

Washoe County Planning Commission



# Short-Term Rental (STR) Code Amendments

May 7, 2024

# Purpose of Amendments



In the Fall of 2023, the Board directed staff to draft code language to help streamline the STR permitting and enforcement processes, and to engage the public and prepare code amendments.

# Community Workshops



November 15, 2023

- Incline Village Library
- ± 25 attendees

November 16, 2023

- Zoom Workshop
- ± 35 attendees

November 28, 2023

- Zoom Workshop
- ± 16 attendees

- Approximately 76 total participants attended one of the three workshops
- Over 40 written comments (emails, letters, comment cards) received.

# Proposed Amendments



## 1) Section 110.319.15(a)(4)

No events, parties, or weddings (regardless of payment or ~~familial association~~), are allowed or may be advertised. A party is defined as any gathering in excess of the approved on-site maximum occupancy associated with the STR permit. **The maximum occupancy associated with an active STR permit applies to the owner(s) of the STR and their invitees regardless of whether the STR is being rented or used for other purposes.**

# Proposed Amendments



## 2) Section 110.319.15(a)(5)

Applications for an STR permit may be initiated by the property owner or authorized agent of the property owner. However, the permittee must be the property owner(s) of the STR property. **A non-owner that has executed a long-term rental lease may not be an STR permittee.**

# Proposed Amendments



## 3) Section 110.319.15(a)(6)

Only one STR will be permitted per parcel, with the exception that a second STR may be allowed **on properties located outside of the Tahoe planning area**, if established within a legally permitted attached or detached accessory dwelling. The STR must be a legally permitted, permanent, habitable dwelling unit (for example, no RVs, boats, detached garages, etc. to be used as an STR). **Effective August 1, 2024, it is prohibited for newly permitted STRs to be established in accessory dwelling units (ADUs) within the Tahoe planning area. Those STR's established in ADUs in the Tahoe Planning Area which were permitted prior to August 1, 2024, shall remain valid provided the ownership of the parcel remains the same.**

# Proposed Amendments



## 4) Section 110.319.15(a)(15)

**A property with an active STR permit is subject to all STR regulations of this Article, such as parking and occupancy maximums, regardless of the short term rental status (for example, whether the STR is being rented at any given time). If a property owner does not want to be bound by all STR regulations, then the STR permit for that property must be relinquished.**

# Proposed Amendments



## 5) Section 110.319.20(c)(15)

Outdoor wood-burning solid-fuel fireplaces or solid-fuel burning fire pits are prohibited within the boundaries of the Tahoe Area ~~Plan~~ **planning area**. ~~Within the rest of unincorporated Washoe County, these require a permit from the Truckee Meadows Fire Protection District.~~

# Proposed Amendments



## 6) Section 110.319.20(c)(17)

The STR shall remain accessible to emergency service vehicles and personnel per the applicable fire district and emergency responder's requirements. **In the Tahoe planning area, it is understood that properties may become temporarily inaccessible due to excessive snowfall and delays in snow plowing availability.**

# Proposed Amendments



## 7) Section 110.319.25

Fees associated with STR permits shall be paid in the amounts identified in the master fee schedule and permit application. Non-payment of fees is cause for cancellation of an in-process STR application or revocation or non-renewal of an existing STR permit. **An STR permit holder may request or be assigned an updated STR permit renewal date upon invoicing or payment of a pro-rated permit fee.**

# Proposed Amendments



## 8) Section 110.319.30(a)(3)

**Transfer of Property. If a property is transferred to a new owner, all listing advertisements and STR rental activity must cease immediately. If the new property owner wishes to continue the STR use on the property, a new application must be submitted to Washoe County and a new STR permit must be obtained by the new property owner prior to short term renting or advertising.**

# Proposed Amendments



## 9) Section 110.319.30(a)(4)

**Grace Period for Renewals. An automatic grace period of 30 days from the expiration of the annual permit shall be granted as an accommodation to allow permittees to successfully renew their STR permit(s). An additional grace period of no more than 30 days may be granted for good cause and provided the applicant is working in good faith to finalize the renewal at the discretion of the Director of Planning and Building.**

# Proposed Amendments



## 10) Section 110.319.30(c)

Noncompliance of Standards. Any violation of required STR standards shall be enforced through a combination of the enforcement mechanisms contained in Washoe County Code Chapters 50.300 (*Nuisance Code*), 110.910 (*Enforcement*), and 125 (*Administrative Enforcement*), as applicable. The **Director of Planning and Building—Division—Director**, or her/his designee, shall determine compliance with these standards. A violation is considered confirmed when all required due process has been provided, appeals exhausted, and the violation has been found to exist. **Additionally, code enforcement may use evidence gathered by the Incline Village General Improvement District (IVGID) resulting from investigation of trash violations, or evidence reported by the Washoe County Sheriff's Office when responding to disturbing the peace calls (for example, noise after quiet hours) or to parties exceeding approved maximum STR occupancy, as the basis for opening an investigation into a violation of STR standards and the potential issuance of a penalty notice.**

# Proposed Amendments



## 11) Section 110.319.35(a)(3)

The property owner provides a signed ~~and notarized~~ self-certification checklist attesting that the property meets the safety standards identified in this article.

# Proposed Amendments



## 12) Section 110.319.40

Permit Revocation. Revocation of an STR permit shall be subject to the requirements of this section. In the event an STR permit is revoked through any of the below procedures, a new STR permit shall not be issued ~~for~~ **to the same property owner(s) of the subject property** for a period of one (1) year immediately following the date of revocation.

# Proposed Amendments



13) Section 110.319.40(b)(4)

**Unauthorized/unpermitted alterations to the STR structure occurs, or upon discovery of previous unauthorized/unpermitted structure alterations, without required building permits.**

# Proposed Amendments



## 14) Chapter 125.157(8)

Hearing required; appeals. The respondent who has received a stop activity order or remediation order may request an administrative hearing regarding the stop activity order or remediation order by contacting the administrative hearing office within 30 calendar days from the date the stop activity order or remediation order was served, **unless the stop activity order was issued for a violation of the Short-Term Rental (STR) ordinance in which case an appeal must be requested within 14 calendar days from the date notice of the Stop Activity Order was served...**

# Possible Motion



I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission recommend approval of WDCA24-0003, to amend Washoe County Code Chapter 110 (Development Code), Article 319, Short-Term Rentals and Chapter 125, Administrative Enforcement Code, as reflected in the proposed ordinance contained in Attachment A-1; and I further move to authorize the Chair to sign the resolution contained in Exhibit A on behalf of the Planning Commission and to direct staff to present a report of this Commission's recommendation to the Board of County Commissioners within 60 days of today's date. This recommendation for approval is based on the four findings within Washoe County Code Section 110.818.15(e)

# Thank you

