

## RENTAL NOISE TO CONTINUE AT LAKE TULLOCH

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SAN ANDREAS - The beat-thumping, paddle-boating good times will roar full throttle for at least another summer in vacation rental houses along the shores of Lake Tulloch.

For years, neighbors have complained of continuous, window-rattling noise from ski boat-oriented vacation getaways that rent for up to \$650 a night.

For the third time in four years, the Calaveras County Board of Supervisors has studied the issue and vowed to do something about it.

It's already too late for new regulations this year, supervisors admitted.

"It probably won't be in effect for this summer season," said Supervisor Tom Tryon, whose district includes Lake Tulloch.

Tryon proposed requiring homeowners who go into the vacation-rental business to get administrative use permits. Those permits, in turn, could specify that the rentals can't have more than two or three people per bedroom, wouldn't torment neighbors with loud noise and wouldn't allow renters to block narrow streets with too many trucks and boat trailers.

Supervisors Steve Wilensky and Gary Tofanelli supported Tryon's proposal, giving the slender majority necessary to order county staff to begin drafting an ordinance.

Supervisor Merita Callaway objected.

Callaway noted that vacation rentals are a huge business elsewhere in the county - including communities such as Arnold and Murphys in her district. She opposed taking broad actions that could stunt or discourage such rentals.

Supervisor Darren Spellman called for the board to immediately ban all vacation rentals of homes in residential zones. He said that the county's residential zoning code does not specifically allow vacation rentals.

Spellman compared the residential zone issue with one involving agricultural zones. County codes do not specify golf as a legal use for farmland. Spellman said that by continuing to allow such vacation rentals, the county is giving the owners of the Trinitas golf course - which has

sought to operate a golf course on agricultural land - the legal basis to sue the county for unfair treatment.

Trinitas owners Mike and Michelle Nemea, in fact, have already filed a federal civil rights lawsuit based on that very argument.

Meanwhile, whether Tryon's proposal will ever come to fruition is an open question.

Supervisors in 2008 held a study session on noise complaints and vowed to both draft a noise ordinance and to take steps to make it clear that vacation rentals are a legal use in residential zones. Neither happened.

There were new study sessions on the noise issue in 2010 and Sheriff's Department staff members drafted a proposed noise ordinance. Supervisors again indicated they wished to proceed. That noise ordinance has never been adopted.

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