



Planning Commission Public Meeting  
January 25, 2017 Minutes  
Council Chambers, 302 Pine Street – Minturn, CO 81645

**MEMBERS PRESENT**

Lynn Teach  
Greg Gastineau  
Bobby Head  
Jeff Armistead

**MEMBERS ABSENT**

Burke Harrington

**STAFF**

Janet Hawkinson, Planning Dir.  
Jenny Lowe, Clerk

**MAIN AGENDA**

Motion approve agenda

**MOTION:** Gastineau

**SECOND:** Armistead

**VOTE:** 4-0

**1. Design Concept Review:** review the design and concept for a “glamping” style rental development. Review zoning requirements.

The Planning Commission did not support the “glamping” concept. It is not believed to be appropriate for Town zoning requirements, as short or long term rentals.

The decision will be communicated to the Owner by Code Enforcement, to arrange the prompt removal of the trailer.

**ACTION:** no action – Appendix B, Minturn Code – Design Concept Review

**2. Work Session: Vacation Rentals by Owner in Minturn:**

Planning Commission reviewed new code recommendations to manage short term rentals. The recommendations reflect the previous work session.

Public Comment: Mr. Sullivan, 116 Nelson Ave., property manager for short term rentals in town, stated that the financial revenue of short vacation rentals is not as good as long term rentals. Usually they range from \$5000-\$25000 a year at the most.

He disagrees with the amount of impact fees that would apply to Vacation rentals.

He believes that houses should be rented per unit and not by the room.

### **Taxes and Fees suggested to be applied to VRBO:**

- The Sales Tax is percentage of gross sales as follows: 4% Town – 1.5% County – 2.9% State – Total: 8.4% + 1.5% lodging = **9.9% tax**
- Building Code- Safety inspections required and approval submitted at time of BL, displaying approved: - fire alarms – CO registers – fire escape windows and doors. Cost of \$75.00.
- Business License required at \$500.00 each year.

### **VHR New Code Recommendations:**

#### 1) Regulating short term rentals – VHR’s (vacation home rentals)

- Specific VHR Business License: all short term rentals need to obtain a business license with the Town and pay the appropriate fees, and post the license in the residence \$500.00.
- At time of Business License Application must submit:
  - 1) Building Inspection Approval
  - 2) Evidence of Contract with a Property Manager in Eagle County or proof of full time residents in Eagle County of owner.
  - 3) Site Plan of property showing number of on-site parking & bedrooms to code

#### Description of Approval:

- Property Manager: all short term rentals must list on their business license a property manager that lives in Eagle County and who is responsible for snow removal, complaints, maintenance and renters of the property, who the town can contact to resolve any problems immediately
- Lodging Tax: the short term rentals will pay the lodging tax of 1.5% to the town.
- Sales Tax is Percentage of gross sales as follows:  
4% Town – 1.5% County – 2.9% State – Total: 8.4% + 1.5% lodging = **9.9% tax**
- Building Code - Safety Inspections Required and approval submitted at time of Business License – showing approved: fire alarms, CO registers, and fire escape windows and doors - \$75.00

#### 2) Zoning of short term rentals – VHR’s

- The VHR’s rentals are not limited to commercial or mixed-use zoning
- The property owner needs to have owned the home for 2 or more years before a short term rental business license can be issued:  
(protects town from brokers buying long term housing for investment speculation)
- Restriction of the number of VHR’s in town is 10% of the total number of residential units in town.

#### 3) Managing VHR’s – Code Enforcement

- Neighborhood impacts: trash, too many occupants, noise, snow removal – manager in county to contact if any of the situations violate the municipal code, can be immediately handled and fines placed as necessary.
- Parking – only allowed to advertise and rent number of bedrooms with required parking available on site per municipal code. Must submit number of bedrooms and parking at time of Business License approval.
- 3 Strikes Policy: if there have been 3 complaints against the VHR in regards to code violations and parking, the VHR Business License will be revoked.

**ACTION:** Recommend to Council the VRO Codes for adoption –  
State to Council that the recommendation does not include any discussion or inclusion of “AirBnb” - single room rentals in private homes

**VOTE:** 4-0 on recommendations

**ADUOURNMENT:** 8:20 PM

**MOTION:** Gastineau

**SECOND:** Head

**VOTE:** 4-0

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Lynn Teach, Chairperson

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Janet Hawkinson, Planning Director