



County of El Dorado

Vacation Home Rental (VHR) Ad Hoc Committee Meeting 5

Lake Tahoe Environmental Science Magnet School
June 11, 2018

VHR Meeting 6/11/18

- ▶ Introduction/agenda
- ▶ Outstanding Items
 - ▶ Re-cap Board of Supervisors meeting 5/22/18
 - ▶ Questions about residential noise, etc.
- ▶ Policy and Enforcement Options: Limits to location and number of VHRs
 - ▶ Framework
 - ▶ Case Studies
 - ▶ Pros & Cons
- ▶ Policy and Enforcement Option Recommendations: Parking, Traffic, Trash, Trespassing – Results from 5/9
- ▶ Wrap up/plan for next meeting

Meeting Recap

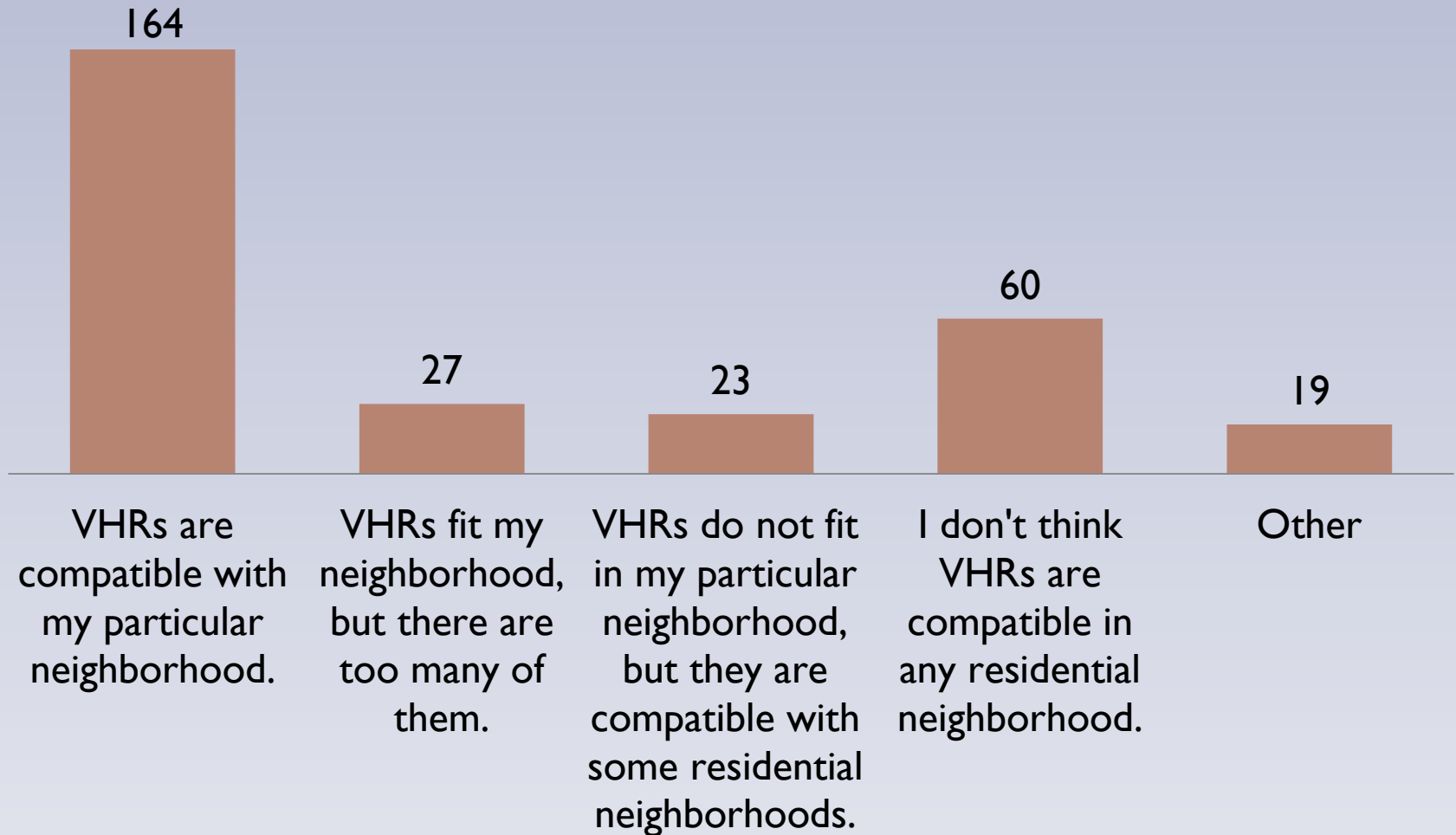
- ▶ April 12 Ad Hoc Committee - Magnet School, Meyers
 - ▶ Ad Hoc Committee Goal and Objectives
 - ▶ Policy Exercise for Noise Issues
- ▶ April 23 Ad Hoc Committee - Board Chambers, Placerville
 - ▶ Ordinance concepts presented
 - ▶ Discussion of expanding VHR permitting process to West Slope
 - ▶ Review of Ad Hoc Committee Goal and Objectives
- ▶ May 2 BOS Meeting- South Tahoe Middle School, South Lake Tahoe
 - ▶ Approval of conceptual ordinance revisions
 - ▶ All concepts approved, with direction to reduce the required response time for Local Contact Person from 60 minutes to 30 minutes
- ▶ June 5 – BOS Meeting
 - ▶ Second Reading of ordinance (8 initial ordinance changes)

Survey Monkey Results #2

- ▶ The questionnaire was sent to our contacts from the sign-in sheets from previous meetings and posted on social media outlets
- ▶ Who responded to the questionnaire?
 - ▶ 295 Responses total (and counting)
 - ▶ Approximately 48% of responses were from those in the Lake Tahoe area of the County (unincorporated)
 - ▶ 31% from the City of South Lake Tahoe (this effort pertains to areas outside the cities)
 - ▶ 80% said they are residents, about 22% said they are VHR owners, and 9% are property managers

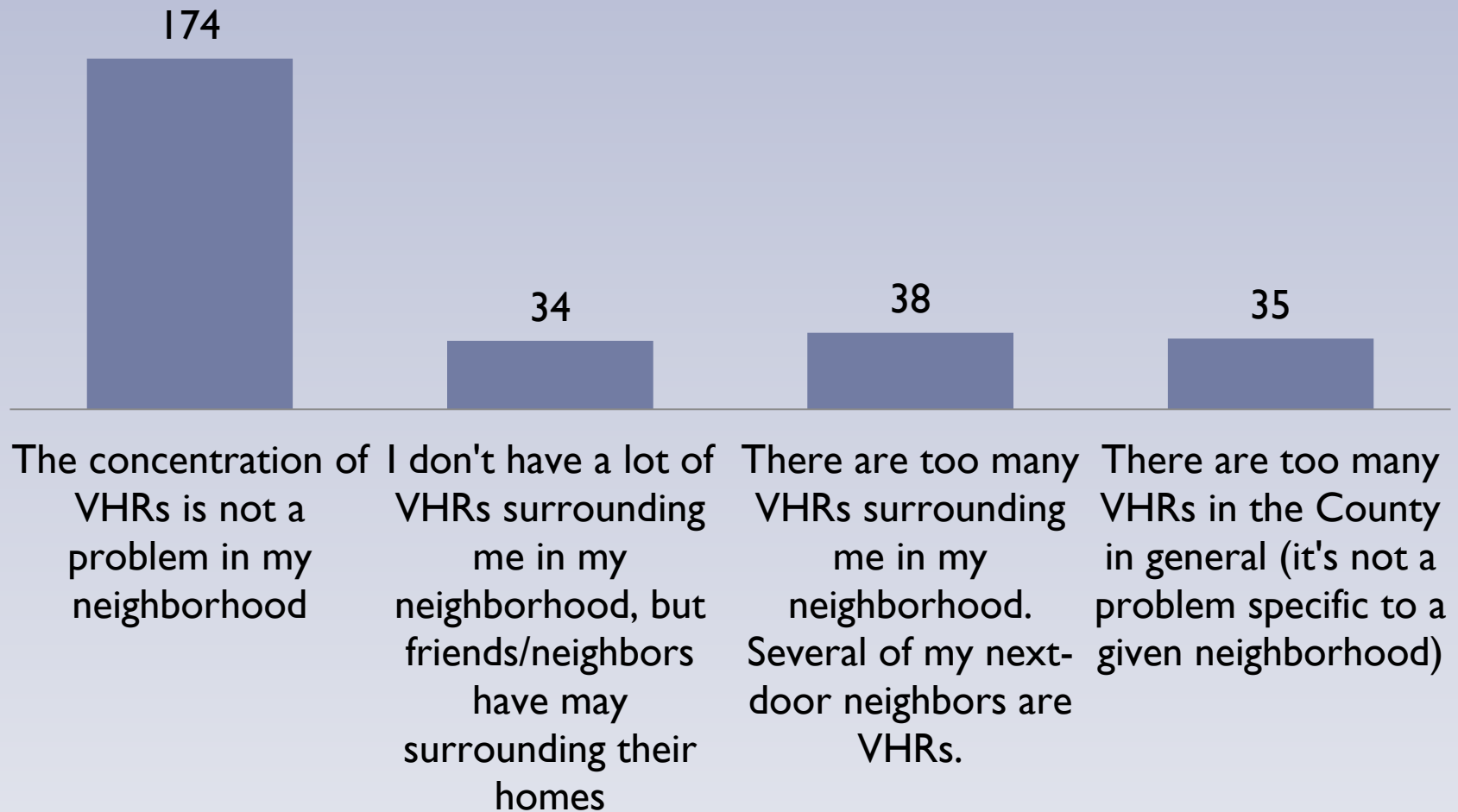
Survey Monkey Results

We Asked, “Which of these statements do you agree with most?”



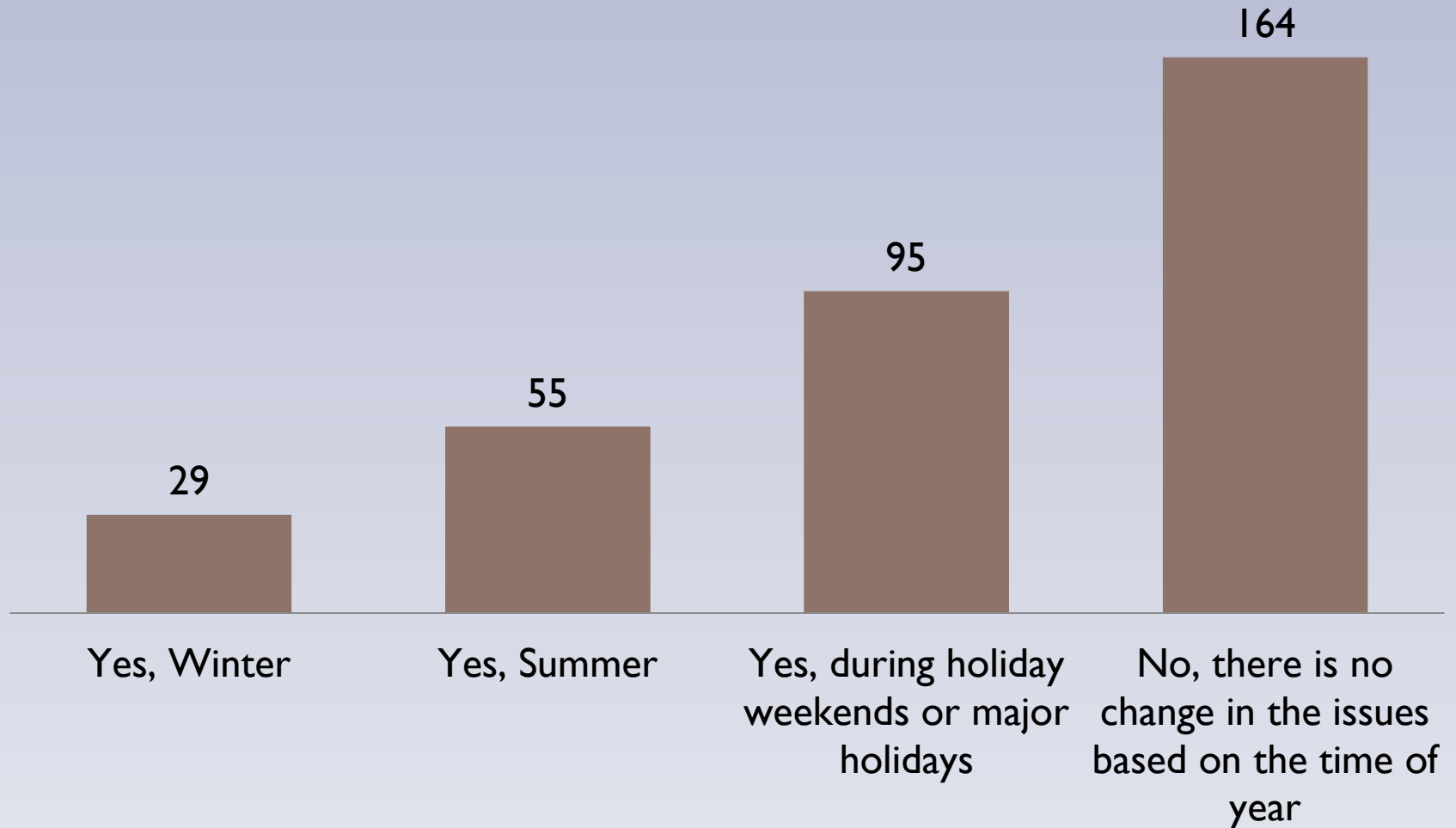
Survey Monkey Results

We Asked, “Which of these statements do you agree with most?”



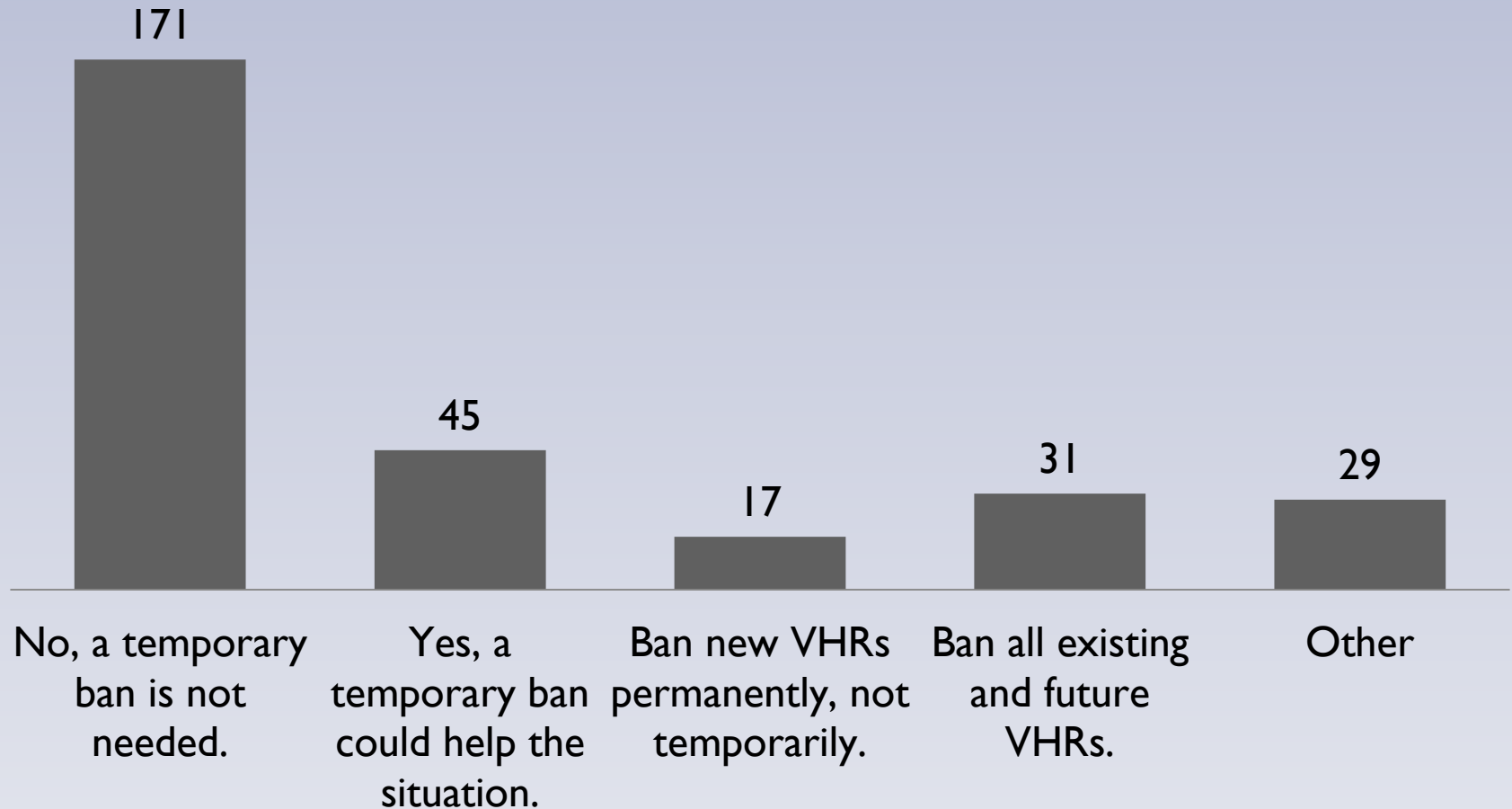
Survey Monkey Results

We Asked, “In your experience, are there more problems with VHRs at certain times of year?”



Survey Monkey Results

We Asked, “Finally, would you be in favor of a temporary ban on the issuance of new Vacation Home Rental Permits?”

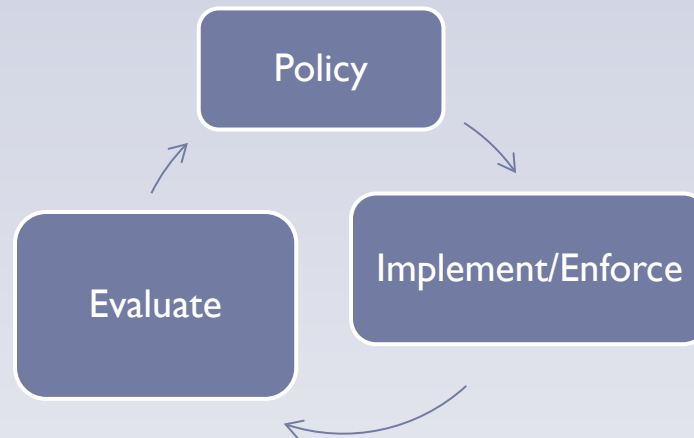


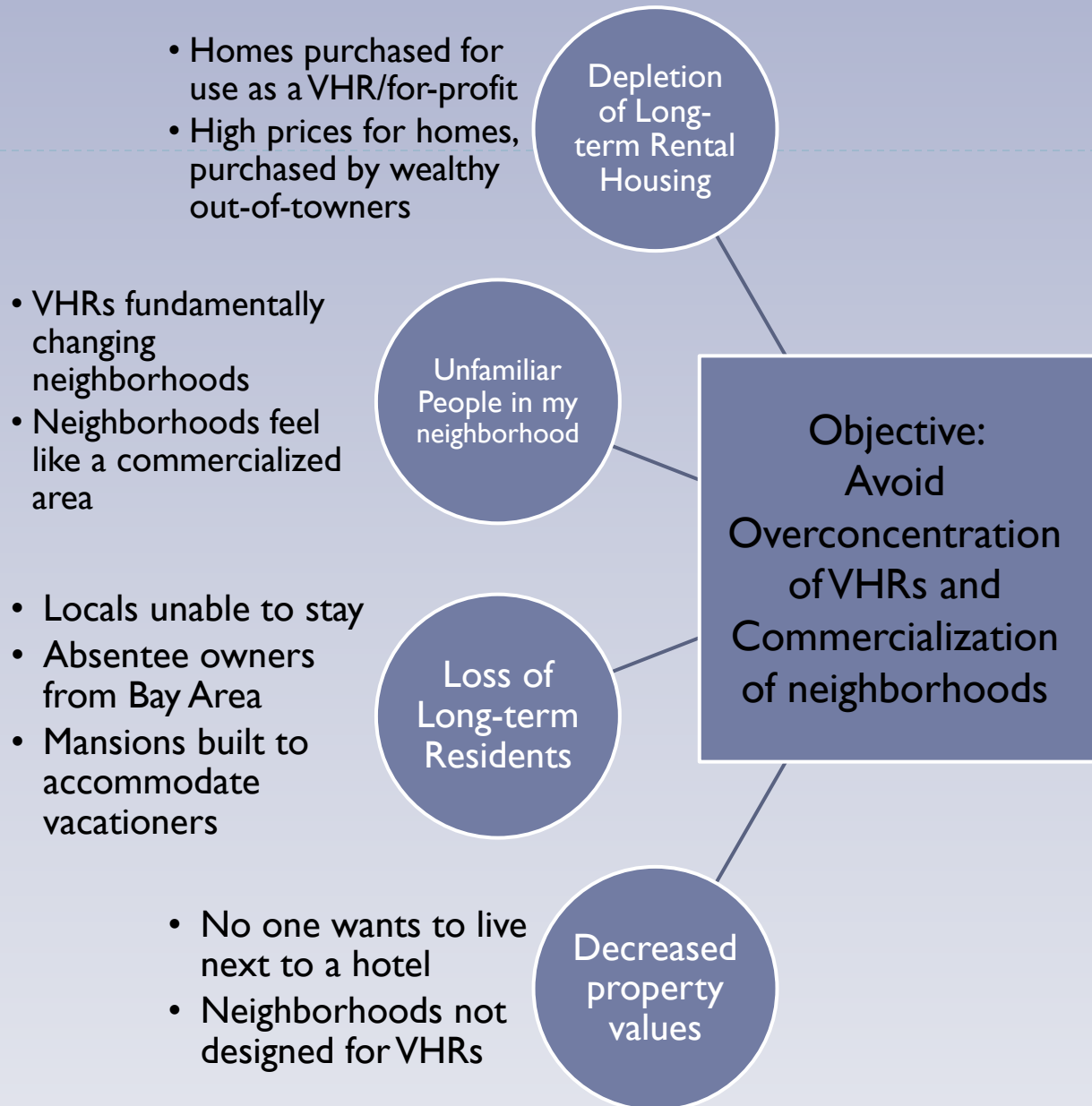


Goal: Set of modernized policies and enforcement methods that retain the benefits of VHRs, prevents or mitigates the impact on neighborhoods, and minimizes their impact on public services.

Objective: Improve
Neighborhood
Compatibility

Objective: Avoid
Overconcentration of
VHRs and
Commercialization of
neighborhoods





Cities/Counties for Comparison

- ▶ How are other jurisdictions addressing VHRs?
- ▶ Chosen for geographical/population/other similarities and tourist industry
- ▶ The List:

Napa County
County of Sonoma
Monterey County
County of Riverside
Santa Barbara County
Marin County
San Luis Obispo County
Placer County
Mono County

Mendocino County
Douglas County, NV
City of South Lake Tahoe
City of Palm Springs
City of Palm Desert
City of Napa
City of Healdsburg
City of Santa Barbara

Objective: Avoid Overconcentration of VHRs and Commercialization of neighborhoods

▶ Policy Options

- ▶ Prohibit in residential zones
 - ▶ Because almost all VHRs are in residential zones, this would amount to a ban of VHRs almost entirely
- ▶ Require a conditional use permit for ALL
 - ▶ Already a proposed policy for VHR owners that want to allow more than 12 people
 - ▶ Environmental review required, discretionary action by Planning Director or Planning Commission, cost approximately \$7-10,000
- ▶ Limit to “hosted” rentals only
 - ▶ Would allow “partial home” VHRs, not whole property/home
 - ▶ Resident/owner is present during rental, no absentee owners

Objective: Avoid Overconcentration of VHRs and Commercialization of neighborhoods

▶ Policy Options (Continued)

- ▶ Cap total number
- ▶ Overlay zone
 - ▶ An area where VHRs are specifically allowed; outside of this they would be banned. Specific neighborhoods would allow them.
- ▶ Cap on number or percentage in each neighborhood or “block”
 - ▶ E.g., 10% of homes can be a VHR, if neighborhood is at capacity no other permits issued until one expires/ceases operation
- ▶ Separation distance between VHRs
 - ▶ E.g., must be 500 feet between each VHR, distance would be measured for each new application

Benchmark Cities/Counties: Snapshot of Policies

- ▶ Several jurisdictions regulate VHRs, but not the number or concentration of them, including Riverside County, Douglas County, NV, and the City of Palm Springs
- ▶ Three Counties (Marin County, Placer County, and Mendocino County), as well as the City of Placerville, do not regulate VHRs or only collect Transient Occupancy Tax (Hotel/Motel Tax)
- ▶ Napa County, the City of Healdsburg, and the City of Santa Barbara have PROHIBITED VHRs in residential zones
- ▶ The remainder have come up with more interesting solutions...

City of South Lake Tahoe: Cap

- ▶ A Tourist Core Area, which the city states is the “center of tourist services and recreation access...and has traditionally been the area with the highest concentration of services and density,” allows VHRs with no cap
- ▶ South Lake Tahoe has a cap of 1,400 Vacation Home Rentals (outside of the Tourist Core Area), which require an inspection
- ▶ There is a waitlist for those wanting a new VHR permit

Santa Barbara County: Overlay zones, hosted only

- ▶ Previously, VHRs or short-term rentals were not allowed in residential zones
- ▶ In May, the County proposed limiting hosted rentals or “homestays” in legal residential dwellings (but not in guesthouses)
- ▶ One exception: a small area near Miramar Beach
- ▶ The Coastal Commission required that that the County allow homestays (in rooms and in guesthouses)
- ▶ VHRs require a Use Permit and a Coastal Development permit
- ▶ The Coastal Commission is requiring that jurisdictions allow (some) VHRs in (some) coastal areas to increase public access to the Coast

San Luis Obispo County: Separation Distance

- ▶ Inland areas have no restrictions on numbers or concentration, only a business license is required
- ▶ Coastal areas of the County require a zoning clearance or minor use permit
- ▶ The coastal communities of Cambria, Cayucos, and Avila Beach have a “Location Standard”
 - ▶ Cambria: VHRs may not be located within 200’ of another VHR hotel, motel, or B&B on the same street, or within a 150’ radius
 - ▶ Cayucos: VHRs may not be located within 100’ of another VHR hotel, motel, or B&B on the same street, or within a 50’ radius
 - ▶ Avila Beach: VHRs may not be located within a 50 foot radius of another VHR hotel, motel, or B&B

Sonoma County: Exclusion Overlay Zone

- ▶ Created a Vacation Rental Exclusion (X) Combining District near the city of Sonoma and in other higher-density areas
- ▶ In the Vacation Rental Exclusion (X) Combining District, existing legally permitted vacation rentals may continue but those permits will expire upon sale or transfer of the property.
- ▶ Hosted rentals may still be conducted in these areas – they have a different ordinance for these.
- ▶ Both hosted and non-hosted rentals require a permit.

Mono County: Hosted only, Temporary Ban on Non-Hosted

- ▶ Allow only rentals where the owner occupies the premises and is present during vacation rentals
- ▶ They must obtain a use permit from the Planning Commission.
- ▶ A moratorium on “Type II” rentals, where owners do not occupy the property, was enacted to allow for additional public outreach.
- ▶ No VHRs are allowed in the June Lake area, as an Area Plan is currently being updated for this area

City of Napa: Two Caps

- ▶ Napa has a cap for both hosted and non-hosted VHRs
- ▶ Non-Hosted: 41
- ▶ Hosted: 60
- ▶ The non-hosted VHRs can only be transferred to new homeowners through a transfer process, which must be initiated prior to the sale
- ▶ Accessory dwelling (“Mother-in-law”) units may not be used as a VHR
- ▶ There is a waitlist for those wanting a new VHR permit, and no new applications are being accepted at this time

City of Palm Desert: Limited Ban

- ▶ Previously, the City of Palm Dessert instituted some noise, parking, etc. regulations on vacation rentals
- ▶ A new ordinance prohibits new VHRs in single-family residential zones beginning January 1, 2020
- ▶ No new VHR permits are being issued in these zones
- ▶ Small pockets of residential area that are higher-density (and nearer commercial areas) will continue to be able to operate VHRs

Discussion Framework

- ▶ For Each Issue:
 - ▶ Policy Option
 - ▶ Pros
 - ▶ Cons
 - ▶ Enforcement Options
 - ▶ Pros
 - ▶ Cons

Parking/Safety/Etc. Policies

	Pros	Cons
Limit # of Vehicles	<ul style="list-style-type: none">- Minimizes issues with snow removal- Can limit # to what can fit on-site- Parallels rules for hotels	<ul style="list-style-type: none">- Just need to enforce current ordinance- Language too vague- How to enforce?

- Over 50% of respondents to the survey monkey indicated that they had not witnessed parking or traffic issues specifically associated with VHRs
- The most chosen other options were issues not specifically related to VHRs—they were violations of other laws like parking illegally or speeding. The option “I can’t find parking due to VHRs” received the fewest at 7 responses (3%).
- This policy would be difficult to enforce.
- Other policies, such as limiting occupancy, posting house rules may work to solve the issues with parking and traffic

This policy is not proposed at this time.

Parking/Safety/Etc. Policies

	Pros	Cons
Require fire and life safety measures (i.e. fire extinguisher, CO detector, smoke detector)	<ul style="list-style-type: none">- Could help to enforce defensible space requirements- These should be mandatory- These are businesses and should comply with health and safety codes	<ul style="list-style-type: none">- None.

- “House fires” was the most-chosen response to the Survey Monkey question on safety, at 55%, or 60 total responses, and “Defensible space maintenance” was a close second with 53% or 58 total responses
- The set of changes that has already gone to the Board includes inspections, so these requirements could be incorporated into those inspections

Proposed Policy:

- Work with fire districts to draft and refine a set of requirements
- Require inspections prior to issuance to check for these safety features

Parking/Safety/Etc. Enforcement

	Pros	Cons
In-person check-in with renters	<ul style="list-style-type: none">- Makes renters more accountable/respectful- Enables manager/owner to brief renter on regulations and consequences for non-compliance- Owner/property manager responsibility- Mirrors hotel rules	<ul style="list-style-type: none">- Local contact and rental agreement should be enough- Most check-ins are late check-ins

Survey monkey results indicated that trespassing is not a wide-spread issue, but that problems with proper use of bear boxes, parking illegally, and renters' cars on the street during snow removal were issues. Meeting with the renter could allow instructions to be given to alleviate these issues.

Proposed Policy: Require the owner or property manager to check-in with the renter on-site at the time of arrival or within 10 hours of arrival.

Parking/Safety/Etc. Enforcement

	Pros	Cons
Inspection for new VHRs and upon renewal of permit	<ul style="list-style-type: none">- Inspections are critical for safety- Should apply to all permits, even those that are existing prior to new rules- Should be done annually- Once every 2 years should be sufficient	<ul style="list-style-type: none">- Building inspectors and code enforcement are already overloaded- Makes sense to inspect new VHRs

Proposed Policy: Include specific safety requirements in the ordinance. Inspections for new and renewed VHR permits.

Parking/Safety/Etc. Enforcement

	Pros	Cons
Owner/ manager certification	<ul style="list-style-type: none">- Training for managers- Understanding of difficult situations- They know the rules, can inform renters- Out-of-area homeowners need training- Helps with accountability and compliance	<ul style="list-style-type: none">- Current ordinance already requires that they know the rules- No other ordinances require certification to be utilized- Strain on resources

Feedback from ad hoc committee meetings and Survey monkey results indicate that some issues are more prevalent with certain VHRs, but that some management companies have fewer issues. Ensuring that all managers and owners that operate VHRs have a thorough knowledge of the rules could help to alleviate issues.

Proposed Policy:

Create online course and test for VHR owner/manager certification, results of which will be required as part of the application process.

Parking/Safety/Etc. Policy and Enforcement

Policy Recommendations

- ▶ Draft and refine a set of required safety features to include in the ordinance

Enforcement Recommendations

- ▶ Inspections for new *and* renewed VHR permits.
- ▶ Require the owner or property manager to check-in with the renter on-site at the time of arrival or within 10 hours of arrival.
- ▶ Create online course and test for VHR owner/manager certification, results of which will be required as part of the application process.

Noise-related recommendations (5/9 Meeting)

Policy Recommendations

- ▶ Cap on number of overnight occupants at 12, regardless of number of bedrooms.
- ▶ Occupancy calculated at two persons per bedroom, plus two
- ▶ Conditional Use Permit required to operate a VHR whose occupancy exceeds the cap.
- ▶ Quiet hours of 10:00 p.m.-8:00 a.m. apply to all activities, not just hot tubs.

Enforcement Recommendations

- ▶ Impose penalties for violations on the entity directly responsible for the violation.
- ▶ Notify and educate neighboring residents of VHR permits issued.
- ▶ 24/7 Local Contact Person able to respond within 30 minutes
- ▶ Enforcement Staff Equipped with Decibel Meters.

Schedule

- ▶ West Shore Meeting: June (Date TBD)
- ▶ Board of Supervisors Conceptual Changes (Noise, Safety, etc.): July, 24 2018
- ▶ Tahoe Ad Hoc Committee Meeting: July 26, 2018

We want to hear from you!

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