

**Revised**  
**AGENDA**  
**TRI-COUNTY TECHNICAL ADVISORY COMMITTEE**  
**Friday, November 13, 2020**  
**10:00 A.M.**  
**VIRTUAL MEETING**

**Meeting link:** <https://zoom.us/j/94171617000>

**Meeting ID:** 941 7161 7000

**Call in phone number:** +1 669 900 9128

*For further information on any of the agenda items, please contact Alpine County Community Development Department at (530) 694-2140. Off-agenda items must be approved by the Tri-County Technical Advisory Committee pursuant to Section 5496.5 of the Government Code.*

- A. Call to Order
- B. Approve Agenda
- C. Correspondence
- D. Minutes: February 14, September 11, 2020
- E. Public Matters: Information items and persons wishing to address the Committee regarding non-agenda items.
- F. Agenda Items:

ITEM 1: Review and possible acceptance of Mitigation Measure 4.2 (v) for street sweeping. Applicant: Kirkwood Mountain Resort

ITEM 2: Review and possible approval of a tree removal permits for hazardous trees.

Lower Timber Creek parking lots. Applicant: Kirkwood Mountain Resort  
APN: 006-020-019

Lot 27 - Palisades Dr. Applicant: Engle. APN: 006-231-022

955 Columbine Cr. Applicant: Gard. APN: 006-143-011

Lot 65 – Danburg Dr. Applicant: Watford APN: 026-171-011

310 Palisades Dr. Applicant: Beckel APN: 026-290-007

33819 Fremont Rd. Applicant: Forbes\Bilbro Resort APN: 026-174-004

33810 Danburg Rd. Applicant: Reuter Resort APN: 0026-174-002

ITEM 3: Discussion of existing and proposed short term rental regulations by County.  
Applicant: TC-TAC

G. Adjourn

DRAFT MINUTES  
TRI-COUNTY TECHNICAL ADVISORY COMMITTEE  
September 11, 2020

MEMBERS PRESENT:       Zach Wood               Alpine County  
                                  Chuck Beatty            Amador County  
                                  Brendan Ferry          El Dorado County

OTHERS PRESENT:

Sam Larsen               JoAnne Michael, Resource Concepts, Inc.  
  Erik Christeson, KMPUD General Manager

**A. Call to Order:**

The meeting was called to order by Zach Wood at 10:02 with a quorum.

**B. Approve Agenda**

Upon a motion by Brendan Ferry and seconded by Chuck Beatty, the agenda was approved 3-0.

**Roll Call Vote:**

Chuck Beatty; AYE  
Brendan Ferry; AYE  
Zach Wood; AYE

**C. Correspondence**

There was no correspondence unrelated to approved agenda items.

**D. Minutes:**

Upon a motion by Brendan Ferry, seconded by Chuck Beatty, the minutes of the August 14, 2020 meeting were approved 3-0. Continued February 14, 2020 minutes to next meeting.

**E. Public Matters: Information items and persons wishing to address the Committee regarding non-agenda items**

None.

**F. Agenda Items:**

**ITEM 1: Possible approval of a tree removal permit for 33888 Kirkwood Meadows Drive.  
Applicant: Jeff Marchini APN: 026-173-002**

Chuck Beatty shared the request which is hereby incorporated by reference into these minutes as if set forth in full.

Public Comments; None.

**Motion:** Brendan Ferry to approve the tree removal permit application. Second by Chuck Beatty.

**Roll Call Vote:**

Chuck Beatty; AYE

Brendan Ferry; AYE

Zach Wood; AYE

**Motion Approved**

**ITEM 2: Possible approval of a tree removal permit for Lot 35, Danberg Rd.  
Applicant: Sam Larsen APN: 026-172-008**

Chuck Beatty shared the request which is hereby incorporated by reference into these minutes as if set forth in full.

Public comments: None.

**Motion:** Brendan ferry to approve the tree removal permit application. Second by Chuck Beatty

**Roll Call Vote:**

Chuck Beatty; AYE

Brendan Ferry; AYE

Zach Wood; AYE

**Motion Approved**

**ITEM 3: Review and possible recommendation to the Amador County Planning Commission of the application for the Martin Point tentative subdivision map located west of the existing Timber Creek townhomes and Sentinels West townhomes with access by an extension of Sentinels Way. The subdivision of the existing lot of 15.89 acres would create thirty three (33) single family lots and one (1) duplex lot of between 0.3 and 0.6 acres. Applicant: Martin Point, LLC APN: 026-270-035**

Chuck Beatty shared the application request which is hereby incorporated by reference into these minutes as if set forth in full. He also discussed the project's prior approval and extension dates.

Zach Wood noted the KMPUD will serve letter describes conditions related to adequate capacity for public services. Any capacity deficiencies will require the applicant to fund utility improvements necessary to adequately serve the project. Erik Christeson noted that KMPUD requires a mainline extension agreement. JoAnne Michael, on behalf of the applicant, described that the project would work on the conditions with KMPUD. Chuck Beatty commented that Amador County had adopted an ordinance requiring protection of riparian habitat since the prior approval of the project, and added that the final lot configuration may have to be adjusted to comply with the new code. The next step for the project is review by Amador County TAC, then Planning Commission.

**Motion:** Chuck Beatty to recommend approval of the application to the Amador County Planning Commission along with the adoption of a Notice of Exemption per CEQA Guidelines 15182c, residential projects implementing specific plans, and 15183, projects consistent with a community plan. Conditions of Approval to be the same as the original project. Second by Brendan Ferry.

**Roll Call Vote:**

Chuck Beatty; AYE

Brendan Ferry; AYE

Zach Wood; AYE

**Motion Approved**

**G. Adjourn**

TC-TAC Committee members agreed to schedule the next meeting for October 9<sup>th</sup>, or as needed. The meeting was adjourned at 10:57 a.m.

# 2003 KIRKWOOD SPECIFIC PLAN MITIGATION MONITORING PLAN SUBMITTAL

To Whom It May Concern:

Pursuant to Mitigation Measure/COA # 4.2 (v) of the 2003 Kirkwood Specific Plan, the attached 2019/2020 Conduct Street Sweeping Twice a Year is hereby submitted on October 16, 2020.

Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

- cc:     Amador County Planning  
       Alpine County Planning  
       El Dorado County Planning  
       PMC  
       KMR



October 16, 2020

Chuck Beatty, Amador County  
Brendan Ferry, El Dorado County  
Zach Wood, Alpine County

Subject: Mitigation Measure 4.2v (COA 50)

**Mitigation Measures**

4.2 v(COA 50): Conduct street sweeping twice a year

The second required street sweeping was conducted on October 5 & 6, 2020.

Pictures and the associated purchase order are attached.

Please contact me should you need additional information or have any questions.

Thank you,

DocuSigned by:  
  
A02B81BC4EB14B8...

Matt Jones  
V.P. and General Manager  
Kirkwood Mountain Resort  
P.O. Box 1  
Kirkwood, CA 95646  
(209) 258-7202  
MJones@vailresorts.com

Street Sweeping 10/5/2020





Street Sweeping 10/5/2020





Street Sweeping 10/6/2020







# Heavenly Valley Limited Partnership PURCHASE ORDER

**BI-STATE SWEEPING SERVICE**  
**0000022305**  
 PO BOX 13497  
 SOUTH LAKE TAHOE, CA 96151  
 Attn: DANIEL HOLMGREN  
 holmgren3d@charter.net

PO NUMBER      **1300764-2**  
 DATE             **09/09/20**  
 PAYMENT TERMS **N30**  
 SHIPPING TERMS  
 CURRENCY       **USD**  
 CONTRACT  
 CONTACT         **Kelly Keith**  
                      **KKeith@vailresorts.com**

**Ship To**  
 Heavenly Valley Limited  
 Partnership  
 Kirkwood Red Cliff Building  
 1501 Kirkwood Meadows Dr  
 Kirkwood, CA 95646  
 Attn: Kelly Keith

**Bill To**  
 Heavenly Valley Limited  
 Partnership  
 390 Interlocken Crescent  
 Suite 7000  
 Broomfield, CO 80021  
 Attn: Billing/AP Contact

**Current Lines**

Line	Description	Need By Date	Qty	Unit	Price	Total
1	Fall Street Sweeping SVC	10/30/20			2,230.00	2,230.00
						<b>2,230.00 USD</b>

Vail Resorts, Inc. is an equal opportunity employer and federal contractor or subcontractor. Consequently, the parties agree that, as applicable, they will abide by the requirements of 41 CFR 60-1.4(a), 41 CFR 60-300.5(a) and 41 CFR 60-741.5(a) and that these laws are incorporated herein by reference. These regulations prohibit discrimination against qualified individuals based on their status as protected veterans or individuals with disabilities, and prohibit discrimination against all individuals based on their race, color, religion, sex, sexual orientation, gender identity or national origin. These regulations require that covered prime contractors and subcontractors take affirmative action to employ and advance in employment individuals without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, protected veteran status or disability. The parties also agree that, as applicable, they will abide by the requirements of Executive Order 13496 (29 CFR Part 471, Appendix A to Subpart A), relating to the notice of employee rights under federal labor laws.



October 5, 2020

Zach Wood  
Alpine County Planning Dept.  
50 Diamond Valley Rd.  
Markleeville, CA 96120

Dear TC-TAC Board:

We would like to request permission for the felling of the hazardous trees as described below. These trees are located in an area where we store vehicles and equipment and during the winter months these areas are used for guest parking. Both trees will be felled into a parking lot and no vegetation will be disturbed in the course of removal.

Please let me know if you need any additional information.

Sincerely,

DocuSigned by:  
*Frederick Newberry*  
B298614CB8E34D4...

Frederick Newberry  
Sr. Director of Mountain Operations  
Kirkwood Mountain Resort  
fnewberry@vailresorts.com  
209-258-7232

**Tree #1**

Lodgepole

DBH 24" (measured)

Height 60' (approx.)

38.688897 N, 120.071810 W

Red needled and tree has lots of vertical cracks in the base





**Tree #2**

Lodgepole

DBH 32" (measured)

Height 90' (approx.)

38.688665 N, 120.071339 W

Tree died over the course of the summer. Has now lost all needles and has defects in the trunk.





Kirkwood Mountain Resort  
PO Box 1 Kirkwood, CA. 95646





This 1 tree is leaning heavily over kirkwood meadows drive. Clearly seen in this photo. People have noticed that it is leaning more than ever before. This tree also shows signs of being weak and having root pull at the root bowl at ground level. This tree should be removed before this coming winter.

Tree location is at.

27 Palisades Dr.

Kirkwood,CA

Owner: Stoneleigh homes/ Gary Engle

Michael Rubini

Certified Arborist: ISA WE-9269A



Last, but not least for now is for Dolan Beckel

Address

310 Palisades Dr.

Kirkwood, CA

Picture one is on the north west side of the house where Dolan and I believe that removing 6 trees in a large group would help with forest health and fire safety. Picture 2 is 6 dead trees off of the back side of the home where the ski area boundary is. Dolan saidvail will pay for the removals, but wants him to find a company to cut them down. Picture 3 is on the south side of the cabin. 1 is dead and the other 2 trees have a heavy lean toward the house and could fall soon. Picture 1 is at the bottom and 3 is at the top. Please let me know if you need anything else.

Thank you very much, Nick Rubini



--

Rubini Tree Service

Office - (209) 223-2056

Cell - (209) 419-2922

Hey Zack,

It's Nick Rubini. Good to talk to you today. Attached is a photo of the tree that I marked in yellow for the picture



that Elizabeth wants removed. It is leaning into another tree and has signs of root pull at the base. Wind could knock it over. She also wants a lot of very small trees removed, but I don't have a picture of those. Please let me know if you need anything else from me.

Clients address is

Elizabeth Gard

955 columbine Cir.

Kirkwood, CA

--

Rubini Tree Service

Office - (209) 223-2056

Cell - (209) 419-2922

This Client's name is Frank Watford you probably know him. He is purchasing the lot next to his home at Kirkwood. The address is

Lot 65 Dangberg Rd.

Kirkwood, Ca

This tree is dead, so it speaks for itself.



--

Rubini Tree Service

Office - (209) 223-2056

Cell - (209) 419-2922

ITEM 2 - Forbes\Bilbro  
and Reuter

**Foothill Resource Management**

Steve Q. Cannon, RPF #2316  
P.O. Box 818, Pine Grove, CA 95665  
(209)419-1569

Chuck Beatty, Director of Planning  
County of Amador  
810 Court St.  
Jackson, CA 95642

15 October 2020

Dear Mr Beatty,

On August 1 of this year, I visited the property owned by Ms Margaret Forbes on Fremont Road in Kirkwood. Ms Forbes asked me to conduct an inspection of the trees on her property to determine if any of them needed to be removed for health and/or safety reasons.

The purpose of this letter to you is to comply with the Kirkwood Specific Plan to advise your office of my professional opinion regarding the situation on Ms Forbes's property.

The location of the property is Lot 84 of Kirkwood Meadows Unit 1 and the APN is 026-174-004. The property has a residence on it and has numerous red fir and lodgepole pine trees.

There are three trees that I would recommend removing from the Larsen property. I have painted them with yellow paint and numbered them. Their specific characteristics are as follows:

1. Red Fir – 24" diameter – dead
2. Red Fir – 10" diameter – dead
3. Lodgepole pine – 12" diameter – dead

There is another dead fir that is right on the property line between Ms Forbes's property and the property owned by Jean Reuter. Ms Forbes may engage the services of a surveyor to validate my opinion that the tree is on the Reuter property. The tree is 22 inches in diameter and is dead. I marked it with a yellow paint dot. The 24" tree on the Forbes property and the 22" tree on the Reuter property constitute threats to the Reuter home and the home of Ms Forbes's downhill neighbor.

However the boundary line question is resolved, please allow this letter to constitute notification for the 22" red fir.

If you have any questions, please feel free to call me. Thank you.

Sincerely,



Steve Q. Cannon  
Registered Professional Forester #2316

Attachment

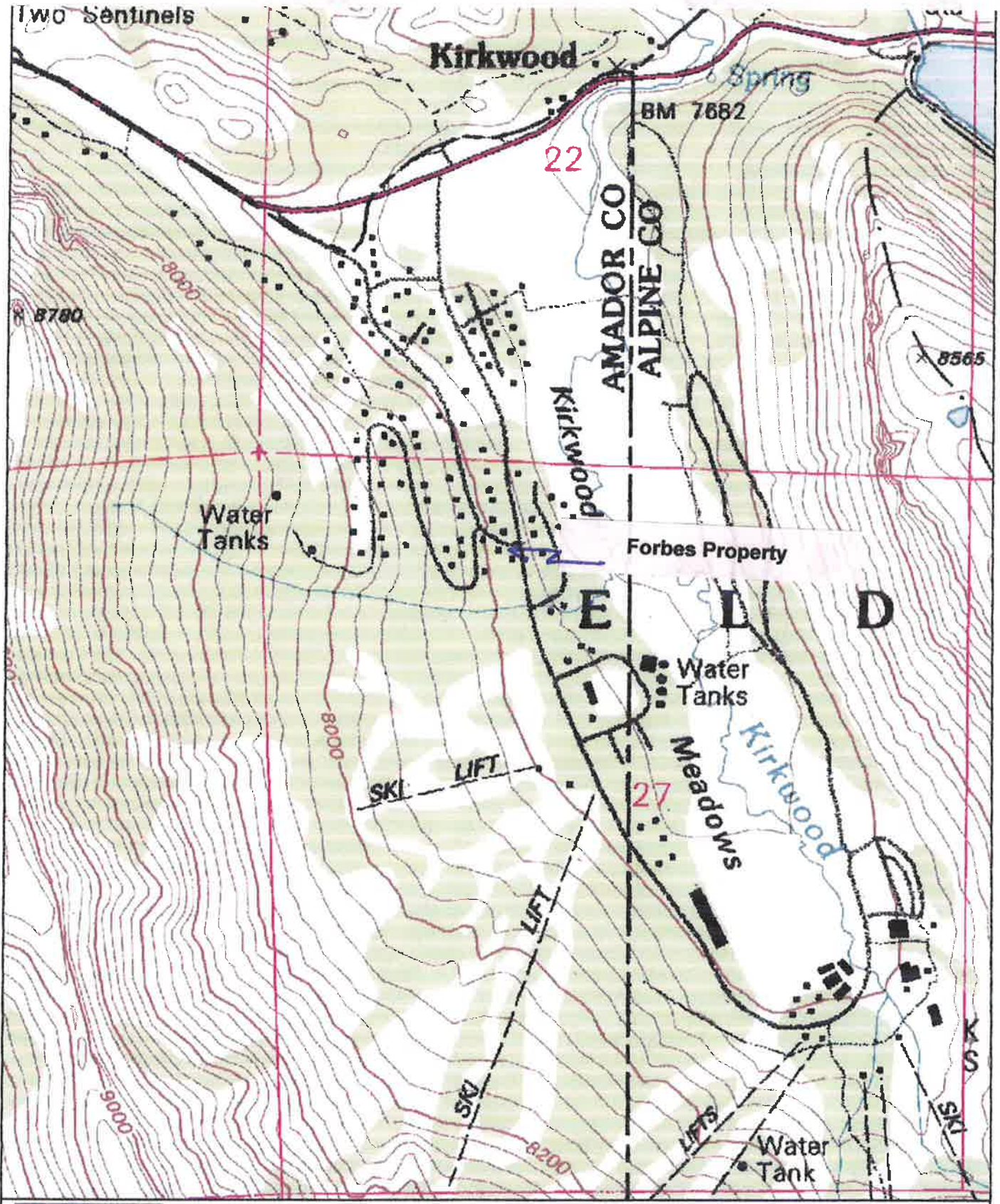


# Forbes Hazard Tree Removal Project

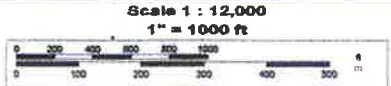
Township 10 North, Range 12 East, Section 27, MDB&M

Caples Lake 7.5' Quadrangle

Amador County



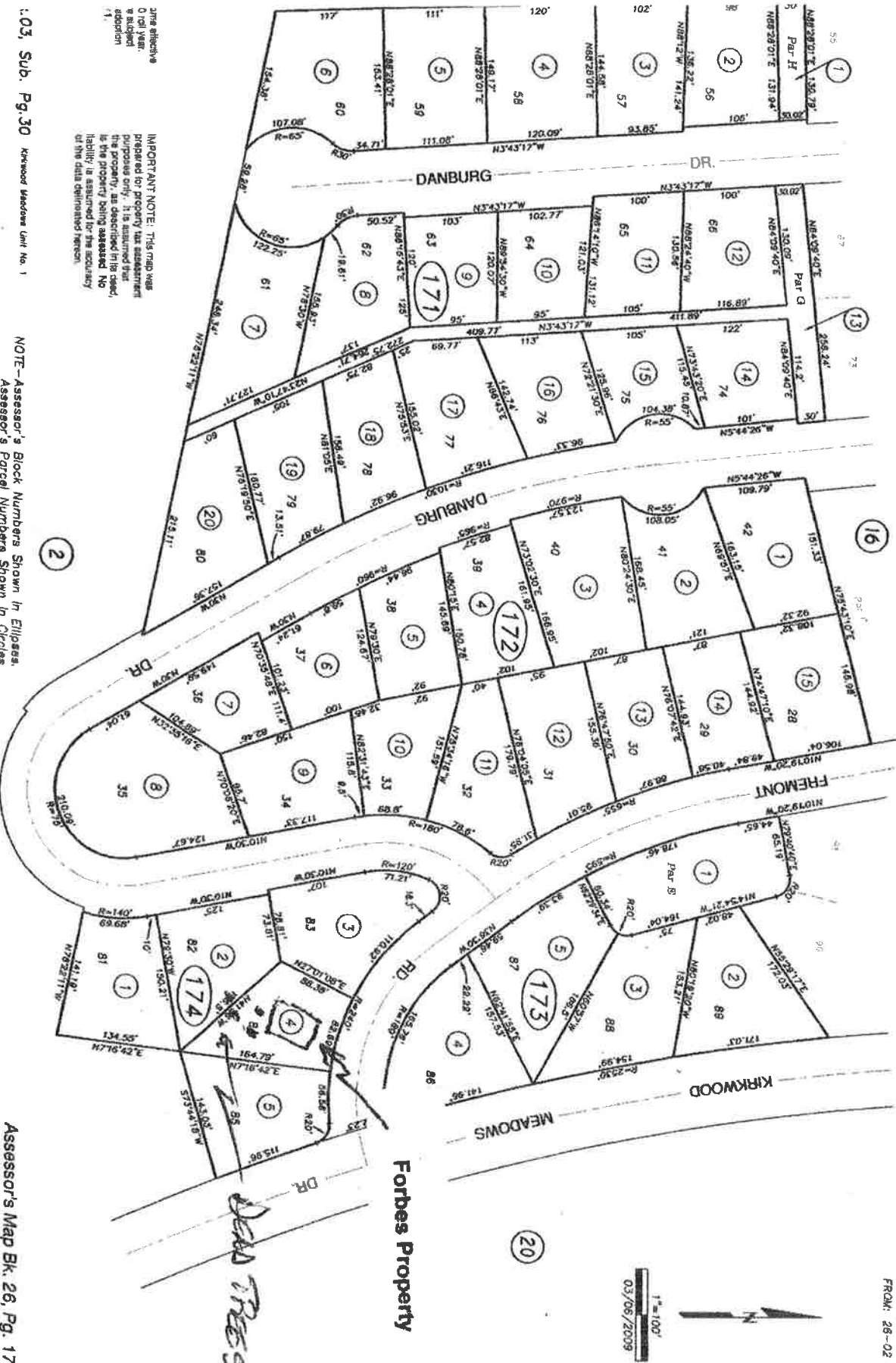
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www.delorme.com



# Forbes Hazard Tree Removal Project

Township 10 North, Range 12 East, Section 27, MDB&M  
Caples Lake 7.5' Quadrangle  
Amador County

P.O.R. SEC. 27, T.10N., R.12E., M.D.B.&M.



**IMPORTANT NOTE:** This map was prepared for property tax assessment purposes only. It is assumed that the property, as described in this map, is the property being assessed. No liability is assumed for the accuracy of the data delineated herein.

03, Sub. Pg. 30  
Kirkwood Meadows Unit No. 1

NOTE—Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk. 26, Pg. 17  
County of Amador, Calif.

26-17  
FROM: 26-02


*Hazard Trees*



**COUNTY OF ALPINE  
Community Development**

Debbie Burkett, Director

# Memo

**To:** Tri County Technical Advisory Committee (TC-TAC)  
**From:** Zach Wood, Planner III   
**Date:** November 9, 2020  
**Re:** Short term rental regulations

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Short term rental uses (aka, vacation rentals) in Kirkwood are not regulated by the 2003 Kirkwood Specific Plan. Each County may adopt their own ordinance to regulate short term rental uses. El Dorado has a vacation home rental ordinance but has not adopted the Specific Plan. There are no residentially zoned or occupied units in the Specific Plan area of El Dorado County. All existing residential units and short term rentals are within Alpine or Amador Counties. Alpine County ordinance allowed short term rentals as a use by right in Kirkwood between 1997 and 2017. In 2017 Alpine County ordinance was amended to require registration of uses. A new ordinance revision has been recommended by the Alpine County Planning Commission pending action by the Board of Supervisors (attached). The highlighted revisions for Alpine County would be replacing registration with an annual renewable license. Amador County Planning Commission recommended a new Countywide ordinance in 2019 which would exempt the Kirkwood Specific Plan area from the ordinance. The draft ordinance was not adopted by the Board of Supervisors (attached).

The purpose of this memo is to describe the existing conditions related to short term rental regulations in the respective counties for input by the Committee and the public. The Specific Plan includes limited policies for short term rentals.

***Objectives for housing:***

*3. Ensure that an adequate number of short-term rental accommodations are provided for patrons to satisfy regional resort destination demands for accommodation*

The tables below are a comparison of existing and proposed regulations.

Existing Requirements	Alpine County	Amador County	El Dorado County
<b>Zoning</b>			
<b>Land use entitlement</b>	Registration	Use by right	Permit
<b>Zoning fee</b>	\$0	N/A	\$190 new, \$178 renew
<b>Limit number of uses</b>	No	N/A	No
<b>Owner occupied exempt</b>	One bedroom	N/A	Yes
<b>Major requirements</b>	24/7 contact, nuisance standards, requires TOT payment	N/A	Safety inspection (\$325 to \$1,300 one time), signage, certified 24/7 contact
<b>Other regulations</b>			
<b>TOT Rate</b>	10%	10%	10%
<b>Require TOT registration</b>	Yes	Yes	Yes
<b>Require business license</b>	Yes	No	Yes
<b>BL application fee</b>	\$26	N/A	\$46
<b>Fictitious business registration</b>	Yes	Yes	Yes

The Committee may discuss the following related to short term rental uses.

- Changes in vacation rental uses in Kirkwood since the adoption of the Specific Plan
- Best practices related to Kirkwood short term rentals and ordinance consistency between Counties

# Attachment 1

Planning Commission recommended revisions to CC 18.73 –  
Short term rental regulations

**Chapter 18.73**

**RESIDENTIAL SHORT-TERM RENTALS**

Sections:

- 18.73.010 Purpose.
- 18.73.020 Applicability.
- 18.73.030 Exemptions.
- 18.73.040 Residential short-term rental registration required.
- 18.73.050 Acknowledgement of registration.
- 18.73.060 Notification of residential short-term rental.
- 18.73.070 Standards.
- 18.73.080 Transient lodging tax proof of payment.
- 18.73.090 Preexisting transient lodging uses.

**18.73.010 Purpose.**

The purpose of this chapter is to provide a fair, equitable and streamlined means of allowing residential short-term rentals throughout Alpine County in a manner that provides for the health and safety of the occupants and does not create a public nuisance.

**18.73.020 Applicability.**

Residential short-term rentals may be located in any zone that allows residential use; provided, that the residential short-term rental complies with all the requirements of this chapter. Residential short-term rental means the use of a dwelling unit by any person or persons or group of persons entitled to occupy for the purpose of providing overnight lodging in exchange for payment for rent for a period of less than 30 consecutive days. Short-term rentals also include owner-occupied short-term rentals, but does not include bed and breakfasts, inns, hotels and motels.

**18.73.030 Exemptions.**

A. Five Nights/Year. Residential short-term rentals offered or used up to a maximum of five nights per calendar year are exempt from the requirements of this chapter except that the owner or operator shall pay all applicable transient lodging taxes as required by county code.

B. One Bedroom in an Owner-Occupied Residence. One bedroom in an owner-occupied residence accommodating no more than three overnight guests is exempt from the requirements of this chapter except that the owner or operator shall pay all applicable transient lodging taxes as required by county code.

~~**18.73.040 Residential short term rental registration required.**~~

~~A residential short term rental is required to be registered with the Alpine County community development department prior to the establishment of such use. Registration for a residential short term rental shall be submitted to the community development department together with full payment of the registration fee as determined by resolution of the board of supervisors. The residential short term rental shall comply with this chapter, except for specific exemptions or exceptions that are described in this chapter. (Ord. 723 § 1(4), 2017)~~

~~**18.73.050 Acknowledgement of registration.**~~

~~An acknowledgement of registration shall be issued by the community development director upon his/her determination that the residential short term rental complies with all of the requirements of this chapter. The acknowledgement of registration is issued to the property owner or their designated agent, is not transferable and does not run with the land.~~

**18.73.060 Notification of residential short-term rental.**

~~Upon receiving an acknowledgement of registration~~ Upon approval of a license and prior to offering the residential short-term rental, the property owner or their agent shall send a notification to all property owners shown on the latest equalized assessment roles as owning real property within three hundred feet of the property where the residential short-term rental is located. Notices shall contain the property owner's and, if applicable, the rental agent's name,

47 telephone number and mailing address; street address of the residential short-term rental unit, description of the  
48 residential short-term rental use, name and phone number for a local twenty-four/seven emergency contact.

49 This notification requirement does not apply to residential short-term rentals located within the Kirkwood Specific  
50 Plan and Bear Valley Master Plan areas.

51 **18.73.070 Standards.**

52 A. Limitation on Structures. A residential short-term rental may be conducted only within a legally established  
53 residential unit or portion thereof.

54 B. Noise Limitations. No activity at any time shall produce sounds measured in excess of the standards as stated in  
55 Section 18.68.090(B) of this code. Outdoor amplified sound is prohibited.

56 C. Outdoor Fires. Outdoor fires are limited pursuant to Chapter 8.16 regarding outdoor burning and fire control.

57 1. East slope properties which violate the standards of CC 8.16 for outdoor fire will be prohibited from all  
58 future outdoor burning with the exception of propane fuel barbeques and appliances.

59 D. Solid Waste. Solid waste storage and disposal shall not become a nuisance. The property owner shall not fail to  
60 adequately provide for appropriate refuse collection and/or storage. Solid waste violations include failure to secure  
61 waste from wildlife, leaving waste out for excessive time, and failure to secure waste from weather.

62 1. East slope properties which violate the standard for solid waste shall be required to install a wildlife-proof  
63 solid waste receptacle or "bear box".

64 E. Parking. No additional parking in excess of what is required for the residential use of the property shall be required.

65 F. Signs. One single, nonilluminated sign of not more than six square feet in area is permitted. In addition, each  
66 residential short-term rental shall have an address placard displayed on the building or land in such manner as to be  
67 clearly visible from the street or road on which the residential short-term rental is located. The address placard shall  
68 comply with the requirements of the California Fire Code.

69 G. Life Safety Measures. The following life safety measures are required to be in place within the area to be used for  
70 the residential short-term rental:

71 1. Operating smoke detector(s) and carbon monoxide detector(s) installed in accordance with state law;

72 2. At least one functioning fire extinguisher in an easily accessed location inside the space;

73 3. Written information available to the occupant in a conspicuous location inside the space containing  
74 twenty-four/seven emergency contact information for a representative of the property owner or rental agent, law  
75 enforcement, fire department, and ambulance services.

76 H. Confinement of pets. Guests of residential short term rentals shall confine pets per the requirements of CC  
77 6.04.160.

78 I. Outdoor lighting. For all exterior lighting the light source shall be fully shielded from neighboring properties and  
79 directed downward. All light fixtures, including security lighting, shall be aimed and shielded so that the direct  
80 illumination shall be confined to the property boundaries of the source. Motion sensing light fixtures shall be fully  
81 shielded from neighboring properties and properly adjusted; to turn off when detected motion ceases.

82 J. Interior Notice sign Requirements. Each rental shall have a clearly visible and legible notice posted within the unit  
83 on or adjacent to the front door, containing the following information:

84 1. The name of the managing agency, agent, property manager, local contact, or owner of the unit, and a telephone  
85 number at which that party may be reached on a 24-hour basis;

86 2. The number and location of on-site parking spaces and the parking rules for seasonal snow removal;

87 3. The trash pickup day and notification that trash and refuse shall not be left or stored on the exterior of the property  
88 except from 6:00 p.m. of the day prior to trash pickup to 6:00 p.m. on the day designated for trash pickup and that  
89 failure to utilize the provided garbage can enclosure, unless otherwise exempted, is a violation of this chapter;

90 4. Notification that occupants, may be cited and fined for creating a disturbance or for violating other provisions of this  
91 chapter;

92 54. Notification that occupants and/or guests of the vacation home rental shall not create unreasonable noise or  
93 disturbances, engage in disorderly conduct, or violate provisions of this Code or any State law pertaining to noise or  
94 disorderly conduct, and shall not produce noise such that neighboring properties are disturbed between the hours of  
95 9:00 p.m. and 7:00 a.m.

96 5. Occupants may be cited and fined for violating any provisions of the Alpine County Code.

97 L. Compliance with Other Codes, Laws and Regulations. The residential short-term rental shall be conducted in  
98 compliance with other applicable codes, laws and regulations including, but not limited to, all applicable provisions of  
99 the Alpine County Code.

100 M. Public Nuisance. The residential short-term rental shall not be operated in a manner that creates a public nuisance.

101 N. Local Contact. The property owner shall designate a local contact. The local contact may be a professional  
102 property manager, realtor, property owner, or other designated person who is available 24 hours per day, seven days  
103 per week during all times that the property is rented, and has access and authority to assume management of the unit  
104 and take remedial measures. The local contact shall be required to abate a nuisance relating to noise, trash, or parking  
105 within one hour after being notified of the existence of a potential violation of this chapter. The local contact shall be  
106 located within one hour driving distance of the short term rental.

#### 107 **18.73.080 Enforcement and Penalties**

108 A. Upon violation of the standards the responsible party and property owner will receive a written warning that  
109 additional violations of the standards will result in an administrative fine.

110 B. The second successive violation of the standards will cause an administrative fine not to exceed \$500. The third  
111 successive violation of the standards will cause an administrative fine not to exceed \$750. The fourth violation will  
112 cause an administrative fine not to exceed \$1,000 and the ~~registration license~~ to conduct short term rental use shall be  
113 revoked and the property shall be prohibited from future short term rental use.

114 C. Operation of a residential short term rental without a valid ~~registration license~~ will result in an immediate  
115 administrative fine not to exceed \$1,000.

#### 116 **18.73.090 Transient lodging tax proof of payment.**

117 On or before April 1st of each year, payment in full of all transient lodging taxes due for the preceding calendar year  
118 shall be confirmed by the community development department. Nonpayment of transient lodging taxes is a violation  
119 of this chapter and the county may take action against the property owner and/or operator of the residential short-term  
120 rental pursuant to the applicable sections of the Alpine County Code. (Ord. 723 § 1(8), 2017)

#### 121 **18.73.100 Preexisting transient lodging short term rental uses.**

122 ~~A. Bear Valley and Kirkwood. Pursuant to Alpine County Ordinance No. 596-97, transient lodging use has been~~  
123 ~~allowed as a use by right within the Bear Valley Master Plan and Kirkwood Specific Plan areas of Alpine County.~~  
124 ~~Within twelve months of the effective date of the ordinance codified in this chapter, Effective July 1, 2021 all transient~~  
125 ~~lodging uses short term rentals in residential dwellings in existence and future transient lodging uses proposed in these~~  
126 ~~two areas shall complete the registration process, receive an acknowledgment of registration obtain a license and~~  
127 ~~comply with all of the requirements for residential short-term rentals as described in this chapter.~~

128 ~~B. All Other Areas. Transient lodging permits issued prior to the effective date of the ordinance codified in this chapter~~  
129 ~~shall continue to be valid and registration shall not be required as long as the operation complies with all of the other~~  
130 ~~requirements of this chapter.~~

131 | ~~CB.~~ Effective ~~immediately~~ July 1, 2021 East slope residential short-term rentals are required to meet the operational  
132 standards of this section and are subject to enforcement provisions including immediate administrative citations for  
133 violation of operational standards.

134 **18.73.110 No property rights conferred**

135 Residential short term rental ~~registration~~ licenses shall not be construed as providing property rights or vested interests  
136 and entitlements in continued operation of a short term rental. Residential short term rental ~~registrations~~ licenses are  
137 revocable. Residential short term rental ~~registrations~~ licenses shall not run with the land.

138 **18.73.120 - License required.** (Replaces 18.73.040, 18.73.050 registration requirement)

139 No person shall rent, offer to rent, or advertise for rent a residential unit to another person or group persons for a short  
140 -term rental without a license approved and issued in a manner provided for by this chapter. Only owners of a  
141 residential unit are eligible to apply for and receive a short term rental license. Licenses for operation of a short-term  
142 rental will shall be issued pursuant to an administrative policy developed by the County planner and/or his designee.

143 **18.73.130 - Application requirements.**

144 Prior to renting, offering to rent or advertising the rental of a residential unit for a short term rental, the property owner  
145 shall make an application to the County on a form provided by the County. The application shall be filed by the owner  
146 and include the following information:

- 147 a. The full true name under which the business will be conducted.
- 148 b. The address and assessor parcel number where the short term rental is to be conducted. Where multiple units are  
149 located on the same parcel, each unit's address shall be provided on a separate application.
- 150 c. The owner's full, true name, mailing address, email address and telephone number.
- 151 d. In the case that a separate management company or person shall assume responsibility of the short term rental for  
152 the owner, the management company or contact person's name, phone number, mailing address and email address  
153 shall be provided in addition to the owner.

154 **18.73.140 - Requirements for license issuance.**

155 The County shall consider the information included in a complete submitted application in order to determine whether  
156 the issuance of the license for the short term rental is consistent with the provisions of this chapter. Upon  
157 determination by the County that the following criteria have been met, the County shall approve the license:

158 a. The number of licensed short term rentals within the short term rental overlay district do  
159 not to exceed the following overlay area limits:

160 OR

161 The property is not subject to a concentration limit\exclusion buffer. PLACE HOLDER. The  
162 Planning Commission did not recommend this language to the Board of Supervisors

163 b. A license for a short term rental use for the residential unit has not been revoked in the prior twenty-four month  
164 period;

165 c. The premises or residential unit is not currently the subject of an active compliance order or administrative  
166 citation for a violation of this code;

167 d. An administrative citation has not been issued, regarding a violation on the site, in the past twelve months;

168 e. The property owner has demonstrated, through an application filed to the County, the ability to meet the  
169 requirements outlined in this chapter.

170 **18.73.150 - License form and period of validity.**

171 All licenses for short term rental uses shall be made on forms furnished by the community development department  
172 and shall be issued for a period of one year. Licenses shall be issued for the period of time beginning on July 1st of  
173 each year and shall conclude on June 30th of the following year. Applications made during the year shall be issued  
174 for a prorated period to conclude on June 30th.

175 **18.73.160 - License issuance and non-transferability.**

176 The short term rental license issued under this chapter shall be issued to the owner of record of the residential unit and  
177 no license may be assigned, transferred or loaned to any other person, entity, location or establishment.

178 **18.73.170 - Term of license; expiration.**

179 The short term rental license shall be personal to the applicant/owner and shall automatically expire upon sale or  
180 transfer of the premises or residential unit, or if not renewed pursuant to Section 18.73.180. The license may be  
181 revoked for failure to comply with ~~adopted standards~~ the requirements of the County Code, subject to the  
182 administrative and revocation procedures outlined in Section 18.73.200, unless otherwise specified by this chapter.

183 **18.73.180 - License renewal.**

184 The short term rental license shall automatically renew upon payment of the short term rental license renewal fee and  
185 all required transient occupancy tax remittance documents associated with the short term rental license. Nonrenewal  
186 prior to the expiration date will result in expiration of the short term rental license and will require that a new  
187 application be made subject to Sections 18.73.130 and 18.73.140 and all other requirements of this code.

188 **18.73.190 - Cessation of use of a residential unit as a short term rental.**

189 a. Where the owner of a premises or residential unit used and occupied as a short term rental pursuant to a short term  
190 rental license approved and issued in the manner provided by this chapter, fails to remit transient occupancy tax for a  
191 period of twenty-four consecutive months or greater as determined by the County, the short term rental license shall be  
192 deemed to have automatically expired and shall be forfeited.

193 b. Where the owner of a premises or residential unit used and occupied as a short term rental pursuant to a short term  
194 rental license approved and issued in the manner provided by this chapter intends to cease such use and abandon the  
195 short term rental license for the residential unit, the owner shall promptly cause a notice of cessation to be filed with  
196 the County. The short term rental license for the unit shall expire immediately upon receipt by the County of the notice  
197 of cessation.

198 **18.73.200 - License revocation.**

199 A short term rental license issued under the provisions of this chapter may be revoked by the County planner or his/her  
200 designee after notice and hearing, as provided in Section 18.73.210 below, for any of the following reasons:

201 a. Fraud, misrepresentation or false statement contained in the application;

202 b. Fraud, misrepresentation or false statement made in the course of carrying on a short term rental as regulated by  
203 this chapter;

204 c. Any violation of any of the provisions of this chapter or of any other provision of this code; or

205 d. Any violation of any provision of federal, state or local laws.

206 **18.73.210 - License revocation notice.**

207 Before revoking a short term rental license, the County planner or his/her designee shall give the owner notice in  
208 writing ten days prior to the revocation action.



209 **18.73.220 - Appeal from denial or revocation of license.**

210 Any person whose application has been denied by the County planner or his/her designee or any person who has had a  
211 short term rental license revoked by the County planner or his/her designee shall have the right to appeal per County  
212 Code 18.88.

213 **18.73.230 – Fee**

214 (a) The County shall collect an annual fee of \$100 for every application.

215 (b) The above Fee amounts are not anticipated to fully cover the cost so administrating this Ordinance; however,  
216 within twelve months of this Ordinance, the County shall conduct a fee study to determine the total cost of  
217 administering this Ordinance.

218 a. If, based on the results of the fee study, the fee needs to be increased; the County may increase the Fee  
219 by way of resolution for any new or renewed registrations.

220 b. If, based on the results of the fee study, the fee exceeds the cost of the administering this Ordinance the  
221 County shall decrease the fee by way of a resolution and shall also reimburse applicants their proportional  
222 share of overpayment

223

Chapter 19.48.2  
SHORT-TERM RENTALS

Amador County  
Draft Ordinance  
2019

Sections:

- 19.48.201 Title.**
- 19.48.202 Applicability.**
- 19.48.203 Purpose and findings.**
- 19.48.204 Definitions.**
- 19.48.205 Regulations- Generally.**
- 19.48.206 Additional regulations for Non-Hosted Short-Term Rentals.**
- 19.48.207 Exemptions.**
- 19.48.208 Prohibited.**
- 19.48.209 Agency representation.**
- 19.48.210 Application for Short-Term Rental Permit.**
- 19.48.211 Application fee.**
- 19.48.212 Appeals.**
- 19.48.213 Enforcement.**

**19.48.201 Title.**

This chapter shall be referred to as the Short-Term Rental Ordinance.

**19.48.202 Applicability.**

The provisions of this chapter apply only within the unincorporated area of Amador County. All requirements, regulations, and standards imposed by this section are intended to apply in addition to any other applicable requirements, regulations, and standards imposed elsewhere in this Code.

**19.48.203 Purpose and findings.**

The purpose of this ordinance is to provide regulations for Short-Term Rentals and to provide a process for permitting Short Term Rentals. The intent is to regulate Short-Term Rentals in a manner that minimizes nuisance to neighboring residents without creating an undue burden on owners of Short Term Rentals. The County hereby finds as follows:

- A. Short-Term Rentals provide economic benefit to the County by encouraging tourism and allowing County property owners to generate additional income.
- B. Unregulated Short-Term Rentals present a threat to the public welfare and the peaceful enjoyment of property as well as an undue burden on police, fire, and other County resources.

**19.48.204 Definitions.**

For purposes of this chapter, these words and phrases shall be defined as follows:

- A. "Short-Term Rental" means any structure, or any portion of any structure, which is occupied or designed for occupancy for dwelling, lodging or sleeping purposes and is rented for a period of 30 days or less.
- B. "Transient" means any person who exercises occupancy of a Short-Term Rental for less than thirty days by concession, permit, right of access, license, or other agreement.
- C. "Local Contact" means a local property manager, owner, or agent of the owner, who is available to respond to Transient or neighborhood questions or concerns, and is authorized by the owner to take remedial action and respond to any violation of this Chapter.

- D. "Hosted Short-Term Rental" means any Short-Term Rental where the Local Contact is present on the same or contiguous parcel at least 75 percent of the duration of the renter's occupancy.
- E. "Non-Hosted Short-Term Rental" means any Short-Term Rental where the Local Contact is present on the same or contiguous parcel less than 75 percent of the duration of the renter's occupancy.
- F. "Transient Occupancy Tax" means the taxes imposed under Chapter 3.16—Uniform Transient Occupancy Tax.

**19.48.205 Regulations- Generally.**

- A. Unless exempt, Short Term Rentals are prohibited in residential zones without a Short Term Rental permit. A permit is required for each Short Term Rental on a property. More than two Short Term Rentals on any single property shall also require a Use Permit under Chapter 19.56. For purposes of this section, a single property shall include contiguous parcels under the same ownership.
- B. After receipt of a complete Short-Term Rental permit application, staff shall issue the permit with the listed conditions. Any use that does not comply with the following conditions shall also require a Use Permit under Chapter 19.56.
  - 1. Total occupancy: The Short-Term Rental shall consist of five (5) or fewer bedrooms. The limit on Occupancy shall be based on total bedrooms. No more than two adult Transients are allowed per bedroom. No more than four total Transients (inclusive of children) allowed per bedroom.
  - 2. Events, commercial use, and food service: Weddings, receptions, parties, and any other events are prohibited. Commercial and public uses, including food service, are prohibited.
  - 3. Noise: Transients and their guests shall not create unreasonable noise or disturbances or engage in disorderly conduct, and shall not violate provisions of this Code or any State law pertaining to noise or disorderly conduct. Quiet hours shall be observed between 10:00 pm and 8:00 a.m.
  - 4. Fire and fireworks: Use of fire outdoors is prohibited at all times. Use of fireworks is prohibited. See Chapter 7.34--Fireworks Regulations.
  - 5. Traffic and parking: Traffic and parking must be consistent with the customary residential use of the property. Parking shall not encroach into the roadway or obstruct emergency lane access or travel. Parking shall be on a non-combustible surface (e.g., non-vegetative surface). Applicable parking rules for snow removal shall be observed. The failure to provide adequate parking, to utilize the provided parking, or to comply with the parking rules shall be considered a violation by the owner.
  - 6. Local Contact: During periods of occupancy, a Local Contact must be on site or able to respond to issues on site within 30 minutes. The Short Term Rental permit shall state whether the use is a Hosted Short Term Rental or a Non-Hosted Short Term Rental.
  - 7. Firearms: Transients and their guests shall not discharge firearms.
  - 8. Trash and refuse: The owner is responsible to ensure compliance with all the solid waste management provisions of Chapter 7.24—Solid Waste.

9. Transient Occupancy Tax: The owner shall maintain current Transient Occupancy Tax registration with the County and shall comply with Chapter 3.16 including payment of Transient Occupancy Taxes.
10. Safety: The following conditions apply prior to use of a Short-Term Rental, subject to inspection as defined within Chapter 15.30.
  - i. The street address shall be clearly visible.
  - ii. Functional smoke alarms shall be installed in every bedroom.
  - iii. Functional carbon monoxide alarms shall be installed on every floor.
  - iv. Landline phone service shall be installed.
  - v. Portable fire extinguisher(s) shall be provided in an accessible location, on every floor.
  - vi. Windows in bedrooms shall be operable and unobstructed for emergency egress.
  - vii. Extension cords shall not be used as permanent wiring for lights or appliances.
  - viii. Locations of applicable fire prevention mechanisms, exits, and evacuation routes shall be disclosed to every guest utilizing the Short-Term Rental.
  - ix. Evacuation protocols and emergency preparedness materials shall be disclosed to every guest utilizing the Short-Term Rental.
  - x. Full disclosure regarding whether the Short Term Rental is ADA compliant shall be provided in advertising. (ADA compliance is not required by this section.)
  - xi. Fireworks shall not be used on the property. Chapter 7.34.
11. Transient Occupancy Tax: The owner shall maintain current Transient Occupancy Tax registration with the County and shall comply with Chapter 3.16 (Uniform Transient Occupancy Tax) including payment of Transient Occupancy Taxes.

C. Advertising. The owner shall include all of the following information in any online advertisements and listings for the Short-Term Rental:

1. The Short-Term Rental Permit number.
2. Use Permit number, if applicable.
3. Number of bedrooms and maximum occupancy (no more than two adults per bedroom).
4. Notification that quiet hours must be observed between 10:00 pm and 8:00 am.
5. The Transient Occupancy Tax registration certificate number for that particular property.

D. Notification to Transients.

The Planning Department shall prepare a document titled "Amador County Short Term Rental Rules," which shall provide a simple set of rules for Transients based on the permit conditions set forth in subsection (B)(1)-(8) above. The Planning Department shall post this document on its website. Owners

who receive a staff-issued Short Term Rental permit shall incorporate the rules in their rental agreements and provide a copy to Transients prior to use.

Additionally, the owner shall prepare another document that contains information unique to the Short Term Rental and provide the document to their Transient guests. The document shall contain the following information:

1. The name and contact information for the Local Contact.
2. The hardline phone number if a hardline is required.
3. Safety evacuation routes and protocols in case of wildfire or other emergency.
4. Locations of fire extinguishers, emergency materials, other fire prevention mechanisms, and property exits.
5. The number and location of on-site parking spaces, any emergency access locations, and any parking rules for seasonal snow removal.
6. The trash pickup day (if available) and notification that trash and refuse shall not be left or stored on the exterior of the property except from 6:00 p.m. of the day prior to trash pickup until actual pickup.

E. Permit term.

The Short Term Rental permit, and any Use Permit obtained for reason of having two or more Short Term Rentals on a single property or for non-compliance with the conditions of subsection (B) above, shall expire with the transfer of ownership of the Short Term Rental.

**19.48.206 Additional regulations for Non-Hosted Short-Term Rentals.**

- A. The Local Contact shall be available during all times that the Short Term Rental is rented, and shall have access and authority to assume management of the property and to take any remedial measures. The Local Contact shall be able to abate a nuisance relating to noise, trash, or parking after being notified of a potential violation of this Chapter.
- B. The Local Contact is also responsible for the following:
  1. Ensuring that the Short-Term Rental complies with all posting and safety requirements;
  2. Providing the Transients with a written copy of the "Amador County Short Term Rental Rules" and the document containing the property information set forth in section 19.48.205(D). Additionally, both documents shall be posted prominently within the Short Term Rental.
  3. Being available by phone 24 hours a day in case of complaints and being available to respond on-site if necessary to resolve complaints.
- C. The Planning Department shall maintain a list of all Local Contacts (name and phone number) for Non-Hosted Short-Term Rentals on the Planning Department website. The list shall be searchable by Short-Term Rental address.

**19.48.207 Exemptions.**

This Chapter does not apply to:

- A. Approved bed and breakfast inns that are regulated under County Code Section 19.48.140.
- B. Approved recreational vehicle parks and campgrounds that are regulated under County Code Sections 19.24 and 19.56.
- C. Hotels, motels, and other approved lodging facilities that are appropriately zoned or otherwise operating under an approved use permit.
- D. Transitional, supportive, or special needs housing established under the California Health and Safety Code and defined under Sections 19.48.180 and 19.48.190.
- E. Property located within the jurisdiction of the Kirkwood Specific Plan.

**19.48.208 Prohibited.** The following are prohibited for Short-Term Rental unless exempt elsewhere in the County Code:

- F. Structures created or converted for human habitation without the appropriate building permits applicable at the time of construction or conversion.
- G. Temporary structures such as tents, yurts, and recreational vehicles.
- H. Structures not originally intended for human habitation or not otherwise converted with an approved building permit.
- I. Guest houses as regulated by County Code Section 19.48.070.
- J. Farm-labor camps and Farm-labor quarters.
- K. Structures or dwellings with County covenants or agreements restricting their use to affordable housing units, employee units, farmworker housing, or farm family units.
- L. Structures for which the County has recorded a Notice of Violation with the County Recorder, unless such notice has been expunged.

This Chapter is not intended to affect any existing private or public conditions, covenants, and restrictions that may prohibit the use of such property for Short-Term Rental purposes.

**19.48.209 Agency representation.**

An owner may retain an agent or representative to comply with the requirements of this Chapter, including without limitation, the filing of an application for a permit, the management of the Short-Term Rental, and the compliance with the conditions of the permit. The owner shall not be relieved from any personal responsibility or liability for noncompliance with any applicable law, rule, or regulation contained within the Amador County Code, regardless of whether such noncompliance was committed by the owner or whether the owner was made aware of such noncompliance. When construing and enforcing the provisions of this chapter, the act, omission, or failure of any agent, representative, or Local Contact acting for or employed by an owner, shall in every case be deemed the act, omission, or failure of the owner.

**19.48.210 Application for Short-Term Rental permit**

To apply for a Short-Term Rental permit, an applicant shall file an application with the Planning Department, pay the required fee, and provide the following information:

- A. The name, address, and telephone number of the owner.
- B. The name, address, and telephone number of the owner's agent or representative, if applicable.
- C. The name, address, and telephone number of the Local Contact.
- D. Whether the rental is a Hosted or Non-Hosted Short Term Rental.
- E. The number of bedrooms and approximate habitable square footage in the Short-Term Rental.
- F. A diagram or photograph of the premises showing the number and location of designated on-site parking spaces.
- G. A certification of the accuracy of the information submitted and an acknowledgment that the owner, agent, and Local Contact have read all regulations of this Chapter and will comply with those regulations.
- H. Acknowledgment that the owner, agent, or Local Contact has or will post the information required by Section 19.48.205(D) in a conspicuous location within the Short Term Rental.
- I. Description of the method of garbage collection and disposal.
- J. Consent that the property may be inspected for compliance with this Chapter prior to issuance of a permit and that the owner will grant access to the property for such inspection.
- K. Such other information as the County deems reasonably necessary to administer this chapter.

The Planning Department shall hold the application for ten days after it is received and accepted as complete, and shall upon receipt of a complete application mail out a notice describing the proposed Short-Term Rental to all owners of property, as shown on the most recent available tax roll, within a distance of three hundred feet in all directions from the subject parcel. If the Short-Term Rental is on a private road, then notice shall also be provided to all residents of the private road. If the Planning Department receives opposition to the permit application within ten days after the mailout, or if the permit is considered by the Planning Director to be an activity which is not clearly consistent with customary residential use, the Planning Director may deny the permit. The applicant or any interested person may appeal the Planning Director's decision pursuant to Chapter [19.64](#) of this title within ten days after the determination on the permit application.

#### **19.48.211 Application fee.**

An application for a Short-Term Rental Permit shall be accompanied by a non-refundable fee established by resolution of the Board of Supervisors; provided the fee sufficiently defers the cost incurred by the County in administering the provisions of this Chapter.

#### **19.48.212 Appeals**

Appeals from the denial or issuance of a Short Term Rental permit application shall adhere to the processes set forth in Chapter 19.64.

#### **19.48.213 Enforcement.**

Enforcement of the provisions of this Chapter shall follow the procedures of Chapter 2.06. Nothing in Chapter 19.48.2 restricts the right of the County to abate a public nuisance. Additionally, the Planning Department may revoke a Short Term Rental permit for non-compliance with the permit conditions after providing the owner notice and an opportunity to be heard.

