



County of El Dorado

Vacation Home Rental (VHR) Ad Hoc Committee Meeting 4

Lake Tahoe Environmental Science Magnet School
May 9, 2018

VHR Meeting 5/9/18

- ▶ Introduction/agenda
- ▶ Outstanding Items
 - ▶ Re-cap West Slope Ad Hoc meeting 4/23/18
 - ▶ Re-cap Board of Supervisors meeting 5/2/18
 - ▶ Questions about Permits, Violations, etc.
- ▶ Policy and Enforcement Options: Parking, Traffic, Trash, Trespassing
 - ▶ Framework
 - ▶ Pros & Cons
- ▶ Policy and Enforcement Options: Noise – Results from 4/12 Meeting
- ▶ Wrap up/plan for next meeting

Meeting Recap

- ▶ April 12 Ad Hoc Committee - Lake Tahoe Environmental Science Magnet School, Meyers
 - ▶ Ad Hoc Committee Goal and Objectives
 - ▶ Policy Exercise for Noise Issues
- ▶ April 23 Ad Hoc Committee - Board of Supervisors Meeting Room, Placerville
 - ▶ Ordinance concepts presented
 - ▶ Discussion of expanding VHR permitting process to West Slope
 - ▶ Review of Ad Hoc Committee Goal and Objectives
- ▶ May 2 - South Tahoe Middle School, South Lake Tahoe
 - ▶ Full Board of Supervisors meeting
 - ▶ Approval of conceptual ordinance revisions
 - ▶ All concepts approved, with direction to reduce the required response time for Local Contact Person from 60 minutes to 30 minutes
- ▶ First Reading of ordinance on May 22, 2018

Survey Monkey Results

- ▶ The questionnaire was sent to our contacts from the sign-in sheets from previous meetings and posted on social media outlets
- ▶ Who responded to the questionnaire?
 - ▶ 215 Responses total
 - ▶ Approximately 48% of responses were from those in the Lake Tahoe area of the County (unincorporated)
 - ▶ About 47% said they live in the City of South Lake Tahoe
 - ▶ 82% said they are residents, about 18% said they are VHR owners, and 8% are property managers

Survey Monkey Results

- ▶ What specific parking and traffic issues have been a nuisance for you?
 - ▶ Over 50% of respondents indicated that they had not witnessed parking or traffic issues specifically associated with VHRs
 - ▶ Speeding and traffic congestion were the two most selected options
 - ▶ Parking in “No Parking” areas was the third most selected with 44 responses (20%)
 - ▶ The option “I can’t find parking due to VHRs” received the fewest at 7 responses (3%)

Survey Monkey Results

- ▶ **Which specific trash issues are associated with VHRs?**
 - ▶ Bear/animal issues was the most-selected option at 105 responses or 54%
 - ▶ “Litter near VHRs in my neighborhood” and “other” were about equal with 40% response rates—many commenting on their “other” selection indicated that there are no issues with trash, or that problems are caused by residents, too.
- ▶ **What issues have you noticed with regard to VHR owners trespassing on your property?**
 - ▶ 71% of responses indicated “No Issues” with trespassing
 - ▶ “VHR guests walk through my property” was 2nd in responses with 44 total responses or 21%

Survey Monkey Results

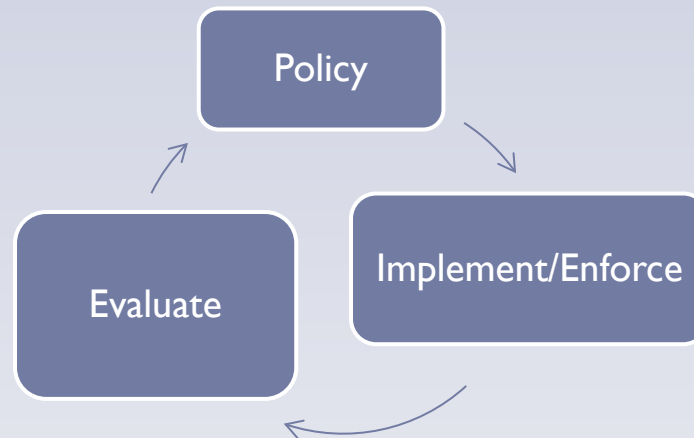
- ▶ Safety issues has been identified for VHRs. Which of these are you concerned about?
 - ▶ “House fires” was the most-chosen response at 55%, or 60 total responses
 - ▶ “Defensible space maintenance” was a close second with 53% or 58 total responses
 - ▶ “Unsafe structures” received 36 responses or 30%
 - ▶ “Carbon monoxide/fumes” received 17% or 18 responses.



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

Objective: Improve
Neighborhood
Compatibility

Objective: Avoid
Overconcentration of
VHRs and
Commercialization of
neighborhoods





Discussion Framework

- ▶ **For Each Issue:**
 - ▶ Policy Option
 - ▶ Pros
 - ▶ Cons
 - ▶ Enforcement Options
 - ▶ Pros
 - ▶ Cons
 - ▶ The “current ordinance” language is what we have in effect right now
 - ▶ The “option” is what we could consider including in our VHR ordinance

Cities/Counties for Comparison

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

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

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

Objective: Improve neighborhood Compatibility

Issues: Parking, traffic, trespassing, safety

▶ Policy Options

- ▶ Limit # of vehicles for VHRs
- ▶ ~~Parking on-site only~~
- ▶ Require fire and life safety measures (i.e. fire extinguisher, CO detector, smoke detector)

▶ Enforcement Options

- ▶ Require in-person “check-in” with Renters
- ▶ Inspection for new VHRs and upon renewal of permit
- ▶ Owner/Manager Certification

Benchmark Cities/Counties: Snapshot of Parking/Traffic/Safety Policies

| | | | |
|--|------------------------------------|---|--|
| Limit # of vehicles for VHRs | No Regulations: 11 Cities/Counties | Determined based on occupancy: 3 Cities/Counties | Determined based on site/per permit: 3 Cities/Counties |
| Parking on-site only | No regulations: 6 Cities/Counties | On-site or in designated areas: 5 Cities/Counties | On-site only: 6 Cities/Counties |
| Require fire and life safety measures (i.e. fire extinguisher, CO detector, smoke detector) | No regulations: 9 Cities/Counties | Measures required: 7 Cities/Counties | Inspections for health/safety annually: 1 City |

Benchmark Cities/Counties: Snapshot of Parking/Traffic/Safety Enforcement

| | | | |
|---|------------------------------------|---|--|
| Require in-person “check-in” with Renters | No regulations: 13 Cities/Counties | Signed rental agreement required: 4 Cities/Counties | In-person check-in: 2 Cities/Counties |
| Inspection for new VHRs and upon renewal of permit | No regulations: 10 Cities/Counties | Inspection for new permit only: 5 Cities/Counties | Inspections for health/safety annually: 2 Cities |
| VHR Owner/Manager Certification | No regulations: 10 Cities/Counties | Required: 3 Cities/Counties | |

Noise Policies

| | Pros | Cons |
|-------------|---|--|
| Quiet Hours | <ul style="list-style-type: none">- Addresses noise other than hot tub use- Would remove subjectivity of “offensive” noise and “best efforts”- Parallels rules for hotels | <ul style="list-style-type: none">- Does not address noise during the day- Does not address noise from residents/non-VHRs |

- Survey Monkey results indicate that noise is an issue in particular from 10am-2am
- Results also indicate that loud music and voices are the noise sources

Proposed Policy:

- Quiet Hours 10pm – 8am, to be posted in each VHR as part of house rules
- Maximum dBA at the Property line (i.e. 50 decibels)
- Noise from VHRs during quiet times in excess of these levels, as measured by law or code enforcement, results in a violation

Noise Sources and Decibel Levels

| Noise Source | Decibel Level | comment |
|--|---------------|---|
| Jet take-off (at 25 meters) | 150 | Eardrum rupture |
| Auto horn at 1 meter. Turbo-fan aircraft at takeoff power at 200 ft (118 dB). Live rock music (108 - 114 dB). | 110 | Average human pain threshold. 16 times as loud as 70 dB. |
| Car wash at 20 ft (89 dB); propeller plane flyover at 1000 ft (88 dB); diesel truck 40 mph at 50 ft (84 dB); Food blender (88 dB); garbage disposal (80 dB). | 80 | 2 times as loud as 70 dB. Possible damage in 8 h exposure. |
| Passenger car at 65 mph at 25 ft (77 dB); freeway at 50 ft from pavement edge 10 a.m. (76 dB); Vacuum cleaner (70 dB). | 70 | Arbitrary base of comparison. Upper 70s are annoyingly loud to some people. |
| Conversation in restaurant, office, background music, Air conditioning unit at 100 ft | 60 | Half as loud as 70 dB. Fairly quiet |
| Quiet suburb, conversation at home. Large electrical transformers at 100 ft | 50 | One-fourth as loud as 70 dB. |
| Library, bird calls (44 dB); lowest limit of urban ambient sound | 40 | One-eighth as loud as 70 dB. |

Noise Policies

| | Pros | Cons |
|-----------------|---|---|
| Prohibit Events | <ul style="list-style-type: none">- VHRs are not appropriate for events like bachelor parties, weddings, etc- Events create other issues like trash, many cars | <ul style="list-style-type: none">- Difficult to stop an event once it is underway- Many families come to Tahoe for Christmas or children's birthday parties – how do we define an event?- Difficult to enforce |

- Feedback from written comments and those received at meetings indicates that issues such as noise, too many cars, and trespassing are occurring when there are events, but also when there is no specific event.
- The definition of an event is difficult to determine, but the issues arise when there is excess noise or too many people. Other policies and enforcement options may be able to address the issues associated with events.

This policy is not proposed at this time.

Noise Policies

| | Pros | Cons |
|---|---|---|
| Reduce total # of overnight guests | <ul style="list-style-type: none">- Limits over-occupancy- Keeps occupancy similar to that of residences- Controls noise, parking- Reduces safety issues- Does not restrict daytime visitors, allows family to gather | <ul style="list-style-type: none">- Does not address total number/density of VHRs- Further occupancy limits would reduce the practicality of rentals- Does not limit daytime visitors |

Proposed Policy:

- Keep number of guests per room at 2, but reduce “+4” to “+2” (i.e. in a 3-bedroom house, there could be 8 overnight guests total, rather than 10)
- Children 5 and under do not factor in to occupancy count
- Total cap on number of overnight occupants, regardless of number of bedrooms.
- A Conditional Use Permit would be required to operate a VHR whose occupancy exceeds the cap. Additional requirements, such as noise monitoring apps, etc. may apply

Noise Enforcement

| | Pros | Cons |
|---|---|---|
| 24/7 Owner /manager contact located nearby | <ul style="list-style-type: none">- Eliminates over-use of law enforcement resources- Addresses issues more quickly- Encourages local management companies- Mitigates noise/other issues- Owner/property manager responsibility | <ul style="list-style-type: none">- Contacts may be slow to respond- Noise may be discontinued before contact arrives- May exclude some owners/managers located out of town |

Proposed Policy:

- Local Contact to be available 24/7 to respond to complaints
- Lack of response would be a violation
- The Board of Supervisors directed on May 2nd that the ordinance be revised to require the Local Contact able to respond within **30 minutes**

Noise Enforcement

| | Pros | Cons |
|---|--|--|
| Fines to owner and occupant for violations | <ul style="list-style-type: none">- Threat of penalties are a deterrent to bad behavior; warnings are not- Holds both parties accountable | <ul style="list-style-type: none">- Accountability should rest with person committing violation- Unfair to those following ordinances, but whose guests violate rules- Fines need to “fit” the violation- Difficult for owner/manager to determine who would be bad guest |

Proposed Policy:

Impose penalties for violations to the entity directly responsible for the violation.

- Violations such as failure of Local Contact to respond timely, lack of appropriate trash receptacles and signage, failure to remit TOT, etc., = **fine to the owner.**
- Nuisance violations such as noise, littering, illegal parking, etc., and exceeding maximum capacity = fine to the **occupant.**
- Number of violations, regardless of who is fined, would “count” toward the number resulting in permit revocation.

Noise Enforcement

| | Pros | Cons |
|--|--|---|
| Notification of permit to surrounding residents | <ul style="list-style-type: none">- Transparency to residents- Unpermitted VHRs can be identified and reported- Provides contact information to neighbors, along with other info like occupancy- Allows residents to meet each other, awareness of who is who | <ul style="list-style-type: none">- Costly to administer- Privacy concerns- Online list/sign is effective enough- Does not address that there should be no new permits |

Proposed Policy:

Notify and educate neighboring residents of VHR permits issued.

- Provide local contact information, total occupancy and other relevant permit information to neighbors, and provide information about current regulations.
- Information is provided for neighbors to have proper recourse to address problems. Not a vehicle for neighbors to “approve” the permit.

Noise Policy and Enforcement

Policy Recommendations

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

Enforcement Recommendations

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

Ad Hoc Committee Schedule

- ▶ **Next Meeting: June 11, 2018**
- ▶ Next Meeting: July 26, 2018

We want to hear from you!

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