
STAFF RECOMMENDATION

**INITIATE AND RECOMMEND
APPROVAL**

DENY

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).

(Motion with Findings on Page 11)

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Process for Development Code Amendments

The Washoe County Development Code is Chapter 110 of the Washoe County Code (WCC). The Development Code broadly regulates allowable and permitted land uses, subdivision of land, planning permit requirements and procedures, signage, infrastructure availability, land use development standards, and other related matters. Because the Development Code covers so many varying aspects of land use and development standards, it is expected that from time to time it may be necessary to change or amend one or more portions of the Development Code to keep it up to date with the most current and desirable trends in planning and development.

The Development Code amendment process provides a method of review and analysis for such proposed changes. Development Code amendments may be initiated by the Washoe County Board of County Commissioners (BCC), Planning Commission (PC), or an owner of real property. Development Code amendments are generally initiated by resolution of the BCC or PC. Real property owners may apply to initiate a Development Code amendment.

After initiation, the PC considers the proposed amendment in a public hearing. The PC may recommend approval, approval with modifications or denial of the proposed amendment. The PC records its recommendation by resolution. The BCC hears all amendments recommended for approval, and amendments recommended for denial upon appeal. The BCC will hold an introduction and first reading of the ordinance (proposed amendment), followed by a second reading and possible ordinance adoption in a public hearing at a second meeting at least two weeks after the first reading. Unless otherwise specified, ordinances are effective 10 days after adoption.

Background

On August 22, 2023, the Board was asked to provide policy direction to staff on code amendments to streamline the permitting and enforcement of STRs. The Board was also asked to provide direction regarding whether to limit (cap) the total number of STRs in Washoe County, specifically within the Tahoe planning area. The Board directed staff not to implement a cap on the total number of STR permits. However, the Board directed staff to draft code language to help streamline the STR permitting and enforcement processes and to engage the public and return to the Board with substantial feedback from the public on staff-proposed code amendments. At the direction of the Board, Planning staff hosted three community workshops to discuss the possible amendments to the County's STR regulations. On December 19, 2023, staff returned to the Board to discuss the results of the community workshops and seek further direction. The Board directed staff to proceed with code amendments to modify the STR regulations as provided in this staff report.

Proposed Amendments

Based on the Board of County Commissioners' direction, the permitting experiences to date, the extensive public and agency input, and an analysis of potential regulatory amendments, the following code amendments are recommended (new language is in bold font & deleted language is in strikethrough text):

1. Clarify that occupancy standards for STRs prohibit events, parties, weddings, etc. whether or not the STR property is being rented or occupied by the owner and remove language "familial association" (Section 220.319.15(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.

This new language will clarify that the occupancy standards apply to all STRs regardless of the rental status of the property to include when the STR is being occupied by the owner of the STR. Additionally, the term familial association is being removed as it is unnecessary language and presents potential enforcement challenges.

2. Include new language specifying that renters of a property may not obtain a permit for an STR (Section 220.319.15(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.**

This new language will ensure that long-term renters do not obtain permits to operate STRs on properties they do not own.

3. Prohibit STRs in accessory dwellings in the Tahoe Area Plan. (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.**

This language would prohibit the establishment of new STRs within accessory dwelling units in the Tahoe planning area. Properties outside of the Tahoe planning area would not be subject to this restriction. The purpose of this restriction is to support work force housing in the Tahoe Basin which has been identified as a priority for by the Board. This provision would only apply to those applying for new STR permits as the existing permits would be grandfathered.

4. Requirement for relinquishing an STR permit. 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.

Properties with active STR permits are subject to all STR regulations and restrictions throughout the life of the STR permit whether the STR is being rented or not. These restrictions include the number of occupants staying within the STR, the ability to host an event or party, etc. If an STR violation occurs, it is overly burdensome for code enforcement staff to determine if the violation was caused by the STR renters or by the owner of the property. For this reason, Washoe County staff does not distinguish between the two and the Board is being asked to adopt this language to formalize the current practice of code enforcement staff.

5. Remove requirement for permit from Truckee Meadows Fire Protection District. 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.~~

Following the original adoption of Article 319 (Short Term Rentals), it was discovered that the Truckee Meadows Fire Protection District does not issue permits for outdoor solid fuel burning fire pits and therefore this language is unnecessary. The Board is asked to remove this language to clean up this discrepancy.

6. Clarify that in the Tahoe Planning Area, properties may become temporarily inaccessible. 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.**

During periods of excessive snowfall, roads may become inaccessible for emergency vehicles. This language is being used added to ensure that an STR is not in violation of this provisions due to natural causes.

7. Allow for pro-rated permitting fees. 110.319.25 Permit Fees.

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.**

In order to accommodate the request of some STR permit holders to allow a change to their renewal date, the Board is asked to adopt a pro-rated permit fee. This request will also help to better distribute the expiration dates more evenly throughout the year and alleviate the large crunch of renewal applications within a short window of time.

8. Requirement for a new STR permit when a property is sold or transferred to a new owner. Section 110.319.30(a)(3) Enforcement.

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.

Currently, Washoe County staff requires the submittal of a new STR permit application when a property is sold, and where the new owner wishes to continue operating the STR. The Board is asked to adopt the above language to formalize this practice in code. It is essential that a new property owner obtains their own STR permit in order to modify all of the contact information including the local responsible party and authorized agent, if applicable. Also, the exercise required to complete the submittal checklist will better ensure that the new STR permit holder is aware of the STR rules and regulations and thus reduce the potential for violating those regulations.

9. Allowing for a grace period for renewal permits. 110.319.30(a)(4) Enforcement.

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.

This language would allow for a grace period of up to 60 days for the issuance of STR renewals. An enforcement “grace period” that began on May 1, 2021 (when the county began accepting STR applications) ended on August 1, 2021; however, this grace period proved insufficient to address the high level of STR activity occurring in the community and accommodate the processing of all STR permit applications received during this time. Planning staff will continue to send notices of upcoming deadlines and will continue to seek application submittals prior to their expiration dates. However, renewal application submittals are not evenly distributed throughout the year but rather most are submitted within a short two-to-three-month time-period creating a bottleneck of applications for staff to process and the additional time will help ensure that the permitting time frames are in compliance with code.

10. STR violations from other agencies. 110.319.30(c) Enforcement.

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.**

Washoe County has one code enforcement staff member assigned to enforce the STR program between the hours of 8 to 5, Monday through Friday. For this reason, this language provides clarification that in the course of their normal operations, if the GID or the Sheriff’s Office issues a citation for an activity that is determined to be a violation of Washoe County’s STR regulations, then Washoe County code enforcement staff may use such evidence in support of the issuance of a notice of violation for that activity.

11. Removing requirement to notarize applications for STR permit renewals. 110.319.35(a)(3) Inspections and Self-Certification.

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

In order to help streamline the permitting process and remove additional submittal requirements, the requirement for notarizing the self-certification checklist for renewal applications would be removed. Common feedback provided by STR permit holders is that this requirement is overly burdensome and redundant as the initial application requires a signed notarization.

12. Clarify that the property owner and not the property is subject to one year suspension for a permit revocation. 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.

The purpose of this language is to help clarify that the revocation of the STR applies to the property owner rather than the property so that in the event that the property is sold, the new property owner is not subject to the same one-year suspension.

13. Additional grounds for revocation of STR permit. 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.

To better ensure the lives and safety of STR guests, this language helps ensure that if construction occurs on a property with an active STR permit, without the required building permit, such action is grounds for revocation of an STR permit.

14. Reduce the appeal time for a stop activity order from 30 days to 14 days. Chapter 125.

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.** Because of their injunctive nature, if the person who is served with a stop activity order or remediation order asks for a hearing, an administrative hearing officer will expeditiously be appointed, and a hearing will be conducted within 30 calendar days of the receipt of the appeal by the administrative hearing office. A stop activity order remains in effect pending the hearing. The deadline for a remediation order is suspended pending the hearing. The hearing will be conducted in accordance with the provisions for hearings, and the issuance, enforcement, and appeal of administrative orders as set out in this chapter. The decision of the administrative hearing officer may be taken directly to judicial review in accordance with this chapter at the option of the appellant. If an appeal is made to the board of adjustment for violation of WCC chapters 100 and 110, the decision of the board of adjustment is subject to judicial review in accordance with this chapter. Appeals of a decision of the administrative hearing officer regarding all other chapters of WCC shall proceed directly to petition for judicial review.

To help streamline the enforcement process and reduce the potential number of appeals, the number of days to appeal a stop activity order for an STR shall be reduced from 30 days to 14 days.

Public Outreach and Engagement

Staff hosted an in-person workshop at the Incline Village Library on November 15, 2023, and two zoom meetings were held on November 16 and November 28, 2023. The workshops were well attended with approximately 25 participants attending the November 15th workshop, about 35 participants attending the November 16th workshop and about 20 participants attending the November 28 workshop. As a result of the workshops and the noticing for the workshops, staff gathered many comments. All comments are included as Attachment A to this staff report.

Top areas of input and public concern were related to the following:

- Support for more immediate revocation based on severity of violation(s).
- Significant support for prohibiting STRs in ADU's in the Tahoe planning area.
- Objections to the 60-day grace period, STR permit holders should be held accountable to complete applications on time.
- Availability of code enforcement resources, prompt responses needed.
- Should be a cost recovery for code enforcement officers.
- Opposition for property owner having multiple STRs
- Violations issued by other GIDs (not just IVGID) should count toward STR violation.
- Opposition expressed to holding STR owners to same standard when the STR is not rented.
- A STR permit is a privilege and should be held to the same standard whether it is rented or not.
- Need for more transparency for tracking complaints. Violation information should be readily available.
- Support was given to reduce the fees for partial home rentals or when the STR property is the primary residence of the STR owner.
- Need for more enforcement staff and more vigorous enforcement.
- Concern expressed for safe evacuation in case of emergency.
- Include NLTFPD in the list of agencies who can cite violations.
- Opposition expressed for removing the notary requirement for renewal permits. The notary adds validity and is only a minor inconvenience.
- One year suspension for revoked STRs should apply to both the property and the property owner(s).
- Concern was raised that workshops and the review of the STR regulations only apply to the items identified by the BCC at their August 22, 2023, meeting. There should be a comprehensive review of all STR regulations.
- Concern expressed that if violations by other agencies are the cause for STR violations, then opposing neighbors could misuse these agencies.
- Opposition to allowing STR owners to relinquish their permits as this will encourage STRs to operate without a permit.
- Support for new owners to be required to obtain a new permit when property is purchased.
- Support given for violations by other agencies to count as STR violations
- Support for revocation for construction completed with a permit.

- Consider a one year waiting period for STR permit from the purchase of a residence

Findings

Washoe County Code Section 110.818.15(e) requires the Planning Commission to make **at least one** of the following findings of fact. Staff has completed an evaluation of each of the findings of fact and recommends that the Planning Commission make all four findings in support of the proposed amendment.

1. **Consistency with Master Plan.** The proposed development code amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan.

Staff comment: As proposed, the amendments do not conflict with the policies and action programs of the Master Plan and are compatible with the Tahoe Area Plan.

2. **Promotes the Purpose of the Development Code.** The proposed development code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the development code as expressed in Article 918, Adoption of Development Code.

Staff comment: This code amendment is intended to respond to feedback from the public, regulatory agencies, and the Board of County Commissioners on improvements to STR regulations. These changes are intended to further reduce potential adverse impacts of STRs on public health, safety and welfare.

3. **Response to Changed Conditions.** The proposed development code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones.

Staff comment: The proposed changes are a direct result of the increased awareness and use of short-term rentals in unincorporated Washoe County, and the BCC's recognition that their impacts must be addressed.

4. **No Adverse Effects.** The proposed development code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

Staff comment: The amendments are designed to further improve existing STR regulations. The amendments reflect the recommendations of the Board of County Commissioners, the public and regulatory agencies. These minor amendments are not expected to adversely impact the policies of these Master Plan Elements.

Public Notice

Pursuant to WCC Section 110.818.20, notice of this public hearing was published in the newspaper at least 10 days prior to this meeting. Staff can provide proof of notification if requested.

Recommendation

It is recommended that the Planning Commission initiate the amendment and recommend approval of WDCA24-0003, to amend the Development Code as described in this staff report, with the details provided in Exhibit A. The following motion is provided for your consideration.

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 following four findings within Washoe County Code Section 110.818.15(e):

1. Consistency with Master Plan. The proposed Development Code amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;
2. Promotes the Purpose of the Development Code. The proposed Development Code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code;
3. Response to Changed Conditions. The proposed Development Code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones; and,
4. No Adverse Effects. The proposed Development Code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

Appeal Process

An appeal of the Planning Commission's denial of a Development Code amendment may be made to the Washoe County Board of Commissioners within 10 calendar days from the date that the Planning Commission's decision is filed with the Secretary to the Planning Commission, pursuant to Washoe County Code Sections 110.818.25 and 110.912.20.



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

INITIATING AND RECOMMENDING APPROVAL TO THE BOARD OF COUNTY COMMISSIONERS OF AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 110 (DEVELOPMENT CODE) IN ARTICLE 319 (SHORT TERM RENTALS (STRs)) BY MODIFYING VARIOUS SECTIONS IN ORDER TO: CLARIFY MAXIMUM OCCUPANCY LIMITATIONS ASSOCIATED WITH AN STR PERMIT; LIMIT STRS TO ONE PER PARCEL IN THE TAHOE PLANNING AREA; PROHIBIT NEW STRS IN ACCESSORY DWELLINGS IN THE TAHOE PLANNING AREA; CLARIFY WHEN AN STR PERMIT MUST BE RELINQUISHED; REMOVE REQUIREMENT FOR AN OUTDOOR FIREPLACE PERMIT FROM THE TRUCKEE MEADOWS FIRE PROTECTION DISTRICT; ALLOW FOR AN UPDATED STR PERMIT RENEWAL DATE VIA PAYMENT OF A PRO-RATED RENEWAL FEE; REMOVE THE REQUIREMENT FOR A SIGNED NOTARY FOR STR RENEWAL APPLICATIONS; CLARIFY THAT A NEW STR PERMIT IS REQUIRED WITH EACH CHANGE OF PARCEL OWNERSHIP; GRANT A 30 DAY AUTOMATIC GRACE PERIOD FOR RENEWALS WITH A POSSIBLE ADDITIONAL 30 DAY DISCRETIONARY GRACE PERIOD THAT MAY BE GRANTED BY THE DIRECTOR OF PLANNING AND BUILDING; AND CLARIFY VIOLATION AND REVOCATION REGULATIONS; AND BY AMENDING WASHOE COUNTY CODE CHAPTER 125 (ADMINISTRATIVE ENFORCEMENT CODE) TO REDUCE THE APPEAL PERIOD FOR STR STOP ACTIVITY ORDERS FROM 30 DAYS TO 14 DAYS; AND ALL MATTERS NECESSARILY CONNECTED THEREWITH AND PERTAINING THERETO.

Resolution Number 24-11

WHEREAS

- A. Development Code Amendment Case Number WDCA24-0003, came before the Washoe County Planning Commission for a duly noticed public hearing on May 7, 2024; and
- B. The Washoe County Planning Commission gave reasoned consideration to the information it received regarding the proposed development code amendment; and
- C. Whereas, pursuant to Washoe County Code Section 110.818.15(e), the Washoe County Planning Commission made the following findings necessary to support its recommendation for adoption of the proposed Development Code Amendment Case Number WDCA24-0003:
 1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;
 2. Promotes the Purpose of the Development Code. The proposed development code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code;

3. Response to Changed Conditions. The proposed development code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones; and,
4. No Adverse Effects. The proposed development code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

NOW, THEREFORE, BE IT RESOLVED that the Washoe County Planning Commission recommends approval of the ordinance attached hereto as Exhibit A-1.

A report describing this amendment, discussion at this public hearing, this recommendation, and the vote on the recommendation will be forwarded to the Washoe County Board of Commissioners within 60 days of this resolution's adoption date.

ADOPTED on May 7, 2024.

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

Trevor Lloyd, Secretary

Rob Pierce, Chair



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

INITIATING AND RECOMMENDING APPROVAL TO THE BOARD OF COUNTY COMMISSIONERS OF AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 110 (DEVELOPMENT CODE) IN ARTICLE 319 (SHORT TERM RENTALS (STRs)) BY MODIFYING VARIOUS SECTIONS IN ORDER TO: CLARIFY MAXIMUM OCCUPANCY LIMITATIONS ASSOCIATED WITH AN STR PERMIT; LIMIT STRS TO ONE PER PARCEL IN THE TAHOE PLANNING AREA; PROHIBIT NEW STRS IN ACCESSORY DWELLINGS IN THE TAHOE PLANNING AREA; CLARIFY WHEN AN STR PERMIT MUST BE RELINQUISHED; REMOVE REQUIREMENT FOR AN OUTDOOR FIREPLACE PERMIT FROM THE TRUCKEE MEADOWS FIRE PROTECTION DISTRICT; ALLOW FOR AN UPDATED STR PERMIT RENEWAL DATE VIA PAYMENT OF A PRO-RATED RENEWAL FEE; REMOVE THE REQUIREMENT FOR A SIGNED NOTARY FOR STR RENEWAL APPLICATIONS; CLARIFY THAT A NEW STR PERMIT IS REQUIRED WITH EACH CHANGE OF PARCEL OWNERSHIP; GRANT A 30 DAY AUTOMATIC GRACE PERIOD FOR RENEWALS WITH A POSSIBLE ADDITIONAL 30 DAY DISCRETIONARY GRACE PERIOD THAT MAY BE GRANTED BY THE DIRECTOR OF PLANNING AND BUILDING; AND CLARIFY VIOLATION AND REVOCATION REGULATIONS; AND BY AMENDING WASHOE COUNTY CODE CHAPTER 125 (ADMINISTRATIVE ENFORCEMENT CODE) TO REDUCE THE APPEAL PERIOD FOR STR STOP ACTIVITY ORDERS FROM 30 DAYS TO 14 DAYS; AND ALL MATTERS NECESSARILY CONNECTED THEREWITH AND PERTAINING THERETO.

Resolution Number 24-11

WHEREAS

- A. Development Code Amendment Case Number WDCA24-0003, came before the Washoe County Planning Commission for a duly noticed public hearing on May 7, 2024; and
- B. The Washoe County Planning Commission gave reasoned consideration to the information it received regarding the proposed development code amendment; and
- C. Whereas, pursuant to Washoe County Code Section 110.818.15(e), the Washoe County Planning Commission made the following findings necessary to support its recommendation for adoption of the proposed Development Code Amendment Case Number WDCA24-0003:
 1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;
 2. Promotes the Purpose of the Development Code. The proposed development code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code;

3. Response to Changed Conditions. The proposed development code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones; and,
4. No Adverse Effects. The proposed development code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

NOW, THEREFORE, BE IT RESOLVED that the Washoe County Planning Commission recommends approval of the ordinance attached hereto as Exhibit A-1.

A report describing this amendment, discussion at this public hearing, this recommendation, and the vote on the recommendation will be forwarded to the Washoe County Board of Commissioners within 60 days of this resolution's adoption date.

ADOPTED on May 7, 2024.

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

Trevor Lloyd, Secretary

Rob Pierce, Chair

DRAFT: April 26, 2024

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INFORMATION ONLY

REGULAR TEXT: NO CHANGE IN LANGUAGE

~~STRIKEOUT TEXT: DELETE LANGUAGE~~

BOLD TEXT: NEW LANGUAGE

Summary: Amends Washoe County Code Chapter 110 (Development Code) in Article 319, Short Term Rentals (STRs) and Washoe County Code Chapter 125, Administrative Enforcement Code.

BILL NO. _____

ORDINANCE NO. _____

Title:

AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 110 (DEVELOPMENT CODE) IN ARTICLE 319 (SHORT TERM RENTALS (STRs)) BY MODIFYING VARIOUS SECTIONS IN ORDER TO: CLARIFY MAXIMUM OCCUPANCY LIMITATIONS ASSOCIATED WITH AN STR PERMIT; LIMIT STRS TO ONE PER PARCEL IN THE TAHOE PLANNING AREA; PROHIBIT NEW STRS IN ACCESSORY DWELLINGS IN THE TAHOE PLANNING AREA; CLARIFY WHEN AN STR PERMIT MUST BE RELINQUISHED; REMOVE REQUIREMENT FOR AN OUTDOOR FIREPLACE PERMIT FROM THE TRUCKEE MEADOWS FIRE PROTECTION DISTRICT; ALLOW FOR AN UPDATED STR PERMIT RENEWAL DATE VIA PAYMENT OF A PRO-RATED RENEWAL FEE; REMOVE THE REQUIREMENT FOR A SIGNED NOTARY FOR STR RENEWAL APPLICATIONS; CLARIFY THAT A NEW STR PERMIT IS REQUIRED WITH EACH CHANGE OF PARCEL OWNERSHIP; GRANT A 30 DAY AUTOMATIC GRACE PERIOD FOR RENEWALS WITH A POSSIBLE ADDITIONAL 30 DAY DISCRETIONARY GRACE PERIOD THAT MAY BE GRANTED BY THE DIRECTOR OF PLANNING AND BUILDING; AND CLARIFY VIOLATION AND REVOCATION REGULATIONS; AND BY AMENDING WASHOE COUNTY CODE CHAPTER 125 (ADMINISTRATIVE ENFORCEMENT CODE) TO REDUCE THE APPEAL PERIOD FOR STR STOP ACTIVITY ORDERS FROM 30 DAYS TO 14 DAYS; AND ALL MATTERS NECESSARILY CONNECTED THEREWITH AND PERTAINING THERETO.

WHEREAS:

DRAFT: April 26, 2024

- A. This Commission desires to amend Washoe County Code Chapter 110 (Development Code) in Article 319, Short-Term Rentals (STRs) and Chapter 125, Administrative Enforcement Code, in order to update regulations related to short-term rentals in unincorporated Washoe County; and
- B. On August 22, 2023, the Washoe County Board of County Commissioners (Board) initiated amendments to Washoe county Code Chapter 110 (Development Code) and Chapter 125 (Administrative Enforcement Code) to streamline and clarify current STR permitting requirements and enforcement processes, and
- C. The Board also provided direction to staff to prepare draft language for circulation in the community, collect public comment and report back to the Board; and
- D. On December 19, 2023, staff presented the draft language to the Board and received direction to proceed with the proposed amendments to Washoe County Code Chapters 110 and 125 related to short term rentals; and
- E. On May 7, 2024, the Washoe County Planning Commission held a duly noticed public hearing for DCA24-0003, and initiated the proposed amendments to Washoe County Code Chapter 110 (Development Code) in Article 319 as specified in Paragraph A, above, by Resolution Number 24-xx; and
- F. Following a first reading and publication as required by NRS 244.100(1), and after a duly noticed public hearing, this Commission desires to adopt this Ordinance; and
- G. This Commission has determined that this ordinance is being adopted pursuant to requirements set forth in Chapter 278 of NRS, therefore it is not a "rule" as defined in NRS 237.060 requiring a business impact statement.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DOES HEREBY ORDAIN:

Section 1. Section 110.319.15 of Chapter 110 of the Washoe County Code is hereby amended to read as follows:

DRAFT: April 26, 2024

Section 110.319.15 Standards. All STRs shall comply with the standards within this article. No application for a variance, minor deviation, director's modification or other mechanism shall be approved to waive or modify these standards to make them less restrictive, unless explicitly allowed for within this article.

- (a) General standards. The following general standards are applicable:
- (1) A valid STR permit shall be obtained from Washoe County prior to advertising and operation.
 - (2) STR permits must be renewed and issued annually in order to advertise or operate. Previous issuance of an STR permit does not guarantee that a subsequent permit will be issued.
 - (3) Every STR is required to have a designated agent or property manager functioning as a local responsible party who is available 24 hours a day, seven days a week to respond via text message or phone to complaints related to the STR within 30 minutes of contact by Washoe County staff or its designated representatives. The local responsible party must also be based in a location where they can physically arrive at the STR within one hour (not including reasonable delays due to traffic or weather) of the initial response. This requirement is intended to address complaints based on violations of this section or Section 110.319.20 and should not be interpreted for any other purpose. The STR property owner shall provide a single phone number (text-capable) and email address with which the local responsible party can be reached 24/7.
 - (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.**
 - (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.**
 - (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.**
 - (7) An STR permit will only be issued for dwelling units that have already received a certificate of occupancy. STR permits do not supersede, waive or reduce any other code standards or requirements for building permits, planning permits/applications or other requirements necessary to construct a dwelling unit.

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- (8) An STR shall only be rented to one group or person at a time (ex. renting out multiple individual rooms to multiple separate groups is not permitted).
 - (9) Advertising for an STR is prohibited unless a valid STR permit has been issued and is in effect at the time of advertisement.
 - (10) All advertisements must include the Washoe County permit number, transient lodging tax license number, maximum occupancy as allowed by the permit, number of bedrooms, number of beds (not to exceed maximum occupancy), number of parking spaces, and a note that no off-site street-parking is permitted. This information must be displayed at the top of the STR advertisement.
 - (11) No signage advertising the STR is permitted on the property.
 - (12) Educational material must be made available to all renters in the unit's kitchen or other common area and must contain the following: occupancy limits associated with the permit; exit locations; emergency phone numbers (ex. 911); phone number for the STR's local responsible party; fire/life safety information (ex. proper cigarette and ash disposal, community fire danger, proper BBQ operation, hot tub safety [if applicable], etc.); bear awareness brochure (for properties located in bear-prone areas); and Washoe County noise (quiet hours), trash and parking standards. Within the boundaries of the Tahoe Area Plan, the following must also be provided: a copy of the North Lake Tahoe Fire Protection District Vacation Rental Safety Information Sheet and Emergency Preparedness Guide; community evacuation routes; and avalanche warning methods (for properties located in designated avalanche danger zones).
 - (13) All STRs must comply with all other federal, state, and other applicable laws/statutes.
 - (14) Per WCC Chapter 25, applicable room tax must be paid to the Reno-Sparks Convention and Visitors Authority, disclosed to the renter and included in any rental agreement.
 - (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.**
- (b) Parking Standards. In areas *outside* the jurisdiction of the Tahoe Regional Planning Agency (TRPA), parking standards applicable to all residential uses, or the parking standard adopted at the time of original building permit approval of the residence, shall apply. *Within* the jurisdictional boundaries of the TRPA, the following parking standards shall be adhered to:
- (1) No STR parking is allowed within access easements or the public rights-of-way.
 - (2) All parking spaces must be: improved to Tahoe Regional Planning Agency (TRPA) standards; developed on-site within property boundaries; and dedicated specifically for parking. In multi-unit complexes, parking must be in designated parking spaces (if applicable) and limited to the number of spaces allotted to the unit.
 - (3) One parking space is required for every four occupants.
 - (4) Within the Tahoe Basin, on-site STR parking may be limited and may require approval of TRPA coverage. Limitations such as these and other factors do not reduce or

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eliminate the requirement for on-site parking. Inability to develop the appropriate number of parking spaces on-site will subsequently limit the maximum number of occupants allowed by the STR permit.

- i. In extraordinary and limited circumstances within the Tahoe Basin, the Planning and Building Division Director is authorized to consider reducing or relocating the required parking spaces in circumstances where the property owner has provided sufficient evidence that the request is warranted and will not unduly impact surrounding properties. Such requests shall be made by submitting a director's modification of standards application.
- (c) Noise Standards. The following noise standards shall be adhered to:
- (1) Within the jurisdictional boundaries of the Tahoe Regional Planning Agency (TRPA), short-term rental quiet hours are in effect daily from 10 p.m. – 7 a.m. Guests shall be instructed to be respectful of the surrounding neighborhood and reduce outdoor activities during this timeframe and shall be informed that proven violations of the quiet hours will result in fines/penalties being levied against the property owner, who may choose to pass on such fines to the renters.
 - (2) Owners of properties that have received two confirmed STR noise violations within a 12-month timeframe shall provide the Planning and Building Division with a comprehensive noise management plan, including the installation of commercially available decibel-monitoring devices with reporting capability. Records from the decibel-monitoring devices must be retained for a minimum of 60-days and made available for Washoe County staff to review upon request.
- (d) Trash Standards. The following waste removal standards shall be adhered to:
- (1) Trash and other waste must be managed as prescribed by Washoe County Health District, Waste Management and, if applicable, the Incline Village General Improvement District (IVGID). Waste cart size must be sufficient to store waste for the maximum number of occupants each week.
 - (2) STRs in IVGID's service territory and other bear-prone areas must utilize wildlife-resistant carts and/or bear boxes, except in multi-unit developments where HOAs require and enforce regular trash disposal. Bear Boxes shall be required for STR operators following two confirmed violations of the trash standards. Wildlife-resistant carts and bear boxes must be placed outside in compliance with the local service provider.
 - (3) Failure to use a wildlife-resistant cart or bear box as directed by the manufacturer and applicable trash authority may result in a confirmed trash violation.
- (e) Occupancy Limits. An occupancy limit shall be established for each short-term rental based on individual characteristics of the dwelling unit and property. Overall maximum occupancy of an STR will be determined by the Planning and Building Division Director or her/his designee(s) after considering all the factors below. The maximum number of occupants allowed within an STR is based on the following parameters:
- (1) The occupant load shall be calculated as two (2) occupants for every legally permitted bedroom in accordance with Section 110.319.20(a)(1). The remainder of the home (excluding bedrooms) shall be calculated as one (1) occupant for every 200 square feet of habitable space in accordance with Table 1004.5 of the 2018 International Building Code (IBC) or the currently adopted edition.

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- (2) No distinction is made based on the age of the occupant.
- (3) In order to qualify as a sleeping area, the area shall also have safety features as determined by the Planning and Building Division Director or her/his designee(s), including, but not limited to, the requirements listed in Section 110.319.20.
- (4) Occupancy may be further limited by the following: available number of on-site parking spaces; voluntary reduced limits as proposed by the property owner; and any other factors that the Planning and Building Division Director or her/his designee(s) determines may affect life safety.
- (5) Daytime occupancy and nighttime occupancy limits are the same.

SECTION 2. Section 110.319.20 of Chapter 110 of the Washoe County Code is hereby amended to read as follows:

Section 110.319.20 Safety Standards. The safety standards within this section are applicable to all short-term rentals and must be in place in order to operate. Inspections will be required by the Washoe County Building Program and/or applicable fire protection district in order to verify compliance.

- (a) Sleeping Areas. Only habitable space will be considered for sleeping purposes. Areas such as garages, storage areas, bathrooms, laundry rooms, hallways, closets, or similar shall not be used for sleeping purposes. Additionally, areas such as basements, under-floors, attics, lofts, garage conversions, or additions that were created without permits shall also not be utilized for sleeping purposes, unless a permit is submitted, approved and final inspections are completed. In addition to the square footage requirements listed in Section 110.319.15(e), the following standards are required of all sleeping areas proposed for short-term rental use and that contribute to the maximum occupancy of the STR:
 - (1) Bedrooms. To qualify for STR use, bedrooms must be listed on the Washoe County Assessor's web site and contain all the following items:
 - (i) A minimum ceiling height of seven feet as determined by Section 305 of the 2018 International Residential Code (IRC) or the currently adopted edition.
 - (ii) An emergency escape and rescue opening complying with Section 310.1 of the 2018 IRC or the currently adopted edition, or the applicable code in effect at the time of permit of the original structure.
 - (iii) When egress windows or openings are located more than 16-feet above exterior finished grade as measured to the finished sill of the window, or if the lot has extenuating features as determined by the code officials, a safe landing area shall be provided and an emergency ladder shall be permanently fastened to the inside of the wall per the manufacturer's recommendations. The ladder shall extend a maximum of 12 inches above grade. This requirement shall not apply in condos or multi-family structures where other fire-protection existing measures are in place and as deemed unnecessary by the fire and building code officials.
 - (iv) Safety glass is required for windows located in a hazardous location in compliance with Section 308.4 of the 2018 IRC or the currently adopted edition.
 - (v) A smoke alarm(s) and carbon monoxide alarm(s) installed in accordance with Sections 314 and 315 of the 2018 IRC, or National Fire Protection Association (NFPA) 72, or the currently adopted editions.

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- (vi) All required smoke alarms and carbon monoxide alarms shall be interconnected in accordance with Sections 314.4 and 315.5 of the 2018 IRC or the currently adopted edition.
- (2) Other Habitable Rooms Intended for Sleeping Purposes. Other rooms intended to be utilized for sleeping purposes will be evaluated utilizing Table 1004.5 of the 2018 International Building Code (IBC) or the currently adopted edition. Rooms shall contain all the same safety features as required for bedrooms in sub-section (1).
- (b) Fire Alarms and Suppression Systems. Structures containing fire protection systems shall have those systems serviced and tagged annually by a licensed State of Nevada fire protection contractor.
- (c) Additional Safety Standards. The following additional safety standards are applicable to all STRs:
 - (1) The property address shall be posted on-site in a location clearly visible from the roadway, and address numbers shall be at least six inches in height.
 - (2) The structure shall be maintained in a safe, hazard-free condition. This includes all mechanical, electrical, and plumbing systems, which shall be maintained in operating condition in accordance with the original permit approval, unless otherwise specified in this Article.
 - (3) Structures with a calculated occupant load greater than 10 occupants shall be equipped with a monitored fire alarm system designed and installed in accordance with NFPA 72 and approved by the local fire protection district.
 - (4) Every dwelling shall be equipped with fire extinguishers sized and located per the requirements of the currently adopted fire code and current edition of NFPA 10.
 - (5) Smoke alarms and carbon monoxide alarms shall be installed in accordance with Sections 314 and 315 of the 2018 IRC or the currently adopted edition.
 - (6) All stairways, steps, landings, handrails, and guardrails shall be installed and maintained in accordance with the 2018 IRC, or the applicable code in effect at the time of the original permit of the structure.
 - (7) Hot tubs, saunas, whirlpool tubs, and similar devices shall be installed in accordance with the current electrical code and shall have a disconnect installed in accordance with the 2017 National Electrical Code (NEC) or the currently adopted edition.
 - (8) Temporary wiring shall not be used for permanent fixtures, outlets, or receptacles.
 - (9) Solid fuel burning appliances installed in bedrooms or other sleeping areas shall be equipped with oxygen depletion sensors installed in accordance with the 2018 Uniform Mechanical Code (UMC) or the currently adopted edition. All such rooms shall contain smoke and carbon monoxide alarms in accordance with Sections 314 and 315 of the 2018 IRC or the currently adopted edition.
 - (10) All required exits and egress windows shall remain unobstructed and an emergency exit plan shall be permanently displayed in a clearly visible and central location.
 - (11) Portable heaters shall not be used as a primary source of heat for any space.

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- (12) A Knox box is required when a fire alarm system or fire sprinkler system is installed.
- (13) Defensible space shall be maintained in accordance with the standards required by the applicable fire protection district.
- (14) Any exterior recreational fire or fire pit fueled by natural gas or propane shall not operate unless permitted by the local fire district.
- (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.~~
- (16) Emergency lighting shall be installed to sufficiently illuminate the exit pathways/hallways from sleeping rooms to the exterior of the building. A permanently installed system and/or a plug-in system of lights that turn on in the event of a power outage are both acceptable.
- (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.**

SECTION 3. Section 110.319.25 of Chapter 110 of the Washoe County Code is hereby amended to read as follows:

Section 110.319.25 Permit Fees. 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.**

SECTION 4. Section 110.319.30 of Chapter 110 of the Washoe County Code is hereby amended to read as follows:

Section 110.319.30 Enforcement. The STR standards within this Article shall be enforced through the following procedures and requirements. A combination of the enforcement mechanisms contained in Washoe County Code Chapters 50.300 (*Nuisance Code*), 110.910 (*Enforcement*), and 125 (*Administrative Enforcement*) shall be utilized, as applicable. The intent of this section is to ensure that STR activity does not alter the character of existing residential neighborhoods nor result in detrimental impacts to the public health, safety and welfare.

- (a) Permit Required. Any property owner engaging in or intending to engage in the operation of an STR, as defined in WCC 110.304.15 (d), shall obtain an STR permit issued by the Planning and Building Division. Said permit shall be renewed annually.
 - (1) Permit Considered "Privileged." The Board of County Commissioners hereby declares the operation of an STR within residential areas as a "privileged" activity subject to additional operational standards above and beyond those of other residential uses and subject to specific enforcement and revocation procedures.

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- (2) **Inspections.** An STR that fails any required inspection shall be issued a stop activity order per the procedures of WCC Chapters 100 and 125. An STR that fails a required inspection, or does not provide a required self-certification checklist meeting applicable standards, shall not be reissued a permit until all required inspections are passed, and/or the required self-certification is provided (if applicable).
 - (3) **Transfer of Property.** If a property is transferred to a new owner, all listing advertisements and short term 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.
 - (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.
- (b) **Operating an STR without the Required Permit.** It is unlawful and hereby declared a public nuisance, as defined in WCC 50.308.1, to operate an STR without the required permit. Any property owner found to be operating an STR without the required permit shall be guilty of a misdemeanor, issued a stop activity order, and fined per the procedures outlined in WCC Chapter 125.
 - (c) **Noncompliance with 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.**

SECTION 5. Section 110.319.35 of Chapter 110 of the Washoe County Code is hereby amended to read as follows:

Section 110.319.35 Inspections and Self-Certification. Prior to issuance of an STR permit, the property must pass inspections for life-safety of the structure and defensible space, with the cost of those inspections and any associated necessary improvements borne by the property owner.

- (a) **Timing and Self Certifications.** These inspections will be conducted by the Planning and Building Division and the applicable fire agency and are required prior to initial issuance of the permit. Thereafter, a self-certification checklist may be provided for annual renewals in lieu of a physical inspection, for a period not to exceed three years/renewals, if all of the following conditions are met:

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- (1) No confirmed STR violations have occurred on the property within the last 12 months;
 - (2) The STR permit has remained active since the last required physical inspection; and,
 - (3) The property owner provides a signed ~~and notarized~~ self-certification checklist attesting that the property meets the safety standards identified in this article.
- (b) Defensible Space Inspections. Defensible space inspections only apply to STR properties located in *Extreme* or *High* Fire Risk Ratings as determined by the applicable Fire District's currently adopted International Wildland Urban Interface (IWUI) code and relative amendments. If a property is obscured by snow to such a degree that a defensible space inspection cannot be completed, the relevant fire district may choose to recommend a conditional approval of the STR permit, subject to the inspection being completed and passed no later than October 1 of the same year (or following year, if the initial inspection attempt occurred between October 2 and December 31).

SECTION 6. Section 110.319.40 of Chapter 110 of the Washoe County Code is hereby amended to read as follows:

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.

- (a) Initiation of Action. An enforcement official or the Board of County Commissioners may initiate an action to revoke an STR permit, unless the permit is revoked automatically pursuant to the provisions of this section.
- (b) Grounds for Revocation. An STR permit may be revoked by the Board of County Commissioners pursuant to the provisions of this section upon a finding of any one (1) or more of the following grounds:
 - (1) That the STR permit was issued based on fraudulent or erroneous information, or was issued in contravention to the requirements of this Article; or,
 - (2) That one (1) or more of the characteristics or conditions upon which the STR permit was issued have changed or been violated; or,
 - (3) Unauthorized/unpermitted alteration of required life safety elements.
 - (4) **Unauthorized/unpermitted alterations to the STR structure occurs, or upon discovery of previous unauthorized/unpermitted structure alterations, without required building permits.**
- (c) Grounds for Automatic Revocation. An STR permit may be automatically revoked without action by the Board of County Commissioners pursuant to the provisions of this section upon a finding of any one (1) or more of the following grounds. A revocation initiated under this section may be appealed to the Board of County Commissioners, which shall make the final administrative decision on the matter.

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- (1) If, after all administrative remedies have been exhausted, a property owner has been found guilty of violating the standards of this Article through three (3) separate instances/investigations during a one (1) year timeframe. The issuance date of the respective penalty notices shall be used as the basis for determining if three (3) separate, but consecutive, violations have occurred during a one (1) year time frame. If multiple violations are discovered during a single investigation, said violations shall count as one (1) instance for the purposes of this section; or,
 - (2) Upon application for any improvement(s) to an existing STR that would change the approved occupancy, or upon discovery that unpermitted work has occurred that altered a standard upon which the permit was issued. In such instances a new or modified permit will be required, at the discretion of the Director of the Planning and Building Division; or,
 - (3) If a felony or violent crime has occurred at the property and is substantially connected with the use of the property as an STR; or,
 - (4) If an emergency event occurred that endangered life safety or resulted in injuries or loss of life due to alteration of or noncompliance with required standards.
- (d) Action by the Board of County Commissioners. The Board of County Commissioners shall hold a public hearing upon the revocation of an STR permit initiated under Section 110.319.40(b), or upon the appeal of an STR permit automatically revoked pursuant to Section 110.319.40(c). The hearing shall be conducted pursuant to the provisions of Article 910 and in accordance with the Rules of the Board of County Commissioners. After the public hearing, and upon considering the evidence provided, the Board of County Commissioners may take action to revoke the STR permit.

SECTION 7. Section 125.157 of Chapter 125 of the Washoe County Code is hereby amended to read as follows:

1. If an enforcement official observes construction, grading, burning, loose animals, operating a business without a business license, operating a short-term rental (STR) without the required permit (to include the act of advertising said STR), or other activity in progress that is or is likely to be a violation of the Code, or the work or activity must be stopped to prevent unsafe conditions, or irreparable harm or damages, or is being conducted without first obtaining the required permits or approvals, the enforcement official may issue and serve a stop activity order. Upon issuance of a stop activity order all activity described in the order must cease.
2. The stop activity order shall:
 - (a) Name the respondent as well as any person who is ordered to stop the work or activity;
 - (b) Describe the location and nature of the illegal activity observed, or advertised, and why it appears to be a violation of the Code, with specific citation to the Code;

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- (c) Describe which activities must stop and the duration of the stop activity order;
 - (d) State what must be done, and a specific date by which to correct the situation;
 - (e) State the possible consequences of a failure to obey the order, including, as applicable;
 - (1) Penalties and fees (specify what those penalties and fees will be);
 - (2) A misdemeanor criminal citation;
 - (3) A court complaint for injunctive relief or damages;
 - (4) Abatement, including summary abatement, by the county; and/or
 - (5) Any other relief authorized by law.
 - (f) Provide the name, address, phone number, and the email address of the enforcement official and any person who should be contacted to discuss or resolve the stop activity order; and,
 - (g) Describe the right to ask for a hearing before an administrative hearing officer.
3. Remediation order. If a violation of the Code threatens health, safety or welfare of the general public and immediate action is necessary to remove an unsafe condition, an enforcement official may issue a remediation order directing a person to:
- (a) Repair, safeguard, or eliminate a dangerous structure or condition;
 - (b) Clear debris, rubbish, refuse, litter, garbage, abandoned or junk vehicles, or junk appliances which are not subject to the provisions of Chapter 459 of NRS
 - (c) Clear weeds and noxious plant growth; or
 - (d) Repair, clear, correct, safeguard or eliminate any other public nuisance as defined in the Code.
4. The remediation order shall
- (a) Name the respondent and any/or other person who is ordered to remediate the illegal activity;
 - (b) Describe the location and nature of the violation of the Code (with specific citation to the Code), and explain that the condition is an unsafe condition requiring immediate remediation;
 - (c) List and describe the corrective actions that need to be taken to remedy the unsafe condition;

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- (d) Specify a date by which the respondent must abate the public nuisance;
 - (e) Specify the possible consequences of a failure to obey the order to include, as applicable:
 - (1) Abatement, including summary abatement, by the county;
 - (2) Penalties and fees (specify what those penalties and fees will be);
 - (3) A misdemeanor criminal citation;
 - (4) A court complaint for injunctive relief or damages;
 - (5) Any other relief authorized by law.
 - (f) Describe the right to ask for a hearing before an administrative hearing officer, that such a hearing request must be prior to the deadline established to abate the public nuisance as stated in subsection (d) above, and to contact the administrative hearing office to request and schedule a hearing; and
 - (g) Provide name, address, phone number, and email address of enforcement official and any person who should be contacted to discuss or resolve the remediation order.
5. Stop activity orders and remediation orders should be personally served on the person ordered to stop or remedy the violation. In addition, all stop activity and remediation orders shall be sent to the respondent by certified mail, return receipt requested, to the address indicated on the assessor's records for the property. The order is effective on the earlier date of personal service or service by certified mail. Each person who serves a stop activity order or remediation order shall prepare a sworn affidavit specifying the date, time, and nature of service.
6. Any person who has been named and served with a stop activity order and continues to do any work in violation of the order, except work that is directed or approved by the enforcement official, is guilty of a misdemeanor, and each day or part of a day that the person continues to perform the work, activity, or allows the condition to continue is a separate offense. Any person who has been named in and served with a remediation order who unreasonably fails to perform the required remediation work by the deadline indicated shall be guilty of a misdemeanor, and each day or part of a day that the person continues to fail to perform the work shall be a separate offense.
7. The stop activity order or remediation order may provide for the imposition and collection of civil penalties and for the possibility of abatement, including summary abatement, as specified in this chapter. Administrative action fees may be assessed as contained in the master administrative enforcement penalty and fee schedule adopted by resolution of the board as

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part of any administrative enforcement process as set forth in this chapter.

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.** Because of their injunctive nature, if the person who is served with a stop activity order or remediation order asks for a hearing, an administrative hearing officer will expeditiously be appointed and a hearing will be conducted within 30 calendar days of the receipt of the appeal by the administrative hearing office. A stop activity order remains in effect pending the hearing. The deadline for a remediation order is suspended pending the hearing. The hearing will be conducted in accordance with the provisions for hearings, and the issuance, enforcement, and appeal of administrative orders as set out in this chapter. The decision of the administrative hearing officer may be taken directly to judicial review in accordance with this chapter at the option of the appellant. If appeal is made to the board of adjustment for violation of WCC chapters 100 and 110, the decision of the board of adjustment is subject to judicial review in accordance with this chapter. Appeals of a decision of the administrative hearing officer regarding all other chapters of WCC shall proceed directly to petition for judicial review.
9. A stop activity order or remediation order may be rescinded by the enforcement official that issued it, by the director of the community services department, by the county engineer, by the county building official, by an administrative hearing officer, and/or by the board of adjustment, with the exception that a stop activity order issued for operating a short-term rental (STR) without the required permit may only be rescinded by the enforcement official that issued it, by an administrative hearing officer as part of an appeal proceeding, or by court order resulting from judicial review.
10. Enforcement. If a hearing is held before an administrative hearing officer or the board of adjustment as provided in this chapter, then the decision or order shall be enforced as provided for in this chapter. If a hearing is not held, the enforcement official may proceed to enforce the stop activity order or remediation order through any of the administrative, civil, or criminal remedies provided in this chapter.

SECTION 8. General Terms.

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1. All actions, proceedings, matters, and things heretofore taken, had and done by the County and its officers not inconsistent with the provisions of this Ordinance are ratified and approved.
2. The Chair of the Board and officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance. The District Attorney is authorized to make non-substantive edits and corrections to this Ordinance.
3. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.
4. Each term and provision of this Ordinance shall be valid and shall be enforced to the extent permitted by law. If any term or provision of this Ordinance or the application thereof shall be deemed by a court of competent jurisdiction to be in violation of law or public policy, then it shall be deemed modified, ipso facto, to bring it within the limits of validity or enforceability, but if it cannot be so modified, then the offending provision or term shall be excised from this Ordinance. In any event, the remainder of this Ordinance, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected.

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Passage and Effective Date

Proposed on _____ (month) _____ (day), 2024.

Proposed by Commissioner _____.

Passed on _____ (month) _____ (day), 2024.

Vote:

Ayes:

Nays:

Absent:

, Chair
County Commission

ATTEST:

Jan Galassini, County Clerk

This ordinance shall be in force and effect from and after the
_____ day of the month of _____ of the year 2024.

From: cbwillb@charter.net
To: [Lloyd, Trevor](#)
Subject: RE: RE: RE: str workshop question
Date: Tuesday, November 14, 2023 9:08:56 AM

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

great thanks

There are also other interventions which I believe are indicated, e.g.:

- cap on STR number as is in place throughout much of the area except NV
- more enforcement staff and more vigorous enforcement (e.g., on site spot checks)
- more flexible reporting of issues (current requirements present obstacles)
- if the current zoning changes pass with no parking requirements for much development, where will incoming STR vehicles park??? Even now parking is a huge issue. Build large multi-family developments with no or very minimal parking and without further STR restrictions > cars go where??
- and how will all of this be successfully and safely evacuated when current situation and planning is at best barely sufficient?

I will write this up as another comment for the STR workshop. As always, thanks for listening.

Carole

From: "Lloyd, Trevor" <TLloyd@washoecounty.gov>
To: <cbwillb@charter.net>
Sent: Tue, Nov 14 2023 10:06 AM
Subject: RE: RE: str workshop question

Thanks for your comments Carole. The code currently allows ADU's to be used for STRs. The section was highlighted so that we could get responses to potentially prohibit the use of ADU's as STRs.

Trevor Lloyd

Planning Manager, Planning & Building Division | Community Services Department

tlloyd@washoecounty.gov | Direct Line: 775.328.3617

My working hours: Monday-Friday 8:00am to 5:00pm

Visit us first online: www.washoecounty.gov/csd



Planning Division: 775.328.6100 | Planning@washoecounty.gov

CSD Office Hours: Monday-Friday 8:00am to 4:00pm

1001 East Ninth Street, Reno, NV 89512



Have some kudos to share about a Community Services Department employee or experience?

[Submit a Nomination](#)

From: cbwillb@charter.net <cbwillb@charter.net>
Sent: Monday, November 13, 2023 11:47 PM
To: Lloyd, Trevor <TLloyd@washoecounty.gov>
Subject: RE: RE: str workshop question

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Thanks Trevor. I will try to join the Thursday event but may not make it (prior commitment). I did review the proposed changes and submit the attached as public comment for the workshop. My biggest concern is the change to allow ADUs to be used as STRs. The overarching purpose for ADUs is to provide housing. If they can be used as STRs, there goes the housing out the window. This makes no sense to me. CA has a law prohibiting new ADUs from being used as STRs but, unless something has changed recently, NV lacks such a law thus this restriction re ADU use is important. Added affordable housing is critical and ADUs are a way to provide this so let's not undermine that effort!

Thanks, Carole

From: "Lloyd, Trevor" <TLloyd@washoecounty.gov>
To: <cbwillb@charter.net>
Sent: Mon, Nov 13 2023 06:07 PM
Subject: RE: str workshop question

Hi Carole,

For some reason, some people are having problems opening up the link from the email, which web browser are you using? We have updated our STR section on the Planning Website. Here

is the link, I hope you can open it. [Short Term Rentals \(washoecounty.gov\)](#).

Thursday at 4:00, we are hosting a zoom meeting for you to attend remotely at this zoom link: <https://washoecounty-gov.zoom.us/j/97078862795>

I've attached a pdf of the language that we're looking to amend. Hope to see you on Thursday.



Trevor Lloyd

Planning Manager, Planning & Building Division | Community Services Department

tlloyd@washoecounty.gov | Direct Line: 775.328.3617

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Have some kudos to share about a Community Services Department employee or experience?

[Submit a Nomination](#)

From: cbwillb@charter.net <cbwillb@charter.net>

Sent: Monday, November 13, 2023 3:15 PM

To: Lloyd, Trevor <TLloyd@washoecounty.gov>

Subject: str workshop question

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hi,

I am trying to understand this workshop. When I click on your email link, they are asking me to identify this device - I am asking why? and what info is being requested? I could be responding from any number of spots to an email so what is the purpose of this and is it even legit?

Then I looked at the County web site and don't see anything?? So asking you directly:

- when and how can I participate in workshop remotely?
- if that is not feasible for me schedule-wise, how can I submit comment?
- please forward the list of proposed amendments with rationale
- please explain what seems to be a requirement re my device used - why? what will info be used for? how will it be protected?
- what does the comment that "no officials will attend workshop" mean? why not - seems like officials should be hearing public feedback directly!

Thanks much, Carole Black (Incline Village resident)

Public Comment re Washoe County proposed STR regulation changes submitted by Carole Black Incline Village resident:

Section 110.319.15 Standards.

a.6. Only one STR will be permitted per parcel, with the exception that a second STR may be allowed if established within a legally permitted attached or detached accessory dwelling.

Comment: STR's should not be allowed in ADUs. The purpose of ADU zoning was specifically to provide additional HOUSING within communities. This was recognized in TRPA Governing Board and local governing discussions. Further allowing >1 STR per parcel would create even more of a hotel situation with additional neighborhood burden which is detrimental to the community.

a.15. In the event that a property owner wishes to stop operating an STR and/or wishes to no longer be subject to the STR regulations, then the STR permit for that property must be relinquished.

Comment: specify timelines

c. 15 proposed change n/a in Tahoe Area Plan area

Section 110.319.25 Permit Fees. ... Non-payment of fees is cause for cancellation of an inprocess 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.

Comment: A delayed payment should NOT trigger an extension in permit renewal date.

Section 110.319.30 Enforcement ... 3. Permit requirements

a.

(3) Sale of Property. If a property is sold and 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 purchasing property owner. (

4) Grace Period for Renewals. A grace period not to exceed 60 days from the date of expiration may be granted for STR renewals at the discretion of the Division Director under extenuating circumstances.

Comment: 30-day renewal grace period should be sufficient with fines for operation during the delay period.

c. ...

Additionally, any violation of these standards issued by the Incline Village General Improvement District (IVGID), Northern Nevada Public Health (NNPH) or the Washoe County Sheriff's Office (WCSO) shall be considered STR violations.

Comment: Add NLTFPD

Section 110.319.35 Inspections and Self-Certification

a. 3. (3) The property owner provides a signed and notarized self-certification checklist attesting that the property meets the safety standards identified in this article.

Comment: notarized is a minor inconvenience which adds validity to a process – please retain requirement.

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 of the subject property** for a period of one (1) year immediately following the date of revocation.

Comment: Suggest apply to both property and then property owner.

b. (4) **Construction occurs on the property without required building permits.**

Comment: period of revocation? Property and owner and builder?

Section 110.319.50 Restrictions During a Declared Emergency.

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.**

Neighborhood Meeting
Comment Card

Project Name: Short Term Rentals

Name: Roxanna Dunn

Company/Organization (if applicable): IN/EB CAB

Address: 803 Jennifer St IV

.....
Comment:

I understand that Truchee requires a one-year
waiting period after purchase of a property
before applying for an STR permit. This
would deter investors gobbling up properties.

Project Name: Short Term Rentals

Neighborhood Meeting
Comment Card

Name: _____

Company/Organization (if applicable): _____

Address: _____

.....
Comment:

SHORT TERM RENTALS SHOULD BE CAPPED
AT 450, NO MORE THAN 1 STR WITHIN 200'
NO STR'S IN ADU'S,

Neighborhood Meeting
Comment Card

Project Name: Short Term Rentals

Name: Kristina Hill

Company/Organization (if applicable): NA

Address: 1357 Zurich Lane, I: V:

Comment:

- NO STRS in ADUs
- more transparency - the contact person ^{thru} for each STR should be public info.
- cap the number of STRS !!
- do not remove ~~notary~~ requirement

Project Name: Short Term Rentals

Neighborhood Meeting
Comment Card

Name: MADONNA DUNBAR

PUBLIC WORKS

Company/Organization (if applicable): INCLINE VILLAGE GID

Address: 1220 SWEETWATER IV NV 89451

Comment:

I NEED A DIRECT CONTACT
PERSON FOR STR TRASH VIOLATIONS
W/IN IV/NV.
Thanks - Madonna

Neighborhood Meeting
Comment Card

Project Name: Short Term Rentals

Name: Aaron Vanderpool

Company/Organization (if applicable): _____

Address: 30 Mt. Haven Ln, Reno NV

.....
Comment:

I am against all STR's except in owner
occupied primary residence.

STR's grow wealth inequality, externalize costs to neighbors
& community and are a public nuisance.

→ Burden of proof to neighbors for enforcement!

I agree no accessory dwellings

I am against renewal grace periods. over →

an expiration date is an expiration date,
AGAINST removing notarization requirement,
notarizing is easy.

Neighborhood Meeting
Comment Card

Project Name: Short Term Rentals

Name: Pamela Tsigidinos

Company/Organization (if applicable): _____

Address: Mill Creek neighborhood

.....
Comment:

Amendment #1 Section 110.319.15(6) no to ADUs as allowed STRs

Amendment #2 If permit is relinquished proof must be provided

Amendment #5 Section 110.319.30(a) Yes - If ownership changes to LLC it must be obtained as standalone STR

Amendment #6 Grace period of 30 days

Amendment #7 Section 110.319.30(c) Yes - IVGID, NNPH, WCSO violation counts as violation STR not multiple properties

Amendment #8 Section 110.319.35(a)(3) notarization must be provided

remove self-certification and safety standards ~~remove~~ require inspections be done annually

add
Amendment #7: Local responsible managers ~~contact~~ ^{property} contact info must be published
Accela must be available ^{easy} available on the County website
with the touch of the
a button on the County website for STRs.

Publish all violations on County website

Amendment 9-10
a new STR permit shall not be issued to the same property ^{regardless of # of owners} for a
period ~~of~~ of one (1) year immediately
following the date of revocation

Revocation will occur if construction occurs on the property w/o required building permits

Significantly increase fees and enforcement staff should be available on weekends not a 3rd party vendor

Cap STRs and restrict them to commercial ~~and~~ areas
no more than 1 STR within 200 ft

Neighborhood Meeting
Comment Card

Project Name: Short Term Rentals

Name: ROBIN + MIKE RICHARDSON

Company/Organization (if applicable): TYROLIAN VILLAGE

Address: 1464 GLARUS INCLINE VILLAGE

.....
Comment:

- ① STRONGLY OPPOSE 2ND UNIT ON ONE PARCEL
- ② STRONGLY SUPPORT LIMITING # OF STR'S IN INCLINE VILLAGE
- ③ NEED ADDITIONAL ENFORCEMENT - ONE OFFICER IS NOT ENOUGH
- ④ SUPPORT MUCH HIGHER LICENSE FEE & PENALTIES
- ⑤ ANY CHANGE IN OWNERSHIP, WHETHER OR NOT THE PROPERTY IS SOLD, NEEDS
A NEW APPLICATION;
- ⑥ EACH LICENSE FOR ONE PROPERTY. AN LLC WITH MULTIPLE OWNERS CANNOT
BE ALLOWED TO USE ONE LICENSE FOR MULTIPLE PROPERTIES



- ⑦ NEED PROPERTY MANAGER'S CONTACT INFO FOR ALL STR'S SO ~~ATTACHMENT 4~~ CAN BE ADDRESSED IN REAL TIME
- ⑧ ~~REMOVE SELF CERTIFICATION~~ REMOVE SELF CERTIFICATION - SHOULD BE CONDUCTED BY COUNTY OFFICIAL & CONFIRMED BY INSPECTOR
- ⑨ KEEP THE NOTARIZATION
- ⑩ IF MULTIPLE OWNERS & PERMIT IS REVOKED, ANOTHER OWNER SHOULD NOT BE ABLE TO RE-APPLY
- ⑪ IF MULTIPLE OWNERS - DO ALL NEED TO APPLY?

PLEASE LOOK INTO PUTTING A CAP ON STR'S IN INCLINE VILLAGE.

Neighborhood Meeting
Comment Card

Project Name: Short Term Rentals

Name: Benedicto Jersey 775-636-2417

Company/Organization (if applicable): _____

Address: _____

.....
Comment:

Section 110.319.15 - I agree with accessory dwelling: to get STR permits - Total occupancy
limits shall be considered by parcels.

#2 - it does not seem fair as people who have never got an STR and still mixed
up Tahoe regulations - through the STR permit process and fire inspection,
STR dwellings are safer than lots of dwellings in Incline Village
we should incentive that.

#7 - I totally disagree with giving publicly contact details of responsible person -

#8 - Not Motorization is a good thing.

I would like to suggest considering incentive for good hosts. Hosting should be a celebration for the guests and to benefit the neighborhood by bringing money in (better dwellings, tourism cash, ...)

How could we reward the hosts that are doing a great job and may be get their help to educate new hosts in the area.

Good hosting has nothing to do with proximity but with respect of the guests, the neighbors. Some property managers are doing a petty job accepting all guests to book.

Neighborhood Meeting
Comment CardProject Name: Short Term RentalsName: ALEX TSIGDINOS

Company/Organization (if applicable): _____

Address: 1080 OXEN RD., INCLINE VILLAGE.....
Comment:

- CREATE SEPARATE ZONES FOR INCINE/CRYSTAL BAY
AND OTHER PARTS OF UNINCORPATED WASHOE - NEEDS
DIFFER DRAMATICALLY
- FINES MUST BE SUBSTANTIAL AS DETERANT - INCREASE WITH EACH VIOLATION
- LIMIT STR PERMITS TO LEGAL RESIDENTS (PERMANT
RESIDENTS) OF HOME : ALLOWS FOR HOSTED STRS AND
RENTAL OF HOUSE WHILE HOMEOWNER IS OUT OF TOWN,
- USE TOT TAX TO FUND PROGRAM

(OVER)

- ALLOW ONLY ONE STR PER PARCEL TO PRECLUDE ADUs MEANT FOR ~~AFFORDABLE~~ AFFORDABLE/WORKFORCE HOUSING TO BE USED AS VACATION RENTALS.
- WCSO CITATIONS FOR NOISE, PARKING, ETC. SHOULD COUNT AS VIOLATIONS
- RESPONSIBLE PROPERTY MANAGER, AGENT OR OWNER'S CONTACT # SHOULD BE MADE PUBLICLY AVAILABLE (24x7)
- NO TIME LIMIT FOR "THREE STRIKES" (i.e. "WITHIN ONE YEAR")
THREE VIOLATIONS, NO TIME LIMIT, SHOULD CANCEL STR PERMIT.

From: [Kelly Coffey](#)
To: [Lloyd, Trevor](#)
Subject: Short Term Rental - Proposed Amendment
Date: Friday, November 17, 2023 3:46:48 PM

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hi Trevor,

Thank you for hosting the STR ordinance discussion the other day. It was helpful information.

Here is the statement I submitted online for your consideration to be amended.

It has been a real struggle for a the vast majority of Tyrolian Village STR owners since the ordinance passed in May 2022.

I have spoken to all of them at sometime. I hope you can understand the hardship.

If the commissioners have any questions, I would be happy to answer any they might have.

Have a good weekend.

Kelly Coffey

The STR ordinance has resulted in my property parking rights being taking away by my HOA.

I don't want the County involved with any aspect of determining the parking for multi-dwelling homes and should ensure the ordinance CANNOT BE MANIPULATED to take away parking rights that owners have had for decades. The governing body of a multi-dwelling community should be the body that determines the parking and if an owner has an issue with what is reported then they can address it in civil court without the defendants claiming the WCC-319 Ordinance prohibits them from allowing STR use of shared parking. Our community has a hybrid parking model with assigned spots and abundant shared and street parking. The ordinance has failed to treat this model equally as it does for fully assigned or fully shared parking.

Please remove the May 2022 amended language and modify WCC-319 as follows.

Section 110.319.10(d)

For STRs within multi-unit developments, the application must include evidence of the number (and location, if applicable) of parking spaces allocated to **for or reported for (if applicable)** the unit
~~Where parking spaces are unassigned, overflow parking will not count toward the required number of parking spaces;~~

The reported parking provided by an HOA is sufficient evidence that should not be contested by the County since the governing board is the legal acting fiduciary for the community. Again, if an owner does not agree with reported parking by the Board then the owner can resolve as a civil matter with the HOA and does not need to involved the County.

TRPA also encourages shared parking strategies and that overbroad language in the statue like the subject clause could give an overzealous anti-STR HOA board a hook to persecute STR owners and deprive them of property rights.

Thank you for your consideration
Kelly Coffey
1314 St. Gallen Ct.
Incline Village

From: [Linda L. Smith](#)
To: [Stark, Katherine](#)
Subject: Copy of STR Reg Amendment comments
Date: Thursday, November 16, 2023 5:58:23 AM
Attachments: [Statement Nov 15 STR regs .docx](#)

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Katy. It was good to meet you in person last night. Attached are the comments from Concerned Neighbors of Tyrolian Village. Hope this helps you prepare your notes. Also we would support double or triple fines and fees so they genuinely serve as a deterrent for violations of the county regulations. Right now, the STR owners simply slightly increase their rents to incorporate fines as part of the cost of doing business. Fines need to be large and meaningful. Thanks for any help you can provide to make our neighborhoods more liveable.

Linda Smith
Concerned Neighbors of Tyrolian Village

COMMENTS ON PROPOSED AMENDMENTS TO
SHORT TERM RENTAL REGULATIONS—ARTICLE 319

November 15, 2023

By THE CONCERNED NEIGHBORS OF TYROLIAN VILLAGE

I am providing comments on behalf of Concerned Neighbors of Tyrolian Village. We now number more than 80 property owners in Tyrolian Village, so please amplify my voice 80 times since I have been asked to speak on behalf of my neighbors and friends. We are commenting on most of the proposed changes, plus suggesting a number of other amendments we believe should be incorporated into Article 319.

By way of background, our HOA of 226 properties in Incline Village has been overrun by STRs your division permitted. There are now 32 STRs plus at least three that are operating without a proper license. They have destroyed an otherwise tranquil residential community, where many of us have lived for more than 20 years. Noise, trash, traffic, fires, drugs, are but a few of the problems they have brought into our single-family residential HOA. Families with children have moved out because of fear for their safety. I can document all of the above. Please re-look at the photos and testimony we supplied to the Commission earlier this year.

1. Section 110.319.15(a) We oppose allowing a 2nd STR per parcel, even if another structure is legally built. It adversely impacts density of all residential communities—particularly in the environmentally sensitive Tahoe Basin.
2. Section 110.319.15 (a)(15). We oppose the wording that allows an STR owner to relinquish their permit if they don't want to be subject to the regulations. This encourages STR owners to operate without one and circumvent the rules. Proof that STRs are operating without a license is difficult. You should require that if an owner turns in their permit they should provide proof that they are living in the unit or proof they have rented it long term.
3. 110.319.15(c) Noise Standards should be amended to require all STRs to provide a noise management plan—not just those with violations.

4. 110.319.15(d) Trash standards fail to address HOAs with commercial trash bins. TVA doesn't allow individual bear boxes. Please see the photos we provided of trash piled up on our roadways by STR renters and cleaners. Also we have had 2 dumpster fires caused by STR renters putting hot coals in our bins. You don't address this problem.
5. 110.319.20(c)(13) and 1101.319.35. Additional Safety Standards. You should add new language that requires defensible space reviews annually by NLTFPD or the applicable fire district. The cost should be fully borne by the STR owner and payable to the Fire Dept. Don't allow self-certification – your enforcement officer, Steve Oriol, can inform you of the number of falsified claims he has received from owners .
6. 110.319.30 Enforcement. We support language that when a sale occurs the STR license must be relinquished and the new owner must apply de novo. This should also apply when the ownership changes without a sale—such as from an individual to an LLC.
7. 110.319.30(c) We agree that a violation issued by IVGID and sheriffs should count. One of my neighbors used to work for Vacasa as an STR manager and describes numerous times she has had to call the police at night because the renters refused to stop their illegal activities and the STR owner didn't answer phone calls at 1:00 AM.
8. 110.319.35(a) delete the self-certification language and require annual Bldg Division and Defensible space reviews. These houses get trashed and needles and debris pile up quickly. Trying to get propane tanks off the decks has been a problem for our HOA. Too much is at stake for the safety of our community to not require annual reviews. Also you should not eliminate the notary requirement. As your enforcement officer will attest, there are too many examples of STR owners not telling the truth—i.e. such as how many parking spaces they have.
9. 110.319.40(b) we concur with this change. We have an example at 1359 Zurich and 1329 Thurgau of construction without a building permit.
10. 110.319.40(c) Grounds for automatic revocation should be tightened to 3 violations in 2 years. Multiple violations during a single inspection should each count as one violation.

In addition to the above, we request that at least 2 full time enforcement officers be assigned to Incline Village, where an estimated 700 of the 900 STRs are located. We also ask that the property tax of STRs be increased to reflect the fact they are operating as commercial entities. We would encourage the County to place a moratorium on STR permits until you study in detail the impact of workforce housing. The realtors are wrong that there is no impact. Corporations that operate these STRs are not using them for family holidays. Finally, we again ask that the County put a cap on STR permits—similar to what the other counties surrounding Lake Tahoe have done.

Thank you.

Linda L. Smith

On behalf of Concerned Neighbors of Tyrolian Village

Section 110.319.15 Standards.

(b) Parking Standards

(2) All parking spaces must be: improved to Tahoe Regional Planning Agency (TRPA) standards; developed on-site within property boundaries; and dedicated specifically for parking. In multi-unit complexes, parking must be in designated parking spaces (if applicable) and limited to the number of spaces allotted to the Unit.

Changes Suggested:

1 - Add an additional line:

In multi-unit complexes, parking may not be within property boundaries.

2 - Change the line:

Old: In multi-unit complexes, parking must be in designated parking spaces (if applicable) and limited to the number of spaces allotted to the Unit

New (suggested): In multi-unit complexes, parking must be in designated parking areas (if applicable) and limited to the number of vehicles that can be parked in the designated parking areas reserved for the unit. The determination of the number of vehicles, their parking location and orientation in a parking area reserved for the unit is not different between STR and non-STR uses of the unit. A reserved parking area can be a garage, parking bay, driveway, common element parking or any other parking area which is reserved for a unit's use.

Rationale:

1 - Parking is not within property boundaries for many multi-unit complexes within Washoe County, but reserved for use for the specific units. Adding this line clarifies this case.

2 - There has been considerable confusion on what is considered a "parking space" and what is considered "allotted". The term "parking space" creates confusion as it can mean one parking spot or multiple parking spots. The STR code however determines occupancy based on the number of vehicles that can be parked at the unit, hence it is important to call out "vehicles" specifically. The term "reserved" is more appropriate as it allows for situations where multi-unit complexes have a "placard" system where the "reserved" spot may physically change. Also, added clarification that there is no such thing as "STR" parking which is different from the non-STR use (full time resident or long term tenant) parking.

Concern

In my experience, Tyrolian Village HomeOwners Association (TVHOA) has been misusing their authority and using parking letters to restrict parking and consequently occupancy in STR's. The process to challenge these parking letters through the Nevada Ombudsman office is long and can take several years and puts a significant financial burden on the homeowner. In contrast, the TVHOA Board uses HOA legal funds to hire attorneys and defend their position. This is patently unfair to the homeowners.

I would like to suggest that Washoe County should remove the need for parking letters and parking evidence for multi-unit complexes, and award STR Permits just based on building occupancy. Since most multi-unit complexes are in private communities, the parking enforcement for the multi-unit complex should be a task for the respective HOA's, and Washoe county code enforcement should remove itself from verifying and administering this parking compliance. This is consistent for long term rentals where parking enforcement is not undertaken by Washoe county on private properties and left to the HOA's. If Washoe county will continue to require Parking Letters as evidence and since this process is initiated by Washoe county and not by the Homeowner associations, then it must ideally also institute an appeals process where the homeowner can challenge the parking letter issued by the HOA rather than go through a long Nevada Ombudsman ADR/Intervention process to seek relief.

Section 110.319.15 Standards.
(e) Occupancy Limits

Changes Suggested

Add an additional sub-section as follows:

(6) Occupancy Limits of the STR do not apply when the STR owner is in residence and the STR is not rented

Rationale

Since STR code limits the occupancy of the home to the max allowed under STR permit, STR owners are unable to host their extended families during the holidays. It would be great if the Washoe County code were to allow this exception. Additional checks can be instituted such as STR owners need to register with the county when they are in residence and will exceed the occupancy limit of the STR.

Section 110.319.30 Enforcement

(c) Noncompliance with Standards

Proposed New Addition: Additionally, any violation of these standards issued by the Incline Village General Improvement District (IVGID), Northern Nevada Public Health (NNPH) or the Washoe County Sheriff's Office (WCSO) shall be considered STR violations.

Concerns

1 - I am concerned that this addition will be used by full time residents as a tool to put STR permits in peril. There needs to be checks and balances that the process will not be misused.

E.g. Will a citation by the Sheriff's office automatically count as a STR violation? If yes, this will only provide an incentive to residents opposed to STR's to keep calling the Sheriff's office at the slightest pretext. There is virtually no "cost" to people who file a complaint which creates an incentive to file spurious complaints. There is significant cost to the homeowners to acquire and maintain these STR permits, which provides a strong incentive for STR permit owners to stay in compliance.

2- Does the data suggest that STR non-compliance or number of "verifiable" complaints are increasing? If the answer is no, then we should rethink why we need more regulations.

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November 15, 2023

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By way of background, our HOA of 226 properties in Incline Village has been overrun by STRs your division permitted. There are now 32 STRs plus at least three that are operating without a proper license. They have destroyed an otherwise tranquil residential community, where many of us have lived for more than 20 years. Noise, trash, traffic, fires, drugs, are but a few of the problems they have brought into our single-family residential HOA. Families with children have moved out because of fear for their safety. I can document all of the above. Please re-look at the photos and testimony we supplied to the Commission earlier this year.

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6. 110.319.30 Enforcement. We support language that when a sale occurs the STR license must be relinquished and the new owner must apply de novo. This should also apply when the ownership changes without a sale—such as from an individual to an LLC.
7. 110.319.30(c) We agree that a violation issued by IVGID and sheriffs should count. One of my neighbors used to work for Vacasa as an STR manager and describes numerous times she has had to call the police at night because the renters refused to stop their illegal activities and the STR owner didn't answer phone calls at 1:00 AM.
8. 110.319.35(a) delete the self-certification language and require annual Bldg Division and Defensible space reviews. These houses get trashed and needles and debris pile up quickly. Trying to get propane tanks off the decks has been a problem for our HOA. Too much is at stake for the safety of our community to not require annual reviews. Also you should not eliminate the notary requirement. As your enforcement officer will attest, there are too many examples of STR owners not telling the truth—i.e. such as how many parking spaces they have.
9. 110.319.40(b) we concur with this change. We have an example at 1359 Zurich and 1329 Thurgau of construction without a building permit.
10. 110.319.40(c) Grounds for automatic revocation should be tightened to 3 violations in 2 years. Multiple violations during a single inspection should each count as one violation.

In addition to the above, we request that at least 2 full time enforcement officers be assigned to Incline Village, where an estimated 700 of the 900 STRs are located. We also ask that the property tax of STRs be increased to reflect the fact they are operating as commercial entities. We would encourage the County to place a moratorium on STR permits until you study in detail the impact of workforce housing. The realtors are wrong that there is no impact. Corporations that operate these STRs are not using them for family holidays. Finally, we again ask that the County put a cap on STR permits—similar to what the other counties surrounding Lake Tahoe have done.

Thank you.

Linda L. Smith

On behalf of Concerned Neighbors of Tyrolian Village

From: [Stephanie Lundstrom](#)
To: [Lloyd, Trevor](#); [Oriol, Steven R.](#); [Stark, Katherine](#)
Subject: Relying on Assessor Data to Determine Discounted STR Fees
Date: Wednesday, November 29, 2023 1:57:08 PM

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hello,

Thank you for putting on another STR Workshop yesterday.

I just wanted to follow up with an idea Trevor mentioned at the end of the meeting. This was regarding using the assessor data to determine if a STR owner was renting out their primary residence and may qualify for a discounted permit fee. I agree, there are people in our community that could benefit from this financial assistance. However, I think by offering a discount you are going to entice people to falsely claim their investment property, vacation home, etc. as their primary residence. We already see this occurring in TVA and that's without the added incentive of a permit discount. It also seems like it would be an administrative burden to research each owner and their actual primary residence.

Using one of the commentors from yesterday as an example, Ryan Jergensen:

His STR unit is 1301 Uri Ct. He lives in California (evidenced by the linked article: [Recall Drive Moves To Oust Two School Board Members | Sunol News | independentnews.com](#)), yet the assessor's record as of today shows 1301 Uri Ct is listed as "Low Cap Qualified Primary Residence". Under your proposed program would this owner have gotten an erroneous permit discount?

Just something to consider.

Thank you,

Stephanie Lundstrom

Links in the message (1)



From: [Stephanie Lundstrom](#)
To: [Lloyd, Trevor](#)
Subject: STR Community Workshops - Considerations
Date: Wednesday, November 15, 2023 8:05:23 AM
Attachments: [image005.png](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Good morning,

For your consideration:

1. Consider making compliance with Annual Backflow Testing a requirement for a STR permit. Or enable IVGID to report noncompliance as a STR violation. For example, the 226 homes in the Tyrolian Village Association are on 1 meter. This summer IVGID threatened to turn off the water to all 226 homes due to some owners not completing their annual backflow testing.
2. Consider making a defensible space inspection an annual requirement and do not allow self-certification. Defensible space requires continuous upkeep and there is currently no incentive for an owner to maintain their defensible space. For example, 2 defensible space inspections for STRs were performed in October for Tyrolian Village. Both FAILED. 1 unit was previously operated as a STR and was recently sold. Obviously, the previous STR owner did not maintain their defensible space once they passed their initial inspection. The other unit, operating as an unpermitted STR since December of '22, also failed their defensible space inspection. These examples highlight the need for the fire department to annually conduct defensible space inspections. Many of Washoe County's STRs are located in the most extreme fire risk areas in the entire nation.
3. Consider putting a cap on STRs similar to what other counties around Lake Tahoe have done. No one wants to live next to an STR. Having an unfettered amount, will ultimately impact property values and encourage owners to buy in other counties. Consider benchmarking other wealthy vacation spots, such as Vail and Nantucket, to learn what strategies they are using to ease their affordable housing crunch.
4. Consider adding more enforcement officers and providing enforcement on the weekends. Increase the fines, so they are more impactful.
5. Consider increasing the property tax rate on STRs to pay for more enforcement officers and defensible space inspections. Also, consider coordinating with the Assessor's office to ensure properties with STR permits are designated as "Rental High Cap" vs "Low Cap Qualified Primary Residence". There is an exuberant amount of STR owners living out of state yet claiming their STR as their primary residence. This loss in tax revenue could be collected retroactively.

Kind regards,

Stephanie Lundstrom

On Tuesday, November 14, 2023 at 08:15:58 AM PST, Lloyd, Trevor <tlloyd@washoecounty.gov> wrote:

Yes, you can use either the google form link or send me the email directly.



Trevor Lloyd

Planning Manager, Planning & Building Division | Community Services Department

tlloyd@washoecounty.gov | Direct Line: 775.328.3617

My working hours: Monday-Friday 8:00am to 5:00pm

Visit us first online: www.washoecounty.gov/csd

Planning Division: 775.328.6100 | Planning@washoecounty.gov

CSD Office Hours: Monday-Friday 8:00am to 4:00pm

1001 East Ninth Street, Reno, NV 89512



Have some kudos to share about a Community Services Department employee or experience?

[Submit a Nomination](#)

From: Stephanie Lundstrom <slundstromct@yahoo.com>
Sent: Monday, November 13, 2023 4:20 PM
To: Lloyd, Trevor <TLloyd@washoecounty.gov>
Subject: Re: STR Community Workshops

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Thanks Trevor, the link works.

Is it possible to provide a written public comment beforehand?

Thank you,

Stephanie

On Monday, November 13, 2023 at 04:09:48 PM PST, Lloyd, Trevor <tloyd@washoecounty.gov> wrote:

Hello Stephanie,

Please try the following link: [Short Term Rentals \(washoecounty.gov\)](#). Please let me know if you are unable to access the STR workshop information using this link.



Trevor Lloyd

Planning Manager, Planning & Building Division | Community Services Department

tloyd@washoecounty.gov | Direct Line: 775.328.3617

My working hours: Monday-Friday 8:00am to 5:00pm

Visit us first online: www.washoecounty.gov/csd

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1001 East Ninth Street, Reno, NV 89512



Have some kudos to share about a Community Services Department employee or experience?

[Submit a Nomination](#)

From: Stephanie Lundstrom <slundstromct@yahoo.com>
Sent: Monday, November 13, 2023 3:21 PM
To: Lloyd, Trevor <TLloyd@washoecounty.gov>
Subject: Fw: STR Community Workshops

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hello,

I'm having an issue with the links below and was hoping you could help. When I click on any of the links, I'm asked to verify my device and enter my email address. When I do, it says an error has occurred. I've tried a few different emails, etc.

I'd like to provide public comment. Is it possible to send me a new link and hopefully that will work?

Appreciate your assistance,

Stephanie Lundstrom

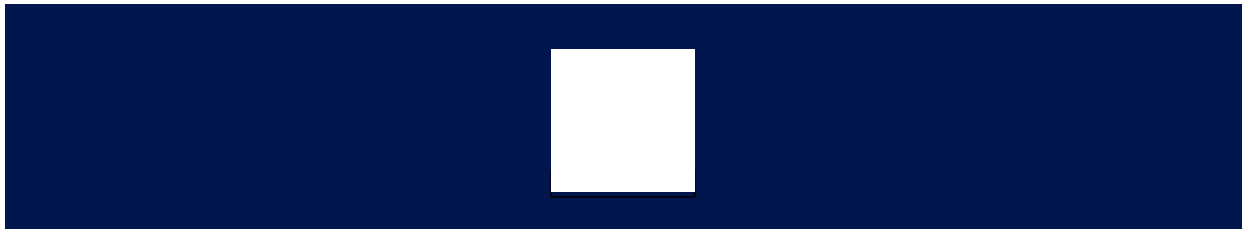
----- Forwarded Message -----

From: Washoe County <communications@washoecounty.gov>

To: "slundstromct@yahoo.com" <slundstromct@yahoo.com>

Sent: Thursday, November 9, 2023 at 01:46:51 PM PST

Subject: STR Community Workshops



STR COMMUNITY WORKSHOPS

You are invited to attend the two following community workshops to discuss possible changes to Washoe County's Short-Term Rentals (STR) regulations. This is your opportunity to review proposed STR changes, ask questions and provide feedback prior to submittal of a formal development application.

(In Person Workshop)

STR Community Workshop Information:

5:00 p.m., Wednesday November 15, 2023

845 Alder Avenue, Incline Village

or

(Zoom Workshop)

STR Community Workshop Information:

4:00 p.m., Thursday November 16, 2023

<https://washoecounty-gov.zoom.us/j/97078862795>

Workshop Description:

The proposed amendments will include necessary code changes to help streamline and clarify permitting and enforcement processes for short term rentals in unincorporated Washoe County.

The proposed changes may include updating application submittal requirements for STR renewals, codifying a process to require a new STR permit application when a property is sold, when an active STR permit must be relinquished, clarifying certain other authorities may issue violations/citations, clarifying waiting periods for revoked permits, updating code references, identifying grace periods for permit renewals, clarifying suspension or revocation criteria when work is completed without a permit, allowing for updated renewal dates with prorated permit fees, reducing appeal periods for stop activity and potential increasing fines for certain violations.

This is not a public hearing, and public officials will not be present. If you have questions regarding meeting requirements, please contact the Washoe County Staff Planner for the project: Trevor Lloyd, 775.328.3617, tlloyd@washoecounty.gov

To review information about community Workshops, please visit: <https://neighborhood-washoe.hub.arcgis.com/> and to see a list of the proposed amendments please visit the Washoe County STR website: [Short Term Rentals \(washoecounty.gov\)](#)

If you wish to provide a comment, please provide to the following link: https://docs.google.com/forms/d/e/1FAIpQLSdKZlxP2ZwzccQwYpgn_dGtehquTg0XrkIACrpPFmkkPS8ryQ/viewform?usp=sf_link

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1001 E 9th St. Reno, NV 89512

Want to change how you receive these emails?
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[John Eppolito](#)
[Incline Village/Crystal Bay](#) •

Edited 20 Sep

•

There have been a lot of posts about short term rentals on this page. Here's what I learned last year. 3/05/2022 Short Term Rentals (STR's) = Vacation Home Rentals (VHR's) I've been selling real estate in Lake Tahoe for over 24 years. The real estate market has changed more since COVID-19 than it did in the first 22 years I sold real estate. STR's/VHR's are typically rentals for less than 30 days. With the growing number of STR's/VHR's in the Tahoe Basin different counties, towns, and condo complexes, are dealing with STR's/VHR's differently. The information below is by no means everything you need to know about STR's/VHR's in the Tahoe Basin but it's a place to start. WASHOE COUNTY In the unincorporated areas of Washoe County, which include Incline Village and Crystal Bay you simply have to jump through the hoops and pay the fees to obtain a STR Permit. Click here to find step by step instructions. PLACER COUNTY On 2/08/2022 Placer County announced they will limit the number STR Permits to 3,900. TOWN OF TRUCKEE On the town's website they provided an update on 2/17/2022, that states "We currently do not have a wait list..." DOUGLAS COUNTY Updated 9/20/23 - Douglas County is accepting new permit applications for unconstrained neighborhoods ONLY as of June 15, 2023 until the total permit cap of 600 is reached. In the event the total permit cap is reached, any new permit applications already in the review process will then have to be placed on the waitlist. EL DORADO COUNTY According to their website: "As of Spring 2021, VHR Permit Applications reached the 900 cap in the Lake Tahoe Basin." If you do not have a VHR Permit but want one you can fill out and submit this application to be on the "wait list." CITY OF SOUTH LAKE TAHOE New VHR permits will only be issued in "non-residential" areas. Here's the application. INDIVIDUAL CONDO COMPLEXES Some condo complex have not allowed STR's for years, and others have recently banned them. Many other condo complexes have been dealing with the issues of STR's for a while. This is Reno wrote an article titled: Tahoe areas except Incline Village crack down on vacation rentals.

<https://thisisreno.com/2021/10/tahoe-areas-except-incline-village-crack-down-on-vacation-rentals/>

My best guess is there will be more lawsuits around STR's/VHR's in the Tahoe Basin; even if there aren't additional lawsuits the information above will change over time.

[***Tahoe areas except Incline Village crack down on vacation rentals***](#)

[thisisreno.com](#)

56 Comments

Share

[Dan Zahm](#)
[Tyrolian Village](#) •

19 Sep

•

STR's will destroy our residential neighborhoods if Washoe County continues to issue permits for them and then does nothing to enforce their own rules. A STR' is a commercial use as a MINI HOTEL that does not

belong in a residential zone. Douglas County permits them only in commercial zones. 94% of the STR's in Washoe County are in IV/CB because there are caps on all the other counties. Our only option in our Tyrolian Village is to amend our CC&R's to cap STR's. Almost all sales here last year were for STR's. It's to the point now that STR owners tried to take control of our BOD!

Kathie J.

[Incline Village/Crystal Bay](#) • [18 Sep](#)

Short term rental (with no certified property mgr as per Washoe County records) with garbage problem. Yes, reported it on Sunday to the STR complaint number

(775) 277-6701

. 477 1st Green. Sad.

<https://thisisreno.com/2021/10/tahoe-areas-except-incline-village-crack-down-on-vacation-rentals/>

Tahoe areas except Incline Village crack down on vacation rentals

By: [ThisIsReno](#)

Date:

October 19, 2021

You can't rent a vacation home in residential areas of South Lake Tahoe. The California city allows short-term rentals (STRs) only in designated tourist areas.

Short-term rentals in nearby Douglas County are capped at 600, except for those also occupied by the owner.

And in Placer County on the California side of the lake, a 45-day moratorium imposed in July on new STRs to "address an unprecedented and growing housing crisis in the region" has been extended to March 2022, citing a "current and immediate threat to the public health, safety, and welfare associated with proliferation of STRs."

By late July, Placer County had approved 2,383 STR units for the year. Vacation rentals account for "about 15% of the total 15,747 housing units" in the eastern part of the county, "where the median price of a home more than doubled from \$660,000 in April 2020 to \$1,342,000 in April 2021," according to the [county's website](#).

"The housing issues in our community have dramatically escalated, and investments in homes for use as short-term rentals have contributed to inflating property values beyond the reach of local workers to afford," said District 5 Supervisor Cindy Gustafson in a release. "We need a time out to study this and really understand what is going on to improve our short-term rental ordinance."

Some residents of Nevada's Incline Village fear more stringent regulations in neighboring areas will drive more demand for STRs their way.

In 2020, Washoe County estimated 90% of vacation rentals in the unincorporated county were in Incline Village/Crystal Bay.

“STRs represent approximately 12.5% of housing stock in Incline Village/Crystal Bay,” the county said in a presentation.

The median price of a single family home in Incline Village is \$1.9 million. It topped out at \$2.45 million in April, the month after Washoe County approved its STR ordinance.

Since then, Washoe County has permitted fewer than half of the Incline Village and Crystal Bay short-term rentals currently advertised on Airbnb and other vacation rental platforms, according to data provided by the county.

“Right now we are at 790 advertised, but the other day it was 810 so it fluctuates,” says Mojira Hauenstein, Division Director of Planning and Building of rental units reported to Washoe County by Host Compliance, a vendor that tracks online STR ads.

Of the roughly 800 units advertised on Airbnb, VRBO and other sites as Incline Village/Crystal Bay vacation rentals, the county has permitted 348 properties to operate as STRs, Hauenstein says.

County spokeswoman Bethany Drysdale was unable to say how much the county has collected in fines against violators since passing the ordinance in March.

A workshop is scheduled for Tuesday to gather input from the public, but the county doesn’t intend to significantly change its laws, according to Hauenstein.

“In January we are going to the Board for direction and clarification. We are not going to change the ordinance itself,” she said in a phone interview. “Substantively, it’s just minor. I hate to say the word ‘tweaks’, but that’s really what it is.”

“I think it’s trying to appease us in some way because they already know the outcome,” says Dr. Staci Baker, a Tahoe veterinarian, of the workshop. Baker, a wildlife advocate, says vacationers routinely ignore warnings and procedures for safeguarding food and trash, especially from bears, who are then deemed as “too friendly” and as a result, are euthanized by Nevada wildlife officials.

Washoe County’s ordinance places no limitations on the number or density of vacation rentals.

A 96-unit condominium complex at 123 Juanita has 26 permitted STRs, according to county records. By contrast, the City of Henderson in Southern Nevada limits the STRs in one complex to 25% of the units.

Year-round Incline Village resident Judith Miller doesn’t want a ban of STRs, but she’d like to see restrictions on non-owner occupied rentals, such as those imposed by Douglas County. She thinks Washoe County is attempting to placate residents by holding a workshop.

“I think the fact that they’re not going to make any substantial changes after promising the public that they were going to do that, this is kind of a feel good exercise, a dog and pony show,” says Miller, a former member

of the community advisory board who says she's been asking the county to limit STRs for seven years. "This is what I got."

"The intent of public input is to get an idea of how the ordinance is working since it is brand new, provide that feedback to commissioners, and then receive further direction from them before proposing any sort of changes, if that is even necessary given the feedback," says Washoe County spokeswoman Drysdale. "We would be remiss to NOT engage residents along the way."

"They truly see this little sliver of Washoe County as a cash cow, and any way that they can derive income, bonus for them," says Incline resident Pamela Tsigdinos, who fears the county will lift current occupancy requirements imposed on vacation rentals.

Tsigdinos says the county is placing residents and visitors in danger. "We couldn't evacuate if we had to. We don't even get the funds that come from [transient occupancy taxes](#). It's funding some Reno bond measure for a bowling Hall of Fame."

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Vol. 64 • No. 75 | Servinz Lake Tahoe | November 24 - 30, 2023 | FREE

Opinion

14 | Friday, November 24, 2023 | Tahoe Daily Tribune

Basin-wide short-term rental caps must be part of TRPA's housing plan

Alex Tsigdino

A family of four in the San Francisco Bay Area, Los Angeles, Europe, Asia, or elsewhere planning a vacation in the Tahoe basin can choose from more than 5,000 licensed short-term rental (STR) listings and likely many more that are unlicensed. Yet a family of four seeking a long-term rental might be lucky to find a few listings—most unaffordable as demand dwarfs supply. Contrary to claims from

the Tahoe Regional Planning Agency (TRPA), the Tahoe basin does not have a dire shortage of housing units. What it does have is a shortage of housing units available to residents who seek to live and work here. The TRPA, a federally and bi-state-funded planning body originally formed to protect Lake Tahoe and its surrounding environment, could go far in remedying this housing imbalance by reversing an amendment it put in place in March 2004.

It legitimized single and multiple family dwellings as short-term or vacation rentals despite being widely recognized as business uses.

TRPA then punted to counties and permitted them to declare STRs “a residential use,” violating previous long-standing local residential zoning and CC&Rs so counties could collect transient occupancy (TOT) tax. This tax collection merely shifted from basin hotels to residential neighborhoods as STRs poach customers,

contributing to some Tahoe lodging establishments losing or going out of business.

A proliferation of STRs also reset the housing market fueling greater competition for the already built housing stock. Younger Tahoe residents struggle to find housing. Aaron Vanderbilt noted in a public comment: STR ordinances should not favor or “be for those trying to keep a second, third, fourth, etc.

TSIGDINO, 30



PROVIDED / ALEX TSIGDINOS

Tahoe local Aaron Vanderpool at Washoe County's latest STR ordinance workshop at the Incline library.

TSIGDINO

From page 14

vacation home when so many can't even afford a single home. There is an affordable housing crisis. It is insulting to allow STRs as they currently exist while we have this crisis.”

Washoe county, for example, has covered the annual STR program shortfall – about \$259,000 – from its general fund. So, taxpayers in Washoe county currently subsidize STR owners' business models.

In defense of STRs, some TRPA board members continue to argue that “Tahoe has always had vacation rentals.” True, but times have changed. Wide-reaching online platforms turbocharged the STR business advertising not just locally, but internationally starting in 2007. On the strength of “Destination Marketing” initiatives boosted by STR companies, Tahoe visitor numbers soared from two million

in 2004 to 25 million a year in recent years.

To put that number in perspective, the 207,000-acre Tahoe basin now gets two times more visitors than America's most visited national park, the 522,419-acre Great Smoky Mountains National Park. At the behest of developers and non-profits funded to write up reports that benefit business interests, TRPA is poised to set aside its commitment to protecting the lake, wildlife habitats, and scenic quality among other conservation efforts.

On December 13, the TRPA staff and Regional Plan Implementation Committee will recommend approval of buildings 65' in height inside town centers, 53' in height anywhere there is multi-family zoning, unlimited density, 100% land coverage and no required parking if there is deed restricted housing. (Enforcement of deed restrictions is notoriously lacking.)

Further, there is no income cap on “achievable” deed restricted housing. Just self-report you work in the area 30 hours a week no matter how much money you earn. How does that help low-income service workers?

These draconian amendments serve developers plain and simple. Ironically, TRPA, once the Basin's environmental watchdog, is advancing these aggressive amendments without undertaking detailed environmental analysis to gauge the cumulative impacts on traffic, infrastructure, and public safety (wildfire risk and evacuation). Instead, TRPA is employing its often-used Initial Environmental Checklist that flows from its 2012 Regional Plan Update's Environmental Impact Study. Incredibly, it lists almost every environmental factor tied to these new amendments as having “no impacts.”

Noticeably absent in TRPA's

proposed amendments are basin-wide STR limits. This would make an immediate improvement in housing availability. The experience in South Lake with Measure T is that 10-15% of STRs have so far converted to long-term rentals -- a substantial percentage. Back of the envelope math tells us a similar measure, basin-wide, would yield 500 to 1,000 housing units. The latter number exceeds the housing target set by TRPA's amendments. And this in a matter of months not years without moving dirt, tearing down and forever altering town centers, providing tax incentives or public subsidies, or requiring costly changes to infrastructure. This is low-hanging fruit.

Hundreds of communities nationwide have already capped or restricted STRs, including in Airbnb's corporate home of San Francisco where only permanent residents are allowed be STR hosts.

I would wager the vast majority

of Tahoe residents -- particularly those not associated with commercial development, the real estate business or their lobbyists and attorneys -- oppose the proposed plan amendments. If TRPA held a public referendum of Tahoe registered voters it would fail. This is not “NIMBYism.” Concerns about increased population density and increased demands on the Tahoe basin's infrastructure, fragile environment, and public safety (wildfire risk and evacuation) are legitimate.

Write to TRPA (publiccomment@trpa.gov) and ask that it go back to first principles: Protect the Lake and basin; prioritize housing for use by residents and local workers without forever urbanizing our rural town centers.

If TRPA is serious about addressing workforce housing it must act on STRs, regardless of any development or redevelopment initiatives it pursues.

From: rondatycer@aol.com
To: [Lloyd, Trevor](#); [Solaro, David](#); [Brown, Eric P.](#)
Cc: [Clark, Michael](#); [Herman, Jeanne](#); [Clara Andriola](#); [Hill, Alexis](#); [Garcia, Mariluz C.](#); [Washoe311](#)
Subject: TYCER COMMENT FOR TODAY'S STR MEETING
Date: Thursday, November 16, 2023 3:09:04 PM

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

TO: WASHOE COUNTY PLANNERS
 FROM: RONDA TYCER, INCLINE VILLAGE RESIDENT
 SUBJECT: PLEASE ACCEPT AS PUBLIC COMMENT

NOTE RESULTS OF TRPA FLASHVOTE SURVEY ON HOUSING 2023

[Q2](#) (1159 responses by invited)

Which of the following, if any, do you think are the best options to provide more housing in the Tahoe Basin (Choose all that apply)

	Panel	Other	Locals
Apt complexes >10	45%	49.8%	44.9
Small multifamily bldgs.	65.6%	72.1%	66.1
Duplex, triplex, fourplex homes	37.4%	52.2%	38.8
Large multifamily bldgs.	15.7%	28.6%	16.8
Tiny homes (ADUs) in residential	23.7%	43.5%	24.4
Modular and mobile home parks	9.4%	18.9%	9.7
Other	21.4%	22.3%	21.7

COMMENTS TO QUESTION 2

SUMMATION:

N = 72 – Ban/restrict STRs

N = 27 – Build ADUs

CONCLUSION:

IVCB residents want to eliminate or greatly reduce STRs in our village. Whenever given the opportunity to make comments, IVCB residents overwhelmingly comment against STRs.

That Washoe County Commissioners and Planners continue to allow and encourage STRs in IVCB is one of the most frequently repeated reasons IVCB residents want control of our own planning and development.

Sincerely,

Ronda Tycer, PhD
IVCB 32 Year Resident

STRs-BAN STRS =

ADUs-ADUs!

not sure.

We should include "off the hill" housing combined with effective work force transportation.

STRs-less STR and ADUs. The cap is already too high. Instead of caps, stop renewals and reclaim rentals

single family homes only on 1/4 acre minimum lot size

STRs-LIMIT STRs AND IMPOSE A VACANCY TAX ON 2nd HOMES!

Reno is 45 minutes away. Carson City is 45 minutes away. Bay Area, New York, LA would like that

No more new development only replacement for residential

Unless we start BACKING OFF ON ALL THE NEW RULES AND REGULATIONS NOBODY CAN AFFORD TO BUILD

STRs-Stop STRs

STRs-Vacant home tax. Second-home and vacation rental regulation

STRs-Incentives for long-term rentals for working class. Severely limiting or banning short term rentals

Real estate tax incentives to existing vacant homeowners

STRs-Depends on zoning laws. Scale back on STR's

ADUs-Adus

STRs - First, ban STRs to open availability of long-term rentals. This is the fastest, lowest-cost fix.

ADUs-Allowing ADU's regardless of coverage so long as BMPs are established on property.

Single family homes, like everyone else!!! We do not want HUGE buildings at North Tahoe.

STRs-Eliminate EVERY VHR in an R1 zoned neighborhood. Do it now. TRPA caused this disaster.

all options should be considered, catered to various opportunities and neighborhoods.

Towns around the lake are small. It is called a daily commute, ride share, public transportation.

Commercial zoning to allow workforce housing above, businesses below. 947 Luxury is WRONG!

Transit system similar to Aspen to move workers IN and OUT of the area for work

STRs-Finish the large hotels to accommodate more visitors to take the pressure off short term rental

STRs-Eliminate Short Term Rentals

STRs Eliminate AirBnB's, they kill housing.

Use existing housing

higher wages

None of the above

STRs tax the wealthy, tax multiple home ownership and ban STRs.

STRs Decrease short term rentals and increase long term rentals with incentives for home owners

Social engineering outside of supply and demand, will predictable lead to unintended consequences

Ski areas should house their employees

ADUs-Increase use of ADUs.

The housing that already exists should be affordable for workers of South lake Tahoe.

Low income/dense housing makes employees slaves & corporations rich (can keep lower salaries).

STRs -anything that doesn't involve cutting down more trees; maybe getting rid of STRs

STRs Open up housing by banning STRs.

Deed-restriction neighborhoods for locals!

STRs -WAY fewer STRs!!! They're small businesses, not residences.

STRs -Limit short term rentals

ADUs-accessory dwelling units or partitioned additions to existing homes.

STRs - AirBnB strictly enforce STRs around the entire basin

-STRs Like in El Dorado Co. strictly limit STRs, which will drive down housing costs!

STRs -Less vacation rentals. Those houses can be used for long term rentals.

None of these options are suitable. Think alpine environment, not flatland.

ADUs-Tiny home communities in county owned spaces, commercial zoning, residential multi family zoning.

ToT funded supplemental rent payments

Live in Carson and commute

ADUs-ADUs in our backyard for family and offices to work from home

STRs -Eliminate STR's

STRs - Limits on short term rentals

STRs-The housing is there. It's just been turned into 3900 little hotels (STRs)

STRs-Ban Airbnb and vacation rentals.

The " basin " can't support More housing for the safety of emergency evacuation & environment impact

STRs-Single family homes, removing some of the numerous VHRs and Air BnBs to be used for local housing.

Further ease restrictions and provide incentives for ADU units. It's still extremely complicated

STRs-Fewer short-term rentals would solve all these problems!

STRs-Limit vacation rentals

I feel like we have a lot of vacant homes that could be utilized before building new ones.

repurposing of old lodges around the lake that could be rebuilt for resort employee housing

ADU - construction in residential areas.

STRs-Incentives to non-resident homeowners to rent to long-term instead of STRs.

ADUs- Tiny homes for homeless community

Mixed-use buildings in town centers

Only allow affordable housing units. Do not mix with Luxury or visitor housing.

STRs-Any real solution has to address market distortions in housing caused by short term rentals

Limit landlords and other individuals from purchasing second homes in our area.

Employers should provide transportation or, in the case of hotels and ski resorts, on-site housing

live and work where you can afford to live and work

Apartments less than 30 units- 2 story

STRs-None of the above. Limit VHRs. Reward long-term rentals. Don't spread into residential areas more.

Unless we start BACKING OFF ON ALL THE NEW RULES AND REGULATIONS NOBODY CAN AFFORD TO BUILD

STRs-mixed use with smaller condos in town centers that can't be short term rentals

STRs-Do not allow short term rentals and monitor rent prices

STRs-Reduce number of STRs

supply and demand

STRs-Reduce STR/VHR

ADU's

Managed long term campgrounds for van lifers

I believe the hotels, ski areas and other large businesses should provide housing

Affordable housing for teachers, nurses, EMTs, etc. Should be top priority.

None

Commuting. Low cost housing is not a right.

STRs-Reduction in short term rentals

ADUs

rooms for rent in shared homes; homes/houses for rent

apartments in the town center walking distance to hotels/casinos and majority of the business

single family homes only on 1/4 acre minimum lot size

Rent control

long term campgrounds

Combo of units that don't pack it in with unlimited density and huge land coverage.

mixed use / apts over stores

tax vacant second homes

Why do we need to build housing? Why can't they commute in?

Any of these, but without the income limits of low income housing. There are local teachers, nurses

Any all kinds of multi family dwellings... preferably near transit

STRs-End STRs! STRs are often in homes/condos that would otherwise be used for workforce housing.

not needed

ADU's - in residential areas

we do not need to build more, we need to increase wages so workers can afford to live in hime here!

Multi-family complexes 20 unit or more in and out of town centers

Pay should be higher to take into consideration the commute, but I do m

small single family homes out in the county like meyers

STRs-Close down short-term rentals so those dwellings go back onto the long-term rental market!

STRs-Eliminate STR homes

STRs-Normal cabins and residences that are affordable because the county cuts way back on VHRs.

Modular home at new sites not within existing residential areas.

New housing in unfashionable areas at higher elevation

Whatever it takes to get affordable workforce housing

Build a bunch of affordable apartments in the big hole. Convert the Hard Rock into apartments.

STRs. - Better utilize the current supply. Create an incentive for homeowners to rent to fulltime locals

Ski areas should provide on-site dorm type housing for their workers, not more expensive condos

Do not ask taxpayers to subsidize the payroll of \$multi-billion dollar corporations.

STRs-Regulate STR and build nothing larger than small scale housing in my neighborhood

none we don't need more people in the Tahoe basin

Truly affordable housing for affordable and low income. Large employers should provide in site

ADUs - Allow auxiliary dwelling units on existing single family home parcels.

the markerplace should decide. i have no capability to live in Montecito nor do i expect housing t

ADUs - ALL OF THE ABOVE!?!we need apts houses tiny houses mobile homes modular homes

NO apartment bldgs!!!

Low income housing

Mixed use development with multistory apartments above businesses.

ADUs- Additionally, small units added to existing properties

trains and buses from Reno

stop development to reduce impacts, less people required to support tourist trade

ADUs -with an option for converting existing spaces and not needing to pay \$70,000+ for one

STRs-Reduce the number of STRs

Any mix of the above that suit the area. NO citified construction. This is mountain NOT city.

all ideas

Real "affordable housing". We had enough empty promises. Where is the affordable housing??

Do not raise building height

Build only needed, subsidized affordable housing units (not mixed with luxury or visitor units).

Washoe ran out the working people w/ their tax mess & now wants to "fix it". Who's kidding whom?

All of the above

No more new development only replacement for residential

Tax vacant homes

Offer credits to homeowners to update, repair rehabilitate existing homes that are not being used

ADUs- Allow more "granny units"

If they can't figure out how to make a living in Tahoe, they shouldn't live here

Need to use the concept of "Specific Plan" for placement of affordable housing, separate from visitor

ADUs - Streamlined ADUs

Employee housing provided on site for new development, rental housing within current heights

a mix of all of these

This is a complex issue. Building more is questionable.

all of the above

Live and work where they can afford.

Incentivize building of small "starter" homes for purchase

Don't build subsidized housing in existing residential areas. It is unfair to existing homeowners

Small patio homes for families .

STRs-Limit the number of short term rentals. They did it in South Shore and now there's all these houses

STRs-less STR and ADUs. The cap is already too high. Instead of caps, stop renewals and reclaim rentals

In law units in residential homes that owners can rent long term

Converted garages or 2-story garages with ADU's above or below.

STRs-Stop short term rentals, do not destroy Tahoe so low income earners can live close.

STRs-Limit Airbnb. Allow mother-in-law units. We can't handle the traffic from large apartment buildings affordable homes relative to the wages in town.

STRs-Banning Short Term Rentals

STRs-Affordable houses that cannot be used as STR.

STRs-Ban short term rentals. We have plenty of additional tourist accommodations currently in the works.

Anything that will fill this desperate need

STRs-Ban short term rentals or regulate the heck out of them. Offer tax breaks for long-term leases

ADUs- Accessory dwelling unit.

ADUs- Allow relatively easy building for current homes to add additional units on their property.

use existing available space above commercial areas. May need code changes, but the space is available

Proper management of current housing supply

ADUs-I can't recall if the codes have changed to allow for ADUs above a garage

STRs-Stop STRs

STRs-Better regulations to limit vacation rentals

Realistic mix consisting of acceptable high density housing outside of sensitive areas?

STRs-More STR restrictions. Requirement that each home have at least one full time resident.

None of above

all of above

trying to limit mutli-million dollar condos. In the Stateline, NV area that is majority

I have seen affordable housing built, and after a certain amount of time they seem to fall out!

STRs-Limit short term rentals

Repurpose buildings that may not be occupied into housing units.

STRs-Stop VRBOs and other type of short term rentals DO NOT BUILD TO ACCOMMODATE

allow homeowners to build ADUs , quit the restrictions

No preference

ADUs - Infill development, renovating existing structures, and accessory dwelling units (ADUs)

STRs-smaller homes, less vacation homes, no VHRs

Anything that will be affordable based on local minimum wages

not sure.

STRs- stop STRs, use as as long term rentals

STRs-Stop the greed short term of VHR. Allow people to rent/lease long term

Limiting the amount of empty homes. Mandatory occupation.

Don't let big companies tear down small houses to build mansions

None. Let the private market figure it out. A solution does not need or require government intervention

None

STRs-LIMIT SHORT TERM RENTALS SO WORKERS CAN GET BACK THE HOUSING THEY HAVE LOST TO **STRs-**strS

Nothing without an comprehensive environment and safety impact study,

STRs-Restrict AirBNB and STRs drastically

there are too many homes all ready . believe it or not skyland was affordable housing by Bill Har.

Provide incentives for absentee owners to rent long-term to local employees (like in Truckee)

I do not believe any of the above six would be good for the Tahoe Area.

FREE MARKET applies only

Build a bunch of affordable apartments in the big hole. Convert the Hard Rock into apartments.

STRs-Reduce STR inventory (i.e., permits) and incentivize long-term

Utilize existing empty buildings to create athletically pleasing apartments.

I am not sure why we are having this discussion. Many condos have become apartments.

Vacancy tax on houses sitting vacant 6 months per year or more

Force corporations and businesses to pay wages that support living here.

Rebuild commercial retail buildings with apartments above

Instead of huge developments for the wealthy with no thought of housing for workers or low income

I have no idea

I do NOT agree with large multi family developments that degrade the environment and mountain character

Tahoe should not end up as an urban sprawl area

transient housing for seasonal workers. Bunkhouses.

The problem is that NO new construction will be affordable.

STRs-Limit STRs

STRs-Get the broken down resorts running, an eliminate vacation rentals so people can go back to long term

ADUs - allow ADU's in Washoe and Douglas County

None of the above

using the current housing stock more wisely- must be el dorado fulltime resident to own

STRs-LIMIT STRs AND IMPOSE A VACANCY TAX ON 2nd HOMES!

None but if mandatory, housing to be built in secluded areas away from non public housing and town.

STRs- get local hotels finished to take the demand off STR's so those properties can go to long term

Single homes at a price that locals can afford to purchase.

ADUs Encourage second units in single family residential area either as separate structures or units with

We need fire / evacuation saftey first and formost. Stop development!

ADUs- that are NOT deed restricted. Homeowners do NOT want deed restricted

Offer incentives for first time home buyers and people who work in the basin. Have work address in

Offer transportation to basin employees.

we don't need any more housing

None of the above

STRs-Severely restrict STRs. Opening up more long term rentals Respecting neighborhoods

ADUs -Easier and cheaper process to build ADUs

ADUs - allow for more cottages and mother-in-law units

Co-housing projects

Condos/Apartments/ living for couples and dogs

Much improved "workforce" transportation in and out of the basin

STRs-Limit STRs

STRs-We have more than enough housing if we utilize the housing inventory used by STRs and 2nd homes.

Apartment complexes 6-10 NOT near town center.

STRs-Eliminate short term rentals in the Tahoe Basin.

Multiperson dwellings where several families share a common kitchen, dining room and living room.

Mixed use buildings with apartments over shops

Designated Employee hookups for vans and campers at resorts for workers

ADUs -Additional dwelling units allowed on large lots

ADUs!

We should include "off the hill" housing combined with effective work force transportation.

Reno is 45 minutes away. Carson City is 45 minutes away. Bay Area, New York, LA would like that

Affordable single family homes in residential areas

Given emergency egress limitations, no additional housing or population is wise.

Commute

Shop-houses or maisonette style developments. See incline village

Washoe County STR Amendments

Proposed Changes to Washoe County STR Regulations

BACKGROUND

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Please review the proposed draft changes at [Short Term Rentals \(washoecounty.gov\)](https://washoecounty.gov/short-term-rentals/) and provide your thoughts and comments to those proposed changes below.

What are your thoughts relating to the proposed STR code changes.

The STR ordinance has resulted in my property parking rights being taking away by my HOA.

I don't want the County involved with any aspect of determining the parking for multi-dwelling homes and should ensure the ordinance CANNOT BE MANIPULATED to take away parking rights that owners have had for decades. The governing body of a multi-dwelling community should be the body that determines the parking and if an owner has an issue with what is reported then they can address it in civil court without the defendants claiming the WCC-319 Ordinance prohibits them from allowing STR use of shared parking. Our community has a hybrid parking model with assigned spots and abundant shared and street parking. The ordinance has failed to treat this model equally as it does for fully assigned or fully shared parking.

Please remove the May 2022 amended language and modify WCC-319 as follows.

Section 110.319.10(d)

For STRs within multi-unit developments, the application must include evidence of the number (and location, if applicable) of parking spaces [DELETE -allocated to] [ADD for or reported for (if applicable)] the unit [DELETE Where parking spaces are unassigned, overflow parking will not count toward the required number of parking spaces;]

The reported parking provided by an HOA is sufficient evidence that should not be contested by the County since the governing board is the legal acting fiduciary for the community. Again, if an owner does not agree with reported parking by the Board then the owner can resolve as a civil matter with the HOA and does not need to involve the County.

TRPA also encourages shared parking strategies and that overbroad language in the statute like the subject clause could give an overzealous anti-STR HOA board a hook to persecute STR owners and deprive them of property rights.

Thank you for your consideration
Kelly Coffey

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What are your thoughts relating to the proposed STR code changes.

The STR ordinance has resulted in my property parking rights being taken away by my HOA. I do not want the County involved with any aspect of determining the parking for multi-dwelling homes and should ensure the ordinance can't be manipulated to take away parking rights that owners have had for decades.

Our community has a hybrid parking model with assigned spots and abundant shared and street parking. The ordinance has failed to treat this model equally as it does for fully assigned or fully shared parking.

Please remove the May 22, 2022 amended language and modify WCC-319 as follows.

Section 110.319.10(d)

For STRs within multi-unit developments, the application must include evidence of the number (and location, if applicable) of parking spaces allocated to for or recorded for the unit

Where parking spaces are unassigned, overflow parking will not count toward the required number of parking spaces;

The reported parking provided by an HOA is sufficient evidence that should not be contested by the County since the governing board is the legal acting fiduciary for the community. Again, if an owner does not agree with reported parking by the Board then the owner can resolve as a civil matter with the HOA and does not need to involve the County.

TRPA also encourages shared parking strategies and that overbroad language in the statute like the subject clause could give an overzealous anti-STR HOA board a hook to persecute STR owners and deprive them of property rights.

Please consider my opinion as a homeowner in Tyrolian Village.

Carlo Ferrarone

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What are your thoughts relating to the proposed STR code changes.

Honorable Ms. Hill and all commissioners-

I agree with you--I hope that you and the county will "treat owners and STR renters equally." Currently, respectfully, we are not being treated equally. I am being told that I cannot use my own home with my family because we have more than 4 in our family. Those in my exact situation, neighborhood, etc. who do not have an STR permit can utilize more than one parking spot and use their place with their whole family. STR owners in our HOA are being harassed in every way possible, especially with regard to parking and not being allowed to use the shared parking areas. I am not trying to argue the legalities of the first amendment, right to assemble, but rather a common sense solution, and private property usage. Please consider other language.

I would like to suggest that Washoe County should remove the need for parking letters and parking evidence for multi-unit complexes, and award STR Permits just based on building occupancy. Since most multi-unit complexes are in private areas, the parking enforcement for the multi-unit complex should be a task for the respective HOA's and Washoe county code enforcement should remove itself from verifying and administering this parking compliance. If Washoe county will accept Parking Letters as evidence, then it must ideally institute an appeals process where the homeowner can challenge the parking letter issued by the HOA rather than go through a long Nevada ombudsman ADR/Intervention process.

Or

Please consider allowing our 1 assigned spot and shared parking to allow STR owners to also count a shared parking spot. For a total of 2 possible to be used.

The current way it is written and the AR's and way it is enforced lends to a very real situation where the county and our HOA is currently encouraging harassment by neighbors to limit our parking usage to the 1 assigned spot and not allow my family to use our home.

Please seek creative common-sense ways to have solutions that will help decent, good, law abiding property owners like myself, instead of resulting to policies for the lowest common denominator and limiting the STR and our own family to only one parking spot and 4 occupants when we use our place for personal use, when we have 3 bedrooms, several beds, plenty of space, and many shared parking spaces available at all times of the year.

Please Help us find a solution that helps everyone to enjoy freedoms and property rights with equality and to be treated equally.

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What are your thoughts relating to the proposed STR code changes.

The STR ordinance has resulted in my property parking rights being taking away by my HOA.

I don't want the County involved with any aspect of determining the parking for multi-dwelling homes and should ensure the ordinance CANNOT BE MANIPULATED to take away parking rights that owners have had for decades. The governing body of a multi-dwelling community should be the body that determines the parking and if an owner has an issue with what is reported then they can address it in civil court without the defendants claiming the WCC-319 Ordinance prohibits them from allowing STR use our shared parking. Our community has a hybrid parking model with assigned spots and abundant shared and street parking. The ordinance has failed to treat this model equally as it does for fully assigned or fully shared parking.

Please remove the May 22, 2022 amended language and modify WCC-319 as follows.

Section 110.319.10(d)

For STRs within multi-unit developments, the application must include evidence of the number (and location, if applicable) of parking spaces allocated to for or recorded for the unit

Where parking spaces are unassigned, overflow parking will not count toward the required number of parking spaces;

The reported parking provided by an HOA is sufficient evidence that should not be contested by the County since the governing board is the legal acting fiduciary for the community. Again, if an owner does not agree with reported parking by the Board then the owner can resolve as a civil matter with the HOA and does not need to involve the County.

TRPA also encourages shared parking strategies and that overbroad language in the statute like the subject clause could give an overzealous anti-STR HOA board a hook to persecute STR owners and deprive them of property rights.

We have owned our multi generational family home since 1978, 45 years and the HOA is now telling us we can only have 1 car when we stay in our own 3 bedroom home per the Washoe County STR rules. Please explain this to us.

Thank you,

Linda Simon, Michiko and George Osako

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What are your thoughts relating to the proposed STR code changes.

Hello,

The STR ordinance, while having good intentions, has resulted in property rights being taken away by the Tyrolian Village Property Association. This in particular pertains to parking. It's unfortunate that an HOA has leveraged a County policy to limit the rights of STR property owners despite us paying the same HOA fees and being governed by the same HOA covenants and restrictions. We don't believe this was the intent of the County, yet after seeing the result, the County should make a small amendment that ensures any County permitting guidelines cannot be manipulated to take away any common area property rights that all owners have had for decades. Our community has a hybrid parking model with assigned spots and abundant shared and street parking. The ordinance has failed to treat this model equally as it does for fully assigned or fully shared parking.

Please amend the May 22, 2022 WCC-319 language as follows.

Section 110.319.10(d)

For STRs within multi-unit developments, the application must include evidence of the number (and location, if applicable) of parking spaces for or recorded for the unit. This includes dedicated parking spaces, in addition to common area and/or overflow parking spaces.

The reported parking provided by an HOA is sufficient evidence that should not be contested by the County since the governing board is the legal acting fiduciary for the community.

TRPA also encourages shared parking strategies and that overbroad language in the statute like the subject clause could give an overzealous anti-STR HOA board a hook to harass STR owners and deprive them of property rights.

Thank you for your consideration,

Collin O'Berry

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Washoe County STR Amendments

Proposed Changes to Washoe County STR Regulations

BACKGROUND

In August 2023, the Board of County Commissioners (BCC) identified several necessary code changes that were needed to help streamline and clarify the STR permitting process. Additionally, the BCC directed the planning staff to hold public workshops and gather public input on the proposed changes to the STR regulations.

Please review the proposed draft changes at [Short Term Rentals \(washoecounty.gov\)](https://www.washoecounty.gov) and provide your thoughts and comments to those proposed changes below.

What are your thoughts relating to the proposed STR code changes.

We need a cap on the amount of STRs. Other counties around the lake have done it. Why not Washoe?
Where are the enforcement officers? One person is not enough.

Because STRs are commercial enterprises, the property tax rate needs to be increased and enforced
Filing a complaint is much too difficult. The process needs to be easier - and the fees substantially higher.

Thank you, Heather Williams

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What are your thoughts relating to the proposed STR code changes.

I am not clear on whether Article 319 applies only to the Tahoe Area or all of Washoe County. I am concerned that these changes are specific to the needs of Incline Village. Gerlach is a remote, low income community for which economic development studies have identified increasing tourism as a main area for economic growth. The town of Gerlach has very different needs than Incline Village and should not be lumped in with the same code changes. Some of these regulations are far too stringent for a community like Gerlach.

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What are your thoughts relating to the proposed STR code changes.

I strongly oppose any language that allows for ADUs in Washoe-Tahoe to be used as an STR --- either as the first or the second STR on the property. WC AND TRPA are advocating for ADUs as a means to increase workforce housing. Language such as this below is inconsistent. ADUs in CA are not allowed to be used as STRs. Washoe Tahoe needs the same language to ensure that any ADU development does not end up (1) further "hotelifying" our residential neighborhoods; and (2) creating even more need for an expanded workforce owing to increased visitation.

(6) Only one STR will be permitted per parcel, with the exception that a second STR may be allowed 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).

In addition, Washoe Tahoe needs a CAP on STRs.

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What are your thoughts relating to the proposed STR code changes.

November 15, 2023

Dear Washoe County Commissioners,

Thank you for considering amendments to the STR regulations in Washoe County and providing an opportunity for community input. As you consider changes, please consider adding the following:

Place a cap on STRs similar to what other counties have done around Lake Tahoe.

Add more enforcement officers. There is only one full-time person right now and clearly more are needed to adequately enforce the regulations. Otherwise STR owners know they can get away with violations and nothing will be done.

Increase the property tax rate on STRs. Even though STRs are operating in residential neighborhoods, they are commercial operations. They should be taxed at a different rate than homeowners who live in and/or use their property for themselves.

Make it easier to file a complaint against an STR and significantly increase the fines so they are meaningful.

Again, thank you for providing an opportunity for community input on regulation changes. I appreciate your consideration.

Sincerely,

Mary Lou Kennedy,

1487 Tirol Drive, Incline Village, NV 89451

mlkennedy1@charter.net

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Washoe County STR Amendments

Proposed Changes to Washoe County STR Regulations

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Please review the proposed draft changes at [Short Term Rentals \(washoecounty.gov\)](https://washoecounty.gov) and provide your thoughts and comments to those proposed changes below.

What are your thoughts relating to the proposed STR code changes.

If this is a "workshop" that won't allow for public comment, why bother to notify us if we cannot participate? You've obviously made up your minds without consideration of the mountains of public comments already provided. Yet I will try again: Please put a cap on STRs for Incline and Crystal Bay. We're drowning in STRs and facing more to come given the stricter STR requirements in all other Tahoe counties. Thank you.

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Proposed Changes to Washoe County STR Regulations

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What are your thoughts relating to the proposed STR code changes.

The hotel lobbyist won, Airbnb lost, and I am no longer in a short-term rental with Airbnb; it is no use for me to attend a meeting.

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Washoe County STR Amendments

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Please review the proposed draft changes at [Short Term Rentals \(washoecounty.gov\)](https://www.washoecounty.gov/development/short-term-rentals/) and provide your thoughts and comments to those proposed changes below.

What are your thoughts relating to the proposed STR code changes.

STR owners are considered 2nd class homeowners by Washoe county and HOA
only vacation tenants subject to myriad of rWashoe and HOA restrictions
limited occupancy
no pets
minimum stay
cannot use overflow parking 98 spaces
extra \$500 fees to HOA for being designated STR
NO such restrictions on permanent residents or rentals over 30 days
DISCRIMINATION evident for minority of STR property owners
STR program has more negative impact than any possible benefit.
HOA discrimination enabled by Washoe county STR designation

The best solution to STR regulation changes would be to discontinue the STR program altogether.

Bill and Maqriemay Carlson
1307 Arosa Court, Incline Village

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From: mlkennedy1@charter.net
To: [Lloyd, Trevor](#); [Oriol, Steven R.](#); [Washoe311](#); [Stark, Katherine](#)
Subject: Comments re: Article 319 proposed Short Term rental Ordinance Changes
Date: Wednesday, November 29, 2023 4:49:30 PM

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

November 29, 2023

Dear Washoe County Commissioners and Planners,

Thank you for providing another opportunity (11/28/23 Zoom meeting) for public information and comment regarding the proposed amendments to the Washoe County Short Term Rental regulations.

I previously submitted requests to consider (11/15/23), however, after yesterday's meeting I would like to comment on specific items in the proposed amendments.

1. Under Section 110.319.15 Standards, # a.6: Please make this item applicable to only STRs outside of the Tahoe Basin. Allowing more than one STR permit per parcel in the Tahoe Basin will add to the growing problems of too many vehicles and visitors, as well as a reduction in available housing for resident community workers.
2. I wholeheartedly support #a.15, stating that owners who do not wish to be subjected to the established Washoe County STR standards should relinquish their permit. For example, some STR operators complain that they are not allowed to use overflow parking in multi-unit complexes.

Item b.2 & 3 state that the STR parking must be only the space(s) allotted for that unit and there must be one space for every 4 occupants. The HOA where I reside doesn't have enough spaces to assign two dedicated spaces for every owner. Owners without a garage have one assigned space and can use overflow parking only when available. Before the STR regulations were established STR renters would bring 1-5 (or more) cars for every rental and there was insufficient overflow parking for full-time residents.

3. I support a tiered penalty system for STR violations, so that penalties increase with each violation, with three being the maximum violations allowed before a permit is revoked.
4. In the 11/28 meeting there was discussion regarding the possibility of reduced permit fees for owners who rent their primary residence. I oppose this idea, based on the fact that many owners may claim their Nevada property as a primary residence for tax purposes, when they in fact live the majority of the year out of state. It would be very difficult for the county to monitor this.

Again, thank you for providing opportunities for public comment on these important Short Term Rental regulations. I appreciate the work the county has done, and look forward to making this a program that respects the rights of all owners, but does not disrupt or infringe on

the lives of residents.

Sincerely,

Mary Lou Kennedy (homeowner and full-time resident)

1487 Tirol Drive, Incline Village, NV

mlkennedy1@charter.net

From: [Bill Dodd](#)
To: [Lloyd, Trevor](#)
Cc: [Keva Dodd](#)
Subject: November 16, 2023, STR COMMUNITY WORKSHOPS – Proposed Changes.
Date: Friday, January 19, 2024 2:18:58 PM

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Trevor:

Thank you for hosting the November 16th STR Community Workshops regarding proposed changes.

I would also like to take the opportunity to thank you for all the hard work you have done on the Short-Term Rental (STR) Code Amendments. Understanding the STR Code Amendments is a task in itself.

Each time I read amendments; I have a different interpretation. Attending public forums provides me with an updated perspective on the intent of the amendments. The amendments have focused from the original top concerns of parking, trash, and noise to one of compliance, rental rules, and funding requirements for the STR program.

Like numerous residents in Incline Village holding an STR permit, we are not operating as a rental company or attempting to run a full-time business from our home. We ultimately would like to live full time in Incline Village and having an STR our step to getting to our goal. Unfortunately, I couldn't attend the Board of County Commissioners meeting on December 19, 2023, as I experienced the loss of a close friend. Despite my absence, I have carefully listened to the recording of the Board of County Commissioners meeting and have some concerns.

I have concerns about two aspects of the STR code amendments. **First**, as the homeowner of a property in Incline Village, I believe it is my constitutional right to enjoy our home when it's not rented, without being subject to all STR regulations. **Secondly**, I think it is very important to reduce permit fees for “mom and pop” owners. I would support a permitting tier system, especially one tailored for homeowners like myself.

Below, I would like to share my thoughts on the proposed changes with a few comments.

· **Amendment #2 Section 110.319.15**

Section 110.319.15 Standards (a) A property with an active STR permit is subject to all STR regulations of this Article regardless of the occupancy status (for example, whether the STR is being rented at any given time). In the event that a property owner chooses not to adhere to all STR regulations, then the STR permit for that property must be relinquished.

Existing code provides that properties with active STR permits are subject to all STR regulations and restrictions throughout the life of the STR permit whether the STR is being rented or not. The proposed language is intended to clarify that should the property owner no longer wish to be subject

to STR standards, the STR permit must be relinquished.

My comments:

- We are not a rental company or trying to run a full-time business out of our home. We do comply with all our HOA and Washoe County STR Code Amendments.
- We would like the liberty to follow our HOA rules and not be further restricted with the Short-Term Rental (STR) Code Amendments. For example, if the STR permit says that there is a maximum occupancy of 10 and we want to have a birthday party with family and friends and we end up having 11 people, we would be in violation of the code, Are you suggesting that we need to relinquish our STR permit to have the party and then request another STR permit and pay the fees again? This does not make sense to me, and who would want to regulate this? Do you have the manpower to do this?
- Also, I would note that most if not all the rules outlined in the STR program are covered in our HOA CCR. I would suggest that the county limit your involvement and let the HOAs do their job.

STR Permit Fees

13. Reduce STR Permitting Fees for Partial Home Rentals or Primary residence.

STR applicants or permit holders who rent out a portion of their home or who claim the home as their primary residence, as determined by the tax cap status on file with the Assessor's Office, shall receive a reduced fee on their application or renewal fees.

The Board is asked to consider a possible fee reduction for those STR property owners who live all or most of the time within the home they are renting out. The first scenario involves property owners who rent out a portion of their home while living in the home. The second scenario involves property owners who live in the STR permitted residence most of the year but wish to rent it out from time to time.

My comments:

My wife and I purchased a home in Incline Village in 2020 and we currently rent it out when we are not there to cover our expenses: mortgage, utilities, permit fees, etc. .

With the increase of fees, we are likely going to need to increase the amount of time that we rent out our property to cover the fees and cost of doing short term rentals in Washoe County, rather than enjoying our home ourselves with family and friends.

- I would endorse the implementation of a permitting tier system, particularly one customized for homeowners such as myself, akin to a "Mom and Pop" owner.
- I am willing to contribute and provide input in the development of this amendment. **Please let me know how I can help.**

We respect our local community, and we vet our potential and ensure our guests respect our neighbors, our HOA rules and regulations and most of all taking good care of our home. . We have hosted wonderful guests, most who desire the peace and quiet of our area. It is tough to hear other demonize our efforts to support the community that we love and want to preserve. .

Please let us know how we can help.

Regards,

Bill Dodd and Keva Dodd
Cell 925-998-5389

--

Thanks,
Bill

From: [Bill Dodd](#)
To: [Lloyd, Trevor](#)
Subject: Re: November 16, 2023, STR COMMUNITY WORKSHOPS – Proposed Changes.
Date: Tuesday, January 30, 2024 11:08:14 AM

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Trevor:
Hope this email finds you well. Could I confirm that you got this e-mail and let me know if you have any questions.
Thanks,
Bill

On Fri, Jan 19, 2024 at 2:18 PM Bill Dodd <bill@teamdodd.com> wrote:

Trevor:

Thank you for hosting the November 16th STR Community Workshops regarding proposed changes. I would also like to take the opportunity to thank you for all the hard work you have done on the Short-Term Rental (STR) Code Amendments. Understanding the STR Code Amendments is a task in itself.

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Like numerous residents in Incline Village holding an STR permit, we are not operating as a rental company or attempting to run a full-time business from our home. We ultimately would like to live full time in Incline Village and having an STR our step to getting to our goal. Unfortunately, I couldn't attend the Board of County Commissioners meeting on December 19, 2023, as I experienced the loss of a close friend. Despite my absence, I have carefully listened to the recording of the Board of County Commissioners meeting and have some concerns.

I have concerns about two aspects of the STR code amendments. **First**, as the homeowner of a property in Incline Village, I believe it is my constitutional right to enjoy our home when it's not rented, without being subject to all STR regulations. **Secondly**, I think it is very important to reduce permit fees for “mom and pop” owners. I would support a permitting tier system, especially one tailored for homeowners like myself.

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regulations of this Article regardless of the occupancy status (for example, whether the STR is being rented at any given time). In the event that a property owner chooses not to adhere to all STR regulations, then the STR permit for that property must be relinquished.

Existing code provides that properties with active STR permits are subject to all STR regulations and restrictions throughout the life of the STR permit whether the STR is being rented or not. The proposed language is intended to clarify that should the property owner no longer wish to be subject to STR standards, the STR permit must be relinquished.

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The Board is asked to consider a possible fee reduction for those STR property owners who live all or most of the time within the home they are renting out. The first scenario involves property owners who rent out a portion of their home while living in the home. The second scenario involves property owners who live in the STR permitted residence most of the year but wish to rent

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-

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-

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-

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Bill Dodd and Keva Dodd
Cell 925-998-5389

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Thanks,
Bill



WASHOE COUNTY

Integrity Communication Service

www.washoecounty.gov

Attachment C
Page 105

STAFF REPORT

BOARD MEETING DATE: December 19, 2023

DATE: November 22, 2023

TO: Board of County Commissioners

FROM: Trevor Lloyd, Planning Manager, Planning and Building Division,
Community Services Department, 328-3617,
tlloyd@washoecounty.gov

THROUGH: Dave Solaro, Arch., P.E., Assistant County Manager
775-328-3600, dsolaro@washoecounty.gov

SUBJECT: Recommendation to provide direction to staff on amendments to Washoe County Code Chapters 110 (Development Code) and 125 (Administrative Enforcement Code) specific to changes to the regulations for short-term rentals (STRs) in unincorporated Washoe County. The Board is asked to provide direction to staff regarding specific STR regulations for the purpose of streamlining STR permitting and enforcement processes in accordance with the Board's initiation of code amendments at the August 22, 2023, meeting. The amendments may include, but are not limited to: limiting STRs to one per parcel in the Tahoe planning area; prohibiting new STRs in accessory dwellings in the Tahoe planning area; clarifying when an STR permit must be relinquished; allowing for an updated STR permit renewal date via payment of a pro-rated renewal fee; removing the requirement for a signed notary for STR renewal applications; clarifying that a new STR permit is required with each change of parcel ownership; granting a 60 day grace period for renewals; clarifying violation and revocation regulations; reducing the appeal period for STR stop activity orders; increasing STR penalties; reducing fees for STR permits in partial home rentals; and resolving possible discrepancies that may arise within existing Washoe County Code chapters as a result of amendments. (All Commission Districts.)

SUMMARY

In response to direction from the Washoe County Board of Commissioners (Board) at their August 22, 2023, meeting, staff was asked to initiate code amendments to the County's STR regulations for items proposed by staff that would assist in streamlining and adding clarity to current STR permitting and enforcement processes. Staff was also given direction to prepare draft amendment language to the STR regulations in Chapters 110 and 125 of the Washoe County Code. Prior to returning to the Board for a first reading of a proposed ordinance, staff was asked to take these draft amendments to the community and receive public comment and report back to the Board. As a result of the Board's direction and

AGENDA ITEM # _____

public engagement, staff has prepared a series of policy recommendations, which can be found beginning on page 5 of this staff report. The Board is asked to review these recommendations and provide direction to staff on whether the Board supports, rejects, or wishes to modify the specific recommendations. With this guidance, staff will then create a draft ordinance for circulation to the Planning Commission prior to returning to the Board for a first reading.

Washoe County Strategic Objective supported by this item: Safe, secure and healthy communities.

PREVIOUS ACTION

August 22, 2023. The Board initiated amendments to Washoe County Code Chapters 110 (Development Code) and 125 (Administrative Enforcement Code) pursuant to WCC 2.030 and 110.818.05 to streamline and clarify current STR permitting requirements and enforcement processes to explore the option of a tiered approach for property owners utilizing their primary residence as an STR, and to engage the public. The Board directed staff to return to the Board in December with feedback from the public on the staff-proposed code amendments.

May 10, 2022. The Board adopted Ordinance No. 1686, which made amendments to various provisions of Washoe County Development Code (Chapter 110) in Article 319, *Short-Term Rentals*.

March 23, 2021. The Board adopted Ordinance Nos. 1665, 1666 and 1667, which amended Washoe County Code Chapters 110, 50 and 125 to establish standards and processes associated with the administration and enforcement of STRs in unincorporated Washoe County.

February 23, 2021. The Board introduced and held the first reading of ordinances amending the Washoe County Code within Chapters 110, 50 and 125 establishing standards and processes associated with the administration and enforcement of STRs in unincorporated Washoe County.

August 25, 2020. The Board was scheduled to hear the first reading of the proposed ordinances, but the meeting was cancelled. The item was not placed on a subsequent agenda due to additional discussions with commissioners and the public regarding potential changes to the draft ordinances.

February 25, 2020. The Board reviewed the proposed ordinances and provided direction to staff in lieu of conducting an introduction and first reading.

January 7, 2020. The Washoe County Planning Commission (PC) reviewed proposed changes to Chapter 110 and voted unanimously to recommend approval of Development Code Amendment WDCA19-0008 with minor modifications.

December 10, 2019. The Board formally initiated amendments to the Washoe County Code related to STRs.

November 12, 2019. The Board heard an update on the STR project, including staff's recommendations related to standards and a permitting process.

February 26, 2019. The Board determined that by adopting changes to WCC Chapter 25 in 2007 to allow transient lodging and associated room tax, short-term rental use is allowed within Washoe County (although it was not yet defined within Chapter 110). Further, the Board identified it did not want to ban short-term rentals in unincorporated Washoe County. In order to resolve potential conflict between the two WCC chapters, the Board directed staff to start the process of establishing regulations for STRs to properly administer their use.

July 10, 2007. The Board adopted changes to Washoe County Code Chapter 25 relating to transient lodging.

AUGUST 22, 2023, BOARD DIRECTION

On August 22, 2023, the Board was asked to provide policy direction to staff on code amendments to streamline the permitting and enforcement of STRs. The Board was also asked to provide direction regarding whether to limit (cap) the total number of STRs in Washoe County, specifically within the Tahoe planning area. The Board directed staff not to implement a cap on the total number of STR permits. However, the Board directed staff to draft code language to help streamline the STR permitting and enforcement processes, to explore the option of a tiered approach for property owners utilizing their primary residence as an STR, and to engage the public and return to the Board in December with substantial feedback from the public on staff-proposed code amendments.

Additionally, the Board asked staff to consider whether to include HOA verification based on an HOA's CC&Rs as part of the County's approval process prior to issuance of STR permits. This matter has been explored in depth by planning and legal staff and both have determined that this approach is highly problematic and would put the County in the untenable position of enforcing private agreements to which the County is not a party. CC&Rs consist of private restrictive covenants (promises) made between an HOA and the homeowners who live within the boundaries of the HOA's jurisdiction. CC&Rs are specifically designed for enforcement between neighbors within a community, i.e., the HOA. Local governments have no authority to enforce private restrictive covenants, and doing so would involve an improper delegation of the local government's police power to private individuals.

Further, there are multiple practical difficulties were the County to attempt to enforce an HOA's CC&Rs. For example, interpreting CC&Rs can become a monumental task as they tend to be long and intricate and often use terminology that may be inconsistent with County Code. Additionally, CC&Rs are often amended over the years, and HOAs go in and out of operation. Finally, such a verification process would make an already lengthy permitting process even lengthier and more burdensome than the process already is and would put the County at risk of litigation.

AMENDMENTS RECOMMENDED FOR CONSIDERATION

A list of possible code amendments and fee changes have been prepared as directed by the Board. Below is a list of the proposed changes with bold text representing new language and strikeouts representing language to be removed.

1) Limit STRs in Tahoe Planning Area to One STR per Parcel and Prohibit STRs in Accessory Dwellings

Section 110.319.15 Standards (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). **It is prohibited for new STRs to be established in accessory dwelling units within the Tahoe planning area.**

The Board is asked to consider limiting the number of STRs on a given parcel in the Tahoe Planning Area to one and also prohibiting the establishment of new STRs within accessory dwelling units. Properties outside of the Tahoe planning area would be allowed to have a second STR if established in a legally permitted accessory dwelling (current regulations). Further, properties outside of the Tahoe planning area would not be subject to the restriction on establishing new STRs within an accessory dwelling unit. The purpose of the latter restriction is to support work force housing in the Tahoe Basin which has been identified as a priority by the Board. This provision would only apply to those applying for new STR permits as the existing permits would be grandfathered. This proposal has received broad support by non-STR owners in the Tahoe area.

2) Requirement for relinquishing an STR permit.

Section 110.319.15 Standards (a)

A property with an active STR permit is subject to all STR regulations of this Article regardless of the occupancy status (for example, whether the STR is being rented at any given time). In the event that a property owner chooses not to adhere to all STR regulations, then the STR permit for that property must be relinquished.

Existing code provides that properties with active STR permits are subject to all STR regulations and restrictions throughout the life of the STR permit whether the STR is being rented or not. The proposed language is intended to clarify that should the property owner no longer wish to be subject to STR standards, the STR permit must be relinquished.

3) Remove requirement for outdoor fireplace permit from Truckee Meadows Fire Protection District

Section 110.319.20 Safety Standards (c)(15)

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

Following the original adoption of Article 319 (Short Term Rentals), it was identified that the Truckee Meadows Fire Protection District does not issue permits for outdoor solid fuel burning fire pits and therefore this language is unnecessary. The Board is asked to remove this language to clean up this discrepancy.

4) Allow for pro-rated permitting fees

Section 110.319.25 Permit Fees

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.**

In order to accommodate the request of some STR permit holders to allow a change to their renewal date, the Board is asked to allow for a pro-rated permit fee. This request will also help to better distribute the expiration dates more evenly throughout the year and alleviate the large influx of renewal applications within a short window of time.

5) Requirement for a new STR permit when a property is sold.

Section 110.319.30 Enforcement (a)(3).

If a property with an active STR permit is sold and the new property owner wishes to continue the STR use, a new application must be submitted to Washoe County and a new STR permit must be obtained by the purchasing property owner.

Currently, a new STR permit application is required to be submitted when a property is sold, and when the new owner wishes to continue operating the STR. The Board is asked to consider the above language to formalize this practice in code. It is essential that a new property owner obtains their own STR permit in order to ensure: required safety features remain in place; STR contact information remains accurate (including the local responsible party and authorized agent if applicable); and that the new STR permit holder is aware of the STR rules, regulations and penalties, thus reducing the potential for violating those regulations.

6) Allowing for a grace period for renewal permits.

Section 110.319.30 Enforcement (a)(4)

A grace period not to exceed 60 days from the date of expiration may be granted for STR renewals at the Director of the Planning & Building Division's discretion provided the applicant is working in good faith to finalize the renewal.

The Board is asked to consider authorizing the Division Director to grant a grace period of up to 60 days for the issuance of STR renewals to provide flexibility when circumstances warrant. Planning staff will continue to send notices of upcoming deadlines and will continue to seek application submittals prior to their expiration dates.

7) STR violations from other agencies

Section 110.319.30 Enforcement (c)

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 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, any violation of trash standards adopted and enforced by a General Improvement District (GID) or Northern Nevada Public Health (NNPH), or a disturbing the peace citation issued by the Washoe County Sheriff's Office (WCSO) shall be considered an STR violation to the same extent as a violation issued under this Article 319 of the Washoe County Development Code.**

STR standards related to trash and noise can overlap with regulations adopted and enforced by other agencies. For this reason, the Board is asked to consider the addition of clarifying language that if, in the course of their normal operation, IVGID, the Sheriff's Office or NNPH issues a citation for an activity that is determined to be a violation of Washoe County's STR regulations, then Washoe County code enforcement staff will issue a notice of violation for that activity. The evidence compiled by the applicable agency that issued the citation will be used as the basis for STR enforcement action by the Planning and Building Division.

8) Removing requirement to notarize applications for STR permit renewals

Section 110.319.35 Inspections and Self-Certification (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.

In order to help streamline the permitting process and remove additional submittal requirements, the Board is asked to remove the requirement for notarizing the self-certification checklist for renewal applications. Common feedback provided by STR permit holders is that this requirement is overly burdensome and redundant as the initial application requires a signed notarization. In addition, many STR permit holders reside out of state, where notary services may be difficult to obtain or where notary laws may differ from Nevada.

9) Clarify that the property owner and not the property is subject to one year suspension for a permit revocation.

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.

The purpose of this language is to help clarify that the revocation of the STR applies to the property owner (and their behavior/violations) rather than the property so that in the event that the property is sold, the new property owner is not subject to the same one-year suspension for violations they did not commit.

10) Additional grounds for revocation of STR permit.

Section 110.319.40 Permit Revocation. (b)

Construction occurs on the property without required building permits.

To better ensure life and safety of STR guests, staff is asking the Board to consider language that if construction occurs without required building permits on a property with an active STR permit, such action is grounds for revocation of an STR permit. Depending

on the type of unpermitted work that was performed, it could take a substantial amount of time to obtain the required permit approvals and correct any construction found to violate applicable building codes. A property should not be rented to the public during this time.

11) Reduce the appeal time for a stop activity order from 30 days to 14 days.

WCC Section 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.**

Because of their injunctive nature, if the person who is served with a stop activity order or remediation order asks for a hearing, an administrative hearing officer will expeditiously be appointed, and a hearing will be conducted within 30 calendar days of the receipt of the appeal by the administrative hearing office. A stop activity order remains in effect pending the hearing. The deadline for a remediation order is suspended pending the hearing. The hearing will be conducted in accordance with the provisions for hearings, and the issuance, enforcement, and appeal of administrative orders as set out in this chapter. The decision of the administrative hearing officer may be taken directly to judicial review in accordance with this chapter at the option of the appellant. If appeal is made to the board of adjustment for violation of WCC chapters 100 and 110, the decision of the board of adjustment is subject to judicial review in accordance with this chapter. Appeals of a decision of the administrative hearing officer regarding all other chapters of WCC shall proceed directly to petition for judicial review.

To help streamline the enforcement process and reduce the potential number of appeals, and to align the appeal period with the shortened appeal timelines associated with civil penalty notices for violating STR regulations, staff is asking the Board to reduce the number of days to appeal a stop activity order for an STR from 30 days to 14 days.

12) Increase Penalties for STR violations.

Operating an STR without the required permit:

1st Violation - \$1,500

2nd Violation by same property owner - \$3,000.

3rd Violation (and all subsequent violations for continuing to operate without a permit) - \$5,000

All other STR violations:

1st Violation - \$750

2nd Violation - \$1,500

3rd Violation - \$3,000

The current penalty for operating an STR without a permit is \$1,158.40. Code enforcement staff have experienced challenges with a number of repeat violators who continue to operate their STR without the required permit. Staff recommends a tiered penalty approach

similar to the tiered fines for administrative penalties (currently at \$400/\$700/\$1,000 for 1st, 2nd, and 3rd violations of STR standards while holding an active STR permit). This approach is already functioning for other STR violations to help reduce the number of repeat violations. Based on previous Board statements and direction, the increased amounts being proposed are intended to be more punitive with the goal of reducing the volume of infractions and overall time to compliance. The fine amounts are based, in part, on what other jurisdictions have levied in the past, as well as applicable legal cases. For example, the Town of Truckee uses this fine schedule.

13) Reduce STR Permitting Fees for Partial Home Rentals or Primary residence.

STR applicants or permit holders who rent out a portion of their home or who claim the home as their primary residence, as determined by the tax cap status on file with the Assessor's Office, shall receive a reduced fee on their application or renewal fees.

The Board is asked to consider a possible fee reduction for those STR property owners who live all or most of the time within the home they are renting out. The first scenario involves property owners who rent out a portion of their home while living in the home. The second scenario involves property owners who live in the STR permitted residence most of the year but wish to rent it out from time to time.

COMMUNITY WORKSHOPS

Staff hosted an in-person workshop at the Incline Village Library on November 15, 2023, and a Zoom meeting on November 16, 2023. The workshops were well attended with approximately 25 participants attending the November 15th workshop and about 35 participants attending the November 16th workshop. Several interested parties reported difficulty accessing the link to the November 16th workshop. For this reason, Washoe County staff advertised and hosted another Zoom workshop on November 28th with approximately 16 participants attending this final workshop. Comments received are included as Attachment A to this staff report.

Attendees represented a variety of perspectives, including those generally in favor of or opposed to STRs. Top areas of input and public concern were related to the following:

- Support for more immediate revocation based on severity of violation(s).
- Significant support for prohibiting STRs in accessory dwellings in the Tahoe planning area.
- Objections to the 60-day grace period; STR permit holders should be held accountable to complete applications on time.
- Should be a cost recovery for code enforcement officers.
- Opposition to property owners having multiple STRs.
- Violations issued by other GIDs (not just IVGID) should count toward STR violation.

- Opposition expressed to holding STR owners to the same standards when the STR is not rented.
- STR permit is a privilege and should be held to the same standards whether it is rented or not.
- Need for more transparency for tracking complaints. Violation information should be readily available.
- Support was given to reduce the fees for partial home rentals or when the STR property is the primary residence of the STR owner.
- Need for more enforcement staff and more vigorous and responsive enforcement.
- Concern expressed for safe evacuation in case of emergency.
- Desire to include fire protection districts on the list of agencies who can cite violations.
- Opposition expressed for removing the notary requirement for renewal permits. The notary adds validity and is only a minor inconvenience.
- One year suspension for revoked STRs should apply to both the property and the property owner(s).
- Concern was raised that workshops and the review of the STR regulations only apply to the items identified by the Board at their August 22, 2023, meeting. There should be a comprehensive review of all STR regulations.
- Concern expressed that if violations by other agencies are cause for STR violations, then opposing neighbors could misuse these agencies.
- Opposition to allowing STR owners to relinquish their permits as this will encourage STRs to operate with a permit.
- Support for new owners to be required to obtain a new permit when property is purchased.
- Support given for violations by other agencies to count as STR violations.
- Support for revocation for construction completed with a permit.
- Consider a one year waiting period for STR permit from the purchase of a residence.
- Make it easier to identify and contact the STR representative.
- Opposition expressed to making the local responsible party's contact information publicly available.

FISCAL IMPACT

Direction at this time will result in the use of additional staff time to amend the applicable ordinances. Specific fiscal impact associated with direction from the Board will be defined in future staff reports for Board action, including potential penalty increases and/or fee reductions.

RECOMMENDATION

It is recommended that the Board either confirm staff's recommendations and/or provide additional policy direction for possible amendments to the existing regulations of short-term rentals within unincorporated Washoe County.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be:

“Move to confirm staff's recommendations or provide the following additional policy direction associated with the regulation of short-term rentals within unincorporated Washoe County: [*provide specific direction on the items listed in the above staff report*]”

Attachments:

A. General public comments received