



MEMORANDUM

To: Trinidad Planning Commission

FROM: Trever Parker, City Planner (item numbers on the left, & 2 add'l columns on the right, by Mayor Miller, 8/5/2016)

DATE: July 25, 2016

RE: Final PC Recommendations on new STR Ordinance

1. This table, along with the amended VDU STR ordinance, represents the final recommendations of the Planning Commission to the City Council. I have incorporated the suggestions and votes from recent meetings along with some of the key reasons for those suggestions and decisions. For this meeting, you should consider whether any specific changes need to be made to this table or the ordinance before it goes to the Council. Then the Commission will vote on it as a whole.

*** (from Mayor Miller: All ordinance ref's are to sub-sections from 17.56.190. The numbering has errors ... needs work)*

	ISSUE	PLANNING COMMISSION RECOMMENDATION	KEY REASONS	PC VOTE	Ordinance Reference	CC Vote
2	Should there be any limit or cap on VDUs?	Yes	<ul style="list-style-type: none"> • Too many existing VDUs • Change community character • Neighborhood conflicts • Decreased affordability • Environmental Impacts • Impacts to services 	Yes	E	
2a	Cap Details – How many, and what mechanism.	Fixed number by zone: <ul style="list-style-type: none"> • UR: 19 (15% of developed lots) • SR: 6 (20% of developed lots) Note that percentages do not include second units	For: Similar reasons as above	4-1	E	
2b			Against: <ul style="list-style-type: none"> • Cap is too high • Cap is unfair 		E	
	ISSUE	PLANNING COMMISSION	KEY REASONS		Ordinance	

		RECOMMENDATION		PC	Reference	CC
3	Density / buffer restriction*	100 ft. from property lines (only within the UR zone)	For: <ul style="list-style-type: none"> Reduce clustering/bottlenecks Increase neighbors/residents Against: <ul style="list-style-type: none"> Buffer is unnecessary Buffer is too small 	3-2	G	
4	Treat owner-occupied and/or hosted* differently?	Overall, no. But there was no general agreement on how to categorize STRs. Generally they should all be subject to the same caps and standards, but may want to incentivize one or another type (e.g. get priority in the lottery).	<ul style="list-style-type: none"> Having a host present on the property reduces the likelihood of nuisance impacts (2) Incentivizing owner-occupied benefits residents (1) Limiting benefits to hosted, owner-occupied STRs does both of the above (1)	2-1-1	B-3 & H (?)	
5	Require 'activity' on License?	Yes - 60 days minimum activity (nights rented) per year.	For: To ensure STRs (VDUs) are providing the intended benefits to visitors and providing TOT revenue to the City. <ul style="list-style-type: none"> Against: Unnecessary 	3-1	H-12	
6a 6b *6c	License Term	1) Annual renewals 2) With a 5 year maximum limit * There was a suggestion to consider some sort of process to stagger the initial permit renewals (e.g. 2.5 and 5 years) so they don't all come up at once, but this complicates the lottery that is already affected by the buffer.	For: 1) Review each year for compliance and complaints 2) Increase opportunities for all property owners and easier to remove later than add if necessary Against (2): <ul style="list-style-type: none"> Too limiting Harms VDUs/STRs that aren't causing problems	1) 5-0 2) 3-2	<ul style="list-style-type: none"> D-2 note below G <hr/> * none yet	
	ISSUE	PLANNING COMMISSION	KEY REASONS		Ordinance	

		RECOMMENDATION		PC	Reference	CC
7	Transferability of Permits	Not transferable except for specific exceptions for immediate family (spouse, kids) and family trusts.	<ul style="list-style-type: none"> To reduce the influence of an STR license on property values To allow more people a chance to have an STR 	5-0	D-3 #	
8	If a cap goes into place that is lower than current VDU #, how do we get there?	Lottery after amortization period, with each existing VDU in the UR zone going into the pool.	<p>For: Balance speed (to get to cap) and fairness</p> <p>Against:</p> <ul style="list-style-type: none"> Too complicated Unnecessary 	4-1	D-3 #	
9	How do we manage a waiting list for permits?	<ul style="list-style-type: none"> Lottery 	<ul style="list-style-type: none"> Fairness: gives everyone a chance 	4-1	D-3 #	
10	Other Issues:	Enforcement was the big issue, but others included definitions, and other minor amendments (e.g... * removing the hold harmless agreement)	To provide clarification and clean up some issues that have been identified during the initial implementation of the existing ordinance.		D-1-d	
11	Complaint process*	Adopt a formal STR complaint process (outside of the ordinance) based on the model provided and post on the City's website	<ul style="list-style-type: none"> Ensure transparency Ensure follow-up <p>Ensure all complaints are properly logged and tracked</p>		L-2	
	ISSUE	PLANNING COMMISSION	KEY REASONS		Ordinance	

		RECOMMENDATION		PC	Reference	CC
12	Enforcement*	<ul style="list-style-type: none"> The definitions for complaints and significant violations were clarified 	<ul style="list-style-type: none"> It is important for the City to enforce STR regulations in order to maintain community compatibility Neighbors have less recourse with STRs (e.g. civil suits) than with long term owners or tenants. Having strong and clear consequences makes bad behavior less likely to occur in the first place Ensure that the rules and consequences are adequately communicated to the occupants 		L-2	
13		<ul style="list-style-type: none"> The City Manager was given explicit authority to adopt administrative rules and put problem properties on a watch list 			L-2 # and ## after H-14	
14		<ul style="list-style-type: none"> Beef up the "Good Neighbor Brochure" 			B-1	
15		<ul style="list-style-type: none"> Require "Guest Registry" 			H-2 #	
16		<ul style="list-style-type: none"> Require a Responsible Person to sign and acknowledge rules 			None	
17		<ul style="list-style-type: none"> Require "Meet and Greet" by owner or manager 			## after H-14	
18		<ul style="list-style-type: none"> Suggest the City adopt a noise ordinance 			None	
19		<ul style="list-style-type: none"> Suggest the City enact a tiered system for issuing administrative fines 			None	
20		<ul style="list-style-type: none"> . 				
21		<ul style="list-style-type: none"> . 				
22		<ul style="list-style-type: none"> . 				

*Not part of the original Council recommendation table