

Public Meeting #1



LIVE

HOST

VISIT

LOS ALAMOS COUNTY
SHORT-TERM RENTAL PROGRAM
DEVELOPMENT PROJECT

February 22nd, 2023





Introductions

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DEVELOPMENT PROJECT

The Project Team

- **Los Alamos County Community Development Department (CDD):**
 - Desirae Lujan, Project Manager, Associate Planner
 - Paul Andrus, Director, CDD
 - Sobia Sayeda, Planning Manager
 - Anita Barela, Associate Planner
- **Wilson & Company**
 - Noah Berke, AICP, Project Manager
 - Ben Bachwirtz, AICP



Project Overview

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Project Purpose

- Los Alamos County regulations are currently “silent” on short-term rentals (STRs)
- The County recognizes benefits and drawbacks of STRs
- Establish mechanism for STRs to legally operate in LAC
 - Business registration, etc.
 - Address life-safety concerns
 - Land use compatibility
- An *STR program* is a comprehensive approach – it would create regulations *and* provide the resources & processes to effectively manage STRs/enforce regulations

Project Scope

- Task 1: Design and Administer a Community and Stakeholder Input Process and Plan
- Task 2: Identify, Assess, and Provide Code Revision Recommendations for the STR Program
- Task 3: Develop a STR Program Report
- Task 4: Recommended Draft Ordinance for County Council Approval

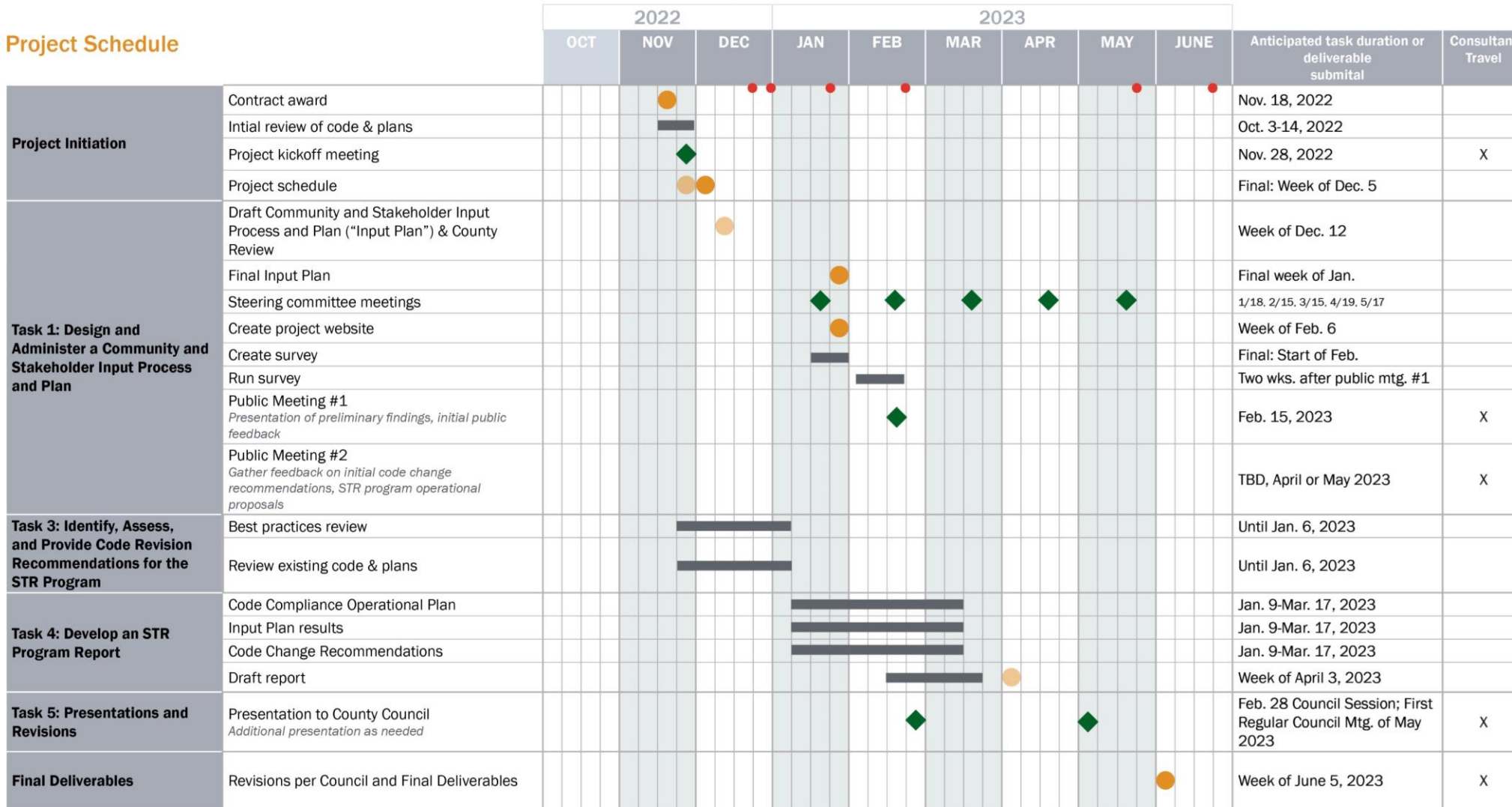


Project Schedule

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Project Schedule



Deliverables
 ● Draft ● Final

Meetings
 ◆
 This does not include regular project team meetings, which will occur the 1st, 2nd, and 4th Wednesdays of each month

Holidays
 ●
 Christmas: Sunday, Dec. 25, 2022
 County Observed: Monday, Dec. 26, 2022?
 New Years Day, Sunday, Jan. 1, 2023
 County Observed: Monday, Jan. 2, 2023?
 MLK Day: Monday, Jan. 16, 2023
 Presidents' Day: Monday, Feb. 20, 2023
 Memorial Day: Monday, May 29, 2023
 Juneteenth: Monday, June 19, 2023



Preliminary Research

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Themes from Previous Plans & Studies

- Documents reviewed:
 - 2016 comprehensive plan
 - *Los Alamos County Tourism Strategic Plan (2018)*
 - *Los Alamos County Economic Vitality Strategic Plan (2019)*
 - Downtown master plans (Oct. 2021)
 - *Annual Strategic Leadership Plan (2023)*

Themes from Previous Plans & Studies

- Common themes:
 1. Housing affordability and availability are major challenges for the County
 - County needs newer, more affordable, and different types of housing
 - Many LANL employees want to stay in the County when they retire
 - Younger LANL staff need an affordable place to live
 2. Economic diversification a key goal
 - County's economy is massively tied to LANL
 - Business retention is an ongoing challenge
 - Expansion of community amenities

Themes from Previous Plans & Studies

- Common themes (cont'd.):

3. Tourism is a major opportunity for economic diversification

- Presence of Bandelier Nat'l. Monument and unique outdoor setting are major assets
- Community's history another major asset
- Future expansion of amenities
- Focus on future lodging & hospitality infrastructure

Themes from Previous Plans & Studies

- Downtown Master Plans (Townsite and White Rock Town Center):
 - Recommend allowing for **increased density** of housing in the downtown areas to help address the county's housing shortage and to address housing affordability, since denser housing allows developers to offer lower rents
 - Also recommend **expanding services and amenities** in these areas for **tourists**

Short-Term Rental Code Comparison

Common elements of STR ordinances from around the region:

- **Zoning Requirements:** specifies where short-term rentals are allowed.
- **Number of Permits:** the maximum number of permits allowed for issue each year.
- **Notice for Short-Term Rentals:** public noticing requirements for new short-term rental units.
- **Local Contact Person/Property Manager:** a designated property manager (may be the owner of the vacation rental home or the owner's agent), shall reside in the county and be available 24 hours per day.

Short-Term Rental Code Comparison

Common elements of STR ordinances from around the region:

- **Real Estate Disclosure:** requirements for real estate brokers to disclose short-term rental properties to potential buyers.
- **Host Platforms:** software that stores the web address and permit registration for short-term rental properties and provides a monthly report to the city or town.
- **Violations & Penalties:** what actions are taken if a short-term rental property owner does not comply with the regulations. Los Alamos County would like to take a compliance approach rather than a punitive one.

Regional Comparisons: Santa Fe

Santa Fe population: 81,000 (Los Alamos County: 19,000)

- City started regulating Short Term Rentals back in the early to mid-2000s
- Ordinance has been amended twice to add regulations regarding frequency of rentals, distance between properties with STRs, number of people per bedroom, owner occupant regulations, no transfer of permits, increasing limits of permits, and requiring hosts to show their City permit number on online platforms
- Office of Short-Term Rentals was created
- STRs are required to get a permit
- STRs were limited to 350 permits until 2016, when this was amended to allow up to 1,000 permits
- Fees are collected on a yearly basis

Regional Comparisons: Taos

Taos population: 6,600 (Los Alamos County's: 19,000)

- STR regulations in effect since January 2021
- Requires permitting by Town of Taos
- 120 permits max. to be issued annually (estimated 180 operating in Jan. 2021)
- Occupancy limits (avg. of 2 people per bedroom)
- Requires collection of lodgers' tax and occupancy reporting
- Town was first in state to sign an agreement with Airbnb

Regional Comparisons: Albuquerque

Albuquerque population: 560,000; (Los Alamos County: 19,000)

- STR regulations since April 2021
- Originally required permit, capacity limits, and on-call emergency contact
- City is now proposing significant changes, explicitly aimed at addressing availability and affordability of housing
- Proposed changes include the following:
 - Citywide cap on permitted rental at 1,200 annually (permitted STRs at around 600; actual total estimated at around 2,100)
 - Number of rentals owned & operated by a single person/entity capped at 3

Regulatory Framework

- STR-related NM state statutes are limited – no statutes specifically regulate STRs
 - Taxation
 - Collection & use of fees

First Step in Establishing Regulations

Goals for the implementation of new regulations must be determined to formulate clear policies. Once goals are established, details involving definitions, implementation, recordkeeping, assessment, and more will be constructed.

Source(s): <https://www.nlc.org/wp-content/uploads/2022/05/Short-Term-Rental-Regulations.pdf>

First Step in Establishing Regulations

Several examples of policy goals and associated policy levers:

- Prevent the loss of rental housing
- Slow or prevent the overgrowth of STRs
- Combat displacement
- Preserve the residential quality of neighborhoods
- Balance the needs and rights of property owners and neighbors
- Ensure health and safety of guests and residents
- Capture tax revenue
- Support tourism in a balanced way
- Allow for economic gain for residents

Source: <https://www.nlc.org/wp-content/uploads/2022/05/Short-Term-Rental-Regulations.pdf>

How to Stay Involved

- **Presentation to County Council:** February 28th
- **Second public meeting:** TBD, May?
- In the meantime, please fill out **Public Survey #1** (details at the door)
- **Project website:** livehostvisitlac.org – link to survey and regular project updates



Thank you

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