

10-4-20: SHORT-TERM RENTALS:

(A) Purpose: The purpose of this section is to provide for the establishment of short-term rental facilities ~~in certain commercial zones~~ and to set forth criteria and regulations ~~offor~~ those short-term rentals ~~units~~.

(B) Definitions: The following definitions shall apply in the interpretation of this section:

BEDROOM / SLEEPING ROOM: A legally permitted room in a home or house, primarily used for sleeping, that meets the minimum requirements of the California Building Code. This does not include loft areas, rooms permitted as dens or offices, and any other room not permitted for sleeping purposes.

CALIFORNIA BUILDING CODE (CBC) R-3 Group for lodging facilities: Includes one- or two-family dwellings and that only allows for up to five (5) bedrooms and up to 10 people to be utilized for lodging purposes (short-term rentals).

DEEDED OWNER: A person with a legal or equitable ownership interest in a property used as a short-term rental.

EVENTS/SPECIAL EVENTS: any gathering of more than 10 people, to include but is not limited to weddings, corporate events, commercial functions, and other similar event which have the potential to cause traffic, parking, noise, or other problems in the neighborhood.

EXCESSIVE NOISE: Any sound that unreasonably interferes with an individual's comfortable enjoyment of life and property or is offensive or obnoxious.

HOST: A person aged 18 or older who is the owner of the subject property and for whom the subject property constitutes their primary residence.

HOSTED RENTAL: A rental property at which a host resides and sleeps in one of the legally permitted bedrooms during the period of the rental. Sleeping quarters are not allowed in outdoor areas, including treehouses; tent camping; or in campers, trailers, passenger vehicles, recreational vehicles, and the like.

HOTEL: A commercially operated hotel, motel, bed and breakfast inn, or similar transient lodging establishment, where all or part of the transient occupancy is or would be subject to tax under Section 7280 of the Revenue and Taxation Code. For purposes of this chapter, a "hotel" shall not include a short-term rental, marketplace seller, or marketplace has a physical presence in this state.

LOCAL AGENCY: means a city, county, or city and county.

LOCAL CONTACT: An agent of the owner or a property manager who is available to respond to concerns of any violation(s) in order to cure them.

MARKETPLACE: a physical or electronic place, including, but not limited to, a store, booth, internet website, catalog, television or radio broadcast, or a dedicated sales software application, where a marketplace seller facilitates the occupancy of a short-term rental for delivery in this state regardless of whether the short-term rental, marketplace seller, or marketplace has a physical presence in this state.

NON-HOSTED RENTAL: the short-term rental of either a room or rooms, or the entire unit in a home or house where the owner or an agent of the owner does not reside on site for the duration of the rental period.

PURCHASER: a person who is required to pay the transient occupancy tax and who uses a short-term rental facilitator to facilitate the occupation of a short-term rental within the jurisdiction of the local agency imposing the transient occupancy tax.

RENTAL PERIOD: The total length of time or total number of days the property is rented as a short-term rental.

SHORT-TERM RENTAL (STR): the occupancy of a home, house, a room in a home or house, a campsite, or other lodging that is not a hotel in this state for a period of 30 consecutive days or less and under any other circumstances specified by the local agency in its ordinance that is facilitated by a short-term rental facilitator. STRs may be either hosted or non-hosted.

SHORT-TERM RENTAL FACILITATOR: a person or entity that facilitates for consideration, regardless of whether it is deducted as fees from the transaction, the occupancy of a short-term rental that is not owed by the person facilitating the rental, through a marketplace operated by the person or a related person or entity, and that does both of the following:

(a) Directly or indirectly, through one or more related people, engages in any of the following:

- (1) Transmits or otherwise communicates the offer or acceptance between the purchaser and the operator.
- (2) Owns or operates the infrastructure, electronic or physical, or technology that brings purchasers and operators together.
- (3) Provides a virtual currency that purchasers are allowed or required to use to facilitate the occupancy of a short-term rental from the operator.

(b) Directly or indirectly, through one or more related people, engages in any of the following activities with respect to facilitating short-term rentals.

- (1) Payment processing services,
- (2) Listing homes, houses, or rooms in homes or houses, campsites, or other lodgings that are not a hotel or motel, and that are not owned by that person or a related person, for rental on a short-term basis.
- (3) Setting prices.
- (4) Branding short-term rentals as those of the short-term rental facilitator.
- (5) Taking orders or reservations.

SHORT-TERM RENTAL PERMIT: A permit to allow for either a hosted STR, where the owner resides on the parcel during the period of the rental, or a permit to allow for an entire legal, permitted dwelling structure/unit on the parcel to be rented short-term.

TRANSIENT OCCUPANCY TAX: A tax imposed by a local agency on the privilege of occupying a short-term rental as specified and defined by the local agency in its ordinance.

~~(B)(C)~~ Applicability of Regulations: The provisions of this Section shall apply to all parcels that are zoned CBD, C, ~~and HWC,~~ and to residential zones that fall under the CBC R-3 Group building standards for lodging facilities as defined above in section B.

~~(G)(D)~~ Permitted Use: Short-term rentals as defined ~~in Section 10-4-1 above in section B~~ are a permitted use in the ~~specified commercial zone districts as commercial parcels noted in section (C) as~~ lodging facilities that ~~is~~ are consistent with the City's General Plan, the specific zone district on which the short-term rental ~~facility unit~~ is to be located, and this Section, subject to issuance of a short-term rental (STR) permit. Short-term rentals are permissible in either a single-family dwelling unit (primary dwelling unit) or an accessory dwelling unit.

~~The conversion of residential (long-term) units constructed pursuant to the mixed-use provisions within the CBD, C, and HWC Zone Districts shall not be permitted as short-term rental units.~~

~~(D)~~(E) Permit Required:

1. An application for a short-term rental (STR) for either a hosted or non-hosted STR shall be filed with the Development Services Department and shall be processed in accordance with special temporary use permits in City Code Section 10-4-7. ~~and shall be renewed annually.~~

2. The application for the STR permit shall be submitted on forms provided by the Development Services Department and shall be subject to, but not ~~be~~ limited to, the following:

(a) A site location map.

(b) A site plan drawn to scale showing the property boundaries, all structures labeled as to their use and dimensions, and parking areas showing the number of spaces provided with dimensions.

~~(c)~~ (c) — ~~(c)~~ A floor plan of all buildings to serve as a short-term rental with all rooms labeled as to their use.

(d) A title report and Covenants, Conditions and Restrictions (CC&Rs), if applicable.

3. Short-term rental permits shall only be issued to the owner(s) of the property and shall not be transferable with the sale of the property or transfer of ownership through means such as a Quitclaim Deed, a Gift Deed, Trust Transfer Deed, or any other manner of a change in ownership.

4. Short-term rental permits shall be subject to renewal annually and be subject to site inspection by the City and El Dorado County Fire Marshal along with associated inspection fees for each agency.

5. The number of short-term rental permits, whether hosted or non-hosted, issued by the City shall not exceed a total of ~~10-30~~ units per calendar year.

~~(E)~~(F) Development and Operational Standards:

1. Business License. A City business license is required in accordance with business license regulations in City Code Section 5-1-4. A business license is required for both a new and renewal of short-term rental (STR) permits.

2. ~~Non-hosted STR. In the event the STR is non-hosted, The the name and phone number of a responsible personthe person responsible for the STR shall be posted inside the rental and be provided to Development Services. Said responsible person The person responsible shall be available 24/7 and can be on site within one hour to cure any violation(s) of this code.~~

- a. ~~If the owner of a permitted STR does not live within the one-hour response time to cure a violation, the owner may designate a local contact as their representative. This person or representative shall be available 24/7 and be on site within one hour to cure any violation(s) of this code. Contact information, including a direct phone number to a designated person for the local contact, must be provided to Development Services.~~
- b. ~~The local contact may be a property manager or a representative from a managing agency as defined above in Section 2 of this Code.~~

3. ~~Hosted STR. In the event the STR is hosted by the owner, the name and phone number of the owner, as the person responsible for the STR, shall be posted inside the rental and be provided to Development Services. The owner shall be available 24/7 and cure any violation(s) of this code within one hour from the time the issue is reported.~~

4. ~~Party / Group Rental Allowance. Whether the property is hosted or non-hosted, the space available for the STR must be rented and advertised as a single listing to a single party or group and no more than one party or group is allowed for the duration of the rental period per night.~~

5. ~~Required Inspections. Site inspections shall be conducted by the Building Official or Code Enforcement and the El Dorado County Fire Marshal, or their designee, before issuance of a short-term rental permit to ensure compliance with Building and Fire codes. Associated inspection fees for each agency will apply.~~

36. ~~TOT. Payment of Transient Occupancy Tax (TOT) shall be paid in accordance with the regulations for the transient occupancy tax in City Code Title 5-16., Chapter 16.~~

47. ~~Maximum Occupancy and Parking. Occupancy of the short-term rental shall be limited by (1) the number of paved parking spaces on the short-term rental property as shown in Table One of this Subsection, and (2) the number of bedrooms in the property as shown in Table Two of this subsection, whichever is the lesser. For purposes of this Subsection, occupancy shall be calculated by the number of persons present legally permitted bedrooms at the vacation home rental to align with California Building Code allowances for lodging facilities, as defined above in Section B. A maximum of 5 legally permitted bedrooms and a maximum of 10 people may rent a residential dwelling unit at a time for the entire duration of the rental period. property at any given time. Properties with multiple units shall be calculated in the aggregate.~~

**Table One (1):
Number of Paved Parking Spaces Establishing Maximum Occupancy**

Number of parking Spaces	Maximum Occupancy
1	4
2	8
3	12
4	16
5	20

**Table Two (2):
Number of Bedrooms Establishing Maximum Occupancy**

Number of bedrooms	Maximum Occupancy
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**Table One (1) Two (2):
Number of Bedrooms Establishing Maximum Occupancy**

Number of bedrooms	Maximum Occupancy
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Studio	42
1	62
2	84
3	106
4	128
5	1410

Where the As noted above and reflected in Table 1, the maximum occupancy for a short-term rental is based upon the number of legally permitted bedrooms.; ~~o~~Occupancy of a short-term rental with more than one bedroom shall be calculated by multiplying the number of bedrooms by two ~~and adding four~~. No more than five (5) bedrooms and no more than 10 people may occupy a CBC R-3 Group residential zone dwelling structure.

~~Maximum occupancy of a short-term rental located within the CBD Zone shall be in accordance with Table 2 only. New construction shall be in accordance with Code Sections 10-4-4 and 10-4-5.~~

8. Health & Safety. Any dwelling structure or unit to be used for a short-term rental must abide by all California Health and Safety Codes regarding housing, along with all Building Code standards. If a

structure or unit is determined to be substandard by the Building Official or Code Enforcement, it may be subject to sanctions per City Code Section 1-4A-4, including but not limited to the revocation of the short-term rental permit and the associated business license.

59. New Construction. New construction shall be subject to all applicable development standards of the zone district and approval of a site plan review application by the Planning Commission in accordance with the site plan review regulations in City Code Section 10-4-9, and this Section.

610. Posted Occupancy. The maximum occupancy of each short-term rental shall be clearly posted within the unit, along with a copy of the permit number issued by the City and the valid business license issued by the City, and the host shall provide

11. Emergency Notifications. Information shall be provided to guests on how to sign up for CodeRED emergency notification system.

712. Approved Facilitators. All marketing and advertising of the short-term rental ~~STR with a short-term rental facilitator shall only be allowed on City-approved websites or platforms and~~ shall include the short-term rental permit number for the STR permit issued by the City (CA SB346, 2025).

813. Noise. ~~Excessive noise shall be prohibited~~ Quiet hours are between the hours of 10:00 p.m. and 8:00 a.m., during which excessive noise is prohibited.

914. Record Keeping. Records of every night for which the short-term rental is rented, including the name and contact information of the occupant who has arranged to rent the unit(s), the rental rate, the number of occupants per night, and the number of vehicles, shall be maintained by the property owner, whether the STR is hosted or non-hosted, for a minimum period of three (3) years before such records ~~are~~ discarded or otherwise destroyed. Such records shall be made available to the City within fifteen (15) business days upon written request from the City.

(G) STRs in ADUs. Short-term rentals are allowed in accessory dwelling units (ADUs) only as a hosted rental if the deeded owner resides in the primary dwelling and remains on site during the duration of the rental period.

(H) Prohibitions.

1. Short-term rentals are prohibited in junior accessory dwelling units (JADUs), the CBC R-1 occupancies (e.g., hotels, motels), and CBC R-2 occupancies (apartment buildings, condominiums) and any other City zoning designations not noted in section (C) above.

2. Short-term rentals shall not be used for any events or special events, including but not limited to weddings, corporate events, commercial functions, and other similar events which have the potential to cause further nuisances.

(I) STRs and JADUs. For junior accessory dwelling units, a hosted rental may be allowed to rent a STR within the main dwelling if the deeded owner resides in the JADU and remains on site during the duration of the rental period.

~~(J)~~ Facilitator Reporting. Short-term rental facilitators shall provide electronic or mailed quarterly (January, April, July, October) reports to the City each year, pursuant to California Senate Bill 346 (2025). These reports are to provide the physical address, including the 9-digit ZIP code of each short-term rental. In the event the address information is not adequate, the City may request the following additional information from the short-term rental facilitator:

1. The assessor parcel number of each short-term rental.
2. The URL associated with the specific short-term rental listing.
3. Information exclusively related to the identification of an accessory dwelling unit, guest house, or single unit of a timeshare or multifamily housing project located as a single address, which is located at the address or assessor parcel number requested.

~~(K)~~ Advertisement listing requirements. Short-term rental facilitators shall require listings of a short-term within the City limits, any applicable local license number associated with the short-term rental (business license number) and any transient occupancy tax certification issued by the City to be included in any advertisements for the rental, pursuant to California Senate Bill 346 (2025).

~~(F)(L)~~ Enforcement. Any use or condition caused or permitted to exist in violation of any provision of ~~the City Code or the STR permit this code~~ shall be and is hereby ~~is~~ declared a public nuisance and ~~may be summarily abated by the City pursuant to Code of Civil Procedure Section 731, City Code Sections 10-3-8, 10-3-9, and 10-3-10,~~ is subject to the infraction penalties in section 1-4-5 of this Code, or any other remedy available to the City.

~~(G)(M)~~ Revocation. A short-term rental permit issued under the terms of this Section shall be revoked by the Development Services Director ~~or their designee~~ at any time if ~~he or she concludes it is discovered~~ that the permit has expired, ~~they are~~ not current on TOT taxes, ~~they are~~ found to be in violation of permit conditions, ~~they are in violation of the of the provisions of this code,~~ or ~~they are~~ found to be a nuisance to the community.

~~(H)(N)~~ No Property Rights Conferred. Short-term rental permits shall not be construed as providing property rights or vested interests and entitlements in continued operation of a short-term rental. Short-term rental permits are revocable licenses which expire annually unless renewed. Short-term rental permits shall not run with the land. ~~(Ord. 1710, 7-12-2022)~~

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