



EDC COB <edc.cob@edcgov.us>

Board of Supervisors // Public Comment

1 message

LauraLynn Balcerzak <llfeatherpistol@gmail.com>
 To: edc.cob@edcgov.us

Sat, Nov 14, 2020 at 12:01 PM

Dear Board of Supervisors,

Thank you so much for this opportunity to share our thoughts as residents of Meyers on the Vacation Home Rental situation.

Our comments have two components: the way the excessive VHRs have negatively affected our lifestyle every day, and the way the VHRs have made our ability to "move up" in life extremely challenging.

Day to Day:

- ~ we pick up several trash bags worth of leftover trash from VHR goers every spring and throughout the off season.
- ~ the trash problem has grown immensely over the last 7 years (Broken sleds, Diapers, plastic bottles, food wrappers, Dog poop bags)
- ~ the VHR patrons will consistently be the loudest people on the block,
- ~ VHR vehicles parked illegally in some cases preventing proper plowing of our street
- ~ the increased VHR traffic over the last 5-7years has made running to town for an errand or simply getting home from work a potentially several hour affair
 (In one instance, my fiancé was stuck in traffic for 4 hours and still wasn't close to being home, so he turned around and slept back at his office since he'd have to be there in 8 hours again anyway)
- ~ we live off of Mandan and the Sunday traffic means we witness many accidents and usually plan to stay at home that day if at all possible as an errand would be extremely time consuming

Our American Dream:

- ~we've been saving to own a house for the last 8 years, each have 800 credit scores and very little debt
- ~ Dustin has both a seasonal job Part time job and a full time year round job
- ~ I have my own business and work part time year round at a corporation in town
- ~ In several cases, we've been outbid by out of town cash buyers who turn homes into VHRs (We don't stand a chance at 3, 5 or even 10% down)
- ~ this Cash buying over The asking Price has also then driven up the market price for a single family home in Tahoe
- ~ the limited options we do have means we've been forced into buying a multi family home because the single Family mortgage , for us, is too steep (since we don't want to be slaves to a mortgage that is too high)
- ~In the meantime, rent continues to go up each summer In the house we've been renting for 12 years

Conclusion:

We know there are transient/seasonal people who flow in and out of Tahoe all the time. However, for us and our friends who are trying to plant roots and live, thrive and age here full time, for life, the chance at owning a home has been compromised even with us doing everything "right". We understand Tahoe benefits financially from tourists and VHRs, but it seems the balance has become unhealthy for people that make Tahoe "run" for those same VHR patrons to enjoy. That unhealthy balance is also a disservice to those tourists when the traffic is so bad that an ambulance can't get through to a person in need of emergency care (as is what happened last year in Christmas Valley).

We have exceeded our capacity, we are not able to provide medical care to those in need, we are making locals spend hours on the road to get home, and we are driving up home prices to be out of reach for those who want to make Tahoe their home year-round for life. But at least outside investors are making a profit, right?

We love Tahoe, we love the community here, yet we wonder what our future will look like. We heartily support a cap on VHRs immediately.

Thank you for reading,
 Lauralynn and Dustin Vineyard
 (Meyers)

11/16/2020

Edcgov.us Mail - Board of Supervisors // Public Comment



EDC COB <edc.cob@edcgov.us>

Public Comment (Board of Supervisors to Consider Vacation Home Rental Cap and Ordinance Changes)

1 message

Martin Diky <martindiky@gmail.com>
To: edc.cob@edcgov.us

Sun, Nov 15, 2020 at 4:44 PM

Martin Diky (Property Owner at Meyers)

1. I have objection against backdating the new permit applications. There needs to be proper public announcement to all legal property owners in the area that this ordinance change is applied to.

2. I have doubts about the survey done the public opinion on the new rental cap and new VHR ordinance. Will there be secondary survey done? How come I as a property owner wasnt included in such survey. I have the right to participate in such survey if such new law will affect me as the property owner.

Martin Diky
415.301.8565

11/16/2020

Edcgov.us Mail - VHR CAP LETTER



EDC COB <edc.cob@edcgov.us>

VHR CAP LETTER

1 message

John <jvasaki@sbcglobal.net>

Mon, Nov 16, 2020 at 9:30 AM

To: "edc.cob@edcgov.us" <edc.cob@edcgov.us>

Cc: "zlendick@lakevalleyfire.org" <zlendick@lakevalleyfire.org>

Please find attached my letter to the Board for tomorrow's Board meeting on VHR CAP limitations

Please let me know this letter was distributed to the Board

Than You

John Adamski



VHR CAP and Open Fire Ordinance.docx

16K

November 16, 2020

To: El Dorado County Board of Supervisors

John Adamski
2075 Mewuk Drive
So. Lake Tahoe, Ca 96150
(530) 577-1412

Dear Members of the Board,

(1) Regarding the County's proposed CAP on vacation rentals (1050 total), I applaud you for finally approaching a limit to these VHR's in our neighborhoods.

A couple of years back our local residents group proposed a cap and your Board chose to ignore any limiting number on these Vacation Rentals.

We then proposed a "radius restriction" of one VHR for every 500 foot radius to relieve clustering and in effect provide a "cap". Your Board listened to that idea and somehow it too was thrown out. The 500 foot radius restriction is still a good solution.

At that time we had approx 800 VHR's permitted and we already had plenty of residential complaints regarding parking and noise in our neighborhoods.

This new proposal of restricting permitted VHR's to 1050 is a start in the right direction – but the number should be revisited within a few years for reduction back to around 800 if the parking and nuisance problems persist.

Of course the other problem that prevails is the fact that there is seemingly no enforcement of the Ordinance rules, parking, or citations written for public nuisance in our neighborhoods.

The Sheriff's Dept is partly to blame for its reluctance to provide any enforcement of the Ordinance or County Health Officer Mandates.

It is very rare to see a VHR permit pulled for multiple violations as well.

The proposed limit of 1050 VHR's again is a good start – but we also need to diligently find relief for clustering and true ordinance enforcement. Local residents cannot continue to be subjected to problems and nuisances due to lack of ordinance and law enforcement.

(2) It has come to my attention that vacation home renters have been allowed (by County Ordinance) to permit and enjoy open fires outdoors at the rentals they briefly visit here at Lake Tahoe.

The El Dorado County Ordinance language that allows this activity is found in Title 5, Section 5.56.090. Subsection A-7 (I)

"Outdoor fire areas and fire pits when not prohibited by State or local fire regulations, shall be limited to 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."

Our entire state was on fire and it has been necessary for our local fire crews and equipment to leave town intermittently fighting state wildfires elsewhere.

It is exceptionally reckless for our County Administration to contradict state and federal lands restrictions on use of open pit fires and charcoal barbecues. Our fire risk this entire summer and fall has been exceptionally high, dry and dangerous. All it would take is one vacation home renter to check out on Sunday morning leaving live hot coals in a backyard fire pit.

I find it absurd that our El Dorado County Supervisors promote short term vacation home renters enjoyment of an activity that so very obviously endangers our Tahoe community. This County Ordinance needs to be immediately amended.

Additionally, these Vacation Home Rentals must be required to provide certified defensible space prior to permitting for use (as mandated by state law). No defensible space certification – no VHR permit !

Local residents certainly endure enough impacts from VHR's without adding a dramatically increased threat of guests lighting the neighborhood and forest on fire. I believe the County must change the ordinance to prohibit any outdoor open flame fires or charcoal bar b ques at all VHR's from here forward.

There are plenty of other safe outdoor activities VHR guests can enjoy without seriously threatening the safety of our community. Please end this County Ordinance provision now. Thank you for your attention regarding this serious matter as well.

Sincerely, John Adamski – South Lake Tahoe Resident



Cc: Chief Brad Zlendick – Lake Valley Fire District.





EDC COB <edc.cob@edcgov.us>

VHR cap agenda item

1 message

Tim Coolbaugh <timsresort@att.net>
To: edc.cob@edcgov.us
Cc: Tim Coolbaugh <timsresort@att.net>

Mon, Nov 16, 2020 at 11:03 AM

To the Board,

A cap should be instituted, but instead of doubling an already unwieldy number, leave it at the current number of permitted VHR's until:

A. The currently "overwhelmed " (in their words) EDC code compliance dept has a physical presence in the Basin, and has reduced the backlog of complaints and taken appropriate action. This is currently nonexistent.

B. There is an anti-clustering rule put in effect. This rule of 500 feet between them is the number one solution to providing real relief to the residents that are, or about to be surrounded.

Tim Coolbaugh
Meyers

Sent from my iPhone



EDC COB <edc.cob@edcgov.us>

Limits on VHR Permits (11/17 Public Hearing -Board of Supervisors)

Mike Enderby <menderby@ceainc.net>

Mon, Nov 16, 2020 at 11:51 AM

To: "edc.cob@edcgov.us" <edc.cob@edcgov.us>

Cc: "planning@edcgov.us" <planning@edcgov.us>, "bosone@edcgov.us" <bosone@edcgov.us>, "bostwo@edcgov.us" <bostwo@edcgov.us>, "bostthree@edcgov.us" <bostthree@edcgov.us>, "bosfour@edcgov.us" <bosfour@edcgov.us>, "bosfive@edcgov.us" <bosfive@edcgov.us>

Please distribute with reports on this item.

Dear El Dorado County Board of Supervisors,

I am a full-time homeowner/resident within the unincorporated area of Montgomery Estates in South Lake Tahoe. Prior to retiring and moving here, I worked for the City of San Jose (Northern California's Largest City) for 30 years and was the Senior Planner overseeing for land use development and permits. I appreciate the County's decision to limit the number of VHRs in the Tahoe Basin, although the proposed limit of 1,050 VHR permits is too high given the number of loud noise problems our neighborhood is experiencing with the 792 existing VHR permits. We have six VHRs on our short segment of street and three of these are within 75' of my house. These rental units are large and have capacities of 12-16 people each. These large groups tend to be very loud especially in the summer time when windows are open. A limitation on the overall number of VHRs alone will not effectively minimize future impacts unless there are also measures to limit the concentration of VHRs within a given neighborhood by imposing a 300' separation requirement between VHRs. It would probably be reasonable to allow a smaller separation for VHRs that have a house capacities more in keeping with the occupancy of a typical single house (i.e. 4 or 5 people). It is a very common tool for many jurisdictions to limit the physical distance separation requirements for uses that cause noise impacts to residential neighborhoods. I think that if properly regulated, VHRs can peacefully coexist within existing neighborhoods. I highly encourage the Board of Supervisors to reduce the cap to a lower number of overall permits and impose a separation requirement between VHRs. A cap alone will not adequately address the VHR problems.

Thank you,

Mike Enderby

2280 Sutter Trail

South Lake Tahoe



EDC COB <edc.cob@edcgov.us>

November 17, 2020 County Vacation Home Rental Ordinance meeting

1 message

Patti Wheeler <pattiwheeler@gmail.com>

Mon, Nov 16, 2020 at 12:31 PM

To: edc.cob@edc.gov.us, edc.cob@edcgov.us

Cc: bosone@edc.gov.us, bostwo@edc.gov.us, bosthree@edc.gov.us, bosfour@edc.gov.us, bosfive@edc.gov.us

November 16, 2020

El Dorado County Board of Supervisors
John Hidahl, District I
Shiva Frentzen, District II
Brian Veerkamp, District III
Lori Parlin, District IV
Sue Novasel, District V

Regarding: November 17, 2020, County Vacation Home Rental Ordinance meeting

Dear County Board of Supervisors,

I would like to request that the cap for VHR permits be less than 1050. I feel that the cap should be less than this as there are so many VHR's out there that are not permitted, as well as taking business away from our hotels.

I understand that more VHRs mean more money for the county, but there are other ways to make more money for the county.

One would be to have a volunteer VHR Compliance Officer for different neighborhoods that would hand out violations for not having a permit, just like there are Compliance Officers for not having a permit to do an add on to one's home i.e. Construction Permit. These VHR Compliance Officers could also be the one that is called upon when there are complaints about noise, too many cars, trash etc. and hand out fines to the renters as well as the owners instead of calling the Sheriff's Office. And since this would be a volunteer position, there would be no cost. I think that someone in each neighborhood that has a VHR next door to them would volunteer for this position. I would volunteer for my neighborhood, as I am already a Neighborhood Leader for Fire Adapted Communities.

Yes, Tahoe is a tourism town, but we also need to protect it as well. Please do not raise the cap for VHRs to 1050. We need these homes for people who live and work here. Tourists should use our hotels'; I am sure the hotels too, would appreciate less VHR's.

Sincerely,
Patti Wheeler
3025 Lodgepole Trail
South Lake Tahoe, Ca 96150



EDC COB <edc.cob@edcgov.us>

Agenda item 20-1477, 11/17/2020 meeting

1 message

Allen, Leona <lallen@mail.ltcc.edu>

Mon, Nov 16, 2020 at 12:39 PM

To: EDC Board of Supervisors <edc.cob@edcgov.us>, "bosone@edcgov.us" <bosone@edcgov.us>, "bostwo@edcgov.us" <bostwo@edcgov.us>, "bostthree@edcgov.us" <bostthree@edcgov.us>, BOS Four <bosfour@edcgov.us>, "bosfive@edcgov.us" <bosfive@edcgov.us>
Cc: "Allen, Leona" <lallen@mail.ltcc.edu>

For inclusion in the EDC Board of Supervisors 11/17/2020 meeting, agenda item 20-1477

Honorable El Dorado County Board of Supervisors:

Please take the following into consideration when discussing a cap on the number of vacation house rentals (VHRs) in the Tahoe Basin portion of El Dorado County:

- According to the EDC website, there are currently 393 active and 52 pending VHRs in the Tahoe Basin portion of the County (see attached screenshot). This makes for a total of 445. If the cap is placed at 1,050, you are increasing the numbers by **605** VHRs in our neighborhoods. That is more than twice the number of currently operating commercial short-term rentals.
- The County is unable to manage the numbers that are already permitted. The VHR in my neighborhood, according to an EDSO public records act request, had 85 complaints against it in the past few years. Even so, it took over a year to get them suspended. The reason cited from EDC Code Enforcement during a phone conversation was that they were "overwhelmed" with work because of the inordinate amount of VHRs and couldn't keep up. (The circumstances regarding this particular VHR was documented in a letter sent to the Board of Supervisors in March of this year, which has been attached for your convenience). Adding to this problem is not the answer.
- VHRs have been and continue to be a problem in our community. We could fill an auditorium with people who have horror stories about living near vacation rentals in our County, as I believe you have experienced. Again, your own Code Enforcement authority claims that they cannot handle the current number of problems. Why do we want to add to this?
- When the Tahoe residents first started asking for a cap in July 2017, we requested a cap based on the VHRs permitted at that time, which was 648. Pushing that number to over 1,000 is a slap in the face to your constituents.

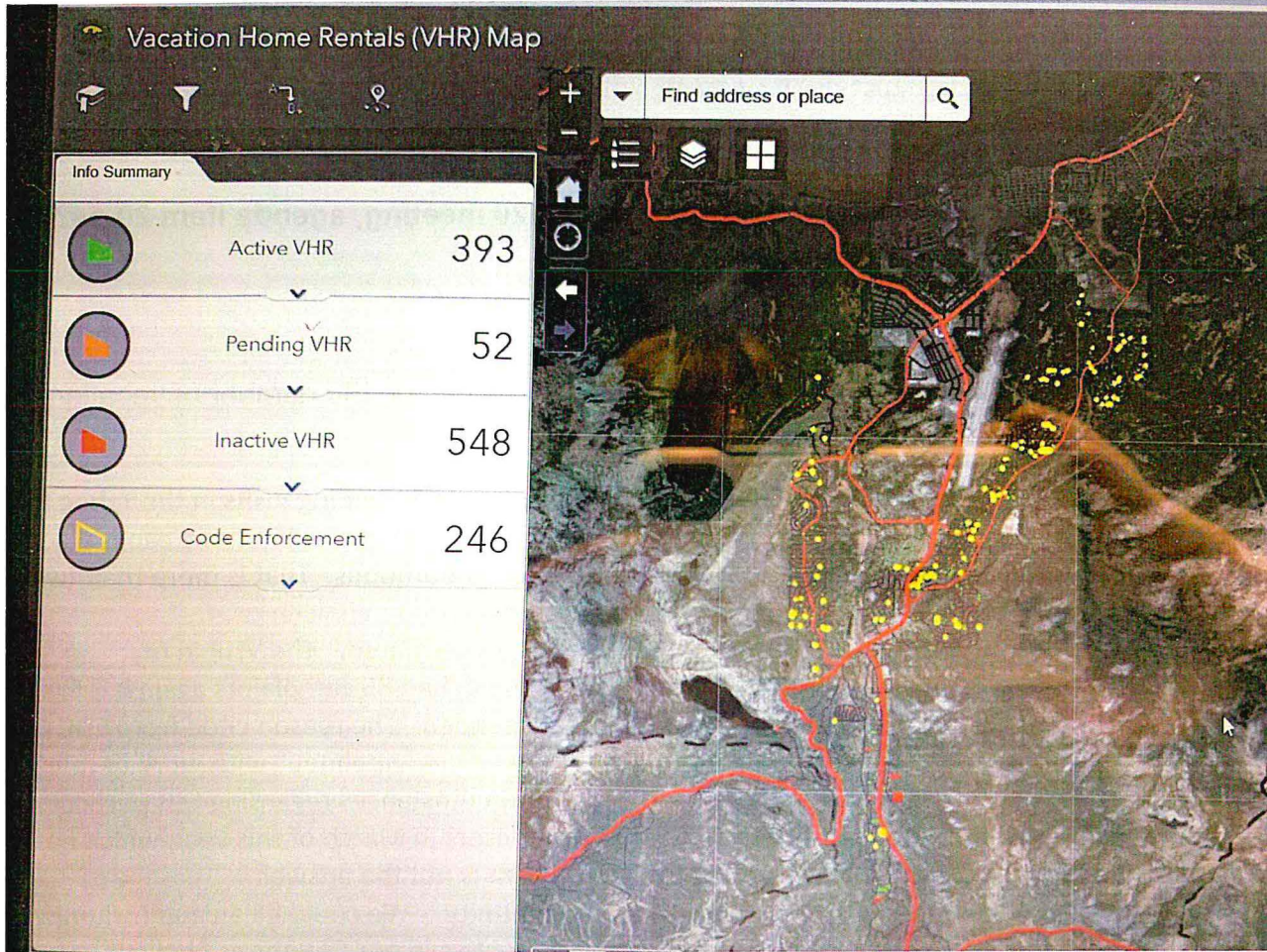
Lastly, I am also attaching a letter that was presented to Lake Valley Fire Protection District during their November 12, 2020 meeting. It asks that the District encourage El Dorado County to make the following changes to the current VHR ordinance:

- Ban all fires from outside the structure (to include campfires, warming fires, bonfires, fire pits, propane fires, outdoor propane heaters, etc).
- Require the passage of a documented defensible space inspection prior to receiving a permit to use the structure as a VHR.

The Fire Chief advised the concerned residents in attendance to forward the information to the Board of Supervisors so that consideration could be made regarding ordinance amendments. As the ordinance is currently up for review, this would be an appropriate time to make these changes.

Sincerely,

Leona Allen
1897 Toppewetah Street, Meyers
530-314-321



2 attachments

 **VHR Complaint - 1896 Toppewetah.docx**
28K

 **VHR Campfire Letter.docx**
1821K

DATE: March 5, 2020

TO: El Dorado County Board of Supervisors
Clerk of the Board
Don Ashton, County Administrative Officer

FROM: Leona Allen, 1897 Toppewetah Street, Meyers

RE: Vacation House Rental Complaint Process

On 2/11/2019, I made a complaint to Code Enforcement regarding a VHR in my neighborhood related to the following:

- The owners did not have the driveway plowed, thus the renters got stuck in the street and in the driveway.
- I ended up chaining up their vehicles because they did not know how to do it – and they did not have chains.
- The owners/managers did not respond to any phone calls from the renters for assistance.

I attempted to make the complaint online as suggested in the EDC website, but it was not functioning. I ended up just e-mailing Code Enforcement directly. This was their reply:

“I have started an investigation for this property, for the violation of the local contact not responding when they needed to. The parking and snow issues are not violations according to the ordinance, but the contact not responding is. I did not see the complaint in TRAKiT, but this email is just fine for submitting your complaint.”

On 2/19/19, I asked for an update from Code Enforcement and received this reply:

“You are correct in that this VHR/VHR Renter is in violation of two ordinances. I have started an investigation for the issue of the local contact not being available. For the parking/blocking snow removal, please contact the Sheriff next time; they can cite immediately where we cannot, as they have the authority under Ordinance Section 10.12.170. When the Sheriff cites a VHR for any violations, they send a report to our Code Enforcement Unit, and we use that for our investigation(s) for VHR violations.”

I expressed concern regarding involving the Sheriff’s Deputies because of their limited staffing and current call volume. I received this reply:

*“That was considerate of you to not want to overload the EDSO staff; unfortunately, that is the only way that is currently set up between the EDSO and Code Enforcement staff to verify the conditions that are of immediate concern, such as parking, noise, hot tub use, etc.
We currently have two Code Enforcement Officers for the entire county; there are no immediate plans for a Code Enforcement Office in the Basin, though I do know that the situation of having some type of CE staff available to assist the EDSO is being considered.*

There is a team of EDSO Deputies that are primarily assigned to VHR calls/reports; we work with them regularly to find solutions to the many problems that VHR's have.

I can appreciate your (and your Basin neighbors) issues and concerns; we are working diligently toward resolving as many of these issues as possible as soon as possible."

During the months of June and July 2019, I had several more complains regarding the VHR, which I made directly to Code Enforcement.

On 7/31/19, I sent an e-mail requesting an update on the suspension of the VHR, advising Code Enforcement that they had been steadily renting out the house since my initial complaint. This was the response I received:

"For the first year the Planning Dept staff are getting their processes in place, so have been directed to be more lenient than they will be from that point on. As for the message I left on 7/3/19 I would need to look through the 175 complaints I have; with all the phone calls and emails I am returning I haven't been able to touch one single VHR case this week. I can hopefully tell you then."

On 9/10/19, I sent another query advising Code Enforcement that the VHR in question still showed "active" in the EDC map system, although I was being assured that a suspension was forthcoming. The house was still being rented most weekends. This was their reply:

"The VHR permit is not active at this time; the TRAKit status still shows active, but there is also a date that shows it was active only until 2/28/19, and the application submitted in March shows that staff found it incomplete on 6/11/19 (a notice was sent to the owner in June). This means that the house is currently an unpermitted VHR, for which I will open a code case.

Your email from 2/10/19 regarding the driveway and snow issues will have a separate code case for a non-responsive local contact, which goes against the owner. However, the Sheriff report (S/O report) states that the officers did not issue a citation as they did not witness any violations, so that will not result in a code case.

This makes two violations; one more within the 18 month timeline (starting on 2/10/19) will result in another fine and suspension of the VHR licence, and two more will result in the revocation of the licence.

"In order to document any violations - VHR or otherwise - a government agency staff would need to verify the violation. In the case of your 2/10/19 email, that one is fairly obvious, and so I will write this one up as a violation but if the owner contests it it may be dropped

The email from you dated 7/16/19 has an attached photo showing the trash left outside of the bear box, so that is a clear violation - and is the 2nd one that I noted from you (not counting the lapsed permit) that will have a code case also.

I have been assigning code cases - but we still do not have the notices finalized; there were many ordinance changes from when the Treasurer/Tax Collector had the program, and have had to create an entirely new program from what they had.

With there being 3 violations, the license may not even be issued, as the 3rd violation constitutes a suspension, but that is for our County Counsel to determine."

On 8/27/19, I asked if we should push for additional staffing within the Code Enforcement office because this process was taking so long. The response I received:

"It isn't a staffing issue; the notices are with County Counsel for the final review: they had to be configured to work with our (new) web-based permitting system TRAKiT, so had 4-5 people working on getting everything correct with the notices.

There also had to be 3 sets of notices, depending on which of the three ordinances was in place when the violations occurred, as the code sections/sub-section numbers changed.

I know this is difficult waiting (for me as well), but please know that this property will be one of the 1st 6 or so properties that will have notices sent when we get the final go-ahead."

On 9/13/19, I sent a photo documenting that the VHR was still being rented out and asking if I should advise EDSO. The response:

"This is all I need; thank you. No need to call the S/O - unless there are issues (noise, etc)."

On 10/4/19, I asked Code Enforcement the status of a Fire District inspection because the process was taking so long and I knew there were some issues with the structure and surrounding vegetation. Their response:

"I am not sure if the Fire District has inspected yet; until a complete application is submitted there is not way to tell. Currently the property is not licensed, which is one of the cases."

I then went to the Fire District to determine if the property had been inspected. According to the Lake Valley Fire Prevention Division who inspects and tracks VHRs, this particular structure was not licensed, but still showed as "green" in the EDC system. No inspection had ever been completed.

I also left several voicemails with County Counsel asking for a response since a conversation with Code Enforcement indicated that the issue was still on their desk. They never called back. I asked Code Enforcement about this on 1/10/2020:

"County Counsel has completed their reviews of our notices, but it was for conformity to the ordinance only, not how the letters are formatted or put into place; they will not be returning your calls, as the information you are requesting is not within their area of responsibility.

It is a long and tedious process to create a brand new ordinance along with implementing the enforcement of the stated regulations; I don't mean to put you off with this, but I think understanding what is involved with any new law or regulation (as far as government goes anyway) may help.

There are many different departments involved with getting the VHR Ordinance off the ground, not just for enforcement but for the permitting; our department's way of handling the regulations are very different from how the Treasurer/Tax Collector's Office did things, and there is a learning curve for both enforcement and permitting.

Our notices are now required to be done with our fairly new (May 2018) web-based permitting system (TRAKiT), so the county Information Technologies Department is working with us to get the notices to conform to those requirements and constraints; unfortunately, the IT Dept has only so many staff and they assist every department within the county so we have to wait our turn - and if something comes up to 'bump' us out of line - such as a department move - we have our needs delayed.

That being said, since we are currently waiting for our notices to conform to the TRAKiT system I have requested a meeting with several of the many people involved with the process, including our Acting

Supervisor, to request that we move forward on getting notices out another way until they are modified by IT.

The meeting was yesterday afternoon; the supervisor agreed with me that notices need to go out ASAP, so the long answer is that they will hopefully be ready to be sent out within the next couple of weeks; our goal is for sooner than that, but the more people involved the longer things take.

Please be assured that this property is one of about 4-5 that will have the permit suspended or revoked (I can't remember which one at the moment) as soon as we can get notices out.

Note: This property is one that I presented for my 'case' to be acknowledged yesterday as needing immediate action."

It has now been over a year since I made the initial complaint regarding this property. In the meantime, the owners have continued to rent it approximately 70% of the time. Since they charge approximately \$695 (average) per night for the residence, they have made over \$30,000 while being unpermitted.

Listed below are some comments from rental review sites for this specific property:

Shauna I.



It was a great visit with our family and friends however after getting past the surface level of the house we have been very disappointed with how much we paid and the quality and condition of the maintenance of the house. I would expect that paying over \$2600 for 3 nights the quality and condition would be exceptional however over our stay we notice several issues with several items such as the following 1 Sauna difficult to turn on and quite the task to get to work 2 Tub in master is filthy - I gave my 4 and 6 year old a bath in here and upon turning on the jets were horrified as the tub filled up with black bacteria shooting out of the jets 3. after digging out 7+ feet of snow to get to the BBQ and hot tub we uncovered a broken BBQ and a unkept hot tub with cover containing mildew 4. Stove cracked and right side only turns on with a lighter 5. Living room fire place doesnt fully light 6. dryer squeaks very loudly and heard through out entire house even with door closed - turns out to not even work so we had to skip a snow day due to wet clothes that couldn't dry 7. Dishwasher tray does not have wheels and difficult to maneuver 8. downstairs bedroom with TV has no DVD or cable hooked up so TV is pointless 9. downstairs bedroom with TV and DVD has no wires to hook the DVD player up so cannot use either 10. Downstairs master has broken headboard 11. downstairs bedroom with adjoining bathroom has broken blinds 12. most stools at the kitchen counter are broken. 13. master bedroom upstairs has the worst mattress ever. Feels like a futon It has now been 22 days since our departure and although told 9 days ago our \$900 deposit was ready to be mailed, it still has not been received even though their contract states it will be mailed out 10 days after departure. True scam and very deceiving -- DO NOT BOOK!

Source: bnbdaily.com

https://www.bnbdaily.com/homeaway_rooms/2815861

2 out of 5

by A verified traveler

Ok but disappointing response to issues

Posted Feb 2, 2019 on HomeAway

We contacted th a couple of times to address issues with a lack of response. Nothing was ever addressed and we ended up not getting what we paid for. Very disappointing because overall we enjoyed our stay.

2 out of 5

by A verified traveler

Not a Luxury Property

Posted Mar 17, 2018 on HomeAway

This is all about expectations, and for me, the word "luxury" is pretty clear. This house is nice but definitely not a luxury property. A luxury property would have: * A dishwasher with a functioning dish rack. * A hot tub that was clean * A pool table with good felt and more than 1 working cue * Comfortable mattresses in every bedroom * A spare key so we could get back in when the keyless entry broke * Someone who would pick up the phone and respond immediately when the keyless entry system broke * A driveway plowing service. Or at least a decent snow shovel * Windows and doors that weren't covered with big red signs telling you all the things you can't do as if you were a group from a college frat house. If you set your expectations properly, this place is nice enough. But doesn't meet my definition of luxury.

<https://www.expedia.com/North-Upper-Truckee-Hotels-Toppewetah-Luxury-6-Bedroom-Lodge-Sauna.h34322239.Hotel-Reviews>

<https://www.theapexgetaway.com/toppewetah>

Honorable Board of Directors
Lake Valley Fire Protection District

Our neighborhood near North Upper Truckee has recently experienced some fire hazards created by vacation house rentals (VHRs or short-term rentals) in our area. On three different occasions, renters have started warming fires in the backyards during red flag conditions. Renters even used their propane-fueled fire pits and added wood on top to make the fire larger. On two of the incidents, the Fire District was called (August 29, 2020 and October 10, 2020). On the third, the fire was put out by neighbors. In addition, in listening to scanner traffic I have heard our resources responding to multiple calls for backyard fires at VHRs this year. Visitors from out of the area simply do not understand the nature and severity of our fire danger in Tahoe.

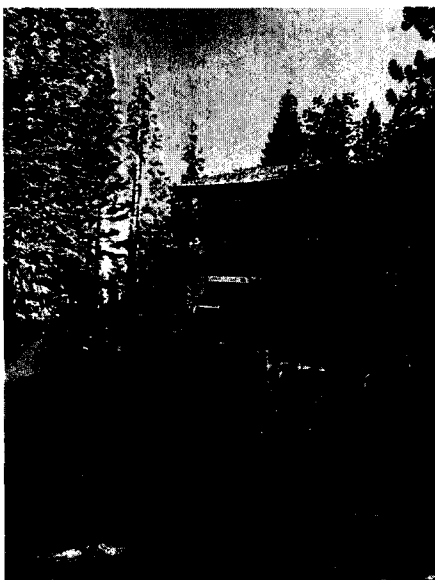
Our residents are, understandably, very concerned. We have been inundated with short-term renters in our neighborhoods and are fearful that another Angora Fire will occur at some point. We also believe that this is a waste of fire resources for something that can easily be prevented.

Currently, the El Dorado County vacation house rental ordinance (Title 5, Chapter 5.56) reads as follows:

“Outdoor fire areas and fire pits when not prohibited by State or local fire regulations, shall be limited to 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.”

In addition, VHRs are not currently inspected for appropriate defensible space, *even though it is required by a state laws (4291 PRC and Government Code 51182) and a county ordinance (Title 8, Chapter 8.09)*. This puts our neighborhoods at additional risk.

As an example, here are some photos of a currently-permitted vacation rental in Lake Valley’s jurisdiction taken this year:





Lastly, the burden of VHR inspections falls on the Firefighters, which can potentially take away from their training and regular duties....and decreases the necessary consistency of the inspections.

We are asking that the Board of Directors urge that El Dorado County amend the current vacation house rental ordinance to do the following:

- Ban all fires from outside the structure (to include campfires, warming fires, bonfires, fire pits, propane fires, outdoor propane heaters, etc).
- Require the passage of a documented defensible space inspection (by an individual who is trained by CalFire or an appropriate agency) prior to receiving a permit to use the structure as a VHR.

In addition, we request the following:

- Hire a part-time, non-PERS inspector to be responsible for all inspections who is trained in fire codes, ordinances, and defensible space laws. Request that El Dorado County fund the position from their permit and TOT fees.

Host Compliance – El Dorado County’s new VHR management contractors – has estimated that there are over **800 noncompliant (illegal) VHRs** in our area. If we add that to the current numbers, it will double the risk of fire danger to our residents, our homes, our visitors, our wildlife and our environment.

Thank you.

Leona Allen
1897 Toppewetah Street
Meyers

I am presenting a letter to you regarding issue of backyard fires being allowed at vacation house rentals (VHRs). As I mention in the letter, my neighborhood alone has had a number of incidents where vacation renters lit campfires during red flag wind event days. In listening to the scanner, I have also noticed a significant increase in the number of calls for service regarding campfires at VHRs during high fire danger days.

I fully realize that the ordinance pertaining to vacation rentals comes from the El Dorado County Board of Supervisors, but I believe that after that last few horrific fire seasons they would happily make some changes. We are hoping that you can urge them to amend the ordinance in two ways:

- Ban all fires from outside the structure (to include campfires, warming fires, bonfires, fire pits, propane fires, outdoor propane heaters, etc).
- Require the passage of a documented defensible space inspection prior to receiving a permit to use the structure as a VHR.

In addition, I would hope that Lake Valley would request that El Dorado County fund a part-time, non-PERS position through the fire district that can serve as a VHR and defensible space inspector. This will lend consistency to the inspections and take the burden away from our fire personnel.

You will see in my letter a photo example of a VHR that is in Lake Valley's jurisdiction. This particular rental comes complete with a backyard fire pit.

Thank you.

From:Kristen Schwartz <kristen@kristenschwartz.com>
Sent:Wednesday, November 11, 2020 3:11 PM
To:Allen, Leona <lallen@mail.ltcc.edu>
Subject:Re: November 12th - save the date!

Dear Lake Valley Fire Board of Directors,

I am a 32 year resident of South Lake Tahoe. My family and I currently live within the city limits. During the Angora Fire, our evacuation status changed with the wind and it was an eye-opener that made us realize how vulnerable we all were and how much more we needed to learn and prepare for. Visitors to Tahoe are not necessarily equipped with the experience, awareness, or ability to judge fire danger, and allowing outdoor fires at VHRs is simply not a good idea.

As we all know, fire does not care whether you live within the city or county limits and it certainly doesn't stop at the delineations that humans have made between them. A fire that begins in any area of the basin is a concern for us all.

We have had to call the fire department and/or put out illegal VHR fires on several occasions. Once the number of VHRs increased, so did the number of backyard fires close to overhanging branches and other combustible materials, fires without fire screens, and the lighting of logs on the bare ground. In all cases, the VHR visitors meant no harm but were unaware of the danger, didn't know how to control the fire, or even how to build one safely. Allowing fires outside at VHRs only increases the number of instances like these that need attention. That is why we ask that you demand that El Dorado County prohibit outside fires at VHRs regardless of the conditions. A fire in the county is potentially a fire in the city.

At the very least, tending to backyard-fires-gone-wrong takes precious time, effort, and resources away from the fire department. At the other end of the spectrum, we could end up with another Angora Fire or worse.

Please help prevent disaster and preserve resources by demanding that El Dorado County amend the current vacation house rental ordinance to the following:

- Ban all fires from outside the structure (to include campfires, warming fires, bonfires, fire pits, propane fires, outdoor propane heaters, etc).
- Require the passage of a documented defensible space inspection (by an individual who is trained by CalFire or an appropriate agency) prior to receiving a permit to use the structure as a VHR.

Thank you,
Kristen Schwartz
1226 Stockton Ave.
South Lake Tahoe, CA 96150

VISUAL COMMUNICATION
www.KristenSchwartz.com
Encounters with the Imaginary
530.539.4090



EDC COB <edc.cob@edcgov.us>

VHR Cap

1 message

Theresa Fasano <tfas@sbcglobal.net>

Mon, Nov 16, 2020 at 12:58 PM

To: "edc.cob@edcgov.us" <edc.cob@edcgov.us>

Cc: "zlendick@lakevalleyfire.org" <zlendick@lakevalleyfire.org>

Dear Members of the Board:

It is my understanding that the board will consider changes to the Vacation Home Rental Ordinance, including a cap on the number of total permits to be issued in the unincorporated area of the Tahoe Basin to 1,050. While I appreciate the board addressing this matter, I believe that this number is too high. I would like to see the number closer to 600. We can all agree that our community simply does not have the resources to oversee the challenges VHRs bring to our small community. I believe that capping the number on the lower side at this time is prudent until we can effectively manage and oversee these businesses that are monopolizing our neighborhoods.

As we move forward with addressing the impact of VHRs in our residential areas, we really need to address the issue of enforcement. This summer our agencies determined that it was in the interest of public safety to place Fire Restrictions on our community. While we were in this red flag no burn period, there was no camping inside the basin. I personally reported several VHRs who were BBQing during this period of restriction. One group of 20 individuals had the BBQ flames 3 feet high with the BBQ placed right next to the house, under an eave. Lake Valley Fire responded to my call and I assume they had to send a rig to investigate. If our agencies have determined it was prudent to initiate a period of fire restrictions, why didn't the VHR management company remove all of the fire/flame burning/heating amenities from the properties they oversee? If our fire department has to utilize our valuable resources to respond to these types of problems, there should be a way to fine violators but I don't think it's fair to ask our firefighters to have to act as police.

To further illustrate the inability of our agencies to enforce rules, regulations, or ordinances, I would like to address a matter of grave concern. This summer, there was a homeless encampment along the river back by the airport. Initially, it was 1 tent. It quickly grew to be a very large encampment. It took multiple reports over a period of weeks to remove this encampment and it was obvious that they were breaking AT LEAST two laws: No burning and no camping. The inability to respond to and remove this fire danger in a timely fashion just underscores our community's lack of resources.

When the board changes the VHR ordinance to include a cap, I respectfully request that there is consideration to enforcement along with penalties and fines. Without consequences, what is the incentive to follow the rules?

Thank you.

Theresa F.

11/16/2020

Edcgov.us Mail - VHR Cap



EDC COB <edc.cob@edcgov.us>

Letter re: VHR caps for the Nov. 17, 2020, Meeting

1 message

Donarae Reynolds <donarae.reynolds@gmail.com>
To: edc.cob@edcgov.us

Mon, Nov 16, 2020 at 1:19 PM

November 16, 2020

El Dorado County Board of Supervisors
John Hidahl, District I
Shiva Frentzen, District II
Brian Veerkamp, District III
Lori Parlin, District IV
Sue Novasel, District V

Re: Agenda item for the November 17, 2020, meeting--County Vacation Home Rental Ordinance

Dear County Board of Supervisors:

I am personally in favor of placing a cap on the number of Vacation Home Rental permits, but I think that 1,050, is too many. We currently have, as stated, around 800 permitted VHRs, by local estimates, another 800 operate without permits.

I believe that the cap should be set at 800 with more costly fines and consequences for those who operate VHRs without permits. It is quite apparent that the more permitted VHRs we have, the more tenant occupancy taxes are generated. Where does all this money go????

Tahoe is a tourist destination, and we need to share this beauty with those coming to visit, but you must also consider the impact that this over tourism has on the beautiful lake and our sensitive forest areas and trails. The snow removal and road/street conditions also suffer here in South Lake Tahoe.

Not only does tourism impact our lake and sensitive areas, but it also greatly impacts our fire district--Lake Valley Fire Protection District and the Sheriff's Department. The increase in fire calls for campfires in the yards of VHR homes, and tourists with no idea or regard for the high fire danger here in the basin. Our Lake Valley Fire Protection District needs equipment and apparatus.

I believe that a portion of the tenant occupancy taxes should be supporting our fire protection district, and Sheriff's Department, roads, and snow removal.

Please set the cap for VHRs at 800 and no more!

Thank you for your time.

Respectfully submitted,

Donarae Reynolds
2882 Lodgepole Trail
South Lake Tahoe, CA 96150
(530) 304-3262
Donarae.Reynolds@gmail.com



EDC COB <edc.cob@edcgov.us>

Public Comment from CATT for 11.17.20 Agenda Item #35

2 messages

Natalie Yanish <natalie@ca-tt.com>

Mon, Nov 16, 2020 at 2:34 PM

To: bosone@edcgov.us, bostwo@edcgov.us, bosthree@edcgov.us, bosfour@edcgov.us, bosfive@edcgov.us

Cc: edc.cob@edcgov.us, don.ashton@edcgov.us, david.livingston@edcgov.us, kim.dawson@edcgov.us

Hello Ms. Dawson,

Please see the attached letter from the Contractors Association of Truckee Tahoe regarding item #35, Vacation Home Rental Ordinance Changes, on the agenda for the El Dorado County Board of Supervisors Meeting to be held on 11/17/20.

Might you be so kind as to confirm receipt and that the letter will be on the record and included in the informational packet for the Supervisors?

Thank you for your time.

Warm Regards,

Natalie Yanish

South Lake Tahoe Government Affairs Manager

Contractors Association of Truckee Tahoe

(c) 775.843.7142

natalie@ca-tt.com

www.ca-tt.com

(o) 530.550.9999



2 attachments

image001.png
8K



 **CATT Public Comment 11.17.20 El Dorado County VHR Agenda Item.pdf**
76K

Kim Dawson <kim.dawson@edcgov.us>
To: EDC COB <edc.cob@edcgov.us>

Mon, Nov 16, 2020 at 2:47 PM

Please include it with public comment. Thanks, Kim

[Quoted text hidden]

--

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

CONFIDENTIALITY NOTICE: This electronic communication with its contents may contain confidential and/or privileged information. It is solely for the use of the intended recipient(s), except as otherwise permitted. Unauthorized interception, review, use, or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, or authorized to receive for the intended recipient, please contact the sender and destroy all copies of the communication. Thank you for your consideration.

2 attachments



image001.png
8K

 **CATT Public Comment 11.17.20 El Dorado County VHR Agenda Item.pdf**
76K



November 16, 2020

To The Honorable El Dorado County Board of Supervisors
Brian K. Veerkamp, Chair, District III
John Hidahl, First Vice Chair, District I
Lori Parlin, Second Vice Chair, District IV
Shiva Frentzen, District II
Sue Novasel, District V

CC: Kim Dawson, Clerk of the Board of Supervisors
Don Ashton, Chief Administrative Officer
David Livingston, County Counsel

To The El Dorado County El Dorado Board of Supervisors,

The Contractor Association of Truckee Tahoe (CATT) submits the following comments and position regarding the proposed regulation being considered at the November 17th, 2020 Board of Supervisors meeting, Item #35, Ordinance 5135 amending Title 5 - County Business License Ordinance of the El Dorado County Ordinance Code, Chapter 5.56 - Vacation Home Rentals: which would create a cap on the number of Vacation Home Rental (VHR) permits within the unincorporated area of the County, among other amendments.

CATT is concerned about a limitation on the ability for property owners to garner rental income from their real property. Limitations on rentals and private property rights affect future construction, redevelopment, and investment in the region. CATT requests that the County provide or consider a cost vs. benefit analysis on the capping of short term rental permits and the effects to the construction industry and on the workforce. There has not been a substantive conversation with private industry on what the economic contribution of construction for properties that are utilized for VHR or short term housing.

Direct impacts by creating a cap on VHR permits may include a lack of incentive for new construction and redevelopment of the existing built environment. It is unclear how many construction industry related jobs and labor would be negatively affected by rental regulations. Additional concerns for the community include impacts to sales tax collected for construction materials.

CATT encourages policy makers to engage the public and create policy based on facts and data. It does not appear that specific information has been provided to the public and elected officials regarding the consideration of a limit on VHR permits. The arbitrary number of a suggested 1,050 permits does not seem to be based on relevant data or take into account impacts to the local and regional construction industry. The VHR issue was last addressed at the County level via a public meeting held in the summer. To push forward an agenda item with such a major policy change without a public comment period in the current climate disenfranchises the interested parties, taxpayers, community members, and stakeholders.

Other jurisdictions have recognized the importance of engaging the community on determining if and how current ordinances changes need to be addressed, and the consideration of solutions that are more likely to be successful than creating ineffective regulations. Although El Dorado County had convened an ad hoc committee previously and held a public workshop regarding short term rentals, there has not been action taken by management to implement solution minded policy. There should be a consideration of exploring outside third party vendor contracts, hiring of additional staff, and streamlining of the current VHR program.

CATT is in opposition to any sort of cap on the number of VHR permits for the following reasons:

- A cap on the availability of permits creates a commodity or finite resource.
 - Creating a finite resource is inequitable for those seeking a permit as some have access to the commodity, and others do not.
 - Limiting a property owner's right to rent their property is an infringement on private property rights (bundle of rights purchased with real property), and can be considered a "taking".
 - Limiting the right of a property owner to rent their property is a disincentive for investment by homeowners in their real property as it inhibits the ability to garner income from their investment. This in turn will result in job loss for the workforce in the construction related industries.
 - A cap will most likely result in a "run on permits" and additional unnecessary applications by owners who want the right to short term rent their property. This has happened previously in both the City and County when caps were previously discussed by elected officials. This type of policy making will create more pressure on staff resources.
 - The administering of a waiting list for permits is time consuming for staff and applicants, and creates an unnecessary bureaucratic process.

- A request for a cap on permits is staff driven in response to the lack of resources and appropriate management.
 - County staff is unable to process permits in a timeline manner due to lack of staffing/resources.
 - A cap will not solve management issues and the County's unwillingness/inability/lack of priority to address enforcement of the current already strict ordinance/regulations and penalties.
 - The County already has nuisance ordinances that should apply to all and be properly enforced (primary residents, part time residents, long term and short term tenants).
 - A cap does not solve the main problem – enforcement.
 - The County charges fees and TOT tax to permit holders which is not being applied to provide the program resources effectively.
 - The County management should be held accountable for the inability to manage staff and appropriately and administer current ordinances.

- Making it difficult or impossible for property owners to comply with permitting processes or acquire a permit will result in an “underground” market for short term rentals which will result in less taxes going to the County and an unregulated industry.
 - Forcibly taking housing stock out of the sharable economy results in lower resale value and will impact the real estate market and tourism economy (benefits to the community though transient occupancy tax and sales tax).
 - Tinkering with market forces will not solve nuisance issues within the County.

Regarding the verbiage used in the ordinance:

- The declaration that “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.” is a misleading statement.
 - There has been a consistent attrition rate before COVID restrictions on VHR rentals permits of approximately 15% per year which has steadily met demand.
 - There has been a larger attrition rate recently due to the number of non-renewals during COVID VHR rental restrictions.
 - Effects on the quality of life in neighborhoods is due to lack of enforcement of nuisance ordinances, and not related to the number of law abiding residents and renters who inhabit the neighborhoods.

- The Ordinance declares that “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”.
 - El Dorado County current already has strict ordinances regarding VHR's that meets the new requirements set forth by the TRPA.

It is the position of CATT, that the County Supervisors should not create policy in an attempt to regulate itself out an issue that stems from mismanagement and lack of enforcement of the current rules. CATT requests that the County Supervisors reconvene a working group or technical advisory

committee to make suggestions that are solution orientated and not harmful to taxpayers and community members, before creating additional regulatory policy that will have unintended consequences and that fails to address the actual issues.

To suggest that a cap and these changes be implemented and reassessed in one year does not make the proposal any more palatable due to the creation of such an inequitable policy. CATT hopes to be included as an interested stakeholder and community organization in any processes for policy making in El Dorado County that affects the construction industry and private property rights.

Respectfully Submitted,

Natalie Yanish
South Lake Tahoe Government Affairs Manager
Contractors Association of Truckee Tahoe
(c) 775.843.7142
natalie@ca-tt.com
www.ca-tt.com



Our Mission: "To promote a positive business environment for the building and housing industry and enhance opportunities for its members and the community"



EDC COB <edc.cob@edcgov.us>

Public Comments 11-17-20 BOS Mtg. Item 35

Pete Ballew <pjb184@yahoo.com>

Thu, Nov 12, 2020 at 5:21 PM

To: edc.cob@edcgov.us

Hello. My name is Pete Ballew, and I would like to state I am speaking on behalf of myself and no one else or entity.

I am a co-owner of a VHR at 1312 Pine Valley, South Lake Tahoe. As responsible owners, we appreciate the work you've done to maintain accountability with Vacation Home Rentals. While I'm not sure a limit on the numbers VHRs won't come without legal challenge, that's not why I'm writing to you. I have a recommendation to be included in the ordinance revision, and a comment about one part of the process that should be revisited.

In the ordinance, there is wording about the local contact "visiting the site if necessary." I believe there should be a word or sentence added like "...if necessary, and if the local contact feels they can do so safely..." or something like that.

In terms of the process, while I think we all appreciate the necessity to have a fire and life safety inspection, I say it again. The fire department is charging too much for it. Perhaps you could make the re-inspection every 36 months, and get the FD to lower their rate. It's a money grab. When they inspected our home (3.5 bedroom, 2.5 bath), they were there for a total of 8 minutes, and that's because I spent about 3 minutes privately with the Captain after they completed the inspection shaming his department for charging so much. They checked the windows, tested the smoke detectors and Carbon Monoxide detector, front and back door and looked at our signage. 5 minutes. Over \$600.00. I was in public service for over 30 years, and this FD fee is an unwarranted money grab.

The fees associated with business license, planning department review, and TOT process seemed reasonable to me. The planner I met with was very helpful, and I think I can speak for many VHR owners who would be complimentary of the County staff during the application/renewal process. I also think I can speak for many VHR owners who would complain about the excess fees charged by the Fire Department. Thank you for your kind attention to this matter.

Pete Ballew

Proud member of the Kiwanis Club of San Leandro