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FEB 10 2026

To the City of Placerville Planning Commission
CITY OF PLACERVILLE
ADMINISTRATION DEPT.

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JUN 04 2024

CITY OF PLACERVILLE
ADMINISTRATION DEPT.

Public Comment for
Planning Commission
Meeting 06-04-2024

My name is Larissa Lujan. I came and spoke in person during the hosted short-term rental workshop held on 05/21/2024.

I am writing to ask that you please hold another public workshop on this topic. I am extremely disappointed that your staff took liberties on this topic as I noted during my public comments at the workshop. I would like to remind you of this direct contradiction, and in my opinion an egregious and over-reaching action taken by your staff in violation of the public that they serve.

During the May 21st, 2024 meeting the staff made public in writing the following statement in their presentation to you: "On January 9, 2024, the City Council (minute order, Item 10.1) directed Staff to bring to the Planning Commission and, subsequently, City Council proposed regulations for Hosted STR within residential zones." *This statement is factually untrue.* The minutes from the January 09, 2024 meeting is documented as follows: "Councilmember Saragosa made a second motion that the City Council direct Staff to request review of a Short-term Rental ordinance by the Planning Commission within 90 days, and then present the ordinance to the City Council for consideration. The motion was seconded by ViceMayor Clerici and passed by the following roll-call vote:

AYES: Clerici, Gotberg, Neau, Saragosa, Yarbrough

NOES: None

ABSENT: None

ABSTAIN: None"

Your staff took liberties on this topic. Not only did staff fail to present to you within 90 days, they took liberties by telling you that the City Council directed them to present a HOSTED Short-Term Rental Ordinance only. This is factually untrue. The City Council directed staff to come to you without any specific limitations. The staff's role is to follow the direction of the City Council, the Planning Commission and the Public that they serve. It is egregious for staff to take such over-reaching actions in a public servant position, and to do so in writing.

I ask you to correct this action and direct your staff, in harmony with the City Council's direction, to provide you a Short-Term Rental Ordinance that is not limited alone to your staff's biased opinions. Please hold a workshop on this topic to address the needs and interests of the citizens of Placerville, the community over which you were appointed to serve.

* Resubmitted to Placerville City Council Meeting on 2/10/26
for ~~the~~ comments regarding formation of 10-2
Ordinances Larissa Lujan 02-10-2026

I additionally encourage you to take note of the following:

There was a City Council meeting held on January 25, 2022 in which council members told the public they would work on creating an ordinance in the future to address a wholistic and City-wide approach to STR's and would consider community input. The only remaining council members part of that meeting are Michael Saragosa and Jacki Neau. This meeting was recorded and is available for you to view.

At the 08-08-2023 Council meeting I noted to our council members that Sacramento County made a legal allowance for ADU's in their jurisdiction, to be used for STRS in residential zones, See Attachments. Previously, Mr. Rivas had repetitively told our City Council and the public that state law did not allow ADU's to be used as Short-Term Rentals. On 08-08-2023 Mr. Rivas acknowledged that city staff was incorrect on this issue and that per the city attorney, CA State law does allow local governments, like Placerville to decide if an ADU can be rented for less than 30 days. Again, a misdirection from city staff to our council members directly. This meeting was recorded and is available for you to view.

During this meeting on 08-08-2023 Mr. Rivas stated that all Short-Term Rentals were illegal in the City limits of Placerville, until the new Ordinance was created for STRS in 3 commercial zones only in July, 2022 and this harmonized with our General Plan. The Housing Element in our current 2021-2029 General Plan can be seen in the attachments; it was written that City Council should, "Consider a ban on short-term rentals within residential zones."

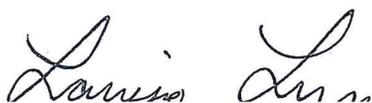
How can the City consider a ban when staff have been telling the public and council members that there already was a ban? I believe this can be explained during the January 25, 2022 Council Meeting, in which it was pointed out that staff, particularly Mr. Rivas was perhaps taking liberties on this unclear subject. Mr. Rivas repetitively recommended what the staff felt was a priority, what the staff was highly in favor of; Mr. Rivas even went so far as to state that "staff has no intention of allowing them (short-term rentals) in residential zones". That is an incredibly bold and biased statement by Mr. Rivas, when it is not a staff's job to decide what is and is not allowed in our city. That is for the vote of our council members appointed by the public they serve. Perhaps this is all due-to-the-fact that Mr. Rivas has made repetitive recommendations based on his misinterpretation of state law and personal bias. These meetings are all recorded and are available to you online.

I have provided attachments for you to review. This information is being provided to you as a request from myself, a City of Placerville business owner and resident that is asking you to fulfill your appointed role. Please follow the motion passed by your City of Placerville Council and please hold a neutral and non-biased workshop for Short-Term Rentals, and gain the publics opinions and feedback to be included in the ordinance that you are obligated to present back to your City Council.

Thank you,

06/03/2024

Larissa Lujan



06.03.2024



Planning and Environmental Review

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Sacramento County ordinance - allows ADU's to be used for short-term rentals if built before 1.1.2020

Short-Term Rental Permits

Purpose

Sacramento County issues Short-Term Rental (STR) Permits to allow for short-term home and/or room rental services for 29 days or less, on an accessory basis. The purpose of this permit is to implement operating conditions that will mitigate negative impacts and to ensure that the use of the property for short-term rental purposes will be compatible with the surrounding neighborhood.

Short-Term Rental Permit FAQ Handout - New!

If the property owner or a long-term renter lives at the property for at least six (6) months out of the year, the property may be eligible for a Short-Term Rental Permit. All or a portion of the primary dwelling and legally permitted Accessory Dwelling Units (ADUs)* may be rented on a short-term basis.

*Please note, ADUs constructed after January 1, 2020 cannot be used as a Short-Term Rental. See Sacramento County Zoning Section 3.9.3.AA and Section 6.5.6 for applicable standards and findings for Short-Term Rentals.

Please note, any approved Short Term Rental Permits prior to February 2, 2023 that limit guest occupancy pertains only to adults over the age of 18. Minors are not included in guest occupancy restrictions.

**The short-term rental must remain an accessory use to your full-time occupancy.*

*Under no circumstance shall the short-term rental services become the primary use of the property.**

Interested in operating a Short-Term Rental on your property?

Please visit RentalsEscape to apply for a Permit, Business License, and register to pay Transient Occupancy Tax. We no longer accept Short-Term Rental Permit (STRP) applications in our office, through the mail, or through the Planning-Applications@sacounty.net email. The RentalsEscape

Type here to search

10:47 Sunny

Sacramento County ordinance - allows ADU's to be used for short term rentals if built before 1.1.2020

To continue the application process, the County invites applicants who are applicants will submit for the Short Term Rental permit, Business License, and TOT registration through ONE online application.

Can I Operate a Short Term Rental on My Property?

If you meet the following Use Standards and obtain the required Permit and Business License, you can operate a Short Term Rental (per Section 3.9.3.AA of the SZC):

- Residency requirement: The property owner or renter (with long term lease) must live on-site a minimum of six months per year, and can provide proof of residency.
- Maximum occupancy for the rental shall not exceed more than two adults per bedroom.
- No public or commercial events permitted.

Do I Qualify for a Short Term Rental Permit?

Before applying for a short term rental permit through Rentalscape, please make sure you meet the minimum qualifications below:

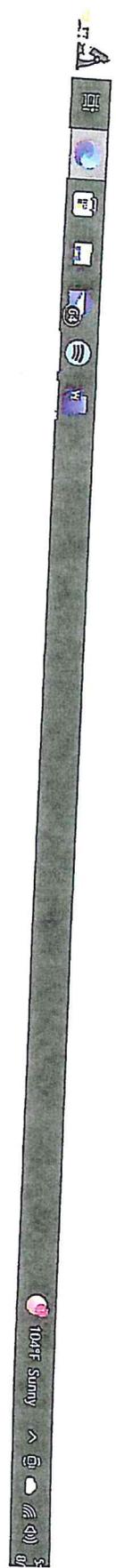
- Is your property located within Unincorporated Sacramento County?
- Is the proposed rental unit a legally permitted primary dwelling or an ADU legally permitted prior to January 2020?
- Is the proposed Short Term Rental your Primary Residence?
- Are you either the property owner or a renter with owner's consent and a long term lease?
- Do you have the required documentation to prove Primary Residency and Proof of Ownership/Owner's Consent?

The County of Sacramento cannot permit short term rental operations as the primary use of a residential property with the exception of qualifying properties located within certain zones of the Locke Special Planning Area (SPA) or Walnut Grove Neighborhood Preservation Area (NPA) Applications outside qualifying zoning districts of the Locke SPA or Walnut Grove NPA that do not demonstrate the accessory nature of the use will be denied. If you answered no to any of the above questions, you likely do not qualify to use your dwelling or ADU as a Short Term Rental. All fees submitted are non-refundable.

Can I Use my Accessory Dwelling Unit (ADU), Junior Accessory Dwelling Unit (JADU), or Guest House as a Short Term Rental?

An ADU cannot be used for short term rental activity unless it was a legally permitted ADU prior to January 1, 2020. JADUs and Guest Houses cannot be used for short term rental activity in any circumstance.

WA,0,1/24/23



7.30



City of Placerville

Development Services Department
3101 Center Street, Placerville, CA 95667
Planning (530) 642-5252 · Building (530) 642-5240 · Code Compliance (530) 642-5579

MEMORANDUM

Date: May 21, 2024
To: Planning Commission
From: Pierre Rivas, Development Services Director
Kristen Hunter, Associate Planner
Subject: **Item 9.1 – Hosted Short-Term Rentals in Single-Family Residential Zones.
Zone Change (ZC) 24-06**

see next page notes

Request:

Staff is requesting review and comment of the outlined proposed regulations for hosted short-term rentals (STRs) within residential zones and direction from the Planning Commission.

Following the workshop, Staff will prepare a draft STR ordinance and return to the Commission for review and recommendation to the City Council.

Background:

The City of Placerville's 6th Cycle of the Housing Element, for the planning period 2021-2029, was adopted by the City Council on December 13, 2022, under Resolution No. 9150. To address the community conditions and identified housing needs, the City identified Goals A - H and implementation programs to achieve said goals and facilitate the development of housing to meet the City's Regional Housing Needs Allocation (RHNA). Goal F: "To preserve the existing housing stock," Policy F.5 states "the City will develop regulations and amend the zoning ordinance to prohibit transient short-term rentals in residential zones unless the unit is owner-occupied."

In 2022, the City Council adopted Ordinance 1710, amending Title 10 to include regulations on Short-Term Rentals (STR). These regulations allow STR within the Commercial (C), Highway Commercial (HWC), and Central Business District (CBD) Zones with a permit. Under the current regulations, Zoning Ordinance Section 10-4-20, STR are not permitted within residential zones.

Inaccurate statement - see 01.09.2024 minutes in next attachment Item 9.1

* On January 9, 2024, the City Council (minute order, Item 10.1) directed Staff to bring to the Planning Commission and, subsequently, City Council proposed regulations for Hosted STR within residential zones. Staff conducted a review of Hosted STR regulations from the following jurisdictions: City of South Lake Tahoe, El Dorado County, Sonoma County, Big Bear Lake, and Benicia.

A Hosted STR is defined as follows: *Rental property where the property owner hosts a visitor or visitors in the homeowner's single-family residence, for compensation for a period of 30 or less consecutive calendar days while the homeowner lives on-site in the home throughout the visitor's or visitors' stay.*

Proposed Regulations / Standards:

In addition, Staff has compiled a proposed list of regulations / standards for Hosted STR within the City, provided below:

1. Where allowed. Hosted short-term rentals are permitted in all single-family residential zones.
2. Eligible Dwellings. A hosted short-term rental may occur in any single-family dwelling habitable room, subject to all other requirements of this section. A hosted short-term rental may occur only within a legal dwelling unit. Parts of the property that are not habitable rooms and/or are not approved for residential habitation, such as a vehicle, storage shed, trailer, garage, or a tent, or similar structure or facility, may not be used as a short-term rental.
 - A. The habitable room shall not contain a standard or efficiency kitchen.
 - B. The habitable room includes master bedrooms with full bathroom facilities.
3. Accessory Dwelling Units. An Accessory Dwelling Unit (ADU) may not be used as a short-term rental. A primary residence with an ADU on the lot may be used as a short-term rental.
4. Junior Accessory Dwelling Unit. A Junior Accessory Dwelling Unit (JADU) may not be used as a short-term rental. A primary residence with a JADU on the lot may be used as a short-term rental.
5. The property owner is responsible for ensuring that the hosted-rental property complies with all applicable codes regarding fire, building and safety, health and safety, zoning, lighting, and all other laws and regulations.
6. The property owner shall maintain a transient occupancy tax (TOT) certificate and remain current on all required reports and payments. Owner must ensure that the TOT certificate number is included on all contracts or rental agreements, and in any advertisements, websites or internet listings.
7. Maximum occupancy. The owner shall, by written agreement with any renter, limit overnight occupancy of the hosted short-term rental to the number specified in the permit. The number of overnight occupants shall not exceed two persons per permitted

MINUTES

PLACERVILLE CITY COUNCIL
REGULAR MEETING
TUESDAY, JANUARY 09, 2024

CLOSED SESSION: 4:00 PM

OPEN SESSION: 5:00 PM

CITY COUNCIL CHAMBERS – TOWN HALL
549 MAIN STREET, PLACERVILLE, CA 95667

pages 1
and 5
printed

4:00 P.M. CLOSED SESSION

**Item 1: Conference with Real Property Negotiator
Government Code § 54956.8**

Properties: 487, 489 Main Street

Negotiating Parties: Arts & Culture El Dorado/City of Placerville
Under Negotiation: Price and terms

**Item 2: Public Employment Performance Evaluation pursuant to
Government Code § 54957**

City Manager

5:00 P.M. OPEN SESSION

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE TO THE FLAG

The Mayor called the meeting to order at 5:01 p.m. and The Pledge of Allegiance to the Flag was recited.

2. ROLL CALL: Present: Clerici, Gotberg, Neau, Saragosa, Yarbrough

3. CEREMONIAL MATTERS

3.1 State of the City Address (Mayor Saragosa)

The Mayor delivered the State of the City Address.

3.2 Motion for the City Council to Adjourn the Meeting Sine-Die, and Appoint the City Manager as Temporary Chairperson

It was moved by Councilmember Clerici and seconded by Mayor Saragosa that the City Council adjourn the meeting Sine-Die and appoint the City Manager as Temporary Chairperson. At this time, the City Manager called the meeting to order and requested nominations from the City Council for the appointment of Mayor.

9. **ITEMS PULLED FROM THE CONSENT CALENDAR**

No items were pulled from the Consent Calendar.

10. **ORDINANCES**

10.1 **Consideration to Amend Title 10 (Zoning Ordinance) of the Placerville Municipal Code to Address Required 2021-2029 Housing Element Implementation Program C-2: Accessory Dwelling Units and Junior Accessory Dwelling Units (ADUs & JADUs) to Conform with New State Regulations (File: ZC 20-01) (Mr. Rivas)**

The Director of Development Services presented the staff report and responded to Council questions. Public comment was received from Mandi Rodriguez, Ryan Carter, and Larissa Lujan (who also submitted written comments prior to the meeting).

Following Council discussion, it was moved by Councilmember Saragosa that the City Council introduce and waive the first reading of the ordinance. The motion was seconded by Vice-Mayor Clerici and passed by the following roll-call vote:

- AYES: Clerici, Gotberg, Neau, Saragosa, Yarbrough
- NOES: None
- ABSENT: None
- ABSTAIN: None



Councilmember Saragosa made a second motion that the City Council direct Staff to request review of a Short-term Rental ordinance by the Planning Commission within 90 days, and then present the ordinance to the City Council for consideration. The motion was seconded by Vice-Mayor Clerici and passed by the following roll-call vote:

- AYES: Clerici, Gotberg, Neau, Saragosa, Yarbrough
- NOES: None
- ABSENT: None
- ABSTAIN: None

11. **PUBLIC HEARINGS**

No public hearings were scheduled.

12. **DISCUSSION/ACTION ITEMS**

12.1 **Consider Approving the Purchase of Thirty-four New Banners from Sierra Display, Inc. in the Amount of \$4,538.90 for Main Street, a Funding Agreement with the El Dorado Community Foundation, and a \$4,539 Budget Appropriation for the said Banners (Mr. Morris)**

Directly quoted motion voted and passed by City - Council that was taken out of context by staff

Section 1. Introduction

City Council could consider this in future actions as a result of public and community outreach workshops that would occur under Implementation Program B-1 during the planning period.

- Allow rooming and boarding house uses and provide incentives to landlords to establish these.

Boarding houses by definition are housing facilities that provides lodging, with or without food, for paying guests. As a type of lodging facility as opposed to a multi-family use, boarding houses are outside the scope of the Housing Element. Boarding houses are difficult to regulate and are better supplanted by single-room occupancy (SRO) facilities which are a form of housing that is aimed at residents with low or very low incomes who rent small single rooms with common kitchen and bath facilities.

- Suggestion that the 90 lower income category Regional Housing Needs Allocation (RHNA) units for the City should be reversed with the 169 units for the higher income category with 169 higher income, as the City needs more affordable housing units and not as many higher income units.

The City is obligated under state statutes to meet its RHNA for all income categories.

- Consider a ban on short-term rentals within residential zones.

Due to complaints from neighbors and from other interested parties regarding short-term vacation rentals since 2013, and the City's concerns about the potential loss of affordable housing, in 2017 staff requested and received City Council authorization under Resolution No. 8530 to initiate amendments to the Zoning Ordinance regarding definitions of types of lodging facilities, and the regulation of short-term rentals. This work has not been completed but is expected to be completed by the end of 2021.

Public Hearings

Prior to adoption of the Housing Element, the Planning Commission held a noticed public hearing on August 17, 2021 to consider a final draft of the Housing Element that addressed comments from HCD and those received from members of the public and other interested parties and entities on the Public Review Draft. Notice of the public hearing was published in the Mountain Democrat newspaper on August 2, 2021, posted on the City's website and Facebook page and sent to the housing organizations and those identified above as having an interest in the Housing Element update. The Planning Commission considered public input, discussed the Housing Element, and recommended that the City Council approve the Addendum to the 2013-2021 Negative Declaration for the 2021-2029 Housing Element, and adopt the 2021-2029 Housing Element.

General Plan
2021-2029

202