



✉ (mailto:subject=Kenwood Press Article&body=see: http://www.kenwoodpress.com/pub/a/7064) email 🖨 (/cs/public/lpt/a/7064) print

**News:** 06/15/2013

## Vacation rental ordinance: How's it working?

See more from: Alec Peters (/pub/auth/79)

It's been over two years since Sonoma County's vacation rental ordinance went into effect, requiring property owners to get a special permit before renting their homes out for short periods of time.

The verdict on its implementation is "so far so good" as far as the county is concerned, with fewer complaints about out of control rentals compared to before the permit rules went into place.

Property owners and rental managers in general seem fine with the requirements as well, though there are still some concerns from some full-time residents about the impacts of an unlimited number of vacation rentals on the character of residential neighborhoods and communities.

Before January of 2011, the county's zoning codes did not have any regulations or standards concerning vacation rentals, though owners were required to register and pay a "bed tax" to the county, as hotels and bed and breakfasts do. The tax, known as Transient Occupancy Tax (TOT) is currently nine percent.

Former First District Supervisor Valerie Brown spearheaded a two-year effort to get an ordinance approved, a process prompted in part by increasing complaints about short-term vacation rentals in residential areas. In particular, neighbors spoke of frequent disruptive parties, noise, garbage, and parking problems, especially in some of the multi-bedroom rentals.

Starting in early 2011, vacation rental owners have been required to apply and be approved for a "zoning permit" from the county's Permit and Resource Management Department (PRMD). The ordinance specifically allows permitted rentals in most agricultural and single-family residential zoning districts.

Vacation rental owners are required to sign an affidavit agreeing to follow a list of performance standards, including a limit on the number of guests, parking requirements, quiet hours (10 p.m. to 9 a.m.), and a prohibition of any outdoor amplified music.

In addition, owners must prove that they are signed up with the county tax collector to pay TOT taxes. And after the permit is approved, owners must provide neighbors within a 100-foot radius with a 24-hour working phone number of someone (owner, property manager, etc.) who can respond within one hour on-site to any problems and complaints.

According to PRMD staff and county records, there about 580 countywide registered vacation rentals, 52 in Glen Ellen, 31 in Kenwood, and approximately 110 in other unincorporated parts of the Sonoma Valley area. (The city of Sonoma has a separate vacation rental permitting process.)

In Kenwood, a concentration of rentals are found in the village area (11). In Glen Ellen, 10 can be found on Trinity Road.

Vacation rental zoning permits apply to rentals of five bedrooms or less, and are a one-time permit. If the property is acquired by a new owner, then the vacation rental permit expires. If the new owner wants to continue the vacation rental, a new zoning permit must be applied for.

County officials have been pleased with the roll-out of the new rules and regulations.

"The vacation rental ordinance appears to have worked very well to not only address the required payment of TOT taxes, but also to

address neighborhood concerns and provide guidance to owners and operators of vacation rentals," said PRMD Deputy Director Jennifer Barrett.

According to the county's Auditor-Controller Treasurer-Tax Collector office, the amount of TOT collected from vacation rentals in Fiscal Year 2011/12 was \$1,144,149 and went up to \$1,491,667 in Fiscal Year 2012/13 as of May 23 (the fiscal year ends June 30).

Top PRMD code enforcement officer Ben Neuman said that complaints about rentals have been "few and far between," and the ones his office has received over the last two years have not been consistent enough for him to warrant any changes in the existing rules. Complaints code enforcement does receive, said Neuman, usually involve rentals managed by individual property owners who may not live in the area, as opposed to professional property managers.

County officials do recognize that there are "rogue" vacation rentals that operate in the county without any permit and do not pay any TOT taxes, but staffing constraints limit their ability to spend much time tracking down the scofflaws. Some of these rentals advertise openly on websites, but it's often difficult to identify an exact address.

According to county staff, the offices of the tax collector and PRMD do try and share information when they can about transient rentals who aren't paying TOT taxes and/or do not have a vacation rental permit. Letters are then sent out to try and bring these properties into compliance.

Not everyone is pleased at how the vacation rental ordinance is operating. Glen Ellen resident Deborah Nitasaka said she and her neighbors have had ongoing problems with a nearby vacation rental on Arnold Dr. and said it's upsetting that single-family neighborhood homes are being turned into commercial party houses.

"How many of us expect a home in our neighborhood to be converted into an unmanaged 24/7 business, bringing boisterous strangers into our neighborhoods?" asked Nitasaka.

County oversight of the vacation rental program does not work well, said Nitasaka, citing in part the fact that there is no requirement to notify neighbors before a permit is approved, that PRMD code enforcement does not work on weekends when potential problems are likely to occur, and that there are too many impediments for neighbors to get timely intervention from the county if there is a problem rental.

Not all local residents have issues with rentals though. Glen Ellen resident B.J. Blanchard said she has two on her street and never had any problems. "None whatsoever," said Blanchard.

Current First District Supervisor Susan Gorin, said she appreciates the benefit to tourists to find a comfortable place to stay, but recognizes how "a home rented out frequently puts a strain on the fabric of a neighborhood."

"It's incumbent upon property owners and guests to be respectful of neighbors," said Gorin, who said its important for neighbors to know that there are mechanisms in place to notify PRMD when there are problems.

*Editor & Publisher*

Email: [alec@kenwoodpress.com](mailto:alec@kenwoodpress.com) (<mailto:alec@kenwoodpress.com>)

---

## Recently Published:

04/01/2016 - **Mo' drama at Dunbar Melodrama** (</pub/a/8822?full=1>)

04/01/2016 - **Springtime in Kenwood** (</pub/a/8811?full=1>)

04/01/2016 - **Community meeting set over Glen Ellen "Triangle"** (</pub/a/8816?full=1>)

04/01/2016 - **Get ready for Grand Ole Opry** (</pub/a/8820?full=1>)

04/01/2016 - **Sierra Girls Center Garden Club growing life skills for troubled teens** (</pub/a/8815?full=1>)

04/01/2016 - **KFA scholarships due April 30** (</pub/a/8817?full=1>)

04/01/2016 - **Glen Ellen man killed in horse trailer accident** (</pub/a/8812?full=1>)

04/01/2016 - **Sign up for summer camps in Kenwood, Sonoma** (</pub/a/8821?full=1>)