

Barge, Abe M. - CPD Planning Services

Subject: FW: GPHC Position Statement: Proposed Ordinance for Short Term Rentals
Attachments: 20160411 GPHC STR ordinance position statement.pdf

From: Bernadette Kelly [<mailto:bernsanti@gmail.com>]

Sent: Monday, April 11, 2016 10:01 PM

To: EXL Short-Term Rentals <STR@denvergov.org>

Cc: Susman, Mary Beth - City Council <MaryBeth.Susman@denvergov.org>; Herndon, Christopher J. - City Council District 8 <Christopher.Herndon@denvergov.org>; Brooks, Albus - City Council District 9 <Albus.Brooks@denvergov.org>; kniechatlarge <kniechatlarge@denvergov.org>; New, Wayne C. - City Council <Wayne.New@denvergov.org>; Zinke, Debbie - DPD <Debbie.ZINKE@denvergov.org>; Gilmore, Stacie M. - City Council <Stacie.Gilmore@denvergov.org>; Clark, Jolon M. - City Council <Jolon.Clark@denvergov.org>; Kashmann, Paul J. - City Council <Paul.Kashmann@denvergov.org>; Black, Kendra A. - City Council <Kendra.Black@denvergov.org>; Flynn, Kevin J. - City Council <Kevin.Flynn@denvergov.org>; Espinoza, Rafael G. - City Council <Rafael.Espinoza@denvergov.org>; Lopez, Paul D. - City Council Dist #3 <Paul.Lopez@denvergov.org>

Subject: GPHC Position Statement: Proposed Ordinance for Short Term Rentals

Hello Council Members,

Attached is Greater Park Hill Community, Inc's position statement on Short Term Rentals, based upon the proposed bill to make them legal and the associated regulations.

Submitted Most Respectfully,

Bernadette Kelly
Zoning/Property Use Chair
Greater Park Hill Community, Inc.

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Bernadette Kelly

Peace and friendship with all mankind is our wisest policy, and I wish we may be permitted to pursue it.
- Thomas Jefferson



Greater Park Hill Community, Inc.
2823 Fairfax Street
Denver, CO 80207

Phone: (303) 388-0918

Fax: (303) 388-0910

April 11, 2016

Mary Beth Susman
City Council District 5, Sharing Economy Task Force Chair
City and County Building
1437 Bannock St., Rm. 451
Denver, CO 80202

RE: COUNCIL BILL NO. CB16-XXXX
Article II, Chapter 33 Lodging, Short Term Rentals

Dear Ms. Susman:

On April 7, 2016, Greater Park Hill Community, Inc. (GPHC) held their regularly scheduled Board/Community Meeting. The agenda included the discussion of the City Council Bill CB16, concerning the legalization and licensing of Short Term Rentals (STR, less than 30 days). A quorum was held with 15 of our Board members present. It was moved that GPHC support the language and the terminology of the proposed bill as written.

Specifically, we support the proposed Bill/Ordinance legalizing Short Term Rentals based on the following regulations:

- Each Short Term Rental owner is allowed only one rental property and it must be their primary residence.
- Rental owners must be licensed for Short Term Rentals through Excise and License and must display their license number on all advertisements for their rental property.
- STR owners must comply with and provide standard Life Safety Measures within their rental property (smoke, carbon monoxide detectors and fire extinguishers)
- STR owners must provide emergency contact information and neighborhood information/regulations concerning their property such as parking, trash and recycling pick-up, noise regulations, etc. in a document maintained and available on site.
- STR owners must have a Lodging Tax Number and pay Denver Lodging Tax for each transaction/rental period.
- STR licenses are not transferrable.

Of the 15 Board members present, 13 voted to support the above stated position statement, 2 abstained and 0 opposed.

Submitted Most Respectfully,

A handwritten signature in black ink, appearing to read "Bernadette Kelly".

Bernadette Kelly
Property Use Committee Chair
Greater Park Hill Community, Inc.
2823 Fairfax Street
Denver, Colorado 80207
Telephone: 303-388-0918
Email: chair@greaterparkhill.org

Barge, Abe M. - CPD Planning Services

From: EXL Short-Term Rentals
Subject: FW: STR Ordinance

From: Shahla Hebets [hebets.shahla@gmail.com]
Sent: Thursday, April 7, 2016 9:04 AM
To: Susman, Mary Beth - City Council
Cc: Palmisano, Lucas W - City Council Operations; Josh Hanfling
Subject: STR Ordinance

Dear Councilwoman Susman,

Thank you for your time and commitment working to regulate short term rentals in Denver. I understand that the short term rental ordinance language was drafted approximately a year ago. At the time, according to comments from the council, there was little Denver-specific data to utilize in drafting the ordinance language. Since that time, we have provided the following:

1. A market study conducted by 3 esteemed professors from the University of Denver who concluded that just VRBO short term rentals in Denver drive \$21.3 million dollars in annual ancillary spending to the city. In addition, there is an estimated \$2 million dollars in taxation revenue based on applying a lodging tax.
2. Accurate numbers on the quantity of vacation rentals in Denver which estimates 1,500 active STR's, less than 1% of the residential homes in Denver.
3. Clarification that these homes do not impact affordable housing based on the small number of STR's in Denver and the market value of these homes which far exceed affordable housing criteria.
4. Several industry experts providing public testimony that the exclusion of non-primary residency homes will have no impact on preventing "problematic guests" and contrary data reflecting that non-primary residency homes have greater guest scrutiny and oversight because they are run as small businesses.
5. Realization that the ordinance as it stands legitimizes Airbnb allowing them to stay in business while forcing VRBO, a local company with a strong 20-year history in the city, to shutter in addition to the closure of 400 local mom and pop business owners.
6. In addition, the city has confirmed that the actual number of STR complaints due to neighbor disturbances is 6 in total. Thus, reflecting that STR's are not causing neighbor concerns at any appreciable level.
7. We have attended all 4 Community Town Hall meetings and witnessed proponents of eliminating the primary residency requirement outnumbering opponents 3:1 at each.

In truth, the only explanation that has been referenced for moving forward with the primary residency requirement is the feedback from neighborhood associations. However, we know that neighborhood associations represent a small minority of residents and do not reflect the sentiment of the larger populace. In fact, most residents are largely unfamiliar with the recommendations of their neighborhood associations.

Despite all the facts and data presented to the city council over the last several months, the ordinance remains as it was at its inception. There have been no changes put forth based on the data or resident support for eliminating the primary residency restriction. How can this be justified? How can the council warrant crafting regulations that placate the disgruntled few?

We, once again, respectfully ask that the city council review the facts and eliminate the primary residency restriction and instead pass equitable regulations for all.

Sincerely,

Shahla Hebets

The Denver Short Term Rental Alliance

Barge, Abe M. - CPD Planning Services

From: Batchelder, Nathan D. - Excise and Licenses
Sent: Friday, April 08, 2016 10:39 AM
To: Barge, Abe M. - CPD Planning Services; Loucks, Stacie D. - Mayor's Office
Cc: Rowland, Daniel W. - Excise and Licenses
Subject: FW: input on Airbnb & short term rentals

From: jennifer reinbrecht [mailto:jennreinbrecht@yahoo.com]
Sent: Thursday, April 07, 2016 6:00 PM
To: EXL Short-Term Rentals <STR@denvergov.org>
Subject: input on Airbnb & short term rentals

I have been an Airbnb host since 2012.

Most of my guests have stayed more than 30 days, though not all. They are international exchange students, workshop and conference participants, summer camp counselors, grandparents whose local children have no extra space, and people relocating to Denver who cannot find housing. There are the occasional tourists and visitors.

I strongly believe the homeowner must live in the home where they rent out a room or rooms.

It works on my block because neighbors know me, know my guests, and aren't inundated with multiple strange cars and people changing on a daily and weekly basis.

I have seen greed take over this concept, with multiple bunk beds in single family homes renting out every available floor space for guests with no concern for parking, noise or pot issues.

I have a zero tolerance pot policy for safety and screening purposes, not morality issues. I am getting a number of guests BECAUSE of my policy.

My home has one spare bedroom in the basement with a private bath. Guests share my kitchen and main floor. There is not a separate entrance. Everything I own is vulnerable to a thieving or sociopathic guest. I have secured what I can and prescreen all applicants. I work from home and am generally on site, though not always. I have informed my neighbors that I am an Airbnb host, and introduced most of my long term guests to the neighbors, as both a safety consideration, a courtesy, people knowing that he or she wasn't a thief or stranger, and in the event I would die and the guest would not know what to do and have nowhere to turn.

I also have provisions for that in the guest's explanatory book.

I am happy to be registered, pay a registration fee and appropriate taxes, although I think it's ridiculous to pay the same rate as a hotel for a part time rental of one room in my home, especially when none of those regulations or taxes apply to "renters" who stay for more than 30 days.

I have taken precautions for safety, a fire escape, etc. but I have stayed in Airbnb's where hosts have given no thought to safety issues for their guests.

Renting out the space has been a joy in meeting some wonderful people, helpful in home repair and maintenance expenses, and a great way to give a personal introduction to favorite Denver businesses and recreational opportunities.

Thank you.

Jennifer Reinbrecht
Massage Therapy, Ortho-Bionomy, Reflexology & Reiki
Associated Massage Therapists, LLC
Denver, CO

720-284-4009

www.associatedmassagetherapists.com

Barge, Abe M. - CPD Planning Services

From: Froda Greenberg <froda@ecentral.com>
Sent: Sunday, April 10, 2016 8:19 AM
To: Barge, Abe M. - CPD Planning Services
Subject: Short Term Rental Comments

Dear Mr. Barge,

I have read the draft of the Short Term Rental ordinance. I strongly support the provision that short term rentals can only be located in a primary residence and that there only can be one primary residence. Without this provision, there is the possibility that investors would buy up several homes on a block and turn them all into short term rentals. Such a situation, in my mind, would create something other than a residential neighborhood. I wouldn't want to be living on a street without long term neighbors (owners and renters) who can help create a friendly and safe place to live. People look out for each other which is why I love living in Denver. I also am concerned about the impact that short term rentals have on longer term rentals. It is hard enough for people today to find affordable rental housing. Without the provision that short term rentals can only be located in a primary residence, I fear that the rental housing market will shrink even further and exacerbate Denver's current housing situation. If you have any questions about these comments, and/or need further information to include this email in the public record, please let me know. Thank you for all you do.

Kind regards,
Froda

Froda Greenberg
2620 Raleigh Street
Denver, CO 80212

Barge, Abe M. - CPD Planning Services

Subject: FW: STR Ordinance Neighborhood Distinctions Lacking

From: bud@flslegal.com [bud@flslegal.com]
Sent: Tuesday, April 12, 2016 2:24 PM
To: Susman, Mary Beth - City Council
Subject: STR Ordinance Neighborhood Distinctions Lacking

Dear Council Member Susman,

Dear Councilmember,

I am writing to oppose the primary-residency requirement in the proposed short-term rental ordinance. Short-term vacation rentals offer many benefits to the communities they serve. Travelers are offered an opportunity to experience your community in ways they wouldn't have before. The city would see the benefits of potentially millions of dollars in additional tax revenue and an estimated \$21.28 million in ancillary spending (According to the Fritz Knoebel School of Hospitality Management at the University of Denver).

Requiring primary-residency will significantly restrict traditional short-term rental activity. Onerous and burdensome regulations like this do not achieve high rates of compliance, do not meet the demand of the travelers, and result in driving the activity underground.

Please oppose the primary-residency requirement in the proposed short-term rental ordinance and continue to grow Denver's travel and tourism industry.

One of the most glaring omissions in the STR Ordinance and the discussions surrounding it is the failure to recognize any differences in the many diverse neighborhoods in Denver. The issues surrounding STR in the Whittier neighborhood have no real applicability to LODO. As the owner of a VRBO loft in LODO, I do not see how my use of the unit as an STR has any impact on my neighborhood except in very positive ways. My "neighborhood" consists of bars, restaurants, retail shops, hotels, entertainment venues, apartments and condominiums. There is no rational basis for a determination that STR regulations in that neighborhood should be the same as in the outlying neighborhoods that consist primarily of single family residences, schools and parks. My unit is located directly above a bar. It is much better suited for STRs than for raising a family but the proposed ordinance would require me to maintain it as my primary residence and raise my family there. That is not a reasonable restriction on the use of the property and produces a very unintended result.

One of the greatest strengths of our city is its diversity. The STR ordinance totally ignores those distinctions but proposing a one-size fits all licensing scheme. Please take some time to recognize that some of the requirements, particularly the primary residency requirement, is not appropriate for areas like LODO and will produce unintended results.

I do support the taxation and other reasonable requirements and in fact have paid over \$6,000 in lodger's tax to the City in the last 18 months.

Sincerely,
Floyd L. Smith

Sincerely,

Floyd Smith
2100 16th Street #202
Denver, CO 80202
970-749-2119

Barge, Abe M. - CPD Planning Services

From: CenturyLink Customer <stwi9999@q.com>
Sent: Tuesday, April 12, 2016 8:04 AM
To: Barge, Abe M. - CPD Planning Services
Subject: Short term rentals

Dear Mr. Barge

I've been following this issue for quite some time, and truthfully I would like to see that short term rentals NOT be allowed in Denver. Mixing businesses in residential areas is not a good idea. The city does not have a good record in enforcing issues that are related to these--noisy parties, cars overflowing neighborhoods, irresponsible landlords that don't really care about the people who live around their properties.

The city is not currently enforcing the law regarding short term rentals--Why?

Enforcement will not get any better if this measure is allowed.

But if you must, please only allow it in the owner's own, owner-occupied residence.

Thank you.

Steven Williams

3462 W 36th Ave

Denver, CO 80211

[\(303\) 477 0118](tel:(303)477-0118)