



# WDCA19-0008: Short-Term Rentals

(Trevor)



*Photo: August 26, 2019 STR Workshop*

## **BCC Feb. 23, 2021: Introduction & 1<sup>st</sup> Reading**

- Outreach Update
- Overview of the proposed ordinance

**Presenters:** Trevor Lloyd, Chad Giesinger & Mojra Hauenstein

**Panel:** Sheriff, Fire Districts, RSCVA, IVGID, CSD: Planning & Building



# Mission Statement

(Trevor)

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



# Previous Actions

(Trevor)

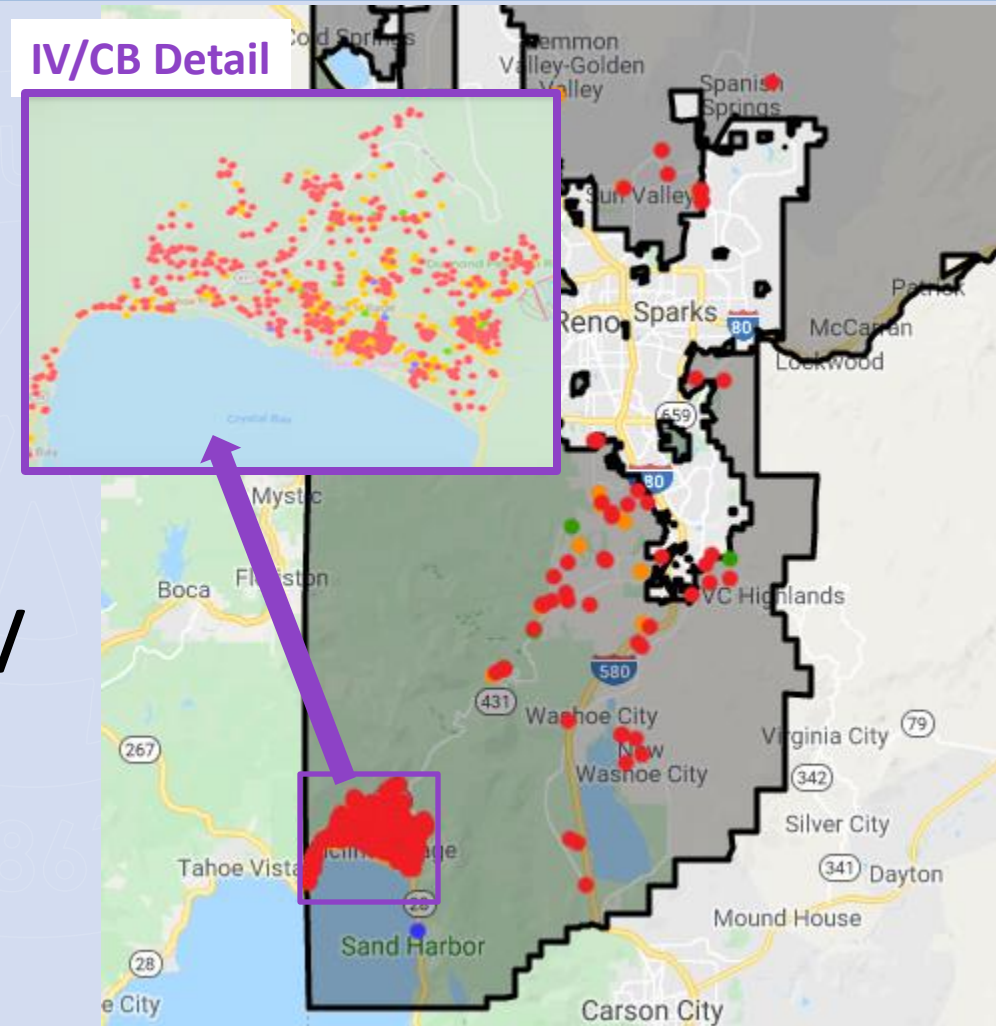
- **July 11, 2019:** Staff holds kick off meeting for the STR Agency Working Group (e.g. fire, health, building, sheriff, DA, RSCVA); Note: Staff research began in Jan. 2019
- **November 12, 2019:** The Board heard an update on the STR project, including staff's recommendations related to standards and 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)

- 500-1200+ 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





# Neighboring Jurisdictions

(Trevor)

## Surrounding Lake Tahoe Jurisdictions that have Short Term/Vacation Rental Ordinances

- Placer County, CA
- Douglas County, NV
- El Dorado County, CA
- South Lake Tahoe, CA

| District                | Commissioner   | Count       | % of Total |
|-------------------------|----------------|-------------|------------|
| Commissioner District 1 | Alexis Hill    | 1065        | 90.50%     |
| Commissioner District 2 | Bob Lucey      | 68          | 5.80%      |
| Commissioner District 3 | Kitty Jung     | 3           | 0.30%      |
| Commissioner District 4 | Vaughn Hartung | 12          | 1.00%      |
| Commissioner District 5 | Jeanne Herman  | 29          | 2.50%      |
|                         | <b>Total</b>   | <b>1177</b> |            |



# Accela & Host Compliance

(Trevor)

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

The screenshot shows the GRANICUS website interface. At the top left is the GRANICUS logo. To the right are navigation links: Solutions, Services, Success Stories, Learning Center, and a new item "NEW: Virtual E". The main content area features the "govService" logo in red, followed by the heading "Host Compliance". Below this is a descriptive paragraph: "Short-term rental monitoring, compliance, and enforcement made simple. Get started with a complimentary assessment." At the bottom left of the content area is a red button with the text "Free Assessment". The background of the page is a light-colored map with a red location pin.



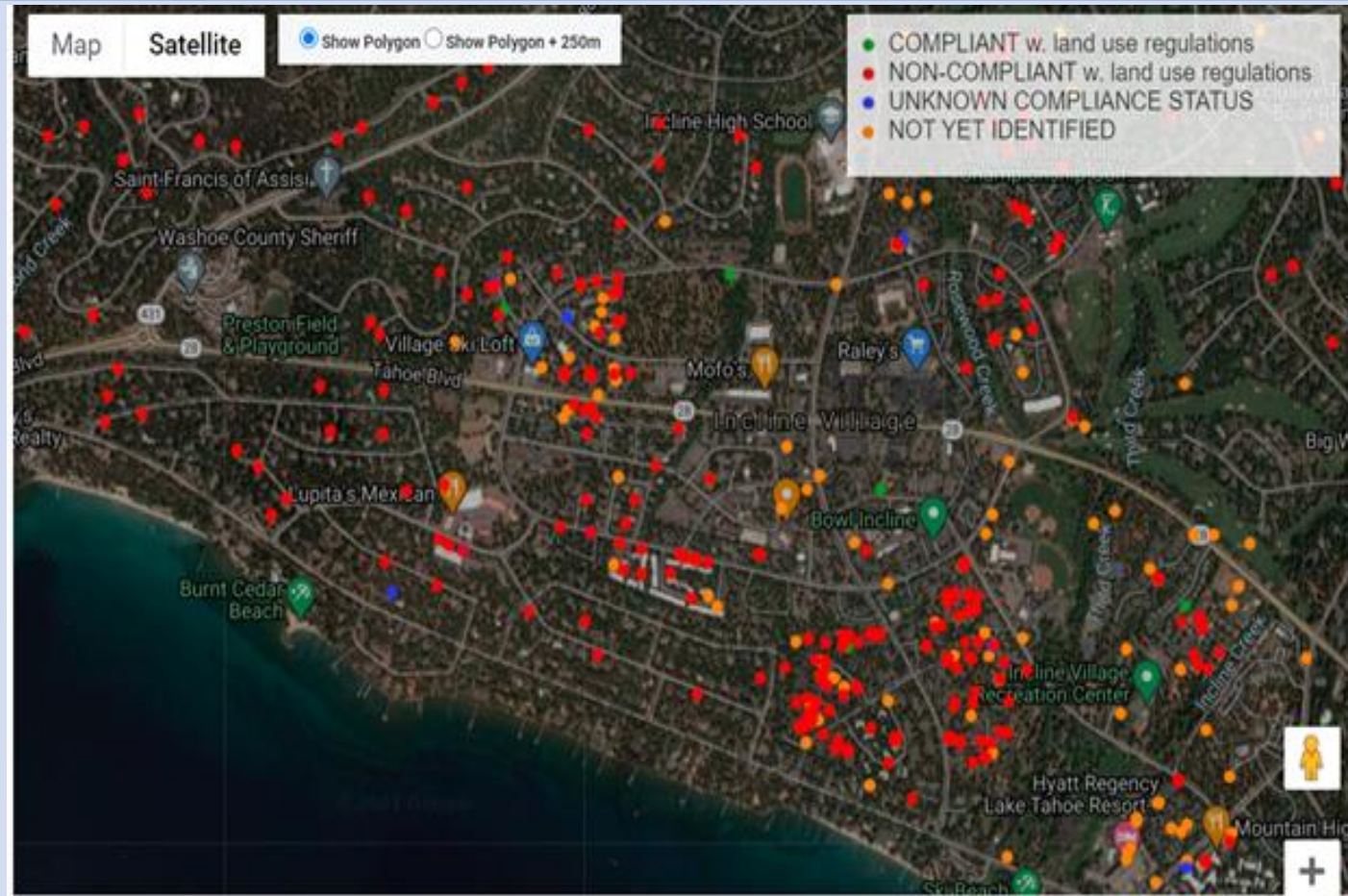
# Host Compliance

(Trevor)

**STR Rental  
Units: 898**

**STR Rental Units  
with Street  
Address  
Identified: 77.2%**

**STR Rental Units  
Added Last  
Month: 30**



- Host Compliance snapshot of data as of 2-15-21



# Host Compliance- Video

*(Trevor)*





# 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 likely new schedule, if the ordinance is adopted on March 23, 2021**



# 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-** over 300 pages, 100+ hours
- **Website/Press Releases**
- **Significant Staff Time Expended-** 4 staff over last 1.5 years



# IV/CB CAB Meeting Feb. 1<sup>st</sup>, 2021

(Trevor)



- Corporate ownership/investments

- Density/Intensity- caps on total #'s and distance
- County emergency powers NRS 414
- Break on fees, financial hardship
- Noise
- Trash
- Parking
- Health & safety
- Reduced workforce housing



- Parties-events
- Enforcement concerns
- Inspections
- Response times
- Revocations
- Community impacts
- Property rights
- Too regulated/restrictive
- Promote strong economy
- Lower the fees
- Regulate stay length (nights)
- Make STR's for primary homes only



# Proposed Code: Highlights

(Mojra)

## Tiered Permitting System (\*annual permit) 319.05

- **Tier 1:** 10 occupants or fewer; basic STR permit (Ministerial); issued if requirements are met, no notice, reviewed by staff
- **Tier 2:** 11-20 occupants; **STR Permit + Admin Review Permit (Discretionary)**; 500 ft. notice, 30 min. surrounding properties; comment and rebuttal period, no public hearing, appeal process (to BCC)
- **Tier 3:** 21 or more occupants; **STR Permit + Admin Permit (BOA public hearing)**; 500 ft. notice, 30 min.; only in areas where hotels/motels allowed; commercial standards apply

## STR Permit: Similar to Privileged Activity (319.30.a.1)

- Subject to stricter standards than other residential uses; Revoke without Board action; renew annually; no guarantee of renewal



# Proposed Code: Highlights

(Mojra)

- Life-Safety minimum standards (smoke/CO detectors, exiting, if alarms, extinguishers) + inspections (319.20)
- Local responsible party able to respond 24/7 (319.15.a.3)
- 1 STR per parcel (2 with accessory dwelling) (319.15.a.6)
- Only rent to 1 group at a time (319.15.a.8)
- No parties/events/weddings (319.15.a.4)
- Noise standards (quiet hours 10pm-7am; decibel-device if 2 confirmed violations) (319.15.c)
- Parking standards (1 sp/4 occ.; no off-site)\***Dir Mod** (319.15.b)
- Trash standards (incl. wildlife-resist.carts in bear areas) (319.15.d)
- Occupancy limits based on existing adopted Fire & Bldg codes, parking capacity, or self-limits (319.15.e)



# 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: 2<sup>nd</sup> STR allowed if within permitted accessory dwelling



# 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, room specific
  - Now: 1 occupant per 200 sq. ft. habitable space of overall home; not room-specific; based on existing adopted fire and building codes by NLTFPD, TMFPD and WC Building



# Occupancy Calculations

110.319.15(e)(1): (Mojra)

**EX: 4 bdrm, 2,265 sf**

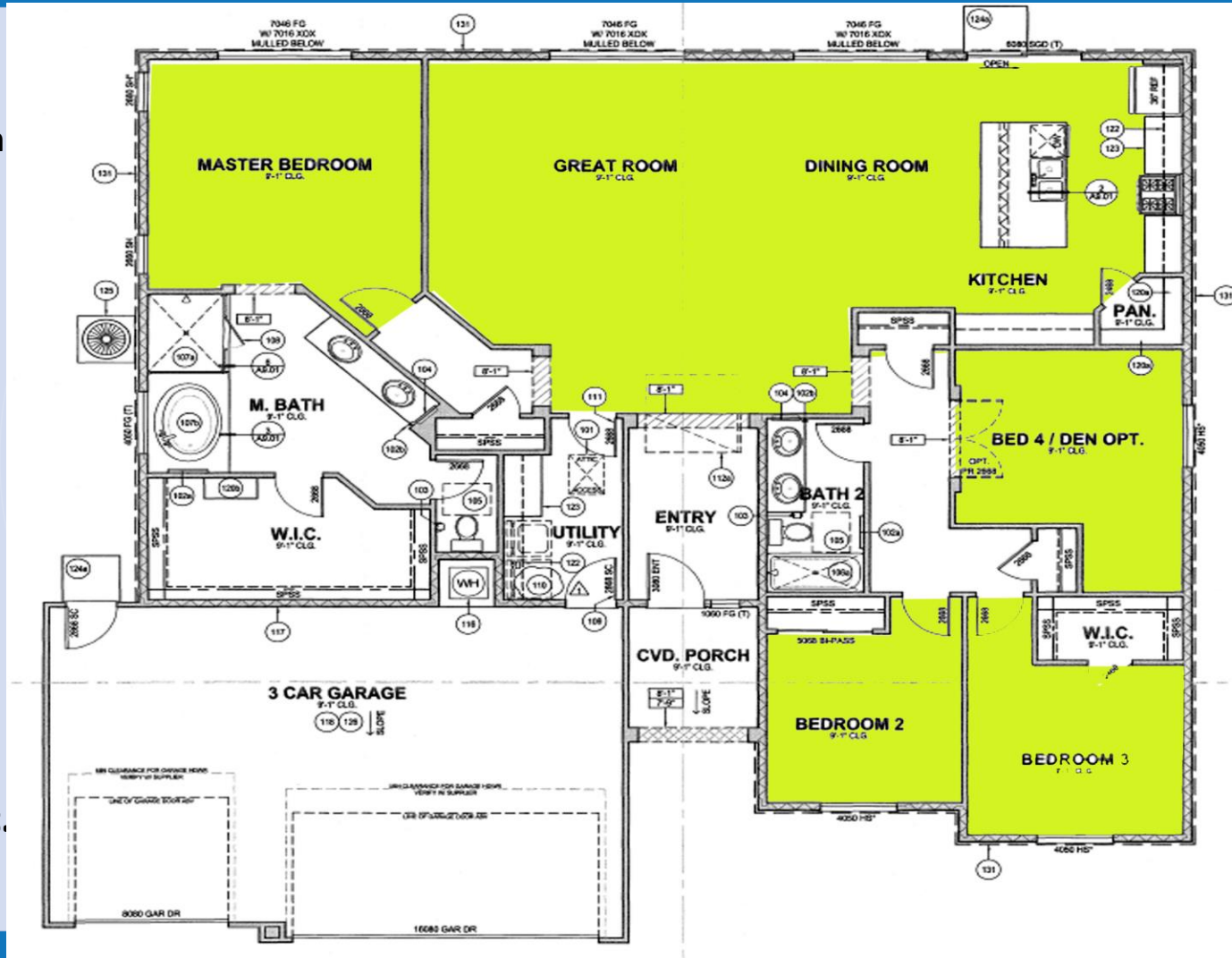
**Habitable** space is defined in IBC Ch. 2: A space in a building for **living, sleeping, eating or cooking.**

Bathrooms, Toilet rooms, closets, halls or utility spaces and similar areas are **not** considered habitable spaces.

### 1/200 Method:

4 bdrm, 2,265 sf yields  
 $1,565 \text{ sf} / 200 \text{ sf} = 7.8$   
= 8 occupants max

**2bdrm +2 Method = 2 occ.**  
X 4 bdrm + 2 occ. = 10 occupants







# 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 advisory only



# Enforcement

(Chad)

- **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 Ch. 125, master fee schedule)
- **Re-assess:** within first year and ongoing



# Next Steps

(Chad)



**March  
2nd/Adoption  
2021**

**May  
Launch w/  
Grace Period  
2021**

**August  
Full Enforcement  
2021**



**NOVEMBER 2021- STATUS UPDATE TO BCC ON STR ORDINANCE BASED ON DATA – POSSIBLE DIRECTION**

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

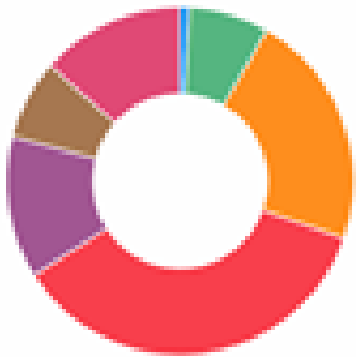




# HOUSING DATA

(Chad)

## Bedrooms / Bathrooms



- 0 bedrooms [1%]
- 1 bedroom [7%]
- 2 bedrooms [22%]
- 3 bedrooms [36%]
- 4 bedrooms [13%]
- 5+ bedrooms [7%]
- unknown [13%]

| Housing Type                  | Number | Max Bed | Avg Bed | Avg YrBlt | Sum_UNITS |
|-------------------------------|--------|---------|---------|-----------|-----------|
| Single Family                 | 3,196  | 10      | 3.7     | 1979      | 3216      |
| Condominium or Townhouse      | 3,954  | 6       | 2.7     | 1979      | 3955      |
| Condo Valued as Apartment use | 173    | 2       | 2.0     | 1989      | 173       |
| Duplex                        | 61     | 8       | 4.9     | 1977      | 122       |
| Two Single Family Units       | 15     | 6       | 4.2     | 1968      | 30        |
| Three to Four Units           | 39     | 15      | 7.8     | 1973      | 143       |
| Five to Nine Units            | 4      | 11      | 8.3     | 1972      | 21        |
| Five to Nine Units wOffice    | 1      | 6       | 6.0     | 1982      | 7         |
| Ten or More Units             | 1      | 150     | 150.0   | 1964      | 75        |
| Ten or More Units wCommercial | 1      | 50      | 50.0    | 1966      | 28        |

- 53% of all houses are comdominiums
- 88% of all houses have 4 bedrooms or less
- 47% of all houses have 3 bedrooms (36% of STR's)
- Only 2.9% of all property owners own 3 or more properties
- The avg. 2-bedroom house in IVCB is 1,285 square feet



# Baseline Data – Sheriff CFS

(Chad)

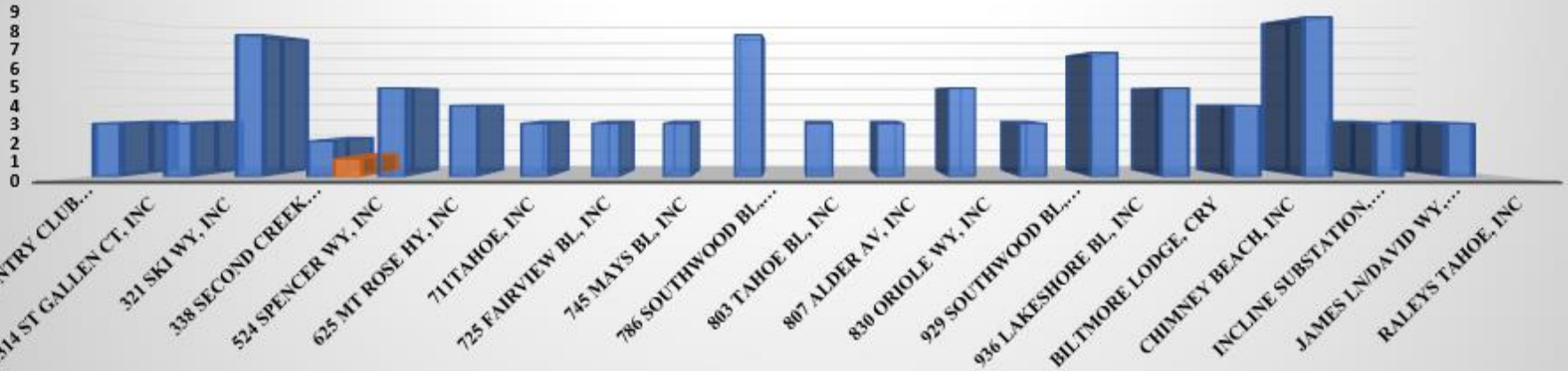
- In 2020 there were 12,298 Calls for Service (CFS) in the Incline/Crystal Bay area (Beat 7)
- The vast majority of CFS were to commercial nodes, businesses, casinos/hotels, beaches and other public areas
- Of these calls, 1,540 can be traced to a known STR (12.5%)
- The top 3 types of CFS to identified STR's were: Area Check (n264), Disturbance (n136), and Premises Alarm (n125)
- Note: The category of 'Disturbance' can include more than just noise complaints



# Baseline Data – Sheriff CFS

(Chad)

2020 Top 20 Addresses for Disturbance / Party Calls (ALL CALLS FOR SERVICE)



|       | 120 COUNTRY CLUB DR, INC | 1314 ST GALLEN CT, INC | 321 SKI WY, INC | 338 SECOND CREEK DR, INC | 524 SPENCER WY, INC | 625 MT ROSE HY, INC | 711 TAHOE, INC | 725 FAIRVIEW BL, INC | 745 MAYS BL, INC | 786 SOUTHWOOD BL, INC | 803 TAHOE BL, INC | 807 ALDER AV, INC | 830 ORIOLE WY, INC | 929 SOUTHWOOD BL, INC | 936 LAKESHORE BL, INC | BILTMORE LODGE, CRY | CHIMNEY BEACH, INC | INCLINE SUBSTATION, INC | JAMES LN/DAVID WY, INC | RALEYS TAHOE, INC |
|-------|--------------------------|------------------------|-----------------|--------------------------|---------------------|---------------------|----------------|----------------------|------------------|-----------------------|-------------------|-------------------|--------------------|-----------------------|-----------------------|---------------------|--------------------|-------------------------|------------------------|-------------------|
| DISTR | 3                        | 3                      | 8               | 2                        | 5                   | 4                   | 3              | 3                    | 3                | 8                     | 3                 | 3                 | 5                  | 3                     | 7                     | 5                   | 4                  | 9                       | 3                      | 3                 |
| PARTY |                          |                        |                 | 1                        |                     |                     |                |                      |                  |                       |                   |                   |                    |                       |                       |                     |                    |                         |                        |                   |

Top 3 Calls for Service to Identified STR's

| FREQUENCY | Call Type  | Address                  |
|-----------|------------|--------------------------|
| 83        | AREA CHECK | 120 COUNTRY CLUB DR, INC |
| 82        | AREA CHECK | 501 LAKESHORE BL, INC    |
| 30        | AREA CHECK | 400 FAIRVIEW BL, INC     |

Next Highest Categories of CFS by Address

| FREQUENCY | Call Type         | Address                  |
|-----------|-------------------|--------------------------|
| 11        | EMERGENCY MEDICAL | 111 COUNTRY CLUB DR, INC |
| 8         | DISTURBANCE       | 321 SKI WY, INC          |
| 8         | PARKING PROBLEM   | 120 COUNTRY CLUB DR, INC |



# Baseline Data – Fire CFS

(Chad)

## 2019 NLTFPD out of 521 calls 116 STRs, 22%:

| 2019 NLTFD Calls Broken Down By Type of Call |  |
|--|--|
| 24   | 2019 Fire Calls Total = 24 (16 of which were False Alarms)               |
| 4  | 2019 Carbon Monoxide Total = 4 (100% false alarms)                       |
| 35   | 2019 Smoke Detector Activation Total = 35 (100% Unintentional / No Fire) |
| 3  | 2019 Gas Leak Total = 3  |
| 23   | 2019 EMS Calls Total = 23  |
| 27   | 2019 Public Assistance Calls Total = 27                                  |
| 116  | Total 2019 NLTFD Calls related to an STR property                        |

## 2020 NLTFPD out of 552 calls 112 STRs, 20%:

| 2020 NLTFD Calls Broken Down By Type of Call |  |
|--|--|
| 27   | 2020 Fire Calls Total = 27 (17 of which were False Alarms)               |
| 6  | 2020 Carbon Monoxide Total = 6 (4 of which were false alarms)            |
| 38   | 2020 Smoke Detector Activation Total = 37 (100% Unintentional / No Fire) |
| 1  | 2020 Gas Leak Total = 1  |
| 15   | 2020 EMS Calls Total = 15  |
| 15   | 2020 Public Assistance Calls Total = 15                                  |
| 102  | Total 2020 NLTFD Calls related to an STR property                        |



# 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**





# Other Considerations

(Mojra)

## Not ALL must be Codified

### We Can Accommodate in Permit Protocols:

- **Tier 1 courtesy notification: ask owners to provide notification to adjacent properties/good neighbor**
- **Cleaning- WCHD to provide advisory recommendations for owners**
- **Future Collecting Data, reports** (inform November update)
- **Break on fees (if it is a need) in November 2021**



# Questions ?

(Mojra)

## Subject Matter Experts on Standby:

**Planning:** Trevor Lloyd & Chad Giesinger

**Building:** Mojra Hauenstein

**North Lake Tahoe Fire PD:** Chief Sommers & Fire Marshal Jennifer Donohue

**Truckee Meadows Fire PD:** Deputy Chief, Dale Way

**Sheriff:** Captain Don Gil

**RSCVA:** Robert Douglas, Senior Tax Auditor

**IVGID:** Indra Winquest, General Manager

**WC Legal:** Nate Edwards, DA

Thank you