also be provided to all neighbors within a 100' radius of the subject property boundaries, and any changes must be reported to PRMD within 30 days.
10. **Pets:** Vacation Rentals allowing pets must provide a means to ensure that animals are secured on the property at all times. Continual nuisance barking by unattended pets is prohibited.

NOTE: If a proposed Vacation Rental meets all of the Standards above, no building modifications are required to meet California Building Code requirements related to accessibility and no change of occupancy classification is required.

Zoning Permit Application

PJR-004

- Ag. Employee Dwelling Unit
- Biotic Resource
- Confined Livestock
- Daycare-Large Family
- Home Occupation
- Horse Boarding

- Landmarks Commission
- Minor Timberland Conversion
- Mobile Home
- Non-conforming Uses
- Second Units
- Setback Averaging/Reduction

- Special Events
- Telecommunications Facility
- Other _____

File#: _____

Applicant (Contact Person):

Name

Mailing Address

City/Town

State

Zip

Phone

Fax

Email

Signature

Date

Owner, if other than Applicant:

Name

Mailing Address

City/Town

State

Zip

Phone

Fax

Email

Signature

Date

Other Persons to be Notified: (Specify: Agent, Lender, Architect or Engineer)

Name

Name

Name

Mailing Address

Mailing Address

Mailing Address

City/Town

State

Zip

City/Town

State

Zip

City/Town

State

Zip

Title

Title

Title

Phone

Fax

Phone

Fax

Phone

Fax

Email

Email

Email

Project Information:

Address(es)

City/Town

Assessor's Parcel Number(s)

Acreage

Project Description: (Please attach additional sheet(s) if needed)

Site Served by Public Water? Yes No

Site Served by Public Sewer? Yes No

I/we agree to comply with the attached performance standards/conditions.

Signature of Applicant

Date

----- **DO NOT WRITE BELOW THIS LINE - To Be Completed by PRMD Staff** -----

Zoning permit approved by: _____

Signature of Planner

Date

Planning Area: _____ Supervisorial District: _____ Current Zoning: _____ General Plan Land Use: _____

Specific Plan: _____ S.P. Land Use: _____ Needs CEQA Review? yes no

Violation? yes no; Application resolve planning violation? yes no; Penalty applicable? yes no; Civil Penalty Factor _____

Previous Files: _____

Application accepted by _____ Date _____

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Indemnification Agreement

PJR-011



"As part of this application, applicant agrees to defend, indemnify, release and hold harmless the County, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application or the adoption of the environmental document which accompanies it. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in conjunction with the approval of this application, whether or not there is concurrent passive or active negligence on the part of the County. If, for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect."

Applicant Name _____

Applicant Signature _____

Owner Name _____

Owner Signature _____

Date _____

File No. _____

NOTE: The purpose of the Indemnification Agreement is to allow the County to be held harmless in terms of potential legal costs and liabilities in conjunction with permit processing and approval.