



City of Sebastopol

INFORMATION

VACATION RENTALS

Introduction

If you are considering establishing a vacation rental (AirBnB, VRBO, etc) there are regulations of which you should be aware.

The City's rules are intended to promote visitor-serving businesses while preserving the character of residential neighborhoods, preserving the supply of permanent housing, limiting adverse impacts, and applying tax requirements equally for different types of overnight visitor accommodations.

The City has different regulations for "hosted" rentals (Hosted vacation rental means a vacation rental business for which the owner resides, and stays overnight at, the rental while it is being rented, and no more than two bedrooms are rented for transient occupancy) and "non-hosted" rentals (Non-hosted vacation rental means a vacation rental business for which the owner or authorized agent does not reside at the vacation rental unit).

Jurisdiction

If the property is in *unincorporated* territory (most of the 95472 Sebastopol zip code is unincorporated), you are in the jurisdiction of the County of Sonoma, and should contact Permit Sonoma (PRMD) at 707-565-1900 regarding all requirements, or see the Permit Sonoma web site.

Permissions

In the City limits of the City of Sebastopol, the following considerations apply to ALL vacation rentals:

1. Site Design and Parking.

a. The site design, architecture, and any improvements shall be compatible with the neighborhood in terms of landscaping, scale, and architectural character. The operation of the use, and any physical improvements related to it, shall be harmonious and compatible with the existing uses within the neighborhood.

b. Parking.

i. Hosted Rental: One parking space shall be provided on-site for a hosted vacation rental in addition to the on-site parking required under SMC 17.110.

ii. Non-hosted Rental: One on-site parking space shall be provided for each sleeping room or guest bedroom in the vacation rental. If a garage is used to meet the parking requirement for the sleeping rooms or guest bedrooms, the garage shall be accessible to guests of the vacation rental.

c. Excessive amounts of paving shall not be allowed. Tire strips and permeable travel surfaces shall be encouraged. Areas devoted to parking and paving shall not be disproportionate to the site size.

d. Pools, hot tubs, and outside gathering areas shall be adequately screened from adjacent properties to minimize noise and lighting impacts and shall have the hours of operation clearly posted adjacent to the facility.

2. Noise Limits.

a. Outdoor amplified sound is prohibited.

b. All activities associated with the vacation rental use shall meet the noise standards identified under SMC 8.25. 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.

c. Nuisance noise by unattended pets is prohibited.

3. The maximum overnight occupancy for vacation rentals shall be up to two persons per sleeping room or guest bedroom, plus two additional persons per property, up to a maximum total of ten persons per vacation rental.

4. Guest stays shall be limited to a maximum of 30 days, with a seven-day period between stays.

5. Owner and Authorized Agent Availability and Responsiveness.

a. The owner (for a hosted vacation rental) or the authorized agent (for a non-hosted vacation rental) shall be available by telephone at all times when the vacation rental is rented, 24 hours per day.

b. The owner (for a hosted vacation rental) or the authorized agent (for a non-hosted vacation rental) must be on the premises of the vacation rental unit within one hour of being notified by a renter, the Planning Director, or law enforcement officer that there is a need for the owner or the authorized agent (to address an issue of permit compliance or the health, safety, or welfare of the public or the renter).

6. A business license is required.

7. All vacation rentals are subject to the transient occupancy tax (TOT). Airbnb collects TOT taxes for its clients, all others are responsible for submitting their own taxes.

8. Vacation rentals shall be in permitted dwellings and shall not be permitted in non-habitable structures or in tents, recreational vehicles, or other features or provisions intended for temporary occupancy.

9. For each hosted vacation rental:

a. The owner must reside at the vacation rental, and the owner must sleep at the vacation rental unit while it is being rented.

b. The owner must reside in a bedroom that is not rented to any renter.

c. No more than two bedrooms may be rented for transient occupancy uses.

10. Posting and Neighbor Notification of Permit and Standards. Once a vacation rental permit has been approved, a copy of the permit listing all applicable standards and limits and identifying contact information for the owner or authorized agent, including a phone number at which the owner or authorized agent can be reached 24 hours per day, shall be posted within the vacation rental property. These standards shall be posted in a prominent place within 6 feet of the front

door of the vacation rental, and shall be included as part of all rental agreements. At the permit holder's expense, the City shall provide mailed notice of permit issuance to property owners and immediate neighbors of the vacation rental unit using a 300-foot property radius owner mailing list.

11. Requirements for All Advertisements and Listings. All advertisements and/or listings for the vacation rental shall include the following:

- a. Maximum occupancy;
- b. Maximum number of vehicles;
- c. Notification that quiet hours must be observed between 10:00 p.m. and 7:00 a.m.;
- d. Notification that no outdoor amplified sound is allowed; and,
- e. The transient occupancy tax certificate number for that particular property.

B. Permit Requirements.

1. A vacation rental must receive either an administrative permit or conditional use permit:

Hosted Vacation Rental – **Administrative Permit** *

Non-Hosted Vacation Rental (30 days or less per year) – **Administrative Permit**

Non-Hosted Vacation Rental (31 days or more per year) –

NOTE: THE CITY IS NOT CURRENTLY ACCEPTING CONDITIONAL USE PERMIT APPLICATIONS FOR NON-HOSTED VACATION RENTALS DUE TO THE IMPACTS ON THE CITY'S PERMANENT HOUSING STOCK. For more information, please contact the Planning Department, or watch the August 06, 2019 City Council hearing (agenda item 8) related to this.

Accessory Dwelling Unit, Hosted or Non-Hosted (built prior to July 1, 2017) –
Administrative Permit

Accessory Dwelling Unit built after July 1, 2017, Hosted or Non-Hosted – **Conditional Use Permit**

*Please see Vacation Rental Administrative Permit Checklist for details on the required submittal materials

**Please see Vacation Rental Conditional Use Permit Checklist for details on the required submittal materials



City of Sebastopol

Planning Department
7120 Bodega Avenue
Sebastopol, CA 95472
(707) 823-6167 (Phone) or (707) 823-1135 (Fax)
www.ci.sebastopol.ca.us

MASTER PLANNING APPLICATION FORM

PROJECT INFORMATION:

ADDRESS:	_____
PARCEL #:	_____
PARCEL AREA:	_____

FOR CITY USE ONLY

PLANNING FILE #: _____ / _____
DATE FILED: _____
TOTAL FEES PAID: \$ _____
RECEIVED BY: _____
DATE APPLICATION DEEMED COMPLETE: _____

APPLICANT OR AGENT:

Name: _____

Email Address: _____

Mailing Address: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Business License #: _____

Signature: _____

Date: _____

OWNER OF PROPERTY IF OTHER THAN APPLICANT:

Name: _____

Email Address: _____

Mailing Address: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Business License #: _____

Signature: _____

I certify that this application is being made with my consent.

Date: _____

OTHER PERSONS TO BE NOTIFIED: (Include Agents, Architects, Engineers, etc.).

Name: _____

Email Address: _____

Mailing Address: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Name: _____

Email Address: _____

Mailing Address: _____

City/State/Zip: _____

Phone: _____

Fax: _____

PROJECT DESCRIPTION:

DESCRIBE IN DETAIL, the proposed project and permit request. (Attach additional pages, if needed):

This application includes the checklist for the type of application requested: Yes No

Please indicate the type(s) of application that is being requested (example: Use Permit, Design Review, Variance, Planned Community Rezone, etc.):

Please describe existing uses (businesses, residences, etc.) and other structures on the property:

DEVELOPMENT DATA:

SQUARE FEET BUILDING EXISTING:		<input type="checkbox"/> N / A
SQUARE FEET BUILDING DEMOLISHED:		<input type="checkbox"/> N / A
SQUARE FEET BUILDING NEW:		<input type="checkbox"/> N / A
NET CHANGE IN BUILDING SQUARE FEET:		<input type="checkbox"/> N / A
NUMBER OF DWELLING UNITS EXISTING:	<input type="checkbox"/> 0 Bedrooms <input type="checkbox"/> 2 Bedrooms <input type="checkbox"/> 4+ Bedrooms	<input type="checkbox"/> 1 Bedrooms <input type="checkbox"/> 3 Bedrooms <input type="checkbox"/> N / A
NUMBER OF DWELLING UNITS PROPOSED:	<input type="checkbox"/> 0 Bedrooms <input type="checkbox"/> 2 Bedrooms <input type="checkbox"/> 4+ Bedrooms	<input type="checkbox"/> 1 Bedrooms <input type="checkbox"/> 3 Bedrooms <input type="checkbox"/> N / A
NET CHANGE IN DWELLING UNITS:		<input type="checkbox"/> N / A
SETBACKS:	<u>Existing:</u> <input type="checkbox"/> Front Yard _____ <input type="checkbox"/> Side Yard _____ <input type="checkbox"/> Rear Yard _____ <input type="checkbox"/> N / A	<u>Proposed:</u> <input type="checkbox"/> Front Yard _____ <input type="checkbox"/> Side Yard _____ <input type="checkbox"/> Rear Yard _____ <input type="checkbox"/> N / A

EXISTING LOT DIMENSIONS:	Front: _____ Left: _____	Rear: _____ Right: _____	<input type="checkbox"/> N / A
PROPOSED LOT DIMENSIONS:	Front: _____ Left: _____	Rear: _____ Right: _____	<input type="checkbox"/> N / A
EXISTING LOT AREA:	_____ Square Feet		<input type="checkbox"/> N / A
PROPOSED LOT AREA:	_____ Square Feet		<input type="checkbox"/> N / A
BUILDING HEIGHT:	Existing: _____	Proposed: _____	<input type="checkbox"/> N / A
NUMBER OF STORIES:	Existing: _____	Proposed: _____	<input type="checkbox"/> N / A
PARKING SPACE (S):	Existing: _____	Proposed: _____	<input type="checkbox"/> N / A
ZONING	Existing: _____	Proposed: _____	<input type="checkbox"/> N / A

Will the project involve a new curb cut or driveway? Yes No

Are there existing easements on the property? Yes No

Will Trees be removed? Yes No

If yes, please describe (**Example:** Type, Size, Location on property, etc.)

Will Existing Landscaping be revised? Yes No

If yes, what is square footage of new or revised landscaping?

Will Signs be Changed or Added? Yes No

Business: Hours of Operation? Open: _____ Close: _____

Is alcohol service proposed? Yes No

If yes, what type of State alcohol license is proposed? _____

If yes, have you applied to the State Alcoholic Beverage Control for a license? Yes No

If this is a restaurant, café or other food service, bar, or nightclub, please indicate total number of seats: _____

Is any live entertainment proposed? Yes No

If yes, please describe: _____

NEIGHBOR NOTIFICATION

In the interest of being a good neighbor, it is highly recommended that you contact those homes or businesses directly adjacent to, or within the area of your project. Please inform them of the proposed project, including construction activity and possible impacts such as noise, traffic interruptions, dust, larger structures, tree removals, etc.

Many projects in Sebastopol are remodel projects which when initiated bring concern to neighboring property owners, resident and businesses. Construction activities can be disruptive, and additions or new buildings can affect privacy, sunlight or landscaping. Some of these concerns can be alleviated by neighbor-to-neighbor contacts early in the design and construction process.

It is a "good neighbor policy" to inform your neighbors so that they understand your project. This will enable you to begin your construction with the understanding of your neighbors and will help promote good neighborhood relationships.

Many times development projects can have an adverse effect on the tranquility of neighborhoods and tarnish relationships along the way. If you should have questions about who to contact or need property owner information in your immediate vicinity, please contact the Building and Safety Department for information at (707) 823-8597, or the Planning Department at (707) 823-6167.

I have informed site neighbors of my proposed project:

Yes

No

If yes, or if you will inform neighbors in the future, please describe outreach efforts:

WEBSITE REQUIRED FOR MAJOR PROJECTS

Applicants for major development projects (which involves proposed development of 25,000 square feet of new floor area or greater, or 25 or more dwelling units), are required to create a project website in conjunction with submittal of an application for Planning approval (including but not limited to Subdivisions, Use Permits, Rezoning's, and Design Review). Required information may be provided on an existing applicant web site.

The website address shall be provided as part of the application. The website shall be maintained and updated, as needed until final discretionary approvals are obtained for the project.

Such website shall include, at a minimum, the following information:

- √ Project description
- √ Contact information for the applicant, including address, phone number, and email address
- √ Map showing project location
- √ Photographs of project site
- √ Project plans and drawings

Exemption Questionnaire

STORM WATER LOW IMPACT DEVELOPMENT

PURPOSE: This questionnaire will determine *whether or not* you need to submit the 'Storm Water Low Impact Development Determination Worksheet' as part of this application. Any application that does not contain this questionnaire OR the Determination Worksheet will be deemed incomplete.

PROJECT ADDRESS:

TYPE OF APPLICATION

Your project is exempt from the 'Determination Worksheet' submittal requirement, if it falls under any of the below listed application categories. However, the City Staff may require the submittal of a 'Determination Worksheet', as determined on a case-by-case basis.

- Administrative Review (Interior Improvements or Use)
- Sign Review
- Temporary Use Permit
- Time Extension Request
- Tree Removal Permit
- Zoning Determination or Interpretation

The project is exempt from the 'Storm Water Low Impact Development Determination Worksheet' submittal requirement as determined by City Staff.

I certify this information:

APPLICANT SIGNATURE

PRINTED NAME

DATE



CITY OF SEBASTOPOL

7120 Bodega Avenue, Sebastopol, California 95472 707-823-6167

MWELo: California Model Water Efficient Landscape Ordinance

Permit applicants are required to complete this form, or applications may be incomplete.

MWELo PRELIMINARY APPLICABILITY DETERMINATION CHECKLIST

Applicant Information:

Name: _____

Phone: _____

Address: _____

Email: _____

Project Information:

Site Address: _____

Project Type (*new dwelling, commercial, remodel, etc.*): _____

- A. Currently, this project **does not include new or rehabilitated landscaping**. I am aware that future landscape installations may be required to comply with the Model Water Efficient Landscape Ordinance (MWELo) requirements per California Code of Regulations, Municipal code 15.36 Title 23, Division 2, Chapter 2.7.
- B. This project is **not** a homeowner project and will include new or rehabilitated landscaping of **2,500 sq. ft. or greater in area**.
- C. This project is for a **homeowner-provided or homeowner hired single-family or multi-family residential project** with new or rehabilitated landscaping of **more than 5,000 sq. ft.**

If you checked Item B. or C. above, please provide the information below specific to the new or rehabilitated landscape area which will be completed as part of this project and specify the compliance method to be used (ask Planning staff for compliance options, if you have questions):

Total Landscape Area (sq. ft.): _____ Turf Area (sq. ft.): _____

Non-Turf Plan Area (sq. ft.): _____ Special Landscape Area (sq. ft.): _____

Water Type (*potable, recycled, well*): _____

Name of water purveyor (*If not served by private well*): _____

Compliance Method (anticipated):

- Performance (Items required in Performance Checklist to be included on final plans)
- Prescriptive (Items required in Prescriptive Checklist to be included on final plans)

Signature: _____ **Date:** _____

I certify the above information is correct and agree to comply with the applicable requirements of the MWELo.



City of Sebastopol

VACATION RENTAL

ADMINISTRATIVE PERMIT CHECKLIST

Introduction

Vacation rentals are the rental of a private residence for periods of 30 days or less. The City has specific procedures and regulations pertaining to Vacation Rentals which qualify for Administrative Review. The types of vacation rentals that qualify for Administrative review are:

- Hosted Vacation Rentals (no limit on number of days),
 - Definition: 2 bedrooms maximum, owner must reside onsite in a bedroom not rented out.
- Non-Hosted Vacation Rentals (limit of 30 days or less per year), and
 - Definition: No limit on bedrooms available for rent, owner is not required to live on-site, limited to **only** 30 days of rentals per year (TOTAL).
- Vacation Rentals of Accessory Dwelling Units (ADUs) built *prior* to July 1, 2017.
 - Definition: Accessory Dwelling Units are independent dwelling units located on a Single-Family or Duplex property. There is no limit to rental days.
 - Accessory Dwelling Units built *after* July 1, 2017 are intended to be maintained as permanent housing stock and are not permitted to be used for Vacation Rentals except with an approved Conditional Use Permit.

For all other Vacation Rental types see the Vacation Rental Conditional Use Permit Checklist.

Note: If the property is in *unincorporated* territory (most of the 95472 Sebastopol zip code is unincorporated), you are in the jurisdiction of the County of Sonoma, and should contact the Permit Sonoma (PRMD) at 707-565-1900 regarding all requirements, or see the Permit Sonoma web site.

PROCEDURE:

There are noticing, review procedures, and fee requirements associated with operating a Vacation Rental. Be sure to review submittal requirements listed below--incomplete applications cannot be processed.

REQUIRED APPLICATION MATERIALS CHECKLIST:

To file an application for a Vacation Rental, submit the following application materials (one copy of all)

1. Completed Master Planning Application Form-----□
2. Written Statement. Description of the site and the proposed project, including:-----□
 - a. Number of rooms proposed to be rented
 - b. Maximum number of overnight occupants (for Hosted Rentals - include details on which room the owner will stay)
 - c. Site Design - what rooms or buildings will be utilized for the rental
 - d. Parking- where will the parking be accommodated for the guests
 - i. Hosted rental: one off-street parking space for the renter, in addition to the two required off street parking spaces required for the single-family residence. For a total of 3 spaces.
 - ii. Non-hosted rental: one off-street space for each sleeping or guest room.
 - e. How the Vacation Rental will adhere to Noise limits

- f. Contact information. NOTE: either the owner or an authorized agent shall be available by telephone at all times when the vacation rental is rented, 24 hours per day.
- 3. Signed copy of Acknowledgement & Agreement Form -----
- 4. Labeled photographs of existing property -----
- 5. Site Plan, including the following-----
 - a. Location of proposed Vacation Rental on site
 - b. Outdoor entertaining areas
 - c. Other structures of note on site (garages, pools, hot tubs, studios etc.)
 - d. Location of parking for renters and for host (if applicable)
- 6. Floor Plan showing room(s) or structure(s) intended to serve as the rental (this may be included in site plan, if legible) see below example-----

Note: Once a vacation rental permit has been approved, a copy of the permit listing all applicable standards and limits and identifying contact information for the owner or authorized agent, including a phone number at which the owner or authorized agent can be reached 24 hours per day, shall be posted within the vacation rental property. These standards shall be posted in a prominent place within 6 feet of the front door of the vacation rental, and shall be included as part of all rental agreements.

The City shall provide mailed notice of permit issuance to property owners and immediate neighbors of the vacation rental unit using a 300-foot property radius owner mailing list, this is included as part of the application fee.

Sample Site Plan:



VACATION RENTAL: ACKNOWLEDGEMENT & AGREEMENT TO TERMS AND CONDITIONS

The applicant is responsible for ensuring conformance with the rules and regulation pertaining to Vacation Rentals listed below. This form should not be signed unless the applicant has read it thoroughly and is certain of its truthfulness.

1. Owner/Authorized Agent (“operator”) shall maintain the required parking to be made available for guests per SMC 17.260.060(A.1.b).
2. Operator shall ensure compliance with the Noise limits required for vacation rentals:
 - a. No amplified outdoor sound is permitted.
 - b. Quiet hours shall be from 10:00 p.m. to 7:00 a.m.
 - c. The owner/operator shall ensure that quiet hours are included in the vacation rental agreements and is listed in all online advertisements and listings.
3. Operator shall not exceed the required maximum overnight occupancy per SMC 17.260.060(A.3)
4. Operator shall not allow guest stays to exceed 30 days, with a seven-day period between stays.
5. Operator shall have a designated Authorized Agent (which can be the owner or operator), to respond to issues that arise per SMC 17.260.060(A.5).

Name of 24/hour on call agent: _____

Number of 24/hour on call agent: _____

Signature of on call agent: _____

6. Operator shall be available by telephone at all times when the vacation rental is rented, 24 hours per day.
7. Operator shall be on the premises of the rental within one hour of being notified by a renter, the Planning Director, or a law enforcement officer that there is a need for the Agent.
8. The vacation rental operation shall have a valid Business License and the vacation rental shall be subject to the Transient Occupancy Tax (TOT).
 - a. AirBnB automatically collects TOT through an agreement with the City.
 - b. All other vacation rental sites do not have agreements with the City for auto collection of TOTs and shall require the submittal of TOTs to the City’s Finance Department every month.
 - i. Contact the Finance Department information on this process (707) 823-7863.
9. Vacation rental shall not be permitted in non-habitable structures such as tents, or RVs.
10. For Hosted Rentals:
 - a. The owner shall reside at the vacation rental, and the owner must sleep at the vacation rental while it is being rented.
 - b. The owner shall reside in a bedroom that is not rented to any renter.
 - c. No more than two bedrooms may be rented for transient occupancy uses.
11. A copy of the approved vacation rental permit, including all applicable standards and limits, and contact information for the operator (including a phone number where this person can be reached 24 hours per day), shall be posted 1) within the vacation rental property, 2) within 6 feet of the front door of the vacation rental, and 3) included as part of all rental agreements.
12. All Advertisements and/or Listings for the vacation rental shall include the following information.
 - a. Maximum occupancy allowed;
 - b. Maximum number of vehicles allowed;
 - c. Notification that quiet hours must be observed between 10:00p.m. and 7:00 a.m.;
 - d. Notification that no outdoor amplified sound is allowed; and
 - e. The Transient Occupancy Tax certification number for the property.
13. The Operator shall document all complaints, and their resolution or attempted resolution(s) to the Planning Director within 72 hours of the occurrence. Failure to respond to complaints or report them shall be considered a violation and shall be cause for revocation of the vacation rental permit per SMC 17.260.060(C.1).
 - a. If issues reoccur the vacation rental permit (Administrative or Conditional Use Permit) may

be scheduled for a revocation hearing with the Planning Commission. If the permit is revoked, the Operator or Owner may not reapply for a vacation rental for a period of at least one year.

14. If any combination of three administrative citations or Planning Director determination of violations occur at the vacation rental property within a two-year period, the applicable vacation rental permit (Administrative or Conditional Use Permit) shall be revoked, subject to prior notice and to appeal. If revoked the Operator or Owner may not reapply for a vacation rental for a minimum of period of two years.
15. For vacation rentals with a Conditional Use Permit, an annual permit review and extension is required. The Operator/Owner shall submit to the Planning Director the annual review fee along with the permit review form per SMC 17.260.060(B.2).

I agree to adhere to the Terms and Conditions Listed above, and, have read, and understand the consequences of violating these terms.

APPLICANT

OWNER (if different than applicant)

APPLICANT NAME (PLEASE PRINT)

OWNER NAME (PLEASE PRINT)

APPLICANT SIGNATURE

OWNER SIGNATURE

DATE

DATE

MAILING ADDRESS

MAILING ADDRESS

PHONE

PHONE

E-MAIL

E-MAIL