



## **Incline Village Crystal Bay Citizens Advisory Board**

DRAFT: Approval of these draft minutes, or any changes to the draft minutes, will be reflected in writing in the next meeting minutes and/or in the minutes of any future meeting where changes to these minutes are approved by the CAB.

Minutes of the Incline Village/Crystal Bay Citizens Advisory Board meeting held via teleconference on October 4, 2021

**1. CALL TO ORDER/ ROLL CALL/ DETERMINATION OF QUORUM** – Kevin Lyons opened the meeting at 5:35 p.m. Members in attendance included: Kevin Lyons, Kathie Julian, Diane Becker, Denise Davis, Judith Simon (alternate filling in the vacant position), Chris Wood (alternate).

**2. PLEDGE OF ALLEGIANCE** - The pledge of allegiance was recited.

**3. GENERAL PUBLIC COMMENT AND DISCUSSION THEREOF —**

Sara Schmitz stated she would just like to request the Commissioner gives us an update on the status of TTD's proposed purchase of the old elementary school. There has been considerable concern regarding Boulder Bay, and would like an update on that as well as possible.

Myles Riner stated he would like a dedicated dog park as an agenda item in the future.

The following public comments were provided via email are attached to these minutes:

Doug Flaherty

Carole Black

Aaron Vanderpool

**4. APPROVAL OF MINUTES FROM PREVIOUS MEETING [May 03, 2021] (for Possible Action)**

Diane Becker noted she didn't receive a draft copy to review. Candee Ramos stated she emailed them. The Board members agreed they didn't receive the minutes. Kevin Lyons noted there wasn't an item to approve the agenda. Ms. Ramos noted DA advised Staff that the approval agenda item could be removed from the agenda. Mr. Lyons requested it be on the agenda for the flexibility to move items around.

**MOTION: Kathie Julian moved to recommend deferring approval of the draft minutes until the next meeting. Diane Becker seconded the motion. Ms. Becker asked if there was a limited time for minute approval. Mr. Lyons noted it's 30 days, but we are already past that. A public member inquired if the minutes would be on the Community First webpage. Ms. Schmitz stated she can put them on our website. Ms. Simon stated they should be approved prior to being posted on the Community First page. The motion to delay the approval of the minutes to the next meeting was carried unanimously.**

**5. ELECTION OF OFFICERS - Elections by the CAB members will be held to elect the Chair and Vice-Chair for 2021/2022 term, elected officers will be effective immediately (for Possible Action)**

**MOTION: CHAIR – Kathie Julian moved to nominate Diane Becker to be Chair. Denise Davis seconded the motion. The board voted unanimously in favor of Diane Becker as Chair.**

CHAIR – Judy Simon moved to nominate Kevin Lyons to be Chair. Kevin Lyons seconded the motion. Due to the unanimous support for the previous nomination, this recommendation failed.

**MOTION: VICE CHAIR - Diane Becker moved to nominate Kathie Julian as Vice Chair. Denise Davis seconded the motion which carried unanimously in favor of Kathie Julian as Vice Chair.**

**6. \*INTRODUCTION OF NEW COUNTY STAFF MEMBERS** Marc De La Torre, Candee Ramos, and Alexandra Wilson discussed the new CAB format, how development projects/community meetings will work in the future. Nancy Leuenhagen introduced the new employees. Candee Ramos provided a PowerPoint slideshow.

Chair Becker opened public comment.

Carole Black said some operational nuts and bolts here could perhaps be cleared up and organized differently. So for example, reading at least one of the agenda said to send any requests for the attachment materials to an email. She said she believes that if there's agenda item and attachments, they should be posted together just like they are for other county meetings. The agenda also said to notify the chair if you wanted to speak; that used to work when we had in-person meetings, but we are on zoom. The draft minutes were posted as of today with the agenda. It would be great if the information can be organized on the website, similar to other county meetings.

Jack Dalton said he had some issues with some of the information and the agenda that came out today. He asked who sets the agenda and if the community has input in that process. He said giving it out the agenda today is not acceptable. He said he very happy with Diane Becker and Kathy Julian as Chair and Vice Chair. He said the previous speaker mentioned condition of approvals.

Chair Becker stated she had received several calls from community members who had concerns about the track one and track two formats.

**7. \*GOALS AND FUTURE AGENDA ITEMS - Discussion on goals of the IV/CB CAB to facilitate future agendas (This item is for information only and no action will be taken by the CAB)**

Ms. Ramos encouraged everyone to reach out to Staff and Chair Becker with any future agenda items. Mr. Lyons stated a specific agenda item has been mentioned such as a dog park.

Kathie Julian requested clarification from Marc regarding the oversight of development issues. She inquired how the community can express their views about development. She asked how we can make sure that the developer considers community views and the oversight function there. She said right now, it's unclear how that works and the role of the County in this process.

Ms. Ramos stated she spoke with our Community Services department today about Community neighborhood development meetings and how they will work. She said it's currently under construction, but there will be a web page listing all of the different development projects. There will also have a email distribution list so that anyone who wants to sign up to receive those notifications of those neighborhood meetings will be alerted to those. Additionally, the Commission support team will make sure that we also send those out. She said you will be bombarded with information and we will be sure to get it to Community First as well. She said she wants everyone aware of those avenues. She said they would be also notifying people within 750 feet of the development project. We encourage people to attend those meetings because that's the opportunity to share their voice and raised concerns that you might have, so the developers have to take it into consideration and work it into their plan.

Chair Becker asked if there are additional ways where we will be able to provide recommendations on development projects because the developers may or may not be interested in what the community wants or follows what the community suggests.

Denise Davis asked how far in advance will agendas be posted. Ms. Ramos stated legally three days, but they have been posted for over a week. Ms. Leuenhagen asked Staff to put the sign-up for the newsletter in the chat. Ms. Ramos stated she will get more information about development projects and bring it back to the CAB.

Jack Dalton thanked Ms. Ramos for providing info about notifications. He noted Incline Village/Crystal Bay is small area but has 97% of the STRs in Washoe County. He said he would appreciate if Washoe County staff could notify the entire community as it impacts everyone. He said the bus depot would impact the whole community.

Chair Becker recommended if anyone has additional agenda items for the future, please send it to Candee directly.

**8. \*UPDATE FROM WASHOE COUNTY COMMISSIONER ALEXIS HILL on the Short-Term Rental Program. Commissioner Hill can be reached at (775) 328-2000 or via email at [ahill@washoecounty.gov](mailto:ahill@washoecounty.gov)**

Commissioner Hill provided an update on the Short-Term Rental Program (STRs). Ms. Hill asked Ms. Ramos to put a link to CAB application in the chatbox. Ms. Hill stated if there are any questions they cannot answer tonight, she will follow up. She asked Ms. Ramos to put Host Compliance website in the chatbox. Kathie Julian asked a clarifying question about the amount of applicants. Ms. Hill stated 564 are registered of the 790 STRs that are advertising. Judith Simon asked for clarification. She said 226 that we know of that have not applied. 790 is the total working in the short-term business. She said that doesn't mean that number won't fluctuate. Alexis Hill stated the STR meeting is October 19, 6 p.m. Ms. Julian asked it to be hybrid. Ms. Hill stated she will follow-up with Morja and get additional information.

Mr. Carlson inquired about the new number of 250 square feet per occupant. Ms. Hill said it's currently 200 sq ft of livable space, and that was creating issues. Our building department is being flexible. They are looking at recommending 2 people per bedroom and one person per 200 sq. feet of livable space. This is a way to look at a hybrid approach and livable space. That is what they will be proposed at the board meeting.

Chair Becker said two people per bedroom or two people per bedroom plus two had been a standard in Nevada and around the lake. You are maximizing occupancy if you are doing a hybrid 2 per bedroom plus people per square feet. The community has appreciated a reasonable number of people as it doesn't impact the neighbors as much. It would be nice if the charts show the number of bedrooms and square feet and the number of guests it will be. She said with these giant party houses, it could be a disaster. We would like to look at it. Ms. Hill thanked her for that feedback and agreed we would like to see the difference. Staff is using 200 square feet because that is a current building code. Chair Becker stated they are being pressured to maximize occupancy. She said you need to look at the numbers. It's going to be a large number.

Mr. Carlson noted you couldn't have two parents and an infant sleeping in one room, which doesn't make sense. Ms. Hill said we are looking at a total of 1 person per 200 sq. ft. livable space. She said we are looking at a total per property. That's where the confusion comes in. We are looking at a total, and people can allocate. We won't regulate how people stay in the rooms.

Sara Schmitz said you stated that we have 564 STR applications, and then 336 permits have been issued. Then you said that hosts compliance has identified 790 advertised and should subtract the 564. She said she understands that the 564 cannot be operating. If they are operating while their application is pending, that is an illegal activity, so in reality, you would be subtracting the 336, not to 564. The 564 would still be in violation. Ms. Hill stated Ms. Schmitz is correct. Ms. Schmitz noted that just because those 564 have applications doesn't mean they are legal. They cannot be advertising. Ms. Schmitz asked about the occupancy. She said party houses have three queen size beds in one bedroom. We are having issues with over-occupancy. She asked Ms. Hill when you say that it's two per bedroom plus one per 200 square feet of livable space for you, then deducting the bedrooms. Ms. Hill said yes. Ms. Schmitz said this type of formula is going to do nothing but continue the party houses. This formula needs to be looked at for larger homes. Ms. Hill said even if there are two queen size beds in a bedroom, it will still only be two people would be allowed with this formula. Ms. Schmitz stated when you have a bedroom that is that massively huge, you have to look at reality. Staff did a good job but needs to hone in on the large party houses. Ms. Hill thanked her for her input.

Judith Miller said there is a lot of misunderstanding. She said she believes out of the 564 applications, 336 of them have permits. They are not operating illegally. She said the 790 advertised includes the 564 that have applied. About 250 warning letters were sent out in September, asking for those people to apply by September 2. Out of that 250, fewer than 30 have actually sent applications. This is a new program, but at what point will you stop waiting for these people to apply and start imposing some of the fines in the regulations. She suggested making the maximum occupancy readily available as it's buried in a PDF under attachments. This would make it a lot easier for people to understand whether somebody's violating their permit. She said she would like to have that posted on the website and also included in the download. She asked if we could just address the lack of enforcement. Ms. Hill thanked her for clarifying the numbers. Ms. Hill stated she agreed about the fines and said she thought we were already doing that. She said she will speak with the County manager. It's a serious issue with life and safety of people.

Myles Riner said the Commission is currently in a place where there are allowing as many STR's as possible, an unlimited number of STR's in the Incline Village/Crystal Bay community, as long as they're permitted. He asked what you think it would take to get the Commission to reconsider and limit the number of new STR's in our community. Ms. Hill said it's

hard for her to speak for the entire county board and how they feel. She said she wants to see the numbers and the densities and neighborhoods and wants to see how we could legally limit these after reviewing them if it seems like that's something that needs to happen and that it's creating problems in the Community. She said she is looking forward to the presentation by the Community Services Department when we convene in January. Mr. Riner asked if they are they going to take up whether or not if its legally problematic to limit the number of new STR's in our community as part of their presentation. Ms. Hill said she doesn't think they'll necessarily do that. It's the DA's office that gives us advice on that. She said we are working with Assemblywoman Nguyen who really wanted to see these short-term rentals regulations. Pressure from the state helps, and it forces us on those additional regulations as well.

Claudio C. said he is an owner of a three-bedroom condominium in Incline Village with a permit. He said he is interested in the process of two people per bedroom. He complimented Staff because the application process went very well. It was painless. There was a lot of communication, and they were helpful. He asked her to please pass that along to the team. He said he doesn't believe the map is accurate. He said his unit is not showing up on the map. He said he has had the permit since July. The data on the map is not correct. He echoed the comment about finding out the exact occupancy limit. It's not clear from the information on the website. He said that would help other people to make sure the occupancy limits are being followed. Ms. Hill thanked him for getting his permit.

Janet said she has been reading a lot about STR's in other places such as Texas and North Carolina, specifically where it has not been proven to be legal to limit how many they can have in a certain location. Every individual property owner has the same rights as every other property owner. She said the other point she wanted to make is a party house is a matter of behavior a lot more than occupancy. She said she rented to a big family it was different than when she rented to the Staff of Burning man. She said we need to address what we care about such as parking, noise, and the number of people in a house. It's not so much an occupancy issue; it's a behavior issue, and clarity with your tenants is a big part of that.

Jacquie Chandler asked Ms. Hill what happened to the Sustainable Tahoe proposal to have a local Incline Village STR office here. It would present the different criteria and educate hosts on how to be sustainable, responsible travel hosts and provide direction, content, menus, and guidance on all the critical things to our responsibility as stewards for Lake Tahoe. She said she went to all the meetings, including those down in Reno, where they ask people to provide what they would like. As an organization, we offered to be the on-site 24/7 local office that would be a physical place to educate, provide guidance, criteria around sustainable and responsible travel. She said she was never given why this wasn't adopted when it would have saved our community and lake so much more grievance and dollars. We just fight over parking when the bigger issue would cover all these little issues. She said the Commissioners never responded. She said Marsha and Alexis both liked it, but there was never any response. She said we are a 501C3 in Nevada that focuses on responsible travel and stewardship, recreation which seems to be a big important issue; however, it was never addressed. She said you had an amazing opportunity to do this at an incredibly small expense, given that we're a volunteer organization. Ms. Hill stated Staff said it's really tough for anyone outside of the County to make the regulation. Code enforcement officers have a sworn duty. She said her understanding is that that's how they could best regulate, but it still doesn't mean that we can't work with you on something, especially with this Sustainable Tahoe programming that we're looking at with the TRPA. Thank you for putting that to the front here, and Ms. Hill said she will follow up with her.

Bill Dodd said the Staff has been great pulling together a very complicated application process. He asked about false complaints or people who are anti-STR's who make complaints. He said he even heard that Incline is not a good place to go on vacation because of their anti-STRs. He asked Ms. Hill to look into that. He said he heard someone file a complaint with his HOA, not Washoe County. He hopes they can resolve that. Ms. Hill stated we have had some issues with that, so the photos and video evidence are huge to validate concerns. She said they might have some additional feedback when they come back to us in January.

Carole Black said her comments piggyback on Myles Riner. It's time for us to consider expanded regulations. She said she sent a table with a summary of comparable record regulations in Nevada and around the lake. She said it's time to begin to consider some additional regulations. We have challenges with housing options for Community employees, first responders, and public service safety providers, which already is were insufficient, significantly decreased, and we have data to support that. We have concerns about traffic congestion in evacuations. There's added concern about lake

pollution. She said right now, Washoe County has fewer restrictions than its nearest neighbors in Nevada. She said she laid this out in the table that should be addressed. Nevada Legislature enacted a protective law earlier this year, which doesn't apply to Washoe County. We should be looking at more restrictive regulations like Douglas County has put in place. She said she has sent in her written comments as well. She said she hopes the County considers a measured approach that looks at the intensity, density, and number caps that exist in Douglas County and around the lake.

**9. \*CHAIR/BOARD MEMBER ITEMS & REQUESTS FOR FUTURE AGENDA ITEMS — This item is limited to announcements by CAB members.**

Judy Simon asked if we could discuss the use of herbicides which is on the Lahoton Water Board. It impacts our drinking water. Ms. Becker stated if that goes on the agenda, we would like an expert to attend. Judy Simon had a name of a representative. This goes before TRPA on November 1.

Denise Davis requested an update on the TTD proposed mobility hub.

Ms. Julian requested a presentation by the Tahoe Prosperity. She said there was a recent survey completed about housing. It would be appropriate to have a presentation on workforce housing and how we can support that in Incline Village.

Mr. Lyons reminded the board that there was a request for a Boulder Bay update and a dedicated dog park. He reinforced those requests. He said he has been doing a research project on Incline Village's unique challenges. He said it would be nice to have a broader focus on the issues.

Chair Becker requested a presentation on the CAB's input on development projects. She encouraged the community members to please email Candee Ramos with any additional future agenda items. We would like to hit topics that are of importance to the community.

Ms. Hill requested Ms. Ramos display her email in the chatbox.

Ms. Ramos noted she received a note from Beth Davidson.

Mr. Lyons stated he has researched on other meeting formats for better input and structure. That might be of interest to this board for more efficiency to target input that is valuable.

**10. \*GENERAL PUBLIC COMMENT AND DISCUSSION THEREOF — Limited to no more than three (3) minutes. Anyone may speak pertaining to any matter either on or off the agenda. The public are requested to submit a "Request to Speak" form to the Board chairman. Comments are to be addressed to the Board as a whole.**

Sara Schmitz thanked the board and Staff for this meeting. She said it's good to get the dialogue with the community back up and running. She said she has a couple of questions for Commissioner Hill. She asked whether the County has identified funds that would be available for the effluent pipeline from the stimulus funds. She said she also wondered if the County is considering helping with funding a dog park since the County does have dog parks in other communities. She said she would like to know where the County stands on those couple of issues. Ms. Hill said we are looking at ARP funds for the effluent pipeline, but it's not a done deal; it's on a list. And it needs to be reviewed at a public meeting. She stated she is working with Indra on the possibility of a dog park and the reality of the funding. It can be brought up in the next budget cycle and reviewed.

Alonda said she is interested in the dog park. She said she would like to know how we will evaluate the success of the STR program and how they will go about evaluating that. She said she has heard concerns about e-bikes being on the hills in Incline Village. My concern is that they shouldn't be on the street. She wondered if there could be a bike path.

Ms. Hill spoke about evaluation of STR's. She said we will have a Community meeting in October to hear from the Community on the project's success.

Additionally, it will be before the County Commission in January, and we will evaluate it there too. She said she believes if the complaints such as trash are reduced and create a cohesive community, then it is a functional program, but we will review those things. She stated that for e-bikes, we would revise an ordinance to prohibit those on walking paths, which

will help on Lakeshore Blvd. That ordinance will come into effect at the end of this year. She said we are looking to improve walking, biking, parking, and traffic issues through an RFQ to conduct a study of parking and traffic issues and future investments in Incline Village. We will look at the community as a whole. Ms. Simon asked if the e-bikes would be in the street with the cars on Lakeshore. Ms. Hill stated yes, as they have created issues with walkers and seniors on the walking path.

Ms. Becker reminded the board to review the minutes from this meeting and the last meeting for approval at the next meeting.

**ADJOURNMENT** – Meeting adjourned at 7:11 p.m.

Number of CAB members present: 5

**Number of Public Present:**

Presence of Elected Officials: 1

Number of Staff present: 2

Submitted By: Misty Moga