



## Legislation Details (With Text)

**File #:** 19-0403      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 3/7/2019      **In control:** Board of Supervisors

**On agenda:** 3/19/2019      **Final action:** 3/19/2019

**Title:** Planning and Building and Chief Administrative Office recommending the Board:  
 1) Receive and file a report updating the Board on the implementation of the Vacation Home Rental (VHR) Ordinance;  
 2) Approve and authorize the Chair to sign Resolution 030-2019 amending the Authorized Personnel Allocation Resolution 132-2018, as follows, in order to provide adequate staff for VHR public information, permitting, and enforcement:  
 a) Add one Development Technician (1.0 FTE) position to the Planning and Building Department, Planning Services Division;  
 b) Add one Assistant/Associate Planner (1.0 FTE) position to the Planning and Building Department, Long Range Planning Division;  
 c) Provide authorization to the Director of Human Resources to make, if needed, any technical corrections to the authorized personnel allocations for the Planning and Building Department; and  
 3) Approve and authorize the Chair to sign the attached budget transfer form allocating \$70,433 of the \$315,000 set aside in General Fund-Other Operations for the implementation of the Vacation Home Rental Ordinance to the Planning and Building Department for Fiscal Year 2018-19 (4/5 vote required). (Est. Time: 45 Min.)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. B - Budget Transfer, 2. A - VHR Update Staff Report, 3. C - Personnel Resolution, 4. D - Counsel Approval, 5. E - VHR 300 Foot Buffer Map, 6. F - VHR Location Heat Map, 7. G - VHR Road Segment Map, 8. H - VHR Overnight Guest Heat Map, 9. I - VHR Update Slides, 10. Executed Resolution 030-2019, 11. Executed Budget Transfer, 12. Public Comment Rcvd 3-15-19 BOS 3-19-19

Date	Ver.	Action By	Action	Result
3/19/2019	1	Board of Supervisors	Approved	Pass

Planning and Building and Chief Administrative Office recommending the Board:  
 1) Receive and file a report updating the Board on the implementation of the Vacation Home Rental (VHR) Ordinance;  
 2) Approve and authorize the Chair to sign Resolution **030-2019** amending the Authorized Personnel Allocation Resolution 132-2018, as follows, in order to provide adequate staff for VHR public information, permitting, and enforcement:  
 a) Add one Development Technician (1.0 FTE) position to the Planning and Building Department, Planning Services Division;  
 b) Add one Assistant/Associate Planner (1.0 FTE) position to the Planning and Building Department, Long Range Planning Division;  
 c) Provide authorization to the Director of Human Resources to make, if needed, any technical corrections to the authorized personnel allocations for the Planning and Building Department; and  
 3) Approve and authorize the Chair to sign the attached budget transfer form allocating \$70,433 of the \$315,000 set aside in General Fund-Other Operations for the implementation of the Vacation Home Rental Ordinance to the Planning and Building Department for Fiscal Year 2018-19 (4/5 vote required).

required). (Est. Time: 45 Min.)

## **DISCUSSION / BACKGROUND**

### Vacation Home Rental Ordinance Implementation Report

On September 11, 2018, the Board of Supervisors approved changes to Chapter 5.56 of the County Code of Ordinances, Vacation Home Rentals. As part of that action, the Board directed staff to return to the Board the following March with a report back to the Board on the implementation of the new Ordinance. Attached is a report detailing the progress.

### Request for Additional Staff

With the transfer of responsibility for permitting and enforcement of the new VHR Ordinance to Planning and Building, one Permit Technician was added to the Code Enforcement division of the Planning and Building Department. Code Enforcement has been working to set up VHR complaint tracking and enforcement activities in the new TRAKiT system. The VHR workload also includes sending annual renewal notices for the nearly 900 existing VHR permits, the subsequent renewal of said permits, an evaluation of the applicability of any new codes and ordinances, as well as the issuance of new VHR permits.

Staff recommends the Board approve the addition of resources to the Planning and Building Department as follows:

1. Add one Development Technician (1.0 FTE) position to the Planning and Building Department, Planning Services Division.

The Planning and Building Department acquired the VHR function from the Treasurer Tax Collector on January 1, 2019. This includes all land use, permitting, and enforcement activities (except first response handled by the El Dorado County Sheriff's Department in the field). There is currently a lack of available Planning staff to handle the newly assigned West Slope VHR workload, which includes sending annual renewal notices to all existing VHR permit-holders, the subsequent renewal of said permits, which requires an evaluation of the applicability of any new codes and ordinances, as well as the issuance of new VHR permits. A new Development Technician position is requested to perform these duties.

Current planning duties for the Development Technician will include assisting with VHR applications, and working the front counter. This position will enhance customer service including providing more timely responses to customers, streamlining procedures, and accepting applications for VHRs and planning review. It is anticipated that the total annual cost of this position will be approximately \$90,000. The estimated cost for the balance of FY 2018-19 is estimated to be \$30,000.

2. Add one Assistant/Associate Planner (1.0 FTE) position to the Planning and Building Department, Long Range Planning Division.

This position will enhance customer service including providing more timely responses to customers, streamlining procedures, and accepting applications for VHRs and planning review in Tahoe, instead of requiring them to be submitted in Placerville. The Assistant/Associate Planner position would provide missing services for customers, promote interdepartmental cooperation between Current Planning, Long Range Planning and the Department of Transportation in both the Placerville and

Tahoe offices, and further fulfill the County's "one-stop-shop" objective. The Assistant/Associate Planner will also assist with Long Range Planning's increased workload in Tahoe by managing the Tahoe Regional Planning Agency's (TRPA) Memorandum of Understanding (MOU), implementing the Meyers Area Plan, working on new housing policies and reviewing more complicated development projects. The estimated cost for the balance of FY 2018-19 is estimated to be \$40,433.

In addition to the VHR-related workload, various new duties, assignments, policies, ordinances, and regulations, have resulted in increased workload. The addition of two FTEs would provide capacity for existing staff to manage the VHR workload in addition to other ongoing, regular duties. Some other strains on staff time include:

- a. Cell tower and Broadband permits have continued to increase and have statutorily expedited deadlines that require prompt attention and prioritization over other permitting functions. This workload is expected to further increase with the new Federal Communications Commission ruling regarding Small Cell Wireless Deployments, effective January 2019, which have further shortened statutorily expedited deadlines;
- b. As controversy over land use decisions has increased, so has the complexity of the project review and California Environmental Quality Act (CEQA) process, resulting in more appeals and Environmental Impact Reports, both of which result in longer processing times, more staff time, and additional statutory deadlines;
- c. New permitting requirements for cannabis, oak trees, and signage have been assigned without the addition of staffing.

As a result of the new permitting requirements noted above, there has been an increase in front counter activity for the Planning Permit Application Center. Two full time planners are now needed to handle the public traffic - this demand is met by rotating all eight Planning staff on the permit counter taking applications in, which reduces time spent on processing applicant-funded development applications.

### Next Steps

With the addition of staff, It is expected that the assembly of VHR data will be completed by October, 2019. At that time, staff will return to the Board with a second report. Staff is requesting Board direction on whether to return to the Board with options for reducing the number or density of VHRs in the Tahoe Basin at that time.

### **ALTERNATIVES**

The Board could decline to adopt the attached Resolution amending the Authorized Personnel Allocation Resolution, and maintain the current personnel structure.

The Board may elect not to approve the budget transfer as proposed. However, this would affect the Department's ability to improve operational efficiencies, excellence in customer service and staff development, all of which ultimately generate off-setting permit revenue.

### **PRIOR BOARD ACTION**

Legistar File 18-1782

Legistar File 18-1767

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Sheriff's Office, Surveyor's Office, Information Technologies, Human Resources, Treasurer Tax-

Collector

### **FINANCIAL IMPACT**

There is no financial impact as a result of the VHR update.

The fiscal result of the staffing allocation changes represents an approximate annual increase of \$211,300, with revenue coming from the funding set aside in the General Fund for VHR activities and potential offsetting VHR and other permit revenue. This would result in approximately \$70,433 in salary and benefit costs for FY 2018-19. The Department will budget for the additional positions in the FY 2019-20 budget. The Department budget is offset with some Planning and Building fees, including Vacation Home Rental Permit fees.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) Clerk of the Board to obtain the Chair's signature on one (1) original of the Resolution.
- 2) Clerk of the Board will provide one (1) certified copy of the signed Resolution to the Human Resources Department, attention to Katie Lee.
- 3) Clerk of the Board to obtain the Chair's signature on the original Budget Transfer and will forward the budget transfer to the Auditor/Controller for processing.

### **STRATEGIC PLAN COMPONENT**

Good Governance

### **CONTACT**

Tiffany Schmid, Director  
Planning and Building Department

Jennifer Franich  
Chief Administrative Office