



WDCA19-0008: Short-Term Rentals

(Trevor)



Photo: August 26, 2019 STR Workshop

Incline Village/Crystal Bay CAB Presentation 2.1.21

- Current Status of STR Program
- Staff goal for this meeting: Explain the proposed ordinance and answer questions
- Next steps



Mission Statement

(Trevor)

Adopt simple, fair and enforceable regulations for short-term rentals that balance competing interests and maximize voluntary compliance.



Previous Actions

(Trevor)

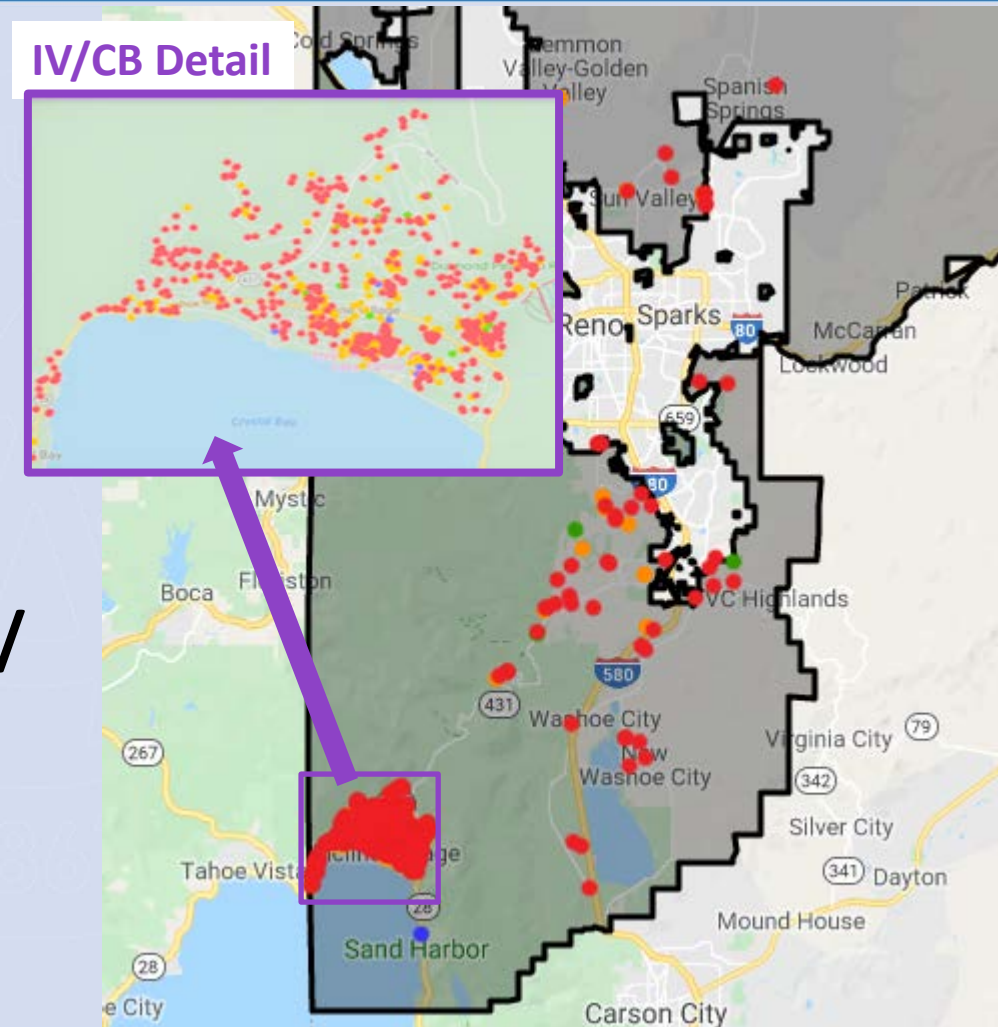
- **July 11, 2019:** Staff holds kick off meeting for the STR Agency Working Group (e.g. fire, health, building, sheriff, DA, RSCVA); Note: Staff research began in Jan. 2019
- **November 12, 2019:** The Board heard an update on the STR project, including staff's recommendations related to standards and a permitting process.
- **December 12, 2019:** Incline Village/ Crystal Bay CAB meeting presentation of proposed ordinance
- **January 7, 2020:** The Washoe County Planning Commission (PC) reviewed proposed changes to Chapter 110 and voted unanimously to recommend approval.
- **February 25, 2020:** The Board reviewed the proposed ordinances and provided direction to staff in lieu of conducting an introduction and first reading. **Draft Ordinance has been online since February 2020.**
- **August 25, 2020:** The Board was scheduled to hear the revised version of the proposed ordinance, with additional public comment, but the meeting was cancelled.



Project Baseline

(Trevor)

- 500-1000+ STRs in unincorporated Washoe County
- But only 180 registered with RSCVA (TOT)
- Varies greatly by season
- Majority in Incline Village/ Crystal Bay (est. >90%)
- Information provided by Host Compliance





Host Compliance

(Trevor)

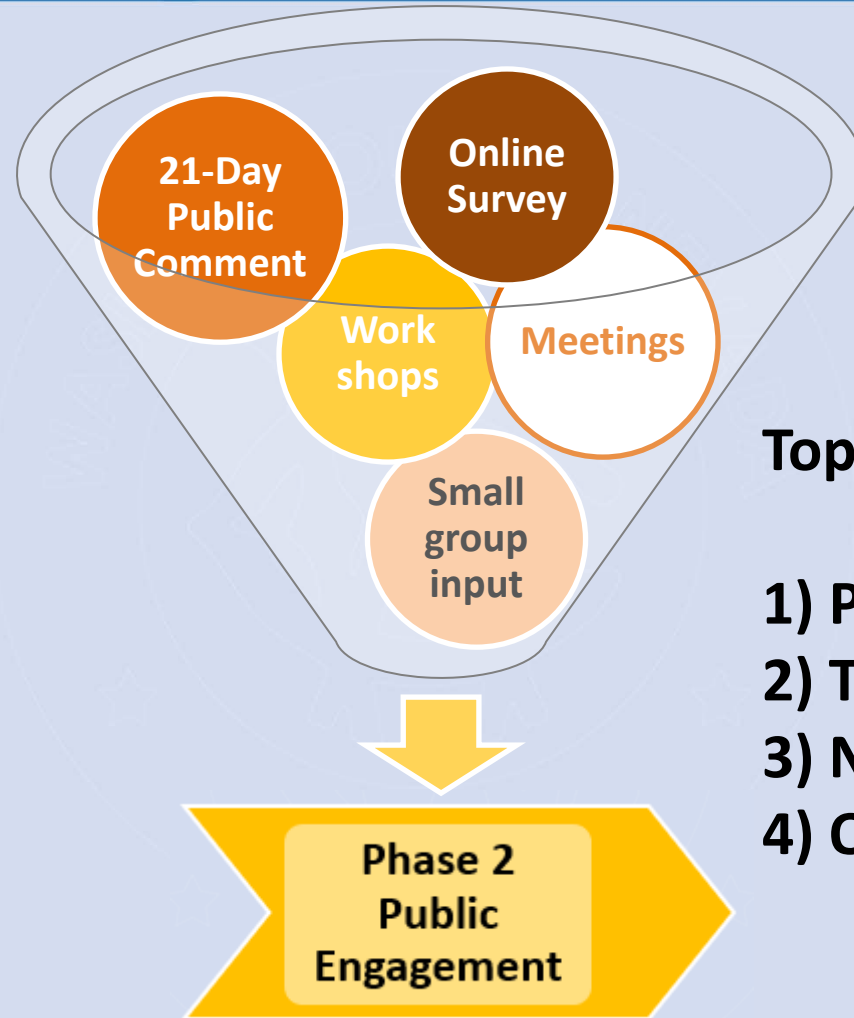
- WC Contracted with Host Compliance in 2020
- Collects STR Info.
- Address Identification
- Complaint Hotline (24/7)
- Accele Used for Permitting

The screenshot shows the GRANICUS govService website for Host Compliance. The page features a navigation bar with links for Solutions, Services, Success Stories, Learning Center, and a new feature: Virtual E. The main content area includes the text "govService Host Compliance" and a description: "Short-term rental monitoring, compliance, and enforcement made simple. Get started with a complimentary assessment." A prominent red button labeled "Free Assessment" is visible. The background of the page is a stylized map with a red location pin.



Public Engagement

(Trevor)



Top 4 Concerns were:

- 1) Parking**
- 2) Trash**
- 3) Noise**
- 4) Occupancy limits**



Public Engagement

(Trevor)

- **Online Survey-** ±600 responses (see STR website for results)
- **Small Group Input**
 - Community Members
 - STR Host and Property Managers
 - Lodging Industry/Business Community
 - Regulatory Agencies/IVGID
- **Incline Village/Crystal Bay CAB (Dec. 2019)**
- **Planning Commission Meeting (Jan. 2020)**
- **County Commission Meetings**
- **Emails/Letters/Phone Calls/Website/Press Releases**



Public Engagement Cont.

(Trevor)

■ **Public Workshops**

- Rancho San Rafael, Reno - August 20, 2019 (±25 Attendees)
- The Chateau, Incline Village – August 26, 2019 (±195 Attendees)
- The Parasol Building, Incline Village – August 28, 2019 (±95 Attendees)

■ **Report for Short Term Rentals Public Input (9/13/19)**

- https://www.washoecounty.us/csd/planning_and_development/str.php



Project Phases

(Trevor)

Phase 1
Planning &
Research

**Feb. – May
2019**

Phase 2
Public
Engagement

**June – Sept.
2019**

Phase 3*
Draft/Adopt
Standards

**Oct. – Mar.
2019 2020**

Phase 4**
Adopt Rev.
Ord. 3-23-21

**April 2021 – Create
Permit Process**

Phase 4**
3 Mo. Grace
Period

**May, 1 - July
2021 2021**

Phase 5**
Program
Launch/Enforce

**August, 1
2021**

**** This is a possible new schedule, but only if the ordinance is adopted on March 23, 2021**



Proposed Code: Highlights

(Mojra)

Tiered Permitting System (*annual permit)

- **Tier 1:** 10 occupants or fewer; basic STR permit; issued if requirements are met, no notice, reviewed by staff
- **Tier 2:** 11-20 occupants; Admin Review Permit; 500 ft. notice to surrounding properties; comment and rebuttal period, no public hearing, appeal process (to BCC)
- **Tier 3:** 21 or more occupants; Admin Permit (public hearing); 500 ft. notice; only in areas where hotels/motels allowed; commercial standards apply

STR Permit: Similar to Privileged License

- Revoke without Board action; renew annually; no guarantee of renewal



Proposed Code: Highlights

(Mojra)

- Safety minimums + inspections
- Occupancy limits based on existing adopted fire & building codes, safety, parking capacity, or self-limits
- Local responsible party able to respond 24/7
- 1 STR per parcel (2 with accessory dwelling)
- Only rent to 1 group at a time
- No parties/events/weddings
- Noise standards (quiet hours 10pm-7am; decibel-device if violations)
- Parking standards (1 space/4 occupants; no off-street) *
- Trash standards (incl. wildlife-resistant carts in bear areas)



Board-Directed Changes (2.20) (Mojra)

- **Unscheduled inspections**
 - Originally: referenced where life safety issues present
 - Now: references removed
- **Safety & defensible space inspections**
 - Originally: required annually
 - Now: originally had contemplated self-certification, but per Comm Hill's request annual inspections are now proposed
- **Occupancy calculation**
 - Originally: Based on square footage of sleeping areas
 - Now: 1 occupant per 200 sq. ft. habitable space of overall home; not room-specific; based on existing adopted fire and building codes



Board-Directed Changes (2.20)

(Mojra)

■ External placards

- Originally: Display 8.5 x 11" with permit #, hotline #, responsible party #, and max occupancy
- Now: requirement removed

■ Clarify 30-minute response time

- Originally: response to complaint required within 30 min.
- Now: Clarifies that initial response can be by text or phone; if physical response needed, must be within 1 hr. after that (but exceptions for bad weather or traffic)

■ Per parcel limit

- Originally: limit of 1 STR per parcel
- Now: 2nd STR allowed if within permitted accessory dwelling



Other Updates

(Mojra)

- **Defensible space inspections**
 - New: Conditional approval okay if snow obscures property
- **Emergency restrictions**
 - New: Ability to impose additional restrictions on STR operations during declared emergencies, to the extent allowed by law
- **Handout on STR cleaning recommendations**
 - New: To be created in coordination with Health District



Fees and Fines

(Chad)

- **Cost-neutral approach:** fees to cover program operations (add code enforcement staff, permitting, software, etc.)
- **Three-pronged enforcement approach:** *proactively* pursue licensing compliance; complaint investigations; 24/7 Host Compliance data and complaint hotline (responsible party)
- **Fines:** Admin. Enforcement scaled system; higher than current enforcement fines; expedited timeline
- **Violations:** Three affirmed (i.e. due process exhausted) violations in 12 month period = revocation and 1-yr cooling off period
- **Fee/fine recommendations:** to be heard at second reading of ordinance (WCC Chapt. 125, master fee schedule)
- **Re-assess:** within first year and ongoing



Fees

(Chad)

Proposed Fee Schedule (STR permit only)

STR Tier	Permit Requirements	Permit Fees*
Tier 1 (1-10 occupants)	Standard STR Permit	Initial permit: \$1,091 Renewal: \$866 or less
Tier 2 (11-20 occupants)	Standard STR Permit with Administrative Review Permit	Initial permit: \$1,091 (Standard STR Permit), plus \$1,248 (Admin Review Permit) Renewal: \$866 or less
Tier 3 (Over 20 occupants)	Standard STR Permit with Administrative Permit	Initial permit: \$1,091 (Standard STR Permit), plus \$2,092-\$2,132 (Administrative Permit) Renewal: \$866 or less

**Note: Does not reflect proposed/potential 10% discount on Standard STR Permit fees and renewals if a licensed property manager is used as the local responsible party.*



Fines

(Chad)

Proposed Fine Schedule

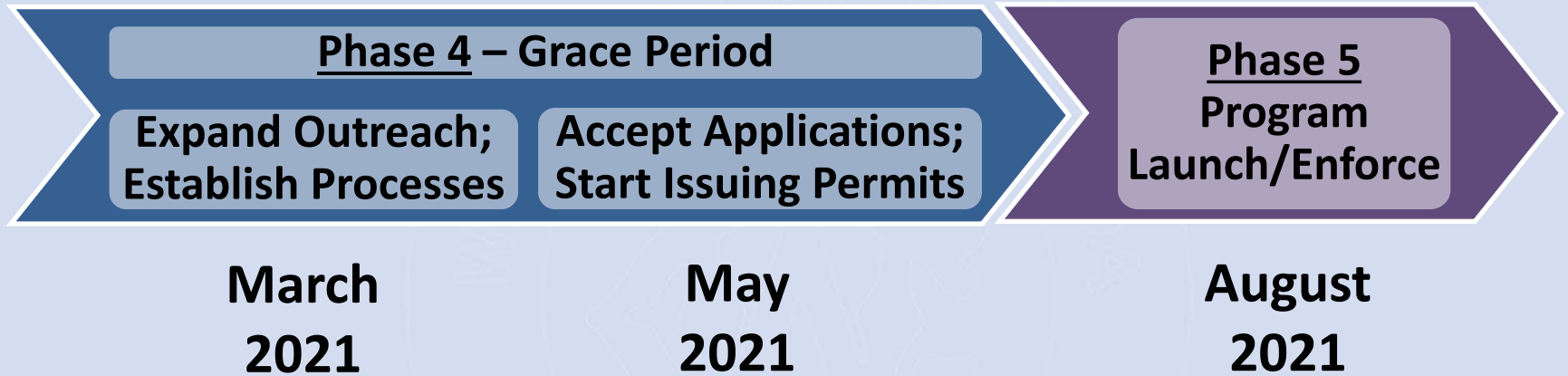
Short Term Rental (STR) Administrative Penalties	Penalty
First administrative penalty (see note 2)	\$400.00
Second administrative penalty (see note 2)	\$700.00
Third administrative penalty	\$1,000.00 and potential revocation of STR permit
Operating an STR without the required permit (see note 5)	\$1,000.00

Note: Due process must be provided to assess these fines (i.e. evidence, appeals, Administrative Hearing Office decisions, etc.). However, the compliance timeline has been cut in half for STR violations.



Next Steps

(Chad)



****This represents the most aggressive timeline, assuming there are no substantial changes and the ordinance is adopted March 23, 2021.***



CONCLUSION

(Chad)

- **Extensive public input has been received**
 - 660 pages of public comments, emails, research, etc.
 - Survey, large and small workshops, CAB, PC, BCC, agency
- **Extensive research has been conducted**
 - Dozens of other municipal codes analyzed
 - Interviews with other counties/cities
 - APA sessions, best practices, webinars, legal research
- **Based on Board direction and vision statement / guiding principles (balance interests, implementable, enforceable)**
- **Unique and designed to meet Washoe County needs and existing land use system (Washoe County's ordinance)**
- **Not perfect – continual review and improvement proposed**



Important Issues





Occupancy Calculations

(Mojra)

New calculation (based on existing & defensible, adopted fire and building codes): IBC Table 1004.5:

1 occupant/200 sq. ft. habitable space

Example: 2,200 sq. ft. home

2,200 sq. ft. MINUS 550 sq. ft. uninhabitable space (typ. 25%)
= 1,650 sq. ft. habitable space
/200 sq. ft. per occupant
= 8.25* = **8 occupants**

**Fire/bldg. codes round down under 0.5*

Common, but unchallenged calculation

- 2 occupants per bedroom
- Plus 2 occupants other habitable space

2,200 sq. ft., 4 bedrooms
2 occupants x 4 bdrms = 8 +
2 occupants = **10 occupants**



IMPORTANT ISSUES

(Mojra)

- **Occupancy: 2 per bedroom regardless of size plus 2**
- **“public accommodations” rules applied, legal does not support**
- **Enforcement**
- **Corporations / LLC’s owning multiple STR’s (like a hotel chain)**
- **Defined as a commercial use vs. residential use**
- **Require business license vs. a permit, or both**



Important Issues continued

(Mojra)

- Required length of stay/minimum nights booking
- Require owner occupied
- Parking – require a certain number, off street, enforcement, etc.
- Cleaning / amount of down time before next occupant
- TOT tax collection and use
- Noise enforcement



Possible Timeline

(Mojra)

- Depending on changes of current version:
- BCC on February 23 for Introd & 1st reading
- If substantial, then back to PC
- Otherwise: 2nd reading 3/23, with changes to ch. 50, 125 & Fees adoption
- 3 Month grace period May thru July 2021
- Full Launch/Enforcement August 1, 2021
- Bring it back after summer season for modifications in November 2021



Questions?

