

Interim Discussion

Short Term Rentals

December 12, 2023

Charter

RESOLVED, that the Committee shall report to the Board of Trustees and make recommendations to the Board of Trustees as to what type of STR controls, if any, would serve the best interests of the residents of the Village of Pittsford; and be it further

RESOLVED, that the Committee shall survey existing legislation, review the Village of Pittsford Comprehensive Plan and such other resources as it deems appropriate in order to prepare the above-mentioned report and recommendation; and be it further

Observations

- Observation: Skew in published material towards communities that have demonstrated problems with STR activities.
- Observation: Communities enacting STR Regulations:
 - Group A: Clear need for regulatory control, driven by data demonstrating significant community issues
 - Group B: Clear problem definition where trends in data indicate a growing problem.
 - Group C: Little to no data to define problem, driven by speculation or community concerns.
- Observation: STR's in Pittsford Village do not impact local hotels (Del Monte) that are generally fully subscribed.

Finding

Pending NYS Legislation (1)

BILL NUMBER: A4130A

SPONSOR: Fahy

TITLE OF BILL:

An act to amend the multiple residence law, the multiple dwelling law, and the tax law, in relation to short-term residential rental of private dwellings in certain municipalities

PURPOSE OR GENERAL IDEA OF BILL:

To create a registration system for short term rentals in New York State and allow for the collection of sales tax & applicable occupancy tax generated from such rentals to the state and localities.

Finding

Pending NYS Legalization (2)

- STR host may operate a dwelling unit (room, apartment, house, ADU, tent, camper) as an STR if
 - Registration and Safety requirement are met
 - Insurance and Tax obligations are met.
- STR Host must
 - Register the STR with the appropriate local or state registry, data
 - Host must agree in writing if and LTR tenant wishes to use their dwelling for STR .
- Penalties outlined with fines for booking services if it lists non-registered STR and fines for owners listing non-registered STR
- Municipalities which do not allow STRs must request an exemption
- Concern: No parking or local contact provisions

Findings

Case Studies: Municipalities' Different Voices

- Clinton Dutchess County: 'we regulate everything....people started thinking about STRs for themselves and wanted to know what regs to follow....we are conditioned by regs, even weddings in your own backyard
- Lake George (and most others): 'we were increasingly being hit with problems of various kinds....we came to a point where it was time to take Action (which subsequently reduced for Complaints (written/filed) from a dozen/yr to 1'ish
- Telluride CO: 'regulatory fees became the primary revenue generator to fund housing for people who live and work here....growing need for place

Conclusions:

- Different conditions can lead to different problems and solutions (noted with above Case Studies)

Findings

Unintended Consequences

- Benign Case: Regulations drive work-arounds which drive additional regulations
- Concerning Case: Creation of black market rental activity in major markets

Summary

- Figure out **Why** first. Then allow appropriate **What** (to do) be driven by **Why**
- Majority opinion: Insufficient hard data to properly frame the problem in PV
- Few examples of STR regulations in communities the size, scale and circumstances of PV
- NYS Pending regulations. Suggest review by Village Attorney for appropriateness and impact on PV.
- Various prep actions can be taken to implement if/when desired in the future. E.g.,
 - Registration form; safety inspection plans; review Nuisance regs & Complaint processes
- Consider applying future regs beyond STRs (e.g., rental registration, inspections, Complaints, etc.

Path Forward

- Discussions and feedback with Board to:
 - Accept As Stated and/or alternate perspectives
 - Identify details desired in final report
 - Identify content desired in final report (e.g. std prose or final working doc)
 - Follow and assess implications of NYS attempts to Legislate STR

In service of Pittsford community's interests

Q & A's