



Incline Village Crystal Bay Citizens Advisory Board

DRAFT: Approval of these draft minutes, or any changes to the draft minutes, will be reflected in writing in the next meeting minutes and/or in the minutes of any future meeting where changes to these minutes are approved by the CAB.

Minutes of the Incline Village Crystal Bay Citizens Advisory Board meeting held via teleconference on February 1, 2021

1. *CALL TO ORDER/ PLEDGE OF ALLEGIANCE – Judy Miller called the meeting to order at 5:33 P.M. Chair Miller welcomed Kathie Julian and thanked Sara Schmitz.

2. *ROLL CALL/DETERMINATION OF A QUORUM - Judy Miller, Michael LeFrancois, Kevin Lyons, Diane Becker, Kathie Julian, Denise Davis (alternate filling in for Mike Sullivan). A quorum was determined.

Absent: Mike Sullivan

The pledge was recited by Chair Miller.

3. *PUBLIC COMMENT –

Ms. Black asked a question about raised hand feature. Kevin Lyons showed her the reaction button.

Miles Riner said that it seems to me that there's a wide variety of translated in this issue. Some people are totally opposed to any STR's in Incline Village and Crystal Bay and others are just looking for that the other end does some regulations to make it a little bit more tolerable to have STRs in their community or in their neighborhood. He said he is curious has anybody done any surveys to find out where the happy medium is here because it strikes me that it's unlikely we're going to be able to convince anybody to completely eliminate STRs from Incline Village and Crystal Bay. It's unlikely that people are going to be happy about a set of regulations that's really meaningless in terms of helping us deal with STR's in our our local area. He asked do we have a sense of what the happy median looks like.

Chair Miller noted comments for the STR will be answered during the item.

Pamela Tsigdinos said she will speak during the STR item.

There were no further requests for public comment.

4. APPROVAL OF AGENDA FOR THE MEETING OF FEBUARY 1, 2021 (for Possible Action)– The agenda was approved by unanimous consent.

5. APPROVAL OF THE MINUTES FOR THE MEETING OF JANUARY 4, 2021 (for Possible Action) (for Possible Action)– Kathie Julian said it listed her name as an alternate, but on January 4 she became a full CAB member. Chair Miller deferred the vote to later in the meeting until Diane Becker can review the minutes.

Diane Becker said she had changes to the minutes: Top of Page 3, the last two sentences say, 'is there a possibility your client would take responsibility,' and I had added in there 'and indemnify and release the County.' We on the board want to make sure that the county is protected from liability by a release in indemnity.

The amended minutes were approved by unanimous consent.

6. DEVELOPMENT PROJECTS- The project description is provided below with links to the application or you may visit the Planning and Building Division website and select the Application Submittals page: www.washoecounty.us/comdev

6.A. Variance Case Number WPMVAR20-0008 (Rushing) – For possible action, hearing, and discussion to approve a request to modify the front yard setback from 15ft to 1ft.

- Applicant\Property Owner: GilanFarr Architecture\Heath and Amanda Rushing
- Location: 27 Somers Loop, Crystal Bay, NV, 89402
- Assessor's Parcel Number: 123-031-04
- Staff: Dan Cahalane, Planner, (775) 328-3628; dcahalane@washoecounty.us
- Reviewing Body: Tentatively scheduled for the Board of Adjustment on March 4, 2021

Phil GilanFarr, applicant representative was present to answer questions. Mr. GilanFarr provided background of the historic cabin and the request of variance.

Jack Dalton said this is a short presentation with generalities. He said he is opposed to lack of observation and input. There needs to be more input before this can be approved as a CAB.

Kathie Julian stated she wanted to make a comment as a member of the public. She said she drove out there and looked at the property. She agreed with the previous speaker. It's an extension from 15 feet to 1 foot in front. She said she can see where they want a deck, but beyond that would be encroaching on the only parking in front of the property. It would be nice to have a more thorough presentation. She said she hopes the neighbors would be noticed.

There were no further requests for public comment.

Mr. GilanFarr shared the drawing. Chair Miller said she went to the subject site. The lack of parking is disturbing, but variance is to reduce the set back, but there's nothing here that addresses parking. She said she doesn't believe there is a any requirement for them to address parking. A variance is something that you know you are asking for us to set aside some requirements and sometimes those are done in conjunction where the request can be done to do something.

Phil GilanFarr said typically we would have a presentation. It's a disadvantage on Zoom, but said he is available to answer questions and concerns. Mr. GilanFarr said he is happy to address Mr. Dalton's concerns. He showed a site map. He showed the existing house in red and existing cabin in the back. He said the house is 4.5 feet back from the property line even though the setback is 20 feet back. He said the original house was built in the setback. He showed the area of parking that exists. He showed the proposal drawing of the deck that encroaches on the property line. He noted we are proposing to enclose part of that deck and in turn, remove the deck that was currently further encroaching on the property line. We aren't removing the parking spaces. We are taking current setback down to 1 foot to make the bedroom a little bigger to make it more usable. They are trying to maximize to use of this quant cottage. In the rear, he showed the setback in the rear. He showed the existing building that shows encroachment over the setback. He said they are trying to maintain the character of the building. The notices will go to the neighborhood by the County. The County Planner has communicated with the neighbors. He said he has spoke with one of the neighbors. We are very careful. We have done this for many years. We are trying to make the findings and trying to maintain the character of the neighborhood without impacts to the neighbors. He said this has been rushed for you, but he understands the dynamics of zoom makes it a challenge.

Diane Becker asked when they are expanding the back, if you cutting into the hillside. She asked if you are changing the topography or drainage. He showed the map; all the area is a flat terrace area. We aren't changing contour or drainage. He said we are actually improving the TRPA requirements for drainage and erosion requirements. Diane said that was her main concerns. When you expand the main building coverage, you are impacting the drainage for others or adversely impact anyone. Mr. GillanFarr said the deck has no drainage controls associated. By building, we are able to put in erosion control that keeps the water permeating the site and get rid of the problem spot. He showed the area of decomposed granite with more improved drainage. It's within scope and size of the structure when you visited the site.

Trevor Lloyd said there are several findings that can be made. Special circumstances have to be unique to the property such as narrowness, but rather not a hardship to the property owners. He said when this goes to the Board of Adjustment they have to make a finding of no significant detriment, and it's not going to be granted a special privilege and consistent with policy with surrounding area, and it's not authorizing a use that isn't consistent with the regulatory zone.

Kevin Lyons asked how many years before there was such a thing as a setback. Mr. GilanFarr said this was built in 1927. The cottage was built a few year later. He said he has lived in the area for his entire life. A lot of the neighborhood has

changed, but this has stayed the same. He spoke about another cottage. He said one of the parcels that had a cute cottage has been purchased by a development group who owns the Ponderosa ranch and much of Lakeshore and they are looking at something massive. This applicant wants to keep it this way.

Kevin Lyons asked Trevor when the setbacks were put in. Mr. Lloyd said setbacks have been in place for a long time, over 20 years. He said in the 50s or 60s setbacks were established.

MOTION: Mike Lefrancois moved to recommend approval of this variance. Diane Becker seconded the motion. The motion carried unanimously by roll call (5-0). She said we understand it's a historic property with minimal or no setbacks. She said she spoke with neighbors who didn't have objections.

7. PRESENTATION AND DISCUSSION OF THE DRAFT SHORT TERM RENTAL ORDINANCE PROPOSED FOR FIRST READING AT THE FEBRUARY 23, 2021 BOARD OF COUNTY COMMISSIONERS MEETING – Staff will provide a presentation and discuss the latest draft of the STR ordinance. The draft ordinance was recently scheduled for first reading at the February 23, 2021 BCC meeting and is scheduled for second reading and adoption at the March 23, 2021 BCC meeting. PLEASE NOTE: Any suggested changes to the language of the ordinance will not be incorporated into the draft going before the Board on February 23, 2021 due to the required timeframes involved in getting on the Board agenda and for publishing the ordinance for public review; HOWEVER, all comments will be captured and minutes of the meeting will be provided to the BCC at first reading.

The proposed draft ordinance is effectively the same version that was scheduled for first reading at the August 25, 2020 BCC meeting, with one change requiring physical annual safety inspections, and can be viewed here: https://www.washoecounty.us/csd/planning_and_development/board_commission/planning_commission/2020/Files/2020-01-07/BCC-082520-STR-sr-w-new-comments.pdf

Trevor Lloyd, Washoe County Planning and Building Manager, introduced Chad Giesinger, Code Enforcement Manager.

Trevor Lloyd, Mojra Hauenstein, and Chad Giesinger provided a PowerPoint slideshow of update of proposed ordinance.

Commissioner Hill read the questions:

Q: who verifies complaints so the system isn't abused when the owners go out to find there is no issue?

Chad: asked a clarifying question - if somebody makes complaints to the compliance hotline, who verifies that complaint. The responsible party would be the first entity that would go out to investigate that complaint. If they didn't rectify the situation, a code enforcement officer will follow up on the complaint if it's something related to the standards that are in the ordinance. We will be able to track if there are unsubstantiated. If there's a lot of repeat complaints about a certain property that are unsubstantiated, we will be able to track them through those in compliance data. There will be a verification process especially if it gets to the point where there's going to be a fine. Let's take noise for example. He said he is assuming we're going to get a lot of complaints like that through the hotline. The reason why we're establishing quiet hours is because if we're getting complaints during those quiet hours you can see where those properties are generating complaints. That doesn't necessarily mean that there was a verified noise complaint but if somebody calls sheriff and logged a disturbing of the peace complaint and signs affidavit and its after quiet hours, it would count as a strike.

Q: What happens if they discontinue to pay the fine and operate then what?

Chad: That's where 3 strikes and you're out comes into play. So, if they are just paying the fines, that is an admission of guilt if they pay the fine. If somebody gets a violation of this and they pay it and then they've admitted guilt and that's one strike within the 12-month period. So that's kind of our proposed solution to that problem. Its the cost of doing business with that type of mechanism to curtail that.

Q: How will you be certain the STRS register with Washoe County?

Chad: If we find a listing that's not permitted and that's where the proactive enforcement approach will come in. Host Compliance does snapshots of websites every five days and we can take that and use it as evidence in hearings to show that they were advertising. Any advertisement for Incline Village will have to include a permit number.

Q: How will this apply to condos?

Mojra: It basically applies to multifamily units which are condos, townhomes, single-family dwellings for any stay less than 28 days this ordinance would apply.

Q: They (condos) would have to meet the same parking requirements as a single-family resident?

Mojr: Yes, that is correct. 1 parking space for every 4 occupants. They can self limit the occupants. For example, let's imagine a condo has shared parking but they would just have to demonstrate that the parking spots are dedicated to that condo unit. Sometimes there's written agreements that can provide evidence. A single-family dwelling would have to provide parking spots on the parcel and demonstrate enough space.

Q: Would we be able to know what STRS are in our neighborhood by entering our property address? Is host compliance interactive with the residents?

Mojra: We're still developing that platform for Host Compliance. It researches all of the bookings platforms such as Airbnb, VRBO, Travelocity, and all of the platforms. They provide a list every five days; however, we are still discussing internally how to make that information available to the community. We have to find balance between exposing all of the information for every short-term rental and not exposing anything, so we're still working through that. We want to create a platform, so that the community can provide inquiries and find out; however, we have to be very mindful as well of how we do that. We don't have 100% answer for you because we are building that after the first reading, we will be working on that.

Q: Is there a minimum age for occupants. For an occupant for example or children under two are infants considered occupants

Mojra: The building codes are very clear and do not distinguish occupants in terms of age. An occupant is an occupant. A 2 year old is equivalent to a 20 year old and simply imagine the scenario where we would make it distinction would cause a huge liability for the short term rental because every life is equal. And therefore, the codes do not distinguish that on purpose. We are following the way that the codes are currently being used in issuing permits every day and we're not modifying that.

Q: Question regarding fee charges. Someone did the math we could be looking at close to \$1,000,000 if there are 900 STR's for a permit a year, how do we come up with the fee charges and seeing that there were trying to be revenue neutral?

Chad: Kelly did an exhaustive process of going through and trying to determine what are overhead potentially could be and that includes hiring a new code enforcement officer, buying vehicles for that code enforcement officer, software, the day-to-day permitting process. She took all of that so we know how much salary is paid to code enforcement officer and so on. We took a conservative number of permits of 500 and divided it, and that is how that fee structure was created.

Q: If things don't work out, do owners get their fee back if STRs are banned in November?

Mojra: We are still working on the details of the ordinance and where we would modify noise standards or parking standards, but we would still have an ordinance. It's hard to tell you what the board will do; however, we want to be very clear that there is an opportunity to try something and then modified accordingly in a very short period.

Q: Do these regulations apply to condos either multi units in a single high rise or for multi units attached into single building but with each unit owned and occupied separately.

Mojra: The answer is yes

Q: Do these regulations apply to timeshares?

Trevor: Its all units whether it's a single-family or attached, the distinction is renters cannot apply for this short-term rental process. It has to be owned by a principal owner.

Q: Do these regulars apply to the Hyatt?

Mojra: The Hyatt is a hotel, so a commercial use and STRs would apply to residential uses as a single-family residence or a multi family residence. Commissioner Hill inquired about the timeshare units. Mojra said that's an interesting question

because that use would not be considered a residential use. Mojra said she would say no, but would like to get back to you to get more clarification on that.

Q: To ensure the appropriate informational materials is posted within STR unit, will inspectors attempt to enter each unit?
Mojra: We will not attempt to enter each unit. That is one of the provisions that the board has asked us to remove. Fire District certainly has the ability or EMS has the ability to enter under an emergency; however, building inspectors will only come to verify the structure rental permit and to check for the carbon monoxide, the exiting, and to make sure that the basic life safety things are there. That will be an inspection that homeowner calls upon and they will know when we show up. We do not do unannounced inspections.

Q: This is a concern about the one-hour response time. If someone is in Reno and they get called, how can they get back in one hour?

Mojra: We required one hour because they need to be local. The local responsible party needs to be local because they need to be able to respond to a concern if there's an issue in the neighborhood. They need to be able to be responsive and resolve it. They physically have to be there to put some trash into a dumpster for instance. They need to be there within an hour.

Q: Why did the County not considered a critical issue of the number of STR businesses in Incline Village/Crystal Bay which impacts the nature of the community. This is not just about noise or trash, it's about whether community is essentially an investment vehicle for absentee property owners.

Commissioner Hill: This is in effort to try to balance both the owner rights, those who purchased the property, and homeowners who live next to the property. Technically this ordinance as it's written right now is not considering these businesses. They are considered a residential use per direction from the Commission in previous meetings. This is a concern. She said she is listening to the feedback. We want to ensure it's a community, a neighborhood, and a residential area.

Q: So what power do you have to revoke anything?

Chad: The way the ordinance is set up, you have automatic revocation if you get three confirmed violations. Another way would be through board action. The Board of County Commissioners have the option to issue revocation of any permits that Planning Department issues.

Q: This person stated that the permit fees don't seem that far off from the penalty fee for not having registered. The penalties should be high enough to incentivize people to register.

Chad: The fine is \$1000 is what we landed on. This is the highest fine our legal team was comfortable with because that's the misdemeanor criminal citation top of amount that we would levee as part of our process for citing someone. The way it will actually work in practice - we would issue a stop activity order and give them the chance to come in and get a permit, but if they violate the stop activity order by continuing to rent the residence, then we could levee a fine for each and every offence which could go higher. We could issue a criminal misdemeanor citation. Commissioner Hill said the attorneys didn't recommend that we would go higher than a misdemeanor since this is not technically criminal offense yet. Chad said the courts tend to look at that as excessive for racking up fines for the same offense.

Q: How do you actually shut them down as revocation?

Chad: Well if they're operating without a permit, it's what we were just talking about is put into play. That that's more or less the recourse we would have and that's why we need to create a permit process to begin with because otherwise we don't have any mechanism right now. It's wide open.

Q: What if the Property is 1,200 square foot with three bedrooms, can you only have 4.5 five people? Commissioner Hill said she's not sure if we can address the square footage on particular properties or can people email Morja offline since this will go to County Commission on February 23rd

Mojra: What we'll look at is the floor plan, just like we do for any building permit currently. We add the square footage from the living room, the office space, the bedrooms, and that will be the square footage that you'll take and divide by 200 because it's considered habitable space. That will produce a number that's your occupant load. If it's above 0.5, we

round up, and if it's under 0.5, we round down. That's how we do it every day for every occupancy for every building permit. She said anybody can email a floor plan and would be happy to give them an idea.

Q: How many of the Planning Department or Personnel or BCC live next to a noisy STR? Commissioner Hill said she personally does not but wasn't sure about the planning department.

Mojra: She said she doesn't know we can answer that question. We have not asked that question of staff.

Q: How long do you think it will take to inspect each unit for environmental obedience with well over 500 STR's and 1000 inspections could take all summer.

Mojra: We have 5 building inspectors, three code enforcement inspectors, and we have the fire agencies that are going to help us. We're hoping that not all STR's come in within the same week. We're hoping that with the grace period, and it will trickle in and allow us to inspect them as quickly as we can. Currently with five building inspectors, we do about 25,000 inspections a year. We do about 20 inspections a day, per inspector, so with the additional help, we don't think we will be creating a backlog. Obviously, we know that this is important for people's businesses so it will be a priority.

Q: Why is there no consideration been given to neighborhood compatibility or densities? After an extensive public process TRPA put together guidelines which were adopted in October 2019. We are in the process of adopting the Tahoe Area code. Why haven't they been considered here. Were they considered when you reviewed the ordinance?

Trevor: He said it was the understanding to separate the two. The area plan adoption is long overdue. There was the understanding that these two items were running in parallel with one another and that we would be addressing all of the issues with short term rentals with this process. We didn't feel it was appropriate to address the short term rentals in the area plan. We are trying our best to be consistent with the Tahoe Regional plan.

Q: What impact assessment has been made of the benefits to STRs in Incline Village? According to Lakeshore Realty when I purchased my home, 46% of homes were full-time occupancy which results in low revenue to businesses here. Have you received the business owners response to the fact finding reference by Trevor Lloyd made earlier?

Trevor: Trevor said he misspoke. He said he thought he was referring to the public agencies that are assisting with the permitting process. IVGID do assist with Waste Management in Incline Village but not part of the permitting process.

A public member said that is not the question. He said they are asking for the business community's response. Clearly, the more difficult you make STRs, the fewer people will be here, a fewer people will be skiing at Diamond Peak, and fewer eating at restaurants, renting skis, going to the casino. There will be a substantial impact on the business community. Michael Librizzi said that was his question. He said he thinks he captured the key point exactly. He said he did a little survey of the people in our business community and they're barely hanging on except for this summer. Alibi said it was the biggest year they've had because the visitors in community. If it's left to the occupants of the homes that are here full time, most do not go out to eat. We are missing that input here. It is ridiculous. We are a village. We require these services and without them we're just two intersections with eight corners on them, three of which are gas stations. Diane Becker asked Michael if he also agrees that if we end up being just a hotel community, where the rest of us who cannot live here anymore because it is so intolerable leave during the off seasons, there will be no people to frequent the businesses and the businesses will close. There's a balance there. A public member stated he believes its grossly over stating the impact of STRs.

Chair Miller opened public comment:

Paul Hatfield said he has 1000 square foot home that he uses as a vacation rental and uses it himself too. It's got three bedrooms, two baths. Living dining room area is so called open concept. He said he doesn't know where he is going to fit in as far as an occupancy limit. He said he presently limits it to four people. He said he understands you can round up or round down. He said he is concerned that he could be limited to three people which would be too few for the arrangement that he has. He said he has some nice small families that occasionally rent. Most of my guests are going to be 3 or two. Is there going to be some kind of lower limit that going to be considered.

John Ferman said he would remind people about the history of STR's. He said he has been coming up to Lake Tahoe since the 80s and always rented over weekends or extended weeks. STR's are a central element, a central characteristic of the Tahoe region and if you try to make STR's so difficult and so burdensome, you're really going to change the fundamental value of real estate and the fundamental character of the community. It's not just for people who live there year-round.

Secondly, we need to emphasize the impact of local businesses. STR's bring a lot of the revenue and enable many of the services full-time residents demand and expect. Lastly, how do we deal with occasional renters. For example, we own a unit in Mountain Shadows, we might choose to do short term rentals maybe over July 4th and maybe Christmas, and maybe twice in ski season. So, do we pay the full year's fee for having three or four STR's over the course of the year. That seems entirely unreasonable. Thank you.

John Crockett said he would like to see a limit on the number of short-term rentals in Incline Village and Crystal Bay. The ordinance as is ignores the negative impact STRs have on housing availability for the people that work and want to live in Incline Village/Crystal Bay including first responders, teachers, and front-line workers. STRs adversely affect residential character, neighborhood stability, public safety, and quality of life and without a limit will erode the fabric of the IV/CB community. A limit on the # of STRs would easily fall within the ordinance's mission statement and would be simple, fair, and enforceable.

Miles Riner said at the beginning of your presentation, you talked about having a balance of interest between full time homeowners and renters. Next to me, we have someone from Singapore who owns two homes and does full time STR's in both homes and rarely comes to Incline. He said my interests as a full time homeowner in a residential neighborhood shouldn't be balanced with the interests of somebody who rarely shows up here and doesn't spend much time here and just rents out their home our homes and lives in a halfway across the world. That's the underlying reason why the County didn't put more emphasis on the interests of the people who live here full time which make up the vast majority of the homeowners in this community. The interests of those full-time owners deserve to be represented more with more consideration than the people who have decided to make a business out of their home in a residential community.

Carol Black said she submitted written comment earlier and was sorry it was last minute due to computer connectivity problems. This is a process and it's taking a while. Obviously, there's been a fair amount of public input. She said she would respectfully submit that some of it was pretty constrained in those meetings and not sure you got a full perspective but there was an effort. There are some have good components of this ordinance; however, it is a balancing act and it's a question of where the fulcrum is and where the balance point. She said she doesn't think this goes far enough to balance the property rights of the owners living in their homes with those wishing to rent. There are many good recommendations provided by Commissioner Berkbigler who put together a list of suggestions. She said she sees some evidence of those but wish that they have been taken a little bit more comprehensively. She said her major concerns are a few. One, the health and safety requirements and the life safety inspections and just be sure there's enough emphasis to keep people safe placed on those. Second is local available management which is important and that has been prioritized. Third is this tier structure. She said she thinks is fundamentally flawed. She said she doesn't have any objection to the concept but think that threshold between tier one and Tier two is really too high. It's important because it means that the overwhelming majority of homes in in residences in Incline Village/Crystal Bay will simply sail through any kind of approval process with no ability for neighborhood input and no discretionary review. The threshold of 10 is about four times the average residential occupancy of the house and suggest it should be set at about 2 ½. It will be important to include density and intensity restrictions which of common in most jurisdictions.

Ronda Tyser said she already emailed the CAB members and Washoe County Planners the results of our short-term rental survey we sent out to IVCB STR citizen advisory group. We asked them to decide which protections were most important to be included in the STR ordinance. They rated 20 questions on a one to five scale from least to most important. We asked them to consider the 17 suggestions from former Commissioner Marsha Berkbigler in which our group members modified to be even more protective for IVCB residents. She said she doesn't have time to present the results in 2 minutes. She offered to send them to anyone interested if they send an email request in the chat box. In quick summation, respondents indicated the most important issues that does detract from the tranquil enjoyment of their properties were: They want to feel safe and have recourse if short-term renters become bothersome but also very important to the vast majority of respondents are restrictions on the number, location, and residency requirement of short term rentals. These restrictions relate directly to the residential nature of neighborhoods, the affordability of housing, and the character of the IVCB community. It is not insignificant that 62% of residents respondents thought it was most important to ban STR's entirely. In the opinion of the vast majority of our respondents, the STR ordinance must be changed to protect the tranquil enjoyment of properties as well as the character of our neighborhoods and community. We respectfully request the Washoe County planners to make this change.

Joe Ferrell thanked Trevor. He said he appreciates all the work you have done. He said he is in the same camp with Mr. Riner and Ms. Black and with Ronda Tyser. He said he doesn't want to belabor this too long but thinks one of the biggest issues here is quality of life. He said he has owned a home here in Incline Village for 19 years and has been a full time resident for a 1.5 year. He said he has been impacted by Short term rentals over the last four to six years, pretty significantly. The quality of life is a big issue. He said he is a big supporter of restaurants. He said there's a couple of comments about businesses, but businesses will survive. He said he is a former business owner and when you have a challenge you need work it out. The quality of life issues is huge. He said he is really hopeful that the commissioners will take to heart what Ronda presented to you and hope you will request her survey. He said he believes that the commissioners and the Planning Commission really need to listen more attentively to the individual citizens in this community. He said he resents having his quality of life impacted by short-term rentals. He said he resents that numerous times in this discussion tonight people mentioned businesses several times. If you want to do a business, go downtown and start a business. Just not in my neighborhood. He said he understands he will be criticized.

Michael Librizzi said he is still uncertain about the data that prompted the regulation process. It must include both the residents - those residents that are here full time, and those that are half time. He said on his small street alone, half of our buildings are unoccupied most of the year. He said he has only met the next door neighbor in three years, one time. They've had two fires in their property in that time. He said he hears the concerns, but don't see the data. For instance, the number of instances the police are called. That's data we have but haven't seen it presented. He said he heard on next door that people complain that our access to the beach is limited in the summer, yet they don't present data. We have how many vacancies in this little town. Those are things we can count, but there's no data. When you go and ask those people who run restaurants how can they survive they say if it's not for the visitors, it's certainly not the residents because a lot of them don't live here full time. There's no data. He thanked Trevor and said he applauds the actions of this whole activity because it's important. He said he is concerned there is no data. He said he is more concerned about the neighbors who don't clean up their pine needles. He said he had to leave the community this summer due to the smoke. He said he is concerned about fire because we have a big fire in our little village. He said we are getting replacement value of our home, not equity in your home. He said he is concerns with public safety. He said those who don't live in their homes full time need to clean up their pine needles.

Steve Bird said he would like to point out some of the issues that come with the methodology that you've chosen to regulate the number of people STR and choosing the square footage is problematic in certain neighborhoods like ours. He said in his neighborhood, many of the homes are 4000 to 5000 square feet and if you use your methodology and you get 25% for non-habitable areas you're still talking about 20 people roughly in a single family home. That's a tremendous change and tremendous burden on a neighborhood where there may only be 2 1/2 people per home. The quiet tranquil neighborhood would change dramatically when you go from 2 1/2 people to 20 people in a home. There would be impacts on the Lake. We are planning to enlarge our home to make it a fulltime retirement property for ourselves and we are under the gun from TRPA protect the Lake. We have to abide by some severe restrictions to protect the lake. Why would an 8-fold increase of people in our neighborhood not be considered as something should be mitigated?

Pamela Tsigdinos said she has concerns with the history of a relationship between Washoe County and a short term rental company airbnb which is the giant here and has more than 60% of the market share. This is specific to the language that the RSCVA signed with airbnb in 2016. The language specifically prohibits Washoe County staff, residents, or other interested parties from accessing information that reveals who specifically owns or operates STR's in Washoe County. This is really germane because this information was obtained through a public records request. This is not something most people have heard about. The CVA agreement, in short, absolves airbnb and short term rental companies from ever having to disclose any identifiable information about STR hosts as written. It has open the door to outside real estate investors and developers to buy up and operate anonymously as many STR's in our community as they choose. Nothing in this ordinance addresses that the County must ensure our community is not further degraded by increasing numbers of ghost hotels like Del Mar beach, Nashville, San Diego, Maui and hundreds of other communities and towns across the US. Washoe County must break the agreement it has with airbnb and reverse the hotelification of our neighborhoods in doing so the County can put a more transparent registration of STR operators in place. This will allow neighbors and code enforcement to fully monitor and measure STR's and their impacts. Furthermore, Washoe County's ordinance must require STR's in Washoe County be a primary residence as a starting point and owner occupied for six months or longer is

the legal definition of a primary residence. Let's start small and build from there. This is the only way the County and our communities can ensure proper accountability and preserve the residential feel of our neighborhoods. To-date, the County has not served the interests of its constituents. It has operated in bad faith and prioritized profit-taking in the form of taxes over community public health, safety, and well-being. It's time for a redo.

Glenn Rossman said he has owned a home in Incline Village and have owned it since '07 and watched over that period. The town change from a wonderful lifestyle and now it's congested, it's noisy. It's unknown to me how many airbnb or other type homes are in the residential neighborhoods, including his own neighborhood. He said he doesn't know why we're accommodating this, other than people make money doing this. If that was the intention when Incline Village was formed as part of the County, why are we allowing this now. He said he recognize there being these Airbnb are powerful and they went public. It makes no sense to me and it never will. He said he doesn't think anybody who lives here in the village or in the surrounding area to the village will really support airbnb's or whatever short term rentals when their life is going to get ruined. He asked how do we balance the interests of the people that want to run commercial enterprises in the middle of residential neighborhoods and the residents. It has become unbalanced. It's unbalanced with respect to the people that live here who paid plenty of money for their homes but didn't anticipated they would live next door to the motel. He said he is concerned about safety. He said he has shared his concerns with Commissioner Hill about this. There is still a pandemic going on and we have limited medical treatment in Incline Village. He said he doesn't think anyone is quarantining or has any reason to. He said he sees non-mask wearers more than he would like to see.

Art Cross said he just wanted to expound on a few things. He said he has lived here for 30 years and moved here when he was young. He said we are seeing changes up and down in this community for good and for bad. He said the current STR push has not been thought through in its entire. It's based mostly on businesses. He said he has seen businesses survive in this community for the last 30 years. There are several that were here when he moved here, and several that are here now. STRs do not make or break the business. He said he has an STR across the street from him. The current way the County is going about this does not protect our local community members like it should. If you want to turn Incline into Disneyland, you going down the right path. If you are concerned for the community members like Ronda Tycker, Joe Farrell, Steve Berg, they are coming from the same place on this. STR's do not make or break community. He said he would like to address Michael Librizzi's comment about data and fire. He said he has called two times regarding an STR across the street. One for an illegal fire last summer and the second for throwing lit cigarettes into grass. So before you rush to hasty decisions and just to placate the Realtors and the business owners, please consider all members who live in these neighborhoods. The kids play on the street and now we have whole bunch of transient people who are not used to the demographics of the community. They don't live here and don't know what you expect.

Richard Miner said he echoes some of the comments that Pamela said. She sent out a very detailed investigation to a number of people; it concerns an investigation into the practices of airbnb. Specifically, it was published in Wired magazine on March 28th 2019. You could Google if you want to want to have a copy of that yourself. Bottom line is airbnb controls nearly 60% of the STR market in Washoe County and most of that is in Incline Village/Crystal Bay. Their public affairs spokesperson said airbnb was started because the little guys who have all their investments and all their money in their home needed to have an opportunity to make a little bit of extra money on the side. That's the reason that airbnb started and that's still the reason that they exist today. It's to help the little guy and several people here claim to be in that crowd. Help the little guy make ends meet by renting out their private homes when they are out of town or can't use it. Well the bottom line, Morja indicated that they did some research and that very few of the STR's in Incline/Crystal Bay are owned by LLC, real estate companies, property management companies and non-residents. He said he said if we can provide a list of all of the short term rentals in these two communities that are in-fact owned by property management companies, non-residents, LLC's and so forth, will the planners rethink the idea of limiting STR rentals to local property owners, the only people who vote here and pay taxes here. As several other people have mentioned, our town is no longer a residential community it is becoming one big motel.

Kathie Julian said she is speaking as members of public. She said she has three points: One, this ordinance needs to be revised to appropriately factor in the views of the community. She said her understanding of this is that the ordinance really hasn't changed since sometime in 2019. She said she is not clear that our comments given in the August 2019 public forums were truly affectively factored in. A lot has changed since then, so we need a revision of this ordinance to factor in community concerns. Secondly, she said she is not clear on the County's position. They are not too worried about non-

resident owners, LLC ownership. She said it appears we have more corporate ownership than we may know of. It may be that the corporate owners are hanging back until they get clarity on what the rules and regs will be going forward. We may see more corporate ownership if such an ordinance gets passed. Third, she said when she first visited here and came to live here in early 2017, she said she stayed in an airbnb in Incline with wonderful people who are renting out one room of their house. She said she stayed for 2-4 weeks. She said she appreciates that STR's can be a positive but this ordinance doesn't seem to accommodate those not very affluent STR holders, the people who own a house and rent out of room and have to pay the same fees as the corporate entity. It's not a very well-balanced ordinance in its present stage. She said she urges the staff to review it further. Thank you

Bill Dodd said he appreciates all of the comments. He said he is a new owner in Incline. He said his goal has always been to own a house in Incline and then retire here. He said he would love to be able to be one of those people who have been there for 30 years. He said he asks that you consider all members of the community here, both businesses versus residence. He said let's look at the percentage that you are renting it out. He said it sounds like people are concerned about businesses. He said he would like to look at those residents who are renting it maybe 25% of the time get a break versus someone who is doing it 100% of the time.

Janet Orgill said she feels like she needs to speak up for the part time owners. She said she has lived in Incline full time for the last five years. She said her home was a rental for 15 years before that, well before airbnb and Vrbo. She said we were actually renting it through Vacation Station here in town, keeping several people employed in the office and cleaning. She said her concern is that we cannot go too far in making regulations. Most of us remember and are probably participants in the lawsuit against Washoe County for the property tax fiasco a few years ago and are all expecting rebates that are going to basically come from the County and the school district. If we go too far in making regulations that we then set ourselves up for an additional lawsuit from those who have personal property rights and the ability to rent their home out if they choose to. She said when her home was a rental, it had a 17% occupancy rate. It's not a big time business. Occasionally the house was very full. She said the neighbors all had her phone number and would call. She said she is concerned a little bit about chronic complainers. There are people who really do not want STR's and regardless of the of the circumstances will continually call to complain. Realize that each temporary tenant is a separate individual. She said the annual inspections are unnecessary. She said it should be every other year. She said like a back flow device where they come look at the same thing 20 years in a row which you have to pay for an inspector every time. She said people own here and it's their dream to have a house here. She said they may use it sometimes themselves and then they rented other times to pay for the fees and the taxes and the mortgage.

Paul Hatfield said he want to follow up on what Janet just said. He said he kind of agrees with her. He said he has owned property in Incline Village since 1986. He said he started off in McCloud and sold that now own a small house in Mill Creek. He said he has always rented it out to guest and has been very responsible owner. He said he never get parties more than four people and those tend to be small families so you're not going to get loud music always coming out of my place. We cannot be too restrictive. Everyone has certain property rights. Janet was right, you are asking for a lawsuit if you try to get too restrictive. We just need to be sensible on this. The Pandemic year has impacted occupancy rate, so don't use this last year as a measure.

Alex Tsigdinos said he strongly believes the STR ordinance must limit short term rentals defined as rentals of less than 29 days to primary residence of the property and all neighborhoods that are zoned primary residential. This addresses three key concerns. First, it respects the existing zoning of our neighborhoods. We bought our home in Incline 17 years ago because we were attracted by the community character of our neighborhood. Our neighborhood is home to primary homeowners and long term renters and reflects the usage of a specified in the documents we signed when we purchased our home. Permitting widespread STR's as a defacto change of our neighborhood zoning, of our property rights, and a threat to our quality of life and home values. Second, long term residents are your constituents whose interested you represent. Although there's always been rentals, since 2008 online platforms of commercialized STR's on an industrial scale, turning residential housing units and the quasi hotels advertised the world. The vast and growing majority of STR's are now owned by non-local investors with 15 or more units, investment groups, reeds and other corporate entities. This is the very definition of a business use of a residential property. Third, each conversion of the housing unit to an STR eliminates housing for locals, teachers, entrepreneurs, first responders, workers, the very people who make our community function and thrive. STR's work against all other initiatives to create affordable housing. That's why a long list

of cities and municipalities have restricted STR's to primary residence, and that includes airbnb's corporate home in San Francisco. Limiting STR's to primary residence goes far to limiting the negative impact of those serious concerns. Thank you.

Diana Bourne said she had some comments that people asked her to read. Thank you so much to the planners and to the commissioners. This is very difficult subject. From Kathy Magni, January 31st, the group that wants to stop STRs and put in 9 months only renting time frame, and limit three months to not be rented, but could be occupied by family as defined by the family tree. I would like to ask if all of Incline homeowners are under the same rule when they don't rent their places. The comment about the longer the stay, the more likely people are to bring other folks in their rental; she said she completely disagrees with a six-night minimum stay. She said she has found, the longer stay, there is more damage. From Chris Morgan, my understanding is that there is a proposal being developed to make Incline Village short term rental rules even more stringent than the rest of Washoe County. As a homeowner in Incline Village, I strongly disagree with any effort to create special rules for residents in Incline. We are not entitled to any different benefits than the rest of the County residents just because we have a desirable zip code does not make us better than our neighboring communities. Short term rental guests bring much needed business to our restaurants, grocery stores, and service businesses. They are the lifeblood of our strong economy and low taxes. The recently updated of short term rental rules have already put great burden on people who depend on short term rentals for their livelihood. Although I don't agree with all of them, I respect the long negotiated process used to create them. Bad short term rental owners absolutely need to be held accountable and punished, but the vast majority of short-term rental owners respect their neighbors and laws in our community. The majority should not be penalized. Short term rentals are big part of our thriving economy and support both owners and middle class workers. I strongly encourage the board to dismiss any attempt to treat Incline Village differently. Submitted by Chris Morgan. I believe that owners of TRC should look out for our complex. Thank you.

Nancy said she is long time, part time owner and a fairly recent full-time owner here at Incline. She shared two points: a lot of thought energy and time has gone into this ordinance. We have to start with something. It's not fixed, it can be modified. It can be changed based on input. The community is had a lot of input into this ordinance and we need to start with something. The goal is balanced. The group has attempted to balance the needs of the long-term owners, short-term owners and renters. We need to limit the number the total number of STR's. Just as in a planned development where the number of non-owner-occupied residences are limited, there is a fixed number allowed and we need to follow that model where we limit the number of STR's. thank you.

Mr. GilanFarr How many months have gone by, years gone by where someone is just unilaterally decided to have this whole conversation. He said he has lived here for 50 years. Incline Village was developed as a resort development, a tourist resort town that is what it says on the documents recorded at Washoe County. For the subject matter, this community has been a tourist destination with retail, restaurants, and lots of shopping opportunities have just gone away because the community has not supported the tourism base that it was designed around. He said he was North Lake Tahoe Resort association board chair and absolutely pushed for pillow tax. We need to have the ability to have pillow tax so that these people who are renting their homes or rent their condos pay into the County for that regulation. It's absolutely important. He said he owns a restaurant in town and 90% of my income comes from the tourist because and none of you that are speaking tonight come to my restaurant or any other restaurant in Incline Village/Crystal Bay because you're too busy at home cooking Raley's to support the restaurant. He said the County is setting up a huge legal issue here taking away rights of owners. He said he will fight tooth and nail if you take my rights away. A simple suggestion is to focus on single-family which appears to be the big issue. Take your focus away from the condos and HOAs. We already have those set-up with programs. He said he already has a signed a contract and agreement with HOAs. Take those out of the equation. Deal with the single-family only right now. Occupancy should not be more restrictive than what the what the industry standard is. Lower the application fee to make it more tangible for someone to actually come and do it because 50% of what we got going on here in this town are people illegally doing it and not paying a pillow tax and making it bad for the ones that are trying to do it right. Emergency restrictions should only be shut down on these STR's if the governor directs that, not just because someone from the County decides that. He said he will be the first one to jump on board with filing a lawsuit against the County for taking any of my rights away especially when it comes to a condominium development. It was designed as a resort town and taking that right away now. He said he can understand that we want to be a little focused on the single-family dwellings and let's focus on that now. Thank you.

Linda Kahrs she said she and her husband are brand new in the community for almost a year. She said we voted for the commissioner based on the STR issue. There are communities that are able to align to the needs of the homeowners and the needs of the local businesses. Everybody needs to go back to the drawing board based on everything that has been shared tonight and really study this issue as it relates to the homeowners, and as it relates to the community, and people that need proper housing, and those people that are really favorable to STR's. She said it should not be a done deal right now.

Chair Miller closed the public comment period and wanted to address the questions that were asked during public comment. She said she heard a question about calculation of how many occupants. There doesn't seem to be a further explanation, but if you want to comment further, please do so. Trevor said the calculation is what it is.

Chair Miller thanked the staff and public for their participation. She wanted to remind everyone that the Board of County Commissioners have the final say of what goes into this document. And in some cases, they may have listened to the input and in other cases they might not have. Now this board will make their recommendations and discuss it among ourselves after the testimonies.

Mojra thanked Judy for running the meeting in such a comfortable and orderly way. She said she appreciated the feedback and let her know if there are any questions.

Kevin Lyons said he took bunch of notes. For the occupancy calculation, the public member came up with three based on 1000 square feet, is that correct? That seemed low to me. Mojra, according to the calculation, based on 2200 square feet. Because we don't have a floor plan in front of us, because we can't see hallway and bathroom subtracted, we explained the rule, we said 25% is typically is area that is not calculated as occupancies. For the example for 2200 sq ft, we subtracted 25% which leaves 1600 square feet of habitable space and if you divide that by 200 because you can have 1 person every two hundred feet, you end up with 8.25, and we round down to 8. She said she didn't answer the gentleman with 1000 sq feet because she said she would have to look at the layout. Kevin thanked her. He said the ordinance compared to this time last year is dramatically improved. A lot of the problematic stuff was taken out. Nice job on that. For the occupancy, there was an interesting point raised, the bedrooms versus square feet. That is definitely needs to be consider. He said he works with governments across the county on these kinds of decisions, giving them data and basic frameworks for working through. In this case, we started with problems such as parking, trash, noise, and occupancy and now we're mostly talking about inspections which don't actually solve any of those issues. There's a kind of formula – what is the public problem we are trying to solve. We are looking where is that nuisance happening – the noise, trash, public problem. Where is it in occupancy that creating that issues. He said he lives down the street from a 5,000 sq ft. short term rental. He said we've seen some wild parties and a couple fires that we've called them on. But who do we call, the Sheriff, the hotline? These things are super important in terms of solving the core nuisance issues. He said he thinks this ordinance is actually a little unspecified and it's not clear as to actually solving those. It adds a lot of costs and it adds a new person to do inspections. As far as the data, Mr. Librizzi mentioned this before, there was a small number of units that cause the problems and only on the weekends. And then looking at the numbers that were thrown out earlier, 20 properties inspected per day means 630 in one month of an FTE. Quick math on the fees, for example, they are looking to be about 5x's too high. Even if you're going to do inspections and that did solve part of the problem, as opposed to some kind of rapid response hotline verification or whatever process digitalized or otherwise. That is interesting. That is one failed flaw. He said he may be living next to another STR and might not be aware. There was something mentioned about self certifications. That's one way to lower the cost. And another person asked why is it annual. He said there's a story from New Zealand where they change drivers license from every four years to life. It saved them millions of millions of dollars but didn't change anything. So why is it annual as it doesn't seem to be a needed given that the layouts aren't going to change annually. Changing it to five years or anytime the layout changes would make a lot more sense. He said he knows the pillow tax was mention and we don't have any control over RSCVA, but \$125,000 is dwarfed by these fees. He said his question is what is the latest data that we have and has it changed in terms of the actual number units, the actual number of complaints, and how do we know we're going to solve that particular problem before we get into inspections which may or may not solve any problems and will cost the most money. Mojra thanked him for his valuable questions. She said as of today, host compliance sent us a little check-in to tell us you have 898 short term rentals. They scavenge the internet and some rentals may drop off and some may be added, so every day could change. The data from host compliance is provided to us monthly. At this point, because we have not yet built the platform, we will define what that frequency is anywhere from

24 hours to five days. We will be able to give you more data as we build the platform. Currently, we just have a contract with them, and we've done some interactive meetings to try to figure out a framework. As far as the question about inspections, fire was very vocal in the fact that there has been a lot of calls related to short term rentals for people who are not familiar with the premises of the homes. She directed the CAB members to the actual ordinance section 319.20. It talks about the things that the building inspectors would do versus the fire inspectors. She said we are only charging an hour of our time. We're looking at everything including ceiling heights. That matters because there was an incident years ago where there was a fire and the smoke accumulated and the ceiling was one inch too low and in a life safety situation it matters when the smoke accumulates. What we currently do in our life safety codes is what we would do for short term rentals. It is an assurance for everybody involved. The inspections were originally proposed to be physically done the first year and if you're a good actor, and you didn't have violations, and you paid your fee, you've been cooperative and there's no issues, then you would be able to do self-certification; however, Commissioner Hill has asked us to have boots on the ground, in the field, every year because unfortunately we have people who change structures and don't pull permits. Those things would cause a real hazard for occupants who are not familiar with door and exits. It was very important to really make sure that these structures are safe for this it is a privilege use. She said we have to get more data. She said we have preliminary data but we will get back to you with more data. Kevin Lyon said fire wanted this or someone else wants that, but the public wants the noise, trash, and occupancy issues addressed. He said he doesn't give a crap what the fire thinks about a one-inch ceiling, it doesn't change whether we have a house guest stay overnight.

Chair Miller said she would like to hear from other board members. She said these are privilege uses. When you talk about a transient rental, you are more akin to a business and to people coming in who don't live there. They have an expectation of a safe place.

Diane Becker said as we enter this final stage of generating the short-term rental ordinance, she said she wanted to point out several problems in current ordinance. She said she hopes the County staff will actually listen to this. The biggest issue is your new section 110.319.50, restrictions during a declared emergency. This issue has come about because former Commissioner Berkgigler had attempted to get us assistance when every single short term rental local agency close short term rentals when the pandemic started except for Incline Village. Every single short term rental in Idaho, Colorado, and California was closed and we could not close our short-term renters here because the District Attorney said that we had to have an emergency provision that said STR's are subject to all lawful orders of the of the County of Washoe. That would allow our County to close them if we had a pandemic. What is written here is already in existence. It's already the law. It's very concerning because of if should our current pandemic spike up again, should it turn out the new strain is dangerous to us, then Washoe County will be in the exact same position where it could not do something that was different than the governor of Nevada wanted. The law allows us to have our health official declaring emergency if there's a statute. She said she urges you to change the language of that section to say subject to all lawful orders of the governor of Nevada or the County health officer. If you check with our county manager as to what happened, they called repeatedly for weeks to try to get through to the governor to ask if we could close our short-term rentals here. All of the other states, all of the people that were transient came here. At one point, we had one of the highest infection rate than of any other area in the in the County or state. She said she urges you look at your occupancy. Every single jurisdiction around the Lake has adopted what TRPA has adopted. They've adopted two people per unit +2. She said she has sent all those documents to Kelly. She said she has done the calculations on six others 2,000 sq ft houses to get numbers of bedrooms and square feet and sent over there with Kelly. In every single one of those cases, you ended up with many, many more renters per unit using your numbers. She said we need to ask what are we looking at, and what do we want to do. You don't have to be different than everyone else. She said she sent Kelly and Commissioner Berkgigler an analysis of 65 mountain community resorts and most of them had occupancy of two bedrooms plus two people. Not one of them had a number like this. You get that number, 200 feet from the UBC 2018 version. But you didn't adopt all of the other protections for sleeping rooms that are in there such as the other protections that protect against fire and carbon monoxide. You are allowing a sleeping room to be next to a garage which is as an example that's not allowed under the new UBC is because carbon monoxide will come in. She said she hopes the county will change that back to the 2+2. Another issue that you need to look at is parking. You have gone with the parking requirement of 1 space per four people. We have urged you to limit the number of parking. There is no parking on-streets during snow periods and we also know that there's very little parking here. We know some condominium projects have 1.5 spaces per unit. None of this would cost the owners more. She said she isn't opposed to short term rentals but would like to see it safe. And a boat, RV, car, they're all going to end up on other streets. She said she is suggesting the parking be regulated. She said people have objected to scheduled health and safety

inspections. It's important to schedule this inspection based on probable cause. We never want people barging into other peoples' property for no reason. She provided an example of a short-term rental on Lakeshore where they had illegally converted a garage into a bedroom and they had eight people sleeping in there with a non-permitted gas installation heater. The Fire Department went to inspect the parking but red tagged it and closed it immediately because the non-permitted gas heater. The whole installation had to be corrected. She said the Douglas County Fire Chief spoke at that TRPA meeting when they put in their regulations. He said 90% of the inspections that Douglas County fire Department did both pre inspections resulted in their finding of serious fire dangers. She said she understands there are some people who rent only a room. To not consider not having fire inspections annually is to risk of fire danger which isn't fair for the rest of our community. Other areas of most concern is sanitary protection. She said she knows that your lawyer has said that 447.010, even though defines a hotel, is any structure kept or maintained in held out to the public for sleeping or rooming accommodations is a hotel, the reason that they have those the very minimum requirements like having screens on the windows. There is much more limited in California, those are to protect the visitors, and there's at least some degree of sanitary conditions should be in there to protect the visitors. Visitors are not sophisticated enough to realize that when they're going to hotel they're protected, and in STR they can walk into nightmare of bacteria and disease. She said she is disappointed by one thing, the ordinance before the meeting in January had a number of protections in it that were removed but the pandemic came in after. The former commissioner gave you 17 points she'd like to see added. Our current commissioner really cares about this issue; she has asked you to help us. You've had a year to come up with a good ordinance. Most of the things in here are just going to be health and safety and respecting your neighbors. If you couldn't put them in all this year, why would we think that you're going to put them in in another six months or nine months. You've heard, you've seen pictures, you have seen this information. Your responsibility as staff is to give the best advice you can give to the commissioners. Our current commissioner is the one who knows us. She is the one who cares about us and hope you'll listen to her much more. The last point that needs to made, you've said that you looked into the LLC's and there not being owned by multiple people. People in business who buy a piece of real estate are told by their lawyers that you should never have more than \$1,000,000 of property in one LLC. At least, you should have you have the list of the beneficial owners or the principles so that you know who owns multiple LLC's. Treat them under your laws as someone who owns 3 LLCs and treat them as a business. The information is not publicly available, so we know you haven't looked into it. Lastly, this issue of workforce housing. The issue is critical. We are losing workforce housing. She said she has many friends who have been renting here forever and many of them have had to move and or are going to have to move. It's because there is no workforce housing. Not having any workforce up here in the long run is going to hurt our whole community. She thanked everyone for their time. She said she hopes you'll think about what the people are saying. They are saying they don't want you to overburden them. Put in rules that will protect the public and help us have a good community for everyone.

Denise Davis she said she just wanted to make sure that the two subgroups of STR's have their questions answered. They asked if there will be different rules or regulations for owner occupied STR's who only do occasional renting for less than 10 or 15 days per year. Chair Miller said she had the same questions. She asked Mojra if they have a different fee structure for those who live in the house and don't pay the transiency occupancy tax. Are they bound by the same restrictions. The owners are on-site controlling things, they aren't going to let their house get destroyed. Mojra said that is going to be a question for the board to consider and see what direction they want to go. She said from a staff's perspective, it's a resource question - how do we enforce that? how we account for those that are only doing it 25 percent of the time? She said she understands the concept, but wonder if it's feasible to actually implement and enforce. Chair Miller said she knows the owner occupied rentals run their operation.

Mike Lefrancois said lot has been said. It sounds like there's a lot of concerns on all sides you. We know private property rights but trying to balance that with the real problems that people are having. He said a lot of this stems from the lack of action from the County. Whether this ordinance goes ahead or not, there are rules and ordinances in place that could be enforced, but it sounds like they just have no backbone. The argument we're hearing with respect to this particular program is that it's trying to be cost neutral, but on the other hand, is it too much, too late - we are penalizing the good guys to go after the bad guys. It's a tough call. In a prior meeting we had, talking about this issue was over a year ago. It's a beautiful place here. It goes without saying we have different rules here. When you go to somebody's house, you take off your shoes. The whole idea of coming to Tahoe and taking off your shoes because we are a special place which speaks to short term rentals. If you're going to invite the world into your home whether you live here or not, there are other people living here and we all need to be mutually respected. Some change is certainly required, it goes without saying. It

goes back to the fundamentals of talking to your neighbor. If they are never here and there are problems, there needs to be some enforcement; however, just knowing your neighbor may solve some of the immediate concerns. He said he heard the term boots on the ground and where the County can really step up. He said they can come out and look around to see what the problems are. Be proactive. He said when IVGID enforced zero tolerance program with trash, they were proactive. There should be somebody driving around town and have a list of the known short-term rentals and look out for other issues such as parking in the street or trash issues. He said he isn't sold on their approach to try to bank roll this whole thing on the dime of short term rentals. To Mr. GilanFarr's point, it was built as a vacation town. These things are not going away, like it or not; however, we could manage it better. 180 of these units are registers out of as much of 900 or 1000. It sounds like someone isn't doing their job going after these rentals. Whether or not we have an ordinance, the County needs to step up and make this happen and be a good steward of Incline Village. He said he has heard complaints for years. Chair Miller said she was also shocked to hear we only have 190 short term rentals paying the TOT. We have 900. She said she is surprised we are aware of 900 and we have had a lot of people moving into the area. She said she believes a lot of the new neighbors will be staying, but the numbers of short term rentals will be increasing.

Chair Miller said she has been troubled by this since 2014. She agreed with Mike that the county has been dragging their feet. Even Douglas County back had an ordinance in 2014. She said she was told it wasn't ripe yet in this area. It has been over ripe. Hopefully we can somehow bring together our thoughts to get something that's meaningful. We just have far too many vacation rentals. We've heard in our proposed regulation there is going to provide a kind of limit; we've heard different type of ways of limiting the numbers. That just doesn't seem to be resonating, at least not with the past boards. We have seen what has been done to the trash and its difficult to find parking spot at Raley's. It's really affected our quality of life but also the environment of the Lake.

Kevin Lyons said he can follow up with Mojra with some helpful checklists and things that are also useful to the county. He said he had notes of questions that he would like to be clarified. For the inspection issue, he asked if the building inspection is like a new building inspection where the property has to be brought up to code and it's no longer grandfathered. Mojra said she is happy to answer. She said it's actually a hybrid. There are some things that the fire district asked that we bring into the inspections, even though the home was inspected and permitted at the time it was built. She said we change codes every six years; they are published every three, but we adopted locally every six because it's too much of a learning curve for everybody involved especially users, inspectors, planners, and homeowners. Most of the homes were built prior to the 2000s. The building codes get more restrictive every year. If you look at 319.20, safety standard lists, the existing building codes are reiterated with this inspection process. Even though the permit was issued in say 2006, if you are coming in for a short term rental, we are ensuring that the basic exiting is in place. We will require a little lite that illuminates the exit pathway because homes are not familiar to the short term renters. That is what the fire district has asked us to include. She said she is happy to provide the list. This list was is a hybrid of existing code and other codes that have to be reiterated for the safety of those who are renting. Kevin said those are cost effective and some can be expensive. He said he would like to go through the list with Mojr. He said we have the public problems with noise. Washoe County is weird because there is no noise ordinance. Outdoor fires have been a big complaint. He said he will go through the list and make sure they are covered.

Kevin said there is a lot of good information. He said he would like to pass along what has been said tonight in thorough minutes and go through them with a fine-tooth comb.

MOTION: Kevin Lyons moved to recommend further review and consideration of all the comments made tonight without recommending approval of the current version of the ordinance. Chair Miller said this is going before the County Commissioners on February 23rd for a first reading. Diane Becker seconded the recommendation of not approving this version and forwarding comments captured in tonight's meeting. Chair Miller said we have heard several comments tonight that need to be taken into consideration. The motion carried by roll call (4-1) with Mike Lefrancois opposed.

8. *WASHOE COUNTY COMMISSIONER UPDATE- Washoe County Commissioner, Alexis Hill may be available to answer questions and provide updated information on discussions and actions by the Board of County Commissioners (BCC). Commissioner Hill can be reached at (775) 328-2000 or via email at ahill@washoecounty.us.

Commissioner Hill thanked everyone for participating tonight. She said she found out on the chat that there were some people that couldn't get into the meeting because we maxed out at 100 people. If that's the case, please email your comments AHill@washoecounty.us. She said she wants to see the public protected and want clear guidelines for those who operate these. She said staff is really trying to achieve that and she encouraged everyone to google the STR website that Washoe County created. She said there is the FAQ's that Mojra put together addressing the points made by Commissioner Berkbigler and the STR Incline Village/Crystal Bay committee. It also address why some of these issues weren't include. We don't want you to think you are not being heard. The staff really does care about this community and wants people to be protected with clear guidelines. It's hard with that motion because there were conflicting comments so we're not sure what the CAB wants us to take a look at, but we will do our best and go through these comments. She said she wrote them down and have a recording of this. You have been heard and we will be in touch. We are appreciative of the CAB for allowing the questions in the chat that needed to be addressed. Thank you. Chair Miller said she agreed, and it shortened the public comment, but we had to get back on track. Thank you for being patient and looking at all the different viewpoints.

9. *CHAIRMAN/BOARD MEMBER ITEMS- This item is limited to announcements by CAB members. (This item is for information only and no action will be taken by the CAB).

10. *GENERAL PUBLIC COMMENT AND DISCUSSION THEREOF –

Ronda Tycer said thank you guys. This was fantastic. She said she really appreciate everybody who was on this call especially the planners. Thank you so much for listening to us. Alexis, thank you thank you for your support. Diane and all the CAB members, it was a great meeting it and it was really what we were hoping for. Thank you, CAB members.

Sara Schmitz said thank you so much. Thank you, Diane, for all of her hard work in trying to get this type of agenda for our community members so that they have a voice to be heard. Thank you to all of the people who participated in this call. It's wonderful to see our community get behind and trying to set a course and a direction for our community. Thank you so much to it all of you for your efforts.

ADJOURNMENT – meeting adjourned at 8:51 p.m.

Number of CAB members present: 5

Number of Public Present: 100

Presence of Elected Officials: 1

Number of staff present: 3

Submitted By: Misty Moga