

## Brandy McMahon

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**From:** Sara Schmitz <schmitz61@gmail.com>  
**Sent:** Monday, July 08, 2019 3:41 PM  
**To:** Brandy McMahon  
**Cc:** rondatycer@aol.com  
**Subject:** Fwd: Washoe County Assessor: 2019 Declaration of Business Personal Property

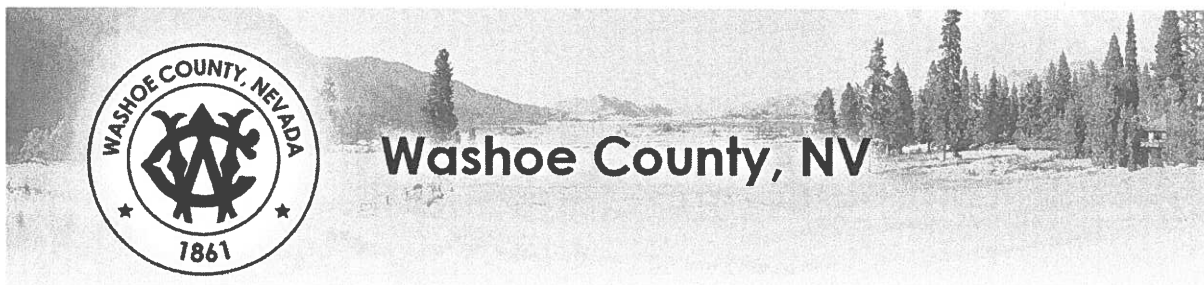
Here is yet another reason someone from Washoe County needs to be your working group. I contacted them and short term rentals need to be paying business personal taxes.

Sent from 925-858-4384

Begin forwarded message:

**From:** Washoe County <email@sp43.com>  
**Date:** July 8, 2019 at 2:51:18 PM PDT  
**To:** schmitz61@gmail.com  
**Subject:** Washoe County Assessor: 2019 Declaration of Business Personal Property  
**Reply-To:** aventetuolo@washoecounty.us

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## Washoe County Assessor: 2019 Declaration of Business Personal Property

Assessor's Office reminds business owners deadline to file drawing near [Read the full announcement](#)

☰ [More announcements](#)

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We hope you find Washoe County's announcements to be valuable information. However, if you'd rather not receive these notices, you may opt out at any time. [Unsubscribe](#) from future emails. Our mailing address is: Washoe County  
1001 E. 9th St., Reno, NV 89512.

## Brandy McMahon

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**From:** Sara Schmitz <schmitz61@gmail.com>  
**Sent:** Sunday, July 07, 2019 8:02 PM  
**To:** Brandy McMahon  
**Subject:** Re: Incline Village CCRs

Thank you.

Sent from 925-858-4384

On Jul 7, 2019, at 7:59 PM, Brandy McMahon <[bmcMahon@trpa.org](mailto:bmcMahon@trpa.org)> wrote:

Dear Sara,

The next Short-Term Rental Neighborhood Compatibility Working Group meeting is scheduled for July 17<sup>th</sup> at 1:00 p.m. at TRPA. This is a public meeting and you, or any other residents of Incline Village/Crystal Bay, are welcome to attend and express any concerns or ideas for managing short-term rentals you may have. The staff report for the July 17<sup>th</sup> meeting will be posted at <http://www.trpa.org/short-term-rental-neighborhood-compatibility/> this Wednesday.

Sincerely,

Brandy McMahon, AICP  
Local Government Coordinator  
Current Planning Division  
Tahoe Regional Planning Agency  
P.O. Box 5310, Stateline, NV 89449  
(775) 589-5274  
[bmcMahon@trpa.org](mailto:bmcMahon@trpa.org)

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**From:** Sara Schmitz <[schmitz61@gmail.com](mailto:schmitz61@gmail.com)>  
**Sent:** Sunday, July 07, 2019 9:58 AM  
**To:** Brandy McMahon <[bmcMahon@trpa.org](mailto:bmcMahon@trpa.org)>  
**Cc:** [rondatycer@aol.com](mailto:rondatycer@aol.com)  
**Subject:** Re: Incline Village CCRs

Brandy,

This is an example of why it's important to have local representation on the committee. Not having a resident of Incline Village/Crystal Bay is a mistake which should be rectified.

I have volunteered as have others. It's unclear as to why an entire Nevada lakefront community would not have representation.

Sara Schmitz

Sent from 925-858-4384

On Jul 7, 2019, at 8:30 AM, Brandy McMahon <[bmcMahon@trpa.org](mailto:bmcMahon@trpa.org)> wrote:

Dear Sara,

Thank you for your comments. I plan to forward them to the Short Term Rental Neighborhood Compatibility Working Group.

Sincerely,

Brandy McMahon, AICP  
Local Government Coordinator  
Current Planning Division  
Tahoe Regional Planning Agency  
P.O. Box 5310, Stateline, NV 89449  
(775) 589-5274  
[bmcMahon@trpa.org](mailto:bmcMahon@trpa.org)

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**From:** Sara Schmitz <[schmitz61@gmail.com](mailto:schmitz61@gmail.com)>  
**Sent:** Friday, June 28, 2019 8:41 AM  
**To:** Brandy McMahon <[bmcMahon@trpa.org](mailto:bmcMahon@trpa.org)>  
**Subject:** Incline Village CCRs

Brandy,

Your Working Group on short term rentals should be aware of the CCRs for the subdivisions in Incline Village. I have attached a copy of the CCR I every property owner in the Lakeview subdivision has associated with their property. As you can see in item 1, no business or profession is permitted. Other subdivisions have similar restrictions and need to be abided.

Thank you,

Sara Schmitz  
025-858-4384

Covenants and restrictions, if any, based on race, color, religion, sex, handicap, familial status, or national origin are deleted unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607, of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.

Exhibit A

334212

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DECLARATION OF RESTRICTIONS

The CRYSTAL BAY DEVELOPMENT CO., a Nevada Corporation, hereinafter designated as "Declarant", being the owner of all that certain property situate in the County of Washoe, State of Nevada, that is embraced within the exterior boundaries of

LAKEVIEW SUBDIVISION, Washoe County, Nevada, as shown on the map thereof, filed in the office of the County Recorder of Washoe County, Nevada, on February 27, 1961.

which is hereinafter referred to as "said property", does by these presents hereby declare that each and every lot and parcel within the subdivision above-described shall be held and conveyed subject to the restrictions, covenants and conditions hereinafter set forth, which shall constitute covenants running with the land, as provided by law, and shall be binding on all parties now or hereafter owning or possessing land in said subdivision. Said restrictions, covenants and conditions are imposed upon said property as a part of a general plan of development, improvement, building, occupation and maintenance thereof and to keep the lots within said subdivision desirable, uniform, and suitable in architectural design and use as herein specified. Said restrictions, covenants and conditions are declared to constitute mutual equitable covenants and servitudes for the protection and benefit of each lot in the above described subdivision and nothing contained herein shall be construed as requiring Declarant to subject any other property now owned or hereafter acquired by Declarant to these restrictions, covenants and conditions.

The restrictions, covenants and conditions to which the said property is hereby subjected are as follows:

1. Nothing but a single, private dwelling, or residence, together with garage, or car-port, and a guest house for the use solely of the owner or occupant of the single-family dwelling, and boundary line and patio fences and retaining and other walls shall be erected on any lot in said subdivision. No business or profession shall be carried on or conducted upon any portion of the said premises.
2. No lot in this subdivision shall be subdivided into smaller lots or parcels of land to obtain additional building sites.
3. No guest house, garage, shed, tent, trailer or temporary structure of any kind shall be erected, constructed, permitted or maintained on any portion of said property prior to commencement of the erection of a principal dwelling house thereon, and no guest house, garage, shed, tent, trailer, basement or temporary building shall be used for permanent or temporary residence purposes.
4. When the construction of a dwelling is commenced upon any of said lots, the owner thereof shall prosecute, with all reasonable diligence, the completion thereof and shall com-

plete the construction thereof within eighteen (18) months from the date of commencement.

5. There is hereby created an Architectural Committee, consisting of RAYMOND M. SMITH, HAROLD S. TILLER and ARTHUR L. WOOD. In case of death, resignation or incapacity or failure of any member or members of the Architectural Committee to act, the remaining member or members of the Architectural Committee shall fill any vacancy or vacancies of said Committee. Any member of the Architectural Committee may be removed for any cause upon the vote of two (2) members thereof. The Architectural Committee shall have power to establish and amend its own rules and regulations with regard to meetings, quorums and other procedural matters. The Architectural Committee hereby created is hereinafter referred to as "The Committee".

A. No dwelling house, garage, outbuilding, fence, wall, retaining wall, pier, breakwater, or other structure of any kind shall be erected, constructed, placed, moved on, or maintained on said real property, or any parcel or portion thereof, nor shall any alteration, addition, change or repair be made to the exterior thereof, unless prior to the commencement of any construction, excavation, grading or other work, two complete sets of plans and specifications thereof including front, side and rear elevations, and floor plan for each floor and basement, color scheme thereof, and plot plan, indicating and fixing the exact location of such structure or such altered structure thereof, shall have first been submitted to the Committee in writing for approval and such approval obtained in writing from the Committee.

B. Approval of such plans, specifications and location of buildings by the Committee shall be endorsed on both sets of plans, and specifications and one set returned to the person submitting the same and the other retained by the Committee. An architect's inspection fee of \$30.00 shall be paid to the Committee at the time the plans are submitted.

C. In the event that the proposed improvement be for repairing and redecorating the exterior of the structure, with or remodeling the same or making additions thereto, it shall be necessary only to file the color scheme of such proposed work with the Committee and have the same approved prior to the commencement of such work.

D. After such plans and specifications and other data submitted have been approved by the Committee, no building, garage, fence, wall, retaining wall, or other structure of any kind shall be erected, constructed, placed, altered, or maintained upon said property unless the same shall be erected, constructed, or altered in conformity with the plans and specifications, color scheme, and plot plan theretofore approved by the Committee, or its duly appointed agent; if any building, garage, fence, wall, retaining wall, or other structure of any kind shall be erected, constructed, placed, altered, or maintained on said property other than in accordance with the plans and specifications, color scheme and plot plan theretofore approved by the Committee, such erection, construction, placing, alterations and maintenance shall be deemed to have been undertaken without the approval of the Committee ever having been obtained.

E. No building, or structure, shall be constructed of a building material that will reflect the sunlight nor shall any building or other structure be painted with any paint or other material that will reflect the sunlight.

F. Committee approval may be withheld (a) because of the non-

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compliance with any of the specific conditions and restrictions contained in this Declaration of Restrictions, or (b) because of the reasonable dissatisfaction of the Committee with the location of the structure on the building site, or with the appearance of the proposed structure or with the lot grading plan, having in mind the character of the neighborhood in which it is proposed to be erected, the materials of which it is to be built, the harmony thereof with the surroundings, and the effect of the building or other structures as planned on the outlook from the adjacent or neighboring property or properties. However, the Committee shall act with all due promptness and in the event the Committee shall fail to approve or disapprove any matter submitted hereunder within thirty (30) days from submission, then the submission shall be deemed to be approved and this section of the protective covenants will have been fully complied with.

6. No obnoxious or offensive activity shall be carried on on said property, or any portion thereof, nor shall anything be done which shall be or become an annoyance or a nuisance to the neighborhood.

7. No garbage, refuse, or obnoxious or offensive material shall be permitted to accumulate on any of said lots, and the owner thereof shall cause all garbage and other like material to be disposed of by and in accordance with accepted sanitary practice. All garbage or trash containers, oil tanks, gas tanks, and other such facilities must be underground or placed in walled-in areas so that they shall not be visible from the adjoining properties, from the streets, or from the waterways.

8. No animals nor fowl of any description shall be raised, housed or kept on the premises except that dogs, cats or other household pets that are of such nature as not to interfere with the safety and comfort of adjoining owners may be kept on said property, provided they are not bred or maintained thereon for any commercial purpose.

9. No dwelling house shall be occupied for residence purposes until the same shall be provided with a sewage disposal system consisting of individual septic tanks or other equally sanitary structure for the storage or disposal of sewage, constructed, located and connected with tile disposal field, in a manner first approved in writing by the Washoe County Health Authority, or such other approval as may be required by law. No cesspool or outside toilet shall be permitted.

10. No principal dwelling house shall be constructed or maintained which shall have a living area, exclusive of garage, patios, terraces and porches of less than 1,000 square feet.

11. No work or exploration for any minerals, or drilling for any materials, or mining of any minerals or quarrying of any rock, minerals, soil or material of any nature shall be conducted on any lots or portion of this subdivision nor shall any excavation of any nature be made upon said property or any portion thereof, except such as may be incident to the installation of utility services, drainage lines, excavations incident to the grading and preparation of building sites, the construction of dwellings and/or swimming pools and the grading of roads and streets.

12. There shall be no deed, conveyance, agreement or other document executed by the terms of which there shall be a separation into different ownerships the surface and sub-surface rights.

13. Declarant reserves for the purpose of installing

and maintaining public, quasi-public and/or private utility facilities, pedestrian walkways, drainage facilities, and for such other purpose incident to the development of the subject real property, certain easements, all of which are shown on the recorded subdivision map or plat of said property. In addition thereto, Declarant reserves for itself, its successors and assigns, the right to create easements, and rights-of-way for public or private utility use, for drainage purposes, pedestrian walkways, television cables, or any one or more of the same across any lot in this subdivision; provided, however, that said easements and rights-of-way shall be located between the perimeter boundary of the lot and the building set-back line.

14. No signs of any character shall be permitted on any single residential lot in said subdivision except a sign not larger than twenty-two (22) square inches, setting forth the name of the owner or occupant of a lot; and with the exception of one (1) only "For Rent" or "For Sale" sign not larger than two hundred sixteen (216) square inches. No signs of a commercial nature shall be erected at any time.

15. Declarant reserves all rights to water that may be appurtenant to the property hereby conveyed, or that may have been heretofore used in connection therewith, together with the right to change the point of diversion and the place of use thereof.

16. Declarant reserves the right to use all natural drainage courses traversing the property hereby conveyed for the purpose of conducting surface waters that may drain from other properties owned by the Declarant, and in this connection Declarant reserves the right to enlarge any or all of the said drainage courses and to install pipes therein with the right to reasonable ingress to and egress from all parts of the property hereby conveyed that may be necessary for the maintenance, enlargement, or other improvement of said drainage course.

17. Declarant, the Architectural Committee, and every person hereinafter having any right, title or interest in any lot or parcel within said property shall have the right to prevent or stop violation of any of the said restrictions, by injunction or other lawful procedure, and to recover any damages resulting from such violation.

18. All of the restrictions and covenants hereinabove set forth shall be binding upon grantees, their successors and assigns, and all persons claiming by, through or under them, provided, however, that at any time subsequent to July 1, 1965, seventy-five percent (75%) of the record stockholders in good standing of Incline Village Recreation Association may amend, modify, abrogate or rescind any one or all of said restrictions and covenants, or may release any portion of the property from any one or more, or all of said restrictions and covenants by corporate resolution properly certified by the Board of Trustees of said corporation. Said resolution shall thereafter be promptly recorded in the office of the County Recorder of Washoe County, Nevada.

Invalidity of any one of the above restrictions, covenants and conditions by a court judgment, or decree, shall in no way affect any of the other provisions hereof, such other provisions shall remain in full force and effect.

428 It is covenanted and agreed by and between Declarant and each grantee from Declarant of any portion of said property as follows:

A. To insure perpetual beach use and privilege to each and every present or future owner of a single family residential lot who has derived title thereto through Declarant, whether within said subdivision or not, and who shall, on the terms and conditions hereinafter mentioned, simultaneously with the acquisition of title to the land, purchase one (1) share of common, voting and assessable stock in Incline Village Recreation Association, a non-profit corporation formed and organized for the specific purpose of purchasing fee title, developing, maintaining and operating two community beaches, with total lake frontage of approximately 2,400 feet, said community beaches to be owned and operated by the Incline Village Recreation Association for the exclusive use of its stockholders in accordance with its rules and regulations.

The initial cost of said common stock shall be Fifty Dollars (\$50.00) per share; and each share shall be subject to assessment at the maximum yearly rate of Fifty Dollars (\$50.00). Said assessment and levy shall be due and payable on July 1st of each and every year, commencing in 1961. Title to and ownership of each share of stock shall inure to the benefit of the grantee of Declarant to whom said stock was issued and to the successors in interest of the land granted by Declarant only, and shall attach to and run with the land as an appurtenance thereto. Ownership of the stock and ownership of the land shall not under any condition or circumstances be severed. Each lot or parcel shall be required and entitled to own and possess one (1) share of said stock.

Each assessment levied shall become a lien on the parcel of real property to which it is appurtenant as soon as due and payable, and in the event that it is not paid within ninety (90) days after due date, shall bear interest at the rate of six percent (6%) per annum from the date when due until paid. Each such lien shall, in all respects, be subordinate to any prior or subsequent mortgage or deed of trust in good faith and for value.

Grantees, their heirs, successors and assigns, shall be bound by the Articles of Incorporation and the duly promulgated By-Laws of Incline Village Recreation Association.

B. In the interest of public health and sanitation, and in order that the land herein described and all other land in the same locality may be benefited by a decrease in the hazards of pollution of subterranean and surface waters, each of the grantees of Declarant for themselves, and for their heirs, successors and assigns, covenant and agree not to use any portion of said property in any manner or for any purpose that would result in the drainage or dumping of any refuse, sewage or other material which might tend to pollute surface or subterranean waters.

To promote public health and sanitation, grantees, their heirs, successors and assigns do hereby consent to and agree to the establishment of a sewer, water or general improvement district.

In the event of the installation of a general domestic water supply system and/or a general domestic sewage disposal system, all grantees, their heirs, successors and assigns, shall forthwith

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connect their property with the domestic water supply system and/or sewage disposal system.

IN WITNESS WHEREOF, Declarant, CRYSTAL BAY DEVELOPMENT CO., has hereunto set its hand and caused the seal of the corporation to be affixed this \_\_\_ day of \_\_\_, 19\_\_.

CRYSTAL BAY DEVELOPMENT CO.

By Arthur L. Wood  
ARTHUR L. WOOD, President

STATE OF NEVADA )

ss

COUNTY OF WASHOE )

On this \_\_\_ day of \_\_\_, 19\_\_, personally appeared before me, a Notary Public in and for said County and State, ARTHUR L. WOOD, known to me to be the President of the corporation that executed the foregoing instrument, and upon oath did depose that he is the officer of the said corporation as above designated; that he is acquainted with the seal of the said corporation and that the seal affixed to said instrument is the corporate seal of said corporation; that the signature to said instrument was made by the officer of said corporation as indicated after said signature; and that the said corporation executed the said instrument freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

NOTARY PUBLIC

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1/21/85

1985

Handwritten signature



**SUSTAIN  
TAHOE.org**

Jacquie Chandler Geotourism Guide

775 413 9211 [sustaintahoe@gmail.com](mailto:sustaintahoe@gmail.com)



RECEIVED  
JUN 26 2019  
TAHOE REGIONAL  
PLANNING AGENCY



# Lake/Sanctuary

1.2 Billion every 10 yrs in ongoing Federal funding, 245 NGO's working to protect every aspect. This requires everyone to actively become part of a watershed wide *culture of stewardship*

**NLTRA:** The essential qualities of clean water, fresh air, scenic beauty, open space, abundant plant and animal life, and opportunities for public recreation are elements that attract residents and visitors to the region. Maintaining and enhancing these qualities and assuring access to them is of primary importance for our economic and environmental health and well-being.

## Community - live in a destination

### *Residents moved to a destination!*

**NLTRA:** It is the right and responsibility of all individuals and organizations in the North Lake Tahoe region to practice Environmental Stewardship (the careful and responsible management of something entrusted to one's care). Implementation of the Master Plan should be founded on leadership and advocacy in support of environmental stewardship, as a way to help ensure economic sustainability.

- 1) Residents are 'hosts' directly or indirectly
- 2) The built environment is built out and demand for lodging is greater than available inventory:
- 3) IVCB Hotel rooms = 546 IVCB STR = 962
- 4) Opportunity of STR to augment lodging with 'On-site' or 'On-call' Stewardship hosting
- 5) Zoning and ordinances to reflect the need for added IVCB lodging opportunities

## Attraction

### *Tourism provides an economic base .*

Preservation of the 'Attraction' is the economy. Prosperity = Water clarity

National Geographic Center Sustainable Destinations: 70% travelers believe we need to live in harmony with nature in order to survive. 40% would do more to if they knew what to do. 18% would pay a premium to access places they knew were being protected.

**NLTRA:** We advocate and support environmentally-and economically-sustainable solutions for the traffic congestion issues that negatively impact our community. This includes promotion of pedestrian-oriented development patterns that reduce reliance on the automobile. It is recognized that a successful, sustainable tourism economy needs to be carefully planned, developed, and managed, as well as promoted.

1. Opportunity: Washoe County support a *Stewardship Hosting Standard Alliance*
2. Geotourism Host Program (BMP, Fire and Bear Safe, etc)
3. IVCB Field Team: Interface between public, municipalities & STR issues
4. Goal is to elevate host and guest stewardship, ensuring a safer and more meaningful visits.

# Objective

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Sustain or increase TOT funding from STR, (which also meets growing lodging demand in IVCB) without:

- stressing neighborhoods (socially, environmentally and legally)
- displacing renters (less inventory, higher prices)
- further compromising our sensitive watershed (forest fires, wildlife damage, trash/pollution)

# Opportunity

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Leverage this growing lodging option to increase TOT revenue while building Lake stewardship. Hosting is key to protecting Lake Tahoe, as visitors who become stewards will reduce negative impacts on all fronts. Stewardship hosting that *leads by example* will influence the visitors and shift our culture toward more respectful actions and levels of awareness.

## Stewardship Hosting Standard Alliance

County, Fire Dept, Police, TRPA, Waste Not, IVGID, Chambers, Visitor Authority, Realtors, Prop Mangers, USFS

1. Secure current IVCB STR/VHR inventory data (Host Compliance?)
2. Draft STR zoning and compliance recommendations
3. Geotourism Host application and training (BMP, Fire and Bear Safe, etc)
4. IVCB Field Team: Interface between public, municipalities & STR issues
5. elevate host and guest experience thru hosting a culture of stewardship

### Avail. Commercial lodging IVCB

Hyatt	422 rms
Biltmore/ Crystal Bay	100 rms
Parkside Hotel	32 rms
<u>Border House</u>	<u>10 rms</u>
<u>Total</u>	<u>564 rms</u>

STR/VRH 962 rooms or homes

11M average annual visitors to IVCB

90 Structural Fires 6 yrs [76 Res... 47% STR]

County {Lake/ Community / Tourism}

Residential zoning code: 110.304.15

2012-14 change to code allowing STR

# Sustainable Tahoe

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1. Our mission is to *accelerate the adoption of geotourism in the Tahoe watershed*
2. NV 501c3 non-profit so funds support programs that serve the Lake, Community and Business
3. Geotourism hosting model (10 years hosting 5000 guests w/5 stars / no incidents)
4. Existing relationships with listed agencies/ groups excited on how this aligns and supports their goals  
Sanibel model: Sanctuary - Community - Attraction



## STR Opportunity

Hosting is key to protecting Lake Tahoe, as visitors who become stewards will reduce negative impacts on all fronts. The opportunity is to leverage the desire of residents seeking to host visitors in their homes (STR/VHR) to *lead by example* in management practices that show visitors how we protect the forests, water, wildlife and air we all share. Proper management practices (stewardship) will influence visitors and help shift our tourism culture toward more respectful actions and levels of awareness.

Washoe County is currently drafting the Area Plan (as part of a TRPA Shore Zone) that will include new zoning in the County which will influence lodging capacities. As that plans comes into view, a Short Term Alliance can co-draft a Hosting Standard directive and application process.

## Stewardship Hosting Standard

### Short Term Rental / Vacation Home Rental: License Application

For visitors to understand the responsibility required for visiting, lodging and living in a National Treasure, each home owner, seeking to lodge visitors in their home for income, must have the following updated and signed off annually:

Compliance	Complete Date	signed	Print name
Defensible Space			
Fire Inspection			
BMP			
Bear Safe Trash Can			
Parking capacity			
Lodging Capacity			
Recycle			
On-site /on-call host			
Insurance			
Neighborhood HOA / CCR			
Geotourism Host training			
Guest Packet			

### Stewardship Hosting Standard Alliance

Sustainable Tahoe can lead an alliance as the County's Field Team. We can work with: County, Fire Dept, Police, TRPA, Waste Not, IVGID, Chambers, Visitor Authority, Realtors, Property Mangers and USFS to co-create a Hosting Standard. One that requires home owners seeking to lodge visitors, to uphold established water, land, wildlife protections (BMP, Defensible Space, Bear Safe Trash) along with Geotourism hosting principles that will serve to elevate the host and guest experience.



## Brandy McMahon

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**From:** Dr. Tim Schroeder <[drtim@balancedoctor.com](mailto:drtim@balancedoctor.com)>  
**Sent:** Tuesday, July 02, 2019 6:46 PM  
**To:** Brandy McMahon  
**Subject:** Fwd: STRs in Placer County

Hello Brandy,

I understand that you are working with the TRPA regarding problems associated with STRs in the Tahoe Basin. Below you will find a copy of an email that I sent to Placer County Supervisor Cindy Gustafson. I have not yet received a reply. Please consider me a resource in your efforts. Thanks for standing up for community in the Tahoe Basin.

Dr. Tim Schroeder  
Chiropractor-Martial Artist-Professional Speaker  
[www.balancedoctor.com](http://www.balancedoctor.com)

Begin forwarded message:

**From:** "Dr. Tim Schroeder" <[drtim@balancedoctor.com](mailto:drtim@balancedoctor.com)>  
**Date:** July 1, 2019 at 8:28:32 AM PDT  
**To:** [cindygustafson@placer.ca.gov](mailto:cindygustafson@placer.ca.gov)  
**Cc:** Diana Turnbloom <[dianat@turnbloom.com](mailto:dianat@turnbloom.com)>, [gary@seattlegreenhomes.net](mailto:gary@seattlegreenhomes.net),  
[wendy@seattlegreenhomes.net](mailto:wendy@seattlegreenhomes.net)  
**Subject:** STRs in Placer County

[Download Attachment](#)  
[Available until Jul 31, 2019](#)

Cindy Gustafson  
District 5 Placer County Supervisor

Good Morning Cindy,

Thank you for taking the time to hear public concerns regarding Short Term Rentals in the Placer County/Tahoe City area. I believe that there is a solution to the concerns of local residents while maintaining the economic benefits of those who wish to rent their homes to visitors desiring to enjoy our beautiful area.

Three years ago I wrote the following opinion piece in the Sierra Sun: <https://www.sierrasun.com/opinion/opinion-the-truckee-tahoe-tragedy-of-airbnb-and-vrbo/>  
Things have changed since I suggested that our area needed a dialogue concerning the effect of STRs on local neighborhoods. As you know neighborhoods are experiencing this issue all over the world.

But in many areas local government has taken action to help mitigate problems that arise as a result of the opening of small business “hotels” in residential areas. In comparison to other resort areas Placer County is slow to react.

In the Talmont area there are many responsible STR operators who have rented their homes for several decades. They go largely unnoticed because their guests are screened and the owners have rules that regulate occupants. But with the advancement of Airbnb/VRBO we have seen an increase in STR businesses that are operating homes in our area as an unregulated hotel with no regard for neighborhood standards. This has infringed on the rights of our residents to quietly enjoy their properties and in fact is likely to affect property values.

We have one such property next to our home. We do see renters who are here to hike, bike, ski, enjoy the beach or just hang out at the property for fresh air and mountain life. But we commonly see large groups of people who are here just to party. This three-bedroom property is approximately 1100 square feet and is listed on Airbnb to sleep 10 people. The current ad lists it for rent for \$150 per night. Often there are over 6 carloads of people arriving ready to party. There are cars parked on the street in winter and there has been over 15 people staying there. Sometimes they bring friends and we have seen up to 50 people there partying. We call the Placer County Sheriff to respond after 10 pm. The dispatcher has been condescending and opinionated. We have no recourse to the terrible behavior of the renters prior to 10 pm. We recently saw a renter stand on the deck railing and urinate over the side while laughing. There is no end to the stories of disrespect that emanate from this property. ***I have attached a video that represents what we see regularly at the property next door to ours. Turn up the volume and imagine what it would be like to have this type of behavior next door to you while you are trying to enjoy what was once a quiet mountain town.*** The owner does not live here and is not able to control his renters. In fact, I don’t think he cares as long as the rent comes in.

As this is happening all over Placer County, our local residents are considering a ballot initiative to ban/regulate STRs in our area. This would not be necessary if Placer County acts to protect neighborhoods from the true tragedies of unregulated hotels in residential areas.

Recently my wife tried to turn in a Code Compliance Complaint at our local Placer County building in Tahoe City. She was told that they have no way of accepting the complaint. She asked if there was a way to find out who the local property manager assigned to this property was. The person that she talked to had no idea what a local STR property manager was.

So clearly, we have a problem with Placer County’s lack of action to protect residents from problem STRs. I would be happy to discuss some common sense action steps with you. I believe that there could be economic and social benefit to STRs in our community. But local residents are disgusted with the adverse effects on neighborhoods that is occurring as a result of unregulated small business hotels in residential areas. I would welcome the opportunity to be a part of helping local government be a remedy for a problem that could be taken care of with common sense action steps in favor of community. I believe that the TOT tax basis can be protected while also protecting local residents from a decreased quality of life. Placer County can either wait for a grass roots ballot initiative or offer a

solution. I have learned over many years as a health care professional that pro-active approaches are always better than waiting for a reactive scramble for survival. So, let's get the ball rolling with pro-active solutions to a recognizable problem in Placer County.

Thank you for all that you have contributed to our community. I truly appreciate it. If you would like to discuss this matter with the intention of solution, I would be happy to be a part of helping to resolve the issue. But as it stands, Placer County is behind the times with offering assistance to residents affected by problem STRs.

Sincerely,

Tim Schroeder, DC

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Dr. Tim Schroeder

Chiropractor-Martial Artist-Professional Speaker

[www.balanceddoctor.com](http://www.balanceddoctor.com)





## Opinion: The Truckee-Tahoe tragedy of Airbnb and VRBO

Opinion | July 7, 2016

**Dr. Tim Schroeder**  
**Opinion**

This is America, land of the free. I am in favor of freedom and the right to earn an income using your talent, resources and abilities.

So I don't write today to suggest that we start a legal fight to regulate Airbnb and VRBO in the Tahoe area. I will leave that up to those who enjoy those types of things.

I would, however, like to open a discussion about the community effects of the short-term rentals in the Tahoe basin. It seems that the owners of many homes in our area have turned them into small businesses.

Rather than contributing to the neighborhood, they have become a transient stop much like the inns that are negatively affected by these new small businesses.

**“ Let's open a discussion about the future of these small businesses that are being run in neighborhoods that are zoned residential. We are losing our communities.”**

Our community has already noticed that these small businesses have caused a housing crisis, making it nearly impossible for local people to find a place to rent.

Employers are finding it difficult to hire a work force to support our economy because locals just can't find a place to live. Second homeowners have decided that it's more lucrative to rent for the weekend instead of offering a family a place to live.

And with that, our normal community, one in which neighbors know neighbors, is going through a change. People come and go in these rentals with no attachment to the neighborhood.

Although there are some nice people who rent these homes on a short-term basis, their attitudes and actions can often be the same that you find when in a resort hotel.

But in a hotel there are rules for conduct that are expected and enforced by management. These businesses have no oversight from County agencies like the Health or Building departments.

There are no property managers for these rentals. And although traditional Property Management Companies are seeing a negative effect on their business, the lack of rules and management for rental guests is the real problem for neighborhood communities.

Absentee management of small business seldom works. Our family is trying to figure out if it's the new normal that renters on our block somehow think that because we live here, we are the default property managers.

We are friendly folks who love people but we tire of having people come to us during their vacation to ask us why their Internet is not working.

They come to our home asking to borrow things that are left out of their rental home. "Do you have a measuring tape that I can borrow?" "Do you have a screwdriver?" "Do you by chance have 3 eggs that I can have? We want to bake a cake."

These would all be normal requests from a neighbor, but I'm not sure how I feel about it when it comes from someone who I have never met and will never see again.

Recently a guy from God-knows-where came to my house and with a straight face asked me for a toilet plunger. How's that for a picture? Can you say dysentery? I was stunned and handed him our plunger. I made it clear that he shouldn't return it, bought a new one and contributed to our economy.

The list of neighborhood challenges is too long to list here. Hot tub parties, beer bottles in the street, late and noisy check-ins. You get the idea. It's like living in a hotel without the rules.

If we ask them to be considerate they say, "We're on vacation." And how about the renter who lit a 4-foot bonfire in the backyard on a windy day? He "checked out" and left the coals burning.

We called the North Tahoe Fire Protection District and they put out the coals. If that house burns down, a small business is disturbed. If ours goes with it, we lose the memories of a local family.

So let's open a discussion about the future of these small businesses that are being run in neighborhoods that are zoned residential. We are losing our communities.

*Dr. Tim Schroeder has lived in Tahoe City for over 35 years and can be reached at [balancedoctor.com](http://balancedoctor.com).*

## Brandy McMahon

---

**From:** Gary Spohr <gary@seattlegreenhomes.net>  
**Sent:** Sunday, July 07, 2019 11:30 AM  
**To:** 'Cindy Gustafson'  
**Cc:** Lindsay Romack; Lisa Burlison; Teri Ivaldi; Brandy McMahon  
**Subject:** FW: Time Line Follow Up and July 17 TRPA Short Term Rental Working Group  
**Attachments:** TRPA - What is 'Neighborhood Compatibility ; Mountain Housing Council Conclusions - author Cindy and friends.pdf

Dear Cindy and Todd:

Cindy, thank you again for taking the time to meet with me on June 28.

I have thought about what you said in the latter half of the 60 minutes we had for our meeting.

You asked, what were are groups' issues and you mentioned parking and garbage and etc. I mentioned occupancy and how it affected everything else but stated it was all about '**Neighborhood Compatibility**'.

After speaking with our group of supporters, which has grown to a considerable number, they all asked 'does Cindy understand 'Neighborhood Compatibility'?. Many of them now understand '**Neighborhood Compatibility**' which is just not a just few issues, it is an entire concept.

Unfortunately TRP assumed that Placer and the other counties would not need to have every issue in '**Neighborhood Compatibility**' spelled out in finite detail. As elected representative and advocates for the voters of Placer County they would know what to do.

Dr. Tim Schroeder's letter, <https://www.sierrasun.com/opinion/opinion-the-truckee-tahoe-tragedy-of-airbnb-and-vrbo/>, written 3 years ago, should have woken someone up at Placer County. There is still nowhere to file viable code complaints, Dr. Tim was turned away by Tahoe City Code Enforcements staff a couple of weeks ago. They said it was not their problem and nowhere to refer him. No wonder there are few records of complaints, they will not accept reports.

Many in our group, primarily long time Placer voters and residents, feel it would be easier to vote in a ban on Placer County STR's versus getting Placer County to understand the issues or want to solve the STR problem. It would not be difficult to install 5 dedicated code enforcement officers who can respond via the Host Compliance "hot line", have penalties and control the situation.

The other indicator of overwhelming barriers are the conclusions of the 'Mountain Housing Council White Paper'. I explained how this problems could be solved but was met with confusion or rancor.

The Placer County anti STR ground swell is growing exponentially. This makes the petitions, financial support and get out the vote that much easier. Placer residents/voters, like Dr. Schroeder, literally have anxiety attacks when a new set of renters appears, every 3-5 days.

We are open to dialogue but it has to happen soon. Even TRPA has recognized there is a significant problem and by year end, will put in place actions that must be implemented or new building permits will be withheld to those counties that do not conform to location, operations and enforcement of STRs.

As you know, we are attending a meeting with TRPA on July 17.

I would like to report to TRPA that you and Placer County are making good on the promises you made to me at our meeting. That you would have a definitive time line on setting up rules and regulation for Short Term Rentals in Placer County. That there are dates and goals for each step of the process with an end date of no later than December 31, 2019.

I understand government moves slow but TRPA has been telling Placer, every year, for the last 4 years, that Placer needed to do something.

Again, I would not make this a monumental task, use what have already been created and being updated daily by El Dorado County.

Something you might want to point out to Placer Revenue Service and Code Enforcement. El Dorado Count collect about \$3.5 million in TOT monies. With those limited monies they implemented rules, regulations, and enforcement on STR's.

Placer County, as we discussed, collects about \$20 million in annual TOT and growing. With those monies there are limited rules (Tips for being a good neighbor during your stay) and no enforcement.

I look forward to getting those time lines by July 16, thank you

Gary Spohr  
[Gary@seattlegreenhomes.net](mailto:Gary@seattlegreenhomes.net)

p 925.788.1134  
f 530.581.2757  
w seattlegreenhomes.net

12825 60th Lane South,  
Seattle, WA 98178



## Brandy McMahon

---

**From:** Gary Spohr <gary@seattlegreenhomes.net>  
**Sent:** Tuesday, June 25, 2019 3:41 PM  
**To:** Gary Spohr  
**Subject:** TRPA - What is 'Neighborhood Compatibility'

**From:** Brandy McMahon <bmcMahon@trpa.org>  
**Sent:** Monday, June 03, 2019 10:03 AM  
**To:** Gary Spohr <gary@seattlegreenhomes.net>  
**Cc:** Wendy Wood <wendy@seattlegreenhomes.net>  
**Subject:** RE: Collapsed deck at problem STR on Upper Hill St, liability flows to Placer County--too many renters, too large a hot tub--all collapsed down the hill see photos, click on each one for full disclosure

Hi Gary,

TRPA Code defines a Local Government Neighborhood Compatibility Program (Code Section 90.2) as follows:

*Local Government Neighborhood Compatibility Requirements*

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

On June 12<sup>th</sup>, the Local Government and Housing Committee is going to be reviewing a Work Program and asking for input from the public on the types of STR neighborhood compatibility approaches they should be consider. Would you like me to forward this e-mail to the Committee members?

Thanks,

Brandy McMahon, AICP  
Local Government Coordinator  
Current Planning Division  
Tahoe Regional Planning Agency  
P.O. Box 5310, Stateline, NV 89449  
(775) 589-5274  
[bmcMahon@trpa.org](mailto:bmcMahon@trpa.org)



# Best Practices for Enforcing Home-Sharing and Short-term Rental Regulation

To implement any type of effective short-term rental regulation, be it a total ban, a permitting requirement, and/or a tax, local governments must expect to invest some level of staff time and/or other resources in compliance monitoring and enforcement. That said, most local governments are neither technically equipped nor large enough to build the true expertise and sophisticated software needed to do this cost-effectively. There are several reasons why this is the case:

1. Rental property listings are spread across dozens (or hundreds) of different home sharing websites, with new sites popping up all the time (Airbnb and HomeAway are only a small portion of the total market)
2. Manually monitoring 100s or 1,000s of short-term rental properties within a specific jurisdiction is practically impossible without sophisticated databases as property listings are constantly added, changed or removed
3. Address data is hidden from property listings making it time-consuming or impossible to identify the exact properties and owners based just on the information available on the home-sharing websites
4. The listing websites most often disallow property owners from including permit data on their listings, making it impossible to quickly identify unpermitted properties
5. There is no manual way to find out how often individual properties are rented and for how much, and it is therefore very difficult to precisely calculate the amount of taxes owed by an individual property owner

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TUT  
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Luckily, it is possible to cost-effectively outsource most this work to new innovative companies such as Host Compliance that specialize in this area and have developed sophisticated big data technology and

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this area and have developed sophisticated big data technology and deep domain expertise to bring down the compliance monitoring and code enforcement costs to a minimum. In many situations, these companies can even take on all the work associated with managing the enforcement of the short-term rental regulation in return for a percentage of the incremental permitting fees, tax revenue and fine revenue that they help their local government partners collect.

Adopting short-term rental regulation and outsourcing the administration and enforcement can therefore be net-revenue positive for the local government, while adding no or little additional work to the plates of internal staff. What's more, getting started generally requires no up-front investment, long-term commitment or complicated IT integration.

That said, while it is good to know that adopting and enforcing short-term regulation can be net revenue positive if done in partnership with an expert firm, it is important to note that the economic benefits are only a small part of the equation and that local government leaders should also factor in the many non-economic benefits associated with managing and monitoring the rapidly growing short-term rental industry in their local communities. These non-economic benefits are often much more important to the local citizens than the incremental tax revenue, so even if the incremental revenue numbers may not seem material in the context of a local government's overall budget, the problems that unregulated and/or unmonitored short-term rentals and home-sharing can cause for the neighbors and other "innocent bystanders" can be quite material and should therefore not be ignored. Or as Jessica C. Neufeld from Austin, TX who suddenly found herself and her family living next to a "party house" reminds us: *"We did not buy our house to be living next to a hotel. Would you buy a home if you knew a hotel like this was operating next door, if you wanted to set your life up and raise a family?"*<sup>[1]</sup>

(file:///K:/Google%20Drive/Ulrik/Personal/Business%20Ideas/HostComplianceMonitoring/Marketing/Whitepapers/A%20Practical%20Guide%20To%20Effectively%20Regulating%20Short-Term%20Rentals%20On%20The%20Local%20Government%20Level%20-%201-8-2016%20DRAFT.htm#\_ftn1).

## Brandy McMahon

---

**From:** Gary Spohr <gary@seattlegreenhomes.net>  
**Sent:** Tuesday, July 02, 2019 1:23 PM  
**To:** Dr. Tim Schroeder  
**Cc:** Diana Turnbloom; Wendy Wood; Brandy McMahon  
**Subject:** RE: STRs in Placer County  
**Attachments:** TRPA - What is 'Neighborhood Compatibility'

This is extremely well written and conveys what is happening with, out of control STR's in our neighborhoods.

We shall see, our best hope is that we get a timeline, that Cindy promised, in the next couple weeks.

I also asked her to come up with tangible goals and timelines for STR rules and enforcement.

We both agreed that government moves slowly. I reminded her that Placer has gotten a report card from TRPA for the last 3 years. In each of these report Placer failed to effect any rules or enforcement to protect 'Neighborhood Compatibility'.

She mentioned that they were going to have to add the things like parking, noise and garbage to their existing ordinances.

I did not drill down on this at the time and have thought about it allot since my meeting with Cindy.

My hope is that the Placer BOS will not add some minimal language to their 'Uniform Transient Occupancy Tax/Ordinance of the County of Placer'. This was updated in 2019 (Ordinance 5006-B)

This was created by Placer County Revenue Services, which has no business being involved with the enforcement of STR rules.

I am not sure Cindy gets the full depth of the problem. Getting anyone at Placer County to do something, may take a full blown effort to completely ban Placer County Short Term Rentals.

She did sound very clear in not wanting to lose the STR TOT monies(\$20 million) and she is up for election. She can be a hero or have to own the bad publicity.

Keep up the good work, fingers crossed, thank you

---

**From:** Dr. Tim Schroeder <drtim@balancedoctor.com>  
**Sent:** Monday, July 01, 2019 8:29 AM  
**To:** cindygustafson@placer.ca.gov  
**Cc:** Diana Turnbloom <dianat@turnbloom.com>; Gary Spohr <gary@seattlegreenhomes.net>; Wendy Wood <wendy@seattlegreenhomes.net>  
**Subject:** STRs in Placer County

[Download Attachment](#)  
[Available until Jul 31, 2019](#)

Cindy Gustafson  
District 5 Placer County Supervisor

Good Morning Cindy,

Thank you for taking the time to hear public concerns regarding Short Term Rentals in the Placer County/Tahoe City area. I believe that there is a solution to the concerns of local residents while maintaining the economic benefits of those who wish to rent their homes to visitors desiring to enjoy our beautiful area.

Three years ago I wrote the following opinion piece in the Sierra Sun: <https://www.sierrasun.com/opinion/opinion-the-truckee-tahoe-tragedy-of-airbnb-and-vrbo/>

Things have changed since I suggested that our area needed a dialogue concerning the effect of STRs on local neighborhoods. As you know neighborhoods are experiencing this issue all over the world.

But in many areas local government has taken action to help mitigate problems that arise as a result of the opening of small business “hotels” in residential areas. In comparison to other resort areas Placer County is slow to react.

In the Talmont area there are many responsible STR operators who have rented their homes for several decades. They go largely unnoticed because their guests are screened and the owners have rules that regulate occupants. But with the advancement of Airbnb/VRBO we have seen an increase in STR businesses that are operating homes in our area as an unregulated hotel with no regard for neighborhood standards. This has infringed on the rights of our residents to quietly enjoy their properties and in fact is likely to affect property values.

We have one such property next to our home. We do see renters who are here to hike, bike, ski, enjoy the beach or just hang out at the property for fresh air and mountain life. But we commonly see large groups of people who are here just to party. This three-bedroom property is approximately 1100 square feet and is listed on Airbnb to sleep 10 people. The current ad lists it for rent for \$150 per night. Often there are over 6 carloads of people arriving ready to party. There are cars parked on the street in winter and there has been over 15 people staying there. Sometimes they bring friends and we have seen up to 50 people there partying. We call the Placer County Sheriff to respond after 10 pm. The dispatcher has been condescending and opinionated. We have no recourse to the terrible behavior of the renters prior to 10 pm. We recently saw a renter stand on the deck railing and urinate over the side while laughing. There is no end to the stories of disrespect that emanate from this property. ***I have attached a video that represents what we see regularly at the property next door to ours. Turn up the volume and imagine what it would be like to have this type of behavior next door to you while you are trying to enjoy what was once a quiet mountain town.*** The owner does not live here and is not able to control his renters. In fact, I don't think he cares as long as the rent comes in.

As this is happening all over Placer County, our local residents are considering a ballot initiative to ban/regulate STRs in our area. This would not be necessary if Placer County acts to protect neighborhoods from the true tragedies of unregulated hotels in residential areas.

Recently my wife tried to turn in a Code Compliance Complaint at our local Placer County building in Tahoe City. She was told that they have no way of accepting the complaint. She asked if there was a way to find out who the local property manager assigned to this property was. The person that she talked to had no idea what a local STR property manager was.

So clearly, we have a problem with Placer County's lack of action to protect residents from problem STRs. I would be happy to discuss some common sense action steps with you. I believe that there could be economic and social benefit to STRs in our community. But local residents are disgusted with the adverse effects on neighborhoods that is occurring as a result of unregulated small business hotels in residential areas. I would welcome the opportunity to be a part of helping local government be a remedy for a problem that could be taken care of with common sense action steps in favor of community. I believe that the TOT tax basis can be protected while also protecting local residents from a decreased quality of life. Placer County can either wait for a grass roots ballot initiative or offer a solution. I have learned over many years as a health care professional that pro-active approaches are always better than waiting for a reactive scramble for survival. So, let's get the ball rolling with pro-active solutions to a recognizable problem in Placer County.

Thank you for all that you have contributed to our community. I truly appreciate it. If you would like to discuss this matter with the intention of solution, I would be happy to be a part of helping to resolve the issue. But as it stands, Placer County is behind the times with offering assistance to residents affected by problem STRs.

Sincerely,

Tim Schroeder, DC

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Chiropractor-Martial Artist-Professional Speaker  
[www.balancedoctor.com](http://www.balancedoctor.com)



## Brandy McMahon

---

**From:** Gary Spohr <gary@seattlegreenhomes.net>  
**Sent:** Monday, July 01, 2019 2:54 PM  
**To:** Cindy.Gustafson; Lisa Burlison  
**Cc:** Lindsay Romack; Teri Ivaldi; Brandy McMahon; Wendy Wood; Diana Turnbloom  
**Subject:** Cindy Gustafson - Placer STR Meeting June 28, 2019  
**Attachments:** TRPA - What is 'Neighborhood Compatibility ; Moonshine July 2019 Ad.pdf; Placer County - Code 17.62.160 Nuisance Abatement.pdf; El Dorado County Short Term Rental Rules.pdf; El Dorado County STR Rules - Advertisement Requirements.pdf

Dear Cindy/Todd:

I am writing to you both, I understand you are both working on the Short Term Rental problem.

I believe that Cindy and I had a very good and productive meeting. She has promised me a time line within the next 10 days. Our group hopes this timeline will be for new and enforceable rules that will be reviewed and passed by the BOS in the next 60-90 days. I think it is imperative that this time actually moves up. You have hundreds of full time residents and no willing to wait very long. Our prior BOS Representative Jennifer Montgomery was full aware of the many problem and was provide numerous reports by the community and TRPA, that are complete feed up

One of the questions Cindy asked me was whether or not our group would try to go to the voter to get Short Term Rentals banned completely, like South Lake.

Like South Lake, the people who live in the Lake Tahoe area are at the end of their rope. The voters of Placer County know that Placer County has been warned repeatedly that they needed rules and enforcement for STR's. The voters do not feel that they have received any benefits from STR and Placer has collected \$20 million plus in TOT monies.

The last two days have been turning points for our group. We will work with Placer County to get some STR rules in place, 'time is of the essence' and there cannot be any foot dragging.

A 30 plus year permanent Talmont resident had an STR drag a couch onto the street and set on fire, no police or fire department were willing to respond.

A 20 plus year permanent Talmont resident was threatened by an STR at 1:00 am but the police would not come. The Tahoe City Code Compliance office would not take their completed code compliance signed complaint form

A 40 plus year permanent resident of Lake Forest has his across the street STR cut down all the trees around a new 10 person hot tub. When he asked the STR's to tone down the load music the renter told him to go @##\$% himself and the police would not come. This same person was harassed with 3 letter from Revenue Services about paying TOT. The picture of the house, was not his house!!!!

This person and two other long time Lake Tahoe residents are selling their homes because of the STR problem

A 30 plus year Dollar Hill resident had a bus pull up outside a 3 bedroom home and disgorge 20 plus people who proceeded to party until 4am

Please note the Moonshine Article that Wendy Wood created and was going to pay \$1000. We ran the copy by just a few supporters and they refused to allow her to pay, they all paid. It is just the beginning of a rallying cry to put a 'Ban Short Term Rentals – save our Lake and our neighborhoods'

Cindy, I was very surprised when you asked me what kind of rules our group wanted. I am afraid if you do not know the issue of 'neighborhood compatibility' has provided by TRPA back in 2004, which include occupancy rules, then I am very concerned how far away we are from getting some rules and enforcement into our ordinances. Occupancy is easy to enforce, see the 'El Dorado County STR Rules – Advertising Requirements'. I think Host will tell you this is exactly what 100 other communities are doing, including the mountain vacation communities in your MH White Paper.

I do not think a single person from 5pm-12pm is going to work. You need two people during the summer months. You can fund if from TOT or annual STR permitting. You need fines and the ability to pull permits. I also think I would have one person be an on loan law enforcement person. There is a female law enforcement person the TC Code Compliance brought once, but she never answers her phone or returns call but maybe she is that person, with some proper directions.

Our group, which is growing exponentially via word of mouth, is running out of patience.

You are up for election and I believe you want to continue as our BOS. You either be a hero or the villain, and wear all this public ire.

I am around all summer, but for a trip July 28 to August 10, 2019 and will to help.

However, it is the consensus of the group to start the process of putting a 'ban short term rentals' on this or the next ballot. We will run this parallel to your effort and hope we do not need to pull the trigger.

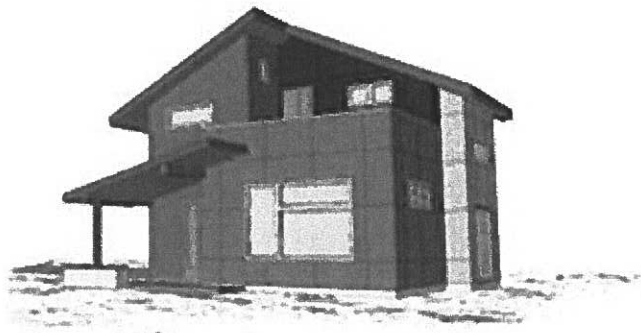
I know how to do this, we have reached out to numerous funding sources, who are interested in helping fund the Initiative. We also have the help of the fold in South Lake, they understand our frustrations. We are initial discussion with a Placer County elections consultant and the attorney who worked on the Squaw incorporation project. The attorney appears to completely understand how the Placer BOS works

Thank you

Gary Spohr  
Gary@seattlegreenhomes.net

p 925.788.1134  
f 530.581.2757  
w seattlegreenhomes.net

12825 60th Lane South,  
Seattle, WA 98178



Seattle Green Homes



# WAKE UP TAHOE!

*Are problem short-term rentals ruining your Tahoe lifestyle?*

Problem short-term rentals (STRs) affect us all, and most of all the sustainability of Lake Tahoe long-term.

Do you suffer from overloaded occupancy in small cabins, excess trash outside of bear boxes, loud all-night parties, lots of extra vehicles parked all over your area, renters' pets using your property as a toilet, fire that could burn down your neighborhood started by renters who are clueless, damage to STRs that affect your insurance rates (as most STRs buy only second homeowner policies, not commercial rental policies), traffic that makes you not want to leave your home, non-responsive local government agencies who do not have enforcement/penalties/rules/regulations to control the escalating issues?

Do you have anxiety attacks when a new rental

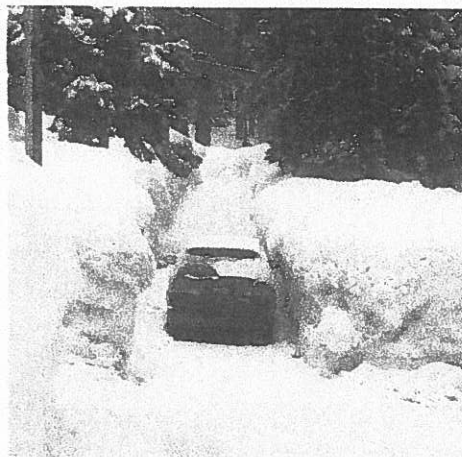
group appears in your neighborhood because you know the noise, trash, and potential fire will start all over again?? And you

have no one to call in Placer County.

Placer County collects over \$20M in transit occupancy tax (TOT) from currently 3,500 STRs, 5,000 identified, most along the West and North Shores. None of that goes to enforcement to protect you. All the other municipalities around Placer have enacted ordinances to protect

residents from problem STRs. South Lake Tahoe has banned them entirely by vote.

TRPA has just formed a Neighborhood Compliance Group to move forward enforcement by all four counties that ring the Lake. Funds can come from annual STR owner registration fees, penalties for abusive STR operators, and finally, revocation of STR certification if the problem STR owner cannot control their renters.



Please contact [SensibleTahoeSTR@gmail.com](mailto:SensibleTahoeSTR@gmail.com) or  
Cindy Gustafson, your newly appointed District 5 supervisor, at [cindygustafson@placer.ca.gov](mailto:cindygustafson@placer.ca.gov).



Chapter 17 ZONINGPart 3. Administration and ProceduresArticle 17.62 CODE COMPLIANCE AND ENFORCEMENT**17.62.160 Nuisance abatement.**

The code official may employ the provisions of this section to secure the abatement of nuisances, as defined by this section.

A. Nuisance Defined. A "nuisance" shall be any of the following:

1. Any condition declared by a statute of the state of California or by an ordinance of Placer County to be a nuisance;
2. Any public nuisance known at common law or equity;
3. Any condition dangerous to human life, unsafe, or detrimental to the public health or safety;
4. Any use of land, buildings, or premises established, operated, or maintained contrary to the provisions of Chapters 5, 8, 9, 12, 15, 16, 17 or 18 of this code.

B. Notice of Nuisance. Upon the determination by the code official that a nuisance exists, a notice of nuisance may be prepared and copies served as provided by Section 17.62.080. A notice of nuisance shall include the following information:

1. A legal description and street address, assessor's parcel number, or other description sufficient to identify the premises affected;
2. A description of the conditions causing the nuisance. Where the code official has determined that such conditions can be corrected or abated by repair or corrective action, the notice shall identify the repairs or corrective actions that will be required, and the time limit within which the nuisance must be corrected;
3. An order to complete abatement of the nuisance within thirty (30) days or other reasonable time period as determined by the code official;
4. A statement that if the nuisance is not corrected as specified, a hearing will be held before the building board of appeals for violations of Chapter 15 of this code or before the planning commission for violations of Chapter 17 of this code, to consider whether to order abatement of the nuisance and to consider the levy of a special assessment, which may be collected at the same time and in the same manner as is provided for the collection of ordinary county taxes pursuant to Section 25845 of the Government Code. Special assessments are subject to the same penalties, interest and procedures of foreclosure and sale in the case of delinquency as is provided for ordinary county taxes;
5. A statement that the county may charge the property owner for all administrative costs associated with abatement of the nuisance pursuant to Section 17.62.090;
6. Where the code official, in consultation with appropriate county officials, has determined that the condition causing the nuisance is imminently dangerous to life or limb, or to public health or safety, the notice may include an order that the affected property, building or structure shall be vacated, pending correction or abatement of the conditions causing the nuisance.

C. Notice of Nuisance Abatement. If, upon the expiration of the time specified in the notice of nuisance, action to abate the nuisance has not been commenced, or, if it has been commenced, it has not been prosecuted with due diligence nor completed within the time specified, the code official shall prepare a notice of nuisance abatement, and serve such notice as provided by Section 17.62.080. The notice of nuisance abatement shall contain the following:

1. A heading, "Notice of Nuisance Abatement";
2. A notice to appear before hearing body identified in subsection (D)(1) of this section at a stated time and place to show cause why stated conditions should not be found to be a nuisance, and why the nuisance should not be abated by the code official;
3. The same information specified in subsection B of this section for a notice of nuisance.



Code of Ordinances or fictitious name. A certificate issued to a corporation shall designate such corporation by the exact name which appears in the articles of incorporation of such corporation.

- D. *Transfer.* A registration certificate is transferable from one person to another, and is valid only for the specific instruments and if the instruments are to be used at a fixed location for the specific location for which it is issued. Replacement of specific instruments shall be allowed without a new certificate being required.
- E. *Delinquency.* Any person failing to renew a registration certificate on or before January 31 of each year shall be required to pay an additional sum equal to 50 percent of the registration fee as a penalty for any such delinquency. Any person failing to obtain a registration certificate or pay the annual registration fee within 30 days of beginning to use any weighing or measuring instruments for commercial purposes at a new location, or to use any new or seasonal weighing or measuring instruments for commercial purposes shall be required to pay an additional sum equal to 50 percent of the registration fee as a penalty for any such delinquency.

(Code 1997, § 5.54.040; Ord. No. 3416, § 1(part), 1984; Ord. No. 3509, § 1, 1985; Ord. No. 4037, § 3, 1989; Ord. No. 4247, 1992; Ord. No. 4347, 1994)

## **CHAPTER 5.56. - VACATION HOME RENTALS<sup>[13]</sup>**

### **Sec. 5.56.010. - Title.**

This chapter shall be referred to as the Vacation Home Rental Ordinance.

(Ord. No. 5092, 9-11-2018)

### **Sec. 5.56.020. - Applicability.**

The provisions of this chapter apply only within the unincorporated area of the County. All requirements, regulations, and standards imposed by this chapter are intended to apply in addition to any other applicable requirements, regulations, and standards imposed elsewhere in this Code. Vacation home rentals in operation outside of the jurisdictional boundaries of the Lake Tahoe Basin shall be required to obtain a vacation home rental permit at the time of application for or renewal of a business license to operate a vacation home rental. The provisions of the section shall apply to all vacation rentals except where there is a primary owner in residence during the rental period. This section does not apply to hosted rentals or bed and breakfast inns, which are regulated by Section 130.40. Vacation rentals shall not be permitted in non-habitable structures, within accessory or second dwelling units, in structures or dwellings with County covenants or agreements restricting their use including but not

limited to affordable housing units, agricultural employee units, farmworker housing, or farm family units. Tents, yurts, RVs, and other provisions intended for temporary occupancy are not allowed as a part of a vacation rental.

(Ord. No. 5092, 9-11-2018)

### **Sec. 5.56.030. - Definitions.**

For purposes of this chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section, except where the context clearly indicates a different meaning:

*Local contact* means a local property manager, owner, or agent of the owner, who is available to respond to renter and neighborhood questions or concerns, or any agent of the owner authorized by owner to take remedial action and respond to any violation of this chapter.

*Loud and raucous noise* means:

1. The human voice, any record, or recording thereof when amplified by any device whether electrical, mechanical, or otherwise to such an extent as to cause it to unreasonably carry on to public or private property or to be heard by others on residential property or public ways within the County.
2. Any sound not included in the foregoing which is of such volume, intensity, or carrying power as to interfere with the peace and quiet of persons upon residential property or public ways within the County in accordance with Chapter 9.16—Noise.

*Managing agency or agent* means a person, firm, or agency representing the owner of the vacation home rental, or a person, firm, or agency owning the vacation home rental.

*Operator* means the person who is proprietor of a transient lodging facility, whether in the capacity of owner, lessee, sub-lessee, mortgagee in possession, licensee, or any capacity. Where the operator performs his or her functions through a managing agent of any type or character, other than an employee, or where the operator performs his or her functions through a rental agent, the managing agent or the rental agent shall have the same duties as his or her principal. Compliance with the provisions of this chapter by either the principal or the managing agent or the rental agent shall be considered to be in compliance by both.

*Owner* means the person or entity that holds legal and/or equitable title to the private property.

*Person responsible for event* means the owner of the property where the large party, gathering or event takes place, the person in charge of the premises, and/or the person who organized the event. If the person responsible for the event is a minor, then the parents or guardian of minor will be jointly and severally liable for the fines imposed for the special security assignment.

**Private** means intended for or restricted to the occupants and/or guests of his or her vacation home rental; not for public use.

*Vacation home rental* means one or more dwelling units, including either a single-family, home, duplex, or single condominium unit rented for the purpose of overnight lodging for a period of not less than one night and not more than 30 days other than ongoing month-to-month tenancy granted to the same renter for the same unit.

(Ord. No. 5092, 9-11-2018)

#### **Sec. 5.56.040. - Purpose of chapter.**

The Board of Supervisors of the County finds and declares as follows:

- A. Vacation home rentals provide a community benefit by expanding the number and type of lodging facilities available and assist owners of vacation home rentals by providing revenue which may be used for maintenance upgrades and deferred costs;
- B. County staff has responded to numerous complaints involving excessive noise, disorderly conduct, vandalism, overcrowding, traffic congestion, illegal vehicle parking, and accumulation of refuse at vacation home rentals which require response from police, fire, paramedic, and/or other public personnel;
- C. The provisions of this chapter are necessary to prevent or mitigate the continued burden on public services and impacts on residential neighborhoods posed by vacation home rentals.

(Ord. No. 5092, 9-11-2018)

#### **Sec. 5.56.050. - Vacation home rental permit requirements.**

No owner of a vacation home rental shall rent that unit for 30 consecutive calendar days or less without a valid vacation home rental permit for that unit issued pursuant to this chapter. A separate permit shall be required for each vacation home rental. The permit requirements of this chapter are in addition to any business license, hotel/motel tax registration, any other permit, or licensing requirements. However, at the discretion of the County, the processing of permits required under this chapter may be combined with the processing of business licenses, transient occupancy tax registration, any other permit, or license process administered by the County. The County shall prescribe forms and procedures for the processing of permits under this chapter.

(Ord. No. 5092, 9-11-2018)

#### **Sec. 5.56.060. - Agency.**

Code of Ordinances

An owner may retain an agent, representative, or local contact to comply with the requirements of this chapter, including without limitation, the filing of an application for a permit, the management of the vacation home rental, and the compliance with the conditions of the permit. The permit shall be issued only to the owner of the vacation home rental. When construing and enforcing the provisions of this chapter, the act, omission, or failure of any agent, representative, or local contact person acting for or employed by an owner, shall in every case be deemed also the act, omission, or failure of the owner.

(Ord. No. 5092, 9-11-2018)

### **Sec. 5.56.070. - Application for vacation home rental permit.**

An application for a permit shall be filed with the County prior to use of the property as a vacation home rental. Permit applications shall be on the forms provided by the County and shall contain the following information:

- A. The name, address, and telephone number of the owner of the vacation home rental for which the permit is being issued;
- B. The name, address, and telephone number of the agent, representative, or local contact for the owner of the vacation home rental;
- C. The number of bedrooms and approximate habitable square footage in the vacation home rental, and the maximum allowable number of overnight occupants;
- D. Acknowledgment that all designated bedrooms meet all local building and safety code requirements;
- E. A diagram and/or photograph of the premises showing and indicating the number and location of designated on-site parking spaces;
- F. Evidence of a valid business license issued by the County for the separate business of operating the vacation home rental, unless the operation of the vacation home rental is otherwise exempt from the requirement of a business license under the express provisions of this Code. An application for a permit under this chapter may be made concurrent with an application for a business license. If concurrent applications are made, a permit under this chapter shall not be approved unless the application for the business license is also approved;
- G. Evidence of a valid transient occupancy tax registration certificate issued by the County for the vacation home rental. Such registration may be filed concurrently with the application for a permit under this chapter;
- H. Acknowledgment that the owner, agent, and local contact person have read all regulations pertaining to the operation of a vacation home rental;
- I. Certification of the accuracy of the information submitted and agreement to comply with all conditions of the permit;

Code of Ordinances A bedroom is a room that is designed to be used as a sleeping room and for no other primary purpose and shall comply with the following:

- a. Bedrooms shall have at least one operable window or door approved for emergency escape or rescue that opens directly into a public street or yard. The emergency door or window shall be operable from the inside to provide a full, clear opening without the use of separate tools. Escape or rescue windows shall have a minimum net clear openable area of five and seven-tenths square feet. The minimum net clear openable height dimension shall be 24 inches. The minimum net clear openable width dimension shall be 20 inches. When windows are provided as a means of escape or rescue, they shall have a finished sill height not more than 44 inches above the floor. Homes built in 1976 or earlier comply if the window sill height does not exceed 48 inches, the openable area is at least five square feet and no openable dimension is less than 22 inches;
  - b. Bedrooms shall have a ceiling height of not less than seven feet six inches, except as provided in this section. When exposed beam ceiling members are spaced at 48 inches or more on center, ceiling height shall be measured to the bottom of the deck supported by these members, provided that the bottom of the members is not less than seven feet above the floor. If any room has a sloping ceiling, the prescribed ceiling height for the room is required in only one-half of the area thereof. No portion of the room measuring less than five feet from the finished floor to the finished ceiling shall be included in any computation of the minimum area thereof. If any room has a furred ceiling, the prescribed ceiling height is required in two-thirds area thereof, but in no case shall the height of the furred ceiling be less than seven feet;
2. Noise. Occupants and/or guests of the vacation home rental shall not use or operate any outdoor spa or hot tub, create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this Code or any State law pertaining to noise or disorderly conduct at any time between the hours of 10:00 p.m. and 8:00 a.m. The property owner shall ensure that the quiet hours and limits on outdoor activities are included in rental agreements and in all online advertisements and listings.
  3. Visitors. The number of people present in any vacation home rental shall not exceed the maximum occupancy designated in the vacation home rental permit for that property at any time between the hours of 10:00 p.m. and 8:00 a.m.
  4. Trash and Refuse. The owner of the vacation home rental shall comply with all the solid waste management provisions of Chapter 8.42—Solid Waste Management. In the Lake Tahoe Basin, the owner of the vacation home rental shall comply with the

5. Tahoe Basin Snow Removal. The owner of the vacation home rental shall notify the occupants of their obligations to comply with all snow removal provisions of Chapter 10.12—Parking;
  6. Limit on Number of Residences or Structures per Parcel. Only a single family residence or a legally-established guest house meeting current standards shall be used as a vacation rental. Parcels containing multiple residences, units, or habitable structures may only be used as vacation home rentals subject to the granting of a conditional use permit.
  7. Fire and Life Safety Requirements. The following conditions shall be posted within the VHR and shall be in place prior to issuance of a VHR permit, subject to inspection:
    - a. Residential street address clearly visible.
    - b. Functional smoke alarms.
    - c. Functional carbon monoxide alarms.
    - d. Landline phone service installed if cell phone service is inadequate.
    - e. NFPA 13D Residential sprinkler system functional, if installed.
    - f. Portable fire extinguisher.
    - g. Windows in bedrooms are operable and do not have bars or other obstructions that prevent egress.
    - h. Extension cords are not used as permanent wiring for lights or appliances.
    - i. Outdoor fire areas and fire pits when not prohibited by State or local fire regulations, shall be limited to three feet in diameter, located on a non-combustible surface, covered with fire screens, and located no closer than within 25 feet of a structure or combustible material. Use of fire areas shall require a campfire permit issued by CALFIRE.
- B. The Board of Supervisors at a duly noticed meeting shall have the authority to impose additional standard conditions applicable to vacation home rentals as necessary to achieve the objectives of this chapter.

(Ord. No. 5092, 9-11-2018)

### **Sec. 5.56.095. - Advertisement requirements.**

The owner shall include all of the following information in any online advertisements and/or listings for the vacation rental property:

- A. The VHR permit number;

## Code of Ordinances

B. Conditional use permit number, if applicable;



- C. Number of bedrooms and maximum occupancy, not including children five or younger;
- D. Notification that quiet hours must be observed between 10:00 p.m. and 8:00 a.m.;
- E. Notification that occupancy is limited to the maximum designated in the VHR permit between the hours of 10:00 p.m. and 8:00 a.m.; and
- F. The transient occupancy tax certificate number for that particular property.

(Ord. No. 5092, 9-11-2018)

### Sec. 5.56.100. - Interior sign and notification requirements.



A copy of the permit and a copy of the conditions shall be posted in a conspicuous place within the vacation home rental. Additionally, each vacation home rental shall have a clearly visible and legible notice posted within the unit on or adjacent to the front door, containing the following information:

- A. The name of the managing agency, agent, property manager, local contact, or owner of the unit, and a telephone number at which that party may be reached on a 24-hour basis;
- B. The maximum number of occupants permitted to stay in the unit;
- C. The number and location of on-site parking spaces and the parking rules for seasonal snow removal;
- D. The trash pickup day and notification that trash and refuse shall not be left or stored on the exterior of the property except from 6:00 p.m. of the day prior to trash pickup to 6:00 p.m. on the day designated for trash pickup and that failure to utilize the provided bear-resistant garbage can enclosure, unless otherwise exempted, is a violation of this chapter;
- E. Notification that occupants, may be cited and fined for creating a disturbance or for violating other provisions of this chapter;
- F. Notification that failure to conform to the parking and occupancy requirements of the structure is a violation of this chapter;
- G. Notification if the source of drinking water at the vacation home rental is not a public water system; and
- H. Notification that occupants and/or guests of the vacation home rental shall not use or operate any outdoor spa or hot tub or create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this Code or any State law pertaining to noise or disorderly conduct between the hours of 10:00 p.m. and 8 :00 a.m.

(Ord. No. 5092, 9-11-2018)  
Code of Ordinances



### **Sec. 5.56.105. - Exterior sign requirements.**



Each vacation home rental shall have signage posted on the property that is clearly visible and legible from the property line, containing the following information:

- A. The vacation home rental permit number;
- B. The name of the local contact and a telephone number at which that party may be reached on a 24-hour basis;
- C. The maximum number of occupants permitted to stay in the unit;
- D. All signage shall comply with font and size requirements established by County.

(Ord. No. 5092, 9-11-2018)

### **Sec. 5.56.110. - Parking.**



All permissible uses shall comply with the County parking, driveway, loading standards, and seasonal snow removal regulations.

(Ord. No. 5092, 9-11-2018)

### **Sec. 5.56.120. - Noise.**



All residential vacation home rentals shall comply with the following standards:

- A. It shall be unlawful for any person on residential property or a public way to make or continue, or cause to be made or continued, any offensive, excessive, unnecessary, or unusually loud, or raucous noise, or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others on residential property or public ways within the County.
- B. It shall be unlawful to allow, permit, encourage, organize, promote, conduct, or advertise any entertainment, game, show, exhibition, activity, amusement, gathering, or assembly of persons where there will be presented outdoor live or recorded musical entertainment without first obtaining a special use permit. Private events are allowed under the following provisions:
  - 1. The occupants and/or guests of the vacation home rental shall not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this Code or any State law pertaining to noise or disorderly conduct;
  - 2. Parking resulting from the activity shall comply with the County parking, driveway, loading standards, and seasonal snow removal regulations.

## Code of Ordinances

Compliance with this standard shall be in addition to compliance with all other provisions of this Code relating to nuisance, peace, and safety.

(Ord. No. 5092, 9-11-2018)

**Sec. 5.56.130. - Certified local contact/owner responsibilities.**

- A. Each owner of a vacation home rental shall designate a local contact. The local contact may be a professional property manager, realtor, property owner, or other designated person who is available 24 hours per day, seven days per week during all times that the property is rented, and has access and authority to assume management of the unit and take remedial measures. An owner of a vacation home rental who resides within 30 minutes travel distance from the vacation home rental may designate himself or herself as the local contact. The local contact shall be required to abate a nuisance relating to noise, trash, or parking within 30 minutes after being notified of the existence of a potential violation of this chapter.
- B. The owner or owner's agent must immediately notify the County in writing upon a change of local contact or the local contact's telephone number. This notification will be on forms prescribed by the County. The revised permit will not extend the renewal date of the vacation home rental permit, and will be issued for a fee not to exceed the cost of issuance. The name and 24 hour contact information of the local contact shall be made available to the public. The changes must be posted on both the interior and exterior signage of the vacation home rental within ten days of any change of contact information.
- C. For all permits issued or renewed after January 1, 2019, the local contact shall have successfully completed a training course and achieved a qualifying score on a county-administered certification test. Once certified, the local contact will not be required to become re-certified, but must continue to comply with all provisions set forth in this section, including timely reporting of all complaints and their resolutions, in order to remain certified. There may be one or more local contacts for a given VHR, however, the phone number on record to be used to report initial complaints shall be valid to reach an available certified local contact. Operation of a vacation rental without a valid certified local contact, or without a valid contact phone number shall be considered a violation of this section.
- D. The owner or the owner's agent, representative, or local contact for the VHR is responsible for the following:
  - 1. Ensuring that the VHR complies with all posting requirements, fire and life safety requirements, and other provisions of this chapter at all times when the home is used as a VHR.

## Code of Ordinances

2. Obtaining the name, address, and contact information for each renter age 18 or over;
3. Providing the renters a written copy of occupancy limits for overnight and daytime hours, quiet hours, any parking restrictions including for snow removal, trash pick-up day and bear box instructions, requirements for campfire permits, and all other rules and regulations, and that should any violation of this chapter occur, that fines may be imposed in accordance with Sections 5.56.150 and 5.56.200.
4. Obtaining formal, written acknowledgement from all renters over the age of 18 that he or she is legally responsible for compliance of all occupants of the VHR with all applicable laws, rules, and regulations pertaining to the use and occupancy of the VHR, and that should any violation of this chapter occur, that fines may be imposed in accordance with Sections 5.56.150 and 5.56.200. This information shall be maintained by the local contact for a period of one year from date of occupancy and be made available upon request of any officer of the County responsible for the enforcement of any provision of this chapter or any other applicable law, rule, or regulation pertaining to the use and occupancy of the VHR.
5. Being available by phone in case of complaints and being available to respond on-site if necessary to resolve complaints that are in violation of this chapter in accordance with Section 5.56.150(A).

(Ord. No. 5092, 9-11-2018)

### **Sec. 5.56.140. - Enforcement, violation and penalties.**

- A. Failure of an owner or renter to abide by any of the provisions of this chapter shall constitute a violation subject to imposition of the penalties specified in Subsections B, C and D of this section. Fines will be imposed on the party deemed responsible for the violation. Violations such as failure to obtain proper permits, provide local contact response, comply with advertisement or signage requirements, or provide required trash, fire, or life safety equipment shall result in fines and penalties being imposed on the owner. Violations of occupancy limits, quiet hours, hot tub use, or other nuisance requirements shall result in fines being imposed on renters.
- B. The fine for violations specified in Subsection A of this section shall be as follows:
  1. For the first violation within any 18-month period, the fine shall not exceed \$500.00;
  2. For a second violation within any 18-month period, the fine shall not exceed \$750.00;
  3. For a third violation within any 18-month period, the fine shall not exceed \$1,000.00.
- C. A permit may be suspended after enforcement staff has responded to the property, and such response has resulted in at least one violation on each visit, three times within any 18-month period. The suspension shall not exceed six months.

Code of Ordinances D. A permit may be revoked in accordance with the provisions of Section 5.56.150 after enforcement has responded to the property, and such response has resulted in at least one violation on each of four times within any 18-month period. An owner may petition the Hearing Officer for reinstatement sooner than 12 months after revocation.

(Ord. No. 5092, 9-11-2018)

### **Sec. 5.56.150. - Procedure for notice of violation and imposition of penalties: fine/suspension/revocation.**

Notice of violation, and penalties, including: fines, suspension, and revocation of permits, shall be imposed only in the manner provided in this section.

- A. Initial complaints shall be directed to the certified local contact. The certified local contact shall be available 24 hours during all times when the property is rented, and shall be available by phone during these hours. Should a problem arise and be reported to the certified local contact, the certified local contact shall be responsible for contacting the renter and correcting the problem within 30 minutes, including visiting the site if necessary to ensure that the issue has been corrected. The certified local contact shall report any such complaints, and their resolution or attempted resolution(s), to the County within 24 hours of the occurrence. Failure to respond to complaints or report them shall be considered a violation of this section.
- B. If the issue continues or reoccurs following initial complaint to the certified local contact and code or law enforcement is contacted, enforcement staff shall investigate whether a violation has occurred. The investigation may include an inspection of the premises and may result in the issuance of an on-site citation by code enforcement if they deem such warranted. Sheriff reports, online searches, citations or documentation provided by members of the public including, but not limited to, signed declarations, photos, sound recordings and video may constitute proof of a violation. Should the investigation reveal sufficient evidence to support a finding that a violation occurred, the County shall issue written notice of the violation and intention to impose a penalty in accordance with this chapter. The written notice shall be served either by first class mail or by personal service on the owner. The written notice shall specify the facts which, in the opinion of the County, constitute sufficient evidence to establish grounds for imposition of the penalty and specify that the fine, or fine and suspension, or fine and revocation will be imposed 15 calendar days from the date of the notice unless the owner files with the County the fine amount and a request for a hearing before the Code Enforcement Hearing Officer.
- C. If the owner requests a hearing within the time specified in Subsection A of this section, the County shall serve written notice of the date, time, and place for the

## Sec. 5.56.190. Private actions to enforce.



- A. Any person who has suffered, or alleges to have suffered, damage to person or property because of a violation of this chapter may bring an action for money damages and any other appropriate relief in a court of competent jurisdiction against the party alleged to have violated this chapter. The prevailing party in any such litigation shall be entitled to recover reasonable litigation costs, including attorney's fees in an amount deemed reasonable by the court.
- B. Nothing herein shall be deemed or construed to create any right of action against the County or any of its officers, employees, or agents. The sole purpose and intent of this section is to create a right of action between private parties, entities, and interests, which are or may be impacted or affected by various aspects of vacation home rentals within the County.

(Ord. No. 5092, 9-11-2018)

◀ Sec. 3.40.050. - Levy and collection.

Title 6 - ANIMALS ▶

## Requirements.

5. Tahoe Basin Snow Removal. The owner of the vacation home rental shall notify the occupants of their obligations to comply with all snow removal provisions of Chapter 10.12—Parking;
6. Limit on Number of Residences or Structures per Parcel. Only a single family residence or a legally-established guest house meeting current standards shall be used as a vacation rental. Parcels containing multiple residences, units, or habitable structures may only be used as vacation home rentals subject to the granting of a conditional use permit.
7. Fire and Life Safety Requirements. The following conditions shall be posted within the VHR and shall be in place prior to issuance of a VHR permit, subject to inspection:
  - a. Residential street address clearly visible.
  - b. Functional smoke alarms.
  - c. Functional carbon monoxide alarms.
  - d. Landline phone service installed if cell phone service is inadequate.
  - e. NFPA 13D Residential sprinkler system functional, if installed.
  - f. Portable fire extinguisher.
  - g. Windows in bedrooms are operable and do not have bars or other obstructions that prevent egress.
  - h. Extension cords are not used as permanent wiring for lights or appliances.
  - i. Outdoor fire areas and fire pits when not prohibited by State or local fire regulations, shall be limited to three feet in diameter, located on a non-combustible surface, covered with fire screens, and located no closer than within 25 feet of a structure or combustible material. Use of fire areas shall require a campfire permit issued by CALFIRE.
- B. The Board of Supervisors at a duly noticed meeting shall have the authority to impose additional standard conditions applicable to vacation home rentals as necessary to achieve the objectives of this chapter.

(Ord. No. 5092, 9-11-2018)

**Sec. 5.56.095. - Advertisement requirements.**

The owner shall include all of the following information in any online advertisements and/or listings for the vacation rental property:

- A. The VHR permit number;

## Code of Ordinances

- B. Conditional use permit number, if applicable;
- C. Number of bedrooms and maximum occupancy, not including children five or younger;
- D. Notification that quiet hours must be observed between 10:00 p.m. and 8:00 a.m.;
- E. Notification that occupancy is limited to the maximum designated in the VHR permit between the hours of 10:00 p.m. and 8:00 a.m.; and
- F. The transient occupancy tax certificate number for that particular property.

(Ord. No. 5092, 9-11-2018)

### Sec. 5.56.100. - Interior sign and notification requirements.

A copy of the permit and a copy of the conditions shall be posted in a conspicuous place within the vacation home rental. Additionally, each vacation home rental shall have a clearly visible and legible notice posted within the unit on or adjacent to the front door, containing the following information:

- A. The name of the managing agency, agent, property manager, local contact, or owner of the unit, and a telephone number at which that party may be reached on a 24-hour basis;
- B. The maximum number of occupants permitted to stay in the unit;
- C. The number and location of on-site parking spaces and the parking rules for seasonal snow removal;
- D. The trash pickup day and notification that trash and refuse shall not be left or stored on the exterior of the property except from 6:00 p.m. of the day prior to trash pickup to 6:00 p.m. on the day designated for trash pickup and that failure to utilize the provided bear-resistant garbage can enclosure, unless otherwise exempted, is a violation of this chapter;
- E. Notification that occupants, may be cited and fined for creating a disturbance or for violating other provisions of this chapter;
- F. Notification that failure to conform to the parking and occupancy requirements of the structure is a violation of this chapter;
- G. Notification if the source of drinking water at the vacation home rental is not a public water system; and
- H. Notification that occupants and/or guests of the vacation home rental shall not use or operate any outdoor spa or hot tub or create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this Code or any State law pertaining to noise or disorderly conduct between the hours of 10:00 p.m. and 8 :00 a.m.

## Brandy McMahon

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**From:** Gary Spohr <gary@seattlegreenhomes.net>  
**Sent:** Thursday, June 27, 2019 6:14 AM  
**To:** Cindy.Gustafson; Lindsay Romack  
**Cc:** RZender@placer.ca.gov; Lisa Burlison; Teri Ivaldi; Wendy Wood; Diana Turnbloom; Brandy McMahon; Gary Spohr  
**Subject:** FW: Friday June 28 Meeting Agenda  
**Attachments:** El Dorado County Short Term Rental Rules.pdf; Sacramento County STR Application and Rules.pdf; TRPA - What is 'Neighborhood Compatibility ; TRPA - Short Term Rental - Working Group.pdf; Placer County Code Compliance Complaint Response Dated June 20,.pdf; Mountain Housing Council Report - Bivens Report on Short Term Re.pdf

My apologies again, this went out before I finished, please see below in blue.

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**From:** Gary Spohr  
**Sent:** Wednesday, June 26, 2019 12:29 PM  
**To:** cindygustafson (cindygustafson@placer.ca.gov) <cindygustafson@placer.ca.gov>  
**Cc:** Lisa Burlison <LBurlison@placer.ca.gov>; Teri Ivaldi <tivaldi@placer.ca.gov>; RZender@placer.ca.gov; Brandy McMahon <bcmcmahon@trpa.org>  
**Subject:** FW: Friday June 28 Meeting Agenda

Please be advised that I am the only person who will be attending our meeting at 9:00 am on Friday June 28, 2019.

I may have missed a few people that you had previously copied. My apologies, please feel free to forward to anyone I missed or might be involved.

Diana Turnbloom, who represents the Almont neighborhood's STR residents, will not be joining us. She and her husband Steve are expecting a grandchild around the 28<sup>th</sup>. She has been very active with the Almont group for over 3 years and she is their spokesperson.

Barbara Christian will not be joining us as she has prior commitments.

I have attached the following for our review.

1. El Dorado County Short Term Rental Rules: I believe, from copious research, that these are the most detailed set of rules for STR's. The El Dorado authors of these rules would be happy to share with you. These could be put in place, with minimal changes by the end of December 2019. This way Placer would not face the possibility of losing its building permit allotments, the Local Government and Housing Committee deadline is December 31, 2019. I think TRPA's patience has run out and there will be enough votes to get the 'neighborhood compatibility' penalty point program put in place by year end. EDC head will admit that the only issue that is still outstanding is how to enforce the rules, either by increasing law enforcement or code compliance or by enforcement would prefer to in charge. They can revoke an STR permit if they receive over 3 violations in 18 months.
2. Sacramento County: few people understand the large volume of visitors that Sacramento receives every year. This is the state capital but it also has a tremendous amount of railroad and gold rush history. We like their annual \$275 STR operating permit to fund the compliance officers. It also does not allow a home to be used exclusively for STR. We understand the Placer has 100 or potentially thousands of houses used exclusively for STR, this is not 'Neighborhood Compatible'.

3. TRPA – What is ‘Neighborhood Compatible’. I believe TRPA’s MOU with the surrounding counties is abundantly clear and has been seriously overlooked or outright abused.
4. TRPA – Local Government and Housing Committee Working Group
5. Placer County Code Compliance Complaint Response from Michele Serda Dated June 20, 2019: this response to numerous complaints filed by Wendy Wood that are clear violations of ‘Neighborhood Compatibility’ in anyone’s book. Our current system of filing code compliance, getting a no resolution response after waiting 30 plus days, and suggesting we contact other Placer agencies but offering no names. The law enforcement person Tahoe City Code Compliance suggested, Officer Alison Perero, has a VM that is always completely full. The Environmental Department referred us back to Michel Serda. Wendy went back yesterday at Michele and Jennifer and restated the multiple code violations re the problem STR above us. This is a very clear reason Placer must have 4-5 24/7 code compliance officers who can issue citations, assess penalties and after 3 complaints, the STR is shut down. This is logical, reasonable and practiced by every other municipality around Placer.
6. Biven Report (NY Times) listed in the Placer ‘White Paper’

Agenda/Meeting Goals: in our groups opinion the biggest issue is enforcement of any rules and how to fund the enforcement. These were are main focus with Mr. Leopold during our meeting.

He was also concerned about bear boxes for every resident. I am not sure if this is not already required but it could be easily implemented by Placer County.

- A. Annual Permits: mail out notices to all STR that Host Compliance has on the Placer TOT systems. Inform the STR owners that as of December 31, 2019 all STR ‘s will be required to fill out an application and pay a \$250 permit fee to operate an STR. Revenue Services and Host have all the existing addresses. They sent out the ‘Uniform Transient Occupancy Tax’ booklet in Q1 2019. This will raise \$750,000 to \$1,000,000 to pay for additional law enforcement or code compliance officers.
- B. Operating Permit Revocation: like El Dorado County the operating permit would be revoked with 3 violations over 12-18 months. The revocations would last 6-12 months and a reapplication would require approval by law enforcement or code compliance.

If an STR is operating without a permit the fine would be \$2-5,000, Note: Washoe County’s is \$5,000

- C. Placer County STR Rules, should comply with TRPA’s ‘Neighborhood Compatibility’. This is not complicated, TPA has been very reasonable and they understand the implications. Their mandate is to protect the lake. Placer, Washoe, and Douglas Counties have not complied. Unfortunately, it appears that a few real estate people both at Placer and TRPA have been able to dictate the rules with smoke screens. This is exactly what developers and real estate people tried to do prior the creation of TRPA by Congress in 1969.

During our brief 60 minutes meeting Mr. Leopold, we feel he understood the issues and the solutions. He had two hot buttons they I would also like to discuss.

- D. Occupancy Limits: he saw the immediate need to limit occupancy to 2 persons per bedroom. Excess occupancy impacts trash, parking, noise, potential fire and the environment in general. This can be enforced by Host Compliance. They can comparie the Airbnb, VRBO, and etc. ads to the TOT and Property tax rolls.

- E. Garbage: that all STR should be required to have bear boxes. I believe that the garbage company can advise on how many cans and how many bear boxes, are needed per house, and for the number of STR guests. Mr. Leopold understood the bear issue. I have brought a picture of the garbage outside a bear box of an STR on my street, at 3010 Electric Homewood, CA. Due to the constant presence of garbage at 3010 Electric we now have a marauding female. The same thing happened in our neighborhood in 2017. A bear got accustomed to garbage left out by an STR and broke into almost every home in our neighborhood. If you drive around our neighborhood now, everyone has to electrify their entrances. I have also brought a picture of a giant bear paw from my window, where a female bear was trying to break in 2 nights ago.

Cindi, I re-read the White Paper that you helped author. I think this is very well done and the information is helpful to educate people about STR's.

I take exception with are some of the 'Best Practices for Enforcing Home Sharing and Short Term Rental Regulations. From my research, there are existing and relatively simple solutions to everything listed. These issue have been resolved by 100's of communities across the country. or you get the same and more from the CEO of Host.

What Placer does not want to do is not solve this issue very quickly. I would not be difficult to have an Initiative/Measure put on the ballot. South Lake Tahoe will win there appeal and the problems with STR's and how they are adversely affecting the Lake Tahoe environment is not just be noticed by TRPA. I have spoken with people from the League to Save Lake Tahoe, Sierra Watch and etc. and they are also not happy about the problems with STR's

1. There may be a few new STR sites popping up but they have minimal exposure in Placer County. The biggest problem STR company is Airbnb, then VRBO and Bookings.com. Most STR renters will be on multiple sites but always on Airbnb and VRBO. Bookings.com is Europe's largest and growing rapidly in the US. Airbnb is the worst, as permanent residents of Talmont can attest. They typically have the cheaper properties and the owners tend to load them up with 10-15 renters and put them on mattresses on the floor.
2. Host and Placer Revenue Services (Property Tax Rolls) have the sophisticated and accessible data base. Most of the work has already been done.
3. Same issue, Host/Revenue services has already identified 5000 STR's and has 3000 paying over \$20 million in TOT money. If the police or ???? or called they will get the information of the problem STR, then they are in your system.
4. If a problem STR is identified and they do not have a permit they are fined.
5. Host and the various websites are very clear how the Placer STR's work, it is not difficult.

Many communities that use Host have all this figured out. Just go to [www.hostcompliance.com](http://www.hostcompliance.com) and note the various cities or counties listed as customers, such as Hood River. Then google Hood River STR Rules, they appear to have dealt with the STR problem a long time ago.

Thank you, Gary Spohr



## Code of Ordinances

or fictitious name. A certificate issued to a corporation shall designate such corporation by the exact name which appears in the articles of incorporation of such corporation.

- D. *Transfer.* A registration certificate is transferable from one person to another, and is valid only for the specific instruments and if the instruments are to be used at a fixed location for the specific location for which it is issued. Replacement of specific instruments shall be allowed without a new certificate being required.
- E. *Delinquency.* Any person failing to renew a registration certificate on or before January 31 of each year shall be required to pay an additional sum equal to 50 percent of the registration fee as a penalty for any such delinquency. Any person failing to obtain a registration certificate or pay the annual registration fee within 30 days of beginning to use any weighing or measuring instruments for commercial purposes at a new location, or to use any new or seasonal weighing or measuring instruments for commercial purposes shall be required to pay an additional sum equal to 50 percent of the registration fee as a penalty for any such delinquency.

(Code 1997, § 5.54.040; Ord. No. 3416, § 1(part), 1984; Ord. No. 3509, § 1, 1985; Ord. No. 4037, § 3, 1989; Ord. No. 4247, 1992; Ord. No. 4347, 1994)

## CHAPTER 5.56. - VACATION HOME RENTALS<sup>[13]</sup>

### Sec. 5.56.010. - Title.

This chapter shall be referred to as the Vacation Home Rental Ordinance.

(Ord. No. 5092, 9-11-2018)

### Sec. 5.56.020. - Applicability.

The provisions of this chapter apply only within the unincorporated area of the County. All requirements, regulations, and standards imposed by this chapter are intended to apply in addition to any other applicable requirements, regulations, and standards imposed elsewhere in this Code. Vacation home rentals in operation outside of the jurisdictional boundaries of the Lake Tahoe Basin shall be required to obtain a vacation home rental permit at the time of application for or renewal of a business license to operate a vacation home rental. The provisions of the section shall apply to all vacation rentals except where there is a primary owner in residence during the rental period. This section does not apply to hosted rentals or bed and breakfast inns, which are regulated by Section 130.40. Vacation rentals shall not be permitted in non-habitable structures, within accessory or second dwelling units, in structures or dwellings with County covenants or agreements restricting their use including but not

limited to affordable housing units, agricultural employee units, farmworker housing, or farm family units. Tents, yurts, RVs, and other provisions intended for temporary occupancy are not allowed as a part of a vacation rental.

(Ord. No. 5092, 9-11-2018)

### **Sec. 5.56.030. - Definitions.**

For purposes of this chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section, except where the context clearly indicates a different meaning:

*Local contact* means a local property manager, owner, or agent of the owner, who is available to respond to renter and neighborhood questions or concerns, or any agent of the owner authorized by owner to take remedial action and respond to any violation of this chapter.

*Loud and raucous noise* means:

1. The human voice, any record, or recording thereof when amplified by any device whether electrical, mechanical, or otherwise to such an extent as to cause it to unreasonably carry on to public or private property or to be heard by others on residential property or public ways within the County.
2. Any sound not included in the foregoing which is of such volume, intensity, or carrying power as to interfere with the peace and quiet of persons upon residential property or public ways within the County in accordance with Chapter 9.16—Noise.

*Managing agency or agent* means a person, firm, or agency representing the owner of the vacation home rental, or a person, firm, or agency owning the vacation home rental.

*Operator* means the person who is proprietor of a transient lodging facility, whether in the capacity of owner, lessee, sub-lessee, mortgagee in possession, licensee, or any capacity. Where the operator performs his or her functions through a managing agent of any type or character, other than an employee, or where the operator performs his or her functions through a rental agent, the managing agent or the rental agent shall have the same duties as his or her principal. Compliance with the provisions of this chapter by either the principal or the managing agent or the rental agent shall be considered to be in compliance by both.

*Owner* means the person or entity that holds legal and/or equitable title to the private property.

*Person responsible for event* means the owner of the property where the large party, gathering or event takes place, the person in charge of the premises, and/or the person who organized the event. If the person responsible for the event is a minor, then the parents or guardian of minor will be jointly and severally liable for the fines imposed for the special security assignment.

*Private* means intended for or restricted to the occupants and/or guests of his or her vacation home rental; not for public use.

*Vacation home rental* means one or more dwelling units, including either a single-family, home, duplex, or single condominium unit rented for the purpose of overnight lodging for a period of not less than one night and not more than 30 days other than ongoing month-to-month tenancy granted to the same renter for the same unit.

(Ord. No. 5092, 9-11-2018)

#### **Sec. 5.56.040. - Purpose of chapter.**

The Board of Supervisors of the County finds and declares as follows:

- A. Vacation home rentals provide a community benefit by expanding the number and type of lodging facilities available and assist owners of vacation home rentals by providing revenue which may be used for maintenance upgrades and deferred costs;
- B. County staff has responded to numerous complaints involving excessive noise, disorderly conduct, vandalism, overcrowding, traffic congestion, illegal vehicle parking, and accumulation of refuse at vacation home rentals which require response from police, fire, paramedic, and/or other public personnel;
- C. The provisions of this chapter are necessary to prevent or mitigate the continued burden on public services and impacts on residential neighborhoods posed by vacation home rentals.

(Ord. No. 5092, 9-11-2018)

#### **Sec. 5.56.050. - Vacation home rental permit requirements.**

No owner of a vacation home rental shall rent that unit for 30 consecutive calendar days or less without a valid vacation home rental permit for that unit issued pursuant to this chapter. A separate permit shall be required for each vacation home rental. The permit requirements of this chapter are in addition to any business license, hotel/motel tax registration, any other permit, or licensing requirements. However, at the discretion of the County, the processing of permits required under this chapter may be combined with the processing of business licenses, transient occupancy tax registration, any other permit, or license process administered by the County. The County shall prescribe forms and procedures for the processing of permits under this chapter.

(Ord. No. 5092, 9-11-2018)

#### **Sec. 5.56.060. - Agency.**

Code of Ordinances An owner may retain an agent, representative, or local contact to comply with the requirements of this chapter, including without limitation, the filing of an application for a permit, the management of the vacation home rental, and the compliance with the conditions of the permit. The permit shall be issued only to the owner of the vacation home rental. When construing and enforcing the provisions of this chapter, the act, omission, or failure of any agent, representative, or local contact person acting for or employed by an owner, shall in every case be deemed also the act, omission, or failure of the owner.

(Ord. No. 5092, 9-11-2018)

### **Sec. 5.56.070. - Application for vacation home rental permit.**

An application for a permit shall be filed with the County prior to use of the property as a vacation home rental. Permit applications shall be on the forms provided by the County and shall contain the following information:

- A. The name, address, and telephone number of the owner of the vacation home rental for which the permit is being issued;
- B. The name, address, and telephone number of the agent, representative, or local contact for the owner of the vacation home rental;
- C. The number of bedrooms and approximate habitable square footage in the vacation home rental, and the maximum allowable number of overnight occupants;
- D. Acknowledgment that all designated bedrooms meet all local building and safety code requirements;
- E. A diagram and/or photograph of the premises showing and indicating the number and location of designated on-site parking spaces;
- F. Evidence of a valid business license issued by the County for the separate business of operating the vacation home rental, unless the operation of the vacation home rental is otherwise exempt from the requirement of a business license under the express provisions of this Code. An application for a permit under this chapter may be made concurrent with an application for a business license. If concurrent applications are made, a permit under this chapter shall not be approved unless the application for the business license is also approved;
- G. Evidence of a valid transient occupancy tax registration certificate issued by the County for the vacation home rental. Such registration may be filed concurrently with the application for a permit under this chapter;
- H. Acknowledgment that the owner, agent, and local contact person have read all regulations pertaining to the operation of a vacation home rental;
- I. Certification of the accuracy of the information submitted and agreement to comply with all conditions of the permit;

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A bedroom is a room that is designed to be used as a sleeping room and for no other primary purpose and shall comply with the following:

- a. Bedrooms shall have at least one operable window or door approved for emergency escape or rescue that opens directly into a public street or yard. The emergency door or window shall be operable from the inside to provide a full, clear opening without the use of separate tools. Escape or rescue windows shall have a minimum net clear openable area of five and seven-tenths square feet. The minimum net clear openable height dimension shall be 24 inches. The minimum net clear openable width dimension shall be 20 inches. When windows are provided as a means of escape or rescue, they shall have a finished sill height not more than 44 inches above the floor. Homes built in 1976 or earlier comply if the window sill height does not exceed 48 inches, the openable area is at least five square feet and no openable dimension is less than 22 inches;
  - b. Bedrooms shall have a ceiling height of not less than seven feet six inches, except as provided in this section. When exposed beam ceiling members are spaced at 48 inches or more on center, ceiling height shall be measured to the bottom of the deck supported by these members, provided that the bottom of the members is not less than seven feet above the floor. If any room has a sloping ceiling, the prescribed ceiling height for the room is required in only one-half of the area thereof. No portion of the room measuring less than five feet from the finished floor to the finished ceiling shall be included in any computation of the minimum area thereof. If any room has a furred ceiling, the prescribed ceiling height is required in two-thirds area thereof, but in no case shall the height of the furred ceiling be less than seven feet;
2. Noise. Occupants and/or guests of the vacation home rental shall not use or operate any outdoor spa or hot tub, create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this Code or any State law pertaining to noise or disorderly conduct at any time between the hours of 10:00 p.m. and 8:00 a.m. The property owner shall ensure that the quiet hours and limits on outdoor activities are included in rental agreements and in all online advertisements and listings.
  3. Visitors. The number of people present in any vacation home rental shall not exceed the maximum occupancy designated in the vacation home rental permit for that property at any time between the hours of 10:00 p.m. and 8:00 a.m.
  4. Trash and Refuse. The owner of the vacation home rental shall comply with all the solid waste management provisions of Chapter 8.42—Solid Waste Management. In the Lake Tahoe Basin, the owner of the vacation home rental shall comply with the

5. Tahoe Basin Snow Removal. The owner of the vacation home rental shall notify the occupants of their obligations to comply with all snow removal provisions of Chapter 10.12—Parking;
6. Limit on Number of Residences or Structures per Parcel. Only a single family residence or a legally-established guest house meeting current standards shall be used as a vacation rental. Parcels containing multiple residences, units, or habitable structures may only be used as vacation home rentals subject to the granting of a conditional use permit.
7. Fire and Life Safety Requirements. The following conditions shall be posted within the VHR and shall be in place prior to issuance of a VHR permit, subject to inspection:
  - a. Residential street address clearly visible.
  - b. Functional smoke alarms.
  - c. Functional carbon monoxide alarms.
  - d. Landline phone service installed if cell phone service is inadequate.
  - e. NFPA 13D Residential sprinkler system functional, if installed.
  - f. Portable fire extinguisher.
  - g. Windows in bedrooms are operable and do not have bars or other obstructions that prevent egress.
  - h. Extension cords are not used as permanent wiring for lights or appliances.
  - i. Outdoor fire areas and fire pits when not prohibited by State or local fire regulations, shall be limited to three feet in diameter, located on a non-combustible surface, covered with fire screens, and located no closer than within 25 feet of a structure or combustible material. Use of fire areas shall require a campfire permit issued by CALFIRE.
- B. The Board of Supervisors at a duly noticed meeting shall have the authority to impose additional standard conditions applicable to vacation home rentals as necessary to achieve the objectives of this chapter.

(Ord. No. 5092, 9-11-2018)

### **Sec. 5.56.095. - Advertisement requirements.**

The owner shall include all of the following information in any online advertisements and/or listings for the vacation rental property:

- A. The VHR permit number;

## Code of Ordinances

- B. Conditional use permit number, if applicable;
- C. Number of bedrooms and maximum occupancy, not including children five or younger;
- D. Notification that quiet hours must be observed between 10:00 p.m. and 8:00 a.m.;
- E. Notification that occupancy is limited to the maximum designated in the VHR permit between the hours of 10:00 p.m. and 8:00 a.m.; and
- F. The transient occupancy tax certificate number for that particular property.

(Ord. No. 5092, 9-11-2018)

**Sec. 5.56.100. - Interior sign and notification requirements.**

A copy of the permit and a copy of the conditions shall be posted in a conspicuous place within the vacation home rental. Additionally, each vacation home rental shall have a clearly visible and legible notice posted within the unit on or adjacent to the front door, containing the following information:

- A. The name of the managing agency, agent, property manager, local contact, or owner of the unit, and a telephone number at which that party may be reached on a 24-hour basis;
- B. The maximum number of occupants permitted to stay in the unit;
- C. The number and location of on-site parking spaces and the parking rules for seasonal snow removal;
- D. The trash pickup day and notification that trash and refuse shall not be left or stored on the exterior of the property except from 6:00 p.m. of the day prior to trash pickup to 6:00 p.m. on the day designated for trash pickup and that failure to utilize the provided bear-resistant garbage can enclosure, unless otherwise exempted, is a violation of this chapter;
- E. Notification that occupants, may be cited and fined for creating a disturbance or for violating other provisions of this chapter;
- F. Notification that failure to conform to the parking and occupancy requirements of the structure is a violation of this chapter;
- G. Notification if the source of drinking water at the vacation home rental is not a public water system; and
- H. Notification that occupants and/or guests of the vacation home rental shall not use or operate any outdoor spa or hot tub or create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this Code or any State law pertaining to noise or disorderly conduct between the hours of 10:00 p.m. and 8 :00 a.m.

(Ord. No. 5092, 9-11-2018)  
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### **Sec. 5.56.105. - Exterior sign requirements.**

Each vacation home rental shall have signage posted on the property that is clearly visible and legible from the property line, containing the following information:

- A. The vacation home rental permit number;
- B. The name of the local contact and a telephone number at which that party may be reached on a 24-hour basis;
- C. The maximum number of occupants permitted to stay in the unit;
- D. All signage shall comply with font and size requirements established by County.

(Ord. No. 5092, 9-11-2018)

### **Sec. 5.56.110. - Parking.**

All permissible uses shall comply with the County parking, driveway, loading standards, and seasonal snow removal regulations.

(Ord. No. 5092, 9-11-2018)

### **Sec. 5.56.120. - Noise.**

All residential vacation home rentals shall comply with the following standards:

- A. It shall be unlawful for any person on residential property or a public way to make or continue, or cause to be made or continued, any offensive, excessive, unnecessary, or unusually loud, or raucous noise, or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others on residential property or public ways within the County.
- B. It shall be unlawful to allow, permit, encourage, organize, promote, conduct, or advertise any entertainment, game, show, exhibition, activity, amusement, gathering, or assembly of persons where there will be presented outdoor live or recorded musical entertainment without first obtaining a special use permit. Private events are allowed under the following provisions:
  - 1. The occupants and/or guests of the vacation home rental shall not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this Code or any State law pertaining to noise or disorderly conduct;
  - 2. Parking resulting from the activity shall comply with the County parking, driveway, loading standards, and seasonal snow removal regulations.

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Compliance with this standard shall be in addition to compliance with all other provisions of this Code relating to nuisance, peace, and safety.

(Ord. No. 5092, 9-11-2018)

**Sec. 5.56.130. - Certified local contact/owner responsibilities.**

- A. Each owner of a vacation home rental shall designate a local contact. The local contact may be a professional property manager, realtor, property owner, or other designated person who is available 24 hours per day, seven days per week during all times that the property is rented, and has access and authority to assume management of the unit and take remedial measures. An owner of a vacation home rental who resides within 30 minutes travel distance from the vacation home rental may designate himself or herself as the local contact. The local contact shall be required to abate a nuisance relating to noise, trash, or parking within 30 minutes after being notified of the existence of a potential violation of this chapter.
- B. The owner or owner's agent must immediately notify the County in writing upon a change of local contact or the local contact's telephone number. This notification will be on forms prescribed by the County. The revised permit will not extend the renewal date of the vacation home rental permit, and will be issued for a fee not to exceed the cost of issuance. The name and 24 hour contact information of the local contact shall be made available to the public. The changes must be posted on both the interior and exterior signage of the vacation home rental within ten days of any change of contact information.
- C. For all permits issued or renewed after January 1, 2019, the local contact shall have successfully completed a training course and achieved a qualifying score on a county-administered certification test. Once certified, the local contact will not be required to become re-certified, but must continue to comply with all provisions set forth in this section, including timely reporting of all complaints and their resolutions, in order to remain certified. There may be one or more local contacts for a given VHR, however, the phone number on record to be used to report initial complaints shall be valid to reach an available certified local contact. Operation of a vacation rental without a valid certified local contact, or without a valid contact phone number shall be considered a violation of this section.
- D. The owner or the owner's agent, representative, or local contact for the VHR is responsible for the following:
  1. Ensuring that the VHR complies with all posting requirements, fire and life safety requirements, and other provisions of this chapter at all times when the home is used as a VHR.

## Code of Ordinances

2. Obtaining the name, address, and contact information for each renter age 18 or over.
3. Providing the renters a written copy of occupancy limits for overnight and daytime hours, quiet hours, any parking restrictions including for snow removal, trash pick-up day and bear box instructions, requirements for campfire permits, and all other rules and regulations, and that should any violation of this chapter occur, that fines may be imposed in accordance with Sections 5.56.150 and 5.56.200.
4. Obtaining formal, written acknowledgement from all renters over the age of 18 that he or she is legally responsible for compliance of all occupants of the VHR with all applicable laws, rules, and regulations pertaining to the use and occupancy of the VHR, and that should any violation of this chapter occur, that fines may be imposed in accordance with Sections 5.56.150 and 5.56.200. This information shall be maintained by the local contact for a period of one year from date of occupancy and be made available upon request of any officer of the County responsible for the enforcement of any provision of this chapter or any other applicable law, rule, or regulation pertaining to the use and occupancy of the VHR.
5. Being available by phone in case of complaints and being available to respond on-site if necessary to resolve complaints that are in violation of this chapter in accordance with Section 5.56.150(A).

(Ord. No. 5092, 9-11-2018)

### Sec. 5.56.140. - Enforcement, violation and penalties.

- A. Failure of an owner or renter to abide by any of the provisions of this chapter shall constitute a violation subject to imposition of the penalties specified in Subsections B, C and D of this section. Fines will be imposed on the party deemed responsible for the violation. Violations such as failure to obtain proper permits, provide local contact response, comply with advertisement or signage requirements, or provide required trash, fire, or life safety equipment shall result in fines and penalties being imposed on the owner. Violations of occupancy limits, quiet hours, hot tub use, or other nuisance requirements shall result in fines being imposed on renters.
- B. The fine for violations specified in Subsection A of this section shall be as follows:
  1. For the first violation within any 18-month period, the fine shall not exceed \$500.00;
  2. For a second violation within any 18-month period, the fine shall not exceed \$750.00;
  3. For a third violation within any 18-month period, the fine shall not exceed \$1,000.00.
- C. A permit may be suspended after enforcement staff has responded to the property, and such response has resulted in at least one violation on each visit, three times within any 18-month period. The suspension shall not exceed six months.

## Code of Ordinances

D. A permit may be revoked in accordance with the provisions of Section 5.56.150 after enforcement has responded to the property, and such response has resulted in at least one violation on each of four times within any 18-month period. An owner may petition the Hearing Officer for reinstatement no sooner than 12 months after revocation.

(Ord. No. 5092, 9-11-2018)

### **Sec. 5.56.150. - Procedure for notice of violation and imposition of penalties: fine/suspension/revocation.**

Notice of violation, and penalties, including: fines, suspension, and revocation of permits, shall be imposed only in the manner provided in this section.

- A. Initial complaints shall be directed to the certified local contact. The certified local contact shall be available 24 hours during all times when the property is rented, and shall be available by phone during these hours. Should a problem arise and be reported to the certified local contact, the certified local contact shall be responsible for contacting the renter and correcting the problem within 30 minutes, including visiting the site if necessary to ensure that the issue has been corrected. The certified local contact shall report any such complaints, and their resolution or attempted resolution(s), to the County within 24 hours of the occurrence. Failure to respond to complaints or report them shall be considered a violation of this section.
- B. If the issue continues or reoccurs following initial complaint to the certified local contact and code or law enforcement is contacted, enforcement staff shall investigate whether a violation has occurred. The investigation may include an inspection of the premises and may result in the issuance of an on-site citation by code enforcement if they deem such warranted. Sheriff reports, online searches, citations or documentation provided by members of the public including, but not limited to, signed declarations, photos, sound recordings and video may constitute proof of a violation. Should the investigation reveal sufficient evidence to support a finding that a violation occurred, the County shall issue written notice of the violation and intention to impose a penalty in accordance with this chapter. The written notice shall be served either by first class mail or by personal service on the owner. The written notice shall specify the facts which, in the opinion of the County, constitute sufficient evidence to establish grounds for imposition of the penalty and specify that the fine, or fine and suspension, or fine and revocation will be imposed 15 calendar days from the date of the notice unless the owner files with the County the fine amount and a request for a hearing before the Code Enforcement Hearing Officer.
- C. If the owner requests a hearing within the time specified in Subsection A of this section, the County shall serve written notice of the date, time, and place for the

## Sec. 5.56.190. Private actions to enforce.



- A. Any person who has suffered, or alleges to have suffered, damage to person or property because of a violation of this chapter may bring an action for money damages and any other appropriate relief in a court of competent jurisdiction against the party alleged to have violated this chapter. The prevailing party in any such litigation shall be entitled to recover reasonable litigation costs, including attorney's fees in an amount deemed reasonable by the court.
- B. Nothing herein shall be deemed or construed to create any right of action against the County or any of its officers, employees, or agents. The sole purpose and intent of this section is to create a right of action between private parties, entities, and interests, which are or may be impacted or affected by various aspects of vacation home rentals within the County.

(Ord. No. 5092, 9-11-2018)

< Sec. 3.40.050. - Levy and collection.

Title 6 - ANIMALS >

# Planning and Environmental Review

## Vacation Rental Permits

### Purpose

Sacramento County issues Vacation Rental Permits to allow for short-term home and/or room rental services for **30 days or less**. The purpose of this permit is to implement operating conditions that will mitigate negative impacts, and to ensure that the use of the property for vacation rental purposes will be compatible with the surrounding neighborhood.

\*The vacation rental must remain an accessory use to your full time occupancy. Under no circumstance shall the vacation rental services become the primary use of the property.\*

### Application Procedures

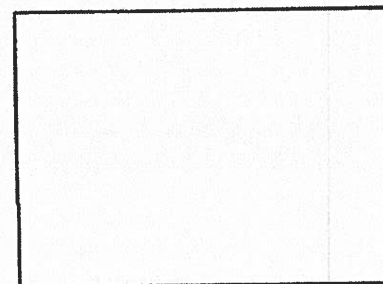
- › The property owner must submit a completed Vacation Rental Permit Application to the Planning Director along with the fee of \$270.66.
- › Upon receipt of the application, the Planning Director shall review the submitted material to determine its compliance with Section 6.5.6 of the Sacramento County Zoning Code.
- › If approved, the issued permit will be valid for **one year** from the date of approval. Once the permit has expired, a new Vacation Rental Permit must be attained to continue rental services.
- › After the permit has been approved, the applicant must apply for a business license with Sacramento County Department of Finance.

### Contact

For additional information, contact Michelle Nagao, Associate Planner at [nagaom@saccounty.net](mailto:nagaom@saccounty.net).



County of Sacramento  
Office of Planning and Environmental Review (PER)  
827 7<sup>th</sup> Street, Room 225  
Sacramento, CA 95814  
(916) 874-6141



## APPLICATION FOR ACCESSORY VACATION RENTAL PERMIT

(Filed Pursuant to Sections 3.9.3 AA & 6.5.6 of the Sacramento County Zoning Code)  
Application Fee: \$270.66<sup>1</sup>

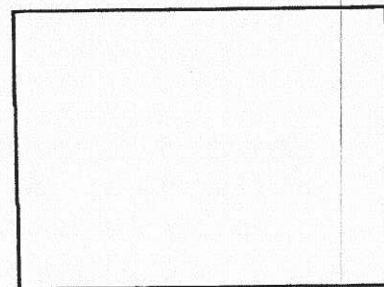
A Vacation Rental Permit is an administrative permit required to allow owners and/or residents of a single-family dwelling to rent room(s) or an accessory dwelling unit on a short term basis (30 days or less), **incidental** (i.e. accessory) to primary residency. A vacation rental permit cannot be issued for a vacant dwelling not being utilized as a primary residence. The purpose of this permit is to ensure compatibility of vacation rentals with surrounding neighborhoods and properties and to place conditions on the permit to avoid impacts of such uses (e.g., parking, noise, trash disposal, event control, etc.).

**All Vacation Rentals shall be incidental to the primary residential use of the property.**

Site Address	Applicant/ Property Owner
	Name:
	Mailing Address:
Parcel Number:	
	Phone Number:
Description of area to be utilized as vacation rental? (Number of rooms /location on property/number of beds). Please include a site plan and/or floor plans that illustrate your description.	Email:

<sup>1</sup> Current fee as of November 1, 2015. Please check the PER website for current fees at <http://www.per.saccounty.net/Pages/Planning-and-Environmental-Fees.aspx> or call (916) 874-6141  
Application for Vacation Rental Permit (Revised 11/20/17)

County of Sacramento  
Office of Planning and Environmental Review (PER)  
827 7<sup>th</sup> Street, Room 225  
Sacramento, CA 95814  
(916) 874-6221



Section 6.5.6.D of the Zoning Code provides the findings County staff must make in order to grant a request for a vacation rental permit. Please answer the following questions. Attach additional sheets if necessary.

1. Section 6.5.6.D.2: Vehicles used and traffic generated by the vacation rental shall not exceed the type of vehicles or traffic volume normally generated by a home ("normal residential traffic volume" means up to 10 trips per day) occupied by a full-time resident in a residential neighborhood. ***How will you ensure vehicles associated with guests do not disturb the neighborhood (e.g., speeding, parking)?***

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2. Section 6.5.6.D.3: Occupants and/or guests of the vacation rental shall not create unreasonable noise or disturbances, engage in disorderly conduct or violate the provisions of this Code or any state law pertaining to noise, collection and disposal of refuse, the consumption of alcohol or the use of illegal drugs. ***How will you ensure guests do not disturb neighbors? How will you mitigate unruly guests? What measures will be taken to avoid nuisances? Will there be a contract on the terms of the rental? If so, what are the consequences of violating those terms? Additionally, please provide property management details.***

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3. Section 6.5.6.D.4: Overnight occupancy of vacation rentals will be limited to a specific number of occupants, and shall not exceed permitted occupancy loads. Occupancy load will depend on number of bedrooms and/or beds and applicable requirements of the Fire Code. (An expected occupancy is typically two individuals per bedroom.) **How many guests will be permitted to stay at the property? Please attach a detailed floorplan describing the configuration of sleeping arrangements.**

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4. Please provide contact information (reachable 24 hours per day/ 7 days per week) in case of emergencies or complaints.

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**NOTICE:**

- The use of the property for vacation rental purposes shall not alter the principal residential use of the property or adversely affect neighboring properties.
- The property shall be the applicant's primary residence.
- The property shall not exceed the occupancy of that which is typically associated with single family residential properties. ( A maximum of two occupants per bedroom is typical)
- The use shall not result in more than 10 vehicle trips per day.
- The property shall not produce a level of noise or activity that adversely impacts neighboring properties.
- If approved, the vacation rental is only valid for one calendar year.

By signing below, I understand that upon the issuance of the vacation rental permit, conditions will be placed on the vacation rental regulating its operation. I confirm that I have read the above notice and understand the restrictions placed on vacation rentals by Sacramento County. I acknowledge that the vacation rental permit may be revoked if Code Enforcement, Sheriffs' or Planning and Environmental Review receive substantiated complaints; finally, I agree to pursue a business license through the Department of Finance once this permit is issued as required by Section 5.04.010 of the Sacramento County Code.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

TAHOE REGIONAL PLANNING AGENCY (TRPA)  
AND TRPA COMMITTEE MEETINGS

NOTICE IS HEREBY GIVEN that on **Wednesday, June 12, 2019** commencing at **1:00 p.m.**, at the **Tahoe Regional Planning Agency, 128 Market Street, Stateline, NV** the Governing Board **Local Government and Housing Committee** of the Tahoe Regional Planning Agency will conduct its regular meeting. The agenda is attached hereto and made part of this notice.

June 5, 2019

A handwritten signature in black ink, appearing to read "J. Marchetta", with a long horizontal line extending to the right.

Joanne S. Marchetta, Executive Director

This agenda has been posted at the TRPA office and at the following locations: Post Office, Stateline, NV, North Tahoe Event Center in Kings Beach, CA, IVGID Office, Incline Village, NV, North Tahoe Chamber of Commerce, Tahoe City, CA, and South Shore Chamber of Commerce, Stateline, NV

TAHOE REGIONAL PLANNING AGENCY	
LOCAL GOVERNMENT AND HOUSING COMMITTEE	
TRPA	June 12, 2019
Stateline, NV	1:00 p.m.

All items on this agenda are action items unless otherwise noted. Items on the agenda, unless designated for a specific time, may not necessarily be considered in the order in which they appear and may, for good cause, be continued until a later date.

All public comments should be as brief and concise as possible so that all who wish to speak may do so; testimony should not be repeated. The Chair of the Committee shall have the discretion to set appropriate time allotments for individual speakers (3 minutes for individuals and 5 minutes for group representatives as well as for the total time allotted to oral public comment for a specific agenda item). No extra time for speakers will be permitted by the ceding of time to others. Written comments of any length are always welcome. So that names may be accurately recorded in the minutes, persons who wish to comment are requested to sign in by Agenda Item on the sheets available at each meeting. In the interest of efficient meeting management, the Chairperson reserves the right to limit the duration of each public comment period to a total of 2 hours. In such an instance, names will be selected from the available sign-in sheet. Any individual or organization that is not selected or otherwise unable to present public comments during this period is encouraged to submit comments in writing to the Governing Board. All such comments will be included as part of the public record.

**“Teleconference locations for Board meetings are open to the public ONLY IF SPECIFICALLY MADE OPERATIONAL BEFORE THE MEETING by agenda notice and/or phone message referenced below.”**

In the event of hardship, TRPA Board members may participate in any meeting by teleconference. Teleconference means connected from a remote location by electronic means (audio or video). The public will be notified by telephone message at (775) 588-4547 no later than 6:30 a.m. PST on the day of the meeting if any member will be participating by teleconference and the location(s) of the member(s) participation. Unless otherwise noted, in California, the location is 175 Fulweiler Avenue, Conference Room A, Auburn, CA; and in Nevada the location is 901 South Stewart Street, Second Floor, Tahoe Hearing Room, Carson City, NV. If a location is made operational for a meeting, members of the public may attend and provide public comment at the remote location.

TRPA will make reasonable efforts to assist and accommodate physically handicapped persons that wish to attend the meeting. Please contact Marja Ambler at (775) 589-5287 if you would like to attend the meeting and are in need of assistance.

## AGENDA

### I. CALL TO ORDER AND DETERMINATION OF QUORUM

### II. PUBLIC INTEREST COMMENTS – All comments may be limited by the Chair

Any member of the public wishing to address the Governing Board Regional Plan Implementation Committee on any item listed or not listed on the agenda may do so at this time. TRPA encourages public comment on items on the agenda to be presented at the time those agenda items are heard. Individuals or groups commenting on items listed on the agenda will be permitted to comment either at this time or when the matter is heard, but not both. The Governing Board Regional Plan Implementation Committee is prohibited by law from taking immediate action on or discussing issues raised by the public that are not listed on this agenda.

### III. APPROVAL OF AGENDA

### IV. PLANNING MATTERS

- |   |                 |                      |
|---|-----------------|----------------------|
| A. Work plan for developing a code amendment to make short-term rental neighborhood compatibility a third criterion of the Residential Allocation Performance Review System | <b>Approval</b> | <b><u>Page 1</u></b> |
|---|-----------------|----------------------|

### V. COMMITTEE MEMBER REPORTS

### VI. PUBLIC COMMENT

### VII. ADJOURNMENT



## STAFF REPORT

Date: June 5, 2019

To: TRPA Local Government and Housing Committee

From: TRPA Staff

Subject: Work Program for Development of a Code Amendment to make Short-Term Rental Neighborhood Compatibility a Third Criterion of the Residential Allocation Performance Review System

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### Summary and Staff Recommendation:

As a result of the April 24, 2019, Local Government and Housing Committee (Committee) vote to develop a code amendment to make short-term rental neighborhood compatibility a third criterion of the Performance Review System for the release of residential allocations by the end of this calendar year (December 2019), staff developed the Work Program appended as Attachment A. Staff recommends that the Committee consider, provide feedback, and adopt the proposed Work Program, including the formation and composition of a Working Group. Staff also recommends that the Committee provide an opportunity at the June 12th meeting for the public to identify short-term rental neighborhood compatibility approaches for consideration by the Working Group.

### Motion:

The Committee should make the following motion:

- 1) A motion to approve the Work Program, including the Working Group membership.

A simple majority of the quorum of the Committee is needed to pass the motion.

### Additional Information:

Background information related to this agenda item is available in the Local Government and Housing Committee Staff Report from the April 24, 2019, Committee meeting. The Staff Report is available at: <http://www.trpa.org/wp-content/uploads/LGHC-Item-3-Combined-Allocations-STR-Staff-Report-Attachments-4.11.19.pdf>

### Contact Information:

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

### Attachment:

- A. Draft Short-Term Rental Neighborhood Compatibility Work Program

**Attachment A**

**Draft Short-Term Rental Neighborhood Compatibility Work Program**

# Draft Short-Term Rental Neighborhood Compatibility Work Program for the Tahoe Region

Local Government & Housing Committee

JUNE 12, 2019



*A Voice for Lake Tahoe*

# Introduction

In recent months, the issue of short-term rentals (STRs) and their impacts on neighborhoods and the stock of housing for local residents has been raised repeatedly at Tahoe Regional Planning Agency (TRPA) Governing Board meetings in public comment. The usage of homes for STRs (also called vacation home rentals, or VHRs) is also receiving significant attention at the local level with both citizen-led groups as well as elected officials employing a variety of strategies to reduce the impacts of this type of use. These strategies range from citizen-led initiatives to ban STRs, to strengthening of local ordinances related to STRs, to forming local task forces, to the use of strategies to increase compliance of homes with local ordinances. Issues identified by residents and in research papers associated with STRs include increased trash-related problems, over-parking, noise, and deteriorating sense of community, as well as increases to the cost of housing and the availability of housing for local residents.



City of South Lake Tahoe – Support & Opposition Signs for Measure T

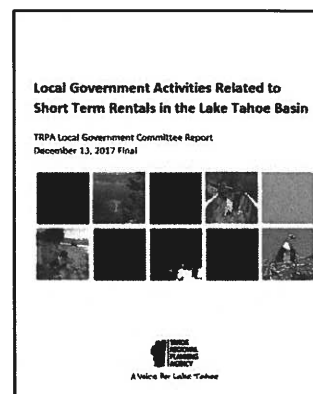
TRPA code establishing the definition of a Local Government Neighborhood Compatibility Program (Code Section 90.2) already exists and is shown below in italics.

## *Local Government Neighborhood Compatibility Requirements*

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

In 2017, TRPA interpreted this program as having been addressed through the VHR-specific regulations for each local jurisdiction. In 2017, working with TRPA staff, the Local Government Committee released the report entitled *Local Government Activities Related to Vacation Home Rentals in the Lake Tahoe Basin*, December 13, 2017, available at: [mountainhousingcouncil.files.wordpress.com/2018/08/local-government-activities-related-to-vacation-home-rentals-in-the-lake-tahoe-basin.pdf](http://mountainhousingcouncil.files.wordpress.com/2018/08/local-government-activities-related-to-vacation-home-rentals-in-the-lake-tahoe-basin.pdf). The conclusion of this report read:

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



The report also summarized best practices with STR management based on the City of South Lake Tahoe's Socioeconomic Impacts of Vacation Home Rentals Report of 2017, available at: [mountainhousingcouncil.files.wordpress.com/2018/12/slt-vacation-home-rental-final-report-6-5-17.pdf](https://mountainhousingcouncil.files.wordpress.com/2018/12/slt-vacation-home-rental-final-report-6-5-17.pdf), and public presentations by Host Compliance and Michael Baker International in September of 2017. Typical components of an STR neighborhood compatibility program summarized in the report include:

- Requiring a full-time on-site manager or local contact person
- Requiring compliant parking and proper garbage containment
- Requiring physical safety and inhabitability inspections
- Increasing VHR permit fees and fines for non-compliance
- Enabling mobile permitting and registration
- Automating compliance and monitoring services
- Implementing a rental activity monitoring service
- Granting hardship deferrals for full-time hosted/shared VHRs
- Creating a committee (or similar) by jurisdiction to address STRs



City of South Lake Tahoe

Other components found in the *Mountain Housing Council Short-Term Rental White Paper*, March 2019, available at: [mountainhousingcouncil.org/short-term-rentals](https://mountainhousingcouncil.org/short-term-rentals), include:

- Requiring registration and collection of Transient Occupancy Tax
- Requiring a 24-hour nuisance hotline
- Establishing occupancy limits
- Establishing quiet hours

On April 24, 2019, prior to the Governing Board distribution of the 2019 and 2020 residential allocations to local jurisdictions, the Local Government and Housing Committee (Committee) voted to recommend to the Governing Board that the Committee **develop a code amendment to make short-term rental neighborhood compatibility a third criterion of the Performance Review System for the future release of residential allocations** and agreed to bring it before the Governing Board (Board) by the end of this calendar year (December 2019). This *draft* Work Program outlines a *proposed* process for moving forward with the development of the code amendment and associated guidelines. *This Work Program will be revised based on direction provided by the Committee at the meeting scheduled for June 12, 2019.*



City of South Lake Tahoe

## Background

### Performance Review System:

As part of the Lake Tahoe Regional Plan Growth Management System, residential allocations may be distributed (or "metered out") to local jurisdictions every two years from the total number of allocations

that may be released every four years by the Governing Board. Distribution to local jurisdictions is based on the Performance Review System which takes into account Lake Tahoe Total Maximum Daily Load (TMDL) implementation and residential permit review and code compliance performance (TRPA Code, Section 50.5). A Performance Review Committee (PRC), comprised of staff from each participating local jurisdiction and TRPA, is convened every two years to review TRPA staff's application of the Performance Review System and provide a recommendation to the Advisory Planning Commission and Governing Board on the distribution of residential allocations to the local jurisdictions.

**Residential Allocations:**

Pursuant to TRPA Code, Section 50.5.2, no jurisdiction shall receive more allocations than the maximum or fewer allocations than the minimum allocations as shown in Table 1 below.

<b>Table 1: Allocation Performance Table*</b>			
<b>Jurisdiction</b>	<b>Minimum Allocation with Deductions</b>	<b>Deduction Increments</b>	<b>Annual Base Allocation</b>
<b>Douglas County</b>	2	2	10
<b>El Dorado County</b>	8	5.5	30
<b>Placer County</b>	11	6.5	37
<b>City of South Lake Tahoe</b>	10	5.75	33
<b>Washoe County</b>	3	1.75	10
<b>Total</b>	34		120

\*Table 50.5.2-2 in the TRPA Code of Ordinances.

**Notes:**

- 1) 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 will be rounded up to the nearest whole number, if the decimal is below 0.5 the allocation will be rounded down to the nearest whole number.
- 2) Allocations not disturbed under the Performance Review System are assigned to TRPA's residential allocation incentive pool.

The base allocation for each jurisdiction may be awarded or reduced by the PRC as follows:

- 1) **Total Maximum Daily Load Compliance**
  - a. A jurisdiction shall receive their base allocation for achieving above 90 percent or greater conformance with State approved annual Lake Clarity Credit targets; or
  - b. A jurisdiction shall be penalized one increment of deduction for less than 90 percent to 75 percent conformance with State approved annual Lake Clarity Credit targets; or
  - c. A jurisdiction shall be penalized two increments of deduction for less than 75 percent conformance with State approved annual Lake Clarity Credit targets.
- 2) **Permit Monitoring and Compliance**
  - a. A jurisdiction shall receive its base allocation for an average score of 90 percent or greater for both the project review portion and the compliance portion of the audit; or

- b. A jurisdiction shall be penalized one increment of deduction for average audit scores for both the project review portion and the compliance portion of the audit between 75 and 90 percent.
- c. A jurisdiction shall be penalized two increments of deduction for average audit scores for both the project review portion and the compliance portion of the audit below 75 percent.

The Code allows for TRPA to create guidelines to establish consistent evaluations and/or audits.

### **Working Group, Objective, Approach & Schedule**

#### **Working Group:**

In response to significant stakeholder and public interest in short-term rental neighborhood compatibility policy discussions and recommendations, the Committee will form a Working Group that includes Committee members, representatives from neighborhood and environmental groups, the real estate community, the building industry, and the community in general. The Working Group is intended to ensure stakeholder and public interest is represented and considered throughout the process.

<b>Table 2: Short-Term Rental Neighborhood Compatibility Working Group</b>	
<b>Representing</b>	<b>Members</b>
El Dorado County	Sue Novasel, Chair
Washoe County	Marsha Berkbigler , Vice-Chair
City of South Lake Tahoe	Brooke Laine
Placer County	Larry Sevison
Douglas County	Wesley Rice
Carson City	Shelly Aldean
State of Nevada	Jim Lawrence
State of California	Belinda Faustinos
Neighborhood Group	Janet McDougal*
Neighborhood Group	Leona Allen*
Environmental Group	Gavin Feiger*
Nevada Real Estate	Heather Lunsford*
California Real Estate	Sharron Kerrigan*
Building Industry	Mark Salmon/Pat Davison*
Community Member	Rebecca Bryson*
Community Member	Leona Allen*

\*Proposed members.

Note: The Working Group Chair may appoint members to fill vacancies.

#### **Objective & Approach:**

The objective for the Work Group is to develop a short-term rental neighborhood compatibility code amendment and guidelines that are consistent with and further implementation of Regional Plan Goals and Policies and support environmental threshold maintenance and attainment. The schedule is to complete this for consideration by the Governing Board by the end of the calendar year (December 2019).

The steps in this process will include:

1. TRPA staff will work with local jurisdictions on updating the *Local Government Activities Related to Vacation Home Rentals in the Lake Tahoe Basin Report*. TRPA staff will identify other approaches not

used in the Tahoe Basin, and TRPA will present this information to the Working Group. The Working Group will accept this, or accept it with modifications, as a “menu” of neighborhood compatibility approaches to be included in local government neighborhood compatibility programs. These may include, but not be limited to locational, operational, and enforcement requirements.

2. TRPA staff will prepare a draft amendment to the existing TRPA performance review system code for review and possible revision by the Working Group. It is anticipated that the draft amendment will address the minimum required items from the approaches identified in step 1 (above) and modifications to the performance review analysis and scoring.
3. The recommended package (“menu” and amendment to the performance review system code) will be reviewed and recommendations will be provided by the Advisory Planning Commission and Regional Plan Implementation Committee. The Governing Board will then review the package and recommendations and consider approval.

The package should provide a range of options to give local jurisdictions flexibility in implementing and achieving short-term rental neighborhood compatibility and be consistent with and further implement Regional Plan Goals and Policies and threshold standards. As part of the Working Group process TRPA staff will identify the Regional Plan Goals and Policies that local jurisdiction short-term rental neighborhood compatibility programs should address.

**Schedule:**

Table 3, below, is the schedule for developing the short-term rental neighborhood compatibility performance review system code amendment.

<b>Table 3: Schedule for Developing Short-Term Rental Neighborhood Compatibility Code Amendment &amp; Guidelines *</b>		
<b>Meeting</b>	<b>Date</b>	<b>Topic(s)</b>
Local Government and Housing Committee (LGHC)	June 12, 2019	Review and provide direction on Work Program.
Working Group	July 2019	Review of the Work Program from the LGHC. Review existing local government activities and other practices, and develop and approve a comprehensive list or “menu” of options.
Working Group	July/August 2019	Review, possible modification, and approval of draft amendment including the minimum required items from the “menu” and modifications to the performance review analysis and scoring.
Working Group	August/September 2019	Consider and approve entire package and recommendation for review by APC, RPIC, and GB.
Advisory Planning Commission (APC)	September/October 2019	Review proposal and provide recommendation to Governing Board.
Regional Plan Implementation Committee (RPIC)	October/November 2019	Review proposal and provide a recommendation to Governing Board.
Governing Board (GB)	October/November 2019	Review proposal and possible adoptions

\*Additional meetings may be added if necessary.



**Wendy Wood**

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**Subject:** FW: 3010 Electric Street--

**From:** Michele Serda <[MSerda@placer.ca.gov](mailto:MSerda@placer.ca.gov)>  
**Sent:** Thursday, June 20, 2019 10:40 AM  
**To:** [wendylwood@earthlink.net](mailto:wendylwood@earthlink.net)  
**Cc:** Ryan Zender <[RZender@placer.ca.gov](mailto:RZender@placer.ca.gov)>  
**Subject:** 3010 Electric Street

Good morning Ms. Wood,

I'm writing to let you know I received your most recent complaints regarding noise, trash, the RV, and the collapsed deck.

The trash complaint was referred to Environmental Health, as they regulate trash and solid waste disposal. You may also submit complaints about trash directly to them. Code Compliance does not regulate trash. This complaint is unfounded with Code Compliance.

The complaint about noise should be reported directly to the Sheriff's Office, while it is occurring. This complaint is unfounded with Code Compliance.

After receiving your complaints this Tuesday morning, I went to the property and conducted a site inspection. The RV had been removed from the property. This complaint has been resolved with Code Compliance.

The complaint regarding the collapsed deck has been referred to the Building Department. The property owner is working with the Building Department and has since acquired a demo permit for the removal of the deck.

Thank you,

**Michele Serda**  
Code Compliance Officer  
CDRA | Code Compliance  
(530)581-6223 | [placer.ca.gov](mailto:mserda@placer.ca.gov)



*This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy, or disclose to anyone this message or any information contained in this message. If you have received this message in error, please advise the sender by reply e-mail at [mserda@placer.ca.gov](mailto:mserda@placer.ca.gov), and delete the message. Thank you very much.*



# The economic costs and benefits of Airbnb

## No reason for local policymakers to let Airbnb bypass tax or regulatory obligations

Report • By **Josh Bivens** • January 30, 2019

### Summary

“The sharing economy” refers to a constellation of (mostly) Silicon Valley–based companies that use the internet as their primary interface with consumers as they sell or rent services. Because this term is “vague and may be a marketing strategy” (AP 2019), we refer to these firms less poetically but more precisely as “internet-based service firms” (IBSFs).

Economic policy discussions about IBSFs have become quite heated and are too often engaged at high levels of abstraction. To their proponents, IBSFs are using technological advances to bring needed innovation to stagnant sectors of the economy, increasing the quality of goods and services, and providing typical American families with more options for earning income; these features are often cited as reasons why IBSFs should be excused from the rules and regulations applying to their more traditional competitors. To skeptics, IBSFs mostly represent attempts by rich capital owners and venture capitalists to profit by flouting regulations and disguising their actions as innovation.

The debates about whether and how to regulate IBSFs often involve theories about their economic costs and benefits. This report aims to inform the debate by testing those theories. Specifically, it assesses the potential economic costs and benefits of the expansion of one of the most well-known of the IBSFs: the rental business Airbnb.

Airbnb, founded in 2008, makes money by charging guests and hosts for short-term rental stays in private homes or apartments booked through the Airbnb website. It started in prototype in San Francisco and expanded rapidly, and is now operating in hundreds of cities around the world. Airbnb is frequently depicted as a boon for travelers looking for lower-cost or nontraditional accommodations, and for homeowners looking to expand their income stream. But in many local markets, the arrival and expansion of Airbnb is raising questions about its potential negative impacts on local housing costs, quality of life in residential neighborhoods, employment quality in the hospitality industry, and local governments’ ability to enforce municipal codes and collect appropriate taxes.

In our cost-benefit analysis, we find:

- **The economic costs Airbnb imposes likely outweigh the benefits.** While the introduction and expansion of Airbnb into U.S. cities and cities around the world carries large potential economic benefits and costs, the costs to renters and local jurisdictions likely exceed the benefits to travelers and property owners.
- **Airbnb might, as claimed, suppress the growth of travel accommodation costs, but these costs are not a first-order problem for American families.** The largest and best-documented potential benefit of Airbnb expansion is the increased supply of travel accommodations, which could benefit travelers by making travel more affordable. There is evidence that Airbnb increases the supply of short-term travel accommodations and slightly lowers prices. But there is little evidence that the high price of travel accommodations is a pressing economic problem in the United States: The price of travel accommodations in the U.S. has not risen particularly fast in recent years, nor are travel costs a significant share of American family budgets.
- **Rising housing costs are a key problem for American families, and evidence suggests that the presence of Airbnb raises local housing costs.** The largest and best-documented potential cost of Airbnb expansion is the reduced supply of housing as properties shift from serving local residents to serving Airbnb travelers, which hurts local residents by raising housing costs. There is evidence this cost is real:
  - Because housing demand is relatively inelastic (people's demand for somewhere to live doesn't decline when prices increase), even small changes in housing supply (like those caused by converting long-term rental properties to Airbnb units) can cause significant price increases. High-quality studies indicate that Airbnb introduction and expansion in New York City, for example, may have raised average rents by nearly \$400 annually for city residents.
  - The rising cost of housing is a key problem for American families. Housing costs have risen significantly faster than overall prices (and the price of short-term travel accommodations) since 2000, and housing accounts for a significant share (more than 15 percent) of overall household consumption expenditures.
- **The potential benefit of increased tourism supporting city economies is much smaller than commonly advertised.** There is little evidence that cities with an increasing supply of short-term Airbnb rental accommodations are seeing a large increase in travelers. Instead, accommodations supplied via Airbnb seem to be a nearly pure substitution for other forms of accommodation. Two surveys indicate that only 2 to 4 percent of those using Airbnb say that they would not have taken the trip were Airbnb rentals unavailable.
  - Studies claiming that Airbnb is supporting a lot of economic activity often vastly overstate the effect because they fail to account for the fact that much of this spending would have been done anyway by travelers staying in hotels or other alternative accommodations absent the Airbnb option.
- **Property owners do benefit from Airbnb's capacity to lower the transaction costs of operating short-term rentals, but the beneficiaries are disproportionately white and high-wealth households.** Wealth from property ownership is skewed, with higher-wealth and white households holding a disproportionate share of housing wealth overall—and an even more disproportionate share of housing wealth from nonprimary residences because they are much more likely to own nonprimary residential property (such as multi-unit Airbnb rentals).

- The shift from traditional hotels to Airbnb lodging leads to less-reliable tax payments to cities.** Several large American cities with a large Airbnb presence rely heavily on lodging taxes. Airbnb has largely blocked the ability of these cities to transparently collect lodging taxes on Airbnb rentals that are equivalent to lodging taxes on hotel rooms. One study found that the voluntary agreements Airbnb has struck with state and local governments “[undermine] tax fairness, transparency, and the rule of law.”
- City residents likely suffer when Airbnb circumvents zoning laws that ban lodging businesses from residential neighborhoods.** The status quo of zoning regulations in cities reflects a broad presumption that short-term travelers likely impose greater externalities on long-term residents than do other long-term residents. Externalities are economic costs that are borne by people not directly engaged in a transaction. In the case of neighbors on a street with short-term renters, externalities include noise and stress on neighborhood infrastructure like trash pickup. These externalities are why hotels are clustered away from residential areas. Many Airbnb rental units are in violation of local zoning regulations, and there is the strong possibility that these units are indeed imposing large costs on neighbors.
- Because Airbnb is clearly a business competing with hotel lodging, it should be subject to the same taxation regime as hotels.** In regard to zoning regulations, there is no empirical evidence that the net benefits of Airbnb introduction and expansion are so large that policymakers should reverse long-standing regulatory decisions simply to accommodate the rise of a single company.

## Overview of the economics of Airbnb

Airbnb runs an online marketplace for short-term lodging rentals. It largely does not own dwellings or real estate of its own; instead, it collects fees by acting as a broker between those with dwellings to rent and those looking to book lodging.

The perception that Airbnb tries to foster is that its “hosts” are relatively typical households looking to earn supplementary income by renting out rooms in their homes or by renting out their entire residence when they’re away. Critics argue that Airbnb bookings have become increasingly concentrated among a relatively small number of “hosts” that are essentially miniature hotel companies.<sup>1</sup>

## Potential economic benefits

At a broad level, the potential economic benefits and costs of Airbnb are relatively straightforward.<sup>2</sup>

The key potential benefit is that property owners can **diversify the potential streams of revenue** they generate from owning homes. Say, for example, that before Airbnb arrived in a city, property owners setting up residential rental properties faced transaction costs so high that it only made economic sense to secure relatively long-term leases. These transaction costs incurred by property owners could include advertising for and screening of tenants and finding alternative accommodations for themselves if they were renting their own dwellings. But if the rise of internet-based service firms



## Brandy McMahon

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**From:** Gary Spohr <gary@seattlegreenhomes.net>  
**Sent:** Tuesday, June 18, 2019 7:14 AM  
**To:** Lindsay Romack; Diana Turnbloom; Barbara Christian (jbchris118@att.net)  
**Cc:** Cindy.Gustafson; Teri Ivaldi; Kelly McCaughna; Marci Branaugh; Adrienne Barber; Brandy McMahon  
**Subject:** RE: Meeting with Cindi Gustafson on Short Term Rentals - Per Todd Leopold

Thank you very much for the clarification.

We do look forward to working with any and all of you on the STR problem.

I realize the government moves at a bit slower pace. However, I truly believe we have a lot of momentum and can get this done for everyone in Placer.

Regards Gary Spohr

---

**From:** Lindsay Romack <LRomack@placer.ca.gov>  
**Sent:** Monday, June 17, 2019 5:54 PM  
**To:** Gary Spohr <gary@seattlegreenhomes.net>; Diana Turnbloom <dianat@turnbloom.com>; Barbara Christian (jbchris118@att.net) <jbchris118@att.net>  
**Cc:** Cindy Gustafson <cindygustafson@placer.ca.gov>; Teri Ivaldi <tivaldi@placer.ca.gov>; Kelly McCaughna <KMccaughna@placer.ca.gov>; Marci Branaugh <MBranaugh@placer.ca.gov>; Adrienne Barber <ABarber@placer.ca.gov>; Brandy McMahon <bmmcmahon@trpa.org>  
**Subject:** RE: Meeting with Cindi Gustafson on Short Term Rentals - Per Todd Leopold

Gary-

You are on Cindy's schedule for June 28<sup>th</sup> from 9-10am.

And yes, I can assure you that both Supervisor Gustafson and myself have done in-depth research, talked with community members, and discussed this at length with Mr. Leopold, Ms. Ivaldi, Ms. Burlison, and many other county staff members who have been a part of this issue. I apologize for not making that clearer and I did not mean to imply that she only worked on the Mountain Housing Council, but just was bringing that information into the dialogue. Short-term rentals are a very important issue to this community and Supervisor Gustafson fully understands that. She will be prepared to talk with you on June 28<sup>th</sup> and looks forward to an engaging dialogue.

If you have any questions in the meantime, please do not hesitate to ask. Thank you and have a nice evening!

**Lindsay Romack**  
District 5 Director  
Office of Supervisor Cindy Gustafson  
[lromack@placer.ca.gov](mailto:lromack@placer.ca.gov)  
(530)308-0783



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**To:** Lindsay Romack <[LRomack@placer.ca.gov](mailto:LRomack@placer.ca.gov)>; Diana Turnbloom <[dianat@turnbloom.com](mailto:dianat@turnbloom.com)>; Barbara Christian ([jbchris118@att.net](mailto:jbchris118@att.net)) <[jbchris118@att.net](mailto:jbchris118@att.net)>

**Cc:** Cindy Gustafson <[cindygustafson@placer.ca.gov](mailto:cindygustafson@placer.ca.gov)>; Teri Ivaldi <[tivaldi@placer.ca.gov](mailto:tivaldi@placer.ca.gov)>; Kelly McCaughna <[KMcCaughna@placer.ca.gov](mailto:KMcCaughna@placer.ca.gov)>; Marci Branaugh <[MBranaugh@placer.ca.gov](mailto:MBranaugh@placer.ca.gov)>; Adrienne Barber <[ABarber@placer.ca.gov](mailto:ABarber@placer.ca.gov)>; Brandy McMahon <[bmcMahon@trpa.org](mailto:bmcMahon@trpa.org)>

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I have spent 100's of hours since January 2019 studying the issue of STR's in Placer County and the other mountain communities.

We did not totally realize how out of control the STR situation really was until it happened to us. In September 2018 a Mr. Kackley bought a 1950's 1200 square foot Tahoe cabin in our 9 house community. He then started filling it up with 10-20 people per night during the winter. These renters started knocking on our door, taking our snow shovels, parking in our driveway and etc. This is a small hotel without a business license, health inspection or whatever else a hotel requires.

After this experience we started researching the STR situation the Lake Tahoe Basin and were shocked by Placer Counties collecting \$20 million in TOT tax and not doing anything to control and out of control STR situation.

We have spoken in length to the local Host Compliance representative and the CEO of Host Compliance. Placer County uses Host Compliance to ensure that every STR in Tahoe pays TOT tax. We have provided Mr. Leopold and his staff with a direct link to the Host Compliance Web page. As a service they will assist Placer County, on how to enact rules and regulations and enforcement for STR's. This is not difficult and Placer does not need to re-invent the wheel.

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I have attached the El Dorado County's STR Rules and Regulations. These and many other documents concerning the problems and solution for STR's in Placer County and many solutions, have been provided by us, in hard copy, to the Placer Board of Supervisors, via Ms. Ivaldi. Those documents included the MHC White Paper that Ms. Gustafson was involved with, so yes I am aware of her involvement.

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We will not be deterred on our request for some simple and enforceable rules to control the destruction of our way of life and our neighborhoods by STR's.

I am involved in the TRPA working group that is considering penalizing the counties for not acting on the STR problem. There is no reason for this to have happened other than Placer's unwillingness to do the work. Placer has diligently collected more than \$20 million in TOT tax from STR's.

We will look forward to working with Ms. Gustafson and her staff, thank you

Thank you

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**From:** Lindsay Romack <LRomack@placer.ca.gov>

**Sent:** Monday, June 17, 2019 11:09 AM

**To:** Gary Spohr <gary@seattlegreenhomes.net>; Diana Turnbloom <dianat@turnbloom.com>; jbcChris118@att.net

**Cc:** Cindy Gustafson <cindygustafson@placer.ca.gov>; Teri Ivaldi <tivaldi@placer.ca.gov>; Kelly McCaughna <KMcCaughna@placer.ca.gov>; Marci Branaugh <MBranaug@placer.ca.gov>; Adrienne Barber <ABarber@placer.ca.gov>

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**To:** Lindsay Romack <[LRomack@placer.ca.gov](mailto:LRomack@placer.ca.gov)>; Kelly McCaughna <[KMcCaughna@placer.ca.gov](mailto:KMcCaughna@placer.ca.gov)>; Marci Branaugh <[MBranaugh@placer.ca.gov](mailto:MBranaugh@placer.ca.gov)>; Adrienne Barber <[ABarber@placer.ca.gov](mailto:ABarber@placer.ca.gov)>  
**Subject:** FW: Meeting with Cindi Gustafson on Short Term Rentals - Per Todd Leopold

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**From:** Gary Spohr [<mailto:gary@seattlegreenhomes.net>]  
**Sent:** Monday, June 17, 2019 8:06 AM  
**To:** Teri Ivaldi; Lisa Burlison; Cindy Gustafson  
**Cc:** Diana Turnbloom; Barbara Christian ([jbchris118@att.net](mailto:jbchris118@att.net)); Gary Spohr  
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Let us work together and get ahead of this.

I will call you today or tomorrow about a meeting with Cindi, thank you

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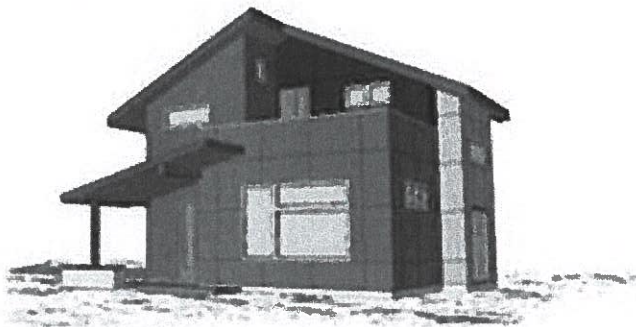
[Gary@seattlegreenhomes.net](mailto:Gary@seattlegreenhomes.net)

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12825 60th Lane South,  
Seattle, WA 98178



Seattle Green Homes



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**Subject:** RE: Meeting with Cindi Gustafson on Short Term Rentals - Per Todd Leopold  
**Attachments:** TRPA - January 2018 Report Vacation-Home-Rentals - Placer Negative Report Card.pdf; TRPA March 2004 Amendment of Code of Ordinances.pdf; TRPA - January 2018 Report Vacation-Home-Rentals - Placer Negative Report Card.pdf; El Dorado County Short Term Rental Rules.pdf; TRPA - Short Term Rental - Working Group.pdf

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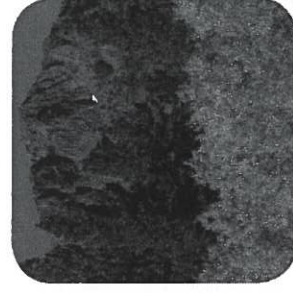
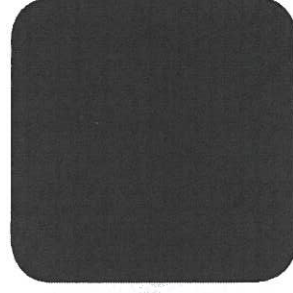
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# TRPA Governing Board

Presentation and discussion of the report titled “Local Government Activities Related to Vacation Home Rentals in the Lake Tahoe Basin”

January 24, 2018





# Presentation Overview

- Objective and Introduction
- September 27<sup>th</sup> LGC Meeting – Common Concerns
- Local Government STR Management Strategies
- Conclusion and Recommendation



## Objective

- Present Findings from the Report on Local Government Activities Related to Vacation Home Rentals in the Lake Tahoe Basin
- Governing Board direction to TRPA staff to continue to monitor and report on VHR management on an annual basis



# Introduction

## Objective of September LGC Meeting

- To understand how short term rentals are managed within each jurisdiction
- To understand the unique planning considerations for managing short term rentals for each jurisdiction
- Facilitated discussion to understand current STR management and planning considerations

## Deliverable

- TRPA staff produced a report based on the information gathered at that meeting presented to you today



# What We Heard at September's Meeting

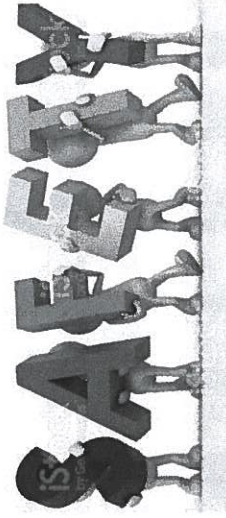
- Nation-wide issue
- No one-size-fits-all solution
- Jurisdictions are at different stages of addressing STRs

## Common Concerns

- Preservation of neighborhood character
- Permanent resident quality of life
- Safety considerations and STR enforcement
- Monitoring of rental activity
- Collection of applicable taxes and fees



TAXES  
FEES





## City of South Lake Tahoe Summary

- Ordinances have been revised several times over the past two years to respond to citizen comments
- Regulations address occupancy, parking, noise, non-compliance, safety, and transparency
- 2017 STR permit cap-limit of 1400 STR permits
- 12/12/17 - City Council considered contract with Host Compliance and budget for compliance officers
- **Planning Opportunity**= Continue to monitor and adjust as necessary



# El Dorado County Summary

- STR ordinance adopted in 2004
- Ordinance limits occupancy, regulates parking, noise, trash, safety, and requires local contact person
- Enforcement is the responsibility of EDC Sherriff and EDC Tax Collector
- **Planning Opportunities** = Board of Supervisors subcommittee formed



# Placer County Summary

- Ordinance last updated in 2013
- Operators must obtain a TOT Certificate
- STR complaints are inconsistent
- **Planning Consideration** = Future planning efforts will focus on bringing un-certified properties under certification

# Washoe County Summary

- Residences used as transitory lodging is not allowed
- Washoe County code enforcement responds to complaints
- Violators must pay a room tax
- MOU between NLTFPD and the Incline Village Board of Realtors - public outreach and education surrounding STRs
- **Planning Opportunity**= Evaluate whether public outreach and education alone is effective to address safety



# Douglas County Summary

- Tahoe Township specific ordinance
  - STR permit is required
  - Recognize need to update ordinance
  - Looking to CSLT to inform future decisions surrounding STRs
- 
- Planning Opportunities=Master Plan & Area Plan



## Conclusions

- TRPA will continue to monitor and report on an annual basis
- Each jurisdiction is managing the proliferation of STRs on some level
- Each jurisdiction has opportunities in front of them to continue addressing STRs



## Recommendation

- Staff recommends to the Governing Board TRPA continue to monitor and report on local jurisdiction management of short term rentals on an annual basis



# Conclusions

## Residential Allocations and STR Status

	Total Res. Units	Total VHRs*	% of Total	Allocations Since 2012	Allocations Used for VHRs Last 5 Years	Transfers Used for VHRs Last 5 Years
CSLT	15,559	1,643	10.6	87	21 (4/yr.)	6
Carson	1	0	0	0	0 (0/yr.)	0
Douglas	4,359	349	8.0	19	1 (0.2/yr.)	0
El Dorado	8,690	742	8.5	102	14 (3/yr.)	0
Placer	11,215	1,999	17.8	80	N/A	N/A
Washoe	7,359	934	12.7	10	N/A	N/A
TOTALS	47,183	5,667	12.0	298	36 (7/yr.)	6

## TAHOE REGIONAL PLANNING AGENCY

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Stateline, Nevada  
www.trpa.org

P.O. Box 5310  
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March 17, 2004

### MEMORANDUM

To: TRPA Governing Board

From: TRPA Staff

Subject: Amendment of Code of Ordinances Chapters 2, Definitions and 18, Permissible Uses to Recognize the Use of Single Family Homes as Vacation Rentals, and Other Matters Properly Relating Thereto

**Proposed Action:** Amend Chapters 2 and 18 of the Code of Ordinances to recognize the use of single family homes as vacation rentals provided that each local jurisdiction adopts and enforces regulations for vacation rentals to ensure compatibility with the character of the surrounding neighborhood.

**Staff Recommendation:** Staff recommends the Governing Board conduct the public hearing as noticed and adopt the proposed Regional Plan amendments.

**APC Recommendation:** Nine members voted to recommend approval of the proposed amendments as presented by staff. Three members abstained and the Placer County and Washoe County representatives voted no.

**Background:** The vacation rental issue originated in the South Shore about a year and half ago when citizens complained to the City of South Lake Tahoe, El Dorado County, Douglas County and TRPA about the neighborhood impacts of this use. This caused numerous local hearings and an El Dorado County Grand Jury investigation. TRPA has gradually been drawn into the issue primarily on land use regulation issues. The TRPA Local Government Committee also held several hearings on these issues. It should be noted that the use of single-family homes and condominiums as vacation rentals is not unique to the Tahoe Region and is a national issue, especially in other vacation destination communities.

During the December meeting, the TRPA Governing Board approved the following directive:

*Staff is hereby directed to bring back a proposal (including ordinances, plan amendments, MOUs, etc) needed to implement a proposal within three months that:*

- *Amends the current Regional Plan to clearly define vacation rental use as it relates to residential and/or tourist accommodation uses;*
- *Designates vacation rental use as a permissible use in both tourist accommodation and residential zoned areas provided the vacation rental use is conducted in a manner that is compatible with the surrounding neighborhood and is enforced by the local government;*

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- *Delegates all nuisance and zoning enforcement of vacation rentals to local government;*
- *Continues TRPA enforcement of general environmental issues, i.e. unauthorized coverage, BMPs.*
- *Has been reviewed by stakeholders in a process to assist in the development of the necessary Regional Plan amendments and local government nuisance regulations.*

Each of the Local Government Committee members from the Governing Board (excluding Carson City) selected three people for the stakeholder group; one to represent the vacation rental/real estate interests, one to represent the neighborhood/environmental interests, and one to represent the local government/regulatory interests. The total number of the stakeholder working group was 15 plus Jerry Wells, TRPA Deputy Executive Director, representing TRPA's interests. Other interested citizens were welcome to come and observe; however, they were only allowed to speak through one of the 16 people at the "Table" who they felt best represented their interests. Staff proposed this format to ensure a manageable working group size. The stakeholder group convened for two all-day facilitated meetings, once on January 23 and again on February 12, 2004.

Some members of the vacation rental stakeholder group were not in total agreement with the proposed definitions. The disagreements on the definitions were from some of the neighborhood representatives and were philosophically based rather than any disagreement with the specific language. Three of the five neighborhood representatives felt that vacation rentals are inherently incompatible with residential neighborhoods regardless of the rules/standards that exist or could be developed.

Discussion: Without proper regulation and enforcement, vacation rentals can have a number of negative impacts in residential neighborhoods. These fall broadly into the categories of nuisance impacts, localized environmental impacts, and impacts on the character of residential neighborhoods. The most commonly cited problems by residents and public officials are nuisance impacts, such as noise and inappropriate behavior, overcrowding, excessive parking, and improper trash disposal.

In an effort to address these potential adverse impacts while allowing the use of single-family homes as vacation rentals, the Stakeholder group developed a series of amendments to the Code of Ordinances, specifically to Chapters 2, Definitions and 18, Permissible Uses. Those amendments are contained within Exhibits 1 and 2, respectively (attached).

The amendments developed with assistance from the vacation rental stakeholder group propose to incorporate 'vacation rentals' into the definitions of single-family dwellings and multiple family dwellings (up to a fourplex) within Chapter 18 of the Code, thereby allowing the use of residences as vacation rentals and/or residences. Vacation rental will be defined within Chapter 2 of the Code, the chapter that defines most terms used in the Code. By amending the Code as proposed, any plan area statement or community plan that contains these uses (single-family or multiple family, up to a fourplex, dwelling) within the list of permissible uses for that plan area are able to operate the home as a permanent residence or a vacation rental insofar as the use is compatible with the surrounding neighborhood.

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TRPA will assign to the local jurisdictions to ensure vacation rentals operate as a normal residence. TRPA is requiring that the local jurisdictions enter into a cooperative agreement with TRPA that will clearly spell out the standards to which vacation rentals are to operate, and how the standards will be enforced. The standards with which vacation rentals are being required to comply are essentially the same as any single or multiple family residence would be required to meet. This agreement is anticipated to stipulate which entities within the jurisdiction will be responsible for which standards, that is, the County Sheriff may enforce noise standards, while the building department may regulate occupancy. Additionally, other municipal entities may be involved, such as a general improvement district.

The stakeholder group agreed that the neighborhood compatibility standards to be adopted and enforced by the local jurisdictions would include the following elements: occupancy, refuse/garbage, parking, noise, lighting, and signage. Each jurisdiction will need to adopt and enforce all the necessary regulations addressing these categories to ensure neighborhood compatibility and enter into a cooperative agreement with TRPA in order for vacation rentals to be considered an allowed use in residential neighborhoods. If not, this use will be considered a tourist accommodation use, which typically would not be allowed in residential neighborhoods

Staff is recommending up to a six month timeline for each local jurisdiction to adopt the necessary regulations and enter into a cooperative agreement with TRPA. The Governing Board may choose to extend this time limitation, however, staff believes that six months (60 days for the Ordinance to become effective, plus an additional four months after the rules become effective) is ample time to implement these agreements. During the period before these agreements are established, TRPA will continue its policy of non-enforcement. After six months, if any of the five local jurisdictions have not adopted neighborhood compatibility requirements, and entered into a cooperative agreement with TRPA, the use of residences as vacation rentals will not be allowed in those jurisdictions.

It is the local jurisdictions enforcement of these standards upon which TRPA staff is recommending approval of these amendments and making the necessary findings. Enforcement of land use standards is not easy for any jurisdiction, and is often susceptible to higher public safety priorities. TRPA is fully cognizant of this fact, but staff believes that programmatic enforcement in addition to self-policing by the vacation rental industry itself can go a long way in achieving compliance with the neighborhood compatibility requirements.

It is also important to note that each of the local jurisdictions have the ability to adopt standards that are more restrictive than those of TRPA. Therefore, should the local jurisdictions desire greater control or restrictions on the operation of vacation rentals, they can adopt more restrictive standards.

The analysis conducted by staff to determine whether or not the proposed action, amending the Code of Ordinances, would have a significant effect upon the environment, staff compared the activities associated with a vacation rental to that of a typical single-family home. Many, if not all, of these activities are the same, and nuisances can and are generated by local residents just as they are by people using a vacation rental. In so far as the impacts of a single-family home to the environment are the same as those potentially created by a vacation rental are the same, there is no

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AGENDA ITEM XII.A

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significant impact. For these reasons, TRPA is heavily relying upon the local jurisdictions to enter into the above described cooperative agreements to ensure that vacation rentals behave as a normal residence. If, for some reason, a jurisdiction chooses to not enter into an agreement with TRPA regarding vacation rentals, or choose not to enforce the agreements, ~~then vacation rentals would be considered an illegal~~ use within that jurisdiction and TRPA would be in the position of enforcing the zoning regulations of the Plan Area Statements and Community Plans and stop the use of residential properties as vacation rentals.

Effect on TRPA Work Program: Additional work remains to be done in developing and approving the cooperative agreements with five local jurisdictions, which is conservatively estimated to require 100 hours (20 hours per jurisdiction) from one lead staff member with additional time for support staff. This task will vary among the local jurisdictions, as some are farther along than others in developing operational standards for vacation rentals.

The level of enforcement required by TRPA for this amendment is anticipated to be minimal. TRPA looking to the local jurisdictions to enforce the vacation rental standards under the above referenced cooperative agreements. If this enforcement does not occur, this issue will need to be revisited by TRPA.

Required Findings: The following findings must be made prior to adopting the proposed amendments:

Chapter 6 Findings:

1. Finding: The project is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and maps, the Code, and other TRPA plans and programs.

Rationale: The amendments will not hinder implementation of the Regional Plan. Integrity of the growth management programs of the Plan are maintained, PAS permissible use lists are not compromised, development standards remain in effect, mitigation programs (such as excess coverage) are unaffected, EIP implementation will continue.

Current information regarding the occupancy level of the average vacation rental would indicate fewer Vehicle Miles Traveled (VMT) and fewer Daily Vehicle Trip Ends (DVTE) would be expected from a vacation rental than from a permanently occupied residential unit. Even if the occupancy of the vacation rental were 100%, the VMT and DVTE would be expected to be within the acceptable levels for a single-family or multi-family dwelling. The variable trip rates within TRPA's traffic model are affected to a greater degree by household income than occupancy or residential use type; the higher the income the greater the trip rates. With recent improvements to the transit system in the South Shore area,

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transit service is now available to many vacation rentals located in residential areas.

The amendments will not adversely affect TRPA's ability to implement the Goals and Policies pertaining to housing.

2. Finding: That the project will not cause the environmental thresholds to be exceeded.
- Rationale: The proposed amendments will have no negative affect upon TRPA programs and regulations intended to ensure thresholds carrying capacities are not exceeded. Occupancy levels of vacation rentals indicate that less traffic impacts (DVTE and VMT) may be expected as compared to the same housing units occupied on a permanent basis by basin residents.
3. Finding: Wherever federal, state and local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(d) of the Compact, the project meets or exceeds such standards.
- Rationale: Any project arising from the amendments must be consistent with air and water quality standards. The amendments have no affect on these standards.
4. Finding: The Regional Plan and all of its elements, as implemented through the Code, Rules and other TRPA plans and programs, as amended, achieves and maintains the thresholds.
- Rationale: See findings 1 and 2 above.
5. Finding: The Regional Plan, as amended, achieves and maintains the thresholds.
- Rationale: See findings 1 and 2 above.

Environmental Documentation: Staff has completed TRPA's Initial Environmental Checklist and Chapter 6 findings. Based upon the checklist, information in this staff summary and the record, staff is recommending that the Governing Board make a Finding of No Significant Effect.

Requested Action: TRPA staff requests the Governing Board make the following motions:

1. Make a Finding of No Significant Effect
2. Adopt the implementing Ordinance

Please contact Jerry Wells ([jwells@trpa.org](mailto:jwells@trpa.org)) or Peter Eichar ([recreation@trpa.org](mailto:recreation@trpa.org)), at (775) 588-4547, if you have any questions regarding this agenda item.

Attachments: A – Implementing Ordinance with corresponding Exhibit 1 – Chapter 2 changes and Exhibit 2 – Chapter 18 changes

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AGENDA ITEM XII.A

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TAHOE REGIONAL PLANNING AGENCY  
ORDINANCE 2004 –

AN ORDINANCE AMENDING ORDINANCE NO. 87-9, AS AMENDED, BY AMENDING THE REGIONAL PLAN OF THE TAHOE REGIONAL PLANNING AGENCY; AMENDING CODE OF ORDINANCES, CHAPTER 2, DEFINITIONS AND CHAPTER 18, PERMISSIBLE USES TO RECOGNIZE THE USE OF SINGLE AND MULTIPLE FAMILY DWELLINGS AS VACATION RENTALS, GIVEN CERTAIN CONDITIONS OF OPERATION TO ENSURE NEIGHBORHOOD COMPATIBILITY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

The Governing Board of the Tahoe Regional Planning Agency does ordain as follows:

- | <u>Section 1.00</u> | <u>Findings</u>  |
|---------------------|--|
| 1.10                | It is necessary and desirable to amend TRPA Ordinance 87-9, as amended, which ordinance relates to the Regional Plan of the Tahoe Regional Planning Agency (TRPA) by amending the Code of Ordinances Chapters 2 and 18 in order to further implement the Regional Plan pursuant to Article VI(a) and other applicable provisions of the Tahoe Regional Planning Compact. |
| 1.20                | These amendments have been determined not to have a significant effect on the environment, and are therefore exempt from the requirements of an environmental impact statement pursuant to Article VII of the Compact.   |
| 1.30                | The Advisory Planning Commission (APC) has conducted a public hearing on the amendments and recommended adoption. The Governing Board has also conducted a noticed public hearing on the amendments. At those hearings, oral testimony and documentary evidence were received and considered.  |
| 1.40                | Prior to the adoption of this ordinance, the Governing Board made the findings required by Chapter 6 of the Code and Article V(g) of the Compact,  |
| 1.50                | The Governing Board finds that the amendments adopted here will continue to implement the Regional Plan, as amended, in a manner that achieves and maintains the adopted environmental threshold carrying capacities as required by Article V(c) of the Compact.   |
| 1.60                | Each of the foregoing findings is supported by substantial evidence in the record.   |

Section 2.00                      Amendment of the Code of Ordinances, Chapters 2 and 18

Subsection 6.10, subparagraph (28) of Ordinance No. 87-9, as amended, is hereby further amended as set forth on Exhibits 1 AND 2, dated March 2 2004, which attachments are appended hereto and incorporated herein.

**Section 3.00 Interpretation and Severability**

The provisions of this ordinance and the amendments to the Code of Ordinances adopted hereby shall be liberally construed to effect their purposes. If any section, clause, provision or portion thereof is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance and the amendments to the Code of Ordinances shall not be affected thereby. For this purpose, the provisions of this ordinance and the amendments to the Code of Ordinances are hereby declared respectively severable.

**Section 4.00 Effective Date**

The provisions of this ordinance amending the Code of Ordinances shall be effective 60 days after its adoption.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held March 24, 2004, by the following vote:

Ayes:

Nays:

Abstentions:

Absent

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David Solaro, Chairman  
Tahoe Regional Planning Agency

New Language underlined in blue; Deleted language ~~stricken through in red~~.

## Chapter 2 DEFINITIONS

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### Chapter Contents

- 2.0 Purpose
- 2.1 Applicability
- 2.2 Definitions

- 2.0 Purpose: This chapter defines the terms used in the Code.
- 2.1 Applicability: This chapter shall be used in interpreting the Code and other TRPA plans and documents.
- 2.2 Definitions: The following terms are defined as set forth below.

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Local Assembly and Entertainment: See Chapter 18.

Local Government Neighborhood Compatibility Requirements: Requirements implemented and enforced by a local government through a cooperative agreement with TRPA that regulates vacation rentals to insure neighborhood compatibility that includes, but is not limited to mitigating the potential adverse impacts related to refuse/garbage, parking, occupancy, noise, lighting and signage.

Local Post Office: See Chapter 18.

\*\*\*\*\*

Repair Services: See Chapter 18.

Residential: Uses, facilities and activities primarily pertaining to the occupation of buildings on a permanent basis for living, cooking and sleeping by the owner as a permanent or second home, by renters on a monthly or longer term basis, or by renters of a vacation rental that meets the Local Government Neighborhood Compatibility Requirements.

Residential Area: See Subsection 13.5.B.

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Vacant Parcel: A parcel which is undeveloped or unimproved and has no established use.

Vacation Rental: A residential unit rented for periods of 30 days or less.

Vegetation: A collective term for plants.

New language underlined in blue.

## Chapter 18 PERMISSIBLE USES

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### Chapter Contents

- 18.0 Purpose
- 18.1 Applicability
- 18.2 Accessory Uses
- 18.3 Table Of Primary Uses
- 18.4 Definitions Of Primary Uses
- 18.5 Existing Uses

- 18.0 Purpose: This chapter sets forth the allowable uses for the land areas within the Region. Allowable uses for the near shore, foreshore, backshore and lakezone are set forth in Chapter 51. The concept of "use" includes any activity, whether related to land, water, air or other resources of the region. The primary uses are "allowed", "special" and "nonconforming", the applicability of which terms to a particular parcel shall be determined by reference to the plan area statements and maps, community plans, redevelopment plans and specific or master plans, as the case may be. Generic primary uses are set forth in the Table of Uses in section 18.3.

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Hotels, Motels and Other Transient Dwellings Units: Commercial transient lodging establishments including hotels, motor-hotels, motels, tourist courts or cabins, primarily engaged in providing overnight lodging for the general public whose permanent residence is elsewhere. It does not include bed and breakfast facilities or vacation rentals.

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Multiple Family Dwelling: More than one residential unit located on a parcel. Multiple family dwellings may be contained in separate buildings such as two or more detached houses on a single parcel, or in a larger building on a parcel such as a duplex, triplex, or an apartment building. Vacation rentals are included, up to but not exceeding a fourplex, provided they meet the Local Government Neighborhood Compatibility Requirements as defined in Chapter 2. One detached secondary residence is included under secondary residence.


Single Family Dwelling: One residential unit located on a parcel. A single family dwelling unit may be contained in a detached building such as a single family house, or in a subdivided building containing two or more parcels such as a town house condominium. Vacation rentals are included provided they meet the Local Government Neighborhood Compatibility Requirements as defined in Chapter 2. A caretaker residence is included under secondary residence.



**OFFICE OF COUNTY COUNSEL  
INTER-DEPARTMENT MEMORANDUM**

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**TO:** C.L. Raffety  
Treasurer/Tax Collector

**FROM:** Michael J. Ciccozzi   
Deputy County Counsel

**RE:** County Counsel Assignment No. 2006-516  
Short Term Rental of Residences

**DATE:** 10/2//06

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Your office has requested a legal opinion from our department on the issue presented below. The background information for this opinion is also presented below.

**BACKGROUND**

The Treasurer/Tax Collector's Office anticipates that as homeowners find it increasingly more difficult to sell their residences in El Dorado County there will be an increase in the number of homeowners renting their residences to tenants.

Under the Ordinance Code, anyone engaging in the rental of a residence for a period of thirty days or less is required to collect and remit a Transient Occupancy Tax. (Section 3.28.060)<sup>1</sup>.

**ISSUE**

The issue as presented is as follows, is there a law that prohibits a homeowner from renting their residence as a short term rental without a special use permit?

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<sup>1</sup> Except as otherwise noted, all references are to the El Dorado County Ordinance Code.

## **CONCLUSION**

In El Dorado County there is no prohibition on a homeowner renting their residence as a short term rental without a special use permit. In the South Lake Tahoe area, defined as the Tahoe Regional Planning Area, a homeowner must comply with sections 5.56.010 et seq., but there are no requirements that the homeowner obtain a special use permit in order to rent the property on a short term basis.

## **ANALYSIS**

A homeowner in El Dorado County is entitled to rent their property for a period of less than 30 consecutive days without having to obtain a special use permit. The homeowner must comply with the Transient Occupancy Tax section (section 3.28.060) and the Business License sections (sections 5.08.010 et seq.) of the Ordinance Code.

**The Transient Occupancy Registration Certificate Requirement.** El Dorado County Ordinance Code section 3.28.060 requires that "each operator of any facility renting occupancy to transients shall register the facility with the tax collector and obtain from him a "transient occupancy registration certificate" to be at all times posted in a conspicuous place on the premises. ... This certificate does not authorize any person ... to operate a facility without strictly complying with all local applicable laws, including but not limited to those requiring a permit from any board, commission, department or office of this county. This certificate does not constitute a permit."

Therefore, if a person wishes to rent their home on a short term basis of less than 30 days at a time, this section requires that they obtain a transient occupancy registration certificate from the tax collector.

**The Business License Requirement.** El Dorado County Ordinance Code section 5.08.060 makes it "unlawful for any person to transact any kind of business in the unincorporated territory of the county without possessing an unexpired and unrevoked county business license unless the business is exempt from the license requirements by this chapter." Section 5.08.070 sets forth the exceptions, none of which are applicable to our issue. Section 5.04.050 defines "business" as having the same meaning as under Business and Professions Code section 16100. Business and Professions Code section 16100 refers to "any kind of business not prohibited by law". The rental of one's home even on a short term basis is not generally prohibited by law. In El Dorado County there is no provision of the Ordinance Code which prohibits the short term rental of a single family residence. Sections 5.56.010 et seq. which apply within the jurisdictional boundaries of the Tahoe Regional Planning Agency, place restrictions upon one's ability to rent a "vacation home."

This interpretation of the short term rental of one's home as a business is supported by *Clark v. City of San Pablo* (1969) 270 Cal.App.2d 121. In that case, the court addressed a local ordinance which imposed a license tax on the business of operating an apartment house. An apartment house was defined as having four or more units. The owner of an apartment house sued the City claiming the ordinance unconstitutional because it treated the persons engaged in the business of renting three or fewer units differently. The Court treated the rental of a single

family home as a business for purposes of comparing it to the renting of four or more units. "The word 'business' embraces everything about which one can be employed, and it is often synonymous with 'calling, occupation, or trade, engaged in for the purpose of making a livelihood or gain.'" *Id.* @ 126.

"When the owner of the realty engages in the business of supplying accommodations to lodgers, he is conducting a business different from that of letting property to tenants."

*Edwards v. Los Angeles, (1941) 48 Cal. App. 2d 62, 70.*

Given that no law prohibits the rental of a home on a short term basis, such rental should be considered a business subject to the business license requirements of the Ordinance Code.

It is a fair conclusion that a homeowner who engages in the short term rental of their home is engaged in a business pursuit and is therefore required to obtain a business license.

Application of the Zoning Ordinances to Short Term Rentals. The final question remaining is whether the short term rental of a home is prohibited by the zoning ordinances of El Dorado County. In short, there is nothing in the zoning ordinances of El Dorado County which preclude the short term rental of a home by a homeowner to a lodger.

Title 17 of the El Dorado County Ordinance Code contains the various zoning ordinances in effect in the County. It designates various districts by their intended use. There are many types of residential districts among those designations.

For purposes of our analysis we will use only one of the numerous residential zoning districts, the One Family Residential District. The sections applicable to this District begin at 17.28.010 and end with section 17.28.040.

17.28.020 sets forth the uses permitted by right and provides in pertinent part that, "The following uses are allowed by right, without special use permit or variance:

A. One family detached dwelling;...

Section 17.06.050 defines "family" as "one or more persons occupying a premises and living as a single housekeeping unit, as distinguished from a group occupying a hotel, club or rooming house." That section also defines "dwelling unit" as "a combination of rooms in a single building designed or used for human living, sleeping, eating and sanitary facilities by a single family and their nonpaying guests."

17.28.030 sets forth the uses which require a special use permit. None of the uses under 17.28.030 describes the short term rental of a single family dwelling. The closest one could come to arguing that the rental of a home on a short term basis requires a special use permit is that under subsection H, home occupations not listed in Subsection C of 17.28.030 which require special consideration such as the use of power tools, an accessory building or noise and which will not change the character of the residential premises or the neighborhood require a special use permit. It would be hard to characterize the rental of the premises as a home occupation given the descriptions of home occupations in section 17.28.020, subsection C.

The rental of a home by a homeowner on a short term basis is not proscribed by the zoning ordinance. The use of the home is for human living, sleeping, eating and sanitary facilities, thus meeting the definition of dwelling. The group to whom the home is rented would act as a single housekeeping unit thus meeting the definition of family. The use of the home as a single family detached dwelling remains intact even if it is rented on a short term basis.

This is not to say that the short term rental of homes in a residential district could not be prohibited. In *Ewing v. City of Carmel by the Sea (1991) 234 Cal.App. 3d 1579* the court dealt

with that exact issue and upheld an ordinance that clearly prohibited the practice of short term rentals in a residential district within the city. It was noted that in enacting the ordinance, the City made very specific findings as to the purpose of the ordinance and that it was determined by the city council that the short term rental of the properties was a commercial use inconsistent with the purpose of the R-1 residential district. *Id @ 1589*. In our case, we do not have a clear ordinance prohibiting the short term rental of homes in residential districts. Furthermore, there are no specific findings supporting such an interpretation of the present ordinance regulating uses in residential districts.

Another point brought up by the *Ewing* decision is the concept of an ordinance being unconstitutionally vague. "Indeed, 'a statute which either forbids or requires the doing of an act in terms so vague that men of common intelligence must necessarily guess at its meaning and differ as to its application, violates the first essential of due process.'" *Id @ 1594*. Given the definitions provided in Title 17 of our ordinance code and the lack of an express proscription against the short term rental of homes, to interpret our ordinance code as prohibiting the short term rental of homes would likely run afoul of the first essential of due process.

The Lake Tahoe Vacation Home Rental Ordinance (sections 5.56.010 et seq.) does not confer upon individuals the right to rent their homes on a short term basis in the Tahoe area, but rather restricts the right of a homeowner to do so by imposing several conditions on the rental. Section 5.56.040 subsection D states that the "provisions of this chapter are necessary to prevent the continued burden on county services and impacts on residential neighborhoods posed by vacation home rentals." Section 5.56.020 restricts the applicability of the vacation home rental ordinance to the Lake Tahoe area. This chapter is important because it first recognizes the existence of vacation home rentals and limits the ordinance's effect to the Lake Tahoe area, leaving vacation home rentals in other areas of the county unaffected by the ordinance.

In the final analysis, so long as a homeowner, outside the jurisdictional boundaries of the Tahoe Regional Planning Agency, obtains a transient occupancy tax certificate and a business license, they are free to rent their home on a short term basis of not more than 30 consecutive days. This however is further refined by provisions of the Ordinance Code which prohibit renting the home on a room by room basis.

Cc: Pierre Rivas ✓

## Code of Ordinances

or fictitious name. A certificate issued to a corporation shall designate such corporation by the exact name which appears in the articles of incorporation of such corporation.

- D. *Transfer.* A registration certificate is transferable from one person to another, and is valid only for the specific instruments and if the instruments are to be used at a fixed location for the specific location for which it is issued. Replacement of specific instruments shall be allowed without a new certificate being required.
- E. *Delinquency.* Any person failing to renew a registration certificate on or before January 31 of each year shall be required to pay an additional sum equal to 50 percent of the registration fee as a penalty for any such delinquency. Any person failing to obtain a registration certificate or pay the annual registration fee within 30 days of beginning to use any weighing or measuring instruments for commercial purposes at a new location, or to use any new or seasonal weighing or measuring instruments for commercial purposes shall be required to pay an additional sum equal to 50 percent of the registration fee as a penalty for any such delinquency.

(Code 1997, § 5.54.040; Ord. No. 3416, § 1(part), 1984; Ord. No. 3509, § 1, 1985; Ord. No. 4037, § 3, 1989; Ord. No. 4247, 1992; Ord. No. 4347, 1994)

## **CHAPTER 5.56. - VACATION HOME RENTALS<sup>[13]</sup>**

### **Sec. 5.56.010. - Title.**

This chapter shall be referred to as the Vacation Home Rental Ordinance.

(Ord. No. 5092, 9-11-2018)

### **Sec. 5.56.020. - Applicability.**

The provisions of this chapter apply only within the unincorporated area of the County. All requirements, regulations, and standards imposed by this chapter are intended to apply in addition to any other applicable requirements, regulations, and standards imposed elsewhere in this Code. Vacation home rentals in operation outside of the jurisdictional boundaries of the Lake Tahoe Basin shall be required to obtain a vacation home rental permit at the time of application for or renewal of a business license to operate a vacation home rental. The provisions of the section shall apply to all vacation rentals except where there is a primary owner in residence during the rental period. This section does not apply to hosted rentals or bed and breakfast inns, which are regulated by Section 130.40. Vacation rentals shall not be permitted in non-habitable structures, within accessory or second dwelling units, in structures or dwellings with County covenants or agreements restricting their use including but not

limited to affordable housing units, agricultural employee units, farmworker housing, or farm family units. Tents, yurts, RVs, and other provisions intended for temporary occupancy are not allowed as a part of a vacation rental.

(Ord. No. 5092, 9-11-2018)

### **Sec. 5.56.030. - Definitions.**

For purposes of this chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section, except where the context clearly indicates a different meaning:

*Local contact* means a local property manager, owner, or agent of the owner, who is available to respond to renter and neighborhood questions or concerns, or any agent of the owner authorized by owner to take remedial action and respond to any violation of this chapter.

*Loud and raucous noise* means:

1. The human voice, any record, or recording thereof when amplified by any device whether electrical, mechanical, or otherwise to such an extent as to cause it to unreasonably carry on to public or private property or to be heard by others on residential property or public ways within the County.
2. Any sound not included in the foregoing which is of such volume, intensity, or carrying power as to interfere with the peace and quiet of persons upon residential property or public ways within the County in accordance with Chapter 9.16—Noise.

*Managing agency or agent* means a person, firm, or agency representing the owner of the vacation home rental, or a person, firm, or agency owning the vacation home rental.

*Operator* means the person who is proprietor of a transient lodging facility, whether in the capacity of owner, lessee, sub-lessee, mortgagee in possession, licensee, or any capacity. Where the operator performs his or her functions through a managing agent of any type or character, other than an employee, or where the operator performs his or her functions through a rental agent, the managing agent or the rental agent shall have the same duties as his or her principal. Compliance with the provisions of this chapter by either the principal or the managing agent or the rental agent shall be considered to be in compliance by both.

*Owner* means the person or entity that holds legal and/or equitable title to the private property.

*Person responsible for event* means the owner of the property where the large party, gathering or event takes place, the person in charge of the premises, and/or the person who organized the event. If the person responsible for the event is a minor, then the parents or guardian of minor will be jointly and severally liable for the fines imposed for the special security assignment.

**Code of Ordinances** **Private** means intended for or restricted to the occupants and/or guests of his or her vacation home rental; not for public use.

*Vacation home rental* means one or more dwelling units, including either a single-family, home, duplex, or single condominium unit rented for the purpose of overnight lodging for a period of not less than one night and not more than 30 days other than ongoing month-to-month tenancy granted to the same renter for the same unit.

(Ord. No. 5092, 9-11-2018)

#### **Sec. 5.56.040. - Purpose of chapter.**

The Board of Supervisors of the County finds and declares as follows:

- A. Vacation home rentals provide a community benefit by expanding the number and type of lodging facilities available and assist owners of vacation home rentals by providing revenue which may be used for maintenance upgrades and deferred costs;
- B. County staff has responded to numerous complaints involving excessive noise, disorderly conduct, vandalism, overcrowding, traffic congestion, illegal vehicle parking, and accumulation of refuse at vacation home rentals which require response from police, fire, paramedic, and/or other public personnel;
- C. The provisions of this chapter are necessary to prevent or mitigate the continued burden on public services and impacts on residential neighborhoods posed by vacation home rentals.

(Ord. No. 5092, 9-11-2018)

#### **Sec. 5.56.050. - Vacation home rental permit requirements.**

No owner of a vacation home rental shall rent that unit for 30 consecutive calendar days or less without a valid vacation home rental permit for that unit issued pursuant to this chapter. A separate permit shall be required for each vacation home rental. The permit requirements of this chapter are in addition to any business license, hotel/motel tax registration, any other permit, or licensing requirements. However, at the discretion of the County, the processing of permits required under this chapter may be combined with the processing of business licenses, transient occupancy tax registration, any other permit, or license process administered by the County. The County shall prescribe forms and procedures for the processing of permits under this chapter.

(Ord. No. 5092, 9-11-2018)

#### **Sec. 5.56.060. - Agency.**

Code of Ordinances

An owner may retain an agent, representative, or local contact to comply with the requirements of this chapter, including without limitation, the filing of an application for a permit, the management of the vacation home rental, and the compliance with the conditions of the permit. The permit shall be issued only to the owner of the vacation home rental. When construing and enforcing the provisions of this chapter, the act, omission, or failure of any agent, representative, or local contact person acting for or employed by an owner, shall in every case be deemed also the act, omission, or failure of the owner.

(Ord. No. 5092, 9-11-2018)

### **Sec. 5.56.070. - Application for vacation home rental permit.**

An application for a permit shall be filed with the County prior to use of the property as a vacation home rental. Permit applications shall be on the forms provided by the County and shall contain the following information:

- A. The name, address, and telephone number of the owner of the vacation home rental for which the permit is being issued;
- B. The name, address, and telephone number of the agent, representative, or local contact for the owner of the vacation home rental;
- C. The number of bedrooms and approximate habitable square footage in the vacation home rental, and the maximum allowable number of overnight occupants;
- D. Acknowledgment that all designated bedrooms meet all local building and safety code requirements;
- E. A diagram and/or photograph of the premises showing and indicating the number and location of designated on-site parking spaces;
- F. Evidence of a valid business license issued by the County for the separate business of operating the vacation home rental, unless the operation of the vacation home rental is otherwise exempt from the requirement of a business license under the express provisions of this Code. An application for a permit under this chapter may be made concurrent with an application for a business license. If concurrent applications are made, a permit under this chapter shall not be approved unless the application for the business license is also approved;
- G. Evidence of a valid transient occupancy tax registration certificate issued by the County for the vacation home rental. Such registration may be filed concurrently with the application for a permit under this chapter;
- H. Acknowledgment that the owner, agent, and local contact person have read all regulations pertaining to the operation of a vacation home rental;
- I. Certification of the accuracy of the information submitted and agreement to comply with all conditions of the permit;

## Code of Ordinances

A bedroom is a room that is designed to be used as a sleeping room and for no other primary purpose and shall comply with the following:

- a. Bedrooms shall have at least one operable window or door approved for emergency escape or rescue that opens directly into a public street or yard. The emergency door or window shall be operable from the inside to provide a full, clear opening without the use of separate tools. Escape or rescue windows shall have a minimum net clear openable area of five and seven-tenths square feet. The minimum net clear openable height dimension shall be 24 inches. The minimum net clear openable width dimension shall be 20 inches. When windows are provided as a means of escape or rescue, they shall have a finished sill height not more than 44 inches above the floor. Homes built in 1976 or earlier comply if the window sill height does not exceed 48 inches, the openable area is at least five square feet and no openable dimension is less than 22 inches;
  - b. Bedrooms shall have a ceiling height of not less than seven feet six inches, except as provided in this section. When exposed beam ceiling members are spaced at 48 inches or more on center, ceiling height shall be measured to the bottom of the deck supported by these members, provided that the bottom of the members is not less than seven feet above the floor. If any room has a sloping ceiling, the prescribed ceiling height for the room is required in only one-half of the area thereof. No portion of the room measuring less than five feet from the finished floor to the finished ceiling shall be included in any computation of the minimum area thereof. If any room has a furred ceiling, the prescribed ceiling height is required in two-thirds area thereof, but in no case shall the height of the furred ceiling be less than seven feet;
2. Noise. Occupants and/or guests of the vacation home rental shall not use or operate any outdoor spa or hot tub, create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this Code or any State law pertaining to noise or disorderly conduct at any time between the hours of 10:00 p.m. and 8:00 a.m. The property owner shall ensure that the quiet hours and limits on outdoor activities are included in rental agreements and in all online advertisements and listings.
  3. Visitors. The number of people present in any vacation home rental shall not exceed the maximum occupancy designated in the vacation home rental permit for that property at any time between the hours of 10:00 p.m. and 8:00 a.m.
  4. Trash and Refuse. The owner of the vacation home rental shall comply with all the solid waste management provisions of Chapter 8.42—Solid Waste Management. In the Lake Tahoe Basin, the owner of the vacation home rental shall comply with the

5. Tahoe Basin Snow Removal. The owner of the vacation home rental shall notify the occupants of their obligations to comply with all snow removal provisions of Chapter 10.12—Parking;
6. Limit on Number of Residences or Structures per Parcel. Only a single family residence or a legally-established guest house meeting current standards shall be used as a vacation rental. Parcels containing multiple residences, units, or habitable structures may only be used as vacation home rentals subject to the granting of a conditional use permit.
7. Fire and Life Safety Requirements. The following conditions shall be posted within the VHR and shall be in place prior to issuance of a VHR permit, subject to inspection:
  - a. Residential street address clearly visible.
  - b. Functional smoke alarms.
  - c. Functional carbon monoxide alarms.
  - d. Landline phone service installed if cell phone service is inadequate.
  - e. NFPA 13D Residential sprinkler system functional, if installed.
  - f. Portable fire extinguisher.
  - g. Windows in bedrooms are operable and do not have bars or other obstructions that prevent egress.
  - h. Extension cords are not used as permanent wiring for lights or appliances.
  - i. Outdoor fire areas and fire pits when not prohibited by State or local fire regulations, shall be limited to three feet in diameter, located on a non-combustible surface, covered with fire screens, and located no closer than within 25 feet of a structure or combustible material. Use of fire areas shall require a campfire permit issued by CALFIRE.
- B. The Board of Supervisors at a duly noticed meeting shall have the authority to impose additional standard conditions applicable to vacation home rentals as necessary to achieve the objectives of this chapter.

(Ord. No. 5092, 9-11-2018)

### **Sec. 5.56.095. - Advertisement requirements.**

The owner shall include all of the following information in any online advertisements and/or listings for the vacation rental property:

- A. The VHR permit number;

## Code of Ordinances

B. Conditional use permit number, if applicable;



- C. Number of bedrooms and maximum occupancy, not including children five or younger;
- D. Notification that quiet hours must be observed between 10:00 p.m. and 8:00 a.m.;
- E. Notification that occupancy is limited to the maximum designated in the VHR permit between the hours of 10:00 p.m. and 8:00 a.m.; and
- F. The transient occupancy tax certificate number for that particular property.

(Ord. No. 5092, 9-11-2018)

### **Sec. 5.56.100. - Interior sign and notification requirements.**



A copy of the permit and a copy of the conditions shall be posted in a conspicuous place within the vacation home rental. Additionally, each vacation home rental shall have a clearly visible and legible notice posted within the unit on or adjacent to the front door, containing the following information:

- A. The name of the managing agency, agent, property manager, local contact, or owner of the unit, and a telephone number at which that party may be reached on a 24-hour basis;
- B. The maximum number of occupants permitted to stay in the unit;
- C. The number and location of on-site parking spaces and the parking rules for seasonal snow removal;
- D. The trash pickup day and notification that trash and refuse shall not be left or stored on the exterior of the property except from 6:00 p.m. of the day prior to trash pickup to 6:00 p.m. on the day designated for trash pickup and that failure to utilize the provided bear-resistant garbage can enclosure, unless otherwise exempted, is a violation of this chapter;
- E. Notification that occupants, may be cited and fined for creating a disturbance or for violating other provisions of this chapter;
- F. Notification that failure to conform to the parking and occupancy requirements of the structure is a violation of this chapter;
- G. Notification if the source of drinking water at the vacation home rental is not a public water system; and
- H. Notification that occupants and/or guests of the vacation home rental shall not use or operate any outdoor spa or hot tub or create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this Code or any State law pertaining to noise or disorderly conduct between the hours of 10:00 p.m. and 8 :00 a.m.

(Ord. No. 5092, 9-11-2018)  
Code of Ordinances



## **Sec. 5.56.105. - Exterior sign requirements.**

Each vacation home rental shall have signage posted on the property that is clearly visible and legible from the property line, containing the following information:

- A. The vacation home rental permit number;
- B. The name of the local contact and a telephone number at which that party may be reached on a 24-hour basis;
- C. The maximum number of occupants permitted to stay in the unit;
- D. All signage shall comply with font and size requirements established by County.

(Ord. No. 5092, 9-11-2018)

## **Sec. 5.56.110. - Parking.**

All permissible uses shall comply with the County parking, driveway, loading standards, and seasonal snow removal regulations.

(Ord. No. 5092, 9-11-2018)

## **Sec. 5.56.120. - Noise.**

All residential vacation home rentals shall comply with the following standards:

- A. It shall be unlawful for any person on residential property or a public way to make or continue, or cause to be made or continued, any offensive, excessive, unnecessary, or unusually loud, or raucous noise, or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others on residential property or public ways within the County.
- B. It shall be unlawful to allow, permit, encourage, organize, promote, conduct, or advertise any entertainment, game, show, exhibition, activity, amusement, gathering, or assembly of persons where there will be presented outdoor live or recorded musical entertainment without first obtaining a special use permit. Private events are allowed under the following provisions:
  - 1. The occupants and/or guests of the vacation home rental shall not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this Code or any State law pertaining to noise or disorderly conduct;
  - 2. Parking resulting from the activity shall comply with the County parking, driveway, loading standards, and seasonal snow removal regulations.

## Code of Ordinances

Compliance with this standard shall be in addition to compliance with all other provisions of this Code relating to nuisance, peace, and safety.

(Ord. No. 5092, 9-11-2018)

**Sec. 5.56.130. - Certified local contact/owner responsibilities.**

- A. Each owner of a vacation home rental shall designate a local contact. The local contact may be a professional property manager, realtor, property owner, or other designated person who is available 24 hours per day, seven days per week during all times that the property is rented, and has access and authority to assume management of the unit and take remedial measures. An owner of a vacation home rental who resides within 30 minutes travel distance from the vacation home rental may designate himself or herself as the local contact. The local contact shall be required to abate a nuisance relating to noise, trash, or parking within 30 minutes after being notified of the existence of a potential violation of this chapter.
- B. The owner or owner's agent must immediately notify the County in writing upon a change of local contact or the local contact's telephone number. This notification will be on forms prescribed by the County. The revised permit will not extend the renewal date of the vacation home rental permit, and will be issued for a fee not to exceed the cost of issuance. The name and 24 hour contact information of the local contact shall be made available to the public. The changes must be posted on both the interior and exterior signage of the vacation home rental within ten days of any change of contact information.
- C. For all permits issued or renewed after January 1, 2019, the local contact shall have successfully completed a training course and achieved a qualifying score on a county-administered certification test. Once certified, the local contact will not be required to become re-certified, but must continue to comply with all provisions set forth in this section, including timely reporting of all complaints and their resolutions, in order to remain certified. There may be one or more local contacts for a given VHR, however, the phone number on record to be used to report initial complaints shall be valid to reach an available certified local contact. Operation of a vacation rental without a valid certified local contact, or without a valid contact phone number shall be considered a violation of this section.
- D. The owner or the owner's agent, representative, or local contact for the VHR is responsible for the following:
  - 1. Ensuring that the VHR complies with all posting requirements, fire and life safety requirements, and other provisions of this chapter at all times when the home is used as a VHR.

## Code of Ordinances

2. Obtaining the name, address, and contact information for each renter age 18 or over;
3. Providing the renters a written copy of occupancy limits for overnight and daytime hours, quiet hours, any parking restrictions including for snow removal, trash pick-up day and bear box instructions, requirements for campfire permits, and all other rules and regulations, and that should any violation of this chapter occur, that fines may be imposed in accordance with Sections 5.56.150 and 5.56.200.
4. Obtaining formal, written acknowledgement from all renters over the age of 18 that he or she is legally responsible for compliance of all occupants of the VHR with all applicable laws, rules, and regulations pertaining to the use and occupancy of the VHR, and that should any violation of this chapter occur, that fines may be imposed in accordance with Sections 5.56.150 and 5.56.200. This information shall be maintained by the local contact for a period of one year from date of occupancy and be made available upon request of any officer of the County responsible for the enforcement of any provision of this chapter or any other applicable law, rule, or regulation pertaining to the use and occupancy of the VHR.
5. Being available by phone in case of complaints and being available to respond on-site if necessary to resolve complaints that are in violation of this chapter in accordance with Section 5.56.150(A).

(Ord. No. 5092, 9-11-2018)

### **Sec. 5.56.140. - Enforcement, violation and penalties.**

- A. Failure of an owner or renter to abide by any of the provisions of this chapter shall constitute a violation subject to imposition of the penalties specified in Subsections B, C and D of this section. Fines will be imposed on the party deemed responsible for the violation. Violations such as failure to obtain proper permits, provide local contact response, comply with advertisement or signage requirements, or provide required trash, fire, or life safety equipment shall result in fines and penalties being imposed on the owner. Violations of occupancy limits, quiet hours, hot tub use, or other nuisance requirements shall result in fines being imposed on renters.
- B. The fine for violations specified in Subsection A of this section shall be as follows:
  1. For the first violation within any 18-month period, the fine shall not exceed \$500.00;
  2. For a second violation within any 18-month period, the fine shall not exceed \$750.00;
  3. For a third violation within any 18-month period, the fine shall not exceed \$1,000.00.
- C. A permit may be suspended after enforcement staff has responded to the property, and such response has resulted in at least one violation on each visit, three times within any 18-month period. The suspension shall not exceed six months.

Code of Ordinances D. A permit may be revoked in accordance with the provisions of Section 5.56.150 after enforcement has responded to the property, and such response has resulted in at least one violation on each of four times within any 18-month period. An owner may petition the Hearing Officer for reinstatement sooner than 12 months after revocation.

(Ord. No. 5092, 9-11-2018)

### **Sec. 5.56.150. - Procedure for notice of violation and imposition of penalties: fine/suspension/revocation.**

Notice of violation, and penalties, including: fines, suspension, and revocation of permits, shall be imposed only in the manner provided in this section.

- A. Initial complaints shall be directed to the certified local contact. The certified local contact shall be available 24 hours during all times when the property is rented, and shall be available by phone during these hours. Should a problem arise and be reported to the certified local contact, the certified local contact shall be responsible for contacting the renter and correcting the problem within 30 minutes, including visiting the site if necessary to ensure that the issue has been corrected. The certified local contact shall report any such complaints, and their resolution or attempted resolution(s), to the County within 24 hours of the occurrence. Failure to respond to complaints or report them shall be considered a violation of this section.
- B. If the issue continues or reoccurs following initial complaint to the certified local contact and code or law enforcement is contacted, enforcement staff shall investigate whether a violation has occurred. The investigation may include an inspection of the premises and may result in the issuance of an on-site citation by code enforcement if they deem such warranted. Sheriff reports, online searches, citations or documentation provided by members of the public including, but not limited to, signed declarations, photos, sound recordings and video may constitute proof of a violation. Should the investigation reveal sufficient evidence to support a finding that a violation occurred, the County shall issue written notice of the violation and intention to impose a penalty in accordance with this chapter. The written notice shall be served either by first class mail or by personal service on the owner. The written notice shall specify the facts which, in the opinion of the County, constitute sufficient evidence to establish grounds for imposition of the penalty and specify that the fine, or fine and suspension, or fine and revocation will be imposed 15 calendar days from the date of the notice unless the owner files with the County the fine amount and a request for a hearing before the Code Enforcement Hearing Officer.
- C. If the owner requests a hearing within the time specified in Subsection A of this section, the County shall serve written notice of the date, time, and place for the

## Sec 5.56.190 - Private actions to enforce.



- A. Any person who has suffered, or alleges to have suffered, damage to person or property because of a violation of this chapter may bring an action for money damages and any other appropriate relief in a court of competent jurisdiction against the party alleged to have violated this chapter. The prevailing party in any such litigation shall be entitled to recover reasonable litigation costs, including attorney's fees in an amount deemed reasonable by the court.
- B. Nothing herein shall be deemed or construed to create any right of action against the County or any of its officers, employees, or agents. The sole purpose and intent of this section is to create a right of action between private parties, entities, and interests, which are or may be impacted or affected by various aspects of vacation home rentals within the County.

(Ord. No. 5092, 9-11-2018)

< Sec. 3.40.050. - Levy and collection.

Title 6 - ANIMALS >

## Brandy McMahon

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**From:** Gary Spohr <gary@seattlegreenhomes.net>  
**Sent:** Friday, June 14, 2019 9:57 AM  
**To:** Brandy McMahon; Shelly Aldean; Marsha Berkgigler; Brooke Laine; Sue Novasel; Wesley Rice; Larry Sevison; Belinda Faustinos; Jim Lawrence  
**Cc:** Wendy Wood; Jennifer Merchant; Robert Graves; John Hester; Karen Fink; Cindy.Gustafson; Teri Ivaldi; Lisa Burlison  
**Subject:** RE: LGHC June 12th Public Comment  
**Attachments:** TRPA March 2004 Amendment of Code of Ordinances.pdf; TRPA - STR Neighborhood Compatibility.pdf; Placer County - Tips for Being a Good Neighbor - Jennifer Merch.pdf

It was a pleasure to meet all of you at the TRPA Short Term Rental Neighborhood Compatibility Work Group.

We were both very pleased at the way the meeting was conducted and progress that was made. If we keep up this pace we will get this done by December. We feel the tone of the meeting changed to an understanding that TRPA has no option but to start penalizing the counties for not implementing STR rules. When this was realized we thought everyone starting coming up with good ideas.

I have attached the Brandy McMahon's agenda and notes that were used for the meeting. This is primarily Cindi Gustafson's reference. Todd Leopold, the Placer CEO, after a meeting last week, told us to work through Cindi Gustafson. Per Mr. Leopold, Cindi, who we know, is lead person to begin implementing STR rules, regulations, and enforcement in Placer County. Everyone at Placer County, including the Board of Supervisor, has the El Dorado County STR Rules. I also gave them all the STR's from our surrounding counties and cities.

We believe Mr. Leopold completely grasped the seriousness of the lack of STR rules, regulations, and enforcement in Placer County. We agreed that it needs to be taken out of the hands of Revenue Services, their main focus is tax collection.

He also seemed to understand the rules, regulations, enforcement created by El Dorado County and many other communities around the country. I believe it is his intent to make sure rules are put in place before TRPA implements building permit penalties on Placer.

I have also attached Placer County's 'Tips for Being a Good Neighbor', I think the citizens of Placer County are way beyond hoping that people will behave.

Keep in mind that STR and VR rentals do not benefit most of the voting population of Placer County. Getting a referendum on the ballot to ban all STR's is not that difficult. There is plenty of Tahoe environmental non-profits who could raise money to make a this happen. This would be a lose of \$20 million plus in TOT Revenue!!!!. All we are looking for are some reasonable rules.

Through my extensive research, and Wendy and I's efforts, I would like to offer some additional documentation and thoughts.

Courtesy of Wendy's Op-ed in Moonshine Inc. and her blog we received 100's of email and phone calls about problem STR all over the North Shore. This is not a case of a 'few bad apples'. We think if anyone wants to talk, to any of the county police, fire, public safety, code compliance and etc. they will find out it is not just a few bad actors

It is my understanding that TRPA was created by Congress in 1969 to facilitate some rules, regulations and enforcement of out of control development in the Lake Tahoe basin. Congress and our Placer elected officials understood that our

amazing Lake Tahoe was under assault. At that time, I have read that developers talked about putting a bridge over Emerald Bay.

I have attached the March 2004 TRPA documents, giving counties the authority to control vacation rentals in their counties and cities. The document is clear there needs to be 'Neighborhood Compatibility' . I believe TRPA assumed the counties would understand, without having to define every potential issue.

According to TRPA's report cards in 2017 and 2018 all the counties did not understand Neighborhood Compatibility and are not complying with the 2004 MOU, with Placer being the worst.

For instance, on page 14 of 21, Edwards vs Los Angeles, clearly states that an STR should be required to have a business license, currently that is not required in Placer County.

My wife and I built customs homes in North Lake Tahoe for over 10 years and know most of the general contractors in the North Lake. No builder has ever mentioned a need vacation rental as a reason to develop or build. We have a finite resource in Tahoe, we are in a boom economy, and most builders cannot find help.

I commented about Placer Counties contract with Host Compliance. Wendy and I have spoken in length with both the local Host Compliance staff and the CEO of Host Compliance. They were very clear that all the counties need defined and enforceable rules, and regulations for STR's. They work for cities and counties throughout the USA, on collecting tax and creating STR rules.

They have the ability to do everything for any county but they cannot do enforcement.

Host Compliance and other services like them, have the ability to take all the Placer County VCR ads on Airbnb, VRBO, Flip Key, and etc. and cross correlate them to the Placer County tax records for every home. Placer uses this to make sure all vacation rental are paying TOT tax.

This is a useful to track the zoning of STR's, occupancy compliance, and etc.

I have attached an article from Zoning New written in 2002. Unfortunately all of the TRPA counties should have implemented zoning restriction immediately after the 2004 MOU, now the 'cat is out of the bag'.

My thoughts are that there are no more STR or vacation rental in residential neighborhoods, these are not 'Neighborhood Compatible'.

Using existing databases' there should be TRPA penalty points for vacation rental in residential neighborhoods. Maybe 100 penalty points for vacation rentals in residential neighborhoods , Then 200 penalty point for any new construction in residential neighborhoods. This should never have happened.

I realize I need to be patient, I believe our group can get this piece done, thank you.

Regards, Gary Spohr



LAKE TAHOE

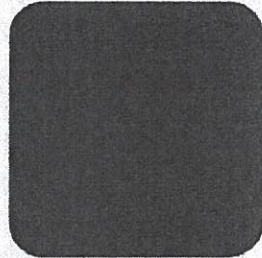
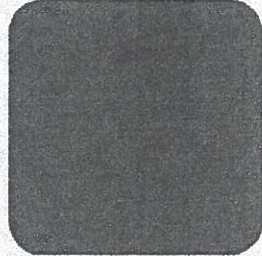
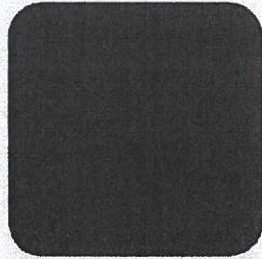
*imagine. play. achieve.*



# Short-Term Rental Neighborhood Compatibility

TRPA Local Government & Housing Committee

June 12, 2019





# Agenda

- 1) Background on Performance Review System
- 2) Committee consider and provide feedback on the proposed Work Program, including the formation and composition of a Working Group.
- 3) Committee provide an opportunity for the public to identify STR Neighborhood Compatibility approaches they would like the Working Group to consider.
- 4) Motions



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TAHOE  
REGIONAL  
PLANNING  
AGENCY

# Performance Review System

## *Two Criterion:*

- 1) Total Maximum Daily Load Implementation
- 2) Residential Audit Performance



**LAKE TAHOE**

*imagine. plan. achieve.*



# Draft Work Program

- Working Group
- Process
- Schedule

Draft Short-Term Rental  
Neighborhood Compatibility Work  
Program for the Tahoe Region  
Local Government & Housing Committee

June 12, 2019



*A Voice for Lake Tahoe*



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*imagine. plan. achieve.*



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PLANNING  
AGENCY

# Process

## ***Step 1***

- Update Current Conditions
- Identify Best Practices
- Develop “Menu” of Neighborhood Compatibility Approaches

## ***Step 2***

- Develop Code Amendment & Guidelines

## ***Step 3***

- APC, RPIC, and GB

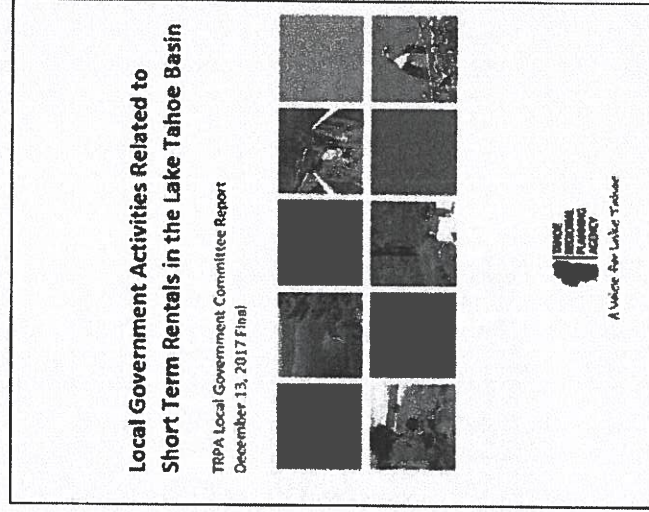
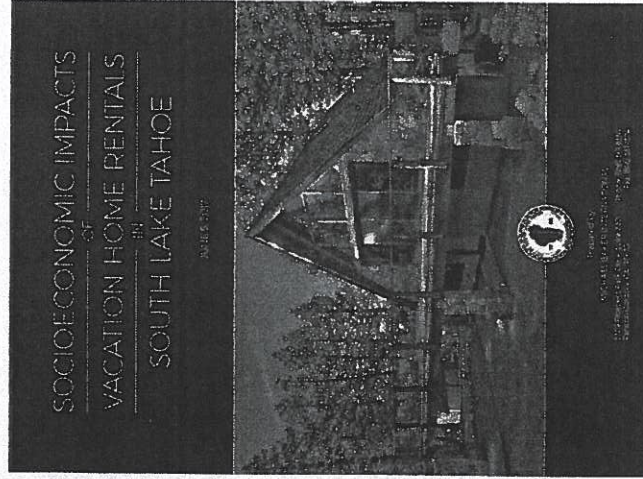


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# Website

[www.trpa.org/short-term-rental-neighborhood-compatibility](http://www.trpa.org/short-term-rental-neighborhood-compatibility)





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# Motion

A motion to approve the Work Program,  
including the Working Group membership.





## Tips for being a good neighbor during your stay

Welcome to Placer County! For great tips on what to see and do while you're here, check out [VisitPlacer.com](http://VisitPlacer.com) and [GoTahoeNorth.com](http://GoTahoeNorth.com). Placer is well loved for its rural character and serene natural beauty. For everyone's enjoyment of it and to be a good neighbor during your visit, please keep the following rules in mind.



### Noise

At higher elevations, sound carries widely. A good rule of thumb is that if you're making noise that can be heard outside your host's property line, it's probably too loud. Especially after 10 p.m., please keep noise to a minimum.



### Parking

Please park only in the designated parking areas provided for your rental unit. Do not block another's driveway. From November 1 to May 1, roadside parking is prohibited in eastern Placer County and North Lake Tahoe to allow for snow removal and emergency access. Parking on the street may result in a ticket or your vehicle being towed.



### Occupancy

The maximum occupancy amount for your home must be upheld. Please verify this number of permitted occupants for the vacation home.



### Snow

Our snowy winters make for world-class recreation but present some challenges if you aren't used to them. Wear proper clothing and stay in bounds at developed ski resorts. When traveling in the backcountry, tell someone where you're going and bring along food, water and a shovel. If you get lost, stay in place. Four-wheel drive and snow tires are required for safe travel on many state highways and county roads. For current travel information visit [quickmap.dot.ca.gov](http://quickmap.dot.ca.gov) or call (800) 427-7623.



### Pets

Dogs must be on a leash when they are outside of their owner's property. Please do not leave pets unattended and always clean up after them.



### Garbage

Placer County is home to many wildlife that can be attracted to garbage. Please review the trash notification on your posted rental permit for the proper disposal of your waste.



### Bears

Bears have a sense of smell up to seven times as strong as a dog's and are lazy meal finders. It's not uncommon in the mountains for a bear to break into a car or a home where food has been left out. Don't leave food in an unattended car and use bear-box trash receptacles wherever they're available!



### Fire Restrictions

Fire danger is high in our forests and mountains, especially in the Lake Tahoe region. Campfires, bonfires and portable charcoal grills are always prohibited on Lake Tahoe beaches and in the forest outside of developed campgrounds. Never discard hot coals in a trash can. Seasonal fire restrictions go into effect in the summer, but check before you burn at any time of year. For more visit [ThinkFirstTahoe.org](http://ThinkFirstTahoe.org).



### Local Resources

Emergencies: 911

Placer County Sheriff: (530) 581-6301

Animal Services: (530) 587-5948



### Emergency Alerts

During emergencies, Placer County may issue critical safety information using the Placer Alert notification system. To sign up to receive notifications by text, phone or email during your stay, please visit [PlacerAlert.org](http://PlacerAlert.org).

Thank you for visiting Placer County. The transient occupancy tax (or TOT) your host will collect from you on our behalf is essential to providing the visitor amenities and services that support your stay. Transient occupancy taxes balance the cost and benefits of tourism, and are invested locally to fund parks, improve infrastructure and preserve the environment, as well as to provide general services like public safety.

### Placer County Revenue Services

Placer County after-hours hotline: 800-488-4308 • [placer.ca.gov](http://placer.ca.gov)





## Brandy McMahon

---

**From:** Wendy Wood <wendy@seattlegreenhomes.net>  
**Sent:** Saturday, June 15, 2019 7:59 AM  
**To:** Brandy McMahon; Sue Novasel; Belinda Faustinos; Jim Lawrence; Marsha Berkbiger; Larry Sevison; Shelly Aldean; Wesley Rice; Brooke Laine; janetmcdougall2020@gmail.com; Allen, Leona; Gavin Feiger; Heather@carraranv.com; sharon@staor.org; mark@tahoesalmon.com; pat@ca-tt.com; rebeccabryson27@yahoo.com; amandamgrossman@gmail.com  
**Cc:** John Marshall; John Hester; Joanne Marchetta; Bill Yeates; jacquie chandler; Gary Spohr; nicolezaborsky@charter.net; kel@ltol.com; johnloweconstruction@gmail.com; sltbrooke@gmail.com; debh@realtordeb.com; John Falk; kel@ltol.com; Brendan Ferry; don.knight@edcgov.us; tom.burnette@edcgov.us; Hauenstein, Mojra; Heather Beckman; Jennifer Merchant; Dallaire, Tom; LouisCariola; Booth, Samuel; Hilary Roverud; Kevin Fabino; John Hitchcock; Karen Fink; Eric Young; Mullin, Kelly  
**Subject:** RE: Short-Term Rental Neighborhood Compatibility Working Group

Thank you all for assembling a group that does seem meaningfully interested in enacting some ordinances to give some rules, regs, penalties and enforcement to STRs in the Tahoe Basin. It is a nationwide problem and most municipalities around Tahoe have enforced strong actions against abusive STR operators, but certainly not Placer County.

We have seen first hand how abusive to our neighborhood they can be. Just imagine if every old cabin were purchased as a pure profit center without any regard to neighbors or the community, that is what we have on the West Shore.

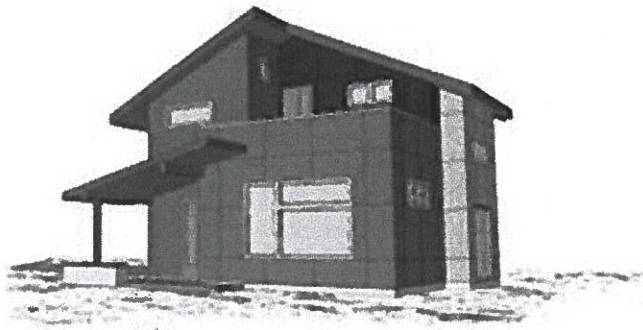
The reason that many interested residents may not have attended is most likely because they do not feel their voice heard. That has been our experience re the West Shore where code enforcement is nonexistent and actually dismissive of those who do file code violations. We still have a habited large RV that drains grey water on a property above us. We did report them but still nothing was done.

See you all July 17.

Wendy Wood  
[wendy@seattlegreenhomes.net](mailto:wendy@seattlegreenhomes.net)

p 530.559.2971  
f 530.581.2757  
w seattlegreenhomes.net

12825 60th Lane South,  
Seattle, WA 98178



## Seattle Green Homes

---

**From:** Brandy McMahon <bmmahon@trpa.org>

**Sent:** Friday, June 14, 2019 1:05 PM

**To:** Sue Novasel <novasel@aol.com>; Belinda Faustinos <belindafastinos@gmail.com>; Jim Lawrence <lawrence@dcnr.nv.gov>; Marsha Berkbigger <mlberkbigger@charter.net>; Larry Sevison <lpsevison@sbcglobal.net>; Shelly Aldean <shellyaldean@gmail.com>; Wesley Rice <wrice@douglasnv.us>; Brooke Laine <blaine@cityofslt.us>; janetmcdougall2020@gmail.com; Allen, Leona <lallen@mail.ltcc.edu>; Gavin Feiger <gavin@keeptahoeblue.org>; Heather@carraranv.com; sharon@staor.org; mark@tahoesalmon.com; pat@ca-tt.com; rebeccabryson27@yahoo.com; amandamgrossman@gmail.com

**Cc:** John Marshall <jmarshall@trpa.org>; John Hester <jhester@trpa.org>; Joanne Marchetta <jMarchetta@trpa.org>; Bill Yeates <jwytrpa@gmail.com>; jacquie chandler <sustaintahoe@gmail.com>; Wendy Wood <wendy@seattlegreenhomes.net>; Gary Spohr <gary@seattlegreenhomes.net>; nicolezaborsky@charter.net; kel@ltol.com; johnloweconstruction@gmail.com; sltbrooke@gmail.com; debh@realtordeb.com; John Falk <jrfintel@charter.net>; kel@ltol.com; Brendan Ferry <Brendan.Ferry@edcgov.us>; don.knight@edcgov.us; tom.burnette@edcgov.us; Hauenstein, Mojra <mhauenstein@washoecounty.us>; Heather Beckman <HBeckman@placer.ca.gov>; Jennifer Merchant <jmerchan@placer.ca.gov>; Dallaire, Tom <tdallaire@douglasnv.us>; LouisCariola <lcariola@douglasnv.us>; Booth, Samuel <sbooth@douglasnv.us>; Hilary Roverud <hroverud@cityofslt.us>; Kevin Fabino <kfabino@cityofslt.us>; John Hitchcock <jHitchcock@cityofslt.us>; Karen Fink <kfink@trpa.org>; Eric Young <EYoung@washoecounty.us>; Mullin, Kelly <KMullin@washoecounty.us>

**Subject:** Short-Term Rental Neighborhood Compatibility Working Group

Dear Working Group Members,

The final Work Program and links to Local Jurisdiction Short-Term Rental Permit, Enforcement, and Educational information is now available on the Short-Term Rental Neighborhood Compatibility website: [www.trpa.org/short-term-rental-neighborhood-compatibility](http://www.trpa.org/short-term-rental-neighborhood-compatibility).

The first Working Group meeting is scheduled for July 17<sup>th</sup> at 1:00 p.m. at TRPA. The public is welcome to attend. We will be posting the meeting Agenda and Staff Report one week before the meeting on the website.

I appreciate everyone's participation in this effort.

Sincerely,

Brandy McMahon, AICP  
Local Government Coordinator  
Current Planning Division  
Tahoe Regional Planning Agency  
P.O. Box 5310, Stateline, NV 89449  
(775) 589-5274  
[bmcMahon@trpa.org](mailto:bmcMahon@trpa.org)



## Brandy McMahon

---

**From:** Wendy Wood <wendy@seattlegreenhomes.net>  
**Sent:** Tuesday, June 18, 2019 6:22 AM  
**To:** Dr. Tim Schroeder  
**Subject:** Emailing: Sample of Code Compliance  
**Attachments:** Sample of Code Compliance.pdf

Morning Tim,

The attached is a copy of today's code compliance violation from me. You can see by the letter written by Placer County Code Compliance, with an illegible, signature that they are fully aware of the situation but place grey water draining into our aquafer that serves over 120 homes as not really urgent so the polluting large RV is still hooked up and draining. And the cabin rented to over 15+ J1 visa workers at Sunnyside---and that cabin should be red tagged after the collapse of the large front deck due to too many renters this past winter and a too large hot tub the literally rolled down our street when the deck collapsed in March. Sunnyside was fully aware of the deck collapse before they moved in the J1 visa workers who party all night long--that is was young people do but not neighborhood compliant.

The only way to hold Placer County accountable for the problem STRs is to file code complaints. Many people are too busy, do not know how to do it, tired at the end of a long work day, do not want to seem like a complainer but that is how we got here; no enforcement by Placer Co. Many people are moving out of Tahoe because it is out of control re the STRs. Ripe for LLCs out of the Bay Area to buy and rent ad nausea to way too many renters, destroying once placid Tahoe neighborhoods.

Go to Placer County forms online, put complaint forms in the search criteria, complete the form online, it only allows for about 200 words and take it to 775 North Tahoe Blvd, Placer Offices. Take in two copies, make sure you date stamp both, and retain one copy for your records. Jennifer Merchant, the Deputy CEO of Placer who is "in charge" of the STR situation frequently loses the complaint forms so be sure to keep a copy. She, for some strange reason, wants the STRs to remain, probably all about the \$\$\$\$ that Placer gets, over \$20M at our expense, TOT tax.

Wendy Wood  
wendy@seattlegreenhomes.net

p 530.559.2971  
f 530.581.2757  
w seattlegreenhomes.net

12825 60th Lane South,  
Seattle, WA 98178

Your message is ready to be sent with the following file or link attachments:

Sample of Code Compliance

**Note:** To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

For official use only:

☐ ANIMAL CONTROL

11251 B Avenue Auburn, CA 95603  
(530) 886-5500 FAX (530) 889-5538

☐ ENVIRONMENTAL HEALTH

3091 County Center Dr., Ste. 180, Auburn, CA 95603  
(530) 745-2300 FAX (530) 745-2370

☐ ENGINEERING & SURVEYING

3091 County Center Dr., Ste. 120, Auburn, CA 95603  
(530) 745-7500 FAX (530) 745-7544

☐ BUILDING DIVISION

3091 County Center Dr., Ste. 160, Auburn, CA 95603  
(530) 745-3010 FAX (530) 745-3058

☐ CODE COMPLIANCE

3091 County Center Dr., Ste. 160 Auburn, CA 95603  
(530) 745-3050 FAX (530) 745-3059



## PLACER COUNTY COMPLAINT FORM

Your Name: Wendy Wood

Telephone: 530 559 2971

eMail: wendylwood@earthlink.net

Mailing Address: P.O. Box 477 Homewood CA 96141  
Street Address City State Zip Code

Your Signature: \_\_\_\_\_ Date: June 17, 2019

**NOTE: Due to legal requirements, only written and signed complaints can be investigated. Complaints will remain confidential unless legal action is taken that may require the complainant to be specifically identified.**

This report will assist the County Departments in investigating your complaint. Complete and accurate information with photographs and/or additional documentation will assist in expediting this review. **Complaints regarding activities/uses involving potential health or safety hazards will be given priority. All other complaints will be investigated in sequential order as they are received.**

Type of Complaint: Second notice for RV with four humans living in it with hose attached for water delivery and the grey water hose open

allow for disposal of the dirty grey water to drain down the hill above us. I received a code letter saying you are  
handling it but the RV is still there. The LLC managing member, Mark Kackley knows the RV is illegal but also knows  
that enforcement in Placer County is very weak. Pls move this RV, the aquafer that runs under our house supplies  
public water, Tahoe Park Water Co, to over 120 properties. The grey water drains into the aquafer.

(Additional information and/or a directional map may be included on the back of this form.)

Address or APN of Violation: 3010 Electric St

Dog(s) on property? ☐ Yes ☒ No

Property Owner: Alamo Investments LLC Telephone: not known

Address: \_\_\_\_\_  
Street Address City State Zip Code

Tenant: 15+ J1 visa workers

Telephone: \_\_\_\_\_

Address: 3010 Electric st. Tahoe City CA 96141  
Street Address State Zip Code

PORTIONS OF THIS FORM MAY BE A PUBLIC RECORD



## Code Compliance

### Acknowledgement of Complaint



Case # CE19-00198

6/6/2019

Placer County Code Compliance Services acknowledges that we have received your submitted complaint and have reviewed the information. Case # CE19-00198 has been processed and action to correct any violation of County code will be initiated based on a priority system determined by level of safety to public health, property and welfare.

If you have any questions, please contact our staff by e-mail at [codecomp@placer.ca.gov](mailto:codecomp@placer.ca.gov) or by phone at (530) 745-3050. Please reference the case number when contacting our office. Please be aware that Code Compliance staff is unable to discuss the case specifics during an active investigation.

Thank You,

Placer County Code Compliance

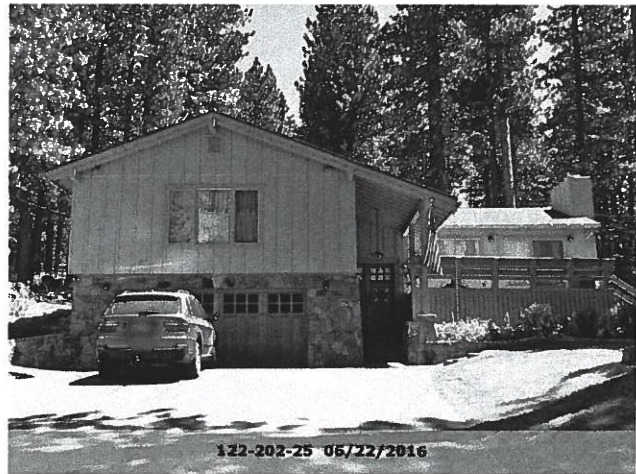
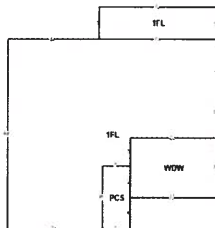
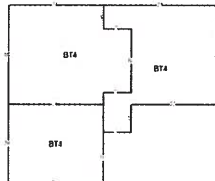
Code Compliance

3091 County Center Drive, Auburn, CA 95603 • 775 N Lake Blvd, Tahoe City, CA 96145

(530) 745-3050 office • (530) 745-3059 fax • [placer.ca.gov](http://placer.ca.gov)

Home » Assessor » Real Property Assessment Data

WASHOE COUNTY ASSESSOR PROPERTY DATA				07/08/2019				
APN: 122-202-25 Card 1 of 1								
<b>Owner Information &amp; Legal Description</b>				<b>Building Information</b>				
Situs 720 JOYCE LN, WASHOE COUNTY 89451				Quality R40 Good	Bldg Type Sgl Fam Res			
Owner 1 JOHNSON LIVING TRUST, BRIAN L & KAREN I				Stories SINGLE STORY	Square Feet 2,190			
Mail Address PO BOX 5863				Year Built 1964	Square Feet does not include Basement or Garage Conversion Area.			
INCLINE VILLAGE NV 89450				W.A.Y. 1978	Finished Bsmt 662			
Owner 2 or Trustee JOHNSON TRUSTEE, BRIAN L & KAREN I				Bedrooms 3	Unfin Bsmt 1,192			
Rec Doc No 2962429	Rec Date 12/04/2003		Full Baths 3	Bsmt Type DAYLIGHT				
Prior Owner JOHNSON, BRIAN L & KAREN I				Half Baths 0	Gar Conv Sq Foot 0			
Prior Doc 2778645				Fixtures 16	Total Gar Area 0			
Keyline Desc LAKEVIEW LT 8 BLK C				Fireplaces 1	Gar Type			
Subdivision LAKEVIEW SUBDIVISION				Heat Type BB HOT WATER	Det Garage 0			
Lot: 8	Block: G	Sub Map#	Sec Heat Type	Bsmt Gar Door 2				
Record of Survey Map:		Parcel Map#	Ext Walls SIDING/FR	Sub Floor WOOD				
Section: Township: 16 Range: 18		SPC	Sec Ext Walls STN VEN/FR	Frame FRAME				
Tax Dist 5200	Add'l Tax Info	Prior APN	Roof Cover COMP SHINGLE	Construction Mod 0				
Tax Cap Status Low Cap Qualified Primary Residence				Obso/Bldg Adj 0	Units/Bldg 1			
				% Complete 100 %	Units/Parcel 1			
<b>Land Information</b>								
Land Use 200	Zoning MDS	Sewer Municipal	NBC TAOD					
Size 19,210 SqFt or ~ 0.441 Acre	Water Muni	Street Paved	NBC Map	NBC Map Index				
<b>Valuation Information</b>			<b>Sales/Transfer Information/Recorded Document</b>					
Valuation History	2018/19 FV	2019/20 VN	V-Code	DOR	Doc Date	Value/Sale Price	Grantor	Grantee
Taxable Land Value	720,000	720,000	3NTT	200	12-04-2003	0	JOHNSON, BRIAN L & KAREN I	JOHNSON LIVING TRUST, BRIAN L & KAREN I
Taxable Improvement Value	183,890	185,715	2D	200	12-18-2002	800,000	SMITH, HOWARD & LOUISE	JOHNSON, BRIAN L & KAREN I
Taxable Total	903,890	905,715			03-16-1994	0		SMITH, HOWARD & LOUISE
Assessed Land Value	252,000	252,000						
Assessed Improvement Value	64,362	65,000						
Total Assessed	316,362	317,000						
The 2019/2020 values are preliminary values and subject to change.								
<b>Building #1 Sketch</b>				<b>Property Photo</b>				



All parcel data on this page is for use by the Washoe County Assessor for assessment purposes only. Zoning information should be verified with the appropriate planning agency. Summary data may not be a complete representation of the parcel. All Parcels are reappraised each year. This is a true and accurate copy of the records of the Washoe County Assessor's Office as of 07/07/2019. **NOTE:** The 2019/2020 values are preliminary values and subject to change.



## Brandy McMahon

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**From:** Wendy Wood <wendy@seattlegreenhomes.net>  
**Sent:** Friday, June 21, 2019 9:58 AM  
**To:** Brandy McMahon; Lisa Burlison; Teri Ivaldi  
**Subject:** FW: Follow up on my voicemail--from Ulrik Benzer, Host Compliance

Below is an email from Ulrik Benzer re Host Compliances' capability to provide services that Placer desperately needs. It is a simple equation, put the processes in place and hire 5-6 real enforcement officers to respond to the HC hot line and issue complaint tickets with penalties and provide enforcement, real enforcement, do not depend on local law enforcement. This will work and the \$\$\$ is available through annual STR certs, penalties, etc. so Placer TOT can still be retained in full. We understand that is very important to Doug Jastrow.

W

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**From:** Ulrik Binzer <binzer@hostcompliance.com>  
**Sent:** Friday, March 29, 2019 12:49 PM  
**To:** Wendy Wood <wendy@seattlegreenhomes.net>  
**Cc:** Stacy Pobatschnig <customer.success@hostcompliance.com>; Paul Hetherington <paulh@hostcompliance.com>; Doug Jastrow <dwjastro@placer.ca.gov>  
**Subject:** Follow up on my voicemail

Wendy,

Nice to meet you via email. My name is Ulrik Binzer and I am the CEO and Founder of Host Compliance. Stacy mentioned you had some concerns about the County's approach to short-term rentals, and I therefore just left you a long voicemail. Please take a moment to listen to it when you get a chance and then feel free to call me on my cell anytime.

As stated in my voicemail, our role is not to dictate policy but rather to give the County the tools they need to enforce whatever rules the Board of Supervisor enact. At this moment the County has taken a clear stance that it wants us to help with enforcing its Transient Occupancy regulations. If you think it would be beneficial for the County to change that policy and also instruct us to focus on the other impacts of short-term rentals, we can definitely do so if/when instructed by County staff. That said it is not our prerogative to set policy and instead leave that to the County's elected officials and staff.

In case you would like the county to take a more proactive approach to regulating short-term rentals I therefore suggest you reach out to your elected officials and voice your concerns. It is their job to set policy and we would be happy to help them and staff enact whatever policies they determine to be in the best interest of the community at large.

Best regards,

**Ulrik Binzer**  
Founder & CEO

P (415) 715-9280 M (857) 928-0955  
A 1037 NE 65th St #81158, Seattle, WA 98115

\_\_\_\_\_



## Brandy McMahon

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**From:** Wendy Wood <wendy@seattlegreenhomes.net>  
**Sent:** Tuesday, June 25, 2019 2:05 PM  
**To:** Michele Serda; Jennifer Merchant  
**Subject:** Emailing: Placer County Complaint, no. 6  
**Attachments:** Placer County Complaint, no. 6.pdf

Jennifer and Michele,

I will drop the attached off today. I called Environmental Health and they recommended that we report through you as this is the sixth in a series of issues re the same location. Law Enforcement is still too busy....they do need some help in the form of problem STR compliance officers, just like the other municipalities around Placer. Recommend that occur very soon, strong enforcement, rules, regs, penalties is the only way to reach equilibrium re STRs. Or we could create a referendum in the form of voting out STRs all together as S. Tahoe did. That would be extreme but if you all do not pay attention that is exactly what will happen as most of the problem STR owners do not live here.

Several employers around Tahoe are purchasing and renovating appropriate housing for their J1 visa workers. 3010 Electric St is not neighborhood compliant when 15+ visa workers land there when there are only 3 bdrs and 3 baths, 1800 sq. ft with a deck that collapsed due to too much weight in the form of too many renters this past winter and a large hot tub. It is a 1954 summer cabin after all, never had full winter access, no commercial snow removal and no TTSD service. It is in no way appropriate as a free for all rental, way too much burden on the neighborhood.

Wendy Wood  
wendy@seattlegreenhomes.net

p 530.559.2971  
f 530.581.2757  
w seattlegreenhomes.net

12825 60th Lane South,  
Seattle, WA 98178

Your message is ready to be sent with the following file or link attachments:

Placer County Complaint, no. 6

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



For official use only:

☐ ANIMAL CONTROL

11251 B Avenue, Auburn, CA 95603  
(530) 886-5500 FAX (530) 889-5538

☐ ENVIRONMENTAL HEALTH

3091 County Center Dr., Ste. 180, Auburn, CA 95603  
(530) 745-2300 FAX (530) 745-2370

☐ ENGINEERING & SURVEYING

3091 County Center Dr., Ste. 120, Auburn, CA 95603  
(530) 745-7500 FAX (530) 745-7544

☐ BUILDING DIVISION

3091 County Center Dr., Ste. 160, Auburn, CA 95603  
(530) 745-3010 FAX (530) 745-3058

☐ CODE COMPLIANCE

3091 County Center Dr., Ste. 160, Auburn, CA 95603  
(530) 745-3050 FAX (530) 745-3059



## PLACER COUNTY COMPLAINT FORM

Your Name: Wendy Wood

Telephone: 530-559-2971

Email: wendy@seattlegreenhomes.net

Mailing Address: 3015 West Lake Blvd Homewood, CA 96141

Street Address

City

State

Zip Code

Your Signature: 

Date: 6/24/2019

**CONFIDENTIALITY NOTE:** Only written and signed complaints can be investigated. The County's practice is to redact the complainant's name, contact information, and signature set forth above before releasing this form in response to a Public Records Act (PRA) request. However, the remainder of this form may be made available to the public in accordance with the PRA. Moreover, if legal action is subsequently taken, it may become necessary for the County to specifically identify the complainant.

This report will assist the County Departments in investigating your complaint. Complete and accurate information with photographs and/or additional documentation will assist in expediting this review. Complaints regarding activities/uses involving potential health or safety hazards will be given priority. All other complaints will be investigated in sequential order as they are received.

Type of Complaint: Pls see attached narrative. This space is far too short to describe everything.

(Additional information and/or a directional map may be included on the back of this form or as an attachment. All such information will be treated as a public record and released in non-redacted form.)

Address or APN of Violation: 3010 Electric St

Dog(s) on property? ☐ Yes ☒ No

Property Owner: Alamo Investments, LLC

Telephone: \_\_\_\_\_

Address: Mark Kackley, managing member

Street Address

City

State

Zip Code

Tenant: Sunnyside J1 visa workers

Telephone: \_\_\_\_\_

Address: \_\_\_\_\_

Street Address

State

Zip Code

**THIS FORM IS A PUBLIC RECORD. (See confidentiality note above.)**

June 24, 2017

To Michele and Jennifer,

RE 3010-3030 Electric St, Homewood, CA 9614. Alamo Investments, LLC, Mark Kackley, managing member.

Attached is one copy of the continuing code complaints with photos and emails.

**Continuing noise complaints:** We have attempted to contact Alison Perero at 530-217-8502 however her VM is always full, officer assigned to STR problems. The attached email from Dr. Tim Schroeder (Talmont area) details multiple attempts to reach law enforcement however his calls are ignored as ours are. This is why Placer Co needs 4-5 permanent, 24/7, code enforcement officers with the ability to cite out of control STRs and not clog up the current system. Every other municipality around Placer County does have rules, regs, enforcement and penalties for problem STRs. TRPA does recognize the issue and is working toward ordinances that will force Placer to step up.

**Continuing trash complaints.** There are currently 15+ J1 visa workers from Sunnyside Resort who live in 3010 Electric St. Last week, a trash can was left out and the bears got to it. They also used the lower bins in our bear boxes as one can service is not enough for 3010 Electric St according to TTSD. See photos. The last photo is of one of Mark's renters stranded at the bottom of Upper Hill St. as it is nearly impossible to ascend Upper Hill St in the winter. Every 3-5 days, 16+ renters attempted to reach 3010 Electric St and they inevitably they stopped at our driveway to attempt, for hours, to put on chains, yelling, urinating after a long drive and upset. They tried coming to our home for help but we finally put a sign out to have them call Mark. There is no way TTSD will provide trash service 3010-30 Electric St in the winter, any winter, too steep. There is no commercial snow removal to 3010-30 Electric St, ever.

**Large RV on property for 6 weeks** We did file a code complaint re a large RV that Mark installed adjacent to the 3010 property that was using water, a hose was fed to the RV, and the grey water drainage went straight down the hill. No idea what they did with the black water. This grey water drained directly into the aquifer for the Skyland Nielson water system where 120 homes draw their water. The RV departed last Tuesday morning, there for 6 weeks.

**Communications with Sunnyside** Attached are communications with Sunnyside re the condition of the cabin. Danielle, the Human Resources person stated in a return email that they would not get into "this mess". Unfortunately, there are quite a few J1 visa workers for Sunnyside who are living in 3 bdr, 3 baths, 1800 sq. ft cabin, \$350 per bed potentially 6 to a room so I guess they decided to jump into "this mess". Sunnyside gets cheap labor; Mark gets a nice income and we get to be onsite managers for the mess 24/7. Our property taxes for both 3005-3015 are over \$60K per year. We would just like peaceful enjoyment of our homes that we built 10 years ago. Several other large employers in the area, like Northstar, have bought neighborhood compliant accommodations for their J1 visa workers. Northstar has at least 23 studio units, just remodeled in Kings Beach to accommodate their J1s. It is untenable with the current problem STR situation for Sunnyside to drop down in a neighborhood and expect everyone to deal with the issues that too many young people without supervisor bring. We literally

have anxiety when we go to bed that at about midnight, a loud group will wake us up doing what kids do walking up a hill to the old cabin they rent. I do not get the feeling from Sunnyside that what we think, feel or experience is a real priority for them. Summer is their money-making season and they need help. Mark likes \$\$\$, it is not his second home, his investors are in that cabin for the \$\$ and do not care at all about the "mess" they cause.

Wendy Wood

**Wendy Wood**

---

**Subject:**

FW: 3010 Electric Street--

**From:** Michele Serda <[MSerda@placer.ca.gov](mailto:MSerda@placer.ca.gov)>  
**Sent:** Thursday, June 20, 2019 10:40 AM  
**To:** [wendylwood@earthlink.net](mailto:wendylwood@earthlink.net)  
**Cc:** Ryan Zender <[RZender@placer.ca.gov](mailto:RZender@placer.ca.gov)>  
**Subject:** 3010 Electric Street

Good morning Ms. Wood,

I'm writing to let you know I received your most recent complaints regarding noise, trash, the RV, and the collapsed deck.

The trash complaint was referred to Environmental Health, as they regulate trash and solid waste disposal. You may also submit complaints about trash directly to them. Code Compliance does not regulate trash. This complaint is unfounded with Code Compliance.

The complaint about noise should be reported directly to the Sheriff's Office, while it is occurring. This complaint is unfounded with Code Compliance.

After receiving your complaints this Tuesday morning, I went to the property and conducted a site inspection. The RV had been removed from the property. This complaint has been resolved with Code Compliance.

The complaint regarding the collapsed deck has been referred to the Building Department. The property owner is working with the Building Department and has since acquired a demo permit for the removal of the deck.

Thank you,

**Michele Serda**  
Code Compliance Officer  
CDRA | Code Compliance  
(530)581-6223 | [placer.ca.gov](mailto:mserda@placer.ca.gov)



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## Wendy Wood

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**From:** Danielle Kenny <danielle@sunnysideresort.com>  
**Sent:** Tuesday, June 4, 2019 7:45 AM  
**To:** Wendy Wood  
**Subject:** RE: Collapsed deck at problem STR on Upper Hill St, liability flows to Placer County--too many renters, too large a hot tub--all collapsed down the hill see photos, click on each one for full disclosure

Good Morning Wendy,  
Sunnyside thanks you for alerting us to this issue. We are taking this very seriously and will be sure our employees are safe and not entangled in this mess.



**DANIELLE KENNY**  
*Human Resources Assistant*  
**Sunnyside Restaurant & Lodge**  
**530.583.7200** | sunnysideresort.com  
1850 West Lake Blvd. | Tahoe City, CA 96145

**From:** Wendy Wood <wendy@seattlegreenhomes.net>  
**Sent:** Tuesday, June 04, 2019 7:33 AM  
**To:** Danielle Kenny <danielle@sunnysideresort.com>  
**Subject:** FW: Collapsed deck at problem STR on Upper Hill St, liability flows to Placer County--too many renters, too large a hot tub--all collapsed down the hill see photos, click on each one for full disclosure  
**Importance:** High

Good morning Danielle,

We did speak yesterday re the massive deck collapse at 3010 Electric St, photos attached. Pls see below email to Mark Kackley, the managing member of the LLC that holds title to the property. Pls also look at all the photos as you will see one that indicates where a bear box should go but never has. That means no garbage service, Mark's renters have been using our bear boxes since Dec. 25, 2018 for trash. TTDS could never make it up Upper Hill St in the winter, never have, never will. That was 16+ renters every 3-5 days, all hours of the night, they came to our door for help.

I will next forward you a copy of the deed that one of our neighbors found that shows Clayton and Liza Wallace as other LLC members, they are the \$\$\$ behind the venture. One neighbor, who talked with the insurance adjuster, found Clayton's cell phone online and talked with him, 925-819-1952, 925-858-6616 and Clayton said he did not know the cabin was being rented. The insurance coverage is for a second home only, commercial insurance is much more expensive. Clayton also did not know that Mark had rented the cabin to anyone from Sunnyside. Certainly not 12-15 J1 visa holders. He was very upset, according to my neighbor. Give him a call.

There are several of us who intend to post the above photos on social media—I am not great at this—because problem STRs are destroying Lake Tahoe. It would be a real shame if Sunnyside would partner with someone like Mark and put your workers at risk in a cabin like 3010 Electric St. Keep in mind, there is no insurance if someone gets hurt, it will be all on Sunnyside.

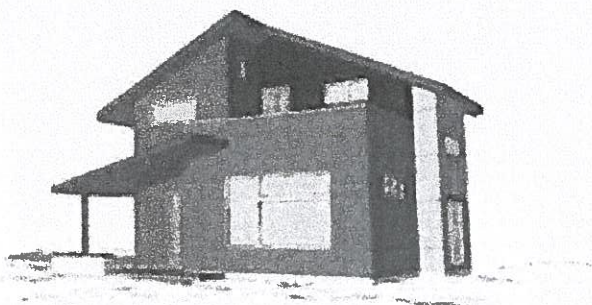
Hope either one of the numbers I gave you work out for other renter possibilities. While I understand that Sunnyside is desperate for housing, it must be safe and reasonable housing.

Best,

Wendy Wood  
[wendy@seattlegreenhomes.net](mailto:wendy@seattlegreenhomes.net)

p 530.559.2971  
f 530.581.2757  
w [seattlegreenhomes.net](http://seattlegreenhomes.net)

12825 60th Lane South,  
Seattle, WA 98178



Seattle Green Homes

**From:** Wendy Wood

**Sent:** Sunday, June 2, 2019 10:44 AM

**To:** Mark Kackley <[markkackley@yahoo.com](mailto:markkackley@yahoo.com)>

**Subject:** Collapsed deck at problem STR on Upper Hill St, liability flows to Placer County--too many renters, too large a hot tub--all collapsed down the hill see photos, click on each one for full disclosure

**Importance:** High

The attached photos say it all.

We did wonder why we had so much water flowing down from Upper Hill St for about two weeks; too much for general snow melt....large leak from massive hot tub collapse and water pipe break. Hope one of the many parties on the deck and the large amount of renters were not the ultimate cause and that no one was hurt.

We did warn Mark Kackley, the managing member of Alamo Investments, LLC, a CA limited liability company, managing member, purveyor of over loaded low budget hotels on the West Shore of Lake Tahoe in the form of old summer cabins that the 10-15 person hot tub he installed on the old 1954 deck of 3010 Electric St would not hold, especially with as many renters as he advertised for on Airbnb.

We have been also warning Placer County Code enforcement, in the negligent form of Jennifer Merchant, Deputy CEO of Placer, in charge of STRs and Michele Serda, Code Enforcement that there has been no trash service—and still is none—to 3010 Electric St. A cabin that accommodated 16+ renters since Dec. 25, 2018, every 3-5 days. There are now people living at 3020 Electric St, who have installed a very large trailer with free flowing grey water disposal and a hose providing water to the trailer, no idea how they dump their black water but use your imagination re that property. No trash service either.

So, Mark, I assume the LLC is a single entity and that your liability is not much so if there was anyone hurt, go ahead and let them sue Placer County for allowing your low budget hotel, which is entirely out of TRPA Neighborhood Code Compliance, to operate. You do pay TOT so Placer is liable as they took the \$\$\$.

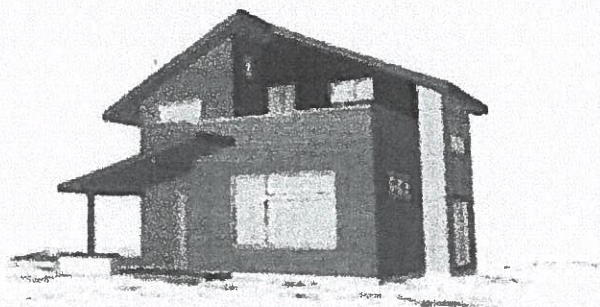
This is one of the reasons insurance rates are skyrocketing around Lake Tahoe, the damages such as the what is pictured in the attachments cause us all to pay. And the fire danger with the dry, old wood that is not cleared could be a fire hazard next.

Wake up Placer County, get some occupancy, behavior rules and regs in place with enforcement as problem STRs like this one are everywhere and growing. This is negligence pure and simple. Red Tag anyone????

Wendy Wood  
[wendy@seattlegreenhomes.net](mailto:wendy@seattlegreenhomes.net)

p 530.559.2971  
f 530.581.2757  
w [seattlegreenhomes.net](http://seattlegreenhomes.net)

12825 60th Lane South,  
Seattle, WA 98178



Seattle Green Homes

## Wendy Wood

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**From:** Jeff Oxandaboure <ox@sunnysideresort.com>  
**Sent:** Tuesday, June 18, 2019 11:45 AM  
**To:** Wendy Wood  
**Cc:** Josh Morgan; Jackie Reed  
**Subject:** J1 RENTERS IN YOUR NEIGHBORHOOD

HI WENDY,

LET ME FIRST SAY THAT I'M SORRY J1 RENTERS IN YOUR NEIGHBORHOOD ARE CAUSING PROBLEMS. HOUSING FOR OUR LAKE TAHOE WORK FORCE IS DEFINITELY A HUGE PROBLEM AND IS NOT GETTING BETTER ANY TIME SOON. WE HAVE SPOKEN TO ALL EMPLOYEES AT ORIENTATION RE: RESPECT FOR OUR COMMUNITY AND OUR BEAUTIFUL LAKE. AFTER THE ISSUES THAT YOU HAVE BROUGHT TO LIGHT, ANOTHER MEETING IS SCHEDULED FOR THIS WEEK FOR ALL OF OUR EMPLOYEES WHERE WE WILL DISCUSS THESE ISSUES WITH ALL 250 OF THEM. I HAVE RENTALS ON BOTH SIDES AND BELOW MY HOME AND HAVE ALSO OCCASIONALLY BECOME IRRITATED WITH RENTER BEHAVIOR.

I'D LIKE TO EXPLAIN HOW THE J1 PROGRAM WORKS FOR US AT SUNNYSIDE, IF I MAY. IN THE PAST 10 YEARS, THE WORK FORCE HAS DECREASED DRAMATICALLY IN NORTH LAKE TAHOE, BUT OUR SUMMER BUSINESS HAS NOT. WE EXPAND FROM 70 EMPLOYEES TO 250 EVERY SUMMER WHICH IS QUITE AN ACCOMPLISHMENT. DANIELLE HAS DEVELOPED A STRONG RELATIONSHIP WITH CCUSA IN SAN FRANCISCO, WHERE SHE INTERVIEWS, VIA SKYPE, AND HIRES J1S FOR THE SUMMER MONTHS, WHO WE RELY HEAVILY UPON. A CONTRACT IS SIGNED BY BOTH PARTIES AND NOWHERE IN THE CONTRACT ARE WE REQUIRED TO PROVIDE HOUSING, AND WE DO NOT. WE MIGHT STEER THEM IN THE RIGHT DIRECTION OR PROVIDE A CONTACT #, BUT HOUSING IS ON THEM. ALL 50 OF THEM. SO WENDY, OUR PLAN IS TO KEEP A DIALOGUE GOING WITH THE 12 J1S IN YOUR NEIGHBORHOOD AS TO HOW THEY CAN IMPROVE AS NEIGHBORS AND TO OFFER OUR TRASH COMPACTOR FOR ANY GARBAGE THAT DOESN'T FIT IN THEIR BEAR BOX.

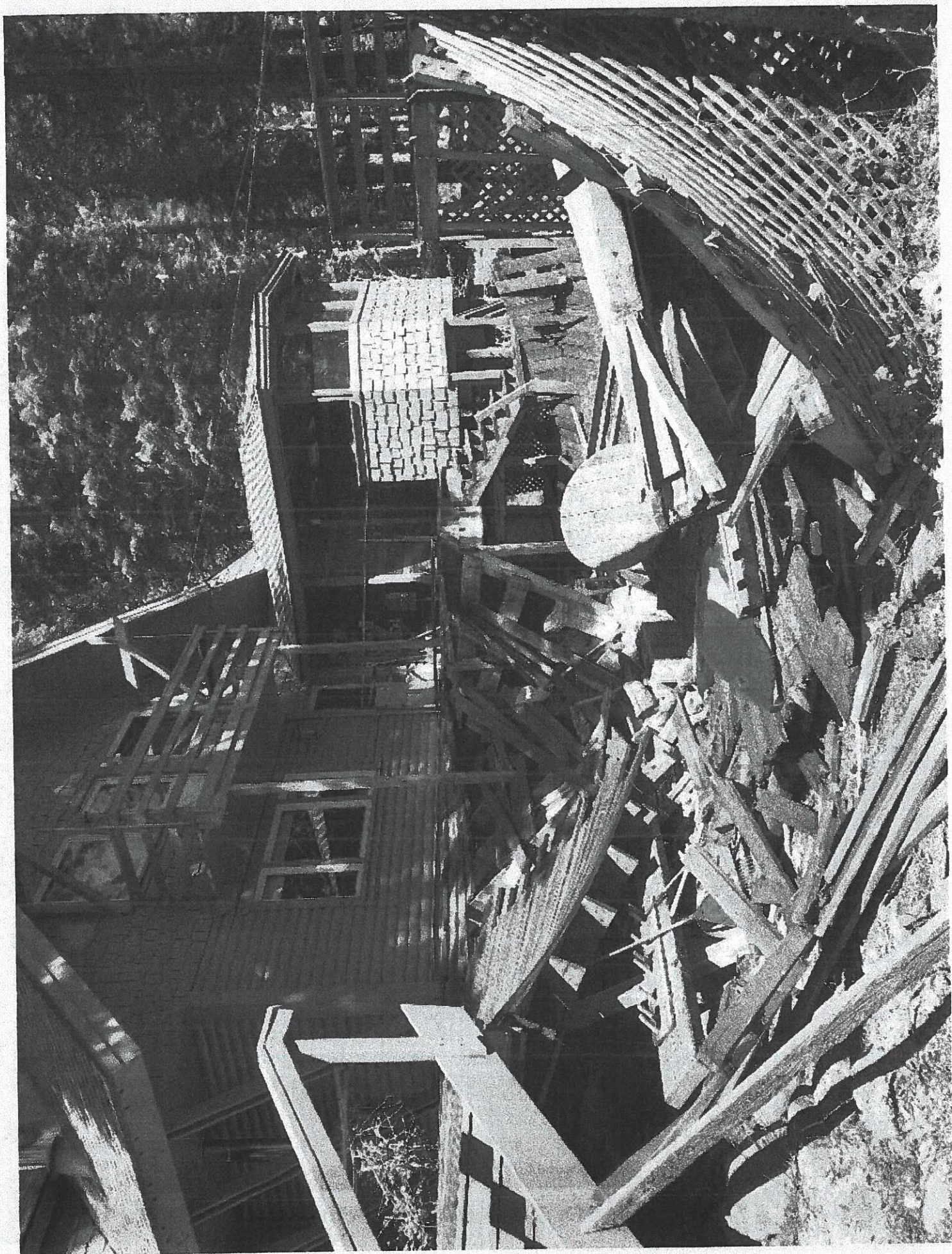
SORRY ABOUT THE INCONVENIENCE,

OX

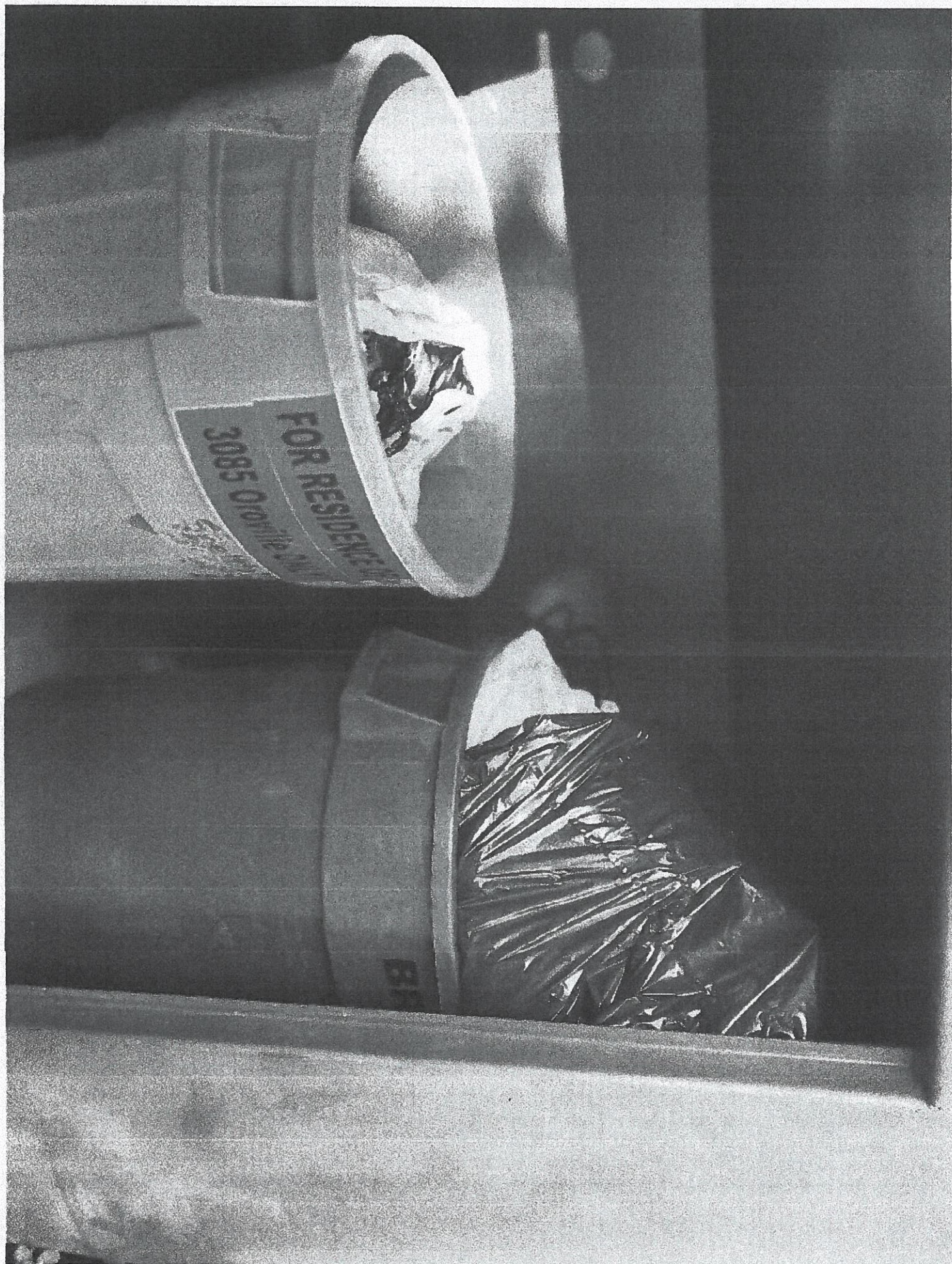
PS: I WASN'T AVOIDING YOU



**JEFF "OX" OXANDABOURE**  
*Senior Manager/Partner*  
**Sunnyside Restaurant & Lodge**  
**530.583.7200 | sunnysideresort.com**  
1850 West Lake Blvd. | Tahoe City, CA 96145







## Wendy Wood

---

**From:** Diana Turnbloom <dianat@turnbloom.com>  
**Sent:** Saturday, June 22, 2019 9:26 AM  
**To:** Wendy Wood  
**Subject:** FW: [Talmont] Summer STR parties

Here we go again-



*Diana Turnbloom*

Office Administrator  
Turnbloom & Associates, Inc.  
925.305.9625  
dianat@turnbloom.com  
[Turnbloom.com](http://Turnbloom.com)

**From:** Diana Turnbloom  
**Sent:** Saturday, June 22, 2019 9:25 AM  
**To:** talmont@googlegroups.com  
**Subject:** RE: [Talmont] Summer STR parties

This is so frustrating- The new owner promised he was going to rent to "friends and family" only. Guess he lied to us. Here we go again. This is why we absolutely need STR policy. Please help by emailing your support to [dianat@turnbloom.com](mailto:dianat@turnbloom.com)

Also when you have a complaint, DO call the sheriff or fire department, but it's very important to file a code complaint as well and keep a copy. This ensures we have documentation. Placer county, the sheriff and police have inferred that they "rarely" receive complaints.

*Diana Turnbloom*

**From:** [talmont@googlegroups.com](mailto:talmont@googlegroups.com) [<mailto:talmont@googlegroups.com>] **On Behalf Of** Tim Schroeder  
**Sent:** Saturday, June 22, 2019 9:03 AM  
**To:** Talmont / Twin Peaks of Tahoe <[talmont@googlegroups.com](mailto:talmont@googlegroups.com)>  
**Subject:** [Talmont] Summer STR parties

It is so unfortunate that our neighborhood is once again under the onslaught of summer party crowds at unregulated, unmanaged STRs. When the sheriff arrived at 135 Talmont Circle at about 10:45 pm last night the six car loads of renters were still in the Hot Tub on the deck whooping it up. I encourage any home owners, both full time and part time to stand up for our neighborhood and attempt to protect the mountain lifestyle. Call dispatch at the sheriff office when your peace is disturbed and file

**a Code Compliance Complaint.** The Sheriff department's code compliance officer never answers her phone, never calls back and her voice mail is always full. Placer County is conveniently ignoring a growing problem in favor of misdirecting TOT income. The Sheriff appears to have buried or trashed many complaints over the last 2-5 years, they say they have nothing.

If someone has an issue with STRs causing neighborhood nuisance, tell them to go to Placer County complaint forms online, take 2 minutes to write the complaint, print what was written out, drop one copy at the Placer office in Tahoe City, get both copies date stamped, keep one copy as Placer County has been "losing" them. It would be great if we can get a handle on this situation in a civil way and approach it as a mutual benefit for all involved. I do know that many locals are considering a ballot measure to strongly regulate and perhaps ban STRs in our area. This would be unfortunate but perhaps necessary. I believe that a well worded measure would pass. Remember that anyone voting in our area must prove that they live here over 6 months of the year. Anyone registered to vote in an area that does not live over 6 months of the year there is committing fraud. So locals annoyed by lack of action will likely stand up against Placer County unless Placer County acts proactively to protect against Neighborhood Nuisance.

I do appreciate everyone in our neighborhood that rents responsibly and wish them the best as they enjoy Tahoe for the gifts that it provides. I encourage renters that want to party all night to schedule their vacations in Cabo San Lucas or Las Vegas. I am at a loss to explain why people come to Tahoe just to party but renting to 6 carloads of young adults seems to have become a standard in Talmont. Whatever happened to taking a hike, riding a bike, sitting quietly on a deck enjoying the weather or just appreciating the beautiful Sierras?

Real estate agents tell me that property values will go down with a strong regulation against STR neighborhood nuisance. But when I ask them if a home owner located next to a known Air BnB/VRBO party house would have to disclose the nuisance to a prospective buyer, they tell me that indeed the "problem" would have to be disclosed. How would that affect property values?

So let's see if we can get it together in our neighborhood and strongly encourage owners wishing to rent their property to follow the Good Neighbor policies that have been so thoughtfully crafted by concerned Talmont neighbors.

—

You received this message because you are subscribed to the Google Groups "Talmont / Twin Peaks of Tahoe" group.

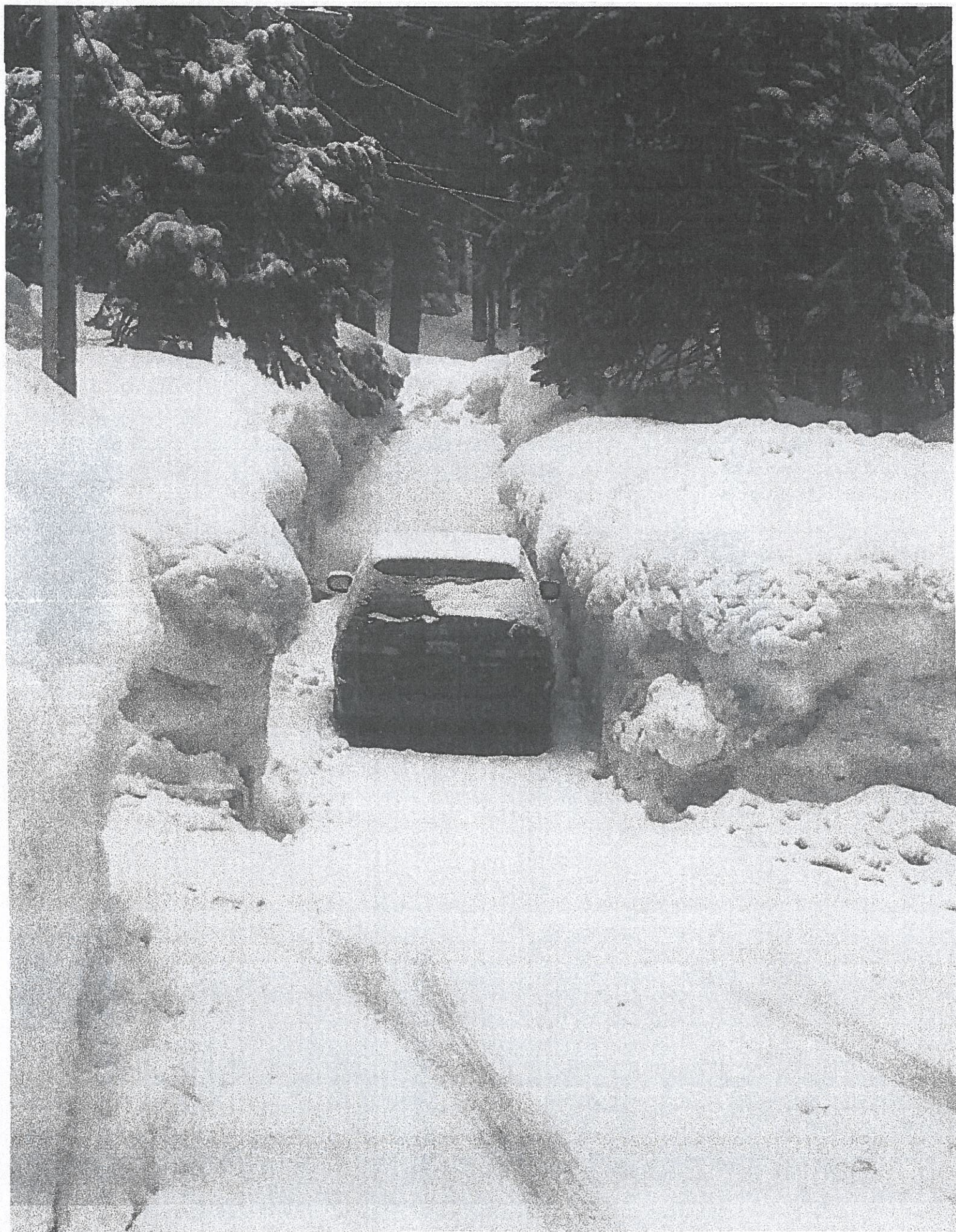
To unsubscribe from this group and stop receiving emails from it, send an email to [talmont+unsubscribe@googlegroups.com](mailto:talmont+unsubscribe@googlegroups.com).

To post to this group, send email to [talmont@googlegroups.com](mailto:talmont@googlegroups.com).

Visit this group at <https://groups.google.com/group/talmont>.

To view this discussion on the web visit <https://groups.google.com/d/msgid/talmont/951c9e4b-7b79-4a6e-a31f-7f62d688d53a%40googlegroups.com>.

For more options, visit <https://groups.google.com/d/optout>.



## Wendy Wood

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**From:** Wendy Wood  
**Sent:** Friday, June 21, 2019 8:04 AM  
**To:** Michele Serda; Gary Spohr  
**Cc:** Ryan Zender; Lisa Burlison; Teri Ivaldi  
**Subject:** RE: 3010 Electric Street--pls read the below email in its entirety

Good morning Michele,

Interesting email. I will be sure that Gary, my husband, takes a copy of this email when he meets with Cindy Gustafsen next Friday. Nice shuffle.

Let's be clear, we lowly and uninformed residents who pay over \$40K annually in property taxes are not clear on what department to register our complaints hence the reason you received our collection of issues. In fact, the Talmont HOA was surprised to learn of written code complaints, they have enormous problem STR issues too, they have repeatedly called the fire department and police—who call one of Mark Kackley's other old cabins that he sold to another LLC, that spread the bad virus thing—The Party House. Relentless stream of 16+ renters every 3-5 days, all year long. Trash, parking, all night parties, breaking into other neighbor's hot tubs, constant flow of renters to the Talmont HOA beach constantly, unsupervised renter dogs that shit everywhere....do you get the picture Michele and Ryan?

The current demeanor of Placer County to garner as much \$\$\$ from the TOT tax without enforcement of rules and regs/penalties is not going to last. TRPA, and we are on the new Neighborhood Compliance Group, is moving to reign in the reckless abandon as Lake Tahoe will not sustain the abuse long term. Shame on all of you for sticking your heads in the sand and ignoring the obvious.

We continue to have huge trash issues—where is the code complaint access for excessive trash at 3010 Electric St as 15+ J1 visa workers plus their new local boyfriends really do generate trash in cans outside the one bear box that Mark did finally install—and keep in mind that in the winter, TTSD cannot, repeat cannot, drive up Upper Hill St. Hence the reason Mark's renters dumped all their trash since last November in our bear boxes on Oroville St, overloading them and causing all kinds of problems. He had no trash service, and he will never be able to have trash service in the winter.

As for law enforcement at the time of the situation—that is a joke. Alison Prado who is very nice but has a voice mail that is always full will only, repeat only, come out if it is a raging party. What we have re us is the fact that at midnight, all the 15+ J1 visa workers from Sunnyside, walk up Upper Hill St yelling, laughing very loud and now that the girls have found local boyfriends, there are loud cars screaming up the hill at high speeds and when they descend, they screech to a spot at the bottom of the hill. We literally have a form of PTSD when we are woken at midnight and know it will continue...we have to go downstairs to our other bedroom to sleep. It happens every night and we do hear remote partying and Al Compton the renter of the 1 bdr over Mark's garage at 3030 is furious and may have already moved out as he cannot sleep at all for the constant noise.

While Mark makes \$350 per bed/month, 6 beds per room, 15+ Sunnyside J1s and Sunnyside has cheap labor, we have to be the onsite managers and are deprived of our right to peaceful enjoyment of our home for which we worked very hard to get. The abuse of the community and Tahoe must stop; reasonable STRs are fine, we have plenty of those around us too, owners who care about how their second home is occupied and how it impacts the neighborhood. Mark is a LLC and only cares about how much \$\$\$ he came make off his abusive biz model.

What is wrong with all of you who defend and support problem STRs like Mark. And Placer is the most negligent of all—enforcement of decent rules, regs must happen or we will form a referendum as S. Tahoe did and ban STRs entirely. There is enough anger in this community now to make that happen.

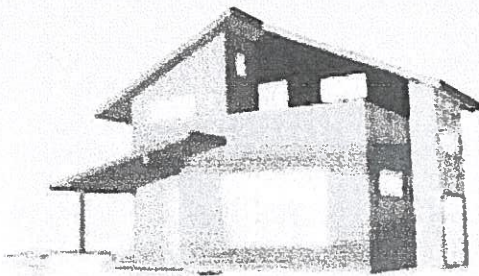
Wendy Wood

530.559.2971

530.581.2757

seattlegreenhomes.net

12825 60th Lane South,  
Seattle, WA 98178



SEATTLE GREEN HOMES

**From:** Michele Serda <MSerda@placer.ca.gov>

**Sent:** Thursday, June 20, 2019 10:40 AM

**To:** wendylwood@earthlink.net

**Cc:** Ryan Zender <RZender@placer.ca.gov>

**Subject:** 3010 Electric Street

Good morning Ms. Wood,

I'm writing to let you know I received your most recent complaints regarding noise, trash, the RV, and the collapsed deck.

The trash complaint was referred to Environmental Health, as they regulate trash and solid waste disposal. You may also submit complaints about trash directly to them. Code Compliance does not regulate trash. This complaint is unfounded with Code Compliance.

The complaint about noise should be reported directly to the Sheriff's Office, while it is occurring. This complaint is unfounded with Code Compliance.

After receiving your complaints this Tuesday morning, I went to the property and conducted a site inspection. The RV had been removed from the property. This complaint has been resolved with Code Compliance.

The complaint regarding the collapsed deck has been referred to the Building Department. The property owner is working with the Building Department and has since acquired a demo permit for the removal of the deck.

Thank you,

Michele Serda

County of Placer  
Department of Public Works  
Code Compliance



The County of Placer is an equal opportunity employer. Minorities and women are encouraged to apply. The County of Placer is an equal opportunity employer. Minorities and women are encouraged to apply.



## Brandy McMahon

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**From:** Wendy Wood <wendy@seattlegreenhomes.net>  
**Sent:** Wednesday, June 26, 2019 8:17 AM  
**To:** Brandy McMahon  
**Subject:** Emailing: WAKE UP TAHOE--full page ad in July Moonshine Ink  
**Attachments:** WAKE UP TAHOE.docx

The attached is the verbiage, yet to be typeset, by many of us, to be a full page ad in the July issue of Moonshine Ink, there are photos too. As most of you know, I did receive over 200 responses from local residents from my April Moonshine Ink Op-Ed re problem STRs and Placer County's lack of response to literally hundreds if not thousands of complaints that have become "lost" with code compliance and local law enforcement.

Although Placer County has reportedly 3,500 certified STRs, there are estimated to be as many as 5000 STRs in just Placer County, and collects over \$20M in TOT tax, there is little if any \$\$\$ spent on enforcement, rules, regs or any reigning in of negligent and abusive only for profit STRs that are cramming our neighborhoods and causing many of us to have anxiety attacks every few days when a new group of renters arrive to overloaded and not managed older cabins.

The literal greed of Placer County is either not understood by the powers that be or they fully understand and do not see that problem STRs are greatly impacting Lake Tahoe--to the negative. All of the issues mentioned in this full page ad are real and growing daily.

Fortunately, TRPA has recently formed a Neighborhood Compliance Group that is dedicated to enforce rules, regs, penalties, etc and they intend to see this group implement STR location, operations and enforcement requirements by the end of 2019. If a County does not comply and react, new building allotments will be impacted as that is TRPAs hammer.

S. Tahoe did vote to ban STRs entirely in the last election. That could happen in Placer County too as the people who vote here are the ones most impacted. We would prefer to see better management and dedicated code/ordinance enforcement as most STR owners do manage well and care for Lake Tahoe. Unfortunately the 20% who are in it just for the \$\$\$ ruin the experience for the rest of us.

Wendy Wood  
wendy@seattlegreenhomes.net

p 530.559.2971  
f 530.581.2757  
w seattlegreenhomes.net

12825 60th Lane South,  
Seattle, WA 98178

Your message is ready to be sent with the following file or link attachments:

WAKE UP TAHOE

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

## WAKE UP TAHOE!!!

Are problem short term rentals ruining your Tahoe lifestyle?

Problem short term rentals (STRs) affect us all and most of all the sustainability of Lake Tahoe long term.

Do you suffer from over loaded occupancy in small cabins, excess trash outside of bear boxes, loud all night parties, lots of extra vehicles parked all over your area, renters' pets using your property as a toilet, fire that could burn down your neighborhood started by renters who are clueless, damage to STRs that affect your insurance rates as most STRs buy only second homeowner policies, not commercial rental policies, traffic that makes you not want to leave your home, non-responsive local gov't agencies who do not have enforcement/penalties/rules/regs to control the escalating issues?

Placer County collects over \$20M in transit occupancy tax (TOT) from currently 3500 STRs, 5000 identified, most that ring the West and North Shores. None of that goes to enforcement to protect you. All the other municipalities around Placer have enacted ordinances to protect residents from problem STRs. S. Tahoe has banned them entirely by vote.

TRPA has just formed a Neighborhood Compliance Group to move forward enforcement by all 4 counties that ring the Lake. Funds can come from annual STR owner registration fees, penalties for abusive STR operators and finally, revocation of STR certification if the problem STR owner cannot control their renters.

Pls contact [SensibleTahoeSTR@gmail.com](mailto:SensibleTahoeSTR@gmail.com) or Cindy Gustafson, your newly appointed District 5 supervisor, at [cindygustafson@placer.ca.gov](mailto:cindygustafson@placer.ca.gov).



## Brandy McMahon

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**From:** Wendy Wood <wendy@seattlegreenhomes.net>  
**Sent:** Tuesday, June 25, 2019 8:32 PM  
**To:** Brandy McMahon  
**Subject:** RE: TRPA July 17 meeting

Tks. I never really know.

---

**From:** Brandy McMahon <bmcMahon@trpa.org>  
**Sent:** Tuesday, June 25, 2019 7:02 PM  
**To:** Wendy Wood <wendy@seattlegreenhomes.net>  
**Subject:** Re: TRPA July 17 meeting

Yes, a reporter can come. It is a public meeting.

Brandy

Get [Outlook for iOS](#)

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**From:** Wendy Wood <wendy@seattlegreenhomes.net>  
**Sent:** Tuesday, June 25, 2019 1:20:34 PM  
**To:** Brandy McMahon  
**Subject:** TRPA July 17 meeting

Hi Brandy,

Is it OK if a reporter from Moonshine Ink comes to the Neighborhood Compliance Group meeting on July 17 at 1:00 p.m. I think it would be helpful to get this very productive message out that TRPA is working hard on ordinances or whatever this is called to get the various counties to provide enforcement, penalties, rules, regs for problem STRs.

The last thing we want is to have to originate is a voter's referendum here on the North and West Shores of Tahoe like S. Tahoe did. However, if it comes down to that we will and we believe that voting residents are sick and tired of the constant strains that problem STRs that are only in the game for the \$\$\$\$ impose.

Pls let me know.

Best,

Wendy Wood  
[wendy@seattlegreenhomes.net](mailto:wendy@seattlegreenhomes.net)

p 530.559.2971  
f 530.581.2757  
w seattlegreenhomes.net

12825 60th Lane South,  
Seattle, WA 98178



Seattle Green Homes

## Brandy McMahon

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**From:** Wendy Wood <wendy@seattlegreenhomes.net>  
**Sent:** Friday, June 21, 2019 10:47 AM  
**To:** Diana Turnbloom  
**Subject:** FW: The truth is not slander

Having fun with Sunnyside and their righteous behavior. Never liked their food anyway. In the past, most people tolerated J1s but when problem STRs become constant J1s, therein lies the real problem.

---

**From:** Wendy Wood  
**Sent:** Thursday, June 20, 2019 8:38 PM  
**To:** Jackie Reed <jackie@tsrestaurants.com>  
**Cc:** Josh Morgan <josh@tsrestaurants.com>; Melanie Bailey <melanie@tsrestaurants.com>; Jeff Oxandaboure <ox@sunnysideresort.com>; Ken Wahlster <ken@tsrestaurants.com>  
**Subject:** The truth is not slander

What a nice threatening, aggressive and incorrect email. The truth is not slander and I never threatened lawsuits; is that your default knee jerk baseless go to line?? Pls send me any mention of lawsuit or involving lawyers. I do not need to threaten lawsuits, TRPA is finally initiating strong incentives to have each county get enforcement/penalties/rules/regs for problem STRs. What you are doing will stop, you should have planned for this a long time ago. Others like T&S are stepping up to find permanent J1 housing in KB.

We will file a formal Placer County Code Complaint on Tuesday when we are back in town. I will scan and send you a date stamped copy. It will contain photos, details of the noise disturbances, Ox's email and my first email to Danielle. We have been nothing but reasonable since the moment we learned of the J1's residency. I warned Danielle and she said that Mark stated the deck would be finished but obviously there are issues. You went ahead anyway and loaded that cabin up. Your poor planning became our emergency and nightly disturbance.

There are other groups like T&S that are buying older hotels or MF units in Kings Beach for their J1 visa workers. Northstar just completed a remodel on 26 units, all studios. No idea how many kids they put in each unit but that is a neighborhood compatible solution. Dropping your 15+ renters into a 3 bdr, 3 bath old cabin with a collapsed deck is just plain stupid. I wish I could record the noise your kids generate and now the girls have developed local boyfriends with loud old cars that they like to race up Upper Hill St or skid out at the bottom of Lower Hill St. It makes no difference if you lecture these kids daily, they will do what they want at the end of their shift.

What gives you the right to think that you are special and we should somehow deal with the increasing noise, garbage, etc created by your workers. You get cheap labor, Mark's boasts about how much money he is making off Sunnyside and we are stuck as onsite managers and greeters---in our 2 homes for which we pay over \$60K in property taxes annually. Do you see something wrong with this picture?

You and your group are audacious at best. Put yourselves in our shoes and think about how it would work for you. Others rent around us but the difference is that they are real second homeowners and have strict rules and regs and they respect the other neighbors---you do not and Mark is only in the rental biz for the \$\$\$, completely abusive.

Wendy Wood  
[wendy@seattlegreenhomes.net](mailto:wendy@seattlegreenhomes.net)

f 530.581.2757  
w seattlegreenhomes.net

12825 60th Lane South,  
Seattle, WA 98178



Seattle Green Homes

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**From:** Jackie Reed <[jackie@tsrestaurants.com](mailto:jackie@tsrestaurants.com)>

**Sent:** Thursday, June 20, 2019 5:08 PM

**To:** Wendy Wood <[wendy@seattlegreenhomes.net](mailto:wendy@seattlegreenhomes.net)>

**Cc:** Josh Morgan <[josh@tsrestaurants.com](mailto:josh@tsrestaurants.com)>; Melanie Bailey <[melanie@tsrestaurants.com](mailto:melanie@tsrestaurants.com)>; Jeff Oxandaboure <[ox@sunnysideresort.com](mailto:ox@sunnysideresort.com)>; Ken Wahlster <[ken@tsrestaurants.com](mailto:ken@tsrestaurants.com)>

**Subject:** RE: J1 RENTERS IN YOUR NEIGHBORHOOD--the noise and disturbance last night--get these kids out of here--we cannot sleep

Wendy:

My name is Jackie Reed and I am the CEO of T S Restaurants. We are investigating the issues you brought up and take this very seriously. We also take your threats of slander and baseless lawsuits very seriously. As noted in Jeff Oxandaboure's previous email response, Sunnyside did not sign a lease for this rental nor did we facilitate the renting of this cabin or pay any money on behalf of the renters. Assigning liability to Sunnyside is misplaced and we will vigorously defend our rights and reputation.

Our investigation will include finding actions that will resolve the issue in an expedient and amicable way. We will email an update tomorrow.



**JACKIE REED**

*Chief Executive Officer*

CA 858.720.2383

HI 808.667.4804

JACKIE@TSRESTAURANTS.COM

**T S Restaurants**  
HAWAII & CALIFORNIA

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**From:** Wendy Wood <[wendy@seattlegreenhomes.net](mailto:wendy@seattlegreenhomes.net)>

**Sent:** Thursday, June 20, 2019 6:44 AM

**To:** Jeff Oxandaboure <[ox@sunnysideresort.com](mailto:ox@sunnysideresort.com)>

**Cc:** Josh Morgan <[josh@tsrestaurants.com](mailto:josh@tsrestaurants.com)>; Jackie Reed <[jackie@tsrestaurants.com](mailto:jackie@tsrestaurants.com)>; Kelly Costelloe <[kelly@tsrestaurants.com](mailto:kelly@tsrestaurants.com)>; Melanie Bailey <[melanie@tsrestaurants.com](mailto:melanie@tsrestaurants.com)>

**Subject:** RE: J1 RENTERS IN YOUR NEIGHBORHOOD--the noise and disturbance last night--get these kids out of here--we cannot sleep

**Importance:** High

Jeff et al,

Last night, AGAIN, your J1s were joyfully walking up the road, laughing, shouting, etc at about midnight, that is what kids do when there are lots of them in a camp like atmosphere—thoroughly not suitable for our small, tight neighborhood. Then the cars started a little later, revving the engines, tearing up the hill at mock speed—ugh!! We were up for hours. 3010 Electric is the ONLY cabin occupied in the nest of summer cabins up the hill. So, the noise and disturbance is all your creation.

The below email tells me that we should just suck it up. And frankly, if there were not so many of the problem STRs now in Tahoe, we might be casual about it. However since Mark bought the old cabin last Nov., it has been a constant stream of badly behaved people—he is a symptom of the greater problem, there are many like him everywhere now. In the winter, the renters could not make it up Upper Hill St and came to our door every 3-5 days. There is a good reason why that deck collapsed and it is not the snow load—and Mark claims it on his second home owners policy when it is a consequence of commercial activity. That is insurance fraud and we all pay for that. Wake up.

We have lived here for 10 years, we run a demanding and very successful development business in Seattle, both apartment buildings and small infill cottage home developments. We need our peace and quiet. Every time we hear a loud car, voices, etc...we cringe, kind of like PTSD. The fact you have it in your neighborhood Ox does not make it OK, the abuse is having a huge impact on Tahoe overall and you are part of the problem.

Get these kids out now. We are taking out an ad in Moonshine with the three photos I sent you, a full page ad. And a feature article in August after the next TRPA Group meeting July 17. If you ignore our reasonable requests, the language re Sunnyside will not be kind. Mark boasts that you pay \$350 per bed, 6 to a bedroom, 3 bdr, 3 baths. Sick. Profitable for you, him and we have to deal with the fallout.

Wendy Wood  
[wendy@seattlegreenhomes.net](mailto:wendy@seattlegreenhomes.net)

p 530.559.2971

f 530.581.2757

w [seattlegreenhomes.net](http://seattlegreenhomes.net)

12825 60th Lane South,  
Seattle, WA 98178



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**From:** Jeff Oxandaboure <[ox@sunnysideresort.com](mailto:ox@sunnysideresort.com)>  
**Sent:** Tuesday, June 18, 2019 11:45 AM  
**To:** Wendy Wood <[wendy@seattlegreenhomes.net](mailto:wendy@seattlegreenhomes.net)>  
**Cc:** Josh Morgan <[josh@tsrestaurants.com](mailto:josh@tsrestaurants.com)>; Jackie Reed <[jackie@tsrestaurants.com](mailto:jackie@tsrestaurants.com)>  
**Subject:** J1 RENTERS IN YOUR NEIGHBORHOOD

HI WENDY,

LET ME FIRST SAY THAT I'M SORRY J1 RENTERS IN YOUR NEIGHBORHOOD ARE CAUSING PROBLEMS. HOUSING FOR OUR LAKE TAHOE WORK FORCE IS DEFINITELY A HUGE PROBLEM AND IS NOT GETTING BETTER ANY TIME SOON. WE HAVE SPOKEN TO ALL EMPLOYEES AT ORIENTATION RE: RESPECT FOR OUR COMMUNITY AND OUR BEAUTIFUL LAKE. AFTER THE ISSUES THAT YOU HAVE BROUGHT TO LIGHT, ANOTHER MEETING IS SCHEDULED FOR THIS WEEK FOR ALL OF OUR EMPLOYEES WHERE WE WILL DISCUSS THESE ISSUES WITH ALL 250 OF THEM. I HAVE RENTALS ON BOTH SIDES AND BELOW MY HOME AND HAVE ALSO OCCASIONALLY BECOME IRRITATED WITH RENTER BEHAVIOR.

I'D LIKE TO EXPLAIN HOW THE J1 PROGRAM WORKS FOR US AT SUNNYSIDE, IF I MAY. IN THE PAST 10 YEARS, THE WORK FORCE HAS DECREASED DRAMATICALLY IN NORTH LAKE TAHOE, BUT OUR SUMMER BUSINESS HAS NOT. WE EXPAND FROM 70 EMPLOYEES TO 250 EVERY SUMMER WHICH IS QUITE AN ACCOMPLISHMENT. DANIELLE HAS DEVELOPED A STRONG RELATIONSHIP WITH CCUSA IN SAN FRANCISCO, WHERE SHE INTERVIEWS, VIA SKYPE, AND HIRES J1S FOR THE SUMMER MONTHS, WHO WE RELY HEAVILY UPON. A CONTRACT IS SIGNED BY BOTH PARTIES AND NOWHERE IN THE CONTRACT ARE WE REQUIRED TO PROVIDE HOUSING, AND WE DO NOT. WE MIGHT STEER THEM IN THE RIGHT DIRECTION OR PROVIDE A CONTACT #, BUT HOUSING IS ON THEM. ALL 50 OF THEM. SO WENDY, OUR PLAN IS TO KEEP A DIALOGUE GOING WITH THE 12 J1S IN YOUR NEIGHBORHOOD AS TO HOW THEY CAN IMPROVE AS NEIGHBORS AND TO OFFER OUR TRASH COMPACTOR FOR ANY GARBAGE THAT DOESN'T FIT IN THEIR BEAR BOX.

SORRY ABOUT THE INCONVENIENCE,

OX

PS: I WASN'T AVOIDING YOU



**JEFF "OX" OXANDABOURE**

*Senior Manager/Partner*

**Sunnyside Restaurant & Lodge**

**530.583.7200** | [sunnysideresort.com](http://sunnysideresort.com)

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