

Local Government Activities Related to Short Term Rentals in the Lake Tahoe Basin

TRPA Local Government & Housing Committee Report

July 17, 2019

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*The first version of this report is dated December 13, 2017.
www.trpa.org*



A Voice for Lake Tahoe

Acknowledgments

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Wesley Rice
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E. Clement Shute, Jr.

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Jim Lawrence, State of Nevada

Short-Term Rental Neighborhood Combability Working Group

Sue Novasel, El Dorado County
Marsha Berkbigler, Washoe County
Brooke Laine, City of South Lake Tahoe
Shelly Aldean, Carson City
Wesley Rice, Douglas County
Larry Sevison, Placer County
Belinda Faustinos, State of California
Jim Lawrence, State of Nevada
Janet McDougal, Neighborhood Group
Leona Allen, Neighborhood Group
Gavin Feiger, Environmental Group
Heather Lunsford, Nevada Real Estate

Sharron Kerrigan, California Real Estate
Mark Salmon/Pat Davison, Building Industry
Rebecca Bryson, Community Member
Amanda Ross, Community Member

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Susan Strating, Director, Human Resources and Organizational Development
Marja Ambler, Clerk to the Governing Board

Tahoe Regional Planning Agency Project Staff

Brandy McMahon, AICP, Local Government Coordinator

Table of Contents

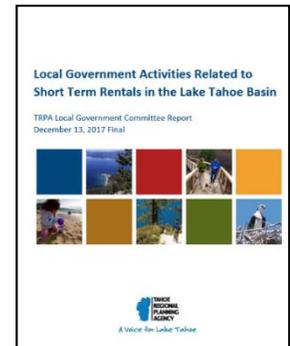
Introduction.....	3
Local Government Neighborhood Compatibility.....	4
2019 Current Conditions.....	4
Short Term Rental Best Practices.....	5
Local Government STR Best Management Strategies – Lake Tahoe Basin.....	8
Conclusion.....	15

Introduction

In 2017, the Tahoe Regional Planning Agency (TRPA) hosted two public presentations by national experts in managing short-term rentals (STRs), also referred to as vacation home rentals (VHRs), followed by a roundtable discussion. The first presentation by staff from Michael Baker International focused on summarizing the report commissioned by the City of South Lake Tahoe titled *Socioeconomic Impacts of Vacation Home Rentals in South Lake Tahoe* (Michael Baker International, June 2017). The City of South Lake Tahoe commissioned the report to understand the economic implications of potentially regulating STRs. Host Compliance, a privately held company that specializes in STR compliance monitoring and enforcement solutions for local governments also presented. The two presentations highlighted policy alternatives, regulatory best practices, and monitoring and compliance options for managing STRs. The roundtable discussion teased out policy alternatives, regulatory best practices, and monitoring and compliance options that could be well-suited to Tahoe's local jurisdictions. The discussion also identified the differences in strategies used in the Tahoe Region to address unique aspects of each jurisdiction. The information collected was compiled in the first version of the *Local Government Activities Related to Short-Term Rentals in the Lake Tahoe Basin Report* (December 13, 2017), available at: www.trpa.org/short-term-rental-neighborhood-compatibility.

The conclusion of this report read:

The local jurisdictions are acting responsibly to resolve VHR issues so that the concerns of residents and stakeholders, and policies of the Regional Plan are addressed. The TRPA Board and Local Government Committee played a productive role in raising important questions and organizing an overview of best practices and current actions underway on VHR management. We recommend that the Local Government Committee convene periodically (e.g., once a year) for an update on VHR management strategies and actions within the Region, and report to the full Governing Board and public with updates on this report.



Since 2017, the usage of homes for STRs has continued to receive significant attention at the local level with both citizen-led groups as well as elected officials employing a variety of strategies to reduce the impacts of this type of use. These strategies range from citizen-led initiatives to ban STRs, to strengthening of local ordinances related to STRs, to forming local task forces, to the use of strategies to increase compliance of homes with local ordinances. Issues identified by residents and in research papers associated with STRs include increased trash-related problems, over-parking, noise, and deteriorating sense of community, as well as increases to the cost of housing and the availability of housing for local residents.

Over the past year, the issue of STRs and their impacts on neighborhoods and the stock of housing for local residents has also been raised repeatedly at TRPA Governing Board meetings in public comment. In response, TRPA's newly formed Local Government and Housing Committee, prior to the Governing Board distribution of the 2019 and 2020 residential allocations to local jurisdictions, voted to recommend to the Governing Board that **the Committee develop a code amendment to make short-**

term rental neighborhood compatibility a third criterion of the Performance Review System¹ for the future release of residential allocations and bring it before the Governing Board by December 2019.

The Committee initiated the process by directing TRPA staff to implement a Short-Term Rental Neighborhood Compatibility Work Program for the Tahoe Basin, which includes the formation of a Working Group, identifying best practices, and updating the *Local Government Activities Related to Short-Term Rentals in the Lake Tahoe Basin Report* (this Report) to inform the Working Group. The Work Program and information on the Working Group is available at: www.trpa.org/short-term-rental-neighborhood-compatibility.

Local Government Neighborhood Compatibility Defined

TRPA code establishing the definition of a Local Government Neighborhood Compatibility Program (Code Section 90.2) already exists and is shown below in italics.

Local Government Neighborhood Compatibility Requirements

Requirements implemented and enforced by a local government through a cooperative agreement with TRPA that regulate vacation rentals to ensure neighborhood compatibility. Such requirements include, but are not limited to, mitigating the potential adverse impacts related to refuse/garbage, parking, occupancy, noise, lighting, and signage.

2019 Current Conditions

In 2019, TRPA found that there are approximately 6,490 permitted STRs in the Tahoe Region, which is approximately 14% of all residential units.

Jurisdiction	Total Residential Units	Total Permitted STRs*	% of STRs of Overall Residential Units
City of South Lake Tahoe	15,482	1,545	9.98%
Douglas County	4,320	469	10.86%
El Dorado County	8,715	860	9.87%
Placer County	11,267	2,653	23.55%
Washoe County	7,372	963	13.06%
Carson City	1	0	0.00%
TOTAL	47,157	6,490	13.76%

Source: TRPA's Research & Analysis Division.

Note: This information was updated in October 2019.

*In Washoe County and Placer County, STRs were considered "permitted" if TOT is being collected.

¹ Refer to the *Short-Term Rental Neighborhood Compatibility Work Program for the Tahoe Region* or TRPA Code, Section 50.5, for a description of the Performance Review System.

Short-Term Rental Best Practices

On June 12, 2019, members of TRPA’s Local Government and Housing Committee, the Short-Term Rental Neighborhood Compatibility Working Group, and public identified the following list of locational, operational, and enforcement best practices, including policy and enforcement best practices from Host Compliance and Michael Baker International and other recommendations from the *Mountain Housing Council Short-Term Rental White Paper, March 2019*, that may be included in local government STR neighborhood compatibility programs. TRPA plans to work with the Working Group to refine the list and develop a “menu” of best practices that will further implementation of Regional Plan Goals and Policies and support environmental threshold maintenance and attainment.

Locational, Operational, & Enforcement Best Practices for STR Neighborhood Compatibility

LOCATIONAL

1. Locate STRs within or near Town Centers, commercial areas, and/or near regional amenities, such as ski resorts
2. Only allow STR use in residential areas if home is occupied by a primary resident the majority of the year (make STRs an accessory use)
3. Limit the size of STRs (consider requiring a special use permit for large STRs, prohibit the use of large new homes with 4-5 bedrooms as STRs through a deed restriction, and/or require a business license for large STRs)
4. Limit the total number of STRs in each jurisdiction (ratio of occupied housing to STRs, first come/first serve, or by lottery)
5. Analyze STR saturation to determine heavily impacted neighborhoods
6. Limit the number of STRs in each neighborhood
7. Establish a waiting period after home construction or sale for STR permit eligibility (except in Town Centers)
8. Require STRs be spaced out, such as limiting no more than one STR per 500 feet, to address clustering
9. Only allow STRs within ¼ mile of transit and use TOT collected from STRs to fund transportation projects to reduce vehicle miles traveled (VMT)
10. Limit the number of STRs per parcel
11. Cap the number of nights per year a unit may be rented as an STR
12. Cap the number of times an STR may be rented, such as four times per month
13. Create a working group to develop policies and programs for managing STRs

OPERATIONAL

1. Require an STR permit and annual renewal
2. Require permit fees, inspection fees, annual renewal fees
3. Require Transit Occupancy Tax (TOT) registration

4. Limit the total number of STR permits based on Emergency Medical Services, Fire, and Law Enforcement resources & availability
5. Establish a ratio of full time to short term rentals
6. Establish a waiting period after home construction or sale for STR permit eligibility (except in Town Centers)
7. Establish occupancy limits (limit the number of visitors by bedrooms, such as 2 per bedroom, unless under 5 years of age, and available parking)
8. Require proper garbage containment, such as bear boxes and trash service
9. Require water quality Best Management Practices be installed/recertified to be eligible for an STR permit
10. Require public health and safety inspections for new permits and permit renewals (require appropriate handrails, adequate electrical for hot tubs, CO2 and smoke detectors, etc.)
11. Provide education about being a good neighbor, fire safety, Lake Tahoe stewardship, Geotourism, parking, and public transportation options
12. Require a defensible space inspection
13. Establish quiet hours (10:00 p.m. to 8 a.m.)
14. Require interior/exterior signage with permit information and regulations
15. Require permit numbers be on all STR advertisements
16. Require snow removal
17. Require adequate on-site parking
18. Require STR permit holders/renters to read rules and sign disclaimer
19. Require STR permit holders have insurance that is specifically for STRs
20. Develop STR permit applications that require applicants to disclose if HOA/CC&Rs prohibit STRs
21. Provide a web-based permitting service and annual renewal service
22. Require a full-time certified local contact (or professional management) that is available anytime an STR is occupied
23. Require on-site professional management
24. Require a two-day minimum stay for STRs to lessen impact of move-ins and move-outs
25. Grant hardship deferrals for full-time hosted/shared STRs (consider fee discounts, permit exemptions, etc.)
26. Require STRs mitigate all excess coverage
27. Create a working group to develop policies and programs for managing STRs

ENFORCEMENT

1. Require a full-time certified local contact (or professional management) that is available anytime an STR is occupied
2. Require interior/exterior signage with local contact name/phone number
3. Require permit numbers be on all STR advertisements
4. Provide a 24 hour/7 day a week enforcement hotline
5. Implement a rental activity monitoring service, such as Host Compliance, to identify STRs that do not have permits/certificates
6. Track and report complaints (type of complaint, location, response time, resolution, number of complaints, etc.)
7. Revoke STR permits from repeat violators or for STRs that do not meet public health and safety standards
8. Increase fines for violations for the STR permit holder/property owner and/or visitors

9. Use permit fees, TOT, and money generated from fines to fund STR code enforcement
10. Increase fees for larger homes to fund additional enforcement costs
11. Make sure adequate cost recovery is built into STR program to fund code enforcement staff
12. Prohibit (repeat offenders) from applying for additional STR permits
13. Lien properties if STR violation fees have not been paid
14. Provide a web-based format for reporting STR violations
15. Only allow permanent residents to operate STRs
16. Grant hardship deferrals for full-time hosted/shared STRs (consider fee discounts, permit exemptions, etc.)
17. Create a working group to develop policies and programs for managing STRs

The best practices from these three sources will be used to create the menu contained in the guidelines that will accompany the proposed code amendment.

Local Government STR Best Management Strategies – Lake Tahoe Basin

Jurisdictional STR Management Strategies

The below table includes STR neighborhood compatibility best practices that are being implemented or are being considered in local jurisdictions. Below the table is an updated description of each jurisdiction’s specific STR management practices.

Best Practices for Short-Term Rental Neighborhood Compatibility Table

BEST PRACTICE	JURISDICTION				
	Douglas	El Dorado	Placer	Washoe	CSLT
LOCATIONAL					
1. Locate STRs within or near Town Centers, commercial areas, and/or near regional amenities, such as ski resorts					●
2. Only allow STR use in residential areas if home is occupied by a primary resident the majority of the year (make STRs an accessory use)					●
3. Limit the size of STRs (consider requiring a special use permit for large STRs, prohibit the use of large new homes with 4-5 bedrooms as STRs through a deed restriction, and/or require a business license for large STRs)		●			
4. Limit the total number of STRs in each jurisdiction (ratio of occupied housing to STRs, first come/first serve, or by lottery)					
5. Analyze STR saturation to determine heavily impacted neighborhoods	●	●			
6. Limit the number of STRs in each neighborhood		●			
7. Establish a waiting period after home construction or sale for STR permit eligibility (except in Town Centers)					

	Douglas	El Dorado	Placer	Washoe	CSLT
8. Require STRs be spaced out, such as limiting no more than one STR per 500 feet, to address clustering		●			
9. Only allow STRs within ¼ mile of transit and use TOT collected from STRs to fund transportation projects to reduce vehicle miles traveled (VMT)					
10. Limit the number of STRs per parcel		●	●		
11. Cap the number of nights per year a unit may be rented as an STR					
12. Cap the number of times an STR may be rented, such as four times per month					
13. Create a working group to develop policies and programs for managing STRs	●	●		●	
OPERATIONAL					
1. Require an STR permit and annual renewal	●	●	●	●	●
2. Require permit fees, inspection fees, and annual renewal fees	●	●	●	●	●
3. Require Transit Occupancy Tax (TOT) registration	●	●	●	●	●
4. Limit the total number of STR permits based on Emergency Medical Services, Fire, and Law Enforcement resources & availability					
5. Establish a ratio of full time to short term rentals					
6. Establish a waiting period after home construction or sale for STR permit eligibility (except in Town Centers)					
7. Establish occupancy limits (limit the number of visitors by bedrooms, such as 2 per bedroom, unless under 5 years of age, and available parking)	●	●		●	●
8. Require proper garbage containment, such as bear boxes and trash service	●	●	●	●	●
9. Require water quality Best Management Practices be installed/recertified to be eligible for an STR permit*					

	Douglas	El Dorado	Placer	Washoe	CSLT
10. Require public health and safety inspections for new permits and permit renewals (require appropriate handrails, adequate electrical for hot tubs, CO2 and smoke detectors, etc.)	●	●	●	●	●
11. Provide education about being a good neighbor, fire safety, Lake Tahoe stewardship, Geotourism, parking, and public transportation options	●	●	●	●	●
12. Require a defensible space inspection*	●				
13. Establish quiet hours (10:00 p.m. to 8 a.m.)	●	●	●	●	●
14. Require interior/exterior signage with permit information and regulations	●	●	●	●	●
15. Require permit numbers be on all STR advertisements					
16. Require snow removal		●			
17. Require adequate on-site parking	●	●	●		●
18. Require STR permit holders/renters to read rules and sign disclaimer	●		●	●	
19. Require STR permit holders have insurance that is specifically for STRs					
20. Develop STR permit applications that require applicants to disclose if HOA/CC&Rs prohibit STRs					
21. Provide a web-based permitting service and annual renewal service	●	●	●		●
22. Require a full-time certified local contact (or professional management) that is available anytime an STR is occupied	●	●	●	●	●
23. Require on-site professional management					
24. Require a two-day minimum stay for STRs to lessen impact of move-ins and move-outs					
25. Grant hardship deferrals for full-time hosted/shared STRs (consider fee discounts, permit exemptions, etc.)					
28. Require STRs mitigate all excess coverage					
28. Create a working group to develop policies and programs for managing STRs	●	●		●	●

ENFORCEMENT					
	Douglas	El Dorado	Placer	Washoe	CSLT
1. Require a full-time certified local contact (or professional management) that is available anytime an STR is occupied	●	●	●	●	●
2. Require interior/exterior signage with local contact name/phone number	●	●	●	●	●
3. Require permit numbers be on all STR advertisements					
4. Provide a 24 hour/7 day a week enforcement hotline	●	●	●		●
5. Implement a rental activity monitoring service, such as Host Compliance, to identify STRs that do not have permits/certificates	●	●	●	●	●
6. Track and report complaints (type of complaint, location, response time, resolution, number of complaints, etc.)	●	●	●		●
7. Revoke STR permits from repeat violators or for STRs that do not meet public health and safety standards	●	●	●		●
8. Increase fines for violations for the STR permit holder/property owner and/or visitors	●	●	●		●
9. Use permit fees, TOT, and money generated from fines to fund STR code enforcement	●	●	●		●
10. Increase fees for larger homes to fund additional enforcement costs					●
11. Make sure adequate cost recovery is built into STR program to fund code enforcement staff	●	●	●		●
12. Prohibit (repeat offenders) from applying for additional STR permits	●	●	●		
13. Lien properties if STR violation fees have not been paid	●	●	●		
14. Provide a web-based format for reporting STR violations	●		●		
15. Only allow permanent residents to operate STRs					
16. Grant hardship deferrals for full-time hosted/shared STRs (consider fee discounts, permit exemptions, etc.)					
17. Create a working group to develop policies and programs for managing STRs	●	●		●	●

*TRPA and local jurisdictions already require best management practices be installed and defensible space inspections with permits for new construction, additions, etc.

● = Doing

● = Considering

Regulatory and Compliance Best Practices – What are the Local Jurisdictions Doing?

Douglas County

On September 6, 2018, Douglas County adopted a new Lake Tahoe Vacation Home Rental Ordinance (Ord. 2018-1520). The ordinance stipulates that no owner of a vacation rental may rent the unit for 28 consecutive days or less without a valid vacation home rental permit (Section 20.622 of County Code). The Code includes the following provisions:

- **Maximum Occupancy.** The number of overnight occupants is limited to two person per bedroom, plus four additional persons per residence. Studios are limited to four occupants.
- **Noise.** Occupants must not create unreasonable noise or disturbance.
- **Trash and Refuse.** Trash may not be left or stored on the exterior of the building except from 6:00 p.m. of the day prior to trash pick-up, unless a bear proof container exists.
- **Parking.** Overnight parking must be on-site.
- **Interior sign and notification requirements.** A copy of the permit and conditions must be posted.
- **Local contact person.** A local contact person is required.
- **Enforcement and Penalties.** Violations of the ordinance may be subject to a civil penalty of \$500 a day, with a maximum civil penalty of \$10,000. VHR permits may also be revoked by the County as a result of repeat violations and/or failure to comply with the ordinance.

The County developed a Vacation Home Rental Permit webpage on the County website (www.douglascountynv.gov), which includes on-line permitting. The County also hired Host Compliance to identify unpermitted STRs and established a 24/7 hotline for citizens to file complaints. TOT is collected by the County tax collector for STRs covered by the ordinance.

In 2019, the County formed a Vacation Home Rental Task Force to assist the County Manager with drafting recommendations regarding the administration and regulation of VHRs in Douglas County. Information on the Task Force is available on the County website (www.douglascountynv.gov). The County also began collecting a \$5 room surcharge in the Tahoe Township to support the construction of a Stateline events center.

El Dorado County

In 2018, the El Dorado County VHR Ad Hoc Committee was formed and met seven times to develop policy recommendations for consideration by the Board of Supervisors. On September 11, 2018, El Dorado County adopted a new Vacation Home Rental Ordinance (Ord. 2018-5092). The ordinance

stipulates that no owner of a vacation home rental shall rent a unit for 30 consecutive calendar days or less without a valid vacation home rental permit (Chapter 5.56 of El Dorado Code). The code includes the following provisions:

- **Maximum Occupancy.** The number of overnight occupants is limited to two person per bedroom, plus two additional persons per residence, excluding children five years of age or younger. The number of visitors cannot exceed maximum occupancy limits.
- **Noise.** The ordinance establishes quiet hours between 10:00 p.m. and 8:00 a.m.
- **Trash and Refuse.** Bear-proof garbage cans are required.
- **Limit on Number of Residences or Structures per Parcel.** Parcels containing multiple residences/units may only be used as a VHR subject to the granting of a Conditional Use permit and where allowed by the local plan.
- **Fire and Life Safety Requirements.** Fire and life safety standards are required to be posted in VHRs with inspections every other year.
- **Parking.** VHRs must comply with all County parking standards and seasonal snow removal regulations.
- **Interior Sign and Notification Requirements.** County VHR requirements (noise, trash, maximum level of occupants, parking standards, local contact phone number, etc.) must be posted.
- **Exterior Sign Requirements.** The County VHR permit number, maximum occupants, and number of local contact person must be posted and visible from the property line.
- **Local Contact Person.** A local contact person is required and must be certified via an online test.
- **Enforcement and Penalties.** The maximum fee for the first violation is \$500, for the second violation is \$750, and the third violation \$1,000. A permit may be revoked if more than three violations occurs within an 18-month period.

The County maintains a website (bit.ly/ElDoradoVHR) with information on VHR Permitting and how to report a violation. Transient Occupancy Tax (TOT) is collected by the County tax collector for STRs covered by the ordinance. In order to improve neighborhood compatibility, which has been an ongoing issue with VHRs, the Board has expressed an interest in doing something about the “clustering” of too many VHRs in established neighborhoods.

[City of South Lake Tahoe](#)

In November 2018, the City of South Lake Tahoe voters approved Measure T, which limits Vacation Home Rental (VHR) to the tourist core and commercially zones areas and will phase out permits for VHRs outside of these areas over the next three years (until 2021). The measure makes a limited exception that grants permanent residents the ability to obtain a permit to rent out their home up to 30 days a year. The provisions of Measure T have been incorporated into City Code Chapter 3.50, Article V. *Vacation Home Rentals* and are in effect. A group called the South Lake Tahoe Property Owners Group has filed a lawsuit claiming Measure T is unconstitutional. The City has agreed not to enforce new occupancy limits while the legal process unfolds. Any future changes to Measure T must go back to the voters.

The City Code includes the following provisions:

- **Maximum Occupancy.** VHR occupancy is calculated by the number of bedrooms times 2 up to a maximum of 12 occupants.
- **Noise.** No hot tub or spa use, amplified music or other excessive noise is allowed between 10:00 p.m. and 8:00 a.m.

- **Trash and Refuse.** Bear boxes to contain trash are required except where a home owners association requires and enforces regular disposal of trash.
- **Parking.** One on-site paved parking space is required for every four occupants.
- **Interior Sign and Notification Requirements.** A copy of the permit, permit conditions, VHR regulations, VHR management and contact information, and notification of citation for violations must be posted.
- **Exterior Sign Requirements.** The local contact person, maximum number of occupants, maximum number of vehicles, and telephone number for police department hotline must be posted.
- **Local Contact Person.** A local contact person that can be reached on a 24-hour basis is required.
- **Enforcement and Penalties.** Violations of the VHR regulations are subject to citations issued to occupants and/or owners. Citations include fines up to \$1,000. Owner(s) or their agent(s) found operating a VHR without a permit after December 31, 2021, may be fined \$1,000 per violation. The City has contracted with Host Compliance to identify advertised short term rentals operating without a permit and to provide a 24/7 hotline for VHR complaints. City Community Service Officers respond to all complaints and local contacts are notified of complaints received. The City has increased Community Service Officer staffing in order to respond to complaints quickly.

The City maintains a website (www.cityofslt.us/453/Vacation-Home-Rentals) with information on VHR Permitting and how to report a violation. The City collects Transient Occupancy Tax for VHRs.

Placer County

Placer County updated its Uniform Transient Occupancy Tax (TOT) ordinance in 2018. The revised ordinance added several components that address STRs. Those include:

- **Property Manager.** Require property manager within a 50-mile radius/one-hour response time
- **County Code.** Require certificate holder to acknowledge receipt of and commitment to county codes regarding noise, pets, trash and parking
- **Education.** Require certificate holder to post a “Good Neighbor” document that addresses community norms and expectations and provides resources for information on topics such as open burns

Operators must obtain a TOT Certificate. No permit is required. In 2017, Placer County began working with Host Compliance to identify and contact property owners that are renting units for 30 days or less, but not collecting or remitting TOT. Currently, TOT revenue is allocated to achieve many TRPA goals, including pedestrian mobility, transit operations, trails and housing.

Washoe County

Washoe County’s current policy is to not regulate nor proactively police STRs, but rather to address those impacts associated with STRs such as noise, parking and garbage as regulated by County Code. County code compliance staff enforces violations of these codes as applicable. County staff educates homeowners if made aware of STRs, so the owner understands that such rental activity is not allowed. Staff also informs the owners that because they are renting as transitory housing (lodging), they are required to pay room taxes to the Reno-Sparks Convention and Visitors Authority. (Hauenstein ET. al., 2017).

In 2018, in an effort to address fire safety at STRs, the Incline Village Board of Realtors (IVBOR) entered into agreement with the North Lake Tahoe Fire Protection District, which allowed IVBOR to embark on an education campaign regarding the operation of STRs. Information on the campaign is available on the website: inclinevillagefiresafety.com.

In 2019, the County will hold public workshops and begin developing an STR ordinance to establish regulations. The County also entered into a contract with Host Compliance to identify homes being used for STRs, create a platform for registration, and establish a hotline.

Conclusion

Short-Term Rental Neighborhood Compatibility - Moving Forward

Lake Tahoe is an iconic tourist destination. Being that, the sharing economy will adapt and burgeon, making short term rentals facets of communities to be continually managed in the Lake Tahoe Basin. Each local jurisdiction is addressing STRs according to the characteristics and circumstances in each locale: preservation of neighborhood character, permanent resident quality of life, safety and enforcement. The reports, best practices, and national experts referenced above are a continuing source of solutions to be considered as each local jurisdiction tackles its unique challenges. At the 2017 National Planning Conference in New York City, a representative from the National League of Cities reiterated that there is no one-size-fits-all solution to answering the STR question (DuPuis, 2017). This is also true for the five local jurisdictions in the Tahoe Basin.

In 2017, it was determined that local jurisdictions were acting responsibly to resolve STR issues so that the concerns of residents and stakeholders, and policies of the Regional Plan are addressed. The TRPA Board and Local Government Committee played a productive role in raising important questions and organizing an overview of best practices and current actions underway on STR management.

From 2017-2019, the City of South Lake Tahoe, El Dorado County, and Douglas County formed stakeholder groups and updated local STR ordinances, programs, and enforcement. In 2018, Placer County updated its TOT ordinance. In 2019, Washoe County began working on an STR ordinance. Thus, since 2017, progress has been made at the local level to address STR neighborhood compatibility throughout the Tahoe Region. TRPA's Local Government and Housing Committee has now taken the lead in convening a Working Group to share best practices and collaborate on a region-wide level to develop solutions for promoting STR neighborhood compatibility at the local level. These efforts to ensure neighborhood compatibility through locational, operational, and enforcement criteria will now be memorialized and formally recognized by TRPA by adding a third criterion to the Performance Review System for the biennial distribution of residential allocations to local jurisdictions.