

## **Vacation Rental Information Sheet**

### General Information

A short-term vacation rental, also known as a vacation rental, is the rental of an entire privately owned house, townhouse unit, condominium unit, apartment or other residence, or any space within a dwelling unit rented independently, for stays of less than 30 days. A short-term rental does not include bed and breakfasts, hostels, motels, or other hotel establishments.

Vacation rentals may occur within a single or two-family dwelling with approval of a Vacation Rental permit. Vacation rentals may offer either:

- Hosted accommodation, which means a vacation rental business for which the owner or authorized agent sleeps on the property of the vacation rental unit while it is being rented for transient occupancy; or
- Nonhosted accommodation, which means a vacation rental business for which the owner or authorized agent does not reside at the vacation rental unit while it is being rented for transient occupancy.

Vacation rentals that propose hosted accommodations will be subject to Zoning Administrator review in accordance with Winters Municipal Code Chapter 17.12. The Community Development Director, at his or her discretion, may refer an application for a hosted accommodation to the City's Planning Commission. Vacation rentals that propose nonhosted accommodations will be subject to Planning Commission review in accordance with Winters Municipal Code Chapters 17.54, 17.20 and 17.16.

This information sheet explains how your vacation rental application will be processed, what fees you must pay, and what information you must submit. The following instructions are intended to provide the necessary information and procedures to facilitate the processing of your application. Your cooperation with these instructions will ensure that your application can be processed in the most expeditious manner possible. If you have any questions after you have read this information, please contact the Planning Division.

### How Your Application Will be Processed

The steps involved in reviewing and finalizing your vacation rental application are summarized below:

- Within thirty (30) days after submittal of the application, plans, information and fee, City staff will review the submittal for completeness. The application will also be reviewed to

determine if the project is categorically exempt from CEQA. If the submittal is complete, the application is formally accepted for processing and continues through the review process. If the application submittal is incomplete and additional information or clarification is required, you will be notified in writing. Until the application is deemed complete, it will not proceed through the process.

- After the application is complete, City staff will route the application materials to City departments and other agencies for review and comment. All responses, comments and corrections will be forwarded to the applicant for your information. At this stage of the review process, City staff will analyze the agency comments and the project to determine if additional information is required to complete the environmental document for the project and determine if the project complies with the Winters Municipal Code. If additional information is needed, the applicant will be notified in writing within 30 days of the additional information required. If additional information is not needed, City staff will continue the review and processing of the application.
- Once all outstanding issues identified in the project routing comment period have been addressed, environmental review will commence, and the project will be scheduled for review by the Zoning Administrator or Planning Commission based on the vacation rental permit request for hosted or nonhosted accommodations.
- Vacation rental permit applications are subject to the following public hearing noticing requirements:
  - a. Vacation rental, hosted accommodations:
    - i. The Zoning Administrator may approve a vacation rental permit for hosted accommodations without a public hearing. While no public hearing is required, notice of the application shall be provided to all property owners located with one hundred (100) feet of the proposed vacation rental.
  - b. Vacation rental, nonhosted accommodations:
    - i. The Community Development Director shall fix the time for the holding of the public hearing in accord with the provisions of the Winters Municipal Code Chapter 17.16 and state law, including California Government Code Section 65090 and 65091, as applicable.
    - ii. Public hearing notice may be subject, but not limited to the following:
      - 1. A public hearing notice will be given by publication in a newspaper of general circulation within the City and provided by

mail to surrounding property owners within three hundred (300) feet of the proposed vacation rental and other interested parties.

- At least 30 days before the tentatively scheduled hearing date, a final application package must be submitted to the project planner to allow City staff time to review the final project details to ensure that all comments have been addressed.
- For nonhosted vacation rental applications, staff will complete a staff report that includes a staff recommendation on the approval or denial of the vacation rental permit and any recommended conditions of approval. The staff report on the project will be provided in writing to the applicant at least three days prior to the public hearing.
- At the public hearing, the Planning Commission will consider the staff report and all written and verbal input submitted on the project by the applicant and any other interested party. At the conclusion of the hearing, the Planning Commission will take action to approve, conditionally approve, or deny the vacation rental permit. A written report on the findings of the action taken at the public hearing will be provided to the applicant after the hearing.

#### Findings for Approval

The Zoning Administrator or Planning Commission may approve a vacation rental permit, with or without conditions, only if all of the following findings can be made:

- The permittee shall limit overnight occupancy of the vacation rental to the specific number of renters designated in the permit, with the number of renters not to exceed two guests per bedroom, plus two additional guests per vacation rental unit.
  - In no case may more than ten (10) guests, not including the host family, be allowed to sleep in a vacation rental unit. This includes any property which has multiple habitable buildings, except that the Planning Commission may allow with a use permit more than ten (10) guests to sleep in a hosted or nonhosted vacation rental unit.
- The permittee shall limit the number overnight renters to the maximum number designated in the permit and shall require overnight renters to utilize designated on-site parking spaces to the maximum extent possible.
- The permittee shall provide access to the garage or carport if that area has been included in the determination of the number of available on-site spaces per this code.
- The permittee shall provide appropriate refuse and recycling service for the vacation rental business. Property shall be free of debris both on site and in the street. Trash cans

shall be maintained in a clean and sanitary manner in conformance with Municipal Code Chapter 8.04. Trash cans shall not be placed on the street prior to twenty-four (24) hours before pick-up day and shall be promptly removed from the street following service.

- Guests of the vacation rental shall comply with the City's noise regulations in Municipal Code Chapter 8.20 and performance standards in Municipal Code Chapter 17.68.
- It is prohibited to use the vacation rental unit for any wedding, reception, auction, commercial function, or other similar event that is inconsistent with the use of the property for transient occupancy in a residential neighborhood.
- For each vacation rental use:
  - The owner or the authorized agent must be available by telephone within twenty-four (24) hours, while the vacation rental is rented.
  - The owner or the authorized agent (nonhosted accommodation) must be on the premises of the vacation rental unit within twenty-four (24) hours of being notified (by a renter or enforcement officer) there is a need for the owner to address an issue of permit compliance or the health, safety, or welfare of the public or the renter.
  - Only one rental agreement per vacation rental unit shall be in effect at any one time.

### Appeal

Any decision on the vacation rental application made by the Zoning Administrator may be appealed to the Planning Commission within ten (10) days of the date that the written decision is made. Any decision on the vacation rental application made by the Planning Commission may be appealed to the City Council within ten (10) days of the date that the written decision is made. An appeal must be submitted in the form specified by the Planning Division along with appropriate fee.

### Fees

The fees for processing a vacation rental will be based on Schedule B, Planning Fees as adopted by the City Council and amended from time to time. Schedule B, Planning Fees can be found on the City's Community Development Department webpage under "Fee Schedules" (<http://www.cityofwinters.org/community-dev-reports/>).

### Submittal Requirements

The items listed in the "Vacation Rental Submittal Checklist" must be submitted as part of the vacation rental application package in order for the application to be considered complete for



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**318 1st St. Winters, CA 95694**  
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processing. The signed checklist must also be submitted with the application. Your application will not be accepted if all of the items listed are not submitted.

The application package may be submitted electronically via email (if less than 15 MB) or Dropbox to [planning@cityofwinters.org](mailto:planning@cityofwinters.org). The application fee may be paid over the phone with a credit card or by mailing a check to the Planning Division; in-person payments with cash, check or credit card are also accepted at City Hall. Checks must be made payable to the City of Winters. After a planner is assigned to your project, you will be contacted and asked to provide hard copies of the submittal documents as required.

## **Vacation Rental Submittal Checklist**

Applicant Name: \_\_\_\_\_ Project Site APN(s): \_\_\_\_\_

Project Site Address(es): \_\_\_\_\_

Application Number (to be filled out by City staff): \_\_\_\_\_

1. Completed Planning Application Form.
2. Fee Deposit. Check must be made payable to the City of Winters; cash and credit cards are also accepted.
3. Applicant narrative/justification statement, including but not limited to the following:
  - a. Identification of the owner of the real property on which the vacation rental is proposed (include the name, mailing address, email address, and telephone number).
  - b. Identification whether the application is for a hosted or a nonhosted accommodation.
  - c. If the vacation rental is proposed for nonhosted accommodations, identify the owner's authorization agent (include the name, mailing address, email address, and telephone number).
  - d. Identification of the number of bedrooms and approximate square footage in the vacation rental unit, and the maximum number of overnight renters.
  - e. Owners' acknowledgement that all designated bedrooms and structures being used for habitation meet life and safety codes to include the following:
    - i. Smoke and carbon (CO) monoxide detectors.
    - ii. Fire extinguisher.
    - iii. Six-inch or lighted address numbers visible from the street.
    - iv. Openable windows (means of egress) from bedrooms.
    - v. Functioning water heater, furnace and other gas appliances.
  - f. Identification of the number and location of designated onsite parking spaces, and the maximum number of vehicles allowed for overnight occupants.
  - g. Owners' and authorized agent for nonhosted accommodations that they have read all regulations pertaining to the operation of a vacation rental, including Winters Municipal Code Chapter 17.54, the City's transient occupancy tax

ordinance (Municipal Code Chapter 3.24) and the City's business license ordinance (Municipal Code Chapter 5.04).

- h. Owners' acknowledgement that any and all use of the property for vacation rental/transient occupancy purposes shall cease upon the revocation of the vacation rental permit pursuant to Section 17.54.040(A).
4. Site layout plan.
- a. An accurate drawing of the property must be provided. All site plans must be 24 inches by 36 inches or smaller. However, in no case shall the site plan be smaller than 8-1/2 inches by 11 inches. If plans submitted are larger than 11 inches by 17 inches, a copy of a reduced sized plan shall be provided. All site plans must be clear, legible, and contain the following information:
    - i. Exterior boundaries and dimensions of the property.
    - ii. North arrow and scale plan.
    - iii. General location of major topographic, natural and man-made features, such as rock outcrops, bluffs, streams, large trees, swales and graded areas.
    - iv. All existing and proposed buildings and structures, including their location, size (approximate square footage), height, elevation from grade and proposed or existing use (i.e., home, shop, pump house, fence, septic system, etc.).
    - v. Location, name, width, and pavement type of adjacent and on-site streets/alleys.
    - vi. Location and dimensions of all existing/proposed easements, points of access (existing and proposed), driveways and parking areas, and pavement type.
5. Floor plan(s).
- a. Separate floor plans for each story, including lofts, storage, and mechanical equipment areas, at a scale of ¼" = 1' or greater.
  - b. The use (e.g., office, residential, garage, storage) and size of each area or room.
  - c. The location of doors, windows, and partitions.
6. Elevations.
- a. Pictures of the existing residence is sufficient in-lieu of architectural elevation plans.



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7. Notification materials.

a. Vacation rental, hosted accommodations:

- i. List of properties within 100' feet of the vacation rental.
- ii. Map of properties within 100' feet of the vacation rental.
- iii. Mailing labels for the properties within 100' feet of the vacation rental.
- iv. Stamped envelopes corresponding to the number of properties within 100' feet of the vacation rental.

b. Vacation rental, nonhosted accommodations:

- i. List of properties within 300' feet of the vacation rental.
- ii. Map of properties within 300' feet of the vacation rental.
- iii. Mailing labels for the properties within 300' feet of the vacation rental.
- iv. Stamped envelopes corresponding to the number of properties within 300' feet of the vacation rental.

Applicant Signature: \_\_\_\_\_

I certify that I have completed and have included all material checked above in the attached application submittal.