**STR Public Comment from Town Council Meeting on 7-12-22**

1. "Hello, I would like to have my email added to public comment for the next TOB counsel meeting.  I am commenting about STRs and how they affect the community.  I do not think that Solitude and a mainly residential community should have the same zoning requirements.  Silver Fork seems to have a very high amount of STR compared to other neighborhoods.  I would like to make it clear that I use short term rentals when we go out of town from time to time, I'm not totally against them, but they do need regulation.  We are surrounded by STR and it makes you think twice about where your kids are and what you are doing on your property.  People have come on our property to pick flowers and park, across the street the STR has had some of its visitors go to the bathroom on the street.  Just the other day we were playing basketball as a family in the street and people come around very fast because they don't know there are families in SF.  I don't know how you would limit the number of STR or have a percentage.  I say that because Kendal Philips is still renting his place without a permit, so if we can't get that stopped and permitting enforced I'm not sure how you will take it a step further."

Elizabeth Lovett

2. "I think there should be a cap on the number of STR's allowed in both communities like Silverfork or other canyon neighborhoods.    A % of the total residences seems most logical.   There should also be a cap at a resort area like Solitude, but understandably that cap % could be higher because most of those residences are vacation/part time, not full time homes like in Silverfork.

Regardless, some sort of cap is necessary.   Without it, the SRT rental market drives up demand for people looking to buy investment properties and erodes the fabric of the community that is the draw for full time residents.

This is of course, assuming STR's cannot be banned entirely from residential neighborhoods like Silverfork, which would be my preference but I understand that is not likely.

Thanks.

Matthew Mudek

3. "I very much support a cap on the % of STRs in a neighborhood.  Not only are the impacts of STRs in a neighborhood cumulative, if there are too many the sense of community is lost.  Neighbors need to know each other!  Neighbors support each other and create a sense of belonging and community.

I do agree that a mountain resort zone, as long as if there are any year-round residents within that zone that agree, can have different standards than a residential neighborhood.

I know this may be difficult to administer and distribute but it is a top priority and worth the investment."

Laynee Jones

4. “We are writing because tonight's agenda includes discussion of short term rentals (known as SRT's) in the community of Brighton. We have been Big Cottonwood Canyon residents for 40 years.  Initially the number of SRT's was minimal and the impact was negligible.  But as the number of SRT's has increased, so have the issues.  Now they are so common that they are causing problems for residents.  We frequently see SRT's cars stuck in the snow, sometimes even blocking road access.  They can be noisy and intrude on private property.  The one across the street from us has had up to 5 cars in the driveway (we have a picture of this that we can send if that would be helpful).

Our suggestions are:

-grandfather in currently LEGALLY APPROVED SRT's but with enforcement of Brighton town & county regulations.

-limit total number SRT's to no more than 1/4th of the total number of dwellings in each part of Brighton community (i.e. Silver Fork, Brighton loop, Cardiff, etc)

-county regulations enforced

-rentals for no shorter than one week. “

Thank you.  Tom & Sally Loken

5. “My comment is that we should re-introduce and pass limitations on the number of days a house can be used as a STR.  Especially in residential neighborhoods such as Silverfork where our community is disproportionately impacted by STRs.  Many of us are negatively impacted by the noise of STRs who tend to be louder than residents.  STRs also bring more traffic into the neighborhood than would otherwise be present.  They fill our garbage bins and frequently overflow to the ground.  In the winter it’s very common for STRs with improper tires to get stuck and block the roads.  Many of the STRs are full time commercial operations and are not even used by the owners.

We don’t live in a commercially zoned area and I don’t understand why people feel that the impacts of their commercial venture should be born out by the residents who live here. It doesn’t seem right that profit should take precedence over the character of our neighborhood.

Additionally – I would be open to some limitation on the number of STR permits offered.”

Tom Fendler

6. I am writing to comment on the short term rental discussion.  I feel that short term rentals have a negative impact on our neighborhood.  I know that there are many people who do not agree with this statement but I think it is only a matter of time before the prevalence of short term rental will affect everyone in our community.  I think that the proposal to limit the number of STR's will go a long way in slowing/reducing the negative impact on our community.  In addition to this I think that it is important that there is enforcement of the nightly limitations and that there are consequences for those that are operating without permits.

Thank you,

Eddie

7. “Vehicle Control Gates - gates should have sufficient que space (e.g; 40 ft min) to allow vehicles to pull in and wait for gate to open without backing up traffic while waiting or resolving gate issues. Also recommend room in front of gate for vehicles to turn around in a way that they don’t stop on the main road and back up traffic (hammerhead or circle).  This could be an ordinance revision, or a standard design criteria approved later by the Town that is clearly communicated to those seeking gates.

STR

I support for the Town identifying STR density limits for each distinct "neighborhood community" in Brighton.  The comments below provide some guidance on what I would hope the Town achieves in further refinement to the STR code.

1. I recommend the density for each community (e.g. Brighton Town Loop, Silver Fork, Solitude, Forest Glen, Cardiff, Pine Tree, etc) consider the following.

a) Define fixture/bedroom limits and source water capacity per EDU.  The Town and water providers determine of maximum number of bedrooms and bathrooms allowed per cabin, which "right sizes" to the water capacity without burdening/impacting existing cabins.  It also holds the character within a neighborhood/Town vision for the area and finds a sustainable and predetermined balance toward the number of small family cabins vs mega cabins that can change character of a community.

b) Require each culinary water provider for each small area community to determine the source capacity based upon water supply capacity limited by i) water right and/or SLC surplus water contract limitations, and ii) reliable and sustainable water supply based upon both the driest year on record and lowest 5 year drought and/or loss of source study that is approved by the water provider.  This study should also be approved by the State Division of Drinking Water and/or the Town so that we do not allow situations where development/densification results in water shortages to existing cabins owners in our community, nor allow unsustainable development and densification.

c) The next density determination criteria is the amount of STR each community desires which meets that community's character mix of permanent residents, cabin owners, visitors, commercial activity, public restrooms, etc.  This would be along with that small area community and broader Brighton Town community vision for future character.  It is my understanding the Town already has a significant amount of public input on this matter that can inform starting points for those density limits that could receive further public input once proposed densities are identified and shared.

d) Recommend three STR permit categories and specific density for each permit category within each neighborhood community.  Please consider and allow density to each:

     1) STR to owner occupied homes (ADU or otherwise).  In one community I know that was not water source limited, they provided unlimited owner occupied STR to promote owner occupied cabins.

      2) small to medium non-owner occupied STR with no more than 8 guests, no more than 3 bedroom, no more than 2 bathrooms, or some other limit that considers water source capacity and/or other criteria determined by Town.

      3) larger commercial STR for cabins/homes with more than 8 guests, more than 3 bedrooms, more than 2 bathrooms.

e) Building footprint limits.  Within the limits of water availability defined above, along with Town density zoning can determine building footprint regulations, the town and each neighborhood can determine the "right fit" of density to maintain and achieve the future vision of that small area neighborhood.  It is also recommended the Town consider minimum and maximum building square footage for homes in the Town that align with current character and future vision.  Some cities in Utah have done this so that home sizes above or below a threshold require higher level of review and approval so that the impacts upon the neighbors and community can be addressed in planning commission or other appropriate review that can address specific site concerns in context of any variance, etc.

f) Provide a defined limit to number of permits pre entity.  Excepting existing units.  Some communities are not allowing more than one STR permit per household or corporate entity, shell LLC or otherwise, to prevent large corporations from buying up all the property and effectively turning it into a defacto single owner "condo" unit rented on Airbnb etc.  This approach supports more local presence in ownership and management of the properties.

g) The town may be well advised to consider a moratorium of new permits a short and definite time period to allow Town to determine the revisions without creating a false "anticipatory" market flood of applications that attempt to expand uses.    I know other cities in Utah have done this while they have staff and consultants advise them on sensitive land development code revisions in order to assure the well being of the community and natural resources are protected.

Thank you for your consideration.”

Tom Ward

8. “I am writing to comment on the STR discussion. As a full time resident in Silverfork, I am not in favor in creating number of nights or number of STRs at this time. It seems that we’d be better served by creating and enforcing clear and stringent operational standards designed to ensure STRs operate without creating a nuisance. Failure to operate in compliance should result in license revocation.  
  
Limiting the number of nights or number of units in a neighborhood is a blunt instrument that creates a lucrative entitlement for existing operators regardless of whether they’re running a good operation or not.  
  
The town should set standards and charge fees to cover the cost of an enforcement system to force adherence to the standards. This should take care of the problem operators without discriminating against new potential operators who might do a better job operating than the existing operators.  
  
This seems like a better first step then restrict numbers which won’t really take care of the problem which is STR operators that let their rentals cause a nuisance.”  
  
Thanks,  
  
Ben Machlis

**Verbal Comment:**

Chad Smith commented that he has a bias on both sides. His family is in the process of building on their property to be full time residents. Additionally, when the build is complete, they plan to rent out their property short term to make up some of the costs. He thanked the council for all their work in general and as it relates to handling the STR issue. He thinks a limit on the number of nights could help discourage absentee landlords and would like to see the owners and managers be local and contribute to the community network. Without density restrictions we will have a situation that is unfair, arbitrary and capricious. If there are a limit on the number of permits then those properties will maximize the number of rental days to the point that they won’t even use the properties themselves, and others who would pursue a permit later wouldn’t be eligible even if they only want to rent occasionally.

Scott Morgan commented that he’s been a full-time resident for 6 or 7 years. There are two to three short term rentals in close proximity to where they live that impact their lives. He has concerns about keeping the community as community-centric for the full-time residents as possible. Short-term rentals are often an income vehicle for people who do not live in the community. He’s in favor of long-term rentals such as to ski patrollers, but many have left because they can’t afford it anymore. Multiple times, he has had to ask short term rental guests to keep it down because he gets up at 5 am. When we chose to incorporate as a town, the main movement was for the opportunity for those of us who live up here to control our own destiny and to design our community. He hopes the council members listen to the constituents who elected them rather than listening to those that own but aren’t impacted by STRs.

Goud commented that he is a candidate for Salt Lake County Clerk. He lives in Riverton, UT. He’s been a practicing lawyer for 20 years. He is a veteran having served in the Utah National Guard and Army Reserves for 10 years. He is a first generation American. There is more information on his website: Goud4clerk.com. He believes his proposals to be common sense, measurable and enforceable under common law. His goal is to run a unifying campaign around solid ideas and to take the clerk’s office to new heights of security, transparency, and voter and candidate engagement. He hopes to earn our vote and looks forward to working with us if he wins.

Norm Henderson owns a property on Silver Fork Drive. If there are restrictions or a percentage of homes that can be rented, then he thinks the permit should stay with the property rather than with the owner. Some properties may not be able to be sold if the permit is not with the property.

Ben Machlis commented with an opposite perspective of the previous comment. Short Term Rentals are a business opportunity, and these rarely run with property by Utah law. The qualifications and criteria for STRs are personal not a vested property interest.

Wendy Smith emphasized on the critical point that Chad made. When a property is designated as a short-term rental then it incentivizes absentee landlords because the goal is to maximize renting. It takes away from landlords being vested in the community when they don’t stay at their properties.