



## Legislation Text

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**File #:** PC 18-027, **Version:** 1

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PUBLIC HEARING to consider an ordinance amending Chapter 28 of the Solano County Code to define the short-term rental of a dwelling as a "vacation house rental" and to authorize such land use, subject to an administrative or minor use permit, within the Agricultural, Rural Residential and Watershed Zoning Districts. (Project Planner: Michael Yankovich)

### **RECOMMENDATION:**

The Planning Division of the Department of Resource Management recommends that the Planning Commission conduct a public hearing to consider two ordinances addressing Vacation House Rentals in the unincorporated area of the county.

### **BACKGROUND**

At the May 17<sup>th</sup> meeting of the Planning Commission, staff presented information on the subject of vacation house rentals that included six different options for the Commission's consideration. The information covered subjects such as Airbnb/VRBO in Solano County, Transit Occupancy Tax, public service calls resulting from the land use, standards currently being used by other jurisdictions, and similar land uses. Nine individuals testified with six supportive of allowing vacation house rentals and three opposed. Following a discussion period, the commission directed staff to prepare an ordinance that would fall in the middle, Options 3 (Administrative permit) and 4 (Minor Use permit), of the regulatory options scheme.

### **DISCUSSION**

Staff has prepared two ordinances for the Commission's consideration. The first follows a suggestion that was made at the last commission meeting where vacation house rentals could be grouped into hosted and unhosted rentals. A hosted rental is a vacation house rental where the property owner remains on the property during the vacation house rental period. An unhosted rental is where the property owner does not reside on the property during the vacation house rental period. The assumption is that since the property owner is on site during the vacation house rental period, any issues with tenants and neighbors could be addressed within a fairly short time period. As a result, the level of regulation required for a hosted rental would potentially be less than that required of an unhosted rental.

#### Ordinance 1 (Attachment A)

As proposed, the first ordinance would have nine general requirements that would apply to both, hosted and unhosted rentals. The general requirements address items such as development standards, overnight occupancy, parking, transient occupancy tax, and online advertisements. In addition, the hosted rentals would also have two specific requirements while the unhosted rental would include three specific requirements.

The application submittal process for a hosted rental would be an Administrative permit while the unhosted rental would be a minor use permit. A hosted rental application process would involve the submittal of an administrative permit that the Director of Resource Management shall administratively approve if all standards and requirements of Chapter 28 and elsewhere in the Code are satisfied. The unhosted rental application process would involve the submittal of a minor use permit which requires a public hearing before the Zoning

Administrator.

As mentioned in the May 17<sup>th</sup> Planning Commission meeting, the vacation rental listings that staff were able to identify on Airbnb and VRBO were generally whole house rentals and located in the western portion of the county, primarily in the Pleasants-Vaca-Lagoon Valley, Suisun Valley, Green Valley and Western Hills agricultural regions of the county. The zone districts associated with these agricultural regions include: Exclusive Agriculture, A-20 and A-40; Suisun Valley Agricultural, A-SV, ATC, ATC-NC; Rural Residential, RR 2.5, RR-5, and RR-10; and Watershed, W-160.

Staff has reviewed the zone districts for compatibility with vacation rentals and recommends that the Planning Commission consider the following: Exclusive Agriculture, A-20; Suisun Valley Agricultural, A-SV, ATC, ATC-NC; and Rural Residential, RR 2.5, RR-5, and RR-10 (See Maps). Staff does not recommend including Exclusive Agriculture, A-40 and Watershed (W-160) at this time. The reasons Watershed is not recommended is that the Watershed district includes areas characterized by slope instability, fire hazards and the unavailability of water and public services. The reason A-40 is not recommended is that the vast majority of A-40 zoned property is located in Dixon Ridge Agricultural Region in the eastern area of the county. The A-40 zoned area along the western part of the county is located along Pleasants Valley Road from Interstate 80 north to property south of Cantelow Road. Staff is conducting further research and may have an update at the meeting.

#### Ordinance 2 (Attachment B)

The second ordinance collapses the General and Specific Requirements in Ordinance 1 and places them under the general term Requirements for a total of 13 requirements. The application process would involve the submittal of an administrative permit that the Director of Resource Management shall administratively approve if all standards and requirements of Chapter 28 and elsewhere in the Code are satisfied.

Both ordinances address whole house rentals only. Staff will be addressing individual room and portions of a house later this year since changes to existing residential definitions are needed.

### **ENVIRONMENTAL REVIEW**

The Zone Text Amendment is exempt from further environmental review under the General Rule Exemption of Section 15060(c)(2) of Title 14 of the California Code of Regulations because the project will not result in a direct or reasonably foreseeable indirect physical change in the environment.

#### Attachments:

Attachment A: Ordinance 1

Attachment B: Ordinance 2

Attachment C: Maps