



**TO:** City Council Neighborhoods and Planning Committee  
**FROM:** Abe Barge, AICP, Senior City Planner  
**DATE:** April 7, 2016  
**RE:** Denver Zoning Code – Text Amendment #8 to allow short-term rentals as an accessory use

## I. CPD Recommendation

Based on the review criteria for a text amendment stated in the Denver Zoning Code (DZC), Section 12.4.11 (Text Amendment), CPD staff recommends that City Council approve the proposed Denver Zoning Code Text Amendment #8 to allow short-term rentals as an accessory use.

## II. Summary and Purpose

### Sponsor

Councilwoman Mary Beth Susman, Council District 5, initiated this text amendment to the Denver Zoning Code to create a framework for short-term rentals in Denver, alongside a business licensing system that is proposed by separate ordinance.

### Purpose

The proposed text amendment is intended to recognize the growing popularity of home sharing around the country and in Denver while providing protections for neighborhoods, residents, short-term rental guests and hosts, as well as operators of traditional lodging accommodations (hotels and bed & breakfasts). The proposed amendment supports a separate licensing ordinance that will be proposed by the City of Denver Department of Excise and Licenses to create a business licensing system that will apply to short-term rentals. The business licensing ordinance will be considered by City Council alongside this proposed text amendment.

### Current Status of Short-term Rentals in Denver

The Denver Zoning Code (DZC) currently prohibits short-term rentals in Denver's residential zone districts, where permitted uses such as Household Living and Group Living are defined as occurring on a month-to-month or longer basis. The DZC allowance for Lodging Accommodations as a primary use permits rentals of less than 30 days in mixed use commercial, and higher-intensity residential (RO and RX) zone districts. However, Lodging Accommodations is a commercial land use that is subject to heightened building code standards that may be difficult for traditional short-term rental uses to meet. In addition to requiring a zoning permit, Lodging Accommodations also requires a business license from the Department of Excise and Licenses.

### Proposal

The proposed text amendment allows short-term rentals as accessory to a primary residential use, with limitations, where residential uses are currently allowed. The allowance for short-term rentals would apply equally to all zone districts where residential uses are allowed. A zoning permit would not be required to conduct a short-term rental. As an accessory use, short-term rentals would be conducted by a person (owner or renter) using the dwelling unit as their primary residence. Short-term rentals would not be allowed as the primary use of a dwelling unit, which means that they could not be conducted by a property owner that does not reside in the unit. However, the proposed text amendment would allow:

- Short-term rental of a dwelling unit while the primary resident is not on site (on vacation, out of town for business, honoring military/National Guard commitments, etc.)
- Short-term rental of attached or detached accessory dwelling units

This primary resident requirement included in the text amendment is intended to address:

- Concern regarding commercial encroachment into residential neighborhoods
  - Note that long-term household living would remain the primary use on properties where short-term rentals are conducted
- Concern regarding preservation of housing stock for use by long-term residents
  - Note that community members have expressed concern regarding the impact of short-term rentals on affordable housing
- Consistency with existing regulations related to home-based businesses
  - Note that such uses are currently treated as accessory uses that are conducted by the primary resident

The proposed text amendment defines short-term rentals as the provision of temporary guest housing for periods of less than 30 days, not including rental for special events (weddings, parties, etc.) A short-term rental may not be rented simultaneously to multiple parties under the same contract, which helps differentiate the accessory use from primary Lodging Accommodations uses, which may include rental of separate rooms to different groups.

### Relationship to Proposed Business Licensing Ordinance

The proposed text amendment supports a separate licensing ordinance that is to be concurrently proposed by the City of Denver Department of Excise and Licenses to create a business licensing system that will apply to short-term rentals. The licensing ordinance is planned to require:

- Guest safety provisions, such as fire extinguishers and general liability insurance
- Provision of safety and contact information for guests
- Posting of business licensing number in online listings to support tracking and enforcement
- Permission from landlord or property owner to operate a short-term rental
- A tax license for collection of Lodgers taxes

For further details, see the Excise and Licenses short-term rental page at

[www.Denvergov.org/str](http://www.Denvergov.org/str)

### III. Public Process

Below is a summary of the public process for this text amendment.

<b>2014</b>	Councilwoman Susman convenes the Sharing Economy Task Force for City Council discussion of ride-sharing, home-sharing and other considerations related to the sharing economy, including several meetings throughout the year
<b>February 14, 2015</b>	INC Delegates Forum on short-term rentals
<b>February 23, 2015</b>	Sharing Economy Task Force session on short-term rentals
<b>March 23, 2015</b>	Sharing Economy Task Force session on short-term rentals
<b>April, 2015</b>	Sharing Economy Task Force becomes part of the City Council Neighborhoods and Planning Committee
<b>April 22, 2015</b>	City Council Neighborhoods and Planning Committee session on short-term rentals
<b>July 25, 2015</b>	Inter-Neighborhood Cooperation (INC) Zoning and Planning Committee (ZAP) presentation and discussion on short-term rentals
<b>September 2, 2016</b>	City Council Neighborhoods and Planning Committee session on short-term rentals
<b>December 9, 2016</b>	City Council Neighborhoods and Planning Committee session on short-term rentals
<b>January 20, 2016</b>	Information item presented to Denver Planning Board on short-term rentals
<b>January 23, 2016</b>	INC ZAP presentation and discussion on proposed Denver Zoning Code text amendment for short-term rentals
<b>February 3, 2016</b>	Short-term rentals town hall meeting at South High School
<b>February 8, 2016</b>	Draft of DZC text amendment posted to CPD website for public and City agency review; Email notice to all Registered Neighborhood Organizations (RNOs) and City Councilmembers, with link to redline draft and summary
<b>February 11, 2016</b>	Short-term rentals town hall meeting at East High School
<b>February 17, 2016</b>	Short-term rentals town hall meeting at North High School
<b>February 25, 2016</b>	Short-term rentals town hall meeting at Christ Church United Methodist
<b>February 29, 2016</b>	Public notification sent for March 16, 2016, Planning Board Public hearing
<b>March 2, 2016</b>	Capitol Hill United Neighbors presentation and discussion on proposed text amendment for short-term rentals
<b>March 16, 2016</b>	Planning Board public hearing
<b>March 29, 2016</b>	Public notification sent for April 13, 2016, PLAN Committee meeting
<b>March 30, 2016</b>	Neighborhoods & Planning Committee info item on short-term rental framework
<b>April 13, 2016</b>	Neighborhoods & Planning Committee meeting on proposed text amendment
<b>June 13, 2016</b>	Tentatively scheduled City Council public hearing

As of the date of this staff report, eight position statements have been received from registered neighborhood organizations and the American Institute of Architects (AIA) and 170 letters and emails have been received from residents. The statements, letters and emails are attached to this staff report, along with a summary of comments received at the four Town Hall meetings listed above.

Five of the position statements express specific support for the text amendment as drafted, while the remaining three (West Washington Park, Pinehurst and University Park) do not explicitly endorse the text amendment as drafted, but do express support for the proposed primary resident requirement. Three RNO position statements (West Washington Park Neighborhood Association, Pinehurst HOA and University Park) express some opposition to allowing short-term rentals in residential neighborhoods, although all three statements mention the need to retain reasonable protections (including primary resident/owner provisions) if short-term rentals are allowed.

The 170 letters and emails received from residents generally express the following sentiments (note that some emails are counted in multiple categories):

- Specific support for the text amendment as drafted: 11 letters and emails (6.5% of total)
- Support for the proposed primary resident requirement: 44 letters and emails (25.9% of total)
  - Note that about 10 emails in this category received from 03/12/16 to 03/16/16 used a forwarded email template.
  - Note that some letters and emails also indicated that short-term rentals should be limited only to property owners.
- Opposition to the proposed primary resident requirement: 82 letters and emails (48.2% of total)
  - Note that about 49 emails in this category received from 03/23/16 to 03/29/16 used a forwarded email template.
- Support for short-term rentals in general: 86 letters and emails (50.6% of total)
  - Note that all types of short-term rentals in residential zone districts are not currently allowed, so the primary resident requirement in the proposed zone district would not disallow any uses that are currently allowed as suggested in some letters and emails.
- Opposition to short-term rentals in general: 36 letters and emails (21.2% of total)
  - Note that some letters also indicate that any allowance for short-term rentals should be decided directly by voters.

## IV. Criteria for Review and CPD Staff Evaluation

Zoning text amendments are subject to the review criteria found in Section 12.4.11. Accordingly, CPD analyzed the proposed Denver Zoning Code text amendment #8 for compliance with the review criteria (restated below) and finds that the proposed text amendment meets each of the criteria.

### 1. The proposed Text Amendment is Consistent with the City's Adopted Plans

The Text Amendment is consistent with the City's following adopted plans:

- A. *Comprehensive Plan 2000*
- B. *Blueprint Denver (2002)*

## A. Denver Comprehensive Plan 2000

The proposed text amendment is consistent with objectives and strategies found in Comprehensive Plan 2000, including:

- Housing Objective 2: Preserve and Expand Existing Housing
  - Seeks to preserve and modernize Denver’s existing housing stock and established neighborhoods
  - Note that short-term rentals by a primary resident may provide additional income to support preservation and modernization of established neighborhoods
- Housing Objective 5: Support Home Ownership
  - Seeks to expand opportunities for low and middle-income households to become home owners
  - Note that short-term rentals by a primary resident may provide additional income to support home ownership
- Economic Activity Objective 3: Expand Economic Activity
  - Seeks to expand economic opportunity and the city’s economic base
  - Strategy 3-C supports Objective 3 by promoting quality accommodations for visitors
  - Note that short-term rentals may expand available accommodations in Denver to support additional tourism, event and convention activity
- Economic Activity Objective 5: Neighborhood Economic Development
  - Seeks to support the creation and growth of neighborhood businesses that enhance the vitality and quality of life in their communities
  - Strategy 5-A builds on Objective 5 by seeking to “incorporate neighborhood-based business development into the City’s neighborhood planning process.”
  - Note that short-term rentals may support neighborhood economic development by allowing additional income opportunities for primary residents.
- Neighborhoods Objective 1: A City of Neighborhoods
  - Seeks to respect the intrinsic character and assets of individual neighborhoods
  - Strategy 1-E builds on Objective 1 by seeking to:
    - “Modify land-use regulations to ensure flexibility to accommodate changing demographics and lifestyles.” (page 150)
    - “Allow, and in some places encourage, a diverse mix of housing types and affordable units, essential services, recreation, business and employment, home-based businesses, schools, transportation and open space networks.” (page 150)
  - Note that short-term rentals accommodate changing demographics and lifestyles while also allowing for home-based business opportunities by accommodating the growing popularity of short-term rentals as guest accommodations for visitors and income/cultural opportunities for local resident hosts.
- Land Use Objective 2: Denver Zoning Ordinance
  - Seeks to ensure that the zoning code remains consistent with Denver’s Citywide Land Use and Transportation Plan (Blueprint Denver)
  - Strategy 2-A builds on Objective 2 by promoting a zoning ordinance that is “flexible and accommodating of current and future land-use needs, such as home-based business and accessory flats.” (page 58)

- Note that the proposed text amendment to allow short-term rentals as an accessory use provides flexibility to accommodate an emerging land use that may also support home-based business activity.

While Comprehensive Plan 2000 does not directly address short-term rentals, home-sharing or other practices related to the sharing economy, the objectives and strategies cited above support an allowance for short-term rentals, particularly if they are limited to being conducted by the primary resident of a dwelling unit.

#### **B. Blueprint Denver – 2002**

The proposed text amendment is consistent with goals and recommendations found in Blueprint Denver – 2002, including:

- Goal for maintaining the character of Areas of Stability while accommodating some new development and redevelopment
  - Note that short-term rentals by a primary resident allow flexibility to expand the use of existing residential structures without significant commercial activity into neighborhoods.
- Recommendation that zoning should concentrate as much on building design as it does on activities that happen within the building
  - Note that short-term rentals are an activity that does not affect the design character of neighborhoods.
- Recommendation that unenforceable standards not be included in zoning
  - Note that the text amendment does not include specific guest limits or other requirements that may be difficult to enforce.
- Goals for new and revitalized neighborhood centers
  - Note that short-term rental guests may provide additional customer opportunities for neighborhood businesses
- Language regarding the need to assure provision of a diversity of affordable housing types
  - Per Blueprint page 153 “Housing types that meet the needs of each particular stage in life enables a resident to age within the same neighborhood. This allows the young and old to live in the same neighborhood with their parents and children respectively, if they so choose.”
  - Note that short-term rentals by a primary resident provide expanded income opportunities that may allow residents to remain in neighborhoods through different life stages without removing a significant number of dwelling units from the long-term rental market

While Blueprint Denver does not directly address short-term rentals, home-sharing or other practices related to the sharing economy, the goals and recommendations cited above support an allowance for short-term rentals, particularly if they are limited to being conducted by the primary resident of a dwelling unit.

**2. The proposed Text Amendment Furthers the Public Health, Safety and Welfare**

This text amendment furthers the public health, safety, and general welfare of Denver residents by accommodating the growing popularity of home sharing while instituting protections to ensure that short-term rentals are not conducted as a primary use by residents or others who do not live in the dwelling unit.

**3. The proposed Text Amendment Results in Regulations that are Uniform Across the District**

This text amendment will result in uniform regulations applicable to all new development in zone districts where residential uses are permitted.

**V. Planning Board Recommendation**

Following a public hearing on March 16, 2016, the Denver Planning Board recommended approval of this text amendment by a vote of seven in favor and two against.

**VI. CPD Recommendation**

Based on the review criteria for a text amendment stated in the Denver Zoning Code (DZC), Section 12.4.11 (Text Amendment), CPD staff recommends that City Council approve the proposed Denver Zoning Code Text Amendment #8 to allow short-term rentals as an accessory use.

**VII. Attachments**

1. Redlined Draft of Proposed Text Amendment #8
2. Position statements from registered neighborhood organizations (RNOs) and the American Institute of Architects (AIA)
3. Summary of comments received at Short-term Rental Town Hall meetings on February 3, 11, 17 and 25, 2016
4. Emails and letters received by City Council, Planning Board, Excise & Licenses (including the dedicated [str@denvergov.org](mailto:str@denvergov.org) address) and Community Planning and Development



Denver Zoning Code  
SHORT-TERM RENTALS  
PLAN COMMITTEE REDLINE DRAFT 04/07/2016

This document contains a redlined draft of the Short-term Rentals text amendment.

1. Text in red underline is proposed new language.
2. Text in ~~red strikethrough~~ is proposed deleted language.
3. Text that is **highlighted** is a note.
4. While every effort is made to ensure document quality, cross-referenced section numbers, figure numbers, page numbers, and amendment numbers may appear incorrect since both new and old text appears in a redlined draft. These will be corrected in the final, “clean” version of the text amendment that is filed for adoption by City Council.

Please visit our website at [www.DenverGov.org/CPD](http://www.DenverGov.org/CPD), then click on Text Amendments under Zoning, to:

- Learn more about Text Amendments
- Learn more about the process for this text amendment
- Sign up for email newsletters

Please send any questions or comments to [PlanningServices@denvergov.org](mailto:PlanningServices@denvergov.org).

**SHORT-TERM RENTAL TEXT AMENDMENT**  
**COMMITTEE DRAFT 04/07/16**

KEY: \* = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use  
 ZP = Zoning Permit Review ZPIN = Subject to Zoning Permit Review with Informational Notice ZPSE = Subject to Zoning Permit with Special Exception Review  
 When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	APPLICABLE USE LIMITATIONS											
		S-SU-Fx S-SU-Ix	S-SU-A S-SU-D S-SU-F S-SU-I	S-TH-2.5	S-MU-3 S-MU-5 S-MU-8 S-MU-12 S-MU-20	S-CC-3x S-CC-5x	S-CC-3 S-CC-5	S-MX-2x	S-MX-2 S-MX-2A	S-MX-3 S-MX-3A S-MX-5 S-MX-5A S-MX-8 S-MX-8A S-MX-12 S-MX-12A	S-MS-3 S-MS-5		
Wholesale, Storage, Warehouse & Distribution	Vehicle Storage, Commercial* • Vehicle: .5/ 1,000 ft <sup>2</sup> GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	L-ZPIN	NP	NP	NP	NP	\$11.5.24	
	Wholesale Trade or Storage, General • Vehicle: .5/ 1,000 ft <sup>2</sup> GFA • Bicycle: No requirement	NP	NP	NP	NP	NP	P-ZPIN	NP	NP	NP	NP		
	Wholesale Trade or Storage, Light • Vehicle: .5 / 1,000 ft <sup>2</sup> GFA • Bicycle: No requirement	NP	NP	NP	NP	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	NP	NP	L-ZP/ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	\$11.5.26	
<b>AGRICULTURE PRIMARY USE CLASSIFICATION</b>													
Agriculture	Aquaculture*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
	Garden, Urban* • Vehicle: .5 / 1,000 ft <sup>2</sup> GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.6.2	
	Husbandry, Animal*	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
	Husbandry, Plant* Plant Nursery • Vehicle: .5 / 1,000 ft <sup>2</sup> GFA • Bicycle: No requirement	NP	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.6.4	
<b>ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>													
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts										\$11.7	
	Accessory Dwelling Unit	NP	S-SU-F1 only: L-ZP; All other: NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; \$11.8.2
	Domestic Employee	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.8.3	
	Garden*	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.8.4	
	Keeping of Household Animals*	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	\$11.7; \$11.8.5	
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	L	L	L	L	L	L	L	\$11.7; \$10.9	
	Kennel or Exercise Run*	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.8.6	
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	NP	NP	NP	L-ZP	Not Applicable - See Permitted Primary Uses						\$11.7; \$11.8.7	
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; \$11.8.8	
	<u>Short-term Rental</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>\$11.7; \$11.8.9</u>	
	Vehicle Storage, Repair and Maintenance*	L	L	L	L	L	L	L	L	L	L	\$11.7; \$10.9	
Wind Energy Conversion Systems*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	Not Applicable - See Permitted Primary Uses						\$11.8; \$11.5.13		
Yard or Garage Sales*	L	L	L	L	L	L	L	L	L	L	\$11.8; \$11.8.9 <sup>10</sup>		

**SHORT-TERM RENTAL TEXT AMENDMENT  
COMMITTEE DRAFT 04/07/16**

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ZPIN = Subject to Zoning Permit Review with Informational Notice ZPSE = Subject to Zoning Permit with Special Exception Review  
When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE											APPLICABLE USE LIMITATIONS									
	<ul style="list-style-type: none"> <li>• Vehicle Parking Reqmt: # spaces per unit of measurement</li> <li>• Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)</li> </ul>	E-SU-A	E-SU-B	E-SU-D	E-SU-D1	E-SU-Dx	E-SU-D1x	E-SU-G	E-SU-G1	E-TH-2.5	E-TU-B	E-TU-C	E-MU-2.5	E-RX-5	E-CC-3x	E-CC-3	E-MX-2x	E-MX-2A	E-MX-3A	E-MS-3	E-MS-5

**ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION**

USE CATEGORY	SPECIFIC USE TYPE	L - Applicable to all Zone Districts										APPLICABLE USE LIMITATIONS	
		E-SU-D1, -D1x, -G1 only: L-ZP All other: NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP		L-ZP
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts										§ 11.7	
	Accessory Dwelling Unit	E-SU-D1, -D1x, -G1 only: L-ZP All other: NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.7, § 11.8.2
	Domestic Employee Garden*	L	L	L	L	L	L	L	L	L	L	L	§ 11.7; § 11.8.3
	Keeping of Household Animals*	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	§ 11.7; § 11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	L	L	L	L	L	L	L	L	§ 11.7; § 10.9
	Kennel or Exercise Run*	L	L	L	L	L	L	L	L	L	L	L	§ 11.7; § 11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	NP	NP	NP	L-ZP	Not Applicable - See Permitted Primary Uses						§ 11.7; § 11.8.7	
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	NP	§ 11.7; § 11.8.8
	<u>Short-term Rental</u>	L	L	L	L	L	L	L	L	L	L	L	<u>§ 11.7; § 11.8.9</u>
	Vehicle Storage, Repair and Maintenance*	L	L	L	L	L	L	L	L	L	L	L	§ 11.7; § 10.9
Wind Energy Conversion Systems*	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	L-ZP/ZPSE	Not Applicable - See Permitted Primary Uses						§ 11.7, § 11.5.13		
Yard or Garage Sales*	L	L	L	L	L	L	L	L	L	L	L	§ 11.7; § 11.8.9, 10	

**HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION**

USE CATEGORY	SPECIFIC USE TYPE	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	APPLICABLE USE LIMITATIONS
Home Occupations  (Parking is Not Required for Home Occupations Unless Specifically Stated in this Table or in an Applicable Use Limitations)	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.9; § 11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.9; § 11.9.4
	Unlisted Home Occupations	L-ZPIN - Applicable to all Zone Districts										§ 11.9; § 11.9.5	

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USE CATEGORY	SPECIFIC USE TYPE	U-SU-A	U-SU-A1	U-SU-A2	U-SU-B	U-SU-B1	U-SU-B2	U-SU-C	U-SU-C1	U-SU-C2	U-SU-E	U-SU-E1	U-TU-B	U-SU-H	U-TU-B2	U-RH-2.5	U-MX-2x	U-MX-2	U-MS-3	U-SU-H1	U-TU-C	U-RH-3A	U-RX-5	U-MS-2x	U-MS-2	U-MX-3	U-MS-5	APPLICABLE USE LIMITATIONS
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**ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION**

USE CATEGORY	Unlisted Accessory Uses	L - Applicable to all Zone Districts										\$11.7										
	Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Accessory Dwelling Unit	U-SU-A1, -A2, -B1, -B2, -C1, -C2, -E1, -H1 only: L-ZP All others: NP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; \$11.8.2
Domestic Employee		L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.8.3	
Garden*		L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.8.4	
Keeping of Household Animals*		L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	\$11.7; \$11.8.5
Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*		L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	\$11.7; \$10.9	
Kennel or Exercise Run*		L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.8.6
Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use		NP	NP	NP	L-ZP	Not Applicable - See Permitted Primary Uses					\$11.7; \$11.8.7											
Second Kitchen Accessory to Single Unit Dwelling Use		L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; \$11.8.8
<u>Short-term Rental</u>		<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>\$11.7; \$11.8.9</u>
Vehicle Storage, Repair and Maintenance*		L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	\$11.7; \$10.9
Wind Energy Conversion Systems*	L-ZPIN/ZPSE	L-ZPIN/ZPSE	L-ZPIN/ZPSE	L-ZPIN/ZPSE	L-ZPIN/ZPSE	Not Applicable - See Permitted Primary Uses					\$11.7; \$11.5.8											
Yard and/or Garage Sales*	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	\$11.7; \$11.8.910	

**HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION**

Home Occupations  (Parking is Not Required for Home Occupations Unless Specifically Stated in this Table or in an Applicable Use Limitations)	Child Care Home, Large	L-ZPIN	\$11.9; \$11.9.3																			
	All Other Types	L-ZP	\$11.9; \$11.9.4																			
	Unlisted Home Occupations	L-ZPIN	\$11.9; \$11.9.5																			

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility / % Required Spaces in Fixed Facility)	G-MU-3 12 G-MU-5 G-MU-8 20 G-RO-3 G-RO-5 G-RX-5 G-MX-3 G-MS-3 G-MS-5							APPLICABLE USE LIMITATIONS
<b>ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>									
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts							§ 11.7
	Accessory Dwelling Unit	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.7, § 11.8.2
	Domestic Employee	L	L	L	L	L	L	L	§11.7.1; §11.8.3
	Garden*	L	L	L	L	L	L	L	§ 11.7, § 11.8.4
	Keeping of Household Animals*	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	§ 11.7; § 11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	L	L	L	L	§ 11.7; § 10.9
	Kennel or Exercise Run*	L	L	L	L	L	L	L	§ 11.7; § 11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	NP	L-ZP	L-ZP	L-ZP	L-ZP	Not Applicable - See Permitted Primary Uses		§ 11.7; § 11.8.7
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.7; § 11.8.8
	<b>Short-term Rental</b>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>§ 11.7; § 11.8.9</u>
	Vehicle Storage, Repair and Maintenance*	L	L	L	L	L	L	L	§ 11.7; § 10.9.
Wind Energy Conversion Systems*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	Not Applicable - See Permitted Primary Uses		§ 11.7; § 11.5.13	
Yard or Garage Sales*	L	L	L	L	L	L	L	§ 11.7; § 11.8.9 <u>10</u>	
<b>HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>									
Home Occupations (Parking is Not Required for Home Occupations Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.9; § 11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.9; § 11.9.4
	Unlisted Home Occupations	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§ 11.9; § 11.9.5

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USE CATEGORY	SPECIFIC USE TYPE					APPLICABLE USE LIMITATIONS
	• Vehicle Parking Reqmt: # spaces per unit of measurement	C-MX-3			C-CCN-3	
	• Bicycle Parking Reqmt : # spaces per unit of measurement	C-MX-5			C-CCN-4	
	(% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	C-MX-8			C-CCN-5	
		C-RX-5	C-MX-12	C-MS-5	C-CCN-7	
		C-RX-8	C-MX-16	C-MS-8	C-CCN-8	
		C-RX-12	C-MX-20	C-MS-12	C-CCN-12	
ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION						
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts				§11.7
	Accessory Dwelling Unit	L-ZP	L-ZP	L-ZP	L-ZP	§11.7; §11.8.2
	Domestic Employee	L	L	L	L	§11.7; §11.8.3
	Garden*	L	L	L	L	§11.7; §11.8.4
	Keeping of Household Animals*	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	§11.7; §11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	L	§11.7; §10.9
	Kennel or Exercise Run*	L	L	L	L	§11.7; §11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	L-ZP	Not Applicable - See Permitted Primary Uses			§11.7; §11.8.7
	Second Kitchen Accessory to Single Unit Dwelling Use	NP	NP	NP	NP	
	<u>Short-term Rental</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>§11.7; §11.8.9</u>
	Vehicle Storage, Repair and Maintenance*	L	L	L	L	§11.7; §10.9
	Wind Energy Conversion Systems*	L-ZPIN/ ZPSE	Not Applicable - See Permitted Primary Uses			§11.7; §11.5.13
Yard and/or Garage Sales*	L	L	L	L	§11.7; §11.8.9 <u>10</u>	
HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION						
Home Occupations  (Parking is Not Required for Home Occupations Unless Specifically Stated in this Table or in an Applicable Use Limitations)	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§11.9; §11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	L-ZP	§11.9; §11.9.4
	Unlisted Home Occupations	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§11.9; §11.9.5

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USE CATEGORY	SPECIFIC USE TYPE Parking Ratios Shown in Table Apply in D-GT & D-AS Districts Only • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)	D-GT					APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	D-AS	D-CV	
<b>ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>							
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts					\$11.7
	Accessory Dwelling Unit	L-ZP	L-ZP	L-ZP	L-ZP	NP	\$11.7; \$11.8.2
	Domestic Employee	L	L	L	L	NP	\$11.7.1; \$11.8.3
	Garden*	L	L	L	L	NP	\$11.7; \$11.8.4
	Keeping of Household Animals*	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	NP	\$11.7; \$11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	L	NP	\$11.7; \$10.9
	Kennel or Exercise Run*	L	L	L	L	NP	\$11.7; \$11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	Not Applicable - See Permitted Primary Uses					\$11.7; \$11.8.7
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	L-ZP	NP	\$11.7; \$11.8.8
	<u>Short-term Rental</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>NP</u>	<u>\$11.7; \$11.8.9</u>
	Vehicle Storage, Repair and Maintenance*	L	L	L	L	NP	\$11.7; \$10.9
	Wind Energy Conversion Systems*	Not Applicable - See Permitted Primary Uses					
Yard or Garage Sales*	L	L	L	L	NP	\$11.7; \$11.8.9 <u>10</u>	
<b>HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>							
Home Occupations Accessory to a Primary Residential Use (Parking is Not Required for Home Occupations Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	NP	\$11.9; \$11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	L-ZP	NP	\$11.9; \$11.9.4
	Unlisted Home Occupations	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	NP	\$11.9; \$11.9.5

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USE CATEGORY	SPECIFIC USETYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)				APPLICABLE USE LIMITATIONS
		I-MX-3 I-MX-5 I-MX-8	I-A	I-B	
<b>AGRICULTURE PRIMARY USE CLASSIFICATION</b>					
Agriculture	Aquaculture* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	§11.6.1
	Garden, Urban* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	§11.6.2
	Husbandry, Animal* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	L-ZP	§11.6.3
	Husbandry, Plant* • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	NP	L-ZP	L-ZP	§11.6.4
	Plant Nursery • Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP*	L-ZP*	§11.6.5
<b>ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>					
Accessory to Primary Residential Uses  In the I-A and I-B Zone Districts, see Sections 9.1.5.1 through 9.1.5.3 for additional limitations on accessory uses.  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable in all Zone Districts			§11.7
	Accessory Dwelling Unit	L-ZP	NP	NP	§11.7; §11.8.2
	Domestic Employee	L	NP	NP	§11.8.3
	Garden*	L	L	L	§11.7; §11.8.4
	Keeping of Household Animals*	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	§11.7; §11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	NP	NP	§11.7; §10.9
	Kennel or Exercise Run*	L	L	L	§11.7; §11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	Not Applicable - See Permitted Primary Uses	NP	NP	§11.7; §11.8.7
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	§11.8.8
	<u>Short-term Rental</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>§11.7; §11.8.9</u>
Vehicle Storage, Repair and Maintenance*	L	L	L	§11.7; §10.9	
Wind Energy Conversion Systems*	Not Applicable - See Permitted Primary Uses				
Yard or Garage Sales*	L	L	L	§11.7; §11.8.9 <u>10</u>	

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)					APPLICABLE USE LIMITATIONS
		CMP-H CMP-H2	CMP-EI CMP-EI2	CMP-ENT	CMP-NWC	
<b>AGRICULTURE PRIMARY USE CLASSIFICATION</b>						
Agriculture	Aquaculture* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	L-ZP	§11.6.1
	Garden, Urban* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	§11.6.2
	Husbandry, Animal* • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	NP	L-ZP	§11.6.3
	Husbandry, Plant*	NP	NP	NP	NP	
	Plant Nursery • Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	NP	NP	L-ZP	L-ZP	§11.6.5
<b>ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>						
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts				§11.7
	Accessory Dwelling Unit • Vehicle: 1 / Unit • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	§11.7; §11.8.2
	Domestic Employee	L	L	L	L	§11.8.3
	Garden*	L	L	L	L	§11.7; §11.8.4
	Keeping of Household Animals*	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	§11.7; §11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	NP	NP	NP	NP	§11.7; §10.9
	Kennel or Exercise Run*	L	L	L	L	§11.7; §11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	L-ZP	L-ZP	L-ZP	L-ZP	§11.7; §11.8.7
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	L-ZP	§11.7; §11.8.8
	<u>Short-term Rental</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>§11.7; §11.8.9</u>
	Vehicle Storage, Repair and Maintenance Accessory to a Dwelling Use*	L	L	L	L	§11.7; §10.9
	Wind Energy Conversion Systems*	Not Applicable - See Permitted Primary Uses				
Yard or Garage Sales*	L	L	L	L	§11.7; §11.8.9 <u>10</u>	
<b>HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>						
Home Occupations	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	§11.9; §11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	L-ZP	§11.9; §11.9.4
	Unlisted Home Occupations	L-ZPIN - Applicable to all Zone Districts				§11.9; §11.9.5

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Requirement -# of spaces per unit of measurement • Bicycle Parking Requirement -# of spaces per unit of measurement (% required spaces in indoor facility/% required spaces in fixed facility)	APPLICABLE USE LIMITATIONS			
		OS-A	OS-B	OS-C	
<b>ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>					
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	See Section 9.3.4.1	NP	NP	
	Accessory Dwelling Unit		NP	NP	
	Domestic Employee		NP	NP	
	Garden*		NP	NP	
	Keeping of Household Animals*		NP	NP	
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*		NP	NP	
	Kennel or Exercise Run*		NP	NP	
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use		NP	NP	
	Second Kitchen Accessory to Single Unit Dwelling Use		NP	NP	
	<u>Short-term Rental</u>		<u>NP</u>	<u>NP</u>	
	Vehicle Storage, Repair and Maintenance*		NP	NP	
	Wind Energy Conversion Systems*		Not Applicable - See Permitted Primary Uses		
Yard or Garage Sales*	NP	NP			
<b>HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>					
Home Occupations	Child Care Home, Large	See Section 9.3.4.1	NP	NP	
	All Other Types		NP	NP	
	Unlisted Home Occupations		NP	NP	

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USE CATEGORY	SPECIFIC USE TYPE			APPLICABLE USE LIMITATIONS IN THE O-1 ZONE DISTRICT ONLY
		DIA	O-1	
<b>ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>				
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	See Section 9.5.5.1 for permitted uses and required parking	L	\$11.7
	Accessory Dwelling Unit		NP	
	Domestic Employee		L	\$11.7; \$11.8.3
	Garden*		L	\$11.7; \$11.8.4
	Keeping of Household Pets*		NP	
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*		NP	
	Kennel or Exercise Run*		NP	
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use		NP	
	Second Kitchen Accessory to Single Unit Dwelling Use		NP	
	<u>Short-term Rental</u>		NP	
	Vehicle Storage, Repair and Maintenance*		NP	
	Wind Energy Conversion Systems*		Not Applicable - See Permitted Primary Uses	
Yard or Garage Sales*	NP			
<b>HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>				
Home Occupations	Child Care Home, Large (7-12)	See Section 9.5.5.1 for permitted uses and required parking	NP	
	All Other Types		NP	
	Unlisted Home Occupations		NP	

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USE CATEGORY	SPECIFIC USE TYPE • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)						APPLICABLE USE LIMITATIONS
		M-RH-3	M-RX-5 M-RX-5A	M-CC-5	M-MX-5	M-IMX-5 M-IMX-8 M-IMX-12 M-GMX	
<b>ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>							
Accessory to Primary Residential Uses  (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable in all Zone Districts					\$11.7
	Accessory Dwelling Unit	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$ 11.7; \$ 11.8.2
	Domestic Employee	L	L	L	L	L	\$ 11.7; \$ 11.8.3
	Garden*	L	L	L	L	L	\$ 11.7; \$ 11.8.4
	Keeping of Household Animals*	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	L / L-ZPIN	\$ 11.7; \$ 11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	L	L	\$ 11.7; \$ 10.9
	Kennel or Exercise Run*	L	L	L	L	L	\$ 11.7; \$ 11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	NP	L-ZP	Not Applicable - See Permitted Primary Uses			\$ 11.7; \$ 11.8.7
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	L-ZP	NP	\$ 11.7; \$ 11.8.8
	<u>Short-term Rental</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>\$ 11.7;</u> <u>\$ 11.8.9</u>
	Vehicle Storage, Repair and Maintenance*	L	L	L	L	L	\$ 11.7; \$ 10.9
	Wind Energy Conversion Systems*	L-ZPIN/ ZPSE	L-ZPIN/ ZPSE	Not Applicable - See Permitted Primary Uses			\$ 11.7; \$ 11.5.13
	Yard or Garage Sales*	L	L	L	L	L	\$ 11.7; \$ 11.8.9 <sup>10</sup>
<b>HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION</b>							
Home Occupations  (Parking is Not Required for Home Occupations Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	\$ 11.9; \$11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$ 11.9; \$ 11.9.4
	Unlisted Home Occupations	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	\$ 11.9; \$ 11.9.5

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## DIVISION 11.7 ACCESSORY USE LIMITATIONS

The Use and Parking Tables in Articles 3 through 9 reference any limitations applicable to permitted primary, accessory, or temporary uses. This Division contains general standards applicable to all accessory uses across multiple Zone Districts and neighborhood contexts.

### SECTION 11.7.1 GENERAL PROVISIONS APPLICABLE TO ALL ACCESSORY USES

#### 11.7.1.1 General Allowance for Accessory Uses

- A. Accessory uses shall be clearly incidental, subordinate, customary to, and commonly associated with operation of a primary use. Accessory uses may be incidental to a primary use permitted without limitations, or a permitted use with limitations.
- B. The Use and Parking Tables in Articles 3 through 9 list specific accessory uses permitted in each zone district; applicable limitations may further restrict the type or operations of an accessory use.

#### 11.7.1.2 Limitations Applicable to All Accessory Uses

##### A. General Limitations

All accessory uses, except accessory dwelling unit uses and Short-term Rental accessory uses, shall comply with all of the following general limitations. Accessory dwelling units, where permitted, shall comply with the specific conditions/limitations stated in Section 11.8.2, Accessory Dwelling Units, instead of these general limitations. Short-term Rental accessory uses, where permitted, shall comply with the specific limitations stated in 11.8.9, Short-term Rental, instead of these general limitations.

1. Such use shall be clearly incidental and customary to and commonly associated with the operation of the primary use.
2. Such accessory use shall be operated and maintained under the same ownership and on the same zone lot as the primary use; provided, however, that in all Mixed Use Commercial Zone Districts, lessees or concessionaires may operate the accessory use; and provided further that in nonresidential structures owned and operated by a place for religious assembly in a Residential Zone District, non-profit lessees or concessionaires may operate the accessory use.
3. Such use shall not include residential occupancy in a detached accessory structure offered for rent or for other commercial gain. Residential occupancy in a detached accessory structure is permitted by members of a household occupying the primary structure, or domestic employees and the immediate families of such employees.
4. The area of specific accessory uses shall be calculated as follows:
  - a. **Pool tables.** The area occupied shall be calculated by adding 3 feet to each dimension of such pool table to include the area of play.
  - b. **Pinball, video games and other similar Amusement Devices.** The area occupied shall be calculated by adding three feet to the area directly in front of the device.
  - c. **Dance floors.** The area shall be the sum total of all of the areas of the dance floor and any stage or area used for the playing or performance of recorded or live music.

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**SECTION 11.8.9 SHORT-TERM RENTAL**

**11.8.9.1 All Zone Districts**

In all Zone Districts, where permitted with limitations, a Short-term Rental:

- A. Shall be clearly incidental and customary to and commonly associated with the operation of the primary residential household living use.
- B. Shall be operated by the person or persons maintaining the dwelling unit use as their primary residence. For purposes of this provision, "person or persons" shall not include any corporation, partnership, firm, association, joint venture, or other similar legal entity. For purposes of this section 11.8.9, the term "primary residence" shall have the meaning prescribed thereto in D.R.M.C. Chapter 33.
- C. Shall not include rentals where the length of stay per guest visit is 30 or more days.
- D. Shall not be located in mobile homes, recreational vehicles, or travel trailers.
- E. Shall not display or create any external evidence of the Short-term Rental, except one non-animated, non-illuminated flat wall or window sign having an area of not more than 100 square inches.
- F. Shall not have any employees or regular assistants not residing in the primary or accessory dwelling unit located on the subject zone lot.
- G. Shall not include simultaneous rental to more than one party under separate contracts.
- H. Shall not be subject to a maximum number of guests per night.

**11.8.9.2 Related Provisions**

Related provisions governing licensing requirements for a Short-term Rental are found in D.R.M.C. Chapter 33.

**SECTION 11.8.10 YARD AND/OR GARAGE SALES**

**11.8.10.1 All Zone Districts**

In all Zone Districts, where permitted with limitations, yard and/or garage sales:

- A. Shall not exceed 72 hours of total duration;
- B. Shall not have more than one such sale in the period from January 1st to June 30th and no more than one such sale in the period from July 1st to December 31st;
- C. Items offered for sale shall not have been bought for resale or received on consignment for the purpose of resale; and
- D. All external evidence of the sale shall be removed immediately upon the conclusion of the sale.

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**B. Specific Eating & Drinking Establishments Use Types and Definitions**

**1. Eating and Drinking Establishment**

A retail establishment primarily engaged in the sale of prepared, ready-to-consume food and/or drinks within a completely enclosed structure. Typical uses include restaurants, fast-food outlets, snack bars, taverns, bars and brewpubs.

**2. Brewpub**

A specific type of eating and drinking establishment. A facility at which malt, vinous, or spirituous liquors are manufactured on the premises, bottled, and sold on the same premises as where the eating and drinking services are provided. No more than 30% of the manufactured product may be sold to off-premises customers. The volume of liquor manufactured on the premises of the brewpub shall not exceed 300 gallons per day each calendar year.

**11.12.4.5 Lodging Accommodations**

**A. Definition of Lodging Accommodations Use Category**

Lodging accommodations uses are characterized by visitor-serving facilities that provide temporary lodging in guest rooms or guest units, for compensation, and with an average length of stay of less than 30 days except as specifically permitted for a Single Room Occupancy (SRO) Hotel. Accessory uses may include pools and other recreational facilities for the exclusive use of guests, limited storage, restaurants, bars, meeting facilities, and offices; but excludes Short-term Rentals as defined in Section 11.12.7.6.

**B. Specific Lodging Accommodations Use Types and Definitions**

**1. Bed and Breakfast Lodging**

~~An owner-occupied or~~ manager-occupied residential structure providing rooms for temporary, overnight lodging, with or without meals, for paying guests. A Bed and Breakfast may provide simultaneous lodging to different parties under separate contracts.

**2. Extended Stay Hotel**

A hotel containing guest rooms oriented to allow independent housekeeping for occupancy by the week or by the month, or some portion thereof, with facilities for sleeping, bathing, and cooking.

**3. Hotel**

One or more buildings providing temporary lodging primarily to persons who have residences elsewhere, or both temporary and permanent lodging in guest rooms, or apartments. The building or buildings have an interior hall and lobby with access to each room from such interior hall or lobby.

**4. Hostel**

A nonprofit facility located in a residential structure and associated with a national or international hostel organization, which facility has but one kitchen and provides sleeping accommodations for not more than 25 persons. All housekeeping duties are shared by the occupants under the supervision of a resident manager.

**5. Motel**

One or more buildings providing residential accommodations and containing rental rooms and/or dwelling units, each of which has a separate outside entrance leading directly to rooms from outside the building. Services provided may include maid service and laundering of linen, telephone and secretarial or desk service, and the use and upkeep of furniture. Up to 20 percent of the residential units may be utilized for permanent occupancy.

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farms; vineyards and orchards; flower farms; field nurseries; and sod farms. Plant Nursery uses do not include forestry or logging uses, or the keeping of animals or livestock except where expressly permitted as an accessory use.

**SECTION 11.12.7 DEFINITIONS OF USES ACCESSORY TO PRIMARY RESIDENTIAL USES**

**11.12.7.1 Accessory Dwelling Unit**

A second dwelling unit located on the same zone lot as a primary single unit dwelling use. An accessory dwelling unit is a type of accessory use. An accessory unit may be either “attached” or “detached”, defined as follows:

**A. Dwelling, Accessory unit, Attached**

An accessory dwelling unit that is connected to or an integrated part of the same structure housing the primary single unit dwelling (for example, an attached accessory dwelling unit may be located in the basement level of a structure also housing a single-unit dwelling use).

**B. Dwelling, accessory unit, Detached**

An accessory dwelling unit that is located within an accessory structure detached from the structure housing the primary single unit dwelling use.

**11.12.7.2 Domestic Employee**

A person or persons living in the household of another, paying no rent for such occupancy and paying no part of any household utilities; where such person or persons perform household and/or property maintenance duties for the general care, comfort and convenience of the household occupants.

**11.12.7.3 Garden**

The growing and cultivation of fruits, flowers, herbs, vegetables, and/or other plants. An accessory Garden use may operate as either an enclosed or unenclosed use.

**11.12.7.4 Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use**

Commercial sales, service, and repair uses limited to the following:

- A. Banking and Financial Services as defined in Section 11.12.4.7.C.1, Banking and Financial Services.
- B. Eating and Drinking Establishment as defined in Section 11.12.4.4.B.1, Eating and Drinking Establishment.
- C. Office as defined in Section 11.12.4.6.A, Definition of Office Use Category.
- D. Retail Sales, Service & Repair uses as defined in Section 11.12.4.7.A, Retail Sales, Service & Repair Use Category.

**11.12.7.5 Second Kitchen, Accessory to Single Unit Dwelling Use**

A second kitchen accessory to a primary single-unit dwelling use and located in the same primary structure.

**11.12.7.6 Short-term Rental**

The provision of temporary guest housing to non-residents, for compensation, by the person or persons maintaining the primary dwelling unit use as their primary residence. The length of stay per guest visit is less than 30 days. Short-term Rental does not include rental of a dwelling unit for meetings such as luncheons, banquets, parties, weddings, fund raisers, or other similar gatherings for direct or indirect compensation.

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**Drive or Driveway:** An improved and maintained way providing vehicular access from the public right-of-way to an off-street parking area, to a detached garage structure, to dwellings, or to other uses.

**Dwarf Goat:** See Denver Revised Municipal Code section 8-4(4.5).

**Dwelling:** Any building or portion of building that is used as the residence of one or more households, but not including hotels and other lodging accommodation uses, hospitals, tents, or similar uses or structures providing transient or temporary accommodation with the exception of an accessory Short-term Rental.

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**Screening:** A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation

**Secondary Area of GDP:** Boundary of a designated area adjoining the primary area of the GDP where development may not be imminent, but based on adopted City plans, can be expected to transition over time.

**Semi-Trailer:** Any vehicle of the trailer type so designed and used in conjunction with a truck-tractor that some part of its own weight and that of its own load rest upon or is carried by a truck-tractor.

**Setback:** See Rule of Measurement, Division 13.1.

**Setback Space or Area:** The area between a zone lot line and a required minimum setback line.

**Shielded:** The light emitted from the lighting fixture is projected below a horizontal plain running through the lowest point of the fixture where light is emitted. The lamp is not visible with a shielded light fixture, and no light is emitted from the sides of such a fixture.

~~**Short-Term Occupancy:** The use of housing accommodations or rooms by a person or persons for periods less than one month.~~

**SIC:** Standard Industrial Classification as published by the U.S. Census Bureau, has been replaced by the NAICS.

**Side Zone Lot Line:** See “Zone Lot, Side”.

**Side Street:** See Rule of Measurement, Division 13.1.

**Sign:** A sign is any object or device or part thereof situated outdoors or indoors which is used to advertise or identify an object, person, institution, organization, business, product, service, event or location by any means including words, letters, figures, designs, symbols, fixtures, colors, motion illumination or projected images. Signs do not include the following:

- a. Flags of nations, or an organization of nations, states and cities, fraternal, religious and civic organizations;
- b. Merchandise, pictures or models of products or services incorporated in a window display;
- c. Time and temperature devices not related to a product;
- d. National, state, religious, fraternal, professional and civic symbols or crests;
- e. Works of art which in no way identify a product.

**Sign, Animated:** Any sign or part of a sign which changes physical position by any movement or rotation.

**Sign, Arcade:** A wall or projecting sign attached to the roof or wall of an arcade and totally within the outside limits of the structural surfaces which are delineating the arcade.

**Sign, Billboard:** See definition of “Outdoor General Advertising Device,” above.



February 16, 2016

Councilman Jolon Clark  
Council District 7  
via email [Jolon.Clark@denvergov.org](mailto:Jolon.Clark@denvergov.org)

**Re: Short-term Rentals; Proposed Amendment to Denver Zoning Code**

Dear Councilman:

As you know, the West Washington Neighborhood Association ("WWPNA") is a registered neighborhood organization for the West Washington Park neighborhood and the southern two-thirds of the Speer statistical neighborhood, with boundaries from Speer Blvd. to I-25 and from Downing Street to the east side of Broadway. This position statement was approved by the WWPNA board by a vote on February 15, 2016, with 10 members voting in favor, 0 voting against, and 0 members abstaining. This position statement is provided in connection with the City's proposed amendments ("Proposed Amendments") to the Denver Zoning Code (the "Code") to accommodate short-term rentals of residential property.

First and foremost, we believe a considerable number of the residents we represent do not want short term rentals at all, and we continue to object to such use. However, if Council determines to permit this use notwithstanding the material objections of constituents, then we provide the following comments to the Proposed Amendments. Our comments are intended to reduce future issues this use will have on West Washington Park residents and other residents in the City and County of Denver.

1. The Code must clearly and unambiguously provide that operation of a short-term rental unit in residential Zone Districts is a Home Occupation under the Code and an ancillary use solely incidental to the associated primary residential dwelling unit. The Proposed Amendment should be revised to specifically state this.
2. The rental unit must be operated by a natural person who resides in the primary dwelling unit to which the rental unit is attached or where the rental unit is located. Accordingly, we suggest that Section 11.8.9.1.B be revised to replace reference to "person or persons" with "natural person or persons". Additionally, please add limited liability companies to the list of entities that do not constitute "persons" under Proposed Amendment 11.8.9.1.B.
3. We strongly urge you to revise the Proposed Amendments to require that only owner-residents of the primary dwelling unit be permitted to operate a short-term rental unit and that tenants of such primary dwelling unit not be so permitted. Tenants generally lack the requisite investment in our communities to operate such units responsibly; they can simply "vote with their feet" if problems ensue. At least an owner-resident engaged in such activities would have some motivation to address the legitimate concerns of neighbors if problems arise with the rental unit.

4. Section 11.8.9.1.H of the Proposed Code needs to be revised to provide that the maximum number of guests during any stay in a short-term rental unit shall not exceed the lesser of (i) eight (8) individuals or (ii) two (2) individuals per bedroom. This would provide at least some minimal comfort to nearby residents that a defacto motel is not being operated next door.

5. A new provision needs to be added to the Proposed Amendments to require the posting at the rental unit of emergency contact information, including email and a telephone number, for the operator of the rental. It is in the interest of both residents and operators for residents to have a meaningful opportunity to promptly and informally resolve problems with a rental unit, and such interests must trump any limited privacy concerns of individuals who choose to engage in the business of operating short-term rentals. One staying at a hotel can contact a manager with problems; nothing less should be required in connection with the operation of a short-term rental unit next door to a home.

6. A new provision needs to be added to the Proposed Amendments to require that the license number to be assigned to each short-term rental be included in all advertisements or other materials or information published in online or otherwise to promote the rental of such unit.

7. Council must fully fund one or more dedicated neighborhood inspection services representatives to strictly enforce the Proposed Amendments, which representatives must be available at nights and on weekends. Additionally, WWPNA strongly believes that all short-term rental income must be subject to lodging and other taxes as apply to hotels and motels.

8. A new provision needs to be added to the Proposed Amendments to limit short-term rental of any unit to not more than 120 days during any calendar year. Otherwise, we are simply allowing our residential Zone Districts to be turned into defacto commercial zones.

WWPNA understands the genesis of short-term rentals was to facilitate vacation rentals in resort communities, not for use in residential communities such as ours. Our homes and neighborhoods are not a commercial commodity. We believe allowing short-term rentals in our residentially-zoned district undermines what most WWP residents value in our neighborhood. For many residents, their home is their most significant asset and they've chosen to make this investment in our communities. Residents have chosen to raise their families here and be members of a residential community. Customers of short-term rentals generally do not enhance our neighborhoods. They don't support civic activities, send their children to our schools, shovel walks for neighbors, or the like.

In short, we seek to preserve the fabric of our residential neighborhood and ask that you and the other elected Council members assist us in this endeavor. If you believe short-term rentals cannot be prohibited outright, then we ask that you adopt strong protections in the Code for residents, that enforcement of the Code be strictly required through one or more dedicated Neighborhood Inspection Services representatives, available nights and weekends, and that Council dedicate a revenue source to fully fund such activities.

Sincerely,



Nicholas Amrhein  
President  
West Washington Park Neighborhood Association

cc: Rafael Espinoza, Dist. 1, [Rafael.Espinoza@denvergov.org](mailto:Rafael.Espinoza@denvergov.org)  
Kevin Flynn, Dist.2, [Kevin.Flynn@denvergov.org](mailto:Kevin.Flynn@denvergov.org)

Paul Lopez, Dist. 3, [Paul.Lopez@denvergov.org](mailto:Paul.Lopez@denvergov.org)  
Kendra Black, Dist. 4, [Kendra.Black@denvergov.org](mailto:Kendra.Black@denvergov.org)  
Mary Beth Susman, Dist.5, [MaryBeth.Susman@denvergov.org](mailto:MaryBeth.Susman@denvergov.org)  
Paul Kashman, Dist. 6, [Paul.Kashman@denvergov.org](mailto:Paul.Kashman@denvergov.org)  
Christopher Herndon, Dist. 8, [Christopher.Herndon@denvergov.org](mailto:Christopher.Herndon@denvergov.org)  
Albus Brooks, Dist. 9, [Albus.Brooks@denvergov.org](mailto:Albus.Brooks@denvergov.org)  
Wayne New, Dist. 10, [Wayne.New@denvergov.org](mailto:Wayne.New@denvergov.org)  
Stacie Gillmore, Dist.11, [Stacie.Gillmore@denvergov.org](mailto:Stacie.Gillmore@denvergov.org)  
Robin Kneich, at Large, [Robin.Kneich@denvergov.org](mailto:Robin.Kneich@denvergov.org)  
Deborah Ortega, at Large, [Deborah.Ortega@denvergov.org](mailto:Deborah.Ortega@denvergov.org)  
Stacie Louks, Director, Excise & License, [Stacie.Louks@denvergov.org](mailto:Stacie.Louks@denvergov.org)  
[PlanningServices@denvergov.org](mailto:PlanningServices@denvergov.org)

March 3, 2016

Community Planning and Development  
City and County of Denver  
Denver, CO 80202

RE: Pinehurst Homeowner's Association Short Term Rental Statement

The Homeowners Association asked its members what they thought about the proposed ordinance for licensing short-term rentals in Denver.

**Generally, the homeowners are against the proposal.** A few people are open to short-term licensing if the homeowner occupies the house being rented—in other words, if a homeowner lives in a house and rents a room or makes the house available by short-term lease while he or she is on a vacation (say, three weeks) but returns to reoccupy the residence. **The neighborhood is against an absent landlord renting the premises for a short time.**

**The consensus of those who replied to our query is opposition to the proposed ordinance.** Here are some representative responses:

- “Keep our neighborhood as it was intended to be.”
- “Our neighborhood homes should be utilized by families who intend on living and participating in the spirit of the community.”
- “[If] we had different people in and out of the house next door every other day, we really don't want that!”
- “Personally, the less rentals we have around here the better - is my opinion.”

Pinehurst Homeowner's Association

March 8, 2016

Abe Barge, Case Manager  
Senior City Planner  
Community Planning and Development  
Planning Services  
201 W. Colfax Avenue  
Department 205  
Denver, Colorado 80202

Re: Text Amendment Number 8: Short-Term Rentals

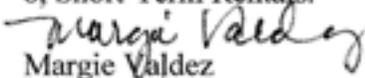
The Cultural Arts Residential Organization (CARO) supports the INC Zoning and Planning Committee vote on March 5, 2016 to support the proposed Denver Zoning Code Text Amendment 8, Short-Term Rentals, which allows for short-term rentals as accessory to a primary resident use, with limitations, where residential uses are currently allowed. Our support is contingent upon the Text Amendment specifically including and retaining the provision that a short-term rental shall be operated by the person maintaining the dwelling unit use as their "primary residence."

Denver has a long tradition of protecting its residential neighborhoods. CARO recognizes and acknowledges that Denver's neighborhoods are very special. By restricting short-term rentals to one person maintaining the dwelling as their "primary residence" out-of-state investors and those investors with two or more properties will be prohibited from usurping affordable housing which should be available for Denver's work force and their families.

It is CARO's earnest hope that future regulations drafted include enforcement provisions which will not only protect its neighborhoods but also address a speedy remedy for neighbors who are adversely impacted by hosts who violate the quiet and peaceful enjoyment of their neighbors' properties.

Most of the complaints that neighborhood residents have reported concern out-of-state investors and investors with two or more properties. By restricting short-term rentals to one person who uses their home as their primary residence, we are hopeful that the number of violators will be minimal.

Thank you for the opportunity to provide neighborhoods with the opportunity to address and submit comments regarding Zoning Amendment 8. Please include this letter in the record prepared and submitted to the Planning Board for the Public Hearing on March 16, 2016 as well as the record provided to City Council for its hearing regarding Zoning Code Text Amendment 8, Short-Term Rentals.



Margie Valdez

President, Cultural Arts Residential Organization (CARO)

**CITY AND COUNTY OF DENVER, COLORADO  
REGISTERED NEIGHBORHOOD ORGANIZATION  
POSITION STATEMENT**

Following a vote of the Registered Neighborhood Organization, please complete this form and email to [rezoning@denvergov.org](mailto:rezoning@denvergov.org). You may save the form in \*.pdf format if needed for future reference. Questions may be directed to planning staff at [rezoning@denvergov.org](mailto:rezoning@denvergov.org) or by telephone at 720-865-2974.

Application Number	TEXT AMENDMENT #8 - S.T.R.
Location	CITYWIDE
Registered Neighborhood Organization Name	WASHINGTON PARK EAST NEIGHBORHOOD ASSOCIATION
Registered Contact Name	TIMOTHY A. MCHUGH
Contact Address	1112 S. GILPIN ST. DENVER, CO 80210
Contact E-Mail Address	tam2860@gmail.com
Date Submitted	

As required by DRMC § 12-96, a meeting of the above-referenced Registered Neighborhood Organization

was held on  , with  members in attendance.

With a total of  members voting,

voted to support (or to not oppose) the application;

voted to oppose the application; and

voted to abstain on the issue.

It is therefore resolved, with a total of  members voting in aggregate:

The position of the above-referenced Registered Neighborhood Organization is that Denver City Council

Application #

Comments:

AFTER REVIEW OF TEXT AMENDMENT #8, DISCUSSION ENSUED. ALL MEMBERS FELT THAT TEXT AMENDMENT #8 WAS QUITE REASONABLE AND NOT OVERLY RESTRICTIVE TO THOSE DESIRING TO RENT THEIR HOMES AS SHORT TERM RENTALS.

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: UPCC text amendment #8  
**Attachments:** UPCCstrFINALRESPONSE.pdf

-----Original Message-----

From: president@upcc.us [mailto:president@upcc.us]

Sent: Friday, March 11, 2016 4:52 PM

To: Planning Services - CPD <PlanningServices@denvergov.org>

Cc: Pat Cashen <pc@cashenarchitect.com>; Rosemary Stoffel <rosemary.stoffel@gmail.com>; Debbie Harrington <d.j.harrington@hotmail.com>

Subject: UPCC text amendment #8

To Whom It May Concern -

The University Park Neighborhood (UPCC) took a vote on March 8th at our board meeting in response to the text amendment #8 as proposed. We found during our vote that we unanimously feel there are some issues of concern that we have thoughtfully outlined. I have attached our RNO response/decision for your review. Should you have any questions, concerns or comments please feel free to ask.

Kindly,  
Traci Samaras  
UPCC President  
President@upcc.us  
www.UPCC.us

**We acknowledge that short-term rentals are here to stay, and agree that regulation is needed.**

--We appreciate the efforts made by the city to create these regulations. Thank you to Councilwoman Mary Beth Susman for bringing this forward.

**--We are adamant the primary residence requirement be retained in this or any other proposed amendment. In addition, the UPCC board recommends that only the primary residence owner/occupant should be allowed to rent space as an STR, and that long-term renters or non-resident staff not be allowed to rent their space in this way.** If a renter or non-renter were allowed to operate the STR, then it becomes a hotel or lodging house which is a full commercial use. We are concerned that this type of non-primary resident STR could develop in residential areas and have negative impact in areas of stability.

**UPCC will not support the proposed text amendment for the following reasons:**

- The enforcement plan lacks the detail necessary to give us confidence that it will be effective. We're skeptical that funding will be available to hire the additional staff needed to carry out the proposed enforcement, especially in terms of tracking and monitoring the large number of STRs being advertised on multiple online sites. Funding for inspections of the STR properties is also a concern. Where will this funding come from?
- Details regarding the proposed Advisory Committee are lacking. How will members of this committee be selected? What "teeth" will this committee have? How will problems identified by this group be addressed?
- Instead of "opening the barn door" and allowing STRs in every residential zone district, we would like to see thorough vetting of other possible options.

**We would support the following considerations:**

- Prohibiting STRs in areas zoned for single family use
- Limiting the number of licenses issued within a geographic area or areas (similar to marijuana licensing)
- Limiting the annual number of days for STR rentals for each licensed property

**Following are other questions and comments:**

- Should pets be allowed?
- Renter parking, especially in areas with already limited parking, will impact other property owners in that area.

**In sum, we're uneasy with the lack of detail in the proposed amendment. We would like to see this huge zoning change postponed until the above concerns can be adequately addressed.**



March 11, 2016

Mr. Abe Barge - Sr. City Planner  
Denver Community Planning and Development  
201 E Colfax Ave., Dept. 205  
Denver, CO 80202

Mr. Barge,

On behalf of the AIA Denver Board of Directors and the AIA Denver Urban Design Committee, the following comments are respectfully submitted to the Denver Planning Board. Over the past year there has been public discussion regarding Short-term Rentals in the City and County of Denver. On 02/08/2016 a draft text amendment to the Denver Zoning Code (DZC) was released for public comment. With consideration of this matter by the Denver Planning Board (DPB) at its upcoming 03/16/2016 meeting, AIA Denver feels it is an appropriate time to comment on this topic. It is recognized that there is a need to regulate this use type within Denver. Given that, there are two aspects to regulation of Short-term Rentals – Licensing and Zoning. AIA Denver's comments below are concerned only with the urban planning and zoning aspects of this use type.

AIA Denver takes no exception to the draft text amendment, and has the following comments:

- All Use Category Tables and Division 11.7

Although there is no general concern regarding this use type being allowed in all neighborhood contexts within the city, there is concern regarding parking within established single family neighborhoods that may contain MS, MU, MX, RH, RO, RX, SU, TU, and TH building forms and the impacts of this use type on that parking. Many older established neighborhoods have narrow streets with on-street parking on only one side of the street. AIA Denver supports further investigation as to the density of this use type within any given residential neighborhood.

- Section 11.7.1.2 - 2

AIA Denver is in support of this paragraph without exception.

- Section 11.8.9.1

AIA Denver is in support of this section without exception.

303 E. 17th Ave., Ste. 110 Denver, CO 80203

t 303.446.2266 f 303.446.0066 n 800.628.5598 w [www.aiacolorado.org](http://www.aiacolorado.org)



- Section 11.12.7.6

AIA Denver is in support of this section without exception. However, there may also be concern in other neighborhoods where a unit within a multi-family building may be listed for short-term rental and used for non-residential occupancies.

AIA Denver recognizes that there is opposition to the “primary residency” clause of the text amendment and that various individuals and entities have operated short-term rental properties for several years, however, AIA Denver also recognizes that this operation is in violation of the current zoning code. Further, the integrity of established residential neighborhoods and the dependency of the public on the zoning code warrants the restrictions imposed by the draft text amendment.

Sincerely,

A handwritten signature in black ink that reads "Dan W. Craig". The signature is fluid and cursive, with a large, circular flourish at the end.

Dan Craig  
President  
AIA Colorado | Denver Section  
303.446.2266



**Inter-Neighborhood Cooperation**  
**POB 300684, Denver, CO 80218**

March 15, 2016

Abe Barge, Case Manager  
Senior City Planner  
Community Planning and Development  
Planning Services  
201 W. Colfax Avenue  
Department 205  
Denver, Colorado 80202

Re: Text Amendment Number 8: Short-Term Rentals

On Saturday, March 12, 2016, the Inter-Neighborhood Cooperation delegates at their Annual Meeting voted to support Denver Zoning Code Text Amendment 8, Short-Term Rentals, which allow short-term rentals as accessory to a primary resident use, with limitations, where residential uses are currently allowed provide the Text Amendment specifically includes and retains the provision that short term rentals shall be operated by the person maintaining the dwelling unit use as their “primary residence.” A copy of the motion which passed at the INC Annual Meeting is attached.

INC would like to express its appreciation to Councilwoman Mary Beth Susman, Abe Barge, Senior City Planner, Nathan Batchelder, Excise and Licenses, and Stacie Loucks, Director, Excise and Licenses, for the outreach to Denver neighborhoods . Denver has a long tradition of protecting its residential neighborhoods. It was important to INC for City Officials to engage with the neighborhood representatives. It is INCs earnest hope that future regulations drafted include enforcement provisions which will not only protect its neighborhoods but also address a speedy remedy for neighbors who are adversely impact by hosts who violate the quiet and peaceful enjoyment of neighbors’ properties.

INC strongly urges the Denver Planning Board to vote to support Text Amendment 8 – Short-Term Rentals as presented.

Thank you for the opportunity to provide neighborhoods with the opportunity to address and submit comments regarding proposed Zoning Amendment 8. Please include this letter in the record prepared and submitted to the Planning Board for the Public Hearing on March 16m 2916 as well as the record provided to City Council for its hearings regarding Zoning Code Text Amendment 8, Short-Term Rentals.

Margie Valdez  
Co-Chair, INC Zoning and Planning Committee

MOTION – SHORT TERM RENTALS

The INC Zoning and Planning Committee supports the provision that Denver Zoning Code Test Amendment 8, Short-Term Rentals, which allows short-term rentals as accessory to a primary resident use, with limitations, where residential uses are currently allowed provide the Text Amendment specifically includes and retains the provision that short term rental shall be operated by the person maintaining the dwelling unit use as their “primary residence”.

The INC Zoning and Planning Committee votes to withhold recommending a position on the proposed Licensing Requirements, Fees and Fines and Enforcement and Revocation Licensing requirements have been drafted and presented by the Department of Excise and Licenses for public hearing.

Approved on March 15, 2016, by the INC Delegates at the INC Annual Meeting



## Summary of Short-term Rental Town Hall Meetings

The City of Denver Department of Excise and Licenses collaborated with Councilwoman Mary Beth Susman and the Community Planning and Development Department to host four town hall meetings on short term rentals in February, 2016. Several City Council members and 70 to 100 residents participated in each of following meetings:

<b>February 3, 2016</b>	South High School
<b>February 11, 2016</b>	East High School
<b>February 17, 2016</b>	North High School
<b>February 25, 2016</b>	Christ Church United Methodist at 690 Colorado Blvd.

Each town hall meeting included a presentation on the proposed text amendment and business licensing framework, followed by a 1.5 hour facilitated participant comment session.

### Meeting Comments Summary

Most participants in the short-term rental town hall meetings expressed support for short-term rentals in general. Many participants also specifically expressed opposition to the primary resident requirement in the proposed text amendment. However, at each town hall meeting, some participants expressed opposition to short-term rentals or indicated that they should only be permitted with strict neighborhood protections, including the primary resident requirement included in the proposed text amendment.

Many participants in the town hall meetings indicated that they host short-term rentals in Denver and feel that short-term rentals generate additional income opportunities, while also providing customers for neighborhood businesses and services. Many hosts also noted that they regularly update and maintain properties used as short-term rentals, and that such properties are often better maintained than long-term rentals.

Participants expressing opposition to short-term rentals noted issues with noise, parking and difficulty conducting long-term rentals adjacent to short-term rentals. Some participants also said that existing prohibitions on short-term rentals are inadequately enforced.

### Participant Comment Cards

Town hall meeting participants were invited to write questions and comments on index cards for staff review. City staff answered some comments during the meetings and are summarizing other questions on a general Question and Answer document posted to Excise and Licenses short-term rental page at [www.Denvergov.org/str](http://www.Denvergov.org/str)

The following pages include scanned copies of all comment cards received at the town hall meetings.

1) Why should STRs have  
more stringent regulations than  
30 day rentals?

What data does the city have that  
primary residency homes will be more  
responsive to "problem" renters than  
non-primary residency homes?

PLEASE ALLOW SCENARIO  
"B" WITH A HIGHER PERMIT  
OR LICENSE FEE

Do you have any  
actual data that non-primary  
occupied properties are or would  
fall into the definition  
of affordable housing?

No signage in yards!

Need parking requirements.

Air BnB should NOT be allowed  
to dominate the core  
version with scattered AirBnB

COMMENT

8/11  
mckburtz

REQUIREMENTS

How is city going to discern real complaints from those of neighbors who just don't like STRs.

SCENARIO "B" PROPERTY OWNERS ARE HIGHLY MOTIVATED TO BE PROFESSIONAL AND KEEP NEIGHBORS HAPPY.

I am for STR-B- owners of secondary homes, especially if they live in Denver, are invested in the homes and care about who comes. The issues anti-STR people are raising do not rise from STR - they rise from urbanization deficient infrastructure, and the fact that some people do not respect homes (long term rentals, short term rentals, owners). The benefits of STRs outweigh the costs.

Ted Bugman (917) 541-2541

~~How~~ is it equitable to exclude investor owned properties? STR owners still responsible for rentals. STR investors are much more experienced at screening STR rentals than are inexperienced vacationing homeowners. It's our business & we know it!

Please remove the "primary residence" caveat. My Airbnb income is allowing me to stay in public education (I'm a high school counselor) and continue living in Denver.

## COMMENTS:

#1 ZONING - Should Not Be Changed  
to Allow STR  
Revision - Article 3 & 11 - May & June

#2 SHORT-TERM RENTAL - Are  
Not Affordable Housing - They  
Charge \$200/Night + - Renters  
Are Rising Because of STR

I don't want to see vacant  
homes as STRs.

STRs should only be allowed  
in an owner occupied  
primary residence

If a guest commits  
a crime, is the host  
held liable?

Most concerns are about  
parking, noise, or increased  
traffic. I don't see how  
any of these proposed changes  
will solve any of these problems.  
I don't see any problem with  
STR or even the need to make  
a distinction or new regulations

As a property owner, I can  
choose to rent my place for  
any amount, or # of days long  
term or short term, we are  
starting to limit what is a  
free enterprise economy

I would like to hear city council acknowledge all the benefits that platforms such as Airbnb or VRBO contribute to our city. There are many.

What specifically is involved in an inspection  
How often how much notice

What's the difference -

If you have a permanent bad neighbor. What's worse?

Short term renters are gone after a few days.

You're Doing A

GREAT JOB

THANKS!

WHY IS SO MUCH PRIORITY GIVEN TO PEOPLE WHO HAVE THE MEANS TO OWN MULTIPLE HOMES OR THE ABILITY TO VACATE THEIR HOMES TO MAKE EXTRA MONEY. WHY SHOULD THEY USE THE VALUE OF A NEIGHBORHOOD TO BENEFIT THEMSELVES AT THE POSSIBLE EXPENSE OF PERMANENT HOMEOWNERS THIS SIDE LEANS ON THE OTHER SIDE!  
TIPS SHOULD PAY THEIR WAY IF THIS PASSES.  
REGULATE, NEGOTIATE, REGULATE,

Charles Richard Charles. Paradise Valley CA

I am a fan of what the city is doing with the exception of the primary resident requirement. We have been short-term & long-term landlords & the experience w/ ~~the~~ STRs has been far superior & the tenants are much more respectful of the property.

Thank you  
Paula Tierman  
303-298-7374

MY HOUSING-OWNER OCCUPIED  
AIR DUB IS THE BEST  
KEPT PROPERTY ON THE  
WHOLE BLOCK!

at ltr  
1st flr

- Needs:
- ① License # Must be listed on all forms of advertisement
  - ② Licenses may only be issued to owner / primary resident of the property.
  - ③ Taxes commensurate with standard lodging businesses' taxes (Sales / Licensing Tax)
  - ④ Framework to require platforms to self-report locations, owners, # of nights, violations / complaints to make city efforts to enforce lighter - simply to confirm what is in the report.

You're proposing lodgers tax of 10.75%.  
You decide how that or another tax amount should be allocated for whatever enforcement needs enforcing.

IT SEEMS THAT THERE ARE STR OWNERS WHO ARE OPPOSED TO LICENSING FOR A SIMPLE REASON: THEY ARE NOT REPORTING THE INCOME THEY RECEIVE NOW. WITH A LICENSE, ~~TAX~~ <sup>TAXES</sup> ARE COLLECTED, AND INCOME WILL NEED TO BE REPORTED. RENTAL RATES WILL INCREASE <sup>PROPORTIONATELY</sup>.

Generally a family visiting from out of town will only have one car (or possibly no cars at all). On the other hand most owners will have 1 or 2 cars per ~~adult~~ person of driving age. Is it possible STR's could help with parking issues?

Parking issues are not caused by STR's, it's actually quite opposite. Most guests renting a 3 bedroom home bring one car from the airport. In contracts a family living in 3 bedroom home would have 2 to 3 cars.

WHY ALLOW SEPERATE ENTRANCE FOR ACCESSORY ~~UNIT~~ UNIT - BUT NOT TO ATTACHED ACCESSORY UNIT W/ SEP. ENTRANCE? SEEMS LIKE AN UNCESSARY RULE.

TOM FRACK  
N. CITY PARK

I support STR B. I've done this successfully for 10 years in Summit County with very few issues. I screen tenants. I rent to folks who would be very respectful.

HOW MANY COMPLAINTS DOES A BAD "HOST" RECEIVE?

WHAT WILL BE THE DENSITY ALLOWED PER NEIGHBORHOOD???

How would primary

residence be verified?

\*Hard to enforce  
1. Residents were induced to allow spot-prim

rentals by council reps, commencing about 2 years ago, ostensibly because this use would allow economically distressed homeowners to remain in their homes & allow others to do likewise. Research shows by far the predominant use is business, though.

2. Residents need zoning file, 100 photos, including 1 only owner occupied units (no tenant-operated STRs) - no more than 120 days rental per year. Application fee is \$200.



Limited to Primary Residence  
" " # of DAYS -

WILL THERE BE ANOTHER HEARING  
WHEN A DECISION IS MADE ABOUT  
WHETHER THE PUBLIC WILL BE ABLE  
TO LOOK UP ADDRESS VIA BEN

SAFETY ISSUE - REVERSE LOOKUP

JON FLACKE

ADUS

Would like more clarification  
on Owner Occupied requirements.  
In my case I have a carriage  
house ~~which~~ which I prefer  
to use for personal use +  
for STR'S.

Nathan - Baker  
Neighborhood

STRs should include rental properties totally excluding investment properties as STRs mean they will continue without taxation & license. Investing owners are encouraged & in town not in far away destinations. Please consider reasonable limits on investor owners STRs - eg 3 per person. For multi-unit complexes, perhaps

-2-  
allow a percentage of the owned units to be STRs.

Affordable housing is a policy issue which should not be tied to ~~the~~ STRs - doing so impedes entrepreneurship & also interferes w/ self-funded affordable housing.

Investment owners are present to available <sup>units vacating</sup> <sub>neg</sub> at all times to handle problems,

Last year I had guests for I think just 2 nights) during the street show. They were renters coming to attend the street show. They expressed their gratitude to me several times. They had been to the street show every year for ~~why~~ more almost 2 decades EXCEPT the previous year, because it had just become too expensive for them (as a family of 3) to come to Denver and stay in a hotel and attend the street show. My room made it

affordable for them and they were able to return to their street show tradition.

This is just one of many examples of how Airbnb helps tourism in Denver.

Jill  
Airbnb host in Park Hill

1. NO Signs! Please not even a little one - can get out of control
2. Must - Owner must live & be on site
3. Maybe limit # of rooms you can rent out.
4. Holidays a big problem.

owner must have a way to be contacted, at all hrs of day or night  
 I get woken up at 2am with guests  
~~and I have to be on site or I have to be on site~~  
~~and I have to be on site or I have to be on site~~  
 if problem want to be able to call & wake up my neighbors  
 311 not working

Stating in the presentation, (Most STRs appear to be concentrated in NW Central ~~seems~~ and South Denver - closer to tourist <sup>points</sup> and visitor attractions" do me shows a (faulty) assumption that 'you' take you know the main reason people use STRs I know from my experience that MANY people come for a myriad of reasons. Grounds are to visit their children & grandchild (who could live in TN, neighbors) →

I have seen a big shift in the last couple of years to more & more guests coming to relocate to Denver - either to find a job & long-term rental or those who already have jobs and need time to find adequate housing. Medical students (4-yr long of 4-week rotations) come frequently. My guests who come strictly for tourist and visitor attractions are rare.

<sup>long-time</sup>  
Jill Airbnb host in Park Hill

I know from my 7+ year experience as a host that all the STRs really help ALLEVIATE the housing shortage in Denver. Most of my guests who stay over a week to about 3 months (about my longest stays) are so thrilled <sup>and stay in</sup> they found a place to live. They express how hard it was to find anything in Denver. I understand (the what I think is small)

effect that non-primary-residences STRs can have on long-term rental shortage. But I never hear an acknowledgement of what housing problems all the STRs there available SOLVE.

I don't have an interest in the scenarios, but it feels very anti-tourism to outlaw them. I am a proud (native) Denverite and I can't believe the city council would implement anti-tourism measures.

PLEASE REMIND THE FOLLOWING:

- ~~REMOVE~~
- STR MUST BE LICENSED FROM RESIDENCE TO CONSIDER UNITS BY ON-SITE HOSTS.
- ELIMINATE SINGLE DOOR ZONING REQ.
- CITY MUST BE RESPONSIBLE FOR REGULATION - NOT THE ONLINE PLATFORM.

• GREAT IDEA TO HAVE STANDING STR COMMITTEE.

I am a traveler with Airbnb. I am very happy that Boston does not have an ordinance such as Denver is proposing because when I came back from Paris in November (to Boston) I found out as soon as I landed in Boston that my flight to Denver on United was cancelled (due to a forecasted snow storm that did not really materialize much). I had an almost 50 lb. suitcase. I was thrilled to find an Airbnb room near enough to Logan?

airport that I was able to walk there (by far the easiest way to deal w/ my suitcase - just drag it behind me rather than get on and off public transportation with it). It was NOT the host's primary residence (I assure - since he or she did not live there). It had 4 different rooms in a house w/ living room & kitchen, that were booked w/ guests from 4 different countries.

Boston so far has tourist-friendly attitude toward STR. I am assuming. I am afraid parts of this ordinance are anti-tourism.

The lady who manages the Airbnb at her own house (Mills) at her parents' house made a VERY good point. There are many scenarios outside of what the proposed ordinance has anticipated. The ordinance needs to be less restrictive to allow for unforeseen circumstances.

For example - transitioning from one home to another. It would be but it one couldn't

short-term - the old primary residence while it is on the market, even if already moved to the new primary residence.

from Jill B - Airbnb host scenario A Park Hill

I completely understand that from an enforcement point of view, it makes perfect sense to require the publication of the license # in the 'advertisement'. However, it poses a VERY objectionable privacy issue. While I've never been concerned or afraid to welcome ANY of the over 1,000 Airbnb guests into my home over the past 7 years, it DOES scare me to publish my license # and it undermines all the safety measures that

Airbnb has in place that permits me to choose my guests with confidence. The answer I've heard to this concern is that there will not be a way for just anyone to look up the name & address associated with a certain license #. That a person would have to make a request thru the licensing office. So that means if I get murdered at least the police will have a clue as to who did it. This is NOT any more ridiculous than all the ~~other~~ fears I hear expressed (not very comforting).

License fees and fines are much too low.  
Only one license to property owners  
None granted to any entity

Should only be allowed in high density zoning, where most of property is rental.  
Platform should be licensed and taxed.

License fees and fines are much too low.  
Only one license to property owners  
None granted to any entity

Should only be allowed in high density zoning, where most of property is rental.  
Platform should be licensed and taxed.

occupant language?

A LA SAN FRANCISCO

IT IS BEING TAKEN

THROUGH THE APPELLATE

COURT AND WILL

COST THE CITY

MILLIONS.

PRO LEGAL  
+ PRIMARY  
RESIDENT

Is the city of

Denver concerned

in regards to

The legal action

Honethway (expedias) will

take against the

city if they paid

The Primary

Would the council consider allowing the owner of a Short Term Rental to prove that they live ~~in the~~ ~~area~~ within the use of vicinity of their Short Term Rentals? Within 5 miles?

When are changes if any to the proposed framework going to be made - & will we be able to comment - ?

Instead of banning non-primary residences, require owners be state or even city residents. This will remove the absentee owners.

What is the city doing (as an alternative) to improve variety / flexibility etc. in Hotel ~~stock~~? Room Space? ~~STK~~ STK

ARE STR<sup>IS</sup> SUBJECT TO  
CITY (HEAD TAX) STATE & FEDERAL  
INCOME TAX -

WHAT OF COMMERCIAL INSURANCE

Totally opposed to the  
primary residence provision.  
I love airbnb and VRBO and  
I am totally against this  
regulation, especially the primary residence  
requirement. I don't mind ~~paying~~ lodging  
taxes

What are the regulatory ambitions  
of the city for long term  
rentals which make up an infinitely  
larger % of the market.

Can you only allow 1  
airbb every 200'

Thank you for addressing this  
so well (Denver citizens)  
can revisit the laws to keep  
up with the market. Clearly  
people want this. Let's regulate  
with smart rules to retain  
this option for our city. Please  
do not restrict this to people  
who are primary residence owners  
only.

There is no data to support  
that ~~the~~ the primary residence  
requirement will ensure better  
experiences. Under the current  
draft, people who live in another  
state ~~cannot rent~~, for six  
months of the year can rent STR  
but I cannot rent my condo that  
attaches to my primary residence  
Please reconsider this. Thank you.

What is Host education  
& awareness campaign?

IS there also a \$10.75 % Hotel  
Tax associated? Added on?

How do you get the Denver Lodger's  
Tax account #? - Who Regulates  
that?

What qualifies a primary occupant law

I'm ALL IN FAVOR FOR  
STRICT + EXPENSIVE REGULATION,  
BUT PRIMARY RESIDENCE RESTRICTIONS  
WILL KILL THE AIRBNB EXPERIENCE +  
THE PROMOTION OF THIS GREAT CITY.

you should allow  
1 pro / 1 con  
rather than let everyone  
who own an BB to talk.

Keep owner  
occupied!!  
it's going to take over  
+ you won't be able to control it  
if not owner occupied

Where did you come  
up with owner  
occupied - knowing  
you can't on local / I / should

- How does someone rent out a home that they are living in?
- Would you like to share a bathroom with strangers when you rent while on vacation?
- suggestion: limit the # of short term rentals per sq mile - limit the # per host.

suggest provision for dissatisfied neighbors so they can deal with problems have a way to

perhaps limit ownership of <sup>secondary</sup> ~~secondary~~ properties to individuals and to a private certain number of properties (1 or 2) limited

Have a primary resident but think 2nd residence should be allowed

How does the infrastructure of the community change to accommodate the <sup>increased</sup> density of the neighborhood

"Why" are they doing this? ~~It~~ It

will change the concept of living in a community to living in a commerce zone

Limiting Owner Occupied  
is unacceptable. Non Owner  
STR Owners are just as  
responsible. What are the  
stats on non owner vs owner  
complaints? Matina Iba@yahoo.com  
I would put a limit on

Non Owner STR hosts.  
Tax and Licensing in  
favor!

MATINA SUWISOS 303 500 6727  
matinaiba@yahoo.com

### Enforcement

- Advert. w/ Lic #
- Revenue Policy - noise order curfew
- license

### Technology

- Competitive Assessment

opposed to primary residency restriction  
but not the licensing requirement

I am strongly opposed to the primary residence provision. I do not mind paying taxes. However, I am completely opposed to the primary residence rule. You should allow owners within a 50 mile radius to own up to 4 nonprimary residences. This allows local, responsible STR's to continue, but would stop large corporations from buying up entire blocks. The vast majority of STR operators are only operating 1-4 properties not "building empires".

juliaannwilder@gmail.com

Please remove the primary residence requirement & instead put a limit on the maximum number of homes one family can own in Denver

This is very important. I am fine with the taxes and license  
-Julia Wilder, Lotti resident

How are STRs impacting affordable housing when they represent less than 1% of residential homes in Denver?

How can the city continue to perpetuate this myth in good faith?

Thanks for answering some questions during this meeting. Last week's meeting felt very one-sided and I gave the impression that the Council and Staff are simply "showing up". Not an easy job, but thanks for doing it. 😊

Fully support  
plan as written.

Primary Resident only  
Drew (Airbnb Host)

Having a lodging tax, etc  
is great - Proprietors should  
pay their taxes.

The primary residence rule  
is ~~is~~ wrong and would end  
up restricting the supply of STR's,  
which would be a detriment to  
travelers + families who are relocating  
to the area / receiving medical care.

Janice Stice  
3843 Vallejo St - Sunnyside

- I believe the proposed STR's:
- 1) Must be licensee's primary residence, and
  - 2) the license number must be shown on all advertising.

How complicated will  
it be to regulate  
30 days vs less 30 days

- ① PRIMARY RESIDENT "MUST" BE PRESENT  
WHEN HOSTING. PROTECTS NEIGHBORHOODS -
- ② 3 OCCURRENCES OF BAD BEHAVIOR -  
7 YEAR SUSPENSION
- ③ # of DAYS ???  
# of OCCUPANTS ???

Consider maximum occupancy  
per unit for safety

What measures, other than  
this law, is the zoning Dept.  
/ City taking to increase the  
stock of affordable housing?

My wife and I have 2 STR in  
North Denver (duplex) no complaints  
in 3 years. We pay Income tax  
and would have no problem paying  
logically tax or registration our units.  
Limit ownership to ~~1~~ 2 units.  
Lose your license with complaints.  
I have concern that Denver will  
not be able to enforce whatever  
is passed.

I think these STR'S  
are 100% positive for  
our community!

Please be sure

owners names & addresses  
are searchable online  
for their personal security  
we could be the victims  
of crimes. Thanks

ALLOW ONLY IN ZONE DISTRICTS  
THAT HOTELS/MOTELS ARE  
ALLOWED.

DO NOT ALLOW IN SU <sup>ZONE</sup> DISTRICTS

Ordinance should mandate owner in residence on property, otherwise one could have "sham manager" and run it like hotel. No?

IT DOESN'T  
TO  
THE CITY  
SOMEONE

We own a Duplex w/ 2  
Different Addresses. Will  
we be able to do the STR  
on 1/2 while living in the  
other? Both are on the  
same lot.

Why No Zoning Permit?  
THIS SHOULD NOT BE A GIVEAWAY.  
CONVENIENT PERMITTING, MIGHT  
ALLOW LESS DESIRABLE OWNERS/OPERATORS

The city would lose a LOT of  
B & Bs by regulating  
it to only Primary Residence

What about having a 3 strikes  
you're out? - Then it would  
weed out the bad ones,  
just regulation would help  
weed out BAD ones

How many % would  
be Primary Residence?  
how many are not?

Best option - keep the prohibition  
against short-term rentals. There's  
a reason for this - neighborhood  
stability, quality of life, property values  
etc. Profoundly unfair to licensed  
and taxed B & Bs and hotels who play  
by the rules.

What is the expected  
tangible impact on  
affordable housing by limiting  
STRs to Primary Residence?

I do not agree with the License Primary  
Residence for STR's. We pay our taxes, fees  
and provide business to local retail shops  
when we recommend them where to go. I  
agree we need some sort of regulation in place  
for people who don't take care of their STR  
I, for one take extra care everytime someone  
departs to make sure our neighbors stay happy  
and the place is ready to go for our next STR  
guests. The Primary Residence Licensing NEEDS TO GO!

Is a popular  
Vote on the primary  
residence Rule  
a possibility?

Kevin Dickson Kevdickson@gmail.com

It seems to me any time a "better" idea comes  
along so do issues. Uber & Lyft had a similar  
issue... its all about money. As a young  
American trying to live the "American dream"  
you are making it very hard to find extra  
ways to make money to support the  
constant cost of living cost.

T... ..

PLEASE ADDRESS THE FOLLOWING

- WHAT DOCUMENTATION IS NECESSARY TO PROVE PRIMARY RESIDENCY
- IS PRIMARY RESIDENCY LEGALLY ENFORCEABLE
- ARE HOMES INSPECTED FOR CODE VIOLATION
- HOW MUCH TIME IS ALLOWED TO CORRECT VIOLATIONS.

Have you (D. City Council)  
talked w/ other cities  
that have innovated in STRs?

Have you collaborated w/ Airbnb  
like other like cities have?

I think Denver would lose a lot  
of \$ by regulating STR's to  
only primary residence - People  
will still do it - just go underground

BY SHOW OF  
HANDS HOW

12345 STR

1234567890 DAY FEDERAL TAX

The low yearly application/license fee is a joke, considering amount of revenue generated. Loopholes galore in proposed language.

Why do you want to make it "easy for persons to participate" in short term rentals?

Will list of STR's be posted on city website so residents/neighbors can check & bring violators to city dept?

Is the license per location or per listing?

I have a location with multiple listings.

My primary residence is in MI for tax reasons, but I live here and run my Airbnb here. Will I be stopped?

There is great disingenuousness  
in linking STR w/ housing  
shortage.

You do not even have  
data that proves or disproves this

As times change so do our opportunities. I recently  
moved to Denver for work and fell in love w/  
the surrounding mountain views. My work  
allows me to work from home and I would love  
the ability to choose where I work - however,  
w/ the cost of living there is no way to  
afford two homes & really take advantage  
w/ what Co. has to offer.

Times are changing!!!

IS THERE A SPECIFIC DEFINITION OF  
WHAT "PRIMARY RESIDENCE" MEANS? DOES  
THE OWNER HAVE TO LIVE AT THE  
RESIDENCE FOR A SPECIFIC TIME? IF SO,  
HOW MUCH? (CAN AN OWNER LIVE  
ELSEWHERE AS A RENTER & USE THEIR  
OWNED PROPERTY AS A STR? PLEASE  
LET ME KNOW.

-JOE HEARD

JWHEARD@COMCAST.NET

Will ordinance prohibit  
an individual from operating more  
than one property under the proposed  
ordinance? It should.

How will city verify if property is  
primary residence?

Will operators have to provide proof  
of insurance - general liability?

drop the  
my residence  
ment. We  
condo  
to our  
our primary  
We are  
great our  
attend to  
needs, however  
though our  
are  
we would  
like to  
from what  
Thank you.

Can you allow a person to have  
up to X # of STRS (3 or 10) but  
not limit to 1 (primary residence)  
It's a great ~~income gener~~ way for average  
Americans to invest + build wealth = American  
USA!! Dream

Please explain <sup>how</sup> ~~why~~ primary  
residency would improve  
anything?

What are the primary resident  
rules?

Dianner. Clark 46@gmail.com

From Deb Schubert  
Platte Park

I own a small bungalow  
next to the home. we  
rent. The home is  
continually rented by  
grandparents, visiting  
kids in neighborhood.  
I Ask you grandfather  
Dwners who have been renting

Please drop the  
primary residence  
requirement. We  
rent the condo  
adjacent to our  
condo, our primary  
residence. We are  
here to meet our  
guests & attend to  
their needs, however  
ever, though our  
walls ~~are~~ are  
shared, we would  
be unable to  
rent our home short  
term. Thank you.

Addressing the supposed or  
anecdotal argument of "investors"  
buying up large Apartment building  
to use them for STR is  
a good thing but not at the  
expense of forlorn owners

1- We call "Jay-walk" - some  
Laws are dumb

2- We need regulations to  
favor local people and  
discourage big out of town  
Land-owners

3. Of course the city council didn't  
call for cease & desist since they

could not back it up and  
would have been discouraging  
~~the~~ community involvement

AirBnB has been a wonderful opportunity for me to supplement my income & afford to live the lifestyle I prefer.

However, this meeting has made me aware of some of the issues w/ the future - specifically, I would like to see my building be turned into all short-term rentals owned by large corporations.

Still, I feel AirBnB does a better job regulating, background checks & holding STR customers accountable for their actions, more so than long term renters.

I'm not in favor of The Primary Residence rule. I have 3 STR's in Denver area - I own & manage but it's NOT My Primary Residence. I'm in favor of collecting:

paying taxes & licensing. All of my properties (I have several) half are long term, & 1/2 are STR's. I've never had any issues with any guests, that I could not handle or manage. I understand need to regulate people that come in.

I'm not in favor of the primary residence. Some regulations need to happen to protect both renters neighbors & owners. However a blanket law against all other types of STR's makes no sense & hurts our local residence who often are using a few residence / month unit to help w/ retirement etc. please reconsider the primary regulations

as you will be hurting your actual citizens.

People Want to Experience Neighborhoods

- The Primary Residence Does Not address the issues you wish to address or other than to restrict & limit the # of available rentals.

How About they live within 20 miles or in the Denver City

over

Please, City Council —

Don't make it Hard

- make it an asset
- Make it a win win
- Use existing laws & regulations.

We all pay taxes on our Properties

My definition of "Primary Residence" is too narrow.

I can appreciate needs for licensing and oversight but hampering the investments of

owners who have only one to three such STRs is overly reactive and wrong-headed!

The primary residence rule does not assure supervision. Often times the owners move out of the property when rented - how does that address supervision. A reasonable option is being a resident of C.C.O. Denver, indirect supervision within X miles, limiting the # of properties. These are not

replacing affordable housing and there are very valid reasons why people avoid LTR (outrageous costs to evict, damage, etc)

This can be reasonably done -  
Please do it!

My understanding to our people / Month  
 Moving here for the last 2 years. Many  
 people that come to visit use Airbnb to figure  
 out if they want to stay OR to move here.

I know of wedding parties that rent out houses  
 for Bachelorette/Bachelorette parties. They can stay  
 together for less money.

Relatives can visit & stay longer. →

Hospital stays for relatives.

Not everyone needs a hotel room.

I am not STR owner. I share  
 the same fears as non owners. Those  
 fears are that an irresponsible  
 owner rents to poor tenants  
 and disrupts my life. I encourage  
 the proposal with the exception  
 to primary residents. I would  
 prefer to have city manage  
 ownership with regards to  
 how they manage the STR

I am a n. 61

The City Needs to figure out  
Affordable Housing - but Targeting  
STR's is not really the answer?  
The City benefits from the tourism  
\$ that comes from STR's. - hope

The Council will take into consider-  
ation these meetings & the  
voices that have expressed their  
opposition to implement the  
Primary Residence. KISS  
keep it simple sweeties

This is not about Real Estate Investors  
Most of the STR's are owned & operated  
by Local People who rent to  
come see family. The City needs  
to figure out how to regulate  
the BIG Real Estate Investors - Not

the families trying to make ends meet.

" create  
special requests  
division "

snowbirds, travelers,  
Denver, part timers etc.

higher upfront  
permit fee \$75  
weed out PPI not seniors

---

is there an alternative  
to the primary residence  
that still accomplishes the  
same goal?

i.e. one license per person  
OR - house has to have been a  
primary residence at one point  
for 1 year in the past)

What if ~~ages~~ a person  
cap was put in that  
had to do with the #  
of beds. ie = 6 beds = 6 ppl  
(2 doubles and 1 bunk bed).

- What assurances are there  
to ensure adequate  
enforcement staff? ~~How~~  
If adopted, would this  
include funding for  
a specific number of  
additional staff?

Will  
Does the ordinance  
change the ability to  
legally rent for more than  
30 days?

I don't care what this economy is called, but one has really missed the point (the beauty, & genius) of home sharing (Scenario A) if one thinks no one is sharing anything. It's all about sharing, exchange, friendship. ~~Hosting~~ has been an extremely life-enhancing experience for me!

What if I don't want to publish my license number?

If I only accept longer-than-30-day guests, would I

be able to legally do that and still 'advertise' on Airbnb?  
Jill B jbarounou@gmail.com

720-320-2541

I am strongly opposed to the Primary Residence requirement. I do not mind paying taxes. However, I am completely opposed to the primary residence rule. You should allow residents within a fifty mile radius to own and operate up to 4 non-primary residence STR's. This allows local, responsible STR owners (who are NORMAL people) to continue responsibly operating the STR, but would stop outside corporations from buying up entire neighborhoods. The VAST majority of STR owners are good, decent people who are responsible, and are only operating 1-4 STRs. This is a compromise.

All These people who say  
they've been doing STR'S success-  
fully for years - so they've been  
breaking the law for years?

Also - is this new legislation really  
the ~~Legislator~~ Homeowners  
Relief Act?

Do not allow airbnb's anywhere!  
There is no way to police this!!

PLEASE ALLOW FOR SECONDARY RESIDENCES  
TO BE ALLOWED IN THE SHORT TERM RENTAL  
CODE.

I AM FOR REMOVING THE PRIMARY  
RESIDENCE RULE IN THE WRITING OF  
THIS CODE

JOHN.

I own 12 properties in  
the Cherry Creek North  
7th Avenue Historic District.  
and am building 8 more.  
Without the Primary Residence  
Requirement I may convert  
all 20 to short term  
rentals. - Andy Summers  
asummers@hotmail.com

Remove Primary Residence requirement  
for many reasons

most tenants snipe pretend no host on site  
& that host prepares it even better than it  
even only a long term rental - more  
attention to detail

- Don't want inspectors to waste time  
circling 372 when they're short now or  
going out to owners' homes in major  
need of disrepair

I own 2 homes in Cherry Hill & 1 in Hilltop

Can contact me

303 949 7147

So much  
for zoning?

This is only a  
problem in central  
Denver. How do you  
build community with a  
bunch of short timers?

I am opposed to the primary residence  
restriction. As a single person the  
number of properties I can personally  
acquire will never approach the numbers  
that large corporations or real estate  
moguls can buy up. Affordable housing is  
more affected by the thousands of new  
people moving to the state than a small  
number of STR's.

All of my guests so far have been extremely  
respectful of my neighbors and the  
neighborhood in general.

I am happy to pay for the STR license,  
however the lodger's & other taxes would be too much.

PR - <sup>Limit the number</sup> where's the license? - Limit the people

- can I have multiple listings in one property?  
- do I need separate licenses?

- can I operate out of a commercial space?

- How are you going to find unlicensed places?

- provide options for other people who otherwise couldn't.

- low #

- pets

- stoness

provide accessibility

to neighborhoods underserved by hotels.

use of underutilized stock.

How many examples does the city have of people buying whole/entire apartment complexes? It must be very few, but the city references this as though it is an epidemic.

This meeting is loaded with people who have a financial interest in this issue.

Please, please, please consider the opinions of those who are not.  
Put it to a VOTE!

How will APARTMENT TENANT  
(NOT PROPERTY OWNER) BE HELD  
ACCOUNTABLE FOR FINES/LIENS  
PLACED ON PROPERTY —  
& INSURANCE  
MINIMUMS ??

I hope the ordinance will be  
unrestrictive enough to allow  
for circumstances that the council  
has not anticipated. For example,  
that lady who has spoken at an  
IAC meeting and the last town hall at South/B  
who told how she does Airbnb in her own home

with her family (kids & husband) as  
well as managing Airbnb for her parents'  
home (who live & stay there with the  
guests) It would be a shame for her  
to have to fudge the system (i.e. do  
something not quite within the ordinance) in  
order to continue.

Also, I will be moving from Park Hill to Berkeley  
neighborhood and would want to be allowed to  
do Airbnb in Park Hill while my house was for sale.  
even if I've moved.

Can I get clarification on the text amendment

Section 11.8.9 Short Term Rental

11.8.9.1 All Zone Districts

In all zone Districts, where permitted with  
with limitations, a Short-Term Rental:

C. Shall not include rentals where the  
length of stay per guest visit is 30 or more  
days.

- Wouldn't this mean I can't do both  
LTR + STR

PLEASE WAIT

THE PRIMARY RESIDENT

RULE

MARK  
TIERNAN  
LODU

NO TO 10% hotel  
tax! It hurts the  
traveler who gets hit  
with this. Homesharing hosts  
don't get same rights to advertise  
like BnB's + Hotels on travelocity + expedia for ex.

Please reconsider the primary residence requirement. Our STR is a condo connected to our primary residence. The walls are shared yet because it is a separate condo it would not qualify for STR. The flexibility of STR allows us to use this for family + friends and still defer some costs.

Thank you

I've read people are concerned that STRs will negatively impact affordable housing because people +/or businesses will buy up apartment buildings + convert them into STRs. It would be easy to draft language to prevent this from happening. Additionally, most homes on URBO + Home Away do not qualify for ~~the~~ the affordable housing criteria + the estimated 1500 STRs in Denver represent only 45% of the 330K Denver residential homes. This is an extremely separate issue for the city. STRs do not impact ~~the~~ affordable housing.

Could we have the primary residence stipulation removed? Is the stipulation of "Primary Residence" due to The Zoning Issue?

James Carlson & Erin Spradlin  
550 E. 12<sup>th</sup> Avenue, #505  
Denver, CO 80203

August 17, 2015

Councilwoman Mary Beth Susman  
Denver City Council  
1437 Bannock St., Rm. 451  
Denver, CO 80202

Dear Councilwoman Susman,

Congratulations on your recent election. My wife Erin and I look forward to you representing Denver.

We are property owners and residents in Capitol Hill. We love our neighborhood and the city of Denver, and we are invested in seeing it thrive. With that in mind, I write to you and other council members to begin a discussion about short-term rentals.

As Councilwoman Susman stated at a forum in February, the council needs to address short-term rentals “thoughtfully and with good data.” I am heartened to hear that any changes to existing regulations will be handled with such care. In short, I am in support of the following:

- **Lodging tax** on all short-term rentals, with revenues dedicated to addressing affordable housing needs.
- **Zoning changes** that allow home-owners to rent out a room or their entire unit, regardless of whether the unit is their primary residence, for an unlimited number of days per year, provided that they comply with all rules and regulations.
- **Licensing and regulations** that are simple, entail nominal fees and protect all stakeholders.

My main concern with the current proposal is its requirement that short-term rentals be owner-occupied. There is no data to support discriminating between hosts who offer a room and hosts that offer their entire home. A 2015 survey by TripAdvisor showed that 60 percent of travelers plan to stay at a rental home this year<sup>1</sup>. Most of those people desire the privacy of an entire unit, without the owner present. Owner-occupied

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<sup>1</sup> [http://www.tripadvisor.com/PressCenter-i7181-c1-Press\\_Releases.html](http://www.tripadvisor.com/PressCenter-i7181-c1-Press_Releases.html)

restrictions would discourage those visitors from staying, and would greatly reduce the potential tax benefit to the city of Denver.

Critics are concerned about short-term rentals' effect on a neighborhood's character and on the city's affordable housing crisis.

I know that we maintain our property better now than we would if we didn't rent it occasionally. We have to, otherwise renters will look elsewhere. Simply put, short-term rentals help keep our neighborhoods clean and well-maintained. Like you, I've read the articles detailing short-term rental horror stories. Considering there are a million such guests every night<sup>2</sup>, the rarity of such events strikes me as good news. There is no evidence that short-term renters are more likely to be bad tenants than long-term renters. In my experience, guests understand that they're staying in someone's home and because of that maintain a level of respect that a hotel does not always demand. In any case, it seems to me that the rare bad-apple host should be dealt with through the normal zoning laws, and they should not be the basis for overly restrictive regulations that affect the majority of good hosts.

I understand the concern over affordable housing, but holding up short-term rentals as a culprit is a red herring. There are roughly 1,000 short-term rentals in Denver. That represents just **0.33 percent** of Denver's 300,000 dwelling units — a drop in the bucket. Even if the city prohibited those rentals, the majority of those would not be classified as affordable housing anyway. A better solution is to bring those short-term rentals out into the light, tax them, and dedicate that revenue stream to addressing the affordable housing problem.

Short-term rental platforms like VRBO and Airbnb disrupt the status quo. And I love that. I may never stay in another hotel again. Here are some of my experiences.

#### Traveling

- We just returned from our honeymoon in Istanbul and Croatia where we stayed exclusively at places found on Airbnb. Ivana, our host in Dubrovnik, Croatia, helped secure jetskis for a fraction of the cost most tourists would pay. In Istanbul, our host Pinar pointed us to a quaint wine bar that we never would have found ourselves.
- In New York City last year, an unexpected plane delay was going to cost us more than \$300 for a hotel. Instead, we rented a room in Michelle's Brooklyn condo for \$105, and she directed us to the perfect breakfast diner in the morning.
- In Jackson, Wyoming earlier this year, we paid a fraction of the cost of local hotels and got to know our host Carl who offered recommendations about our upcoming trip to Istanbul.

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<sup>2</sup> <http://recode.net/2015/05/27/airbnb-is-approaching-one-million-guests-per-night/>

- Erin is able to attend a work conference in Boston next month because she found an STR for half what a hotel would cost nearby.

#### Hosting

- We have hosted more than 20 people and have had only positive experiences. Many of them tell us they wouldn't be able to come to Denver if Airbnb or VRBO didn't exist. These guests are staying longer and spending more money at neighborhood establishments that would not otherwise see tourist dollars.
- I also help a few people manage their short-term rentals. These people travel for work, and the extra income helps them afford their space.

The huge demand for short-term rentals will be met with a supply, and enacting onerous regulations would not stop the practice. It would only drive hosts underground and deny Denver a sizeable tax revenue stream.

There is precedent for this discussion. The state of Colorado recently embraced a fellow sharing-economy business, Uber. I applauded that move. I find the quality of service far superior to a taxi and would be upset if the government prohibited a business from offering a service I want to use. I am by no means a total free-market capitalist. I believe regulations and taxation protect consumers and allow governments to collect their share so that they can provide for their citizens. I just want to be sure that any regulations are reasonable.

I welcome the opportunity to meet with you and discuss this issue further. Thank you for your time and consideration.

Sincerely,

James Carlson

**Barge, Abe M. - CPD Planning Services**

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**Subject:** FW: Vacation rental

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**From:** Jan Day [jday@wmday.com]  
**Sent:** Tuesday, August 18, 2015 8:06 AM  
**To:** Susman, Mary Beth - City Council  
**Subject:** Vacation rental

Dear Councilwoman Susman,

As a visitor to Denver, I have enjoyed the opportunity to rent a vacation rental home in Denver. This home provided our family with an opportunity to experience Denver as “a local” visiting neighborhood shops, restaurants and other accommodations. In addition, the home allowed me to stay with my entire family under one roof at an economical rate. Our family lives all over the country and chose Denver for our combined summer vacation. Recently, I learned that Denver City Council is in the process of drafting legislation that would outlaw non-primary resident short term/vacation homes, which I prefer due to the privacy and comfort these homes provide. If these homes are outlawed, I will think twice before visiting Denver and seek out other destinations that allow for traveler's choice. I strongly oppose the primary occupancy provision, and ask that you modify your course to allow all vacation rental properties in Denver to flourish. We are just back from our family vacation - it was wonderful and a large part of it is because we were all able to stay in one home together. My husband even mentioned returning to Denver, but if we could not rent a home, we would probably find another location. We live in a tourist area and understand that tourists can be frustrating at times. We also understand that a large part of our economy depends on our snow birds, part time visitors and the tourists. I hope you will consider the many facets, all the local business that will be affected if you outlaw vacation rentals.

Sincerely,

Jan Day  
Hobe Sound, FL 33455

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## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Short-Term Rentals in Residential Zone Districts

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**From:** Susman, Mary Beth - City Council  
**Sent:** Wednesday, March 02, 2016 3:56 PM  
**To:** Batchelder, Nathan D. - Excise and Licenses <Nathan.Batchelder@denvergov.org>  
**Subject:** FW: Short-Term Rentals in Residential Zone Districts

**Mary Beth Susman**

Denver City Council | District 5  
720.337.5555 Phone | 720.337.5559 Fax  
[marybeth.susman@denvergov.org](mailto:marybeth.susman@denvergov.org) | [Dial 3-1-1 for City Services](#)

*\*\*This email is considered an "open record" under the Colorado Open Records Act and must be made available to any person requesting it, unless the email clearly requests confidentiality. Please indicate on any return email if you want your communication to be confidential.\*\**

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**From:** Craig Ellsworth [[craigellsworth@me.com](mailto:craigellsworth@me.com)]  
**Sent:** Friday, August 21, 2015 2:41 PM  
**To:** Susman, Mary Beth - City Council  
**Cc:** New, Wayne C. - City Council  
**Subject:** Re: Short-Term Rentals in Residential Zone Districts

CW Susman - I understand that you and other City Council members face many challenges in balancing the concerns of all stakeholders. As you may know, [Aspen](#) and [Nashville](#) have enacted STR regulations that appear to address several of the issues (e.g., neighborhood concerns and affordable housing) that have been raised in Denver. As the dialogue regarding STRs moves forward, please don't hesitate to contact me with any additional questions or concerns. I sincerely want to engage as a collaborative, not divisive, participant in developing reasonable STR regulations.

Best regards,  
Craig Ellsworth

On Aug 20, 2015, at 9:05 AM, Susman, Mary Beth - City Council  
<[MaryBeth.Susman@denvergov.org](mailto:MaryBeth.Susman@denvergov.org)> wrote:

Mr. Ellsworth,

We have a lot of push back from neighborhood organizations in residential zones who don't want us to allow STR's at all. Primary residence is perhaps one of the compromises to make. And those using their primary residences are presumably doing so to help pay their mortgage and other expenses, and therefore contributes to housing affordability. Those who buy up homes and especially apartment houses to use as STR's are presumably depleting the inventory of more affordable living. Those are the concepts we are working with at this time.

mb

**Mary Beth Susman**

Denver City Council | District 5

720.337.5555 Phone | 720.337.5559 Fax  
[marybeth.susman@denvergov.org](mailto:marybeth.susman@denvergov.org) | [Dial 3-1-1 for City Services](#)

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**From:** Craig Ellsworth [[craigellsworth@me.com](mailto:craigellsworth@me.com)]  
**Sent:** Tuesday, August 18, 2015 8:35 AM  
**To:** Susman, Mary Beth - City Council; New, Wayne C. - City Council  
**Subject:** Re: Short-Term Rentals in Residential Zone Districts

CM New and CW Susman,

Thank you for your quick follow up to my letter. While I appreciate your positive words, I respectfully ask each of you to elaborate on your thoughts regarding the "primary-occupancy" requirement and impact of short-term rentals on affordable housing. In doing so, you will help me understand if you have any questions or concerns that I may need to address.

Best regards,

Craig Ellsworth

On Aug 18, 2015, at 7:54 AM, Susman, Mary Beth - City Council  
<[MaryBeth.Susman@denvergov.org](mailto:MaryBeth.Susman@denvergov.org)> wrote:

Thank you for forwarding, CM New. Mr. Ellsworth, your comments are indeed thoughtful.  
mb

**Mary Beth Susman**  
Denver City Council | District 5  
720.337.5555 Phone | 720.337.5559 Fax  
[marybeth.susman@denvergov.org](mailto:marybeth.susman@denvergov.org) | [Dial 3-1-1 for City Services](#)

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**From:** New, Wayne C. - City Council  
**Sent:** Monday, August 17, 2015 9:56 PM  
**To:** Craig Ellsworth  
**Cc:** Susman, Mary Beth - City Council  
**Subject:** RE: Short-Term Rentals in Residential Zone Districts

Craig, thanks for your thoughtful, sound comments and suggestions. I will pass them along to Councilwoman Susman who is leading the short term rental development program. Sincerely, Wayne

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Craig Ellsworth  
Date:08/17/2015 12:59 PM (GMT-07:00)  
To: "New, Wayne C. - City Council"  
Cc: "Espinoza, Rafael G. - City Council" , "Flynn, Kevin J. - City Council" ,  
"Lopez, Paul D. - City Council Dist #3" , "Black, Kendra A. - City Council" ,  
"Susman, Mary Beth - City Council" , "Kashmann, Paul J. - City Council" ,  
"Clark, Jolon M. - City Council" , "Herndon, Christopher J. - City Council  
District 8" , "Brooks, Albus - City Council District 8" , "Gilmore, Stacie M. - City  
Council" , kniechatlarge , "Palmisano, Lucas W - City Council Operations"  
Subject: Short-Term Rentals in Residential Zone Districts

Dear Councilman New,

As a property owner and resident of District 10, I am pleased that you and other Denver City Council members are evaluating the possibility of regulating short-term rentals (STRs) in residential zone districts. I support reasonable changes to existing regulations that seek to balance the rights of all stakeholders, and the growing demand for short-term rentals, with valid concerns regarding potential negative impacts. My intent in writing the attached letter to you and the other Denver City Council members is to share my perspective on this pivotal issue, provide supporting data, and encourage you to embrace the many positive benefits that a diverse range of properly regulated short-term rentals can provide to all stakeholders.

In summary, I am an advocate of the following:

1. **Zoning Changes** that allow short-term rentals of either a portion (e.g., spare bedroom) of the dwelling unit or the entire dwelling unit (e.g., private home), regardless of whether or not the dwelling unit is the host's primary residence, for an unlimited number of days per year provided hosts possess a current license or permit and comply with applicable rules and regulations.
2. **Licensing and Regulations** that are straightforward, entail nominal fees, and protect all stakeholders; including hosts, neighbors and guests of short-term rentals.
3. **Taxation** that is consistent with the existing Lodger's tax, but adapted to dedicate tax revenue derived from short-term rentals to addressing affordable housing needs.

I would welcome the opportunity to meet you in person and discuss this issue in more detail. Thank you for your time and consideration.

Respectfully yours,

Craig Ellsworth  
District 10 Resident and Short-Term Rental Property Owner

September 25, 2015

Christopher Herndon  
Council District 8  
4685 Peoria St, Suite 245  
Denver, Colorado 80239

Re: Short Term Rental of Residential Property in District 8

Dear Council Member Herndon,

We are writing to you about our concerns of the increasing number of residential properties being offered for short term rental in Stapleton on websites such as airbnb despite such use of residential properties being prohibited under existing Denver Zoning Codes. In Council Member Susman's Neighborhoods and Planning Committee September 2, 2015 meeting it was mentioned that Denver Neighborhood Inspection Services (NIS) would enforce applicable Denver Zoning Codes when it received notification of violators. We have found that not to be case. Instead, violators identified to NIS by address and airbnb listing through Denver 311 continue to list their residential properties on airbnb for short term rentals. A simple letter from NIS informing the violator that short term rentals are prohibited under Denver Zoning Codes would likely deter this prohibited practice. Generally, we believe people will not choose to knowingly violate the law once informed that short term rental of residential property is prohibited in Denver.

We have several concerns regarding this issue. Primarily, we should not be required to live near properties in a residential neighborhood that are being used for commercial uses identical to a hotel with transient occupants. That activity diminishes our use and enjoyment of our property, which the Denver Zoning Codes are designed to prevent. Stapleton residents purchasing residential property in Stapleton purchase the property knowing, and expecting, that residential property will be used in compliance with only permitted residential uses under Denver Zoning Codes. It is also frustrating to know that Stapleton residents are collectively shouldering the higher property tax rates to fund all of the great amenities being developed in Stapleton such as parks, pools and bike paths and then having the violators advertise those amenities on airbnb and individually profit from those collectively funded amenities. Violators include people in residential units that are designated for affordable housing, which is most unfortunate and troubling. There is also a violator advertising herself as a Weed Sommelier and offering cannabis grown at the property. Last, we echo the concerns raised in the articles at <http://www.denverinc.org/tag/short-term-rentals/> on the Inter-Neighborhood Cooperation website.

It is clear under each of the 2010 Denver Zoning Code and former 1956 Denver Zoning Code that short term rental of residential property in Stapleton is prohibited. Sections 9.7.9.2 and 9.7.9.5 of the 2010 Denver Zoning Code provide land with a Residential Primary Use Classification can only be used for Household Living or Home Occupations. Sections 9.7.9.1 and 11.9.5 provide uses not listed are prohibited. Lodging Accommodations are not a permitted use for Residential land. That is a Commercial use. Section 11.9.4.15 permits Rooming or Boarding as a Home Occupation with limitations including filing for a permit listing the roomer or boarders names. (Zoning Permit Application for Home Occupation at [https://www.denvergov.org/Portals/696/documents/Forms/Application\\_Home\\_Occupation.pdf](https://www.denvergov.org/Portals/696/documents/Forms/Application_Home_Occupation.pdf).) Section 11.12.8.2 (12) provides Rooming and/or Boarding is available for permanent occupancy only. Section 13.3 defines permanent occupancy as the use of housing accommodations or rooms on a month-to-month or year-to-year basis with a fixed rent for each period of occupancy. Section 11.12.4.5 defines Lodging Accommodations as temporary lodging in guest rooms/units for less than 30 days, which clearly these short term rentals are.

Section 59-303 of former 1956 Denver Zoning Code provides Motels, Hotels and Bed and Breakfasts are not permitted uses for Residential land. That is a Retail use. Section 59-303 provides uses not listed are not allowed. Sections 59-303 and 59-89 permit Rooming or Boarding as a Home Occupation with limitations including filing for a permit listing the roomer or boarders names. Under

Section 59-2 (248 and 249) Rooming and/or Boarding applies to permanent guests (occupancy) only. Section 59-2 (198) defines permanent occupancy as the use of housing accommodations or rooms on a month-to-month or year-to-year basis with a fixed rent for each period of occupancy.

We understand Council Member Susman is proposing that Denver begin loosely regulating short term rentals through a licensing process rather than enforcing the existing Denver Zoning Codes. We question how it is even legally permissible for Denver City Council to adopt such licensing process when short term rentals are clearly prohibited under existing Denver Zoning Codes. In actuality Denver City Council would be inappropriately adopting a newly created Home Occupation allowing transient roomers or boarders for less than 30 days without the current obligation to notify adjacent property owners of the proposed change in use and have a protest period and hearing. Further, existing Denver Zoning Codes cap the number of roomers and boarders at two. Many of the violators are offering their residential units for more than two roomers or boarders, again much like the commercial use of a hotel.

It is truly perplexing why NIS seemingly has not taken action against the 60+ separate addresses for which it has received complaints of short term rentals in 2015 alone. Who knows how many complaints NIS received in prior years, but if Denver City Council would just take the time to analyze its own data available on Denver Open Data, they could determine this. The statement in Council Member Susman's Neighborhoods and Planning Committee September 2, 2015 meeting that NIS has only received 11 complaints of short term rentals is clearly false.

We strongly encourage you to vote against any attempts to legalize short term rentals where it is currently prohibited. We suspect that if such legalization occurs that short term rentals will continue to increase unabated in your district given that Stapleton and Green Valley Ranch are ideally situated between DIA and downtown Denver. At the end of the day, such legalization in Denver residential neighborhoods will marginally benefit violators and transient occupants monetarily, greatly diminish the use and enjoyment of neighboring residential properties used by law abiding Denver residents and greatly benefit airbnb investors monetarily with an expected IPO valued at over \$25 billion. Hopefully all Denver City Council Members advocating the legalization of short term rentals are on record as complying with all of their ethical obligations as it relates to airbnb with the expected windfall to its investors after its IPO.

Sincerely,  
Concerned Denver Residents

cc: Denver City Council Members  
Community Planning and Development  
Denver Neighborhood Inspection Services  
Inter-Neighborhood Cooperation  
Denver Post

October 1, 2015

Denver City Council Members  
1437 Bannock St, #451  
Denver, Colorado 80202

Re: Short Term Rental of Residential Property

Dear Council Members,

This letter is a follow-up to our letter dated September 25, 2015 regarding short term rental of residential property in Denver. The approach being proposed in City Council's Neighborhoods and Planning Committee to "regulate" short term rentals in Denver will instead be an end run around existing Denver Zoning Code provisions that allow other residential property owners in the same residential neighborhoods to protect the use and enjoyment of their property.

The renting of residential property as lodging with or without meals for compensation is clearly a business that is considered a Home Occupation of rooming or boarding under existing Denver Zoning Codes. Today, a residential property owner desiring to rent his or her property as lodging other than on a month-to-month or year-to-year basis must apply to the zoning administrator for a new Home Occupation classification under Section 59-89(1)(m) of the former 1956 Denver Zoning Code or Section 11.9.5 of the 2010 Denver Zoning Code depending on the code that applies to the property. The zoning administrator could approve such new short term rental Home Occupation in a permit that is personal to the applicant only after the zoning administrator is assured that such proposed use in no way diminishes the use and enjoyment of adjacent conforming properties or such permit minimizes the impact on the character and enjoyment of the surrounding residential neighborhood. See Section 58-89(1)(m) of the former 1956 Denver Zoning Code and Section 11.9.1.1 of the 2010 Denver Zoning Code.

Upon the zoning administrator's receipt of a short term rental Home Occupation permit application, adjacent property owners, registered neighborhood organizations and City Council Members should be provided notice of the permit application through posted notice and written notice and the affected parties are then provided an opportunity to oppose the permit application under existing Denver Zoning Codes. See Sections 59-89(1)(m)(2) and 59-41 of the former 1956 Denver Zoning Code and Sections 11.9.5, 12.4.2 and 12.3.4.5 of the 2010 Denver Zoning Code. The existing Denver Zoning Codes provide a framework for all stakeholders to have a say in whether a particular residential property should be converted into a hotel type business operation in a residential neighborhood on a case by case basis as opposed to individual residential property owners and airbnb deciding this for Denver residential neighborhoods. Further, any permit issued under this framework can include whatever conditions deemed appropriate by the zoning administrator and be immediately revoked if those conditions are not followed by the property owner. See Section 59-89(1)(m)(2) and Section 12.4.2.4.E. Any proposed business/tax licenses with Denver's rights of immediate revocation could therefore be attached to the permit under this existing framework. A short term rental Home Occupation permit would also be personal to the applicant and does not run with the land or remain the same when the property changes ownership contrary to information that has been previously presented on this aspect. See Section 59-89(1)(m)(2) of the former 1956 Denver Zoning Code and Section 11.9.2.3 of the 2010 Denver Zoning Code.

The presentation in the Neighborhoods and Planning Committee September 2, 2015 meeting indicates the current proposal is to add short term rentals to the Denver Zoning Code as an "accessory use permitted with limitations" for all residential properties. Giving short term rentals that classification would afford this type of business operation in residential neighborhoods the same oversight and safeguards as used for yard sales on a residential property and avoids the existing permitting process for new Home Occupation classification permits described above. See Section 59-87(b)(2)(3) of the former 1956 Denver Zoning Code and Sections 3.4.3.2 and 3.4.3.4 of the 2010 Denver Zoning Code. The elimination of the new Home Occupation classification permitting process for short term rentals is clearly contrary to the protections that have long been afforded to adjacent property owners under the former

1956 Denver Zoning Code and carried over into the 2010 Denver Zoning Code. The proposed "regulation" of short term rentals in Denver would end up being a clear "legalization" of hotel type business operations across all residential neighborhoods with little meaningful consideration of adjacent conforming residential property owners' rights to use and enjoy their property. This seems to be very short sighted and really only benefits airbnb investors in its expected \$25 billion IPO. AirbnB does not invest in properties in residential neighborhoods, hire employees in our neighborhoods or pay real estate taxes in our neighborhoods. The whole premise for airbnB's business model is to have local neighborhoods open up lodging establishments with little meaningful regulations and without airbnB investing a nickel in the residential neighborhoods and its amenities. AirbnB's collection of their transaction fees on the use of Denver residential neighborhoods is very high profit margin to them only.

When considering this issue, we hope that Denver City Council Members also research the numerous news articles that have been written about other areas' reasons for banning short term rentals or essentially imposing/proposing restrictions that make the activity non-existent (e.g., San Francisco, Austin, Washington DC, New York, Aurora, Boulder (if voters disapprove a lodging tax in the November election), Santa Monica, Manhattan Beach, Asheville and Georgia). The most disturbing article is one regarding how much airbnB lobbyists were influencing the "legalization" of short term rentals under the guise of "regulation" in the case of Asheville as discovered after a newspaper's freedom of information request. Any negative thoughts regarding the "legalization" of short term rentals is noticeably absent from the presentations in the Neighborhoods and Planning Committee meetings.

We may have underestimated in our last letter the number of short term rental complaints that Denver Neighborhood Inspection Services (NIS) has received at 60+ separate addresses in 2015 alone. There are additionally complaints at 270+ separate addresses in the latest 311 Service Requests on Denver Open Data Catalog categorized as home occupation business complaints. The start of a comparison of the addresses in that category with publicly available airbnB listings and Denver property records matching the airbnB host's name/location revealed short term rental complaints are in this category as well. It may be useful to have a presentation from NIS at a Neighborhoods and Planning Committee meeting so City Council Members and the public are assured they are receiving the most accurate information on what has been done by NIS on this very large number of short term rental complaints before Denver City Council is asked to vote on needlessly changing the existing Denver Zoning Code framework for "legalizing" short term rentals. The perpetuation of the assertion that NIS has received only 11 short term rental complaints ever seems to be even more grossly false.

It seems a more prudent approach for Denver would be to enforce the current ban on short term rentals by having NIS send a simple letter to an identified violator that informs the violator that NIS has received a complaint, advise the violator that short term rentals violate existing Denver Zoning Codes and inform the violator of the existing process for attempting to obtain a short term rental Home Occupation permit. NIS does not need to spend much time inspecting the residential property. Plenty of evidence documenting the violators continued breaking of the law is included on the violator's airbnB listing through transient occupant's comments and calendars. Denver could then gauge how many violators truly want to comply with laws and whether residents in Denver residential neighborhoods want to have short term rentals in their neighborhoods. Our strong belief is that many violators will choose not to apply for a short term rental Home Occupation permit (showing that they do not intend to comply with laws) and many affected residential neighborhoods will oppose those permit applications.

Sincerely,  
Concerned Denver Residents

cc: Denver Community Planning and Development  
Denver Neighborhood Inspection Services  
Inter-Neighborhood Cooperation  
Denver Post  
7News  
9News  
CBS4

## Barge, Abe M. - CPD Planning Services

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**From:** Susman, Mary Beth - City Council  
**Sent:** Wednesday, March 02, 2016 3:56 PM  
**To:** Batchelder, Nathan D. - Excise and Licenses  
**Subject:** FW: short term rentals

Mary Beth Susman  
Denver City Council | District 5  
720.337.5555 Phone | 720.337.5559 Fax  
marybeth.susman@denvergov.org | Dial 3-1-1 for City Services

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From: Kip Nagy [kip@kipsgrill.com]  
Sent: Friday, November 6, 2015 12:46 PM  
To: Susman, Mary Beth - City Council  
Subject: short term rentals

Councilwoman Susman,

What was the outcome of the Neighborhood and Planning Committee meeting on 9/2/2015 regarding short term rentals in Denver? I read the minutes but there was no mention of what was going to happen next in the process.

I am a huge proponent of short term rentals and I have no problem with them being more regulated. I have, admittedly, used airbnb for the last couple of years and have had to stop due to someone turning in everyone in my neighborhood (Stapleton) who is using it. None of us have had complaints against us, this person is just trying to shut it down.

I am a single mom who commutes for work every other week, allowing me the ability to rent my place when I am not there. For the past two years this has paid for my mortgage and all of my bills, enabling me to remain in Stapleton and provide a nice home and neighborhood for my kids to grow up in. Without this added income, it is a huge struggle to make ends meet. Any information you can provide is very much appreciated. Thank you for your time.

Kerry Rice

November 12, 2015

Michael B. Hancock  
1437 Bannock St, #350  
Denver, Colorado 80202

Re: Short Term Rental (STR) of Residential Property

Dear Mayor Hancock,

We understand from statements made recently at the APA Colorado Annual Conference that you are reviewing Denver City Council's consideration of the legalization of STRs in all Denver residential residences and neighborhoods. We urge you to guide Denver City Council to maintain the existing prohibition on STRs in Denver residential neighborhoods. We strongly believe the legalization of STRs in Denver residential neighborhoods will make residential housing less affordable, destabilize the character of residential neighborhoods with increased transient occupants and infringe on conforming residential property owners' rights under existing Denver Zoning Codes to use and enjoy their residential properties in non-commercialized zones.

There have been several studies and news articles on the negative impact on housing affordability and other ill effects from legalizing STRs/quasi-hotels in residential neighborhoods and how such legalization really just benefits multi-billion dollar companies such as Airbnb and VRBO/Homeaway and property investment firms.<sup>1</sup> It is clear from those publications and Portland's experience that if Denver legalizes STRs and then later regrets it, tries to curtail the negative impact on housing affordability or the other ill effects of STRs through additional regulations or even tries to collect an STR lodger's tax, Denver will likely find itself in expensive litigation with, or be sued by, Airbnb or VRBO/Homeaway.<sup>2</sup> Litigation will be a very expensive method of attempting to enforce any type of regulations associated with the legalization of STRs and no doubt be a drain on Denver's limited budget resources.

STRs are commercial businesses currently prohibited under Denver Zoning Codes in residential neighborhoods. The renting of areas in residential properties as lodging with or without meals for compensation is a business that is considered a Home Occupation of rooming or boarding under existing Denver Zoning Codes and only allowed on a month-to-month or yearly basis and to up to two people.<sup>3</sup> Home Occupations not listed in Denver Zoning Codes (such as STRs or the renting of rooms to more than two people) are prohibited.<sup>4</sup> Preserving this prohibition on STRs and the renting to more than two people can be an effective tool in curtailing the negative impact on housing affordability and other ill effects from STRs on Denver and will be lost if Denver City Council legalizes STRs.

A better approach for enforcing rules on STRs already exists under Denver Zoning Codes. Denver Neighborhood Inspection Services can continue to rely on complaints of illegal STRs to ensure compliance with existing Denver Zoning Codes. The illegal STR operator's Airbnb or VRBO/Homeaway listing typically provides enough information through guest comments to show that the illegal STR operator is repeatedly breaking Denver law. Unless a residential property owner obtains a new Home Occupation STR permit from the zoning administrator after being cited by Denver Neighborhood Inspection Services, Denver can continue to enforce its STR prohibition. The zoning administrator can grant a new Home Occupation STR permit to a particular residential property owner only after the zoning administrator ensures such permit minimizes the impact on the character and enjoyment of the surrounding residential neighborhood and the proposal will not substantially or permanently injure the appropriate use of adjacent conforming properties, taking into consideration all proposals for mitigation of such impacts.<sup>5</sup> Upon the zoning administrator's receipt of a new Home Occupation STR permit

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<sup>1</sup> See *Analyzing the Impact to Denver's Neighborhoods Regarding STRs* at <http://www.denverinc.org/zoning-and-planning/>, Colorado Assoc of Ski Towns *Vacation Home Rentals Issues* at <http://townofjackson.com/files/7414/3586/4280/070615revised.pdf>, *Tight supply, high demand make resort-town workers scramble for homes* at [http://www.denverpost.com/business/ci\\_29083478/tight-supply-high-demand-make-resort-town-workers](http://www.denverpost.com/business/ci_29083478/tight-supply-high-demand-make-resort-town-workers), *Neighborhoods Wake Up to STR Woes and Airbnb, Rising Rent and The Housing Crisis in LA* at <http://www.denverinc.org/tag/short-term-rentals/>, and *The Rise of Airbnb's Full-Time Landlords* at <http://www.bloomberg.com/news/articles/2015-11-10/how-airbnb-makes-property-investors-rich-despite-the-neighbors>.

<sup>2</sup> See *City cracking down on STR companies and hosts for failing to pay taxes, get inspections* at <http://portlandtribune.com/p/9-news/277870-154116-city-cracking-down-on-short-term-rental-companies-and-hosts-for-failing-to-pay-taxes-get-inspections>.

<sup>3</sup> See §§11.9.4.15, 11.12.8.2 (12) and 13.3 of the 2010 Denver Zoning Code.

<sup>4</sup> See §§9.7.9.1 and 11.9.5 of the 2010 Denver Zoning Code.

<sup>5</sup> See §§11.9.1.1 and 12.4.2.5 of the 2010 Denver Zoning Code.

application, adjacent property owners, Registered Neighborhood Organizations, and City Council Members should be provided notice of the permit application through posted notice and written notice and affected parties are then provided an opportunity to oppose the permit application.<sup>6</sup> Any permit issued under this framework can include whatever conditions deemed appropriate by the zoning administrator and be revoked if those conditions are not followed by the property owner.<sup>7</sup> Denver could use this existing framework to gauge how many illegal STR operators truly want to comply with Denver law and whether other residents in Denver residential neighborhoods want to have STRs/quasi-hotels in their residential neighborhoods. Our strong belief is that most STR operators will choose not to apply for a new Home Occupation STR permit (showing that they do not intend to comply with any laws) and many affected residential neighborhoods will oppose those permit applications.

We also question the purported regulations that the Denver City Council Neighborhood and Planning Committee is considering. They do not appear to regulate this commercial business activity in Denver residential neighborhoods at all, but just implement a new lodger's tax and business license requirement. Austin is considering true regulations that include (i) penalties for people who operate STRs without a license, and increased penalties for ordinance violators, (ii) requiring ads for STRs to include their city license number and occupancy limit, (iii) requiring the owner-occupant of the residence to be present when the STR guest is present, (iv) limits on the number of days the residence can be offered as an STR, (v) requiring certificate of occupancy and inspections to obtain a license, (vi) preventing clustering of STRs within 1,000 feet of one another, (vii) prohibiting the use of STRs for gatherings such as bachelor parties, (viii) limiting the number of STR rooms and guests and (ix) allowing photos, videos and eyewitness accounts to be used as evidence in administrative hearings for violations.<sup>8</sup> We know through Airbnb, VRBO/Homeaway funded websites such as Short Term Rental Advocacy Center and Denver Short Term Rental Alliance that Airbnb and VRBO/Homeaway are opposed to these types of true regulations and wants to allow STRs to continue to be owned by property investment firms, but we believe Denver City Council should be watching out for Denver residents complying with existing Denver Zoning Codes and wanting affordable housing instead of Airbnb and VRBO/Homeaway.<sup>9</sup>

If unfortunately Denver City Council does move forward with legalizing STRs, we believe Denver voters should have a say on the commercialization of residential neighborhoods, negative impact on housing affordability and other ill effects that come with the legalization of STRs. The lodger's tax that is being proposed on STRs in Denver will need to be approved by Denver voters under TABOR. Boulder City Council's legalization of STRs was subject to Boulder voters approving a lodger's tax under TABOR first. If that ballot measure had failed, STRs would have remained prohibited in Boulder. We realize Airbnb will be able to outspend<sup>10</sup> Denver Registered Neighborhood Organizations, Inter-Neighborhood Cooperation and residential neighborhood advocacy groups opposed to the legalization of STRs<sup>11</sup>, but this would at least allow those opposed to voice their opposition in the Blue Book, by posting opposition signs in their residential neighborhoods and by debating in public forums if Denver City Council provides Denver voters the opportunity to vote on this very important issue.

Sincerely,  
Concerned Denver Residents

cc: Denver City Council  
Denver Community Planning and Development  
Denver Neighborhood Inspection Services  
Inter-Neighborhood Cooperation  
Denver Post  
7News  
9News  
CBS4  
Colorado Public Radio

<sup>6</sup> See §§11.9.5, 12.4.2 and 12.3.4.5 of the 2010 Denver Zoning Code.

<sup>7</sup> See §§12.4.2.4.E. of the 2010 Denver Zoning Code.

<sup>8</sup> See *Austin takes first step to reduce STRs in neighborhoods* at <http://www.mystatesman.com/news/news/city-council-adds-to-list-of-possible-str-regulati/nn4MM/>.

<sup>9</sup> See August 6, 2015 DSTRa post on its website "Did you know that an estimated 50% of Airbnb and 100% of VRBO vacation rental homes in Denver are non owner-occupied?"

<sup>10</sup> As well publicized, Airbnb spent \$8 million fighting stricter resident backed STR regulations in San Francisco in the November election.

<sup>11</sup> See *Keep Neighborhoods First* at <https://www.facebook.com/LetsKeepNeighborhoodsFirst/>.

Laurie and Tom Simmons  
3635 W. 46<sup>th</sup> Avenue  
Denver, Colorado 80211  
303-477-7597, frraden@msn.com

1 December 2015

Councilwoman Mary Beth Susman  
Denver City Council  
1437 Bannock Street, Room 451  
Denver, CO 80202

Via Email

Dear Councilperson Susman,

As owners and residents of a house next door to a property used as a short-term rental for more than a year, we strongly urge you to vote against any effort to legalize this use for houses in traditional neighborhoods. We have lived in Denver for 37 years, raised a family here, and operate a small business; in other words, we have invested our lives and trust in the city. We hope you will consider that those of us who purchased and improved homes in the city before short-term rentals began relied on Denver's long tradition of supporting strong, quality neighborhoods. We do not accept the argument offered by those operating short-term rentals that because they are already operating in the neighborhoods we must allow them to continue. The property rights of the majority of Denver residents are being undermined by a few. Here are some of our reasons:

**1. Short-term rentals weaken neighborhoods.** There is a big difference between living next door to people who have invested in and live in a neighborhood versus those visiting for a night or two. One of the big differences is the level of consideration for surrounding neighbors. If you live in a place you grow to understand the preferences of your neighbors in terms of noise, parking, and other activities that may impact those around you, and you try to live in harmony with them. The owner of the short-term property also has less concern for quality of life issues that impact the neighborhood and feels less inclined to get involved in neighborhood organizations and other groups that generate positive outcomes for the community.

**2. Short-term rentals are like having a hotel operating next door.** Since many short-term rentals are being created in properties where owners do not live, there is no guarantee for neighbors that they will not have to deal with random problems. For example, the house next door to us was recently used by a group of eight people who awakened us at 2 a.m. having a patio gathering. The group was there to party, as evidenced by the party bus they rented so they didn't have to drive while drinking (which they entered with drinks in hand). The owners of these properties are making tons of money; what do the neighbors receive for the inconvenience they experience?

**3. Short-term rentals diminish the number of affordable houses available to rent and buy.** I have asked the owner of our next door short-term rental why he won't do a traditional long-term rental. He frankly stated that he wouldn't make as much money. Denver is already pricing young people and many middle and working class people out of the housing and rental market. Is this increased lack of diversity something you want to see in the city? Essentially, short-term rental operators (except those noted in #4 below) are in the neighborhood to make money, not to make a contribution to it.

**4. Airbnb is a \$26-billion-dollar international company** (as indicated in the *New York Times*, November 5, 2015). We have little concern with resident owners who have extra bedrooms in their house or accessory dwellings on their property renting them out because the owner is still around to handle problems. We do have a problem when people are renting out houses without living on the property themselves. For example, the owners of the house adjacent to ours purchased a \$525,000 house in another part of Denver while retaining ownership in their old house to operate it as a short-term,

money-making rental site. We don't believe Denver should cave in to the lobbying of these very wealthy interests; traditional neighborhoods are already under tremendous development pressure and should not be required to accommodate another force of disruption.

**5. Short-term rentals weaken property values.** We doubt that anyone would prefer to live next door to such a revolving-door property.

**6. Short-term rentals weaken the city's legitimate, tax-paying hotels, motels, and bed-and-breakfasts.** Unregulated, untaxed, and unlicensed businesses (which is what most of these homes are) have a great advantage over legally operating lodgings.

**7. The preferred option is to continue the ban on short-term rentals, as many cities have done. If any type of short-term rental is allowed, each should be licensed, taxed, and meet certain conditions for operation:**

- a. These properties should not be allowed in most neighborhoods. Perhaps they should be confined to Blueprint Denver's so-called "areas of change," where major new development is encouraged already.
- b. They should not be allowed in areas where there is very little separation between houses (as noise is a major factor in the inconveniences they create). They should be required to have adequate parking so neighbors are not inconvenienced.
- c. There should be a short-term rental property owner or property manager on the premises to take care of problems in a timely manner.
- d. These businesses should be taxed, inspected, insured, and licensed, just as the rest of us who operate businesses are.
- e. There should be no "grandfathering in" of short-term rentals. Just because they have operated illegally for a while doesn't mean they should be allowed to continue without meeting new regulations.
- f. There should be a process in place for neighbors to get rid of short-term rentals if they disrupt the quality of life for those living near them, and it should not have to be a difficult and burdensome process for neighbors.
- g. Any effort to regulate these properties should include participation of people who have lived next to them and know what their impacts are.
- h. Council should carefully weigh what is the most appropriate agency within city government to undertake regulation of this sector. Excise and Licenses may be more appropriate than Neighborhood Inspection Services.

Thanks very much for considering our observations and suggestions. We hope you will support property owners who live and invest in a neighborhood rather than those who just want to make money off of it. Please call if you would like to discuss this issue further.

Sincerely,

*Rachel Laurie Simmons*      *Thomas A. Simmons*

Laurie and Tom Simmons

## Barge, Abe M. - CPD Planning Services

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**From:** Susman, Mary Beth - City Council  
**Sent:** Wednesday, March 02, 2016 3:55 PM  
**To:** Batchelder, Nathan D. - Excise and Licenses  
**Subject:** FW: Short Term Rentals

**Mary Beth Susman**

Denver City Council | District 5  
720.337.5555 Phone | 720.337.5559 Fax  
[marybeth.susman@denvergov.org](mailto:marybeth.susman@denvergov.org) | [Dial 3-1-1 for City Services](#)

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**From:** NMelchizedek . [n.melchizedek@gmail.com]  
**Sent:** Tuesday, December 22, 2015 4:13 PM  
**To:** Susman, Mary Beth - City Council  
**Subject:** Short Term Rentals

Hello Councilwoman Susman,

I live in District 6 and am a renter. I recently saw the article in the Westword regarding short term rental regulations that will come before the City Council in 2016 and wanted to email you directly.

I support the registration and license process that was outlined, and I also support the primary-residency requirement. As someone who cannot yet afford to purchase a home in Denver, or move to a better quality rental, I can tell you that finding affordable housing here is challenging. While I have been fortunate (to date) that my landlord hasn't raised the rent or decided to either a) sell off his rental property to developers to be scraped and a McMansion built or b) utilize the property for short term rentals, I wonder if it is a matter of time.

While the issue of affordable- and income-appropriate housing is complex, home owners who rent out entire homes in the short-term that could otherwise be a part of the rental market are part of the problem.

Thanks so much for your work on this,

Noelle Melchizedek

## Barge, Abe M. - CPD Planning Services

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**From:** Jack D Pappalardo <JackDP@Earthlink.net>  
**Sent:** Friday, January 15, 2016 8:19 PM  
**To:** EXL Short-Term Rentals  
**Subject:** STR Comment

I'm all for short term rentals in properties rented by the owner. It's a great way to allocate resources, short term unique housing for the renter, revenue to pay some bills and maximize use of space for the owner. More power to the ordinary people.

Jack

Sent from my iPhone. Please excuse any overt thumb blunders.

Jack Douglas Pappalardo, Esq.

[www.JackDouglasLaw.com](http://www.JackDouglasLaw.com)

[www.ArtDistrictonSantaFe.com](http://www.ArtDistrictonSantaFe.com)

## Barge, Abe M. - CPD Planning Services

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**From:** Carolyn Francis <carolyn@carolynf.com>  
**Sent:** Saturday, January 16, 2016 1:26 PM  
**To:** EXL Short-Term Rentals; denc - City Council  
**Subject:** STR's in Denver

I am writing to you in regards to the meeting on January 13. I wasn't able to give my comments, so they are included below in the this email.

I would like to thank the City Council for taking the time for thoughtful consideration of this matter. Creating an ordinance that is fair, easy to access and unencumbered by too much complex language and rules is in the best interest of all stakeholders.

I was an early adopter to Airbnb over 3 years ago when my youngest daughter went abroad for her junior year in high school. I live in Observatory Park in one of the many "jewels in the crown" of neighborhood. Built in 1889, she is 3 story's and 5 ½ city blocks – and while she is beautiful, anyone or anything that is 127 years old requires a lot of maintenance. Airbnb seemed like a fun and unique way to supplement my income enough to take care of deferred and continued maintenance. And it has not let me down. Maintenance includes painting, reroofing, basement flood mitigation, window repairs and replacement of worn out appliances.

While the financial benefits have been and continue to be important, the other beneficiary of having guests in my home is the City of Denver. Unlike many Airbnb's in Denver, I tend to attract long term, professionals to my home. I have had relocated business owners, entrepreneurs, world-class architect (longest running guest at 9 months – built a house), oil and gas folks, and techies. Of course, there is DU and I have had my share of visiting professor's and right now have a Master's student and an undergraduate student. A researcher is coming soon. These people are often in the process of relocating and checking out the city. As a guest in my home, I connect people in a way that living on your own or in a hotel cannot do. I am able to immerse people in a more profound way into the area. My guests frequent restaurants on Pearl, Broadway, Wash Park and Cherry Creek. I have taken some to art and theater events. Others I have connected into the business world: oil and gas, lawyers, bankers, and realtors – all benefiting from my ability to connect them to the right person. Two of my guests have bought houses in the area; one built a house in Platt Park; and another relocated his business here and another bought a business here. My proudest connection is an Italian guest who was opening a subsidiary of an Italian Geo-Technical Radar Company in Golden who met my son and hired him as one of his engineers. Fresh from college, he was able to buy a house on his new salary and become an independent tax payer! Many of these folks have become dear friends. I have been proud to show off my love of Denver and share with them what I see as a rich and fulfilling place to live.

Airbnb is so much more than "renting a room" – it is connecting with people from all over the world on multiple levels, enriching lives and in turn, the city in which we live. I have never had an issue with my neighbors and if I did, it would be addressed immediately. I have actually made many business connections for my guests with my immediate neighbors.

One last note – I request that you reexamine the idea of requiring license numbers on my Airbnb site, or any site for that matter. I am concerned for my privacy which I take very seriously. Airbnb makes it impossible for any inquiring guest to see my personal data (address, email and phone, most important) until after they have made a booking with me. I often have folks ask to come by and see my house, and I tell them not until they have a booking. I live alone and this to me is a very serious red flag. Please reconsider this requirement. I would not want random folks showing up at my door step to take a look at rooms I may have available.

Thank you again for your careful and thorough work on this issue. Airbnb provides a wonderful service to homeowners, travelers and the businesses around them.

Respectfully,

Carolyn Francis

Carolyn P. Francis, MBA  
Independent Educational Counselor  
Associate Member IECA, HECA, NACAC, RMACAC

303-564-4440

[carolyn@carolynf.com](mailto:carolyn@carolynf.com)

Facebook: **Carolyn Francis Consulting**

[www.carolynfrancisconsulting.com](http://www.carolynfrancisconsulting.com)



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## Barge, Abe M. - CPD Planning Services

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**From:** Sue Glassmacher <uptownsue@aol.com>  
**Sent:** Saturday, January 16, 2016 8:39 PM  
**To:** EXL Short-Term Rentals  
**Subject:** comment

I would like the committee to consider an online data base that can be accessed by license # and address (two options to access the database). This would be accessible to the public. Neighbors could check the data base and potential renters could google the address, check location and neighborhood. I would like the committee to discuss and think it through. Or may it should only be accessible thru a 311 call.

Thank you,

Sue Glassmacher  
1037 29th St.  
uptownsue@aol.com

## Barge, Abe M. - CPD Planning Services

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**From:** E ciarlo <sammy2rose@q.com>  
**Sent:** Tuesday, January 19, 2016 11:11 AM  
**To:** EXL Short-Term Rentals  
**Cc:** 'Debbie Ortega'  
**Subject:** short term rental proposal comments

### Concerns:

1. The proposed regulations do not include any provision for documenting the length of any stay. The shorter than 30-day provision has no investigative pathway.
2. The proposal is silent about repetitive short term rental for the same unit. It does note that in order to have a license for a unit, it must be a primary residence, but it is unclear as to what the criteria is to ascertain "primary residence". How many days out of the year would violate the provisions?
3. I would suggest including a maximum number of these licenses per street. I think those homeowners who only wish to live in a traditional residential neighborhood would not like to live on a block with repetitive short term rental.
4. Record keeping provisions are weak. If any investigation is to be initiated, there must be a record of each rental and an actual stay contract noting duration.
5. A written contract between licensee and renter must be mandated. No verbal contracts allowed for this type of arrangement.
6. I suggest a clause making licensee responsible if they are found to rent to repeatedly participate in criminal activity.
7. The provision notes that the regulatory activity would be to monitor ads but it is silent as to what department would be responsible for this activity and whether additional staff and resources would be needed for proper monitoring and investigating. If additional resources are necessary I would want to know what they are, how much they would cost and whether they fees would cover the projected costs.
8. How would fees be adjusted over the years? Who would be making this fee decision and via what process?
9. I suspect there is a large number of positive and negative experiences with this rental model in other areas. I would like to learn more of them and how municipalities and neighborhoods have dealt with them.
10. What is the regulatory environment and specific rules that other municipalities have for short term rental and what has been their experience.
11. What surprises have other neighborhoods had in parts of the country that allow for this short term rental?
12. How have neighbors concerns been specifically addressed in areas where this is allowed?

My concern for my own neighborhood is that currently the stability of my street is in large part due to low turnover of owners and residents and little change in activity. This plan introduces less stability in regard to neighbor knowing neighbor. Of course neighbors have had times of extended family visits but this is not the ordinary course of events and this presumably would not be a rental situation. Given current limited city resources for neighborhood inspections I worry about code violations and the ability to investigate them. The current violation investigation pathway is cumbersome and time consuming. My concern is that little will change when a violation is called in. On the other hand, I value the freedom that private ownership and control provide and wish to respect this for our properties. I need to learn more.

Floyd Borakove  
244 South Meade Street  
Denver, CO 80219

## Barge, Abe M. - CPD Planning Services

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**From:** Nicole Sullivan <info@bookbardenver.com>  
**Sent:** Sunday, January 17, 2016 9:05 AM  
**To:** EXL Short-Term Rentals  
**Subject:** Interest in the STR process

Good morning,

I am very interested in being a part of the process and discussion on proposed Short Term Rental regulations in Denver. I run a bed & breakfast located right above my other business, BookBar, (a bookstore / wine bar) in the Berkeley neighborhood. While I own this building, it is not my primary residence. I believe I can provide a compelling reason to allow STRs on non-primary residence locations.

My b&b is invaluable to my bookstore business in allowing our visiting authors on premises lodging. In addition, it offers other guests a private and professional lodging option in the Berkeley neighborhood where they can patronize our local businesses. We are greatly lacking in decent lodging options in Northwest Denver so businesses like mine offer an alternative way to have visitors visit, stay, and experience our neighborhood.

Please let me know the best way for me to get involved and present my case for non-primary residential STRs.

Many thanks,

**Nicole Sullivan**  
**BookBar**  
Owner - Operator  
4280 Tennyson St.  
Denver, CO. 80212  
303-284-0194  
[Visit our website](#)

Like us on [Facebook](#)

**Barge, Abe M. - CPD Planning Services**

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**From:** John D Sullivan <johnsullivan2000@gmail.com>  
**Sent:** Monday, January 25, 2016 6:49 PM  
**To:** EXL Short-Term Rentals  
**Subject:** STR

I'm in favor of a max of 30 days a year with no more than 4 rental instances. This allows the owner to make some money w/o turning the property into a motel. The annual \$25 needs to be \$50 not to lose money for the city.

THANKS,  
JOHN D SULLIVAN

## Barge, Abe M. - CPD Planning Services

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**From:** george mayl <comayl@aol.com>  
**Sent:** Tuesday, January 26, 2016 5:26 PM  
**To:** EXL Short-Term Rentals  
**Subject:** Re: A Message From Councilwoman Debbie Ortega

Thank You very much Councilwoman Ortega for your timely response

My main concern has and always will be the preservation of our city's residential neighborhoods from commercial intrusions. There is very little if any protection for neighbors surrounding these illegal activities. Neighborhood Inspection Services is ill equipped at present not to mention if this measure passes, to deal with the mounting problems it will cause. As you know, many cities are having difficulty with the platform AIRBnB. They are not a forthright company and drag their feet at every occasion. I ask you this question, Would it hurt to postpone the implementation of this pending ordinance change for 6 months to better understand and carefully address all the issues to everyone's satisfaction?

Councilwoman Susman came to the INC ZAP meeting in April of '14 after already talking to AIRBnB and some of their host. It was not then nor now a fact finding agenda, she had already made up her mind that the ordinance was to be changed. She has been presented on numerous occasions the concerns of many neighborhood groups but her AIRBnB hosts seem to have her ear. 1400+ "Hosts" have more control over the City Council than 330,000?

It is up to the City Council to protect the **majority** of it's citizens who wish to live in a safe and secure environment.

Respectfully,

George E Mayl  
CW3, USA Ret  
1075 S Garfield St  
Denver, CO 80209

-----Original Message-----

**From:** Councilwoman Debbie Ortega <info@ortega.denvercitygov.net>  
**To:** comayl <comayl@aol.com>  
**Sent:** Tue, Jan 26, 2016 9:49 am  
**Subject:** A Message From Councilwoman Debbie Ortega

January 26, 2016

Thank you for copyin me on your email to Councilwoman Susman. I have not made any decision on this issue. As you know, Denver currently prohibits the rental of residential property for fewer than 30 days at a time in most zone districts. However, the growth of Airbnb, VRBO and other online services allows people an easy way to rent their homes to vacationers and others seeking an alternative to hotels and motels. The growth of short-term rentals has created challenges for Denver and other cities. We have heard from neighbors of properties adjacent to short-term rentals who have experienced numerous problems and from others who rely on them for income. Will allowing the practice encourage industry growth and more problems? Can licensing and regulating the practice reduce problems? City Council will consider a change to the zoning code to allow short-term rentals in all residential zone districts. A companion ordinance would require the property owners to obtain a city license. To obtain a license you would have to be a legal resident of the United States, have permission from the landlord if you are not the property owner, use the unit as your primary residence, meet applicable zoning regulations, obtain a Denver Lodger's Tax account, and collect and remit applicable taxes. I encourage you to read details of the proposal and attend one of the public meetings. Details can be found on the City website: <http://denvergov.org/content/denvergov/en/denver-business-licensing-center/business-licenses/short-term-rentals-.html>, You can also send your comments to [str@denvergov.org](mailto:str@denvergov.org).

I am still weighing the pros and cons of the proposed ordinance. I appreciate your input.

Sincerely,  
Deborah L. Ortega  
Councilwoman At Large

## Barge, Abe M. - CPD Planning Services

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**From:** Susman, Mary Beth - City Council  
**Sent:** Wednesday, March 02, 2016 3:54 PM  
**To:** Batchelder, Nathan D. - Excise and Licenses  
**Subject:** FW: Short term rentals

**Mary Beth Susman**

Denver City Council | District 5  
720.337.5555 Phone | 720.337.5559 Fax  
[marybeth.susman@denvergov.org](mailto:marybeth.susman@denvergov.org) | [Dial 3-1-1 for City Services](#)

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**From:** Ed\_Vickland [EdVickland@comcast.net]  
**Sent:** Thursday, January 28, 2016 10:14 AM  
**To:** Susman, Mary Beth - City Council  
**Subject:** Short term rentals

I oppose the short term rental program. I see that we will not be able to vote on it. Denver's policy of max density is ruining this city. I know it is all about money and supporting developers who line your pockets.

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Air BnB regulations

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**From:** Susman, Mary Beth - City Council  
**Sent:** Wednesday, March 02, 2016 3:54 PM  
**To:** Batchelder, Nathan D. - Excise and Licenses <Nathan.Batchelder@denvergov.org>  
**Subject:** FW: Air BnB regulations

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**From:** cristin [<mailto:cristin@msn.com>]  
**Sent:** Monday, February 1, 2016 6:28 PM  
**To:** 'Susman, Mary Beth - City Council'  
**Subject:** RE: Air BnB regulations  
**Importance:** High

Mary Beth, Thank you for the prompt AND smart reply. You're absolutely right. My leases do forbid subletting and that is and was my solution. I think landlords in general will have to be more vigilant about those who would violate their leases, like my multi-year JD/MBA tenant.

As I read the ordinance and with your reminder I am in support so long as the registration fee and the collection of the lodging tax remain in the final ordinance.

Many thanks from a grateful constituent!

Cristin

Cristin Cochran  
**C<sup>2</sup> Consulting**  
Land and Environmental Services  
799 Dahlia Street, Unit 7A  
Denver, Colorado 80220 5199  
desk 303 377 9060  
cell 303 717 2387  
[cristin@msn.com](mailto:cristin@msn.com)  
[www.c2consultinglandservices.com](http://www.c2consultinglandservices.com)  
*certified Native owned*

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**From:** Susman, Mary Beth - City Council [<mailto:MaryBeth.Susman@denvergov.org>]  
**Sent:** Monday, February 1, 2016 5:43 PM  
**To:** cristin  
**Subject:** RE: Air BnB regulations

Cristin,  
I understand your concerns. Please know that any landlord or Home Owner's Association can prohibit any kind of sub-renting to its tenants or members. You have every right as a landlord to prohibit short term rentals in your building now and whether or not the ordinance passes. The proposed ordinance we are taking around to the community has specific language that says you must have your landlord's permission to apply for an STR license.

Thank you very much for taking the time to chime in. To see more about the ordinance go to <https://www.denvergov.org/content/denvergov/en/denver-business-licensing-center/business-licenses/short-term-rentals-.html>

Mary Beth

**Mary Beth Susman**

Denver City Council | District 5  
720.337.5555 Phone | 720.337.5559 Fax  
[marybeth.susman@denvergov.org](mailto:marybeth.susman@denvergov.org) | [Dial 3-1-1 for City Services](#)

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**From:** cristin [cristin@msn.com]  
**Sent:** Monday, February 1, 2016 5:23 PM  
**To:** Susman, Mary Beth - City Council  
**Subject:** Air BnB regulations

020116

Dear Ms. Sussman, I strongly recommend that you do NOT allow renters to sublet their units through Air BnB or anything similar. Speaking as a landlord I carefully vet my tenants, especially in a smaller building, to make sure I've got the right people. Last year I had a tenant who despite possessing high levels of education and experience, sublet an office space (as a bedroom) in one of my buildings to by the night tenants. Her motivation appeared to be purely financial. It took me a while and several complaints by my other tenants to figure out who these "friends" were who were treating my building like a motel6 but I was able to put an end to it before I lost my tenants who were concerned about unknown folks with a key to their building and extremely incompatible attitudes.

Vacation rentals are not the same as folks' homes. There needs to be some separation and in a multi family building you're mixing two different kinds of renters. There needs to be protections for those who don't want to have a new person next door every night.

Please call/write with any questions or for additional horror stories. Many thanks, Cristin Cochran

Cristin Cochran  
**C<sup>2</sup> Consulting**  
Land and Environmental Services  
799 Dahlia Street, Unit 7A  
Denver, Colorado 80220 5199  
desk 303 377 9060  
cell 303 717 2387  
[cristin@msn.com](mailto:cristin@msn.com)  
[www.c2consultinglandservices.com](http://www.c2consultinglandservices.com)  
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## Barge, Abe M. - CPD Planning Services

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**From:** Patrick Ryan <pjryan001@aol.com>  
**Sent:** Sunday, January 31, 2016 12:19 PM  
**To:** EXL Short-Term Rentals  
**Subject:** Short Term Rental

To whom it may concern,

I am a home owner on the 1400 block of Fillmore Street. We have at least on short term rental near our house and it negatively impacts our neighborhood. We have noticed great decrease in parking along the street over the past several years and this has coincided with the increase in short term rentals. I can watch the renters enter the STR home from my house so I can identify my neighbor's cars and STR cars parked along the street. Sometimes there are two, three extra vehicles parked on our street, taking up the parking spaces for the locals who live long term on the street. The parking decrease is not necessarily related to any business on nearby Colfax because the businesses near our part of the street are day-time only businesses (or have parking lots like Pete's Greek) but the parking at night along Fillmore fills up quickly in the evening. We have even had to park on another street (!) because it is so busy at night. Just walk the street and notice the numerous out of state parking licenses. We have even stopped driving as early as 7-8p because we are afraid that our parking spot will be taken and we can't park on our street.

Please do what you can to restrict or eliminate short term rentals in the Congress Park neighborhood. They negatively impact the neighborhood and that's unfair to locals. Limited parking can lower home values and causes a great deal of stress for locals who rent long-term or who have invested in the community by owning a home. I also find it disrespectful for STR owners to knowingly negatively impact the neighborhood specific with the parking issues.

--

Patrick Ryan

Ari Blum  
2747 Geneva Ct  
Denver, CO 80238  
February 2, 2016

Mary Beth Susman  
Denver City Council  
1437 Bannock St #451  
Denver, Co 80202

Dear Denver City Council:

I am writing this letter to support the ability of local, Denver, citizens to provide short term rentals (STRs) to those who are willing to purchase this service. It is my belief that STRs provide much more benefit to our economy and community than the potential negative externalities associated with their existence. Some benefits that STRs provide include 1) an increase in tourists and business travelers to Denver, 2) An increase in dollars spent in local businesses, 3) an increase in disposable income to the property managers, which flows back into the economy, 4) an increased focus on property cleanliness and maintenance, and 5) an increase in spending in Denver's local neighborhoods not served by the existing hospitality infrastructure.

Property managers have incentive to keep their properties well maintained as all of these STRs are peer reviewed. Likewise, all renters are motivated to be good tenants during their short stays as these renters are also peer reviewed. The peer reviewed, on-demand business model has been tested and proven for the past ten years and appears to be very successful. Company's like Trip Advisor and Uber have demonstrated that this is a safe and effective business model, when compared to traditional models, such as the taxi and hotel model.

Sincerely,

A handwritten signature in blue ink that reads "Ari Blum". The signature is written in a cursive, flowing style.

Ari Blum  
President, U.S.A. Fund, Inc.

## Barge, Abe M. - CPD Planning Services

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**From:** James B Ferring <James.Ferring@Colorado.EDU>  
**Sent:** Wednesday, February 03, 2016 9:28 AM  
**To:** EXL Short-Term Rentals  
**Subject:** Short Term Rentals

Hello,

I am trying to gather more information about the new STR laws in Denver. Have these laws already passed. And am I correct in that the current proposal would limit each person to having one STR? That does not seem right as I have more than one that are not at my primary residence and these are vital to me paying my debts. Why only one? Who gets to decide that?

Lastly, how and when do I apply for the license number that I have read about for my rentals?

Thanks,

Brooks Ferring  
314-517-2747  
[Ferring@colorado.edu](mailto:Ferring@colorado.edu)  
[Brooks@gatewaydevelopmentdenver.com](http://Brooks@gatewaydevelopmentdenver.com)

**Barge, Abe M. - CPD Planning Services**

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**Subject:** FW: DENVER'S RULES REGULATING /TAXING SHORT TERM RENTALS

**Importance:** High

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**From:** Harnsberger, Esther [Esther.Harnsberger@centurylink.com]  
**Sent:** Wednesday, February 3, 2016 11:11 AM  
**To:** Susman, Mary Beth - City Council  
**Subject:** DENVER'S RULES REGULATING /TAXING SHORT TERM RENTALS

**I am against this proposed rule.**

Property owners should have freedom to rent their properties as they see fit.  
Denver gets enough property income and does not need to tap into this market.

*Esther Harnsberger*  
*City and County of Denver registered voter*

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## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Short term rental of second property

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From: John Krauklis [jkrauk@yahoo.com]  
Sent: Wednesday, February 3, 2016 9:20 AM  
To: Susman, Mary Beth - City Council  
Subject: Short term rental of second property

Hi my name is John Krauklis. My family and I own and live on W. 5th Ave. in the Baker neighborhood. I am writing you concerning second properties being rented out as short-term rentals. I own a second home on Clarkson Street in Capitol Hill that I rent out short-term. It is a large house with five bedrooms and five baths that can sleep up to 18. I have put over \$200,000 in renovations into the house. It is fully booked for weddings, reunions, corporate events, and other large groups that want to stay together. These guests want the more personal experience of being all together in one home as they have most likely come from all over the nation to visit. The only other option for these large groups is a hotel which is not very inviting to many groups because of limited privacy, everyone is split up, they cannot cook, they cannot smoke, and the sterile feel of it. A home where everyone is together is so much more comfortable to many people and sometimes the only option they will consider.

If as the council is proposing, this type of rental becomes illegal, how will large groups rent large homes for their gatherings? A couple that lives in Denver or that wants to come to Denver to get married will not be able to have their wedding party stay in a home? A mom and dad who want to have a family reunion with all their children and grandchildren will have to have it in a hotel?

This confuses me that the council would make this illegal. In thousands the cities across the nation this is common practice. When I went with my family to the beach that's the first thing we did was rent a large house so everyone could be together. When I go skiing in the mountains the first thing I look for is a place to rent short-term for all of us. Denver is and is becoming such a destination city for so many people and vacations that I truly don't understand how the council could eliminate this aspect of people's visit.

Please consider adding a part of the code that allows for large home, short term rentals that are in demand from visitors and Denver residents.

Thanks,  
John Krauklis  
(303) 330-6308  
Jkrauk@yahoo.com

**Barge, Abe M. - CPD Planning Services**

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**Subject:** FW: Short-Term Rentals

----- Forwarded message -----

From: **Ilana Kurtzig** <[ilana.kurtzig@gmail.com](mailto:ilana.kurtzig@gmail.com)>

Date: Wed, Feb 3, 2016 at 9:30 AM

Subject: Short-Term Rentals

To: [Christopher.Herndon@denvergov.org](mailto:Christopher.Herndon@denvergov.org)

Dear Councilman Herndon,

I am writing to you about the short-term rental issue that is getting much attention right now in Denver.

I live in multi-unit housing (4 condos) and we have one owner who rents her place out nearly the entire summer (while she is on break from school and at her secondary residence) and over school breaks (such as winter holiday). It is her primary residence (and I agree this should be the rule), but I wonder if you could take into consideration the fact that other owners/renters in multi-unit housing must deal with the noise, smoke from marijuana (we all know that people are coming to CO specifically to buy and use marijuana), a constant rotation of visitors and strain on our shared resources.

I would also like you to take into consideration the liability associated with having short-term renters in multi-unit housing. While I hope that once this has been legalized, insurance carriers will have to cover damage covered by renters, what is your take on the liability of other condo owners should short-term renters burn the building down or cause some sort of other major damage to the entire structure? Will condo owners who do not have short-term renters be required to buy extra insurance, or pay for extra insurance through the condo association? I hope not.

I certainly understand the desire of people to make some extra money, but I do not appreciate when others' quality of life or comfort are not taken into consideration. Those who rent out to short-term renters are not there so as much as we can tell them what happened, they don't experience it themselves.

I am not against short-term rentals (at least I don't think I am right now), and I understand that as a condo association, we could put a stop to it through rule-making. In this case, would you consider that condo associations would have to make an affirmative rule to allow such rentals, otherwise it is prohibited? This way the association would actively have to change the rules to allow such rentals (but not go back to actively disallow it if it's not addressed in current rules and regulations). Short-term rentals seem like a good business for the city, but there are some issues beyond taxing and primary residency. I appreciate the council considering multi-unit housing when making rules surrounding this type of business.

Thank you for your time.

Regards,  
Ilana Kurtzig  
1546 Elm Street

## Barge, Abe M. - CPD Planning Services

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**From:** cowombat@aol.com  
**Sent:** Wednesday, February 03, 2016 10:52 AM  
**To:** EXL Short-Term Rentals; Kashmann, Paul J. - City Council  
**Subject:** Fwd: Opposed to Short Term Rentals

-----Original Message-----

From: cowombat <cowombat@aol.com>  
To: STR <STR@denvergov.org>; paul.kashmann <paul.kashmann@denvergov.org>  
Sent: Wed, Feb 3, 2016 9:22 am  
Subject: Opposed to Short Term Rentals

After our experiences with two rentals within a half block of our home, we are strongly opposed to any STRs in our neighborhood.

The drunken parties (including public urination and partial nudity), the trash on their property and ours, the unkempt lawns and gardens, the illegal amount of residents and their dogs, and the loss of available on-street parking, we have had *enough* of any kind of rentals!

Calls to the city, and attempts to reach the property owners, regarding these issues were never permanently resolved.

We do not care to deal with any more rentals.

They bring strangers to our neighborhoods for "short terms," and who actually knows who these people and their cohorts really are?

Please do not allow these STRs in our neighborhoods!

Mary K. LaFontise  
Washington Park East

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Feb 3rd Town Hall Meeting

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**From:** Sarah M [smacsalka@gmail.com]  
**Sent:** Wednesday, February 3, 2016 9:27 PM  
**To:** EXL Short-Term Rentals  
**Cc:** [Espinoza@denvergov.org](mailto:Espinoza@denvergov.org); Susman, Mary Beth - City Council  
**Subject:** Feb 3rd Town Hall Meeting

Hello,

I was one of the attendees at this evening's town hall meeting. I had no intent to speak during the event but I did so anyhow. This was against my better judgement and found that I continue to fail miserably in the arena of public speaking. That being the case, I still wish to make my opinion heard on this matter. So, if you'll please indulge me, this is what I would have liked to have said:

Hello. My name is Sarah Macsalka and for the last several months my family has been living next door to an illegal STR. We have owned and lived in our home for over a decade and are currently raising our 2 small children there. We live in District 1 where many of our neighbors have lived in their homes for as long, if not more than twice as long, as we've been around. We are a community, we know each other by name, we interact with one another. We have neighbors that babysit our kids, neighbors we go on vacation with, neighbors we carpool with, neighbors we invite over to holiday parties and backyard bbqs.

Last year our immediate next door neighbors put their home up for sale. The couple who purchased the house had just moved to Colorado. They purchased the home with cash. They purchased the home with cash after just purchasing their million dollar primary residence on the other side of town.

Once the new owners obtained possession, they immediately went to work painting and furnishing the home. Not once did they knock on our door and say "Hey, we're turning this into an unsupervised motel, if you have any problems with our guests, please contact us"

What did happen was strangers started rotating in and out of the home every few days. Our houses are very, very, close together. I could almost stand between our two homes and touch both walls. So, we notice these things. Parties started being thrown in the evening, in the afternoon...Suffice to say, it was an uncomfortable situation.

As I had never meet the new owner, I was not comfortable trying to contact them to let them know of the issues we were having. I did call 311 and was directed to our neighborhood investigator Deleilah

Gutierrez. This is when I found out about the ridiculous enforcement and penalty regulations set up for STRs. As wonderful and informative as Deleilah is, her hands are really tied when it comes to effectively enforcing this type of violation. You can't use the AirBnB site as proof of an STR?! There are pictures of the house, the contact info for the owner, the minimum days they are allowing for a visit, all the proof you need. Instead one needs to have owner admittal and verification by witnessing actual violation (ie inspector has to stop by home on regular basis to hopefully catch a guest in the act and verbally admit to it). In addition, the fines are a joke. 30 day notice and then a \$100 fine IF you can prove that the house is still an STR than \$500 after 15 days IF you can again prove it then \$1,000 another 15 days out IF you can prove it and THEN possibly go to court? The owners are making over \$300 a night on this, it's a drop in the bucket if they ever even do get fined and the chances of taking it to court sounds like slim and none.

Deleilah did contact the owner and the owner stated she wasn't aware she had been breaking the law and would work towards converting the house to a 30 or more day rental. We hoped for the best.

I did eventually get a hold of the new owner one day, when she was at the house cleaning between guests. We spoke and finally had the opportunity to not only meet, but hear each other's side of the current situation. She was apologetic, claimed ignorance on the current laws here, and told me she'd honor the 30 day or more law with rentals. I thanked her for her time and for giving me her contact information if we ever had any issues.

Since then, things have been relatively quiet next door. It's still awkward having complete strangers at the house, but there a lot of things about neighbors, whether they are guests or owners, that can be awkward. However, on a recent visit to AirBnB I saw that the owners had changed the minimum night stay back down to 14 days. We'll see what happens.

After this experience, these are my thoughts on STRs:

Ideally, unless they are owner occupied, they shouldn't be allowed in residential neighborhoods. We purchased our home in a residential neighborhood, to have neighbors, for better or for worse. We currently live next to an unsupervised motel. We didn't sign up for that.

If non owner occupied STRS do end up being allowed, a law should be set in place for neighbors to be notified and provided owner contact information. If nothing else, that's common decency.

Enforcement needs to be easier and penalties steeper for anyone that does violate the new laws, whatever they end up being.

Thank you for taking the time to hear my point of view on this matter, it is truly appreciated.

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Short-term Rental

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**From:** William Pincus [bill@pincinc.net]  
**Sent:** Wednesday, February 3, 2016 9:08 AM  
**To:** New, Wayne C. - City Council; Susman, Mary Beth - City Council  
**Subject:** Short-term Rental

Dear Council Members

I read today's Denver Post article about short-term rentals with great interest. I live in Councilman New's district at 1337 High Street. It's an high-density area of both apartment buildings and single family homes-and intense Air BnB activity. I think the proposals you have made allowing short-term rentals only in homes where the owner is a full-time resident is sensible and necessary for preserving our residential neighborhoods. I urge you to resist those who would do away with this requirement. Leaving it out would, *de facto*, result in a zoning change allowing commercial activity where it is inappropriate. I have copied (below) the text of a letter to the Denver Post's editor which pretty well describes my fear if you don't keep the residency requirement in the proposed rules.

I bought my home 12 years ago, saw my children through East High School and continue to support our neighborhood in all manner. It's a pretty good place to live - lets keep it that way.

Bill Pincus  
[bill@pincinc.net](mailto:bill@pincinc.net)  
skype: bill.pincus  
1-303 589 3734

Letter to The Denver Post:

Today's article about short-term rentals describes how local businessman Jason Walton rents his house for 300 nights a year for "wedding parties, several touring musicians, and a Mexican television show that filmed a soap opera episode.." among others. Yet he can't understand why the "city wanted to get his hands on his entrepreneurial idea." Perhaps he should ask his neighbors. I'm sure many of them thought they were moving into a residential neighborhood now to find they are the center of commercial activity. How happy are they with all of this?

The city has an absolute right to protect its neighborhoods for the benefit of all residents and it seems that is what they are trying to do.

**Barge, Abe M. - CPD Planning Services**

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**Subject:** FW: Short Term Rentals

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**From:** Cindy Johnstone [cindy.johnstone@comcast.net]  
**Sent:** Thursday, February 4, 2016 11:27 AM  
**To:** Susman, Mary Beth - City Council  
**Cc:** Kashmann, Paul J. - City Council  
**Subject:** Short Term Rentals

Dear Councilwoman Susman,

I am not able to attend one of the public meetings regarding STR. I did go to the gov website and looked through the powerpoint on STR. I am sorry I won't be able to hear some more details and will look for the video at the council committee where it was presented.

I believe there is a way to license, tax and zone STR without scattering them in our diverse neighborhoods which in my mind are the backbone of the City. I look to City Council to serve and protect the neighborhoods and its residents while addressing issues that come with new ideas, entrepreneur ways to make money and population growth. I want a vibrant City with balance. I want homes available to purchase where families or individuals can call Denver their home. I also support primary residence as a factor considered in licensing STR.

I am concerned about the erosion of Denver's neighborhoods with STR. I moved into my neighborhood R-1 in 1986 expecting that the homes would be occupied by the owner or if necessary long term renters. I had renters next door and through out the various renters there was a cordial relationship with respect for other neighbors. I am protected by ordinance with a limit to the number of non related people living in my neighbor's home if rented. With a STR next door I would not be able to establish a relationship with the STRenter and many of the reason I believe I live on the best block in the City would be stressed.

Please weigh the importance of maintaining strong neighborhoods and those individuals who need STR in order to stay in their homes against the needs and desires of entrepreneurs.

Thank you for the work you have done on the STR.

Sincerely,

Cindy Johnstone  
Washington Park East Neighborhood

## Barge, Abe M. - CPD Planning Services

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**From:** EXL Short-Term Rentals  
**Subject:** FW: Feb 3rd Town Hall Meeting

**From:** Sarah M [mailto:smacsalka@gmail.com]  
**Sent:** Thursday, February 04, 2016 11:13 AM  
**To:** Susman, Mary Beth - City Council <MaryBeth.Susman@denvergov.org>  
**Cc:** EXL Short-Term Rentals <STR@denvergov.org>; Espinoza, Rafael G. - City Council <Rafael.Espinoza@denvergov.org>  
**Subject:** Re: Feb 3rd Town Hall Meeting

Mary Beth,

With all my heart, thank you. Thank you for responding so quickly and so thoughtfully to my email. It means so much to me to know that our council members are listening to their citizens and taking us into consideration when it comes to policy.

I believe I used the wrong term in my email below when referring to my request for “owner occupied” STRs. I should have used the term ‘primary resident’. Forgive me, I’m new to this! I love how you’ve drafted the proposed licensing framework. You’ve clearly spent an incredible amount of time researching this and listening to all sides of the phenomena. Such a relief to see we’re in agreement, especially since I have only recently become part of the conversation you’ve been having since 2014.

What concerns me is what is going to happen to the proposed legislation between now and May. It seems to me, the majority of folks that came to last night’s town hall meeting are individuals currently running illegal, non owner occupied, STRs and their biggest concern is the verbiage requiring STRs to be licensed by a primary resident. As a homeowner, currently living next door to one of these illegal operations, I want to make sure that verbiage stays in there. As a citizen, what can I do to make sure that the primary resident requirement doesn’t disappear? In addition, can you please tell me how th

e primary residency requirement will be enforced and what the fine will be for violating this particular portion of the law?

Thank you again for your time – Sarah Macsalka

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Short term rentals and ADUs?

----- Original message -----

From: Shelley Cook <[cookshelleyj@gmail.com](mailto:cookshelleyj@gmail.com)>

Date: 02/06/2016 5:27 PM (GMT-07:00)

To: "Susman, Mary Beth - City Council" <[MaryBeth.Susman@denvergov.org](mailto:MaryBeth.Susman@denvergov.org)>

Subject: Short term rentals and ADUs?

Hi, Council Member Susman,

We have met in the past, I believe – I'm a former Arvada councilmember and manager of the A-Line shuttle that operates from Arvada to DIA. Barbara Metzger had brought me in to Transportation Solutions a few years ago to talk about our experience with that venture. First of all, I hope you're well!

I'm writing regarding the ordinance Denver is considering to regulate short-term rentals such as Airbnb. While I'm in Arvada, I'm guessing that your ordinance will influence subsequent suburban regulations. Forgive me for not verifying the particulars of the provision cited, but it sounds only like the primary residence – meaning it seems the actual structure the owner lives in -- is allowed for such rentals.

Arvada like Denver has an accessory dwelling unit ordinance and I took advantage to build one off of the alley in my backyard. A couple of photos are attached. (One note: Arvada's ordinance requires the owner of an ADU to be living on the same property.)

I am not currently but have in the past rented my ADU out via Airbnb. It was very successful and so far as I know caused my neighbors no concerns at all. A couple of photos are attached. My suggested food for thought, if your ordinance does not currently allow a carriage house or separate structure to be rented, would be to consider such a provision, perhaps with the restriction to an owner-occupied parcel that already pertains to ADUs here in our town.

Thanks much for entertaining a suggestion from someone outside your city. ☺

Shelley Cook  
5708 Zephyr Street  
Arvada, CO 80002  
303-420-2589

**Barge, Abe M. - CPD Planning Services**

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**From:** randyfox@comcast.net  
**Sent:** Sunday, February 07, 2016 9:19 PM  
**To:** EXL Short-Term Rentals  
**Subject:** STR licensing

To Whom It May Concern:

I smell a rat, or perhaps a gaggle of big smelly rats. I have absolutely no doubt that one or more corporate entities and/or real estate-associated persons, through campaign donations, have weaseled this proposal onto the Denver City Council.

I am 100% against this 30-day short-term rental proposal and will seek legal advice on suing the city were such a measure to be passed. This transforms single-family housing into commercial property, which is expressly prohibited by my neighborhood's covenants. While I recognize the city has the power to rezone, I would view such a step as a material loss for me and my family, and I'm sure hundreds of families nearby would agree that they too would be affected in such a way. And of course, each council member who seeks to support this proposal will likely be recalled were you to support such a proposal.

Thank you.

Gregory R Fox  
5405 W. Mansfield Ave., Denver

## Barge, Abe M. - CPD Planning Services

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**From:** Batchelder, Nathan D. - Excise and Licenses  
**Sent:** Friday, February 12, 2016 9:07 AM  
**To:** Loucks, Stacie D. - Mayor's Office; Rowland, Daniel W. - Excise and Licenses; Barge, Abe M. - CPD Planning Services; Foster, Alex O - CPD Office of the Manager  
**Subject:** FW: Seeking your input on short-term rentals in your neighborhood  
**Importance:** High

FYI



**Nathan Batchelder, MPA**

Legislative Analyst | Dept. of Excise and Licenses  
City and County of Denver | 720.865.2809  
[Nathan.Batchelder@denvergov.org](mailto:Nathan.Batchelder@denvergov.org)

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**From:** Garcia, Margaret B. [mailto:mgarci@regis.edu]  
**Sent:** Wednesday, February 10, 2016 11:11 PM  
**To:** EXL Short-Term Rentals <STR@denvergov.org>  
**Subject:** FW: Seeking your input on short-term rentals in your neighborhood  
**Importance:** High

I appreciate your attention to the following communication sent my Councilman.

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**From:** Garcia, Margaret B.  
**Sent:** Monday, February 08, 2016 10:03 PM  
**To:** Flynn, Kevin J. - City Council  
**Subject:** RE: Seeking your input on short-term rentals in your neighborhood

Dear Councilman,

Thank you for the opportunity to respond to this City initiative.

I am President the Board of Directors of the Pinehurst Estates Country Club neighborhood association. Given the short time frame for response (as is noted in the Business Licensing Center information site), I am not able to poll, analyze, and forward the opinions held by the 112 households in this community. Nevertheless, your important message has been communicated to all residents; they were encouraged to voice their opinions directly to you.

I have, however, heard from many residents. The consensus of those opinions is adamant opposition to the Short Term Rental initiative.

Current zoning regulations do not permit the commercialization of properties in this single-family community. Homeowners look to the city to provide protective regulations that will maintain the residential character of this neighborhood and ensure the integrity of their property values. Allowing short term rentals violates that public trust. Our residents have worked hard to afford their homes and have made a conscientious decision to live in a residential area free from the noise, traffic, and disregard of residential values inherent in a commercial enterprise. We look to the City and its elected officials to preserve that public trust and help us preserve the intent of what it means to be a "single family" neighborhood.

Our elected officials must think about more than licensing and tax revenues. One would think the primary obligation is to maintain a quality of community life chosen by its residents.

I invite you to convey this message to the City Council and represent these views as our elected representative to City Hall.

Please continue to keep us informed about this matter. Specifically, we would appreciate a more precise timetable as to the progress of this proposal. Further, could you please share your insight as to its potential success or failure and, if the former, what justification is seen in allowing a business enterprise to operate in an historically residential neighborhood? Finally, how do you intend to vote on the STR proposal?

I would very much appreciate your response to these questions by February 15, 2016. It's important to keep this community apprised of the situation and your work on this matter.

Respectively,

Margaret Garcia

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**From:** Flynn, Kevin J. - City Council [Kevin.Flynn@denvergov.org]  
**Sent:** Thursday, February 04, 2016 4:53 PM  
**To:** Flynn, Kevin J. - City Council  
**Subject:** Seeking your input on short-term rentals in your neighborhood

To the heads of neighborhood, homeowner and community organizations in Council District 2:

You might have heard that the city council will soon take up consideration of allowing short-term rentals in residential districts. Current zoning in residential districts limits rentals to 30 days or longer. But the emergence of businesses such as Airbnb, HomeAway, VRBO, FlipKey and others, which make it easy to connect people looking to stay somewhere for as little as overnight without using commercial lodging such as a hotel, motel or bed and breakfast, has cities including Denver trying to find the right approach – whether to legalize short-term rentals and, if so, how to regulate and tax them as we do for lodging businesses.

You can read the background on this proposal at a section of the city's website:

<https://www.denvergov.org/content/denvergov/en/denver-business-licensing-center/business-licenses/short-term-rentals-.html>

On the Airbnb site today, I saw 22 listings for rooms or entire houses for rent in Council District 2. Last spring when I was checking during the election campaign, there were 12.

I would like to hear your input on this growing trend. Right now, from all I've studied, I have one big obstacle in the way of my considering this – the fact that residential districts generally prohibit commercial businesses. Can you take the pulse of your neighborhood and tell me what your residents think of this?



**Councilman Kevin Flynn • District 2**

3100-D S. Sheridan Blvd.

Denver CO 80227

Phone 720-337-2222

[kevin.flynn@denvergov.org](mailto:kevin.flynn@denvergov.org)

## Barge, Abe M. - CPD Planning Services

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**From:** Ed Routzon <edr@guysfloor.com>  
**Sent:** Monday, February 08, 2016 8:56 AM  
**To:** EXL Short-Term Rentals  
**Cc:** Flynn, Kevin J. - City Council  
**Subject:** STR

Allowing STR's would be the next step in deterioration of our neighborhoods. What do we end up with in STR's pimps , drug dealers or who knows what. Do our neighborhood remain safe for our children.? There are plenty of rooms available down the street in extended stay facilities. Neighbors are meant to build community not an enterprise endeavor. I am strongly opposed.

## Barge, Abe M. - CPD Planning Services

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**From:** Erin Hauser <Erin@emicomedia.com>  
**Sent:** Wednesday, February 10, 2016 8:52 AM  
**To:** EXL Short-Term Rentals; Deborah Ortega - Councilwoman At Large; kniechatlarge  
**Subject:** Short Term Rentals

We are writing to ask you to vote against allowing short terms rentals in Denver. We believe the city should be more concerned with quality of life for those who live here year round than with tax revenue opportunities, especially if those opportunities come at the expense of that quality of life.

Sincerely,

Erin & Thomas Hauser  
3941 South Benton Way  
Denver CO 80235

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Proposed Zoning Code Amendment, Short-term Rentals

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**From:** Looie [louis.ruhlin@gmail.com]  
**Sent:** Wednesday, February 10, 2016 10:23 AM  
**To:** Susman, Mary Beth - City Council  
**Subject:** Fwd: Proposed Zoning Code Amendment, Short-term Rentals

Dear Council Woman Susman,  
My apologies for not hand writing, but I'm enjoying the sun in Puerto Rico and thought this format the best to get my thoughts to you and the team making a decision.

I have personally used AirBnB all over the US and in Europe with amazing success. Their staff has been immediate in their response to any concerned I have had. Once someone's family made a last minute visit which made my half of the house unavailable. They gave me the choice of another home rental or a very nice hotel. On the other side I have had friends who have rented rooms with the best success. I have had wonderful experiences and I think with a bit of research we would find both renter and landlords have had more good than bad experiences. When my grandmother moved her due to her asthma on the 40s she lived in a very nice 'rooming house'. So short term rentals are nothing new to Denver. I am all for short term rental as long as a reputable booking company is used. For safety of the owner and guest, I believe a third party system with safety checks should be in place. Simply putting my guest room on Craigslist doesn't sound like a safe idea.

I have no skin in the game for this endeavor. I doubt many people want to room with a 100lb mastiff who thinks she is a lap cat.

So my opinion is minimal oversight other than a third party system that provides insurance and support to both parties.

Kindest Regards,

Louis Ruhlin

Begin forwarded message:

**From:** Dave Felice <gelato321@aol.com>  
**Date:** February 9, 2016 at 20:59:13 AST  
**Subject:** Proposed Zoning Code Amendment, Short-term Rentals

This message is for public information. No endorsement is intended or implied. Contact Community Planning and Development and/or your Council representative for further information. This message is subject to all provisions of the Colorado Open Records Act.

NOTICE OF PROPOSED DENVER ZONING CODE TEXT AMENDMENT			
<b>NAME AND NUMBER</b>	Text Amendment #8: Short-term Rentals		
<b>APPLICANT</b>	Councilwoman Mary Beth Susman 1437 Bannock St #451 Denver, CO 80202		
<b>SUMMARY OF CONTENTS</b>	This proposed text amendment would allow short-term rentals as accessory to a primary residential use, with limitations, where residential uses are currently allowed. The amendment is a companion piece to a proposal from Denver's Department of Excise Licenses that would establish a licensing and enforcement framework for short-term rentals (rentals of residential property for a period of fewer than 30 days)		
<b>CASE MANAGER</b>	Abe Barge Senior City Planner	<b>PHONE/EMAIL</b>	(720) 865-2924 <a href="mailto:abe.barge@denvergov.org">abe.barge@denvergov.org</a>
PLANNING BOARD PUBLIC HEARING INFORMATION			
Once scheduled, information on the Planning Board public hearing will be available at: <a href="http://www.denvergov.org/textamendments">http://www.denvergov.org/textamendments</a> . A Planning Board public hearing is tentatively scheduled for March 16, 2016.			
<b>** NOTICE IS PROVIDED TO ALL REGISTERED NEIGHBORHOOD ORGANIZATIONS **</b>			
<b>** NOTICE IS PROVIDED TO ALL CITY COUNCIL MEMBERS **</b>			

A redline draft of the above-referenced proposed Denver Zoning Code Text Amendment and a summary of the process can be viewed at <http://www.denvergov.org/TextAmendments/>.

Any questions regarding this application may be directed to the Case Manager above.

RNOs are encouraged to submit the "RNO Position Statement.pdf" located at <http://www.denvergov.org/Rezoning/> by email to CPD at [PlanningServices@denvergov.org](mailto:PlanningServices@denvergov.org) prior to the Planning Board Hearing.

**WRITTEN COMMENTS WILL BE DISPERSED AS FOLLOWS:**

Written comments received by 5 p.m. 9 days prior to the Planning Board Public Hearing will be attached to the staff report that is provided to the Board. Written comments received after that time and prior to 12 p.m. (noon) on the day before the Hearing will be emailed regularly to the Board; hard copies of these comments also will be distributed to the Board at the Hearing. Written comments received after 12 p.m. (noon) on the day before the Hearing will not be distributed to the Board; to ensure these comments are considered by the Board, please submit them to the Board during the Hearing.

**ALL INTERESTED PERSONS AND ORGANIZATIONS SHOULD EXPRESS THEIR CONCERNS OR SUPPORT AT THE PLANNING BOARD HEARING AND AT THE PUBLIC HEARING BEFORE CITY COUNCIL.**



Morgan Gardner | Operations Assistant  
Community Planning and Development | Planning Services  
City & County of Denver  
720\*865\*3262 Phone | [Morgan.Gardner@denvergov.org](mailto:Morgan.Gardner@denvergov.org)

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: short-term rentals

\*\*This email is considered an "open record" under the Colorado Open Records Act and must be made available to any person requesting it, unless the email clearly requests confidentiality. Please indicate on any return email if you want your communication to be confidential.\*\* \_\_\_\_\_

From: Judy Trompeter [schumpeter@me.com]

Sent: Friday, February 12, 2016 4:09 PM

To: Susman, Mary Beth - City Council

Subject: short-term rentals

To: City Council Members Ortega, Kneich, New, Brooks, and Susman

Thank you for holding public meetings around the city concerning the proposed licensing of short-term lease arrangements (STLs). We attended last night's forum and would like to share our thoughts with you.

Operating an STL is illegal in Denver. Are these operators being prosecuted? Are they paying hotel taxes? Are they including this income on their federal and state income taxes? Are they complying with equal accommodation laws?

It appears that most of the audience members at last night's meeting operate STLs and that they are attending each of the four forums the city is holding. We hope you will not count their opinions four times when deciding which rules to adopt.

The STL operators emphasized that they are helping their neighborhoods; one even said STLs are "creating a sense of community." We fail to see how they are doing so, other than by keeping their places clean. Most of those who spoke don't live near their STL; would they wish to live in a neighborhood with many STLs, or would they prefer a stable neighborhood for their own families? They also emphasized that their renters spend money in the city; of course, owners and long-term renters do, too.

Our building has 25 condo units and often has a nice feeling of community. Over half is owner-occupied, and the other units have had long-term renters. Residents help each other out occasionally with pet-sitting, loans of cars, shared food, and so on. The HOA does not allow businesses to operate in the units but has taken a wait-and-see attitude toward STLs, awaiting the city's rules. Two of the units (or nearly ten percent) have become STLs in the last year or so. One had been resided in by the owner for several years, and the other was purchased last year for the purpose of being an STL. We have asked our management company and HOA board if the owners checked with them to get approval in advance; it appears they didn't. As the next-door neighbor of the first STL, we know he did not inform us. There have been no problems that we know of in our building resulting from STRs, other than the occasional loud party, strong smell of marijuana, and cigarette butts tossed on the grounds; however, we are concerned that so many unknown people have access to our building and parking lot.

We don't have a problem with owners letting the occasional friend or family stay in their unit, and in fact on our 50th anniversary last year several of our neighbors lent us their units for the weekend, some for payment and one as a gift.

We are concerned that having so many properties used as STLs is diminishing affordable housing options in the city and is also pushing up housing costs, as purchasers are willing to pay more, knowing they'll reap income.

We prefer to live in a residential building, not in a motel. Hotels and motels belong in areas zoned for them, not in the midst of residential neighborhoods. STRs detract from efforts to build community in the building, on the street, and the neighborhood and are likely to destroy whatever neighborhood culture and cohesiveness currently exists.

In sum, we support the proposal which allows owners and long-term renters to infrequently rent out all or part of their primary residence.

Judy and Larry Trompeter  
1007 E. 17th Ave.  
Denver CO 80218

## Barge, Abe M. - CPD Planning Services

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**From:** Keith Howard <KeithHoward06@comcast.net>  
**Sent:** Tuesday, February 16, 2016 12:22 PM  
**To:** EXL Short-Term Rentals  
**Cc:** Palmisano, Lucas W - City Council Operations; Espinoza, Rafael G. - City Council; Sandoval, Amanda P - City Council Operations  
**Subject:** Re: Short Term Rental Questions & Concerns

Dear Mr. Batchelder,

Thank you for these responses to the questions I sent earlier this month. I appreciate this as a distinct improvement in the level of discussion of the STR subject. There is more to say and to argue, of course, and I may send additional questions and observations at a later time. Also, as indicated in my first email, I will share this whole email exchange with others. The factual information and draft text amendment language will be of interest to many.

Please allow me to point out a couple of gaps you could usefully fill in. My original question # 4 contained two related queries. You've answered the second one (no physical posting of STR properties,) but you've neglected the first (public availability of license.) I still think it's important to know how neighbors and other interested people can find the details of STR licenses. Can you please add that information to your reply?

The red-line version of the draft text amendment is mostly cut-and-dried. But for the definition of "primary residence" the red-line version refers me to DRMC Chapter 33. I believe I've found Chapter 33, but for the life of me I don't see any definition of "primary residence" there. Am I missing something obvious? I doubt that I'm the only person who is curious about this definition. Thank you in advance for finding the relevant DRMC passage, and for providing a correct (functional) citation.

I am puzzled about one provision of the STR limitation language. It is 11.8.9.1.H of the red-line version: "[**A Short-Term Rental**] **Shall not be subject to a maximum number of guests per night.**" I strongly object to this. A limitation on the maximum occupancy of an STR (presumably related to the physical size and capacity of the dwelling) would seem to be one of the most obvious measures for limiting potential harm to neighborhood amenity and stability. What is the licensing proposal's rationale for its failure to limit maximum occupancy?

Finally, your responses frequently refer to E&L regulations for licensing and supervision of STRs, but you don't offer any draft E&L language. Acceptable functioning of the licensing scheme will be dependent on workable regulations and effective enforcement. One gathers, also, that the STR Advisory Committee will be created and defined by E&L regulation. How can citizens (or City Council members) judge the prudence of the STR legalization/regularization without at least a draft of the necessary regulations? When will the definitions, rules, policies and procedures be available for study and comment?

Best regards,

Keith Howard

On Feb 12, 2016, at 9:49 AM, EXL Short-Term Rentals <[STR@denvergov.org](mailto:STR@denvergov.org)> wrote:

Hi Mr. Howard –

Thanks again for forwarding your questions and concerns to the STR email inbox. As mentioned in an earlier email to you last week, staff from both Excise and Licenses and CPD wanted to take the time to provide as much information as possible to your questions, so apologies for the delay in response. Please see our below responses to your questions in **RED**, and please do not hesitate to contact us if you have any other questions or concerns.

Again, we sincerely appreciate you taking the time to forward these questions and concerns, and thank you for your valuable input and feedback.

Best,

**Nathan Batchelder, MPA**

Legislative Analyst | Dept. of Excise and Licenses

City and County of Denver | 720.865.2809

[Nathan.Batchelder@Denvergov.org](mailto:Nathan.Batchelder@Denvergov.org)

<image001.jpg>

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**From:** Keith Howard [<mailto:KeithHoward06@comcast.net>]

**Sent:** Monday, February 01, 2016 1:13 PM

**To:** EXL Short-Term Rentals <[STR@denvergov.org](mailto:STR@denvergov.org)>

**Cc:** dencc - City Council <[dencc@denvergov.org](mailto:dencc@denvergov.org)>

**Subject:** Short Term Rental Questions & Concerns

1 February 2016

Denver CPD:

On January 23<sup>rd</sup> I attended a meeting of the INC Zoning & Planning Committee. Staff of Denver CPD presented the STR Licensing Proposal information that is now reproduced on [www.Denvergov.org/STR](http://www.Denvergov.org/STR). Although a number of questions occurred to me, I had no opportunity to ask them. This was partly due to the structure of the meeting, about which I will comment later. But, first, here are some questions that seem pertinent to me. I would like to understand the workings and ramifications of the proposed STR legalization/regulation, as well as to point out some incentives that may thereby be created. Thank you in advance for answering in writing, so that your definitive replies may be shared with other interested people.

1. When will the text of the Ordinance and the actual language of the zoning text amendment(s) be available for study? Will this material be published in time for the Community Town Hall Presentations Denver CPD has announced (2/3, 11, 17 and 25)? The definitions of “licensee” and “principal residence,” for instance, are fundamental to the STR licensing scheme. If the relevant texts are not yet available, why are the Community presentations being held now?
- 2.

3. The draft zoning text amendment is now available for public review at [www.DenverGov.org/textamendments](http://www.DenverGov.org/textamendments). Because ordinances and zoning text amendments tend to be overly technical for most members of the public, we are focusing outreach on the key principles and requirements that will be included, rather than the specifics of implementation. However, we welcome any comments you may have on the specific zoning amendments. The purpose of the town hall meetings is to important feedback that might need to be implemented in ordinance language to make our licensing framework more effective and responsive to the community. As we get further along in the public review process, the text amendment and ordinance language will also be available on the City's SIRE website as is done with all bills at the start of the official legislative process.

2. Is CPD proposing that STRs be permitted in ALL residential zone districts? If not, which residential zone districts will continue to exclude the STR lodging use?

The proposal is being made per direction from the City Council Neighborhoods and Planning Committee. It would allow short-term rentals in all zone districts where residential uses are currently allowed. This includes commercial districts, mixed-use districts, downtown districts, residential districts and some industrial districts where residential uses are currently allowed.

3. Permitting STRs in residential zone districts will benefit a relatively small subset of all residential property holders in Denver. But the proposed Council action will take away the majority's assurance that a neighbor cannot legally operate a hotel. As a reference point, what is the total number of residential dwellings in the City of Denver?

There are about 285,000 residential dwellings in Denver.

4. An STR license, in addition to being a valuable business asset, will also be an official action, and hence a public record, like a liquor license. Where and how will members of the public find this information? Will physical posting of STR-licensed properties be required? If not, why not?

Physical posting of STR-licensed properties will not be required. This is aligned with existing permitted uses such as home-based businesses and accessory dwelling units which do not require physical posting.

5. CPD's STR PowerPoint alludes to regulatory processes including revocation and show-cause hearings. It's likely that most citizens are unfamiliar with such processes. When will E&L publish the relevant rules and procedures?

6.

7. This is an issue for the STR Advisory Committee to take up in its work post ordinance adoption. The STR Advisory Committee can be useful in devising these types of information pieces and guidelines – not only for show-cause procedures, but also for additional education, awareness, or other communications to the public and STR hosts in the future.

6. The Licensing Proposal document states that STRs will be allowed in rental property, with "permission from the landlord of property owner." Will documentation of such permission be required for STR license application, and in what form? If landlord/owner permission is

withdrawn at any point, will the STR license cease to exist? Will operation of an STR without landlord/owner permission be grounds for immediate eviction? What other City ordinances, or other statutes, are relevant to this question and/or may need to be amended?

Excise and Licenses inspectors will have the authority to conduct investigations into whether or not a tenant has permission from the landlord or property owner to operate a STR - otherwise defined as "proof of premise". Our department will be able to request proof from either the tenant or the landlord that such permission does exist, and that proof may come in a contract, agreement, or any other sufficient form of demonstration that the tenant does, in fact, have proof of premise (permission from the landlord or owner) to operate at STR. Whether or not a tenant is evicted for conducting short-term rentals without landlord permission will be a matter for individual landlords. Fines or license revocation may occur where a tenant has improperly certified that they have landlord approval.

7. The Denver Housing Authority owns and/or administers approximately 11,000 rental dwellings. Can Denver CPD please ascertain what DHA's policy will be concerning STR use of those dwellings?

We will work with DHA to determine its individual policy on STRs. In most other cities, housing agencies have forbid or severely limited short-term rentals in dwelling units that are designated as affordable. Additionally, private HOAs also have authority to forbid or prohibit STRs through covenants and other restrictions.

8. What is an Affidavit of Certification, for the purposes of the "online application"? Is this a form of self-certification, or will applicants be required to document the assertions they are affirming?

STR operators will be able to apply for an STR license through our automated, online application system. Applicants will self-certify by simply clicking a box online to certify under penalty of perjury that they meet the requirements to operate an STR. This is similar to online certifications that occur today in many other industries and environments, where one certifies under penalty of perjury that the information is true and accurate. Because the application will be online via self-certification, there are no requirements to submit any additional hard-copy documents. However, if an investigation occurs on an STR license, our inspectors will have authority to request any documentation to prove the licensee meets the requirements set forth in ordinance.

1. We are proposing this online certification model to create a simple, streamlined, and easily-accessible licensing system to achieve as high a rate of compliance as possible. From researching STR licensing in other cities, we've found that when faced with extra-ordinarily cumbersome processes including in-person applications, on-site inspections, and other additional layers of requirements, hosts choose not to participate and continue operating illegally, which is something we want to avoid.
9. The Licensing Proposal seems to provide neither prior notice of an STR application nor any means to support or to protest such an application. Is this the intention of the Ordinance? In what manner, if any, may neighbors object to the annual renewal of an STR license? Why is the proposed STR licensing process so different from the process for the licensing/permitting of group homes?

The proposal does not provide a process for protesting an allowed short-term rental. Similar to other allowed uses, there is no mechanism to deny a use that meets applicable limitations and requirements. Excise and Licenses and/or Neighborhood Inspection Services will follow up on complaints regarding unlicensed short-term rentals or short-term rentals that are in violation of applicable limitations and requirements.

Group living uses, such as residential care, have a number of compatibility and spacing requirements that are not part of the proposal for short-term rentals. The Zoning Permit with Informational Notice (ZPIN) process that applies to uses such as residential care helps ensure compliance with the more detailed standards and provisions. The proposal for short-term rentals is also intended to create a streamlined process for applicants (who are residents rather than operators of facilities such as residential care) to license their short-term rentals. In cities with more complex requirements, compliance rates have been low. Additionally, Excise and Licenses only performs notification to surrounding neighbors or properties when there is a public hearing conducted for a particular license. Since our proposal does not include public hearings for every new STR license or renewal, we are subsequently not proposing any formal notification. However, the Director of Excise and Licenses has the ability to suspend and conduct a show-cause hearing on any STR license at any given time.

9. City Council and CPD appear to be hypnotized by the online STR platforms, and the Proposal leans very heavily on Internet infrastructure to accomplish its regulatory objectives. Indeed the PowerPoint states “STRs are still a new, dynamic industry across the nation.” However, I see nothing in the proposed ordinance that requires an STR licensee to use an online booking platform at all. Have I missed something? Individuals and institutions that own or control property in residential zone districts may wish to offer short-term lodging for a variety of purposes. Their reasons might well be economic, but philanthropic objectives could also come into play. Might not a person, or a Church, establish what would amount to a hostel for the benefit of displaced persons, refugees, unemployed veterans, itinerant Buddhist monks, family reunion visitors, migrant workers, or any other purpose? There would only need to be a resident manager to act as applicant/licensee. Advertising might simply be by word of mouth or church bulletin. Such establishments may not be a “new, dynamic industry,” but won’t the proposed STR Ordinance in fact allow them?

You are correct that there is no requirement for an online listing. A license number would be required on any posted advertisement (whether online listing or a flyer in a church). Short-term rentals would also be limited to a single party (i.e., a short-term rental host could not legally conduct short-term rentals to multiple parties at the same time). We will look into additional specific language to help address potential use of short-term rental licenses for unintended purposes.

11. The exclusion of lodging uses (except true B&Bs) from residential zone districts is long-standing and important feature of the Zoning Code. Thus, STR legalization will be a notable, even radical, departure. Under such circumstances, it is reasonable to provide an effective mechanism for reevaluation of the proposed new permission at some later date. The proposed Denver STR Advisory Committee is perhaps intended to assuage such concerns. But the description of the Committee makes it clear that this is a completely empty gesture – meaningless window-dressing. For such a Committee to be credible as a safety valve, the STR Ordinance must include a hard sunset date, and the Advisory Committee should sit during the whole term of the Ordinance. The Ordinance should define the membership of such a Committee so as not to over-represent the group/interest of the STR business. I suggest a four-year limit on the Ordinance,

after which it would need to be re-enacted, modified in the light of experience, or simply allowed to expire. Why is a hard sunset date not included in the proposed Ordinance?

Excise and Licenses is committed to establishing an STR Advisory Committee to continue evaluating, researching, and discussing STR issues if the ordinance is adopted by City Council. The STR Advisory Committee can include, but not be limited to residents, RNO representatives, city officials, city agencies, STR licensees, platforms, guests, tourism officials, etc. This STR Advisory Committee can meet as frequently as monthly, bi-monthly, quarterly, or whatever the committee feels is most appropriate. We are absolutely committed to keeping the STR Advisory Committee running in perpetuity if that's deemed necessary. Because this industry is fluid and dynamic, an STR Advisory Committee can be invaluable to our department to analyze and research issues as they continue to evolve, and we have no intentions of terminating that committee any time soon because of its value to our department. If there are any policy or administrative changes the advisory committee may feel need to be implemented, our Department can certainly take those recommendations or changes to Council, even before a proposed sunset date. Generally, we would advise against putting in a specific, hard sunset date in the ordinance, as it gives our department - and the STR Advisory Committee - more flexibility and responsiveness to adapt and remain flexible to situations.

Finally, I would like to point out that the City Council and Denver CPD, in developing the proposed Ordinance, are acting to benefit a very small special-interest group. These residential property holders -- a tiny minority -- are motivated by self-interest, and they are liberally backed by big money from outside Denver. AirBnB and the other platforms can easily afford lobbyists to tell their story loudly and persistently. I think it is absurdly unfair and entirely inappropriate for Denver CPD to organize "Community Meetings" where a small minority is enabled to monopolize the time available for public comment. I suggest that proponents of STR legalization be given a strictly limited portion of the meetings, say, no more than three or four advocates of that point of view. This would make it possible to hear from more members of the majority of neighbors who do not intend to engage in STR use of their properties.

Any and all STR community meetings are open to any member of the public. Additionally, a third party independent facilitator is managing the public comment portion of our town hall meetings. As with community meetings on other topics, we intend to engage in open dialogue with a variety of stakeholders. Most short-term rental hosts are also residents and neighbors, and we encourage comment from all of our Denver neighbors – hosts and non-hosts alike. Therefore, we are hesitant to purposefully separate participant comment by affinity as we move forward into the public comment period.

We sincerely appreciate you taking the time to contact us with your questions and concerns. Additionally, we encourage you to attend one of the upcoming town hall sessions to learn more about our proposed licensing framework, and to hear more from neighbors around the City on this important issue. Those remaining dates and times are listed below:

- Feb. 17, 6:30-8:30 p.m. – North High School, 2960 Speer Blvd.
- Feb. 25, 6:30-8:30 p.m. – Christ Church United Methodist, 690 Colorado Blvd.

Sincerely yours,

Keith Howard  
4303 Umatilla St.  
Denver, CO 80211  
303.477.5665

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Airbnb Tax Remittance and more

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**From:** Alex Dodd [alex@darleytravel.com]

**Sent:** Wednesday, February 17, 2016 8:20 PM

**To:** EXL Short-Term Rentals

**Cc:** Susman, Mary Beth - City Council; Barge, Abe M. - CPD Planning Services; Loucks, Stacie D. - Mayor's Office; [nathan.bachelder@denvergov.org](mailto:nathan.bachelder@denvergov.org)

**Subject:** Airbnb Tax Remittance and more

Greetings STR task force:

Thanks again for your time and patience at the town hall! I had a few points I was hoping to address during my short time on the floor that I was hoping we could discuss further:

### **Collection and remittance of lodgers tax by Airbnb**

Has City Council investigated the feasibility of having Airbnb directly collect and remit this tax? Could this possibly be legislated separately from the operational restrictions in the framework to fast track this element of regulation? Unlike primary residency requirements, there seems to be little to no pushback regarding the taxation of STRs

<https://www.airbnb.com/help/article/1036/how-does-occupancy-tax-collection-and-remittance-by-airbnb-work>

### **30 Day rentals via Airbnb**

Natalie from Highland had asked Abe about continued reservations for 30+ days on airbnb without listing a license #. He indicated this would be permitted. Is this not in direct violation of the proposed DZC text amendment 11.8.9.1c? Furthermore, why is this in the proposed amendment--can landlords never win?! This underscores how hurried and disjointed the proposed changes are.

### **Affordable housing**

As someone that has been able to live downtown thanks to Section 42 tax credit housing, I would never consider subletting my apartment on a short-term basis simply due to the unethical nature of profiteering off an unit that is funded by the public dollar. While it is likely a safe presumption that landlords of income-restricted housing would not permit such activities, I think there should be an explicit ban for STRs in income-restricted housing and increased penalties for anyone found to be exploiting such affordable housing programs. I've seen a couple of HUD developments have exceptionally "hands-off" property management and let the status quo of cheap rent preside which have allowed STRs to flourish in some of these affordable buildings, thus legitimately taking a rent-control unit off the market for someone in need.

Please consider these factors and others. I would strongly urge the STR task force to "slow their roll" of legislative adoption of the framework as-is. It will encourage a black market of STRs, doesn't protect the consumers/travelers and oversteps in a misguided attempt (primary residence) to curb the very limited number of STR-related complaints.

I'll see you guys next week! I know this is a lot to address, but I'd love to hear your thoughts on this. I can also be reached by phone directly at 303-669-9661 to chat further. Please consider forming the advisory committee prior to crafting legislation for this. There are many oversights that only an STR operator/expert could advise on.

Thanks for all that you do,

-Alex

Alex Dodd / Business Development  
+1 303.669.9661/ [alex@darleytravel.com](mailto:alex@darleytravel.com)

Darley Travel Office: +1 303.766.4000 / Fax: +1 303.766.4002  
25739 E Jamison Cir N, Aurora, CO 80016  
[www.darleytravel.com](http://www.darleytravel.com)



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## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Short Term Rentals

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**From:** Claire Nolan [Claire.Nolan@abm.com]  
**Sent:** Wednesday, February 17, 2016 4:02 PM  
**To:** Susman, Mary Beth - City Council; Herndon, Christopher J. - City Council District 8  
**Subject:** Short Term Rentals

I was finally able to purchase my first home a little over a year ago at the ripe old age of 40. My place is a unit in a 1951 four-plex. Shortly after moving in I discovered that the unit on one side of me rented their place out on VRBO. My quality of life has been greatly impacted. I can't tell you how many times I've had to knock on their door and tell them to be quiet or to stop chain smoking joints. There is no firewall in the attic between our units and if there was a fire the rest of the residents are in danger. The gaggle of 20-somethings smoking pot don't care about my safety or my investment. What is my recourse? The owner of the unit next door does not care. I could call the cops every week but that is a terrible waste of their time. How will the laws you pass protect me? I'm not a part of the "sharing economy" but my rights as a homeowner need to be protected.

Thanks,

**Claire Nolan**  
1544 Elm Street  
Denver, CO. 80220  
303-775-9778

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## Barge, Abe M. - CPD Planning Services

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**From:** betty jennings <bjjennings9@aol.com>  
**Sent:** Thursday, February 18, 2016 6:26 PM  
**To:** EXL Short-Term Rentals  
**Subject:** rental of homes

I stand in support of Denver's **existing** zoning regulations regarding rental property. I believe this refers to single family occupancy in some cases. I am unaware of existing rules about how long a landlord can rent a property. I question creating more regulations.

Betty Jennings

## Barge, Abe M. - CPD Planning Services

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**From:** mkateley <mkateley@yahoo.com>  
**Sent:** Thursday, February 18, 2016 7:21 PM  
**To:** EXL Short-Term Rentals  
**Subject:** FW: Short Term Rentals regulations

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**From:** mkateley [mailto:mkateley@yahoo.com]  
**Sent:** Thursday, February 18, 2016 19:18  
**To:** 'Espinoza, Rafael G. - City Council'  
**Cc:** 'str@denverorg.org'; 'Contreras, Rita B. - City Council'  
**Subject:** RE: Short Term Rentals regulations

Thank you for the information about the public meeting. I did attend. I felt very outnumbered and choose not to say anything in the public forum. Plus I don't have the personality for speaking in front of large groups of people. One of the individuals working the meeting said I could send my comments to [str@denverorg.org](mailto:str@denverorg.org) email address (I've CC'ed on this e-mail).

**I have lived next to a full time non-owner occupied STR in excess of six years. I strongly support all of the proposed licensing requirements presented last night including that STRs to be owner occupied.**

I must say that my experience living next to a STR was completely different from the majority of people speaking at the public meeting last night. The full-time STR (non-owner occupied) next to me has guest in excess of 200 days per year. I can't tell how many times I've had bachelor parties, bridal parties, large groups of people for birthday parties, football games, etc. Heaving drinking, pot smoking, cursing language in the backyard has been common occurrence. Noise has been an issue and some guest have thrown trash into my backyard. It can wear on a person living next to one group after another who are coming to Denver for a good time. Sometimes you can have "parties" going on until the early morning hours. Fundamentally living next to a full time STR is not always a pleasant.

I assume that last night meeting was so heavily pro-STR do the money involved. The owner of the STR next to me told me one year that they grossed over \$100K one year. That is very serious money and I guess if I had a venture that was grossing me \$100K I would be passionate about protecting it. I do know that three of my neighbors to the north also have issues with the two full time STRs on our street (we have a second one 5 house to the north). So on my street more people have an issue with the full time STRs then don't.

With this said, obviously not every guest is a problem and I have taken to texting the people managing the listing for the owner about the noise. And the people managing the STR do take my issues seriously. And I agree that if this was a LTR that I would not want to live next to half of the guest. So there is a little relief that "in a few days they will be gone" 😊

I do hope that my voice can be heard, for those of us that might be introverts 😊 and not comfortable speaking in public meeting.

Thank you for your time

Mike Kateley  
2819 Wyandot Street  
Denver, CO 80211

P.S – I did try to introduce myself after the meeting but you were surrounded by your constituents. I couldn't tell if they were friend or foes but I didn't learn that I never want to be a City Councilman 😊. Thanks for do it.

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**From:** Espinoza, Rafael G. - City Council [mailto:Rafael.Espinoza@denvergov.org]  
**Sent:** Thursday, February 04, 2016 09:35  
**To:** mkateley@yahoo.com  
**Cc:** Contreras, Rita B. - City Council  
**Subject:** Short Term Rentals regulations

Hi Mike. Thank you for your email regarding short term rentals.  
If you are interested, and want to share your input, I am co-hosting a public meeting regarding short terms rentals on Weds., 2/17, 6:30 p.m. at North High School.  
It would be great to hear different perspectives on this issue as we continue to explore how to regulate.  
I appreciate your feedback.

Rafael



**RAFAEL ESPINOZA, AIA**  
CITY COUNCILMAN  
COUNCIL DISTRICT I  
720-337-7701

*\*Correspondence with this office is an open record under the Colorado Open Records Act and must be made available to anyone requesting it unless the correspondence clearly states or implies a request for confidentiality. Please expressly indicate whether you wish for your communication to remain confidential.*

**Barge, Abe M. - CPD Planning Services**

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**From:** Ejlorimer@aol.com  
**Sent:** Thursday, February 18, 2016 6:40 PM  
**To:** EXL Short-Term Rentals  
**Subject:** NO for Residencial areas

NOT one person in my neighborhood was polled. I suspect the survey went to density areas rather than established neighborhoods.

I will move out of Denver if this is passed. Unfortunately, I live on 1/4 acre so imagine it will become an 8 story building with zero parking to satisfy this dumb overbuilding Denver City Council is so in favor of. The Boulevard One properties are \$800K+. That's insane for affordable housing.

I don't want sex traffic, dope parties and who knows what next door to me.

NO PLEASE DO NOT PUT STR INTO MY NEIGHBORHOOD

**Barge, Abe M. - CPD Planning Services**

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**From:** kmacnaug@aol.com  
**Sent:** Thursday, February 18, 2016 5:21 PM  
**To:** EXL Short-Term Rentals  
**Subject:** Primary residence for rentals

DEFINITELY Primary Residence for rental or secondary building.

## Barge, Abe M. - CPD Planning Services

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**From:** Charlie Foster <cfosltd@aol.com>  
**Sent:** Friday, February 19, 2016 5:42 PM  
**To:** EXL Short-Term Rentals  
**Subject:** Short Term Rentals

I have gone on the web and found people offering their home as “sleeps 16” or a bedroom that “sleeps 6”. I believe the requirement that it is the owners primary address is good. That prevents someone from buying or renting a house and turning it into a boarding house. A renter may not care how much it damages the home or neighborhood. They can just move on if evicted. The parking issue is also very important and should be part of an inspection before the short term rental is licensed.

Thank you, Charlie

## Barge, Abe M. - CPD Planning Services

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**From:** Pat Salas <psalas8@aol.com>  
**Sent:** Friday, February 19, 2016 11:51 AM  
**To:** EXL Short-Term Rentals  
**Subject:** short term rentals....DO NOT allow

many of us have paid taxes for 30-40 years to build a city and protect quiet neighborhoods....just because Johnny Come Latelays and Carpetbaggers want to invade....and destroy the parking situation, the aura of peace and Make A Profit for their own pockets off OUR misery with noise and disruption.....doesn't make it right.

**From:** Vorndran, Judith [mailto:jvorndran@taxops.com]  
**Sent:** Friday, February 19, 2016 7:14 PM  
**To:** EXL Short-Term Rentals <STR@denvergov.org>  
**Cc:** 'Bob Cotton (bob.cotton@gmail.com)' <bob.cotton@gmail.com>; Vorndran, Judith <jvorndran@taxops.com>  
**Subject:** Short Term rentals - AirBnB, VRBO, Homeaway etc

To whom it may concern,

I practice in the area of State and Local Taxation and am also a 2<sup>nd</sup> home owner (Breckenridge & Steamboat) where ST rentals are allowed and possibly encouraged. We rent out our homes via VRBO.com and Homeaway.com. We have short term rented our Breckenridge home for over 13 years and have only recently acquired the Steamboat condo. By using VRBO.com etc, we have helped many a family arrange to be together in a meaningful way on vacation. We have helped state and local governments by collecting and remitting lodging taxes on ST rentals to help pay for roads, police, fire etc.. And have managed our rentals by creating a rental agreement, whereby our guests do not create a nuisance and are expected to treat our home with respect as well as the local community.

It is not only nice to have folks enjoy our home in our absence, it has offered us flexibility financially so that we have an offset to the costs of repair and maintenance as well as giving us an avenue other than the often disappointing stock market as an investment towards our retirement.

I am sorry to hear that Denver is looking to inhibit the possibility of short term rentals by requiring an primary residence requirement. Given the increasing interest in VRBO.com, Homeaway.com and AirBnB.com – it has become apparent that vacationers want more options than hotels and motels. I would hope that the Town Council would see this as a potentially viable way to create increased revenue via lodging taxes as well as increasing property values for property tax purposes as allowing ST rentals will give additional flexibility to purchasers and thus, create more buyers.

I believe that ST rentals are the way of the future and limiting them is not going to eliminate them, but will create an underground market that will be hard to regulate and potentially turn Denver (which is a tourist destination) into a “police” city whereby neighbors are encouraged to “rat” on other neighbors and guests feel unwelcome or excessively interrogated. Is that what you want Denver to become? An unwelcome town where tourism is discouraged?

As a tax advisor, I often see local governments trying to get non-voter money –what better way than tourism via lodging taxes?

Our ST rentals are in better shape than our LT rentals, due to constant cleaning and maintenance. ST rental ownership offers an alternative to the stock market for personal investment which empowers the middle class to diversify their financial portfolios, ST rentals allow affordable rentals for folks that prefer to cook in and enjoy a living room area, rather than a bed and a desk requiring room service, Guests can explore neighborhoods rather than downtown areas or tourism specific areas which increases the spending throughout the community and not just in concentrated areas, ST rentals by on premise or off-premise residential homeowners such as myself is a sort of ambassador program whereby personal relationships are created with the guest and absentee or 2<sup>nd</sup> homeowner.

There are a multitude of reasons why the benefits of allowing ST rentals are advantageous and creating oppressive primary ownership requirements is frankly just silly. If developers want to buy up a bunch of VRBO rentals, then so be it, it is certainly more than a part time job to rent out a litany of residences, it is certainly not something for the faint of heart or time.

Regards,  
Judy

*Judy Vorndran, CPA, Esq.*  
*State and Local Tax Partner*



Phone: 720-227-0093  
Cell: 720-837-8939  
Fax: 720-227-0071  
Email: [jvorndran@taxops.com](mailto:jvorndran@taxops.com)

Visit our website at [www.taxops.com](http://www.taxops.com)

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## Barge, Abe M. - CPD Planning Services

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**From:** Charles Parden <charles.parden@yahoo.com>  
**Sent:** Saturday, February 20, 2016 9:50 AM  
**To:** EXL Short-Term Rentals  
**Subject:** STR Question

To whom it may concern:

Concerning STR's, I am very much opposed to this form of lodging. It is unfairly taking advantage of the existing residential fabric created by the residents. Clearly, short term rentals enjoy the benefit from the positive aspects of a community that exist only because permanent residents made it that way. I only see the possibility of serious negative impacts from this versus anything positive. I object to the idea of "shared economy" especially when it is only a one way street. The current residents do not benefit in any way by allowing rentals. The reality is; people who can afford two or multiple properties are in business of making money off of those properties, and not all of them do a responsible job of maintaining the properties or integrating them into the community.

Finally, when the zoning regulation was created to allow long term rentals, the allowance of 30 day and longer rentals was specified to avoid the likely hood of short term rentals. There was a reason for that, and it still exists today.

Sincerely,  
Charles Parden  
2830 S. Monroe St.  
303-757-8182

\*\*This email is considered an "open record" under the Colorado Open Records Act and must be made available to any person requesting it, unless the email clearly requests confidentiality. Please indicate on any return email if you want your communication to be confidential.\*\*

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From: Fred Hammer [fred.hammer@comcast.net]

Sent: Monday, February 22, 2016 9:05 AM

To: Susman, Mary Beth - City Council; [Paul.Kashman@denvergov.org](mailto:Paul.Kashman@denvergov.org); Clark, Jolon M. - City Council

Cc: Lopez, Paul D. - City Council Dist #3; Flynn, Kevin J. - City Council; Black, Kendra A. - City Council; Herndon, Christopher J. - City Council District 8; Brooks, Albus - City Council District 9; New, Wayne C. - City Council; Gilmore, Stacie M. - City Council; [Robin.Kneich@denvergov.org](mailto:Robin.Kneich@denvergov.org); Ortega, Deborah L. - City Council

Subject: Short Term Rentals---a Denver Property owner's perspective

As an owner of several rental properties in Denver (none of which are used for short term rentals), and a user of AIRBNB, kindly permit me to weigh in on the Short Term Rental (STR) issue.

The attached short document has the following sections:

Disclosures

AIRBNB

Acceptance by Denver Residents

Economic Benefit for Denver Host Individuals

RNOs and INC

Recommendations

Thank You.

Fred E. Hammer

Dear Council Members:

## DISCLOSURES

1. My five rental units are in the West Wash Park and Platt Park neighborhoods. They are all rented with a minimum of one year leases and each has either off street parking or garages.
2. I have no intention of using these rentals on a short term basis—the economics are better for me on long term leases.
3. I am a member of the West Wash Park zoning committee and am active with the Platt Park RNO.

## AIRBNB

1. My wife and I have used AIRBNB, recently, in both Europe and Florida, and our experiences were outstanding. We found great values in safe accommodations with very friendly, responsible hosts.

2. Over 100 cities worldwide have embraced AIRBNB. Denver justifiably prides itself on being a world-class city. By allowing AIRBNB Denver would be in the company of places like Paris, Brussels, Portland, Austin, Seattle, Chicago and Naples (Florida) to name a few.
3. AIRBNB stresses high quality. They have a screening process for both hosts and clients and they reject those not passing their criteria. Not just anyone can become a host or client. And, they offer a “neighbor hotline” on their very complete web site whereby any person who has a complaint regarding parking, noise, pets, etc. can contact AIRBNB. At the end of the stay, both the client and the host fill out an on-line evaluation form and AIRBNB can deny future privileges if warranted.

#### ACCEPTANCE BY DENVER RESIDENTS

In a recent Denver Post poll approximately 60% of respondents supported allowing Short Term Rentals even when the property owner was not present.

#### ECONOMIC BENEFIT FOR DENVER HOST INDIVIDUALS

For many lower/middle income families, using an extra room or basement as a Short Term Rental produces income that helps to pay rent, mortgages, student loans, child care, etc. The houses used by AIRBNB are rarely found in high-income areas, so this primarily a low/middle class phenomenon.

#### RNOS AND INC—ACTIVIST GROUPS

1. I doubt if many, if any, of the activist (albeit well-intentioned) crowd that is trying to stop or overly regulate STRs have ever used AIRBNB—they tend to be against any change that enables more economic freedom and self-reliance. In many cases they seem to want to build a virtual gated community around their neighborhoods. Their arguments tend to be based on emotions, worst case scenarios and bigger government with more regulations rather than being opportunistic and forward thinking.
2. These groups frequently cite outlier complaints; however, the host organization (AIRBNB, for example) has policies in place to deal with those relatively isolated instances. If they didn't, their reputation-and their bottom line would suffer and their business model would not prosper. Therefore, the business is largely self-regulating.

#### Recommendations:

1. Join other world class cities in allowing Short Term Rentals, whether the host is an owner or a tenant.

2. If there is concern about properties where no host is present, you could limit the number of those properties to no more than three per owner, to avoid mini-hotels sprouting up by a corporation;
3. Obviously require the host to pay appropriate taxes;
4. DO NOT expand city government by hiring full time, 24/7 neighborhood inspectors. The existing network of inspectors, supplemented by the city web site and enhanced use of email and/or social media, combined with the built in self-regulation of the STR themselves, should suffice. Most current violations enforced by neighborhood inspectors are reported on an exception basis, by neighbors, and any STR problems should be treated the same way;
5. Remember that groups like RNOs are not necessarily illustrative of the community at large. This is even truer in the case of an uber activist group like INC, who seems to think, at times, that council reports to them.
6. Listen to people who have actually used STRs, either as a host or a client.

Respectfully yours

Fred Hammer

[Fred.Hammer@comcast.net](mailto:Fred.Hammer@comcast.net)

303 667-6501

Properties at 747 South Washington St, 1400 South Pennsylvania and 1370-72-74 South Clarkson

February 22, 2016

Michael & Matthew Socha  
4969 Ceylon Way  
Denver, CO 80249  
202-531-4599

Dear Council Members:

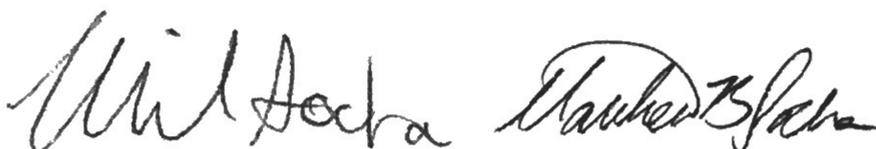
We wanted to write to express our views on home sharing, as we have heard that it is up for review by the council. My husband and I started renting out an extra bedroom on Airbnb in March of 2015. We have hosted over 30 travelers and have had nothing but the best experience with it. We were saving up for a down payment on our dream home, and this seemed like a great way to meet new people and supplement our income at the same time. The majority of the people who have stayed with us were looking at Denver as a potential place to move and wanted to stay with and speak with a local person to learn more about the different parts of town and what the culture is like here. They could not get that perspective staying at a hotel. We keep in touch with a number of the people that we have met through Airbnb.

We are now very close with a lesbian couple who are originally from Spain, but won the Green Card Lottery and moved to America in search of their "American Dream." They moved from Barcelona, into our spare bedroom for a month. Upon arrival in Denver, we were able to help them with adapting to American Culture, answer questions, discuss economy, assist with resume creation and interviewing techniques, as well as what to do in spare time. Both girls found their dream jobs within a month of arriving in the United States and are very happily living in their own home. They would not have been able to adapt as quickly without our help, and we are so grateful to have met them, as they are wonderful people.

As far as legislation is concerned, We urge you all to allow for home sharing to continue and not to make it too tough on the home owner to participate. We would encourage Denver to make laws that would help its citizens to have this option, if they so choose. We would support adding a tax to the stay, as we would not want Denver to miss out on extra revenue to keep our amazing city great.

Thank you for taking the time to gather feedback from your constituents!

Sincerely,

Handwritten signatures of Michael and Matthew Socha in black ink. The signature on the left is 'Michael Socha' and the signature on the right is 'Matthew Socha'.

Michael and Matthew Socha

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Short Term Rental Ordinance

----- Original message -----

From: "Susman, Mary Beth - City Council" <[MaryBeth.Susman@denvergov.org](mailto:MaryBeth.Susman@denvergov.org)>  
Date: 2/23/2016 5:38 PM (GMT-07:00)  
To: Scott Hemerda <[shemerda@gmail.com](mailto:shemerda@gmail.com)>  
Cc: "Batchelder, Nathan D. - Excise and Licenses" <[Nathan.Batchelder@denvergov.org](mailto:Nathan.Batchelder@denvergov.org)>  
Subject: RE: Short Term Rental Ordinance

Mr. Hemerda,

Thank you for your letter. I am cc'ing the city agency that is helping us with this issue and make sure your letter is part of the public record we have on feedback. You can also visit [www.denvergov.org/str](http://www.denvergov.org/str) to post your letter.

mb

**Mary Beth Susman**

Denver City Council | District 5  
720.337.5555 Phone | 720.337.5559 Fax  
[marybeth.susman@denvergov.org](mailto:marybeth.susman@denvergov.org) | [Dial 3-1-1 for City Services](#)

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**From:** Scott Hemerda [[shemerda@gmail.com](mailto:shemerda@gmail.com)]  
**Sent:** Tuesday, February 23, 2016 1:55 PM  
**To:** Susman, Mary Beth - City Council; Palmisano, Lucas W - City Council Operations  
**Subject:** Short Term Rental Ordinance

Hello, my name is Scott Hemerda. **I am against the primary residence requirement in the new proposed ordinance.**

I'm the owner of Denver Premier Vacation Rentals. We're a new company to Denver, but our Premier Vacation Rentals group operates in the cities of Durango, Ouray and Ridgeway Colorado and we're currently opening divisions in Moab, Utah, and Bend, Oregon. In the communities we operate in we're known for managing our owner's homes with care and professionalism, and we pride ourselves on being excellent stewards to and neighbors in the communities where we operate. It is our experience that many of the fears associated with the impact of vacation rentals are anecdotal rather than based on factual incidents and experience. We both professionally manage homes for our owners, and we also personally own vacation rentals in the communities we work in. In either case, noise, parking, trash and other complaints are extremely rare in our experience with vacation rentals. We almost never encounter the kinds of fears folks tend to bring up at town hall meetings.

Our company was intimately involved recently in working with the city council of Durango, Colorado as they addressed the vacation rental property use, and I thought I'd share a couple of the positive outcomes that were implemented there:

- In order to alleviate concerns about vacation rentals displacing other types of housing, whether long-term rental or affordable, Durango implemented density standards within community zones. Once the allotted permits were fully committed in each zone, other applying homeowners were put on a waitlist until a permit freed up. This struck us as both a fair way to limit impacts on neighborhoods, and a fair allocation of the use of vacation rentals to desirous homeowners who chose to subsidize their property costs with some revenue in lieu of the often more destructive alternative of long-term rental.

- Durango created a streamlined permitting process that applicants could complete on-line. Since the implementation of this process, Durango's compliance with city lodging taxes, and other code requirements has steadily increased.

- Though Durango, like most cities had no significant historical complaint record regarding vacation rentals from citizens reporting to their compliance divisions, now the vacation rentals there are registered, paying their relevant lodging taxes, and there's an immediately accountable party should there be any issue that arises for compliance officers to investigate.

- One interesting outcome in Durango of the new city ordinance was that the number of vacation rentals who were not complying with the rules and regulations of the city has dramatically decreased as the process for registering was streamlined and made more accessible. All vacation rental ads on sites like VRBO, HomeAway and AirBNB are regularly audited for required permit numbers, and the violators are far more easy to identify, fine and get into compliance.

These are just three of the improvements in public policy implemented in Durango that we felt were excellent compromises between all of the stakeholders. There were many others. As homeowners and business owners we're in favor of rational, fact based rules and regulations for vacation rentals. It's good for our communities, and it's good for our homeowner customers. This is one issue where good policy can create wins for both sides of the issue, and ensure more likely and revenue generating compliance.

Best of luck to all involved in promoting rational and sensible policy in Denver.

February 24, 2016

Abe Barge, Senior City Planner  
Planning Services  
Community Planning and Development  
201 W Colfax Avenue, Dept 205  
Denver CO, 80202

Re: Short Term Rental-Denver Zoning Code Text Amendment

Dear Mr. Barge,

Shown below in blue are suggested changes and comments on the public review draft of the short term rental text amendment to the Denver Zoning Code.

#### 11.7.1.2 Limitations Applicable to All Accessory Uses A. General Limitations

All accessory uses, except accessory dwelling unit uses and Short-term Rental accessory uses in a person's or persons' primary residence, shall comply with all of the following general limitations. Accessory dwelling units, where permitted, shall comply with the specific conditions limitations stated in Section 11.8.2, Accessory Dwelling Units, instead of these general limitations. Short-term Rental accessory uses in a person's or persons' primary residence, where permitted, shall comply with the specific limitations stated in 11.8.9, Short-term Rental, instead of these general limitations. [Note: These changes seem necessary to make clear that Short-term Rentals are only allowed in a person's primary residence and not allowed in ADUs on the same lot as the person's primary residence as discussed in previous Neighborhood & Planning Committee meetings. The summary of the text amendment also provides that Short-term Rentals are allowed either in the primary structure or accessory structure, not both.]

#### Section 11.8.9 SHORT-TERM RENTAL

##### 11.8.9.1 All Zone Districts

In all Zone Districts, where permitted with limitations, a Short-term Rental:

A. Shall be clearly incidental and customary to and commonly associated with the operation of the primary residential household living use in the person's or persons' primary residence.

B. Shall be legally operated by the person or persons maintaining the dwelling unit used as their primary residence. [Note: Short-term Rentals should be required to be "legally operated" just as Home Occupations are required to be legally operated pursuant to Section 11.9.2.1. If a Home Occupation is not legally operated it is not considered a residential use. Likewise, if an STR is not complying with applicable laws or the licensing requirements in Section 11.8.9.2, the Short-term Rental should not be considered a permitted use. The Denver Post's December 13, 2015 story "Study finds racial bias on Airbnb" shows operators of STRs may not be complying with public accommodation nondiscrimination laws for example. STRs are public accommodations and not a private activity as Airbnb and VRBO advocates like to claim. STRs publicize their lodgings on Airbnb and VRBO websites just as hotels do and should be complying with the same public accommodation nondiscrimination laws applicable to hotels.] For purposes of this provision, "person or persons" shall not include any corporation, partnership, firm, association, joint venture, or other similar legal entity. For purposes of this section 11.8.9, the term "primary residence" shall have the meaning prescribed thereto in D.R.M.C. Chapter 33.

C. Shall not include rentals where the length of stay per guest visit is 30 or more days.

D. Shall not be located in any accessory dwelling unit that is not a person's or persons' primary residence, mobile homes, recreational vehicles, or travel trailers. [Note: Short-term Rentals can more easily negatively impact a neighbor's use and enjoyment of their residential property if allowed in ADUs that are on the same lot as the primary structure of the STR operator because the STR operator does not really need to deal with the transient occupants being in their primary structure. In that instance, it is a neighbor closest to the ADU that will bear the negative impacts of the mini-hotel operation. It would be better if Short-term Rentals were banned in ADUs all together.]

E. Shall not display or create any external evidence of the Short-term Rental, except one nonanimated, non-illuminated flat wall or window sign having an area of not more than 100 square inches.

F. Shall not have any employees or regular assistants not residing in the primary or accessory dwelling unit located on the subject zone lot.

G. Shall not include simultaneous rental to more than one party under separate contracts. [Note: An STR operator could avoid this rule by simply not entering into contracts with any of the transient occupants.]

H. Shall not be subject to a maximum number of guests per night if the Short-term Rental is provided to a party of related people, or up to three unrelated people if the Short-term Rental is provided to a party of unrelated people. [Note: Boulder adopted a similar approach to limit STRs being used for parties or other similar gatherings. This approach is also in line with the STR proponents' concept of legalizing STRs in Denver only to benefit people renting out an extra room or two for a small amount of additional income to make ends meet as opposed to running an investment property, B&B or mini-hotel as a commercial enterprise. I doubt that argument is truly what is driving the legalization of STRs given the apparent influence Airbnb and VRBO have had on this entire process of legalizing STRs, but at least placing a limit on the number of guests in an STR as Boulder did would help minimize the negative impacts of STR legalization.]

I. Shall not be located within 500 feet of any other legally operated Short-term Rental that has previously complied with the licensing requirements described in Section 11.8.9.2 as measured along the same face block from zone lot line to zone lot line. [Note: This is a concept used for B&Bs in Section 9.4.4.8.E of the Denver Zoning Code and by Durango to limit clustering of these commercial operations in residential neighborhoods. This would avoid a clustering of STRs on a particular street in a residential neighborhood, but does not address Inter Neighborhood Cooperation's suggestion of capping the number of STRs in zones similar to Durango's zone caps to limit STR clustering.]

#### 11.8.9.2 Related Provisions

Related provisions governing licensing requirements for a Short-term Rental are found in D.R.M.C. Chapter 33.

11.8.9.3 Reservations. Denver reserves the right to modify or remove the provisions in this Code regarding Short-term Rentals at any time without any compensation to any person or party asserting a claim against Denver for compensation or damages. [Note: Denver should reserve the right to change these STR rules at any time and without compensation to anyone. Airbnb and VRBO have openly said that they will support any claimant that sues a governmental unit for compensation when the governmental unit changes or limits STR rights. The changes being contemplated here do create a new property right to operate a commercial business in one's home similar to a hotel. If Denver residents can later convince a different elected City Council to ban or curtail STRs because of the ill effects of legalizing STRs in residential neighborhoods, Denver could face huge claims for lost profits from STR operators.]

#### Short-term Rental

The provision of temporary guest housing to non-residents in a primary dwelling unit, for compensation, by the person or persons maintaining the same primary dwelling unit used as their primary residence. The length of stay per guest visit is less than 30 days. Short-term Rental does not include rental of a dwelling unit for meetings such as luncheons, banquets, parties, weddings, fund raisers, or other similar gatherings for direct or indirect compensation.

Dwelling: Any building or portion of building that is used as the residence of one or more households, but not including hotels and other lodging accommodation uses, hospitals, tents, or similar uses or structures providing transient or temporary accommodation with the exception of an accessory Short-term Rental accessory uses permitted under Section 11.8.9. [NOTE: Placing "accessory" in front of Short-term Rental here and then not clearly limiting the Short-term Rental definition to a primary residence will leave Denver exposed to claims by Airbnb and VRBO advocates that STRs are allowed in ADUs on the same lot as the person's primary structure.]

Thank you for considering these changes.

Sincerely,

Jeffrey Smith

cc: Denver City Council  
Mayor Michael B. Hancock  
Inter Neighborhood Cooperation

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: STR

-----Original Message-----

From: P G Sterritt [mailto:pgspub@gmail.com]  
Sent: Thursday, February 25, 2016 7:03 PM  
To: EXL Short-Term Rentals <STR@denvergov.org>  
Subject: STR

Hello,

I'm writing to express my satisfaction with the ordinance as currently described on the website.

In particular, I support the limitation that only the licensee's primary residence may be made available as an STR. I do not wish to see a single licensee be able to provide multiple STR units, as I feel this is not in the spirit of STRs and has a strong potential to reduce availability of low-cost housing.

Thank you,

Phillip Sterritt  
1260 S. Grape St.  
Denver 80246

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Denver's Proposed Draft Ordinance Restricting Short Term Rentals (STR)

---

**From:** John Beck [john@wellspringwatertechnology.com]

**Sent:** Wednesday, March 2, 2016 12:00 PM

**To:** Espinoza, Rafael G. - City Council

**Cc:** Flynn, Kevin J. - City Council; Lopez, Paul D. - City Council Dist #3; Black, Kendra A. - City Council; Susman, Mary Beth - City Council; Palmisano, Lucas W - City Council Operations; Kashmann, Paul J. - City Council; Clark, Jolon M. - City Council; Herndon, Christopher J. - City Council District 8; Brooks, Albus - City Council District 9; New, Wayne C. - City Council; Gilmore, Stacie M. - City Council; Deborah Ortega - Councilwoman At Large; kniechatlarge; Shahla Hebets

**Subject:** Denver's Proposed Draft Ordinance Restricting Short Term Rentals (STR)

Dear Mr. Espinoza:

I would like to express my strong opposition to the primary-residency requirement contained in the subject draft ordinance. I am asking you to carefully consider the significant negative impact that this restriction will have on the city of Denver if approved. As an owner of a property in the Lower Highlands area of Denver I have seen firsthand the positive, beneficial impact of STR's on that neighborhood. Affluent tourists, visiting Denver for many of its outstanding attractions, bring significant dollars into the local economy as they visit retail shops, restaurants, bars, etc and spend money there that otherwise would not be spent. STR owners can also generate significant tax revenues for the city via lodging and sales tax collected on these rentals. Local contractors and vendors are employed to keep these properties in tip-top condition to ensure continued rental success in a healthy competitive environment. As a result of these high maintenance standards, STRs **improve** the value of neighborhoods, usually far more so than long-term rentals do. Additionally, I know of many owners who will likely be forced to sell their STRs in the event this draft ordinance is approved. Should a significant portion of owners choose this reaction, property values will likely be negatively impacted. I also personally take offense to having my rights as a property owner unduly restricted. I should be able to do what I want with my property, that is a basic American right. Neighbors don't get to choose their neighbors, long-term or otherwise, and rightfully so.

Much of the opposition to STRs is based on profoundly faulty assumptions. STRs do not change the nature of neighborhoods from residential to commercial. I personally rent often from STRs in various cities around the country because my family, which consists of 5 people, prefers to vacation together, under one roof, in a comfortable and affordable residence and not in two rooms at some hotel. I think many STR renters are in the same boat. STR's have no impact on the availability of affordable housing as they represent a very small fraction (estimated at less than one-half of one percent) of the total number of residential homes in Denver. Finally, outlawing non-primary residency is fundamentally discriminatory. Medium-term (>30 day) and long-term rentals, Bed and Breakfasts and Hotels are not held to this same, discriminatory standard. Why single out STRs? It simply is not fair.

I hope you carefully consider these objections when you discuss and decide on the final ordinance. Please do the right thing and resist the spurious arguments and special interests pressuring you into making this mistake.

Kind regards

John Beck

Property owner – Lower Highlands



## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Primary Resident Rule

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**From:** Ian Brown [brownih@hotmail.com]

**Sent:** Wednesday, March 2, 2016 12:50 PM

**To:** Clark, Jolon M. - City Council

**Cc:** Espinoza, Rafael G. - City Council; Flynn, Kevin J. - City Council; Lopez, Paul D. - City Council Dist #3; Black, Kendra A. - City Council; Susman, Mary Beth - City Council; Palmisano, Lucas W - City Council Operations; Kashmann, Paul J. - City Council; Herndon, Christopher J. - City Council District 8; Brooks, Albus - City Council District 9; New, Wayne C. - City Council; Gilmore, Stacie M. - City Council; Deborah Ortega - Councilwoman At Large; kniechatlarge

**Subject:** Primary Resident Rule

Hello Jolon,

I am reaching out to you concerning the current primary resident rule on short term rentals. I agree that there needs to be regulation in place sooner rather than later. This primary resident rule may hold us up on getting the needed legislation in place. It seems to me the vast majority of concerned residents are on board with this legislation as written, with the exception of the primary residence rule. The neighborhood meetings held in February were dominated by citizens who did not support this portion of the proposed legislation. I hope you will consider voting with the majority. I do think the primary residence rule will cripple an industry that enriches our community. Thank you for your consideration.

Ian Brown

Intuition Real Estate

Cell: 303-521-5770

Fax: 303-832-7286

[brownih@hotmail.com](mailto:brownih@hotmail.com)

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Short term rental market/ council women Susman comment on Face Book

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**From:** Bill Marks [bmarks29@yahoo.com]

**Sent:** Wednesday, March 2, 2016 11:36 AM

**To:** Brooks, Albus - City Council District 9; Susman, Mary Beth - City Council

**Cc:** Espinoza, Rafael G. - City Council; Flynn, Kevin J. - City Council; Lopez, Paul D. - City Council Dist #3; Black, Kendra A. - City Council; Kashmann, Paul J. - City Council; Clark, Jolon M. - City Council; Herndon, Christopher J. - City Council District 8; New, Wayne C. - City Council; Gilmore, Stacie M. - City Council; kniechatlarge

**Subject:** Short term rental market/ council women Susman comment on Face Book

Dear Councilman Brooks,

I am writing you again from my first letter a week ago regarding the short term rental market. I live in Five Points and was able to purchase two homes in the Five Points Neiborhood. One is my primary residence and the other I rent for extra income to not only help me but also help the economy of Denver for the taxes that STR generate for the city! With doing this I have been able to clean up the home that I rent from the eye sore it was, and have also increased the value of the properties that surround this home.

With this all being said I do not understand why Councilwomen Susman would make a comment on her Face Book page stating that she is sticking with the Primary residence only for STR rental, when at all city council meetings there has been an overwhelming response to NOT support limiting this to a primary residence! She is completely ignoring her constituents and what the public is asking for which is wrong and a great way to lose a seat on the city council since it is a voted on by the public. The public votes these people in to office to represent them and have their voices heard, and with her not listening to the overwhelming response in favor of not limiting STR to a primary residence that is frankly not right!

Last time I checked we all live in America and it is our constitutional right as property owners, and property rights are a basic tenant of our rights as Americans to do what we want with in reason to our properties. Therefore a City Councilwoman or man to try and change this is not right, when there is overwhelming support to not limit STR to a primary residence.

How would she like it if I told her that she could only go to her place of employment on Tuesday's and Thursday's and nothing more, It does not make sense and nor does limiting STR to a primary residence!

Below I have provided some statistics on STR and **I would like to know your feed back on this rather than just a standard reply email back to me.**

Thank you and look forward to your response.

Bill Marks

1. **Neighborhood Economies:** STR's have an appreciable impact on Denver neighborhood economies and revenue.

a. STR's bring tourist dollars to Denver neighborhoods that they wouldn't otherwise visit positively impacting retail shops, local restaurants, boutiques, bars and other establishments. According to the recent Denver Market Study conducted by the Fritz Knoebel School of Hospitality Management at

the University of Denver, VRBO vacation/STR renters' ancillary spending while visiting, not including STR rent or transportation to Denver, is approximately \$21.28 million per year. It is important to note that this figure does not account for the ancillary spending of Airbnb renters'. As such, the ancillary spending into local economies greatly exceeds the \$21.28 outlined above.

b. If these same VRBO properties were taxed, these rentals would generate approximately \$2 million in additional tax revenue for the City and County of Denver. Again, this number does not include any other platforms (Airbnb, Flipkey, etc.) and the likely tax revenue would be much greater.

c. Many STR owners hire local companies for the care of their home. Local cleaning, landscaping, painting, contractors, etc. all benefit from these homes.

2. **Current Laws:** Existing laws already address any issues that could arise from guests such as noise disturbances. Regulations could address any other concerns. A prohibition of non-primary residency STRs does not need to be enacted to address any neighbor concerns.

3. **Neighborhood Impact:** STR's do not change the nature of the neighborhood from residential to commercial

a. People who rent vacation homes or short term rentals in Denver predominantly do so because they wish to stay as a family under one roof, visiting Denver to attend a wedding, graduation, a birth or other family-centric occasion. They rent homes in residential neighborhoods and become residents of that neighborhood for the duration of their stay.

4. **Neighborhood Benefit:** STR's improve the value of neighborhoods

a. STR's used in this capacity must be pristinely maintained in the interior and exterior of the home. As such, homes are regularly painted, lawns are maintained and property-owners continue to invest in home improvements to attract tourists to their homes. Thus increasing the property value of the neighborhood.

b. STR's are often far better maintained than long-term rentals.

5. **Affordable Housing:** STR's have virtually no appreciable impact on affordable housing

a. STR represent approximately 0.45% (an estimated 1,500 homes) of all Denver residential homes (330,000)

b. In addition, these homes largely do not qualify for the affordable housing criteria based on the high market value of these homes.

6. **Outlawing Non-Primary Residency by legalizing primary-residents only is discriminatory:**

a. The proposed legislation favors one property owner over another which is discriminatory in nature.

b. 30 day rentals, long-term rentals, B&B's and hotels are not held to the same requirement. They do not have to have an owner residing on the property to be in compliance with city zoning. STR's have safety measure requirements are better maintained.

7. **Property Rights:** Homeowners should be allowed to do what they want with the property that they own.

a. Property rights are a basic tenant of our rights as Americans. The simple truth is that neighbors don't get to choose their neighbors, long-term or otherwise, and rightfully so.

b. There is no real data to show public safety concerns

Sent from iPad Air

Bill Marks

## Barge, Abe M. - CPD Planning Services

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**From:** Awbarbour@aol.com  
**Sent:** Thursday, March 03, 2016 1:10 PM  
**To:** EXL Short-Term Rentals  
**Cc:** Susman, Mary Beth - City Council  
**Subject:** No on STRs

Short term rentals will destroy single-family neighborhoods. The stories we are hearing from neighborhoods where they are happening are insane. Who will want to retire in Denver?

**Retirees will take their community involvement, their volunteer hours, and their bank accounts and retire somewhere other than Denver.**

Renters do not care if they hold parties that disrupt the serenity of a neighborhood. Renters do not care if parking their cars on already over-crowded streets means long-time residents must carry their groceries for blocks.

This idea is taking dollars away from hotels/motels/B & Bs who are prepared for rowdy tenants, they have parking allotted for their units, they know how to handle persons cooking drugs, they know how to handle a short-term prostitution situation.

Single-family neighborhoods are a place to raise children, and to not be exposed to the ills of urban life. Live with that and celebrate it.

Diversity means acceptance of many kinds of lifestyles. Single-family homes and lifestyles are just as valid as any other.

Besides all of the above, if for no other reason, the Denver Police Department is so understaffed now, this whole idea of STRs needs to be shelved.

AW Callison  
Denver

**Barge, Abe M. - CPD Planning Services**

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**From:** Jody Distad <jody.distad@gmail.com>  
**Sent:** Thursday, March 03, 2016 7:43 PM  
**To:** EXL Short-Term Rentals  
**Subject:** Support STR

I strongly support STRs as we traveled Europe via Airbnb and wish for similar opportunities here.

Sincerely,  
Jody Distad  
1290 Cherry St.  
720.353.4780

**Barge, Abe M. - CPD Planning Services**

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**From:** Connie Friesen <conniemacfriesen@gmail.com>  
**Sent:** Thursday, March 03, 2016 1:05 PM  
**To:** EXL Short-Term Rentals  
**Subject:** Yes primary residence please. common Sense

that was the owners are present and can know and see what the STRenters are up to. Connie Friesen

## Barge, Abe M. - CPD Planning Services

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**From:** Bryan Gwinn <bryan.gwinn@gmail.com>  
**Sent:** Thursday, March 03, 2016 1:07 PM  
**To:** Susman, Mary Beth - City Council; Barge, Abe M. - CPD Planning Services  
**Subject:** Opposition to Primary Residence Requirement (Short-term rentals)

Councilwoman Susman & Planner Barge,

**I would like to voice my opposition to the proposed regulation limiting short-term rentals to primary residents.** As a homeowner in Denver who also rents (not short-term) a second home, I believe that only allowing STRs for homeowners will not solve the concerns over problem tenants while unduly restricting the rights and opportunities of property owners. Tenants can be a nuisance to neighbors regardless of the length of their stay or the status of the property owner. Owners who wish to participate in STRs will have a financial and business interest in keeping their property and tenants in good standing with their neighborhood if they wish to have a profitable enterprise. And a regulated STR market will provide a system for fines and penalties to weed out irresponsible owners who cause problems. There are many sensible and easy measures an owner can take to guarantee the quality of their guests, such as minimum stay requirements, minimum age requirements, and large security deposits. It is well known that happy neighbors are key to any rental arrangement and that the city cannot regulate underground STRs. Therefore it is wise to move all such arrangements into the light in order to regulate the industry, collect taxes, and ensure enforcement mechanisms are evenly applied.

I urge the council to drop the proposed "primary resident" restriction in the draft resolution.

Thank you.

~  
J. Bryan Gwinn, Esq.  
The Gwinn Law Firm, LLC  
1315 South Clayton Street, Suite 300  
Denver, CO 80210  
303.945.9010  
[www.gwinnlawfirm.com](http://www.gwinnlawfirm.com)

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## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Short-Term Rentals

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From: Joseph Heard [jwheard@comcast.net]

Sent: Thursday, March 3, 2016 1:13 PM

To: Susman, Mary Beth - City Council; Espinoza, Rafael G. - City Council

Subject: Short-Term Rentals

I live in Northwest Denver (District 1) in an older established neighborhood made up primarily of single-family homes and duplexes. Recently, the other unit of my duplex has become a short-term rental. I am very concerned that if more STR's are allowed on my block they will have a negative effect on the character and cohesiveness of our long-established neighborhood. I don't believe it is in the interest of the City of Denver to allow this deterioration to neighborhoods such as mine.

I strongly support your efforts to require that STR's be the primary residence of the owners. I would also like to see some serious consideration for setting limits on how many, if any, STR's can be located in a residential neighborhood such as mine. Perhaps even having a public review process for an STR application might be a good idea, at least in certain particularly controversial instances.

My understanding is that you are experiencing a great deal of push-back on your primary residence proposal. I attended the recent Town Hall Meeting at North High School where it appeared to me that the STR owners had decided to attend in force to state their cases and overwhelm the voices of those with concerns or objections. Please be assured that you have many supporters of your efforts, and I hope you are successful. I will be watching the progress.

**Barge, Abe M. - CPD Planning Services**

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**Subject:** FW: Denver Short Term Rentals

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From: Doug Kroft [studley@q.com]  
Sent: Thursday, March 3, 2016 10:12 AM  
To: Susman, Mary Beth - City Council  
Cc: Doug Kroft  
Subject: Denver Short Term Rentals

Dear Ms Susman.

Thank you for serving on Council! I am an owner of a condo in LODO. I use it as a city get-away appointments, meetings, events, games, etc. as I live in Crested Butte. I also rent it short-term some to cover the cost of ownership. The use of this property has to be a great benefit to the vibrant economy of downtown as shopping, restaurants, events, games, etc. are right out the door. Your District might be a bit different that downtown and I do think that licensing and paying sales tax is an appropriate measure, as well as whatever other rules are deemed appropriate, but the requirement that it has to be your primary residence is not only unreasonable but contradictory. Please consider eliminating that restriction to any ordinance you end up adopting! Thank you for your consideration. Cheers!

**Barge, Abe M. - CPD Planning Services**

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**Subject:** FW: Short Term Rental Vote-Nix Primary Resident Restriction

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**From:** Jon Week [weekjon@yahoo.com]

**Sent:** Thursday, March 3, 2016 12:14 PM

**To:** Black, Kendra A. - City Council

**Cc:** Susman, Mary Beth - City Council; Espinoza, Rafael G. - City Council; Flynn, Kevin J. - City Council; Lopez, Paul D. - City Council Dist #3; Kashmann, Paul J. - City Council; Clark, Jolon M. - City Council; Herndon, Christopher J. - City Council District 8; Brooks, Albus - City Council District 9; New, Wayne C. - City Council; Gilmore, Stacie M. - City Council; kniechatlarge

**Subject:** Short Term Rental Vote-Nix Primary Resident Restriction

Dear Councilwoman Black,

As a 16 year resident of University Hills, I would like to voice my thoughts on the upcoming Short Term Rental vote.

I am strongly in favor of eliminating the current "primary resident restriction" from the framework.

I have always managed my STR as my primary residency, but as I get older I would like to maybe live with my girlfriend and her kids, or live in a place I didn't have to leave at an instance notice, but under the pending primary resident restriction I would have to sell my home or rent it out on a long term basis. Neither of those prospects appeal to me because, I like maintaining my property at a very high level (not possible in a long term rental scenario) and I need my own home to put my furniture.

Perhaps the intent of the "primary resident" restriction was put in place to keep corporations from buying entire blocks for rentals, but the effect is more likely to be less transparency from single owners and a poorer selection of high quality short term rentals.

Thank you for doing the right thing in supporting STR's in Denver! They are clearly very good for Denver and it's citizens! By dropping the "Primary Resident" restriction Denver Gov will have a simple and transparent way to tax and regulate this exciting new industry that supports Denver tourism.

Thank You,  
Jon Weekley

South Elm St  
University Hills  
720-331-6949

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Short-Term Rentals

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**From:** James Carlson [jamesedwardcarlson@gmail.com]

**Sent:** Friday, March 4, 2016 10:56 AM

**To:** Susman, Mary Beth - City Council

**Cc:** Espinoza, Rafael G. - City Council; Flynn, Kevin J. - City Council; Lopez, Paul D. - City Council Dist #3; Black, Kendra A. - City Council; Kashmann, Paul J. - City Council; Clark, Jolon M. - City Council; Herndon, Christopher J. - City Council District 8; Brooks, Albus - City Council District 9; Gilmore, Stacie M. - City Council; Deborah Ortega - Councilwoman At Large; kniechatlarge

**Subject:** Short-Term Rentals

Dear Councilwoman Susman and other members of the Denver City Council,

My name is James Carlson. My wife, Erin, own (and live in) a condo in Capitol Hill. I truly appreciate your efforts on the short-term rental ordinance. You have been thoughtful throughout the process, and I love to see Denver addressing this issue.

I am not a short-term rental owner. And I'm not a raging free-market capitalist. I am a pragmatist on this issue and think the city could benefit from the right regulation. Because of that, the council's insistence on the primary residence rule baffles me. It seems to me that public policy should be based on one of two things (and ideally both): Either strong evidence or a strong public outcry. Neither exist on this issue.

There is no evidence -- anecdotal or otherwise -- to suggest that the primary residence provision will alleviate any of the concerns expressed by neighbors. Nearly every argument against non-owner occupied short-term rentals can be said of owner-occupied short-term rentals or long-term rentals. If a neighbor has a problem with a visitor next door making noise, the fact that the visitor is staying in someone's primary residence isn't going to make that owner any easier to contact. In fact, I'd venture to say the people who rent out a second property full-time have better plans in place to be reached than does a family who decided to rent out their house on a whim and go on vacation.

Now, affordable housing is a legitimate issue I think the council is trying to address with this provision. (Although according to the city's own STR numbers used during this discussion, STRs are completely insignificant to the problem. And even those minuscule numbers assume that the houses for short-term rent would be considered "affordable.") Assuming, however, that the council believes STRs are affecting affordable housing, the primary residence requirement is a sledgehammer of a solution when a thumbtack would do the trick. Instead, why not place a limit on the number of rentals any one person (or family unit) can rent short-term, and require any short-term rental owners to be Denver residents? This would prevent any large corporations from gobbling up housing.

To my second point: According to the townhall meetings, there is no strong public outcry. Well, actually, there is an outcry ... against the primary residence rule. Supporters of removing the rule outnumbered opponents of short-term rentals 3 to 1 at every meeting. If the intent of the forums was truly to gauge -- and form a policy off of -- the opinions of Denver residents, the sentiment was loud and clear in favor of removing the primary residence restriction.

There are some worthy goals in enacting a short-term rental ordinance. My hope is that the council will ask whether the ordinance, as currently written, actually achieves those goals.

Thank you for your time.

Sincerely,

James Carlson  
550 E. 12th Avenue, #505  
Denver, CO 80203  
321-948-0224

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: STR-primary residence requirement FLAWED/LARGE LOOP-HOLE

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**From:** Ray / Pat Defa [designspectrum.pr@gmail.com]

**Sent:** Friday, March 4, 2016 9:48 AM

**To:** Susman, Mary Beth - City Council

**Cc:** Espinoza, Rafael G. - City Council; Flynn, Kevin J. - City Council; Lopez, Paul D. - City Council Dist #3; Black, Kendra A. - City Council; Kashmann, Paul J. - City Council; Clark, Jolon M. - City Council; Brooks, Albus - City Council District 9; New, Wayne C. - City Council; Gilmore, Stacie M. - City Council; kniechatlarge; Ortega, Deborah L. - City Council; Herndon, Christopher J. - City Council District 8

**Subject:** STR-primary residence requirement FLAWED/LARGE LOOP-HOLE

Mary Beth Susman,

Short term rentals should no be allowed in Denver's residential neighborhoods. If we wanted to live next door to a hotel we would have purchased a home in a commercial zoned district where hotels are allowed. Hotels (STR) are not allowed in residential neighborhoods.

Residential neighborhoods should not become commercial districts with STR scattered down the block of a residential neighborhood street and across the alley. STR will destroy the fabric and quality of life of a residential neighborhood, and the residents of the block will loose neighbors and have strangers and cleaning people coming and going. No different than your typical hotel operation.

Your Primary Resident requirement is flawed with a large loop-hole.  
It should read Property Owner and the Primary Resident.

With only requiring Primary Resident you are opening this up to anyone who say purchases 20 homes as STR, then cuts a deal with a tenant (with a long term rental agreement) that the home will become a STR and the primary resident will be the tenant. This is creating as large loop-hole.

You have stated you will not remove the Primary Resident requirement, but in reality it regulates nothing, just adds one extra step for a property owner to own numous STR.

If this does move forward do you have any interest in closing this loop-hole and have it read you must be the Property Owner and the Primary Resident?

thanks

Ray Defa

On Wed, Mar 2, 2016 at 3:25 PM, Susman, Mary Beth - City Council <[MaryBeth.Susman@denvergov.org](mailto:MaryBeth.Susman@denvergov.org)> wrote:

Dear Defas,

See [www.denvergov.org/str](http://www.denvergov.org/str) for all the info you might need about the proposed ordinance. A primary residence is the residence stated on your driver's license, or your address on your voter registration, and other things. In general it is the

location you mean when you say you are "returning home." The question about what is a primary residence can be found in the FAQ, copied here for you.

How does the city verify that a unit is someone's primary residence?

Excise & Licenses inspectors will have authority to request documentation of primary residency verification from STR licensees at any time. Inspectors will rely on various forms that demonstrate the STR operator's unit is their primary residence. These documents can include, but are not limited to:

- Driver's license • Voter's registration • State ID card • Tax documents • Utility bills • Any other document proving the STR unit is a primary residence

Mary Beth

**Mary Beth Susman**

Denver City Council | District 5

[720.337.5555](tel:720.337.5555) Phone | [720.337.5559](tel:720.337.5559) Fax

[marybeth.susman@denvergov.org](mailto:marybeth.susman@denvergov.org) | [Dial 3-1-1 for City Services](#)

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**From:** Ray / Pat Defa [[designspectrum.pr@gmail.com](mailto:designspectrum.pr@gmail.com)]

**Sent:** Wednesday, March 2, 2016 10:51 AM

**To:** Susman, Mary Beth - City Council

**Subject:** STR-primary residence

Mary Beth Susman could you give me the definition of primary residence as written in the proposed STR regulation that is being proposed?

Also who will be enforcing STR?

thanks

Ray Defa

## Barge, Abe M. - CPD Planning Services

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**From:** Barbara Fite <bfite33@yahoo.com>  
**Sent:** Friday, March 04, 2016 3:45 PM  
**To:** Barge, Abe M. - CPD Planning Services  
**Subject:** short-term rental

I'm currently an Oklahoma resident with grandchildren in Denver. I am planning to retire in Denver in 3 years (I am currently 63), so I bought a small half-duplex in the Capitol Hill area. I can only afford it because I am able to rent it out on VRBO when I am not in Denver (I'm currently in Denver about 3 months/year).

I carefully screen my guests - it's a huge investment for me and I need to protect it. I only rent out for a week or longer, as I feel that will be people more in my age and income bracket. And it has been: almost all of my guests are coming to Denver to visit children or grandchildren and have found it much more comfortable to be in a home with a kitchen, etc. In fact, one of the things I personally love so much about it is that my grandchildren can come to 'Nana's' to visit and play.

As far as the city is concerned, I think this type of accommodation would be beneficial: these are higher-income visitors who have a little more out-of-pocket money to spend and tend to spend a longer time in Denver partly due to the comfort of their accommodations. This should bring in extra tax dollars to the city on all that they spend.

If the current proposal goes through, I understand that I will not be able to rent out my duplex as it is not currently my primary residence. Is that true? Even though I am in Denver several months a year, my business is in Oklahoma and I am still very invested in that business. Would that mean that I would have to sell my property (since I cannot afford the mortgage payments without being able to rent it out a few weeks a year?)

If that is the case, I am 100% opposed to this ordinance. It is a horrible hardship on someone like me who cannot afford a second home without some kind of supplemental income. So the only people who can afford a second home in Denver would be extremely wealthy people.

A better solution would be to limit the vrbo rentals to people who are not in it 'professionally'- this is the only vrbo I own and I'm sure it's true of a lot of the vrbo hosts. I can actually understand how quiet neighborhoods hate the idea of a vrbo or two in their neighborhoods. If that is a common occurrence, a good compromise might be to limit vrbo rentals to neighborhoods in the inner core area or in high-density areas. For instance, we are in the Cheesman area, but our duplex is right across the street from several high-rise condos. It is a very high-density neighborhood and, I believe, quite suitable to vrbo use.

I am not at all opposed to paying taxes or being regulated, but I think requiring my vrbo to be my primary residence is onerous and overbearing. Please let me know if I am interpreting this correctly - will I be unable to rent my property out unless I live there and it is my primary residence?

Thanks for your time.

Brenda F. Harrison

Dear Councilman Rafael Espinoza and all other Councilmen and women,

Hello, my name is Lisa Hanyok. I am writing to you to protest against the primary-residency requirement in the current draft ordinance.

My family and I vacationed in Colorado last summer for one week. We rented a house on the corner of Alcott St and West 43<sup>rd</sup> street. My brother lives in CO full time, but in a small 2 bedroom apartment. My family, of 6 adults, wanted a place where we could all be together and enjoy our vacation as a family. Having the option to rent a house made a huge impact on our decision to come to CO and our stay.

We greatly enjoyed our temporary home away from home. It was comforting to come “home” to our rental each night after a day of activities. Being able to sit down as a family at the large dining room table was definitely not something a hotel could provide. We were also able to play games at this table, which is an activity our family does often. Besides that, we walked to local attractions, enjoyed our private back yard, and cooked dinner on the grill. Again, not something a hotel or resort could provide.

While visiting, our family did a lot of sightseeing! We traveled to the Wild Animal Sanctuary, Breckenridge Ski resort, Red Rocks Amphitheater, Garden of the Gods, Indian Hot Springs, Loveland Pass, Ceramics in the City, a few breweries, and more. Although we packed our lunches some days, we often ate out for lunch and/or dinner. Furthermore, those groceries to pack our lunches came from a local grocery store. I would imagine Colorado businesses would be pleased with the amount of revenue tourists such as us would bring. Without a family centered house to stay in, we would have chosen a different location and spent our money elsewhere.

I would ask you to please reconsider your ruling on the primary residence requirement. Although there are hotels and resorts in the area, they are not so family oriented. I feel that if you did change the residency requirement that families would miss out on the amazing sights CO has to offer. I know my family would not have visited if this rental house was not an option. I hope to come back to visit soon and would enjoy having a comforting house to stay in.

Thank you for your time and consideration. Please contact me with any further questions.  
Sincerely,

Lisa Hanyok

[lisa.hanyok@gmail.com](mailto:lisa.hanyok@gmail.com)

443-616-49995

**Barge, Abe M. - CPD Planning Services**

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**Subject:** FW: Fwd:

----- Original message -----

From: Taizoon Miyajiwala <[taizoon@gmail.com](mailto:taizoon@gmail.com)>

Date: 03/06/2016 5:08 PM (GMT-07:00)

To: "Espinoza, Rafael G. - City Council" <[Rafael.Espinoza@denvergov.org](mailto:Rafael.Espinoza@denvergov.org)>

Cc: "Flynn, Kevin J. - City Council" <[Kevin.Flynn@denvergov.org](mailto:Kevin.Flynn@denvergov.org)>, "Lopez, Paul D. - City Council Dist #3" <[Paul.Lopez@denvergov.org](mailto:Paul.Lopez@denvergov.org)>, "Black, Kendra A. - City Council" <[Kendra.Black@denvergov.org](mailto:Kendra.Black@denvergov.org)>, "Susman, Mary Beth - City Council" <[MaryBeth.Susman@denvergov.org](mailto:MaryBeth.Susman@denvergov.org)>, "Palmisano, Lucas W - City Council Operations" <[Lucas.Palmisano@denvergov.org](mailto:Lucas.Palmisano@denvergov.org)>, "Kashmann, Paul J. - City Council" <[Paul.Kashmann@denvergov.org](mailto:Paul.Kashmann@denvergov.org)>, "Clark, Jolon M. - City Council" <[Jolon.Clark@denvergov.org](mailto:Jolon.Clark@denvergov.org)>, "Herndon, Christopher J. - City Council District 8" <[Christopher.Herndon@denvergov.org](mailto:Christopher.Herndon@denvergov.org)>, "Brooks, Albus - City Council District 9" <[Albus.Brooks@denvergov.org](mailto:Albus.Brooks@denvergov.org)>, "New, Wayne C. - City Council" <[Wayne.New@denvergov.org](mailto:Wayne.New@denvergov.org)>, "Gilmore, Stacie M. - City Council" <[Stacie.Gilmore@denvergov.org](mailto:Stacie.Gilmore@denvergov.org)>, Deborah Ortega - Councilwoman At Large <[OrtegaAtLarge@Denvergov.org](mailto:OrtegaAtLarge@Denvergov.org)>, kniechatlarge <[kniechatlarge@denvergov.org](mailto:kniechatlarge@denvergov.org)>

Subject:

Greetings Denver City Council Members,

As a Denver resident and an employee of a company in the vacation rental industry I am writing to express my opinion on the pending ordinance to regulate short term rentals in the City of Denver. My family and I believe short vacation rentals are a huge benefit to city and the local economy. Visitors explore and support local shops, restaurants and businesses helping boost the neighborhood economy. Short term rental properties are very well maintained thus being an asset to the neighborhood. These properties are rented to families who are visiting the city for many family-centric occasions like weddings, reunions and graduations. For the small percentage of visitors who are not family oriented and may be disruptive, there are laws in place to deal with any issues that may come up – just as they may with an owner or long term renter.

It is for these reasons and the rights of all property owners that I oppose the primary residence requirement in the current draft ordinance. This requirement would discriminate against those property owners who rent their whole house for visitors to enjoy. Longer term rentals, B&Bs and hotels do not have this same requirement and short term rentals should not be held to this. I agree that all short term rentals should be subject to equal and fair regulation, including paying the appropriate taxes and being required to have a short term rental license.

Thank you very much for your time and attention in this important matter.

Kind Regards,  
Taizoon.

## Barge, Abe M. - CPD Planning Services

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**From:** SuDaina@aol.com  
**Sent:** Monday, March 07, 2016 12:01 PM  
**To:** EXL Short-Term Rentals  
**Subject:** Stop selling us out

May Beth what a cop out to accept STR in our single family home neighborhoods.

If we can't enforce the laws we have then we must look into why that is happening and work to enforce them. I object to anyone in my neighborhood renting out rooms in their house unless they follow the existing laws. No need to change or accept this race to the bottom in our society. Why say "we must accept this because we can't enforce the law" Well how will you enforce the new law?

I believe that we are being sold out by our representatives at most every level of government. That was clear when we objected to the density on Boulevard One. Here we go again. Denver is becoming noisy, nasty, greedy, tasteless...too bad.

*Susan*

*Susan K. Daina*  
303 596 6040

## Barge, Abe M. - CPD Planning Services

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**From:** rachel livingston <rliving8@gmail.com>  
**Sent:** Tuesday, March 08, 2016 1:18 PM  
**To:** Barge, Abe M. - CPD Planning Services  
**Subject:** Short Term Rentals Comments

*I would like to preface by saying, I mean to direct this at short term rentals that are operated out of properties where the home owner is not a primary resident. I am not directing this at a person who rents from their primary residency, I feel differently about that.*

The fact that there are home owners who expect to avoid taking accountability as a business as they operate their property as a business and not as their primary residency is, to me, a joke – and I'm sure in the future, once we have adjusted to the nuances of the internet, this will be collectively thought of as a time when the internet created a new lawless land where you could buy houses and get rich!

There is an obvious need for lower cost spaces in order to support the business of tourism. People want to travel, tourism is great for an economy (especially for people who already own wealth – *said in a scathing tone*) there is a demand for cheaper accommodations. Europe and South America have created fantastic networks of low cost travel spaces that are easily accessible for the tourist on a budget.

Charging people to operate a short term rental will not hurt the tourism business because tourists already pay a service fee through Airbnb. The only person not being charged is the person posting a place for rent. If you want to operate a business, pay to operate it and get that business approved through the neighborhood. If a business in the community wants to get a liquor license they have to ask the neighborhood for permission, if they want to open a venue they have to ask the neighborhood, and, so too, if you want to open an Airbnb you should have to ask the neighborhood.

Car2go is an example of a vacant short term rental service whose existence has the internet to be grateful for, but Car2go operates as a business. If there were vacant cars littered throughout the city, put in place by an independent entrepreneur who used an online platform to rent out the cars, there would be a problem with the city.

Unregulated short term rentals are not the only cause of rent inflation, home price inflation, and the destruction and displacement of communities – it is a digit on an over reaching hand, and to stop its grip we must cut off its fingers.

## **Barge, Abe M. - CPD Planning Services**

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**From:** george mayl <comayl@aol.com>  
**Sent:** Monday, March 07, 2016 2:06 PM  
**To:** Barge, Abe M. - CPD Planning Services  
**Cc:** Kashmann, Paul J. - City Council; Espinoza, Rafael G. - City Council; Black, Kendra A. - City Council; Flynn, Kevin J. - City Council; Lopez, Paul D. - City Council Dist #3; Susman, Mary Beth - City Council; Clark, Jolon M. - City Council; Herndon, Christopher J. - City Council District 8; Brooks, Albus - City Council District 9; New, Wayne C. - City Council; kniechatlarge; Deborah Ortega - Councilwoman At Large  
**Subject:** Short Term Rental

Abe,

It is paramount that the owner/occupier be present at Short Term Rentals. Having lived through a bad "host" and never being able to contact the owner on situations that arise is bad for the neighbors and bad for the neighborhood itself. Allowing hosts two residents defeats the purpose of the proposed change.

Respectfully,

George Mayl  
1075 S Garfield St  
Denver, CO 80209

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Short term rentals

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**From:** Barbara Shecter [bnshecter@gmail.com]  
**Sent:** Wednesday, March 9, 2016 12:49 PM  
**To:** Susman, Mary Beth - City Council  
**Subject:** Short term rentals

Short term rentals are an important developing issue within Denver, and we have the opportunity to make a real difference in how we treat these rentals to benefit property owners, neighbors, and interested renters.

Currently before you is Text Amendment 8, which can help achieve important goals and protections. I strongly hope that you will maintain these crucial elements as the text amendment proceeds to the Planning Board and the full Council:

- Hosts will be verified as primary residents of a rental unit in order to prevent commercial uses in residential zone districts and drastic changes in the nature of residential zoning
- Hosts must be licensed with Excise and License, and that license number must appear on all rental advertising
- If a tenant wants to be a host, the tenant must provide written permission from the property owner to obtain a license, and use a form provided by Excise and License that clearly states the owner is aware of insurance concerns and has liability insurance that covers claims from short term rental activity
- Sufficient funding should be committed by Council to monitor advertising and inspect short term rentals during their most frequently used hours on nights and weekends
- Denver must enforce lodging tax collection on all rentals.

I urge you to maintain these requirements in Denver Zoning Code Text Amendment 8 as it proceeds through the enactment process.

Sincerely,

Barbara Shecter

WWPNA Zoning Committee member

16 Pennsylvania Street

Denver, CO, 80203

[bnshecter@gmail.com](mailto:bnshecter@gmail.com)

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Short Term Rentals Zoning Code Amendments

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**From:** Jeffrey Costantino [jeffreycostantino@gmail.com]  
**Sent:** Wednesday, March 9, 2016 1:32 PM  
**To:** Susman, Mary Beth - City Council  
**Subject:** Short Term Rentals Zoning Code Amendments

Dear Ms. Susman:

We are homeowners and proud Denverites, and we are writing in support of the Zoning Code text amendments to regulate Short Term Rentals.

We have no concerns with the overall concept of Short Term Rentals, but we feel that it is important to enact the proposed restrictions outlined in the amendment to protect homeowners and maintain the character and integrity of our residential neighborhoods.

Specifically, we feel that it is important that hosts can only rent from their primary residence, and that no multiple rental units are allowed. Without these restrictions, someone could purchase a property in the middle of a residential block and essentially turn it into a hotel with multiple new guests every night, which is a concern for a variety of reasons -- safety, noise, property damage, parking, etc.

We also feel that it is critical that hosts are licensed by the city and the licensed number posted on all advertising. Without this, the city would have no way of monitoring and controlling these rentals if a need arises.

We realize that you are probably being lobbied extensively by Air BnB and other companies to keep short term rentals free from restrictions, but we think that the concerns of homeowners (the vast majority of whom have absolutely no idea about these potential amendments) should take precedent.

To reiterate, we are not against short term rentals, but we do believe that the city needs to maintain an appropriate level of control so that everyone -- companies like Air BnB, homeowners that choose to rent out a room in their home, and the neighbors that will have to live with the consequences of their decision -- can exist in harmony.

Thank you.

Jeffrey Costantino and Brian Underwood  
240 Sherman Street  
Denver, CO 80203  
202-332-6662

## Barge, Abe M. - CPD Planning Services

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**From:** CAROL BHARGAVA FOR <girishcarol@msn.com>  
**Sent:** Thursday, March 10, 2016 11:11 AM  
**To:** Barge, Abe M. - CPD Planning Services  
**Subject:** Short Term Rentals

To Whom It May Concern:

I am a third generation native of Denver and Colorado. In the 33 years we have owned our home here in Denver we have seen many changes. The biggest changes have occurred in the past few years. Homes and neighborhoods do not seem to mean the same thing to people as they did when I was growing up here.

I am very concerned that these "short term rentals" can further destroy the sense of community, neighborliness, pride of ownership, etc. The decision to move forward with this concept must be done with forethought and purpose. I agree that the homes MUST leased only by primary owners using their primary residence. But I have questions/concerns:

1. How will we know this is a "primary" residence?
2. What if this is a second home and the owner lives out-of-state? Or in-state somewhere else?
3. Who is going to manage that the "tenants" will know/comply with our marijuana laws; noise ordinances; no use of fire pits; etc.???
4. If the home is cited by authorities for frequent abuse of our laws/ordinances what will the consequences be? How will these disputes be handled?
5. How many times will the police have to be called because of the above concerns before other, more serious actions will be taken by authorities to remedy the issue?
6. The whole concept of "shared economy" has many "unforeseen consequences"!

I do not know about you, but it has been my experience that neighbor's are not inclined to report their neighbor's for fear of retaliation, hard feelings, etc. I live in what is by most standards an "upscale" neighborhood. In the 33 years I have lived here I have personally experienced neighbor's:

1. Throwing loud parties "after the bars have closed"!
2. Rented rooms out to cover the mortgage.
3. Driven expensive vehicles with gas tanks full of drugs and distributed them from their home.
4. Had drug dealers selling from a home.
5. Had a neighbor assaulted in her home by someone off the street looking for money.
6. Have called the fire department because I smelled smoke only to find out neighbor's are using illegal fire pits.
7. Using their home as a VRBO (Vacation Rental By Owner = short term rental)... I strongly suspect.

If short term rentals (VRBO's) are going to be allowed we need strong ENFORCEMENT! Consequences need to be clear and severe. Fines need to be substantial enough to deter violation. For example: Should there be three (3) violations in a six (6) month period the property will be forfeit to the City and sold.

I repeat, we need clear, strongly worded RULES, ENFORCEMENT and CONSEQUENCES!

Thank you for allowing me to respond to this issue. It is one that can seriously damage neighborhoods. As a homeowner, I should be allowed to enjoy the home I own, in the neighborhood I have lived in for 33 years, and City I have lived in all my life. I have a considerable "investment" in my home, neighborhood and city. I am counting upon you all to take this into consideration as you think about people using their home as a motel room.

Sincerely,  
Carol Bhargava

Sent from [Outlook Mobile](#)

**Barge, Abe M. - CPD Planning Services**

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**From:** Gregory Downey <gregory.downey@gmail.com>  
**Sent:** Thursday, March 10, 2016 9:10 AM  
**To:** Barge, Abe M. - CPD Planning Services  
**Cc:** paul.kasmann@denvergov.org  
**Subject:** Short term rentals

Dear Mr. Barge and Mr. Kasmann

I have been a Denver resident and property owner in the Belcaro/Polo Club area for 10 years. I feel strongly that if the City of Denver is to allow short term rentals, they should be limited to the primary residence of the property owner and all codes enforced. Rental tax should be collected on these properties.

Sincerely,

Greg Downey  
400 S. Steele Street Unit 43  
Denver CO 80209

## **Barge, Abe M. - CPD Planning Services**

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**From:** Jonathan Jensen <jonathan\_jensen@yahoo.com>  
**Sent:** Thursday, March 10, 2016 3:22 PM  
**To:** Barge, Abe M. - CPD Planning Services  
**Subject:** No short term rentals in Wash Park

Please count us against short-term rentals in residential neighborhoods like Wash Park.

Sincerely

Jon & Amy Jensen  
850 S Franklin St  
Denver, CO 80209

## **Barge, Abe M. - CPD Planning Services**

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**From:** Beth Killebrew/ John MacPherson <johnbeth42@msn.com>  
**Sent:** Thursday, March 10, 2016 3:15 PM  
**To:** Barge, Abe M. - CPD Planning Services  
**Cc:** paul.kasman@denvergov.org  
**Subject:** short term rentals in Denver

Hello,

With regards to allowing short term rentals in Denver, I urge you to limit their approval to primary residences only and that must be enforced.

Thank you,  
Beth Killebrew  
Cory-Merrill resident

## Barge, Abe M. - CPD Planning Services

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**From:** paula spruell <paula.spruell@icloud.com>  
**Sent:** Thursday, March 10, 2016 3:23 PM  
**To:** Barge, Abe M. - CPD Planning Services  
**Subject:** Residential rentals

I am NOT in favor of residential rentals on a short term basis. How would you like a summer sublet in your neighborhood, with a bunch of people from out of state who come here to smoke dope?? I sure don't want to smell any more of that than I already do. This is a terrible idea!

Paula Spruell, Cherry Creek North

Sent from my iPad

## Barge, Abe M. - CPD Planning Services

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**From:** Nancy Wimbush <nwimbush@gmail.com>  
**Sent:** Thursday, March 10, 2016 2:10 PM  
**To:** Barge, Abe M. - CPD Planning Services  
**Subject:** STR

Pls save our city. This is so ill conceived.

Sent from my iPad

## Barge, Abe M. - CPD Planning Services

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**From:** Nora Van Genderen <nora.vangenderen@gmail.com>  
**Sent:** Friday, March 11, 2016 11:31 AM  
**To:** Barge, Abe M. - CPD Planning Services  
**Subject:** Short Term Rental Text Amendment  
**Attachments:** IMG\_4639.JPG

Dear Ladies and Gentlemen of the City Council and Councilwoman Susman,

In a word, I am disappointed. There are so many benefits for short term rentals and I feel you are approaching it with a myopic view. To put it succinctly: Would you want to travel with your family and be a strangers house guest? Or just a guest in a strangers house? Although those sound very similar, they're not. I assume the members of the council have gone on family vacations, or at least I'm hoping you have afforded yourself that luxury. My question is, during that vacation did you enjoy and remark on the comfort of your hotel room, wake up and really appreciate a delicious cup of coffee or tea and enjoy a bowl of cereal as you sit on the couch with your feet annoyingly poking your sister until she swats you with a book? No, you didn't, you couldn't. Hotels afford no ability to let your kids sleep in, they don't afford the luxury of making a great cup of coffee and relax on a couch. Nope, you're in a hotel, so you have to get up, get dressed, wonder why the mattress was made of rocks and the sheets smelled like a combination of bleach and questionable decisions, and go out and spend way too much on breakfast. The luxury described previously is only possible if you are not living with a stranger in a house, or calling a hotel home and going broke as a result.

Along with my disappointment I'm also genuinely confused. Why the primary residence rule? Are you honestly considering as fact that these second homes being available for sale will have any affect on the housing market on the front range. When did you buy your house?! These second homes are not going to sell for a great deal, they are going to be a VERY niche market for someone who makes over \$65,000. Enforcing primary residence won't help the housing crunch, it will just saturate the market with unaffordable housing and eliminate assets. Very well planned out, bravo.

Another question I would like to pose: When you have house guests that you have invited to stay, do you make the beds with fresh linens, maybe dust some more and run the vacuum. Yes? Do you make sure all your paint is fresh, garden well kept, whole house is spotless, neighbors are friendly? Oh, you don't. Do you realize that the property owners who participate in short term rentals do? A Short term rental is structured as a business. How is a business successful? Patrons give great reviews, who appreciate your product, and who do your marketing for you. As a business if you had an undesirable product, an ugly store front and poor customer service you wouldn't get very far and you would fail. Well look, we just unlocked the mystery of how non-primary residence short term rentals are successful! Owners take pride and care in their property because they want it to succeed.

Short term rentals are not isolated to vacations. They allow a family displaced by a bust pipe from the freakishly cold winter and subsequent thaw, somewhere to live. You want proof? Attached is a picture of my kitchen after pipe malfunction. I for the past 3 weeks had bounced from friends and neighbors but finally found a affordable, and comfortable short term rental in my neighborhood.

I would also ask the council to consider the comfort of the rentee vs. the renter in the situation that a new baby will be visiting for 5 days. Oh, you wouldn't want a random couple with a baby staying with you? Well if you pass this amendment you will be ensuring that happens as my sister and her new family are coming to Denver for my wedding in September. How very kind of you.

In conclusion I would like to now thank you for your consideration and hopeful reassessment of the text amendment for Short Term Rentals in Denver.

Sincerely,

Nora VanGenderen

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: A neighbor's experience with short- term rental properties.

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**From:** michel allison [mlallison1106@gmail.com]

**Sent:** Saturday, March 12, 2016 4:11 PM

**To:** New, Wayne C. - City Council

**Cc:** Espinoza, Rafael G. - City Council; Flynn, Kevin J. - City Council; Lopez, Paul D. - City Council Dist #3; Black, Kendra A. - City Council; Susman, Mary Beth - City Council; Kashmann, Paul J. - City Council; Clark, Jolon M. - City Council; Herndon, Christopher J. - City Council District 8; Brooks, Albus - City Council District 9; Gilmore, Stacie M. - City Council; kniechatlarge; Deborah Ortega - Councilwoman At Large; Craig Ellsworth

**Subject:** A neighbor's experience with short- term rental properties.

To councilman New,

My name is Michael Allison. I reside at 1010 Downing St, Denver, CO and have lived here for the last 19 months. In that period of time I have come to know Craig Ellsworth (the owner of 1000 Downing St.), my neighbor, quite well. In the first month it was a little confusing who lived there, because we (my girlfriend and I) saw different faces coming and going from the property. Mind you, we have a private entrance to our apartment on the south side of the building facing the rental property. We had observed that the residence was landscaped beautifully and the upkeep was meticulous.

Craig and I first met about two months after we moved in, and he explained to me that it was a VRBO and gave me his contact information if I ever had complaints about the guests or any questions for him. I expressed interest in having some of my family stay there when visiting. They have had expensive and lackluster experiences previously with hotels in the Denver area. The option for them to stay so close to us with private parking, two bedrooms, and a full kitchen for roughly the same price as a hotel downtown is wonderful. In the time I have lived here, I have not once needed to call about his guests. From what I can tell the people who stay there are friendly, pleasant and of sound mind and finances. Craig has been a great neighbor and very helpful and I would hate to see the property deteriorate if the income he generates from it were not going back into it. As I said before, the upkeep is meticulous.

Please allow these properties to continue their business. It shows visitors what Denver is all about, without keeping them in a congested urban area. This is a wonderful neighborhood, that I love sharing with the people who visit.

If you have any questions for me regarding this email please feel free to reply or contact me by phone 608-469-8064. I look forward to helping the community resolve this issue.

Thank you, Michael Allison

**Barge, Abe M. - CPD Planning Services**

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**Subject:** FW: short-term rentals

----- Original message -----

From: John Connors <[jonfcon@yahoo.com](mailto:jonfcon@yahoo.com)>

Date: 03/13/2016 12:04 PM (GMT-07:00)

To: "Susman, Mary Beth - City Council" <[MaryBeth.Susman@denvergov.org](mailto:MaryBeth.Susman@denvergov.org)>

Subject: short-term rentals

As a Denver resident in one of the older high-rise condo's in LODO I would like to weigh in on the short-term rental issue. It's clear short-term rentals are here to stay. I ask that the primary residence clause be included and **strong** in the final regulation your committee is working on. Our building Declarations and By-Laws from the early 1980's do not address short term rentals and are extremely hard to amend. Therefore we are relying on your final regulation to ease our problem.

In the last few years many residents and non-residents have purchased units exclusively as short-term rentals against the wishes of majority of owners. This has compromised the security procedures, damage control, and use of resources of the permanent residents.

Thanks for your consideration,

John Connors  
1777 Larimer ST

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: STR

**From:** cowombat@aol.com [mailto:cowombat@aol.com]

**Sent:** Sunday, March 13, 2016 4:06 PM

**To:** Barge, Abe M. - CPD Planning Services <Abe.Barge@denvergov.org>; Kashmann, Paul J. - City Council <Paul.Kashmann@denvergov.org>

**Subject:** STR

I am opposed to any short term rentals that are not in the owners' own home.

None of this **second-home as-a-motel business**.

Our neighborhood is single family homes and should stay as such!

We have had two rentals in our neighborhood with horrific problems, including public nudity and public urination, loud late night parties, drunks driving through the neighborhood, vulgar language, 4 large dogs, 4 unrelated people, etc.

We pay high enough taxes (mine increased more than \$400 this year!) that we deserve better from this city.

Mary K LaFontise

453 South Race Street

Washington Park East

**Barge, Abe M. - CPD Planning Services**

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**Subject:** FW: Short Term Rentals

----- Original message -----

From: Jim Winzenburg <[wznbrg@earthlink.net](mailto:wznbrg@earthlink.net)>

Date: 03/13/2016 9:19 PM (GMT-07:00)

To:

Subject: Short Term Rentals

Dear Council Representative

I urge you to fight for a strong Short Term Rentals bill to protect the City's established residential neighborhoods of Denver from encroachment by commercial users who wish to profit from Short Term Rentals.

More specifically, to keep Denver as a great place to live, it is crucial to require that:

1. only primary residents are allowed to rent for short terms; and
2. only a single unit is allowed to be rented; and
3. hosts must be licensed and must display their STR license number on all advertising.

Without these protections, the City will lose long-fought-for protections of our residential communities.

Thanks.

Jim Winzenburg

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: No to Short Term Rentals

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**From:** Katie Cole [mailto:katiellirb@hotmail.com]  
**Sent:** Monday, March 14, 2016 11:17 AM  
**To:** Barge, Abe M. - CPD Planning Services <Abe.Barge@denvergov.org>  
**Cc:** paul.kasman@denvergov.org  
**Subject:** No to Short Term Rentals

Good Afternoon -

I am writing to express my extreme disappointed in Short Term Rentals. They are about to turn our beautiful SAFE residential neighborhoods into a crime ridden, noisy, and worse neighbor-less place to live.

As such, if STR are going ahead, please limit to primary residences only, with enforcement!

Denver is a great city to LIVE in - let's keep it that way!

Respectfully,  
Kathryn Cole

Hello Abe and Councilwoman Susman:

Thank you for the attached Draft Approach for Short-term Rentals in Denver. Once the formal public outreach begins, or even informal, I would appreciate the opportunity to participate.

As an apartment owner and manager, we are very much interested in the opportunity to do short-term rentals via AirBnb or VRBO - which the Draft Approach attached prohibits. We have friends and colleagues who currently rent apartments as Absentee Landlords via these internet platforms in cities like New York, Chicago and San Francisco and we are talking with a management company that specializes in this approach. They have explained to me that short term rentals work well in some locations, and not so well in other locations.

Because the "AirBnb free market" determines what apartments can successfully rent via these internet platforms, and which can not, there is a natural selection that occurs. It seems that these platforms are not deteriorating the fabric of a neighborhood or removing affordable housing options, because only those units in the appropriate location for AirBnb/VRBO rentals seem to succeed.

It seems to me that by prohibiting Absentee Landlords from conducting short term rentals, the City is missing a significant revenue opportunity (selling business licenses, taxes) that could then be pumped back into affordable housing in a manner that is sustainable. The current IHO ordinance doesn't appear to be working as intended - and this revenue source from regulating the short term rental industry could be one ingredient to a real solution to the affordable housing crisis in Denver.

The shared economy is coming whether or not we like it - and I think it would be best for Denver to embrace it and benefit from it.

Thank you for your consideration, and please let me know when there is an opportunity for further discussion.

Regards,

Patrick Guinness

**From:** [Kettering, Esther](#)  
**To:** [Planningboard - CPD](#)  
**Cc:** [Robert Schmid](#); [M. L. Richardson \(mlrichardson@apc.co.us\)](#)  
**Subject:** Short Term Rentals  
**Date:** Monday, March 14, 2016 12:38:49 PM  
**Attachments:** [image002.png](#)

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To the Denver Planning Board:

I live at 5080 Utica Street in Denver. There are two homes in our immediate neighborhood that are offered by the non-resident owners as short term rentals to others. One is apparently let to business groups for retreats or training and the visitors are generally unobtrusive. The other appears to be offered, predominantly on weekends, to what is evidently family reunion or alumni groups. The latter can often be a nuisance, with loud groups, beer/beverage cans & lawn furniture scattered about the front yard, multiple cars, etc. The main concern is that these houses bring unknown elements into an otherwise stable neighborhood and operate in conflict with long-term residents & homeowners' expectations for a predictable living environment.

**I am AGAINST City of Denver approving of Short Term Rentals ("STRs")**, regardless of additional regulations in attempt to "dress-up" an environment promoting transient living.

Here are some reasons:

- **COMMUNITY** and predictability of the nature of one's community is important. An STR breaks down stability and any sense of community. With the breakdown of community, crime follows.
- STRs raise **ALCOHOL** consumption in neighborhoods. The anonymity associated with those visiting short-term also promotes uninhibited consumption and unacceptable behaviors.
- STRs will bring more **MARIJUANA** usage into neighborhoods. Many visitors come from out-of-state *with the specific goal* of consuming marijuana. STRs appeal to these visitors, since most hotels prohibit marijuana use.
- **PARKING** shortages & problems are already in evidence in our neighborhood.
- **PROPERTY VALUES** will be impacted. Could be that the STRs generate so much income that values increase disproportionate to a typical neighborhood residence, artificially influencing higher values & taxes in the neighborhood. Likewise, the market may view the influence of the STR on the neighborhood as negative, thereby suppressing values and sales of neighborhood residences.

Please enter my comments into the public record.

I appreciate your careful consideration of this matter and urge you to reject STRs.

**Esther Kettering**  
Senior Vice President

Direct: 303-312-4278  
Mobile: 303-956-0444  
Fax: 303-534-8270  
[esther.kettering@cushwake.com](mailto:esther.kettering@cushwake.com)



1515 Arapahoe Street, Suite 1200  
Denver, CO 80202 | USA  
[www.cushmanwakefield.com](http://www.cushmanwakefield.com)

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## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Short term rentals

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**From:** MOLINARO, ANTHONY C [<mailto:amolina@entergy.com>]  
**Sent:** Monday, March 14, 2016 11:49 AM  
**To:** Susman, Mary Beth - City Council <[MaryBeth.Susman@denvergov.org](mailto:MaryBeth.Susman@denvergov.org)>  
**Cc:** [garymnote@gmail.com](mailto:garymnote@gmail.com)  
**Subject:** Short term rentals

Honorable Council member,

Please support Short-term rentals for the Denver area. My wife and I have a daughter and son-in-law that live and work as primary residents in Denver. Their apartment is too small for our visits and the hotels are usually hard to book a room at times. I enjoy Denver and State of Colorado very much. We want the freedom to spend are money on small business owners in your area. Wholesome and relaxed, the feeling of belonging to the city is part of the experience provide by short-term rentals. Please do all you can to help reduce any rulings that do not pertain to the safety of people and environment of you land.

Sincerely,  
Kim and Anthony Molinaro  
23 Scenic Acres Lane West  
Russellville,AR 72802

## Barge, Abe M. - CPD Planning Services

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**From:** Lisa Reynolds <ctydwlr@comcast.net>  
**Sent:** Monday, March 14, 2016 4:52 PM  
**To:** Barge, Abe M. - CPD Planning Services; Kashmann, Paul J. - City Council  
**Subject:** Short Term Rentals in Cory Merrill

Hello-

I am writing in opposition to allowing short term rentals in Denver.

Unless there is funding to support monitoring and enforcing the "rules" for the homes that are short term rentals, I am against the idea.

Having multiple homes in our neighborhood that allow short term rentals could create several issues; parking, noise, zoning, upkeep of the homes, etc.

We have a wonderful neighborhood, and city, and allowing a revolving door of folks in and out of several homes could cause problems.

Thanks you for considering my opinion!

Thanks, Lisa Reynolds  
Denver Native!

**From:** [M.L. Richardson](#)  
**To:** [Kettering, Esther](#); [Planningboard - CPD](#)  
**Cc:** [Robert Schmid](#)  
**Subject:** RE: Short Term Rentals  
**Date:** Monday, March 14, 2016 1:09:38 PM  
**Attachments:** [image001.png](#)

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Very well written, Esther. Would you mind if I forwarded your email to the planning board saying that I agree with what you are saying and am speaking with regard to a house that has been in our family for over 50 years?

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**From:** Kettering, Esther [mailto:[esther.kettering@cushwake.com](mailto:esther.kettering@cushwake.com)]  
**Sent:** Monday, March 14, 2016 12:37 PM  
**To:** [planning.board@denvergov.org](mailto:planning.board@denvergov.org)  
**Cc:** Robert Schmid; M.L. Richardson  
**Subject:** Short Term Rentals

To the Denver Planning Board:

I live at 5080 Utica Street in Denver. There are two homes in our immediate neighborhood that are offered by the non-resident owners as short term rentals to others. One is apparently let to business groups for retreats or training and the visitors are generally unobtrusive. The other appears to be offered, predominantly on weekends, to what is evidently family reunion or alumni groups. The latter can often be a nuisance, with loud groups, beer/beverage cans & lawn furniture scattered about the front yard, multiple cars, etc. The main concern is that these houses bring unknown elements into an otherwise stable neighborhood and operate in conflict with long-term residents & homeowners' expectations for a predictable living environment.

**I am AGAINST City of Denver approving of Short Term Rentals ("STRs")**, regardless of additional regulations in attempt to "dress-up" an environment promoting transient living.

Here are some reasons:

- **COMMUNITY** and predictability of the nature of one's community is important. An STR breaks down stability and any sense of community. With the breakdown of community, crime follows.
- STRs raise **ALCOHOL** consumption in neighborhoods. The anonymity associated with those visiting short-term also promotes uninhibited consumption and unacceptable behaviors.
- STRs will bring more **MARIJUANA** usage into neighborhoods. Many visitors come from out-of-state *with the specific goal* of consuming marijuana. STRs appeal to these visitors, since most hotels prohibit marijuana use.
- **PARKING** shortages & problems are already in evidence in our neighborhood.
- **PROPERTY VALUES** will be impacted. Could be that the STRs generate so much income that values increase disproportionate to a typical neighborhood residence, artificially influencing higher values & taxes in the neighborhood. Likewise, the market may view the influence of the STR on the neighborhood as negative, thereby suppressing values and sales of neighborhood residences.

Please enter my comments into the public record.

I appreciate your careful consideration of this matter and urge you to reject STRs.

**Esther Kettering**  
Senior Vice President

Direct: 303-312-4278

Mobile: 303-956-0444  
Fax: 303-534-8270  
[esther.kettering@cushwake.com](mailto:esther.kettering@cushwake.com)



1515 Arapahoe Street, Suite 1200  
Denver, CO 80202 | USA  
[www.cushmanwakefield.com](http://www.cushmanwakefield.com)

[LinkedIn](#) | [Facebook](#) | [Twitter](#) | [YouTube](#) | [Google+](#) | [Instagram](#)

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## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Denver Short Term Rentals

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**From:** Jay Stein / A.V.S. [avsolinc@yahoo.com]  
**Sent:** Monday, March 14, 2016 11:59 PM  
**To:** Espinoza, Rafael G. - City Council  
**Subject:** Denver Short Term Rentals

Hello Denver City Council,

Thank you for taking the time out of your busy days to consider the Short Term Rental issues.

As a resident up in the mountains of Summit County, I purchased a home in Denver 6 years ago just after my first son was born. We love visiting the City, going to Avalanche and Rockies games, the parks and Zoo, Museums, and generally just getting away from our daily lives. We can drive to Denver in less than 2 hours, and enjoy all the great things the city has to offer.

At first, we kept the house for ourselves, but it became more attractive to short term rent it for a variety of reasons. When we decided to do this, we did our research, and took all the required (and not required) steps. We were instructed to purchase a business license and remit lodging tax to the City, Which we have done for the past 6 years. We fully furnished the home, we installed additional smoke, CO2 detectors and fire extinguishers. We made safety and convenience improvements such as a sidewalk stair handrail, and paved walkways. We did major upgrades to the appearance both inside and out. We planted trees, built a Pergola, added landscaping and a Laundry room. We are diligent about upkeep, curb appeal and making an inviting and safe place for our guests and friends to stay.

Our reasoning for this was/is multifold.

1. **Income.** Without the additional income of rentals, we would be unable to keep the home for our own enjoyment.
2. **Giving back to our neighborhood.** Our little neighborhood is booming. We now have within a 2 block radius, a coffee shop (common grounds), 3 new restaurants, a cheese and provision shop, 2 handmade goods shops, and new light commercial that will be additional shops of unknown type until its finished. Our renters patronize these shops, restaurants, and coffee shops, and contribute to the local economy. Our renters also create jobs. We employ a house cleaner, handyman, and someone to do the yardwork and snow shoveling. None of this would be possible without Short Term Renters.
3. **Security:** Before we decided to rent, our home was vacant for weeks and sometimes months at a time. This did not go unnoticed. In December of 2011, our home was burglarized. Not only was close to \$15,000 worth of our personal belongings taken, but the violation of having strangers in your home, stealing your personal belongings, was very hard to stomach. With short term rentals, the home is "lived in", and we have someone looking after it when we are not there.
4. **Giving back to the VRBO community.** When we vacation, with our family, we do not like to stay in Hotels. It ruins the vacation experience, with yelling kids (not ours) running down the hallways. Yelling kids (unfortunately sometimes ours) running down the hallways. Doors slamming at all hours of the night and morning, no backyard to enjoy, not walking distance to shops and restaurants, and no local flavor. We appreciate the opportunity to rent a nice house for a week and feel at home (which we have done all over the world), and it makes us feel good that our rental guests so much appreciate that

we give them the opportunity to vacation in a nice home and not a hotel. The point is, that we, and they, have a CHOICE where to stay.

5. **Vacations.** And most importantly, our enjoyment of the home, and the City of Denver. Without the ability to Short Term Rent, we would not be able to come to Denver when we want to take our kids to the zoo, park, ballgames, or just enjoy being with our Denver friends and play in the backyard in April, when we still have 3 feet of snow in our yard in the mountains.
6. **Inheritance.** Hopefully some day, this home will be handed down to our children. Maybe to use as a vacation home, maybe to live in when they go to College. We don't consider this an income property. It is our Home away from Home.

I understand the concern that some people have brought up with Short Term Rentals, and some of them I believe are valid. But most, I believe have no bearing, whatsoever. To that effect, the primary residence/owner occupancy requirement does NOTHING to address the issues.

1: **Affordable Housing.** STR homes make up less than .4% of the residential rental inventory. Considering that the majority of owners of STR homes have them so they can enjoy the homes for themselves, if STR homes were outlawed, they would most likely sit vacant until the owners use them. They will have negligible impact on the availability of long term rentals. Due to the value of the homes, they would contribute nothing to technically affordable housing. Primary residence/owner occupancy requirement does nothing to address this issue.

2. **Neighborhood Economy.** While I can not speak to all Short Term Rentals, I know for a fact that our renters patronize local businesses, eateries, and grocery stores. How do I know this? They thank us for recommending these places. Primary residence/owner occupancy requirement negatively impacts the positive benefit of STR by reducing/eliminating rental frequency.

3. **Neighborhood Impact:** I believe our guests have a positive impact on the neighborhood. Without them, I do not believe all the new businesses in our neighborhood would be thriving. Our guests walk to restaurants and shops, and the fact that they can all stay under one roof while visiting for a graduation, wedding, birth or other family event, enhances their Denver experience. Not to mention that we meticulously maintain the home, both inside and out. This IMPROVES the neighborhood. Primary residence/owner occupancy requirement negatively impacts the positive benefit of STR by reducing/eliminating rental frequency.

If we want to talk about things that negatively impact the neighborhood, I will be more than happy to discuss section 8 housing, with the loud music, barking dogs, drug use, litter, parents screaming at the kids in the front yard, and comings and goings at all hours of the night. If the City wants something to more closely regulate that will have positive neighborhood impact, I would start there. But that is an entirely different matter.

4. **Parking.** Short term rentals reduce the neighborhood parking problem. Our guests typically arrive on one rental car. If we long term rented our home, there would be a minimum of 2, probably 3 cars parked on the street at any given time. Primary residence/owner occupancy requirement negatively impacts the positive benefit of STR by reducing/eliminating rental frequency.

5. **Noise.** I understand there are a miniscule number of residents who have been exposed to bad renters. And I can understand their frustration from experience. However, I believe the majority of renters are good people, like you and I. We vet each and every renter before we approve their rental. This is OUR HOME. And we consider our guests our friends. We have guests that have had such a wonderful experience, that have become repeat customers, year after year.

To the noise issue, as we all know, we can't pick out neighbors. To the resident who has been bothered once or twice by a noisy guest, (we have NEVER had a single complaint about our guests in 6 years), I ask you this. Would you prefer a noisy neighbor for a day or two, or a year or two, or ten. How about that neighbor who starts up his Harley at 5:30am every day to go to work, or has the dog that barks all day in the back yard, or the screaming kids, or the section 8 drug dealer gang banger, or the professional yard saler that has a yard sale every weekend. The Short Term Rental house does not have these problems.

Primary residence/owner occupancy requirement negatively impacts the positive benefit of STR by reducing/eliminating rental frequency. And if it was my primary residence, and I rented it while on vacation or traveling, I would be far LESS accessible to communicate with guests.

I honestly ask all of the council members, have you ever taken a family vacation up to the Ski areas? Or a vacation anywhere else in the world for that matter? Did you stay in a House, or Villa, or a Bed and Breakfast? Was it an enjoyable experience?

Would that experience been diminished if you had a "owner occupied" stranger staying with you and your family? Sharing the kitchen? Your bathroom and shower? Watching TV with you and your kids?

Personally, when I go on vacation, I do not want a roommate.

**Including the Primary residency requirement in the current draft ordinance is ridiculous. It will effectively make properties unrentable and undesirable.**

If by some form of twisted logic, keeping the primary resident and owner occupied requirement will somehow address the misguided issues that the camp against short term rentals are arguing, why not apply them to long term rentals, and hotels? It honestly makes no sense.

I would like to include a few of our letters from our guests. I have many, many more.

When was the last time someone wrote to Holliday Inn thanking them for the use of their hotel room?

Thank you for your time,

Jay Stein

Breckenridge

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- [Love this home.](#)

We love the location of this home, The reason being, The home was perfect for our adult family, There were plenty of beds and room. Not only that is was just a couple of blocks from our daughter, We wanted to stay close to her, due to she was getting married. It was perfect. Just walking distance to her and restaurants. Clover was very helpful with any questions we had, and fast responses. We would stay again. Thank you Clover for everything.

- **Perfect for our Daughter's Cozy Little Wedding**

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Even though it was February, we planned to host our daughter's wedding ceremony in the backyard (her chilly idea) followed by a reception inside. It was a small wedding party of just 20 people, and Clover agreed that the open floor plan would work. Our plans changed slightly when we got 4 inches of snow the day before followed by another 8 inches by the time it stopped. We had to move the ceremony inside. But it worked - we were able to have the ceremony and then move a couple tables into place for a sit down lunch. The open floor plan was perfect. Another thing that makes this house great is the owners. They were very quick to respond leading up to our stay, and very quick to respond to questions once we arrived (most of which were answered in their notebook had I looked there first). They allowed us early check in, since it was available. Their house is stocked with all the basic amenities, so we were able to cook our own meals and make our own coffee on days we didn't walk to local restaurants. They also keep this house very clean (your cleaning fee is not wasted :) Even though there was a lot of snow, I was able to walk around the block since the sidewalks were shoveled. The morning of the wedding I shoveled our sidewalks in preparation for guests. And as soon as the snow stopped, someone else shoveled it again - Clover had arranged to have that done which was very much appreciated. We didn't choose this house because it was kid friendly, but that turned out to be a bonus. One pair of wedding guests brought a two-year-old. The downstairs play room was the perfect retreat when she started making noise during the ceremony. And the highchair was put to good use during the reception meal. I would highly recommend this house to others, and hope to stay here again in the future.

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- **Just like home...**

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First of all, I just want to say the owners were amazing...they communicated with us through the entire rental process...I just can't say enough about them except a huge thank you for an amazing Christmas trip...complete with a White Christmas as exactly 12:00PM Christmas Day !!! As for them home, it was great as well... All of the amenities of home... it was great being able to cook rather than go out to eat all of the time which we still did but saved a lot on added meals that we would have otherwise incurred. There was plenty of room for our group to spread out and not feel we were on top of each other and had plenty of spots for privacy if we just wanted some away time. The location was nice as well, I actually got up early and walked a few blocks to the local Starbucks for a cup of coffee! Really wish there were more stars than 5 it was that great of an experience ! And it was our first rental property experience... these owners have set a very high bar for our future rentals... Thanks again for a truly exceptional experience!!!

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- **Wonderful**

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We were a group of four adults and one toddler, and I can't say enough good things about this house. Besides being spotlessly clean and impressively stocked, it has tons of charm and a very usable layout with great indoor and outdoor spaces. The sunny front porch, main living area, and the backyard/patio were all perfect for chatting, reading, and lounging. Our son was thrilled with the trucks in the playroom and backyard, and we appreciated the outlet covers, baby gates, high chair, and pack and play. The neighborhood was lovely, quiet, and walkable, with an great coffee shop (Common Grounds) just a few blocks away. Beds were comfortable, there were plenty of towels/linens, brand new washer/dryer, good water pressure...I really could go on and on. We loved our stay here and hope to return someday.

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- **Loved This Place**

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We loved staying in this house every single day! It was quiet, convenient, and felt like our second home. It was stocked with absolutely everything we could need. Our grandson enjoyed playing in the fenced in backyard and with the toys that were there. We loved sitting outside in the evening in the patio area talking and relaxing with our family.

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- **Perfect Vacation Rental**

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Stayed here with 3 other friends and we spent a good bit of time walking around the house talking about perfect it is. It is perfectly decorated and appointed and so well stocked with anything you need. We enjoyed the back yard, all slept comfortably, cooked several meals and just thoroughly enjoyed every inch of the house. Great location. Easy to get to from the airport. We walked around the neighborhood and to a nearby park, and Gaetanos for great cocktails and apps, drove to Boulder (25 minutes) and Rocky Mtn National PArk (hour and 20 minutes), and ubered to downtown. Highly recommend for sure.

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- **A true home away from home!**

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This house is well-decorated, well-equipped and very comfortable. We enjoyed cooking, hanging out on the patio, going downtown to see the sites and walking to a local bar/restaurant to watch football. This home is spotless with comfortable sleeping accommodations, nice bathrooms and a cozy ambiance. I highly recommend this rental.

- **Everything You Want and More!**

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This house is amazing! It has plenty of character and we all felt right at home. We had a great BBQ on Friday night in the backyard while our 1 year old toddled around in the grass. We were only minutes from the Rockies and the USA Pro Challenge (bicycle race) that finished downtown. We are looking to make this an annual event now and we look forward to staying here again!

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- **Love this home! Super kid-friendly and great location!**

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My family and I stayed at this house while enjoying Denver for a few days and absolutely loved it! It is very kid-friendly, which was wonderful for my two young kids. There is plenty of space for adults and kids and a beautiful fenced backyard. The house has an excellent layout and lovely woodwork and details. The location is great, close to downtown and great restaurants and coffee shops. We appreciated the owners prompt and clear communication! We would definitely stay here again when we are back in the Denver area!

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- **Perfect in every way!**

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We were a party of 3 small children, ages 5, 2, and 10 weeks, barely outnumbered by four adults--mom, dad and grandparents. We were in Denver for the wedding of our son/brother/brother-in-law, and we could not imagine spending five days in a hotel. This home was the perfect solution. In our downtime, the kids could play in the basement or in the backyard. I could sit on the porch in the morning with the two year old and eat breakfast while the others slept in. We could invite the bride's parents to cook out on the grill one evening. Despite the appearance, the house is larger and more functional than I expected. My daughter and her husband slept upstairs, and the two oldest children slept in the alcove beyond the pocket door, and a bathroom was up there as well. There were two more bedrooms and a bath downstairs. The very nicest thing, however, was how well the house was stocked. We have spent many vacations at rental houses, and the refrigerators were bare when we came in and bare when we left. A lot of condiments ended up in the trash each week. The basic necessities were all there, plenty of paper towels, laundry detergent, toilet paper, etc. The owners seemed to think of everything one might need. That was very much appreciated. We would definitely stay again. Kudos to the owners who make this home so welcoming.

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- **Ron S.**

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We love this home! The woodwork, the comfortable furnishings, the backyard, front porch, on and on! Enjoyed a quiet breakfast with my wife and her parents on the back patio table. The evaporative

cooler was more than enough to cool the entire house. Located in a wonderful (as in quiet) neighborhood, day and night. So convenient to highways as well. We will definitely consider this home in the future.

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- **Fabulous Vacation Home**

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We have stayed at a number of VRBOs in Denver, and this was one of the best for our family of 5. There was plenty of room for all of us, and the house was very well stocked with many thoughtful extras. We cooked Thanksgiving dinner in the comfortable kitchen, and all the cookware we needed was there. There is even a cute playroom in the basement, a toddler bed, pack and play and extra twin bed in the master bedroom upstairs, which would make this a great set up for families with young kids. Also, the owner was very responsive and easy to work with. With it's great location, comfortable set up and extra amenities, we will definitely rent this place again in the future.

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- **Great girls weekend!**

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My college girlfriends and I went to Denver for a long weekend and had a blast! The house was adorable and perfect for the 5 of us. It was a great location, and very well kept. The owners clearly spend time taking care of the house and yard.

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- **Great house for a Denver visit**

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This house worked great for our family. It is our second stay at this property. It is close to our son who lives in Denver. This time we had 5 adults and an infant. The upstairs "suite" worked well for the family with the baby. The backyard table was big enough even when the Denver family walked over to visit. Everything was comfortable and clean. Clover was always helpful and available.

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- **Wish we could move in permanently**

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The house was lovely, and it's in a great area of Denver (easy to walk around and a very short drive to everything else). We were there for my sister's wedding, and as such we had a lot of preparation to do. The kitchen was fully stocked and let us prepare our own meals and food for the wedding (my

sister and her husband were insistent that we do our own catering). The house was so comfortable, with plenty of space for my parents and me. We, frankly, didn't want to leave when we had to travel up into the mountains for the actual wedding! Next time I am in Denver, I really hope to stay here again.

## Barge, Abe M. - CPD Planning Services

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**From:** Gary Noto <garymnoto@gmail.com>  
**Sent:** Tuesday, March 15, 2016 5:09 PM  
**To:** EXL Short-Term Rentals  
**Subject:** FW: Denver Short Term Rentals  
**Attachments:** Denver Short Term Rental .pdf

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**From:** K Burns [mailto:karkb@hotmail.com]  
**Sent:** Tuesday, March 15, 2016 4:31 PM  
**To:** marybeth.susman@denvergov.org  
**Cc:** lucas.pasmisano@denvergov.org  
**Subject:** Denver Short Term Rentals

Councilwoman Susman,

My name is Karen Burns and my husband Larry and I live in Lexington, Kentucky. One of our sons lives in your beautiful city. We have had the pleasure of visiting him. When we visited we were able to take advantage of a short term rental. It has come to our attention that there is a task force looking to change how these short term rentals work.

I have attached a brief letter stating our opposition to the changes. The next time we visit we were hoping to stay in one of the short term rentals offered. However, if the changes are implemented that would not be possible.

Thank you for allowing me the opportunity to have a say in this matter.

Sincerely,

Karen Burns

March 15, 2016

To: Denver City Council

From: Larry and Karen Burns  
Lexington, KY

Re: Proposed Changes to Short Term Rentals

It has come to our attention that the Denver City Council is proposing a change to their short term rental policies. We highly oppose the proposed rule that requires short term rentals be a person's primary residences. For the past several years we have used VRBO and Home Away when scheduling visits with friends and family. No other city in which we have stayed has this requirement. Limiting properties eligible for short term rental in this way will certainly cause a great reduction in the number of private rentals. We find staying in an apartment/condo to be much more relaxing than staying in a hotel. When we visit our son in Denver we always stay in short term rental. By staying in short term rentals, we have found we are able to experience the true essence of the city we are visiting as opposed to the generic atmosphere of a chain hotel/motel. This was true when we visited Denver. We were able to see parts of the city we would never have seen had we not stayed in a short term rental. Not only does the person receive compensation for their property, but local businesses receive revenue when short term renters spend money at their establishments.

Therefore, we request that the short term rental policies remain the same.

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Text Amendment 8 Short Ertm Rentals

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**From:** Gertie Grant [gertiegrant@estreet.net]  
**Sent:** Tuesday, March 15, 2016 11:18 AM  
**To:** Gertie Grant  
**Cc:** [cwnznbrg@earthlink.net](mailto:cwnznbrg@earthlink.net)  
**Subject:** Text Amendment 8 Short Ertm Rentals

Dear Council member,

I have been involved in zoning and land use issues in the West Washington Park Neighborhood Association area for many years. I am very concerned about the impact short term rentals have on residential neighborhoods throughout the city including mine.

Please don't let Short Term Rentals turn our residential neighborhoods into destination resorts. The current system is almost unenforceable.

Please keep in mind while you are considering Text Amendment 8 that Short Term Rentals are now illegal in residential zones.

Text Amendment 8 as it now stands may provide some protections for the residential neighborhoods, but please don't pass anything that will create vested property rights. Future changes should not be subject to challenges of violation of property rights. The ability to engage in the business of Short Term Rentals should be a limited and revocable privilege, not a right.

Several things in the current Text Amendment 8 are also very important:

1. Hosts must be the primary resident of the rental unit which must be verifiable. This is a very important requirement. Without this primary residence requirement, short term rentals will be purely commercial uses in our residential zones.
2. The host must be licensed with Excise and Licenses and the license number must be posted on all advertising. Without this, any regulation is unenforceable.
3. Lodging tax must be collected on all units.

The robust entertainment district that Broadway south of 6<sup>th</sup> avenue has become and the legalization of marijuana in Colorado impact nearby residential neighborhoods. Short term rentals allow partying weekend visitors to disrupt otherwise peaceful blocks.

I appreciate your efforts in tackling this challenge and urge you to keep the primary resident and listing of license number in all advertisements requirements in the Text Amendment 8 as it wends its way through the process.

Sincerely,

Gertie Grant  
242 S Lincoln St  
Denver, CO 80209  
303-744-3882

[gertiegrant@estreet.net](mailto:gertiegrant@estreet.net)

**From:** [Proedit](#)  
**To:** [Rezoning - CPD](#)  
**Cc:** [dencc - City Council](#); [openforum@denverpost.com](mailto:openforum@denverpost.com)  
**Subject:** Short Term Rentals -- Please approve proposed text amendment  
**Date:** Tuesday, March 15, 2016 1:49:04 PM

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Greetings, Members of the Denver Planning Board --

To borrow from a popular Colorado expression, I started renting my home on a short-term basis mainly for income, but I've kept doing it because I've discovered unexpected benefits. I enjoy meeting my guests, strengthening my neighborhood and supporting the Denver community.

I'm writing now to urge the Denver Planning Board to recommend to Denver City Council the approval of the proposed text amendment to allow short-term rentals as accessory to primary residential use, with limitations, where residential uses are currently allowed.

We hosts aren't asking for variances to existing regulations on occupancy, noise, nuisances, parking, safety or other matters.

By renting, those of us who are homeowners are better able to afford to keep our homes, which contributes to the stability of our neighborhoods. Many of us use some of our rental income for home maintenance and improvements, which also strengthens the neighborhood. We are ambassadors for the community, promoting local attractions and businesses, where our guests spend money, contributing to the local economy. Once taxation is implemented, guests will contribute even more to the local economy, assuming the tax burden doesn't lead tremendous drops in participation.

Along with other hosts, I applaud the Denver Planning Board and the city council for their thoughtful approach to short-term rentals. Many of us may have tweaks and larger changes that we'd like in current proposals, but I look forward to having regulatory support as I continue to contribute to the community through hosting.

I would like for this open letter to be a part of the official record of the March 16, 2016, meeting of the Denver Planning Board.

Thank you for your consideration.

Buffy Gilfoil

## Barge, Abe M. - CPD Planning Services

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**From:** Gary Noto <garymnoto@gmail.com>  
**Sent:** Tuesday, March 15, 2016 12:17 PM  
**To:** EXL Short-Term Rentals  
**Cc:** Susman, Mary Beth - City Council; Palmisano, Lucas W - City Council Operations  
**Subject:** FW: Denver Short-Term Rentals

To the City of Denver,

Having stayed in a short term rental in Denver during the summer of 2015, I would like the city of Denver to know that my decision to even visit the city was due to the convenience of locating a place to stay that suited my needs. Short term rentals provided my family several things a hotel did not, and more importantly, allowed me the access as a consumer, to directly influence the actual owner of the property.

I have stayed in hotels across the country, and I have been disgusted by the unsanitary conditions in many. In trying to correct these conditions, I have met many employees who have cared less about my concerns. With a short term rental, I have direct access to the person who is responsible for making the entire stay satisfactory. I know there is a direct connection with my satisfaction and the economic well-being of the owner. This does not exist in a corporate hotel.

The safety of my family was paramount in deciding where to stay in Denver. I did not want to be harrassed by homeless people, drug addicts, or anyone else that I would not normally encounter when I am at home, yet the downtown area of Denver provides this and more. By being in a single family residence that was not currently occupied by the owner, I was able to sleep securely knowing that if anyone entered the house once I was in it, I could protect my family with whatever means I found necessary. In a hotel, I do not have that level of safety.

In addition to the features of safety, my family has dietary needs that most restaurants cannot accomodate. Therefore, a kitchen is necessary when we travel. Because our car is small, there is not enough space to pack cooking items, let alone extra bags for clothes. That is why a washer and dryer are also features we wanted in a place where we stayed.

Since we are used to driving our car and not being charged for parking in our own driveway, it is hard to be comfortable paying \$20 per day for parking at a hotel. In addition to being overcharged for parking, I do not enjoy being overcharged for items like a can of Coke for \$2.00 at a hotel, simply because there are no grocery stores nearby. I would rather spend \$22.00 at a local grocery store and feed my family than drink a Coke in the parking lot for the same money.

So for the city of Denver to enjoy us spending money at the museums, zoo, restaurants, attractions, bars, grocery stores, locally owned bookstore, capital, churches, and theaters during our stay, we needed a place to sleep that provided safety, privacy, a kitchen, washer and dryer, and free parking. There are no hotels, motels, or bed and breakfasts locations that were able to give us all of what we wanted at a price we could afford.

This model of being able to rent an entire house has worked successfully for us in Chicago, San Diego, Washington D.C., and Ruidoso, New Mexico. You will be losing money from visitors like us, and from our children in the future, if you pass regulation against it.

This system of staying in a house for a visit has always existed. It was just not an option to those of us who did not have rich relatives. Instead of listening to the pressures of corporate hotel chains, why not listen to the people who have actually benefited from renting a house for the short term such as myself.

Andrew Hadcock

Albuquerque, NM

[www.TheDynamicBroker.com](http://www.TheDynamicBroker.com)

[Andrew@TheDynamicBroker.com](mailto:Andrew@TheDynamicBroker.com)

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Denver STR's

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**From:** T Hills [thills123@gmail.com]  
**Sent:** Tuesday, March 15, 2016 10:25 AM  
**To:** Susman, Mary Beth - City Council  
**Subject:** Denver STR's

Councilwoman Marybeth Susman,

I want to tell you as a long time resident in the city of Denver, I am very proud of the changes I've seen take place in the past 10 years. The city has become a tourist hot spot where people feel safe and eager to explore. I enjoy taking friends and family to all of the cool neighborhoods surrounding the city. Many people think the 16<sup>th</sup> street mall is "Denver." People believe this because they are not educated or aware of the great places outside of downtown.

I have two short-term rental properties in the city of Denver, and have hosted hundreds of families looking to explore Colorado as well as people here for business. That being said, I don't believe these guests would have had nearly the quality experience if they had stayed in a hotel downtown. When I host guests at my properties they ask what are the local hot spots to checkout. I love to share my favorite restaurants and store's with my guests, it feels really good to know that we are helping our local economy and spreading healthy lifestyle choices to others.

I haven't had one neighbor complain about my guest's, I have actually had praise from neighbors about the interactions they've had with my visitors.

STR's represent a very small portion of homes in Denver, to say that we are responsible for any type of housing shortage or increase in property value is ridiculous. The state and city is growing as a whole, and of course these changes are normal. Every city in the world experiences these growing pains at some point in history. Most of the short-term rental properties wouldn't even fall under the affordable housing category, these properties are \$400k and above.

The city needs to make sure that affordable units are set a side when big apartment complexes are being built in the city. I know that there are plenty of open units in a lot of these buildings around town; they're already lowering the rent for current tenants and making adjustments because they have too many unoccupied units in the city.

I have been to every city council meeting and the thing that keeps coming up for the small group against STR's is the fact that they would like the home owner to be there to over see their guests stay. I understand this and I agree that the host should be hands on and responsible for their guest. I would propose that the city implement a 3 strike rule where a host can lose their ability to rent for a year and see a hefty fine if they have multiple complaints. I take my hosting responsibilities very seriously, I don't think it is fair to pass restrictive legislation based on a few irresponsible hosts.

We need to educate hosts on appropriate processes and procedures.

I am asking you to *not* pass the primary residence regulation and revisit this down the road if it continues to be an issue. It seems unreasonable to slap major constraints on an industry that is so new and still evolving. I suggest passing smart regulations and watching how it works and readdressing issues at the appropriate time.

I hope you consider my input.

Thank you,  
Taylor Hills

## Barge, Abe M. - CPD Planning Services

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**From:** Jesse Lipschuetz <jnlpc@yahoo.com>  
**Sent:** Tuesday, March 15, 2016 11:57 AM  
**To:** Barge, Abe M. - CPD Planning Services  
**Subject:** Short term Rentals - proposed ordinance/comments for the Planning Board

Ladies and Gentlemen

I voice my support for the proposed ordinance for Short Term Rentals, as written.

Although not perfect, it accomplishes two public policy goals: First, it allows individuals and families to legally rent space in their homes so they can afford to remain in place, especially as they age and their incomes cannot keep up with inflation. Second. It puts limits on the commercialization of our residential neighborhoods.

It is obviously a partial solution to the affordable housing situation. It not only allows people to remain in place, but also prevents a substantial stock of affordable housing from being withdrawn from the long term housing market.

Although I would like to see the number of allowed residents remain the same as under current zoning laws, I believe that is an issue that can be addressed later if it becomes problematic.

If anything, the Board should ignore the pleas (and lies) of the opponents of the “primary-residency” requirement. On March 2, the Denver Short Term Rental Alliance posted the following comment on its Facebook page:

*At the four recent Community Town Halls throughout Denver, proponents of eliminating the primary-residency restriction in the current draft short term rental ordinance outnumbered opponents 3:1! Now will the Denver City Council listen to the majority of their constituents and eliminate the primary residency requirement? (emphasis added.)*

Merely because they were well organized and outnumbered opponents by 3:1 does not mean that a majority of the populace is opposed to the primary-residency restriction. It only means that at the Town Halls, the industry was well organized and well prepared.

Indeed, I thought at one of the Town Halls, the opponents of primary residency sounded like a well-rehearsed infomercial with lots of warm and fuzzy testimonials.

Thank you

Jesse N. Lipschuetz  
670 Emerson St., Denver CO 80218.

## Barge, Abe M. - CPD Planning Services

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**From:** Gary Noto <gary\_noto@yahoo.com>  
**Sent:** Tuesday, March 15, 2016 12:29 PM  
**To:** EXL Short-Term Rentals  
**Subject:** FW: Comments regarding short term rental amendment

I would like to add my perspective as a frequent guest in many cities (throughout the US and the world) who prefers to stay in private lodgings such as condos, guest houses, and apartments, as opposed to hotel rooms.

Denver is looking at updating their zoning for short-term rentals. It is my understanding that there would be limits placed on short-term rental properties to those which are a person's primary place of residence.

With the implementation of the primary residence rule, most properties would not be eligible to host short-term rentals. I feel that this would not be of benefit to Denver neighborhoods, property owners, travelers, and certainly not shop and restaurant owners for the following reasons:

- dramatic reduction of properties available for short-term rent;
- reduced number of properties providing true privacy;
- higher rent costs due to reduced inventory;
- elimination of higher-quality properties dedicated to the short term rental;
- potentially less secure living environments for the guest and the host since all would be together in the same dwelling;
- potentially less sanitary living environment;
- such ruling would encourage amateur approach towards management, resulting in a much less satisfying rental experience for all involved.

Each year, sometimes several times a year, we come from southern Colorado for events in Denver. We stay in privately owned apartments, flats, or homes. We would not stay in private properties if we had to share with owners or other renters. We would not extend our stay if we were forced to stay in a hotel or motel. I would not likely join my husband during these events, and we therefore would not shop locally, visit museums, botanical garden, zoo, etc., and not visit restaurants and pubs.

Our most recent stay was a perfect example of how we travel and typical monies spent. We chose the property because it is a private home we rented by ourselves. We stayed an extra two days beyond the conference my husband was attending. We ate out most meals, and while he was in conferences I, of course, shopped! If we would've had to stay at the hotel with the convention center, I would not have come, and my husband would not have stayed extra days.

We found the short-term vacation rental was run as most other property owners should, and do. The owner is registered and collects tax from us, which he passes onto the city. The place was very clean and neat inside and out. If it were otherwise, we would not have stayed there. The property is a 10 minute walk from downtown conference center, many restaurants, and 16th Street Mall. We found the neighborhood to be authentic and charming. I am certain that by the two of us staying in the home, we had no negative impact on said neighborhood.

I therefore hope that you and other members of City Council, and Planning and Zoning will take into account the great impact you would have on property owners, business owners, and especially travelers like us if short-term rentals were limited to the degree proposed.

Please feel free to contact me if I can add any clarity to my above comments and concerns.

Sincerely,

Jean Ann Mercer  
Yellow Jacket, Colorado

970-562-4884

Jean Ann Mercer [nmtuliegirl@yahoo.com]

## Barge, Abe M. - CPD Planning Services

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**From:** Gary Noto <garymnoto@gmail.com>  
**Sent:** Tuesday, March 15, 2016 12:04 PM  
**To:** EXL Short-Term Rentals  
**Subject:** FW: Against limiting short term rentals

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**From:** Joy Young [mailto:geyoungs@hotmail.com]  
**Sent:** Tuesday, March 15, 2016 9:03 AM  
**To:** marybeth.susman@denvergov.org  
**Subject:** Against limiting short term rentals

Hello Ms. Susman,

My husband and I live in Chicago and have a daughter living in Denver. She graduated and found a job that is located there. We try to visit her as often as possible, which is usually 4-6 times a year. Because of high rents in Denver, my daughter does not have room in her apartment to house us and thus we choose a property to stay at. We always choose a VRBO or Home Away property. The hotels would make the visit too costly - close to \$200 a night

We enjoy many aspects of renting an apartment. The ease of residing close to our daughter, having our own private living space, and having access to our kitchen for breakfast and night time snacks etc. while we spend the days visiting, and most certainly the reasonable prices.

I know that restricting these types of properties would limit the amount of visits that we would be able to make because of the additional costs. A typical visit of three to four nights could cost us at least \$800 in housing (not including the steep taxes that hotels assign). It also would not give us the ease of staying within walking distance of her. When we stay in Denver if we rent a car or she comes to the apartment, there has been street parking which avoided costly hotel parking charges and the trouble of finding a convenient public paid parking lot. Everything about renting the apartment in a nearby neighborhood have been wonderful for our Colorado stay.

Please vote not NO to **The proposed amendment that would only allow short-term rentals as accessory to a primary residential use.**

Thank you,

Joy L. Young  
Chicago Illinois

**From:** Nextdoor Belcaro <[reply@rs.email.nextdoor.com](mailto:reply@rs.email.nextdoor.com)>  
**Sent:** Saturday, March 12, 2016 7:38 PM  
**To:** [rchap40@live.com](mailto:rchap40@live.com)  
**Subject:** Short Term Rental

 George Mayl, Belcaro

Everyone,  
Please e-mail [abe.barge@denvergov.org](mailto:abe.barge@denvergov.org) with this message:  
Text Amendment 8  
Primary resident Only with strict enforcement.

**From:** Robert Chappell [mailto:[rchap40@live.com](mailto:rchap40@live.com)]  
**Sent:** Saturday, March 12, 2016 8:37 PM  
**To:** Barge, Abe M. - CPD Planning Services <[Abe.Barge@denvergov.org](mailto:Abe.Barge@denvergov.org)>  
**Subject:** Fw: Short Term Rental  
**Importance:** High

I concur.  
Robert Chappell

**From:** Howard Lerman [mailto:[hlerman@yahoo.com](mailto:hlerman@yahoo.com)]  
**Sent:** Sunday, March 13, 2016 12:03 PM  
**To:** Barge, Abe M. - CPD Planning Services <[Abe.Barge@denvergov.org](mailto:Abe.Barge@denvergov.org)>  
**Subject:** Short Term Rentals

Text Amendment 8  
Primary resident Only with strict enforcement.

-----Original Message-----

From: Helen Leaver [mailto:[fwlhsl@comcast.net](mailto:fwlhsl@comcast.net)]  
Sent: Sunday, March 13, 2016 3:02 PM  
To: Barge, Abe M. - CPD Planning Services <[Abe.Barge@denvergov.org](mailto:Abe.Barge@denvergov.org)>  
Subject: STR

Text Amendment 8  
Primary resident Only with strict enforcement.

Please and Thank You.

Helen Leaver  
1729 S. Eudora St.  
Denver, CO 80222

-----Original Message-----

From: Nancy Wimbush [mailto:[nwimbush@gmail.com](mailto:nwimbush@gmail.com)]

Sent: Sunday, March 13, 2016 1:00 PM  
To: Barge, Abe M. - CPD Planning Services <Abe.Barge@denvergov.org>  
Subject:

Primary resident only and strict enforcement.

Sent from my iPad

**From:** Marti Freeman (CMNA) [mailto:cmna@corymerrill.org]  
**Sent:** Sunday, March 13, 2016 10:03 PM  
**To:** Barge, Abe M. - CPD Planning Services <Abe.Barge@denvergov.org>  
**Subject:** Text Amendment 8, Primary resident only with strict enforcement.

Text Amendment 8, Primary resident only with strict enforcement.

-----Original Message-----

From: Christine Baier [mailto:christinewbaier@gmail.com]  
Sent: Monday, March 14, 2016 8:23 AM  
To: Barge, Abe M. - CPD Planning Services <Abe.Barge@denvergov.org>  
Subject: STR

VERY IMPORTANT!!!

Text Amendment 8:  
Primary Resident ONLY with strict enforcement.

That way my son won't need to be recovering from a shattered femur having been shot by illegal renters!

[christinewbaier@gmail.com](mailto:christinewbaier@gmail.com)

303-808-7087

-----Original Message-----

From: caseypatti@yahoo.com [mailto:caseypatti@yahoo.com]  
Sent: Monday, March 14, 2016 11:53 AM  
To: Barge, Abe M. - CPD Planning Services <Abe.Barge@denvergov.org>  
Subject: STR

Text Amendment 8  
Primary resident Only with strict enforcement.

-----Original Message-----

From: Sigmund Mazur [mailto:zig1748zag@aol.com]  
Sent: Monday, March 14, 2016 3:43 PM  
To: Barge, Abe M. - CPD Planning Services <Abe.Barge@denvergov.org>  
Subject: Short term rentals

Primary resident only, with strict enforcement!

**From:** Frank Baier [mailto:frankdbaier@gmail.com]  
**Sent:** Wednesday, March 16, 2016 12:41 PM  
**To:** Barge, Abe M. - CPD Planning Services <Abe.Barge@denvergov.org>  
**Subject:** Short Term Rentals

Hi Abe,

Text Amendment 8, Primary resident only with strict enforcement.

Frank D Baier  
Frank Baier Music  
303-619-7167  
[frankbaiermusic.com](http://frankbaiermusic.com)  
[frankbaier@gmail.com](mailto:frankbaier@gmail.com)

## Concern Perspectives on Short-Term Rentals

Short-term rentals are a clever commence that seem much like Uber taxi service. You utilize a present resource--in this instance not your own car but instead an owned property. Like the advantage of simply using your own car, getting started is cheap, no new mortgage required or extensive construction. You pursue fresh profit with your present resource.

But short-term rentals are not like Uber and the simple utility of a car, they take place in neighborhoods, in community settings of household owners who for the most part bought into the neighborhood for quality of living and lifestyle, not in pursuit of or expectation that the neighborhood will become quick turn around rental commerce.

So addressing the issue of short-term rentals isn't about the use of a particular dwelling for profit, it's about the impact on the quality of life for home-owner neighborhoods that, as it stands now and always has, entails continuing active participation of residents in maintaining desired qualities of home life.

It's always been so that city occupancy includes rental houses. Stable long-term renters in time blend in with the norms of the neighborhood, as for example, on parking courtesies, litter and trash control, cooperation on barking dogs and noise levels. These renters become a part of the community and are known to residents and to one another. They are neighborhood too. That won't be the case with serial short-term renters coming and going.

It's hard to imagine a single benefit that short-term rentals offer the rest of the neighborhood. On the other hand, the concerns about it are not hard to define. The first is of obvious consequence: Security. In the Congress Park News just issued this spring it requests, regarding crime prevention, to "Report suspicious activity. You are the eyes and ears of the community. You know when something looks "wrong" on your block. Don't share our neighborhood with criminals." The constant revolving door of short-term renters won't make it any easier to know what could be happening on the block.

This Congress Park issue is replete with neighborhood matters of cleanliness, the value of motion-detection lights and suggests checking in with seniors and new parents, in these subjects conveying the sense of community that we are, and also raising another dimension of consequence. As mentioned, neighborhood norms are shared with long-term renters, accomplished through outreach discussions, visits and by example. It will be difficult to maintain or even share these norms with temporary, frequent renters who have no investment in the neighborhood and have no incentive to regard those around them. Problems and disruptions may generate complaints but no long-term stabilization will be achieved with the perpetrators soon gone and replaced by new unknowns.

Unlike new rental property construction burdened to provide adequate parking, this arrangement adds no new parking and further congests parking on streets that were never envisioned to bear the multi-car ownership of households that now exists. Apparently in

public hearing it was suggested short-term renters won't be renting cars. Frankly that presumption is risky.

Apparently, it's also been suggested in public hearing that short-term rentals represent a sort of Chamber of Commerce gesture introducing Denver to outsiders as a great place to live (which it is). The fact is the City has no problem drawing new-comers. Increasingly the reality is it has the problems of highway congestion and street parking under duress. The Chamber of Commerce doesn't need any help.

In summary, unlike the Uber driver solely independent and responsible to him or herself, short-term rentals obligates the neighborhood on many fronts, some of them simple, others of greater frustration and worry.

As understood, there are two versions of short-term rentals:

1. In the house of the owner who is present.
2. Proposed absentee owner rentals.

In both arrangements, the disadvantages to the neighborhood apply. But in the instance of absentee ownership the problems will be of far greater concern and vulnerability. (A likely example would be how many are in the house verses how many should be. And the vetting of short-term renters will be more precarious, such as the possibility outsiders coming to Colorado to rent dwellings for temporary marijuana dens, a prospect well beyond anything anticipated when residents chose to buy into our neighborhoods.)

A final thought: in any implementation of short-term rentals, if possible it would be meaningful to restrict it to one per block as has been said is the case in San Francisco.

Judy & Tom Clase  
1265 Milwaukee  
(303) 322-4601  
40 year homeowners

## Barge, Abe M. - CPD Planning Services

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**From:** Ann Kerstiens <ann3456@hotmail.com>  
**Sent:** Wednesday, March 16, 2016 12:13 PM  
**To:** EXL Short-Term Rentals  
**Subject:** The Windsor

Denver Gov,

There are several residents at The Windsor, 1777 Larimer Street, Denver with concerns regarding STR's.

There are currently approximately 12-14 units being rented on AirBnB, VRBO, and Craigslist for as short as 1 night, on average 2-4 nights. I believe about 6-8 owners own these 12-14 units, some of which live out of state or in other areas of Colorado. Some of these owners are trying to purchase additional units to be used for this purpose and are encouraging other owners in the building to rent their units for this same purpose.

The Zoning Department did visit The Windsor, at our request, however, someone told Mr. Holt that there were only three units for STR and they were all rented for 30-days or longer, which was an outright lie.

The other 250+ residents living here did not move into a hotel and that is what it has now become, minus paying the taxes and fees to the city. There is absolutely no security as these people have access to all floors, the parking garage, leave with the key-fobs and are not vetted in any way.

We are trying to work on this within the building, but also need Denver LAWS enforced somehow so any help that can be given would be greatly appreciated.

Thank you,

Ann Kerstiens  
Unit 2211  
303-437-1244

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Comments regarding Denver Zoning Change to STR

**From:** Nicole Sullivan [<mailto:info@bookbardenver.com>]

**Sent:** Wednesday, March 16, 2016 1:32 PM

**To:** Rezoning - CPD <[Rezoning@denvergov.org](mailto:Rezoning@denvergov.org)>; dencc - City Council <[dencc@denvergov.org](mailto:dencc@denvergov.org)>; Espinoza, Rafael G. - City Council <[Rafael.Espinoza@denvergov.org](mailto:Rafael.Espinoza@denvergov.org)>

**Subject:** Comments regarding Denver Zoning Change to STR

To Whom it May Concern:

I am writing today to oppose the proposed zoning change requiring that short term rentals be limited to primary residences. I own BookBed, an author / book lover bed & breakfast that is located directly above BookBar, my bookstore / wine bar. This short term rental is located in a commercial building that is owned by me and located in mixed use zoning.

My rental property opened in November of 2015 and provides a very unique lodging experience on Tennyson street arts and shopping district in the heart of the Berkeley neighborhood. This is an area that has seen tremendous and exciting growth in recent years and is becoming more of a revenue and tourism draw nearly every day. Yet, tourists coming to this neighborhood have no lodging options. The nearest lodging options are Traveler Inn and Motel 6 off of I-70 and Federal. These are not exactly desirable options for most of our customers or tourists wanting to experience all that the Berkeley neighborhood has to offer.

For my own business, BookBar, we immediately saw the great value of an on-site short-term rental property. Not only are we able to offer our visiting authors on-site lodging but we are able to attract bigger name authors to Berkeley with the offer of complimentary lodging as a perk when applicable. In the past, authors would stay downtown, take an uber to BookBar, give a reading, maybe stick around on the street for dinner and then return downtown to their lodgings. Now, however, we are keeping authors on the street and in our neighborhood to experience what we have to offer. They can now shop here, eat breakfast, lunch, and dinner here. Who knows maybe someday one will be inspired to write a bestselling book about our wonderful community!

In addition to authors, we host artists, musicians and family members of neighbors who live nearby. In the four months we have been open we have been able to host over a dozen authors who have given readings in our store and / or holed away for a mini writers retreat, we hosted 3 faculty candidates for Regis University, 2 guests who wanted to check out the neighborhood for relocation purposes, 22 out of town guests who were able to stay in a comfortable apartment just blocks from their family members' residences who did not have enough space to host them, and 4 book loving couples who specifically came to stay above a bookstore to celebrate special occasions.

Short term rentals provide what no other lodging options can provide: a respite for artists, a community lodging option for people looking to relocate and really get a sense of their potential new community, and an option for out of town families to stay in comfort near their loved ones. Short term rentals, in most cases are not bringing strangers into our communities, quite the opposite in fact, they often bring family members together from across the country or further, they bring new potential residents, and in some cases, they bring in artists, writers, musicians. People who inspire and are inspired by our community. Short term rentals help build community, not destroy it.

Additionally, STRs of course, provide income to the owners. In my case, the income I earn from my STR helps to off-set the low margins of book sales, helping to keep a bookstore in our community. The caliber of authors I

have been able to bring in, because of the lodging option, has improved our events, our customer experience, and our bottom line. If this primary residence requirement were to pass, it would have a huge effect on my bookstore business and on the community's access to authors.

Short term rentals allow for more creative lodging options. Many offer themes or amenities that you can find no where else. My own b&b, for example, has received national attention. We have gotten press in

**5280 Magazine** <http://www.5280.com/dwell/digital/2015/11/book-themed-bb-opens-tennyson>

**Shelf Awareness**

<https://mail.google.com/mail/u/0/?shva=1#label/BookBed/150287021c1761d0?compose=15380d7dfbbf02e0>

**Publishers Weekly** <http://www.publishersweekly.com/pw/by-topic/industry-news/trade-shows-events/article/69092-aba-winter-institute-2016-bookselling-peaking-in-colorado.html>

**Business Den** <http://www.businessden.com/2015/11/02/berkeley-bookstore-and-bar-adds-bb/>

**Bookselling This Week** <http://www.bookweb.org/news/around-indies-293>

**North Denver Tribune** <http://www.northdenvertribune.com/2016/01/got-resolutions/>

**Westword** called it 'the coolest vacation rental in Denver' December 2, 2015

And we are getting the attention of New York publishers and publicists who are increasingly searching out more cost effective travel for their authors.

I hope you will see how short term rentals have allowed for greater possibilities for travel and exploration, for bringing people together and bringing people into our communities, particularly where little to no acceptable lodging options exist. Alternatively, I urge you to at least consider primary businesses be considered as primary residences and / or make allowances for those of us who are bringing in art and artists to our communities. One way to kill the spirit of a city, the uniqueness of a community is to restrict creative and unique commerce such as Short Term Rentals.

Thank you for your time,

Nicole Sullivan

**BookBar**

Owner - Operator

4280 Tennyson St.

Denver, CO. 80212

303-284-0194

[Visit our website](#)

Like us on [Facebook](#)

**Barge, Abe M. - CPD Planning Services**

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**From:** Stephen Bell <Stephen\_Bell@abtassoc.com>  
**Sent:** Sunday, March 20, 2016 12:02 PM  
**To:** EXL Short-Term Rentals  
**Subject:** Homeowner comment on the Short Term Rental proposal

Dear City of Denver Official,

My wife and I own a house on Julian Street [*or should we say 23<sup>rd</sup> Avenue?*] in West Denver. We would like on occasion to make it available to short-term renters when we are not in town so we welcome the proposed new regulations and licensing for this kind of activity.

Our concern is that the property is a second home for us, while splitting time between Denver (where our son's family lives) and a primary residence in Maryland (where our daughter's family lives). As involved citizens and taxpayers within the Denver community, we do not believe legal resident status should be required for participation in the City's short-term rental program. Please inform me how homeowners in circumstances like ours can qualify for a STR license so that our rights as property owners and investors in the City can be upheld.

Stephen Bell

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This message may contain privileged and confidential information intended solely for the addressee. Please do not read, disseminate or copy it unless you are the intended recipient. If this message has been received in error, we kindly ask that you notify the sender immediately by return email and delete all copies of the message from your system.

## Barge, Abe M. - CPD Planning Services

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**From:** Joseph Heard <jwheard@comcast.net>  
**Sent:** Sunday, March 20, 2016 2:36 PM  
**To:** Barge, Abe M. - CPD Planning Services; Susman, Mary Beth - City Council; Espinoza, Rafael G. - City Council  
**Subject:** Primary residence requirement for Short-term Rentals

I am writing to say that I believe the primary residence requirement that is part of the proposed regulations for short-term rentals (STR's) is an absolutely critical part of these regulations.

In reading the proposed regulations, it seems there is nothing other than the primary residence requirement that would limit or prevent an individual, group of people, or even a company from purchasing multiple houses, condos or apartments and making them into STR's. They wouldn't need to be residents of Denver, or Colorado, or even the United States. They could potentially purchase whole apartment buildings or condo complexes, or multiple houses on individual blocks in residential neighborhoods as STR's without restraint. Such situations could cause irreparable damage to established residential neighborhoods and negatively impact the availability of housing units for long-term residents in an already tight housing market.

In listening to the owners of STR's who spoke at the Town Hall meeting I attended and at the recent Planning Board meeting, I heard virtually all of them say how wonderful and considerate the people are who rent their STR's. While I don't disagree with them on this, the fact remains that these renters are there for only very short periods of time and have no investment in the continuity or integrity of these neighborhoods.

Further, the great majority of the STR owners said that they live either on the STR property or close by, and that the renters always know how to reach them. I doubt that would be the case if there was no primary residence requirement. In fact, I am currently in the situation where the owner of the other unit in my duplex, which is now an STR, is working out of state indefinitely. I haven't seen him in months and don't know if I will ever see him again. The only way I can potentially contact him is through a woman he hired to manage his STR. This kind of situation would likely be more common without the primary residence requirement.

Personally, I believe there should be even more limitations in the proposed regulations such as limiting the number of STR's allowed on an individual block, or in a specific geographic area, and/or limiting the number of STR's an individual owner could operate. I strongly encourage the Denver City Council to keep the primary residence requirement as part of these regulations and, further, to consider additional limitations that will prevent currently intact neighborhoods from being overrun by multiple short-term rentals.

Joseph Heard  
4564 Utica Street  
Denver, CO 80212

## Barge, Abe M. - CPD Planning Services

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**To:** jcaff12002@yahoo.com  
**Cc:** EXL Short-Term Rentals  
**Subject:** FW: Commerical Bed and Breakfast and STR?

James,

Thank you for the message. The current proposed framework for short-term rentals would add a new permitted "short-term rental" accessory use to the Denver Zoning Code, along with a corresponding business license. The existing Lodging Accommodations/Bed and Breakfast primary use and corresponding business license will remain unchanged. So – bed and breakfast establishments will be able to continue operating even if they are not occupied by a resident.

If the proposed short-term rental framework is adopted, licensed short-term rentals will be required to include their license number in online listings (AirBnB, VRBO, etc.). This requirement does not apply to licensed Lodging Accommodations/Bed and Breakfasts. However, you're welcome to include your business license number in listings if you wish.

Please do not hesitate to contact us if you have any additional questions.

Regards,

-Abe



**Abe Barge, AICP | Senior City Planner**  
Community Planning & Development | City and County of Denver  
720.865.2924 Phone | [abe.barge@denvergov.org](mailto:abe.barge@denvergov.org)  
[DenverGov.org/CPD](http://DenverGov.org/CPD) | [@DenverCPD](https://twitter.com/DenverCPD) | [Take our Survey](#)

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**From:** James Caffrey [<mailto:jcaff12002@yahoo.com>]  
**Sent:** Monday, March 21, 2016 11:46 AM  
**To:** EXL Short-Term Rentals <[STR@denvergov.org](mailto:STR@denvergov.org)>  
**Subject:** Commerical Bed and Breakfast and STR?

Dear Council

I was wondering how a licensed Bed and Breakfast will be affected by the new regulations?

My concerns are as follows and wanted to know if the council will allow the following or will address licensed Bed and Breakfast in the new regulations.

Will a licensed registered Bed and Breakfast be able to legally operate on the STR website even though it is a licensed bed and breakfast? My fear is since we can not claim a Bed and Breakfast as a primary residence how will the council address "licensed bed and breakfast businesses"? A license bed and breakfast is not a residence but a licensed bed breakfast business.

Since the city will only allow primary residence to be listed how will that affect or what allowances will be made so existing licensed Bed and Breakfast businesses will be able to operate legally on the STR platform since it is listed as a business?

Thank you,

James Caffrey  
720-299-0925

**From:** [Susman, Mary Beth - City Council](#)  
**To:** [Ajsteamboat@aol.com](mailto:Ajsteamboat@aol.com)  
**Cc:** [Batchelder, Nathan D. - Excise and Licenses](#)  
**Subject:** RE: Denver Short Term Rental Alliance ~ NO to primary residency requirement  
**Date:** Wednesday, March 23, 2016 12:42:31 PM

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Thank you for your email. I will forward so all council may see it

**Mary Beth Susman**

City Council – District 5 | City and County of Denver  
720.337.5556 Phone | 720.337.5555 Office  
[marybeth.susman@denvergov.org](mailto:marybeth.susman@denvergov.org)

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**From:** [Ajsteamboat@aol.com](mailto:Ajsteamboat@aol.com) [mailto:[Ajsteamboat@aol.com](mailto:Ajsteamboat@aol.com)]  
**Sent:** Wednesday, March 23, 2016 11:51 AM  
**To:** Susman, Mary Beth - City Council <[MaryBeth.Susman@denvergov.org](mailto:MaryBeth.Susman@denvergov.org)>  
**Subject:** Denver Short Term Rental Alliance ~ NO to primary residency requirement

Hi Mary Beth

We own a property in Denver that we purchased close to 10 years ago for our retirement years.

In the meantime we've been renting it out fully furnished on a short term basis via various internet sites. Less wear & tear that way.

We've had guests from all over the world come to Denver - for family reunions, weddings, graduations - you name it !

We also have guests that conduct business in the Convention Center and other venues.

All these guests bring lots of revenue to the City of Denver and prefer to stay together in a lovely house vs renting various hotel rooms.

We fully support the City's efforts to regulate and charge lodging taxes and we have been paying these taxes to the City of Denver as required.

We have never had a complaint from any neighbor ~ some neighbors have actually enjoyed meeting some of the people and enjoy the interaction and being helpful as to where to go and what to do in The Mile High City

We are COMPLETELY OPPOSED to the primary-residency requirement !

We believe it is completely discriminatory ~ and as homeowners we should be allowed to do what we want with our property.

Property rights are a basic tenant of our rights as Americans.

The proposed legislation would favor one property owner over another ~ how can this be justified?

How this will "solve" any issues there might be is beyond us ~ we take great pride in keeping our house in pristine condition for ourselves and our guests.

We hire local handymen and cleaning crews to do the necessary upkeep and repairs

This is our largest long term investment for our retirement - and we hope one day to move into our house and spend our golden years.

We trust we are clear in that we are completely OPPOSED to the idea of the primary-residency requirement

And we trust you will be on our side on this issue.

Many thanks

Sincerely

A. Schnydrig

**From:** [lauribeckwith@gmail.com](mailto:lauribeckwith@gmail.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Petition  
**Date:** Thursday, March 24, 2016 12:52:51 PM

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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.

Petition

Sincerely,

Lauri Beckwith  
1344 Peakview Circle  
Boulder, CO 80302  
3038621131

**From:** [barbara@i-am-enterprises.com](mailto:barbara@i-am-enterprises.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Support Denver's Vacation Rental Industry  
**Date:** Thursday, March 24, 2016 5:38:25 PM

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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.

My vacation rental provides work for a part-time cleaning lady and a part-time bookkeeper who live in West Denver. Both ladies have significant family financial needs. Also, many of the families and visitors who stay at our vacation rental are larger groups who can not afford the higher priced hotels in the City and County of Denver. They would likely be staying at lower cost motels in the suburbs and have less access to the attractions in Denver. Most of the visitors who stay at our vacation rental home go to downtown restaurants, sports venues, the aquarium, the zoo, museums and many ride the light rail. Let's keep this revenue in the City and County of Denver and provide jobs. My situation would not allow we to have a vacation rental in my primary residence. My husband is a disabled Vietnam veteran and we live in a small unit in a four-plex. The house that we rent as a vacation rental is a single family home in west Denver that is well suited for guests. Our neighbors enjoy meeting folks from all over the world. We have had visitors from Canada, Europe and a large portion of the United States. West Denver is enriched and supported economically in ways that large hotels can not provide our community.

Sincerely,

Barbara Baker  
1408 Osceola St  
Denver, CO 80204  
3032579808

**From:** [dinacastillo@comcast.net](mailto:dinacastillo@comcast.net)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** No to the Primary Residency Requirement  
**Date:** Thursday, March 24, 2016 2:02:07 PM

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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.

I will be actively rallying voting support to remove any council person who supports the primary residency requirement. Vote no!

Sincerely,

Dina Castillo  
3341 Eliot Street  
Denver, CO 80211  
303-564-6667

**From:** [marycastorena@yahoo.com](mailto:marycastorena@yahoo.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Short Term Rentals  
**Date:** Thursday, March 24, 2016 1:54:28 PM

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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.

I am retired and rely on the additional income that renting my vrbo property allows me. I ask that you please oppose the requirement that only owner-occupied properties be rented for less than 30 days. My income will be reduced dramatically if I am not allowed to rent my property on a short-term basis. Please, please do not pass this requirement.

Sincerely,

Mary Castorena  
2445 King St  
Denver, CO 80211  
3034805203

**From:** [barry@skyrun.com](mailto:barry@skyrun.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Allow vacation rentals  
**Date:** Thursday, March 24, 2016 9:18:28 AM

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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.

I am ceo of a Colorado-based vacation rental company that rents to over 25,000 guests each year in 6 states. With our growth the hotel lobby trying to shut down. Please allow us to provide lodging to those that want to experience what Denver has to offer.

Sincerely,

Barry Cox  
655 Hwy 72  
Golden, CO 80403  
3038841913

**From:** [deanna\\_castorena@yahoo.com](mailto:deanna_castorena@yahoo.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Please Remove the Primary-Residency Requirement on STR's  
**Date:** Thursday, March 24, 2016 1:45:38 PM

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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.

I have lived in the neighborhood since 1975 and bought my first home in Highlands in 1992. I plan to keep this home and find that I can take much better care of it than any renter has in the past. Some day I would love to move back to this home when I am ready to downsize. During rough times a couple of years ago, I converted this rental home into a vrbo home. I was able to supplement our income when my husband was unemployed and we were able to make ends meet more easily. In addition, I was able to keep up with maintenance of my 1st home and keep it in much nicer condition, inside and out. I would love to keep this home as a vrbo. Please remove the primary-residency requirement. I have seen so many changes in my neighborhood over the years and I don't think that the number of people that oppose vrbo's out number the number in favor. For every person that I hear opposing vrbo's, there are 10 that love them and have no issue with them. I have never had any issues with any disturbances at my property and more often than not, my neighbors love meeting the families that stay at my house. The people who oppose this requirement are the ones that never come out of their homes to get to know their neighbors. They are opposing the "idea" of having a vrbo next to them, but have no significant basis on why they oppose it.

Sincerely,

Deanna Espejo  
3901 Lowell Blvd  
Denver, CO 80211  
3034588260

**From:** [jean@jellyfishpr.com](mailto:jean@jellyfishpr.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** STR - Primary Residence Opposition  
**Date:** Friday, March 25, 2016 7:37:57 AM

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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.

Our agency uses additional properties to host our team, clients, and even potential clients, so we firmly believe that this ordinance will affect our business, and limit the amount of people that we are able to show how awesome Denver is! Please reconsider this, and know that it's more than people using Airbnb who will be affected.

Sincerely,  
Jean G.

Sincerely,

Jean G.  
2200 Market Street  
Denver, CA 80205  
4242794555

**From:** [brandongleich@gmail.com](mailto:brandongleich@gmail.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Opposition to Primary Residence Requirement  
**Date:** Thursday, March 24, 2016 3:31:14 PM

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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.

Thank you for all that you have done to bring our city together to create helpful legislation.

Sincerely,

Brandon Gleich  
108 s Lincoln st  
Denver, CO 80209  
720-366-5557

**From:** [brian@bbowinterpark.com](mailto:brian@bbowinterpark.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Opposition to Denver's proposed primary-residency requirement  
**Date:** Thursday, March 24, 2016 10:25:55 AM

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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.

As a property manager that has created a service that is tailored to the vacation rental industry's need for short term rental services, the proposed primary-residency requirement would hurt businesses like mine and I would ask that you oppose this ordinance.

Sincerely,

Brian Hanvey  
PO Box 794  
Winter Park, CO 80482  
9707858980

**From:** [michaelr39i@yahoo.com](mailto:michaelr39i@yahoo.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Primary Residency Requirement  
**Date:** Thursday, March 24, 2016 4:28:16 PM

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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.

I'm not doing this type of rental, but greatly oppose it as it will reduce my property value. This happened in Florida and I'm going to gather with others to keep it from happening here I'm opposed to anything that limits my freedoms and lowers my property values. If this goes forward, we'll definitely make sure it get's the news coverage it deserves. We own two different condo's in Denver. If you need to send something to Donna or Michael Ibold, use 6642 Dover St, Arvada, Co, 80004.

Please do a full review of what will happen to our property value with this restriction,  
thanks

My home addresses

Sincerely,

Michael Ibold  
1777 Larimer St.,Unit 1003  
Denver, CO 80202

720-201-1141

**From:** [gretajorgensen@gmail.com](mailto:gretajorgensen@gmail.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Oppose the primary-residency requirement in the proposed short-term rental ordinance  
**Date:** Thursday, March 24, 2016 9:01:46 PM

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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.

Thank you

Sincerely,

Greta Jorgensen  
5882 E Ithica Place, #105  
Denver, CO 80237  
6463182164

**From:** [ben.h.kass@gmail.com](mailto:ben.h.kass@gmail.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** STR - I oppose primary residence requirement  
**Date:** Thursday, March 24, 2016 2:21:23 PM

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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.

The primary residence requirement is ill-conceived and only serves to hurt local Denver residents. This requirement does not protect against large, out-of-state companies buying up large tracts of land. This is already happening in large numbers in every Denver neighborhood.

Instead, this requirement restricts what tax-paying local citizens can do with their own homes. This could give rise to a lawsuit for creating an unlawful restriction on the alienation of real property, and the quiet use and enjoyment of one's home.

Consider allowing residents to list homes that they have previously lived in, which would allow homeowners to move as their families grow, but still continue to rent their prior home as an STR.

Thank you.

Sincerely,

B K  
2701 Decatur St.  
Denver, CO 80211  
3036481074

**From:** [marklavanish@gmail.com](mailto:marklavanish@gmail.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Opposition to the primary residence requirement  
**Date:** Thursday, March 24, 2016 3:10:50 PM

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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.

Allowing homeowners to live outside of their short-term rental investment property grants them nearly immeasurable powers to improve upon their lives. Surely there is a finite number of short term rental properties that people can own that will make sense for Denver and homeowners and Neighbors. Please seriously consider allowing us at least one extra home. This will change our lives in major ways.

Sincerely,

Mark Lavanish  
1777 Larimer St. # 809  
Denver, CO 80202  
3034898817

**From:** [sandylevine@msn.com](mailto:sandylevine@msn.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Strongly oppose the primary residence requirement  
**Date:** Thursday, March 24, 2016 2:56:55 PM

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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.

Sincerely,

Sandy Levine  
248 South Humboldt St  
Denver, CO 80209  
970-485-2814

**From:** [awloeffler@gmail.com](mailto:awloeffler@gmail.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Short term rental - please don't limit a vibrant business!  
**Date:** Thursday, March 24, 2016 2:36:59 PM

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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.

I am happy that you are creating a regulated business model for short term rentals, however I think it's short sighted to limit the business to primary residences. The VRBO and Air BnB rentals where I've stayed in other vacation and business destinations have all been well run, generally the cleanest property on its block, and almost none of them were primary residences. There are a LOT of people that look for non-hotel short term rentals first when they travel. If this requirement were to pass, Denver's tourism market will suffer, and it won't have the same draw for larger groups of people that want to stay together, outside of a hotel.

Best Regards,  
Anthony Loeffler

Sincerely,

Anthony Loeffler  
7840 E 32nd Ave  
Denver, CO 80238

3039813496

**From:** [gary.j.lundberg@gmail.com](mailto:gary.j.lundberg@gmail.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Opposition to Denver's proposed primary-residency requirement  
**Date:** Thursday, March 24, 2016 9:39:57 AM

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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.

Sincerely,

Gary Lundberg  
358 Winterthur Way  
Highlands Ranch, CO 80129  
303-683-8212

**From:** [doug@macnaughtllc.com](mailto:doug@macnaughtllc.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Please take action !  
**Date:** Thursday, March 24, 2016 11:32:31 AM

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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.

Sincerely,

Doug Macnaught  
246 Jackson St  
Denver, CO 80206  
303-355-5539

**From:** [jeffmoore@slifersummit.com](mailto:jeffmoore@slifersummit.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Short Term Vacation Rentals  
**Date:** Thursday, March 24, 2016 2:46:10 PM

---

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.

It is not your place to infringe upon my rights as a property owner as a governmental agency. This restriction is more appropriate at the HOA's or neighborhood level as a specific group of owners can decide on their rental restrictions as a ownership group.

Sincerely,

Jeff Moore  
P.O. Box 3149  
Breckenridge, CO 80424  
970-390-2269

**From:** [aowins@gmail.com](mailto:aowins@gmail.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** New Regulations - Keep Government Small!  
**Date:** Thursday, March 24, 2016 12:54:58 PM

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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.

Sincerely,

Adam Owens  
4704 Harlan Street  
Ste 415  
Denver, CO 80212  
3035887498

**From:** [johna@paragonlodging.com](mailto:johna@paragonlodging.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Short Term Rental Requirements  
**Date:** Thursday, March 24, 2016 9:39:21 AM

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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.

Sincerely,

Johna Rice  
PO Box 4929  
Breckenridge, CO 80424  
9705472122

**From:** [mike.sophir@gmail.com](mailto:mike.sophir@gmail.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Vacation REntals  
**Date:** Thursday, March 24, 2016 3:11:12 PM

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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.

There is no need for this type of regulation. The overreaction by individuals unwilling to consider and look at the facts vs. their own emotions has become alarming. We have enough regulation in this world. The key here is not creating more laws and red tape but instead taking time to communicate and educate. The result is everyone can win.

Sincerely,

Mike Sophir  
1405 S. Cherry St.  
Denver, CO 80222  
303.514.7117

**From:** [mstanislawsk@yahoo.com](mailto:mstanislawsk@yahoo.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Please soften primary residency requirement  
**Date:** Thursday, March 24, 2016 1:31:09 PM

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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.

I can understand having some sort of restriction on the number of short term rentals / primary residence. However, when many people currently have 5-10 STRs, restricting them to one (or zero!) will absolutely push them to bypass the law, making enforcement extremely difficult. Furthermore, I am a frequent traveler. I have a family, and we stay in houses when we travel - having a couple rooms with a kitchen is imperative for us. That won't be an option for people travelling to Denver if the primary residence requirement does not change.

We need smart regulation, regulation that will benefit the city through taxes and tourism. We do not regulation that will be difficult to enforce long term or that will negatively impact tourists.

Sincerely,

Maggie Stanislawski  
135 W Ellsworth Ave  
Denver, CO 80223  
9706907609

**From:** [triggerfish333@hotmail.com](mailto:triggerfish333@hotmail.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** I OPPOSE the primamy residence requirement  
**Date:** Thursday, March 24, 2016 12:15:33 PM

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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.

As a second homeowner who lives out of town with a vacation home in Denver, I strongly OPPOSE the primary residence requirement. This requirement will have negative effects, and no positive. It will cause owners who have second homes in Denver who STR to illegally rent their properties. Additionally, the idea that owner occupied properties will somehow create less neighbor complaints is not true. We have rented our property for 6 years to families and grandparents, and have never had one single complaint, and received glowing reports from every single guest. Having only owner occupied STR properties will change the demographic of the renter from someone who wants to bring their family on vacation to Denver to only travelers who are Ok with having a stranger staying with them while on vacation. While some travelers traveling alone are probably OK with this, I cant imagine it would be attractive to families. I know when I take my family on vacation, and rent either a hotel room, house, or villa, the last thing I would entertain is a stranger sharing the space with us. It is the Family vacationer who creates less noise, spends more money, and has a more positive impact on the community. I have heard the complaint that residents don't want a "Motel" next door. Well, by restricting STR to only primary residents, you are not only creating basically a youth hostel out of these properties, but Discriminating against

people who have worked very hard all their lives to have a vacation home in Denver, but would prefer to STR the property for a variety of reasons (income to upgrade the property, security of it being lived in, giving back to the local economy, the list goes on). Please consider removing the primary resident requirement, it will create more harm than good.

Sincerely,

Jay Sten  
PO Box 6868  
Breckenridge, CO 80424  
9704851359

**From:** [thefers@comcast.net](mailto:thefers@comcast.net)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Short term rentals  
**Date:** Thursday, March 24, 2016 3:21:30 PM

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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.

My family and I very much enjoy staying in short term rentals when we travel. We would hate for tourists and business travelers to not have the option in Denver.

Sincerely,

Chris Stevens  
1433 Forest St  
Denver, CO 80220  
573-289-0474

**From:** [kellyheathdavis@gmail.com](mailto:kellyheathdavis@gmail.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Oppose short-term rental ordinance  
**Date:** Thursday, March 24, 2016 9:49:22 AM

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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.

Sincerely,

Kelly Threlkeld  
PO Box 245  
Alma, CO 80420  
303-229-6771

**From:** [paula@perimarketing.com](mailto:paula@perimarketing.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** PLEASE reconsider the primary-residency requirement  
**Date:** Thursday, March 24, 2016 2:12:29 PM

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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.

If your concern is out-of-state investors buying entire buildings, restrict the number of STRs any one person can have, or restrict the number in a particular building.

Sincerely,

Paula Tiernan  
1777 Larimer  
#1302  
Denver, CO 80202  
303-298-7374

**From:** [arwenvaughan@gmail.com](mailto:arwenvaughan@gmail.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Please Don't Mess This Up!!!!  
**Date:** Thursday, March 24, 2016 1:26:08 PM

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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.

People want to have short term rentals in their neighborhoods. This is in keeping with mixed use neighborhoods.

Sincerely,

Arwen Vaughan  
3865 Xavier Street  
Denver, CO 80212  
720-515-1820

**From:** [karyncontino@gmail.com](mailto:karyncontino@gmail.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** short term rentals  
**Date:** Friday, March 25, 2016 5:15:44 PM

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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.

Stop caving into big business, and allow we property tax payer and homeowners to earn the money we to need to live a comfortable life. Donald Trump, whom I don't care for , is the leading contender, because we are tired of you politicians forgetting that it's we taxpayers that make the world go round.

Sincerely,

karyn contino  
464 Adams Street  
Denver, CO 80206  
970 390 9111

**From:** [jeff@gwlodging.com](mailto:jeff@gwlodging.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** not in favor of primary residence requirement to the ST rental ordinance  
**Date:** Friday, March 25, 2016 10:59:20 AM

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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.

Sincerely,

Jeff Cospolich  
PO Box 6902  
Breckenridge, CO 80424  
970-389-4232

**From:** [bob.cotton@gmail.com](mailto:bob.cotton@gmail.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Please consider removing the primary residence restriction from the STR ordinance  
**Date:** Friday, March 25, 2016 9:42:47 AM

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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.

#### Affordable Housing

Some council members are concerned by developers buying up entire buildings and converting them to STRs. I've spoken with a number of developers and don't see this as a concern. Running a STR is a high-touch endeavor and developers are not interested in running a hotel-style business. It's just too much work.

I've also heard concern that the home prices will be artificially inflated if we allow purchasing homes solely for use as STRs. Market forces will ensure that there is not a glut of short term rental houses. Running them well takes a special touch. Supply and demand combined with savvy shoppers will naturally constrain the number of units being run. Currently the market demand shows that STR represent approximately 0.45% of the entire Denver housing market.

#### Compliance

Anyone currently operating a short term rental today is doing so in the shadows,

operating in fear they they will be shuttered by the city. These operators are already contributing to the tax-base of the city. Our clients come to Denver to visit and vacation and they spend during their visits. Some owners, like myself, already collect and remit all the required taxes.

We owners would like nothing more than to step out of the shadows and operate in the clear. I think the easiest way to have a higher compliance rate is to remove the primary residence restriction. Bring everyone currently operating into the fold then reassess in a year to see what the impacts are.

Sincerely,

Robert Cotton  
2900 Poplar St  
Denver, CO 80207  
303-918-092-

**From:** [davismarcom@gmail.com](mailto:davismarcom@gmail.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Strong Opposition to Primary Residency Requirements  
**Date:** Friday, March 25, 2016 8:25:30 PM

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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.

Sincerely,

Justin Davis  
1000 E 1st Ave #204  
Denver, CO 80218  
3035144659

**From:** [desomanagement@gmail.com](mailto:desomanagement@gmail.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Opposition to The Primary-Residency Requirement  
**Date:** Friday, March 25, 2016 8:19:20 PM

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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.

Sincerely,

Suraya DeSorrento  
700 Colorado Blvd. #662  
Denver, CO 80206  
3034171010

**From:** [psdrn1@yahoo.com](mailto:psdrn1@yahoo.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Primary-residency for short term rentals  
**Date:** Friday, March 25, 2016 10:56:52 AM

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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.

Sincerely,

Paul DuBois  
1777 Larimer St #1109  
Denver, CO 80202  
303-725-0048

**From:** [Gretchen Groth](#)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Short Term Rental Clause  
**Date:** Friday, March 25, 2016 1:38:27 PM

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Dear Marybeth Susman,

I concerned about and object to the proposed limitation on short term property rentals to only an owner's primary residence as proposed in Denver City Council Member Mary Beth Sussman's Sharing Economy Task Force recommendations.

I find the remaining suggestions appropriate regarding a lodging tax, safety matters and licensing.

I am familiar with suppliers such as AirBnB, VRBO, and Homeaway and know several people in Denver providing short term rentals in different parts of the city. The worries raised seem either overstated or able to be handled in other ways. In most cities, short term rentals work smoothly without any specific code regulations. So far, it is not apparent that Denver needs such enforcement. Instead the issues that a small group of Denver residents raised can be easily remedied with existing code provisions.

**Please amend Councilwoman Sussman's proposed task force code language to strike the requirement limiting short term rentals to the owner's primary residence.**

Thank you for your attention to this citizen feedback.

Sincerely,

Gretchen A Groth, Ph.D

**From:** [kugs19@yahoo.com](mailto:kugs19@yahoo.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** I OPPOSE  
**Date:** Friday, March 25, 2016 10:58:40 AM

---

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.

Short-term rentals are amazing and beneficial in everyday. Please oppose this ordinance for our city!

Sincerely,

krista hopfenspirger  
3500 rockmont dr  
2207  
denver, CO 80202  
3033049252

**From:** [kjmartucci@comcast.net](mailto:kjmartucci@comcast.net)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Opposition to the Primary-Residency Requirement for Short Term Rentals  
**Date:** Friday, March 25, 2016 1:55:05 PM

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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.

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.

Sincerely,

Jo Martucci  
9060 E 35th Ave  
Denver, CO 80238  
303 688-2664

**From:** [edwinmiller@mail.com](mailto:edwinmiller@mail.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** VRBO's  
**Date:** Friday, March 25, 2016 11:49:52 AM

---

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.

While hotels may offer a place to reside for a vacation, VRBO's allow a family to experience a Denver neighborhood setting and more relaxed atmosphere like their own home. Why not offer an alternative to a hotel?

Sincerely,

Edwin Miller  
8256 East 24th drive  
Denver, CO 80238  
3039152512

**From:** [stacy@neirteam.com](mailto:stacy@neirteam.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** Your vote may have devastating consequences for Denver  
**Date:** Friday, March 25, 2016 9:36:43 AM

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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.

I am in the real estate business and understand the need for affordable housing in our city, however limiting STR's to primary residences will NOT help this problem. For example, the STR's we personally own are worth well over \$600,000 and would rent long term for +\$4,000/month. I would not consider this to be affordable by any means!! By limiting it to a primary residence you do NOT suddenly flood the market with more affordable housing especially for those of us who own luxury properties. In addition, Denver's STR's bring in a substantial amount of money to our economy as proven by the DU study. If you limit our rights as property owners you take away this income, your hurt neighborhood businesses, you take away housing options for travelers coming in for conventions and the National Western Stock Show who want a home vs. a hotel and you take away our rights as small local business owners who invest in real estate to make a little extra cash to help pay for our families needs. This primary residence rule is unfair and unsafe. I would NEVER rent out my personal home to a stranger I did not know and put my family at risk. There has got to be some sort of compromise such as limiting the number of STR's an investor can own. Thank you for your consideration.

Sincerely,

Stacy Neir  
8920 Beekman Place  
Denver, CO 80238  
7202803004

**From:** [dpins@slifersummit.com](mailto:dpins@slifersummit.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** short-term rental flexibility  
**Date:** Friday, March 25, 2016 11:43:16 AM

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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.

Please maintain the flexibility for owners to use and rent their properties as they wish, subject to typical noise and occupancy standards.

Sincerely,

Dan Pins  
PO Box 313  
Frisco, CO 80443  
970-390-9590

**From:** [smolac21@aol.com](mailto:smolac21@aol.com)  
**To:** [Susman, Mary Beth - City Council](#)  
**Subject:** I oppose the primary-residency requirement  
**Date:** Friday, March 25, 2016 10:24:48 AM

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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.

I want the option to own and invest in property I do not have to occupy. The people wanting to rent and spend money in Denver are wanting owners not to be in one room.

Sincerely,

Albert Smola  
220 W 6th Ave  
Denver, CO 80204  
3033324444

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Opposition to "owner occupied" requirement for short term rentals

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**From:** [velmasguesthouse@icloud.com](mailto:velmasguesthouse@icloud.com) [velmasguesthouse@icloud.com]  
**Sent:** Friday, March 25, 2016 4:42 PM  
**To:** Susman, Mary Beth - City Council  
**Subject:** Opposition to "owner occupied" requirement for short term rentals

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.

Denver could be on the forefront, a trend setter, as related to policies and regulations on short term rentals. The economy is changing rapidly. Five years ago who could have predicted the popularity of the "share economy", let alone, 10 years ago when I started my short term rental business?

An "owner occupied short term rental" may be a possibility when renting to a single person or even a couple, however, there are so many circumstances when an owner occupied is not appropriate or possible. There is a big need for the service that "short term rental" owners provide.

In the time since I started my short term rental, I primarily rented to families for whom a hotel stay would be impossible or who wanted to be in a neighborhood...or more specifically, the Congress Park neighborhood.

Looking through my past calendars, this is what I predominantly see:

- \*Families coming for treatment not only at NJH but other local hospitals as well
- \* Parents with many children (record is 7).
- \* Multi-generational families meeting in a central location
- \* Families with a member requiring special dietary considerations for whom a kitchen is necessary
- \* Families grieving together and celebrating the life of one recently passed
- \* Families from the neighborhood who have had to temporarily leave their homes and want to be close by
- \* Families celebrating an important event: i.e. wedding, adoption, birth, bar mitzvah, ordination, memorial
- \* Families wanting to get a feel for the neighborhoods before they move here
- \* Families visiting their relatives who live close by and don't have the room to accommodate them

- \* Families of people who have temporary work here
- \* Churches and other organizations conducting small group, personal transformation workshops

I think most short term rental owners would agree that some regulation would be beneficial. I certainly think that short term rental owners should be collecting and submitting lodging tax. I don't believe this would be a huge obstacle to enforce. Rather than taking an adversarial approach and scouring the listings for violators, I would think it couldn't be too difficult to work in cooperation with the major online vacation rental networks on this matter. Providing proof of a lodging tax license could be a requirement prior to adding a listing to the site.

In 2015 I collected over 13,700.00 in lodging tax. While not a huge amount by itself, when considering the amount from all of the short term rentals (if collected), it seems to me a sizable amount of city revenue that would be lost if these are converted to traditional 30+ day rentals.

I see the current controversy as an opportunity to create something amazing. The best practice is always to consider what is in the best interest of all. There is a lot at stake here for many concerned, not only the city of Denver and the short term rental owners but also for:

- \* the people who use vacation rentals
- \* the many companies we hire to help us maintain the yards and homes in top condition (housekeeping services, landscapers, painters, plumbers)
- \* suppliers of the smaller items we provide- towels, linens, games, movies
- \* suppliers of the big ticket items that need replacing- carpeting, appliances, mattresses)
- \* the local businesses-grocery stores and restaurants
- \* the accountants and bookkeeping service providers that we need
- \* the company that submits our lodging tax and keeps our licenses current
- \* the online advertising networks
- \* and many more that I will not list for brevity purposes

Here is my story:

I raised my children in the Congress Park Neighborhood. They soon grew up and moved out of the house. In 2005 my mother passed away. At the same time, the little home 2 doors down with the overgrown yard of weeds went on the market for an exorbitant amount of money. The transformational experience of my mother's passing plus an inheritance brought a vision of abundance to mind. Living close to NJH, I wanted to provide families under stress coming to Denver for medical treatment, the same support, and beyond expected attention and caring that my family had received from Sunrise Assisted Living during my mother's passing.

As a single parent of 3 children who struggled to make ends meet and had done very little with respect to planning my retirement, I saw this as a wonderful multifaceted win/win opportunity. I saw that this would be beneficial for all.

- \* The families using my home would experience the comfort of home, a respite from treatment
- \* The neighbors, who would no longer be looking at an eyesore
- \* The local businesses who would enjoy the additional customers
- \* The people I would hire to help me maintain the property
- \* The local charity (Stout Street Foundation) that I would generously support with donations
- \* The city receiving the lodging tax I would be collecting
- \* Myself in retirement as I would be able to have a sense of purpose and the stimulation of meeting new people all the while building equity in the home

I appreciate the fact that my situation and my motivations may not be typical, I do know that the other short term rental owners I have met are genuinely concerned about the service they provide and the impact they have on the neighborhoods they occupy and the city they love, Denver.

There is a huge demand for the service we provide. Please support the local economy and neighborhoods of Denver by opposing the proposed "owner occupied" regulations for short term rentals.

Sincerely,

Sincerely,

Linda Williams  
1230 Garfield St  
Denver, CO 80206  
3035216722

**Barge, Abe M. - CPD Planning Services**

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**From:** seo5280@gmail.com  
**Sent:** Saturday, March 26, 2016 7:52 AM  
**To:** Susman, Mary Beth - City Council  
**Subject:** Let Free Markets Thrive

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 great things that makes Denver cool are free markets and a broad range of living options when you visit, not just overpriced and stuffy hotels. I utilize Air BnB on nearly every business trip and find it to be a much better experience. Outlawing it will simply move it underground and draw the taxable revenue under the table.

Sincerely,

Brandon Smith  
2525 15th St.  
2A  
Denver, CO 80205  
303-338-8959

**Barge, Abe M. - CPD Planning Services**

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**Subject:** FW: Hello

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**From:** [kristi.ondahl@gmail.com](mailto:kristi.ondahl@gmail.com) [kristi.ondahl@gmail.com]

**Sent:** Sunday, March 27, 2016 10:24 AM

**To:** Susman, Mary Beth - City Council

**Subject:** Hello

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.

Thanks!

Sincerely,

Kristi Omdahl  
7764 E 9th Ave  
Denver, CO 80230  
303-550-2628

**Barge, Abe M. - CPD Planning Services**

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**From:** jonvansistine@gmail.com  
**Sent:** Saturday, March 26, 2016 6:55 AM  
**To:** Susman, Mary Beth - City Council  
**Subject:** Denver Short Term Rental

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.

Short term rental has become a large part of enriching my life as it has given me the financial freedom to start a small business in the Ballpark District. Without renting out my place I never would have been able to follow my passion for business. It has been a game changer for my life and a positive experience for so many others!

While renting I have been able to meet so many amazing people from not only the US but from around the world. They are coming into our community to experience Denver in a unique way. I meet with each of my guests to give them quick tour and recommend many of the restaurants, bars, breweries, sporting events, festivals etc that surround them. It gives them an opportunity to experience Denver as a local which is a memorable feeling to say the least.

Please consider my comments as you make a decision that is going to effect so many people trying to enrich their lives in Denver. I have had nothing but great experiences with my guests and in giving them an authentic Colorado experience many have become repeat clients visiting our great city many times over.

Sincerely,  
Jon Van Sistine

Sincerely,

Jon Van Sistine  
1880 Arapahoe St  
#2207  
Denver, CO 80202  
920-858-9295

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: STR

-----Original Message-----

From: bcary91@gmail.com [mailto:bcary91@gmail.com]

Sent: Sunday, March 27, 2016 3:57 PM

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

Subject: STR

Hello,

I wanted more information about STR and how to access a permit. Any information would be great.

I do find it pretty absurd that rent can go up every year downtown yet when young millennials such as myself who have 30k in student loans can't profit off our living quarters. Hopefully there is an easy way where I can access a permit and move on.

Best,

Ben

Sent from my iPhone

## Barge, Abe M. - CPD Planning Services

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**Subject:** FW: Support for STR for Primary and beyond

**From:** Mick Barnhardt [<mailto:mickbarnhardt@gmail.com>]

**Sent:** Tuesday, March 29, 2016 2:34 PM

**To:** EXL Short-Term Rentals <[STR@denvergov.org](mailto:STR@denvergov.org)>

**Subject:** Support for STR for Primary and beyond

Dear City Council-

I have a carriage house I am presently rent out via airbnb. It has been very successful and has allowed many out-of-towners to get a real urban experience. I find that they eat and drink out most every day that they are here supporting local establishments. My neighbors love it because I give them a great deal if they have out-of-town guests that they need more space for, or for one particular neighbor with a 1 and 3 year old -- it allows for his wife to have a "night off" and get a full 8 hours sleep in the convenience of being right next door.

I understand there is some speculation that there are large developers out there snatching up apartment buildings and turning them into airbnbs and that this may diminish much needed affordable housing for all the in-coming people, but can't there be a middle ground that allows people to rent their second homes or just one other rental for airbnb purposes?

I ask you to consider expanding the allowed STRs to at least one other rental. This seems like a good compromise.

Mick Barnhardt

**Barge, Abe M. - CPD Planning Services**

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**Subject:** FW: Please Oppose the Primary-Residency Requirement

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**From:** [dmahead@gmail.com](mailto:dmahead@gmail.com) [dmahead@gmail.com]  
**Sent:** Tuesday, March 29, 2016 6:53 AM  
**To:** Susman, Mary Beth - City Council  
**Subject:** Please Oppose the Primary-Residency Requirement

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.

As someone who travels frequently to new places both for business and pleasure, I often use vacation rentals in place of hotels, which I feel enriches the experience of being in a new place and is actually a driving factor in which places I go. If I want to go to a city and feel these options are limited, it is discouraging to see and lessens my desire to spend time in that place.

Sincerely,

Dana Head  
4840 King Street  
Denver, CO 80221  
7209364311

**Barge, Abe M. - CPD Planning Services**

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**Subject:** FW: Primary Residence Requirement for Short Term Rentals

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**From:** [praveer.mishra@gmail.com](mailto:praveer.mishra@gmail.com) [<mailto:praveer.mishra@gmail.com>]

**Sent:** Tuesday, March 29, 2016 11:02 AM

**To:** Susman, Mary Beth - City Council <[MaryBeth.Susman@denvergov.org](mailto:MaryBeth.Susman@denvergov.org)>

**Subject:** Primary Residence Requirement for Short Term Rentals

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.

Sincerely,

Praveer Mishra  
1777 Larimer St.  
Unit 2011  
Denver, CO 80202  
3035886060

# Charles O. Brantigan, MD, FCCP, FACS



Certified by The American Board of Surgery  
Certified by The American Board of Thoracic Surgery  
Certified in General Vascular Surgery  
Certified in Surgical Critical Care

## Vascular Surgery

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HISTORIC GEBHARD MANSION 2253 DOWNING STREET DENVER, COLORADO 80205 303-830-8822 1-800-992-4676

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31 March 2016

Neighborhoods and Planning Committee  
via email

The Uptown Healthcare District Urban Design Forum urges you to pass the dual ordinances that would permit a change in current zoning regulations to permit short term residential rentals providing that they are restricted to owner occupied properties and that the properties be licensed by the city and that lodging tax be paid.

The Forum was created when the Healthcare Urban Design Plan was passed by City Council in 1993 (revised in 2007). The Forum meets monthly to provide advice on land use planning in the District and is made up of representatives of the neighborhood groups, the medical institutions and the City.

In cities like Denver, rents in desirable neighborhoods are already high. They are driven higher by the short-term rental of residential units which, pay more than long-term rentals. The available residential units become filled with transients, decreasing the number of stakeholders that are actually living in these desirable neighborhoods. In addition to decreasing the number of stakeholders, there's also a decrease in availability of rental housing for new long term residents. This affects the poor disproportionately. The legislation proposed allows people to rent space in their own permanent residences after they obtain a license and pay a lodging tax but not to operate what is essentially a hotel in a residential district.

We believe that the dual ordinances proposed are the best solution to this problem.

Sincerely yours,

Charles O Brantigan MD  
Chairman, Healthcare District Urban Design Forum

## Barge, Abe M. - CPD Planning Services

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**From:** EXL Short-Term Rentals  
**Subject:** FW: Open Letter to the Denver City Council on Short-Term Rental Regulation

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**From:** Brian Egan [brian@evolvevacationrental.com]  
**Sent:** Thursday, March 31, 2016 10:15 AM  
**To:** Espinoza, Rafael G. - City Council; Flynn, Kevin J. - City Council; Lopez, Paul D. - City Council Dist #3; Black, Kendra A. - City Council; Susman, Mary Beth - City Council; Kashmann, Paul J. - City Council; Clark, Jolon M. - City Council; Herndon, Christopher J. - City Council District 8; Brooks, Albus - City Council District 9; New, Wayne C. - City Council; Gilmore, Stacie M. - City Council; Deborah Ortega - Councilwoman At Large; kniechatlarge  
**Cc:** Adam Sherry  
**Subject:** Open Letter to the Denver City Council on Short-Term Rental Regulation

Denver City Council Members,

Please see the attached letter articulating our position on short-term rental (STR) regulation, particularly our opposition to the primary residence restriction in the current draft of the proposed legislation.

This letter has been posted to our blog and an edited version appeared in this morning's Denver Business Journal as well: [blog.evolvevacationrental.com/open-letter-primary-residency-is-not-the-key-to-vacation-rental-regulation/](http://blog.evolvevacationrental.com/open-letter-primary-residency-is-not-the-key-to-vacation-rental-regulation/)

We would welcome an opportunity to discuss the primary residence restriction, and/or STR regulation more broadly, with you at your convenience.

Thank you for your consideration of our position on this important issue.

Sincerely,

Brian Egan & Adam Sherry  
Co-Founders, Evolve Vacation Rental Network

**Brian W. Egan** | Co-Founder & CEO  
Evolve Vacation Rental Network  
O: [720.458.8403](tel:720.458.8403)  
[brian@evolvevacationrental.com](mailto:brian@evolvevacationrental.com)

**Adam J. Sherry** | Co-Founder, Chief Customer Officer  
Evolve Vacation Rental Network  
O: [720.458.8405](tel:720.458.8405)  
[adam@evolvevacationrental.com](mailto:adam@evolvevacationrental.com)

# **Viewpoint: Denver's proposed bid to regulate short-term rentals misses mark**

Mar 31, 2016, 6:00am MDT

Adam Sherry and Brian Egan Co-founders, Evolve Vacation Rental Network.

As co-founders of Evolve Vacation Rental Network, a Denver-based management service for short-term rental (STR) property owners, we applaud the City Council for recognizing the great benefits to the city in legalizing and regulating STRs.

We have always been strong advocates on this issue, as we know from experience that clear STR regulations, including lodging taxes, foster a mutually beneficial relationship between STR owners and the cities where they operate.

However, we cannot endorse the Denver City Council's proposal wholeheartedly. The primary residence restriction will undermine the economic benefits of STR regulation and inflict lasting damage on the reputation of short-term rentals. On behalf of Denver STR owners, their guests, and their neighbors, we must strongly urge the council to reconsider its stance on primary residency.

The council appears to believe the primary residence restriction will eliminate potential "bad" guests from renting STRs, but we cannot imagine how. Any STR owner is highly motivated to identify and refuse guests who represent a threat to their valuable asset, and second homeowners have cultivated their ability to identify "good" guests for decades, far longer than the more recent STR iteration of homeshares of primary residences.

The very few bad apples who slip through are not going to be deterred from their misdeeds by the fact of primary residency; an ill-mannered guest neither knows nor cares which homes are which.

We have heard some residents express concern that second homeowners will not consider their neighbors' needs — another erroneous assumption. STR owners can only succeed if they maintain good relationships with their neighbors; without their reputation, they have no business. What's more, second homeowners invest heavily in their homes and neighborhoods to ensure the property is desirable to renters, which benefits both their neighbors and the city as a whole.

We would much rather share fences with an experienced second homeowner than an inexperienced primary resident.

The council has legitimate concerns it is attempting to resolve with this requirement, the foremost of which is the threat of corporations buying up affordable housing and creating "STR hotels." We agree that this must be avoided, but suggest that permitting would be a far more effective method. Permits can be limited by household, restricted to natural persons, controlled for neighborhood density, and otherwise governed to ensure the best interests of each community are served. The scalpel of the permitting process is a far better tool than the hacksaw of primary residency — particularly as permits can be enforced, while residency cannot.

Which brings us to a last and crucial point: the city may be taking on an enforcement burden it cannot fulfill. How will primary residency be confirmed? If primary residency is defined as being in residence 180 days or more, how can the city possibly track which days an owner is at home? With such ready loopholes, lack of compliance is inevitable, and the city's residents will lose out on the tax revenue this legislation attempts to ensure.

The primary residence restriction has been described as a “conservative” approach to this initial phase of STR legalization. We would not characterize a policy excluding the most experienced providers of the service being introduced as “conservative.” Indeed, we cannot imagine anything more risky to the city’s authority over STRs than introducing a regulation that cannot be enforced.

Again, we commend the council for its willingness to address STR regulation, but we urge you to invite second homeowners to join you in this critical first attempt at legitimizing STRs in Denver’s communities. We assure you: you will find no better allies.

*Adam Sherry and Brian Egan are co-founders of Evolve Vacation Rental Network.  
They can be reached at 877-818-101*

## Barge, Abe M. - CPD Planning Services

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**From:** EXL Short-Term Rentals  
**Subject:** FW: Don't let Denver lose it's edge as a tourist destination

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**From:** [dankhadem@gmail.com](mailto:dankhadem@gmail.com) [dankhadem@gmail.com]  
**Sent:** Thursday, March 31, 2016 11:15 AM  
**To:** Susman, Mary Beth - City Council  
**Subject:** Don't let Denver lose it's edge as a tourist destination

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.

If Denver loses it's vacation rentals that allow a whole family to stay in, then visiting families will only be left with adjacent hotel rooms as a less convenient and more expensive option. This will make Denver a less attractive destination to visit.

Sincerely,

Dan Khadem  
4314 Bryant St.  
Denver, CO 80211  
7204707654

## Barge, Abe M. - CPD Planning Services

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**From:** Jordan Reck <jordan.reck83@gmail.com>  
**Sent:** Friday, April 01, 2016 12:39 PM  
**To:** EXL Short-Term Rentals; dencc - City Council  
**Subject:** Zoning Changes Short Term Rental

To Whom It May Concern,

I am a Denver homeowner in the Regis Heights/Chaffee Park neighborhood. I am writing to express my concern regarding Rep. Susman's proposal for Short Term Rental zoning. My family has been in this area since the early 40s and I have watched the neighborhood change and grow sometimes to the betterment and other times the detriment of our culture and neighborhoods. I am not completely adverse to the concept of short term rentals, however, reading the information out there from Rep. Susman and supporters has left me wanting.

The trend for STRs is one that doesn't include shared spaces which is the primary argument for the benefit of shared economies, where owners are present and accountable for the actions of the renters. The lessons coming out of places like L.A. and New York are showing us that people utilize these spaces for parties, it creates parking issues, and other nuisances for legitimate owners and renters in the neighborhood or buildings. I understand the benefit of an extra income, however, when we purchase a single family or multi family home we are buying into that zoning.

With everything happening in our city; the absolute leveling of our cultural neighborhoods, zoning allowances that are not enforced and the reduction of access and parking, how can supporters of this change possibly promise that enforcement will be improved by allowance? I personally would rather my taxes go to schools, roads and other things than the enforcement of these properties.

I also don't want my property value to decline as a result of these locations and the profit motives of these property owners particularly businesses like Air BnB who are not local residents that this would benefit in lining their pockets.

I urge you to say no to this proposal until viable proof of impact is available and considered from the cities that have allowed this before us. Your consideration should be for your residents who have elected you as members of Denver's neighborhoods, not the tourists here for skiing and pot.

Thank you for your consideration.

Jordan Reck

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**From:** [LKINGSLEY1](#)  
**To:** [Planning Services - CPD](#)  
**Subject:** Zoning Amendment #8  
**Date:** Saturday, April 02, 2016 10:39:07 AM

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I wish to voice my objection to amend zoning in the University Park Neighborhood to 30 day rentals.

This is the worst thing you can do to this neighborhood. We are already inundated with DU student rentals. The students and landlords do nothing to keep up these places unless neighbors call the city for 3' uncut grass, cars parked on the grass, or snow removal. Where there are supposed to be no more than 3 unrelated people living in a house, there are 5 or 6 people.

Supposedly DU assured neighbors that even with its many expansions, the surrounding areas would not be affected. Well they lied. Between the unsightly rentals and irresponsible landlord owners this neighborhood has become more and more congested with cars. Calls to the city to get permits have been denied because when they checked our street they did it late in the day AFTER students had left. Trash is left behind and driveways are blocked with no response from the police to come and ticket illegally parked cars. One car can barely navigate the street because of all the cars parked up and down the entire block.

I truly believe that Councilwoman Becky Gallagher is not in touch with the people and probably owns a house she can't rent. I find this amendment to be totally irresponsible to the surrounding neighborhood.

I would also like to know exactly where and when the meeting on April 13th is being held.

Linda Kingsley  
1911 S. Humboldt Street

## Barge, Abe M. - CPD Planning Services

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**From:** Case Drury <case.drury@gmail.com>  
**Sent:** Monday, April 04, 2016 1:05 PM  
**To:** EXL Short-Term Rentals; kniechatlarge; New, Wayne C. - City Council  
**Subject:** Short-term Rentals & the Uber Model of Civic Irresponsibility

As a Denver home-owner, I have followed the debate over the short-term rental market with some concern. While I understand the city's desire to capture this activity under some sort of regulation, the way the council is proposing to go about this is a step with potentially disastrous unintended consequences.

There are not 2000 small business owners running tiny hotels in Denver. There are a handful of major corporations who have cleverly discovered how to off-load risk, inventory, and business costs to private citizens. By asking condo or home owners to register as a private business, the council would be codifying into law the specious framing of companies like Airbnb who are happy to bring their 25.5 billion-dollar valued business anywhere possible and much less interested in contributing their fair share to support the communities in which they do business.

The reason that short-term rental units can be cheaper than traditional hotels and b&bs is that Airbnb doesn't pay for almost anything. They don't pay if a room doesn't get booked. They don't pay property taxes or utilities. They don't pay a cleaner or a linen laundering service or for decor or mattresses or a little caddy of single-serve coffee and tiny shampoos. They don't take photos to market properties or manage bookings or provide site-specific customer service. The people who work for Airbnb - the homeowners who offer up their properties for Airbnb's use - are the ones who pay for all those costs, and many of them either don't factor in their time costs or value their time and property costs at a very low rate. (My guess is that if true time and costs were calculated for contractors for Airbnb, a healthy percentage of owners wouldn't be making minimum wage.) The fiction that Airbnb's sole business activity is that of 'online clearinghouse' is belied by their very business model - they offer automatic insurance for the property for homeowners during a rental period. Airbnb (among others) is the brand and the business - not Marge Smith at 123 Court Pl.

Maybe you don't think it's that big a difference - Airbnb pays a tax or a specific property owner pays a tax. But from a regulatory standpoint, this is a crucial moment. This is not the last time the city will be faced with a business model in which the people making the real money do their very best to be completely shielded from risk and responsibility. Uber, for example, has very stringent requirements as to car type and age, cleaning schedule, etc, but has continued to squeeze rates for their drivers all while refusing to pay the employer's share of taxes. And, of course, if no one is an employee then no one can organize. As companies like Airbnb and Uber get away with a basically tax-free, no risk model, more will follow suit. The council should not provide a regulatory framework that makes it harder for people to get workplace protections and fair treatment from their employers, and that goes double for an employer that demands its workers supply and maintain the capital investment that makes the business possible.

A second issue with personal homeowner business licenses for these massive corporations' activities is that a searchable database linked to an address will immediately exclude any person who needs to keep their information private. When advertising on a site like VRBO, a homeowner can put up a neighborhood and only disclose the address to booked visitors who have a personal page with reviews from other listers. If, say, a woman who has a restraining order against a violent ex needed to make extra cash, the proposed bill would require her to register her name and *home* address in a publicly searchable database. Although I recognize this will probably be a very small subset of the population, it seems foolhardy to cut off a means of legitimate income for a vulnerable group that might need it the most.

I know this has moved pretty far in the committee process, but please consider what kind of precedent you're setting here. Regulate the companies that do this business. Tell VRBO to collect taxes and monitor its listed properties. If Airbnb claims it is just impossible for them to calculate taxes or limit the number of nights a property can be listed, publish the parameters you'd like, and in six months some kid living in a basement apartment in Wheat Ridge will come up with a shiny new platform that fits your regulatory structure. Don't let these multi-billion dollar businesses shirk their civic responsibilities, and don't let them offload yet another business cost onto the workers that make their massive valuations possible.

Thank you for your time.

Best,

Case Drury  
producer/director/filmmaker  
423.507.7945  
[cdrury.flavors.me](http://cdrury.flavors.me)