

# RENTAL REGULATIONS

	<b>LONG-TERM RENTAL</b> MORE than 31 days of occupancy by the same tenant(s)	<b>SHORT TERM RENTAL</b> LESS than 31 days of occupancy by the same tenant(s), also called "vacation rentals"
TYPES OF RENTAL PERMITTED	<p>CAN BE RENTAL OF:</p> <ul style="list-style-type: none"> <li>• whole house or part of a house or apartment</li> <li>• apartment in an apartment building</li> <li>• Accessory Dwelling Unit (ADU)</li> <li>• Jr. Accessory Dwelling Unit (JADU)</li> </ul>	<p>A "HOSTED RENTAL" is where:</p> <ul style="list-style-type: none"> <li>• The owner lives on-site when the unit is being rented; <b>and</b> 2 bedrooms maximum are being rented. <b>OR</b></li> <li>• An ADU completed prior to July 1, 2017 when the owner lives in the main residence.</li> </ul> <p>A "NON-HOSTED RENTAL" is where:</p> <ul style="list-style-type: none"> <li>• The owner does not live on-site, <b>or</b></li> <li>• More than 2 bedrooms are being rented, <b>or</b></li> <li>• An ADU constructed after July 1, 2017.</li> </ul>
SPECIAL LICENSES or APPROVALS	<ul style="list-style-type: none"> <li>• No special City requirements</li> <li>• Rental of more than four apartment units require a business license</li> </ul>	<p>An Administrative Permit (Staff review) is required for:</p> <ul style="list-style-type: none"> <li>• Hosted Rentals</li> <li>• Non-hosted rentals up to 30 days per year</li> <li>• ADUs created prior to July 1, 2017</li> </ul> <p>A Conditional Use Permit (CUP) approved by the Planning Commission is required for:</p> <ul style="list-style-type: none"> <li>• Hosted Rentals of more than 2 bedrooms;</li> <li>• Non-hosted rentals for more than 30 days per year</li> <li>• ADUs created after July 1, 2017</li> </ul> <p><i>Note, the City discourages the rental of 'vacation homes' full-time, and is generally supportive of CUPs for these only under special circumstances (i.e. rented temporarily while a permanent resident is away).</i></p> <p>Other Required Licenses:</p> <ul style="list-style-type: none"> <li>• City Business License</li> </ul> <p>Fire safety inspection by the Sebastopol Fire Department.</p> <p>State and County licenses if you will be serving prepared food or alcohol.</p>
PARKING	<ul style="list-style-type: none"> <li>• No additional requirements (see Comparison Chart)</li> </ul>	<p>Parking for Hosted Rentals:</p> <ul style="list-style-type: none"> <li>• Parking Required by Use + 1 space (3 spaces total for rental of a single family home, contact planning for other uses)</li> </ul> <p>Parking for Non-Hosted Rentals:</p> <ul style="list-style-type: none"> <li>• 1 Parking space per bedroom being rented</li> </ul>
OWNER OCCUPANCY	<ul style="list-style-type: none"> <li>• Required for JADU only</li> </ul>	<ul style="list-style-type: none"> <li>• Required to be considered a "Hosted Rental"</li> </ul>
TAXES	<ul style="list-style-type: none"> <li>• No City taxes</li> </ul>	<p>Payment of Transient Occupancy Tax ("TOT") paid by all hotels and visitor lodging businesses.</p> <p>Contact the Finance Department of the City of Sebastopol to learn more: 707-823-7863.</p> <p>Airbnb has an auto collection agreement with the City for TOTs, but other vacation rental services do not and would require TOTs to be submitted to the City.</p>

### Questions?

Contact the City of Sebastopol

Planning Department: (707) 823-6167

Building Department: (707) 823-8597

[www.CityofSebastopol.org](http://www.CityofSebastopol.org)

# City of Sebastopol

## Accessory Dwelling Unit (ADU) and Junior ADU (JADU) Primer



## A Guide for Accessory Dwelling Units (ADU), Junior ADUs (JADU), and Home Rental Regulations

### SEBASTOPOL SUPPORTS AFFORDABLE HOUSING

To address the housing shortage, the City of Sebastopol has made it easier than ever for home owners to build an Accessory Dwelling Unit (ADU), or a Junior Accessory Dwelling Unit (JADU).

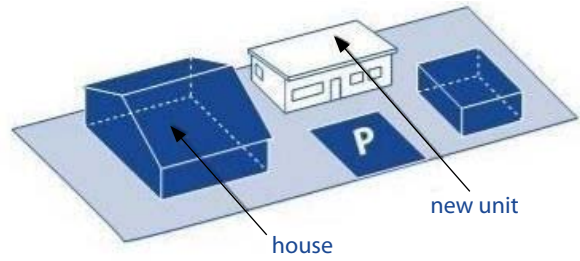
Additionally, Vacation Rental regulations have been modified to protect permanent housing.

Fees have been lowered

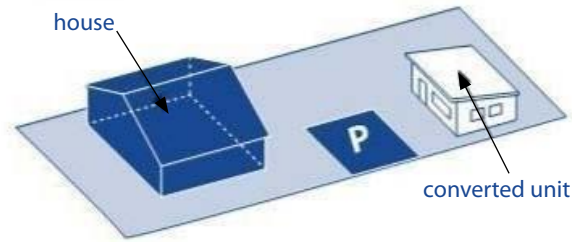
Requirements have been eased

## Accessory Dwelling Units can take several forms:

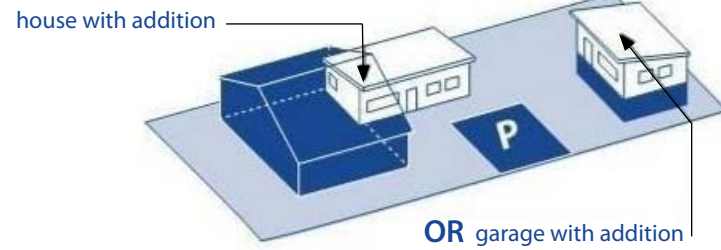
**1. Detached:** Building a separate unit on the property.



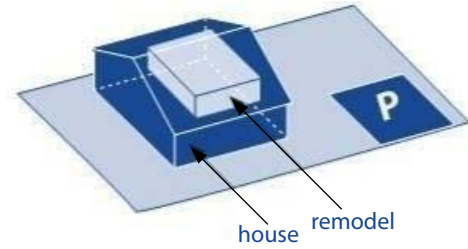
**2. Detached:** Converting an existing smaller independent accessory structure, such as a detached garage.



**3. Attached:** Adding a structure attached to the existing house or on top of an attached garage.



**4. Attached Interior:** Remodeling the interior of the existing house (reconfiguring existing habitable rooms). A “Junior Accessory Dwelling Unit,” or JADU can also be created by converting an existing bedroom.



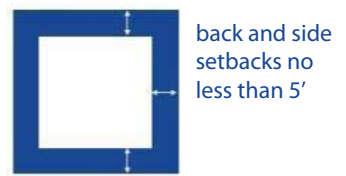
## Standards:

- The ADU is generally 840 square feet or less. On lots 10,000 square feet or larger an ADU may be up to 1,000 square feet.
- For attached ADUs, the increased floor area (living space) cannot be more than 50% of the existing living area.
- The height of one-story units is not more than 17’.
- The height of two-story units is not more than 25’.
- The foundation is permanent (for example, a concrete slab).
- The unit must be connected to water, sewer, electricity and gas.

## Setbacks: (Space between the unit and the property boundary):

### 1. One story units:

- Front yard setback the same as that required of the main building.
- Side and rear setbacks may be half the main building’s requirement, but no less than 5’.

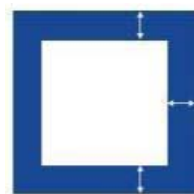


back and side setbacks no less than 5’

front setback same as main house

### 2. Two-story units:

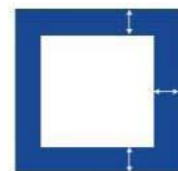
- Same setbacks as main building.



same setbacks as main building

### 1. An existing garage:

- One story unit: no setbacks required for a garage converting to an ADU.
- Unit built above an existing garage:
  - A setback of no less than 5’ will be required from the side and rear lot lines.



back and side setbacks no less than 5’ for a 2 story unit above an existing garage

Fire sprinklers may be required (check with the Building Dept.).

Some accessory structures may not qualify:

- Trailers, Recreational Vehicles and similar wheeled structures
- Garden sheds are typically not habitable

## Rental and resale restrictions do apply

- ADUs authorized after July 1, 2017 may not be rented to short-term tenants (less than 31 days) such as AirBNB or VRBO. In limited circumstances, an ADU authorized after July 1, 2017 may be rented (i.e. on a short-term basis while the permanent resident is away). Such temporary use will require a Use Permit and a public hearing before the Planning Commission.
- ADUs may not be sold separately from the main house.

## ADU – JADU – Rent out a Room – Comparison Chart

### Planning to build a new rental facility on your property?

Compare these different types of additions. (For regulations concerning short term tenants—less than 31 days—and long term rentals, [see Rentals and Regulations Chart – back page.](#))

	Accessory Dwelling Unit (Detached)	Accessory Dwelling Unit (Attached)	Junior Accessory Dwelling Unit	Renting out a room in your house
DEFINITION	Detached ADUs are relatively small (up to 840 square feet*) self-contained living units that are completely separate and detached from the single-family home. <i>* up to 1,000 sq. ft. for lots 10,000 sq. ft. or larger</i>	Attached ADUs are relatively small (up to 840 square feet*), self-contained living units that are attached in some way to the main residence. <i>* up to 1,000 sq. ft. for lots 10,000 sq. ft. or larger</i>	Junior Accessory Dwelling Units (JADUs) are a very small living unit (150-500 square feet) created out of existing space within an existing single family home.	Tenant has a private bedroom but typically shares access to other common living spaces (kitchen, bathroom, living room, dining room, backyard...).
ZONING DISTRICTS which permit this use	Any residentially zoned property (or a commercial property with an existing residential dwelling/ used as residence)	Any residentially zoned property (or a commercial property with an existing residential dwelling/ used as residence)	Any residentially zoned property with an existing single family residential dwelling	Any residential dwelling/ any zoning district
CREATION	Detached ADUs can be created by: <ul style="list-style-type: none"> <li>• Conversion of existing (legal) accessory structure</li> <li>• Construction (new accessory structure)</li> <li>• Addition to a legal accessory structure (i.e. addition to a garage)</li> </ul> Subject to zoning standards (height, setbacks etc.)	Attached ADUs can be created by: <ul style="list-style-type: none"> <li>• Construction (addition or with a new home)</li> <li>• Conversion of existing space in the home</li> <li>• Conversion of an attached garage (as long as the required parking for the main home is maintained on the site)</li> </ul>	Junior Accessory Dwelling Units (JADUs) must be created by: <ul style="list-style-type: none"> <li>• Conversion of existing space in the home (including at least one existing bedroom)</li> <li>• May be created through an addition of a bedroom to a home, and subsequent designation as a JADU when the building permit is finalized (see planning/bldg dept)</li> </ul>	No physical changes required.
APPROVAL PROCESS	Planning Review; Building Permit  Possible Additional Approvals such as Tree Removal	Planning Review; Building Permit  Possible Additional Approvals such as Tree Removal	Planning Review; Building Permit  Deed Restriction	If there is no remodeling needed to rent out a room, no permits are required. If remodeling is expected, a building permit will be required
OWNER OCCUPANCY	Not required	Not required	Required	Not required for long-term rentals
PARKING (Long-term rentals)	Required for main residence; No additional parking for ADU	Required for main residence; No additional parking for ADU	Required for main residence; no additional parking for JADU	Required for residence; no extra spaces required for long-term tenant(s), see reverse for short-term rental parking requirements
SEPARATE ENTRANCE	Required	Required	Required	Not Required
KITCHEN	Full kitchen required	Full kitchen required	Efficiency kitchen required. Limits on sink, drain line, and counter sizes; generally a stove top and microwave only (limit on electrical service (120v) and gas service for cooking)	No separate kitchen is allowed — only access to the shared cooking facilities
BATHROOM	Must have separate bathroom	Must have separate bathroom	Shared bathroom in the existing house, or can have a separate bathroom in the JADU	Access to the bathroom is required to be shared with the existing house
MAXIMUM UNIT SIZE	840 square feet, except 1,000 square feet is permitted on lots which are greater than 10,000 square feet	840 square feet, except 1,000 square feet is permitted on lots which are greater than 10,000 square feet	500 square feet maximum	N/A (not a separate unit)
PRIVACY	A lot of privacy (fully separate structure)	Some, to a lot of privacy (may have shared walls; depends on design)	A little bit of privacy (may or may not share a bathroom)	Not much privacy (share kitchen and may share a bathroom. Share common spaces)
RELATIVE COST	\$\$\$-\$\$\$\$	\$\$-\$\$\$	\$\$-\$\$	\$\$-\$\$