

17.260.060 Vacation rentals.

A. Criteria.

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 Chapter [17.110](#) SMC.
 - ii. *Nonhosted 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 at Chapter [8.25](#) SMC. 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 10 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 nonhosted 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 nonhosted vacation rental) must be on the premises of the vacation rental unit within one hour of being notified by a renter, by 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. The vacation rental shall be subject to the transient occupancy tax (Chapter [3.12](#) SMC).
 8. Vacation rentals shall be in permitted dwellings and shall not be permitted in nonhabitable 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 six 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, as shown in Table 17.260-1 below.

Table 17.260-1. Vacation Rental Permit Requirements

Unit Type	Number of Guest Occupancy Days per Year	
	30 days or less per year	31 days or more per year
Hosted vacation rental	Administrative permit	Administrative permit
Nonhosted vacation rental	Administrative permit	Conditional use permit
Accessory dwelling unit (hosted or nonhosted)	Conditional use permit	Conditional use permit
Accessory dwelling unit (hosted or nonhosted) that is 840 sq. ft. or less and built prior to July 1, 2017	Administrative permit	Administrative permit

2. Each conditional use permit issued pursuant to this section shall be subject to an annual permit review and extension. No later than one year after the effective date of the permit, the owner or authorized agent shall submit to the Planning Director the annual review fee, established by City Council resolution, along with the permit review form established by the Planning Director. The owner shall document compliance with all requirements of this section and shall also document each date on which the vacation rental was rented during the previous term of the permit.

C. Complaint and Enforcement Process.

1. Initial complaints on vacation rentals shall be directed to the owner or authorized agent identified in the administrative permit or conditional use permit, as applicable. The owner or authorized agent shall be available by phone 24 hours during all times when the property is rented. Should a problem arise and be reported to the owner or authorized agent, the owner or authorized agent shall be responsible for contacting the tenant to correct the problem within 60 minutes, including visiting the site if necessary to ensure that the issue has been corrected.

The owner or authorized agent shall document the complaint, 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 to the Planning Director shall be considered a violation of this section, and shall be cause for revocation of the vacation rental permit.

If the issue reoccurs, the complaint will be addressed by the Planning Director or code enforcement officer who may conduct an investigation to determine whether there was a violation of a zoning standard or conditional use permit condition. Police reports, online searches, citations, or neighbor documentation consisting of photos, sound recordings and video may constitute proof of a violation. If the Planning Director

verifies that a zoning or conditional use permit condition violation has occurred, a notice of violation may be issued and a penalty may be imposed in accordance with Chapter [1.04](#) SMC. At the discretion of the Planning Director, the administrative permit or conditional use permit may be scheduled for a revocation hearing with the Planning Commission. If the permit is revoked, an administrative permit or conditional use permit for a vacation rental on that particular property may not be reapplied for or issued for a period of at least one year.

2. A vacation rental that is determined to be operating without the necessary permit required under this section shall be subject to a penalty of three times the normal application fee.

3. Upon receipt of any combination of three administrative citations or Planning Director determinations of violation of any of the permit requirements or performance standards issued to the owner or occupants at the property within a two-year period, the vacation rental administrative permit or conditional use permit is summarily revoked, subject to prior notice and to appeal, if appeal is requested pursuant to the appeals section of the Zoning Ordinance. Should such a revocation occur, an application to reestablish a vacation rental at the subject property shall not be accepted for a minimum period of two years.

D. *Findings.* The decision-making body may approve a permit for a vacation rental, with or without conditions, if all of the following findings are made:

1. The proposed vacation rental is consistent with the standards established by this section and will not detrimentally affect the health, safety, or welfare of the surrounding neighborhood or area.

2. Approval of the vacation rental will not result in an over concentration of such uses in a neighborhood.

3. There is adequate parking for all guests and operators to park on the subject property in accordance with Chapter [17.110](#) SMC.

4. Approval of the vacation rental will result in the preservation of the residential design and scale of the structures on the property and will maintain the residential character of the neighborhood.

5. The architectural or historic character of the structure proposed to house the vacation rental is appropriate for the use.

6. For accessory dwelling units, the approval of the permit would not result in a reduction to the City's affordable housing stock. (Ord. 1111, 2018)

The Sebastopol Municipal Code is current through Ordinance 1149, passed October 3, 2023.

Disclaimer: The City Clerk's Office has the official version of the Sebastopol Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.ci.sebastopol.ca.us](http://www.ci.sebastopol.ca.us)

[Hosted by General Code.](#)