
STAFF REPORT

Date: February 16, 2021

To: Residential Allocation Performance Review Committee

From: TRPA Staff

Subject: Recommendation to Distribute 2021 and 2022 Residential Allocations

Summary and Staff Recommendation:

In the Tahoe Region, residential allocations are distributed to local jurisdictions every two years from the total number of allocations released every four years by the Tahoe Regional Planning Agency (TRPA). Distribution to the local jurisdictions is based on three criteria: 1) residential permit review and code compliance; 2) Total Maximum Daily Load (TMDL) implementation; and 3) short-term rental neighborhood compatibility (TRPA Code, Section 50.5). The Performance Review Committee (PRC), comprised of staff from each participating local jurisdiction and the Tahoe Regional Planning Agency (TRPA), is tasked with reviewing the Performance Review System results as set forth in this staff summary. Based on the review, the PRC is asked to make a recommendation to the Governing Board to distribute the allocations.¹

Based on the Performance Review System addressed in TRPA Code, Section 50.5: *Allocation of Additional Development*, TRPA staff recommends:

- 1) The City of South Lake Tahoe receive its base number of residential allocations;
- 2) El Dorado County receive its base number of residential allocations;
- 3) Placer County receive its base number of allocations with one increment of deduction for both 2021 and 2022 [Note that TRPA recommends that this recommendation be reevaluated if the County adopts adequate location criteria by the time the Governing Board considers the distribution of allocations];
- 4) Douglas County receive its base number of allocations with one increment of deduction for both 2021 and 2022 [Note that TRPA recommends that this recommendation be reevaluated if the County adopts the recommendations from the Douglas County VHR Task Force by the time the Governing Board considers the distribution of allocations]; and
- 5) Washoe County receive its base number of allocations with two increments of deduction (3.5, rounded up to 4) for both 2021 and 2022 [Note that TRPA recommends that this recommendation be reevaluated if the County adopts a STR ordinance by the time the Governing Board considers the distribution of allocations].

¹Pursuant to TRPA Code 50.5.2.A.1, TRPA will reserve 10% of each jurisdiction's annual allocations for distribution to parcels below the Individual Parcel Evaluation Score (IPES) line.

Required Motions:

In order to recommend approval of the proposed allocation distribution to the Governing Board, the PRC must make the following motions, based on this staff summary and the evidence in the record:

- 1) A motion that the proposed distribution of residential allocations for 2021 and 2022 meets the requirements of Chapter 50, Section 50.5: *Allocation of Additional Residential Units* of the TRPA Code of Ordinances; and
- 2) A motion to recommend approval of the distribution of residential allocations for 2021 and 2022.

Residential Audits:

In 2019 and 2020, TRPA staff completed residential project review and code compliance audits for each jurisdiction (City of South Lake Tahoe, Douglas County, El Dorado County, Placer County, and Washoe County), as required by TRPA Code of Ordinances Section 50.5.2.E. The purpose of these audits is to (1) ensure residential projects reviewed and inspected by Memorandum of Understanding (MOU) partners on behalf of TRPA comply with the TRPA Code and Rules of Procedure, (2) identify project review training and education opportunities for MOU partners, and (3) provide the PRC with a summary of MOU performance for the distribution of residential allocations.

The 2019 and 2020 Audit Results are provided below. Local jurisdictions were provided initial audit results and provided an opportunity to work with TRPA to address comments before final scores were determined. In jurisdictions without an active MOU, permits issued by TRPA were audited by TRPA staff. Overall, MOU partners did an exceptional job completing TRPA environmental review, ensuring project files were complete and well organized, and completing inspections. As a result, TRPA staff is not recommending any deductions to allocations because all jurisdictions received Audit scores of greater than 90%.

Jurisdiction	2019			2020		
	Project Review	Compliance	Average	Project Review	Compliance	Average
City of South Lake Tahoe	90%	95%	93%	95%	95%	95%
Douglas County	95%	97%	96%	92%	97%	95%
El Dorado County	94%	96%	95%	92%	97%	95%
Placer County	96%	93%	95%	95%	93%	94%
Washoe County	92%	94%	93%	96%	95%	96%

As part of the audit, TRPA identified potential training and educational opportunities the Agency could facilitate in collaboration with local jurisdictional partners to ensure successful delegation. In response, the Agency has and will continue to provide virtual trainings to local jurisdictions on permit review and inspections.

TMDL Implementation:

According to the Lahontan Regional Water Quality Control Board and Nevada Division of Environmental Protection, all jurisdictions in California and Nevada achieved their 2019 Lake Tahoe Total Maximum Daily Load (TMDL) credit targets and have achieved or are anticipated to achieve their 2020 TMDL credit

targets. The results are documented on the [Clarity Tracker's Urban Uplands Results page](https://clarity.laketahoeinfo.org/Results/Detail/UrbanUplands) (clarity.laketahoeinfo.org/Results/Detail/UrbanUplands) and in the [2020 TMDL Performance Report](#).² As a result, TRPA staff is not recommending any deductions to allocations because all jurisdictions are in compliance with TMDL crediting targets.

Short-Term Rental Neighborhood Compatibility:

In 2019, TRPA's Local Government and Housing Committee convened a Short-Term Rental (STR) Neighborhood Compatibility Working Group to develop STR Neighborhood Compatibility Guidelines and a Code amendment to make STR neighborhood compatibility a third criterion of the Performance Review System. The Guidelines were developed to provide local jurisdictions a range of options and flexibility in implementing and achieving STR neighborhood compatibility. TRPA maintains information developed by the STR Neighborhood Compatibility Working Group and links to local jurisdiction STR (also referred to as Vacation Home Rentals, or VHRs) permitting and enforcement programs at: www.trpa.org/short-term-rental-neighborhood-compatibility.

On October 23, 2019, the TRPA Governing Board added STR neighborhood compatibility as a third criterion to the Performance Review System and directed staff to use the Guidelines during the application of the Performance Review System (TRPA Code, Section 50.5.2.E). The Code states that a local jurisdiction that receives a score of 90 percent or greater based on the Guidelines shall receive their full allotment of residential allocations, be penalized one increment of deduction for a score between 75 and 89 percent, or be penalized two increments of deduction for a score below 75 percent.

In November 2020, TRPA staff provided the Guidelines to local jurisdiction staff and asked that they provide responses as to how their jurisdiction is addressing STR neighborhood compatibility locational, operational, and enforcement criteria. TRPA staff reviewed local jurisdiction responses and found that four of the five local jurisdictions in the Tahoe Region now have adopted STR/ VHR ordinances and have corresponding enforcement programs in place. Washoe County is currently the only jurisdiction without an STR ordinance; but is actively working on getting one in place. Local jurisdictions with adopted STR/VHR ordinances have all addressed noise, occupancy, parking, refuse, defensible space, and public health and safety. At this time, none of the local jurisdictions are addressing water quality (requiring applicants to obtain a Best Management Practices certificate before obtaining a STR/VHR permit). The local jurisdictions with adopted STR/VHR ordinances also have established STR/VHR enforcement programs.

The locational criterion continues to be the most challenging criterion for the local jurisdictions to address. Under the locational criterion, a local jurisdiction must demonstrate that STRs are being located consistent with Regional Plan Land Use Goals and Policies, including directing STRs towards Town Centers, tourist lodging and/or commercial areas, major non-auto dependent transportation corridors and/or near tourist-oriented regional recreational amenities; address residential compatibility issues such as the over saturation ("clustering") of STRs and the construction of large STRs in residential neighborhoods; and support Regional Plan Transportation Goals and Policies, including directing STRs to areas where alternative transportation options (shared-use paths, bike lanes/routes, and public transit) are available.

A summary of recent local jurisdiction activity related to STR management is provided below:

² Source: Mary Fiore-Wagner, Lahontan Regional Water Quality Control Board, and Jason Kuchnicki, Nevada Division of Environmental Protection.

Douglas County – In 2019, the Douglas County Board of Commissioners directed the County Manager to create a citizen’s taskforce to assist the County Manager in developing recommendations to address VHRs in the Tahoe Township. The VHR Taskforce was formed and conducted several meetings in 2019 and 2020. The VHR Taskforce considered the TRPA STR Neighborhood Compatibility Guidelines when developing their recommendations. The County Manager subsequently created a Technical Advisory Group to review the recommendations. In August 2020, the Board reviewed the recommendations, which include creating a cap of 725 VHR permits in the Tahoe Township and updating the County’s existing VHR Ordinance to better address permitting, parking, noise and trash. The Board decided to delay any decisions until the new Board was put in place in 2021. The Board considered the recommendations on February 4, 2021, and will be considering them again on February 18, 2021. Information on the County’s VHR Permitting and Enforcement Program is available at: www.douglascounty.gov.

El Dorado County – In 2020, the County held virtual public meetings to discuss limiting the number and density of VHRs in the Tahoe Basin, focusing on the guidelines from TRPA. On December 2, 2020, the Board of Supervisors updated the County’s VHR Ordinance limiting the total amount of VHR permits that may be issued to 900. On February 9, 2021, the Board discussed the concept of adding buffers around VHRs. They directed staff to come back in 30 to 60 days with more detail on 300 foot and 500 foot buffers and a 1,000 foot buffer around large homes. The Board requested more data on the cost to implement buffers versus the benefit. Information on the County’s VHR Permitting and Enforcement Program is available at: www.edcgov.us/Government/planning/vhr.

Placer County – In 2019, the Placer County Board of Supervisors adopted an STR Ordinance and expanded their enforcement program. Placer County considered the STR Neighborhood Compatibility Guidelines when developing their STR program. The County has a Transit Occupancy Tax (TOT) Rebate Program to incentivize lodging in Town Centers, including STRs, and is considering looking at other strategies to address the locational criterion in the STR Neighborhood Compatibility Guidelines. Information on the County’s STR Permitting and Enforcement Program is available at: www.placer.ca.gov/6109/Short-Term-Rental-Program.

City of South Lake Tahoe - Measure T was approved by voters on November 6, 2018. Measure T requires the phase-out of all VHR permits in residential areas and all multi-family properties over a three-year period, with full implementation of these provisions to occur by December 31, 2021. Measure T prohibits the issuance of new VHR permits in residential areas. Measure T does not affect existing or future VHR permits in non-residential areas (i.e., tourist core, commercial, and recreation zones) of South Lake Tahoe, except for multi-family properties where VHR permits are no longer allowed anywhere in the City. In compliance with the City VHR Ordinance (Measure T), VHR permits in residential areas will not be renewed as their expiration date comes up throughout 2021. Measure T allows for properties within a residential zone, whose owner is a permanent resident of the City, to vacation rent the entire dwelling for up to 30 days (consecutive or non-consecutive) total per one-year permit period. In November 2020, the City Council adopted a hosted rental ordinance establishing regulations allowing a qualified homeowner or tenant to rent a portion of their home. Information on the City’s VHR and Hosted Rental Programs are available at: cityofslt.us/453/Vacation-Home-Rentals and www.cityofslt.us/1089/Hosted-Rentals.com

Washoe County – A draft STR ordinance for the unincorporated areas of the County was reviewed by the Board of Commissioners on February 25, 2020. The Board directed staff to make changes. Washoe County planned to present an updated draft STR ordinance to their Board in August, but the

meeting was delayed because of technical issues. Washoe County staff plans to present an updated STR ordinance to their Board on February 23, 2021. The County did not submit STR Guidelines to TRPA because an ordinance has yet to be adopted. The County is planning on providing TRPA responses to the Guidelines after the first reading of their STR ordinance. Information on the County's draft STR Ordinance is available at:

www.washoecounty.us/csd/planning_and_development/str.php

All of the jurisdictions are now using Host Compliance to monitor the location of STRs and bring illegal STRs into compliance with local requirements.

A summary of the points TRPA is recommending be awarded to each of the local jurisdictions based on their STR programs is shown in Table 2 (below). The Guidelines submitted by the local jurisdictions are provided as Attachments A, B, C & D

Table 2: Short-Term Rental Neighborhood Compatibility Scores					
BEST PRACTICES	DC	EDC	PC	CSLT	WC*
LOCATIONAL (maximum 30 points)					
Land Use (10 points)	0	0	0	10	n/a
Residential Compatibility (10 points)	1	10	2	10	n/a
Transportation (10 points)	4	2	8	8	n/a
Other Best Practices (can substitute up to 30 points)**	10	10	5	2	n/a
OPERATIONAL (maximum 30 points)					
Noise (5 points)	5	5	5	5	n/a
Occupancy (2.5 points)	2.5	2.5	2.5	2.5	n/a
Parking (5 points)	5	5	5	5	n/a
Refuse (5 points)	5	5	5	5	n/a
Defensible Space (2.5 points)	2.5	2.5	2.5	2.5	n/a
Water Quality (2.5 points)	0	0	0	0	n/a
Public Health & Safety (5 points)	5	5	5	5	n/a
Education (2.5 points)	2.5	2.5	2.5	2.5	n/a
Other Best Practices (can substitute for up to 30 points)***	2.5	2.5	2.5	2.5	n/a
ENFORCEMENT (maximum 40 points)					
Implementation (15 points)	15	15	15	15	n/a
Funding (10 points)	10	10	10	10	n/a
Education (10 points)	10	10	10	10	n/a
Penalties (5 points)	5	5	5	5	n/a
TOTAL	85	92	85	100	n/a

*Washoe County has yet to submit STR Neighborhood Compatibility Guidelines to TRPA.

**TRPA is recommending Douglas County and El Dorado County be able to substitute points for developing working groups and hosting public workshops that informed locational criterion policy recommendations and actively working to implement those recommendations.

***TRPA is recommending that Douglas County, El Dorado County, Placer County, and City of South Lake Tahoe be able to substitute up to 2.5 points, to achieve a maximum score of 30 under the operational criterion, because all of the jurisdictions are maintaining websites and are requiring permits.

A summary of TRPA staff recommendations is provided below:

Douglas County - TRPA is currently proposing to subtract one increment of deduction (2 allocations) from Douglas County's annual base allocation for both 2021 and 2022 because the County currently has a score between 75% and 89% on the STR Neighborhood Compatibility Guidelines. TRPA staff is however recommending that Douglas County receive their full base allocations if the Board of Commissioners adopts the VHR Task Force recommendations, including the 725 cap by the time the TRPA Governing Board considers the distribution of allocations. In addition, TRPA recommends that the County consider requiring Best Management Practices be installed at all VHRs in the Tahoe Township.

El Dorado County - El Dorado County scored over 90% on the STR Neighborhood Compatibility Guidelines and therefore no deductions are recommended by TRPA. TRPA recommends that the County move forward with addressing the issue of clustering VHRs and consider requiring Best Management Practices be installed at all VHRs.

Placer County - TRPA is proposing to subtract one increment of deduction (6.5 allocations, rounded up to 7) from Placer County's annual base allocation for both 2021 and 2022 because the County scored between 75% and 89% on the STR Neighborhood Compatibility Guidelines and has yet to address the locational criterion or water quality. TRPA recommends that the County move forward with addressing the locational criterion and consider requiring Best Management Practices be installed at all VHRs.

City of South Lake Tahoe - The City of South Lake scored over 90% on the STR Neighborhood Compatibility Guidelines and therefore no deductions are recommended by TRPA. TRPA recommends the City consider requiring Best Management Practices be installed at all VHRs.

Washoe County - TRPA is currently proposing to subtract two increments of deduction (3.5, rounded up to 4) from Washoe County's annual base allocation for both 2021 and 2022 because the County has yet to adopt an ordinance or provide responses to the Guidelines. TRPA staff is recommending that the Governing Board consider reconsidering this recommendation if the County adopts an STR ordinance and provides responses to the STR Neighborhood Compatibility Guidelines to TRPA.

TRPA recognizes that local jurisdictions had just over a year to develop and/or update STR programs following the adoption of the Performance Review System Code update and Guidelines and that all of the jurisdictions have been impacted this past year by COVID-19. TRPA took these factors into consideration when developing the recommendations. The Agency sincerely appreciates the significant amount of work and time local jurisdictions and citizens have put into developing programs to better manage STRs in the Tahoe Region.

Automated Allocation Certificates and Letters:

Allocation certificate letters for 2021 and 2022 are now going to be automatically generated when an Allocation Transaction is proposed in the Lake Tahoe Info Parcel Tracker. The Allocation certificates and letters will be available to download from the Residential Allocation Number's Detail Page.

Performance Review System Results:

Douglas County – Base number of residential allocations is 10 per year.

- 2019 Permit Monitoring and Compliance: Douglas County scored 95% on the project review portion of the performance audit and scored 97% on the compliance portion.
- 2020 Permit Monitoring and Compliance: Douglas County scored 92% on the project review portion of the performance audit and scored 97% on the compliance portion.
- TMDL Implementation: Douglas County is meeting all TMDL targets pursuant to their Interlocal Agreement (ILA).
- Short-Term Rental Neighborhood Compatibility Guidelines: Douglas County scored 85% on the STR Neighborhood Compatibility Guidelines.
- Recommendation: Staff recommends that Douglas County receive 8 residential allocations for 2021 and 8 residential allocations for 2022.

El Dorado County – Base number of residential allocations is 30 per year.

- 2019 Permit Monitoring and Compliance: El Dorado County scored 94% on the project review portion of the performance audit and scored 96% on the compliance portion.
- 2020 Permit Monitoring and Compliance: El Dorado County scored 92% on the project review portion of the performance audit and scored 97% on the compliance portion.
- TMDL Implementation: El Dorado County is in compliance with Lake Tahoe TMDL and Municipal Storm Water Permit requirements, including Lake Clarity Credit requirements.
- Short-Term Rental Neighborhood Compatibility Guidelines: El Dorado County scored 92% on the STR Neighborhood Compatibility Guidelines.
- Recommendation: Staff recommends that El Dorado County receive 30 residential allocations for 2021 and 30 residential allocations for 2022.

Placer County – Base number of residential allocations is 37 per year.

- 2019 Permit Monitoring and Compliance: Placer County scored 96% on the project review portion of the performance audit and scored 93% on the compliance portion.
- 2020 Permit Monitoring and Compliance: Placer County scored 95% on the project review portion of the performance audit and scored 93% on the compliance portion.
- TMDL Implementation: Placer County is in compliance with Lake Tahoe TMDL and Municipal Storm Water Permit requirements, including Lake Clarity Credit requirements.
- Short-Term Rental Neighborhood Compatibility Guidelines: Placer County scored 85% on the STR Neighborhood Compatibility Guidelines.
- Recommendation: Staff recommends that Placer County receive 30 residential allocations for 2021 and 30 residential allocations for 2022.

City of South Lake Tahoe – Base number of residential allocations is 33 per year.

- 2019 Permit Monitoring and Compliance: The City of South Lake Tahoe scored 90% on the project review portion of the performance audit and scored 95% on the compliance portion.
- 2020 Permit Monitoring and Compliance: The City of South Lake Tahoe scored 95% on the project review portion of the performance audit and scored 95% on the compliance portion.
- TMDL Implementation: The City of South Lake Tahoe is in compliance with Lake Tahoe TMDL and Municipal Storm Water Permit requirements, including Lake Clarity Credit requirements.

- Short-Term Rental Neighborhood Compatibility Guidelines: The City of South Lake Tahoe scored 100 percent on the STR Neighborhood Compatibility Guidelines.
- Recommendation: Staff recommends that the City of South Lake Tahoe receive 33 residential allocations for 2021 and 33 residential allocations for 2022.

Washoe County – Base number of residential allocations is 10 per year.

- 2019 Permit Monitoring and Compliance: Washoe County scored 92% on the project review portion of the performance audit and scored 94% on the compliance portion.
- 2020 Permit Monitoring and Compliance: Washoe County scored 96% on the project review portion of the performance audit and scored 95% on the compliance portion.
- TMDL Implementation: Washoe County is meeting all TMDL targets pursuant to their Interlocal Agreement (ILA).
- Short-Term Rental Neighborhood Compatibility Guidelines: Washoe County did not submit a response to the STR Neighborhood Compatibility Guidelines.
- Recommendation: Based on TRPA Code, Section 50.5.2, which requires two increments of deduction for a score below 75% on the STR Neighborhood Compatibility Guidelines, staff recommends that Washoe County be deducted two increments (3.5 rounded up to 4) from their base allocation for 2021 and 2022. Thus, staff recommends Washoe County receive 6 residential allocations for 2020 and 6 residential allocations for 2021.

Results:

TRPA staff recommends the Governing Board allocate the following amount of residential allocations to each jurisdiction for 2021 and 2022:

Douglas County	16 allocations
El Dorado County	60 allocations
Placer County.	60 allocations
City of South Lake Tahoe.	66 allocations
<u>Washoe County.</u>	<u>12 allocations</u>
Total	214 allocations

Table 3: 2019 & 2020 Performance Evaluation Results Summary				
Jurisdiction	Annual Base Allocation*	Deduction Increments*	Minimum Allocation with Deductions	Total Recommended 2021 and 2022 Allocations
Douglas County	10	2.0	2	16
El Dorado County	30	5.5	8	60
Placer County	37	6.5	11	60
City of South Lake Tahoe	33	5.75	10	66
Washoe County	10	1.75	3	12
Total	120		34	214

* The Annual Base Allocation and Deduction Increments are provided in Table 50.5.2 of TRPA Code. One deduction increment equals the number of allocations shown for individual jurisdictions. If the final allocation results in a decimal ending in 0.5 or higher the allocation is rounded up to the nearest whole number, if the decimal is below 0.5 the allocation is rounded down to the nearest whole number.

Allocations not distributed under the Performance Review System will be assigned to TRPA’s Residential Allocation Incentive Pool. Individuals can apply for an allocation from the Residential Allocation Incentive Pool in exchange for retiring a sensitive lot and local jurisdictions can apply for allocations in exchange for restoring stream environment zones, building multi-family housing in Town Centers, transferring residential development rights to Town Centers, maintaining a Certified Local Government Moderate Income Housing Program, and demonstrating progress towards other Regional Plan Goals and Policies (refer to TRPA Code, Section 50.5.1.D).

The allocations distributed for 2021 and 2022 will be added to the total remaining allocations shown in Table 4.

Table 4: Total Remaining Allocations	
Jurisdiction	Total Remaining Allocations
Douglas County, NV	46
El Dorado County, CA	34
Placer County, CA	193
City of South Lake Tahoe, CA	56
Tahoe Regional Planning Agency	62
Washoe County, NV	116
Total	507

Source: LakeTahoeInfo 2/8/2021

TRPA staff appreciates the efforts of the local jurisdictions in helping to achieve the targets of the residential allocation program.

Contact Information:

For questions regarding this agenda item, please contact Brandy McMahon, AICP, Local Government Coordinator, at (775) 589-5274 or bmcmahon@trpa.org.

Attachments:

- A. STR Neighborhood Compatibility Guidelines – Douglas County
- B. STR Neighborhood Compatibility Guidelines – El Dorado County
- C. STR Neighborhood Compatibility Guidelines – Placer County
- D. STR Neighborhood Compatibility Guidelines - City of South Lake Tahoe

Attachment A

STR Neighborhood Compatibility Guidelines – Douglas County

Tahoe Regional Planning Agency Short-Term Rental Neighborhood Compatibility Guidelines for Local Jurisdictions

Adopted by TRPA Governing Board on October 23, 2019
(Print on Tabloid 11" by 17" Paper)

These Guidelines are to be used by the Tahoe Regional Planning Agency (TRPA) when evaluating local jurisdiction Short-Term Rental Neighborhood Compatibility Programs during the application of the Performance Review System (TRPA Code, Section 50.5) for the distribution of residential allocations in the Tahoe Region.

Local jurisdiction: Douglas County NV Date: 11/5/20 Prepared by: Jenifer Davidson, Assistant County Manager

LOCAL JURISDICTION SHORT-TERM RENTAL NEIGHBORHOOD COMPATIBILITY GUIDELINES			
Example STR Neighborhood Compatibility Best Practices	Local Jurisdiction Response	Points (Max.)	Points Awarded <i>(to be determined by TRPA/PRC)</i>
<p><i>The purpose for using best practices is to attain and maintain threshold standards and implement Regional Plan goals and policies as specified in the TRPA Compact. The threshold standards include vegetation, recreation, water quality, soils/SEZ conservation, fisheries, scenic resources, air quality, noise and wildlife. The Regional Plan includes land use, transportation, conservation, recreation, and public services and facilities goals and policies (http://www.trpa.org/wp-content/uploads/Adopted-Regional-Plan_20190722.pdf). Local jurisdictions may pick from the "menu" of examples of best practices below or develop their own best practices to earn points provided the practices achieve the purpose described above and in the guidance statement below.</i></p>			
LOCATIONAL			
<p>Guidance: To receive 30 points, a local jurisdiction must demonstrate that STRs will be located consistent with: 1) Regional Plan Land Use goals and policies, including directing STRs towards Town Centers, tourist lodging and/or commercial areas, major non-auto dependent transportation corridors and/or near tourist-oriented regional recreational amenities (10 points); 2) address Residential Compatibility issues such as the over saturation ("clustering") of STRs and the construction of large STRs in residential neighborhoods (10 points); and 3) by supporting Regional Plan Transportation goals and policies, including directing STRs to areas where alternative transportation options (shared-use paths, bike lanes/routes, and public transit) are available (10 points). Examples of best practices that a local jurisdiction may implement to address these locational components are provided below.</p>			
<p>Example Land Use Best Practices (10 points)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program includes requirements, and can include incentives, for location of STRs within Town Centers. 2. The STR neighborhood compatibility program includes requirements, and can include incentives, for location of STRs within designated tourist lodging and/or commercial areas. 3. The STR neighborhood compatibility program includes requirements, and can include incentives, for location of STRs within major non-auto dependent transportation corridors (e.g., bus routes, shared-use paths, and bike lanes/routes) that can be used to access non-residential uses without using an automobile. 4. The STR neighborhood compatibility program includes requirements, and can include incentives, for location of STRs in and/or adjacent to tourist-oriented regional recreation amenities that can be accessed without an automobile, such as a ski resort, golf course, or major trailhead with available public transit from/to Town Center(s). 5. The STR neighborhood compatibility program includes requirements, and can include incentives, for location of STRs that clearly reinforce the development pattern and uses as designated by the Regional Plan goals and policies and/or adopted Regional Plan or Area Plan planned land use map. <p>Example Residential Compatibility Best Practices (10 points)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program includes requirements to allow STR use in residential areas only if the home is occupied by a primary resident the majority of the year (i.e., make STRs an accessory use). 2. The STR neighborhood compatibility program includes a requirement to allow STR use only if managed by a licensed professional property manager. 	<p><u>Land Use</u></p> <ol style="list-style-type: none"> 1. No 2. No 3. No 4. No 5. No <p><u>Compatibility</u></p> <ol style="list-style-type: none"> 1. No 2. No 	<p>30 points (max)</p>	<p>0</p> <p>0</p> <p>0</p> <p>0</p> <p>0</p> <p>0</p> <p>0</p> <p>0</p>

<p>3. The STR neighborhood compatibility program limits the size of STRs and/or includes additional requirements for larger STRs (e.g., special use permit, prohibition on use of large new homes with 4-5 bedrooms as STRs through a deed restriction, requirement for a business license for large STRs, limit total number, require separation distance, require additional permit and/or mitigation fees, etc.).</p> <p>4. The STR neighborhood compatibility program limits the total number of STRs in each jurisdiction (e.g., ratio of STRs to occupied housing, maximum number issued by lottery or on a first come/first served basis, etc.).</p> <p>5. The STR neighborhood compatibility program limits the number of STRs in designated neighborhoods.</p> <p>6. The STR neighborhood compatibility program establishes a waiting period after home construction or sale for STR permit eligibility in neighborhoods vs. other areas (e.g., five year waiting period for properties with single-family zoning and no waiting period for properties in Town Centers).</p> <p>7. The STR neighborhood compatibility program establishes a ratio of long-term to short-term rentals.</p> <p>8. The STR neighborhood compatibility program requires minimum spacing between STRs in residential areas, such as requiring at least 500 feet between parcels with STRs, to address clustering.</p> <p>9. The STR neighborhood compatibility program limits the number of STRs per parcel.</p> <p>10. The STR neighborhood compatibility program requires a two-day minimum stay for STRs in residential areas to lessen impact of move-ins and move-outs.</p> <p>11. The STR neighborhood compatibility program caps the number of nights per year a unit may be rented as an STR in residential areas, such as 30 days per year.</p> <p>12. The STR neighborhood compatibility program caps the number of times an STR may be rented in residential areas, such as four times per month.</p>	<p>3. No 4. No 5. No 6. No 7. No 8. No 9. Yes 10. No 11. No 12. No</p>		<p>0 0 0 0 0 0 10 0 0 0 0</p>
Example Transportation Best Practices (10 points)			
<p>1. The STR neighborhood compatibility program only allows STRs within ¼ mile of public transit and/or shared-use paths, bike lanes, or bike routes.</p> <p>2. The STR neighborhood compatibility program uses transit occupancy tax collected from STRs or other revenue sources to offset tourist impacts (e.g. increase transit availability, provide on-demand transit in residential areas, etc.).</p> <p>3. The STR neighborhood compatibility program limits the total number of cars allowed per STR, regardless of the size or number of bedrooms, to a maximum amount equal to or less than the minimum amount of parking spaces required by local ordinance.</p>	<p>1. No 2. Yes 3. Yes</p>		<p>0 10 10</p>
Example Other Best Practices (Can substitute for up to 30 points from above)			
<p>1. The local government has created a working group to develop policies and programs for location of STRs, those policies and programs are consistent with the threshold standards and Regional Plan goals and policies, and the local government has implemented those policies and programs.</p>	<p><u>Other</u> 1. In process</p>		<p>0</p>
OPERATIONAL			
<p>Guidance: To receive 30 points, a local jurisdiction must demonstrate that they have regulations in place that address, at a minimum, Noise (5 points), Occupancy (2.5 points), Parking (5 points), Refuse (5 points), Defensible Space (2.5 points), Water Quality (2.5), Public Health and Safety (5 points), public/visitor Education (2.5 points), or Other program elements that will further STR neighborhood compatibility. Examples of best practices that a local jurisdiction may implement to address the operational component are provided below.</p>			
<p>Example Noise Best Practices (5 points)</p> <p>1. The STR neighborhood compatibility program establishes quiet hours (e.g., 10:00 p.m. to 7:00 a.m.).</p> <p>2. The STR neighborhood compatibility program requires a noise management plan.</p> <p>3. The STR neighborhood compatibility program requires installation of noise monitoring devices.</p> <p>Example Occupancy Best Practices (2.5 points)</p> <p>1. The STR neighborhood compatibility program establishes occupancy limits (e.g., limits the number of visitors by bedrooms, such as 2 per bedroom, unless under 5 years of age, and additional parking is available).</p>	<p><u>Noise</u> 1. Yes 2. No 3. No</p> <p><u>Occupancy</u> 1. Yes</p>	<p>30 points (max)</p>	<p>5 0 0 2.5</p>
<p>Example Parking Best Practices (5 points)</p> <p>1. The STR neighborhood compatibility program requires adequate improved off-street parking.</p> <p>2. The STR neighborhood compatibility program requires snow removal.</p> <p>3. The STR neighborhood compatibility program requires a parking management plan that includes a location for snow storage.</p>	<p><u>Parking</u> 1. Yes 2. No 3. No</p>		<p>5 0 0</p>
<p>Example Refuse Best Practices (5 points)</p>	<p><u>Trash</u></p>		<p>0</p>

1. The STR neighborhood compatibility program requires proper garbage containment, such as bear boxes and trash service.	1. Yes		5
Example Defensible Space Best Practices (2.5 points)	<u>Defensible Space</u>		
1. The STR neighborhood compatibility program requires defensible space inspections and maintenance.	1. Yes		2.5
2. The STR neighborhood compatibility program prohibits outdoor fires, fire pits, charcoal BBQ grills, etc.	2. Yes		2.5
Example Water Quality Best Practices (2.5 points)	<u>Water</u>		
1. The STR neighborhood compatibility program requires stormwater Best Management Practices be installed/recertified at authorization and reauthorization.	1. No		0
2. The STR neighborhood compatibility program requires mitigation of all excess on-site coverage.	2. No		0
Example Public Health and Safety Best Practices (5 points)	<u>Health & Safety</u>		
1. The STR neighborhood compatibility program requires public health and safety inspections for new permits and permit renewals (require appropriate handrails, adequate electrical for hot tubs, CO2 and smoke detectors, exit signs, etc.).	1. Yes		5
2. The STR neighborhood compatibility program limits the total number of STR permits based on emergency medical services, fire, and law enforcement resources & availability.	2. No		0
3. The STR neighborhood compatibility program uses transient occupancy tax revenues and permit fees to fund needed public services, such as law/code enforcement and fire.	3. No		0
4. The STR neighborhood compatibility program charges commercial water and sewer fees for STRs to cover the cost and impact of increased usage.	4. No		0
5. The STR neighborhood compatibility program complies with public accommodation requirements in state law.	5. No		0
Example Education Best Practices (2.5 points)	<u>Education</u>		
1. The STR neighborhood compatibility program requires all renters to be provided with education about being a good neighbor, fire safety, Lake Tahoe stewardship, geotourism, parking, and public transportation options.	1. No		0
2. The STR neighborhood compatibility program requires interior and exterior signage with permit information and regulations.	2. No		0
3. The STR neighborhood compatibility program requires permit numbers to be on all STR advertisements.	3. Yes		2.5
4. The STR neighborhood compatibility program requires STR permit holders and/or renters to read rules and responsibilities, and to sign an acknowledgement.	4. No		0
Example Other Best Practices (Can substitute for up to 30 points from above)	<u>Other</u>		
1. The STR neighborhood compatibility program requires an STR permit and annual renewal.	1. Yes		?
2. The STR neighborhood compatibility program provides a web-based permitting service and annual renewal service.	2. Yes		?
3. The STR neighborhood compatibility program requires permit fees, inspection fees, & annual renewal fees.	3. Yes		?
4. The STR neighborhood compatibility program requires permit holders to have insurance that is specifically for STRs.	4. No		0
5. The STR neighborhood compatibility program requires permit applicants to identify and disclose HOA CC&R regulations that limit the length of a lease or rentals.	5. No		0
6. The STR neighborhood compatibility program requires a full-time certified local contact (or professional management firm) be available anytime an STR is occupied.	6. No		0
7. The STR neighborhood compatibility program requires on-site professional management.	7. No		0
8. The STR neighborhood compatibility program provides incentives for full-time hosted/shared or professionally managed STRs (e.g., fee discounts, permit exemptions, etc.).	8. No		0
9. The STR neighborhood compatibility program only allows permanent residents to operate STRs.	9. No		0
10. The local government has created a working group to develop policies and programs for operation of STRs and implemented those policies and programs.	10. No		0
ENFORCEMENT ?			

Guidance: To receive 40 points, a local jurisdiction must demonstrate that that they have an **Implementation** program in place for enforcing locational and operational STR requirements, including bringing illegal STRs into conformance and addressing “bad actors” (15 points), adequate enforcement program **Funding** (10 points), effective **Penalties** (5 points), and an **Education** program (10 points). Examples of best practices that a local jurisdiction may implement to address the enforcement component are provided below.

<p>Example Implementation Best Practices (15 points)</p>			
<p>1. The STR neighborhood compatibility program requires a full-time certified local contact (or professional management firm) be available anytime an STR is occupied.</p>	<u>Implementation</u>		0
<p>2. The STR neighborhood compatibility program provides a 24 hour/7 day a week enforcement hotline.</p>	1. No		0
<p>3. The STR neighborhood compatibility program utilizes a rental activity monitoring service or program to identify STRs that do not have permits or certificates and uses that information to require compliance with applicable regulations and requirements.</p>	2. No 3. Yes		15
<p>4. The STR neighborhood compatibility program prohibits repeat violators from applying for additional STR permits.</p>	4. No		0
<p>5. The STR neighborhood compatibility program provides a web-based format for community members to report STR violations.</p>	5. Yes		15
<p>6. The STR neighborhood compatibility program grants fee and permit condition waivers or reduced requirements for full-time hosted STRs (e.g., fee discounts, permit condition exemptions, etc.).</p>	6. No		0
<p>7. The STR neighborhood compatibility program provides timely resolution of complaints and violations.</p>	7. Yes		15
<p>8. The STR neighborhood compatibility program includes unscheduled and non-complaint based inspections to encourage compliance.</p>	8. Yes		15
<p>Example Funding Best Practices (10 points)</p>	<u>Funding</u>		
<p>1. The STR neighborhood compatibility program uses permit fees, transient occupancy tax or room tax revenues, money generated from fines, or other revenue services to fund STR code enforcement.</p>	1. Yes		10
<p>2. The STR neighborhood compatibility program has higher fees for larger homes to fund potentially greater enforcement costs resulting from the higher number of occupants.</p>	2. No		0
<p>3. The STR neighborhood compatibility program allows for cost recovery to be built into STR permit fees and fines to fund code enforcement staff.</p>	3. No		0
<p>Example Education Best Practices (10 points)</p>	<u>Education</u>		
<p>1. The STR neighborhood compatibility program requires interior and exterior signage with the local contact name and phone number.</p>	1. No	40 points (max)	0
<p>2. The STR neighborhood compatibility program requires that neighbors be notified and given an opportunity to comment prior to a permit being issued.</p>	2. No		0
<p>3. The STR neighborhood compatibility program requires that neighbors that share a common wall approve STR permits.</p>	3. No		0
<p>4. The STR neighborhood compatibility program requires permit numbers be on all STR advertisements.</p>	4. Yes		10
<p>5. The STR neighborhood compatibility program provides education on being a good neighbor, fire safety, Lake Tahoe stewardship, geotourism, parking, and public transportation options.</p>	5. No		0
<p>6. The STR neighborhood compatibility program includes a system to track and report complaints (type of complaint, location, response time, resolution, number of complaints at that location, owner, etc.) and uses the results for enforcement (e.g., condition and/or deny new and/or renewal of permits, etc.).</p>	6. Yes		10
<p>Example Penalties Best Practices (5 points)</p>	<u>Penalties</u>		
<p>1. The STR neighborhood compatibility program revokes STR permits for repeat violations or for STRs that do not meet public health and safety standards.</p>	1. No		0
<p>2. The STR neighborhood compatibility program increases violation fines for repeated violations by the STR permit holder, property owners, and/or visitors.</p>	2. Yes		5
<p>3. The STR neighborhood compatibility program places a lien on a property if fines for violations have not been paid.</p>	3. Yes		5
<p>4. The STR neighborhood compatibility program includes mandatory eviction provisions for violations in rental agreements.</p>	4. No		0
<p>5. The STR neighborhood compatibility program includes a certified local contact requirement and the local government has the right to revoke a certificate if a certain number of unresolved complaints are lodged against the property being managed by the certificate holder.</p>	5. No		0
<p>Example Other Best Practices (Can substitute for up to 40 points from above)</p>	<u>Other</u>		
<p>1. The local government has created a working group to develop policies and programs for STR enforcement and implemented those policies and programs.</p>	1. In process		0

TOTAL		100 points (max)	

*Every two years, TRPA convenes the Performance Review Committee (PRC), a Committee made up of one TRPA staff member and one staff member from each local jurisdiction, to review the Performance Review System and ensure the provisions of TRPA Code, Chapter 50, have been applied correctly and provide a recommendation to TRPA's Advisory Planning Commission and Governing Board regarding the distribution of residential allocations to the local jurisdictions.

Attachment B

STR Neighborhood Compatibility Guidelines – El Dorado County

Tahoe Regional Planning Agency Short-Term Rental Neighborhood Compatibility Guidelines for Local Jurisdictions

Adopted by TRPA Governing Board on October 23, 2019
(Print on Tabloid 11" by 17" Paper)

These Guidelines are to be used by the Tahoe Regional Planning Agency (TRPA) when evaluating local jurisdiction Short-Term Rental Neighborhood Compatibility Programs during the application of the Performance Review System (TRPA Code, Section 50.5) for the distribution of residential allocations in the Tahoe Region.

Local jurisdiction: El Dorado County Date: 12/11/20 Prepared by: Brendan Ferry

LOCAL JURISDICTION SHORT-TERM RENTAL NEIGHBORHOOD COMPATIBILITY GUIDELINES			
Example STR Neighborhood Compatibility Best Practices	Local Jurisdiction Response	Points (Max.)	Points Awarded (to be determined by TRPA/PRC)
<p><i>The purpose for using best practices is to attain and maintain threshold standards and implement Regional Plan goals and policies as specified in the TRPA Compact. The threshold standards include vegetation, recreation, water quality, soils/SEZ conservation, fisheries, scenic resources, air quality, noise and wildlife. The Regional Plan includes land use, transportation, conservation, recreation, and public services and facilities goals and policies (http://www.trpa.org/wp-content/uploads/Adopted-Regional-Plan_20190722.pdf). Local jurisdictions may pick from the "menu" of examples of best practices below or develop their own best practices to earn points provided the practices achieve the purpose described above and in the guidance statement below.</i></p>			
LOCATIONAL			
<p>Guidance: To receive 30 points, a local jurisdiction must demonstrate that STRs will be located consistent with: 1) Regional Plan Land Use goals and policies, including directing STRs towards Town Centers, tourist lodging and/or commercial areas, major non-auto dependent transportation corridors and/or near tourist-oriented regional recreational amenities (10 points); 2) address Residential Compatibility issues such as the over saturation ("clustering") of STRs and the construction of large STRs in residential neighborhoods (10 points); and 3) by supporting Regional Plan Transportation goals and policies, including directing STRs to areas where alternative transportation options (shared-use paths, bike lanes/routes, and public transit) are available (10 points). Examples of best practices that a local jurisdiction may implement to address these locational components are provided below.</p>			
<p>Example Land Use Best Practices (10 points)</p> <ol style="list-style-type: none"> The STR neighborhood compatibility program includes requirements, and can include incentives, for location of STRs within Town Centers. The STR neighborhood compatibility program includes requirements, and can include incentives, for location of STRs within designated tourist lodging and/or commercial areas. The STR neighborhood compatibility program includes requirements, and can include incentives, for location of STRs within major non-auto dependent transportation corridors (e.g., bus routes, shared-use paths, and bike lanes/routes) that can be used to access non-residential uses without using an automobile. The STR neighborhood compatibility program includes requirements, and can include incentives, for location of STRs in and/or adjacent to tourist-oriented regional recreation amenities that can be accessed without an automobile, such as a ski resort, golf course, or major trailhead with available public transit from/to Town Center(s). The STR neighborhood compatibility program includes requirements, and can include incentives, for location of STRs that clearly reinforce the development pattern and uses as designated by the Regional Plan goals and policies and/or adopted Regional Plan or Area Plan planned land use map. 	no	30 points (max)	0 points
<p>Example Residential Compatibility Best Practices (10 points)</p> <ol style="list-style-type: none"> The STR neighborhood compatibility program includes requirements to allow STR use in residential areas only if the home is occupied by a primary resident the majority of the year (i.e., make STRs an accessory use). The STR neighborhood compatibility program includes a requirement to allow STR use only if managed by a licensed professional property manager. The STR neighborhood compatibility program limits the size of STRs and/or includes additional requirements for larger STRs (e.g., special use permit, prohibition on use of large new homes with 4-5 bedrooms as STRs through a deed restriction, requirement for a business license for large 	Local Contact		10 points

<p>STRs, limit total number, require separation distance, require additional permit and/or mitigation fees, etc.).</p> <ol style="list-style-type: none"> 4. The STR neighborhood compatibility program limits the total number of STRs in each jurisdiction (e.g., ratio of STRs to occupied housing, maximum number issued by lottery or on a first come/first served basis, etc.). 5. The STR neighborhood compatibility program limits the number of STRs in designated neighborhoods. 6. The STR neighborhood compatibility program establishes a waiting period after home construction or sale for STR permit eligibility in neighborhoods vs. other areas (e.g., five year waiting period for properties with single-family zoning and no waiting period for properties in Town Centers). 7. The STR neighborhood compatibility program establishes a ratio of long-term to short-term rentals. 8. The STR neighborhood compatibility program requires minimum spacing between STRs in residential areas, such as requiring at least 500 feet between parcels with STRs, to address clustering. 9. The STR neighborhood compatibility program limits the number of STRs per parcel. 10. The STR neighborhood compatibility program requires a two-day minimum stay for STRs in residential areas to lessen impact of move-ins and move-outs. 11. The STR neighborhood compatibility program caps the number of nights per year a unit may be rented as an STR in residential areas, such as 30 days per year. 12. The STR neighborhood compatibility program caps the number of times an STR may be rented in residential areas, such as four times per month. <p>Example Transportation Best Practices (10 points)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program only allows STRs within ¼ mile of public transit and/or shared-use paths, bike lanes, or bike routes. 2. The STR neighborhood compatibility program uses transit occupancy tax collected from STRs or other revenue sources to offset tourist impacts (e.g. increase transit availability, provide on-demand transit in residential areas, etc.). 3. The STR neighborhood compatibility program limits the total number of cars allowed per STR, regardless of the size or number of bedrooms, to a maximum amount equal to or less than the minimum amount of parking spaces required by local ordinance. <p>Example Other Best Practices (Can substitute for up to 30 points from above)</p> <ol style="list-style-type: none"> 1. The local government has created a working group to develop policies and programs for location of STRs, those policies and programs are consistent with the threshold standards and Regional Plan goals and policies, and the local government has implemented those policies and programs. 	<p>Cap of 900</p> <p>10% limit in cap</p> <p>Yes, 1 per lot</p> <p>Board policy is to use TOT to offset tourist impacts</p>		<p>10 points</p>
OPERATIONAL			
<p>Guidance: To receive 30 points, a local jurisdiction must demonstrate that they have regulations in place that address, at a minimum, Noise (5 points), Occupancy (2.5 points), Parking (5 points), Refuse (5 points), Defensible Space (2.5 points), Water Quality (2.5), Public Health and Safety (5 points), public/visitor Education (2.5 points), or Other program elements that will further STR neighborhood compatibility. Examples of best practices that a local jurisdiction may implement to address the operational component are provided below.</p>			
<p>Example Noise Best Practices (5 points)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program establishes quiet hours (e.g., 10:00 p.m. to 7:00 a.m.). 2. The STR neighborhood compatibility program requires a noise management plan. 3. The STR neighborhood compatibility program requires installation of noise monitoring devices. <p>Example Occupancy Best Practices (2.5 points)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program establishes occupancy limits (e.g., limits the number of visitors by bedrooms, such as 2 per bedroom, unless under 5 years of age, and additional parking is available). <p>Example Parking Best Practices (5 points)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program requires adequate improved off-street parking. 2. The STR neighborhood compatibility program requires snow removal. 3. The STR neighborhood compatibility program requires a parking management plan that includes a location for snow storage. <p>Example Refuse Best Practices (5 points)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program requires proper garbage containment, such as bear boxes and trash service. <p>Example Defensible Space Best Practices (2.5 points)</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>30 points (max)</p>	<p>5 points</p> <p>2.5 points</p> <p>5 points</p> <p>5 points</p>

<p>1. The STR neighborhood compatibility program requires defensible space inspections and maintenance. 2. The STR neighborhood compatibility program prohibits outdoor fires, fire pits, charcoal BBQ grills, etc.</p>	No		0 points
<p>Example Water Quality Best Practices (2.5 points) 1. The STR neighborhood compatibility program requires stormwater Best Management Practices be installed/recertified at authorization and reauthorization. 2. The STR neighborhood compatibility program requires mitigation of all excess on-site coverage.</p>	No		0 points
<p>Example Public Health and Safety Best Practices (5 points) 1. The STR neighborhood compatibility program requires public health and safety inspections for new permits and permit renewals (require appropriate handrails, adequate electrical for hot tubs, CO2 and smoke detectors, exit signs, etc.). 2. The STR neighborhood compatibility program limits the total number of STR permits based on emergency medical services, fire, and law enforcement resources & availability. 3. The STR neighborhood compatibility program uses transient occupancy tax revenues and permit fees to fund needed public services, such as law/code enforcement and fire. 4. The STR neighborhood compatibility program charges commercial water and sewer fees for STRs to cover the cost and impact of increased usage. 5. The STR neighborhood compatibility program complies with public accommodation requirements in state law.</p>	Yes		5 points
<p>Example Education Best Practices (2.5 points) 1. The STR neighborhood compatibility program requires all renters to be provided with education about being a good neighbor, fire safety, Lake Tahoe stewardship, geotourism, parking, and public transportation options. 2. The STR neighborhood compatibility program requires interior and exterior signage with permit information and regulations. 3. The STR neighborhood compatibility program requires permit numbers to be on all STR advertisements. 4. The STR neighborhood compatibility program requires STR permit holders and/or renters to read rules and responsibilities, and to sign an acknowledgement.</p>	Yes Yes Yes		2.5 points
<p>Example Other Best Practices (Can substitute for up to 30 points from above) 1. The STR neighborhood compatibility program requires an STR permit and annual renewal. 2. The STR neighborhood compatibility program provides a web-based permitting service and annual renewal service. 3. The STR neighborhood compatibility program requires permit fees, inspection fees, & annual renewal fees. 4. The STR neighborhood compatibility program requires permit holders to have insurance that is specifically for STRs. 5. The STR neighborhood compatibility program requires permit applicants to identify and disclose HOA CC&R regulations that limit the length of a lease or rentals. 6. The STR neighborhood compatibility program requires a full-time certified local contact (or professional management firm) be available anytime an STR is occupied. 7. The STR neighborhood compatibility program requires on-site professional management. 8. The STR neighborhood compatibility program provides incentives for full-time hosted/shared or professionally managed STRs (e.g., fee discounts, permit exemptions, etc.). 9. The STR neighborhood compatibility program only allows permanent residents to operate STRs. 10. The local government has created a working group to develop policies and programs for operation of STRs and implemented those policies and programs.</p>	yes yes Yes no no Yes no yes no no		5 points
ENFORCEMENT			
<p>Guidance: To receive 40 points, a local jurisdiction must demonstrate that that they have an Implementation program in place for enforcing locational and operational STR requirements, including bringing illegal STRs into conformance and addressing “bad actors” (15 points), adequate enforcement program Funding (10 points), effective Penalties (5 points), and an Education program (10 points). Examples of best practices that a local jurisdiction may implement to address the enforcement component are provided below.</p>			
<p>Example Implementation Best Practices (15 points)</p>		40 points	

<ol style="list-style-type: none"> 1. The STR neighborhood compatibility program requires a full-time certified local contact (or professional management firm) be available anytime an STR is occupied. 2. The STR neighborhood compatibility program provides a 24 hour/7 day a week enforcement hotline. 3. The STR neighborhood compatibility program utilizes a rental activity monitoring service or program to identify STRs that do not have permits or certificates and uses that information to require compliance with applicable regulations and requirements. 4. The STR neighborhood compatibility program prohibits repeat violators from applying for additional STR permits. 5. The STR neighborhood compatibility program provides a web-based format for community members to report STR violations. 6. The STR neighborhood compatibility program grants fee and permit condition waivers or reduced requirements for full-time hosted STRs (e.g., fee discounts, permit condition exemptions, etc.). 7. The STR neighborhood compatibility program provides timely resolution of complaints and violations. 8. The STR neighborhood compatibility program includes unscheduled and non-complaint based inspections to encourage compliance. 	<p>Yes</p> <p>Sheriff</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>(max)</p>	<p>15 points</p>
<p>Example Funding Best Practices (10 points)</p>			<p>10 points</p>
<ol style="list-style-type: none"> 1. The STR neighborhood compatibility program uses permit fees, transient occupancy tax or room tax revenues, money generated from fines, or other revenue services to fund STR code enforcement. 2. The STR neighborhood compatibility program has higher fees for larger homes to fund potentially greater enforcement costs resulting from the higher number of occupants. 3. The STR neighborhood compatibility program allows for cost recovery to be built into STR permit fees and fines to fund code enforcement staff. 	<p>Yes</p> <p>Yes</p>		<p>10 points</p>
<p>Example Education Best Practices (10 points)</p>			<p>10 points</p>
<ol style="list-style-type: none"> 1. The STR neighborhood compatibility program requires interior and exterior signage with the local contact name and phone number. 2. The STR neighborhood compatibility program requires that neighbors be notified and given an opportunity to comment prior to a permit being issued. 3. The STR neighborhood compatibility program requires that neighbors that share a common wall approve STR permits. 4. The STR neighborhood compatibility program requires permit numbers be on all STR advertisements. 5. The STR neighborhood compatibility program provides education on being a good neighbor, fire safety, Lake Tahoe stewardship, geotourism, parking, and public transportation options. 6. The STR neighborhood compatibility program includes a system to track and report complaints (type of complaint, location, response time, resolution, number of complaints at that location, owner, etc.) and uses the results for enforcement (e.g., condition and/or deny new and/or renewal of permits, etc.). 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>		<p>5 points</p>
<p>Example Penalties Best Practices (5 points)</p>			<p>5 points</p>
<ol style="list-style-type: none"> 1. The STR neighborhood compatibility program revokes STR permits for repeat violations or for STRs that do not meet public health and safety standards. 2. The STR neighborhood compatibility program increases violation fines for repeated violations by the STR permit holder, property owners, and/or visitors. 3. The STR neighborhood compatibility program places a lien on a property if fines for violations have not been paid. 4. The STR neighborhood compatibility program includes mandatory eviction provisions for violations in rental agreements. 5. The STR neighborhood compatibility program includes a certified local contact requirement and the local government has the right to revoke a certificate if a certain number of unresolved complaints are lodged against the property being managed by the certificate holder. 	<p>Yes</p> <p>Yes</p> <p>Yes</p>		<p>5 points</p>
<p>Example Other Best Practices (Can substitute for up to 40 points from above)</p>			<p>5 points</p>
<ol style="list-style-type: none"> 1. The local government has created a working group to develop policies and programs for STR enforcement and implemented those policies and programs. 	<p>Yes</p>		<p>5 points</p>
<p>TOTAL</p>		<p>100 points (max)</p>	<p>90</p>

*Every two years, TRPA convenes the Performance Review Committee (PRC), a Committee made up of one TRPA staff member and one staff member from each local jurisdiction, to review the Performance Review System and ensure the provisions of TRPA Code, Chapter 50, have been applied correctly and provide a recommendation to TRPA's Advisory Planning Commission and Governing Board regarding the distribution of residential allocations to the local jurisdictions.

Attachment C

STR Neighborhood Compatibility Guidelines – Placer County

Tahoe Regional Planning Agency Short-Term Rental Neighborhood Compatibility Guidelines for Local Jurisdictions

Adopted by TRPA Governing Board on October 23, 2019
(Print on Tabloid 11" by 17" Paper)

These Guidelines are to be used by the Tahoe Regional Planning Agency (TRPA) when evaluating local jurisdiction Short-Term Rental Neighborhood Compatibility Programs during the application of the Performance Review System (TRPA Code, Section 50.5) for the distribution of residential allocations in the Tahoe Region.

Local jurisdiction: Placer County

Date: 1/8/21

Prepared by: Jayme Paine, Supervising Code Compliance Officer, STR Program Supervisor

LOCAL JURISDICTION SHORT-TERM RENTAL NEIGHBORHOOD COMPATIBILITY GUIDELINES			
Example STR Neighborhood Compatibility Best Practices	Local Jurisdiction Response	Points (Max.)	Points Awarded
<p><i>The purpose for using best practices is to attain and maintain threshold standards and implement Regional Plan goals and policies as specified in the TRPA Compact. The threshold standards include vegetation, recreation, water quality, soils/SEZ conservation, fisheries, scenic resources, air quality, noise and wildlife. The Regional Plan includes land use, transportation, conservation, recreation, and public services and facilities goals and policies (http://www.trpa.org/wp-content/uploads/Adopted-Regional-Plan_20190722.pdf). Local jurisdictions may pick from the "menu" of examples of best practices below or develop their own best practices to earn points provided the practices achieve the purpose described above and in the guidance statement below.</i></p>			
LOCATIONAL			
<p>Guidance: To receive 30 points, a local jurisdiction must demonstrate that STRs will be located consistent with: 1) Regional Plan Land Use goals and policies, including directing STRs towards Town Centers, tourist lodging and/or commercial areas, major non-auto dependent transportation corridors and/or near tourist-oriented regional recreational amenities (10 points); 2) address Residential Compatibility issues such as the over saturation ("clustering") of STRs and the construction of large STRs in residential neighborhoods (10 points); and 3) by supporting Regional Plan Transportation goals and policies, including directing STRs to areas where alternative transportation options (shared-use paths, bike lanes/routes, and public transit) are available (10 points). Examples of best practices that a local jurisdiction may implement to address these locational components are provided below.</p>			
<p>Example Land Use Best Practices (10 points)</p> <ol style="list-style-type: none"> The STR neighborhood compatibility program includes requirements, and can include incentives, for location of STRs within Town Centers. The STR neighborhood compatibility program includes requirements, and can include incentives, for location of STRs within designated tourist lodging and/or commercial areas. The STR neighborhood compatibility program includes requirements, and can include incentives, for location of STRs within major non-auto dependent transportation corridors (e.g., bus routes, shared-use paths, and bike lanes/routes) that can be used to access non-residential uses without using an automobile. The STR neighborhood compatibility program includes requirements, and can include incentives, for location of STRs in and/or adjacent to tourist-oriented regional recreation amenities that can be accessed without an automobile, such as a ski resort, golf course, or major trailhead with available public transit from/to Town Center(s). The STR neighborhood compatibility program includes requirements, and can include incentives, for location of STRs that clearly reinforce the development pattern and uses as designated by the Regional Plan goals and policies and/or adopted Regional Plan or Area Plan planned land use map. <p>Example Residential Compatibility Best Practices (10 points)</p> <ol style="list-style-type: none"> The STR neighborhood compatibility program includes requirements to allow STR use in residential areas only if the home is occupied by a primary resident the majority of the year (i.e., make STRs an accessory use). The STR neighborhood compatibility program includes a requirement to allow STR use only if managed by a licensed professional property manager. 	<p><u>Land Use Examples 1, 2 and 5</u> Supported by the TOT Rebate Program: Incentivizes lodging in Town Centers with TOT Rebate program; only Town Center TOTs can take advantage of this rebate program. (6 points total)</p> <p><u>Best Practices Example 2:</u> STR Ordinance requires a local contact person (not licensed professional) available on a 24-hour basis. There is an incentive for</p>	<p>30 points (max)</p>	

Commented [HB1]: Brandy, we weren't sure how to assign points, so we divided the number of examples by the total points and applied. Let us know if we should do differently.

<p>3. The STR neighborhood compatibility program limits the size of STRs and/or includes additional requirements for larger STRs (e.g., special use permit, prohibition on use of large new homes with 4-5 bedrooms as STRs through a deed restriction, requirement for a business license for large STRs, limit total number, require separation distance, require additional permit and/or mitigation fees, etc.).</p> <p>4. The STR neighborhood compatibility program limits the total number of STRs in each jurisdiction (e.g., ratio of STRs to occupied housing, maximum number issued by lottery or on a first come/first served basis, etc.).</p> <p>5. The STR neighborhood compatibility program limits the number of STRs in designated neighborhoods.</p> <p>6. The STR neighborhood compatibility program establishes a waiting period after home construction or sale for STR permit eligibility in neighborhoods vs. other areas (e.g., five year waiting period for properties with single-family zoning and no waiting period for properties in Town Centers).</p> <p>7. The STR neighborhood compatibility program establishes a ratio of long-term to short-term rentals.</p> <p>8. The STR neighborhood compatibility program requires minimum spacing between STRs in residential areas, such as requiring at least 500 feet between parcels with STRs, to address clustering.</p> <p>9. The STR neighborhood compatibility program limits the number of STRs per parcel.</p> <p>10. The STR neighborhood compatibility program requires a two-day minimum stay for STRs in residential areas to lessen impact of move-ins and move-outs.</p> <p>11. The STR neighborhood compatibility program caps the number of nights per year a unit may be rented as an STR in residential areas, such as 30 days per year.</p> <p>12. The STR neighborhood compatibility program caps the number of times an STR may be rented in residential areas, such as four times per month.</p> <p>Example Transportation Best Practices (10 points)</p> <p>1. The STR neighborhood compatibility program only allows STRs within ¼ mile of public transit and/or shared-use paths, bike lanes, or bike routes.</p> <p>2. The STR neighborhood compatibility program uses transit occupancy tax collected from STRs or other revenue sources to offset tourist impacts (e.g. increase transit availability, provide on-demand transit in residential areas, etc.).</p> <p>3. The STR neighborhood compatibility program limits the total number of cars allowed per STR, regardless of the size or number of bedrooms, to a maximum amount equal to or less than the minimum amount of parking spaces required by local ordinance.</p> <p>Example Other Best Practices (Can substitute for up to 30 points from above)</p> <p>1. The local government has created a working group to develop policies and programs for location of STRs, those policies and programs are consistent with the threshold standards and Regional Plan goals and policies, and the local government has implemented those policies and programs.</p>	<p>professionally managed properties. (0.5 point)</p> <p><u>Best Practices</u> <u>Example 3:</u> STR Ordinance limits the number of people per bedroom (2 per bedroom plus 2 people). (1.2 point)</p> <p><u>Best Practices</u> <u>Example 9:</u> Section 3.01(A) of the Tahoe Basin Area Plan limits usage of secondary dwellings as STRs. (1 point)</p> <p>(3.2 points total)</p> <p><u>Transportation</u> <u>Example 2:</u> County allocates TOT revenue to transportation projects. (3.3. points)</p> <p><u>Transportation</u> <u>Example 3:</u> STR Ordinance requires onsite parking. Number of cars s limited to amount of legal, onsite parking (3.3. points)</p> <p>(6.6 points total)</p> <p><u>Other Best Practices:</u> Placer County has established a multi-disciplinary unit, and has develop and is expanding, an STR enforcement team. This equates to 3.5</p>		
---	--	--	--

	<p>FTE on the enforcement team and 1.5 FTE on the multi-disciplinary team. (10 points)</p> <p>(Grand Total Locational 26.3 points)</p>		
OPERATIONAL			
<p>Guidance: To receive 30 points, a local jurisdiction must demonstrate that they have regulations in place that address, at a minimum, Noise (5 points), Occupancy (2.5 points), Parking (5 points), Refuse (5 points), Defensible Space (2.5 points), Water Quality (2.5), Public Health and Safety (5 points), public/visitor Education (2.5 points), or Other program elements that will further STR neighborhood compatibility. Examples of best practices that a local jurisdiction may implement to address the operational component are provided below.</p>			
<p>Example Noise Best Practices (5 points)</p> <ol style="list-style-type: none"> The STR neighborhood compatibility program establishes quiet hours (e.g., 10:00 p.m. to 7:00 a.m.). The STR neighborhood compatibility program requires a noise management plan. The STR neighborhood compatibility program requires installation of noise monitoring devices. <p>Example Occupancy Best Practices (2.5 points)</p> <ol style="list-style-type: none"> The STR neighborhood compatibility program establishes occupancy limits (e.g., limits the number of visitors by bedrooms, such as 2 per bedroom, unless under 5 years of age, and additional parking is available). <p>Example Parking Best Practices (5 points)</p> <ol style="list-style-type: none"> The STR neighborhood compatibility program requires adequate improved off-street parking. The STR neighborhood compatibility program requires snow removal. The STR neighborhood compatibility program requires a parking management plan that includes a location for snow storage. <p>Example Refuse Best Practices (5 points)</p> <ol style="list-style-type: none"> The STR neighborhood compatibility program requires proper garbage containment, such as bear boxes and trash service. <p>Example Defensible Space Best Practices (2.5 points)</p> <ol style="list-style-type: none"> The STR neighborhood compatibility program requires defensible space inspections and maintenance. The STR neighborhood compatibility program prohibits outdoor fires, fire pits, charcoal BBQ grills, etc. <p>Example Water Quality Best Practices (2.5 points)</p> <ol style="list-style-type: none"> The STR neighborhood compatibility program requires stormwater Best Management Practices be installed/recertified at authorization and reauthorization. The STR neighborhood compatibility program requires mitigation of all excess on-site coverage. <p>Example Public Health and Safety Best Practices (5 points)</p> <ol style="list-style-type: none"> The STR neighborhood compatibility program requires public health and safety inspections for new permits and permit renewals (require appropriate handrails, adequate electrical for hot tubs, CO2 and smoke detectors, exit signs, etc.). The STR neighborhood compatibility program limits the total number of STR permits based on emergency medical services, fire, and law enforcement resources & availability. The STR neighborhood compatibility program uses transient occupancy tax revenues and permit fees to fund needed public services, such as law/code enforcement and fire. 	<p><u>Noise Example 1:</u> Section 9.42.040(D) establishes “quiet hours” from 10:00 pm to 7:00 am. (1.6 points)</p> <p><u>Occupancy Example 1:</u> Section 9.42.030(B)(6) established occupancy limits. (2.5 points)</p> <p><u>Parking Examples 1 and 2:</u> Section 9.42.040(C) requires on-site parking and compliance. (3.3 points)</p> <p><u>Refuse:</u> Section 9.42.040(E)(3) requires all trash receptacles to be animal-proofed and requires all STRs to provide evidence of receptacle installation to qualify for permit renewal. (5 points)</p>	<p>30 points (max)</p>	

<p>4. The STR neighborhood compatibility program charges commercial water and sewer fees for STRs to cover the cost and impact of increased usage.</p> <p>5. The STR neighborhood compatibility program complies with public accommodation requirements in state law.</p> <p>Example Education Best Practices (2.5 points)</p> <p>1. The STR neighborhood compatibility program requires all renters to be provided with education about being a good neighbor, fire safety, Lake Tahoe stewardship, geotourism, parking, and public transportation options.</p> <p>2. The STR neighborhood compatibility program requires interior and exterior signage with permit information and regulations.</p> <p>3. The STR neighborhood compatibility program requires permit numbers to be on all STR advertisements.</p> <p>4. The STR neighborhood compatibility program requires STR permit holders and/or renters to read rules and responsibilities, and to sign an acknowledgement.</p> <p>Example Other Best Practices (Can substitute for up to 30 points from above)</p> <p>1. The STR neighborhood compatibility program requires an STR permit and annual renewal.</p> <p>2. The STR neighborhood compatibility program provides a web-based permitting service and annual renewal service.</p> <p>3. The STR neighborhood compatibility program requires permit fees, inspection fees, & annual renewal fees.</p> <p>4. The STR neighborhood compatibility program requires permit holders to have insurance that is specifically for STRs.</p> <p>5. The STR neighborhood compatibility program requires permit applicants to identify and disclose HOA CC&R regulations that limit the length of a lease or rentals.</p> <p>6. The STR neighborhood compatibility program requires a full-time certified local contact (or professional management firm) be available anytime an STR is occupied.</p> <p>7. The STR neighborhood compatibility program requires on-site professional management.</p> <p>8. The STR neighborhood compatibility program provides incentives for full-time hosted/shared or professionally managed STRs (e.g., fee discounts, permit exemptions, etc.).</p> <p>9. The STR neighborhood compatibility program only allows permanent residents to operate STRs.</p> <p>10. The local government has created a working group to develop policies and programs for operation of STRs and implemented those policies and programs.</p>	<p><u>Defensible Space:</u> Sections 9.42.050(C) and 9.42.050(D) prohibit outdoor fireplaces and charcoal grills (1.25 points)</p> <p>Section 9.42.040(L) requires fire inspections by the serving fire district once every 3 years (1.25 points)</p> <p><u>Health and Safety</u> Example 1: STR Ordinance requires a fire inspection as part of the permit and self-certification by owner for remaining criteria (1 point)</p> <p><u>Health and Safety</u> Example 3: TOT taxes fund public services including, but not limited to, pedestrian safety infrastructure, public parks, etc. (1 point)</p> <p><u>Education Examples 1, 2 and 4:</u> Section 9.42.040(F) establishes interior posting requirements including posting a Good Neighbor brochure which includes applicable restrictions for noise, parking, fire safety, and local contact information. Section</p>		
--	---	--	--

	<p>9.42.030(B)(12) requires the owner or agent acknowledge they have read and understood the ordinance. (1.8 points)</p> <p><u>Other Best Practices:</u> Examples 1, 2, 3, 6, 8, 10: Section 9.42.030(C) establishes renewal requirements; Host Compliance will be used for permitting, tracking and annual renewal; Section 9.42.030(F) establishes a permit fee; Section 9.42.040(L) requires that inspections are subject to the applicable fire district fees; a Nexus study is being conducted to determine a reduced fee for STRs managed by a professionally licensed management company; and the County has created a working group to establish an STR permit and enforcement program. (11.3 Total Points)</p> <p>Grand Total Operational: 30 points</p>		
--	--	--	--

ENFORCEMENT

Guidance: To receive 40 points, a local jurisdiction must demonstrate that they have an **Implementation** program in place for enforcing locational and operational STR requirements, including bringing illegal STRs into conformance and addressing “bad actors” (15 points), adequate enforcement program **Funding** (10 points), effective **Penalties** (5 points), and an **Education** program (10 points). Examples of best practices that a local jurisdiction may implement to address the enforcement component are provided below.

<p>Example Implementation Best Practices (15 points)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program requires a full-time certified local contact (or professional management firm) be available anytime an STR is occupied. 2. The STR neighborhood compatibility program provides a 24 hour/7 day a week enforcement hotline. 3. The STR neighborhood compatibility program utilizes a rental activity monitoring service or program to identify STRs that do not have permits or certificates and uses that information to require compliance with applicable regulations and requirements. 4. The STR neighborhood compatibility program prohibits repeat violators from applying for additional STR permits. 5. The STR neighborhood compatibility program provides a web-based format for community members to report STR violations. 6. The STR neighborhood compatibility program grants fee and permit condition waivers or reduced requirements for full-time hosted STRs (e.g., fee discounts, permit condition exemptions, etc.). 7. The STR neighborhood compatibility program provides timely resolution of complaints and violations. 8. The STR neighborhood compatibility program includes unscheduled and non-complaint based inspections to encourage compliance. <p>Example Funding Best Practices (10 points)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program uses permit fees, transient occupancy tax or room tax revenues, money generated from fines, or other revenue services to fund STR code enforcement. 2. The STR neighborhood compatibility program has higher fees for larger homes to fund potentially greater enforcement costs resulting from the higher number of occupants. 3. The STR neighborhood compatibility program allows for cost recovery to be built into STR permit fees and fines to fund code enforcement staff. <p>Example Education Best Practices (10 points)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program requires interior and exterior signage with the local contact name and phone number. 2. The STR neighborhood compatibility program requires that neighbors be notified and given an opportunity to comment prior to a permit being issued. 3. The STR neighborhood compatibility program requires that neighbors that share a common wall approve STR permits. 4. The STR neighborhood compatibility program requires permit numbers be on all STR advertisements. 5. The STR neighborhood compatibility program provides education on being a good neighbor, fire safety, Lake Tahoe stewardship, geotourism, parking, and public transportation options. 6. The STR neighborhood compatibility program includes a system to track and report complaints (type of complaint, location, response time, resolution, number of complaints at that location, owner, etc.) and uses the results for enforcement (e.g., condition and/or deny new and/or renewal of permits, etc.). <p>Example Penalties Best Practices (5 points)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program revokes STR permits for repeat violations or for STRs that do not meet public health and safety standards. 2. The STR neighborhood compatibility program increases violation fines for repeated violations by the STR permit holder, property owners, and/or visitors. 3. The STR neighborhood compatibility program places a lien on a property if fines for violations have not been paid. 4. The STR neighborhood compatibility program includes mandatory eviction provisions for violations in rental agreements. 5. The STR neighborhood compatibility program includes a certified local contact requirement and the local government has the right to revoke a certificate if a certain number of unresolved complaints are lodged against the property being managed by the certificate holder. <i>Local contact is not certified.</i> <p>Example Other Best Practices (Can substitute for up to 40 points from above)</p>	<p><u>Implementation:</u> Examples 1-5, 7 and 8: Section 9.42.040(B) requires STRs to have a local contact person who is able to be present at the rental within 60 minutes of contact. By signing the STR application, they are self-certifying the local contact requirement. The County has a hotline available 24/7 for complaints. Host Compliance provides a service to identify unpermitted STRs that the County has been successful in using to register properties with a TOT certificate. Section 9.42.060 establishes enforcement protocols and permit suspension/revocation processes. (13.3 points)</p> <p><u>Funding</u> Examples 1 and 3: Funds generated from the STR permit program are to be used to fund the enforcement program. (6.6 points)</p> <p><u>Education</u> Examples 1, 5 and 6: Section 9.42.040(F) requires STRs to post the Good Neighbor brochure on the rental interior (4.9 points)</p> <p><u>Penalties</u> Examples 1, 2, 3, and 5: Per Section 9.42.040(F) County Code Compliance Division</p>	<p style="text-align: center;">40 points (max)</p>	
---	--	---	--

<ol style="list-style-type: none"> 1. The local government has created a working group to develop policies and programs for STR enforcement and implemented those policies and programs. 2. Example added by Placer County: Placer County has dedicated a significant amount of resources in terms staffing and funding to develop, promote, execute and enforce an STR Ordinance for the benefit of our community. This includes 3.5 FTE on the enforcement team and 1.5 FTE on the multi-disciplinary team. 3. Example added by Placer County: Enforcement Staff responds to calls 7 days a week, from 7 am to midnight. With additional enforcement staffing for peak periods such as holidays 	<p>through Host Compliance will track reported complaints, which may be used to determine if a permit should or should not be renewed. Section 9.42.060 establishes penalties and grounds for permit denial and/or suspension. (4 points)</p> <p><u>Other</u> – Examples 1-3 provided in column (9 points)</p> <p>(Grand Total Enforcement 37.8 points)</p>		
TOTAL	94.1	100 points (max)	

*Every two years, TRPA convenes the Performance Review Committee (PRC), a Committee made up of one TRPA staff member and one staff member from each local jurisdiction, to review the Performance Review System and ensure the provisions of TRPA Code, Chapter 50, have been applied correctly and provide a recommendation to TRPA’s Advisory Planning Commission and Governing Board regarding the distribution of residential allocations to the local jurisdictions.

Attachment D

STR Neighborhood Compatibility Guidelines – City of South Lake Tahoe

Tahoe Regional Planning Agency Short-Term Rental Neighborhood Compatibility Guidelines for Local Jurisdictions

Adopted by TRPA Governing Board on October 23, 2019
(Print on Tabloid 11" by 17" Paper)

These Guidelines are to be used by the Tahoe Regional Planning Agency (TRPA) when evaluating local jurisdiction Short-Term Rental Neighborhood Compatibility Programs during the application of the Performance Review System (TRPA Code, Section 50.5) for the distribution of residential allocations in the Tahoe Region.

Local jurisdiction: City of South Lake Tahoe Date: January 8, 2021 Prepared by: Courtney Weiche, Planner

LOCAL JURISDICTION SHORT-TERM RENTAL NEIGHBORHOOD COMPATIBILITY GUIDELINES			
Example STR Neighborhood Compatibility Best Practices	Local Jurisdiction Response	Points (Max.)	Points Awarded
<p><i>The purpose for using best practices is to attain and maintain threshold standards and implement Regional Plan goals and policies as specified in the TRPA Compact. The threshold standards include vegetation, recreation, water quality, soils/SEZ conservation, fisheries, scenic resources, air quality, noise and wildlife. The Regional Plan includes land use, transportation, conservation, recreation, and public services and facilities goals and policies (http://www.trpa.org/wp-content/uploads/Adopted-Regional-Plan_20190722.pdf). Local jurisdictions may pick from the "menu" of examples of best practices below or develop their own best practices to earn points provided the practices achieve the purpose described above and in the guidance statement below.</i></p>			
LOCATIONAL			
<p>Guidance: To receive 30 points, a local jurisdiction must demonstrate that STRs will be located consistent with: 1) Regional Plan Land Use goals and policies, including directing STRs towards Town Centers, tourist lodging and/or commercial areas, major non-auto dependent transportation corridors and/or near tourist-oriented regional recreational amenities (10 points); 2) address Residential Compatibility issues such as the over saturation ("clustering") of STRs and the construction of large STRs in residential neighborhoods (10 points); and 3) by supporting Regional Plan Transportation goals and policies, including directing STRs to areas where alternative transportation options (shared-use paths, bike lanes/routes, and public transit) are available (10 points). Examples of best practices that a local jurisdiction may implement to address these locational components are provided below.</p>			
<p>Example Land Use Best Practices (10 points)</p> <ol style="list-style-type: none"> The STR neighborhood compatibility program includes requirements, and can include incentives, for location of STRs within Town Centers. The STR neighborhood compatibility program includes requirements, and can include incentives, for location of STRs within designated tourist lodging and/or commercial areas. The STR neighborhood compatibility program includes requirements, and can include incentives, for location of STRs within major non-auto dependent transportation corridors (e.g., bus routes, shared-use paths, and bike lanes/routes) that can be used to access non-residential uses without using an automobile. The STR neighborhood compatibility program includes requirements, and can include incentives, for location of STRs in and/or adjacent to tourist-oriented regional recreation amenities that can be accessed without an automobile, such as a ski resort, golf course, or major trailhead with available public transit from/to Town Center(s). The STR neighborhood compatibility program includes requirements, and can include incentives, for location of STRs that clearly reinforce the development pattern and uses as designated by the Regional Plan goals and policies and/or adopted Regional Plan or Area Plan planned land use map. <p>Example Residential Compatibility Best Practices (10 points)</p> <ol style="list-style-type: none"> The STR neighborhood compatibility program includes requirements to allow STR use in residential areas only if the home is occupied by a primary resident the majority of the year (i.e., make STRs an accessory use). The STR neighborhood compatibility program includes a requirement to allow STR use only if managed by a licensed professional property manager. 	<p>Existing VHR permits in residential zones will be phased out in 2021 on a rolling expiration schedule.</p> <p>In residential plan areas, Qualified VHR permit allows a primary home owner, with proof of tax exemption, to rent their home limited to 30 days per year, non-consecutively.</p> <p>VHR occupancy is limited by the number of bedrooms and/or on-site parking spaces</p>	<p>30 points (max)</p>	

<p>3. The STR neighborhood compatibility program limits the size of STRs and/or includes additional requirements for larger STRs (e.g., special use permit, prohibition on use of large new homes with 4-5 bedrooms as STRs through a deed restriction, requirement for a business license for large STRs, limit total number, require separation distance, require additional permit and/or mitigation fees, etc.).</p> <p>4. The STR neighborhood compatibility program limits the total number of STRs in each jurisdiction (e.g., ratio of STRs to occupied housing, maximum number issued by lottery or on a first come/first served basis, etc.).</p> <p>5. The STR neighborhood compatibility program limits the number of STRs in designated neighborhoods.</p> <p>6. The STR neighborhood compatibility program establishes a waiting period after home construction or sale for STR permit eligibility in neighborhoods vs. other areas (e.g., five year waiting period for properties with single-family zoning and no waiting period for properties in Town Centers).</p> <p>7. The STR neighborhood compatibility program establishes a ratio of long-term to short-term rentals.</p> <p>8. The STR neighborhood compatibility program requires minimum spacing between STRs in residential areas, such as requiring at least 500 feet between parcels with STRs, to address clustering.</p> <p>9. The STR neighborhood compatibility program limits the number of STRs per parcel.</p> <p>10. The STR neighborhood compatibility program requires a two-day minimum stay for STRs in residential areas to lessen impact of move-ins and move-outs.</p> <p>11. The STR neighborhood compatibility program caps the number of nights per year a unit may be rented as an STR in residential areas, such as 30 days per year.</p> <p>12. The STR neighborhood compatibility program caps the number of times an STR may be rented in residential areas, such as four times per month.</p> <p>Example Transportation Best Practices (10 points)</p> <p>1. The STR neighborhood compatibility program only allows STRs within ¼ mile of public transit and/or shared-use paths, bike lanes, or bike routes.</p> <p>2. The STR neighborhood compatibility program uses transit occupancy tax collected from STRs or other revenue sources to offset tourist impacts (e.g. increase transit availability, provide on-demand transit in residential areas, etc.).</p> <p>3. The STR neighborhood compatibility program limits the total number of cars allowed per STR, regardless of the size or number of bedrooms, to a maximum amount equal to or less than the minimum amount of parking spaces required by local ordinance.</p> <p>Example Other Best Practices (Can substitute for up to 30 points from above)</p> <p>1. The local government has created a working group to develop policies and programs for location of STRs, those policies and programs are consistent with the threshold standards and Regional Plan goals and policies, and the local government has implemented those policies and programs.</p>	<p>up to a maximum of 6 persons.</p> <p>New VHRs are only allowed in the Tourist Core Area Plan, the Tahoe Valley Area Plan, and all areas zoned commercial or recreation. These areas have access to transit and non-auto dependent transit opportunities. These areas also contain regional transit hubs and are in close proximity to recreation opportunities such as Lake Tahoe, Heavenly Ski Resort and City recreation facilities.</p> <p>VHRs are required to designate a local contact or property manager to respond to neighborhood compatibility complaints.</p> <p>VHR permit fees are based on the size of the VHR unit, providing funding for enforcement of neighborhood compatibility regulations. Transient Occupancy Tax is utilized to fund City services and capital projects related to public safety, auto and</p>		
---	---	--	--

	<p>non-auto transportation infrastructure, water quality improvement projects, housing, parks and recreation and land use planning.</p> <p>The newly adopted Hosted Rental (referred to as HR hereon) Ordinance requires the permittee to be a primary resident and have a cap of 200 permits. The host must be present during the duration of the rental.</p> <p>No more than one VHR or HR permit is allowed per parcel.</p> <p>All VHR parking must be accommodated off-street; one dedicated parking space is required for HR's.</p> <p>The ordinance permits VHRs in commercial areas and the tourist core area, which are well served by existing public transit. All VHRs in commercial areas and tourist core area are within ¼ mile of transit and shared use trails.</p>		
--	--	--	--

OPERATIONAL

Guidance: To receive 30 points, a local jurisdiction must demonstrate that they have regulations in place that address, at a minimum, **Noise** (5 points), **Occupancy** (2.5 points), **Parking** (5 points), **Refuse** (5 points), **Defensible Space** (2.5 points), **Water Quality** (2.5), **Public Health and Safety** (5 points), public/visitor **Education** (2.5 points), or **Other** program elements that will further STR neighborhood compatibility. Examples of best practices that a local jurisdiction may implement to address the operational component are provided below.

<p>Example Noise Best Practices (5 points)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program establishes quiet hours (e.g., 10:00 p.m. to 7:00 a.m.). 2. The STR neighborhood compatibility program requires a noise management plan. 3. The STR neighborhood compatibility program requires installation of noise monitoring devices. <p>Example Occupancy Best Practices (2.5 points)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program establishes occupancy limits (e.g., limits the number of visitors by bedrooms, such as 2 per bedroom, unless under 5 years of age, and additional parking is available). <p>Example Parking Best Practices (5 points)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program requires adequate improved off-street parking. 2. The STR neighborhood compatibility program requires snow removal. 3. The STR neighborhood compatibility program requires a parking management plan that includes a location for snow storage. <p>Example Refuse Best Practices (5 points)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program requires proper garbage containment, such as bear boxes and trash service. <p>Example Defensible Space Best Practices (2.5 points)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program requires defensible space inspections and maintenance. 2. The STR neighborhood compatibility program prohibits outdoor fires, fire pits, charcoal BBQ grills, etc. <p>Example Water Quality Best Practices (2.5 points)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program requires stormwater Best Management Practices be installed/recertified at authorization and reauthorization. 2. The STR neighborhood compatibility program requires mitigation of all excess on-site coverage. <p>Example Public Health and Safety Best Practices (5 points)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program requires public health and safety inspections for new permits and permit renewals (require appropriate handrails, adequate electrical for hot tubs, CO2 and smoke detectors, exit signs, etc.). 2. The STR neighborhood compatibility program limits the total number of STR permits based on emergency medical services, fire, and law enforcement resources & availability. 3. The STR neighborhood compatibility program uses transient occupancy tax revenues and permit fees to fund needed public services, such as law/code enforcement and fire. 4. The STR neighborhood compatibility program charges commercial water and sewer fees for STRs to cover the cost and impact of increased usage. 5. The STR neighborhood compatibility program complies with public accommodation requirements in state law. <p>Example Education Best Practices (2.5 points)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program requires all renters to be provided with education about being a good neighbor, fire safety, Lake Tahoe stewardship, geotourism, parking, and public transportation options. 2. The STR neighborhood compatibility program requires interior and exterior signage with permit information and regulations. 3. The STR neighborhood compatibility program requires permit numbers to be on all STR advertisements. 4. The STR neighborhood compatibility program requires STR permit holders and/or renters to read rules and responsibilities, and to sign an acknowledgement. <p>Example Other Best Practices (Can substitute for up to 30 points from above)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program requires an STR permit and annual renewal. 2. The STR neighborhood compatibility program provides a web-based permitting service and annual renewal service. 	<p>Quiet hours are required between 10pm and 7am.</p> <p>Both HR and VHRs have occupancy limits based on bedrooms and parking. In no case, can a HR exceed more than 6 people regardless of size/bedrooms.</p> <p>All VHRs, outside of Tahoe Keys and the Tourist Core, are required to install bear proof trash enclosures.</p> <p>Outdoor fire pits are prohibited and defensible space is required as part of the VHR inspection.</p> <p>On-site parking spaces are required to be paved.</p> <p>Public health and safety inspections are required for all VHRs outside of the Tourist Core. Inspection includes building, electrical and fire code compliance (see checklist)</p> <p>VHRs are required to designate a local</p>	<p>30 points (max)</p>	
--	---	-------------------------------	--

<p>3. The STR neighborhood compatibility program requires permit fees, inspection fees, & annual renewal fees.</p> <p>4. The STR neighborhood compatibility program requires permit holders to have insurance that is specifically for STRs.</p> <p>5. The STR neighborhood compatibility program requires permit applicants to identify and disclose HOA CC&R regulations that limit the length of a lease or rentals.</p> <p>6. The STR neighborhood compatibility program requires a full-time certified local contact (or professional management firm) be available anytime an STR is occupied.</p> <p>7. The STR neighborhood compatibility program requires on-site professional management.</p> <p>8. The STR neighborhood compatibility program provides incentives for full-time hosted/shared or professionally managed STRs (e.g., fee discounts, permit exemptions, etc.).</p> <p>9. The STR neighborhood compatibility program only allows permanent residents to operate STRs.</p> <p>10. The local government has created a working group to develop policies and programs for operation of STRs and implemented those policies and programs.</p>	<p>contact or property manager to respond to neighborhood compatibility complaints.</p> <p>HR permittees must provide a self-certified inspection checklist for compliance with requirements.</p> <p>Permit and violation fees contribute to the cost of enforcement and implementation of the VHR/HR programs.</p> <p>Interior and exterior signage is required for all VHRs.</p> <p>The ordinance requires all residential properties to have trash service</p> <p>The City collects a permit application fee and an inspection fee prior to issuing VHR permits.</p> <p>Educational information is implemented through the "Leave No Impact Program".</p> <p>Each permit type must be renewed annually.</p> <p>Transient Occupancy Tax is utilized to fund</p>		
---	---	--	--

	<p>City services and capital projects related to public safety, auto and non-auto transportation infrastructure, water quality improvement projects, housing, parks and recreation and land use planning.</p> <p>STPUD collects water and sewer fees based on the number of fixtures within the unit and service fees based on usage.</p>		
--	---	--	--

ENFORCEMENT

Guidance: To receive 40 points, a local jurisdiction must demonstrate that they have an **Implementation** program in place for enforcing locational and operational STR requirements, including bringing illegal STRs into conformance and addressing “bad actors” (15 points), adequate enforcement program **Funding** (10 points), effective **Penalties** (5 points), and an **Education** program (10 points). Examples of best practices that a local jurisdiction may implement to address the enforcement component are provided below.

<p>Example Implementation Best Practices (15 points)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program requires a full-time certified local contact (or professional management firm) be available anytime an STR is occupied. 2. The STR neighborhood compatibility program provides a 24 hour/7 day a week enforcement hotline. 3. The STR neighborhood compatibility program utilizes a rental activity monitoring service or program to identify STRs that do not have permits or certificates and uses that information to require compliance with applicable regulations and requirements. 4. The STR neighborhood compatibility program prohibits repeat violators from applying for additional STR permits. 5. The STR neighborhood compatibility program provides a web-based format for community members to report STR violations. 6. The STR neighborhood compatibility program grants fee and permit condition waivers or reduced requirements for full-time hosted STRs (e.g., fee discounts, permit condition exemptions, etc.). 7. The STR neighborhood compatibility program provides timely resolution of complaints and violations. 8. The STR neighborhood compatibility program includes unscheduled and non-complaint based inspections to encourage compliance. <p>Example Funding Best Practices (10 points)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program uses permit fees, transient occupancy tax or room tax revenues, money generated from fines, or other revenue services to fund STR code enforcement. 2. The STR neighborhood compatibility program has higher fees for larger homes to fund potentially greater enforcement costs resulting from the higher number of occupants. 3. The STR neighborhood compatibility program allows for cost recovery to be built into STR permit fees and fines to fund code enforcement staff. <p>Example Education Best Practices (10 points)</p> <ol style="list-style-type: none"> 1. The STR neighborhood compatibility program requires interior and exterior signage with the local contact name and phone number. 2. The STR neighborhood compatibility program requires that neighbors be notified and given an opportunity to comment prior to a permit being issued. 3. The STR neighborhood compatibility program requires that neighbors that share a common wall approve STR permits. 	<p>A local contact must be available 24/7.</p> <p>Permit and violation fees, and TOT contribute to the cost of enforcement and implementation of the VHR/HR programs.</p> <p>A VHR permit may be revoked after 3 adjudicated violations.</p> <p>Signage is required.</p> <p>Educational information is implemented through the “Leave No Impact Program”.</p>	<p>40 points (max)</p>	
---	---	-------------------------------	--

<p>4. The STR neighborhood compatibility program requires permit numbers be on all STR advertisements.</p> <p>5. The STR neighborhood compatibility program provides education on being a good neighbor, fire safety, Lake Tahoe stewardship, geotourism, parking, and public transportation options.</p> <p>6. The STR neighborhood compatibility program includes a system to track and report complaints (type of complaint, location, response time, resolution, number of complaints at that location, owner, etc.) and uses the results for enforcement (e.g., condition and/or deny new and/or renewal of permits, etc.).</p> <p>Example Penalties Best Practices (5 points)</p> <p>1. The STR neighborhood compatibility program revokes STR permits for repeat violations or for STRs that do not meet public health and safety standards.</p> <p>2. The STR neighborhood compatibility program increases violation fines for repeated violations by the STR permit holder, property owners, and/or visitors.</p> <p>3. The STR neighborhood compatibility program places a lien on a property if fines for violations have not been paid.</p> <p>4. The STR neighborhood compatibility program includes mandatory eviction provisions for violations in rental agreements.</p> <p>5. The STR neighborhood compatibility program includes a certified local contact requirement and the local government has the right to revoke a certificate if a certain number of unresolved complaints are lodged against the property being managed by the certificate holder.</p> <p>Example Other Best Practices (Can substitute for up to 40 points from above)</p> <p>1. The local government has created a working group to develop policies and programs for STR enforcement and implemented those policies and programs.</p>	<p>Operating a vacation home rental property without a permit is subject to a \$1,000 fine.</p> <p>The City maintains a VHR hotline to receive reports of violations. The Police Department tracks and reports all complaints including processing any appeals through the administrative citation process. Fines associated with citations range between \$250 and \$1000 per violation. Either the property owner or renter can be issued a citation.</p> <p>City engages with Host Compliance for Address Identification, Rental Activity and Active Ads.</p> <p>Permit numbers are required to be displayed on all advertisements</p>		
<p>TOTAL</p>		<p>100 points (max)</p>	

*Every two years, TRPA convenes the Performance Review Committee (PRC), a Committee made up of one TRPA staff member and one staff member from each local jurisdiction, to review the Performance Review System and ensure the provisions of TRPA Code, Chapter 50, have been applied correctly and provide a recommendation to TRPA’s Advisory Planning Commission and Governing Board regarding the distribution of residential allocations to the local jurisdictions.