

Archuleta

COUNTY

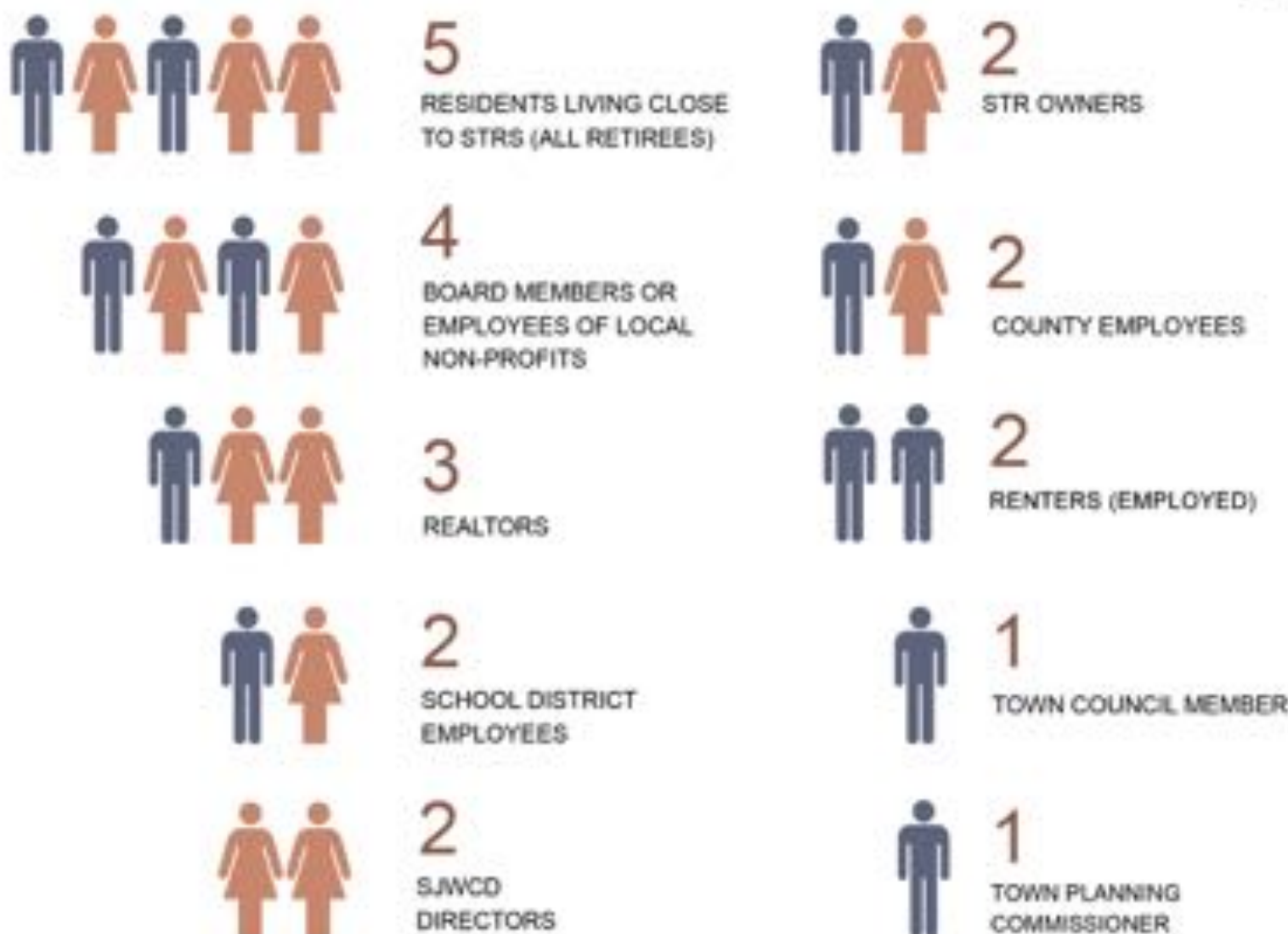
SHORT TERM RENTAL CITIZEN PROPOSAL

FEBRUARY 2023



We are a group of local residents with various backgrounds who have been meeting and corresponding since December 2022 to provide the commissioners with some additional community-generated recommendations about Short-Term Rentals policy.

The study group has thus far received input from 24 local citizens. We welcome input from anyone in the community.



PLANNING PRIORITIES

We began our process by adopting the three “agreed upon priorities” that were listed in the Archuleta County Planning Department’s “Vacation Rental Policy Options” June 2022 document to help frame our discussions.

We agree that all of these concerns are community priorities.

PRIORITY ONE:

IT IS A PRIORITY TO *SUPPORT TOURISM AS A KEY CONTRIBUTOR TO ECONOMY AND JOBS IN THE COUNTY.*



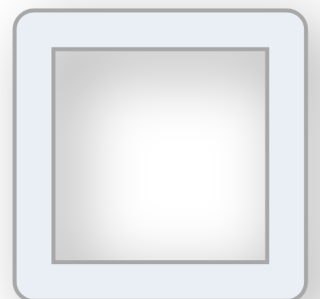
PRIORITY TWO:

IT IS A PRIORITY TO PRESERVE THE SMALL TOWN, RURAL, QUALITY OF LIFE FOR RESIDENTS OF THE COUNTY.



PRIORITY THREE:

IT IS A PRIORITY TO INCREASE AFFORDABLE WORKFORCE HOUSING AVAILABILITY IN THE COUNTY.



Planning Definitions

The County's 2022 "Vacation Rental Policy Options" suggested Density Caps and Vacation Rental-to-Vacation Rental Setbacks as two methods for addressing possible solutions. With the aforementioned priorities in mind, we began discussing density caps, setbacks, grandfathering, and possibilities to expand workforce housing availability through potential fees or taxes.

The following working definitions were used in discussions*:

Adjacent: Properties sharing the same property line or located directly across the street or directly behind (in case of an intervening greenbelt) one another.

Classic Vacation Rental: Condominiums and Townhomes

Investor-Owned Vacation Rental: Residential dwellings purchased with the intention of becoming a permitted Vacation Rental.

Owner-Occupied Vacation Rental: A home-based business where the property owner lives as a resident at least 9 months of the year and the Vacation Rental operates from the home or accessory dwelling unit.

*Other definitions coincide with the current Archuleta County Land Use Regulations.



GRANDFATHERED PERMITS

We recommend that all Vacation Rentals that are already legally permitted be allowed to continue operating and renewing their permits annually, unless the property is sold or otherwise changes ownership. This includes all Investor-Owned, Owner-Occupied, and Classic Vacation Rentals. This also includes all Vacation Rentals in subdivisions that currently exceed the 10% Density Cap and/or Setbacks.

In regards to the change in ownership of a property, If a permitted property changes ownership, the new owner should be allowed to apply for a new VR permit, so long as the property meets the subdivision density cap and distance setbacks then in effect.

10%
Density Cap

INCLUDES ALL
GRANDFATHERED
PERMITS

Existing Permits

100%

CONTINUE OPERATIONS AND
RENEWALS

New Permits

ACCEPTED AS LONG AS
DENSITY AND
SETBACKS ARE MET



DENSITY CAPS

The County's 2022 "Vacation Rental Policy Options" suggested density caps and VR-to-VR Setbacks, as two methods for addressing the agreed upon priorities. No specific "percentage" was suggested in that document.

Currently, most subdivisions have fewer than 10% Vacation Rentals, but a few subdivisions already exceed 10%. We recommend grandfathering all existing Vacation Rentals, but allowing new permits (as discussed below) only in subdivisions with less than 10% density. A density cap would be calculated separately for each subdivision.

A 10% cap would also be in alignment with the Town of Pagosa Springs, which adopted a 10% cap for residential neighborhoods in 2021. The Town has no caps in commercial and mixed-use neighborhoods.

The following recommended policy would address all three of the agreed upon priorities. We recommend that Vacation Rentals not be permitted in Multi-Family Apartments Buildings, to preserve these for working households.

We recommend a 10% Density Cap for residential subdivisions only, which would be calculated per subdivision.



10% Density Cap for
Investor-Owned
in residential subdivisions ONLY

15% Density Cap for
Classic VRs

Exempt Owner-Occupied, or
Density Cap for in Commercial, AR
or AE Zones



No Permits
Issued for Multi-Family Apartment
Buildings intended for Rental or Lease



SETBACKS

We agree with the suggestion in the "Vacation Rental Policy Options" document that the County protect the character of our residential neighborhoods, on behalf of full-time residents, by establishing VR-to-VR Setbacks.

As an example, the Town of Pagosa Springs has adopted a 250 foot setback, but this type of distance-based setback is problematic for the County, due to the wide range of parcel sizes in the various subdivisions, ranging from 1/8 acre to 10 acres. A 250 foot setback might make sense in the Vista subdivision, but would make no sense in Martinez Mountain Estates where the parcels are 3-5 acres in size.

We recommend a simpler formula to protect neighborhood character. All existing Vacation Rentals would be grandfathered. New Permits would be issued so long as no existing home would become adjacent to more than one Vacation Rental. We believe this policy would provide a measure of 'breathing room' for full-time residents, while still allowing a 10% density.

Setbacks would not apply to condos; they would be limited by the 15% density cap. The setbacks would, however, apply to townhomes.

Protects

NEIGHBORHOOD
CHARACTER

Applies to

TOWNHOMES,
SUBDIVISIONS,
PARCELS

Exempts

CONDOMINIUMS



MORATORIUM DURATION

CONTINUE MORATORIUM UNTIL



DENSITY CAPS



SETBACKS



UPDATED
LAND USE
REGULATIONS



BENEFITS OF POLICIES



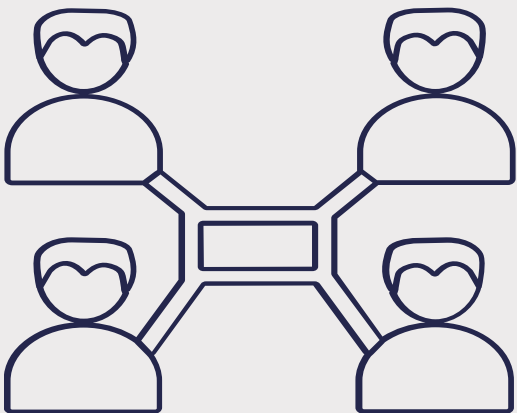
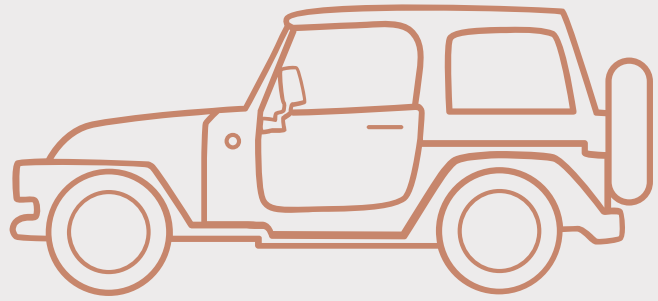


Lodging Tax

Preserves or Increases the current level of Lodging Tax by grandfathering existing permits and allowing unrestricted Vacation Rental growth in rural areas.

Road Use

Will not cause an increase in traffic impacts to subdivision roads, but may increase traffic on rural roads.



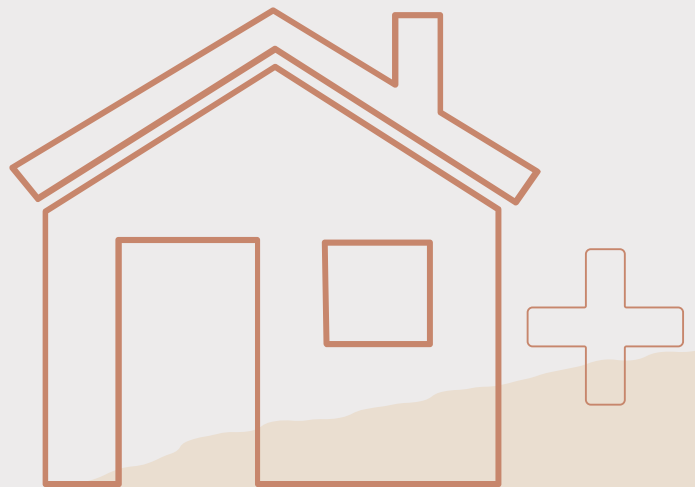
Community Preservation

Will not lead to an increase in "Party House" disturbances in Residential Neighborhoods

Housing Availability

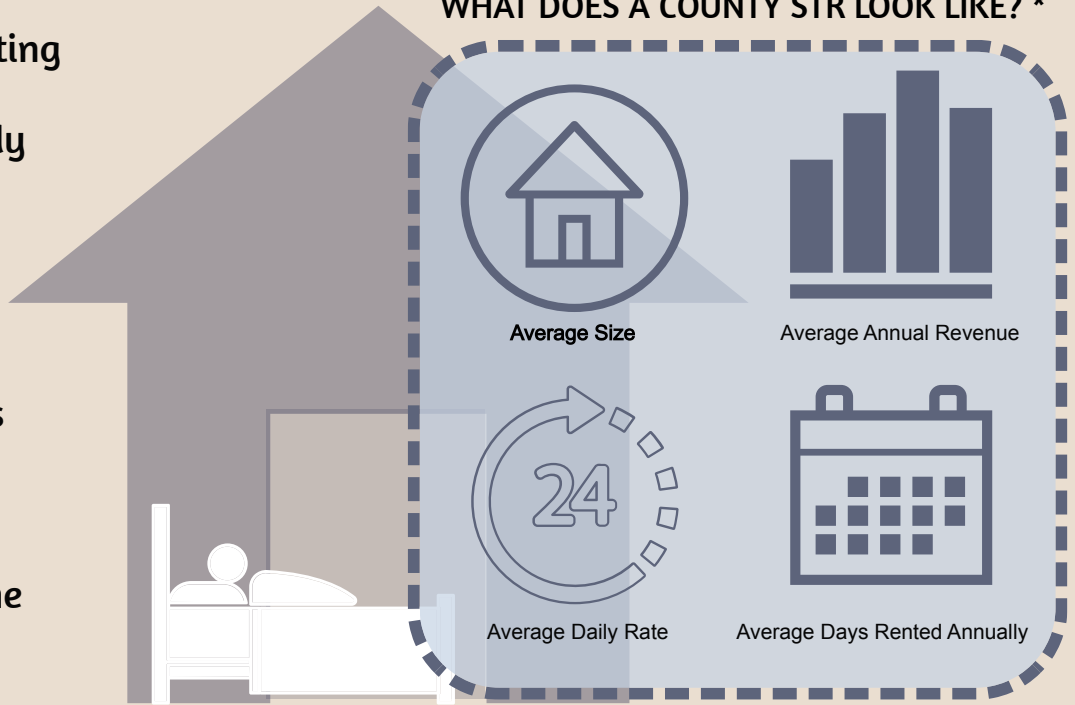
Might reduce economic pressure on housing prices and rental rates within subdivisions where the homes are most affordable to working households.

Protects apartments from becoming completely Vacation Rentals.



As we continue meeting and talking, our study group plans to tackle the issue of possible taxes or fees placed on Vacation Rentals, to benefit the community.

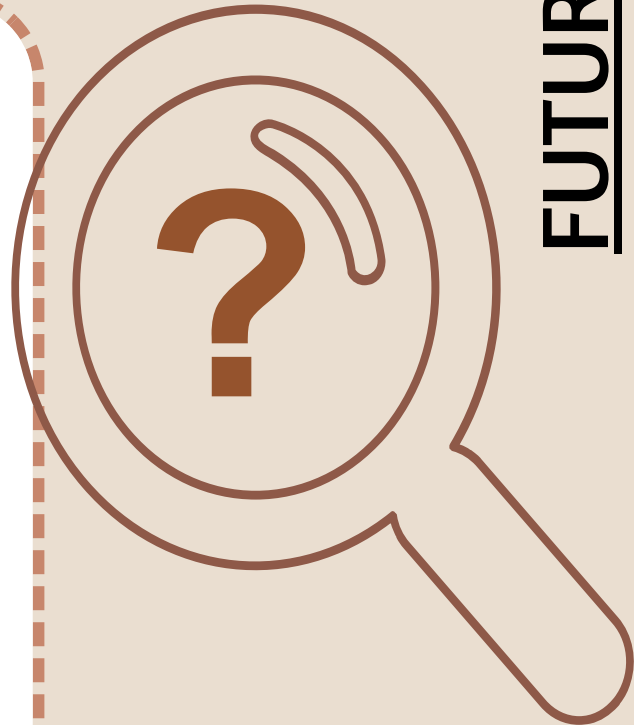
WHAT DOES A COUNTY STR LOOK LIKE? *



*Information taken from analysis by the Pagossa Springs' November 2022 "Short Term Rental Study" conducted by Root Policy Research.

FUTURE RECOMMENDATIONS

SUPPORTABLE FEE OR SUPPORTABLE TAX?



THANK YOU!