

Meeting Summary

Public Meeting #2

6:00 p.m. – 8:00 p.m., White Rock Fire Station #3, 128 NM-4, White Rock

Attendees

Per meeting sign-in sheets, there were 16 attendees, including members of the Project Team (County staff and project consultants). Members of the Project Team in attendance were as follows:

- Desirae Lujan (LAC)
- Sobia Sayeda (LAC)
- Anita Barela (LAC)
- Adrienne Lovato (LAC)
- Eric Abeyta (LAC)
- Noah Berke (Wilson & Company)
- Ben Bachwartz (Wilson & Company)

Planning & Zoning Commissioner David Hampton and Mr. George Chandler, members of the project Steering Committee, were also in attendance.

Meeting Summary

Meeting Start & Presentation

Desirae Lujan began the meeting with an introduction of the members of the Project Team who were in attendance. Noah Berke then proceeded with a slideshow presentation summarizing results of the Public Survey and proposed components of the draft County Short-Term Rental Program. There were no questions from attendees during the presentation.

Question-and-Answer Session

Question/Comment	Response
Wren Propp asked if the natural person, local agent, and operator of a short-term rental could be the same person, and if the operator and owner could be different people.	Noah explained that the owner, operator, and local agent could be the same or different people.
Ms. Propp asked about the process for ensuring compliance. She asked how “lapses,” as currently defined in the draft, would be substantiated and enforced by the County. She said she liked the three-strike rule proposed in the current draft, but she concerned about	Noah explained that Community Development Department staff would be responsible for making determination of lapses by operators.

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<p>making sure County enforcement of each “strike” was followed through on.</p> <p>She added that she felt it was important that the Program would be enforced in a way that all parties understood its components.</p>	
<p>Ms. Propp asked if the “accessory structure” part of the STR definition proposed by the Program could include recreational vehicles (RVs). She was concerned about a scenario in which someone hosted one or multiple RVs as STRs on their property.</p>	<p>Noah responded that “accessory structure” was already defined in the County Code and described structures with footings or foundations, and therefore, could not be interpreted as including RVs.</p>
<p>Commissioner Hampton asked if the draft Program provision limiting issuance of an STR permit to only one natural person would apply only to STRs in residential areas.</p>	<p>Noah said yes. Because STR permits would only be required for STRs operating in residential areas, the natural person requirement would, in effect, only apply to residential areas.</p>
<p>Mr. Chandler explained that the proposed 50-foot buffer distance between STRs was far too small. He said this would support STRs on every other lot in some neighborhoods. Lots are typically 65 feet long. The current proposed buffer could still allow a “hopscotch” scenario in which STRs would be located on both sides of a street in zig-zag pattern and they would still meet the 50-foot distance buffer.</p>	<p>Noah thanked Mr. Chandler for the comment.</p>
<p>Mr. Chandler expressed that traditional bed-and-breakfasts and short-term rentals needed definitions that distinguish them from each other clearly. As the proposed STR definition was written, bed-and-breakfasts could be considered STRs – yet, bed-and-breakfasts have to obtain different, additional approvals in order to operate.</p>	<p>Noah thanked Mr. Chandler for the comment.</p>
<p>Emma Abata asked if the costs of permits had been established.</p>	<p>Sobia Sayeda explained that these costs were still being determined and would be based on the costs to operate the program. She explained that the business license would likely cost \$35, like for many other types of businesses. The costs would be laid out in a fee schedule that would be need to be approved by County Council.</p>
<p>Ms. Abata asked about the proposed 3-strike approach to ensuring compliance. She asked how</p>	<p>Noah explained that the owner/operator would be asked to acquire a permit in order for the County to verify that life-safety standards are being met.</p>

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<p>this would work if an STR were being operated without a permit.</p>	
<p>Ms. Abata asked what would happen if someone operates an STR without ever seeking a permit.</p>	<p>Noah explained that compliance in this case would rely on complaints from the public.</p>
<p>Morrison Bennet asked Noah who he was and what organization he represented.</p>	<p>Noah explained that we are a consultant to the County, helping them to create the STR Program.</p>
<p>Ms. Propp asked if existing short-term rentals would be grandfathered into this program.</p>	<p>Noah responded that since no program/permitting system exists now, existing owners/operators would need to apply for and obtain a permit just like any other applicant.</p>
<p>Ms. Propp asked if STR owners would pay lodger’s tax.</p>	<p>Noah explained that short-term rentals are considered lodging under state law, and consequently, would be required to pay lodger’s tax to the state, a portion of which would be remitted to the County.</p>
<p>She added that she felt it was unclear what lodger’s tax would be used for in the County and hoped it would be better defined.</p>	<p>Noah acknowledged the comment.</p>
<p>Ms. Propp further asked how permitted would work for multiple-owner arrangements, such as those facilitated like platforms like Pacaso.</p>	<p>Noah explained that STRs owned in this way could not obtain STR permits under the current draft Program provision because of the requirement that a permit can only be issued to a natural person.</p>
<p>Ms. Abata asked how STR operators could be encouraged to operate their units to a high standard. She described the current breakdown of STRs in the County as including “part-timers” who operate the STRs to earn a little extra income, those who run their units as businesses, and those who run their units as businesses but also do a good job. She asked how the latter scenario can be encouraged.</p>	<p>Noah explained that STR hosts are encouraged to properly maintain or operate their units by the ratings systems of their platforms they list on.</p>
<p>She followed up and encouraged the County to provide information, education, and/or resources to prospective STR operators on how to responsibly manage their units. She mentioned the example of Minut, a noise regulation device, or Ring cameras, which could be used to flag nuisance activity from guests.</p>	<p>Noah thanked the attendee for her comment.</p>

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<p>Mr. Chandler commented that he felt the proposed 24-hour response time for a local agent was far too long and should be changed to one hour or “as soon as possible.”</p>	<p>Noah thanked Mr. Chandler for the comment and explained that emergency services should still be able to provide immediate response in most situations.</p>
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Other Discussions

No members of the Project Team had individual conversations with attendees related to the project.

Exercise Board Results

Below are photos showing the results of the two board exercises that solicited feedback from attendees:

REGISTRATION

ADDRESSES

- County goal to track STRs & apply basic regulations
- Desire to maintain residential character of neighborhoods
- Concerns about housing availability

Business license required for STRs in residential and commercial districts

All permits will be issued and renewed on annual basis

Public Hearing on each permit

Disagree

Do not grandfather any existing permits

Higher cost of permit will encourage more serious operators.

\$150 - \$350/year

STRs in residential zoning districts need STR permit

One permit issued per natural person

Public Hearing on each permit

Disagree

Do not grandfather any existing permits

1 permit per natural person or business/LLC. Business that are smaller run the best STRs + improve neighborhoods. It's their job to do a good job

LIFE-SAFETY & NUISANCE

ADDRESSES

- Concerns about life-safety in STRs
- Desire to maintain residential character of neighborhoods
- Concerns about nuisances from STRs

Short-term rental unit will meet all applicable building, fire, and safety codes

Parking provisions:

- Two or more bedrooms require 2 off-street parking spaces
- Multi-family buildings must comply with current Code regulations

2 off street parking spaces available UNLESS driveway can accommodate 1 car per 2 guests

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Occupancy limited to 2 adults per bedroom

I think 2 adults per bedroom PLUS 2 adults should be allowed because pull out couches or air mattresses are nice for larger families trying to stay together

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LIFE-SAFETY & NUISANCE (CONT'D)

ADDRESSES

- Concerns about life-safety in STRs
- Desire to maintain residential character of neighborhoods
- Concerns about nuisances from STRs

Adhere to Noise Ordinance
 between 9 p.m. and 7 a.m.

Provide education/info/resources to ppl who get STR permit about different software & tech they can use to best manage + host + maintain compliance (ex: Ring camera, minute, signage, labels, etc)

Provide education/info/resources to people who get STR permit about different software & tech they can use to best manage, host, maintain compliance (ex: Ring Camera, minute, signage, labels, etc)

Local agent required to respond to emergencies or complaints at an STR unit

The response time is very reasonable as all real emergencies will be addressed by local authorities

The response time is very reasonable as all real emergencies will be addressed by local authorities

Relevant local program provisions will be posted visibly in STR unit

Posted visibly OR in House Guide

Posted visibility OR in House Guide



DENSITY & DISTANCE

ADDRESSES

- Desire to maintain residential character of neighborhoods
- Concerns about housing availability

A 50-limit cap for STR permits countywide (first-come first-serve basis)

Would we consider a percentage cap instead of a #/flat rate cap?

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In a multifamily dwelling development with 4 or more units, no more than 25% of units are permitted to have an STR permit, with a maximum of 12 in one building

Quads could all be STR to not "annoy" neighbors. I think Quads could be allowed to have more than 1 STR.

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STRs must maintain 50-foot radius buffer from each other

I don't think the 50-ft radius buffer is necessary. STR neighborhoods have shown benefits too. Keeps all the guests in same location + locals away.

I don't think the 50-ft radius buffer is necessary. STR neighborhoods have their benefits too. Keeps all the guests in same location & locals away

COMPLIANCE

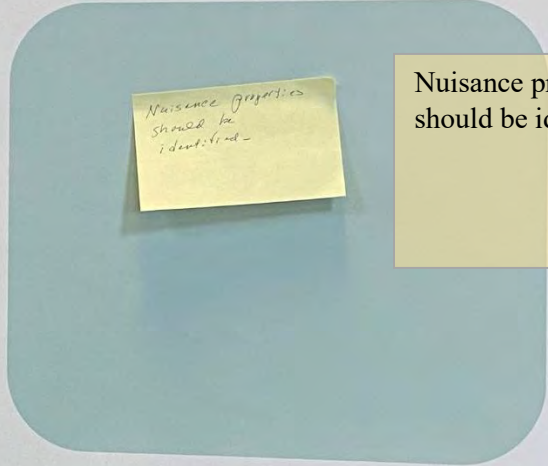
ADDRESSES

- Concerns about too much “red tape” in program

Lack of registration/license addressed per Chapter 12

Other operator lapses (3-strike approach)

- Courtesy letters for first two confirmed lapses
- Upon third confirmed lapse process for revocation



Nuisance properties should be identified