

BOS Recd 9/6/24 #28

Re: El Dorado County, California Land Use and Dev Services Public Notices Update

Gordon Helm <grhelm@grhelm.com>

Fri 9/6/2024 9:12 AM

To: info northcanyoninn.com <info@northcanyoninn.com>; Jody Franklin <tourism@eldoradocounty.org>; chamber@eldoradocounty.org <chamber@eldoradocounty.org>; Mike Ranalli <Mike@ranallivineyard.com>; Pam Harris <thepamo@sbcglobal.net>; Barb Kildow <admin@edcfb.com>; Mike Owen <mike.o@crystalbasin.com>; info@eldoradowines.org <info@eldoradowines.org>; BOS-District III <bosthree@edcgov.us>; BOS-Clerk of the Board <edc.cob@edcgov.us>

Cc: Jim Davies <jimdaviesforestry@gmail.com>; Tandra Heagy <generationranchcamino@gmail.com>; bonnie@ponderosa.email <bonnie@ponderosa.email>; silverthornmeadows@gmail.com <silverthornmeadows@gmail.com>; lexi boeger <lexiboeger@gmail.com>; Hart2HartVines@att.net <Hart2HartVines@att.net>; info@toogoodwinery.com <info@toogoodwinery.com>; randy@saluticellars.com <randy@saluticellars.com>; loree@mellowoodvineyard.com <loree@mellowoodvineyard.com>; info@busbycellars.com <info@busbycellars.com>; innkeeper@edenvaleinn.com <innkeeper@edenvaleinn.com>

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Fran & Mike,

Thanks for the response. There is a lot that is confusing. I think we need clarification, and I hope we can get that on Tuesday. See you then!

Thanks again!

Regards,  
Gordon Helm

-----  
916.835.9600

**From:** info northcanyoninn.com <info@northcanyoninn.com>

**Sent:** Friday, September 6, 2024 8:41:32 AM

**To:** Gordon Helm; Jody Franklin; chamber@eldoradocounty.org; Mike Ranalli; Pam Harris; Barb Kildow; Mike Owen; info@eldoradowines.org; bosthree@edcgov.us; edc.cob@edcgov.us

**Cc:** Jim Davies; Tandra Heagy; bonnie@ponderosa.email; silverthornmeadows@gmail.com; lexi boeger; Hart2HartVines@att.net; info@toogoodwinery.com; randy@saluticellars.com; loree@mellowoodvineyard.com; info@busbycellars.com; innkeeper@edenvaleinn.com

**Subject:** Re: El Dorado County, California Land Use and Dev Services Public Notices Update

Hi Gordon,

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As a licensed Bed and Breakfast under a special use permit, we take exception to being lumped in with vacation home rentals that are advertised through VRBO and AirBnB. We are not a vacation home rental but an official B & B that we personally operate, are always on site when we have guests, and provide them with a home cooked breakfast. When we applied for our special use permit we had a fire inspection and had to obtain a food facility permit and health permit. We update and pay for these fees

every year. We provide private parking on our property and our guests never encroach on neighboring property.

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We plan on attending the Board of Supervisors meeting on September 10<sup>th</sup> at 1 pm and encourage all bed and breakfast owners to do the same. We will also be submitting our thoughts to our supervisor.

We are attaching the red line version of the new ordinance along with the agenda (the item is listed on Page 15 of the agenda).

Mike and Fran Rothwell, Owners/Innkeepers  
North Canyon Inn Bed & Breakfast  
3901 North Canyon Road  
Camino, CA 95709  
530-957-6952 530-957-6908

---

**From:** Gordon Helm <grhelm@grhelm.com>

**Sent:** Friday, August 30, 2024 11:49 AM

**To:** Jody Franklin <tourism@eldoradocounty.org>; chamber@eldoradocounty.org <chamber@eldoradocounty.org>; Mike Ranalli <mike@ranallivineyard.com>; Pam Harris <thepamo@sbcglobal.net>; Barb Kildow <admin@edcfb.com>; Mike Owen <mike.o@crystalbasin.com>; info@eldoradowines.org <info@eldoradowines.org>

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**Subject:** Fw: El Dorado County, California Land Use and Dev Services Public Notices Update

Good morning...

I just received the below hearing notice regarding VHRs in EDC and they will likely impact those that are currently providing guest accommodation to EDC visitors. Below is a list of the changes being proposed:

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I have noted the ones that concern me in red and below are my comments:

- Item 3 - why? If I have a large bedroom with 2 bunk beds, why should there be a restriction? What if a couple brings an infant or small child and isn't comfortable having them sleep in another room. Is the county mandating that the risk their child since they won't allow them to sleep in the same room with their parents?  
(Personal Note: my unit has one bedroom that I don't want more than two people in, yet the County insisted that I increase this to 3 as that is "their rules." I didn't feel like arguing since I can control the overall number of the group.)
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How are these justified? How can it cost \$380 for someone to review a renewal application? (This should not take more than an hour.) How can it cost \$760 to review a new application? Why is a "technology charge" and what does this cover? (Technology should result in an increase in efficiency and therefore should ensure an overall cost reduction, yet these fees have become exorbitant!

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- Dist. 1 - John Hidahl - bosone@edcgov.us
- Dist. 2 - George Turnboo - bostwo@edcgov.us
- Dist. 3 - Wendy Thomas - bothree@edcgov.us
- Dist. 4 - Lori Parlin - bosfour@edcgov.us
- Dist. 5 - Brooke Laine - bosfive@edcgov.us

Thanks!

Regards,  
Gordon Helm

-----  
Madrone Tree Hill  
916.835.9600

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**From:** El Dorado County <eldoradocounty@service.govdelivery.com>  
**Sent:** Friday, August 30, 2024 8:15 AM  
**To:** Gordon Helm  
**Subject:** El Dorado County, California Land Use and Dev Services Public Notices Update

 El Dorado County

You are subscribed to Land Use and Dev Services Public Notices for El Dorado County, California. This information has recently been updated, and is [now available](#).

- [VHR 2024 Summary Ordinance BOS](#)

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Questions? Contact Us at [edcquestions@edcgov.us](mailto:edcquestions@edcgov.us)

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BOS Revd 9/6/24 #28

## Re: El Dorado County, California Land Use and Dev Services Public Notices Update

BOS-Clerk of the Board <edc.cob@edcgov.us>

Fri 9/6/2024 9:45 AM

To: info northcanyoninn.com <info@northcanyoninn.com>; Gordon Helm <grhelm@grhelm.com>; Jody Franklin <tourism@eldoradocounty.org>; chamber@eldoradocounty.org <chamber@eldoradocounty.org>; Mike Ranalli <Mike@ranallivineyard.com>; Pam Harris <thepamo@sbcglobal.net>; Barb Kildow <admin@edcfb.com>; Mike Owen <mike.o@crystalbasin.com>; info@eldoradowines.org <info@eldoradowines.org>; BOS-District III <bosthree@edcgov.us>  
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Hi,

Appropriate public comment will be attached to the item and forwarded to the Board of Supervisors.

Thank you,

El Dorado County Clerk of the Board of Supervisors

330 Fairlane Building A

Placerville, CA 95667

530.621.5390

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**From:** info northcanyoninn.com <info@northcanyoninn.com>

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# County of El Dorado

## MEETING AGENDA Board of Supervisors

Board of Supervisors  
Department  
330 Fair Lane, Building A  
Placerville, California  
530-621-5390  
FAX 530-622-3645  
[www.edcgov.us/bos](http://www.edcgov.us/bos)

*Wendy Thomas, Chair, District III*  
*John Hidahl, First Vice Chair, District I*  
*George Turnbo, Second Vice Chair, District II*  
*Lori Parlin, District IV*  
*Brooke Laine, District V*

*Kim Dawson, Clerk of the Board of Supervisors*  
*Tiffany Schmid, Chief Administrative Officer*  
*David Livingston, County Counsel*

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Tuesday, September 10, 2024

9:00 AM

<https://edcgov-us.zoom.us/j/84002568003>

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330 Fair Lane, Building A Placerville, CA  
OR Live Streamed - [Click here to view](#)

Although the County strives to offer remote participation, be advised that remote Zoom participation is provided for convenience only. In the event of a technological malfunction, the only assurance of live comments being received by the Board is to attend in person. Except for a noticed teleconference meeting, the Board reserves the right to conduct the meeting without remote access if there is a malfunction.

**PUBLIC PARTICIPATION INSTRUCTIONS:** The Board of Supervisors meeting room will be open to the public. The meeting will continue to be live-streamed via Zoom and YouTube.

Members of the public may address the Board in-person or via Zoom to make a public comment. The public should call into 530-621-7603 or 530-621-7610. The Meeting ID is 840 0256 8003 . Please note you will be able to join the live-stream 15 minutes prior to the posted meeting start time. To observe the live stream of the Board of Supervisors meeting go to <https://us06web.zoom.us/j/84002568003>.

To observe the Board of Supervisors meetings via YouTube, click <https://www.youtube.com/channel/UCUMjDk3NUItZJrpw2CL7Zkg>.

If you are joining the meeting via zoom and wish to make a comment on an item, press the "raise a hand" button. If you are joining the meeting by phone, press \*9 to indicate a desire to make a comment. Speakers will be limited to 3 minutes. By participating in this meeting, you acknowledge that you are being recorded.

If you choose not to observe the Board of Supervisors meeting but wish to make a comment on a specific agenda item, please submit your comment in writing. You are encouraged to submit your comment in writing by 4:00 PM on the Monday before the meeting to ensure the Board of Supervisors has adequate time to review. Please submit your comment to the Clerk of the Board at [edc.cob@edcgov.us](mailto:edc.cob@edcgov.us). Your comment will be placed into the record and forwarded to the Board of Supervisors.

**Vision Statement**

**Exceptional quality of life with a strong sense of community, rural character, managed growth, and opportunity for all.**

**This institution is an equal opportunity provider and employer.**

Live Web Streaming and archiving of most Board of Supervisors meeting videos, all meeting agendas, supplemental materials and meeting minutes are available on the internet at: <http://eldorado.legistar.com/Calendar.aspx>

The County of El Dorado is committed to ensuring that persons with disabilities are provided the resources to participate in its public meetings. Please contact the office of the Clerk of the Board if you require accommodation at 530-621-5390 or via email, [edc.cob@edcgov.us](mailto:edc.cob@edcgov.us), preferably no less than 24 hours in advance of the meeting.

The Board of Supervisors is concerned that written information submitted to the Board the day of the Board meeting may not receive the attention it deserves. The Board Clerk cannot guarantee that any FAX, email, or mail received the day of the meeting will be delivered to the Board prior to action on the subject matter.

The Board meets simultaneously as the Board of Supervisors and the Board of Directors of the Air Quality Management District, In-Home Supportive Services, Public Housing Authority, Redevelopment Agency and other Special Districts.

For Purposes of the Brown Act § 54954.2 (a), the numbered items on this Agenda give a brief description of each item of business to be transacted or discussed. Recommendations of the staff, as shown, do not prevent the Board from taking other action.

Materials related to an item on this Agenda submitted to the Board of Supervisors after distribution of the agenda packet are available for inspection during normal business hours in the public viewing packet located in Building A, 330 Fair Lane, Placerville or in the Board Clerk's Office located at the same address. Such documents are also available on the Board of Supervisors' Meeting Agenda webpage subject to staff's ability to post the documents before the meeting.

**PROTOCOLS FOR PUBLIC COMMENT**

Public comment will be received at designated periods as called by the Board Chair.

Public comment on items scheduled for Closed Session will be received before the Board recesses to Closed Session.

Except with the consent of the Board, individuals shall be allowed to speak to an item only once.

On December 5, 2017, the Board adopted the following protocol relative to public comment periods. The Board adopted minor revisions to the protocol on August 24, 2021, incorporated herein:

The Board wants all members of the public to feel welcome to speak, especially regarding controversial items. Time for public input will be provided at every Board of Supervisors meeting. Individuals will have three minutes to address the Board. If the three minutes are exceeded the speaker's microphone will be muted. Applause or other outbursts are not allowed in the Board Chambers.

During noticed public hearings only, individuals authorized by organizations to speak to organizational positions may request additional time, up to five minutes.

Public comment on certain agenda items designated and approved by the Board may be treated differently within specific time limits per speaker or a limit on the total amount of time designated for public comment. It is the intent of the Board that quasi-judicial matters have additional flexibility depending on the nature of the issue. The Board Chair may limit public comment during Open Forum.

Individual Board members may ask clarifying questions but will not engage in substantive dialogue with persons providing input to the Board.

If a person providing input to the Board creates a disruption by refusing to follow Board guidelines, the Board Chair may take the following actions:

Step 1. Request the person adhere to Board guidelines. If the person refuses, the Board Chair may turn off the speaker's microphone.

Step 2. If the disruption continues, the Board Chair may order a recess of the Board meeting.

Step 3. If the disruption continues, the Board Chair may order the removal of the person from the Board meeting.

**9:00 A.M. - CALL TO ORDER****INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG****ADOPTION OF THE AGENDA AND APPROVAL OF CONSENT CALENDAR**

The Board may make any necessary additions, deletions or corrections to the agenda including moving items to or from the Consent Calendar and adopt the agenda and the Consent Calendar with one single vote. A Board member may request an item be removed from the Consent Calendar for discussion and separate Board action. At the appropriate time as called by the Board Chair, members of the public may make a comment on matters on the Consent Calendar prior to Board action.



**CONSENT CALENDAR**

1. [24-1574](#) Clerk of the Board recommending the Board Approve the Minutes from the regular meeting on August 27, 2024.

**GENERAL GOVERNMENT - CONSENT ITEMS**

2. [24-1488](#) Auditor-Controller recommending the Board:
  - 1) Authorize the Chief Administrative Officer to increase vacation accrual caps up to 400 hours for unrepresented employees in the Auditor-Controller's Office working directly on the Migration to UKG Pro Workforce Management timekeeping system if requested by the Auditor-Controller and if the CAO determines that it is warranted;
  - 2) Authorize the CAO to approve payments to unrepresented employees in the Auditor-Controller's Office working directly on the Migration to UKG Pro Workforce Management for accrued vacation hours in excess of 300 at their current base hourly rate, reducing the County's accrued leave liability; and
  - 3) Direct the CAO to reduce vacation accrual caps for the affected unrepresented employees in the Auditor-Controller's Office back to the accrual caps as specified in the Salary and Benefits Resolution effective the pay period including March 31, 2026. Any accrual balances in excess of such caps shall be paid out in the subsequent pay period.

**FUNDING:** General Fund.

3. [24-1536](#) Human Resources Department recommending the Board take the following actions regarding Health Plan Programs and Ancillary Employee Benefit Programs for the 2025 Plan Year:
  - 1) Approve the proposed 2025 Retiree and COBRA health plan rate cards (Attachment A) based on the cost sharing of health premiums in the current Memoranda of Understanding with all bargaining units, the Salary and Benefits Resolution for unrepresented employees, and in accordance with the Patient Protection and Affordable Care Act; and
  - 2) Delegate authority to the Human Resources Department to correct any minor clerical errors or adjustments, if necessary, to the approved health plan rate cards for the 2025 health benefits plan year, as needed.

**FUNDING:** Countywide cost, shared between the County Departments (General Fund and Non-General Fund) and employees.

4. [24-1380](#) Human Resources Department and the Office of Wildfire Prevention and Resilience, a division of the Chief Administrative Office, recommending the Board:
- 1) Approve and adopt the new department-specific classification of Defensible Space Inspector Supervisor; and
  - 2) Adopt and authorize the Chair to sign Resolution **147-2024** to approve the Job Class Number, bargaining unit, and salary range for the new department-specific classification of Defensible Space Inspector Supervisor and add 1.0 FTE Defensible Space Inspector Supervisor allocation in the Office of Wildfire Prevention and Resilience.

**FUNDING:** Hazard Mitigation Grant Program Funding through FY 2025-26 (25%) and General Fund (75%).

5. [24-1567](#) Supervisor Laine recommending the Board make the following appointment to the Planning Commission: Appoint Patrick J. Frega, Member District V, Term Expiration 01/01/2027.

**FUNDING:** N/A

6. [24-1561](#) Supervisor Thomas and the El Dorado County Office of Education recommending the Board consider the following:
- 1) Make appointments and reappointments to the 2024/25 El Dorado County Youth Commission as follows:
    - a) District 1: Sophia Sumimoto/Oak Ridge High School (Returning) and Isabella Roth/Ponderosa High School (Returning)
    - b) District 2: Kara Chavez/Oak Ridge High School (Returning) and Amelia Leo-Frazee/Ponderosa High School (Returning)
    - c) District 3: Kaitlin Fuller/Union Mine High School (New), Anna Schifferle/Union Mine High School (New) and Kieran Smith/El Dorado High School (New)
    - d) District 4: Jordan Jensen/Ponderosa High School (New) and Zofia Bradford/Golden Sierra High School (Returning)
    - e) District 5: Mareika Delmolino/El Dorado High School (New) and Eva Griscom/South Lake Tahoe High School (Returning); and
    - f) Clerk of the Board: Sudeep Mazumder/Oak Ridge High School (New); and
  - 2) Announce the Youth Commission's annual Job Shadow Day during the Board of Supervisor's Meeting held on November 12, 2024.

**FUNDING:** N/A

**HEALTH AND COMMUNITY - CONSENT ITEMS**

7. [24-1410](#) Health and Human Services Agency (HHSA) recommending the Board:
- 1) Accept, with gratitude, a donation of \$9,400 from William David Worlow on behalf of the Michael and Sarah Worlow Neri Exempt Trust, to support the efforts of HHSA Public Health Division California Children's Services; and
  - 2) Authorize the HHSA Director or HHSA Chief Assistant Director to execute further documents relating to this donation.

**FUNDING:** 100% William David Worlow on behalf of the Michael and Sarah Worlow Neri Exempt Trust.

8. [24-1480](#) Health and Human Services Agency recommending the Board find that a state of emergency continues to exist in El Dorado County as a result of the Crozier Fire that began in El Dorado County on August 7, 2024. (Cont. 8/13/2024, Item 32)

**FUNDING:** N/A

**LAND USE AND DEVELOPMENT - CONSENT ITEMS**

9. [24-1494](#) Department of Transportation recommending the Board consider the following:
- 1) Accept the offsite road improvements for The Crossings at El Dorado, Missouri Flat Road, and Crossings Road as complete;
  - 2) Reduce Performance Bond 800046695 from \$2,579,474.32 to \$257,947.43, which is ten percent of the total cost of the road improvements. This amount guarantees against any defective work, labor done, or defective materials furnished, which is to be released after one year if no claims are made;
  - 3) Hold Laborers & Materialmens Bond 800046695 in the amount of \$2,579,474.32 for six months to guarantee payments to persons furnishing labor, materials, or equipment; and
  - 4) Authorize the Clerk of the Board to release the respective Bonds after the required time periods upon written request by Transportation. (District 3)

**FUNDING:** Developer Funded (4.1%), Missouri Flat Master Circulation and Financing Plan (MC&FP) (81.6%), Traffic Impact Fee (TIF) Program (14.3%).

10. [24-1530](#) Department of Transportation recommending the Board approve and authorize the Director of Transportation to sign a Modification to the United States Department of Agriculture Forest Service Participating Agreement 20-PA-11051900-013, which will increase the current funding under the Agreement by \$150,000, resulting in a new Agreement total of \$1,249,990 for use during the construction phase of the Meyers Stream Environment Zone/ Erosion Control Project, Capital Improvement Program project number 36107007. (District 5)

**FUNDING:** United States Forest Service (44% - Federal), California Tahoe Conservancy (22% - State), State Water Resource Control Board (12% - State), Tahoe Regional Planning Agency (12% - Local), and South Tahoe Public Utility District (10% - Local).

11. [24-1319](#) Department of Transportation recommending the Board approve and authorize the Chair to sign the First Amendment to the Offsite Road Improvement Agreement 22-55027 for offsite road and drainage improvements for Bass Lake North Off-Site Bike Path, TM14-1522 / PD14-0010, between the County and the Developer, Toll West Coast, LLC, extending the performance period to September 13, 2025. (District 1)

**FUNDING:** Developer Funded, Bass Lake Hills Specific Plan Public Facilities Financing Plan.

**12. 24-1436**

Department of Transportation recommending the Board consider the following:

- 1) Approve and authorize the Chair to sign the Notice of Acceptance with Hanford Applied Restoration & Conservation for the US 50 / Missouri Flat Road Interchange Improvements - Phase 1C- Riparian Restoration Project, Capital Improvement Program 36104014, Contract 73; and
- 2) Approve and authorize the Clerk of the Board to release the Payment and Performance Bonds to the Surety upon notification from the Department of Transportation, after the one-year guarantee period.  
(District 3)

**FUNDING:** Master Circulation & Funding Plan Financing (100% - Local).

**13. 24-1506**

Department of Transportation, Maintenance and Operations Division, recommending the Board:

- 1) Approve and authorize the Chair to sign the First Amendment to the competitively-bid Agreement for Services 6687 with Highground Excavating and Tree Service, Inc. for on-call brush removal services, increasing the amount by \$500,000 for a new total of \$1,250,000, with no changes to the term for a period of October 18, 2022, through October 17, 2025; and
- 2) Authorize the Purchasing Agent to increase the contract amount and sign any additional amendments to the agreement for on-call brush removal services on an "as-needed" basis during the term of the agreement as long as funding is available within Transportation's budget.

**FUNDING:** Local Discretionary - Tribe (90%) and Road Maintenance and Rehabilitation Act of 2017 (SB1) (10%).

**14. 24-0845**

Department of Transportation, Maintenance and Operations Division, recommending the Board:

- 1) Adopt the Policy and Procedure Guidelines for Creation and Administration of Zones of Benefit Within a County Service Area and the Advisory Committee Manual, as amended; and
- 2) Provide conceptual approval of minor grammatical and formatting corrections, updates related to current County processes, and conformance with current CSA law to El Dorado County Ordinance Code sections 3.30.020 and 3.30.030.

**FUNDING:** County Service Area Zones of Benefit Assessments and Special Taxes (100%).

15. [24-1547](#)

Environmental Management Department recommending the Board:  
1) Provide conceptual approval for a new agreement with Clean Tahoe Program for solid waste diversion in the unincorporated area of South Lake Tahoe in the proposed annual amount of approximately \$53,000; and  
2) Direct staff to return to the Board with an amended agreement by the end of March 2025.

**FUNDING:** County Service Area 10, Zone C Parcel Fees (No Federal Funds) (100%).

16. [24-1012](#)

Environmental Management Department recommending the Board consider the following:

- 1) Find in accordance with County Ordinance Code Chapter 3.13, Section 3.13.030(B), that due to the work requiring specialty skills and qualifications not expressly identified in County classifications involved in the performance of the work, there is a need to engage an independent contractor for the development and implementation of a Permit and Data Management Software Solution and on-going licensing fees and software support;
- 2) Award Request for Proposal 24-0033 for Environmental Health/Air Quality Permit and Data Management Software Solution to Hedgerow Software US, Inc.; and
- 3) Approve and authorize the Chair to execute a new perpetual Licensing and Support Agreement 8832 with Hedgerow Software US, Inc. with a one-time fee of \$105,000 for the development and implementation of the software solution and migration services, and annual licensing fees and support for \$48,400 for an initial total not-to-exceed amount of \$350,000 for a term expiring on June 29, 2030.

**FUNDING:** Non-General Fund/Permit Fees - 70% Environmental Management, 30% AQMD.

**LAW AND JUSTICE - CONSENT ITEMS**

**17. [24-1264](#)**

Probation Department recommending the Board:

1) Adopt and authorize the Chair to sign retroactive revenue Memorandum of Understanding (MOU) 8912 between the El Dorado County Probation Department and Superior Court of California, County of El Dorado, regarding California Senate Bill 129 (2021), for the period of July 1, 2024, through June 30, 2027 passing through \$163,813 to Probation to provide pretrial release services; and

2) Authorize the Chief Probation Officer and Deputy Chief Probation Officer to execute further documents relating to the MOU, including amendments which do not increase the maximum dollar amount or term of the MOU, contingent upon approval by County Counsel.

**FUNDING:** State Funding - Judicial Council of California. (100%)

**18. [23-0523](#)**

El Dorado County Sheriff's Office of Emergency Services recommending the Board find that a state of emergency continues to exist in El Dorado County as a result of the February and March 2023 Storms. (Cont. 8/13/2024, Item 26)

**FUNDING:** N/A

**19. [24-1462](#)**

Sheriff's Office recommending the Board find that a state of emergency continues to exist in El Dorado County as a result of the Crozier Fire that began on August 7, 2024. (Cont. 8/13/2024, Item 33)

**FUNDING:** N/A

**END CONSENT CALENDAR**

**DEPARTMENT MATTERS (Items in this category may be called at any time)****20. [24-1563](#)**

Chief Administrative Office recommending the Board:

- 1) Receive and file a letter from the Shingle Springs Band of Miwok Indians dated August 23, 2024, regarding a request for a Letter of Support for the Indian Creek Ranch Land Transfer Bill;
- 2) Establish a Tribe Ad Hoc Committee to work with staff on pending or proposed tribal fee-to-trust land acquisitions;
- 3) Appoint two members of the Board to the Ad Hoc Committee; and
- 4) Provide direction to staff to respond to the request or work with the Ad Hoc Committee to draft a response to the request.

**FUNDING:** N/A

**21. [24-1551](#)**

Supervisor Thomas recommending the Board authorize the Chair to sign a Proclamation in recognition of September 11th in memory of that tragic day, in 2001, when our nation was brutally attacked by terrorists, resulting in the enormous loss of American lives.

**FUNDING:** N/A

**22. [24-1189](#)**

Health and Human Services Agency (HHSA) recommending the Board:

- 1) Receive a presentation on HHSA's proposed Opioid Settlement Funds Utilization Strategic Framework for the disbursement of Opioid Settlement funds in El Dorado County; and
- 2) Provide direction to staff on the proposed Framework as follows:
  - a) Accept HHSA's Strategic Framework of approach as presented; or
  - b) Recommend changes to the Strategic Framework before HHSA moves forward with the ongoing procurements for opioid remediation in the County; or
  - c) Provide alternative direction to HHSA for the use of these funds.

**FUNDING:** Funding is settlement money disbursed to California counties and other involved parties from manufacturers, distributors, and other entities related to the opioid epidemic.



**9:00 A.M. - TIME ALLOCATION (Items will not be heard prior to the time stated)****23. 24-1509**

Chief Administrative Office recommending the Board:

- 1) Receive and file a presentation on the Bioeconomy Development Opportunity Zone Rating;
- 2) Accept a grant award under the United States Department of Agriculture, Rural Business Development Grant Program in the amount of \$75,000 to fund a Bioeconomy Development Opportunity Zone Rating to attract bio-based businesses to the County;
- 3) Authorize the Chief Administrative Officer, or the Assistant Chief Administrative Officer, to sign the Rural Business-Cooperative Service Financial Assistance Agreement between the United States Department of Agriculture, Rural Development and El Dorado County;
- 4) Authorize the Chief Administrative Officer, or Assistant Chief Administrative Officer, to execute any grant related documents including, but not limited to, amendments that do not change the dollar amount of the grant agreement (contingent on approval from County Counsel), requests for payments, reports, and all other associated documents necessary to secure the grant funds and implement the approved project;
- 5) Authorize the Chief Administrative Office to procure an appraisal for planning purposes for portions of the Sierra Pacific Industries site in Camino; and
- 6) Approve and Authorize the Chair to sign a Budget Transfer increasing Federal revenue and increasing Professional Services in the amount of \$75,000 for Fiscal Year 2024-25.

**FUNDING:** Rural Business Development Grant Program funds.

**10:00 A.M. - TIME ALLOCATION (Items will not be heard prior to the time stated)**

24. [24-1374](#) Agriculture Department, on behalf of Fish and Wildlife Commission, recommending the Board receive a presentation from the Fish and Wildlife Commission Annual Report for FY 2023-24 and provide direction if necessary.

**FUNDING:** General Fund, Court Fines and Penalties.

25. [24-1531](#) Agricultural Department recommending the Board:  
1) Approve the Introduction (First Reading) of Ordinance **5207** amending the El Dorado County Ordinance Code, Section 6.28.055 (B) Feeding of Wild or Non-domesticated Animals, adding the word "deer"; and  
2) Waive reading of the full Ordinance, read by title only, and continue this matter to September 24, 2024, for the Final Passage (Second Reading).

**FUNDING:** N/A

26. [24-1491](#) **HEARING** - Planning and Building Department, Planning Division, recommending the Board:  
1) Approve the Introduction (First Reading) of Ordinance **5208** amending Title 130, Section 130.69.160 - Temporary Recreational Vehicles, to extend the time for the use of generators with an issued Temporary Recreational Vehicle permit with a new expiration date of December 31, 2026;  
2) Find that the Ordinance is exempt from further review under CEQA pursuant to Public Resources Code Section 21080(b)(3) (projects to maintain, repair, restore, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor); Public Resources Code Section 21080(b)(4) (actions necessary to mitigate an emergency); CEQA Guidelines Section 15269(a) (maintaining, repairing, restoring, demolishing, or replacing property or facilities damaged or destroyed as a result of a disaster-stricken area in which a state of emergency has been proclaimed by the Governor); CEQA Guidelines Section 15269(c) (specific actions necessary to prevent or mitigate an emergency); and CEQA Guidelines Section 15061(b)(3) (common sense exemption), and directing notice of exemption to be filed;  
3) Waive reading of the full Ordinance, read by title only, and continue this matter to September 17, 2024 (Attachment B), for Final Passage (Second Reading); and  
4) Direct staff to stay enforcement on the use of generators with an issued Temporary Recreational Vehicle permit pending the effective date of this ordinance.

**FUNDING:** N/A

**11:00 A.M. - TIME ALLOCATION (Items will not be heard prior to the time stated)**

27. [24-1524](#) Planning and Building Department, Building Division, recommending the Board:
- 1) Adopt and authorize the Chair to sign Resolution **148-2024** entitled the Building Industry Advisory Committee (BIAC), superseding prior Resolution 164-2010, adopted by the Board on October 12, 2010, to revise the BIAC's roles and responsibilities to align with the current structure and focus of the Planning and Building Department; and
  - 2) Receive and file the Building Industry Advisory Committee Annual presentation and provide direction to the committee if necessary.

**FUNDING:** N/A

**1:00 P.M. - TIME ALLOCATION (Items will not be heard prior to the time stated)****OPEN FORUM**

Open Forum is an opportunity for members of the public to address the Board of Supervisors on subject matter that is not on their meeting agenda and within their jurisdiction. Public comments during Open Forum are limited to three minutes per person. The Board Chair may limit public comment during Open Forum.

**1:15 P.M. - TIME ALLOCATION (Items will not be heard prior to the time stated)**

28. [24-1555](#) Planning and Building Department, Tahoe Planning and Building Division, recommending the Board:
- 1) Approve the Introduction (First Reading) of Ordinance **5209** amending Title 5 - County Business Taxes, Licenses and Regulations of the El Dorado County Ordinance Code, amending Chapter 5.56 - Vacation Home Rentals, to add the recommendations of the Vacation Home Rental Advisory Committee and Board of Supervisors; and
  - 2) Waive reading the full Ordinance, read by title only, and continue this matter to September 24, 2024, for Final Passage (Second Reading).

**FUNDING:** N/A

**BOARD MEMBER UPDATES:** This is an opportunity for Board Members to provide short informational updates on matters of countywide concern and brief reports on meetings attended at the expense of the County, in accordance with Government Code § 53232.3. No action will be taken. (May be called at any time during the meeting)

**CAO UPDATE** (May be called at any time during the meeting)

**ADJOURNMENT**

**CLOSED SESSION**

29. [24-1546](#) **Pursuant to Government Code Section 54957- Public Employee Performance Evaluation.** Title: Alternate Public Defender.
30. [24-1548](#) **Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiator:**  
**Property:** No physical address, APN: 325-240-011  
**County Negotiators:** Tiffany Schmid, Chief Administrative Officer or designee  
**Negotiating Parties:** State of California or designee  
**Under Negotiation:** Price and terms of payment for sale.
31. [24-1564](#) **Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator:** County Negotiator: Director of Human Resources and/or designee. Employee organizations: El Dorado County Employees' Association, Local 1, AFSCME Council 57 representing employees in the Supervisory, Professional, and General Bargaining Units; Operating Engineers Local No. 3 representing employees in the Trades & Crafts and Corrections Bargaining Units; El Dorado County Criminal Attorneys' Association representing employees in the Criminal Attorney Unit; El Dorado County Managers' Association representing employees in the Management Unit; Deputy Sheriff's Association representing employees in the Law Enforcement Unit; El Dorado County Probation Officers Association representing employees in the Probation Bargaining Unit; and El Dorado County Law Enforcement Management Association representing employees in the Law Enforcement Sworn Management Unit.



ORDINANCE NO. \_\_\_\_\_

**THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES ORDAIN AS FOLLOWS:**

**Section 1.** ~~Article~~ Chapter 56 of Title 5 of the El Dorado County Ordinance Code entitled "Hosted and Vacation Home Rentals" is hereby enacted to read as follows:

Sec. 5.56.010. - Title.

This chapter shall be referred to as the Hosted and Vacation Home Rental Ordinance.

Sec. 5.56.0240. - Purpose of chapter.

The Board of Supervisors of the County finds and declares as follows:

- A. Hosted and vacation home rentals, when properly managed, provide a community benefit by expanding the number and type of rental lodging facilities available and assist owners and hosts of home rentals by providing revenue which may be used for maintenance upgrades and deferred costs;
- B. County staff has responded to numerous complaints involving excessive noise, disorderly conduct, vandalism, overcrowding, traffic congestion, illegal vehicle parking, and accumulation of refuse at hosted and vacation home rentals which require response from police, fire, paramedic, and/or other public personnel;
- C. The provisions of this chapter are necessary to prevent or mitigate the continued burden on public services and impacts on residential neighborhoods posed by hosted and vacation home rentals.
- D. The increasing number of hosted home and short-term vacation rentals in some areas of the County adversely affects residential character, neighborhood stability, public safety, and quality of life.
- E. The Tahoe Regional Planning Agency has introduced new neighborhood compatibility criteria in its Performance Review System to local jurisdictions within the Tahoe Basin, including El Dorado County, in order to address the effects of vacation home rentals on achieving the goals of the Regional Plan.

Sec. 5.56.0320. - Applicability.

The provisions of this chapter apply only within the unincorporated area of the County. All requirements, regulations, and standards imposed by this chapter are intended to apply in addition to any other applicable requirements, regulations, and standards imposed elsewhere in this Code. The provisions of the section shall apply to all ~~short term~~ hosted and vacation home rentals, ~~except hosted rentals where there is a primary owner in residence during the rental period. This section does not apply to bed and breakfast inns, which are regulated by Section 130.40.~~

Hosted and ~~V~~vacation home rentals, as defined below, shall not be permitted on vacant land, on a parcel on which Ranch Marketing uses are being conducted in accordance with El Dorado County Ordinance Code Chapter 130.44; in non-habitable structures, accessory structures, detached guest houses; ~~;~~ within accessory or ~~second junior~~ dwelling units; ~~;~~ or in structures or dwellings with County covenants or agreements restricting their use including, but not limited to, affordable housing units, agricultural employee units, farmworker housing, or farm family units. Tents, yurts, RVs, tiny homes (with or without wheels), or any accessory structure including ~~and~~ other provisions intended for temporary occupancy are not allowed to be used as or as a part of a hosted or vacation home rental. This section does not supersede the permitting requirements for Campground and Recreational Vehicle Parks and Lodging Facilities, which are regulated by Section 130.40 of the El Dorado County Code of Ordinances.

~~Sec. 5.56.040. Purpose of chapter.~~

~~The Board of Supervisors of the County finds and declares as follows:~~

- ~~A. Vacation home rentals provide a community benefit by expanding the number and type of rental lodging facilities available and assist owners of vacation home rentals by providing revenue which may be used for maintenance upgrades and deferred costs;~~
- ~~B. County staff has responded to numerous complaints involving excessive noise, disorderly conduct, vandalism, overcrowding, traffic congestion, illegal vehicle parking, and accumulation of refuse at vacation home rentals which require response from police, fire, paramedic, and/or other public personnel;~~
- ~~C. The provisions of this chapter are necessary to prevent or mitigate the continued burden on public services and impacts on residential neighborhoods posed by vacation home rentals.~~
- ~~D. The increasing number of short term vacation rentals in some areas of the County adversely affects residential character, neighborhood stability, public safety, and quality of life.~~
- ~~E. The Tahoe Regional Planning Agency has introduced new neighborhood compatibility criteria in its Performance Review System to local jurisdictions within the Tahoe Basin, including El Dorado County, in order to address the effects of vacation home rentals on achieving the goals of the Regional Plan.~~

Sec. 5.56.030040. - Definitions.

For purposes of this chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section, except where the context clearly indicates a different meaning:

Accessory or Junior Accessory Dwelling Unit means a small secondary dwelling unit, attached or detached, which allows for independent living, as more specifically described in El Dorado County Ordinance Code § 130.40.300.

Bedroom means a room intended for sleeping as approved by the Building Division and verified by reference to the Assessor's records.

Event means a gathering or occurrence for socializing or celebrating including, but not limited to, wedding, reception, gathering, bachelor/bachelorette party, commercial filming, concert and/or any other similar happening.

Guest House means permitted dwelling space attached or detached from the primary dwelling which is no more than 600 square feet in size with a maximum of two bedrooms and one bathroom. A laundry facility and kitchen or cooking facility, or room for installation of a stove, a full-size refrigerator, or sink other than the bathroom and wet bar sinks, shall be prohibited. In the Tahoe Basin, a total of one (1) sink may be included which can be either the bathroom or bar sink. The use of a guest house as a hosted home rental shall not be deemed a commercial use prohibited under section 130.40.150.

Host means a natural person aged 18 or older who is the owner or lessee of the subject property and for whom the subject property constitutes his or her primary residence.

Hosted Home Rental (HHR) means a rental property at which ~~at least one of the primary owners~~ a host resides and sleeps in ~~one of the bedrooms~~ during the period of the rental. This may be either the rental of ~~up to two (2) bedrooms, or bedrooms,~~ within a ~~house primary residence~~ or the rental of an attached guest house. Occupancy is based on two (2) persons per bedroom with a maximum occupancy of four (4) persons. The space must be rented and advertised as a single listing to a single party. Only one hosted rental is allowed per owner and/or host. The use of a guest house as a hosted vacation rental shall not be deemed a commercial use prohibited under section 130.40.150. Sleeping quarters cannot be in outdoor areas, including treehouses and vehicles.

Local contact means a property manager, owner, or agent of the owner, who is certified and available to respond to ~~renter and neighborhood~~ Code Enforcement questions or concerns within a half hour, or any agent of the owner authorized by owner to ~~and~~ take remedial action and respond to any violation of this chapter within a half hour.

Loud and raucous noise means:

1. The human voice, any record, or recording thereof when amplified by any device whether electrical, mechanical, or otherwise to such an extent as to cause it to

~~unreasonably carry on to public or private property or to be heard by others on residential property or public ways within the County.~~

- ~~2. Any sound not included in the foregoing which is of such volume, intensity, or carrying power as to interfere with the peace and quiet of persons upon residential property or public ways within the County in accordance with Chapter 9.16 Noise.~~

*Managing agency or agent* means a person, firm, or agency representing the owner of the vacation home rental, or a person, firm, or agency owning the vacation home rental.

~~*Operator* means the person who is proprietor of a transient lodging facility, whether in the capacity of owner, lessee, sub-lessee, mortgagee in possession, licensee, or any capacity. Where the operator performs his or her functions through a managing agent of any type or character, other than an employee, or where the operator performs his or her functions through a rental agent, the managing agent or the rental agent shall have the same duties as his or her principal. Compliance with the provisions of this chapter by either the principal or the managing agent or the rental agent shall be considered to be in compliance by both.~~

*Occupancy* means the number of individuals six (6) years of age and older permitted to be in the residence during the rental period. Occupancy is based on two (2) persons per bedroom. Hosted home rentals have a maximum occupancy of four (4) persons, six (6) years of age and older.

*Owner of a Hosted Home Rental* means a natural person (inclusive of a trust beneficiary) with a legal or equitable ownership interest in a property used as a hosted home rental.

*Owner of a Vacation Home Rental* means the person or entity that holds legal and/or equitable title to the private property.

*Primary Residence* means the person's usual place of return for housing as documented by evidence of recorded ownership or a current residential lease agreement together with at least two (2) other forms of documentation with a matching address demonstrating that the subject property is the person's primary residence. Such documented proof may include, but is not limited to the following: motor vehicle registration; state issued driver's license or ID; voter registration; tax documents showing the homeowner's tax exemption; bank or credit card statement; or a utility bill.

~~*Person responsible for event* means the owner of the property where the large party, gathering or event takes place, the person in charge of the premises, and/or the person who organized the event. If the person responsible for the event is a minor, then the parents or guardian of minor will be jointly and severally liable for the fines imposed for the special security assignment.~~

*Private* means intended for or restricted to the occupants and/or guests of his or her hosted or vacation home rental; not for public use.

*Quiet hours* mean the hours between ten (10) P.M. and eight (8) A.M.

*Sleeping room* means a common area of the house suitable for overnight occupancy as verified by the local Fire Protection Agency/Department.



Time to cure means the amount of time to correct an alleged or confirmed violation. The time to cure for violations of this ordinance is 30 minutes.

Unreasonable noise means voices, loud and raucous noise, or amplified music heard at the property line, which is of such volume, intensity, or carrying power as to interfere with the peace and quiet of persons in neighboring property or public ways within the County in accordance with Chapter 9.16—Noise.

Vacation home rental (VHR) means one dwelling unit, including either the primary single-family home, one unit of a duplex, or a single condominium unit, rented for the purpose of overnight lodging for a period of not less than one night and not more than 30 days—other than ongoing month-to-month tenancy granted to the same renter for the same unit.—.

Sec. 5.56.050. ~~— Hosted or V~~vacation home rental permit requirements.

No owner of a hosted or vacation home rental shall rent that unit for 30 consecutive calendar days or less without a valid hosted or vacation home rental permit for that unit issued pursuant to this chapter. A separate permit shall be required for each hosted or vacation home rental but there may not be more than one hosted or vacation home rental per parcel. The permit requirements of this chapter are in addition to any business license, hotel/motel tax registration, any other permit, or licensing requirements. However, at the discretion of the County, the processing of permits required under this chapter may be combined with the processing of business licenses, transient occupancy tax registration, any other permit, or license process administered by the County. The County shall prescribe forms and procedures for the processing of permits under this chapter.

A hosted or vacation home rental permit is not transferable with the property and becomes void upon sale or transfer of the property interest to another owner/entity. This restriction is not intended to apply to the transfer of property interests between spouses (e.g. interspousal transfers) or transfers of property interest solely for estate planning purposes (e.g., transfers to a family trust).

Sec. 5.56.055. – Cap on the Number of Vacation Home Rental Permits in the Tahoe Basin.

Within the Lake Tahoe Basin portion of the unincorporated area of El Dorado County, no more than 900 vacation home rental permits shall be issued. Hosted home rentals are not subject to the cap, nor do they count against.

A. The Planning and Building Department shall maintain a waiting list in the event that the ~~Tahoe Basin~~ number of vacation home rentals is at or exceeds the established area maximum and/or a site is within 500-feet of a permitted vacation home rental. Prospective applicants shall submit requests via a Waiting List Request Form. Applicants for the waiting list must be the current owner/s of the property. Upon notification that the number of active permits has declined such that a prospective applicant is able to make application for a permit, and the site is more than 500-feet from the nearest permitted rental, the applicant shall have

no more than 90 days to complete an application, after which the position on the waiting list shall no longer be held. The waiting list request shall become void upon change in ownership. Property owners found to be operating without a vacation home rental permit are precluded from applying for a vacation home rental permit for a one (1) year period and are not allowed to be on the waiting list during that time period.

B. Property owners that have a valid vacation home rental permit from the County must demonstrate at the time of renewal that the property was rented in the prior ~~year~~ twelve (12) month period if it's not obvious in the associated Transient Occupancy Tax (TOT) returns for a minimum of ten (10) nights. Such demonstration may be made by any means acceptable to the County, including, but not limited to, evidence of bookings, rental receipts, rental agreements, or if it's not obvious in the associated Transient Occupancy Tax (TOT) returns. Failure to demonstrate this ~~may~~ shall result in the permit not being renewed. This is to prevent vacation home rental permits from being obtained with no intent to rent the property.

C. Renewals of existing permitted vacation home rentals in the Tahoe Basin, for which a vacation rental permit was granted based on an application submitted on or before November 1, 2020, shall not be limited based on the cap requirements. An application to renew a permit for a hosted or vacation rental shall be submitted no sooner than ~~180-90~~ days before the expiration date of the existing permit, and no later than the date of expiration of that permit. Upon receipt of a complete application, the expiration of the existing permit shall be stayed until final action is taken on the renewal application.

#### Sec. 5.56.056. – Vacation Home Rental Clustering

No parcel shall be approved for a vacation home rental permit if it is within 500 feet of another parcel with a vacation home rental permit. Distances shall be measured from the closest property line of the property containing the currently licensed vacation home rental to the closest property line of the proposed vacation home rental measured using the El Dorado County Surveyors Geographic Information System. Currently licensed vacation home rentals shall not be denied a permit renewal based upon this criteria so long as they remain continuously licensed in good standing and owned by the same owner(s). Hosted home rentals are not subject to clustering.

#### Sec. 5.56.060. - Agency.

An owner may retain an agent, representative, or local contact to comply with the requirements of this chapter, including without limitation, the filing of an application for a VHR permit, the management of the vacation home rental, and the compliance with the conditions of the permit and standards of operation. The VHR permit shall be issued only to the owner of the vacation home rental.

An owner or host is required to comply with the requirements of this chapter including the filing of an application for an HHR permit, management of the hosted rental, and

compliance with the conditions of the permit and standards of operation. The HHR permit shall be issued to the owner or host of the hosted home rental.

When construing and enforcing the provisions of this chapter, the act, omission, or failure of any agent, representative, or local contact person acting for or employed by an owner, shall in every case be deemed also the act, omission, or failure of the owner.

Sec. 5.56.070. - Application for a hosted or vacation home rental permit.

An application for a permit shall be filed with the County prior to use of the property as a hosted or vacation home rental. Permit applications shall be on the forms provided by the County and shall contain the following information:

- A. The name, address, email, and telephone number of the owner(s) of the vacation home rental for which the permit is being issued;
- B. The name, address, email, and telephone number of the agent, or representative, or and local contact for the owner of the vacation home rental. The name, address, email, and telephone number of the host for a hosted home rental. If the host is someone other than the owner, they must provide evidence that they have the permission of the owner to operate the property as a hosted home rental and verification that the subject property is the host's primary residence;
- C. The number of permitted bedrooms, as determined approved the by Building Division Official and can be verified by reference to the records or Assessor's records, approximate habitable square footage in the hosted or vacation home rental, and the maximum allowable number of overnight occupants.
- D. Acknowledgment that all designated bedrooms meet all local building and safety code requirements;
- E. A diagram and/or photograph of the premises showing all structures, the number and location of designated on-site parking spaces, gas-fueled burning appliances, hot tubs or swimming pools, and location of the external sign. Within the Tahoe Basin all parking shall be on an impervious surface;
- F. A diagram of the interior of the premises showing every room labeled with its use, (I.E. bedrooms, offices, living room) and doors, windows, carbon monoxide/smoke detectors and fire extinguishers;
- G. Evidence of a valid business license issued by the County for the separate business of operating the hosted or vacation home rental, unless the operation of the vacation home rental is otherwise exempt from the requirement of a business license under the express provisions of this Code. Such license may be filed concurrently with the application for a permit under this chapter, however the hosted or vacation home rental permit must be issued before the business license is issued;
- HG. Evidence of a valid transient occupancy tax registration certificate issued by the County for the hosted or vacation home rental. Such registration may be filed concurrently with the application for a permit under this chapter, however the hosted

or vacation home rental permit must be issued before the transient occupancy tax registration certificate is issued;

- I.H. Acknowledgment that the owner, agent, host and local contact person have read all regulations pertaining to the operation of a hosted or vacation home rental;
- I.J. Certification of the accuracy of the information submitted and agreement to comply with all conditions of the permit, including the standards of operation contained herein;
- I.K. Acknowledgment that the owner, agent, or local contact has or will post the hosted or vacation home rental permit and visiting guest guidelines as with the notice required in Section 5.56.100;
- I.L. The source of drinking water for the hosted or vacation home rental;
- I.M. Disclosure of a hot tub or spa at the hosted or vacation home rental;
- I.N. Certification by the property owner and/or property owner's agent that independent garbage collection and disposal for the hosted or vacation home rental site is provided. The certification of garbage collection should include acknowledgement that the vacation home rental activity is subject to the solid waste management provisions of Chapter 8.42—Solid Waste Management and Chapter 8.76—Bear-Proof Garbage Can Requirements.
- I.O. An acknowledgement that the property shall may be inspected for compliance with this chapter prior to issuance or renewal of a permit or to maintain public safety and that the owner will grant access to the property for such inspection; and
- I.P. Such other information as the County deems reasonably necessary to administer this chapter.

Sec. 5.56.080. - Application fee.

An application for a hosted or vacation home rental permit shall be accompanied by an initial, non-refundable, fee established by resolution of the Board of Supervisors; provided, however, the fee shall be no greater than necessary to defer the cost incurred by the County in administering the provisions of this chapter. An annual, non-refundable renewal fee will be established by resolution of the Board of Supervisors and shall be no greater than necessary to defer the cost incurred by the County in administering the provisions of this chapter.

Sec. 5.56.085. – Fire and life safety inspection fee.

An initial application for a hosted or vacation home rental permit shall be accompanied by an initial fire and life safety inspection fee established by resolution of the Board of Supervisors; provided, however, the fee shall be no greater than necessary to defer the cost incurred by the contracted Fire Protection Agency/Department. Additionally, a bi-annual fire and life safety inspection fee shall be required upon permit renewal and shall be no greater than necessary to defer the cost incurred by the contracted Fire Protection Agency/Department to defer the cost incurred in performing the inspection. The fees may only be refunded if an application is withdrawn by the applicant prior to the performance of the inspection.

Sec. 5.56.090. - ~~Permit conditions~~Standards of Operation.

A. All Hosted and Vacation Home Rentals are required to comply with the following standards and shall not generate, encourage, or ignore potential disturbances which may disrupt the peace, safety, and general welfare of communities. Failure to comply with the standards of this section may result in fines and permit revocation as outlined in Section 5.56.140. All permits issued pursuant to this chapter are subject to the following standards of operation conditions:

1. Maximum Occupancy. The owner shall, by written agreement with any renter, limit overnight occupancy of the vacation home rental to the specific number of occupants designated in the permit. The number of overnight occupants shall not exceed two persons per permitted bedroom, ~~plus two additional persons per residence.~~ Children ~~five-six~~ years of age or ~~younger~~ older are ~~not~~ counted towards the occupancy limits. Occupancy may be lowered pursuant to the outcome of the fire and life safety inspection. ~~Occupancy cannot be increased after a HHR or VHR permit is issued.~~ The property owner shall ensure that all contracts and online listings and advertisements clearly set forth the maximum number of overnight guests permitted at the property. The owner shall, by written agreement with any renter, limit overnight occupancy of the vacation home rental to the specific number of occupants designated in the permit.

~~A bedroom shall only be recognized as such for purposes of this ordinance if it has been approved and inspected by the Building Official, and can be verified by reference to the Assessor's office.~~

2. Noise. Occupants and/or guests of the hosted or vacation home rental shall not create unreasonable noise in violation of this Chapter. Unreasonable noise includes, but is not limited to, voices, loud and raucous noise, or amplified music heard at the property line and of such a volume or intensity or carrying power as to interfere with the peace and quiet of persons upon residential property or public ways.~~use or operate any outdoor spa or hot tub, create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this Code or any State law pertaining to noise or disorderly conduct at any time between the hours of 10:00 p.m. and 8:00 a.m. The property owner shall ensure that the quiet hours and limits on outdoor activities are included in rental agreements and in all online advertisements and listings.~~
3. Hot Tub. Occupants and/or guests of the hosted or vacation home rental shall not use or operate any outdoor spa or hot tub, create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this Code or any State law pertaining to noise or disorderly conduct at any time between the hours of 10:00 p.m. and 8:00 a.m. The property owner shall ensure that the quiet hours and limits on outdoor activities are included in rental agreements and in all online advertisements and listings.

- ~~34.~~ Visitors. The number of people present in any hosted or vacation home rental shall not exceed the maximum occupancy designated in the ~~vacation-home~~ rental permit for that property at any time between the hours of 10:00 p.m. and 8:00 a.m. not including the host;
- ~~45.~~ Trash and Refuse. The owner of the hosted or vacation home rental shall comply with all the solid waste management provisions of Chapter 8.42—Solid Waste Management. In the Silver Fork, Tahoe Truckee Unified, and Lake Tahoe Unified School Districts~~Lake Tahoe Basin~~, the owner of the vacation home rental shall also comply with the Bear-Proof Garbage Can Requirements of Chapter 8.76—Bear-Proof Garbage Can Requirements. Any violation of the Bear-Proof Garbage Can Requirements at a permitted Vacation Home Rental is a violation of this chapter. Notwithstanding anything to the contrary contained herein, hosted home rentals are not subject to the mandatory bear-proof garbage can requirements of El Dorado County Ordinance Code § 8.76.079.
- ~~56.~~ Tahoe Basin Snow Removal. The owner of the hosted or vacation home rental shall notify the occupants of their obligations to comply with all snow removal provisions of Chapter 10.12—Parking; Additionally, the driveway and access to the front door of the property shall be cleared of snow adequately to provide egress and ingress at all times. The driveway shall be cleared to allow the permitted number of vehicles to be parked onsite.
- ~~76.~~ Limit on Number of Vacation Home Rentals per Parcel. One ~~Vacation-vacation Home-home Rental-rental~~ shall be permitted per parcel. Only the primary ~~single family~~single-family residence, one unit of a duplex, or a single unit condominium meeting current standards shall be used as a vacation home rental.
- ~~78.~~ Limit on Number of Hosted Home Rentals per Parcel. One hosted home rental shall be permitted per parcel. Only a portion of the primary single-family residence or attached guest house meeting current standards shall be used as a hosted home rental.
- ~~9.~~ Fire and Life Safety Inspection Requirements. The following conditions shall be met ~~within-at~~ the HHR or VHR and shall be in place prior to issuance of an HHR or VHR permit, subject to inspection:
- a. Residential street address clearly visible.
  - b. Functional smoke alarms. Smoke alarms, in good working order, shall be installed in accordance with the California Building Code and at a minimum shall be installed in each bedroom, and at least one alarm shall be installed on every level of the HHR or VHR, including basements and habitable attics.
  - c. Functional carbon monoxide alarms. Carbon monoxide alarms, in good working order, shall be installed in accordance with the California Building Code and at a minimum shall be installed outside each bedroom and on every level of the HHR or VHR unit, including basements and habitable attics, and bedrooms or

~~attached bathrooms with a fuel-burning appliance, and shall be installed in accordance with the manufacturer's installation specifications.~~

- ~~d. Landline phone service installed if cell phone service is inadequate.~~
- ~~ed. NFPA 13D Residential sprinkler system functional, if installed.~~
- ~~fe. Portable fire extinguisher. Each HHR and VHR shall be equipped with one five-pound fire extinguisher, installed at a readily available location near the kitchen. If the HHR or VHR has more than one level, an extinguisher must be mounted within each level. Fire extinguishers shall be inspected annually by a certified professional to ensure the extinguishers are in good working order.~~
- ~~gf. Windows in bedrooms and sleeping areas are operable and do not have bars or other obstructions that prevent egress. Occupancy may be lowered pursuant to the outcome of the fire and life safety inspection.~~
- ~~hg. Extension cords are not used as permanent wiring for lights or appliances.~~
- ~~ih. Outdoor fire areas and fire pits. When not prohibited by State or local fire regulations, outdoor burning shall be limited to natural gas or propane fuel. The burning of solid fuel, including wood and charcoal briquettes, is not allowed. three feet in diameter, located on a non-combustible surface, covered with fire screens, and located no closer than within 25 feet of a structure or combustible material. Use of fire areas shall require a campfire permit issued by CALFIRE.~~
- ~~ji. All required signage, both exterior and interior. Signage and postings as required in section 5.56.100 and 5.56.105.~~
- ~~kj. Defensible space must be compliant with the El Dorado County Vegetation Management and Defensible Space Ordinance Chapter 8.09. Failure to comply with that ordinance will be a violation of this chapter.~~

810. Fireworks or incendiary devices are restricted in compliance with El Dorado County Ordinance Code 8.08. and Weapons in compliance with 9.44.

~~B. The Board of Supervisors at a duly noticed meeting shall have the authority to impose additional standard conditions applicable to vacation home rentals as necessary to achieve the objectives of this chapter.~~

Sec. 5.56.095. - Advertisement requirements.

The owner, host or agent shall include all of the following information in any online advertisements and/or listings for the hosted or vacation rental property:

- A. The HHR or VHR permit number and the transient occupancy tax certificate number;

- B. ~~The Number of bedrooms and maximum occupancy, not including children five years of age or younger; Conditional Use Permit number, if applicable;~~
- C. ~~The location and number of onsite parking spaces; Number of bedrooms and maximum occupancy, not including children five or younger;~~
- D. Notification that quiet hours must be observed between 10:00 p.m. and 8:00 a.m.; ~~and~~
- E. Notification that occupancy is limited to the maximum designated in the HHR or VHR permit between the hours of 10:00 p.m. and 8:00 a.m. not including the host; ~~and~~
- F. ~~The transient occupancy tax certificate number for that particular property.~~

Sec. 5.56.100. - Interior sign and notification requirements.

A copy of the County-issued permit and a copy of the associated- conditions, which are listed below, shall be posted ~~in a conspicuous place within the hosted or~~ vacation home rental adjacent to the front door. Additionally, each hosted or vacation home rental shall post the County-issued Visiting Guest Guidelines pamphlet so that both sides are legible adjacent to the front door. have a clearly visible and legible notice posted within the unit on or adjacent to the front door, containing the following information:

- A. ~~The name of the managing agency, agent, property manager, local contact, or owner of the unit, and a telephone number at which that party may be reached on a 24-hour basis; The Vacation Home Rental Hotline Number;~~
- B. The maximum number of occupants permitted to stay in the unit, not including the host;
- C. The parking rules for seasonal snow removal;
- D. Notification that the use of solid fuel (wood or charcoal briquettes) burning appliances are not allowed outside, and no fires of any kind are allowed during red flag days;
- E. The trash pickup day and notification that trash and refuse shall not be left or stored on the exterior of the property except from 6:00 a.m. to 6:00 p.m. on the day designated for trash pickup. For sites with a bear-proof garbage can enclosure: all garbage must be placed in a plastic or metal garbage can with a lid inside the bear-proof garbage can enclosure. Bagged or loose garbage may not be placed inside the bear-proof garbage can enclosure unless it is in a garbage can. Failure to utilize the provided bear-resistant garbage can enclosure, unless otherwise exempted, is a violation of this chapter;
- F. Notification that the owner may be cited and fined for actions by the occupants violating provisions of this chapter including excess occupancy, creating unreasonable noise or disturbances, engaging in disorderly conduct, or violating provisions of this chapter or any State Law pertaining to noise or disorderly conduct



~~between the hours of 10:00 p.m. and 8:00 a.m., may be cited and fined for creating a disturbance or for violating other provisions of this chapter;~~

~~FG. Notification that events as defined herein are a violation of this chapter;~~

~~H. Notification that failure to conform to the parking and/or occupancy requirements of the structure is a violation of this chapter;~~

~~GI. Notification if the source of drinking water at the hosted or vacation home rental is not a public water system; and~~

~~HJ. Notification that occupants and/or guests of the hosted or vacation home rental shall not use or operate any outdoor spa or hot tub or create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this Code or any State law pertaining to noise or disorderly conduct between the hours of 10:00 p.m. and 8:00 a.m.~~

Sec. 5.56.105. - Exterior sign requirements.

Each hosted and vacation home rental shall have signage posted on the property that is clearly visible and legible from the property line. Exterior signage shall consist of the El Dorado County-issued sign listing the permit number, occupancy, and VHR hotline number. All owners must purchase and use the El Dorado County-issued sign which will be made available for purchase from the County at an amount not to exceed the County's actual cost of production, as more specifically set forth in the County's adopted fee schedule. Within areas requiring a bear-proof garbage can enclosure, the exterior sign shall be attached to the installed bear-proof garbage can enclosure. For condominiums the sign shall be posted at the entrance of the rental. For all other locations the exterior sign shall be posted within ten (10)-feet of the property line at the location of the driveway. Exterior postings shall be clear of snow and remain visible in the winter., containing the following information:

~~A.—The vacation home rental permit number;~~

~~B.—The name of the local contact and a telephone number at which that party may be reached on a 24-hour basis;~~

~~C.—The maximum number of occupants permitted to stay in the unit;~~

~~D.—All signage shall comply with font and size requirements established by County.~~

Sec. 5.56.110. - Parking.

All permissible uses shall comply with the County parking, driveway, loading standards, and seasonal snow removal regulations.

1. On-site parking for all vehicles, boats and trailers shall be provided for each HHR and VHR. Each rental must provide a minimum of two on-site parking spaces. Within the Tahoe Basin, the parking spaces shall be located on an impervious surface.

2. There shall be no parking on the roadway between November 1 and May 1 at elevations above 3,000 feet and parking shall not encroach into the County right-of-

way. Parking on or blocking neighboring private driveways is a violation of this chapter.

3 The location and number of vehicles allowed shall be clearly listed in all rental agreements and in all online advertisements and listings per Section 5.56.095.

Sec. 5.56.120. — Noise and Events.

All ~~residential~~ hosted and vacation home rentals shall comply with the following standards:

- A. It shall be unlawful for any person on residential property or a public way to make or continue, or cause to be made or continued, any offensive, excessive, unnecessary, or unusually loud, or raucous noise, or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others on residential property or public ways within the County.
- B. It shall be unlawful to allow, permit, encourage, organize, promote, conduct, or advertise any entertainment, game, show, exhibition, activity, amusement, concert, gathering, wedding or assembly of persons, ~~where there will be presented outdoor live or recorded musical entertainment without first obtaining a Conditional Use Permit. Private events are allowed under the following provisions:~~
  - ~~1. The occupants and/or guests of the vacation home rental shall not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this Code or any State law pertaining to noise or disorderly conduct;~~

Compliance with this standard shall be in addition to compliance with all other provisions of this Code relating to nuisance, peace, and safety.

Sec. 5.56.130. - Certified local contact, owner, or host responsibilities.

- A. Each owner of a vacation home rental shall designate a local contact. The local contact may be a professional property manager, realtor, property owner, or other designated person who is available 24 hours per day, seven days per week during all times that the property is rented, and has access and authority to assume management of the unit and take remedial measures. An owner of a vacation home rental who resides within 30 minutes travel distance from the vacation home rental may designate himself or herself as the local contact. The local contact shall be required to abate a nuisance relating to potential violation including but not limited to occupancy, noise, trash, parking, events or any other guest-violation within 30 minutes after being notified ~~of the existence of a potential violation of this chapter~~ including visiting the site if necessary. All abated nuisances shall be reported to the County in compliance with 5.56.150. Failure to respond twice to Code Enforcement and cure a violation within 30 minutes shall revoke the certification of the local contact. This decision shall be appealable per section 5.56.150.
- B. The owner or owner's agent must immediately notify the County in writing upon a change of local contact or the local contact's telephone number. This notification will be

on forms prescribed by the County. The revised permit will not extend the renewal date of the vacation home rental permit, and will be issued for a fee not to exceed the cost of issuance. The name and ~~24-hour~~24-hour contact information of the local contact shall be made available to the public. ~~The changes must be posted on both the interior and exterior signage of the vacation home rental within ten days of any change of contact information.~~ Failure to comply with this section ~~may shall~~ be deemed a violation ~~by the owner of this chapter.~~

- C. Each owner of a hosted home rental shall designate a host. The host shall be a designated person who lives and stays in the house as their primary residence and is available 24 hours a day during all times that the property is rented. An owner of a hosted home rental who lives at the property may designate himself or herself as the host. The host shall be required to abate a nuisance relating to noise, trash, parking, or any other guest violation within 30 minutes after being notified of the existence of a potential violation of this chapter. The loss of a host shall void the hosted home rental permit.
- D. For all permits, the ~~host or~~ local contact shall have successfully completed a training course and achieved a qualifying score on a county-administered certification test. ~~Once certified,~~ the local contact ~~or host~~ will ~~not~~ be required to become re-certified ~~every two years,~~ ~~but~~ and must continue to comply with all provisions set forth in this section, ~~including timely reporting of all complaints and their resolutions,~~ in order to remain certified. There may be one or more ~~hosts or~~ local contacts for a given ~~HHR or VHR,~~ however, the phone number on record to be used ~~to report initial complaints by Code Enforcement~~ shall be valid to reach an available certified local contact. Operation of a ~~hosted or~~ vacation home rental without a valid certified ~~host or~~ local contact, or without a valid contact phone number, ~~or the failure to report a complaint and resolution~~ shall be considered a violation of this ~~section~~chapter.
- ~~DE.~~ The owner or the owner's agent, representative, ~~host~~ or local contact for the ~~HHR or VHR~~ is responsible for the following:
1. Ensuring that the ~~HHR or VHR~~ complies with all posting requirements, fire and life safety requirements, ~~standards of operation~~ and other provisions of this chapter at all times when the ~~house~~ is used as a ~~HHR or VHR.~~
  2. Obtaining the name, address, and contact information for ~~the primary each~~ renter(s) ~~age 18 or over.~~
  3. Providing the renters a ~~written~~ copy of ~~the County-issued Visiting Guest Guidelines. occupancy limits for overnight and daytime hours, quiet hours, any parking restrictions including for snow removal, trash pick-up day and bear box instructions, requirements for campfire permits, and all other rules and regulations, and that should any violation of this chapter occur, that fines may be imposed in accordance with Sections 5.56.150 and 5.56.200.~~
  4. Obtaining formal, written acknowledgement from ~~the primary all~~ renter(s) ~~over the age of 18~~ that he or she is ~~legally responsible for compliance of all occupants of the VHR with~~ knowledgeable of all applicable laws, rules, and regulations pertaining to

~~the use and occupancy of the VHR, and that should any violation of this chapter occur, that fines may be imposed in accordance with Sections 5.56.150 and 5.56.200. This information shall be maintained by the local contact for a period of one year from date of occupancy and be made available upon request of any officer of the County responsible for the enforcement of any provision of this chapter or any other applicable law, rule, or regulation pertaining to the use and occupancy of the VHR.~~

5. Being available by phone in case of complaints and being available to respond on-site if necessary to resolve complaints that are in violation of this chapter in accordance with Section 5.56.140.50(A).

Sec. 5.56.140. - Enforcement, violation and penalties.

- ~~A. A-~~ Failure of an owner ~~or renter~~ to abide by any of the provisions of this chapter shall constitute a ~~threat to public health and safety violation~~ subject to imposition of the penalties specified in ~~Subsections B, C and D~~ of this section. ~~Fines will be imposed on the party deemed responsible for the violation. Violations of this chapter such as failure to obtain proper permits, provide local contact response, comply with advertisement or signage requirements, or provide required trash, fire, or life safety equipment shall result in fines and penalties being imposed on the owner. The owner will be held liable for the fines should the host(s) fail to pay. Violations such as exceeding occupancy limits, quiet hours, hot tub use, or other nuisance requirements shall result in fines being imposed on renters. However, Violations of this chapter or referenced Code chapters within this chapter by either an owner or renter at a given property may shall be counted towards the number of violations in sections C and D below~~ related to suspension or revocation of a permit.
- ~~B.~~ The owner of any hosted or vacation home rental that is determined to be operating without the necessary permit required under this chapter shall be subject to violations and penalties. The first violation for operating without the necessary permit shall receive a warning with five (5) days to resolve the violation. A second violation for operating without the necessary permit shall receive fines as listed below in subsection C. Each day of operation without a permit shall constitute a separate violation and is subject to an additional penalty. In addition, any hosted or vacation home rental found to be operating without a permit will not be permitted to obtain a permit until all past due transient occupancy taxes, penalties and interest are paid in full and will be precluded from applying for a rental permit or from being on or added to the waiting list for a one (1) year period from the Notice of Violation.
- ~~C.~~ If a trash and refuse related violation is not resolved within the initial 30-minute period, each 60-minute period thereafter is a separate Notice of Violation for a total of up to three violations. The fines and violations will be cumulative. If the violation is not cured within eight (8) hours from the initial Notice of Violation, the vacation home rental permit shall be suspended.

**D.B.** The fine for violations specified in ~~Subsection~~ subsection A, B and C of this section shall be as follows:

1. For the first violation (or second violation for renting without a permit) within any ~~1812~~-month period, the fine shall not exceed \$1,500.00;
2. For a second violation (or third violation for renting without a permit) within any ~~1812~~-month period, the fine shall not exceed \$753,000.00;
3. For a third violation (or fourth violation for renting without a permit) within any ~~1812~~-month period, the fine shall not exceed \$15,000.00.
4. For any additional violation within any ~~1812~~-month period, the fine shall not exceed \$15,000.00.

Upon notice to an owner or host of a violation and the imposition of a fine, the owner or host has a right to contest the notice by filing for an administrative hearing before a hearing officer as outlined in section 5.56.150(B). If the owner or host also wishes to seek a hardship waiver to reduce the amount of any fines, such request must be included in the request for an administrative hearing. The request for a hardship waiver shall only be granted upon a showing by the responsible party that the fine or fee would impose an undue financial burden and that the party made a bona fide effort to comply after the first violation.

**EC.** A permit ~~may~~ shall be suspended after a property has at least three (3) violations ~~occurring on separate dates~~ within any 18-month period. The suspension shall ~~not exceed~~ be for six months.

**ED.** A permit ~~may~~ shall be revoked in accordance with the provisions of Section 5.56.150 after a property has at least four (4) violations ~~occurring on separate dates~~ within any 18-month period. ~~An owner may petition the County for reinstatement no sooner than 12 months after revocation.~~

Sec. 5.56.150. - Procedure for notice of violation and imposition of penalties: fine/suspension/revocation.

Notice of violation, and penalties, including: fines, suspension, and revocation of permits, shall be imposed only in the manner provided in this section.

- A. Initial complaints shall be directed to El Dorado County Code Enforcement. Code Enforcement will contact the host or certified local contact on record. The host or certified local contact shall be available 24 hours a day during all times when the property is rented, and shall be available by phone during these hours. Should a problem arise and be reported to the host or certified local contact, ~~they~~ certified local contact shall be responsible for contacting the renter and correcting the problem within 30 minutes, including visiting the site if necessary to ensure that the issue has been corrected. ~~The certified local contact shall report any such complaints, and their resolution or attempted resolution(s), to the County within 24 hours of the occurrence. Failure to respond to complaints or report them shall be considered a violation of this section.~~

B. ~~When If the issue continues or reoccurs following initial complaint to the certified local contact and Ce~~ or ~~L~~law ~~E~~enforcement is contacted, enforcement staff shall investigate whether a violation has occurred. The investigation ~~may shall~~ include an inspection of the premises and may result in the issuance of an on-site citation. ~~by code enforcement if they deem such warranted.~~

If the violation is warranted but the host or local contact has resolved the violation within 30-minutes, a warning shall be issued. Three (3) separate warning issued to a hosted or vacation home rental within 18-months shall result in a Notice of Violation.

Sheriff reports, online searches, citations or documentation provided by members of the public including, but not limited to, signed declarations, photos, sound recordings and video may constitute proof of a violation. Should the investigation reveal sufficient evidence to support a finding that a violation occurred, the County shall issue written notice of the violation and intention to impose a penalty in accordance with this chapter. The written notice shall be served either by first class mail or by personal service on the owner and if applicable to the host. , and if applicable, the renter(s). The written notice shall specify the facts which, in the opinion of the County, constitute sufficient evidence to establish grounds for imposition of the penalty and specify that the fine, or fine and suspension, or fine and revocation will be imposed 15 calendar days from the date of the notice unless the owner, and if applicable the host, or renter(s) files with the County a request for a hearing before the Code Enforcement Hearing Officer. The party requesting a hearing shall also deposit the full amount of the fine and hearing fee at the time of filing the Request for Hearing.

C. If the owner or host or renter(s) requests a hearing within the time specified in ~~Subsection subsection~~ B of this section, the County shall serve written notice of the date, time, and place for the hearing on the requesting party. The request for a hearing may include a request for a hardship waiver pursuant to Governmental Code § 25132. The written notice shall be served either by first class mail or by personal service on the requesting party. The hearing shall be scheduled not less than 15 calendar days, nor more than 60 calendar days from receipt by the County of the request for a hearing. The Code Enforcement Hearing Officer will preside over the hearing and conduct the hearing according to the rules normally applicable to administrative hearings. The Code Enforcement Hearings Officer shall determine if the County is required to provide a hardship waiver to the owner. The Code Enforcement Hearing Officer shall render a decision within 30 calendar days of the hearing and submit findings and recommendations to the County. The County shall impose the penalty in accordance with Section 5.56.140 upon the finding that a violation has been proven by a preponderance of the evidence, and that the fine, or fine and suspension, or fine and revocation is consistent with the provisions of Sections 5.56.140-~~B, C and D.~~ The decision will be mailed by first class mail to the owner, and if applicable to the ~~renter~~host, at the last known mailing address provided by that party. Deposit of the decision in the U.S. Postal Service is presumptive evidence that the party or party's agent has received notice of the decision.

Sec. 5.56.160. - Permits and fees not exclusive.

Permits and fees required by this chapter shall be in addition to any license, permit, or fee required under any other chapter of this Code. The issuance of any permit pursuant to this chapter shall not relieve the owner of the obligation to comply with all other provisions of this Code pertaining to the use and occupancy of the vacation home rental or the property on which it is located.

~~Sec. 5.56.170. - Operation of a vacation home rental without a permit - Penalty.~~

~~The owner of any vacation home rental that is determined to be operating without the necessary permit required under this section shall be subject to the penalties listed above in Section 5.56.140. Each day of operation without a permit shall constitute a separate violation and is subject to an additional penalty. In addition, any vacation home rental found to be operating without a permit will not be permitted to obtain a permit until all past due transient occupancy taxes, penalties and interest are paid in full and will be precluded from applying for a vacation home rental permit or from being added to the waiting list for a one (1) year period.~~

Sec. 5.56.1780. - Enforcement of chapter.

The Sheriff or his or her designee and the El Dorado County Code Enforcement Division is hereby authorized and directed to establish such rules and regulations as may from time to time be required to carry out the purpose and intent of this chapter. Substantive changes to this chapter can only be made by the Board of Supervisors.

Sec. 5.56.1980. - Private actions to enforce.

- A. Any person who has suffered, or alleges to have suffered, damage to person or property because of a violation of this chapter may bring an action for money damages and any other appropriate relief in a court of competent jurisdiction against the party alleged to have violated this chapter. The prevailing party in any such litigation shall be entitled to recover reasonable litigation costs, including attorney's fees in an amount deemed reasonable by the court.
- B. Nothing herein shall be deemed or construed to create any right of action against the County or any of its officers, employees, or agents. The sole purpose and intent of this section is to create a right of action between private parties, entities, and interests, which are or may be impacted or affected by various aspects of hosted or vacation home rentals within the County.

**Section 2.** Compliance with California Environmental Quality Act.

The Board of Supervisors finds that this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15060(b) and (c), because the activity will not result in a direct or reasonably foreseeable indirect physical

change in the environment, and because it is not a project as defined in CEQA Guidelines section 15378, as it has no potential for resulting in physical change to the environment, directly or indirectly. Additionally, or alternatively, the Ordinance is exempt from CEQA under CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that this Ordinance or its implementation would have a significant effect on the environment.

**Section 3.** Severability.

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this chapter or any part thereof is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. The Board of Supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase of this chapter irrespective of whether one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases is held invalid or ineffective.

**Section 4.** Effective Date.

This ordinance shall become effective 30 days following adoption hereof.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by the following vote of said Board:

Ayes:

Noes:

Absent:

ATTEST

KIM DAWSON

Clerk of the Board of Supervisors

\_\_\_\_\_

\_\_\_\_\_

Deputy Clerk  
Board of Supervisors

~~Brian Veerkamp~~ Wendy Thomas, Chair,

**APPROVED AS TO FORM  
DAVID LIVINGSTON  
COUNTY COUNSEL**

By: \_\_\_\_\_

Roger Runkle  
Deputy County Counsel







## Re: El Dorado County, California Land Use and Dev Services Public Notices Update

Bonnie Kelley <bonnie@ponderosa.email>

Fri 9/6/2024 12:02 PM

To: Gordon Helm <grhelm@grhelm.com>

Cc: info\_northcanyoninn.com <info@northcanyoninn.com>; Jody Franklin <tourism@eldoradocounty.org>; chamber@eldoradocounty.org <chamber@eldoradocounty.org>; Mike Ranalli <Mike@ranallivineyard.com>; Pam Harris <thepamo@sbcglobal.net>; Barb Kildow <admin@edcfb.com>; Mike Owen <mike.o@crystalbasin.com>; info@eldoradowines.org <info@eldoradowines.org>; BOS-District III <bosthree@edcgov.us>; BOS-Clerk of the Board <edc.cob@edcgov.us>; Jim Davies <jimdaviesforestry@gmail.com>; Tandra Heagy <generationranchcamino@gmail.com>; silverthornmeadows@gmail.com <silverthornmeadows@gmail.com>; lexi boeger <lexiboeger@gmail.com>; Hart2HartVines@att.net <Hart2HartVines@att.net>; info@toogoodwinery.com <info@toogoodwinery.com>; randy@saluticellars.com <randy@saluticellars.com>; loree@mellowoodvineyard.com <loree@mellowoodvineyard.com>; info@busbycellars.com <info@busbycellars.com>; innkeeper@edenvaleinn.com <innkeeper@edenvaleinn.com>

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Hello Everyone,  
We too will be at the meeting. Lots of info to digest.  
Bonnie & Bill

On Fri, Sep 6, 2024 at 9:12 AM Gordon Helm <grhelm@grhelm.com> wrote:

Fran & Mike,

Thanks for the response. There is a lot that is confusing. I think we need clarification, and I hope we can get that on Tuesday. See you then!

Thanks again!

Regards,  
Gordon Helm

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916.835.9600

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**From:** info\_northcanyoninn.com <info@northcanyoninn.com>

**Sent:** Friday, September 6, 2024 8:41:32 AM

**To:** Gordon Helm; Jody Franklin; chamber@eldoradocounty.org; Mike Ranalli; Pam Harris; Barb Kildow; Mike Owen; info@eldoradowines.org; bosthree@edcgov.us; edc.cob@edcgov.us

**Cc:** Jim Davies; Tandra Heagy; bonnie@ponderosa.email; silverthornmeadows@gmail.com; lexi boeger; Hart2HartVines@att.net; info@toogoodwinery.com; randy@saluticellars.com; loree@mellowoodvineyard.com; info@busbycellars.com; innkeeper@edenvaleinn.com

**Subject:** Re: El Dorado County, California Land Use and Dev Services Public Notices Update

Hi Gordon,



BOS Rcvd 9/6/24 #28

**FW: Comments for Tuesday September 10 - Agenda Item 28 (File #24-1555)**

Kim Dawson <kim.dawson@edcgov.us>

Fri 9/6/2024 7:12 AM

To: BOS-Clerk of the Board <edc.cob@edcgov.us>

📎 1 attachments (140 KB)

VHR-BOS\_Agenda Item 28 (File # 24-1555).pdf;

Good Morning – Please distribute, include with public comment and the GovDelivery today. Thanks, Kim

Kim Dawson  
Clerk of the Board of Supervisors  
County of El Dorado  
330 Fair Lane, Building A  
Placerville, CA 95667  
(530) 621-5393  
[kim.dawson@edcgov.us](mailto:kim.dawson@edcgov.us)

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**From:** Michael Ranalli <Mike@ranallivineyard.com>

**Sent:** Thursday, September 5, 2024 6:33 PM

**To:** Kim Dawson <kim.dawson@edcgov.us>

**Subject:** Comments for Tuesday September 10 - Agenda Item 28 (File #24-1555)

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Madam clerk, please include this memo for Tuesday September 10 - Agenda Item 28 (File #24-1555). Kind regards,  
Michael



Furthermore, the code language proposed in this item seem wholly inconsistent with provisions of our Zoning Ordinance Sec. 130.40.170 - Lodging Facilities

Please also consider the following citations from our adopted General Plan as you consider your action on this item.

**General Plan [Policy 8.2.2]** Protection of the rights of agricultural operators to continue agricultural practices on all lands designated for agricultural land use and expand the agricultural-related uses allowed on such lands.

**General Plan [Policy 8.2.2.1. E]**

Commercial practices (ranch marketing) performed incidental to or in conjunction with such agricultural operations including the packaging, processing, and on-site sale of agricultural products produced in the County; and

**General Plan [Policy 8.2.4]**

Development programs that provide alternative sources of capital, reduce taxes, or minimize expenditures for agricultural production.

Farmers, ranchers, foresters and their families know well the cost and consequence of harmful governmental programs and administrative processes. I ask that the Board of Supervisors either:

- 1) Direct the removal the language impacting Agriculture and approve the items related to the Tahoe Basin. Or,
- 2) Not approve Item 28 and direct your staff to perform and economic impact analysis on Agriculture and TOT.
- 3) Continue the Board Agenda Item 28 (File #24-1555) and direct staff to perform and economic impact analysis on Agriculture and TOT and schedule some Ag Commission and Planning Commission sessions for proper vetting.

Respectfully submitted,

Michael Ranalli

President, El Dorado County Farm Bureau

Dist. 1 - John Hidahl - bosone@edcgov.us

Dist. 2 - George Turnboo - bostwo@edcgov.us

Dist. 3 - Wendy Thomas - bosthree@edcgov.us

Dist. 4 - Lori Parlin - bosfour@edcgov.us

Dist. 5 - Brooke Laine - bosfive@edcgov.us

***Protect, promote, and enhance the economic opportunities and long-term viability for El Dorado County farmers, ranchers, and foresters.***

September 5, 2024

**Attention: EDC Board of Supervisors**  
**RE: Tuesday September 10 - Agenda Item 28 (File #24-1555)**

Supervisors,

Please consider my comments for Agenda Item #28, as I may not be able to attend in person. Many farmers are fully occupied with our annual harvest season and hosting visitors to their orchards and farms. If farmers have difficulty participating in this agenda item, it should not be misconstrued by your Board or individual board members. The timing of this matter is disturbing.

Back in May, the Board authorized Supervisor Laine to convene an Advisory Committee and consultant to meet and deliberate on additional VHR Program recommendations. The list of items for consideration has been primarily long standing Tahoe Basin issues that deserve focus, attention and resolution. No significant West Slope issues were reported at that time. Thus, no West Slope or Agricultural participation in the advisory committee seemed warranted until now.

Therefore the sudden and surprise inclusion of the code language prohibiting "hosted and vacation home rentals on a parcel with Ranch Marketing", is disruptive to the otherwise thoughtful, orderly and inclusive public process for VHRs. The West Slope Agricultural community is outraged and so should be those District 5 constituents who volunteered their time to engage in this governmental process. Their invested volunteer time is valuable to the county and should be better respected.

The economic impact to Wineries and Agricultural operations on the West Slope has not been studied nor measured. Why have you not engaged your Economic Division in this matter? No Agricultural Commission or Planning Commission informational meetings related to this change have been held.

The diminished West Slope contributions to Transient Occupancy Tax are unknown, and should be of great concern to District 5 and County administrators as your fiscal issues loom large. Other legislative processes have increasingly bogged down impacting your staffing resources, time and efficiency.

There are approximately 804 active VHR Permits in the Tahoe Basin and 142 active VHR Permits on the West Slope. The number of VHR Permits has been decreasing in the Tahoe Basin due to the clustering policy that the Board adopted in late 2021. Your staff has reported approximately 204 Wait List participants in the Tahoe Basin and 15 Wait List participants on the West Slope. The clustering of VHRs and buffering sensitivities on large agricultural properties are not the same as the historic issues that have impacted the culture, character and communities in the Tahoe area.

*Protect, promote, and enhance the economic opportunities and long-term viability  
for El Dorado County farmers, ranchers, and foresters.*