

PITKIN TOWN WORK SESSION

March 4th 2019 at 7pm

Newcomb Community Center

AGENDA

1. **Call to Order/Roll Call:** Mayor Rachel New called the meeting to order at 7:05pm. Trustees John Rowan, Suzy Metzler, Brad Wick and Cory Nasso were present. Minutes taken by Clerk Sara Gibb.

2. **For Council Discussion:**

- Discuss STR ordinance for the Town of Pitkin

Trustee Brad Wick would like to discuss caps this evening. He reported that he and Trustee Angela Huckaby worked on the STR ordinance draft. He requests feedback on the OWTS and how to determine occupancy. Trustee Cory Nasso requests a section by section review of all the changes made.

Trustee Cory Nasso suggested that the Board strike the “whereas” that refers to protecting neighborhoods. He stated it is subjective and doesn’t add anything to the ordinance.

Mayor Rachel New stated that this is a very similar statement to another statement in a previous draft . Board agrees to strike this “whereas.”

There was discussion regarding the last sentence in the “purpose” section.

Definitions should be matched to content of ordinance.

Mayor Rachel New found a, b, c in Section 4 to be very similar. She would like to combine them. The Board would like Attorney McDonald to review these subsections. Mayor New would like subsection e to be clearer. She stated the homeowner can prevent over-occupying, regardless of the number of beds. Trustee Suzy Metzler does not want it to be advertised that there are extra beds.

Trustee Suzy Metzler feels that the advertising should state the license number and the occupancy but should not give a description. People can call and ask questions. She thinks people who know about extra beds will try to sneak people in. Mayor New said that prohibiting people from describing their homes is over-reaching. Trustee Cory Nasso agrees. Mayor New suggested not advertising more beds than the number of occupants allowed.

Trustee Cory Nasso would like all referenced forms to be completed prior to passing this ordinance.

Regarding item 3, Trustee Nasso wondered why the Town would need to know if all or part of a home is being rented. Trustee Brad Wick stated that this is because of the self-certification form – only the rented portions of the home would need to be certified.

Trustee Cory Nasso asked why all fees must be paid in advance. He suggested giving a number of days to pay or the license is not granted. The Board agrees with a non-refundable application fee and the remainder of fees due upon approval of an STR license.

Trustee Brad Wick stated the original STR ordinance was written with one STR per owner. He stated the intent is to prevent a corporation from buying 5-6 houses and turning them into STRs.

Trustee Brad Wick agrees that a homeowner who fulfills the requirements of an application should expect an approved application. The Board sets the policy, which is then implemented. He believes the public safety is enhanced with the requirements of the safety sheet. Trustee Suzy Metzler believes Pitkin needs more restrictions on STRs because of the density. Trustee John Rowan stated that parking is a big issue year-round.

Trustee Brad Wick stated a shorter renewal form may be appropriate, but all aspects of the original requirements still apply. Trustee Suzy Metzler stated that the property file should be looked at during a renewal process.

Mayor Rachel New suggested displaying the business license in a conspicuous place. Trustee Cory Nasso agrees with this wording. He also suggests moving section 8 into posting requirements (section 12)

Trustee Brad Wick suggested having the OWTS occupancy determined by a professional engineer. A title transfer inspection can be completed for properties lacking documentation for the capacity of their system. Trustee Wick would like to remove the Board from the process of determining OWTS capacity.

Mayor Rachel New would like to remove the date in item b.

There was discussion on the criteria to be used to determine OWTS capacity – current or historical? Trustee Brad Wick suggests asking the State questions about criteria.

Trustee Cory Nasso wanted to discuss item a). Trustee Brad Wick stated that when too many people are occupying a home, it is no longer residential. In the business district there

are more business activities, so more people can stay there. Mayor Rachel New asked why a home in the business district should be limited at all (aside from OWTS capacity). Trustee Cory Nasso would like to limit based on OWTS capacity. The number of 6 in the residential district comes across as targeting certain properties. Mayor New asked why there were these limits if the OWTS capacity is being used. Trustee Nasso asked what the underlying complaint was. Trustee Brad Wick stated it's the noise, idling, kids on ATVs.

Trustee Suzy Metzler stated that if people live full time it's different because you know them. She feels that the six people limit in residential is just fine.

Discussion on performance bond – Trustee Brad Wick suggested this was an easier way to handle code enforcement on a property. The bond is reduced upon each infraction. If the bond reaches zero during the course of the permit, the permit is revoked.

Sales tax license in the name of the property owner would make it easier to investigate if someone is paying their sales tax.

Sections 10-12 will be discussed at a future work session.

Public comments: Ramon Reed, Gayla Gibb, Pete Olson, Tom Gibb, Jerra Garetson, John Wise, Jesse Garetson, Kandy Nasso, Lois Sharpton, Patrice Boyd, Lucinda Lull,

3. Dismiss: Meeting adjourned at 9:42pm

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**Public comment to the Board of Trustees is encouraged. Comments may be limited at the mayor's discretion*

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