



Planning Commission Staff Report

Meeting Date: March 1, 2022

Agenda Item: 8A

DEVELOPMENT CODE WDCA22-0001 (Article 319 Short-Term Rentals)
AMENDMENT CASE NUMBER:

BRIEF SUMMARY OF REQUEST: To amend Washoe County Chapter 110 (Development Code) Article 319 Short Term Rentals (STRs) based on Board of County Commissioners' direction.

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CASE DESCRIPTION

Development Code Amendment Case Number WDCA22-0001 (Article 319 Short-Term Rentals)— For hearing, discussion and possible action to initiate an amendment and approve a resolution to amend Washoe County Code Chapter 110 (Development Code), Article 319, Short Term Rentals (STRs) by amending various sections in order to: (1) change the requirements for processing a tier 3 STR application from an administrative permit approved by the Board of Adjustment to a special use permit approved by the Planning Commission; (2) exclude overflow parking spaces in condominium or multi-family complexes in the calculation of required parking spaces; (3) require the STR property owner(s)' notarized certification to include an attestation that the subject STR property is covered by insurance that provides for a minimum of \$500,000 liability coverage per occurrence; (4) repeal the requirement to submit a certificate of insurance; (5) provide that a bear box is required in the Incline Village General Improvement District's service territory following two confirmed trash violations; (6) modify the maximum occupancy calculation from one occupant for every 200 square feet of habitable space to two (2) occupants for each legally permitted bedroom, with the remainder of the home (excluding bedrooms) calculated as one occupant for every 200 square feet of habitable space; and all matters necessarily connected therewith and pertaining thereto.

If the proposed amendments are initiated, the Planning Commission may recommend approval of the proposed ordinance as submitted, recommend approval with modifications based on input and discussion at the public hearing, or recommend denial. Any material modifications that exceed the scope of the amendments being considered at this hearing may require continuation of the hearing for possible action at a future meeting. If approval is recommended, the Planning Commission is asked to authorize the Chair to sign a resolution to that effect.

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 WDCA22-0001, to amend Washoe County Code Chapter 110 (Development Code), Article 319, Short-Term Rentals, as reflected in the proposed ordinance contained in Attachment A-1. 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 8)

Staff Report Contents

Process for Development Code Amendments..... 3

Background..... 3

Proposed Amendment Summary 7

Findings 7

Public Notice 8

Recommendation..... 8

Motion..... 8

Appeal Process..... 9

Exhibit Contents

Resolution with Proposed OrdinanceExhibit A and Attachment A-1

Board of County Commissioners Staff Report.....Exhibit B

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

February 22, 2022. The Board received a staff presentation on the implementation of the short-term rentals program (STRs) since regulations went into effect and received a series of policy recommendations. The Board provided direction to staff to draft a code amendment addressing occupancy calculations (i.e. change in methodology), parking requirements, trash/garbage collection rules, insurance requirements and permitting requirements.

March 23, 2021. The Board held the second reading and adopted Ordinance numbers 1665, 1666, and 1667 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.

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, the use is allowed within Washoe County (although it is 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.

Proposed Amendment Rationale

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:

1. The STR property owner(s)' notarized affidavit statement be expanded to include the minimum insurance requirements, rather than submittal of a certificate of insurance.
 - a. Staff has found many insurance companies do not provide a document that clearly indicates all of the required minimum insurance requirements. This has resulted in frustration for some applicants and has put the burden on staff to decipher innumerable insurance policies. Instead, staff recommends the onus be put on the applicant to certify, via the notarized affidavit, that they carry the appropriate insurance as currently required.
2. Clarify requirements related to the required number of parking spaces in condo/multi-family developments where parking is unassigned.
 - a. In cases where a condominium does not offer 'parking passes', staff recommends allowing proof of parking assigned to a unit by written document (CC&R's or HOA letter), in addition to passes in the amount of 1 parking space for each 4 occupants, and to ensure that overflow parking is not used in calculating the required number of parking spaces per STR unit.
3. Revise the method for maximum occupancy calculations.
 - a. The most common complaint heard was related to occupancy calculations. The properties most affected by the current STR occupancy calculation (currently 1 occupant per 200 sf of habitable space) were condos due to their small footprint. STR permits have been issued to 325 condos, representing 70% of all issued STR permits to date. Of the 325 permitted condos, 170 (52%) contain 3 bedrooms; and were therefore, disproportionally impacted by the current calculation methodology. Using the current occupancy methodology, condos with 3 bedrooms ended up with a maximum occupancy of 5 people, which was not perceived as practical nor fair. In addition, there are 58 permits issued to single family properties that also have 3 bedrooms. Therefore, the following is recommended as a new method for maximum occupancy and would apply to both single family homes, as well as condos, as the change should remain equitable for both housing types:

The occupant load shall be calculated as:

- A.** Two (2) occupants for every legally permitted bedroom in accordance with Section 110.319.20(a)(1) and in addition to this (+)
- B.** The remainder of the home 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.

The two calculations (**A+B**) shall be combined to yield the maximum allowed occupancy of an STR.

- 4. Add the requirement for a bear box within IVGID's service territory following two (2) confirmed trash violations.
 - a. In discussions with IVGID, the most common complaint received is related to trash nuisances. While there is no available data to determine whether the complaints are predominantly generated from STRs, staff recommends adding language requiring a bear box after 2 trash violations.
- 5. Change the process for approving tier 3 STR permits (currently, administrative permit approved by the Board of Adjustment) with a special use permit approved by the Planning Commission.
 - a. Currently the STR Ordinance allows tier 3 permits (STRs with more than 20 people) in regulatory zones where hotels, motels and other transient dwelling unit use types are allowed with an AP (administrative permit) which goes to the Board of Adjustment (BOA) for public hearing approval. Staff recommends changing tier 3 STRs to be approved through a special use permit (SUP) which involves a public hearing at the Planning Commission and the ability to add conditions tailored to address specific impacts of the STR location/circumstances. The Planning Commission has previously approved the STR ordinance and more familiar with this ordinance than the BOA.

Public Outreach and Engagement

A critical component in determining the successes and/or shortfalls of the STR program is to solicit input from identified stakeholders for their experiences and recommendations since the adoption of STR regulations. Generally speaking, these stakeholders can be grouped into the following major categories: neighbor/community members; short-term rental host and property managers/realtors; traditional lodging industry and business; and impacted regulatory agencies and/or supporting agencies. Staff's goal during the outreach process was to identify major concerns of each of the stakeholder groups and, wherever possible, pinpoint areas of overlap. An analysis of the input received revealed several recurring themes discussed in more detail below.

STR Owner and Property Manager Workshop

On October 12, 2021, a zoom meeting was held between 12:00 and 1:00pm, by invitation only, to request feedback specifically on the permitting process and the STR owner/property manager's experiences with this process. A total of 520 individual email recipients received the meeting invitation. Fifty-two people were in attendance. A total of 27 emails were also received and are included as Exhibit B, Attachment B-1, to this staff report.

Top areas of comment were related to the following:

- Most notable comments were related to occupancy calculations; mainly citing an STR's ability to accommodate more than is currently allowed using habitable space calculation versus number of legal bedrooms.
- While some expressed the application and permitting process went 'smooth'; many also expressed frustration with difficulty navigating the online permitting platform (www.onenv.us). Many also expressed they were unsure what documentation was needed to meet minimum application requirements. Specifically citing the following comments related to application submittal:
 - Lengthy permit submittal instructions (due in part to staff's attempt to provide the public a clear step-by-step guide for navigating the permitting platform)
 - Unclear how to draw the floor plan appropriately, specifically citing habitable space discrepancies
 - Unsure of the appropriate documentation to submit for the minimum insurance requirements
 - Proof of verified parking in condominiums
- There seemed to be a consensus that STR regulations are necessary and respondents are generally in support of the County's current approach.
- Concern of being unfairly targeted for enforcement complaints.
- Enforcement should prioritize 'bad actors' and those that have made no effort to obtain their STR permit before any others.

General Public Workshop

On October 19, 2021, a zoom meeting was held between 5:00 and 6:30pm and was open to the public. The County Communications Team sent a "C-Blast" to all Commissioner District email lists. Nearly 9,000 individual emails received notice of the workshop. Seventy-eight (78) people were in attendance. A total of 34 emails were received in response for request for comment and are included as Exhibit B, Attachment B-1, to this staff report.

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

- Expressed general support for County's effort to regulate STR's
- General nuisance concerns: noise, trash, occupancy and parking
- Over-saturation of STRs and impacts on current housing needs
- Additional impacts to wildfire danger/threats and evacuations
- Availability of code enforcement resources
- Access to STR permitting data, specifically requesting a GIS layer for STR issued permit locations and contact information
- Belief of conflicting rules with homeowner association CC&R's
- Occupancy calculations
- Negative impacts on "community character"

Regulatory Agency Outreach

Staff held a series of one-on-one stakeholder input sessions in order to better understand concerns and priorities from the regulatory partners' perspective. Agency outreach included representatives from the Sheriff's Office, North Lake Tahoe Fire Protection District, Truckee

Meadows Fire Protection District, Reno-Sparks Convention & Visitors Authority (RSCVA), Incline Village General Improvement District (IVGID), Sun Valley GID, Washoe County Manager's Office, business license program, code enforcement program, planning program, and building program, as well as Washoe County Health District and District Attorney's Office. Staff has maintained contact with all affected agencies and held several follow-up meetings throughout the implementation of the STR program.

Proposed Amendment Summary

The following is a summary of the specific sections of Article 319 recommended for amendment:

Section 110.319.05(a)(3) change the requirements for a tier 3 STR from an administrative permit approved by the Board of Adjustment to a special use permit approved by the Planning Commission

Section 110.319.10(d) exclude the use of overflow parking spaces in condominium or multi-family complexes in the calculation of required parking spaces;

Section 110.319.15(a)(12) remove the requirement to submit a certificate of insurance;

Section 110.319.10(h)(9) add the minimum requirements for STR insurance coverage to the required notarized affidavit statement;

Section 110.319.15(d)(2) add the requirement for a bear box following 2 confirmed trash violations within IVGID service territory; and

Section 110.319.15(e)(1) change the calculation for determining maximum occupancy limits.

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 for 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 new 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 for 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 the 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 recommend approval of WDCA22-0001, 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 WDCA22-0001, to amend Washoe County Code Chapter 110 (Development Code) within Article 319 as reflected in the proposed ordinance contained in Attachment A-1. 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

RECOMMENDING APPROVAL TO THE BOARD OF COUNTY COMMISSIONERS FOR AN ORDINANCE AMENDING WASHOE COUNTY CODE CHAPTER 110 (DEVELOPMENT CODE), ARTICLE 319, SHORT TERM RENTALS (STRS) BY AMENDING VARIOUS SECTIONS IN ORDER TO: (1) CHANGE THE REQUIREMENTS FOR PROCESSING A TIER 3 STR APPLICATION FROM AN ADMINISTRATIVE PERMIT APPROVED BY THE BOARD OF ADJUSTMENT TO A SPECIAL USE PERMIT APPROVED BY THE PLANNING COMMISSION; (2) EXCLUDE OVERFLOW PARKING SPACES IN CONDOMINIUM OR MULTI-FAMILY COMPLEXES IN THE CALCULATION OF REQUIRED PARKING SPACES; (3) REQUIRE THE STR PROPERTY OWNER(S)' NOTARIZED CERTIFICATION TO INCLUDE AN ATTESTATION THAT THE SUBJECT STR PROPERTY IS COVERED BY INSURANCE THAT PROVIDES FOR A MINIMUM OF \$500,000 LIABILITY COVERAGE PER OCCURRENCE; (4) REPEAL THE REQUIREMENT TO SUBMIT A CERTIFICATE OF INSURANCE; (5) PROVIDE THAT A BEAR BOX IS REQUIRED IN THE INCLINE VILLAGE GENERAL IMPROVEMENT DISTRICT'S SERVICE TERRITORY FOLLOWING TWO CONFIRMED TRASH VIOLATIONS; (6) MODIFY THE MAXIMUM OCCUPANCY CALCULATION FROM ONE OCCUPANT FOR EVERY 200 SQUARE FEET OF HABITABLE SPACE TO TWO (2) OCCUPANTS FOR EACH LEGALLY PERMITTED BEDROOM, WITH THE REMAINDER OF THE HOME (EXCLUDING BEDROOMS) CALCULATED AS ONE OCCUPANT FOR EVERY 200 SQUARE FEET OF HABITABLE SPACE; AND ALL MATTERS NECESSARILY CONNECTED THEREWITH AND PERTAINING THERETO.

Resolution Number 22-05

WHEREAS

- A. Development Code Amendment Case Number WDCA22-0001, came before the Washoe County Planning Commission for a duly noticed public hearing on March 1, 2022; 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 WDCA22-0001:
 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 March 1, 2022.

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

Trevor Lloyd, Secretary

Francine Donshick, Chair

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REGULAR TEXT: NO CHANGE IN LANGUAGE

~~STRIKEOUT TEXT: DELETE LANGUAGE~~

UNDERLINE TEXT: NEW LANGUAGE

Notice: Per NRS 239B.030, this document does not contain personal information as defined in NRS 603A.040

Summary: AMENDS WASHOE COUNTY CODE CHAPTER 110 (DEVELOPMENT CODE), ARTICLE 319, SHORT TERM RENTALS (STRs).

BILL NO. _____

ORDINANCE NO. _____

Title:

An ordinance amending Washoe County Code Chapter 110 (Development Code), Article 319, Short Term Rentals (STRs) by amending various sections in order to: (1) change the requirements for processing a tier 3 STR application from an administrative permit approved by the Board of Adjustment to a special use permit approved by the Planning Commission; (2) exclude overflow parking spaces in condominium or multi-family complexes in the calculation of required parking spaces; (3) require the STR property owner(s)' notarized certification to include an attestation that the subject STR property is covered by insurance that provides for a minimum of \$500,000 liability coverage per occurrence; (4) repeal the requirement to submit a certificate of insurance; (5) provide that a bear box is required in the Incline Village General Improvement District's service territory following two confirmed trash violations; (6) modify the maximum occupancy calculation from one occupant for every 200 square feet of habitable space to two (2) occupants for each legally permitted bedroom, with the remainder of the home (excluding bedrooms) calculated as one occupant for every 200 square feet of habitable space; and all matters necessarily connected therewith and pertaining thereto.

WHEREAS:

- A. This Commission desires to amend Washoe County Code Chapter 110 (Development Code), Article 319, Short-Term Rentals, in order to change the requirements for a tier 3 STR from an administrative permit approved by the Board of Adjustment to a special use permit approved by the Planning Commission; exclude the use of overflow parking spaces in condominium or multi-family complexes in the calculation of required parking spaces; require the STR property owners' notarized certification to include an attestation that the subject STR property is covered by insurance that provides for a minimum of \$500,000 liability coverage per occurrence; repeals the requirement to submit a certificate of insurance; adds the requirement for a bear box in the Incline Village General Improvement District's service territory following two confirmed trash violations; and changes the calculation for determining maximum occupancy limits; and
- B. The Washoe County Planning Commission initiated the proposed amendments to Washoe County Code Chapter 110 (Development Code), Article 319, by Resolution Number 22-05 on March 1, 2022; and
- C. The amendments and this ordinance were drafted in concert with the District Attorney, and the Planning Commission held a duly noticed public hearing for WDCA22-0001 on March 1, 2022, and adopted Resolution Number 22-05 recommending adoption of this ordinance; and
- D. 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
- E. 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. The Washoe County Code Chapter 110 (Development Code, Article 319, Short-Term Rentals, is hereby amended as follows:

Article 319

SHORT-TERM RENTALS (STRs)

Sections:

110.319.00	Purpose
110.319.05	Applicability
110.319.10	Requirements for Application
110.319.15	Standards
110.319.20	Safety Standards
110.319.25	Permit Fees
110.319.30	Enforcement
110.319.35	Inspections and Self-Certifications
110.319.40	Permit Revocation
110.319.45	Duties of Hosting Platforms
110.319.50	Restrictions During a Declared Emergency

Section 110.319.00 Purpose. The purpose of Article 319, *Short-Term Rentals*, is to allow for the inclusion of short-term rentals (STRs) in legally permitted homes within unincorporated areas of Washoe County. The purpose is also to establish standards and a permitting process governing the operation of STRs in order to reduce their potential impacts on neighboring properties. At higher thresholds, such as with Tier 2 and Tier 3 STRs as defined in Section 110.304.15(d), STRs may require additional mitigation. At the highest thresholds, such as with Tier 3 STRs, their anticipated impacts cause them to only be appropriate in areas where hotels and motels are allowed. Enforcement and revocation policies are intended to ensure that mechanisms are in place to allow for streamlined revocation of an STR permit when standards are repeatedly violated, and/or to levy stringent fines when an STR operates without the appropriate permits.

Section 110.319.05 Applicability. The provisions of this article shall apply to uses classified as short-term rentals in Article 304, *Use Classification System*. Standards within this article are applicable to properties advertising for an STR, permitted for an STR, and/or proven to be engaging in STR activity, regardless of whether occupants at any given time have entered into an STR lease. If a property ceases to operate as an STR, removes any advertisement of the STR, and relinquishes the STR permit, then the property shall revert to the applicable residential use type.

- (a) Within the Boundaries of the Tahoe Area Plan. This sub-section becomes applicable upon adoption of an updated Tahoe Area Plan that replaces existing regulatory zones with alternative designations. Prior to adoption of alternative regulatory zones for the Tahoe planning area, the provisions of subsection (b) below will apply.

- (1) Tier 1. Tier 1 STRs are considered an allowed use, subject to the issuance of an STR Permit, in all regulatory zones where single family and multiple family dwellings are permitted (allowed by right or otherwise.)
 - (2) Tier 2. Tier 2 STRs are permitted subject to the issuance of an STR Permit with Administrative Review Permit in all regulatory zones where single family and multiple family dwellings are permitted (allowed by right or otherwise.)
 - (3) Tier 3. Tier 3 STRs are permitted subject to the issuance of an STR Permit with ~~Administrative Permit~~ **Special Use Permit approved by the Planning Commission** in all regulatory zones where Hotels, Motels and Other Transient Dwelling Units use types are permitted (allowed by right or otherwise.)
- (b) Outside the Boundaries of the Tahoe Area Plan. STRs are allowed or permitted in those regulatory zones as set forth in Article 302, *Allowed Uses*, with all STRs requiring an STR permit, and Tier 2 and Tier 3 STRs also requiring an additional discretionary permit as identified within Article 302. The provisions for STRs in Article 302 should not be construed to supersede the zoning or permitting requirements or restrictions by Washoe County or other agencies for the construction of a dwelling in any regulatory zone.

Section 110.319.10 Requirements for Application. All applications for STR permits shall include the following elements:

- (a) Application and supplemental materials as required by the Washoe County Planning and Building Division;
- (b) Accurately scaled and dimensioned site plan showing, at a minimum: location of property lines; dwelling unit(s) and all other structures on the property; dedicated locations and surface material of required parking spaces; all recorded easements; and, snow storage areas (for properties located within the boundaries of the Tahoe Area Plan);
- (c) Accurately scaled floor plan showing entirety of dwelling, including areas proposed to be available for STR use. Each room must be labeled, with dimensions and square footage also provided for areas/rooms proposed to be used for sleeping purposes. The floor plan must also show locations of fire extinguishers, smoke alarms, carbon monoxide (CO) alarms, hot tubs (if applicable), decks (if applicable), and ingress/egress (doors, stairs and windows) from the dwelling and each room;
- (d) For STRs within multi-unit developments, the application must include evidence of the number (and location, if applicable) of parking spaces allocated to the unit. **Where parking spaces are unassigned, overflow parking will not count toward the required number of parking spaces;**
- (e) Educational materials required by Section 110.319.15(a)(14), and the name, phone number (text-capable) and email address of the local responsible party designated to respond to issues/complaints on the property as required by Section 110.319.15(a)(3);
- (f) Proof of property tax payment for current quarter of current fiscal year;
- (g) Transient lodging tax license number issued by the Reno-Sparks Convention and Visitors Authority (RSCVA); and
- (h) A notarized certification from the property owner(s) that acknowledges or attests to the following:

- (1) An STR permit is deemed a privileged permit subject to revocation without action by the Board of County Commissioners (BCC) for non-payment of fees or noncompliance with required standards, including the revocation standards within Section 110.319.40.
 - (2) An STR permit must be renewed and issued annually in order to advertise or operate. Property owners should be aware that standards are subject to change over time and there is no guarantee that an STR permit will be re-issued.
 - (3) An STR permit does not relieve the property owner of complying with any applicable private restrictions on the property such as CC&Rs or homeowners association rules.
 - (4) Per Section 110.319.35, Physical inspections must be passed prior to issuance of the initial STR permit. Thereafter, a self-certification checklist may be provided for annual renewals provided the requirements of Section 110.319.35 are met. The cost of inspections and any necessary associated improvements will be borne by the property owner. It is the responsibility of the property owner to provide sufficient evidence that the applicable standards have been met.
 - (5) The property owner has reviewed this article and other codes referenced within this article, understands the requirements and agrees to abide by them.
 - (6) The property owner is responsible for each occupant's compliance with the Washoe County Code while they are on the property, including but not limited to the standards within this article.
 - (7) There are no delinquent transient lodging tax liabilities or liens against the property.
 - (8) No alterations will be made to the STR premises without the proper approvals and permits, nor alterations that violate Washoe County adopted codes and ordinances.
 - (9) **That insurance for the STR property has been obtained that provides a minimum of \$500,000 liability coverage per occurrence.**
- (i) Additional submittal information may be required in order to ensure complete review of the STR permit application.

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.
- (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.
- (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).
- (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.
- (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) An appropriate Certificate of Insurance is required for the STR property that provides a minimum of \$500,000 liability coverage per occurrence.~~
- (13) 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).

- (14) All STRs must comply with all other federal, state, and other applicable laws/statutes.
 - (15) 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.
- (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 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.**
- ~~(4) Waste carts shall only be placed street-side during the timeframes stipulated by the local authority or waste service provider.~~
- (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 one 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.~~
 - (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.**
 - (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 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.
 - (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.
- (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. 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.

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.

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.
 - (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).
- (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 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.

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:
 - (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 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 the same 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.
- (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.
 - (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 110.319.45 Duties of Hosting Platforms. By adoption of this Article, Washoe County invokes all powers provided to it by NRS 244.1545 in its entirety. This includes, but is not limited to, a requirement for the provision of quarterly reports by STR hosting platforms to Washoe County, and authority for Washoe County to issue and enforce subpoenas as identified within the statute.

Section 110.319.50 Restrictions During a Declared Emergency. STRs are subject to all lawful orders of the Governor of Nevada during a declared emergency and to all powers granted by law to the local governmental entities. For example, and to the extent allowed by law, this may include but is not limited to additional operating restrictions or the requirement to cease operations until such time as the order is lifted.

SECTION 2. General Terms.

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.

DRAFT: February 17, 2022

Passage and Effective Date

Proposed on _____ (month) _____ (day), 2022.

Proposed by Commissioner _____.

Passed on _____ (month) _____ (day), 2022.

Vote:

Ayes:

Nays:

Absent:

Vaughn Hartung, Chair
Washoe County Commission

ATTEST:

Janis Galassini, County Clerk

This ordinance shall be in force and effect from and after the
__ th day of the month of ____ of the year 2022.



WASHOE COUNTY

Integrity Communication Service
www.washoecounty.gov

STAFF REPORT

BOARD MEETING DATE: January 25, 2022

DATE: December 25, 2021

TO: Board of County Commissioners

FROM: Mojra Hauenstein, Arch., Planner, Division Director, Planning & Building, Community Services Department, 328-3619,
mhauenstein@washoecounty.gov

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

SUBJECT: Recommendation to acknowledge an update on the short-term rental program (STRs), to include discussion and possible direction to staff on recommended changes to existing short-term rental regulations within unincorporated Washoe County, and/or provide additional policy direction to staff regarding any other changes desired by the Board prior to bringing back specific ordinance amendments. The staff recommendations and potential policy direction from the Board include, but are not limited to, the following subjects: occupancy calculations (i.e. change in methodology recommended by staff), parking requirements, safety/security considerations, trash/garbage collection rules, insurance requirements, permitting requirements, enforcement process, fees, fines, and penalties associated with short-term rentals, and resolving possible discrepancies that may arise within existing Washoe County Code chapters as a result of any new recommendations. (All Commission Districts.)

SUMMARY

In response to direction from the Washoe County Board of County Commissioners (Board), staff has prepared a presentation to update the Board on the implementation of the short-term rentals program (STRs) since regulations went into effect in March of 2021 and permitting began on May 1, 2021. In addition, staff has prepared a series of policy recommendations, which can be found beginning on page 7 of this staff report. The Board is asked to review these recommendations and either support them, reject them and/or provide additional policy direction to staff prior to the drafting of any actual code language changes that will come back to the Board for subsequent approval. The policy direction includes, but is not limited to, the following subjects: occupancy limits, parking requirements, safety/security considerations, trash/garbage collection rules, insurance requirements, permitting requirements, enforcement process, fees, fines and penalties associated with short term rentals.

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

PREVIOUS ACTION

March 23, 2021. The Board held the second reading and adopted Ordinance numbers 1665, 1666, and 1667 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.

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. More details are provided in the next section of this report.

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, the use is allowed within Washoe County (although it is 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.

BACKGROUND

Short-term rentals are a type of temporary lodging of brief duration (28 days or less) operated out of private residences such as homes, apartments or condos. They are

commonly available through property management companies and online booking services. They are also referred to as vacation rentals and generally booked for fewer than 28-days.

As with other industries affected by the sharing economy, the rise of online advertising platforms such as Airbnb and VRBO has broadened the traditional lodging industry by expanding opportunities for the average homeowner to tap into the tourist market and offer their home for short-term rental use. Although vacation rentals have been available in various forms for decades, these newer technologies have led to expanded temporary lodging options and a greater awareness of the prevalence of short-term rentals in many communities. Along with that, has come an increased focus on the impacts of STRs on neighboring residents and the larger community. Washoe County, and especially the Incline Village/Crystal Bay area, is no exception.

UPDATES SINCE ADOPTION OF SHORT-TERM RENTAL REGULATIONS

At the time of adoption, the Board directed staff to provide an update within the following year on permitting trends and to evaluate the effectiveness of the program. The Board also requested that staff provide policy recommendations, as appropriate, for the Board’s consideration and direction.

Permitting Trends

On May 1, 2021, the County began accepting STR applications. To date, a total of 635 “Tier 1” (1 to 10 occupants) applications, twelve (12) “Tier 2” (11 to 20 occupants) applications and zero (0) “Tier 3” (21 or more occupants) applications have been received. Tiers are intended to recognize that below certain occupancy thresholds, and with appropriate standards in place, an STR is expected to reasonably function similarly to other residential uses. As occupancy increases, impacts to surrounding properties have the potential to increase. Therefore, the higher the tier, a higher-level of review is necessary. Of those applications, 467 Tier 1 permits and eight (8) Tier 2 permits have been issued. Twelve (12) permits were cancelled for various reasons.

The remaining active applications are primarily being stalled due to additional information required for a complete application submittal or due to failed inspection(s). Ninety-six percent (96%) of issued STR permits are located within Incline Village/Crystal Bay. Of the 467 issued Tier 1 STR permits, the location of residence for owners is as follows:

Top 3 States by Ownership				
MAIL STATE	# of Permits	% of Permits	Avg_Occup	Occup_Sum_
CA	266	57.1%	5.7	1519
NV	135	29.0%	6.0	812
TX	10	2.1%	6.3	63
OTHER	55	11.8%	6.0	333

Based on issued permits, the average approved occupancy is 5.8 occupants per STR; the average number of legal bedrooms is 3; and the average habitable square footage is 1,167s.f. Fifty-eight percent (58%) are managed by a certified property manager. Over two-thirds (70%) are located in condominiums and the remaining are in single family residences (20%).

Of the 467 issued Tier 1 permits, 178 failed the first Building inspection and 75 failed the first fire/defensible space/sprinkler/monitored alarm inspection. Additionally, 42 took three or more building inspections to pass.

Out of the 467 issued Tier 1 permits, ten (10) were owners identified to have two active STRs, with the remaining permits being held by just one owner. Forty-five (45) permit holders were listed as being a limited liability company (LLC) or a holdings company as the property owner.

Host Compliance

Washoe County contracted with technology provider Host Compliance (now Granicus) to provide two main services related to short-term rentals: 1) address identification and monitoring (tying online advertisements from dozens of platforms to real addresses) and 2) a 24/7 complaint hotline. The subscription cost for these services is approximately \$23,000 per year. This cost was originally anticipated to be \$60,000 (resulting in a reduction of expenses of approximately \$37,000) because it included a mobile registration feature which was ultimately not purchased. Host Compliance (Granicus) provides short-term rental services to over 200 local jurisdictions across the United States.

Enforcement

In accordance with previous direction provided by the Board, official enforcement of the STR ordinance began on August 1, 2021. 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 to accommodate the processing of all STR permit applications received during this time. Many of the applications submitted prior to the August 1st enforcement deadline had yet to be fully processed (and permits issued), which meant that code enforcement staff technically would have had to begin issuing \$1,158 fines to all such applicants for operating or advertising without a permit. That course of action was not feasible given the amount of available enforcement resources, nor appropriate in the opinion of staff.

Therefore, code enforcement decided to prioritize enforcement resources and focus initial enforcement on properties that were still actively advertising on STR listing platforms (based on data from Host Compliance) but which had not submitted an STR application by the August 1st enforcement deadline. This enforcement approach included an initial contact letter/warning to all properties identified as meeting these criteria (to the extent contact information could be verified) and resulted in approximately 250 letters being mailed. This outreach was successful from an enforcement perspective, resulting in most of the properties that were contacted subsequently submitting STR applications or complying with the STR ordinance by taking their advertisements down, ceasing rental activity, or converting to long term rentals. However, approximately 25 properties did not respond nor submit applications. Code enforcement then shifted to focus on those properties with a second round of contact letters and warnings, and ultimately issuance of stop activity orders and penalty notices.

The primary goal/priority of enforcement at this time is to get all active STRs permitted to ensure that required inspections occur and public safety standards are addressed. This approach does not mean that other enforcement issues are not being addressed, only that getting all active STRs permitted is the primary focus at this time. Code enforcement has been (and will continue) to investigate complaints received; and if investigation warrants, commence enforcement proceedings per the Administrative Enforcement process set forth

in WCC Chapter 125. It is important to note that due process must be provided as part of any administrative enforcement proceedings, to include the right to appeal to the Administrative Hearing Office (and challenge the evidence presented). Fines are not automatically assessed based on accusations or complaints. An important aspect of enforcement is the willingness of complainants to submit witness statements/affidavits as evidence to support complaint allegations, particularly when there is only photographic evidence (time and date stamped) of nuisance violations such as parking, occupancy, and trash. The reason this is an important aspect of enforcement is because there is only one enforcement officer dedicated to all STR enforcement. This position works a regular schedule of 7:30 a.m. to 4:30 p.m. Monday through Friday, so there is no 24/7 enforcement nor patrolling during weekends.

Another important aspect to the current enforcement approach is utilization of the Host Compliance 24/7 complaint hot line. Staff has been referring all complainants to this resource (as does the STR webpage) so that all complaints are easily documented and tracked in one source. Staff checks the hot line for new complaints daily. At present, if the complaint can be addressed by the registered local responsible party (LRP), then staff will reach out to that contact, inform them of the complaint, and follow up with the response provided. This essentially results in a two-pronged enforcement approach, one of which utilizes/relies on the LRP to ensure good behavior (primarily regarding nuisance activity, such as loud noise, parking, not putting the trash out, etc.), and the other focused on opening official violation cases that are resolved through the administrative enforcement process (most of which involve operating without a permit). Given available staff resources, it is important that staff builds relationships with the LRPs and property managers so that they will take ownership of issues arising at their properties and ensure they are operating as good neighbors.

As of the writing of this report, enforcement staff had many open violation cases and enforcement activity was steadily increasing. Staff will provide a more detailed summary of enforcement activities to date as part of the presentation to the Board on this item. This summary will include both the Host Compliance hot line complaint data (type, number, etc.), and the case data for violations being addressed through the Administrative Enforcement process (type of violation, fines assessed, etc.). In general, like most enforcement efforts county-wide, staff is finding that the majority of property owners are complying with the STR ordinance and want to be a responsible operator.

Public Outreach and Engagement

A critical component in determining the successes and/or shortfalls of the program is to solicit input from identified stakeholders for their experiences and recommendations since the adoption of STR regulations. Generally speaking, these stakeholders can be grouped into the following major categories: neighbor/community members; short-term rental host and property managers/realtors; traditional lodging industry and business; and impacted regulatory agencies and/or supporting agencies. Staff's goal during the outreach process was to identify major concerns of each of the stakeholder groups and, wherever possible, pinpoint areas of overlap. An analysis of the input received revealed several recurring themes discussed in more detail below.

STR Owner and Property Manager Workshop

On October 12, 2021, a Zoom meeting was held between 12:00 and 1:00pm, by invitation only, to request feedback specifically on the permitting process and the STR

owner/property manager's experiences with this process. A total of 520 individual email recipients received the meeting invitation. Fifty-two people were in attendance. A total of 27 emails were also received and are included as Attachment A to this staff report.

Top areas of comment were related to the following:

- Most notable comments were related to occupancy calculations; mainly citing an STR's ability to accommodate more than is currently allowed using habitable space calculation versus number of legal bedrooms.
- While some expressed the application and permitting process went 'smooth'; many also expressed frustration with difficulty navigating the online permitting platform (www.onenv.us). Many also expressed they were unsure what documentation was needed to meet minimum application requirements. Specifically citing the following comments related to application submittal:
 - Lengthy permit submittal instructions (due in part to staff's attempt to provide the public a clear step-by-step guide for navigating the permitting platform)
 - Unclear how to draw the floor plan appropriately, specifically citing habitable space discrepancies
 - Unsure of the appropriate documentation to submit for the minimum insurance requirements
 - Proof of verified parking in condominiums
- There seemed to be a consensus that STR regulations are necessary and respondents are generally in support of the County's current approach.
- Concern of being unfairly targeted for enforcement complaints.
- Enforcement should prioritize 'bad actors' and those that have made no effort to obtain their STR permit before any others.

General Public Workshop

On October 19, 2021, a Zoom meeting was held between 5:00 and 6:30pm and was open to the public. The County Communications Team sent a "C-Blast" to all Commissioner District email lists. Nearly 9,000 individual emails received notice of the workshop. Seventy-eight (78) people were in attendance. A total of 34 emails were received in response for request for comment and are included as Attachment B to this staff report.

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

- Expressed general support for County's effort to regulate STR's
- General nuisance concerns: noise, trash, occupancy and parking
- Over-saturation of STRs and impacts on current housing needs
- Additional impacts to wildfire danger/threats and evacuations
- Availability of code enforcement resources
- Access to STR permitting data, specifically requesting a GIS layer for STR issued permit locations and contact information
- Belief of conflicting rules with homeowner association CC&R's

- Occupancy calculations
- Negative impacts on “community character”

Regulatory Agency Outreach

Staff held a series of one-on-one stakeholder input sessions in order to better understand concerns and priorities from the regulatory partners’ perspective. Agency outreach included representatives from the Sheriff’s Office, North Lake Tahoe Fire Protection District, Truckee Meadows Fire Protection District, Reno-Sparks Convention & Visitors Authority (RSCVA), Incline Village General Improvement District (IVGID), Sun Valley GID, Washoe County Manager’s Office, business license program, code enforcement program, planning program, and building program, as well as Washoe County Health District and District Attorney’s Office. Staff has maintained contact with all affected agencies and held several follow-up meetings throughout the implementation of the STR program.

Current Expenses and Revenues:

There are 556 STR Permits that have provided partial or full payment from May 1st to December 20, 2021, which has generated \$207,984 in revenues for the STR Program (General Fund) and excludes the fees allocated and already transferred to the Planning Division (for overall processing and review of permits), the Fire Districts (for STR Fire Inspections) and the Building Enterprise Fund (for plan review and building inspections).

Initial STR Program Expenses were projected at an annual (12 months) recurring cost of \$192,219 based on 500 STR Permits. To date (May 1, 2021, to December 20, 2021), after just 7.5 months, the STR Program expenses amount to \$93,933.57. A Code Enforcement Officer was hired in July and the above amount accounts for only 5 months of salary costs.

The STR Program has sufficient revenues to cover projected costs, but Staff recommends waiting for a full year (12 months) of STR Program operations (until May 1st of 2022) to better evaluate program costs, resources, revenues, fines and fees.

Below is the RSCVA Room Tax revenues since the county began accepting applications:

	May 21-Nov '21	13%	1%
WA Homeowners	\$ 127,322.00	\$ 16,551.86	\$ 1,273
WB Homeowners	\$ 1,924,629.25	\$ 250,201.80	\$ 19,246
Vacation Rental	\$ 15,394,835.07	\$ 2,001,328.56	\$ 153,948
Total	\$ 17,446,786.32	\$ 2,268,082.22	\$174,467.86

The *WA Homeowners* category above represents STRs in unincorporated Washoe County outside of the Tahoe Basin, while the *WB Homeowners* category represents the STRs located in Incline Village and Crystal Bay. The *Vacation Rentals* category includes only STRs licensed by property management companies and these STRs are all located in Incline Village and Crystal Bay.

STAFF AMENDMENT RECOMMENDATIONS FOR CONSIDERATION

Based on the permitting experiences to date, the extensive public and agency input, and analysis of potential regulatory amendments, staff submits the following policy recommendations for consideration:

1. Propose the notarized affidavit be expanded to include the minimum insurance requirements verses a certificate of insurance.
 - a. Staff has found many insurance companies do not provide a document that clearly indicates all of the required minimum insurance requirements. This has resulted in frustration for some applicants and has put the burden on staff to decipher innumerable insurance policies. Instead, staff recommends the onus be put on the applicant to certify, via the notarized affidavit, that they carry the appropriate insurance as currently required.
2. Clarify requirements in condo/multi-family for parking where parking is unassigned.
 - a. In cases where a condominium does not offer 'parking passes', staff recommends allowing proof of parking assigned to a unit by written document (CC&R's or HOA letter), in addition to passes in the amount of 1 parking space for each 4 occupants, and to ensure that overflow parking is not used.
3. Revise method for maximum occupancy calculations
 - a. The most common complaint heard was related to occupancy calculations. The properties most affected by the current STR occupancy calculation (currently 1 occupant per 200 sf of habitable space) were condos due to their small footprint. STR permits have been issued to 325 condos, representing 70% of all issued STR permits to date. Of the 325 permitted condos, 170 (52%) contain 3 bedrooms; and were therefore, disproportionately impacted by the current calculation methodology. Using the current occupancy methodology, condos with 3 bedrooms ended up with a maximum occupancy of 5 people, which was not perceived as practical nor fair. In addition, there are 58 permits issued to single family properties that also have 3 bedrooms. Therefore, the following is proposed as a new method for maximum occupancy and would apply to both single family homes as well as condos as the change should remain equitable for both housing types:

The occupant load shall be calculated as:

A) Two (2) occupants for every legally permitted bedroom in accordance with Section 110.319.20(a)(1) and in addition to this (+)

B) The remainder of the home 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.

The two calculations (A+B) shall be added to yield the total allowed occupancy of an STR.

4. Possible refuse considerations
 - a. In discussions with IVGID, the most common complaint received is related to trash nuisances. While there is no available data to determine whether the complaints are predominantly generated from STRs, staff recommends the Board consider eliminating “wildlife resistant carts” from Article 319 and instead require specifically installation of a “bear box” in IVGIDs service territory prior to issuance or re-issuance of an STR permit. Staff also recommends adding language requiring the proper use of a bear box and issuing a violation notice if not used properly.
5. Replace reference to Tier 3 STR Permits (Administrative Permit) with a Special Use Permit
 - a. Currently the STR Ordinance allows Tier 3 permits (STRs with more than 21 people) in regulatory zones where hotels, motels and other transient dwelling units use types are allowed with an AP (administrative permit) which goes to the Board of Adjustment for public hearing approval. Staff recommends changing Tier 3 STRs to be approved through a special use permit (SUP) which involves a public hearing at the Planning Commission and the ability to add conditions tailored to address specific impacts of the STR location/circumstances.

STAFF RECOMMENDED FEE CHANGES

1. Require additional fees beyond first two building inspections
 - a. As discussed above, a considerable number of properties failed the STR building inspection and required more than the two visits which are included in their initial application fee. Staff recommends adding a 1-hour fee of \$90 for each inspection beyond the first two for any property requiring more than 2 visits to pass the STR Building inspection.
2. Permit Fees for North Lake Tahoe Fire Protection District to be increased
 - a. NLTFPD has expressed the program has had a larger burden on staff time and resources than originally projected. As such, NLTPD is requesting their inspection fees be increased by 1 hour from \$90 to a total of \$180 to better cover the costs of implementing their role in the program.

FISCAL IMPACT

Specific fiscal impacts associated with direction from the Board will be defined in future staff reports for Board action. Direction at this time will result in the use of additional staff time to amend the applicable ordinances as directed.

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 which may include staff's recommendations involving occupancy calculations, parking requirements, trash/garbage collection rules, insurance requirements, permitting requirements, enforcement process, fees, fines, and penalties and/or provide additional policy direction...]*”

Attachments:

- A. STR Owner and Property Manager Workshop Comments Received
- B. General Public Workshop Comments Received

From: [GlenrockCabin Owner](#)
To: [CSD - Short Term Rentals](#)
Subject: Comments about the STR Ordinance
Date: Monday, October 11, 2021 7:21:36 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,

We'd like to provide our feedback about the STR ordinance for the meeting on October 12, 2021, and for consideration by the Washoe County Board. We think that the established standard for the determining of maximum occupancy seriously affects our ability to rent out our vacation property.

Our PUD in Incline Village is a 1440 sq. ft. 3-bedroom condo with 2.5 baths. When we started our STR business in 2015, we set the house for up to eight guests. Three years later, our HOA implemented STR rules limiting the maximum number of guests to 6 people. It has not negatively affected our business since most of our bookings were for six people (usually two/three-generation families).

Due to the implementation of the Washoe County STR ordinance, our maximum occupancy was reduced to 5 people. From the time we updated our VRBO & AirBnB listings for max 5 people in July, we received zero bookings. After we invested a lot of time going through the licensing process and lots of money paying a steep licensing fee, we are facing a significant income loss.

We also calculated that Washoe County loses the occupancy tax from our STR which is approximately \$3500-5500/year.

After some research, we found variant rules that are used to determine a max occupancy for STRs (2 persons per bedroom, 2 persons per bedroom +1, 1 person per 200 sq.ft. of total property's square footage). The calculation rules adopted by Washoe County are much tighter and seriously damages our STR business and many others.

We urge the Board to reconsider the formula of max occupancy so that condos like ours can accommodate up to six people.

Also, monitoring VRBO and AirBnB inventories, we noticed inconsistencies in max occupancy. Some condos of the same size are allowed to have higher occupancy-mostly those that are run by property management companies. It leads us to wonder how these blatant inconsistencies occur. We'd be happy to provide a few examples to support our observations.

We trust that you will take our feedback into consideration and adjust the STR regulations.

Sincerely,

Olga & Mikhail Chukhlebov

978 Glenrock Ct, Unit 31, Incline Village, NV

From: [Alexandra Kozintsev](#)
To: [CSD - Short Term Rentals](#); [Alexandra Kozintsev](#)
Subject: Comments about the STR Ordinance
Date: Monday, October 11, 2021 10:50:22 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,

We'd like to provide our feedback about the STR ordinance for the meeting on October 12, 2021

1. We believe that the New STR Ordinance has not been fairly implemented. It creates unfair competition in the area.

We have researched many properties on Airbnb in the Incline Village with the same kind of square footage and setting as our unit and found out great inconsistency in max occupancy.

For Example, My STR - 861 Southwood Blvd Unit 20 Incline Village - was granted only maximum Occupancy 4 people.

However, my neighbors' unit 21 (same unit as ours) got the maximum Occupancy- 6 people. I contacted the manager and she confirmed that they got permit for 6 people.

How could such inconsistencies occur?

We have 1300 s.f. townhouse. 3 Bedrooms, 2 5 Bathrooms

We did all measurements according to Washoe County instructions of Habitable Space. We excluded all three bathrooms, stairs, and closets etc and ended up with 840 s.f. of Habitable Space. And it seems like our inspector never re-measure and just accepts our measurements without checking. However, it also seems like that our neighbors declared total space and it was accepted too.

2. We would like to ask the board to reconsider the formula of max occupancy. The rules for measurements are too complicated and unfair. We cannot include bathrooms and hallways in habitable space.

We have 1300 s.f. townhouse. 3 Bedrooms, 2 5 Bathrooms

I used to rent it for 6 people comfortably. Now I cannot even accommodate a family with THREE children in a THREE Bedroom townhouse.

Thank you for your response,
Alexandra and Igor Kozintsev

408-621-4102

WSTR000100-APP-2021

861 Southwood Blvd Unit 20 Incline Village

From: hneff9@earthlink.net
To: [CSD - Short Term Rentals](#)
Subject: Comments for October 12 Zoom Meeting
Date: Friday, October 8, 2021 1:52:25 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.]

My comments are as follows:

- The current calculation for occupancy is too confusing. I am in an HOA with many similar floorplans. My square footage allows for 5 people in a 3 bedroom/3 bath condo. Another condo in our complex with the **less square footage than my unit** was given a permit for 6 people. Another unit with 50 square feet more than mine was given a permit for 8 people. This does not make sense.
- I suggest that maximum Occupancy should be based on two (2) people per bedroom with a **minimum bedroom size** and specification that all bedrooms must **be to code (windows and closet)**.
- Infants under six (6) months should not count as a person. This is causing much confusion with guests and makes us look totally inhospitable.
- If you are worried about occupancy, make the requirement for Tier One to be 8 people or fewer.
- Process to look-up an address to see the status of a valid permit needs to be more transparent – such as a link on your website. Right now, I cannot see where I can do this.

Thank you for your consideration,

Helen Neff

From: [Nancy J. Newman](#)
To: [CSD - Short Term Rentals](#)
Cc: [Mark Walstrom \(mwal2011@gmail.com\)](mailto:mwal2011@gmail.com)
Subject: Comments on STR Program
Date: Thursday, October 7, 2021 2:17:12 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.]

Good afternoon. My husband and I own a condominium in Incline Village, and are providing these comments on the new regulations in the hope for some modest, common-sense reforms. In particular, the new regulation for maximum occupancy, allowing just one person for every 200 square feet of habitable space is an unreasonable – and frankly absurd – limit on the number of guests. Our condo has three bedrooms and a loft, plus two bathrooms. We can easily sleep 8 people, but under your new formula, only 5 are allowed. This is burdensome, unfairly reducing the use and availability of our condo for guests, and reducing our income. It is also discriminatory against larger families who would have to rent a larger, more expensive unit. And it defies common sense, as our unit can easily and comfortably sleep 8.

Please revise and reconsider your current formula for occupancy limit. Surely, two persons per sleeping area is a fair and reasonable formula, ensuring safe accommodation without over-crowding. We will urge you to make this modest revision to your regulations. Many thanks.

Nancy J. Newman and Mark Walstrom
Owners, Tahoe Racquet Club #54

From: hneff9@earthlink.net
To: [CSD - Short Term Rentals](#)
Subject: Comments regarding today's Zoom
Date: Tuesday, October 12, 2021 1:23:02 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.]

I did not want to take time from the call to comment "live" but just want to add my compliments on the permit process: **it went smoothly for me.** Thank you!

Regarding future possible changes to permits (occupancy, contact person, etc.) - Rather than re-mailing an updated permit, perhaps there is a way that we could reprint the revised permit when logged onto our account? Like we can do with our auto insurance company for proof of insurance cards?

Finally, could you please forward the following to Steve Oriol regarding compliance?

- My STR is listed on both Airbnb and VRBO.
- Both sites claim to be "followers of the law" and want to be good citizens and neighbors.
- Both sites had no problem contacting me when Washoe County was in the process of coming up with the STR Ordinance. Thus, they were able to create an email list of all their listings in Washoe County.
- I am not sure if there are any privacy rules ... but I would think that both sites would be able to provide an email list to you for compliance purposes. If not, they should be able to take down listings that do not have a permit number associated with them ... unless the listing clearly states that the property is only available for rentals of 28 days or more.
- By the way, Airbnb does not count a person as an occupant unless they are over 6 months old. Six months or younger is an "infant" and not included in the occupancy count. I was not successful in getting them to address this and make changes. Perhaps you can do that. VRBO only lists adults or children (no differentiation for infants).

Thank you,

Helen Neff

From: [Barbara Sundahl](#)
To: [CSD - Short Term Rentals](#)
Cc: [Meredith](#)
Subject: Concerns from owners of 999 Lakeshore # 18 , Incline Village,Nevada regarding STR occupancy restrictions
Date: Tuesday, October 12, 2021 11:12:29 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.]

To whom it may concern: My sister and I own the above mentioned property. It is a 1440 sq. ft. condo that has three 3 bedrooms, 2 bathrooms and has always slept six(6) people. It has been in our family since 1968. My sister and I inherited it after our parents died in 2000. We have vacation rented it , short term, these past 21 years in order to pay the property tax, HOA dues, maintenance, etc. and , in so doing, keep the property in our family. We have ALWAYS used a reputable property management company and have had NO problems or complaints . (Our 999 Lakeshore HOA is very strict and we abide by their rules.) We have no problem with Washoe County’s STR fee or safety rules but we have a BIG problem with their formula for calculating square footage livable space. Their very restrictive calculation has reduced our “livable “ square footage from 1440 to 800+ and reduced our occupancy from 6 people to 4 people. We have 3 bedrooms which sleep 2 people each. It is ridiculous to only allow 4 people to rent our condo when there is more than enough livable space for 6 people. This reduction in occupancy ruling is going to result in a decrease in our revenue and will force us , ultimately, to raise our prices. If no one rents because the occupancy is too restrictive and the price is too high we may be forced to sell our property instead of passing it on to our heirs. We faithfully pay property tax and we feel that we are being denied the full use of our property. If this ridiculous occupancy rule stands a case could be made for paying LESS property tax as we can only use 2 of our 3 bedrooms. It’s something to think about. Please rescind or recalculate this very restrictive, punitive square footage livable space rule. Why are we being punished for the transgressions of a few bad actors??? Sincerely, Barbara Sundahl and Jeanette Petek (owners of 999 Lakeshore # 18, Incline Village , NV.)

Sent from my iPhone

From: [Brooke Sampson](#)
To: [CSD - Short Term Rentals](#)
Subject: Contact information for STR Landlords or Emergency Contact
Date: Friday, October 8, 2021 5:02:02 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.]

Is there any contact information for STR Landlords or an Emergency Contact available to the public via Washoe County?

Thank you,
Brooke Sampson

From: [Paul Andronico](#)
To: [CSD - Short Term Rentals](#)
Cc: [Robin Andronico](#); [Hill, Alexis](#); [Hauenstein, Mojra](#)
Subject: Feedback in lieu of October 12, 2021 zoom meeting
Date: Thursday, October 7, 2021 11:05:29 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.]

We are unable to attend the above zoom meeting but wanted to provide feedback as requested.

The only minor but important change we request to the existing permit program is to increase the capacity of units.

We have a 3-bedroom, 2.5 bath condo and our occupancy is currently limited to 4 people by our short term permit.

This limitation is not consistent with the occupancy limit for owners and long term renters, and should be increased.

Thank you for your consideration.

Best,

Paul Andronico
321 Ski Way #117
Incline Village, NV 89451
Permit No. WSTR000020-APP-2021

From: [John Hash](#)
To: [CSD - Short Term Rentals](#)
Subject: HOA CC&Rs
Date: Friday, October 15, 2021 10:45:40 AM

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My question is how does the permit issuing office verify if an HOA CC&Rs allow STR?

John Hash
Incline Village

From: [Tricia Huene](#)
To: [CSD - Short Term Rentals](#)
Subject: Incline Village STR Ordinance permit process
Date: Wednesday, October 13, 2021 3:44:51 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.]

In a nutshell, your permitting process has caused us to NOT place our home as an STR.
Too many hoops to jump through!
I feel your purpose for the permitting process was to increase revenue to the county rather than monitor STR's.

From: [John Clymer](#)
To: [CSD - Short Term Rentals](#)
Subject: John Clymer STR comments
Date: Tuesday, October 12, 2021 10:33:09 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.]

I found the process and inspection to be reasonable. My only concern is the arbitrary formula to determine occupancy limits. In my case, I have 2 bedrooms, each with a queen sized bed plus a rollout bed. Prior to the regulations, my occupancy was 5. Now it is arbitrarily limited to 3. This makes no sense and seems to be punitive to STR owners.

Thanks for allowing me to give my input.

John Clymer
617-872-3505

810 Alder Ave, unit 59, Incline Village

From: [the way I see it](#)
To: [CSD - Short Term Rentals](#)
Subject: Long term rental
Date: Wednesday, October 13, 2021 7:25:49 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.]

It is not clear whether a person can still list their property on long-term rental, which is over 28 days. I advertised a while back at Airbnb to rent a room only for the long term and unfortunately received a written warning letter from your office to end my listings on Airbnb, and I did. The issue of why we cannot rent a room for the long term should be clearly explained to the public. Thanks..

From: [John Clymer](#)
To: [CSD - Short Term Rentals](#)
Subject: more feedback
Date: Tuesday, October 12, 2021 12:43:35 PM

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Steve mentioned parking for condos as a consideration for occupancy. I believe occupancy and parking can be separate considerations and should be decoupled. Before the regulations, my guests were typically families that arrived in one car. I have no problem advertising one parking spot but a higher occupancy and to let people know they will only have one parking space.

Sincerely,

John Clymer

From: [Marvin Tanner](#)
To: [CSD - Short Term Rentals](#)
Subject: Notes from a Property Manager
Date: Wednesday, October 13, 2021 3:27:16 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.]

First off, I am a property manager of properties that we own, long term rentals.

What I did not see in the documents that each property must be inspected by a license property inspector yearly.

Here are the things that need to be inspected yearly:

Hot water heater (factory settings and age-more than 5 years old replaced)
Propane Devices (tank, connections, and appliances)
 Ranges and Stoves must have electric only pilot light
Documentation inspection- Household manual for using appliances and contact numbers

Test for freeze conditions – sprinkler systems, water connection etc.

Inspection would be by a Professional Property Inspector, licensed by the Department of Real Estate and Contractors Board.

Most rental properties I see are owned by absentee owners with little maintenance. Most insurance firms will not cover properties with deferred maintenance.

Example, if a propane water heater leaks and floods the unit, and it is over five years old, insurance can be denied: it is a maintenance deficiency.

If the water lead breaks in the attic, and it is determined that the heaters were turned off (or power is off), it is a maintenance issue and will not be covered.

In twenty years, I have been through fire sprinkler breaks, electrical shortages, dishwasher malfunctions (detergent build up), sewer backups (nails through the dry board into the sewer line) sometimes knowing about the damage (maintenance called me), or sometimes not (damage cracked floor under furniture).

I think yearly Property Inspections is the answer for all rental properties.

Lets keep everyone safe.

Marvin Tanner
Managing Member
California Nevada Property Rentals
info@cnpr.co
www.cnpr.co
(775) 358-6527



Virus-free. www.avg.com

From: [Lawrence Rickman](#)
To: [CSD - Short Term Rentals](#)
Subject: Oct 12th meeting
Date: Thursday, October 7, 2021 9:39:46 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.]

A few things for the meeting. Comments/questions:

- Occupancy process was/is just plain silly. How did that measurement process get approved? Wasted a ton of everyone's time and ultimately ended up impacting occupancy in units and in many cases well below the building departments approved occupancy. I understand this is being reviewed and perhaps revised? Remove the measurement and use the square footage and bedroom count as the metric. This will make this process significantly easier to accomplish.
- Why would you ask owners to "draw" the property? You had to know that wasn't going to turn out well and end up being a major waste of time.
- Why would posting a map showing exit points, smoke detectors, and fire extinguishers be necessary? Seems that the fire department got someone's attention and asked for a wish list of items that got approved. Do you think that A) a guest is going to ever look at this map? B) going to run to it when there is a fire to find the fire extinguishers? C) Useful only in wasting time. Douglas county requires a sticker be placed where the extinguishers are located...the stickers are 3" and make it so that it is easy to see where they are located. Adopt this?
- Escape ladders mounted to walls? Seriously? The building code for every property in unincorporated Washoe should reflect this requirement or it should be eliminated. No other jurisdiction requires such a ridiculous item. This again is a fire department wish list item. How many fires have we had in the unincorporated areas of Washoe county? How many of those fires were in STR's? How many of those fires did someone get injured or die due to being in a bedroom above 16' in the air? So we are legislating something that has never been a problem and made a ridiculous "safety" requirement that just wasted a bunch of money and time for the owners.
- FT owners should be fined for calling in complaints that are found to be false. Have already had one happen in one of our units. Neighbor called into the sherrifs office and stated there was a party across the street. Police showed up to find a mom and her toddler in PJ's...the complaint stated there were too many lights on????

From: [Hill, Alexis](#)
To: [Dirk Brandis](#)
Cc: [CSD - Short Term Rentals](#)
Subject: RE: STR occupancy calculation
Date: Tuesday, October 5, 2021 9:29:55 AM

Hi Dirk –

Thanks for the email! We are looking at reevaluating occupancies. We'll be receiving a presentation by staff on this in Jan. We'll keep you posted. Thanks!

Alexis Hill
She/her/hers
Washoe County Commissioner, District 1

From: Dirk Brandis <dbrandis@yahoo.com>
Sent: Monday, October 4, 2021 8:25 PM
To: Hill, Alexis <AHill@washoecounty.gov>
Cc: CSD - Short Term Rentals <STR@washoecounty.gov>
Subject: STR occupancy calculation

[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 Alexis,

I understand that the county will be re-examining the STR regulations some time in the coming month(s), and possibly making adjustments. I'd like to voice my displeasure with how the occupancy limits are calculated. We own a 3 bedroom, 2.5 bath condo in the Mountain Shadows complex that we manage ourselves, and our STR permit limits us to only 5 people. I feel the 200 sq ft per occupant requirement is too strict for these older units. While we have beds for 7, I feel at least a 6 person limit is more than reasonable for a 3 bedroom condo.

While I agree that STR regulations are needed, I'd like to understand why the Hyatt down the street is allowed to rent 400 sq ft rooms with an occupancy of 4? And that 400 sq ft *includes* the bathroom. If the STR regulations are supposed to help form parity with the hotel industry, then shouldn't the regulations be fair? Clearly they are not.

I urge you and your colleagues at the County to please re-consider the occupancy formulas for STRs such that condos and other higher density units are not so adversely and unfairly affected.

thank you,

-Dirk Brandis

From: [Steven Lum](#)
To: [CSD - Short Term Rentals](#)
Subject: Short term rental conditions/regulations
Date: Thursday, October 7, 2021 4:39:26 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.]

Dear Sir/Madam:

I own a townhouse in Incline Village, Nevada. I currently live in Hawaii and come up several times each year to Lake Tahoe. I have conformed and followed the new regulations that have been put into place. I take issue with the rule that currently only allows a maximum of five persons in my unit. I have three bedrooms to sleep two individuals per room and also have a long pullout sofa in the living room that converts into a bed to sleep two. For years I have arranged for up to eight individuals to stay in the unit and have had no prior complaints, safety or health issues.

I wish to ask the comission to reconsider the occupancy limit and allow me to accommodate more than five individuals at one time.

Thank you for your time,

Steven Lum Cell#: 808-773-3840

From: [Dan Meyer](#)
To: [CSD - Short Term Rentals](#)
Subject: STR feedback
Date: Friday, October 8, 2021 8:54:57 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.]

I don't think that I can make the meeting, so I wanted to give some feedback since I am going through the process now.

1. The process is very heavy. Trying to work my way through the process as an owner is quite difficult. Services are being offered to do this for you for \$500. If the FMV of the service for completing this process is \$500, then do you feel like this is the right amount of effort?
2. Some aspects of the requirements do not make sense. interconnected alarms in particular are unnecessary for small units. Many requirements seem like a 'one-size-fits-all' solution, but do not add to value or safety.
3. Why is the permit fee so high? Do we really need this much revenue on top of the existing residency taxes? It seems like the revenue from the existing taxes should be more than enough.
4. The square footage living space/guest measurement does not work. Many 3 bedroom residences are only rated for 4 or fewer guests based on these rules.

I have never had an STR before, so to me the barrier to entry here for an existing property owner seems to be too high. Further, as much as I think that my property is my own business, I do think that the free-for-all STRs was not working and am happy that some rules and restrictions have been put in place. Even still, this feels like rules designed by a committee. I think that our community can be friendlier to property owners that choose to rent as well as residents.

Dan Meyer
McCloud 54
408-239-3511

From: [Dirk Brandis](#)
To: [Hill, Alexis](#)
Cc: [CSD - Short Term Rentals](#)
Subject: STR occupancy calculation
Date: Monday, October 4, 2021 8:25:31 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 Alexis,

I understand that the county will be re-examining the STR regulations some time in the coming month(s), and possibly making adjustments. I'd like to voice my displeasure with how the occupancy limits are calculated. We own a 3 bedroom, 2.5 bath condo in the Mountain Shadows complex that we manage ourselves, and our STR permit limits us to only 5 people. I feel the 200 sq ft per occupant requirement is too strict for these older units. While we have beds for 7, I feel at least a 6 person limit is more than reasonable for a 3 bedroom condo.

While I agree that STR regulations are needed, I'd like to understand why the Hyatt down the street is allowed to rent 400 sq ft rooms with an occupancy of 4? And that 400 sq ft *includes* the bathroom. If the STR regulations are supposed to help form parity with the hotel industry, then shouldn't the regulations be fair? Clearly they are not.

I urge you and your colleagues at the County to please re-consider the occupancy formulas for STRs such that condos and other higher density units are not so adversely and unfairly affected.

thank you,

-Dirk Brandis

From: [Michelle Babbage](#)
To: [CSD - Short Term Rentals](#)
Cc: [Babbage Michelle](#); [Babbage David](#)
Subject: STR process feedback
Date: Tuesday, October 12, 2021 1:20:22 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 Moira, Trevor and others:

I am currently on the zoom call with you all. In addition to the complaints of habitable sf calculation, complexity of process, inspection inconsistencies, etc., I would also like to add the exorbitant cost of the permit. We, as STR owners, already incurred costs to be able to comply with the permit requirements, and then to have an annual fee of almost \$800 seems way too high.

By simply imposing permit requirements, I'm fairly certain that this has become a sizable income line item for the county since those previously not complying are now forced to do so. I'm optimistically hoping that occupancy calculations will be greatly simplified which means a drastic reduction of inspector hours to determine occupancy, translating into lower implementation costs for the county.

Thank you in advance for your consideration.

Regards

Michelle Babbage
STR owner in Incline Village

Sent from my iPhone

From: [Lou Bouc](#)
To: [CSD - Short Term Rentals](#)
Subject: STR process
Date: Wednesday, October 13, 2021 9:52:54 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.]

My main comment is the square footage calculation. It doesn't include things like a large walk in closet off the master where people dress, not the entry foyer at my living room where shoes are removed before walking on the carpet. I have heard other comments that the 200 sq ft per person may be a bit excessive. The inspectors were polite and professional, but one thought is to have building come before fire, because building actually signs off anything 10 or under. Thanks so much...

Sent from [Mail](#) for Windows

From: hoppy_shoppe35
To: [CSD - Short Term Rentals](#)
Subject: STR Program
Date: Tuesday, October 12, 2021 2:26:47 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.]

Dear Board of County Commissioners:

We disagree with occupancy limits imposed on rental property based on square footage rather than number of bedrooms and bathrooms.

Our three bedroom/two bathroom condo has been rented as a STR through a property manager since 2000 for six persons. In our three bedroom property we have two bedrooms with one queen bed each and one bedroom with two twin beds. Six person occupancy is reasonable for our STR.

The new code is unfairly punishing smaller properties and should be amended to consider the number of bedrooms in setting occupancy limits. We have not been able to rent our property since the occupancy limit was mandated to only four occupants.

Thank you for your attention to this matter.

From: [Hicksons](#)
To: [CSD - Short Term Rentals](#)
Subject: STR ratio of "Habitable Space : persons"
Date: Tuesday, October 12, 2021 6:36:00 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, I was on the zoom meeting today but couldn't find my "hand" to raise.

I appreciated the well run meeting, and only want to add my concern regarding the way the number of people allowed for a STR is calculated as well.

My condominium is at Crystal Shores West, and has three bedrooms, according to the assessor. We were given an occupancy for STR purposes of 4. This makes no sense as far as usable space, and number of beds. We have two bedrooms with a king and queen; and another with a twin; and a trundle (for children). It is easy to accommodate seven in this unit (two bathrooms, plenty of living/dining/kitchen space for all).

Additionally, at that complex (CSW), everyone is concerned about the quality of life, and we therefore have rules for STR's generated several years ago. They cover parking, noise, and occupancy limits. Interestingly, the limit placed on these units by the owners of CSW is 8!

I think it may be useful as a part of the application process to have HOAs send in any STR rules they have generated, so staff can take them into consideration when issuing the permits.

Meanwhile, I hope that we can be successful in having the County amend the formula for calculating the number of renters permitted, to base it in part on the number of bedrooms and beds in each.

I also agree with the comment that it was quite difficult to figure out that we actually needed smoke alarms that "talk to each other," and also that we needed lighting that goes on only when the power is off. That does need to be clarified.

Thank you for the close attention, and the time you have allowed, for us to meet and share concerns. This was a good meeting. Caroline Hickson, permit #WSTR-0157

From: [Sean Kosinski](#)
To: [CSD - Short Term Rentals](#)
Subject: STR Regulation Feedback
Date: Tuesday, October 12, 2021 10:08:36 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.]

Hi,

I own a property in Incline Village that I use on occasion as a short term rental. Overall, I found the STR permit process relatively straightforward with a few hiccups along the way. The main issue I have with the current regulations involves the occupancy limits, which I feel are overly restrictive and unrealistic. My home has 4 bedrooms and is approximately 1900 square feet. We were limited to 5 occupants based on "habitable" space, but this is just not reasonable. In contrast, the Hyatt allows 4 guests per room. The Hyatt rooms are 400 square feet, which equates to 1 occupant per 100 square feet. On a side note - I find it interesting and not coincidental that rates at the Hyatt were at historic highs this summer following the enactment of STR ordinance by Washoe County.

I recommend the STR occupancy be modified to allow 2 people per bedroom or 1 person per 100 square feet.

Thank you for considering this change to the STR ordinance.
Please don't hesitate to contact me if you have questions.

Regards,
Sean Kosinski
720-273-1370

From: [Mary Farrell](#)
To: [CSD - Short Term Rentals](#)
Cc: craig@craiglawsonhomes.com
Subject: Washoe County Short-Term Rental Code FEEDBACK re Occupancy Standard
Date: Wednesday, October 13, 2021 2:34:21 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.]

Greetings – my husband and I own a 3 bedroom, 2 bath 1620 sq. foot condo in Incline. We have rented it on VRBO and we are good neighbors. ZERO complaints from neighbors about our guests. We passed the STR permitting process and our occupancy came back at – 5. WHAT?? It is 3 bedroom condo with 2 queen beds and 1 king bed. Whatever formula is being used to determine occupancy needs to be changed as 6 people can clearly be comfortably housed in a 3 bedroom condo.

I would appreciate the commission's attention to this very important issue. Thanks!

Mary Farrell, Esq.

FARRELL LAW GROUP, INC.

400 Capitol Mall, Suite 2530

Sacramento, California 95814

916.449.3933 (Office)

From: [Randall Boyer](#)
To: [CSD - Short Term Rentals](#)
Subject: Washoe County STR Code and Permit Process Input
Date: Tuesday, October 12, 2021 11:57:26 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.]

We are STR permit holders for a 3-bedroom condo in Incline Village. As long-time owners and personal users of our condo, and a HOA board member for several years, we appreciate and support regulations that reduce abuse, damage, and general community disturbance of the peace. We also appreciate a formalized and supported avenue for reporting and enforcing code violations.

However, we would like to see the minimum number of square feet per person reduced from 200 to a somewhat lesser amount---particularly for children (or, the regulations amended to not include children under a certain age in the number of permitted guests). In general, it is not families with children who cause the major partying, noise, damage and trash nuisances that we have all experienced in Incline Village. Under current regulations, we can only accommodate 4 people in our 3-bedroom condo, which excludes, for example, a couple with 3 children. Incline Village is a wonderful vacation spot for families, and we like to welcome families to our condo. The current regulations are too limiting, and don't solve the nuisance problem that is generally not caused by smallish families.

Thank you.

Randall and Bruce Boyer
WSTR21-0118

From: [Renee Miesse](#)
To: [CSD - Short Term Rentals](#)
Subject: Zoom meeting
Date: Friday, October 8, 2021 8:02:33 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.]

I am not available

For

The zoom meeting. Could you tell me what the “minor changes” that are going to be proposed?

Thanks

Renee Miesse

Sent from my iPhone

From: [Aaron Vanderpool](#)
To: [CSD - Short Term Rentals](#)
Subject: comment for meeting Oct 19, 2021
Date: Tuesday, October 19, 2021 12:40:02 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.]

This is a comment to submit for.

When: Oct 19, 2021, 5 p.m. Pacific Time (US and Canada)

Topic: Washoe County STR Code Input and Permit Status Update

An airbnb went in next to my property about a year ago. It has absolutely destroyed my neighborhood with a constant stream of wedding parties and tourists now I must deal with. I am at a crossroads of now selling or fighting off endless tourists. I have had to bear the cost of putting up signs, a fence, and cameras. I still find people trespassing. I also think it's ridiculous that we have to bear the burden of enforcing the ordinance. This reporting system is a joke. You end up with multiple complaints from a small few brave people while most people just grit and bear it. Most, including myself are hesitant to file complaints, especially when they feel the burden of evidence despite witnessing events and at minimum annoyance. I know this to be true.

The minority of people that are supporting this ordinance are either obvious or are making money from it by owning multiple homes. You are contributing to a world of more extreme haves and have nots while the rest of us just struggle to afford a single home. It's no doubt people are demanding higher wages and not wanting to work for peanuts around here. STRs of entire dwellings should be banned in residential and placed where they should be, in commercial and tourism zoning for motels where they have the services and the safety tourists need. Frankly, it's disgraceful you passed this ordinance that is harmful to safety and community well-being. Other jurisdictions around the country and world are banning and putting moratoriums on STRs! Please put a stop to this madness loophole now!

Aaron Vanderpool
Mountain Haven Lane
Reno, NV 89511

From: [kathie julian](#)
To: [CSD - Short Term Rentals](#)
Subject: Comments for STR Meeting - Incline Village
Date: Tuesday, October 19, 2021 1:59:55 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.]

I am a full-time resident of Incline Village and active community member. I stress this to make the point. Incline Village is a community. We have families, children, workers, those with high incomes and those with low incomes, and everything in between. The increasing number of Short Term Rentals in our neighborhoods poses a threat to the fabric of this community. It seems many in Washoe County, and some Commissioners, view our community as a source of tourist fees (TOT revenue). As other communities around the lake take measures to protect their neighborhood from this STR "hotelification", Incline and Crystal Bay are left to be the STR mecca and a useful income source to Washoe County.

My concern with growing number of STRs is not with the nuisance factor (noise, garbage, parking, etc). My primary concerns are (1) the commercialization of neighborhoods and condo complexes; and (2) the loss of more affordable housing for longer-term rental and sale.

On the damage to our neighborhoods, the loss of full-time homeowners changes a neighborhood and community. In Incline, the change in the Tahoe Area Plan code in early 2021 allowed all residences in Incline Village to be converted to tourist accommodation, with no limits on numbers or density. I expect data will eventually show that this code change has contributed to an increase in STRs and thus decrease in full-time residents, to the detriment of our community. A community is not a collection of tourists. A community is about people who live and work together, who care about the common good. If there are too many STRs in a given area, that sense of community is lost. Thus, we need the raw data from host compliance to assess the numbers and density of STRs in a given area. We need to have some regulation that caps the number and density. The data being collected now should be collected with this in mind.

On the lack of affordable/workforce housing and longer-term rentals, already more than 50% of STRs that have applied for permitting are smaller apartment units or condos. This is the very inventory that our workforce and small entrepreneurs in Incline Village need. The Washoe Tahoe housing study recently completed by Tahoe Prosperity Center and other financiers, highlights the devastating impact this housing shortage has had on our local and large business. Establishing some limits on number and density of STRs would be a straightforward and cost-effective way to ensure more housing inventory for our work force.

In short, Incline Village should not be viewed by the county as a source of tourist

income, nor viewed by those with capital as a convenient real estate investment vehicle. We are a community, not a commodity.

Finally, on technical issues, please consider the following improvements to the STR permitting system:

- Improve website to include an interactive, informative map
- Start fining STR operators who have not yet sought permits
- Release data from the County and Home Compliance to the public
- Increase clarity of the compliance process so that neighbors can monitor for offenses.
- On occupancy calculation, suggest a middle path where you add a Cap on larger STRs, linked to the 2 persons per bedroom limitation, but leave intact the calculation for smaller STRs.

Thanks and regards.

Kathie M. Julian
PO Box 5477
Incline Village, NV 89450
Cell: 1 (415) 646 5413
[E-mail: kathiejulian@gmail.com](mailto:kathiejulian@gmail.com)

From: mlkennedy1@charter.net
To: [CSD - Short Term Rentals](#); [Washoe County](#)
Subject: Comments: STRs in Incline Village
Date: Monday, October 18, 2021 4:21:29 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 Whom It May Concern,

I am an Incline Village resident deeply concerned about STRs in our small community.

I am very concerned about the need to reduce occupancy numbers in permitted STRs.

The high number of occupants allowed in these homes creates overcrowding in our neighborhoods, raises serious concerns for safety during emergencies, and negatively impacts trash and water usage. Many HOAs have fees which include trash and water. It is unfair for residents to have continually increasing costs for these services due to high numbers of STR guests when the average occupancy in residential homes is 2-3 people.

Thank you for including this as input for the Washoe County STR Code Meeting October 19.

Respectfully,

Mary Lou Kennedy

Full-time Incline Village resident and Washoe County voter

From: [Anne Rossman](#)
To: [CSD - Short Term Rentals](#)
Cc: [Hill, Alexis](#)
Subject: For submission to Washoe County meeting on 10-19-21 re STR CONCERNS!
Date: Tuesday, October 19, 2021 12:16:14 PM
Attachments: [I am a full-time resident of Incline Village and would like the following submitted into the public.pdf](#)

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

Glen Rossman

Glen Rossman
1071 Sawmill Road, IV, 89451

I am a full-time resident of Incline Village and would like the following submitted into the public record as part of the October 19, 2021 Washoe County Short-Term Rental code input and permit status update meeting.

STR Ordinance Questions for Washoe County Planners, Staff and Commissioners:

PUBLIC HEALTH AND SAFETY

• **Section 110.319.50 Restrictions During a Declared Emergency** provides emergency powers to local governmental entities. Several COVID surges and wildfire dangers this summer created immediate threats to local residents and first responders. *Why didn't Washoe County ask the Governor to declare an emergency as of August 1 when the ordinance went into effect?*

- An STR cessation and moratorium on new permit processing would have reduced disease transmission in a vulnerable rural community with a four-bed hospital and eased demands on first responders and evacuation infrastructure.

• *Will the County amend the ordinance so that it doesn't rely on the Governor's office to recognize a local hazards and fast-changing life-threatening circumstances?*

• *Will the County amend the ordinance to spell out the level of threat the County will consider an 'emergency' so it's clear how the County intends to prioritize lives over Transient Occupancy Tax revenue collection?*

• **Section 110.319.35 Inspections and Self-Certifications** for life-safety – *Why does the County allow absentee owners to 'self-certify' properties they don't inhabit ... putting surrounding structures and residents at risk of fires/wildlife, etc.? Will the County ask STR permit holders to certify if they are owner-occupied properties for self-certification and amend the ordinance for non-property holders to require more frequent County inspections for life-safety?*

GOVERNMENT TRANSPARENCY

• **Section 110.319.45 Duties of Hosting Platforms** requires Hosting Platforms to provide quarterly reports. *Are these reports publicly available and searchable online? If not, why not?*

• The County uses taxpayer dollars pay Host Compliance to collect complaints ... *why is this information not publicly available and searchable online by property?*

COMPLIANCE/ENFORCEMENT

• **Section 110.319.30 Enforcement** states operating an STR without the Required Permit is unlawful and a public nuisance (WCC 50.308.1) and any permit owner found to operate an STR without the permit shall be guilty of a misdemeanor.

- The County has consumed tax-payer funds and resources for two-plus years crafting this ordinance offering plenty of notice for illegal STR operators to get into compliance ... *How many fines has the County issued? If none, why not?*

- WCC Chapter 125 – fee for operating an STR without required permit is only \$1,158.40 however Douglas County will charge \$20,000. Several hundred properties are operating unlawfully in Washoe County, *will the County increase the fee to increase compliance?*

STR ADVERTISING/INSURANCE/TRANSIENT OCCUPANCY TAX USE

Section 110.319.15 Standards

• (9) states advertising is prohibited unless a valid STR permit is issued – *Why doesn't the County's ordinance require hosting companies to remove any advertising of an unpermitted STR?*

• (12) Certificate of Insurance - *How does the County and community verify that an STR operator provide a minimum of \$500,000 liability coverage per occurrence? Furthermore, why doesn't the ordinance require the STR operator to inform its mortgage holder/insurance company that the property is being used as an STR?*

- Note: insurance and mortgage requirements differ for primary residential and rental uses. The former is not valid for the latter.

• (15) The ordinance states applicable room tax must be paid to the Reno-Sparks Convention and Visitors Authority – *Why doesn't the STR room tax come back to the impacted community – in this case Incline Village and Crystal Bay – where 90+% of the STRs are located? Will the*

Page One of Two

★ County disclose what percentage of those tax receipts are spent in IVCB? ★

TAHOE BASIN HOUSING SHORTAGES

- Lack of long-term housing rentals has reached crisis levels in the Tahoe Basin and in unincorporated Washoe County (specifically in Incline Village/Crystal Bay) due in large part to unlimited STRs. Many businesses are unable to fill open positions. *Will the County include STR permit limits into the ordinance as has been done in other jurisdictions?*
- *Does the County acknowledge that STRs reduce the overall number of rentals available to long-term residents and workers? When will this housing shortage be considered an emergency?*

OVERTOURISM/NEGATIVE ENVIRONMENTAL IMPACTS

- Lake Tahoe clarity has worsened due to unauthorized tourist trail creation/runoff and trash/pollution. Meanwhile air quality in the Tahoe Basin has worsened due to traffic pollution contributing to higher amounts of ground ozone not to mention increased wildfire smoke and related environmental damage. *Why is there nothing in the ordinance to address negative environmental impacts caused by STR-induced overtourism (e.g. added fees)?*

Ben Ross

Full-time Incline Village resident

HOW is TRPA involved???

Page Two of Two

From: [TRACY.ERIC](#)
To: [CSD - Short Term Rentals](#)
Subject: Fw: Illegally Advertised STR"s
Date: Tuesday, October 19, 2021 6:49:48 PM
Attachments: [1634691746278blob.jpg](#)
[1634693485708blob.jpg](#)
[1634693527885blob.jpg](#)
[1634694026819blob.jpg](#)

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

Please forward to Steve Oriol.

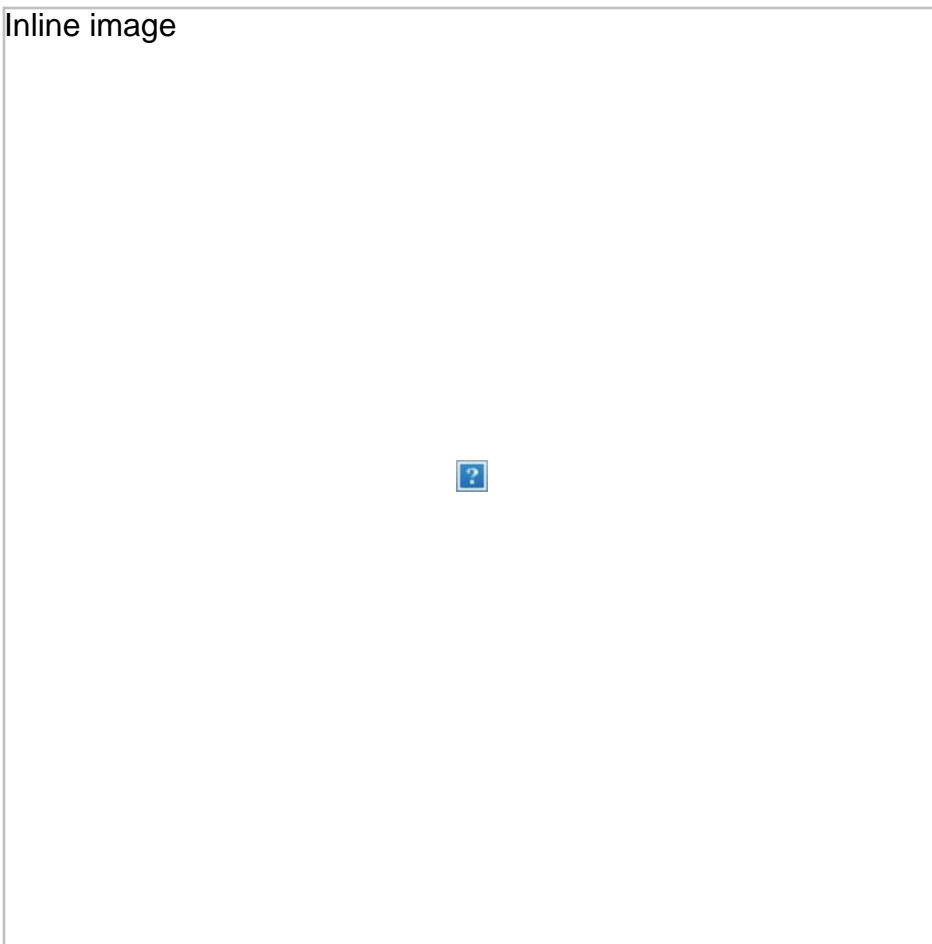
Thank you for the presentation this evening 10/19/21. I am the individual that brought-up the fact that there are ~30 STR's being advertised in IV/CB with occupancies of 11 or more people being allowed. In the Q&A of tonight's presentation (see screenshot immediately below) you had asked individuals to match the illegal listings found on AirBnB to actual addresses and then email them to you at this email address. This is a fairly easy exercise for anyone to do simply using AirBnB and Google Maps, and I completed it for one of the illegal STR's below (759 Lakeshore Blvd). It is probably even easier for someone at the County to do this exercise using GIS and Mapping Software beyond what is available on Google Maps for free.

However, I think the best way for you to identify the actual addresses of these illegally advertised AirBnB's would be to take the map from AirBnB (like I included below) and simply drive the territory to see with your own eyes the homes that match the photos of the front of the house in the AirBnB listing. I honestly believe that in < 6-hours you could identify the actual addresses of every single one of these ~30 illegal STR's advertising occupancies for > 10 people if you simply drove the territory while looking at these homes plotted on the AirBnB map. Better yet, you could have pre-printed Ordinance Violation Letters/Warnings in your car and put them in the mailboxes (or tape them on the front door) of each home as you identified the actual address.

Please see screenshots below for the exercise I went through and my original email below.

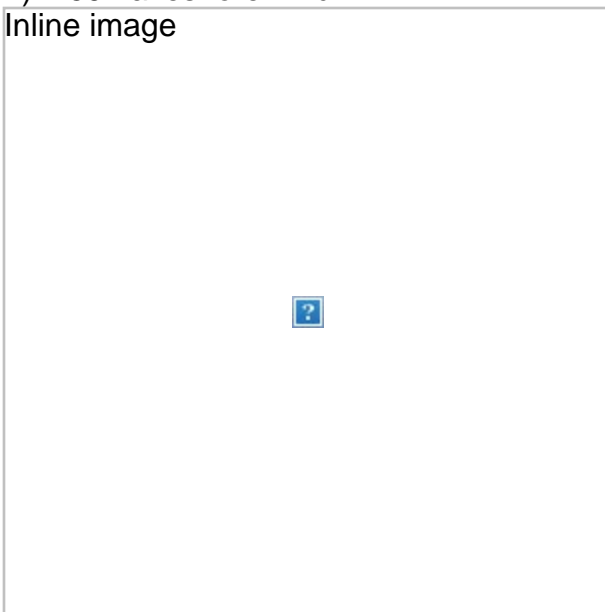
Thank you,
Eric

Inline image

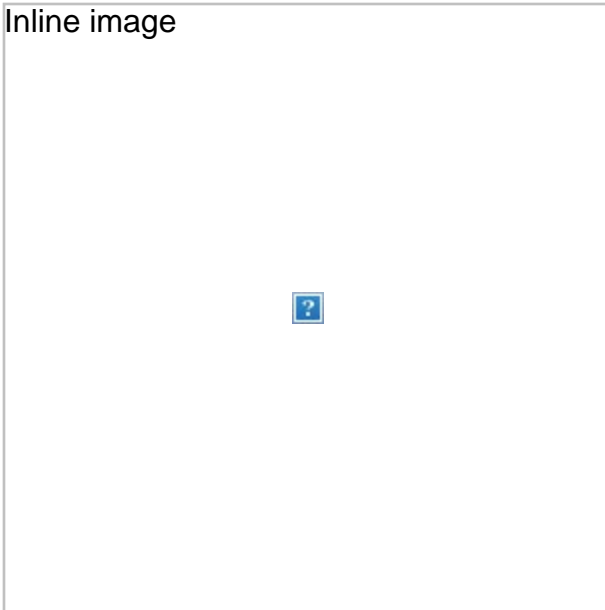


1) 759 Lakeshore Blvd

Inline image



Inline image



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

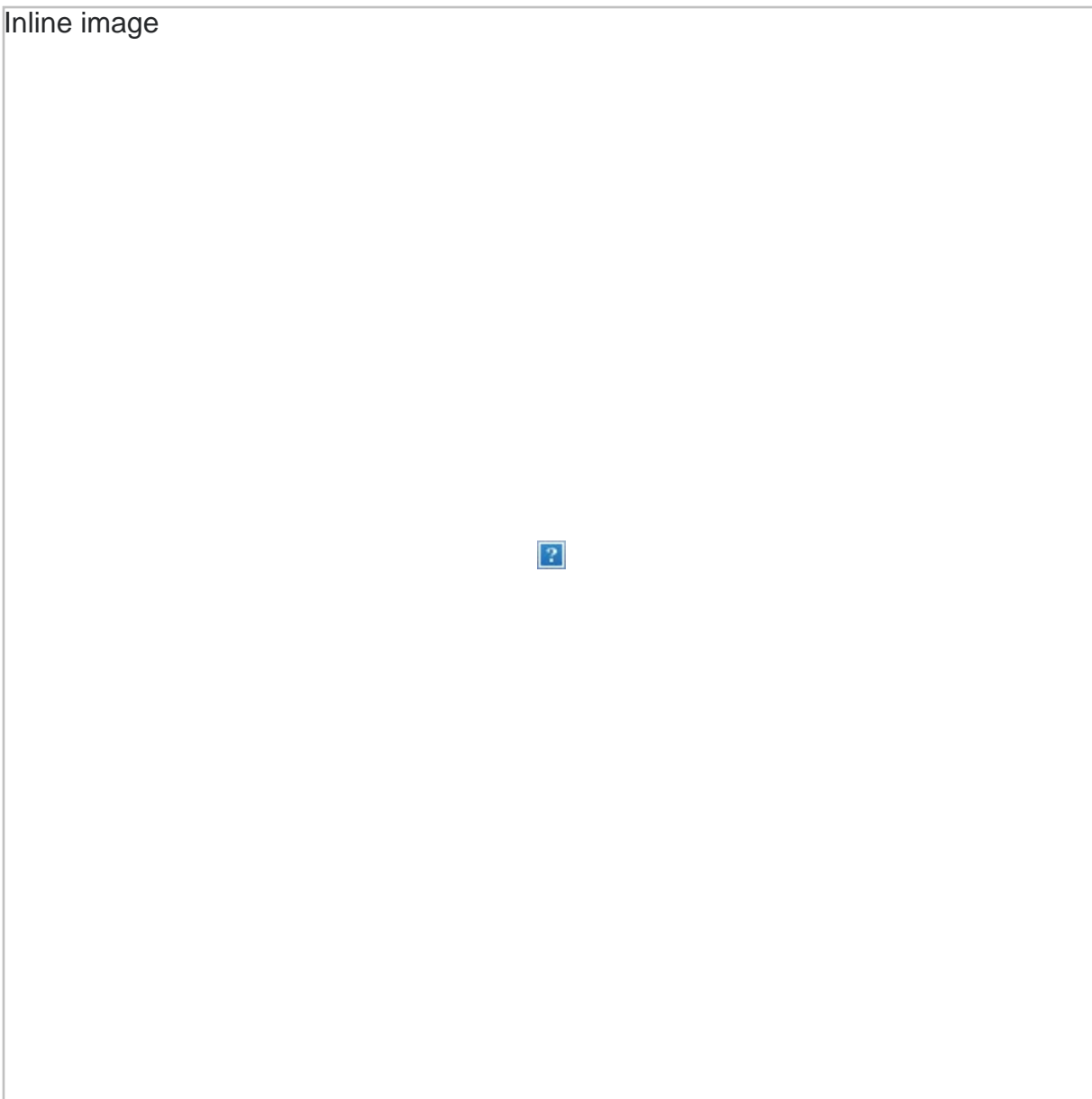
From: TRACY,ERIC <goonly@yahoo.com>
To: CSD - Short Term Rentals <str@washoecounty.us>
Sent: Tuesday, October 19, 2021, 06:09:04 PM PDT
Subject: Illegally Advertised STR's

Thank you for the excellent presentation and input session today. Can you please pass this information on to Chad Giesinger and Steve Oriol?

As of today 10/19/21, there are 29 STR's being advertised in Incline Village-Crystal Bay that allow 10+ occupants. Since only 2 Tier-II permits have been issued to date, that means that 27 of these STR's are illegally advertising their occupancy limits. This is in blatant disregard to the ordinance, and these illegally advertised STR's should be the priority focus for Chad and Steve to "educate". Please get these illegal STR Operators to apply for a Tier-2 Permit, reduce their advertised occupancy limits, and/or fine them! It is a 30-second exercise to see these homes on AirBnB and I have included the screenshot of that exercise below/

These are the PARTY HOUSES that are the bad actors that are creating the anti-STR sentiment amongst the community. These are easy targets for enforcement and I hope you focus on them.

Inline image



Thank you,
Eric

From: anne@rossmans.net
To: [CSD - Short Term Rentals](#)
Cc: [Hill, Alexis](#)
Subject: Fwd: For submission to Washoe County meeting on 10-19-21 re STR CONCERNS!
Date: Wednesday, October 20, 2021 5:55:00 PM
Attachments: [a am a full-time resident of Incline Village and would like the following submitted into the public.pdf](#)

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

There was a typo in my original email... Please include with meeting notes if not too late; thank you!

-Anne

Begin forwarded message:

From: Anne Rossman <anne@rossmans.net>
Subject: For submission to Washoe County meeting on 10-19-21 re STR CONCERNS!
Date: October 19, 2021 at 11:53:26 AM PDT
To: str@washoeconomy.gov
Cc: Alexis Hill <ahill@washoecounty.us>

Anne, Sent from my iPhone wherever I am/was

Anne Rossman
1071 Sawmill Road, IV, 89451

I am a full-time resident of Incline Village and would like the following submitted into the public record as part of the October 19, 2021 Washoe County Short-Term Rental code input and permit status update meeting.

STR Ordinance Questions for Washoe County Planners, Staff and Commissioners:

PUBLIC HEALTH AND SAFETY

- **Section 110.319.50 Restrictions During a Declared Emergency** provides emergency powers to local governmental entities. Several COVID surges and wildfire dangers this summer created immediate threats to local residents and first responders. *Why didn't Washoe County ask the Governor to declare an emergency as of August 1 when the ordinance went into effect?*
 - An STR cessation and moratorium on new permit processing would have reduced disease transmission in a vulnerable rural community with a four-bed hospital and eased demands on first responders and evacuation infrastructure.
- *Will the County amend the ordinance so that it doesn't rely on the Governor's office to recognize a local hazards and fast-changing life-threatening circumstances?*
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GOVERNMENT TRANSPARENCY

- **Section 110.319.45 Duties of Hosting Platforms** requires Hosting Platforms to provide quarterly reports. *Are these reports publicly available and searchable online? If not, why not?*
- The County uses taxpayer dollars pay Host Compliance to collect complaints ... *why is this information not publicly available and searchable online by property?*

COMPLIANCE/ENFORCEMENT

- **Section 110.319.30 Enforcement** states operating an STR without the Required Permit is unlawful and a public nuisance (WCC 50.308.1) and any permit owner found to operate an STR without the permit shall be guilty of a misdemeanor.
 - The County has consumed tax-payer funds and resources for two-plus years crafting this ordinance offering plenty of notice for illegal STR operators to get into compliance ... *How many fines has the County issued? If none, why not?*
 - WCC Chapter 125 – fee for operating an STR without required permit is only \$1,158.40 however Douglas County will charge \$20,000. Several hundred properties are operating unlawfully in Washoe County, *will the County increase the fee to increase compliance?*

STR ADVERTISING/INSURANCE/TRANSIENT OCCUPANCY TAX USE

Section 110.319.15 Standards

- (9) states advertising is prohibited unless a valid STR permit is issued – *Why doesn't the County's ordinance require hosting companies to remove any advertising of an unpermitted STR?*
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 - Note: insurance and mortgage requirements differ for primary residential and rental uses. The former is not valid for the latter.
- (15) The ordinance states applicable room tax must be paid to the Reno-Sparks Convention and Visitors Authority – *Why doesn't the STR room tax come back to the impacted community – in this case Incline Village and Crystal Bay —where 90+% of the STRs are located? Will the*



Page 1 of 2

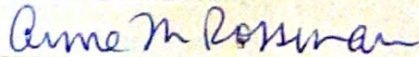
County disclose what percentage of those tax receipts are spent in IVCB?

TAHOE BASIN HOUSING SHORTAGES

- Lack of long-term housing rentals has reached crisis levels in the Tahoe Basin and in unincorporated Washoe County (specifically in Incline Village/Crystal Bay) due in large part to unlimited STRs. Many businesses are unable to fill open positions. *Will the County include STR permit limits into the ordinance as has been done in other jurisdictions?*
- *Does the County acknowledge that STRs reduce the overall number of rentals available to long-term residents and workers? When will this housing shortage be considered an emergency?*

OVERTOURISM/NEGATIVE ENVIRONMENTAL IMPACTS

- Lake Tahoe clarity has worsened due to unauthorized tourist trail creation/runoff and trash/pollution. Meanwhile air quality in the Tahoe Basin has worsened due to traffic pollution contributing to higher amounts of ground ozone not to mention increased wildfire smoke and related environmental damage. *Why is there nothing in the ordinance to address negative environmental impacts caused by STR-induced overtourism (e.g. added fees)?*



Full-time Incline Village resident

Page 2 of 2

From: [TRACY.ERIC](#)
To: [CSD - Short Term Rentals](#)
Subject: Illegally Advertised STR's
Date: Tuesday, October 19, 2021 6:09:15 PM
Attachments: [1634691746278blob.jpg](#)


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

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Inline image



Thank you,
Eric

From: [Eddie Farrell](#)
To: [CSD - Short Term Rentals](#)
Subject: Incline Village STR
Date: Tuesday, October 19, 2021 1:05:54 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.]

I am an Incline Village full time resident and am very concerned about the STR codes. I'm most anxious about wildfire evacuation, wild life/ human interference and the growing traffic issues we are beginning to see. This goes with evacuation issues.

There is a reason the counties surrounding the lake are imposing strict STR rules. Please consider those of us who life here when making your plans.

Sincerely,

Eddie Farrell

Sent from my iPad

From: rondatycer@aol.com
To: [CSD - Short Term Rentals](#); [Washoe County](#); [Ramos, Candee](#)
Subject: Input for STR Meeting Oct 19
Date: Monday, October 18, 2021 8:36:08 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.]

Please ask Commissioner Hill to answer the following questions during tomorrow's presentation:

We assume Host Compliance has a contract with Washoe County.

1. How frequently does Host Compliance report data to the Washoe Planners?
2. What data are reported to the Planners?
3. When can we see these data?
4. Do the planners also gather STR complaint data from the Washoe County Sheriff Office independent from Host Compliance?

Thank you kindly.

Ronda Tycer
814 Toni Court
Incline Village, NV 89451

From: [Nicholas Maiocco](#)
To: [CSD - Short Term Rentals; Washoe County](#)
Subject: Please submit into public records for Oct 19th Code Meeting
Date: Monday, October 18, 2021 3:39:59 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.]

We are home owners in Incline Village. Our town is flooded with short term rentals. Our greatest concern is for the safety and well-being of our community. We live between 2 STRs. One is permitted and the other is running illegally with various (and obvious from the curb) safety infractions. Despite the currently established ordinance restrictions, and our constant calling and submitting (with photos) complaints to Host Compliance, people have continued to come in and out of the property. Steve from Washoe County Code Enforcement told us “not to worry about it”, that “they have an application in”. The August 1 deadline has come and gone. WHY are there no fines being issued and WHEN exactly will this be enforced??

During the height of fire season with evacuations in place around the lake, the STR next to us was filled with manzanita brush that had been chopped down and thrown into piles around their property since May. Host compliance and the fire department were notified with photos. The brush is still there. There is an ordinance, and Washoe County is not enforcing it. We are concerned.

The STR on the other side has recently been sold to new owners who will be renting the property as an STR. Does the permit stay with the property and transfer to the new owners? Rentals run as businesses by people who never stay in these houses should be severely restricted by amounts of properties owned in the area and amount of time the property can be rented during the year.

The majority of STRs in Washoe County are in Incline Village. Our community put in HOURS of letters, discussion, input and proposals to the planners and commissioners. We will not take any of their excuses for not executing the ordinance. Studies, data, and feedback have all been provided by community members as well as TRPA and other committees of interest.

Thank you for your attention,
Keli and Nick Maiocco
553 Len Way
30 year residents, Incline Village

Sent from [Mail](#) for Windows

From: cbwillb@charter.net
To: [CSD - Short Term Rentals](#); [Washoe County](#); [Washoe311](#)
Subject: Public Comment for Washoe County IVCB STR meeting 10.19.2021
Date: Tuesday, October 19, 2021 1:39:45 PM
Attachments: [Public Comment IVCB STR Meeting October 19. 2021.pdf](#)

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

Attached please find Public Comment for today's WC meeting regarding STR regulations. I ask that this written comment be included in the record of the meeting and forwarded to appropriate County staff. I will also ask to speak briefly during the meeting.

Apologies for multiple copies to the County - I received differing instructions and wanted to ensure delivery for meeting.

Thank you, Carole Black (Incline Village resident)

Public Comment: WC Tahoe Area Community Meeting October 19, 2021 re STR Regulation

Submitted by Carole Black, Incline Village resident prior to the meeting – also requesting to speak during the meeting.

Thank you for providing an opportunity to hear a report from the County regarding the status of the recently implemented Washoe County STR regulatory program. Clearly this has been a major implementation effort with some significant progress made to date. In addition to Commissioner Hill’s and staff’s updates, **I am hoping that WC representatives will hear, consider and positively address community input regarding challenges to date as well as the continued significant concerns regarding adverse impacts of STRs on the community related to gaps in current regulations.** My comments below include:

- Content gaps in existing regulations/proposed changes and implications
- Overarching/Long-term adverse implications of current/proposed regulatory gaps on the IVCB community
- Logistical challenges from this community resident’s perspective with implementation of regulations to date

I. Content Gaps in Existing/Proposed WC Regulations:

- Proposed Adverse Occupancy Standard Change: What has been described to date is that the current standard based on habitable space calculates Occupancy Limits which are too restrictive in smaller STR units and too generous in larger STR units. Assuming that these statements are validated by data, this sense was predictable based on “back of envelope” modeling prior to Ordinance approval yet Planners supported the approach based on recognized building code standards. **I submit that recently described alternative hybrid methodology, if proposed as has been described, is more flawed and should not be implemented. Rather I propose a different hybrid model which preserves current positive safety code linkage** (and helps with congestion issues especially important in small STRs mostly located in densely populated areas) **while addressing a real current issue in large STRs. Another option is simply 2/BR** as listed in Douglas County.

Occupancy Options	Impacts: Pros/Cons		
	Smaller STRs	Larger STRs	Comments
Current: Habitable space	Limits STR Occupancy more than many expected but parallels accepted safety std & helps w/congestion in dense occupancy areas	Allows more STR Occupancy than is compatible with residential neighborhoods	Strong pro is tie to accepted Residential Building Codes. Also mitigates neighborhood issues (safety/parking/nuisance) in denser geo areas
Proposed: 2/BR + Other Habitable space	More occupancy but > industry safety std; increases congestion & risk in already very busy/high occupancy central areas	Limits added Occupancy felt excessive for neighborhoods	Exceeds safety std in smaller units, and increases neighborhood issues in more congested geo areas
Preferred Option: Habitable Space plus cap for large STRs	Meets safety standard and assists with density/parking issues in congested areas	Adds a large STR cap, a limited add-on perhaps based on BR #, to address neighborhood issues	Preferred approach balancing industry std safety levels & neighborhood compatibility; Alternative of 2/BR standard would also meet goals

- **No Density or Intensity Restrictions*** > many/most jurisdictions have found that to maintain neighborhood character/compatibility some level of density/intensity restriction is required – e.g. Douglas County, SLT and southern NV locations/NRS
- **Fewer Ownership/Owner presence requirements/options*** > examples include limiting permits to residents, limiting numbers of permits/applicant, hosted options
- **Less Intense Regulatory Approval Tiers*** > note much more intense approvals required at lower occupancy in Douglas County example
- **Less Intense Safety Inspections/Nuisance Restrictions*** > compare inspection frequency and quiet hours Washoe vs Douglas regs (*Note: see attachment below to compare WC & adjacent Douglas County regs)

II. Overarching Adverse Community Implications of Current/Proposed Regulatory Gaps:

- **Washoe County has the Least Restrictive STR Regulation in the Tahoe Basin:** WC Tahoe Area has much less restrictive STR regulations than near NV neighbors (*see attached table*). Recently the NV legislature enacted a protective law which does not apply to WC based, we are told, on WC objections. And, NV lacks other protective CA regulations. **The net result renders this small area as an STR MECCA apparently prioritizing minimal tourism management over community/visitor safety and neighborhood compatibility.**

One of the WC rationales for limited regulation has been that the regs must apply to the entire county though legal opinion has not supported this view and practicality certainly does not. Less than 10% of the WC STR permits/applications pertain to areas outside of IVCB and regulatory needs/community requirements dramatically differ based on the challenging geography, environmental risks and STR concentration. **Further as noted below lack of more intense regs damages infrastructure needed to support tourism and its revenues.**

- **Housing Unit Loss:** STR use has further decimated the already inadequate supply of more affordable options including long-term rentals for first responders, service and retail providers. Lack of available workers because of inadequate housing supply has resulted in restrictions of public service staffing as well as business departures creating safety and service concerns/gaps. **More than 50% of STR Permits/Applications are associated with smaller, more affordable units** (condos, townhouses, multi-family units). **This type of unit was often available for employee housing long-term or seasonal - hundreds are now used as STRs!**

- **Safety/Evacuation/Pollution Concerns:** STRs, even with regulatory parking limits, bring net added vehicular congestion and attendant risk to IVCB's already congested central and recreation areas. This is particularly seen in multi-unit areas (small STRs) with shared parking accommodations – e.g., each unit may be “allowed 2 slots” but the aggregate total available for the complex may average < 1.5 spots/unit. The “allowance” only works if units are occupied part-time and fails with many higher occupancy STRs.

- **TRPA and other Housing Proposals fail to consider IVCB STR and Affordability Level Situations:** IVCB are not “protected” by CA regulations applicable to the majority of the Tahoe Basin or the more restrictive Douglas County/NRS regs. **Thus plans for expanded ADU availability to assist with more affordable housing options will potentially be completely circumvented for the more profitable STR use absent additional county and/or county-supported TRPA or NV restriction.**

III. Implementation Challenges (*Note: based on my experience, likely not a comprehensive list*):

- **Web site is awkward** > info more difficult to find info than other Tahoe areas (e.g., Douglas County)
- **No map showing permitted properties** with click access to drill down info
- **Unnecessary extension of grace period** when many had apparently simply postponed the effort
- **Lack of enforcement to date:** county stats presented in prior meetings indicate a significant number of apparently illegally operating STRs with no permits or even applications but **no fines as yet!**
- **Excessively complex non-compliance process:** with no clarity about plan for repeated offenses which are “resolved” by local contacts – adjacent residents will nonetheless have their lives intruded upon repeatedly!

MY BOTTOM LINE: Without added regulation similar to that enacted in neighboring Douglas County, IVCB will likely remain/become even more an STR MECCA of Tahoe further destroying the community/its neighborhoods and support systems on which tourism depends. WC should move now to effectively and comprehensively address these critical issues. Effort to address the flagged logistical challenges, especially enforcement would also be important.

ATTACHMENT: COMPARISON OF PRIORITY COUNTY STR REGS* in NV TAHOE AREA as of 9/21

Region:	NEVADA		
	Washoe	Douglas**	Carson City
Regulations:			
Cap on #'s	none	600	N/A, no residential areas/STRs near Tahoe
Density (permits)	none	15% single family areas; 20% mult-fam/ tourist areas (areas as per TRPA PAS's)	
Density/parcel	1/parcel	? (note: County allows total of only one STR permit/family)	
Intensity: quiet hrs	10pm - 7am	9pm - 8am	
Hosted provision	none	“True Host” (tier 1)^	
Owner occupant	none	Unit is used as owner residence	
Renter age	none	≥ 25	
Permit	Yes; (but no # limit/applicant)	Yes; 1 permit/family	
Tiers	1: (1-10) A; 2: (10-20) AR; 3: (20+) SUP	1: (hosted and ≤ 4)^; 2: (4-10) AR; 3: (>10) SUP	
Permit admin	WC staff; BCC	DC staff; Advisory Board <i>(**NB: court stay re Brd membership)</i>	
Liability insurance	\$500,000	\$500K - \$1M	
Ownership	none	New STR: owner/family trust but ... not LLC, commercial business, corporation or partnership	
Owner responsible	yes	yes	
Licensed property mngr	no	yes, if not owner; training required	
Occupancy Note: WC topic for 10.19.21 mtg	yes (based on building code std for habitable space); ?change	yes (2/BR)	
Safety regs	yes	yes	
Safety inspections	yes (every 3-4 yrs)	yes, annual	
Nuisance regs	yes	yes	
No parties, etc	yes	yes	
Parking (site or designated)	yes, availability may limit allowed occupancy	yes, availability may limit occupancy; owner must issue permit <i>(**NB: court stay re no tandem rule)</i>	
Local contact	30/60 min	30/60 min w written report; county certification req'd	
Not in ADUs^^	Not excluded^^^	Not excluded^^^	
In “more affordable” units^^	Could be a concern re some categories in TRPA reg; ?***	?***	

Notes: * Note that focus is on operational items and based on read of Douglas County/Washoe County website materials. Other elements (e.g., fines/enforcement) may vary but are not addressed. ** Includes applicable portion of recent court ordered temporary stay per content in Douglas County website mid Sept 2021. *** County Code not checked. ^ Tier 1, hosted STRs are excluded from Douglas County STR cap; ^^ Re TRPA Housing Initiative & TRPA code changes. ^^ Note: historic 1 acre parcel limit for ADUs temporarily remains in place in NV

From: [JOSEPH FARRELL](#)
To: [CSD - Short Term Rentals; Washoe County](#)
Subject: RE: Short Term Rentals: Incline Village/Crystal Bay
Date: Tuesday, October 19, 2021 1:58:06 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.]

Commissioners:

I am an Incline Village/Crystal Bay resident who is significantly concerned about STR's in our small community AND I have been directly affected by STR's in my neighborhood for over five years. It is evident from reading local newspapers that Incline Village/Crystal Bay is the only community in the Tahoe Basin that does not have significant restrictions and enforcement of STR's which are ruining the ambiance of the Tahoe Basin.

I suggest that as Commissioners, you put a moratorium similar to the July 27, 2021 the Placer County Board of Supervisors, and stop approving additional STR permits until the Host Compliance compliant analysis has been reported so we can assess STR impacts on:

1. Loss of workforce housing
2. Parking and traffic in neighborhoods
3. Overcrowding of beaches
4. Trash issues and trail damage
5. Wildfire evacuation risk
6. Neighborhood nuisances
7. Enforcement effectiveness

Thank you for including this as input for the Washoe County STR Code Meeting October 19th.

Sincerely,

Joe Farrell
546 Cole Circle
Incline Village, NV 89451

From: [Hauenstein, Mojra](#)
To: [CSD - Short Term Rentals](#); [Lucey, Robert \(Bob\) L](#); [Herman, Jeanne](#); [Giesinger, Chad](#); [Galassini, Janis L](#); [Washoe County](#); [Hill, Alexis](#); [Brown, Eric P.](#); [Hartung, Vaughn](#); [Jung, Kitty](#); [Pamela Tsigdinos](#)
Cc: [Dick, Kevin](#); [Rochelle Nguyen](#)
Subject: Re: Washoe County STR Code - Resident Input
Date: Tuesday, October 19, 2021 11:41:04 AM
Attachments: [Outlook-vftg1t5s.png](#)
[Outlook-zfc5pck1.png](#)
[Outlook-00rftodt.png](#)
[Outlook-fhou52su.png](#)
[Outlook-ogvhsz3.png](#)

Thank you, Pamela for your input.



**Mojra Hauenstein, Architect, AICP Planner, LEED AP
Neighborhood Development
Director of Planning & Building | Community Services
Department**
mhauenstein@washoecounty.us | Office: 775.328.3619
Visit us first online: www.washoecounty.us/csd
For Building call (775) 328-2020
For Planning call (775) 328-6100
Email: Building@washoecounty.us
Email: Planning@washoecounty.us



Connect with us: [cMail](#) | [Twitter](#) | [Facebook](#) | www.washoecounty.us

From: Pamela Tsigdinos <ptsigdinos@yahoo.com>
Sent: Monday, October 18, 2021 3:24 PM
To: CSD - Short Term Rentals <STR@washoecounty.gov>; Lucey, Robert (Bob) L <BLucey@washoecounty.gov>; Herman, Jeanne <JHerman@washoecounty.gov>; Hauenstein, Mojra <MHauenstein@washoecounty.gov>; Giesinger, Chad <CGiesinger@washoecounty.gov>; Galassini, Janis L <JGalassini@washoecounty.gov>; Washoe County <communications@washoecounty.gov>; Hill, Alexis <AHill@washoecounty.gov>; Brown, Eric P. <EPriceBrown@washoecounty.gov>; Hartung, Vaughn <VHartung@washoecounty.gov>; Jung, Kitty <KJung@washoecounty.gov>
Cc: Dick, Kevin <KDick@washoecounty.gov>; Rochelle Nguyen <rochelle.nguyen@asm.state.nv.us>
Subject: Washoe County STR Code - Resident Input

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

Washoe County Planners, Staff and Commissioners:

I am a full-time resident of Incline Village with deep concerns about the current STR ordinance. Please review this feedback and proposed modifications (below and attached). I'd like this input included in the public record as part of the October 19, 2021, **Washoe County Short-Term Rental code input and permit status update meeting**. FYI: I'll also share a copy of this with reporters and others who follow this topic.

PUBLIC HEALTH AND SAFETY

- **Section 110.319.50 Restrictions During a Declared Emergency** provides emergency powers to local governmental entities. Several COVID surges and wildfire dangers this spring/summer created immediate threats to local residents and first responders. *Why didn't Washoe County ask the Governor to declare an emergency as of August 1, 2021, when the ordinance went into effect?*
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Section 110.319.15 Standards

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and Visitors Authority – *Why doesn't the STR room tax come back to the impacted community – in this case Incline Village and Crystal Bay —where 90+% of the STRs are located? Will the County disclose what percentage of those tax receipts are spent in IV/CB?*

TAHOE BASIN HOUSING SHORTAGES

- Lack of long-term housing rentals has reached crisis levels in the Tahoe Basin and in unincorporated Washoe County (specifically in Incline Village/Crystal Bay) due in large part to unlimited STRs. Many businesses are unable to fill open positions. *Will the County include STR permit limits into the ordinance as has been done in other jurisdictions?*
- *Does the County acknowledge that STRs reduce the overall number of rentals available to long-term residents and workers? When will this housing shortage be considered an emergency?*

OVERTOURISM/NEGATIVE ENVIRONMENTAL IMPACTS

- STRs and the high-throughput large groups they attract contributes to overtourism and creates excess wear and tear by virtue of STR renters being 'on vacation' and escalate adverse environmental impacts. Lake Tahoe clarity has worsened due to unauthorized tourist trail creation/runoff and trash/pollution. Meanwhile air quality in the Tahoe Basin has worsened due to traffic pollution contributing to higher amounts of ground ozone not to mention increased wildfire smoke and related environmental damage. *Why is there nothing in the ordinance to address negative environmental impacts caused by STR-induced overtourism (e.g. added fees)?*

Thank you for your attention to these important issues.

Pamela Mahoney Tsigdinos

Full-time Incline Village, NV, resident

From: [tradewynne](#)
To: [CSD - Short Term Rentals](#)
Subject: Regulate STRs!
Date: Tuesday, October 19, 2021 12:05:59 PM
Attachments: [image.png](#)

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Typical STR issue: six cars, 20+ "guests", all illegally parked. 1600 square foot 3 bdrm STR.

This must stop! It's ruining our town, over running our resources and local home owners are footing the bill. This area is zoned residential single family. How can you allow businesses in a neighborhood zoned residential?

Bill Wynne
1487

image.png



From: [Scott Daulton](#)
To: [CSD - Short Term Rentals; Washoe County](#)
Subject: Short term rental occupancy limits in Incline Village
Date: Tuesday, October 19, 2021 12:45:26 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.]

I am opposed to any County action that will increase the short term rental occupancy limits of homes that are already contained in the current ordinance. Ten people staying at a house is already way too many. Try living by one and you will find out. People don't come to a short term rental to sit at a computer and quietly write a book. They come here to party.

Scott Daulton
Incline Village resident

From: [joseph.schulz](#)
To: [CSD - Short Term Rentals; Washoe County](#)
Cc: [joseph.schulz](#)
Subject: Short term rental ordinance
Date: Monday, October 18, 2021 4:36:57 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.]

Dear Commissioners:

"I am an Incline Village resident who is concerned about the increasing number of short term rentals in our small community.

Having lived in a condo complex in Incline Village that has tried to limit such rentals, my experience has been very negative because of the noise generated at all times of the day and late into the night, the excessive garbage generated and improperly disposed of it into the community dumpsters (unlocked containers encourage bear investigation). We have had to call the sheriff's office on a number of occasions because of late night partying. The HOA was reluctant to enforce the CC&R restrictions beyond a letter without governmental backup.

Now living in a single family residence, I fear that others nearby may consider short term rentals and further degrade the quality of life here.

PLEASE consider the negative aspects of too many short term rentals as abuse by those renters is undermining the desirability of living in this beautiful part of the country, is creating nuisances to the quality of life, increasing the services required to deal with the problems generated and increasing the costs of living here (which are getting excessive already).

An opportunity exists to curtail those problems and reverse some of the negatives already in place. PLEASE take that opportunity for the betterment of our community and turn your backs on the only reason for this odious circumstance namely the generation of money!

I encourage you to establish a moratorium on any new permits allowing short term rentals in order to gain time to strengthen the existing Ordinance.

Thank you for including this as input for the Washoe County STR Code Meeting October 19. Any action on your part will be greatly appreciated.

Very truly yours,
Joseph Schulz
568 Putter Court, Incline Village

From: [Clas Karlberg](#)
To: [CSD - Short Term Rentals](#)
Cc: [Washoe County](#)
Subject: Short term rental
Date: Tuesday, October 19, 2021 11:43:01 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.]

I am an Incline Village/Crystal Bay resident deeply concerned about STR in our small community.

I am most concerned about.

Loss of working force housing. I see a lot “Help Wanted signs”

all around our neighborhood.

Village Market had to close because of lack of workers. Some due to loss of a place to live.

Parking and high traffic.

Overcrowded beaches

Trash issues all around

I think the biggest is nuisance in the neighborhoods.

My suggestion, more restriction of how many should be allowed.

The minimum STR stay should be increased to 30 days.

Clas Karlberg
415-608-6066

From: [Omer Rains](#)
To: [CSD - Short Term Rentals](#)
Cc: [Omer L. Rains](#)
Subject: Short Term Rentals
Date: Monday, October 18, 2021 2:46:38 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.]

Communications@washoecounty.us. Hello, my name is Omer Rains. I live in Crystal Bay, directly above the Boulder Bay project. Short term rentals (STR's) are already a nightmare in the IVCB area. The Boulder Bay units are even being marketed as STR's. They are not built for and are not marketed as permanent housing. They will add 500+ more STR's to a community that is already overwhelmed with STR's. There are many, many areas of the country that are trying to deal with this problem, but none more so than our community. WE NEED HELP, and seemingly only Washoe County can provide it. Please do so!!!

Thank you,
Omer Rains

From: [Scott Daulton](#)
To: [CSD - Short Term Rentals](#)
Subject: Short term rentals in Incline Village
Date: Tuesday, October 19, 2021 12:11:28 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.]

Please stop approving additional STR permits until the Host Compliance complaint analysis has been reported (originally slated for November but now deferred to January 2022) so we can assess STR impacts on:

- loss of workforce housing
- parking and traffic in neighborhoods
- overcrowding at the beach
- trash issues and trail damage
- wildfire evacuation risk
- neighborhood nuisances
- enforcement effectiveness

Thank you.

Scott Daulton, full time resident of Incline Village

From: [Nicholas Maiocco](#)
To: [Washoe County; CSD - Short Term Rentals](#)
Subject: Short Term Rentals in our community is our greatest concern
Date: Monday, October 18, 2021 3:28:23 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.]

We are home owners in Incline Village. Our town is flooded with short term rentals. Our greatest concern is for the safety and well-being of our community. We live between 2 STRs. One is permitted and the other is running illegally with various (and obvious from the curb) safety infractions. Despite the currently established ordinance restrictions, and our constant calling and submitting (with photos) complaints to Host Compliance, people have continued to come in and out of the property. Steve from Washoe County Code Enforcement told us "not to worry about it", that "they have an application in". The August 1 deadline has come and gone. WHY are there no fines being issued and WHEN exactly will this be enforced??

During the height of fire season with evacuations in place around the lake, the STR next to us was filled with manzanita brush that had been chopped down and thrown into piles around their property since May. Host compliance and the fire department were notified with photos. The brush is still there. There is an ordinance, and Washoe County is not enforcing it. We are concerned.

The STR on the other side has recently been sold to new owners who will be renting the property as an STR. Does the permit stay with the property and transfer to the new owners? Rentals run as businesses by people who never stay in these houses should be severely restricted by amounts of properties owned in the area and amount of time the property can be rented during the year.

The majority of STRs in Washoe County are in Incline Village. Our community put in HOURS of letters, discussion, input and proposals to the planners and commissioners. We will not take any of their excuses for not executing the ordinance. Studies, data, and feedback have all been provided by community members as well as TRPA and other committees of interest.

Thank you for your attention,
Keli and Nick Maiocco
30 year residents, Incline Village

Sent from [Mail](#) for Windows

From: [Kristina Hill](#)
To: [CSD - Short Term Rentals](#)
Cc: [Ronda Tycer](#)
Subject: Short Term Rentals
Date: Monday, October 18, 2021 4:03:57 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.]

I am an Incline Village resident deeply concerned about STRs in our small community. I am most concerned about:

- **loss of workforce housing**
- **parking and traffic in neighborhoods**
- **trash issues and trail damage**
- **wildfire evacuation risk**
- **neighborhood nuisances/noise**
- **enforcement effectiveness**

Please consider limiting the number of STR permits in addition to effectively enforcing and fining unpermitted STRs in our community.

Thank you for including this as input for the Washoe County STR Code Meeting October 19.

Kristina Hill
P.O. Box 6139
Incline Village, NV 89450

From: [Claudio Cozzi](#)
To: [CSD - Short Term Rentals](#)
Subject: STR code input
Date: Tuesday, October 19, 2021 1:29:23 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,

We own unit 132 in the Mountain Shadows complex at 321 Ski Way in Incline Village.
We obtain an STR permit that was limited per current rules (200 sq ft per guest) to four guests.

I would like to request that the code is changed to a more reasonable rule. Our unit has 3 bedrooms 2 ½ baths in 1360 sq ft of space.
The place is perfectly suitable for 6 people, two people per room.

The rule of 2 people per bedroom is a much more reasonable rule than the current rule.
In fact, if we were to remove the laundry room and make it part of the kitchen as well as opening the closets in the bedrooms, we could host 6 guests with no substantial change to the livable space.

The current rule may make sense for some of the largest properties for rent, but it seems inadequate for smaller units like ours.

Thanks for your consideration

Claudio Cozzi
650-201-6700
cozzic@gmail.com

From: [Svata](#)
To: [CSD - Short Term Rentals; Washoe County](#)
Subject: STR Code Meeting Oct 19/2021
Date: Monday, October 18, 2021 3:28:35 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.]

I am an Incline Village/Crystal Bay resident deeply concerned about STRs in our small community. I am most concerned about:

- **wildfire evacuation**
- **parking and traffic in neighborhoods**
- **overcrowding at the beach**
- **trash issues and trail damage**

Thank you for including this as input for the Washoe County STR Code Meeting October 19.

(Mrs.) Svata Trossen
1461 Glarus Court
Incline Village, NV

From: shzara@icloud.com
To: [CSD - Short Term Rentals](#)
Subject: STR concerns
Date: Monday, October 18, 2021 2:36:04 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.]

We are full-time residents of Incline Village and would like the following submitted into the public record as part of the October 19, 2021 Washoe County Short-Term Rental code input and permit status update meeting.

STR Ordinance Questions for Washoe County Planners, Staff and Commissioners:

PUBLIC HEALTH AND SAFETY

- **Section 110.319.35 Inspections and Self-Certifications** for life-safety – *Why does the County allow absentee owners to ‘self-certify’ properties they don’t inhabit ... putting surrounding structures and residents at risk of fires/wildlife, etc.? Will the County ask STR permit holders to certify if they are owner-occupied properties for self-certification and amend the ordinance for non-property holders to require more frequent County inspections for life-safety?*

GOVERNMENT TRANSPARENCY

- **Section 110.319.45 Duties of Hosting Platforms** requires Hosting Platforms to provide quarterly reports. *Are these reports publicly available and searchable online? If not, why not?*
- The County uses taxpayer dollars pay Host Compliance to collect complaints ... *why is this information not publicly available and searchable online by property?*

COMPLIANCE/ENFORCEMENT

- **Section 110.319.30 Enforcement** states operating an STR without the Required Permit is unlawful and a public nuisance (WCC 50.308.1) and any permit owner found to operate an STR without the permit shall be guilty of a misdemeanor.
 - The County has consumed tax-payer funds and resources for two-plus years crafting this ordinance offering plenty of notice for illegal STR operators to get into compliance ... *How many fines has the County issued? If none, why not?*
 - WCC Chapter 125 – fee for operating an STR without required permit is only \$1,158.40 however Douglas County will charge \$20,000. Several hundred properties are operating unlawfully in Washoe County, *will the County increase the fee to increase compliance?*

STR ADVERTISING/INSURANCE/TRANSIENT OCCUPANCY TAX USE

Section 110.319.15 Standards

- (9) states advertising is prohibited unless a valid STR permit is issued – *Why doesn't the County's ordinance require hosting companies to remove any advertising of an unpermitted STR?*
- (12) Certificate of Insurance - *How does the County and community verify that an STR operator provide a minimum of \$500,000 liability coverage per occurrence? Furthermore, why doesn't the ordinance require the STR operator to inform its mortgage holder/insurance company that the property is being used as an STR?*
 - Note: insurance and mortgage requirements differ for primary residential and rental uses. The former is not valid for the latter.
- (15) The ordinance states applicable room tax must be paid to the Reno-Sparks Convention and Visitors Authority – *Why doesn't the STR room tax come back to the **impacted** community – in this case Incline Village and Crystal Bay — where 90+% of the STRs are located? Will the County disclose what percentage of those tax receipts are spent in IVCB?*

OVERTOURLISM/NEGATIVE ENVIRONMENTAL IMPACTS

- Lake Tahoe clarity has worsened due to unauthorized tourist trail creation/runoff and trash/pollution.

Why is there nothing in the ordinance to address negative environmental impacts caused by STR-induced overtourism (e.g. added fees)?

~~~~~

Adam Hirsh

Antara Shergill Hirsh

1021 Saturn Ct., IV

Full-time Incline Village residents

**From:** [Steph Thompson](#)  
**To:** [CSD - Short Term Rentals](#)  
**Subject:** STR concerns  
**Date:** Monday, October 18, 2021 5:30:50 PM  
**Attachments:** [image.png](#)

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

**I am an Incline Village/Crystal Bay resident deeply concerned about STRs in our small community. I am most concerned about STR's turning residential neighborhoods into commercial hotels. It's not unusual for 20-30 "guests" and 8+ cars to pack into a 3 bedroom home.**

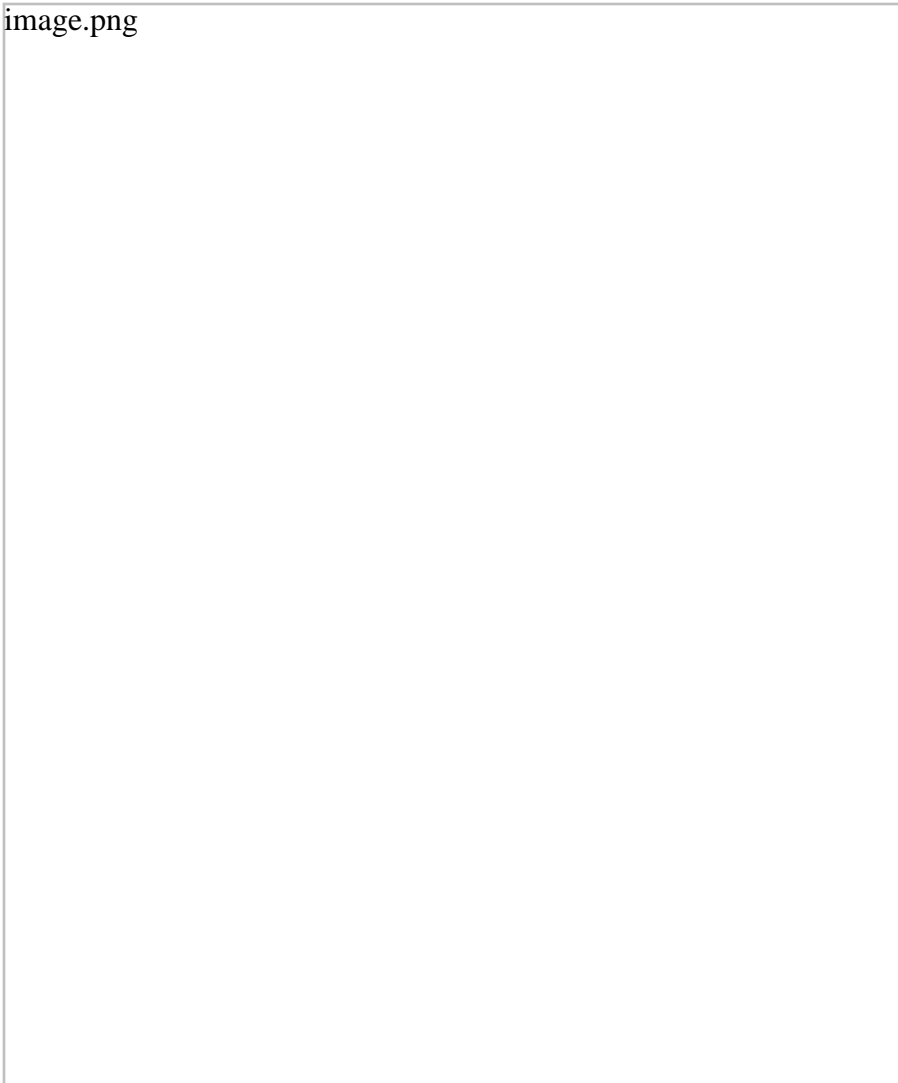
**This must stop! The lake is filling up with trash. You should be concerned with this too. Reno's drinking water is being polluted with plastic.**

**Thank you for including this as input for the Washoe County STR Code Meeting October 19.**

**Steph Thompson**  
**Incline Village**  
**Nevada**

**Hidden Beach**

image.png



**From:** [Namibian](#)  
**To:** [CSD - Short Term Rentals; Washoe County](#)  
**Subject:** STR Ordinance  
**Date:** Monday, October 18, 2021 8:51:47 PM

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

Dear Commissioners:

I am writing as a concerned citizen from Incline Village about the amount of STR's in our community. As you have been informed by many people who live here throughout the year that there are several problems related to the increase of licenses given to so many STR owners. Many of them have not applied or received licenses but are operating as a business from their homes. No fines have been levied to them for noncompliance. If there is no oversight, what do the restrictions mean if they are not enforced!?

You have allowed our community to lose housing for middle and lower income families because they do not have affordable housing. What is your solution to this problem? You are elected officials who should look out for the well being of all the citizens not just for the real estate companies and non resident owners. Please limit the amount of STR permits in Incline/Crystal Bay.

Sincerely,  
Denise Miller

**From:** [Sharon Potratz](#)  
**To:** [CSD - Short Term Rentals](#)  
**Cc:** [Michael Potratz-ICE](#)  
**Subject:** STR Regulations  
**Date:** Tuesday, October 19, 2021 2:20:42 PM

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[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 evening,

We are licensed with the county after five months preparation and planning how to meet the requirements for getting our unit legal in Washoe County. We read over the regulations in late April and our unit was booked through the summer. We finally had to make special arrangements with our guests to go in and get things to code. First, we found it interesting that the fee was so large for a small unit. Then the expectations kept changing!!! My husband is a handyman and he struggled with the requirements. The “communicating” fire alarm was really hard to find, and we wish we would have had a photo or link to show what this was. We also went overboard on the light that goes on when the electricity goes out according to one of the inspectors. We didn’t know and again a picture of what the expectation was to pass would have been helpful. Finally, where do these fees go? The fire marshal told my husband that they didn’t need to visit after paying the non-refundable \$90 fee. We spend over fifteen hundred dollars updating the unit to meet your standards in addition to the STR Regulation FEES. We want our guests to be safe and we had to just tweak some things to meet your “expectations”. I can not even imagine what others spent? We are retired and supplementing our income...just mom and pop trying to make a living in a county that taxes you for everything and at some of the highest rates in the nation.

The thing that really bothered me was after our submitting of ALL the FORMS, WE had to contact for an appointment to get the inspection done. Shouldn’t you have called us. I found this on GOOGLE! Finally, the form that arrived last week asking for unrented vs rented days and comp days is confusing since we rely on Airbnb to collect and submit these fees. I am not sure what to do with the form. Please advise.

After the final hearings in February and decision by the county it appears that there was not real plan on how to carry out the plan. I asked questions early on and the forms required were not even available. Airbnb had to create a “special” form for Washoe County residents! What about communicating with Airbnb and their hosts?

We pray the process goes smoother for future hosts that support tourism in the Tahoe/Reno/Carson area.

Sincerely,  
Sharon and Mike Potratz



**From:** [SamJake](#)  
**To:** [CSD - Short Term Rentals](#)  
**Subject:** STR  
**Date:** Monday, October 18, 2021 3:46:40 PM

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

"I am an Incline Village/Crystal Bay resident deeply concerned about STRs in our small community. I am most concerned about on street parking (multiple cars and boats), noise (multiple party rental for parties/events to spread cost), and rubbish collection (don't know the rules and don't care). I currently observe what I think is a long term rental across the street that seldom complies with the Waste Management pickup protocols, and on street parking in the summer.

**Please listen, THIS IS A RESIDENTIAL area!**

**Thank you for including this as input for the Washoe County STR Code Meeting October 19."**  
Sam & Virginia Jacobsen, 42 yr full time resident

**From:** [Helen Abel](#)  
**To:** [CSD - Short Term Rentals](#)  
**Subject:** STR'S  
**Date:** Tuesday, October 19, 2021 8:40:20 AM

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

PLEASE listen to all of the Incline Village and Crystal Bay residence. We want you to help protect Lake Tahoe, bears, residence and the environment. We are overrun by short term rentals who have little respect for the fragile environment and local residents. We cannot safely cross the streets or walk the sidewalks without concern of being run over by cars and electric bikes.

Working low and middle income people cannot find affordable rentals. Bears have their choice of trash because renters cannot figure out how to open a trash can or take their trash with them if the box is full and leave it on the ground.

Please take these messages seriously!

Full time resident,

Helen Abel

Sent from my iPad

From: [Incline Manor](#)  
To: [CSD - Short Term Rentals](#); [Washoe County](#)  
Cc: [Belinda Carr](#); [Stephen C. Ruppenthal](#)  
Subject: STRs - Comment and Request  
Date: Tuesday, October 19, 2021 12:19:20 PM

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

Commissioners,

Thank you so much for the difficult challenge of tackling this controversial issue. Your careful considerations of both sides shows a willingness to listen.

My husband and I bought our property in Incline 11 years ago and have rented it as an STR since that time. We are retired and having an STR is the only way we can have the privilege of being part of this beautiful community. We do not take this opportunity for granted and love the wonderful people and the special environment of this region. One of the highlights of our lives is that our children fly in to meet us in Tahoe during Christmas. We have done this for over a decade now and our littlest grandchild is learning to ski! All of us would be devastated if we could no longer do this, which we could not if not allowed to rent as an STR.

I ask that you consider the following perspective of many STR owners when determining regulations -

- Our neighbors are our friends, and are supporting and kind to us. We try diligently to ensure that our guests respect their peace, quiet and privacy.
- Because we care deeply for this community, we are in support of many of the regulations to ensure safety and stop the destruction.
- We are saddened by the polarization and animosity of STR vs Anti STR factions in Incline Village. We really want to see both sides join in compromises and solutions to address problems, rather than attacking each other.
- We also are hurt by the bad actors who own STRs and do not recognize the harm they are doing. We want to help resolve problems and know that there are many other STR owners who feel like us. Many are hesitant to speak because of the animosity (and even threats) when we do.
- We are concerned that if too many of the responsible STR owners leave, a vacuum will result which will be leveraged by companies (LLCs, etc.) who will snap up these properties and not be as responsible as we are, thereby accelerating our problems.
- Regulations like requiring owners to live on the property, or in Incline Village don't truly target the issues. This does not truly target the issues because it does not ensure ownership responsibility.

*One request of every one -*

There are many STR owners like us who are in full support of ending STR abuse and want to be part of the solution, not the problem. *Let's seek out and join with both good STR owners and good Anti STR proponents to work together.*

*One request of the board -*

Please allow *condos* to follow an occupancy rule guided by number of bedrooms rather than habitable space. We have a 3 bedroom condo and are limited to 4 occupants. Our condo got a permit for 3 bedrooms when it was built and the space has not been altered. It was not built with the intention of using 3 bedrooms for 4 occupants. In addition, other STRs in this complex with the same footprint have been given a permit which allows them 5 or 6 occupants.

Thank you so much for your consideration,  
Belinda

From: [R. Myles Riner](#)  
To: [CSD - Short Term Rentals](#)  
Subject: STRs in Incline / Crystal Bay  
Date: Monday, October 18, 2021 2:42:01 PM

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

**I am an Incline Village resident who is very concerned about the impact that an ever increasing number of STRs will have on the neighborhoods in our small community. I am most concerned about loss of workforce housing, neighborhood nuisances, and the inability to properly enforce existing regulations governing STRs. I believe we need to better understand these impacts before ANY new STRs are allowed here.**

**I also believe that a moratorium would be supported not only by the vast majority of the residents in IV/CB, but also by the majority of existing owner/operators of STRs here, as unmitigated growth of new STRs will only increase competition for those that have already established these businesses in our neighborhoods. Whereas these property owners might have resisted regulation of STRs, now that the regulations have been adopted, they undoubtedly would see that it was in their own interests to join the ranks of those that oppose further growth of STRs in IV/CB. You can expect that support for a moratorium on new STRs will only grow in numbers and in the strength of their voices, which you can not afford to continue to ignore.**

**Thank you for including this as input for the Washoe County STR Code Meeting October 19."**

**Myles Riner MD**  
**[mriner@comcast.net](mailto:mriner@comcast.net)**  
**411 Valerie Ct.**  
**Incline Village**  
**415-272-4414**

From: [Richard Miner](#)  
To: [CSD - Short Term Rentals](#)  
Subject: Today's Meeting re. Short Term Rentals in Washoe County  
Date: Tuesday, October 19, 2021 10:32:45 AM

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

Dear Commissioner's,

Back in the Spring of this year when Washoe County was considering regulations for short term rentals in the unincorporated areas of the county one of the critical must-do's that was repeatedly raised by concerned citizens was the failure of county planners to adequately detail the kind of data that would be required to assess the efficacy of the proposed regulations and equally important, who would collect and then provide that data so an accurate and valid analysis could be undertaken. The commissioners failed to specify in advance these critical details--although many suggestions were provided in public input--saying instead they would rely on the planners to develop and apply those criteria. To be fair, the commissioners and planners did suggest that the time frame for the initial analysis would be (or perhaps just start) "in November."

At the same time, virtually all of the "eggs" for that analysis were placed in the "basket" of Host Compliance offering little or no evidence of what was being required by the county from that business nor any details of how whatever HC did supply would be collected and analyzed. The time has come to demonstrate that this decision was not just a CYA for both the planners and the commissioners. To say that Washoe County has a vested interest in now coming up with data which makes the decisions of the planners and commissioners of six months ago look good is a given, but all the more that context makes it imperative that we--the citizens and taxpayers of Incline Village and Crystal Bay who currently harbor well over 90% of all the STR's in the county are finally given the following information so all can see and understand on what basis any decisions about the efficacy of our STR regulations can be made in the clear light of the data, and not based on wishful thinking--or worse.

First of all, what data is Host Compliance required to collect and on what timeline is it being forwarded to Washoe County Planners (or other county officials)?

Second, how is this data going to be made available to local taxpayers and other officials with regulatory and/or other administrative responsibilities such as law enforcement, the NLT Fire District, IVGID and others?

Third, what are the analytical processes county planners will employ to determine if changes in the regulations need to be considered and if so, what are the timelines for this analysis? What is the proposed schedule for forwarding proposed recommendations to the commissioners for further action?

Finally, what other sources of data that are not included in the Host Compliance contract that should now be considered and/or required so that gaps in the data which frustrate or prevent appropriate analysis can be collected and considered. These could and should include STR owner and user surveys, data to be collected from STR facilitators such as property managers,

reservation intermediaries such as AirBnB, VRBO, etc. and the large corporate STR owner/operators such as Marriott Corporation, etc. If some of the above is already being done, then the public/taxpayers need to know. If it is not, it needs to be instigated immediately.

Many thanks for considering these suggestions,

Richard Miner  
814 Toni Court  
Incline Village, NV

**From:** [Pamela Tsigdinos](#)  
**To:** [CSD - Short Term Rentals](#); [Lucey, Robert \(Bob\) L](#); [Herman, Jeanne](#); [Hauenstein, Mojra](#); [Giesinger, Chad](#); [Galassini, Janis L](#); [Washoe County](#); [Hill, Alexis](#); [Brown, Eric P.](#); [Hartung, Vaughn](#); [Jung, Kitty](#)  
**Cc:** [Dick, Kevin](#); [Rochelle Nguyen](#)  
**Subject:** Washoe County STR Code - Resident Input  
**Date:** Monday, October 18, 2021 3:25:13 PM  
**Attachments:** [STR OrdinanceResidentInput.Tsigdinos.Oct.21.pdf](#)

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

Washoe County Planners, Staff and Commissioners:

I am a full-time resident of Incline Village with deep concerns about the current STR ordinance. Please review this feedback and proposed modifications (below and attached). I'd like this input included in the public record as part of the October 19, 2021, **Washoe County Short-Term Rental code input and permit status update meeting**. FYI: I'll also share a copy of this with reporters and others who follow this topic.

#### **PUBLIC HEALTH AND SAFETY**

- **Section 110.319.50 Restrictions During a Declared Emergency** provides emergency powers to local governmental entities. Several COVID surges and wildfire dangers this spring/summer created immediate threats to local residents and first responders. *Why didn't Washoe County ask the Governor to declare an emergency as of August 1, 2021, when the ordinance went into effect?*
  - An STR cessation and moratorium on new permit processing would have reduced disease transmission in a vulnerable rural community with a four-bed hospital and eased demands on first responders and evacuation infrastructure.
- *Will the County amend the ordinance so that it doesn't rely on the Governor's office to recognize local dangers and fast-changing life-threatening circumstances?*
- *Will the County amend the ordinance to spell out the level of threat the County will consider an 'emergency' so it's clear how the County intends to prioritize lives over Transient Occupancy Tax revenue collection?*
- **Section 110.319.35 Inspections and Self-Certifications** for life-safety – *Why does the County allow absentee owners to 'self-certify' properties they don't inhabit ... putting surrounding structures and residents at risk of fires/wildlife, etc.? Will the County ask STR permit holders to certify if they are owner-occupied properties for self-certification and amend the ordinance for non-property holders to require more frequent County inspections for life-safety?*

#### **GOVERNMENT TRANSPARENCY**

- **Section 110.319.45 Duties of Hosting Platforms** requires Hosting Platforms to provide quarterly reports. *Are these reports publicly available and searchable online? If not, why not?*
- The County uses taxpayer dollars to pay Host Compliance to collect complaints ... *why is*



*this information not publicly available and searchable online by property?*

### COMPLIANCE/ENFORCEMENT

- **Section 110.319.30 Enforcement** states operating an STR without the Required Permit is unlawful and a public nuisance (WCC 50.308.1) and any permit owner found to operate an STR without the permit shall be guilty of a misdemeanor.
  - The County has consumed tax-payer funds and resources for two-plus years crafting this ordinance offering plenty of notice for illegal STR operators to get into compliance ... *How many fines has the County issued? If none, why not?*
  - WCC Chapter 125 – fee for operating an STR without required permit is only \$1,158.40 however Douglas County will charge \$20,000. Several hundred properties are operating unlawfully in Washoe County, *will the County increase the fee to increase compliance?*

### STR ADVERTISING/INSURANCE/TRANSIENT OCCUPANCY TAX USE

#### Section 110.319.15 Standards

- (9) states advertising is prohibited unless a valid STR permit is issued – *Why doesn't the County's ordinance require hosting companies to remove any advertising of an unpermitted STR?*
- (12) Certificate of Insurance - *How does the County and community verify that an STR operator provide a minimum of \$500,000 liability coverage per occurrence? Furthermore, why doesn't the ordinance require the STR operator to inform its mortgage holder/insurance company that the property is being used as an STR?*
  - Note: insurance and mortgage requirements differ for primary residential and rental uses. The former is not valid for the latter.
- (15) The ordinance states applicable room tax must be paid to the Reno-Sparks Convention and Visitors Authority – *Why doesn't the STR room tax come back to the **impacted** community – in this case Incline Village and Crystal Bay —where 90+% of the STRs are located? Will the County disclose what percentage of those tax receipts are spent in IV/CB?*

### TAHOE BASIN HOUSING SHORTAGES

- Lack of long-term housing rentals has reached crisis levels in the Tahoe Basin and in unincorporated Washoe County (specifically in Incline Village/Crystal Bay) due in large part to unlimited STRs. Many businesses are unable to fill open positions. *Will the County include STR permit limits into the ordinance as has been done in other jurisdictions?*
- *Does the County acknowledge that STRs reduce the overall number of rentals available to long-term residents and workers? When will this housing shortage be considered an emergency?*

### OVERTOURISM/NEGATIVE ENVIRONMENTAL IMPACTS

- STRs and the high-throughput large groups they attract contributes to overtourism and creates excess wear and tear by virtue of STR renters being 'on vacation' and escalate adverse

environmental impacts. Lake Tahoe clarity has worsened due to unauthorized tourist trail creation/runoff and trash/pollution. Meanwhile air quality in the Tahoe Basin has worsened due to traffic pollution contributing to higher amounts of ground ozone not to mention increased wildfire smoke and related environmental damage. *Why is there nothing in the ordinance to address negative environmental impacts caused by STR-induced overtourism (e.g. added fees)?*

Thank you for your attention to these important issues.

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