

NAPA VALLEY VACATION RENTAL ALLIANCE (NVVRA)
A Coalition of Napa County Stakeholders

Residential Vacation Rentals Should Be Designated A Non-Commercial Use

Some people consider rental for duration less than 30 days as “*commercial*.” Thus, hotels and B&Bs are called “commercial” lodging, and “bed tax” is customary. However, **Residential Vacation Rentals ought to be treated differently because they are different.**

Long-term residential rental is an equally commercial transaction, but is specifically allowed in all zones. Short-term residential rental is no different, other than the number of days. In the case of Residential Vacation Rentals, the artificial distinction between long-term rental and short-term rental should be abandoned.

Residential Vacation Rentals should be defined as:

Furnished, private residential dwelling units let to guests for duration less than 30 days at a time.

Private, non-corporate, ownership of Residential Vacation Rentals supports the idea that they should not be considered commercial. **Transient occupancy supports the idea that they should collect Transient Occupancy Tax.**

Residential Vacation Rentals do not require signs, bright lights, big parking lots, or any of the usual characteristics of a commercial enterprise.

Whether owners live in the dwelling unit, or their guests, or tenants, the use is residential occupancy, and *residential occupancy is not a commercial use, nor is it a new use, nor is it an urban use. The ordinance should specifically recognize this.*

For these reasons, Residential Vacation Rentals are not “commercial” in the usual sense, and should be designated “non-commercial” in the ordinance.

Residential Vacation Rentals are not being proposed on land not already zoned to allow dwelling units. *Rezoning will not be necessary.*

The General Plan provides for residential use, not just agriculture, in lands designated AWOS and AR. Residential Vacation Rentals should qualify under these same provisions.

Residential Vacation Rentals *are a kind of home-based business*, which are specifically encouraged by the General Plan.

The General Plan allows *other businesses on AR and AWOS* lands: residential care facilities, family daycare centers, farm worker housing, kennels, veterinary facilities, feed lots, horse boarding, and vineyard management company shops and offices. The impact of residential vacation rentals on agriculture is similar to these businesses, i.e., negligible negative impact while providing a supportive function.

Residential Vacation Rentals are wholly contained within already approved dwellings, and thus constitute neither growth, nor sprawl, nor *encroachment into the AR or AWOS.*

The Right to Farm is already protected where these residences are, and this does not change with duration of occupancy.

Agriculture is not negatively impacted by the departure of one guest and the arrival of another. However, the guests of Napa County’s current vacation rentals visit many wineries and purchase millions of dollars worth of wine there. Their wine buying constitutes a *positive impact on agriculture*. The significant reduction of those wine purchases caused by a vacation rental ban would have *a negative impact on agriculture*. **To preclude this negative impact, allowance should be made to recognize Residential Vacation Rentals as non-commercial.**