

LATE DISTRIBUTION

Public Comment #28

DATE 2/9/21 BOS REV'D 2/9/21



February 8, 2021

To The Honorable El Dorado County Board of Supervisors

John Hidahl, District I

George Turnboo, District II

Wendy Thomas, District III

Lori Parlin, District IV

Sue Novasel, District V

CC: Kim Dawson, Clerk of the Board of Supervisors

Don Ashton, Chief Administrative Officer

David Livingston, County Counsel

RE: February 9, 2021 Board of Supervisors Meeting Agenda Item #28. 21-0168 Planning Matters related to "Vacation Home Rental clusters" in the Tahoe Basin

To The El Dorado County Board of Supervisors,

The Contractor Association of Truckee Tahoe (CATT) submits this letter in opposition to the County Supervisors further consideration of a "buffer" distance regulation for short term rental permits based on location of existing permits on nearby parcels located in the Lake Tahoe basin of El Dorado County.

CATT has previously submitted comments regarding concerns about a limitation on the ability for property owners to garner rental income from their real property. CATT has been on the record opposing the cap on the number of permits available in the County. CATT also opposes a "buffering" or locational restriction on the taking of a property owners right to receive a short term rental permit. Limitations on rentals and private property rights negatively affect future construction, redevelopment, and investment in the region.

CATT again requests that the County provide a cost vs. benefit analysis on the effects of short term rental restrictions, including impacts to the construction industry and the negative impacts on the workforce. Of note, the following information should be considered before any further action is taken on creating more restrictive regulations:

- Administrative costs to the County to implement and monitor new restrictions
- Communication and mitigation for property owners regarding the County limitation on their right to rent their property
- Anticipated loss of transient occupancy tax, visitor driven sales tax collected, and the impact the County budget
- Additional costs due to administration and potential permitting fees that are passed on to property owners and tax payers
- Negative effects on new construction and redevelopment of the existing built environment
- Loss of construction industry related jobs
- Loss of sales tax of sales tax collected for construction materials

Additionally, a locational policy restriction causes the following problems:

- Inequitable situation for property owners - some may be able to receive a permit and others cannot
- Instability and uncertainty in the rental use and sale of real estate
- Unpredictability for landlords in having flexibility in renting their property
- The creation of an every changing landscape for staff and prospective permittees to navigate based on the availability of permits dependent upon the expiration or termination of existing permits
- Constant monitoring of waiting lists for disqualified properties because of adjacent parcel existing permits
- The creation of a new private property right (commodity due to limitation of supply of a finite resource)
- Creating a “first come first serve” policy putting neighbors in an adversarial position
- Encouraging a “run” on permits and acquisition of permits which may go unused as applicants attempt to protect their right to rent

Creating more regulations is not solving an issue for the community or residents. If nuisances exist on short term rentals, long term rentals, primary residences, or second homes, all violators should be dealt with through the enforcement of existing County ordinances. **Any effects on the quality of life in neighborhoods caused by short and long term tenants is due to lack of enforcement and not the location of the rental properties.**

CATT encourages the County Supervisors to redact the current cap on short term rental permits, and disapprove the consideration of locational restrictions. El Dorado County ordinances already have met the criteria for the Tahoe Regional Planning Agency performance review system and short term rental caps and locational regulations are more restrictive than TRPA policy. Creating an

inequitable system for short term rental permits is unnecessary, expensive, and costly for the workforce and community.

CATT continues to be an interested stakeholder and community organization that advocates for the vitality of the Tahoe region. We appreciate your time in reviewing our comments and hope to be included in policy making that affects the construction industry.

Respectfully Submitted,



Natalie Yanish
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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>

Comment. Board of Supervisor meeting 2/9/2021, Item 28

1 message

Tom and Joni Stuart <tomjoni@sbcglobal.net>

Mon, Feb 8, 2021 at 6:55 PM

To: edc.cob@edcgov.us

I am a permanent resident of South Lake Tahoe. I live within Montgomery Estates. I am concerned about the current number of VHRs in our area. When we purchased our residence in 2016, there were very few VHRs. Within that 5 year period, unfortunately the number of vacation rentals now outnumber permanent residences - both in terms of legal and illegal rentals. For example, my street, Wagon Train Trail, has 5 rentals in a row, some of which appear to be illegal. The streets directly below (Rimrock) and above (Lupine) have similar density issues. I would like to request the Board of Supervisors and Planning Department to take action against this type of clustering. I would recommend that a density assessment be done to determine if a VHR permit should be issued.

Also, there are numerous lots for sale, and our concern is that builders will be constructing mega-homes to be utilized as VHRs within our neighborhoods, some of which already exist.

If this density issue is not resolved, our neighborhoods will become no more than a hotel zone. As permanent residents, we are fearful of fire and the safety of our homes. We believe that no VHR permit should be issued within 500 feet of any existing VHR and that large VHRs where occupancy exceeds 12 occupants should have an even larger buffer. I appreciate your time. If you have any questions please feel free to contact me.

Joni Stuart
2359 Wagon Train Trail
South Lake Tahoe, CA Sent from AT&T Yahoo Mail for iPad



EDC COB <edc.cob@edcgov.us>

Anti-clustering formula for vacation house rentals

1 message

Leona Allen <allen.leona12@gmail.com>

Mon, Feb 8, 2021 at 6:08 PM

To: bosone@edcgov.us, bostwo@edcgov.us, bosthree@edcgov.us, bosfour@edcgov.us, edc.cob@edcgov.us

Cc: Leona Allen <allen.leona12@gmail.com>

Honorable Board of Supervisors;

Happy New Year! And to our two newest Supervisors, welcome!

We understand that you are now dealing with the current vacation house rental (VHR, or short-term rental) situation again as it pertains to the clustering of these lodging establishments in our neighborhoods.

For Supervisor Turnboo and Supervisor Thomas, please know that we have been knocking on El Dorado County's door regarding VHR problems for over three years. Although we applaud the efforts of the Board in establishing an ordinance that incorporated fire district inspections, signage requirements, training for managers, and a cap on the overall numbers, we still struggle with their existence in our residential neighborhoods. Now that you are on the Board, you will hear concerns from our residents regarding some of the following:

- Large campfires at VHRs on windy days
- Structures built with 10+ bedrooms specifically to be used as VHRs and not as family homes
- Degradation to our wildlife due to trash and harassment
- Homeowners literally surrounded on each side by noise, disrespectful behavior, and over-occupied 'hotels'
- Parking and traffic problems
- Illegal VHRs operating throughout the El Dorado County portion of the Tahoe Basin
- Lack of enforcement efforts by El Dorado County

Supervisor Turnboo – with your obvious concern regarding fire hazard issues, these VHRs should garner your attention because defensible space inspections are not a requirement during the permitting process, even though it is required by state law and El Dorado County ordinance. Supervisor Thomas – as the owner of a cabin near the Desolation Wilderness area, you would not be happy to have new sets of loud and disrespectful renters next to you every weekend.

Our own District 5 representative has had to recuse herself from the issue of VHRs due to an investigation by the FPPC. And to add to the frustration, the passage of Measure T in the City of South Lake Tahoe has increased the numbers of VHRs in our County neighborhoods.

As this body deals with the issue of clustering and discusses the options for an anti-clustering formula, we respectfully request that you implement a 500-foot distance limit between VHRs. Given the nature of our neighborhoods and the issue of noise travelling uninhibited through our less-dense atmosphere and rural communities, this seems to be a reasonable distance.

Thank you.

Leona Allen
1897 Toppewetah Street
Meyers, CA



EDC COB <edc.cob@edcgov.us>

VHR Anti-clustering

1 message

Tim Coolbaugh <timsresort@att.net>

Mon, Feb 8, 2021 at 6:47 PM

To: bosone@edcgov.us, bostwo@edcgov.us, bosthree@edcgov.us, bosfour@edcgov.us, Edc Cob <edc.cob@edcgov.us>

To the Board of Supervisors,

With the explosion of VHR's in the Tahoe Basin, and exacerbated by the ban of VHR's in the City of South Lake Tahoe, there are areas with a very high density of hotel businesses ruining the livability of residential neighborhoods. And, our District 5 supervisor has been forced to recuse herself, for good reasons, from all issues pertaining to VHR's. Therefore, I ask that the remaining 4 supervisors take the corrective action of instituting a density rule in the VHR ordinance. You have working, voting, tax-paying county residents that are completely surrounded in their formerly quiet neighborhood. As you can imagine, the density, or clusters, are the number one issue in regards to VHR compatibility. A 500 foot density rule would create some semblance of normality. If there is a VHR within 500 feet, the application or renewal would be denied. A very simple solution to the very contentious issue of too many VHR's.

Thank you,
Tim Coolbaugh
Meyers