

SLT limits VHRs; issue may go to voters



A few dozen people listen to the VHR discussion Oct. 24 at Lake Tahoe Airport. Photo/Susan Wood

By Susan Wood

After intense deliberation and public pleading on both sides, the South Lake Tahoe City Council on Tuesday night temporarily closed the door on new vacation home rentals.

The 4-0 vote, with Councilman Tom Davis having to recuse himself, came on the same day an intent to petition for a ballot measure against VHRs made its way to the city clerk's office.

The council wants to return on Nov. 7 for a first reading on a new ordinance the members can all agree on and the public can stomach. A second reading that would enact the law would take place the following month.

The new ordinance would go over points in need of addressing from bear boxes and allowable caps to limits on distance between them and three-strike warnings to violators.

Vacation home rentals have become a hot topic since 2002, with councils talking about and tweaking regulations in order to keep the peace and keep an industry rolling in a tourism-based economy. The City Council alone has hosted 42 public meetings on the issue.

Vacation home rentals are divisive and contentious.

To prove that point, two citizens – Ken Weitzman and Daniel Browne – delivered their intent to circulate a petition outlawing VHRs in residential neighborhoods. The document encourages “the expansion of vacation rentals in our tourist and commercial zoned areas.” The bold petition could make its way to the November 2018 ballot Mayor Austin Sass announced during council and staff reports at the end of the meeting. Most of the 35 people in attendance had already cleared out.

Naysayers to the practice of renting homes for income claim it changes the profile of their neighborhoods and creates a nuisance. Those in favor of them insist there are but a few bad seeds, and the level of enforcement needs to rise.

To that, city Police Chief Brian Uhler retorted his department conducts a good job in “difficult circumstances.” When Uhler arrived in 2010, he “hardly ever heard of vacation home rentals being an issue,” he told the council. But that changed in the last few years as it’s “demonstrated a serious issue.”

Granted, complaints called in because of unruly behavior from properties do not necessarily end up as citations on vacation home rentals, City Manager Nancy Kerry pointed out.

VHR advocates dominated the public comment period Oct. 24 by quadrupling those who support the moratorium. Property managers, private homeowners and even a ski resort employee seeking housing for her international workers lined up to speak in favor of VHRs, hoping the council members would change their minds about stopping the permitting process for now.

Currently, there are 3,398 VHR listings representing 2,067 rental properties in South Lake Tahoe, according to a consultant that made a presentation to the council last month. Like statistics on complaints and citations, these numbers show growth but fluidity. Meanwhile, the city shows 1,847 have secured permits, with 1,397 being outside the tourist core areas. The tourist area not affected by the VHR ordinance changes.

The urgency ordinance freezes the number of VHRs for 45 days. It can be changed between now and then or extended at that time for a year.

Time and time again, Councilwoman Brooke Laine returned to the fairness issue while attempting to find a way to exempt those with scheduled hearings from the moratorium. But City Attorney Nira Doherty noted that type of change constitutes a "substantive" change that would require a rewrite of the rules.

Marlena Freitas appealed to the council's sense of fairness. She had a hearing slated for next week on her vacation home rental she uses for necessary income. It will go on hold until the moratorium is repealed.

"I've already invested \$1,200, and it's been three months," she told the council.

Sierra-at-Tahoe ski instructor Victoria Lynn turned her plea to others.

"The housing market is already tough enough for permanent residents," she said. Sierra needs to find homes for its ski season workforce.

Many who spoke in opposition to the moratorium wondered "why the urgency?" The discussion turned philosophical in trying to define and constitute the "public health, safety and well-being" of a community.

The issue was even debated in the non-agenda item portion of public commentary. It included an adversarial longtime property manager Jim Morris claiming not “everyone is breaking the law” and Weitzman suggesting the police department use a volunteer enforcement division like El Dorado County’s STAR force.

By the end of the evening, Councilwoman Wendy David admitted to feeling sad over “the loss of community” in testimony she’s heard from residents complaining about their “quality of life.”

“We want to be fair. But maybe we should take a break. It’s a good reason to pause till we figure this out,” David said.