



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: proposed short term rental changes by Larimer County

2 messages

Lesli Ellis <ellislk@co.larimer.co.us>

Mon, Oct 31, 2022 at 8:10 AM

Reply-To: ellislk@larimer.org

To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Do you get these messages, Tawn? I'm not sure if they are coming to me through the LUC address or just directly to me. I will keep forwarding to be sure you get them too unless you say otherwise. Thanks, Lesli



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Steven McCrane** <smccrane11@verizon.net>

Date: Mon, Oct 31, 2022 at 4:39 AM

Subject: Re: proposed short term rental changes by Larimer County

To: <ellislk@larimer.org>

I have reviewed the new proposed regulation changes to STR's and have a few serious concerns. I really appreciate your mention to me to check these out.

Many owners of property are like my family.

We have been coming to Estes for 45 years. I'm 55.

My aunt and uncle have had a place there for 60 years. They got married in Estes. We came to it almost every summer when I was young and then started bringing our children up to the YMCA in summers. We bought our dream property for retirement early 9 years ago when flood and fire hit in same year as that made it better affordable. Values have skyrocketed, insurance and property taxes as well and we utilize vrbo to help us offset those.

I'm now the Giant Track Road Association President even, lol.

Most of the regulations are appropriate and we all want safety, great neighborhoods, and don't want to negatively financially impact the Town of Estes Park, and visit Estes Park, or ourselves as well to be honest.

We have a new growing group EVSTRA that can help evaluate these changes.

ALL we ask is to slow down and don't rush through without looking at the rezoning and other issues this will cause for the County and it's residents.

Steven and Lori McCrane
[1291 Giant Track Road](#)
325-642-0439

Tawn Hillenbrand <hillenta@co.larimer.co.us>

Mon, Oct 31, 2022 at 8:31 AM

To: ellislk@larimer.org

Hi Lesli,

I have not received these messages. I also checked the LUC2020 email and they are not there either. If I start to receive duplicates, I will let you know. Thank you for forwarding them to me. I'll get them saved.

Thank you!

Tawn

[Quoted text hidden]

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Tawn Hillenbrand (she/her/hers)
Senior Planner
LEED Green Associate

Community Development Department
200 W Oak St, Fort Collins, 80521 |
3rd Floor
W: (970) 498-7691



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: STR regulations

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Mon, Oct 31, 2022 at 8:10 AM

FYI



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **beth cooper** <bcooper1909@yahoo.com>
Date: Sat, Oct 29, 2022 at 5:15 AM
Subject: STR regulations
To: ellislk@larimer.org <ellislk@larimer.org>

As a STR owner concerned about housing issues in Estes Park and specifically the impact that STR's have on our community, I support Larimer County's regulation changes for short-term rentals. Especially the cap.

Beth

"The earth laughs in flowers."
Emerson



Tawn Hillenbrand <hillenta@co.larimer.co.us>

\$800 Rule

Meghan Bright <inkthinker2@gmail.com>
To: hillenta@co.larimer.co.us

Mon, Oct 31, 2022 at 2:39 PM

Hello,

I find this rule to be personally unfair since I don't profit from sharing my home and I can only host during beekeeping months.

I pay taxes on Airbnb for a single room where I make \$5 per guest after breakfast. I do it b/c I am alone and I teach beekeeping for free. But now, my Airbnb is not listed because I cannot afford to pay your \$800 registration fee.

I have the right to host people if we aren't registered as a hotel or a bed and breakfast year round. So, please add an exception clause for people like me! In 2020 after I lost my job at USDA from Covid, I had a local resident at my home working remotely to not get sick and support his family who fell ill.

We help each other as a community and not for profit. There must be some leniency for individuals who are not disturbing anyone. I live amongst people who drive trucks, cattle, and heavy machinery on a road that we maintain. And now you have just taken one more joy from my life which is a summer of tourists!

We also cannot comment on meetings or partake in any of these conversations whilst city planners make the rules up as they go. There are new housing developments that are so ugly and crime is increasing exponentially. I just watch Commissioner McNally spend 5 minutes digressing about dirt and the rodeo. Is she losing it?

Somebody sane needs to be thinking about the people in this community and how Fort Collins even got its start. We were hosting rich kids from the city whose families sent them out here to get an agrarian education to be of practical use.

So, I've suspended my Airbnb and lost my Superhost status as a result. But I have brought in several people who were so impressed by Fort Collins and my kindness not to mention the bees that those folks will never experience local living the same way again.

Thank you,
Meghan Bright



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Estes Park STR

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Mon, Oct 31, 2022 at 2:42 PM

For the record and response. Thank you,



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Lorenda Volker** <volkerl@co.larimer.co.us>
Date: Mon, Oct 31, 2022 at 8:50 AM
Subject: Fwd: Estes Park STR
To: John Kefalas <kefalajm@co.larimer.co.us>, Kristin Stephens <stephekm@co.larimer.co.us>, Jody Shadduck-McNally <shaddujl@co.larimer.co.us>
Cc: Lesli Ellis <ellislk@larimer.org>, Laurie Kadrach <kadriclm@co.larimer.co.us>

Commissioners, the email below was sent to you at the bocc@larimer.org email address. I'm forwarding it to you for your information. I've also copied Community Development Director Lesli Ellis.



Lorenda Volker
County Manager

Commissioners' Office
200 W Oak St, Fort Collins, 80522 | 2nd Floor
W: (970) 498-7008
lvolker@larimer.gov | www.larimer.gov

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

From: **Larimer.org** <noreply@larimer.org>
Date: Mon, Oct 31, 2022 at 8:08 AM
Subject: Estes Park STR
To: <bocc@larimer.org>

This form was submitted on Monday, October 31, 2022 - 8:08am from <https://www.larimer.gov/bocc/commissioners-public-record-email>.

Emailing (to) bocc@larimer.org
Subject Estes Park STR
Your Name Calvin Charles Eichinger
Phone 3039178685
Your Email CALEICH@AOL.COM

Message (no html)

We own 2 properties in Estes Park. I do not understand the hurry to change regulations again. The use of our 2 properties as STR's is large part of our retirement plan. Please think this through.

Attach a file (optional)



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Proposed STR Regulations in Estes Park

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Mon, Oct 31, 2022 at 2:44 PM

For the record and response. Thank you,



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Lisa Hays** <LisaH1218@msn.com>
Date: Mon, Oct 31, 2022 at 2:18 PM
Subject: Proposed STR Regulations in Estes Park
To: Lisa Hays <lisah1218@msn.com>

Hi;
My name is Lisa Hays, I have owned and operated a successful short-term rental from my property in Estes Park for seven years. I am very concerned about the proposed STR regulations and how they will affect my current STR. Myself and my property manager have been very diligent about following all of the current regulations and I would hate to see that change due to no fault of our own. The newly proposed county short-term rental regulations are confusing and need to be fully explained and vetted with the citizens. For instance, it is unclear what the county is trying to do with the multiple categories of short-term rentals – Hosted, Full and Limited – and how these proposed changes differ from what is in effect currently. The tables dealing with different zoning classifications are confusing and are unclear as to the level of review involved and the justification for differing levels of review. Slow down and engage in meaningful discussions on these issues with affected constituencies before approving new regulations that may have unintended consequences for our communities.

If this is rushed, we risk making some of the same mistakes made in other communities as they addressed short-term rental regulation. This issue is critically important to the future of the Estes Valley community and we need to do it right.

Sincerely,
Lisa Hays



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: PLEASE SLOW DOWN AND CAREFULLY REVIEW THE PROPOSED SHORT TERM RENTAL REGULATIONS

Lesli Ellis <ellislk@co.larimer.co.us>

Mon, Oct 31, 2022 at 2:44 PM

Reply-To: ellislk@larimer.org

To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

For the record and response. Thank you,



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
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ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Becky Robbins** <beckyrobbins50@outlook.com>

Date: Mon, Oct 31, 2022 at 2:11 PM

Subject: PLEASE SLOW DOWN AND CAREFULLY REVIEW THE PROPOSED SHORT TERM RENTAL REGULATIONS

To: ellislk@larimer.org <ellislk@larimer.org>

The proposed new short-term rental regulations issued on Friday, October 28th, make a number of significant changes that need to be closely examined to ensure that the changes do not have unanticipated adverse consequences. While some of the issues relate to specific language (such as required substantive content in sign postings at every entrance and exit to the property) which are unnecessarily broad, others present significant new administrative burdens on the county (such as reinspections every 3 years) which will impose unnecessary costs on our taxpayers and strain limited county resources. Do not proceed without further discussions with all affected stakeholders and please do not rush this.

Becky Robbins – Estes Park

(281) 989-5587



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: STR

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Mon, Oct 31, 2022 at 2:43 PM

For the record and response. Thank you,



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Laurie Kadrach** <kadriclm@co.larimer.co.us>
Date: Mon, Oct 31, 2022 at 10:34 AM
Subject: Fwd: STR
To: Lesli Ellis <ellislk@larimer.org>, Amy White <awhite@larimer.org>

FYI

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

From: **'beth cooper' via Commissioner_Shaddock-McNally** <commissioner_shaddock-mcnally_public@co.larimer.co.us>
Date: Sat, Oct 29, 2022 at 5:11 AM
Subject: STR
To: JShaddockMcNally@larimer.org <JShaddockMcNally@larimer.org>

As a STR owner concerned about housing issues in Estes Park and specifically the impact that STR's have on our community, I support your regulation changes for short-term rentals. Especially the cap.

Beth

"The earth laughs in flowers."
Emerson

--



Laurie M. Kadrach
Assistant County Manager

Community Planning, Infrastructure and Resources
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970) 498-5741 | M: (970) 589-0674
Kadriclm@co.larimer.co.us | www.larimer.org



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd:

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Mon, Oct 31, 2022 at 2:43 PM

For the record and response. Thank you,



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Laurie Kadrach** <kadriclm@co.larimer.co.us>
Date: Mon, Oct 31, 2022 at 10:05 AM
Subject: Fwd:
To: Lesli Ellis <ellislk@larimer.org>, Amy White <awhite@larimer.org>

FYI

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

From: **'Sue Eichinger' via Commissioner_Kefalas** <commissioner_kefalas_public@co.larimer.co.us>
Date: Mon, Oct 31, 2022 at 8:53 AM
Subject:
To: <jkefalas@larimer.org>

Commissioner Kefalas-

The newly proposed county short-term rental regulations are confusing and need to be fully explained and vetted with the citizens. For instance, it is unclear what the county is trying to do with the multiple categories of short-term rentals – Hosted, Full and Limited – and how these proposed changes differ from what is in effect currently. The tables dealing with different zoning classifications are confusing and are unclear as to the level of review involved and the justification for differing levels of review. Slow down and engage in meaningful discussions on these issues with affected constituencies before approving new regulations that may have unintended consequences for our communities.

Thank you.
Susan Eichinger

--



Laurie M. Kadrach
Assistant County Manager

Community Planning, Infrastructure and Resources
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970) 498-5741 | M: (970) 589-0674
Kadriclm@co.larimer.co.us | www.larimer.org



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Short Term Rental Regulations

Lesli Ellis <ellislk@co.larimer.co.us>

Mon, Oct 31, 2022 at 2:40 PM

Reply-To: ellislk@larimer.org

To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tawn - Please keep for the record. Mr. Meek also wrote to BCC and EVPAC.

Kind regards,
Lesli



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: <jrmeek57@gmail.com>

Date: Mon, Oct 31, 2022 at 10:34 AM

Subject: Short Term Rental Regulations

To: <ellislk@larimer.org>

Ms. Ellis,

I have been an owner of a short-term rental owner property in the Estes Valley of Larimer County since 2011. I have been a responsible owner and respectful of my neighbors at all times. I have maintained my home in a safe manner and provided guest with a quality accommodation. I also have utilized local services and vendors over the years, putting money back into the local economy.

I am very concerned with the approach and process that Larimer County is undertaking in potentially new and extreme regulations. The county has been working on the revisions since at least December of last year, but the county's extensive proposed revisions were just issued this past Friday, October 28, 2022. Meanwhile comments from the Estes Valley Planning Advisory Committee are being solicited with little notice before their meeting on November 1. This is not a fair, equitable or transparent way to address an important issue. The sheer number of new/revised regulations, including 're-zoning', are far reaching and not well thought out; much less, drafted with virtual no input from all affected parties.

I strongly urge you to slow down the process, rather than bulldoze 20+ new/revised regulations without a thorough understanding of the implications. I am not opposed to reasonable, fair and equitable regulations; however, the appearance is that the County wants to impose an extreme and confusing set of regulations without any idea of impact, enforcement, fairness or meaningful impact from all affected parties.

Jim Meek



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: STR regulations

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tue, Nov 1, 2022 at 8:46 AM

For the record and reply. Thank you, Lesli



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Susan Stauffer** <sstauffer@tankholding.com>
Date: Mon, Oct 31, 2022 at 8:43 PM
Subject: STR regulations
To: ellislk@larimer.org <ellislk@larimer.org>

Hello,

I am contacting you regarding the proposed STR Regulations in consideration with the County, respectfully requesting the process be slowed down. As I understand, this is a major legislative proposal with far-reaching ramifications. Some of the regulations if enacted are going to have a major impact on local businesses, lodging tax revenue, and sales tax revenues. Such impact should be thoroughly explored and considered before rushing regulation. If visitors cannot find affordable places to stay during their visit, the current level of out-of-town dollars coming into Estes Park will decline. People enjoy making a long weekend or a full week of their visit to the area. Many are multi-generations creating family memories in our beautiful area. Without lodging options, this will impact visitors to the area.

Also, thorough consideration should be given to the impact of the ability of the county to effectively enact and enforce these additional regulations. In the past few years, we have gone through a permitting process for vacation homes which was delayed and prolonged. There was a great deal of confusion on the part of both the county and homeowners during the process. As it has been proposed, this set of regulations seems a great deal more complicated. I would suggest resources would be better spent enforcing the current permitting rules fairly on all current rentals, bringing those renting without a permit into compliance.

Please take the time to slow this process and consider fully the issues surrounding this complicated proposal. This is going to impact so much more than simply limiting STR's in the area or rezoning areas to prohibit STRs. It will have a far-reaching economic impact on the community.

Sincerely,

Thad and Susan Stauffer

402-429-2911

Lesli Ellis
ellisk@larimer.org

Dear Lesli,

We support the suggestions made by EVSTRA in regards to the Larimer County proposed Regulations on STRs. We too are very concerned that the proposed county short-term rental regulations are being rushed and have not had a reasonable amount of time for public review and comment. For example, it is unclear how these regulations would affect HOAs that have established covenants specifically addressing STRs.

As an owner in the Windcliff Estates, we have established in our HOA documents permissibility and acceptable operation of STRs which have been in effect for 53+ years. We rent our Windcliff home on a short-term bases to people that enjoy the outdoors, Rock Mountain National Park, and Estes Park. Since we starting renting our home in 2014 we have had no complaints from our neighbors concerning renters. In addition, we have 2 homes near to us that rent their house on a short-term base. Their renters have never given us a reason to complain. Thus, from our standpoint, we see no reason to change our current rental regulations. As such, we wish to retain all of our current, established, recorded and enjoyed rights. Any additional Short-Term Rental and Lodging Regulations established by Larimer County should not apply to Windcliff Estates.

Please allow more time before establishing any new regulations so that the full community can contribute their feedback.

Sincerely,

James and Anita Mapes
2060 Windcliff Dr.
Estes Park, CO 80517



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Proposed STR Regulations

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tue, Nov 1, 2022 at 10:17 AM

For the record and reply. Thank you,



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Zubia, Deborah** <Debbie.Zubia@fortbendisd.com>
Date: Tue, Nov 1, 2022 at 8:52 AM
Subject: Proposed STR Regulations
To: ellislk@larimer.org <ellislk@larimer.org>

Good morning,

As a current STR owner in Larimer county, I am concerned with the speed in which the newly proposed STR regulations are being rushed through the process. The newly proposed county short-term rental regulations are confusing and need to be fully explained and vetted with the citizens. For example, it isn't clear what the county's motivation is in having multiple categories of short-term rentals – Hosted, Full and Limited – and how these proposed changes differ from what is in effect currently. Additionally, the tables outlying various zoning classifications are confusing and are unclear as to the level of review involved. There is also no justification outlined for needing different levels of review.

I would like to recommend slowing down and engaging in meaningful discussions on these issues with all affected constituents before approving new regulations that may have unintended consequences for our communities.

Thank you for your time.

Sincerely,

Debbie Zubia, M.Ed
6th Grade Counselor
James Bowie Middle School
281-327-9345– Phone #



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Short-Term Rental Regulations

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tue, Nov 1, 2022 at 1:36 PM

For review and response. Thanks,



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Laurie Kadrach** <kadriclm@co.larimer.co.us>
Date: Tue, Nov 1, 2022 at 12:00 PM
Subject: Fwd: Short-Term Rental Regulations
To: Lesli Ellis <ellislk@larimer.org>, Amy White <awhite@larimer.org>

FYI

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

From: **CHARLES KIDD** <CWK5073@outlook.com>
Date: Tue, Nov 1, 2022 at 8:20 AM
Subject: Short-Term Rental Regulations
To: jkefalal@larimer.org <jkefalal@larimer.org>, kstephens@larimaer.org <kstephens@larimaer.org>, jshaddockmcnally@larimer.org <jshaddockmcnally@larimer.org>
Cc: ellislk@larimer.org <ellislk@larimer.org>, laffermn@co.larimer.co.us <laffermn@co.larimer.co.us>, converseevplanning@gmail.com <converseevplanning@gmail.com>, eotranch@gmail.com <eotranch@gmail.com>, pmoak@aol.com <pmoak@aol.com>, poggenpohl@mac.com <poggenpohl@mac.com>, fttheis3@gmail.com <fttheis3@gmail.com>, dhwebb10@gmail.com <dhwebb10@gmail.com>

I am very concerned about the process Larimer County is using to address revisions of Short-Term Rental regulations in the county. The county has been working on the revisions since at least December of last year, but the county's extensive proposed revisions were just issued today on Friday, October 28, 2022. Meanwhile comments from the Estes Valley Planning Advisory Committee are being solicited only 4 days later at their meeting on November 1. It very much feels that public participation in the process is being intentionally rushed. Whether that is because of the November 8th election, which could result in a change in the composition of the County Commissioners, or some other objective, this process needs to be slowed down so that the public and elected officials have the appropriate time to thoughtfully consider the extensive changes recommended by staff. If this is rushed, we risk making some of the same mistakes made in other communities as they addressed short-term rental regulation. This issue is critically important to the future of the Estes Valley community and we need to do it right.

The newly proposed county short-term rental regulations are confusing and need to be fully explained and vetted with the citizens. For instance, it is unclear what the county is trying to do with the multiple categories of short-term rentals – Hosted, Full and Limited – and how these proposed changes differ from what is in effect currently. The tables dealing with different zoning classifications are confusing and are unclear as to the level of review involved and the justification for differing levels of review. Slow down and

engage in meaningful discussions on these issues with affected constituencies before approving new regulations that may have unintended consequences for our communities.

Wyndham Kidd
Property Owner

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Laurie M. Kadrich
Assistant County Manager

Community Planning, Infrastructure and Resources
[200 W Oak St, Fort Collins, 80521 | 3rd Floor](#)
W: (970) 498-5741 | M: (970) 589-0674
Kadriclm@co.larimer.co.us | www.larimer.org



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Estes Valley STR Proposal

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tue, Nov 1, 2022 at 1:37 PM

For review and response. (Please let him know you are responding on my behalf as well as BCC, since it's addressed to me.). Thanks!



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Gary Naifeh** <naifeh@brandsavvyinc.com>
Date: Tue, Nov 1, 2022 at 11:58 AM
Subject: Estes Valley STR Proposal
To: ellislk@larimer.org <ellislk@larimer.org>

Ms. Ellis,

I have a short-term rental cabin at 220 Virginia Drive, and if you will give me less than a minute of your time, I want to express my concern with the proposed new STR regulations – which I just received.

My wife and I, and our 4 children, began visiting Estes Park almost 40 years ago. In 2006 we purchased a cabin 2 blocks from downtown with the expectation that one day it would generate retirement revenue, which it does now, and when my wife and I pass away, provide revenue to our 4 children.

Years ago, our HOA voted to approve STRs. This deserves repeating. We VOTED!

The proposed regulations are complex, and while I support some, others – many others – are extreme and will require exhaustive efforts to explain with clarity and even more effort to enforce.

From my perch, this proposal does not affect one license holder; it affects “my entire” family.

People’s livelihood and the Town’s image – even your image – are at risk given the nightmare of unintended consequences resulting from rushing this proposal.

Gary

Gary T. Naifeh

President

BrandSavvy, Inc.

P.O. Box 621803

Littleton, CO 80162

Mobile 303.944.3529

naifeh@brandsavvyinc.com

www.brandsavvyinc.com



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: LARIMER COUNTY PROPOSED REGULATIONS REGARDING SHORT-TERM RENTALS AND LODGING

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tue, Nov 1, 2022 at 4:25 PM



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Amy White** <awhite@larimer.org>
Date: Tue, Nov 1, 2022 at 3:49 PM
Subject: Re: LARIMER COUNTY PROPOSED REGULATIONS REGARDING SHORT-TERM RENTALS AND LODGING
To: <ellislk@larimer.org>
Cc: Laurie Kadrach <kadriclm@co.larimer.co.us>

Lesli,

Mr. Smithburg's email address is: ryerx23@yahoo.com

It was in the NCD planning case!!



Amy White
Code Compliance Supervisor

Community Development Department
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970) 498-7708
awhite@larimer.gov | www.larimer.gov

Community Development Offices will be closed Thursday, November 3, 2022

The Larimer County Community Development Department (Building, Planning, Code Compliance, Citizen Resources) will be closed to conduct a system upgrade. This upgrade also affects groups outside of Community Development including Weeds, Health (Septic) and Engineering. The Online Customer Portal is part of this upgrade and will not be available. No inspections, permitting, or staff on call will be available, and other community development services will be limited that day. Staff will be offsite for a business meeting that day. Thank you for your understanding and we apologize for any inconvenience.

On Tue, Nov 1, 2022 at 2:25 PM Lesli Ellis <ellislk@co.larimer.co.us> wrote:
Hi Laurie - Do you have Mr. Smithburg's address so we can send a reply? Thanks, Lesli

Lesli Ellis, AICP CEP



Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

On Tue, Nov 1, 2022 at 11:26 AM Laurie Kadrach <kadriclm@co.larimer.co.us> wrote:
FYI

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

From: 'ryan smithburg' via Commissioner_Shadduck-McNally <commissioner_shadduck-mcnally_public@co.larimer.co.us>

Date: Mon, Oct 31, 2022 at 1:33 PM

Subject: LARIMER COUNTY PROPOSED REGULATIONS REGARDING SHORT-TERM RENTALS AND LODGING

To: JShadduckMcNally@larimer.org <JShadduckMcNally@larimer.org>

10/31/2022

1471 Jungfrau Tr

Estes Park, CO 80517

Dear Jody Shadduck-McNally, Larimer County Commissioner:

I am writing to you today to express my concern about the process Larimer County is using to address revisions of Short-Term Rental regulations in the county. The county has been working on the revisions for nearly a year, but the county's extensive proposed revisions were just issued on Friday, October 28, 2022. Meanwhile, comments from the Estes Valley Planning Advisory Committee are being solicited only 4 days later at their meeting on November 1. The proposed new short-term rental regulations make a number of significant changes that need to be closely examined to ensure that the changes do not have unanticipated adverse consequences. With only 4 days of review, it seems as if public participation in the process is being intentionally rushed. While some of the issues relate to specific language (such as required substantive content in sign postings at every entrance and exit to the property) which are unnecessarily broad, others present significant new administrative burdens on the which will impose unnecessary costs on our taxpayers and strain limited county resources.

Additionally, particular thought should be given about the practical implications of limiting transferability of licenses. Since we have a cap of 266 in residential zones of the Estes Valley, limiting transferability will only shift the location of STRs in residential zones. The county should carefully consider whether the disruption to a new area caused by issuing a new license in a new location is worth any perceived benefits of a restriction on transferability. Without the restriction, STR licenses will tend to be renewed by successive owners, thereby keeping the status quo intact, as intended with the cap. With the restriction, STRs will be reduced in some residential areas only to be increased in other residential areas if upon a transfer the transferee goes to the end of the waiting list.

It is also very unclear what the county is trying to do with the multiple categories of short-term rentals – Hosted, Full and Limited – and how these proposed changes differ from what is in effect currently. The tables dealing with different zoning classifications are confusing and are unclear as to the level of review involved and the justification for differing levels of review. Also, some HOA's such as Windcliff welcome STR homes and specifically address this in their HOA agreements. A community like that should not be subjected to these additional rental regulations as they do a great job of self-governing and managing these homes.

The bottom line here is to slow down and engage in meaningful discussions on these issues with affected constituencies before approving new regulations that may have unintended consequences for our communities. We

all want safe, well-managed rentals. It is vital that we hear from stakeholders to reach an agreement that is amendable to all parties.

Sincerely,

Ryan Smithburg

Short-term rental owner and part-time Estes Park community member

--



Laurie M. Kadrach
Assistant County Manager

Community Planning, Infrastructure and Resources
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970) 498-5741 | M: (970) 589-0674
Kadriclm@co.larimer.co.us | www.larimer.org



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Short term stay proposal

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tue, Nov 1, 2022 at 4:26 PM

For record and reply please. Thanks,



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **John W. Dorsey** <jwdorsey_48@yahoo.com>
Date: Tue, Nov 1, 2022 at 2:35 PM
Subject: Short term stay proposal
To: jkefalas@larimer.org <jkefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>, JShaddockMcNally@larimer.org <JShaddockMcNally@larimer.org>, ellislk@larimer.org <ellislk@larimer.org>, laffermn@co.larimer.co.us <laffermn@co.larimer.co.us>
Cc: converseevplanning@gmail.com <converseevplanning@gmail.com>, eotranch@gmail.com <eotranch@gmail.com>, pmoak@aol.com <pmoak@aol.com>, poggenpohl@mac.com <poggenpohl@mac.com>, ftheis3@gmail.com <ftheis3@gmail.com>, dhwebb10@gmail.com <dhwebb10@gmail.com>, ericlarsen@coloradoan.com <ericlarsen@coloradoan.com>, vahlenkampj@prairiemountainmedia.com <vahlenkampj@prairiemountainmedia.com>, wrigby@prairiemountainmedia.com <wrigby@prairiemountainmedia.com>

I am sorry for the lateness of this email. I have tried to review your proposals and I am still not fully understanding all of them.

I am genuinely concerned about the process Larimer County is using to address revisions of Short-Term Rental regulations in the county. The county has been working on the revisions since at least December of last year, but the county's extensive proposed revisions were just issued today on Friday, October 28, 2022. Meanwhile comments from the Estes Valley Planning Advisory Committee provided only 4 days prior to their meeting on November 1. It very much feels that public was not giving enough time to digest and respond within given deadline.

I do not understand and am not in favor of limiting the days of rental for short term stays. We bring in visitors that spend money with local businesses and make your economy strong. Why you would want to hurt your local businesses is hard to understand. I am supporting the suggestions from EVSTRA and urge you to adopt their suggestions.

Sincerely

John W. Dorsey



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Estes Valley STR Proposal

Lesli Ellis <ellisk@co.larimer.co.us>
Reply-To: ellisk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tue, Nov 1, 2022 at 4:27 PM

For the record and reply please. Thank you!



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellisk@co.larimer.co.us | www.larimer.gov

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

From: **Christopher Lozing** <clozing@techfarmer.com>
Date: Tue, Nov 1, 2022 at 3:54 PM
Subject: Estes Valley STR Proposal
To: ellisk@larimer.org <ellisk@larimer.org>

Hello Lesli Ellis,

The reason for my writing and asking for some of your valuable time is in response to the proposed STR regulations for Larimer County and specifically Estes Park, which appear to be rushed through, overly confusing and more time should be considered.

My wife and I have been coming to Estes for well over 25 years, and started looking for properties over 15 years ago, with the eventual intent to move to Estes Park. We own multiple properties in Estes, only 1 of which is an STR. This particular STR is within a block of downtown Estes on Virginia Dr.

Some of the proposed regulations make sense; however, the majority of them are hard to understand how the regulations solve any issues. Rather in fact, the regulations will create major issues.

- Our particular STR has NEVER been in workforce housing. Also, before our purchase it was a second home that was getting used for 3 to 4 months per year. A home that was underutilized.
- There are 12 homes in our particular community. Of those twelve, 4 are secondary homes, 1 has fulltime residents (not in workforce - retirees), and the remaining 7 are STR's. Of those 7, none of them were ever part of workforce housing, and likely would never become workforce housing.
- We purchased our home to use, but then also to be able create passive income for our family. This is important for many reasons.
 - It allows my family to use our home many times throughout the year keeping it properly maintained. Additionally, we pump \$\$ into the local economy.
 - It allows us to share our home with people from all over the world. These guests have relayed how awesome this flexibility is compared to other options in Estes. We have nothing but stellar reviews. Guests have also expressed how important it is to have these types of rentals over traditional hotels, or shared stays.
 - Many people do not prefer hotels, or other accommodations in Estes Park. STR's offer a different way to experience Estes, especially for guests staying for longer time frames.
 - The guests of our STR are pumping MAJOR money into the Estes economy.
 - My wife has a disability which falls under the Americans with Disabilities Act. She makes income from the STR. Some of the proposed regulations would impact her ability to make income or completely remove her

income, removing her ability to work.

- During the height of the season, there is relatively no vacancy throughout most of Estes. Further regulations will clutter up already dangerous highways to Estes, and ultimately lead to less economy to pay for Estes public services which are already stretched.

The proposed regulations appear to punish STR's and hamper competitiveness. Removing STR's or creating inflexible zones will damage the economy to Estes, reduce options for visitors, as well as tarnish the reputation of Estes for future guests. This process needs to be slowed down.

Thank you for considering slowing this process down, and hearing directly from the people and families this directly impacts.

Chris Lozing

Christopher Lozing

TechFarmer

CEO/CTO

www.techfarmer.com

720.222.5015 x1002



Please consider the environment before printing this message.



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Fw: Proposed STR regulations for Larimer County

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tue, Nov 1, 2022 at 8:03 PM

This might be a new comment. If so, please keep for the record and reply.



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Linda Moak** <pmoak@aol.com>
Date: Tue, Nov 1, 2022 at 5:50 PM
Subject: Fw: Proposed STR regulations for Larimer County
To: Lesli Ellis <ellislk@larimer.org>

Sent from the all new AOL app for iOS

Begin forwarded message:

On Tuesday, November 1, 2022, 5:15 PM, Brent Nations <elkcabinestes@gmail.com> wrote:

Estes Valley Planning Advisory Committee:

We started coming up to Estes Park with our two daughters before they were old enough to walk. Now they are both grown young women, one in college and the other about to start. After years of hard work and savings, we were able to fulfill our dream and buy a cabin in Estes Park. We specifically looked for a cabin in an area that allows short-term rentals in their governing documents and a community that was supportive of this model.

We planned on using our rental income to help pay our mortgage as well as with the upkeep of our cabin over the years. Now it feels like the county is attempting to limit/shut down our business. And for what purpose? Is the county really trying to send the message to the community that hard work and sacrifice is not meaningful? Instead we should be forced to give the fruits of our labor to others to supplement their lower house prices? That is socialism and not American!

The only meaningful argument by the county is that by limiting STRs we will somehow magically create more affordable housing. Even a cursory review of the data would show that STRs are not the main driver of housing prices. Nationwide wages and real estate market conditions have much larger impacts on housing affordability. And most vacation rentals, including ours, are high-end developments. Well out of reach of the hourly wage-earner in Estes Park.

And the fact is we will never sell our cabin. And most fellow home owners in Estes I know won't either. Before even considering it, we would first share our house with friends and family if we could not rent.

And we plan to pass our house down to our children. So how has this made housing any more affordable?

I strongly urge Larimer county and the town of Estes Park to focus on what will work ... increase supply by building more low-end housing. Change the rules and regulations to support that! Not the current strategy of making rules that hurt local businesses and do nothing to solve the affordability goals they are striving to achieve.

Sincerely,

Brent Nations
Elk Cabin LLC



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Providing high-quality, reliable services for the benefit of our citizens...

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tue, Nov 1, 2022 at 8:30 PM

For the record and reply. Thanks,



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Laurie Kadrach** <kadriclm@co.larimer.co.us>
Date: Mon, Oct 31, 2022 at 10:38 AM
Subject: Fwd: Providing high-quality, reliable services for the benefit of our citizens...
To: Lesli Ellis <ellislk@larimer.org>, Amy White <awhite@larimer.org>

FYI

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

From: **Tom Moretti** <tommore2003@outlook.com>
Date: Fri, Oct 28, 2022 at 7:44 PM
Subject: Fwd: Providing high-quality, reliable services for the benefit of our citizens...
To: Jshaddockmcnally@larimer.org <Jshaddockmcnally@larimer.org>
Cc: Tom Moretti <tommore2003@outlook.com>

Jody some additional interactions with the town on vacation rentals
Tom

Sent from my iPhone

Begin forwarded message:

From: Tom Moretti <tommore2003@outlook.com>
Date: February 23, 2018 at 2:23:10 PM MST
To: Frank Lancaster <flancaster@estes.org>, Tom Moretti <tommore2003@outlook.com>
Cc: Linda Hardin <lharden@estes.org>
Subject: RE: Providing high-quality, reliable services for the benefit of our citizens...

Hi Frank, please do share. Happy to detail more if needed. Goal is to improve the residential owner's experience in town. I'm all for personal freedoms but they should not infringe on others without some timely recourse.

Examples: If I have a neighbor who's dog is barking at all hours. I can file a complaint, multiple complaints in county will get that neighbor a fine. In a short term Rental, the renters dog can bark, revelers can make noise at all hours, and my recourse is calling the hotline. Nothing more than a reprimand will be in order

even if there are multiple complaints on the same home, with different short term renters. Next renter can do same....again, nothing more than at best a reprimand. There are many more examples I can give that leaves a residential homeowner vulnerable and will little recourse other than civil courts.

Feel free to share.

Thank you once again.

Regards

Tom Moretti

From: Frank Lancaster [mailto:flancaster@estes.org]
Sent: Friday, February 23, 2018 1:23 PM
To: Tom Moretti <tomm2003@outlook.com>
Cc: Linda Hardin <lhadin@estes.org>
Subject: Re: Providing high-quality, reliable services for the benefit of our citizens...

Tom, would you be ok with me sharing this with the Trustees? It's important for them to know exactly what is happening on the ground with the changes they approved in regulations, but I don't want to do it without your permission. It would be shared privately, just for their information.

Frank

On Fri, Feb 23, 2018 at 12:03 PM, Tom Moretti <tomm2003@outlook.com> wrote:

Thank you Frank. Appreciate your response. Linda has been terrific to work with and very good at getting after the rental folks....however I've now dealt with three rentals on our street. One was before the new policy, the second two post policy and regulation. Here is a consistent theme....they all walked the neighborhood and introduced themselves...."hi, I'm your new neighbor...I live in _____ and plan to move here full time but just need to rent temporarily while we transition to Estes Park...." - In at least two cases I know they are lying. This must be something they learn in vacation rental school. They are investors and own multiple properties. Don't know of the third. I know the home renting that I'd called on multiple times wasn't truthful with Linda when she called them. They said once they had relatives over... I checked they were renters and had 5 cars in the drive. Another time they told Linda they had contractors working there....they must let their contractors spend the night at the home and go in and out looking a lot like vacationers. Net: these homeowners that rent are not all the most ethical characters around. Note: one of those investor renters (prior to the permitting process) had to eventually sell the home due all the code violations she had and we reported on. First time she rented there were 24 people at the home and we had people parking on our drive and smoking and drinking on my front deck. This is the kind of stuff that the town should really have more detailed in their regulations. There is no downside for these owners.

I'll continue to call but its not fair to us. Again, doesn't sound like the town will be doing anything near term which is unfortunate. Regulations without any teeth are being less than attended to by investor owners IMO.

Regards

Tom Moretti

From: Frank Lancaster [mailto:flancaster@estes.org]
Sent: Friday, February 23, 2018 11:39 AM
To: Tom Moretti <tomm2003@outlook.com>
Cc: Linda Hardin <lhartin@estes.org>
Subject: Re: Providing high-quality, reliable services for the benefit of our citizens...

Thanks Tom,

I can appreciate your concerns and your frustration with the neighboring vacation rentals. This was a tough issue to deal with from all sides and the Town Board and the County Commissioners came up with a compromise they felt balanced the needs on all sides. Time will tell how this works out.

In the meantime, we want to make sure the rentals in your neighborhood tow the line and comply. I know it's a burden, but please don't hesitate to contact our staff if you see violations. We will follow up, and with continued pressure, get the bad apples to either comply or they will see consequences regarding their permit to operate.

Frank

On Fri, Feb 23, 2018 at 10:32 AM, Tom Moretti <tomm2003@outlook.com> wrote:

Hi Frank, love the article and agree the town has done a great job. I am sometimes skeptical but mostly supportive of what the town does...from the Loop, to the Stanley lot 4 decision, to the Community Center and Parking structure. One area I have been critical and recently made suggestion changes to Planning is around the vacation rentals in residential areas. I have two on my street and it sucks. No other way to put it. You've placed the burden on my to complain whenever these are rented and people are violating noise, parking, lights, etc. violations. The town and county blew it and its costing its residents in sleep and aggravation. I suggested improved regulations on putting some "teeth" into these so there are punitive measures that can quickly take place. Planning has several people copied on my suggestions and in the final summary – the Town simply doesn't care about the residents. There is nothing anyone can say that would indicate differently on this topic. I've attached my email string with Jeff Woeber on the topic.

It is really unfortunate that some residents will not have to endure poor renters. You, the town, have placed the burden on my. In one case I had to call 5 times before something was done on a single rental with a consistent violation. At some point I may need to take legal action against the two rentals on my street, but I should never have had to do this. The town completely shirked its responsibility to its citizens. These are both investors on my street as many are in this town. The vacation rental situation is born from pure greed and its not in homeowners rights as some profess. Plenty of towns do not permit such a travesty to occur. We have enough lodging space in this town yet we expanded that to another nearly 600 units in residential areas. Not sure if the town will ever reconsider this poor decision but they should. This one decision clearly shows the town doesn't really care about its residents.

Regards,

Tom Moretti

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

From: Tom Moretti <tomm2003@outlook.com>

To: Jeff Woeber <jwoeber@estes.org>, Linda Hardin <lhartin@estes.org>, Randy Hunt <rhunt@estes.org>, Greg White <greg@gawwhite.com>

Cc: "tomm2003@outlook.com" <tomm2003@outlook.com>

Bcc:

Date: Wed, 14 Feb 2018 17:02:15 +0000

Subject: RE: Vacation Rentals - Proposed DRAFT amendment related to enforcement/penalties

Thank you Jeff, appreciate the link. Read it thoroughly and not quite sure what recourse the town has on revocation of permit as there is no specific detail....sounds subjective which I would expect some exposure to the town. Guessing the town has no intent of ever revoking a license. That is how I read it.

OK, thanks again for the responses. Generally I've been quite supportive of town initiatives. The Stanley expansion, parking structure, etc.. IMO the town really messed up on this one. Nearly zero protection for normal homeowner residents. Understand that greed (realtors, VEP, etc.) can trump all other considerations and this one illustrates that approach. Again no offense directed at you or Linda. You are enforcing what the leaders have chosen.

I'm guessing I'll be using the hotline early and often based on the two rentals near my home. These investors have made a bit of a mockery of the current regulations.

Regards,

Tom Moretti

From: Jeff Woeber [mailto:jwoeber@estes.org]

Sent: Wednesday, February 14, 2018 9:38 AM

To: Tom Moretti <tomm2003@outlook.com>; Linda Hardin <lhartin@estes.org>; Randy Hunt <rhunt@estes.org>; Greg White <greg@gawwhite.com>

Subject: Re: Vacation Rentals - Proposed DRAFT amendment related to enforcement/penalties

Hello Tom, I appreciate your frustrations with impacts from vacation rentals. I can only encourage you to pursue any violations through the hotline, and should a given property become too problematic we would look at revocation of a license.

Note also that the Town has no hand in enforcement of POA guidelines or regulations.

The Section of the Development Code re. vacation rentals is linked below, 5.1 B.

Jeff

https://library.municode.com/CO/estes_valley/codes/development_code?nodeId=CH5USRE_S5.1SPUSST

On Tue, Feb 13, 2018 at 2:40 PM, Tom Moretti <tommore2003@outlook.com> wrote:

Jeff, while I appreciate the response I'm not reading any potential avenue for improvement in the current regulations or status. So it sounds like much of the burden will reside with the homeowner resident to remedy violations. Due process is unfortunately slow (dog barking example) and not effective for vacation rentals as compared to full time permanent residents. A hotel can eject the person/people in violation that day. Why can't the town implement something that will have some teeth. Current regulations have no teeth from what I've experienced. No one has shared those regulations with me. In the vacation rental scenarios, there is little recourse other than a call. I believe that is what you are detailing. I find that less than acceptable from the town.

Summary:

- No way to have a rapid resolution or penalty on repeat violators (not the renter, but the property owner)
- No financial impact = no impact to owner. In particular if they have a management company that handles these complaints. Zero downside for the vacation rental owner.
 - My personal experience was in calling on the same home five times on the same issue. It wasn't until I notified the hotline and town that I was going to handle it myself that the issue was remedied. Lesson learned. There is no downside for the management company or rental homeowner. They are making money, no fine, so what to the town.
- I've not seen the revocation clause in writing but even in that case it will take months of disruption and frustration. Would like to see the written clarity on that if you would send my way.

I can appreciate the inability for the town to codify any method of paying the complainant. That was a long shot request that I felt would be fair to the homeowner resident given the disruption to our lives and fear on behalf of some for retribution. Note: I had a very angry owner threaten me over a dog complaint logged to Larimer County Sheriff. So much for confidentiality.

The other inabilities or resistance on behalf of the town to protect its residents I find disappointing and perhaps a dereliction of responsibilities for a municipality. Apologies as I'm not intending to offend but that is what your response indicates. No protections for homeowner residents....just suck it up and deal with the repeated issues from renters. For someone who purchased a home, then once understanding the neighborhood, invested further into improvements and now the town has negatively impacted my life and investment.

Has the town considered other methods to accelerate more permanent remedies for derelict rental property owners? Can the town revisit the fine system? Just curious. We have numerous vacation rental properties in my neighborhood and several are regular violators of both town/county

regulations as well as POA guidelines. What is our recourse as homeowner residents? Please advise.

Regards,

Tom Moretti

From: Jeff Woeber [mailto:jwoeber@estes.org]

Sent: Tuesday, February 13, 2018 1:20 PM

To: Tom Moretti <tommore2003@outlook.com>

Cc: Randy Hunt <rhunt@estes.org>; Linda Hardin <lhardin@estes.org>; Greg White <greg@gawwhite.com>

Subject: Re: Vacation Rentals - Proposed DRAFT amendment related to enforcement/penalties

Hello Tom,

I've reviewed your email, and also have run your proposal by other staff and the Town Attorney.

I note the Town considered adopting a mechanism to assess fines, when putting together the vacation rental regulations in 2016. At that time, it was determined that was not a direction they wanted to take.

There are currently provisions for penalties, up to revocation of a registration if there were repeated violations, depending on circumstances. I believe Linda Hardin has outlined those penalties to you previously.

As far as amending the regulations to allow quick fines for violations--that is simply not feasible. As with your barking dog example, a violator must be given due process, with an opportunity to be heard, right to confront witnesses/complainants, and finally a decision to be made by a judge.

There is no shortcut or fast track for this type of process.

Having a complainant being able to receive or share any fines that the Town might assess is not able to be codified.

Jeff

On Mon, Feb 12, 2018 at 12:11 PM, Tom Moretti <tommore2003@outlook.com> wrote:

Hi Jeff, apologies for my late send on this....but thank you for the discussion pertaining to Vacation Rental regulation amendment process. As per our discussion I've put down some draft thinking on how such a regulation might look related to rental properties violating regulations/rules.

Problem/Challenge Statements related to current Vacation Rental Properties regulations and violations especially as related to Residential Neighborhoods:

- Vacation rental properties have a inherently transient nature of multiple parties potentially in the same property on a weekly basis.
- Each party may violate different aspects of town regulations, local law, and/or subdivision covenants as related to #of renters, parking, use of lights or noise, or other.
- Each violation may require a separate call(s) to a local resident to remedy.
 - In my personal case, it required five separate calls on one rental for the same type of violation.
- In many cases, these homes are managed by a service as they home is owned by an out of town investor
- There is little to no motivation on behalf of the management company or out of town investor in ensuring a remedy to any violation is quickly handled.
 - In any case – violations are an inconvenience for local home owners, residents in: Time, frustration, and potential impacts to personal income generation due lost sleep and effort to remedy.
 - No official documented guidelines mandating vacation rental owners communicating to rental customers of local laws, guidelines, etc.
 - No financial impacts vacation rental owners for repeat violations
- Current Regulations have no punitive measures to remedy the situation in a timely manner.
 - The town may not renew the annual license submission by a vacation property owner but that could be a year or more before that home is no longer permitted to rent.
 - This exposes the town to future legal action due lack of written/documented punitive measures.
- There is inherent costs on behalf of the reporting parties in time, frustration, and potentially lost income due lost sleep and time spent on issues not their own.

Regulation Proposal Purpose:

- **Why different than residing homeowner issues:** Normal violations to law, code, HOA/POA violations can typically be handled via a single conversation, or single escalation as the resident will normally comply post complaint or fine to remedy. Example is noise or trash violations which can be escalated and more permanent remedies are handed via fines. Fines in particular drive changed behavior. Current vacation rental regulations have no such remedy. Dog barking as an example in Larimer county takes 30 days between complaint timing for compliance but eventually is addressed by a judge and fines for local residents. This cannot be done at vacation rentals. Turnover is too rapid.
 - **Need:** Rapid ability to remedy situation with tool that will get the attention of both management companies and vacation rental property owners.

- Protect the town from potential legal risks associated from future legal actions by either residents or vacation rental property owners
 - Residents could pursue actions against town for negatively impacting quality of life and property value due uncontrolled vacation rental properties
 - Vacation rental owners could pursue action for non-renewal of permitting due violations and no specific documented remedies in current regulations
- Incorporate rapid, more effective measures to ensure vacation rental property remedies to violations.
 - Current process may require multiple calls on different renters at same property as management company/vacation rental owner have little motivation to remedy.
- Ensure the town and current residential homeowners have a way to recover costs associated with lost time, frustration, and potential impacts to income due violations

Regulation tenor – I'm not an attorney who might redraft to meet legal language requirements:

- Regulation coverage to include all Residential Areas within the area covered by the current Vacation Rental Property regulations in both Estes Town limits and Larimer County. Regulation coverage area to exclude business district vacation rental properties.
- Amending current regulation – relating to violations to vacation rental code, local applicable codes, local laws, and local community HOA/POA guidelines - should complaints be registered/logged via either the Town of Estes Park Community Development "Short Term Rental hotline", or directly to the Town of Este Park Compliance officer – these complaints will be logged for review and consideration for potential fines or revocation of Vacation Rental Property permits.
- Each call/complaint is sent to both the vacation property owner and vacation rental property manager immediately upon receipt. If the same type of complaint (ex. parking, noise, light, other) is called in a second time within a 60 day period, the vacation rental property owner will be fined (based on fine rate schedule/with escalation – see below). Should multiple violations for any category of violation be submitted within a six month period (not more than one per day qualifying), the town will reserve the right to issue additional fines, and or revoke vacation rental property permitting and issue a cease and desist for all further rentals of said property including any and all advertising of said property.
 - Vacation Property owner will have
- Should complaining homeowner wish – they can request in writing from the town a 50% share of fines issued to and received from the vacation rental property owner to compensate for aggravation and potential lost income due repeated violations.
 - Town will validate complainant issues were confirmed
 - Town will be obligated to pay complainant within 45 days of written request

Vacation Rental Property Fine Schedule		
Complaint	Fine	
First	NA	Owner is obligated to remedy complaint within 4 hours
Second w/in 60 days	\$100	To be paid within 30 days
Third w/in 60 days	\$150	To be paid within 30 days

Fourth w/in 120 days	\$200	To be paid within 30 days
Fifth w/in 120 days	\$200	To be paid within 30 days
Sixth w/in 180 days	\$200 or permit revocation	TBD based on owner willingness to remedy. Special hearing required to ensure compliance and permit being maintained.
Beyond – If an owner has lost permit due revocation, permit reissuance may be requested and hearing scheduled based on permit availability (not too exceed maximum # of permits allowed). Owner will need to present, what has changed to ensure compliance.		

Hi Jeff, lots more I could write. Please let me know if I am on the right track.

Thank you

Regards

Tom Moretti

730 Ponderosa Lane

Estes Park

(303)475-5578

--

Jeffrey Woeber, AICP

Senior Planner

Community Development Department

Town of Estes Park

970-577-3727

--

Jeffrey Woeber, AICP



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Please slow the process around STR regulations

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Wed, Nov 2, 2022 at 8:18 AM

FYI



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Laurie Kadrach** <kadriclm@co.larimer.co.us>
Date: Wed, Nov 2, 2022 at 7:23 AM
Subject: Fwd: Please slow the process around STR regulations
To: Lesli Ellis <ellislk@larimer.org>, Amy White <awhite@larimer.org>

FYI

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

From: **'Linda R. Sexton' via Commissioner_Shadduck-McNally** <commissioner_shadduck-mcnally_public@co.larimer.co.us>
Date: Mon, Oct 31, 2022 at 5:18 PM
Subject: Please slow the process around STR regulations
To: JShadduckMcNally@larimer.org <JShadduckMcNally@larimer.org>

Jody Shadduck-McNall
District 3 (Estes Park area), Chair Pro Tem.

Dear Ms. Shadduck-McNall,

I am a home owner in Estes Park and purchased my vacation home about a year ago. My daughter has located to the Denver area and this home is an important way that we can see her and have family time. We are retired and it is necessary for us to rent the home when we are not using it, if we wish to keep it.

I am very concerned that the process Larimer County is using to bring new regulations to short term rentals is rushed and does not allow time for affected parties to absorb and understand the extensive changes recommended. I understand that this is important to the Estes Valley community but we must slow down to understand the full impact and potentially any unintended consequences

Sincerely,

David and Linda Sexton

--



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: short term rentals in Larimer City

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Wed, Nov 2, 2022 at 1:37 PM

FYI



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **D Smith** <hisfam@gmail.com>
Date: Wed, Nov 2, 2022 at 11:57 AM
Subject: short term rentals in Larimer City
To: <ellislk@larimer.org>

Dear Lesli,

I am the owner of a cute Estes Park cabin that has been in our family for over 22 years and used as a short term rental and as our vacation home.

I am very concerned about the process Larimer County is using to address revisions of Short-Term Rental regulations in the county.

It very much feels that public participation in the process is being intentionally rushed. We are NOT having an opportunity to be heard on this issue.

This issue is critically important to the future of the Estes Valley community and we need to do it right.

SLOW DOWN. Please Do NOT let this be rushed!

Let short term rental owners have a chance to participate.

Thank you for listening,

Lori (and David) Smith



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Short Term Rental Regulations for Estes Park

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Wed, Nov 2, 2022 at 1:37 PM

FYI



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Angela Welborn** <angiebobestes@gmail.com>
Date: Wed, Nov 2, 2022 at 12:32 PM
Subject: Fwd: Short Term Rental Regulations for Estes Park
To: <ellislk@larimer.org>, <laffermn@co.larimer.com.us>, <ericclarsen@coloradoan.com>, <vahlenkampj@prairiemountainmedia.com>, <wrigby@prairiemountainmedia.com>

Sent from my iPhone

Begin forwarded message:

From: Angela Welborn <angiebobestes@gmail.com>
Date: November 2, 2022 at 11:45:25 AM MDT
To: ikefalas@larimer.org, kstephens@larimer.org, JShaddockMcNally@larimer.org
Subject: Short Term Rental Regulations for Estes Park

I was bewildered to, just in the last couple of days, receive the regulations. Even though I'm not STR savvy, I've had my license for four years. I really need more time to get with other STR owners to help to explain these to me. Please Slow Down. I've always complied with all regulations, so I don't think I'm asking for too much!

Thankyou

Sent from my iPhone



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Larimer Cty STR proposed regulations

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Wed, Nov 2, 2022 at 1:43 PM

FYI



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Richard Mulhern** <remjr@mulhern.org>
Date: Wed, Nov 2, 2022 at 12:30 PM
Subject: Larimer Cty STR proposed regulations
To: ellislk@larimer.org <ellislk@larimer.org>

Dear Director Ellis,

My wife and I have owned and operated Short-Term Rentals [STR] for over a two decades. In Arizona we had a STR that we rented to the Arizona Cardinals [Training Camp and Regular Season] and the Anaheim Angels [Spring Training]. We have owned and operated STRs in the Estes Valley since 2013. We had a STR on Wiest Drive and Elkhorn Ave and one on Marys Lake Road [in the county] that we sold. Currently we have a duplex [two licenses] on Fall River Lane and a Bed and Breakfast [B&B] on Weston Lane and Stanley Circle Drive [we live in the upper unit]. **We have never had a complaint on any of the STRs** we owned and operated. We have complied with all the rules in regulations of the city and county including installing two windows in bedrooms due to a problem meeting egress codes [\$6,000+ cost].

Our motivation for providing a superior service to our guests is driven by a plan that my wife and I put together when we were in our 50s. We were advised by our government to devise a plan that will supplement our retirement as the Social Security we would receive would not be sufficient for us to live. **Short-Term Rentals are the plan.** We saved and lived moderately so that we could put this plan in motion and it has worked to this point. We manage and clean the units part of the year and hire a cleaning crew in the busy season.

I'm 72 years old now and it's too late for my wife and I to come up with a **new plan** to supplement our income if the proposed regulations restrict the operation of our STRs. I understand your concerns and obligations. I feel that we represent a segment of the STR owners in the Estes Valley that will be effected by the proposed STR regulations.

We are willing to adhere to regulations that deal with safety issues [ie. Window egress in bedrooms, etc] but regulations concerning:

- Multiple categories of STRs [ie. Hosted, Full, Limited, etc]
- Different zoning classifications
- Subjective regulations [ie. noise, adversely effect neighborhoods, etc]
- Overreach [ie. sign posting at **every** entrance, re-inspection every 3 years, etc]
- Eliminating transferability

Just to mention a few. We need to slow down and look at all the ramifications of these proposed regulations.

Current STRs that have complied with all regulations and have not received complaints should be allowed a preexisting use to continue despite a later regulation change. The term is commonly referred to as "grandfathered in".

We need to consider the situations of all STR owners when making regulations and be careful not to restrict the opportunity that they have rightfully earned by historically operating a legitimate licensed STR in the Estes Valley. To move the goalpost on them at this time could have a devastating effect on the owners and the community that benefits from visitors that come to this valley a sustain our way of life.

Again - thank you for the opportunity to give you this input.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Mulhern", with a stylized flourish at the end.

Richard Mulhern
131 Stanley Circle Drive
Estes Park, CO 80517
970-397-2215



Tawn Hillenbrand <hillenta@co.larimer.co.us>

STR regulations

Torre <torrejames.alsup@gmail.com>

Wed, Nov 2, 2022 at 2:29 PM

To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Hi Tawn,

I hope your well and I can assume you have been swamped trying to set the new STR regulations. I'm not sure if my input matters, but as someone who was unfairly burned by the county's process I would like to provide some input. In no way what I am about to say is a reflection of how we feel about you or the county staff.

Would you take into consideration NOT allowing neighbors feedback unless they are within a 500 ft range of the STR? Almost all of the neighbors who were in opposition of us were well over 1000-1500 feet from us. How does the county decide who does and who doesn't get notified of the approval process? I have a friend going through the process right now and I never received notice. It seems inconsistent, she is just as close to me as the people who opposed us. In my case all the neighbors above me (who were on our side) never received notices.

I would also ask that if neighbors were given the chance to appeal the county's decision and have to go in front of the board; the amount they have to pay go above \$1500. It pales in comparison to what we have to pay to get a home ready for safety features for inspection and permits and application fees. In my case I'm sure your aware that they paid nothing for the appeal.

Lastly I hope the county can clarify to the board that there is a small amount of neighbors opposing STR's in our neighborhood. These folks don't care about fire hazards and road safety, they just use it as an excuse to block an STR. They do not care that they have put us and anyone else who tries to apply in a financial situation where we are struggling to keep our house. These neighbors have threatened guests and Matt Woods has even sent threatening letters to a neighbor that is in the process. Is the county and it's board of commissioners going to actually let that type of behavior be ok? The vast majority of this community is ambivalent to what other folks do as long as they are following the law of the land use code and the process.

Sincerely,
Torre



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Newell-Warnock Water Association request

Newell-Warnock Water Association <newellwarnockwaterassociation@gmail.com>

Mon, Oct 31, 2022 at 7:53 PM

To: JShaddockMcNally@larimer.org, jkefalas@larimer.org, kstephens@larimer.org, ellislk@co.larimer.co.us, laffermn@co.larimer.co.us, threewdl@co.larimer.co.us, whitlemd@co.larimer.co.us, mottsb@co.larimer.co.us, mckennvi@co.larimer.co.us, maydw@co.larimer.co.us, hillenta@co.larimer.co.us, martinad@co.larimer.co.us, lashersm@co.larimer.co.us, hickstt@co.larimer.co.us, hastinta@co.larimer.co.us

Dear Larimer County Commissioners and Development Planning,

We are writing to communicate concerns and a resolution by our water members at our recent annual meeting on October 20, 2022. The Newell-Warnock Water Association Membership and Board of Directors voted to request that Larimer County postpone approval of Short Term Rental applications for properties that are within the NWWA distribution boundaries. Short Term Rental approvals will require that our water association address infrastructure improvements, related costs and additional maintenance required to support higher usage and stress to our current water system.

Additionally, the NWWA Board requests a water utility consultation with your staff for any future STR applications that will affect our water association.

Thank you for your consideration,

Newell-Warnock Water Association Board of Directors
[498 Greenwood Dr.](#)
[Loveland, CO 80537](#)



STR Meeting tonight

WILLIAM WAKELY <bjwakely@comcast.net>
To: "luc2020@larimer.org" <luc2020@larimer.org>

Tue, Nov 1, 2022 at 7:42 PM

Thanks so much for putting this meeting on.
I'd like to talk about the transferability of STR licenses.

I would like you to allow sellers of STR properties to be able to transfer that license.
When we bought our property, we had to pay premium price on our home because it had a license.
We've spent a lot of money upgrading our property to meet all the codes that have been demanded on us.

If you take away that ability to transfer the license to a new buyer, you are now imposing a financial restriction on our ability to get a return on the investment made into our license. Folks that follow the rules and run the STR above board will be harmed on this.
This will lower the value of our property if we ever decide to sell our home.

Thank you for taking this into consideration.

Sincerely,

BJ Wakely
Estes Park



Short Term Rental Written Comments

gshirey@glenshirey.com <gsh5rey@gmail.com>

Tue, Nov 1, 2022 at 4:33 PM

To: luc2020@co.larimer.co.us

Short Term Rental Comments

It does not appear to me that the STR Land Use Code prevents an individual from purchasing multiple properties in one or more residential neighborhoods and turning them into hosted short-term rentals with the same or shared agent an hour away, thus circumventing the very residential character of the neighborhood and how it was zoned and turning it into a commercial neighborhood? Why aren't hosted STR's limited to one per customer?

I laud option 2 requirements requiring a BCC hearing to allow residents to voice their concerns, that is awesome!

I would like to stress the impact of traffic re: congestion, safety, and wear, for STR's in any category. In our neighborhood, "Hosted short-term rental STR B&B – two spaces plus one space per bedroom used for accommodation", would be up to 4 or 5 or more additional cars per rental. Please understand that these are vacationing visitors and they add far more traffic proportionally than their vehicle numbers because they are traveling in and out of the neighborhood far more frequently than the residents themselves. I live across from an STR which for the most part is well-managed, however, while we typically make one or two trips a day, I truly observe vehicles traveling to and from the STR every 1 to 2 hours. Usually, when rented there are 2-4 vehicles parked outside that I can see and honestly, they make anywhere from 10-20 passes a day from that one property, while we make 2 - 4 or less, and most residents make far less trips than we do. We have a narrow private road and the road shoulders visibly suffer. Additionally, we have many elderly walkers and dog-walkers, including myself, who must now navigate our narrow private road with visibly increased traffic from the STR. I am trying to sound objective when it is really a major annoyance and safety concern that I should not have to put up with in a residential neighborhood.

In addition, while I am opposed to any Hosted STR invading a residential neighborhood, I am particularly annoyed by the use of an agent and the use of and the character of the agent being so unregulated. I would not oppose a Hosted STR if a permanent resident of a residential neighborhood were in danger of losing their permanent residence due to humanly unforeseen circumstances; loss of employment, other loss of income, loss of personal ability, etc. However, in those cases, if the situation were sufficiently dire, I would expect that person to be present when the Hosted STR was occupied by guests, and an agent employed only when they are physically unable to do so, whether they are on site, or in a health care facility for the long or short term, BUT NOT BY CHOICE.



Nov 1 Mtg / EVSTRA

gshirey@glenshirey.com <gsh5rey@gmail.com>
To: luc2020@co.larimer.co.us

Wed, Nov 2, 2022 at 1:06 PM

Dear Tawn, Lesli, and Matt;

Thank-you for setting up the Zoom meeting last night. You hit your goals! While I was expecting more discussion on the proposed new regs, you definitely did a good introduction and spurred me on to participate further. Instead of sending you an email tome, I will send emails that are specific to one subject, not to inundate you with emails, but so that you (and I) can better manage my response.

From the meeting last night I would like to address EVSTRA and their comments:

1. EVSTRA calling the County out for not responding to their request to work more closely with them is an egregious act of hubris. The County should only be concerned with the individual citizens whom they represent and not any other non-governmental entity. EVSTRA has no rights for special recognition from the County for any reason. If the County did grant them an audience, credentials, or recognition, then I would expect the County to extend the same to each and every HOA and POA in Estes Valley lest they be liable for favoritism and inequitable access to those organizations with legal standing to represent homeowners.
2. EVSTRA members made totally unsubstantiated fictitious claims regarding the negative impact STR regulations would have on EV Ballot Issue 6E (3.5% lodging tax increase). There is no data and there is no evidence of any such impact. It was irresponsible for them to air their theories. I could make an equally credible claim that it is a wash as STR's pull business from other Accommodations or that the STR does have a negative impact when outside the district where the lodging tax is collected; equally credible and equally without fact, but more logical.
3. EVSTRA members called to delay and slow down the process. This is a simple delay tactic to stall the process. The County has been transparent and provides a continual comment process up until adoption. There is no responsibility for the County to give citizens all the time they need to make up their mind. If they are so impassioned, as I am, they will make the time.
4. Several EVSTRA members voiced opposition to any regs inhibiting transferability of the STR license, which is a self-serving interest of no benefit to anyone else.
 1. EVSTRA members claim they want to preserve their investment in obtaining an STR license. This IS NOT the County's responsibility. If they run a business, then they should have the business acumen to set up an LLC or C-corp and deduct those expenses against their revenues. Nobody, particularly the County, has any responsibility to preserve any business' investment in perpetuity, and certainly not to provide a continued return on a private investment, It would be inappropriate for the County to do so.
 2. If the County allows an STR license to transfer unabated, it would then exist in perpetuity as the right to transfer the STR would cascade down through those who received the benefits of that right -- when would that stop? Ultimately, transferred STR licenses would dominate this space and virtually no new licenses would become available.
 3. How would a transferred license be dated? Would it be the date of the original possibly grandfathered license, or would it be the date of the transfer and thus applicable to the most current regulations? If not the latter, the County would be denied the ability to effect change to meet new challenges and changes in land use and demography if a grandfathered STR could transfer their obsolete rights along with the license.
 4. An STR is a privilege, not a right, of the homeowner and it should end with that homeowner. The homeowner should have no right to interfere with others seeking an STR license just because they have an STR license, it does not grant them that privilege.
5. William Brown claimed that Estes Valley was more aligned with the City of Estes Park and not the County. This is simply untrue and an unsubstantiated claim from Mr. Brown. I can assure you that I and my neighbors I know in Stanley Heights purchased property to live a manageable rural lifestyle and ARE NOT aligned with an urban lifestyle or urban regulations. We rely on the County to preserve that choice and Mr. Brown's assertion that the

County need not be involved in Estes Valley is preposterous. Mr. Brown had no right, knowledge, or data to support that claim.

6. EVSTRA members made multiple complaints that regulations cause them to lose marketability. They don't like the time it takes to get a license. They don't like having to comply with life safety issues, They want everything to happen more quickly with fewer steps and regulations; except for the adoption of new regulations. EVSTRA members' 2 concrete examples were (1) opposition to the proposed regulation 3.3.5.B.q-r local roadway and driveway access for emergency vehicles, and (2) Petitioning for the ability to market inadequate sleeping spaces (childrens' bunk-bed style sleeping spaces with inadequate ingress and egress). If I am selling my house, I cannot market bedrooms without adequate ingress and egress, why should STRs be allowed to? The cost of meeting regulations is a cost of doing business. If the STR owner cannot meet the regulations or cannot afford to meet the regulations, then they should not be in the STR business. That is what regulations are for! It is particularly egregious that their complaints undermine life safety regulations. The County should continue to do their good job of asserting those protections; it is not bound nor is it appropriate to subsidize private business by relaxing citizen and guest safety concerns.
7. EVSTRA owners want a better system for complaints, that is warranted, however, they further want to restrict complaints, one member even suggesting that 2-3 independent witnesses be required to lodge a complaint. Mostly they want complaints to stop going to the Police or Sheriff. STRs and EVSTRA have no right to dictate the terms under which complaints can be filed, or whom they can be filed with, that is at the discretion of the complainant. If a complainant feels calling the Police is justified, they can, regardless of any provision the County makes in the regulations. The County cannot impinge on the rights of the individual as EVSTRA requests, and following the complaint process in the regs does not preclude a citizen's right to complain to any authority they deem appropriate. The complaint process is for the benefit of those individuals affected by the STR, not for the STR. STRs and EVSTRA have no right to dictate that process nor sway it to their advantage.

Regards,
Glen Shirey
(970) 631-3679
gsh5rey@gmail.com



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: STR hearing

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Wed, Nov 2, 2022 at 4:56 PM

For the record and reply. Thanks!



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Laurie Kadrach** <kadriclm@co.larimer.co.us>
Date: Wed, Nov 2, 2022 at 3:29 PM
Subject: Fwd: STR hearing
To: Lesli Ellis <ellislk@larimer.org>, Amy White <awhite@larimer.org>

FYI

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

From: **Jamie Stevenson** <jamiestevenson@sbcglobal.net>
Date: Wed, Nov 2, 2022 at 3:26 PM
Subject: STR hearing
To: kstephens@larimer.org <kstephens@larimer.org>

Dear Ms. Stephens,

Thank you for looking after the needs of those who have been priced out of the Estes Park community. As a life long teacher, I respect and support those who are called to serve as teachers, nurses and first responders. However, as a twenty year Windcliff homeowner, I do not believe that eliminating the tax revenue generated by the short term rentals in the Windcliff community is the right way to address this need.

While this may sound like a "not in my back yard", type of attitude, I think that the facts we have never had workforce residents in our neighborhood, are likely not to, and generate over \$6 million annually to the Estes Valley economy argue in favor of keeping Windcliff renting short term to those wishing to visit our beautiful mountains as we have since our inception.

Thank you again for serving all the residents of Larimer county and considering my thoughts.

Sincerely,
Jamie Stevenson

--

Laurie M. Kadrach
Assistant County Manager



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: short term rentals

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Wed, Nov 2, 2022 at 4:57 PM

For the record and reply. Thanks!



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Laurie Kadrach** <kadriclm@co.larimer.co.us>
Date: Wed, Nov 2, 2022 at 3:30 PM
Subject: Fwd: short term rentals
To: Lesli Ellis <ellislk@larimer.org>, Amy White <awhite@larimer.org>

FYI

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

From: **D Smith** <hisfam@gmail.com>
Date: Wed, Nov 2, 2022 at 11:46 AM
Subject: short term rentals
To: <JShaddockMcNally@larimer.org>

Dear Jody Shaddock-McNally,

I am the owner of a cute Estes Park cabin that has been in our family for over 22 years and used as a short term rental and as our vacation home.

I live in Colorado and I vote. I care what YOU do with this issue!

I am very concerned about the process Larimer County is using to address revisions of Short-Term Rental regulations in the county.

It very much feels that public participation in the process is being intentionally rushed.

This issue is critically important to the future of the Estes Valley community and we need to do it right.

SLOW DOWN. Please do not rush this.

Thank you for listening,

Lori (and David) Smith

Estes Park Cabin owner

--



Laurie M. Kadrach
Assistant County Manager

Community Planning, Infrastructure and Resources
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970) 498-5741 | M: (970) 589-0674
Kadriclm@co.larimer.co.us | www.larimer.org



LUC 2020 <luc2020@co.larimer.co.us>

Support for new STR regulations

ewhqlaptop1@gmail.com <ewhqlaptop1@gmail.com>
To: luc2020@co.larimer.co.us

Thu, Nov 3, 2022 at 8:29 PM

Good Day,

My wife and I live in the Estes Valley, unincorporated part of the valley. We very much support these new regulations as we want safe and well managed STR's in the Estes Valley. We would also suggest that a regulation be added that requires STR's that are not occupied in a full time manner by the owner to be considered Commercial Property and therefore pay Commercial Property rates. It is not fair for all other business properties (that are not STR's) to have to pay Commercial rates and for the full time STR's to pay residential rates. Not fair. All the proposed regulations look good to us and we ask that you move forward with these changes as planned by January 1st 2023.

Thank You,

Ron and Ann Wilcocks

970-581-7909



STR Regulations

jrmeek57@gmail.com <jrmeek57@gmail.com>

Thu, Nov 3, 2022 at 12:50 PM

To: hillenta@co.larimer.co.us, LUC2020@larimer.org

Cc: eotranch@gmail.com, converseevplanning@gmail.com, pmoak@aol.com, poggenpohl@mac.com, ftheis3@gmail.com, dhwebb10@gmail.com, wrigby@prairiemountainmedia.com, jrmeek57@gmail.com

Larimer County Planning Staff,

I attended the November 1 zoom meeting in regard to new/revised regulations for STRs in Estes Valley, including making comments, and appreciate the recognition that input is needed from all stakeholders. I reiterate many of the comments I made and provide feedback to specific regulations below. I have been an STR Owner for 11 years and have always maintained my home in a safe condition for guests. I also utilize local property management to ensure there is a local presence, which is good for guests, the EP community and myself. I believe the County is trying to do too much too fast in regards to regulations. Taken as a whole, it appears the County is trying to restrict or reduce the number of STR without actual imposing a Cap on the number. The County also does not take into consideration the economic benefits of STR, which are considerable.

The Estes Valley is very different than other unincorporated areas of Larimer County. Tourism is the driver for the economy for Estes Valley and the economic benefits of STR should be assessed in conjunction with this effort. Many, many people (families, reunions, weddings, work groups) choose STR for vacations and work related functions; and would not otherwise visit Estes Valley if only hotel/motel accommodations were available.

I am supportive of EVSTRA and recommendations they suggested. Many others spoke at the meeting and provided relevant feedback and provided well-founded concerns on various issues. Every regulation should be assessed in terms of how a responsible owner of a property can be in compliance, and the time, cost and effort to achieve compliance. A reasonable cost/benefit approach should be untaken. Property rights in this country and particularly in Colorado are strongly held. Creating new/revised regulations should be undertaken with utmost care and respect for all parties and stakeholders. Any party operating an STR (or any other lodging establishment) without the applicable permit needs to be prosecuted and weeded out! This should be a priority.

In regard to specific regulations

1. An Operations Manual/Users Guide in a visible location within each guest room is overkill – one per property is sufficient
2. A sign “posted at each entrance and exit of the home” containing location information, exit mapping and escape route mapping and emergency contact information, and manager contact information is unnecessary - a single posting at the principal entrance to the home should be sufficient. I know from experience that putting too much information in home is not productive in getting guests to read
3. “Owner or operator must ensure that guests do not cause excessive noise or other disturbances, disorderly conduct, or violations of any applicable law or regulation pertaining to the rental of the property or adversely affect other residents in the vicinity of the property.” An Owner ultimately cannot control actions or behavior of guests; however, guests do sign agreements in regard to this point when they rent property. How it would be enforced is another issue. If there are repeated complaints at the same property, then the Owner should bear some responsibility
4. Restrictive local roadway access requirements and driveway requirements – many mountain properties may not qualify. As was pointed out at meeting, this might exclude many homes. This is overreach and does not fit the cost/benefit model of reasonableness.
5. The issue of new permits and renewing existing permits and the time frame to come into compliance is not clear. I know that Larimer County is not/has not issued new permits recently; primarily because of potentially unjustified objections from neighbors. There is considerable concern in regard to this issue and the County must be amenable to a fair and equitable approach to existing STR and bringing them into full compliance. This is also an issue where Estes Valley is different than an urban area.
6. If within 1,000 feet of public open space or park land, owner required to mitigate impact on public resources and wildlife. This is nonsensical – very subjective and suggests the need for studies and significant cost and time to determine compliance – by both County and STR owner. Does not meet reasonableness standard.
7. Requirements for driveways are too prescriptive and are unreasonable; again does not reasonableness standard.
8. Transferability - Option 1 should be accepted – transferable as long as application made within 30 days of transfer. *Absolute right to transfer is a must.* New owner should have more than 30 days; at least 60

If the County sincerely wants to work as a partner with STR owners and other stakeholders, we can together achieve a fair and equitable set of rules and regulations.

Regards,

Jim Meek

346.387.5949



Estes Valley SRT Proposal

Christopher Lozing <clozing@techfarmer.com>

Thu, Nov 3, 2022 at 11:29 AM

To: "LUC2020@larimer.org" <LUC2020@larimer.org>, "laffermn@co.larimer.co.us" <laffermn@co.larimer.co.us>, "ellislk@larimer.org" <ellislk@larimer.org>

Hello Tawn, Leslie and Matthew

Thank you all for facilitating the meeting on Tuesday evening for public comment. Here are my public comments related to the meeting. These may not be in any related order. My apologies

- VoIP phone systems in each cabin. Mandating a VoIP system in each unit is excessive. I am in Technology, and many of the times, emergency services do not work correctly through these systems as the Internet Service Provider has the ability to change and shape network traffic coming from the phone. Additionally the phone could be used for inappropriate services. There are other options such as emergency only communicators. There are better solutions for this.
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- Regarding Transfers for Section B, Item U. Option 1 should be valid. Once an STR is established, the license needs to be transferable without restriction or additional regulation. I feel there should be a cost associated with it. Perhaps a \$100 administrative transfer fee, or half of the actual fee. There should be a time limit of 90 days to transfer, unless there are extraordinary circumstances (estate, trust, death), etc... then extensions can be granted.
- STR renewals should be every two years, not annual, also timed appropriately with inspections.
- It is not obvious to me, and there is no supporting data as to why there would be a full STR or a limited STR. If its already been qualified as an STR, there should be no additional restriction on how many days of use. The regulation appears arbitrary with no supporting data as to why. Guest nights should not be regulated.
- There should be a greater distinction of size of SRT's. Would recommend Small, Medium, and Large. From what I know, noise, parking, and more challenges start to exist above 4 guests.
 - Small – 4 guests or less
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 - Large – 11 and above

From what our own experience is as well as other that can accommodate less than 4 guests (in our case, we only allow 2), there simply are not the problems when getting above 4 guests.

- Any current home that has an STR license needs to be grandfathered.
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I have a couple of questions.

- Is there a different cap of Larimer county in the Estes Valley verses the city of Estes? If so what are the cap levels. It was stated that for Estes Valley there are 266 registrations. The assumption here is that does not include City of Estes. If that is true how many additional are there for the city of Estes.
- It appears the county has use of great GIS tools for map creation. It would be wonderful to have an interactive map that puts a dot on all registrations for the City of Estes and the Estes Valley. It would be highly helpful to have the

addresses mapped to truly understand the locations the regulations truly affect

Thanks again for your time.

Chris

Christopher Lozing

TechFarmer

CEO/CTO

www.techfarmer.com

720.222.5015 x1002

 Please consider the environment before printing this message.



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Windcliff and short term rentals

Shalana Lysaght <lysaghsb@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fri, Nov 4, 2022 at 7:19 AM

FYI

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

From: **Jen Kasle** <jen@thetalentla.com>

Date: Thu, Nov 3, 2022 at 12:02 PM

Subject: Windcliff and short term rentals

To: <converseevplanning@gmail.com>, <eotranch@gmail.com>, <pmoak@aol.com>, <poggenpohl@mac.com>, <ftheis3@gmail.com>, <dhwebb10@gmail.com>

Cc: <ellislk@co.larimer.co.us>, <lysaghsb@co.larimer.co.us>

Dear Members of the Estes Valley Planning Advisory Committee,

My name is Jen Kasle, and I'm an owner of a home in Windcliff that I also rent out through the professionally managed Windcliff rental program (when I am not able to enjoy it myself which I do about 3 months out of the year.) While I've only been an owner at Windcliff since 2015, my history at Windcliff dates back to 1985. That was the first year my family rented a home at Windcliff (I was 12 years old)..after a long history of stays at the Y-Camp for me and my family before I was even born (dating back to when my mother was a child in the 50's!) That summer was just the beginning of many years of renting at Windcliff over the next 4 decades. In fact I think my family holds the record of the most rental nights of any other family on the mountain. Mind you, this was long before the VRBO and AirBnB craze—always managed through the exceptional team at Windcliff who are on sight and on top of everything!

So it was a dream, a goal of mine to eventually be able to own my own property at Windcliff. When I was finally in a position to do so, one of the deciding factors of me being able to bite off that very large price tag of my home was the fact that I would be able to offset a portion of my costs with rentals. Renting my gorgeous, luxury home made me nervous to be honest. But I felt comfort in the fact that at Windcliff (unlike other neighborhoods), the rentals are managed by a full-time, onsite, management team. Not only do they take care of the homes as if they were their own, but they screen every single renter (even the ones who book online) so that they know they are getting renters who will respect our neighborhood and our homes.

I love Estes Park. It is the closest thing I have to a "hometown" at this point in my life. I have been coming since I was two years old. I'm keenly aware of the need for workforce housing. However, eliminating Windcliff rentals (future pass along in sale, or request for new home license) with the idea that it will create workforce housing is just not accurate. If I were to share with you the operating costs of my home—between the mortgage, the insurance (that has greatly increased since the 2020 fire), the utilities, the HOA fees, the taxes, and the maintenance on the house, I can assure you...it FAR exceeds what any "workforce worker" would make in a year. Quite simply, the housing you are hoping to attain for Estes workers simply doesn't exist at Windcliff. It's a luxury community with the majority of the houses worth well over 7 figures. I would actually argue that the rentals at Windcliff are necessary to try to solve the workforce housing situation in that they could generate more than \$100,000 annually in local lodging taxes if ballot issue 6E passes. Of course that's before the Windcliff guests open up their wallet while they are in town, generating an estimated 6 million in revenue to Estes businesses every year. Quite honestly, Windcliff renters are high rollers, and they spend not only for luxury houses, but also in our businesses around town.

In closing, I would urge you to exclude Windcliff from any plans you may have to add regulations and prohibitions against short-term rentals. Quite frankly, it's an overstep when it comes to Windcliff. We are a separate community with a fully operational system for the last 53 years. It would be a huge detriment to all of Estes for you to somehow limit or eliminate it moving forward.

Sincerely,

Jen Kasle
Windcliff Home Owner



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Estes Valley Short-Term Rental Alliance (EVSTRA)

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Mon, Nov 7, 2022 at 12:25 PM



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Laurie Kadrach** <kadriclm@co.larimer.co.us>
Date: Mon, Nov 7, 2022 at 11:48 AM
Subject: Fwd: Estes Valley Short-Term Rental Alliance (EVSTRA)
To: Lesli Ellis <ellislk@larimer.org>, Amy White <awhite@larimer.org>

FYI

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

From: **Frank Kintzle** <frankkintzle@gmail.com>
Date: Thu, Nov 3, 2022 at 4:26 PM
Subject: Estes Valley Short-Term Rental Alliance (EVSTRA)
To: <Kstephens@larimer.org>

We are writing to you to help explain why we feel strongly that our Estes Park Home (purchased in 1983) and Windcliff Properties be given careful consideration as it relates to EVSTRA.

Due to my business travels and our young family we could only use our home for one week a year and thus hired Windcliff Properties, a Professional on site Management Team to do short term rentals for us. This management team is second to none and does a great job with top notch people working for and with them. Windcliff has a Gatehouse at the entrance to the mountain which is staffed and provides security. This itself solves a lot of potential problems or misunderstanding.

Over nearly four decades of renting our home out we had zero neighbor complaints and rarely any damage to our house inside or outside.

We have a catalog of renters since we bought our house and if you could see what they wrote in the book on how much they appreciated Windcliff and our house it might surprise you. Please take these things into consideration when you review your policies. Thank you,

Frank and Geri Kintzle
4851 Lakewood Dr
Cedar Rapids Iowa 52411

--

Laurie M. Kadrach
Assistant County Manager



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Concerns About Short-Term Rental and Lodging Regulations

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Mon, Nov 7, 2022 at 12:55 PM



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Laurie Kadrach** <kadriclm@co.larimer.co.us>
Date: Mon, Nov 7, 2022 at 11:25 AM
Subject: Fwd: Concerns About Short-Term Rental and Lodging Regulations
To: Lesli Ellis <ellislk@larimer.org>, Amy White <awhite@larimer.org>

FYI

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

From: **William Burgess** <wfburgess63@gmail.com>
Date: Fri, Nov 4, 2022 at 2:25 PM
Subject: Concerns About Short-Term Rental and Lodging Regulations
To: <jkefalas@larimer.org>, <JShadduckMcNally@larimer.org>, <kstephens@larimer.org>

Commissioners Kefalas, Shadduck-McNally, and Stephens:

I am writing to convey input on the short-term rental and lodging regulations under consideration for the Estes Valley. We encourage you to recognize that not all short-term rentals in the Estes Valley are negatively impacting the availability of workforce housing in the Estes Valley. Indeed, vacation homes in a well-managed rental program generate significant revenue for the local economy -- some of which could be applied to workforce housing programs.

My wife and I own a house in the Windcliff development outside of Estes Park. As residents of another state -- Virginia -- we use our house periodically during the year for our own enjoyment. During the remainder of the year, our house is managed as a short-term rental through the offices of Windcliff Vacation Homes. Doing so generates the income necessary for us to cover our expenses as owners. Our house, like many of the other 160+ residences in Windcliff, draws visitors/tourists throughout the year.

Restrictions on short-term leasing could have unintended consequences without solving the problem of affordable housing. Homes like ours in Windcliff afford the owners the opportunity to spend extended time each year, while under the professionally managed rental program, our homes also attract families and tourists for short-term vacations to the Estes Valley. Restrictions on short-term leasing would affect the owners' interests and limit the lodging options for visitors. In addition, these are not homes that would be converted to long-term rental properties if short-term stays were restricted.

We recognize that the shortage of affordable workforce housing is an increasingly acute problem in the Estes Valley, and we absolutely understand the critical importance of finding viable solutions. We encourage the County to consider solutions that take into account the following points:

- The housing stock represented by high-end vacation homes used part-time as short-term rentals is too expensive to be directly relevant to the possible solution set for this problem; restricting their operation as short-term rentals would be punitive without generating any positive contribution to solving the workforce housing problem.
- These same high-end vacation homes generate a positive contribution to the local economy through taxes and visitor expenditures; tapping into this revenue source seems a positive way to help fund workforce housing and associated programs.

Thank you for your time and attention to this matter.

Sincerely,
William and Linda Burgess

--



Laurie M. Kadrich
Assistant County Manager

Community Planning, Infrastructure and Resources
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970) 498-5741 | M: (970) 589-0674
Kadriclm@co.larimer.co.us | www.larimer.org



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: STR regulation feedback

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Mon, Nov 7, 2022 at 12:59 PM



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Tim Resch** <elkgide@gmail.com>
Date: Mon, Nov 7, 2022 at 12:11 PM
Subject: STR regulation feedback
To: <jkefalas@larimer.org>, <kstephens@larimer.org>, <JShaddockMcNally@larimer.org>, <converseevplanning@gmail.com>, <eotranch@gmail.com>, <pmoak@aol.com>, <poggenpohl@mac.com>, <ftheis3@gmail.com>, <dhwebb10@gmail.com>, <ellislk@larimer.org>, <laffermn@co.larimer.co.us>, <luc2020@co.larimer.co.us>

Dear all,

My name is Tim Resch and I run a permitted Bed and Breakfast in Roosevelt National Forest way past the top of Little Valley Road outside of Estes Park. I am 62 years old and my rental is the only way I support myself. I ran an outfitting business for three decades up here, and now host vacationers in my backcountry lodge giving them a true wilderness experience.

I am terrified of the new proposed STR regulations. Understand that if you don't grandfather my permit in, I will probably lose my home and be forced to move. I will lose my sole income stream and may face bankruptcy.

My BnB was permitted in February 2022, just 9 months ago. I spent nearly \$20,000 of my retirement savings and months of work getting my business up and running. My understanding is that I will be reclassified as a Hosted STR and will be forced to comply with driveway and road regulations, among other things. The public road leading to my home, plus my driveway, may not meet your new requirements.

Will you strip me of my job? Will you force me to sell my home? Will my 30-year tenure in the Rocky Mountains come to an end?

Please please ensure all existing STRs and BnB permits are grandfathered in.

Please ensure I can continue to operate under the rules you told me I could operate under.

Here is my home: <https://www.airbnb.com/rooms/6520247>. I am proud of what I do. One of the most meaningful experiences I've had in recent memory was hosting a father and son as the son entered adulthood. Blake wrote this about his stay: "I took my oldest son who is 15 with me for some father / son bonding as he begins to enter manhood. I can say without question that this was the greatest experience of my fatherhood."

Sincerely,

Tim Resch
Estes Park Outfitters



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Estes Valley SRT Proposal

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Sun, Nov 6, 2022 at 5:08 PM

Please note the questions. Thanks, Lesli



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Christopher Lozing** <clozing@techfarmer.com>
Date: Thu, Nov 3, 2022 at 11:29 AM
Subject: Estes Valley SRT Proposal
To: LUC2020@larimer.org <LUC2020@larimer.org>, laffermn@co.larimer.co.us <laffermn@co.larimer.co.us>, ellislk@larimer.org <ellislk@larimer.org>

Hello Tawn, Leslie and Matthew

Thank you all for facilitating the meeting on Tuesday evening for public comment. Here are my public comments related to the meeting. These may not be in any related order. My apologies

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Thanks again for your time.

Chris

Christopher Lozing

TechFarmer

CEO/CTO

www.techfarmer.com

720.222.5015 x1002

 Please consider the environment before printing this message.



RE: Estes Valley Webinar - STR Draft Regulations and Options Date & Time Nov 1, 2022 6:00 PM

Jo Anne Ollerenshaw <ollerenshawjoanne@gmail.com>

Tue, Nov 1, 2022 at 7:21 PM

To: luc2020@co.larimer.co.us

1) Our neighborhood manages our roads... we have unmaintained Mountain County roads so we do not get the Tax Road \$\$\$\$ from STVR.

2) Are there any residential Estes Valley neighborhoods that DO NOT have STRVR? Local Appendix G Standards

3) Density

Our Subdivision is made up of 3 subdivisions with a total of 46 homes

Brown = 3

Sumervilla = 9

Hondius heights = 34

?????? I do not understand this:

- "Each subdivision shall be allowed 1% of the total number of COs issued." (Town of Timnath)

- "The number of permits available based on COs will be as follows:

- 1-100 COs = 1 permit

- 101-200 COs = 2 permits

- 201-300 COs = 3 permits

- 301-400 COs = 4 permits

- 401-500 COs = 5 permits - 801-900 COs = 9 permits

- 501-600 COs = 6 permits - 901-1000 COs = 10 permits - 601-700 COs = 7 permits

- 701-800 COs = 8 permits

4) I emailed an error in # of STVR in our subdivision on you web posted maps

5) bedroom X2 does that include convertible couches in a livingroom or game room?

6) Prospect Mountain directly borders our neighborhood [magnifying noise] and blocks cell service.

7) relators tell owners that if they do not have a STVR license, they must drop the proce of their home aby \$100,000.00

8) how did you come up with 10 occupants?

Jo Anne Ollerenshaw

ollerenshawjoanne@gmail.com

cell 970-302-3359

[535 Hondius Circle](#)

[Estes Park, CO 80517](#)

Home # 970-480-5664



STR comments and questions

Kara Baker <karabaker.estes@gmail.com>
To: "luc2020@larimer.org" <luc2020@larimer.org>

Tue, Nov 1, 2022 at 7:47 PM

Comments and Questions - thank you!

RE: # of people
1 bdrm x 2 - people
What if a bedroom was designed to hold 3-4-5-6 people?
EX:
bunk beds plus a queen bed
2 queen beds

RE: what rules will be around the review and approval process
AS means a committee will decide and they can simply choose not to approve it? Please explain.

RE: local roadways standards for a fire dept to reach it for an owner occupied residence vs a short term rental. So this new regulation is in place for ALL properties/residences or only for STR? Please explain.

RE: Transferability
Transferability to our kids or others
Investments are significant
Many depend on this revenue for income
Other Example
A property is owned and has been a 2nd home for a family for generations. HOWEVER the home is not livable year-round and is shut down from Oct through May. Now, the owner dies. The kids want to keep it but don't live here. Now, they want to submit for an STR but they are in the residential area that is NO LONGER able to get an STR or have the highest restriction of the process. This is why these restrictions are TOO STRICT and not every property is the same.

RE: Fire Access / Etc
Before a property is built this should have been addressed.
If we had to rebuild many driveways and access, not only would it be excessive in cost but change the "landscape" and look of the rural community we live in.

RE: Ambiguous Language
"Affecting neighborhood"

RE: why not similar to TEP
Why are you not aligning with TEP?
Seems odd to create a whole new system/ruleset.

RE: Use by Right
Owner Occupied prev could rent to 3 paying short term guests without a permit. How do you have the power to make this Use by Right change??

RE: limited days
???? What ????
How do you have the right to restrict the days?
Why would this help? What is the reason for this?

This just seems completely ridiculous.

RE: Common Complaint Line
Establish someone other than the Police.



Feedback on Proposed STR Changes in Estes Valley

Tom Moretti <tomm2003@outlook.com>

Mon, Nov 7, 2022 at 8:20 PM

To: "tawnhillenbrand@larimer.org" <tawnhillenbrand@larimer.org>, "LUC2020@larimer.org" <LUC2020@larimer.org>, "hillenta@co.larimer.co.us" <hillenta@co.larimer.co.us>

Cc: Tom Moretti <tomm2003@outlook.com>

Hi Tawn, thank you and the Larimer County personnel running the Estes Valley STR regulations call. Bit of my background before comments: I purchased my home in Estes Park in 2006 choosing a residential neighborhood to both avoid the noise/traffic/issues of rentals and to develop friendships in a close residential area. I've also owned short term vacation rentals and have owned a second home (non-rental second home) in the past. In fact I just sold my last STR in another state as I wanted to spend time on other endeavors. I'm on the GID4 Board and was just permitted to continue that service for another four years. Also volunteer in RMNP and am a Board Member of the Carriage Hills Property Owners Association.

My summary: I'm not opposed to STR's in the right high traffic and commercial areas. I'm a former owner of an STR and believe they have a place in the market but it should not be at the expense of residents who chose a residential area to live in. I support nearly all of the proposed changes (safety and zoning) the county has in their current draft and especially Option two on the zoning for STR's. If STRs are permitted in residential areas they should be limited by having large distance limitations between STR's. Example we should not have two on the same short street or concentrations of multiple units in a small area. They should be widely dispersed (1000'+) so no resident must deal with more than a single STR. No STR should be grandfathered in zoned residential areas. All homes when sold should be sold as a home in a residential. Otherwise these should be zoned as a commercial entity and not allowed in residential areas at all.

My personal experiences with STR's on my street in Carriage Hills include the following:

1. Prior to Estes Valley regulations, perhaps in the 2008-2010 timeframe....we had the home immediately next door go to a STR. The woman came over and introduced herself, proceeding to say that she planned to retire to Estes Park and this rental was her way to buy now and afford to move there later (common theme). We learned later that was a lie. She had multiple properties in town. We have subsequently had another woman, another rental do the exact same thing. The first rental I mentioned was advertised with her other rentals in

Estes, with the ability to have up to 24 people in the home. She had considerable, non-permitted work done to accomplish this. Her first rental had well over 20 people in the home, many of whom decided to smoke and drink on my deck and park in my driveway. Neighbors and I were able to eventually get her shut down due code violations and she sold the home. We now have full time residents living there. It took considerable effort to get the town to shut down this STR.

2. One home, just two doors up from us, have had flood lights and other bright lights on full time or on motion sensors along with too many cars in the drive. I'd previously spoken numerous times to Linda Harden and Frank Lancaster from the city while we still had the IGA in place. I reported on this home 13 times before I stopped reporting and have now resorted to taking care of the situation myself. This home has finally calmed down as the woman has not been renting this since before the summer.
 - a. One winter this same home had renters from Texas. They were afraid of the driveway as snow was on it and they didn't have experience driving on snow. They resorted to parking four vehicles on our narrow street. This caused the Waste Management Truck to run through and over my culvert causing damage which I repaired on my own at my own expense.
3. Another home on this street has a short driveway and regularly has wedding parties who again park on the street. Some of the late night festivities can be quite loud and when we've called the Sheriff's department to quiet down groups still making considerable noise around midnight the typical response has been "it may be up to two hours before a sheriff is onsite". I'm honest with dispatch and let them know I will not wait that long and I'll take care of it myself. At that point they will elevate the call priority and send someone out sooner.
 - a. My neighbor who lived here over thirty years moved due this rental. They also had bright lights on and when asked if they might kindly turn the lights off at night they left them on for almost two weeks straight to spite my neighbor. There was no recourse and my neighbor placed his home on the market and now happily lives in Monument CO.
4. Consistent themes:
 - a. Calls to the vacation hotline, town, county are useless for any near term fix. If the group arrives Friday evening, calls are not responded to for remedy until the hotline turns over info on Monday morning. Many neighbors I know don't call anymore. We either remedy or take action on our own. Honestly the county should be paying us for our actions.
 - i. We need more compliance officers. South Lake Tahoe CA had 6 compliance officers and Walton County Florida has a bunch. Not sure how many but I spoke with four of them having lunch recently on my Florida visit. They are proactive and look for violators, catching many without always requiring the residents to call.

- ii. If I'm going to have to take time, as much as I've already spent, to call property managers or code compliance there needs to be financial rewards for the caller/reporter OR there must be financial penalties for the owner/investor, property manager, and renter.
- b. There is no downside to the owner/investor, property manager, or guests when they violate regulations or any norms of residential area decency. These are all about the money for the owner/investor and property manager. If no monetary penalty, there is little incentive to quickly remedy an issue.
- c. On EVSTRA and their comments/actions. Let's be real. EVSTRA is about one thing and one thing only. Investor and property manager profits.
 - i. EVSTRA I don't believe once mentioned residents as stakeholders. It was EVSTRA, the town, and the county. They clearly don't care about non investor residents.
 - ii. Estes Park workforce housing has been negatively impacted by so many residential homes being removed from the housing pool. Prices have jumped, property taxes have jumped, and residential neighborhoods negatively impacted with unenforced activities.
 - iii. Heard many false or alarmist comments from EVSTRA on the call. Marketing budgets impacted? Hmmm how did Estes Park survive prior to so many vacation rentals? 90%+ of homes in the Estes Valley won't be able to be an STR due new driveway safety measures? These comments are false.
 - iv. Comments on either making Estes or Retirement more affordable is also false. Sell your home and they'd make a handsome profit. Place that in a single premium annuity and get paid for life if you are concerned over retirement.
- 1. Note: Most people decide to sell if they cannot afford multiple homes.

Transferability of a STR for children inheritance is fine, but otherwise any home should go back into the standard real estate pool. We have a housing shortage and returning homes to the pool is helpful. The real concern for owner/investors and realtors is that realtors (and/or the market) have placed a premium on an STR for resale and removing that is a loss in commission and profits for those investors. Investing in anything has inherent risks and investing in an STR is or should be no

different. There should be no guarantee of increased resale value simply due a certificate to operate a business in a residential area.

STR zoning and concentration in a residential neighborhood needs to be fixed. Having a resident surrounded by multiple STR's no longer is a residential area. It becomes a commercial zone. Dispersal zoning should be considered so no resident needs to deal with more than a single STR.

Compliance enforcement – Most important aspect of having STRs and the current area of largest pain. We need immediate and monetary punitive remedies against STR owner/investors, property managers, and renters when there is a violation. These penalties should be clear and unwavering in there enforcement. The three strike thing is not working. Renters, owner/investors, and property managers should all receive fines for infractions. We should have no less than multiple STR compliance officers and there should be 7x24x365 coverage. Residents currently have 7x24x365 inconveniences and this should be remedied.

There are numerous unlicensed STRs operating in the Valley. These, as I've been told, are mostly coordinated by realtors. There should be serious consequences for owner/investors and realtors who coordinate such activity.

In summary, I'm supportive of STRs but not as they are currently implemented in the Valley outside of Estes Park town boundaries. I'd like to see at minimum the changes being proposed (option 2) and it would be important when revisiting compliance and enforcement to ensure we have clear punitive actions that are exercised swiftly and without hesitation. I've been communicating with the town and county on these matters for many years and am encouraged by the current draft and momentum to remedy some of the issues originally determined and influenced by a narrow group of investors/realtors/property managers in the town some years back. Thank you.

Regards,

Tom Moretti

730 Ponderosa Lane

Estes Park, CO 80517

(303)475-5578



Meeting comments

Bruce Woolman <docbrucew@gmail.com>
To: "luc2020@larimer.org" <luc2020@larimer.org>

Mon, Nov 7, 2022 at 7:51 PM

Hi, all.

I decided to put my comments and questions in this email so that I might be able to organize it better.

I have gone through the permitting process already and have an active STR. It took 15 months start to finish, mostly due to Covid. I spent over \$10,000.00 to meet all the requirements. I would agree with others that mentioned that an annual license is probably more frequent than necessary once all the requirements are met and the permit is granted. The tax revenue generated should more than substantiate not having to pay for a license every year. I would be fine with inspections on some schedule, every 3 or 5 years. I feel I am compliant and willing to host an inspection at any time.

When would the license renewal be due? Calendar year? Anniversary month? Other time?
Would there be an option to be notified when license renewal is due? By email?

I still don't understand the need for Full vs Limited STR licenses. Would it make a difference in the cost of the license? I would want the option to be mine and not forced on me by someone else. I utilize my home year round for myself and family, but still like to rent it as much as possible, based on the demand. We likely could not afford to keep the property without the rental income.

Regarding the comment on page 10 regarding a reliable water source: We have a private well that has always provided what we need. Private wells are not designed to support the kind of volume needed to fight a fire. We do have a small pond near the house that could be used to draw water from with the right equipment. I believe our local fire dept does have that kind of equipment since they are outfitted to function in remote locations like ours.

Thanks for your time and attention.

Bruce Woolman
373 Diamond View Road
Estes Park, Co 80517
"Longs Peak Base Camp" on Airbnb.



STR proposed changes public comment

K V <Zenmala@outlook.com>

Mon, Nov 7, 2022 at 8:16 PM

To: "luc2020@larimer.org" <luc2020@larimer.org>

Hello, I would like to send in a comment about the proposed changes to the STR regulations in Larimer County and have this documented for review by the planning department and county commissioners.

I'd like to comment on the proposed "adequate water source for fire departments to use in case of a fire, such as a well etc." this proposed change does not accurately reflect how fires are actually fought. Fire departments do not tap into a homes well or public water tap like the new language states. Fire departments only tap into city provided water sources through a hydrant. Most if not all of unincorporated Larimer County does not have fire hydrants. In these cases fire trucks that carry water (tenders) respond to fight fires and can be refilled by near by other trucks and nearby lakes etc. Most larger fire trucks carry water. This is all common practice and is already allowed in residential areas.

An adequate water source is necessary for drinking, etc, yes.....and a reliable source is needed for a STR hence a cistern is of concern generally for personal use. However, since a fire department is literally unable to access public water taps on private property in addition to wells, the language should reflect that. I would like to propose that "fire department access to the homes water source" be removed. This actually reflects reality and how a structure fire is handled by our fire departments.

I also have concern about new regulations for specific road size. I do not see this being necessary and believe it would unfairly limit existing STR's that are generally safer with already existing adequate access. I believe as long as it is accessible by vehicle it is adequate for personal residence, long term residence, and short term residence. A lot of our removed and beloved properties are in the mountains and this is where people want to get away. I believe this should be removed in order to allow equal access to our demographic which cannot afford to visit these beautiful areas without STR access. Of course warning about road access and emergency access should be communicated to all guests.

Thank you for your time,
Kyle VanBuskirk

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STR proposed changes public comment

K V <Zenmala@outlook.com>

Tue, Nov 8, 2022 at 5:37 PM

To: LUC 2020 <luc2020@co.larimer.co.us>

Thank you so much for the response Tawn! I do appreciate it. In addition, I would like to add that fire departments already do full assessments of property's before approving STR's for use. Loveland Fire specifically already does a complete property assessment which includes appropriate access and code requirements compliance. This assessment includes determining if the house is accessible by the fire department, and is safe for the intended use. This process is currently working appropriately as is and doesn't need further restriction in the form of a required on site water source. Properties that don't have an on-site hydrant would be unfairly eliminated from qualifying. I believe this would also muddy the waters for the fire departments which are already taking all things into consideration during the STR application including how capable it is to provide emergency services.

Thank you!
Kyle VanBuskirk

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From: LUC 2020 <luc2020@co.larimer.co.us>

Sent: Tuesday, November 8, 2022 1:52:44 PM

To: K V <Zenmala@outlook.com>

Subject: Re: STR proposed changes public comment

[Quoted text hidden]

HERBERT M. SAMPSON III, J.D., LL.M.
ATTORNEY
633 Park River Pl.
Estes Park, CO 80517 USA
sampfirm@radiks.net
402-689-5130

November 9, 2022

Lesli Ellis (Community Development Director),
Matt Lafferty (Principal Planner),
Tawn Hillenbrand (Senior Planner),
Don Threewitt (Planning Manager)
Larimer County Community Development Department
200 W. Oak Street, 3rd Fl.
Fort Collins, CO 80521

Re: Short-Term Rentals Draft Regulations

Dear Friends,

I have been dealing directly with short-term rentals (STR) for the past 5 years in Estes Park. Although the proposed regulations of STRs deal with areas outside of the Town of Estes Park, the experience of Estes Park is instructive for all of unincorporated Larimer County. I have read the entire proposal and have 4 observations.

1. The license must remain distinct from the real estate. Do not create an interest in real estate as a legal appurtenance that runs with the land.
2. No license should be granted to any property inside of areas reserved for residential use, including multi occupant and condominium developments. Short-Term Rentals are businesses.
3. STRs create tax inequality, skew valuations higher for neighboring non rental properties, and are bad tax policy.
4. Do not "grandfather" any current license or use. Each must be terminable annually and not be assignable or transferable as an interest appurtenant to the real estate.

General Discussion

I am a Colorado lawyer with 50 years of experience and education in real estate and tax law. I started out in local county government doing real estate tax work. So, I see things a bit differently from most.

First, as a policy matter the county does not want to create a situation where persons who are granted a STR license feel that the license is a property interest that they own. Second, the county does not want to create a situation where persons believe that the license is an interest in the real property that is freely transferable with or severable from the land.

I am not going to get into the technical legalities of licenses. Just know that in legal terms a “license” is only a privilege and is not an interest in land. A license in real estate law has the distinguishing feature of being revocable at any time by the grantor. That is, Larimer County.

Estes Park rushed its licensing regime. Larimer County should learn from those mistakes. In particular, the provisions that essentially make a license an appurtenance to some lucky property transferable with the land and in perpetuity are huge errors. The Estes Park regime coupled with a cap on the number of licenses has created halves and have nots.

And STRs create horrible living situations for those of us who are full time permanent members of the community. We are exposed to an invasion of VBRO transients “here today...gone tomorrow” who come to party without regard for the neighbors or the quiet enjoyment of our homes.

No Interest in Real Estate

From a purely regulatory standpoint the County will not want to write regulations that give rise to an interpretation that a particular owner or property now has a “right” to a use of the real estate. The experience of Estes Park has now established a class of owners and properties where those with such licenses claim a right to continue. That is a policy error.

The very nature of a provision that allows free transferability of the license enforces the position of not just the original owner but of the successors that when they bought the place, they also bought a concomitant right to run a rental business. The STR owners advocate that the right is not terminable by the grantor (the county) because they have relied on it.

Recommendation 1.:

The easy and best way to prevent this is to simply make it explicit that the license is just that, a license. State that the license is annual, is not automatically renewable, is not an appurtenance to the real estate, and terminates upon transfer, sale, or change in entity ownership of the property.

Recommendation 2.:

Adopt Option 2 [3.3.5. B. 2. U. Commercial Uses] with my corrections.

(OPTION 2) Commencing January 1, 2023, short-term rental licenses shall be granted only for the property for which it is issued, for the time granted by the

license, and solely to the licensee to whom it is issued. **The license shall not create an interest in real estate or be a property right of the license holder,** The license shall not be transferrable to any other person, legal entity, or residential address. **A new owner may only operate a short-term rental after review of a new owner shall include after application, review, a determination if that particular the new owner can meet all of the requirements contained in this Code, and issuance of a license. The transfer of 10% or more of voting control or value of an entity holding a license is deemed a transfer of the property and terminates the license.**

No Residential Location

The proposed regulations acknowledge that the operation of a STL is a business. The caption of the major section of the regulations state “3.3.5. Commercial Uses”, because that is what a lodging for hire is.

Location is critical. People buying homes in residential areas can rightfully expect that no commercial use be permitted. There is a propensity to confuse the rental of residential property in the normal course with short term lodging for hire – the VRBO. Do not locate businesses in residential areas.

No one wants to live next to a short-term vacation rental. Even Greg Rosener, the owner of Sky Run, laments that establishment of a STR is damaging to the neighbors:

“A person that never has had a vacation rental next to their property all of a sudden does, which could lead to a disruption in the neighborhood and isn’t fair to either party.” [Estes Park Trail Gazette Nov 5, 2022]

I am a neighbor of one of these rental properties and I assure we are not “used to it...” as claimed by Rosener. It is horrible and at best we tolerate the nuisance.

The disruption goes far beyond the noisy hot tub parties, the strewn garbage, and just plain inconsiderate conduct of the transient occupant. It is a safety and fire problem as well. And the offenses are many times those of the property management companies profiting from the business. A couple of examples are appended to this discussion.

Recommendation:

Adopt Option 2 – Estes Valley Zoning Tables, STRs. Option 2 – This option is more restrictive than current regulations and Option 1; limiting or potentially restricting full STRs in residential zoning districts but continuing to allow limited and hosted STRs. If an immediate and complete prohibition on STRs in residential areas cannot be accomplished, the existing cap in residential areas should be decreased over the years as the current STLs expire by attrition, sale and transfer of the property.

The Real Estate Tax Mess

You do not want a STR in your neighborhood because your tax valuation will increase, even if you do not hold a license.

I recently spoke with Sheri Rock, the senior appraiser at the Larimer County Assessor, about the valuation problem caused by sales of condos with STLs. She stated that the value of the license is included as real property for valuation purposes, it is not identified separately, there is no guidance from the state to break out the value of the license at sale, and no process exists to value neighboring properties with licenses differently than those without licenses.

The result is that STR properties are used as comparables for all similar dwellings. The assessed valuation is adjusted upward for all properties. And persons without STR businesses pay a higher tax than is justified by the actual value of their home.

I live in a condo association with 68 Units, all single family residential. At present 19 Units hold STR licenses. The Units are essentially identical in design and square footage. The units selling with STR licenses sell for a \$150K premium over that of a non STL Unit.

The problem is that the sale of the Unit does not segregate the value of the Unit from the value of the license because the license assignment forms part of the real estate transaction. Thus, the sale price is reported at the gross amount. This will skew the assessed valuation for non-rental units higher even though the fair market value is less by \$150K.

There are three solutions to this problem:

(a) Remove the premium by stating that all properties are eligible for a license without regard to a cap or location. This is not the best solution.

(b) Remove any option to transfer the license upon sale or other transfer of the property. This solution would also require that a change in ownership include a transfer to an LLC, Trust, or corporation where the current owner retains control. And, it would also require that “transfer” of a property already owned by an entity be defined as including a transfer of 10% or more of voting control or value. This is attainable under the proposed regulations.

(c) Effect a change in state law that would explicitly state that the STR license is not an interest in property and that any premium paid for the license above FMV of the real estate must be declared separately on the sales report to the assessor. That is, carve out the license value as personal property from the underlying real property. This is the most elegant solution from a tax perspective, but does not solve the problem of transferability of the STL.

Recommendation: Adopt regulations that explicitly state that the STR license is not transferable upon sale or transfer of ownership, including sale or transfer of an entity owning the real estate of 10% or more voting control or value.

No Grandfathering

Make the rules the same for everyone. No special classes. No special dispensation from compliance. No special rights based on past use.

Remember that the primary aim of the county must be to avoid creating a property interest where none now exists. The grant of “grandfather” rights to current license holders does not solve that problem. It exacerbates the problem.

The county has an opportunity to control the terms of its STL regime. But if it carves out an exception for the current holders it lets people claim that they relied on the county. The result is the county is captive and can not get rid of or terminate the license. So far, not enough time has gone by for anyone with an STL to build a good reliance case. Avoid the grandfather provisions and avoid the problem permanently.

Recommendation: Recite in the regulation that the license is only a temporary privilege, is not an interest in land, and is revocable at any time by the grantor, Larimer County.

Summary

Short-Term Rentals are a relatively recent business plan and create a new hurdle in land use regulation. No one wants one next door. They are usually owned by absentee landlords. The renters are a nuisance at best. The policy of Larimer County should be to govern these properties as businesses, without privilege, and without creating an interest in real estate that cannot later be terminated.

Best Regards,

Herbert M. Sampson III, JD, LLM

APPENDIX



Sky Run VRBO rental agent parked in fire lane, in front of fire lane sign, blocking access to two drives and units.



VRBO cleaning crew/agent parked in front of fire lane sign



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Larimer County Short Term Rental Proposed Regulations

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Wed, Nov 9, 2022 at 4:58 PM

FYI



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Robert Cebul** <rdcccebul@gmail.com>
Date: Wed, Nov 9, 2022 at 4:51 PM
Subject: Larimer County Short Term Rental Proposed Regulations
To: <laffermn@co.larimer.co.us>, <ellislk@larimer.org>
Cc: <rich@windcliff.com>, <info@evstra.org>, <wrigby@prairiemountainmedia.com>, <vahlenkampj@prairiemountainmedia.com>, <ericlarsen@coloradoan.com>, <eotranch@gmail.com>, <converseevplanning@gmail.com>, <pmoak@aol.com>, <poggenpohl@mac.com>, <Ftheis3@gmail.com>, <Dhwebb10@gmail.com>, <jShadduckMcNally@larimer.org>, <Kstephens@larimer.org>, <jkefalas@larimer.org>, Jill Johnson <Estesrentals@gmail.com>, Frank/personal Cebul <fcebul@gmail.com>, <cjsagey@gmail.com>, <megan@the-macmillans.org>, <cebulretail@gmail.com>

To All of The Above Recipients regarding alarming proposals by Larimer County

Larimer County regulation changes for short-term rentals

I attended the Larimer County Zoom meeting on November 1, 2022 and have multiple extensive comments.

Through inheritance, I own a very modest home in Windcliff Estates which has been part of our family for over 40 years. Because this is a private residential luxury neighborhood with recorded HOA covenants, I already abide by multiple regulations. I have spent significant additional monies to comply with the most recent Larimer County regulations. Therefore, I found the current discussion regarding additional restrictions quite alarming as I am only able to continue ownership by offsetting some of the costs using short-term rentals. I am concerned there is a lack of transparency in the requirement for additional restrictions and suspect there is unshared information driving this process. The short timeline for comment and apparent expedited plans for imposition of significantly increased restrictions suggest such an agenda. The very thought that the new regulations could completely prohibit short-term rentals in our already governed residential area seems like extraordinary government overreach.

Safety, Access, and Compatibility were offered as reasons for the need for additional restrictions.

Safety

My home has 3 bedrooms. In addition, we have a living space with immediate ground level door access. This has a sleeper couch typically used for children, if needed, therefore allowing a maximum of 8 occupants utilizing the current 6 plus 2 rule. The new regulations allow for only 6 persons and is not substantiated by reasons. This is restrictive to the wholesome family visitors who we attract and are good for Estes Park. If safety is your concern, then I wonder whether you have similar restrictions for single-family homes in Larimer County and if not, why. We have 10 fire extinguishers in our home. Is this your expectation for all Larimer County homes? As many have already commented, I would strongly encourage continuing the 6 plus 2 rule so we can continue to attract families with children and expose them to the wonders of Rocky Mountain National Park.

Access

This regulation regarding driveway width and turning radius is clearly meant to be restrictive and punitive. As everyone who knows anything about the topography of Estes Valley, there are hills and mountains which absolutely preclude the feasibility of meeting this requirement. I know that I have a fire hydrant immediately at the entrance to my driveway and that delivery trucks back down to my home with ease. I would contend that safety services would have an infinitely easier time of reaching my home with the necessary fire and safety equipment over some of the larger homes in the Estes area. This restriction applied like a blanket requirement is simply not reasonable and seems recommended for punitive purpose then common sense.

Compatibility

As mentioned, I live in a private community with our own HOA. We comply with all requirements and because of the "family" based clientele that I attract, I have not had any complaints. I found the lack of discussion regarding enforcement of current regulations to be of significant concern. If compatibility is a driving concern, then management and coordination of a response system would be more appropriate than more layered restrictions. Of deep concern is that the current proposal does not discuss a call center or coordinated effort to assist with resolving said rental concerns. The lack of this as a component further speaks to a hidden agenda driving Larimer County to be ultra-restrictive in STR licensure.

I urge Larimer County to consider the local lodging taxes and revenue brought in by our clientele as a strong incentive to allow me license continuation and further allow for transfer of license via inheritance or sale. The current biannual renewal appears to be functional and I see no reason to replace it with more costly and cumbersome annual replacement. My family and I very much enjoy Estes Park and RMPN and we have supported the local economy for many years. We have already committed significant resources but continue to need STR so we can remain engaged and so we can provide this ongoing opportunity for our children. I recommend commonsense and compassion in moving forward.

I hope that the Larimer County Commissioners provide full transparency regarding this new level of restriction. If indeed, there is a deeper agenda like attempting to provide additional long-term rental and workforce residency, then all involved are owed this as an explanation. This type of lodging would not be appropriate for Windcliff Estates, so I would request understanding and approval of appropriate but not punitive measures for those of us who have already made considerable investments in hopes of family enjoyment. We deeply wish to continue as good owners who are good for Estes Park and the region.

Robert Cebul



Comp Plan feedback: STRs

Dorothy Gibbs <owlsnest1240@gmail.com>
To: luc2020@co.larimer.co.us

Thu, Nov 10, 2022 at 10:14 AM

Dear Estes Valley Planning Advisory Committee,
I hear from our NEPOA Board that at the recent (11/1) webinar (which I was unable to attend) there was feedback to the effect that proposed regulations on short term rentals are too restrictive. I respectfully disagree. In short, I want the North End to remain a purely residential neighborhood, with no commercial activity beyond the occasional yard-sale.

Specifically, I have feedback on three questions:

- Are you comfortable with large (10+ visitors) homes which are full-time STRs?
No, I am not.
- How about smaller STRs which rent only a portion of the year?
No, not comfortable with that, either.
- Do you believe that STRs should be limited to those zoning areas which include "accommodations", or do you believe that STRs should be allowed in all residential zoning?
Yes!

--

Cordially,

Dorothy S. Gibbs

[1240 Devil's Gulch Rd.](#)

[Estes Park CO 80517](#)

970-586-4092

owlsnest1240@gmail.com



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Adam A.- Concerning Short Term Rentals in Estes Valley

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Mon, Nov 14, 2022 at 10:41 AM

FYI

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

From: **Adam Albarado** <adamsnewaccount@gmail.com>
Date: Sat, Nov 12, 2022 at 3:06 PM
Subject: Adam A.- Concerning Short Term Rentals in Estes Valley
To: <JShadduckMcNally@larimer.org>

Commissioner Jody Shadduck-McNally,

Concerning Larimer County Short Term Rental (STR's)

I purchased my home in Estes Park, which was a life long dream. It was the culmination of hard work, dedication, and risk. I intentionally purchased in Windcliff Estates specifically due to its history and culture of short term rentals and onsite professional property management. Short term rentals are a core component of and an HOA supported right of Windcliff Estates ownership.

Short term rentals have become a convenient scapegoat for decreased affordable housing which instead is objectively and verifiably a result of macroeconomics of a broader scale. Increased aggressive actions against short term rentals disguised as regulations destroys one of the key reasons people pursue ownership in Windcliff Estates. It also destroys our ability to have a home in Estes Park which was earned through honest hard work and dedication. It is my family's home and was purchased with the full rights of being able to have this home as a STR and to be able to visit it often, and to be able to be a part of beautiful Estes Park.

STR's benefit the Estes Valley and the total number has already been capped. As more construction occurs to keep up with demand the percentage of STR's is already naturally decreasing. The STR's that exist are established and expected by returning guests visiting the valley. Almost half of the lodging taxes collected in Estes Valley come from the STR's that are already in existence. Windcliff STR's bring many guests spending several million dollars in the Estes Valley every year providing over a half a million dollars in sales taxes for public services with the passing of ballot measure 6E. This also provides substantial funds annually for community workforce housing and childcare programs.

Those with STR's in Estes Park are a part of Estes Park. We are here because we love Estes Park and we are part of the community. Many of us have gone through years of striving to achieve our dreams of being part of Estes Valley. Let's work together to better Estes Park. STR's are already capped, established, and desired by visitors. Existing law already confirms their residential use which is no different than any other home intended for residential use. The existing short term rentals especially those in communities like Windcliff Estates will continue to drive taxes which will greatly benefit the affordable housing shortage. The established STR's are a symbiotic economic driver for our valley.

Further regulation of STR's is not necessary, against established rights of homeowners, and objectively detrimental to the affordable housing shortage. All citizen's of Estes Valley are here for our love of the land and community and we can grow and prosper together in the place we love.

Sincerely,

Adam Albarado

--



Laurie M. Kadrach
Assistant County Manager

Community Planning, Infrastructure and Resources
200 W Oak St, Fort Collins, 80521 | 3rd Floor



Short-term Rental Regulations

Bob Leavitt <bob@bobleavitt.com>
To: luc2020@co.larimer.co.us

Fri, Nov 11, 2022 at 9:52 AM

This email addresses the proposed short-term rental regulations for the Estes Valley.

The number of STR licenses in residential neighborhoods should be reduced and eventually eliminated. STRs generate noise, traffic, partying, trespassing, and parking problems, among other issues. They are incompatible with our quiet residential neighborhoods. In Estes Park they cause 60% of the structure fires according to Fire District data. Furthermore, enforcement of regulations is usually in the hands of neighbors who must file a complaint or confront the STR occupants. STR's are especially problematic in zones with half-acre or smaller lots where high density leads to more STR - neighbor conflicts. Option 2 in the proposed regulations is a start in the right direction, which I support.

Given the cap on the number of available licenses, short-term rental licenses should not transfer with the property when it is sold. This creates an artificial asset that inflates the value of the property when sold. Home prices are already sky-high in the Estes Valley. This only exacerbates the problem. There is also a fairness issue. We have a waiting list for STR licenses. In fairness to those on the waiting list, STR licenses for properties sold should go into the pool of available licenses. In this way, everyone has an equal opportunity to acquire a license as determined by their position on the waiting list.

There should be a use-it-or-lose-it provision in the regulations. There are people in the Estes Valley who acquire STR licenses without renting their properties. They do this for two reasons: 1) They might rent their property someday and 2) It creates an artificial asset that inflates the value of their property, given that the license goes with the property when sold. In the meantime that license is out of circulation and unavailable to those seeking a STR license. At annual license renewal time STR owners should demonstrate that they have rented their property during the past year by showing their rental guest registers and/or signing a statement saying they have rented their property for X number of days in the past year.

There will not be a large impact on available tourist accommodations and local revenue, as some claim. Developers may address this problem (if it exists) by building more accommodations in the accommodation zones, where there are no restrictions on the number of units. STRs are commercial businesses. As such they belong in accommodation zones.

In Estes Park and the surrounding valley there is a critical shortage of workforce housing. Increasing the amount of workforce housing is a prime goal of the Town of Estes Park and Larimer County. Homes used as STRs take properties away from the pool of owner-occupied and long-term rental housing, both of which are in extremely short supply. Reducing the number of STRs in residential zones will increase the pool of housing available for the workforce through ownership and long-term rental.

Sincerely,

Bob Leavitt
Former Chairman
Estes Valley Planning Commission
[740 Ramshorn Drive](#)
[Estes Park, CO 80517](#)
Phone: 402-488-5335
Email: bob@bobleavitt.com



Estes Forward Comp Plan feedback

Peter Gibbs <namesinger@gmail.com>
To: luc2020@co.larimer.co.us
Cc: "debdufty@gmail.com" <debdufty@gmail.com>

Thu, Nov 10, 2022 at 11:20 AM

Dear Estes Valley Planning Advisory Committee,

I have heard from our property owners' association (NEPOA) the following:
"100+ people attended the 11/1 webinar. 20 of the attendees shared comments at the end of the presentation. Almost all of the 20 identified themselves as members of EVSTRA (Estes Valley Short Term Rental Alliance). I do not know if any were North End residents. Generally they felt the proposed regulations were too stringent and advocated for STRs. Only 1 of the attendees who spoke expressed concern over STRs."

It concerns me that those with a commercial interest are perhaps speaking with a louder voice than us, the residents, so I'd like to make my and my family's position clear. The short version is, we prefer for the North End to be a residential, single-family, owner-occupied community.

Specifically in relation to the three questions posed by NEPOA:

- Are you comfortable with large (10+ visitors) homes which are full-time STRs?

No.

- How about smaller STRs which rent only a portion of the year?

No.

- Do you believe that STRs should be limited to those zoning areas which include "accommodations", or do you believe that STRs should be allowed in all residential zoning?

No - allowing STRs in residential zoning vitiates the meaning of "residential zoning" and should not be permitted.

More specifically: I would like to be able to hire a property manager to stay in my home including (but not limited to) during periods when I may be away, to provide general maintenance and security for the property - a live-in handyman (handyperson?) Compensation for this service would be from me (the homeowner) to said property manager(s)/handyperson, would include the benefit of residing here, and the only value I would receive in return is general maintenance and security of my home - **NOT** rental income.

Also: as I understand it, changes have been proposed to permits for STR's such that permits for STR's would attach to the owner, not the property. I am not clear what if any relationship this proposed change may have to the Comp Plan but for what it's worth, I share the objection to this change that I have read in the Trail-Gazette - that is: Attaching a permit for an STR attaches to the owner rather than the property is likely to result in STR's migrating from a location where they have become the norm, to a new location where they are not the norm. For this reason, I am opposed to this change.

Please feel free to contact me with any questions.
Thank you for your time, attention, and service,

Peter Gibbs
1240 Devil's Gulch Rd.
Estes Park, CO 80517
(970) 481-9472



Proposed STR Regulation

Greg Bier <biergreg@gmail.com>

Thu, Nov 10, 2022 at 11:39 AM

To: converseevplanning@gmail.com, "eotranch@gmail.com" <eotranch@gmail.com>, "pmoak@aol.com" <pmoak@aol.com>, "poggenpohl@mac.com" <poggenpohl@mac.com>, "ftheis3@gmail.com" <ftheis3@gmail.com>, dhwebb10@gmail.com, ellislk@larimer.org, laffermn@co.larimer.co.us, "luc2020@larimer.org" <luc2020@larimer.org>

My family has owned a short-term rental property in Estes Park since 1993. We did not buy our home in Aspen Brook to be an investor. We bought it because we love the town and RMNP. We want to continue sharing our cabin so that others have the opportunity to have the same experiences we have had over the last three decades.

Regulation of STRs has grown dramatically in the last few years. I find the current process to review potential additional regulations *extremely disingenuous*. The Estes Valley authorities know exactly who the permitted STR owners are. However, we have not been informed of the public comment sessions that were held. We found out about them through friends and neighbors rather than through any official email or notice. One would think that if we are to be subjected to further scrutiny and regulation that public officials would reach out to directly engage us in the process. Avoiding notifying us and including us in the discussions is less than professional and leads us to believe that we are to be regulated as second-hand citizens.

I am very concerned about the process Larimer County is using to address revisions of STR regulations in the county. The county has been working on the revisions since at least December of last year, but the county's extensive proposed revisions are exceptionally vague. For example, Aspen Brook is zoned A-2. This zoning is not even addressed in the proposal.

Some of the proposed changes are excessive and simply serve to divide homeowners. Page 11 mentions energy efficiency as a discussion point. Why might STRs be held to a different standard than their neighbors? We are already frustrated that our own "Dark Skies Ordinances" are not enforced with our neighbors; just STRs. Why must our fire truck/emergency vehicle access requirements for roads be any different? We have been forced to bring our properties up to current code to maintain our legitimacy...but our neighbors have no such standards. The signage requirements concerning exits in every sleeping room are excessive. We do not operate large hotels where the closest exit may not be known. Signage requirements to show how to exit the neighborhood is excessive.

The proposals present significant new administrative burdens on not just the homeowners but the county (such as reinspection every 3 years) which will impose unnecessary costs on our taxpayers and strain limited county resources. Do not proceed without further discussions with **all** affected stakeholders.

As the Estes Valley becomes more and more difficult to do business with and families begin to sell their homes because of the difficulty of operating a safe STR all our property values will fall, as will tax income.

Limiting transferability will only shift the location of STRs in residential zones. The county should thoughtfully consider whether the disruption to a new area caused by issuing a new license in a new location is worth any perceived benefits of a restriction on transferability. Without the restriction, STR licenses will tend to renew by successive owners, thereby keeping the status quo intact, as intended with the cap. With the restriction, STRs will be reduced in some residential areas only to be increased in other residential areas if upon a transfer the transferee goes to the end of the waiting list. It is also unclear what the county is trying to do with the multiple categories of short-term rentals – Hosted, Full and Limited – and how these proposed changes differ from what is in effect currently. The tables dealing with different zoning classifications are confusing and are unclear as to the level of review involved and the justification for differing levels of review. Slow down and engage in **meaningful** discussions on these issues with affected constituencies before approving new regulations that may have unintended consequences for our communities.

Greg

--

Greg Bier (573) 268-1960
The Eagle Cliff Company - "Bierhaus"

[Bierhaus Cabin on Facebook](#) (The Eagle Cliff Company)
[Estes Park and Rocky Mountain National Park Visitor Information](#)



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: input regarding STR regulations

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Mon, Nov 14, 2022 at 1:01 PM

FYI

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

From: 'Sharon Wenner' via Commissioner_Shaddock-McNally <commissioner_shaddock-mcnally_public@co.larimer.co.us>
Date: Sun, Nov 13, 2022 at 6:12 PM
Subject: input regarding STR regulations
To: jkefalas@larimer.org <jkefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>, JShaddockMcNally@larimer.org <JShaddockMcNally@larimer.org>
Cc: jfwenner@gmail.com <jfwenner@gmail.com>

Dear Commissioners Stephens, Kefalas, and Shaddock-McNally:

One of the great joys of my life has been to vacation in the Rockies since before I could walk. Like many, I consider them to be "my" mountains, and treasure every moment that I've spent in Colorado with family and friends over the past 58 years. We have stayed in just about every type of rental unit available, from odd little hotel rooms to spectacular homes with views that take your breath away. My husband and I are overjoyed to have purchased one of the few remaining lots in the Windcliff community and are having a home built there. Our intention is to offset the cost of the mortgage by renting through Windcliff Vacation Homes - a business that we know well and trust to act in our best interest as well as that of the community and potential renters.

We've been paying close attention to the debate in Larimer County regarding short-term rental permits, and would like to offer a few thoughts for your consideration. Having seen and experienced a variety of rental units in the Estes Valley, it's clear that applying a detailed list of regulations is not applicable or even reasonable for them all. It almost seems like the goal of these proposed regulations is to eliminate as many short-term rentals as possible without really establishing a cause-and-effect relationship that justifies the means.

If I understand the issues correctly, the two main reasons for pushing rentals out of the short-term market are: complaints from residents, and the theory that the conversion of long-term to short-term has reduced workforce housing. May I suggest that complaints from residents who, by the way, freely purchased property in an obviously tourist-driven economy, are very typical and pretty easy to address. If Larimer County simply enforced basic, fair regulations that already exist - perhaps with a few tweaks - then most complaints would go away. Lack of enforcement always leads to abuse. I would refer you again to Windcliff, which has established and firmly enforces regulations for the community, which is why my husband and I are comfortable putting our new home in their hands. If you simply honor residents' complaints with oversight and enforcement there is no need to over-regulate the industry with a list of strangely specific rules.

The second issue, shortage of workforce housing, seems an odd one to address via forcing rentals out the short-term back the long-term market. As long as property owners are abiding by the rules, how is it possible that the county has the right to dictate this matter? I would suggest that a better strategy would be to develop necessary housing using the new tax revenue from the Estes Valley lodging tax. Wildfire Homes, in Estes Park, is taking a proactive approach to solving this important problem and I would applaud any similar creative solutions. Don't shoot yourselves in the collective foot by eliminating the tax revenue that could fund this type of development.

Finally, I would just ask that you create sound policy that is driven by common sense and not by the people who shout the loudest. A few bold strokes, firmly enforced, seems a better approach than measuring the slope and width of every rental unit's driveway. My sincere thanks for your consideration.

Sharon Wenner

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Larimer County Commissioners
Jody Shadduck-McNally
John Kefalas
Kristin Stephens

November 15, 2022

Via Email

Honorable Commissioners

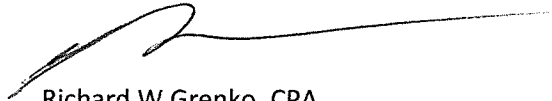
We have rented a home in Windcliff for roughly 20 years for a least one week during the summer for our family vacation, and often more than that in the fall and winter. In April, 2022 we purchased a property in Windcliff which is part of the rental program. During that process I learned quite a bit more about the short term rental issues in Estes Park, the specifics of Windcliff, and its rental program.

Windcliff has existed for decades and was developed to be a community of luxury seasonal homes that has the option for its owners to rent their properties codified in the homeowner's association agreement.

These properties have never been affordable housing for the local workforce, and the continued use of short term rentals in Windcliff does not have a negative impact on the availability of housing for Estes Park. In fact, if I understand the provisions of ballot issue 6e, short term rentals in Windcliff will generate potentially hundreds of thousands in local lodging taxes for workforce housing and child care for the Estes Park area.

I recognize there is an affordable housing issue, but short term rental regulations shouldn't be written as one size fits all, and properties like Windcliff that were created explicitly for professional managed vacation rentals should have minimal restriction beyond what is currently in place as these sorts of developments are not the cause of the problem. If anything, the taxes from 6e and the millions of dollars spent by rental guests help boost the local economy and tax base.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Richard W Grenko', with a long horizontal flourish extending to the right.

Richard W Grenko, CPA



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: EVSTRA - Larimer County Proposed STR Regulations Changes

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Wed, Nov 16, 2022 at 10:17 AM

FYI

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

From: **Erica S** <elclark99@hotmail.com>

Date: Wed, Nov 16, 2022 at 9:17 AM

Subject: EVSTRA - Larimer County Proposed STR Regulations Changes

To: jkefalas@larimer.org <jkefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>, JShadduckMcNally@larimer.org <JShadduckMcNally@larimer.org>

Hello, I have been a long time visitor to ESTES park, for over 40 years. It is a family tradition and we love it here! I have a short term rental so me and my family can come and hike in the National park (Emerald Lake is my favorite) and shop the strand/buy the toffee at Laura's and eat at Eds Cantina/Notch Top. I like to come quarterly or more!!

I am not a rich person and barely make it month to month, especially with todays inflation %. I pay for my Estes house by renting it out every so often (I don't even cover the annual expenses).

Please do not make it any harder for us working people! We just love to come to Estes, spend our modest vacation money and help local economy!

Thank you,
Erica

--



Laurie M. Kadrach
Assistant County Manager

Community Planning, Infrastructure and Resources
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970) 498-5741 | M: (970) 589-0674
Kadriclm@co.larimer.co.us | www.larimer.org

November 15, 2022

Ms. Kristin Stephens
Larimer County Commissioner - District 2
PO Box 1190
Fort Collins, CO
80522

Dear Ms. Stephens,

We are writing to you regarding the proposed regulations pertaining to short-term rental properties in unincorporated Larimer County. We own rental property in Windcliff outside of Estes Park, but now also own a home in the same neighborhood that we do not rent.

We understand that the county is trying to resolve issues that face many mountain and tourist communities nationwide: specifically, poorly managed short-term rental properties that impact the quality of life of permanent residents that live nearby, and the lack of availability of affordable housing for seasonal and other workers necessary to support the community and we share these concerns. However, we are concerned that the solutions put forth will not adequately resolve those issues and unfairly punish owners of respected short-term rentals ultimately forcing well managed STR's to cede their licenses to potentially untested and/or poorly managed properties.

In our community, many of the short-term rental owners are families that have chosen to retire in Estes Park. After finding our 'forever' homes, we rent until the day Estes Park will be our full-time residence. Because of renters, our properties, both inside and out are maintained to high standards. Empty retirement homes invite risk. We are responsible owners, active in our neighborhood & community, know our neighbors and serve on HOA boards. Responsible renting is paramount to us because our homes are legacy family homes to be passed down to future generations.

In the Estes valley, curtailing the availability of short-term rentals directly impacts the tourism industry and the economic vitality of the entire area.

Short-term rentals also play an important role in maintaining strong employment for the community - employing housekeepers, property managers, support staff, maintenance staff, laundry services, plumbers, electricians, hot tub companies, window washers, pest control and chimney sweeps - many of which have built their businesses around short-term rentals. Like it or not, Estes Park will not thrive without tourism. The impact of pandemic related shutdowns in 2020 is evidence of that.

If tourists can't find available rentals in this area, they simply will not come to Estes Park. Our tourists are accustomed to renting such properties and will take their business to other cities and towns outside the Estes Valley. The same is true for those of us making long-term investments in the area.

Our neighborhood, Windcliff has supported short-term rentals and has coexisted peacefully with full time residents for over 53 years. The governance of rentals is included in our HOA bylaws. Our property manager lives in the neighborhood and manages our homes with the upmost care and respect. Because of the attention to detail, many of the renters in our neighborhood are repeat customers who respect our homes, our community and the Estes Valley.

Windcliff renters have high discretionary income & spend more than \$8,600,000 annually in the Estes Valley generating \$500,000 in sales tax for local public services. With passage of the ballot measure 6E, our neighborhood alone is expected to contribute \$300,000 annually to the workforce housing and childcare initiative.

We support regulations that ensure short-term rentals are well managed and safe, but we ask that additional time is spent evaluating the issues and the impacts of the proposed regulations, in particular:

- Continued transferability of existing vacation licenses - we purchased our property, and have made capital improvements to it, with the expectation that an ongoing vacation license would be attached to the property.
 - The investments we have made in these properties represent a significant portion of our children's ultimate inheritance. If our children were unable to rent the property, they would likely be forced to sell. Even if our children inherit the license with the property, if they ultimately sell the property without the ability to also transfer the license, it will have a detrimental impact to the valuation and ability to liquidate the property.
 - Our neighborhood consists of many well managed short-term rentals owned by families with deep roots in the area who are strong supporters and proponents of Estes Park and all that it represents. Ultimately, a transfer restriction would force well managed short-term rentals to cede their licenses to potentially untested and/or poorly managed properties.
- Grandfathering - for current licensed short-term rentals renting 135+ nights a year, will these homes be grandfathered in at renewal for 135+ nights? The number of nights rented directly impacts local service providers, the workforce housing & childcare initiative and the availability of tourists to find lodging.
- Homes within 1000 feet of park land - "it shall be referred to the relevant public lands management agency and the owner will mitigate potential impacts to the public natural resources or wildlife". Our neighborhood is surrounded by both Roosevelt National Forest and RMNP. What actions are needed and how will it be regulated when multiple STR's fall within 1000 feet of public land?
- We have heard from others in the community that reporting issues under existing rules is inadequate and providing better mechanisms to enforce existing regulations including STR's operating without a license would be more effective than adding new, arbitrary rules.

We suggest more time be given for community feedback, and that it is recognized that a blanket, one-size fits all approach is not appropriate under the circumstances. Unintended consequences will occur, and additional time is needed to adequately address these concerns and understand the full community impact.

If you have any questions, we would be happy to discuss them with you. We can be reached at eigenmann@tx.rr.com.

Sincerely,
Phil and Melissa Eigenmann



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Short Term rentals

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Wed, Nov 16, 2022 at 3:10 PM

FYI



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **JOHN Dorsey** <jwdorsey4816@gmail.com>
Date: Wed, Nov 16, 2022 at 1:17 PM
Subject: Short Term rentals
To: jkefalas@larimer.org <jkefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>, JShaddockMcNally@larimer.org <JShaddockMcNally@larimer.org>, ellislk@larimer.org <ellislk@larimer.org>, laffermn@co.larimer.co.us <laffermn@co.larimer.co.us>, cc: converseevplanning@gmail.com <converseevplanning@gmail.com>, eotranch@gmail.com <eotranch@gmail.com>, pmoak@aol.com <pmoak@aol.com>, poggenpohl@mac.com <poggenpohl@mac.com>, fttheis3@gmail.com <fttheis3@gmail.com>, dhwebb10@gmail.com <dhwebb10@gmail.com>, ericlarsen@coloradoan.com <ericlarsen@coloradoan.com>, vahlenkampj@prairiemountainmedia.com <vahlenkampj@prairiemountainmedia.com>, wrigby@prairiemountainmedia.com <wrigby@prairiemountainmedia.com>

I have looked through the proposal and may not fully understand the reasoning for all of it. The main area that I do not understand and am not in favor of is limiting the number of rental days for short term stays.

We bring in visitors that spend money with local businesses and make your economy strong. Why you would want to hurt your local businesses is hard to understand. I am supporting the suggestions from EVSTRA and urge you to adopt their suggestions.

Sincerely,

John W. Dorsey

If you want to go far in life, make your life not about you. Make it about other people. Make it about serving and giving.



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Brainstorming STRs solutions

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Thu, Nov 17, 2022 at 1:44 PM

FYI

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

From: **Heidi Shepard** <estespeakretreat@gmail.com>
Date: Thu, Nov 17, 2022 at 12:37 PM
Subject: Brainstorming STRs solutions
To: <JshaddockmcNally@larimer.org>

Greetings Shaddock-McNally,

We appreciate Larimer county's interest in STR and in the environment. At the Nov. 1 meeting, we were requested to share not only our thoughts but some possible solutions as well. I have given great thought to the subject and hope that the following background and possible suggestions will be of help.

Our background:

At the time of our purchase, our home was like the pearl of great cost to us. We sold all that we could to be able to purchase it. It is not just part of our retirement plan, but it is also a place where we can meet up with our children and their families. After living and serving the poor for a decade with our family in a second world country, we now cherish these times together as a family in Estes. It is where we congregate for our birthdays, for holidays and for other special occasions. Our hearts are connected with our home in Estes and the park in a significant way.

Because of this, you can understand how shocked and concerned we were at some of the new regulations being mulled over. When we sold all that we could to purchase our home, we largely did that as our property had A1 zoning and only with renting it out as a STR for at least half of the time would it be possible for us to keep it.

Driveway

We do, like a great many homes in the Estes Valley, have a steep driveway with tight turns. Therefore, we send a letter to each renter explaining the driveway in detail...its length, its elevation gain and how many turns it has. Upon receiving our letter, each renter has the option to cancel if they are not comfortable with it and to receive their deposits back. We have also supplied photos to each person interested. Thus far we have never received negative feedback regarding the driveway or anything else from any guest. On the contrary, we have continual 5 star reviews...mainly due to the beauty and remoteness of the location. Although less than three miles from town, due to the driveway, one has the feeling of being away from all. This feeling of being away from all and magnificent views are possible due to our half mile driveway. We have many repeat guests who have come to love Estes and have the means to support a great many of the businesses and restaurants.

We are very concerned about safety. We routinely pay thousands to have the driveway evened out and kept up, and covered with recycled asphalt. And naturally it is plowed before guests' arrival and as needed during their stay.

Our strong conviction is that driveways in Larimer county should have been approved or not approved when the home was built. If it was not safe, the building permit should not be granted. The driveway either is or is not safe for anyone. My husband and I are older than 75% of our guests. If emergency services were needed, it would be much more likely that we would need them for ourselves than for our guests.

With the current proposed changes, many STR owners would not be able to make the changes. Those of us with acreage might be able to make them but these changes would most certainly have an incredibly adverse effect on the environment. Not only would it be an eyesore in the mountains, but these changes in hills would lead to much greater

erosion as a significant amount of the mountain would be carved away. This in turn could lead to more falling rock, etc. and jeopardize properties beneath us. It would also simply be an eyesore. Our property looks onto a property on the mountain across from us which was deforested significantly around the house. It is quite unsightly and has changed the feel of the mountain. If that driveway was made with only a 12% incline and 50 foot radius for each turn, it would be even more unattractive. Just about the whole side of the mountain would be driveway! I would hate to see this eyesore and destruction of natural environment just for a new driveway requirement.

Brainstorm ideas for driveway:

I would propose the following to ensure positive host and guest experiences.

All existing driveways are grandfathered in as long as they are kept up. (No potholes greater than x inches deep).

Markers on the side to show the edge for plows or night time drivers where there is any drop off.

Driveway must be regularly plowed when guests are using the house.

All guests must be notified of the following upon booking:

- The percent grade in the driveway or elevation gain

- The number of turns

- The length of the driveway

- Their ability to cancel the reservation within five days of receiving the correspondence about the driveway.

Photos of the driveway available to guests who ask.

Of if you prefer that guests are made aware of this in advance, you may instead

want this to be part of the VRBO/Airbnb description on the website. That would be reasonable as well.

Transferability

I would agree with the many concerns voiced at the meeting about transferability. We have invested significantly in the house to maintain it as the best VRBO possible including putting in an entire new septic system, required home modifications and of course, all the driveway up keep as well. Like others, we see this as a legacy for our children. As we were helping with development work overseas, our children have not grown up in the USA and cannot return to their childhood home. Estes is now the place that means the most to them. But without the ability to rent it out, this meaningful place to them would be lost. If my husband and I were to be killed in a car crash and the current proposed changes were approved, my children would not only lose their parents but their primary roots in the states. It would be tragic on all fronts.

Brainstorm ideas for transferability:

The county could have a charge of about one half to one percent of the property value as a transferability tax of the rental license if in zone not specific to rentals. This 5k to 10k per million transfer tax would require consideration if the new owners wanted to keep the rental license. This way if someone was on the fence about keeping the rental license, it may prevent folks from keeping the license if not really intending to use it. Over time less properties will be available for rent.

People per room

Brainstorm suggestion:

I would suggest keeping the numbers of adults at two adults per room and then have some allowance for up to two children below X years of age. Whatever is decided, it would be best to have continuity between the town of Estes and

the county. Otherwise, this could be most confusing to guests trying to book as they do not realize what is inside the city limits of Estes and what is not.

Other brainstorm ideas - Water:

When looking at Estes, I am far more concerned about water than anything else. The world is facing an enormous problem regarding water and we are most certainly seeing this in Colorado as well. One look at Lake Estes should cause alarm. Our family experienced a two-year drought overseas and water conservation is something that everyone should be aware of. Regardless if homes are on city or well water, I would suggest each STR homeowner have a dedicated page in their house book about being water aware in Estes. I firmly believe that water use affects Estes future far more than any of the proposed STR changes. (We educate people about water use in our acceptance letter, in our check in letter and have a dedicated page in our house book. Our guests are surprised to learn how much water the average person uses each day and really appear to make efforts to be more careful with water consumption.) Other considerations for the future for STRs would be to have water saving toilets and high efficiency washing machines. (We installed a high efficiency European washing machine which uses less than half the water than an average washing machine.)

In wrap up

When we worked overseas, we worked under a very oppressive government. The people we served routinely lost homes and employment due to the government's decisions. Honestly, I never thought anything like what we experienced overseas was remotely possible in the USA. But here, unimaginably, we have the possibility of losing the place we value most in the world torn from us based on new regulations. I encourage you with all my heart to feel the pain and concern voiced from those who would have their homes and livelihoods affected by new proposals.

I love to problem solve and would love to serve on any committee to look at what is best for both the county and the homeowners. I would appreciate a call back regarding my concerns regarding the proposed changes which I believe are reflected in a great many of the homeowners.

Gratefully,

Heidi Shepard

7203768589

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Laurie M. Kadrach
Assistant County Manager

Community Planning, Infrastructure and Resources
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EVSTRA Comments on
Draft County Short-Term Rental Regulations

EVSTRA believes in reasonable regulation of STVRs¹ in the Estes Valley. Unregulated short-term rentals risk life and safety violations which could endanger guests and neighbors. In addition, unregulated short-term rentals likely would not be collecting lodging taxes and sales taxes on rentals, thereby impairing important sources of local financing for community needs.

The Estes Valley Short-Term Rental Alliance (EVSTRA) has reviewed in detail the proposed new county short-term rental regulations and have the following comments:

Unlicensed Short-Term Rentals

The county should call for an immediate cease-and-desist by the owner of an unpermitted short-term rental with immediate verification that all advertising of the property for short-term rental has been discontinued. In addition, the county should require an application for a short-term rental permit to be made within 30 days of the cease-and-desist call by the county, providing that the property will not be permitted for short-term rentals unless application is made within that time frame. The owner should not be permitted to lease the property as a short-term rental until an application is approved by the county and should be penalized if the property is leased as a short-term rental prior to such approval.

The county should aggressively go after unlicensed short-term rentals and impose significant penalties for unlicensed short-term rentals that continue to violate county regulations after notification from county officials.

Enforcement

EVSTRA believes that the principal problem with short-term rentals is inadequate enforcement. This is a major problem with unlicensed short-term rentals. EVSTRA believes that this is a significantly lesser problem with licensed short-term rentals because of attention given by managers and owners and requirements of hosting listing sites. A central repository for complaints should be established and contact information for this central repository should be referenced in any notices to neighbors with respect to a license application.

Reduction in Number of Short-Term Rentals in Residential Zones in the Estes Valley

While the proposed new regulations do not assert that they are intended to reduce the number of short-term rentals in residential zones in the Estes Valley, it is clear that they are intended to do so based on the following proposals in the regulations:

- Elimination of short-term rentals in certain residential zones in which they are currently permitted – this will impair new short-term rentals as existing licenses are revoked or abandoned because of the further limitation on where short-term rentals can be located.
- Limitation on number of days rented of Limited Short-Term Rentals in zones in which such short-term rentals are permitted – this is a direct economic attack on short-term rentals by making

¹ The term STVR is used to cover vacation rentals (town of Estes Park term), short-term rentals (Larimer County term) and legal nonconforming use rentals (those vacation rentals with licenses issued under the prior Estes Valley land use code prior to the severance of the joint planning area in 2020).

them less economically viable, thus resulting in some short-term rental licenses being abandoned.

- New requirements relating to roadways and driveways will not be able to be met in many residential areas, thus reducing the number of short-term rentals.
- Discussion about limiting transferability of short-term rental licenses – if licenses are not transferable, upon a sale the number of short-term rental licenses will be necessarily reduced.
- Absence of any discussion about grandfathering of existing short-term rental licenses – if existing licenses are not grandfathered, many existing short-term rentals will not meet the new licensing requirements and their licenses will be revoked.

Short-term rental licenses in residential zones are currently capped at 222 licenses. This means that there can be no growth in short-term rentals under current regulations. While the county does not propose changing the cap, it is abundantly clear that the issues discussed above will over time substantially reduce the number of short-term rentals in residential zones.

While EVSTRA supports the continuation of the cap, EVSTRA does not believe that reducing the number of short-term rentals in residential zones is in the best interest of the Estes Valley community. Tourist lodging is a major driver to our local economy. The lodging tax imposed by our local marketing district, Visit Estes Park, currently generates around \$3 million per year for promotion of the Estes Valley and is collected throughout the Estes Valley, including from the county areas within the valley. The newly passed increase in the lodging tax will provide between \$5 million and \$6 million of funding for workforce housing and child care initiatives in the Estes Valley. Currently, according to our local marketing district (Visit Estes Park) around 40% of these taxes are generated by short-term rentals in the Estes Valley, including in the county areas in the valley. Reducing the number of short-term rentals in the county areas will therefore reduce the funding both for Estes Valley promotion and for the important workforce housing and childcare funding urgently needed in the Estes Valley. Moreover, the limitation on number of days rented of Limited Short-Term rentals further erodes this tax base.

EVSTRA objects to either of the two options presented regarding short-term rentals in residential zones but supports maintenance of the cap, as we believe the cap best serves the objective of limiting short-term rentals in residential zones without adversely affecting the interests of the residents of the Estes Valley.

Limitation on Days Rented – “Limited” Short-Term Rentals

The county has proposed a new classification of “Limited” Short-Term Rentals which are permitted in some zoning districts in which “Full” Short-Term Rentals are prohibited. “Limited” Short-Term Rentals can be rented for no more than 135 days (or whatever other day limitation is adopted) while “Full” Short-Term Rentals are not limited on the number of days rented.

The county appears to justify this distinction based on the alleged lesser impact on the neighborhood if the property is rented for a lesser number of days. However, the true objective of this distinction is to reduce the number of short-term rentals by making “Limited” Short-Term Rentals less economically viable.

Most of the citizen complaints about vacation rentals are the same complaints as are made with other residential properties, whether long-term rentals or owner occupied properties – noise, parking and

trespassing. There is no evidence that these complaints are more prevalent with short-term rentals which are rented for less than a year than long-term rentals or owner occupied properties occupied for the entire year. Limiting the number of days rented does nothing to address the true problem – lack of adequate enforcement of existing regulations. The county should not make the mistake of thinking that additional regulation will solve a problem that is an enforcement problem. A days rented limitation is a direct financial attack on a homeowner's rights to lease their property by taking away part of the productivity associated with the property. It is a direct incursion into the rights associated with property ownership.

In addition, limiting the nights rented will be difficult or impossible to enforce and will likely drive some vacation rentals underground, resulting in more dangerous housing for our visitors and a major reduction in sales and lodging taxes associated with vacation rentals.

Residential Zones Permitting Short-Term Rentals

A number of the homeowners' associations in the Estes Valley, such as Windcliff, expressly permit vacation rentals under their bylaws or association covenants. Because such associations have come together to expressly permit short-term rentals, EVSTRA believes that short-term rentals should continue to be permitted within the boundaries of the association and that such short-term rentals should not be subject to the cap on short-term rentals in residential zones.

Transferability

The proposed regulations present two options regarding transferability. The first option retains transferability as long as an application for a license is submitted by the transferee within 30 days (or some other period yet to be determined) of the transfer. The second option eliminates transferability altogether.

The county has not been transparent on why transferability should be limited or what objective is being served by limiting transferability. The only objective EVSTRA can see that is achieved by limiting transferability is to further limit the number of short-term rentals since such a limit would necessarily reduce the number of short-term rental licenses.

Limiting transferability also has some adverse and unintended collateral effects. If licenses are transferable, many STRs will simply remain in place after transfer in the same location which they are currently located and no further neighborhood disruption occurs. New licenses in new residential areas would be minimized by the transferability feature and any new neighborhood disruption from a new STR would hence be eliminated.

In contrast, if transferability in residential zones is prohibited, as existing STR licenses are terminated upon transfer, such action will free up the availability of new licenses in different residential locations and hence new STRs may arise in neighborhoods previously free of STRs. This would be disruptive to existing neighborhoods in which STRs are sparse and heighten the concerns that the community has been expressing about new STRs in residential zones.

When STRs were originally permitted, the licenses were made transferable so that any premium on a purchase of an STR did not increase property values of other properties in the Estes Valley. Hence, transferability was intended to insulate residential home prices from those prices derived in part by

investment value. If transferability is eliminated, that insulating effect will be eliminated and likely cause price increases in other properties which then may be eligible for a license. By permitting transferability and hence reducing the number of new STR license issued, the impact on real estate prices in the Estes Valley will be minimized.

Many short-term rental license holders have made substantial capital investments in their property to meet the life and safety requirements of licensure with the expectation that the license would be transferable upon sale of the property. It would be patently unfair to these owners to retroactively make these licenses nontransferable since then owners would have no ability to recoup these license related expenses upon a sale of the property.

Many short-term rental owners have acquired family legacy property that they intend to pass on to their heirs, many of whom need the revenue from short-term rental of the property in order to keep the property in the family. Intergenerational maintenance of property ownership would be substantially impaired with transferability restrictions.

Finally, without transferability significant inventory for visitor lodging would be impaired since most of the properties would likely then become second homes not available for visitor lodging.

EVSTRA supports Option 1 in the proposed regulations which will permit transferability upon a timely submission of a license application within a specified period of time after property transfer.

Grandfathering

EVSTRA believes that existing short-term rentals should be grandfathered in from the new requirements in the proposed regulations.

Many current short-term rentals would be unable to meet the new requirements, particularly those relating to access and driveways. As a result, failure to grandfather in existing short-term rentals would result in a dramatic reduction in short-term rental licenses. This would substantially diminish the revenues generated by the local marketing district lodging tax and likely drive many short-term rentals underground.

In addition, since many short-term rental license holders have made substantial capital investments in their property to meet the current life and safety requirements of licensure, it is unfair to these owners to retroactively revoke these licenses because of failure to meet requirements which were not present when the license was initially issued.

Operations Manual

EVSTRA supports requiring each licensed STR to provide an Operations Manual/User Guide for the STR. Such a guide is important both to the visitors and to the owners to insure compliance with rental and regulatory requirements, preserve the condition of the property and minimize occupancy impact on neighbors. However, requiring such an Operations Manual/User Guide in *every guest room* is overkill. The county should require one copy of the Operations Manual/User Guide in a prominent location within the STR.

Entrance/Exit Signing

EVSTRA supports requiring a sign posted in the STR setting forth the information specified in the proposed regulations. However, unlike a hotel room, in a private home it is unreasonable to require such signage *at each entrance and exit*. Many STRs have exits through sliding glass doors onto patios and decks for which posting of an escape route is not necessary. The regulations should provide that this posting be required only at the principal entrance to the property used by visitors.

Reinspections

EVSTRA does not believe that reinspections upon license renewal are necessary or appropriate. Owners should be required to self-certify continuous compliance with licensure requirements on renewal and reinspections should only be required upon a failure to certify continued compliance or upon any material changes made to the property. More frequent reinspections is a waste of county resources and an unnecessary cost to the owner.

Roadway and Driveway Requirements

EVSTRA believes that the extensive roadway and driveway requirements of the proposed regulations are inappropriate in a mountain community with many private roads and roadways that cannot be expected to meet requirements applicable to a town in the flatlands containing more regular streets. While we understand the desirability of meeting all of these requirements for emergency services and evacuation, those desires are aspirational in a mountain community and have not been imposed in residential areas in the past. There is no valid reason for selectively adding these requirements to short-term rentals when not applicable to other homes in the neighborhood, particularly if the Entrance/Exit signing proposed in the regulations is adopted.

Conclusion

Advocates of the changes proposed in the new regulations have not been honest about the objectives of this initiative. As noted previously it is apparent that the objective is to reduce the number of short-term rentals – not address the problems citizens have with certain short-term rentals, such as noise, parking and trespassing. The real citizen concerns are these issues, and those issues can only be addressed by more vigorous enforcement. The county should not make the mistake of thinking they are addressing the core issues when additional regulations will do little or nothing to mitigate those concerns. Enforcement of existing rules is the answer, not more regulation.

EVSTRA supports vigorous enforcement of unlicensed short-term rentals and reasonable regulations for licensed short-term rentals, including the important life and safety issues associated with any lodging.



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Follow-up on Nov 3 Email

Seth Hanson <seth.w.hanson@gmail.com>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tue, Nov 15, 2022 at 8:55 AM

Thank you.

I'd like share my position and also ask some questions to gain a better understanding of why the review process for a STR permit in the A1 district is as complex as the review process in the residential districts. Why does the STR review in the A1 district need to be elevated all the way to the BCC as the new proposals suggest? I understand the concerns of the community when a STR is proposed in a residential district. But A1 is an accommodations zoning with the specific intent of allowing low intensity accommodations. Should this not be a staff level approval like it has been in the past? Why is it now being proposed as a BCC level approval?

Thank you for your time.

Seth Hanson

970-310-7498
The Group, Inc.
Broker Associate/Partner
MBA, CLHMS

[Quoted text hidden]



LUC 2020 <luc2020@co.larimer.co.us>

Short term rentals in the Estes Valley

theresa oja <mountainoja@gmail.com>
To: luc2020@co.larimer.co.us

Tue, Nov 15, 2022 at 4:29 PM

Hi,
Just wanted to let you know that we are not in favor of continuing vacation rentals in the Estes Valley outside of the town limits. They are businesses operating in residentially zoned areas. They are contributing to the lack of affordable housing in the area as well as impacting the fabric of the community.

We certainly don't endorse having the permit transfer upon sale of the property as this ensures that the residential neighbors have a commercial business as their neighbor for an unforeseeable time frame.

Property owners do not have the right to operate a non-resident business in a residentially zoned area and impact those of us that do actually live in our homes. Non-resident short term rental operators are not homeowners.

Kind regards,
Theresa Oja

My name is Paul Chase and I write this as an open letter to the Larimer County and Estes Park elected officials.

My wife, 6 kids, and I live in Larimer County, work in Larimer County, and go to school in Larimer County. We are deeply concerned by the egregious proposals regarding short term rentals and lodging regulations.

After over a decade of saving money earned here in Larimer County, my wife and I had enough to purchase our first investment property, a short term rental in Estes Park. This is our only STR, and we paid hundreds of thousands of dollars more for this property because part of this property was a transferrable permit. A permit we were told was put in place to prevent investors from driving up private residence prices. We never considered looking at homes that didn't have a permit, so we can say from our own experience, that the price of permanent residences was entirely insulated from the price of investments. Were those permits to no longer be transferrable, that would completely undermine the stated purpose and effectiveness of permits, being to limit the effect on the price of housing.

- 1) Transferability of permits must not be eliminated if you wish to insulate permanent residential home prices from investment prices.

While we actively pursue an excellent, respectful, symbiotic relationship with our neighbors, there is a convenient gossip that somehow STRs are responsible for all things bad that happen in Estes Park. Holding STRs in Estes Park accountable for such things as the outrageous child care costs across Colorado, is ludicrous and unfounded in fact and evidence. Despite the lack of any evidence to support these claims, policy to hurt people such as my wife and myself are arbitrarily levied.

- 2) Punitive taxation without conclusive, causal, and independently verified proof that punishment is warranted, is merely theft.

And we will be even more greatly harmed should STRs no longer be permitted in residential zones, or if our permit should be made non transferrable, or any other post facto, retroactive policy that should remove from us the very valuable piece of the property we purchased, being the permit allowing us to operate as a full time short term rental.

- 3) It is wrong to remove the significant piece of property that we purchased, being the ongoing, transferrable, permitted use as a full time short term rental, without just compensation. The act of doing such being tantamount to a violation of our 5th amendment rights.

Our rights do and should include protection from our business being taken and our family being bankrupted by a policy that was not in place at the time of our purchase. And we would be bankrupted. The instantaneous loss of value without the transferrable permit would make us instantaneously upside down in our loan, which would make selling impossible. Likewise, it would be impossible to keep the property with our \$5k+ monthly mortgage and no way to cover those costs through the income that was the sole purpose of our purchase.

- 4) The implementation of these short term rentals and lodging regulations would bankrupt families in Larimer County. Families that are not wealthy, and that poured their entire life savings into these investments and businesses that operate STRs. It would be wrong to economically devastate these families.

Larimer County and Estes Park enjoy the many benefits and tax dollars gleaned from the tourism passing through our STRs. Estes Park enjoys its own police force, a nice recreation center, and money for its social programs. Privileges many towns their size cannot afford. STRs are good for Larimer County, the Town of Estes Park, and its residents.

Thank you,
Paul Chase



LUC 2020 <luc2020@co.larimer.co.us>

New rules

Lynn Ketelsen <lynn@lindernetwork.com>
To: luc2020@co.larimer.co.us
Cc: LeAnn Morris <leannjmorris@gmail.com>

Wed, Nov 16, 2022 at 10:44 AM

From my experience you have to be careful what you wish for. I know of a community that sharply limited short term rentals several years ago. Now they have long term renters with dog cages in the yards, buildings falling into disrepair, multiple families in one housing unit , unpaid taxes and utilities etc. it may sound good to stop short term rentals, but the people in this town would gladly go back. Unintended consequences are real.

Sincerely
Lynn Ketelsen
Owner
2640 Raven Circle
Estes Park, CO

Sent from my iPhone



EVSTRA

Frank Cebul <fcebula@gmail.com>

Wed, Nov 16, 2022 at 1:14 PM

To: luc2020@co.larimer.co.us

Cc: Robert Cebul <rdccebula@gmail.com>, Bernadette Cebul <mdbcebula@gmail.com>

To whom it may concern:

I am part owner of a 1427 square foot, 3 bedroom home in the Windcliff neighborhood that has been in my family for 40 years. During those years four generations of my family have enjoyed countless trips to Estes Park. My sons and I earned Boy Scout merit badges at RMNP, we have watched Estes Park grow up into a thriving city, and we all have fond memories of this area.

Over the past few years we have offered short term rentals. All of the profits have gone into maintenance, repairs, renovations, and safety enhancements. We have conscientiously followed all legal requirements and have never been informed of any noise or nuisance complaints. We have greatly increased the value of the property to the betterment of your community.

I request that you proceed slowly with your deliberations. Please use restraint to avoid heavy-handed, burdensome regulations. Thank you for your thoughtful consideration.

Sincerely,
Frank Cebul
Sent from my iPad



Short Term Rental Restrictions

Robert Cebul <rdccebul@gmail.com>

Thu, Nov 17, 2022 at 7:52 AM

To: luc2020@co.larimer.co.us

- > To Recipients regarding alarming proposals by Larimer County
- >
- > Larimer County regulation changes for short-term rentals
- >
- > I attended the Larimer County Zoom meeting on November 1, 2022 and have multiple extensive comments.
- >
- > Through inheritance, I own a very modest home in Windcliff Estates which has been part of our family for over 40 years. Because this is a private residential luxury neighborhood with recorded HOA covenants, I already abide by multiple regulations. I have spent significant additional monies to comply with the most recent Larimer County regulations. Therefore, I found the current discussion regarding additional restrictions quite alarming as I am only able to continue ownership by offsetting some of the costs using short-term rentals. I am concerned there is a lack of transparency in the requirement for additional restrictions and suspect there is unshared information driving this process. The short timeline for comment and apparent expedited plans for imposition of significantly increased restrictions suggest such an agenda. The very thought that the new regulations could completely prohibit short-term rentals in our already governed residential area seems like extraordinary government overreach.
- >
- > Safety, Access, and Compatibility were offered as reasons for the need for additional restrictions.
- >
- > Safety
- >
- > My home has 3 bedrooms. In addition, we have a living space with immediate ground level door access. This has a sleeper couch typically used for children, if needed, therefore allowing a maximum of 8 occupants utilizing the current 6 plus 2 rule. The new regulations allow for only 6 persons and is not substantiated by reasons. This is restrictive to the wholesome family visitors who we attract and are good for Estes Park. If safety is your concern, then I wonder whether you have similar restrictions for single-family homes in Larimer County and if not, why. We have 10 fire extinguishers in our home. Is this your expectation for all Larimer County homes? As many have already commented, I would strongly encourage continuing the 6 plus 2 rule so we can continue to attract families with children and expose them to the wonders of Rocky Mountain National Park.
- >
- > Access
- >
- > This regulation regarding driveway width and turning radius is clearly meant to be restrictive and punitive. As everyone who knows anything about the topography of Estes Valley, there are hills and mountains which absolutely preclude the feasibility of meeting this requirement. I know that I have a fire hydrant immediately at the entrance to my driveway and that delivery trucks back down to my home with ease. I would contend that safety services would have an infinitely easier time of reaching my home with the necessary fire and safety equipment over some of the larger homes in the Estes area. This restriction applied like a blanket requirement is simply not reasonable and seems recommended for punitive purpose then common sense.
- >
- > Compatibility
- >
- > As mentioned, I live in a private community with our own HOA. We comply with all requirements and because of the "family" based clientele that I attract, I have not had any complaints. I found the lack of discussion regarding enforcement of current regulations to be of significant concern. If compatibility is a driving concern, then management and coordination of a response system would be more appropriate than more layered restrictions. Of deep concern is that the current proposal does not discuss a call center or coordinated effort to assist with resolving said rental concerns. The lack of this as a component further speaks to a hidden agenda driving Larimer County to be ultra-restrictive in STR licensure.
- >
- > I urge Larimer County to consider the local lodging taxes and revenue brought in by our clientele as a strong incentive to allow me license continuation and further allow for transfer of license via inheritance or sale. The current biannual renewal appears to be functional and I see no reason to replace it with more costly and cumbersome annual replacement. My family and I very much enjoy Estes Park and RMPN and we have supported the local economy for many years. We have already committed significant resources but continue to need STR so we can remain engaged and so we can provide this ongoing opportunity for our children. I recommend commonsense and compassion in moving forward.

>

> I hope that the Larimer County Commissioners provide full transparency regarding this new level of restriction. If indeed, there is a deeper agenda like attempting to provide additional long-term rental and workforce residency, then all involved are owed this as an explanation. This type of lodging would not be appropriate for Windlciff Estates, so I would request understanding and approval of appropriate but not punitive measures for those of us who have already made considerable investments in hopes of family enjoyment. We deeply wish to continue as good owners who are good for Estes Park and the region.

>

> Robert Cebul

>

> To be very clear. I am dependent upon short term rentals to retain this property and my dreams. Every bit of income goes back into maintenance and upgrades which at Estes rates highly benefits local work. The home currently needs a new roof, exterior painting, and driveway sealing. I am asking you not to play politics with my dreams. I have and continue to work very hard at this in the hopes of future enjoyment!

Sent from my iPhone



STR Regulations

Linda Moak <pmoak@aol.com>

Thu, Nov 17, 2022 at 8:00 AM

Reply-To: Linda Moak <pmoak@aol.com>

To: "luc2020@co.larimer.co.us" <luc2020@co.larimer.co.us>

After serving on the 2016 Estes Valley Task Force for Vacation Rentals and for many months on the Estes Valley Short Term Rental Committee, I find the biggest issue involved to be getting rid of the "bad apples" in this industry. STR properties provide a very necessary source of lodging to visitors in the Estes Valley and are, in general, very well managed. The actions of a very few have given rise to the move to eliminate all STRs. I urge you to consider doing less in the regulatory area rather than more, and to concentrate on enforcement! The current cap should be maintained and provided a potential license applicant has met the required health and safety inspection as well as the other requirements for licensure, they should be given the opportunity to establish a STR property. If they do not conduct their rental in a professional manner, then shut them down. Larimer County should enforce the regulations already established rather than make new ones that would be onerous to our community of mostly responsible STR owners.

Sincerely,

Linda Moak



Vacation Rentals in residential areas

nancy curtiss <nancyjo1977@gmail.com>

Thu, Nov 17, 2022 at 9:12 AM

To: "luc2020@co.larimer.co.us" <luc2020@co.larimer.co.us>

I just read a story on the Trail Gazette urging people to weigh in on Vacation Rentals in residential areas.

I am in favor of:

- Rezoning the Estes Valley
- Eliminating vacation rentals in some zones
- Limiting the number of days Vacation Rentals can have paid guests
- Imposing new regulations
- Eliminating the transfer of a permit

As a resident of Estes for 35 years, I have certainly noticed the detrimental effects Vacation rentals have on our community. We used to have one down the road that has thankfully sold. However, I would come home from work and find someone had used our hot tub, our deck, our property for dog defecation. I have had to chase people off our property who just wanted to "look around" and call the Sheriff to ensure they don't come back. I have had to go out and take a photo of their license plates to instill my belief they don't have the right to be on our property. We have had Vacation rentals throw out food and set up cameras hoping to photograph bears.

We now have no reasonably priced housing for teachers, nurses and professionals who work here. Of course Colorado is expensive, but Vacation rentals drove up prices long before our recent boom. It is out of control. Please share with the County Commissioners that our local community is ready for this change.

Thank you for your time.



Community Comments - Short Term Rental (STR) Regulations

2 messages

Karen Huntsberger <kmhuntsberger@gmail.com>
To: luc2020@co.larimer.co.us

Wed, Nov 16, 2022 at 7:26 PM

To whom it may concern,

I am a resident of Larimer County (LC), I live in Pinewood Community.

I have been participating in the webinars and going to several hearings on this topic and it certainly seems like the community is divided into two camps, (1) STR Owners (2) Everyone Else.

As a homeowner and someone firmly entrenched in camp #2 - I appreciate efforts to regulate this industry within reason and keeping the wellness of the residential communities in mind.

Below are my comments to the draft regulations provided:

1. Public Safety: I believe the possible risk to public safety should be a criteria for STR approval. In the Draft Regulations provided you have indicated that STRs will not be permitted in "floodway" areas due to the possible risk to public safety if a weather event were to occur that resulted in flooding. I believe this is on the right track - but I would posit that we should also consider allowing / disallowing STRs on the basis of the Insurance Service Office (ISO) rating of an area. For example - many of us (including myself) live in rural Wildlife Urban Interface (WUI) communities with ISO scores of 10/10 - meaning the highest risk for wildfire. As a member who has been evacuated for wildfires 3 times in the last 4 years, I would say this is enough of a Public Safety issue that we should not be allowing STRs to set up shop in these areas at all.

Recommendation - add Public Safety as approval criteria and list unsafe areas that cannot accommodate STRs

2. Compatibility Criteria: The current requirements call for the STR application to demonstrate that they are 'compatible'. But my experience with the hearings have been that the concept of compatibility is very subjective and it is difficult to "prove" one way or another.

- One gauge of compatibility perhaps could be local community support - if a large percentage of the community members within a 500 ft of the STR can demonstrate they are "for" or "against" that might be a mechanism
- Another gauge of compatibility could be total STRs in the immediate area. As we have seen in Estes Valley and Breckenridge, it might be a good idea to include saturation in terms of compatibility. These are residential areas and can only support so many "businesses" before they need to be reclassified the zoning as "commercial". Thus it seems like if there is another STR within 500 ft or if 10% or more of the properties in the area are already STRs you could argue that ANOTHER is incompatible.
- Compatibility could be gauged with Public Safety (see comment above)
- Infrastructure should be a compatibility consideration as well. There is a difference between incorporated areas that rely on publicly provided infrastructure (roads, lights, signage, water, sewer, trash) and rural communities, many unincorporated, that rely on community provided infrastructure. In cases of community provided infrastructure, compatibility is more of a question as the STR hosts will not be paying taxes or volunteering to contribute to that ecosystem. As an example - in my community - we do the road maintenance, snow removal, trash removal, water cleaning and storage, noxious weed removal, fire mitigation etc. all on our own. When STRs are allowed to move into our community - the STR host benefits from low taxes while also wholly relying on the volunteer time and effort of the local community members who create the ecosystem in which the STR exists.

3. No Party Rule: There are several STR hosts that say "AirBnB has a no party rule" like that alone should alleviate concerns that the house will be rented for parties. However there are several other websites that housing rentals can be posted on. I would recommend that the Land Use Code itself has a stipulation against "parties".

4. Underage Drinking: Can we add a clause to shut down an STR for any verifiable report of underage drinking. I suggest this only because these events seem to be the most disruptive for individuals living next to STRs.

5. Transfer of STR Licences: Should not be allowed. Each STR applicant should have to apply on the merits or demerits of their project. Grandfathering in Licences, not only denies LC from revenue it generates with the application

process - but it also assumes that all STR hosts are created equal. In short, it creates a legacy of STR that cannot be broken with the transfer of property and, if coupled with limits on total STRs in an area (if that were implemented), would deny the opportunity to others.

6. Large / Small / Limited / Full Designations: I do like your idea to provide more specific "categories" of STRs to help gauge the compatibility of a project with an area. I think this needs a bit more work - but I think it is heading in the right direction.

- Large STRs - should be prohibited from rural / open areas
- Limited STRs (100 nights or less) - should be required to submit a calendar of date it will operate so there can be some kind of oversight as to if the STR is going to stay true to their designation
- Lodges should also be more clearly defined
- Define "lives part time" in the residents. We have seen a lot of STR hosts claiming STR status because they "live there part time" when in fact they bought the place expressly to turn it into an STR and visited it a couple of times. The "lives part time" designation is somewhat of a loophole - as a suggestion.

Thank you very much for the opportunity to provide input and feedback. I think that there is a time and place for STRs, and it is important to neck down on where the right project and right place is.

V/R

Karen Huntsberger
300 Newell Drive
Loveland, Co 80537

Karen Huntsberger <kmhuntsberger@gmail.com>
To: luc2020@co.larimer.co.us

Thu, Nov 17, 2022 at 3:59 PM

To whom it may concern,

As a quick follow up to my original email - I would like to make a clarification.

For rural STRs I do think the "affected area" should be expanded from 500ft to at least a mile.

This would be for both impact and comparability assessment.

The justification for this request - pertains to how remote and often spread out these communities are. Though farther than 500ft - often due to the remote location - sound and impact travel further.

Just an amendment to my earlier email.

Thanks in advance for your time.

- Karen
[Quoted text hidden]



Short Term Rentals

quinnpeterson303@gmail.com <quinnpeterson303@gmail.com>
To: luc2020@co.larimer.co.us

Thu, Nov 17, 2022 at 4:21 PM

Good afternoon,

My name is Quinn Peterson. I am a homeowner, taxpayer, and local business owner in Larimer County. I employ around 10 people in the county at Color Me Mine in the Foothills Mall. I do not own a short-term rental property.

I cannot support changes to the short-term rental permits in the county. Families have made investments based on those permits, and having the rug pulled out from under them in this housing market would be devastating. Those permits constitute a private-public agreement, and changing that agreement in the middle of it is shameful and dishonest. Keep your word, honor the permits. Don't issue new ones if they are causing problems, but we can't change the existing permits.

I am watching this issue very closely and will be supporting those government officials that honor the permits already written. Many active business owners are also looking at the permit changes very closely. If Larimer County can on a whim go back on their word in this area, what is to stop you for one day coming after any permit or agreement I have with the county. Small business owners will band together and vote accordingly. Thank you for your time and consideration.

Thanks,

Quinn Peterson

Color Me Mine

801-866-7594



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Short Term Rental

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Sun, Nov 20, 2022 at 12:40 PM

FYI



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Robin Smith** <Rsmith@smithassociatespc.com>
Date: Sat, Nov 19, 2022 at 11:00 AM
Subject: Short Term Rental
To: eotranch@gmail.com <eotranch@gmail.com>, pmoak@aol.com <pmoak@aol.com>, poggenpohl@mac.com <poggenpohl@mac.com>, ftheis3@gmail.com <ftheis3@gmail.com>, dhwebb10@gmail.com <dhwebb10@gmail.com>
Cc: ellislk@larimer.org <ellislk@larimer.org>

First, I want to thank the members of the Planning Advisory Committee. I have served on several unpaid board positions, and I appreciate your service.

I listened to the meeting you held tonight, and it appears that.

1. the grandfathering the current regulations of the current short term rental licenses is a given, but not written. I think that maybe (and it may be clear in the proposed regulations) that the new rules other than a periodic inspection would only apply to new applications. Although it seems that you are thinking of not allowing new short-term rentals in residential neighborhoods. I think part of this thinking is due to a significant number of complaints. I think if I heard correctly Lesli indicated that the number of complaints is low. It seems that some of you on the committee have preconceived notions about possible unsubstantiated adverse effects of a short-term rental in a residential neighborhood. I think it would be wise to review the complaints and recognize that these are few and far between. If the complaints are few why not deal with the problem rentals instead of punishing all rentals. I would argue that long term rentals pose a far greater adverse effect on a neighborhood than the short-term rental ever could. The argument that the homes near the short-term rentals are also less valuable because of the short-term rental is unsubstantiated but stated by the committee as a fact. I presume it is only the committee members perception. Has a study been done on similar homes in a neighborhood and the selling price of the neighboring properties to a short-term rental and its resulting sale price being lower due to its proximity to a short-term rental? I doubt it, if so, please present this evidence.
2. The other issue I have is with transferability of the short-term rental License. It seems that some on the committee members want to do away completely with the short-term rentals in Estes Valley neighborhoods. The attempt is through transferability. My particular property has been in our family for over 80 years, and I am certain there are many properties of this age. It is our intention to pass this property from generation to generation in the future. I think that the rental license should follow the property and limiting this to one transfer seems unfair. You seem to be punishing future generations where no crime has been committed. I would ask that you seriously consider the ramifications of this action or at least wait to impose this after considering all the facts. Also, consideration on a case-by-case basis seems reasonable.
3. It appears that you have already made an exception for properties located in the wildwood subdivision by the YMCA (I may have the name incorrect), please explain what they are doing differently.

Thank you for your consideration.

Robin Smith



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: STR

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Sun, Nov 20, 2022 at 3:18 PM

FYI (Sorry if it's a duplicate).



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Robert Cebul** <rdccebul@gmail.com>
Date: Sun, Nov 20, 2022 at 11:08 AM
Subject: STR
To: Jill Johnson <estesrentals@gmail.com>, <ellislk@larimer.org>, <info@evstra.org>, <wigby@prairiemountainmedia.com>, <vahlenkampj@prairiemountainmedia.com>, <ericlarsen@coloradoan.com>, <eotranch@gmail.com>, <converseevplanning@gmail.com>, <pmoak@aol.com>, <poggenpohl@mac.com>, <Ftheis3@gmail.com>, <Dhwebb10@gmail.com>, <jShadduckMcNally@larimer.org>, <Kstephens@larimer.org>, <jkefalas@larimer.org>, Jill Johnson <Estesrentals@gmail.com>, Frank/personal Cebul <fbcebul@gmail.com>, Carolyn Cebul <cjsagey@gmail.com>, <megan@the-macmillans.org>, <cebulretail@gmail.com>, <luc2020@co.larimer.co.us>
Cc: <rich@chiappe.com>

I attended the Estes Valley planning advisory committee meeting of November 17, 2022 and wanted to share with you my impression regarding the proceedings. I am in a unique position of having a good friend in a different state currently experiencing a similar process for regulating short-term rentals. Whereas his experience appears to be more consistent with a win-win approach it appears the Estes Valley approach is more of a lose-lose. The homeowners are being stripped of rights and are losing with more costs and less or even no revenue and the city is losing with loss of revenue and reputation. Even the committee composition having only one person with personal experience with short term rentals and the burden/costs of the current restrictions seems heavily biased.

I am providing this advise and encouragement from what I have witnessed, so hopefully your committee can add positive value. Especially in this era of highly polarized politics, one must keep this type of approach completely separated from your committee endeavors. Having language like someone is completely against STRs in any residential environment and suggesting tax payers are cheaters is very counterproductive to a positive outcome. It would be the obligation and responsibility of any committee member to enter this process in a neutral position so as to better assess input provided from all opinions. A pre-decided opinion or conclusion is again counterproductive to what should be a cooperative adventure. In the same light of seeking fairness to all homeowners, pushing an agenda from a vocal minority should not rule the majority.

Clearly, compatibility appears to be the over-whelming driving influence that is leading this committee and the County Commissioners to seek additional restrictions. I would suggest, however, that you are approaching it in a fashion that is less productive than other counties and cities. One cannot legislate out compatibility. I wonder how you handle a bad neighbor in one of your residential areas? That neighbor would be present 365 days a year. There would be no license or enforcement measure that could be applied. The committees implication is that a permanent neighbor is better than other options but this clearly is not the case and leaves homeowners essentially no recourse.

The key component that has not been addressed is how to assist with compatibility. This truly seems to be the committee and vocal locals concerns. So why not address this? My friends experience is one of encouragement to STR's. There are the typical fire and basic structure and parking regulations. A license is required. Much of the application can be performed on-line and a site map can be uploaded as well. Extensive/expensive home remodeling is not part of the requirement. My understanding is that this is felt to be discriminatory to short-term rental owners in deference to other homeowners of the area. If safety is truly the concern then all homeowners should have to make said conversions. My understanding through his discussion is that these single-family homes for rent are not expected to meet corporation/hotel standards as renters fully understand the type of property they are renting and it is not a hotel. Obviously, as stated above, basic safety measures are required but expensive inspections are not expected. Having met the requirements for license then required state/local taxes are added to the renter's costs. In addition, a 2% tax is added to the renter to help fund a county supplied central response center. This is staffed 24 hours daily to handle complaints and calls. There is also an officer available to respond when needed. To further assist with funding this center, each short-term rental owner is assessed a fee of \$200.00 annually. This allows a win for the short-term rental owner to meet basic requirements without extraordinary cash outlay while still dealing with the compatibility issue which is the topic of concern. The call center would work in concert with local owners/management companies to maximize a cooperative and collegial outcome. This is a win for the city as obviously visitors bring in significant revenue. This is a win for the residential neighborhoods as they now have a organized call and response center. This county has been very proactive and collegial in making this process as streamlined and cooperative as possible. They have not been exclusionary or punitive or antagonistic but have met standards. There are even additional provisions to help assist with complaints from unlicensed rentals.

I am sure that some of you have made provisions for your children or grandchildren or even great grandchildren in the form of financial support. Owners of short-term rentals are simply doing the same and, as you all are aware, a license adds value and security to this planned inheritance. But even more importantly than just money, this means of gifting has strong emotional attachment. Just as you would not expect me to tell you how to handle your inheritance plans, I would expect the same consideration. Clearly, grandfathering adds significant value and should be permitted. Your building codes and permits would detect any changes so I would recommend spending money on the above program rather than less productive inspections.

Robert Cebul



Larimer Short Term Rentals

The Maxwells <pdmaxwell@gmail.com>
To: luc2020@co.larimer.co.us

Fri, Nov 18, 2022 at 1:19 PM

Good afternoon -

I wanted to offer an additional thought as a resident of Estes Park.

We recently went through some conversation about STRs in our community, and a couple things became apparent pretty soon.

One, STR owners formed a sort of coalition and speak / market as a single voice. It amplifies their feedback and, because the message is consistent, they've been able to craft a message based on a lie that has been repeated so much it's taken as truth. The message? STR owners are good neighbors. It's in all of their documentation, all of their communication. Over and over. The people that don't live here, don't raise their children here, exclude through economics of valuation based on business use, purport to be good *neighbors*. It's disingenuous & disgusting.

Two, when the town solicited feedback (quite similarly to the County), one voice was - by definition - left out. The voice of the person who was disenfranchised, blocked from the conversation, from the start. The family that couldn't buy a house because of what STRs had done to property values or availability. How many people have been SILENCED by these "Good Neighbors" simply because they were refused a voice in the first place. So when the town or the county solicits feedback you're inherently going to get input from the folks that have done the exclusion, the ones that have ACTIVELY removed the voice of the young family and their chance for a home.

I think removing rentals from neighborhoods is CRITICAL to creating neighborhoods that families can once again live in and thrive because of. The very FABRIC of our communities should be children playing in the street together, the ability to know your neighbors, to visit with them, to grow up with them. So many problems in our society today are created by isolation - and in its most simple form that happens in the home, or the lack of homes in our communities.

Please continue to push back against the residential zoned short rental business model, without faltering, on behalf of the families that have been excluded, to reverse the negative impact on our children, and work to restore the steadily disappearing sense of community in Northern Colorado.

Thank you,
Pete Maxwell
Estes Park



Form submission from: Public Comment Regarding LUC2020 Linda Sunday

Larimer.org <noreply@larimer.org>
Reply-To: Linda Sunday <noreply@larimer.org>
To: luc2020@co.larimer.co.us

Fri, Nov 18, 2022 at 2:55 PM

New comment submitted on to Land Use Code 2020 on Friday, November 18, 2022 - 2:55pm

Information Submitted:

Name Linda Sunday
Address / Parcel Number [235 Gordon Creek Ln Livermore, Colorado 80536](#)
Email linda.sunday@yahoo.com
Phone 19704934993
Question/Comment

I think the county regulations regarding the permit process for STR's are over the top! Every time I open the packet I just want to sit down and cry. My husband and I had been successfully running an STR through Airbnb for 4 years. We received a 5 star rating from all our guests until Larimer County sent us a cease and desist order. We know how to run an STR and make our guests feel welcome. Our neighbors have no complaints but in fact have often recommended our place to their friends and family. But we don't know how to do most of the things required in the packet. You are making the permit process so difficult that I feel as though you are discouraging people from operating STR's.

Here is a list of our main struggles:

1. Drawing a professional floor plan
2. We don't understand what sort of inspection you want for our septic system or where to have that done.
3. We don't know what you want concerning our well or who to contact
4. We are very concerned about spending a lot of money on upgrades required by the county only to have the county turn around and tell us it is not good enough.
5. The cost of the permit is VERY EXPENSIVE. We are retired and just want to supplement our small retirement income but Larimer County is making this very difficult. It really does feel as if you are trying to discourage people from operating STR's. We have friends in other counties and in other states who run STR's and all they had to do was go to their courthouse, fill out a form and pay a nominal fee and they were good to go. Why are you making this so hard when other counties make it so easy?
6. Even reading the Land Use Code is so complex it makes me dizzy.



Comment on Proposed Short-Term Rentals

Michelle Erickson <michellerstalker@gmail.com>

Fri, Nov 18, 2022 at 8:07 PM

To: luc2020@co.larimer.co.us

I have concerns that the proposed changes would negatively impact many who already own permitted short-term rentals. We have friends who have purchased and had permitted short-term rentals as another source of income for their families. They had budgeted being able to rent their properties for more than the proposed 135 nights per year and if they can only rent them for a limited portion of the year, they would be severely financially damaged and would not be able keep these properties. But what's worse, is that if some of the proposed changes were implemented such as not being able to transfer their permit, their property values would plummet to such a degree that they would sell at a substantial loss to their initial investment in the properties. These proposed changes take away the property rights and values of those with existing short-term rentals. Short term rental permit transferability is a key part of what adds value to their properties and it seems very underhanded to retroactively take away their ability to transfer the permit to other owners.

Although, there may be a need to make changes on short-term rental regulations, there should be some type of grandfathering clause that allows existing short term rentals to continue to operate under the regulations from when they received their short-term rental permits and have these proposed changes apply to future applications for short-term rentals.

Sincerely,

Michelle Erickson
[1927 Virgo Circle, Loveland, CO 80537](#)



STR regulation comment

Deb Dufty <debdufty@gmail.com>

Sat, Nov 19, 2022 at 7:17 AM

To: Frank Theis <ftheis3@gmail.com>, "luc2020@co.larimer.co.us" <luc2020@co.larimer.co.us>

Good Morning.

I have given some feedback during EVPAC meetings, but I wanted to submit comments in writing as well.

I was an Estes Park part-time resident in the 1980s and moved here full-time 2.5 years ago. Estes is my "final stop". My house is my home - not "the STR that I own". I have lived my entire life in college towns, so I am accustomed to a healthy mix of permanent and temporary residents. But this is my first experience in a place where so little is held precious and so much is for sale. I am asking Larimer County to recognize that the rural areas outside of Estes town limits ARE precious. If they are not protected from the pressures which drive the decisions within the town limits, they will ultimately disappear.

1. Having read some of the current case law, I believe that the County is the most appropriate body to regulate STRs, not individual HOAs. HOAs are not necessarily active, and certain areas may have none- or too many. (On Dry Gulch, for instance, each street has only a handful of houses but each has its own HOA.)

The most effective way to assure enforcement and limit lawsuits is to ensure regulations are sited in appropriate law - something the County does anyway as part of its practice. HOAs are often cash-strapped and leery of getting an attorney involved. If an HOA is the regulating body, it is also the enforcing entity - and few can afford to litigate the matter to judgment.

2. I do not believe STRs belong in residential areas which are not zoned for "accommodation". Appropriate zoning and enforcement provides reliability for homeowners when making the largest investment decision most will make. Those who purchase a home with the intent of renting it out as an accommodation know they must seek out a home within the appropriate zoning. They can then invest in that home without fearing their ability to rent it out will be restricted. Homeowners who purchase a house which will serve as their home can rely upon residential zoning to ensure their house is not devalued-or their neighborhood gutted- by future STRs.

3. I agree with EVPAC that the limitations of enforceability preclude types of STRs which seem otherwise reasonable (full-time residents wishing to rent out their house a few weeks a year, for instance). Enforceability outside the Estes town limits is particularly challenging because our law enforcement may be even farther away than an STR's designated contact person.

4. Prohibiting STRs in residential neighborhoods restricts only one type of rental. In fact, doing so may increase homeowner interest in renting out their property for longer than 30 days - and Estes NEEDS more long-term rentals. I am a member of the Estes Park Housing Facebook page, and many of the people who are looking for housing in Estes are open to renting for less than a year. Because renting out a home as an STR is more profitable, the long term rental market can be negatively impacted by STR growth within a community. While I appreciate EVSTRA's professed concern over the plight of our unhoused working class, I find their position somewhat disingenuous.

5. The Estes Valley is just one of many places where it does matter whether one lives within the town limits or in the unincorporated county. In places close to town, such as Carriage Hills or Mary's Lake, the distinction may be unfortunate. But the areas that are truly out of town, such as Fall River Road, Highway 7, Devils Gulch, and Dry Gulch, serve an important role: they are where the Estes Valley retains its historical rural character. These areas are open to all to enjoy without timed entry or fee. They are sufficiently vital to the character of the valley that it is a worthwhile venture to say "NO" to those whose sole interest is to make a buck off of a place which will be lessened as a result. The Town of Estes Park is their playground; the County need not be.

Thank you for your hard work and the time you have put in to try and get this right, regardless of what you decide.

Best,
Deb Dufty



short term rentals

Frank Cebul <fcebula@gmail.com>

Sat, Nov 19, 2022 at 8:55 AM

To: luc2020@co.larimer.co.us, Bob Cebul <rdccebula@gmail.com>

To Whom It May Concern:

I am sending some comments relative to the most recent Zoom meeting on Nov. 17.

1. I own a home, not a motel. Big difference.
2. Neighborhood home values are affected mostly by home market inventory and market demand, and quality and value of homes in the neighborhood. There are strong incentives for STR owners to invest in their properties so as to better compete with other STR owners. STR owners want repeat business--there is strong disincentive to cut corners on safety, maintenance, and repairs. People who fear reduction in their home value due to STRs in the neighborhood should consult with realtors to become better informed. As long as they keep up with maintaining and updating their home and property, their property values should vary along with the neighborhood.
3. Fear and suspicion of strangers is an attitude issue. People who rent STRs have to have enough disposable income to afford the costs of travel, eating out, and time away from work. Travellers also tend to be fun people with interesting stories. If you are cheerful and friendly toward them, they are almost certainly going to reciprocate. The renters would more likely police themselves regarding noise and other courtesies if they received a smile and a wave from neighbors instead of scowls and indignation. Chances are that you spend more time next to strangers eating at a sit-down restaurant for a one hour meal than you do during a week of living next to a renter in a STR.
4. No one is going to invest in safety improvements to meet code requirements, just to later dismantle the improvements. There is no need for periodic home safety inspections after the original licensing of a homeowner. If my home meets standards for my family to live there, then it meets standards for your family to live there. Periodic compliance attestations could be considered. If the committee insists on frequent on site inspections, then the committee should pay for them out of your budget. That way you will be keenly aware of the value of those inspections. I predict that you would not find them to be cost effective.
5. I endorse the concept of mandatory "bed tax" (or some other name) to fund a county office that responds to complaint and concern calls, to be assessed to the renters. There should be smooth collaboration between this center, owners, and managers to continuously improve the system and the STR industry.
6. For some reason there is no obvious way for me to respond verbally during your zoom meetings. There is no microphone icon on my screen like there is in zoom meetings I have with other entities. How can this be corrected?

Thank you again for your thoughtful consideration,

--

Frank Cebul



STR response to proposed regulations

Nancy Holt <nhholt@gmail.com>
To: luc2020@co.larimer.co.us
Cc: JShadduckMcNally@larimer.org

Sun, Nov 20, 2022 at 10:31 PM

I am writing to provide feedback on the proposed Short Term Rental Regulations. I am a co-owner of a home in the Estes Valley that has been in our family for over 50 years. I am most concerned about the presence and density of STR businesses in residential neighborhoods. I would like to see limits placed on the number allowed in any one neighborhood and hope, as you indicate on page 15, that issue and a review of the caps will be open for discussion in the near future.

My comments on the proposed regulations are as follows:

I agree with STR definitions presented which break out the various types of STRs. there are differences.

3.3.5. B 2 c

I believe allowing the STR owner or manager to live one hour away is too long. If there is a significant problem, a shorter response may be important and would be more considerate of neighbors.

3.3.5. B 2 u regarding transferability of a STR license.

I would support Option 2 with the possible exception of allowing transfer to offspring of the original owner of the license. Not allowing the license to be transferred upon sale of the property seems like a fairer way to handle the licensing. And returning the license to the cap pool upon a sale might offer a way to reduce STR saturation of a neighborhood by attrition.

3.3.5. B v

I think the owner should be required to self certify the two years between the three year inspection. And if the self certification is found to be faulty or false the license would be lost.

Supplemental Regulations for the Estes Valley (Article 13) – Estes Valley Zoning Tables STRs. I strongly support Option 2 (page 14), the most restrictive.

In addition to the feedback above I would like to respond to the many comments made by the Short Term Rental Association during the zoom meeting I attended on Tuesday November 3 . Rather than addressing the proposed recommendations, which I thought was the purpose of the meeting, the members frequently used their time to defend and/or promote the STR industry in Estes Park.

Some speakers lamented the Association was not asked to partner with the city and county (or ignored the Association's offer to work with them) as the latter planned and executed the review process. *As an individual homeowner, with a smaller voice, I feel partnering in that fashion would have been totally inappropriate. I appreciate the efforts made by the government entities to level the playing field.*

Others mentioned that STR owners have made "major investments" or used a large portion of their "life savings" to purchase their homes/properties. *There was no acknowledgement that non STR homeowners have done the same, many long before the concept of STR's came along.*

Still others talked about STR owners wanting to be "good neighbors". *That is a little hard to do if they live off site. One definition of neighbor is "one who lives or is located near or next to another". I would add good neighbors know and respect each other, interact with one another at least occasionally, watch out for each other, etc.*

One association member stated the "character of a neighborhood" was an invalid consideration" because "character" is subjective not objective. *But the character of a neighborhood is a selling point highlighted by relators and often prioritized by buyers. The "good" in good neighbors is also subjective as are other oft used descriptors.*

Finally I take issue with the Association's claim that Estes Park is heavily dependent on the income STR renters generate for the city. The rental income goes entirely to the STR owner so the Association must be referring to the money STR renters spend elsewhere. There are many alternatives to STRs in Estes Park (hotels, motels, cabin complexes, etc) that provide housing for tourists without impacting residential neighborhoods. In addition to tourist spending I would say EP is also dependent on tax paying residents who year round support with their money and time the museum, library, arts organizations, school district, stores and restaurants. Those entities, and not STR rentals, are what for years have made Estes Park a desirable place to live and to visit.

Thanks to those who have worked in good faith to make this review process fair and effective. I hope the Town and County will proactively head off some of the problems Salida, Grand Junction, Aspen, and communities across the country are having. Communities where STRs are making headlines, and not positive ones.

Please acknowledge receipt of this letter. I believe it is correctly addressed but I would like confirmation. Thank You.

Sincerely,

Nancy Holt



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Please prioritize HOA covenants in STR regulations in Residential Zones

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Mon, Nov 21, 2022 at 11:08 AM

did not see you on this list, laurie

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

From: **Rich Chiappe** <rich@chiappe.com>

Date: Sun, Nov 20, 2022 at 6:09 PM

Subject: Please prioritize HOA covenants in STR regulations in Residential Zones

To: <poggenpohl@mac.com>, <converseevplanning@gmail.com>, <pmoak@aol.com>, <eotranch@gmail.com>, Frank
Theis <ftheis3@gmail.com>, <dhwebb10@gmail.com>, <jshaddockmcnally@larimer.org>, <scottsfast@yahoo.com>

Cc: Lesli Ellis <ellislk@co.larimer.co.us>, <jkefalas@larimer.org>, <kstephens@larimer.org>

Planning Advisory Committee Members & Commissioners,

I apologize if the residents of Windcliff Estates are sounding like a broken record, but we still do not see any additions or edits to the draft STR regulations which would prioritize HOA covenants in STR regulations in residential zones.

Windcliff's continued request is this: if an HOA's recorded covenants/amendments PERMIT and self-regulate the permissible and acceptable operation of STRs, the County should not further restrict, prohibit or impede the operation of STR's in any such residential zones in any way (caps, transferability, etc.).

We of course request this in light of the fact that our private residential community, Windcliff Estates, was developed to permit its homeowners to offer their homes for short-term rental at any time at their choosing. Our neighborhood has always and continues to provide on-site professional rental management services and our residents have long appreciated the harmonious operation of STRs among our mix of full-time and part-time seasonal residents.

Although Windcliff is bordered by A and A1 zones, Larimer County erroneously zoned Windcliff E-1 in 1999 despite the fact that fewer than 60 of Windcliff's 160 private parcels are anywhere near or over 1-acre in size and hence cannot possibly conform to the restrictions of A-1 residential zoning. As a result of the County's zoning decision, Windcliff property owners have long struggled with development with variances needed for E-1's 25' building setbacks and now we struggle to continue to maintain and permit the legal operation of STRs in our community.

Again, I feel like I've brought this information to light previously, but yet we continue to see no reference to, inclusion or consideration of these factors in the draft proposed STR regulations. Please, please, please kindly consider the addition of this provision for the benefits and desires of Windcliff's residents.

Thank you again to each of you for your committed service to our community. If you have any questions, please do not hesitate to reach out to me at any time.

- Rich Chiappe
Owner, [Windcliff.com](https://www.windcliff.com) Vacation Rentals
Licensed Colorado Real Estate Broker
o (970) 586-2181
c (970) 619-9036

--



Laurie M. Kadrach
Assistant County Manager

Community Planning, Infrastructure and Resources
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970) 498-5741 | M: (970) 589-0674
Kadriclm@co.larimer.co.us | www.larimer.org



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: EP workforce

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Mon, Nov 21, 2022 at 11:11 AM

FYI

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

From: **Monica Brown** <monicahonika@gmail.com>
Date: Sun, Nov 20, 2022 at 12:38 PM
Subject: EP workforce
To: JKefalas@larimer.org <JKefalas@larimer.org>

As a resident of Estes Park in Larimer county, I commend you in reducing the number of short term rentals. It should not up to other people to pay for shortcomings of the times or area. We are being overrun by these rentals where I live, and we certainly need less not more. Thank you.

--



Laurie M. Kadrach
Assistant County Manager

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Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Support for Proposed Zoning and Safety Changes in Estes Valley

Laurie Kadrich <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Mon, Nov 21, 2022 at 11:12 AM

FYI

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

From: **Tom Moretti** <tomm2003@outlook.com>

Date: Sun, Nov 20, 2022 at 12:33 PM

Subject: Support for Proposed Zoning and Safety Changes in Estes Valley

To: jkefalas@larimer.org <jkefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>, JShaddockMcNally@larimer.org <JShaddockMcNally@larimer.org>

Cc: Tom Moretti <tomm2003@outlook.com>

Dear Commissioners,

As a resident in the Estes Valley, I want to thank the commissioners and county employees for reconsidering and proposing changes to the existing short term rental (STR) policies in the county/Estes Valley. I want to say that I am not opposed to STRs. However there are places that STRs should not be permitted and clearly there needs to be immediate resolution, punitive measures for investors/property managers/renters when they violate regulations, and some remedies to residents. The existing policies have been difficult for full time residents for multiple reasons. We endure many inconveniences in lighting, traffic, parking, noise, and safety issues (speeding & fires). The burdens residents have related to those inconveniences and having to report violations over and over with slow if any remedy. For me personally I stopped reporting violators quite a while ago and have resorted to handling violators on my own via confrontation or other. STRs often arrive on Thursday or Friday and reporting an STR (using the hotline or law enforcement) rarely gets remedied quickly. Law enforcement is often on higher priority calls and hours from resolving the issue (noise/parking), and the hotline doesn't report issues until Monday AM and by that time the renters are often gone yet residents have had to deal with the mess. Net: The investors and property management companies profit but residents are stuck with the inconveniences and burden of reporting compliance issues. If long term renters or full time residents get reported for a violation it is remedied and not often repeated, especially after a fine. But with STR's these can repeat over and over with little or no downside to renters/investors/property managers.

I've owned a home in the Estes Valley since 2006 and full time resident since late 2012. I've also been a second home owner (non rental), and an STR owner in another state. I understand that STR business quite well.

Prior to being a full time resident I had the unpleasant experience of having an STR immediately next door. It rented to as many as 24-26 people. Those renters would sit on my front porch, drinking and smoking (leaving cigarette butts on deck and yard), park on my driveway and leave trash on my deck and property when we were not there. My neighbors and I reported that rental to the compliance team in EP at the time. Movement was slow so we went to the building department and discovered they'd done non permitted work to accommodate so many renters. Net – we were able to get that STR shut down permanently at great effort. That home is owned by full time residents now.

Two other current rentals on our street have been problematic as well.

1. One home, out of state owner, I'd reported 13 times while the old IGA was in place. Most of those were lighting violations. Flood lights on all night long which happened multiple weekends in a row despite reporting them repeatedly. Then they put motion sensor lights which went on/off all winter long with bushes near the sensor and wind blowing it was like having a strobe light outside our windows. Reporting that condition again took multiple reporting times before it finally was sort of remedied. That rental also had out of town renters who didn't want to pull up the snow covered driveway so four cars parked on our narrow dirt road. This caused the Waste Management Truck to drive through the drainage trench and crush my culvert due lack of room on the road. I repaired the culvert at my own expense and effort.
2. The second home has a very short driveway and regularly has wedding party renters with many vehicles that regularly park on our narrow dirt roadway (Ponderosa Lane in Carriage Hills). This often presents traffic issues. Given the wedding parties that will occasionally stay there we get quite a bit of late night noise. This is where I learned of how long it might take for a Larimer County Sheriff to respond to such calls in the Estes Valley. Again, no downsides for investors and property managers but nightmare scenarios for residents.

Couple of comments on some of the false narratives being spread by EVSTRA and even the publisher of the Trail Gazette:

1. No matter what anyone says, as a former STR investor, I know its all about the money. The more revenue/profit the better.

2. EVSTRA somehow believes that EP Marketing, Workforce housing, and childcare budgets will be destroyed by more protective county regulations pertaining to STR Zoning and Safety.
 - a. This is blatantly false. There is a waiting list of people who either own homes they'd like to STR or would be willing to buy in a neighborhood that permits STRs. There will still be a large # of STRs in the town and valley and great revenues will be continuing. Question – just a few years back there were almost no regulations and few STRs...how did the Estes Valley survive without this new revenue?
 - b. EVSTRA declines to ever mention that some of the workforce housing issue is being caused by the STRs. I personally know three families who are workforce that were long term renters and were pushed out as owners moved the property to an STR (of these, one is a pastor and one an 80 year old couple). These are the very people EVSTRA claims to be protecting with the new tax revenue stream (note that new tax revenue ends up being paid by the renter, not the investor so EVSTRA supporting the tax was an easy yes).
3. Some in EVSTRA claim the new safety regulations will cause many STRs either great expense or closure.
 - a. Not sure I need to say much here. Safety needs to be a priority similar to any lodging business. STRs are a business and not quite sure how they were ever allowed in zoned residential areas.
4. EVSTRA Claim – I can't afford my second, third, forth home unless I STR the property. Or I plan to eventually move there but will STR for only a short time before being full time. Last time I was told that by two of the STRs on my street, one investor owned three STRs in the Estes Valley and the other is still not here. This seems to be a common marketing theme to locals amongst STR investors.
 - a. Why should this even be a consideration? If you cannot afford a second home, then don't own one. That is what most people would do. OR if the regulations change, you can long term rent or sell that home. Any home being sold now in the valley would have a solid capital gain and that could either be reinvested via 1031 Exchange (STR investor way to rollover the gain) or placed in another investment vehicle. Any investments – stocks, bonds, commodities, crypto, real estate, all come with risks whether macro/micro economic, or regulatory, etc. Risks are inherent with investments and why should the county be asked to indemnify someone investing in an STR?
5. EVSTRA and Realtors have said its critical that an STR permit remain in perpetuity with the property. Its only fair since investors "may" have paid more for that property.
 - a. Sorry again this is just not a consideration nor should it for the county. Inherent risk of investing AND again anyone with an STR can likely sell for a large gain along with the market. Homes, especially in zoned residential,

especially in higher density county areas with narrow roads....those should return to the normal housing pool giving a workforce or other full time resident an opportunity to buy.

I could go on as there are no good arguments for not protecting residents from the inconveniences, burdens, and safety issues inherent in STRs. We didn't move to a zoned residential area in the Estes Valley to have these frustrations and burdens and we look forward to improvements and changes to protect the residents. Thank you in advance for having the courage to support residents in what is a very vocal campaign to support the very few investors capitalizing on lax zoning, regulations, and compliance on STRs in residential area.

Regards,

Tom Moretti

[730 Ponderosa Lane](#)

[Estes Park, CO](#)

[\(303\)475-5578](#)

General Improvement District 4 – Board Member

Carriage Hills POA – Board Member

RMNP Volunteer

Larimer County Volunteer

--



Laurie M. Kadrich
Assistant County Manager

Community Planning, Infrastructure and Resources
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Kadriclm@co.larimer.co.us | www.larimer.org



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Concern about new ordinances-Please read this before Nov. 21

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Mon, Nov 21, 2022 at 11:12 AM

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

From: **Jody Shaddock-McNally** <shaddujl@co.larimer.co.us>
Date: Sun, Nov 20, 2022 at 12:25 PM
Subject: Fwd: Concern about new ordinances-Please read this before Nov. 21
To: Laurie Kadrach <kadriclm@co.larimer.co.us>



Jody Shaddock-McNally
Larimer County Commissioner, District 3

Commissioner's Office
200 W Oak St, Fort Collins, 80521 | 2nd Floor
W: (970) 498-7003 | M: (970) 939-0558
jshaddockmcnally@larimer.org | www.larimer.org

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

From: **Larimer.org** <noreply@larimer.org>
Date: Sun, Nov 20, 2022 at 12:20 PM
Subject: Concern about new ordinances-Please read this before Nov. 21
To: <JShaddockMcNally@larimer.org>

This form was submitted on Sunday, November 20, 2022 - 12:20pm from <https://www.larimer.gov/elected-officials/commissioner-district-3>.

Emailing (to) JShaddockMcNally@larimer.org
Subject Concern about new ordinances-Please read this before Nov. 21
Your Name Connie Hollen
Phone 4058209201
Your Email chollen@aol.com
Message (no html)
Dear Commissioner Shaddock-McNally,

My name is Connie J. Hollen. My husband and I own 2 condos (side by side) in Estes Park. We have been traveling to Estes Park since we were children, with our families and have stayed in a variety of accommodations, including vacation homes for short term rentals. We have also spent time in Loveland and Fort Collins. Our daughter has swum as a guest with the team at Loveland High School with Coach Nichols in Loveland, as well as with the FAST team in Fort Collins, and of course at the YMCA and the wonderful facility we have at the Estes Park Community Center, which is supported by our property taxes. We feel like Larimer County, Colorado is our second home.

We are NOT big investors or a management company or an "organized group." We are just regular people that happen to love Colorado and spend time here when we can. We have dreams of retiring to Estes Park someday which is why we bought our 2 condos (that are side by side). We rent our homes so that we can share them with other people who love to visit Colorado and need somewhere to stay. It also helps us afford our property taxes and fees, and our HOA fees and insurance. We don't consider our guests to be strangers, many of them have been staying with us for many years and they talk to us in journals and e-mails. Many of them feel like family to us, and some are in fact extended family. Our neighbors also like to rent our condos for their families and some of them are friends with our guests. Also, we have strict HOA guidelines and strict guidelines from our management company. These rules are enforced, and it has worked out well.

We are concerned about some of your proposed regulations. We have always played by the rules and do everything we can to stay in compliance. However, it is concerning that the committee is considering restricting short term rentals based on density. We feel that may be discriminatory against individuals (like us) who own condos that may naturally have more density than a large subdivision. Many of our guests like to rent our condos side by side when they have a large family so there are only 6 people in each one. They each have their own privacy but they are also together. This is helpful for families including our own when we can get everyone up there at one time.

Another issue we are concerned about is the ability for the permit to stay with the property and be transferable in the event we ever have to sell the property. When we purchased our property (over 10 years ago), we carefully studied the Declarations and Covenants of the neighborhood, and we feel that we made an informed decision that our properties could be rented for short term use (as our covenants indicate). Why would Larimer County want to override our neighborhood covenants that are already filed at the courthouse? Why would Larimer County need to override our existing HOA rules? Long ago, the developer knew what his vision was for this neighborhood. Anyone who has bought a home in this neighborhood has been fully informed that our covenants and HOA rules allow for guest rentals when they purchase their homes.

Lastly, we are concerned about what these proposed regulations could do to our property values. Has anyone with Larimer County done a study about how this could impact individual property values or how it might affect re-sale of the vacation properties in this area? Where are these studies published? In addition, has there been a study on the potential economic impact on the Estes Valley with respect to tourism if these proposed regulations are enacted and reduce the availability of lodging for visitors who stay and spend money in the area? Have there been studies done on how much these new regulations would cost taxpayers to enforce? It seems that these issues should be carefully considered and studied in a credible way to reduce the unintended consequences before the committee recommends these proposals.

Thank-you for your time.

Respectfully,

Connie J. Hollen
(405) 820-9201
1986 Dalman Drive
Estes Park, Colorado
Attach a file (optional)

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Laurie M. Kadrach
Assistant County Manager

Community Planning, Infrastructure and Resources
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Kadriclm@co.larimer.co.us | www.larimer.org



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: deliberative Fwd: STR Estes Valley

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Mon, Nov 21, 2022 at 11:00 AM

FYI

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

From: **Jody Shadduck-McNally** <shaddujl@co.larimer.co.us>
Date: Mon, Nov 21, 2022 at 9:34 AM
Subject: deliberative Fwd: STR Estes Valley
To: Lesli Ellis <ellislk@larimer.org>, Laurie Kadrach <kadriclm@co.larimer.co.us>



Jody Shadduck-McNally
Larimer County Commissioner, District 3

Commissioner's Office
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jshadduckmcnally@larimer.org | www.larimer.org

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

From: **Linda Moak** <pmoak@aol.com>
Date: Mon, Nov 21, 2022 at 7:56 AM
Subject: STR Estes Valley
To: shaddujl@co.larimer.co.us <shaddujl@co.larimer.co.us>

Commissioner,

I know you and I are receiving the same emails of concern for the STR issues in Estes Valley. When I served on the Vacation Rental Task Force in 2016, we were "tasked" by the county to come up with reasonable regulations regarding vacation rentals in the valley. The problem then, as now, continues to be enforcement of the very few and mostly unlicensed properties. I find it incredulous that the county would issue further regulations upon those homeowners who are responsible in renting their homes on a short term basis. As an individual who rented a cabin long term I can tell you the noise complaints and visits by the sheriff for many violations became a tenuous situation as I could not evict the renters until the end of their lease. My neighbor, on the other hand, has a STR which is quietly occupied less than 4 months out of the year. I realize Estes Park continues to have a crisis of work force housing, which has been the case for 25 years. It seems to me that the new tax approved recently would be a step in the right direction for helping to solve this problem. We are 6.4 square miles, as you know, and have been "built out" to almost 100 percent. The tax revenues we stand to lose if we ban or severely restrict future STR is staggering. Steamboat Springs is twice the size of Estes Park in population and they received an estimated \$250 million in 2021 by visitors booking on platforms like Airbnb. If tourism dropped even 10%, local businesses there would lose out on \$25 million! The short term rental industry brings people to town, funds the city, and it is beyond me why Larimer County would want to tax it or diminish it out of existence. You cannot begin to imagine the local Estes Park residents whose jobs are dependent upon the STR industry. The issue is that housing construction has not kept up with job growth. STR play an integral role in the Colorado tourism economy, providing a diversity of accommodation options for visitors, assist many homeowners to afford their homes and are a key revenue generator here that provide jobs, income and taxes to the Estes Valley. I believe our current cap is sufficient, and that as people drop off of the STR list (an estimated 8-10% per year), others should be allowed to apply for permitting. People have invested tens of thousands of hard earned dollars into getting to the point where they can apply for a STR license, and it is patently unfair if they are not allowed to proceed with full licensure. I cannot express my concern enough over the issue of property rights. As long as one person's rights do not diminish another's rights, they should be allowed to operate. Out of 185 disturbance reports last year, exactly 3 were from STR. For the most part, our valley has very responsible owners. For the few that are poorly managed or happen to be unlicensed, therein lies the problem. And, it is the same problem we faced in 2016...lack of enforcement. Until the county steps up and enforces the current regulations, it seems disingenuous to further regulate

STR. I realize that the Carriage Hills neighborhood has a cluster of STR. They also do not have any HOA that prevents STR in their area. Most of the neighborhoods in our valley have strict HOA rules and regulations which translate into zero issues. The majority of our committee votes against recommending approval of STR have come from that particular area. Why Carriage Hills does not, as a community, restrict the operation of STR is beyond me. Again, I am very concerned about applicants outside of Carriage Hills that have come off the cap, met the requirements of health and safety and not received their license to operate. Some on my committee are patently against STR in ANY residential neighborhood. As a person who has lived next to one for over a decade, I find zero issues with one or more in my own neighborhood. I would certainly not be of the same opinion should it not be a well-managed STR. We must come up with a suitable solution that does not infringe upon the rights of responsible owners. Thank you for listening!

Linda Moak

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Laurie M. Kadrich
Assistant County Manager

Community Planning, Infrastructure and Resources
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970) 498-5741 | M: (970) 589-0674
Kadriclm@co.larimer.co.us | www.larimer.org



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Estes Planning Advisory Committee - STR Regulation Input

Lesli Ellis <ellislk@co.larimer.co.us>

Tue, Nov 22, 2022 at 12:13 PM

Reply-To: ellislk@larimer.org

To: Tawn Hillenbrand <hillenta@co.larimer.co.us>, Amy White <awhite@larimer.org>

FYI



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **mike kennedy** <eotranch@gmail.com>

Date: Tue, Nov 22, 2022 at 9:37 AM

Subject: Fwd: Estes Planning Advisory Committee - STR Regulation Input

To: Lesli Ellis <ellislk@co.larimer.co.us>, Frank Theis <ftheis3@gmail.com>

I, as you all also probably, got an email from Tom speaking of residential problems with STRs and the need for residential residents rights. I responded, as I have to all emails, and expressed my surprise at not receiving comments from non STR owners. This was his reply and thought it should be noted. If you didn't get his original email, I would be glad to forward it. Hope you have a glorious Thanksgiving!

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

From: **Tom Moretti** <tommore2003@outlook.com>

Date: Tue, Nov 22, 2022 at 9:27 AM

Subject: Re: Estes Planning Advisory Committee - STR Regulation Input

To: mike kennedy <eotranch@gmail.com>

Thank you Mike and agreed on the resident comments. I've personally urged some that are outspoken privately but are either fearful of retribution or know the owners of STR's and are concerned over damaging friendships. I'm not a fearful person but admit I have concerns over retribution. I know quite a few STR owners and they all been quite aggressive in their positions and at least one will no longer speak with us since we don't believe their investment should outweigh our residential rights. Those are two big reasons you may not be hearing from more residents. Fear that EVSTRA members are sowing via their attacks on anyone disagreeing with their greed.

Regards

Tom

Sent from my iPhone

On Nov 22, 2022, at 8:48 AM, mike kennedy <eotranch@gmail.com> wrote:

Thank you for your insightful comments. While EVSTRA can marshal their force, I wish we could hear more from residential homeowners.

[Quoted text hidden]

--

Mike Kennedy
[2550 Devil's Gulch Road](mailto:mike.kennedy@co.larimer.co.us)
[Estes Park, CO 80517](mailto:mike.kennedy@co.larimer.co.us)
720.244.6411



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Concerns-proposed regulations, Please read before Monday meeting

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tue, Nov 22, 2022 at 12:12 PM

FYI



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Charles Hollen** <chollen@aol.com>
Date: Sun, Nov 20, 2022 at 7:59 PM
Subject: Re: Concerns-proposed regulations, Please read before Monday meeting
To: converseevplanning@gmail.com <converseevplanning@gmail.com>
Cc: ellislk@co.larimer.co.us <ellislk@co.larimer.co.us>

Yes, you are correct. I accidentally misspelled Dallman Drive. It has 2 Ls.

Thank-you for e-mailing back so quickly! It is reassuring that the EVA short term rentals are proposed to have a different and more simple approval process for us personally at this time. Nevertheless, when I contacted someone at Larimer County about these regulations last week, they said it is not entirely clear how they could affect us now or in the future. Every year, something seems to change and there continue to be incremental increases in the fees and other changes that do adversely affect us. In addition, I am very concerned about the general negative tone that I sensed at the meeting from a few (not all) of the committee members regarding short term rental properties in general. As I noted in my e-mail, we consider individuals who rent our units to be our guests.....they are regular folks like you and I who just want an alternative place to stay sometimes when they visit. Many of them come back year after year and they have become close to us as well as to our neighbors. They are not monsters.

Regardless of what zone we are in now, the county could change things in the future, and I am not sensing they are particularly empathetic about how they impact those of us who have short term rentals.

My questions in the last paragraph of my e-mail still stand. I think the Committee need look at studies that look at the potential consequences of these new regulations before they are recommended.

Thank-you again for listening and giving us an opportunity to be heard.

Respectfully,

Connie Hollen

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

From: converseevplanning@gmail.com

To: 'Charles Hollen' <chollen@aol.com>

Cc: Lesli Ellis <ellislk@co.larimer.co.us>

Sent: Sun, Nov 20, 2022 6:42 pm

Subject: RE: Concerns-proposed regulations, Please read before Monday meeting

Hello Mr and Mrs. Hollen,

Thank you for your note. Most of the more challenging short-term rental discussion has been about properties that are zoned residential.

However if your condos are both located on Dallman Drive, then based on the Larimer County Tax Assessor website (<https://www.larimer.gov/assessor/search#/detail/R1640405/general>), the properties appear to be zoned EV A (Accommodations) as shown in the snippet below that I pasted from the website (you should confirm the zoning yourself rather than rely on my hasty search – for example, your spelling of the road has only one L). If your condos are zoned EV A, that zoning is planned for accommodations. Short-term rentals from EV A are not counted against the short-term rental cap and are proposed to have a different (simpler) approval process.

Hopefully this information helps.

Sincerely,
Dave Converse

Find zoning for a parcel by entering the Assessor's **parcel ID number** here; do not includ

3534410001	 Search
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Parcel Number: 3534410001

Parcel Address: 1986 Dallman Dr 1, ESTES PARK, CO 80517

Subdivision: 07603 RAMBLING RIVER CONDOS, SUPP 3 (20060019309)

Tax District: 3047

Property is located within the The Unincorporated Portion Of The Estes Valley.

Please contact Larimer County at 970-498-7679 for zoning information.

Larimer County Zoning District: EV A Accommodations/Highway Corridor

Jurisdiction: Larimer County, 970-498-7679

From: Charles Hollen <chollen@aol.com>

Sent: Sunday, November 20, 2022 12:56 PM

To: converseevplanning@gmail.com

Subject: Concerns-proposed regulations, Please read before Monday meeting

Dear Committee Member Mr. David Converse,

My apologies if you received this e-mail twice. It bounced back to me.

My name is Connie J. Hollen. My husband and I own 2 condos (side by side) in Estes Park. We have been traveling to Estes Park since we were children, with our families and have stayed in a variety of accommodations, including vacation homes for short term rentals. We have also spent time in Loveland and Fort Collins. Our daughter has swum as a guest with the team at Loveland High School with Coach Nichols in Loveland, as well as with the FAST team in Fort Collins, and of course at the YMCA and the wonderful facility we have at the Estes Park Community Center, which is supported by our property taxes. We feel like Larimer County, Colorado is our second home.

We are NOT big investors or a management company or an "organized group." We are just regular people that happen to love Colorado and spend time here when we can. We have dreams of retiring to Estes Park someday which is why we bought our 2 condos (that are side by side). We rent our homes so that we can share them with other people who love to visit Colorado and need somewhere to stay. It also helps us afford our property taxes and fees, and our HOA fees and insurance. We don't consider our guests to be strangers, many of them have been staying with us for many years and they talk to us in journals and e-mails. Many of them feel like family to us, and some are in fact extended family. Our neighbors also like to rent our condos for their families and some of them are friends with our guests. Also, we have strict HOA guidelines and strict guidelines from our management company. These rules are enforced, and it has worked out well.

We are concerned about the proposed regulations. We have always played by the rules and do everything we can to stay in compliance. However, it is concerning that the committee is considering restricting short term rentals based on *density*. We feel that may be discriminatory against individuals (like us) who own *condos* that may naturally have more density than a large subdivision. Many of our guests like to rent our condos side by side when they have a large family so there are only 6 people in each one. They each have their own privacy but they are also together. This is helpful for families including our own when we can get everyone up there at one time.

Another issue we are concerned about is the ability for the permit to stay with the property and be transferable in the event we ever have to sell the property. When we purchased our property (over 10 years ago), we carefully studied the **Declarations and Covenants** of the neighborhood, and we feel that we made an informed decision that our properties could be rented for short term use (as our covenants indicate). Why would Larimer County want to override our neighborhood covenants that are already filed at the courthouse? Why would Larimer County *need* to override our existing HOA

rules? Long ago, the developer knew what his vision was for this neighborhood. Anyone who has bought a home in this neighborhood has been fully informed that our covenants and HOA rules allow for guest rentals when they purchase their homes.

Lastly, we are concerned about what these proposed regulations could do to our property values. Has anyone with Larimer County done a study about how this could impact individual property values or how it might affect re-sale of the vacation properties in this area? Where are these studies published? In addition, has there been a study on the potential economic impact on the Estes Valley with respect to tourism if these proposed regulations are enacted and reduce the availability of lodging for visitors who stay and spend money in the area? Have there been studies done on how much these new regulations would cost taxpayers to enforce? It seems that these issues should be carefully considered and studied in a credible way to reduce the unintended consequences before the committee recommends these proposals.

Thank-you for your time.

Respectfully,

Connie J. Hollen
(405) 820-9201
1986 Dalman Drive
Estes Park, Colorado



Estes Valley Short-term Vacation Rentals Economic Contribution to Estes Park

Jane Livingston <janelivingston@yahoo.com>

Tue, Nov 22, 2022 at 7:11 PM

Reply-To: Jane Livingston <janelivingston@yahoo.com>

To: Wendy Koenig <wkoenig@estes.org>, Scott Webermeier <swebermeier@estes.org>, Marie Cenac <mcenac@estes.org>, "khazelton@estes.org" <khazelton@estes.org>, Barbara MacAlpine <bmacalpine@estes.org>, "pmartchink@estes.org" <pmartchink@estes.org>, "cyounglund@estes.org" <cyounglund@estes.org>, Travis Machalek <tmachalek@estes.org>, "jkefalas@larimer.org" <jkefalas@larimer.org>, "kstephens@larimer.org" <kstephens@larimer.org>, "jshaddockmcnally@larimer.org" <jshaddockmcnally@larimer.org>, "converseevplanning@gmail.com" <converseevplanning@gmail.com>, "eotranch@gmail.com" <eotranch@gmail.com>, Linda Moak <pmoak@aol.com>, "poggenpohl@mac.com" <poggenpohl@mac.com>, Frank Theis <ftheis3@gmail.com>, Drew Webb <dhwebb10@gmail.com>, Lesli Ellis <ellislk@co.larimer.co.us>, LUC 2020 <luc2020@co.larimer.co.us>, Scott Stewart <scottsfast@yahoo.com>

Thank you everyone for your dedication and service to Larimer County and Estes Park. I am sending this to you to provide information regarding the contribution of Estes Valley Short-term Vacation Rentals to the economic health and viability of Estes Park. I hope all of this will be considered when making changes that would restrict or reduce the amount of short-term rentals available for people to rent in the Estes Valley.

Attached you will find an estimated Economic Analysis of Estes Valley Short-term Vacation Rentals to Estes Park. As you will see it is a significant portion of the Estes Park budget contributing 28% of the 2021 Estes Park Revised Sales Tax Budget and 28% of the 2021 Estes Park Sales Tax Collections. Also, Estes Valley Short-term Rentals are a significant contributor to jobs in the Estes Valley employing approximately 201 people in the cleaning profession and 43 people in the maintenance profession. Not quantified are the number of people employed by all of the property management companies in Estes Park.

We were forerunners in the state of Colorado and the USA with the cap and regulations that were put in place and I have no doubt that many tourist destinations across the country would love to have in place what the Estes Valley does when it comes to short-term rentals. I truly believe that we would not be having these discussions if enforcement of the existing regulations in the Estes Valley area of the county was occurring and to put further restrictions in place in the Estes Valley will not solve the few problems that exist . . . enforcement of the existing regulations would solve the few problems that exist.

Please feel free to reach out to me via email or cell phone at 612-991-4000 if you have any questions.

Wishing all of you a wonderful and blessed Thanksgiving.

Thank you,
Jane

Jane Livingston, PhD
612-991-4000 (cell)

2 attachments



Estes Valley STR Economic Impact Contribution 112222.pdf

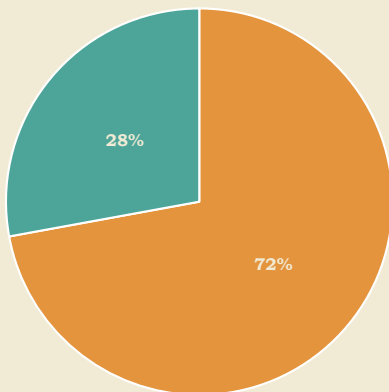
454K



Estes Valley Short Term Rental Chart Sales Tax Revenue Contribution.pdf

36K

2022 Estes Valley Short-Term Rental Vacation Home Yearly Revenue Contribution to Estes Park Town Sales Tax Budget



2021 Estes Park Final Sales Tax Budget	\$21,218,766.00	100%
Short-term Vacation Rental Home Contribution	\$5,915,600.00	28%

	A	B	C	D	E	F	G	H
1	Economic Contribution of Short Term Vacation Rental Homes (STVR) to The Estes Valley Annually							
2								
3								
4			Total Estes Valley STVR State Tax Contribution = \$4,241,830					
5			Total Estes Valley STVR Larimer County Tax Contribution = \$1,170,160					
6			Total Estes Valley STVR Estes Park Town Tax Contribution = \$5,915,600 (\$5,915,600 is of the 28% of 2021 Estes Park Town General Sales Tax Budget and Sales Tax Collections)					
7			Total Estes Valley STVR Local Marketing District Tax Contribution = \$3,750,450					
8			Total Estes Valley STVR Tax Contribution = \$15,078,040					
9			Approximately 877 STVRs in Estes Valley - 515 in Town (59%), 362 in County (41%)		(footnote 1)			
10								
11			Estes Valley STVRs Annual Taxable Lodging Sales = \$174,400,000 Total Taxable Lodging Sales (Footnote 2, pg 8) X .391 (39.1% STVR Percentage of Total LMD Tax) = \$68,190,400		(footnote 3)			
12								
13			\$68,190,400 x .59 = \$40,232,000 (excluding taxes) Visitor Spending on STVR Lodging in Estes Park Town Limits					
14			\$40,232,000 + 10.7% (total tax)= \$44,536,824 Visitor Spending on STVR Lodging including taxes in Estes Park Town Limits					
15								
16			\$68,190,400 x .41 = \$27,958,000 (excluding taxes) Visitor spending on STVR Lodging in Estes Valley outside of town limits					
17			\$27,958,000 + 5.7% (total tax) = \$29,551,606 Visitor Spending on STVR Lodging including taxes in Estes Valley outside of town limits					
18								
19			\$44,536,824 + \$29,551,606 = \$74,088,430 STVR Guest Spending on STVR Lodging in Estes Valley including taxes					
20								
21								
22			Vacation Rental Homes Guest Economic Contribution to Estes Park excluding Lodging					
23			\$158,000,000 Visitor Spending by STVR Guests - \$74,088,430 STVR Guest Spend on STVR Lodging = \$83,911,570 Annual Spending by STVR Guest (excluding lodging)					
24			\$83,911,570/745,500 STVR Person nights per year (footnote 2, pg 13) = \$112.56 Per STVR person guest spent per day in Estes Valley excluding lodging					
25			\$83,911,570 (footnote 2, pg 9) spent yearly at Estes Park businesses other than lodging by People staying in STVRs (excludes lodging \$ spent)					
26								
27			\$83,911,570 x .59 = \$49,507,826 approximate spend (excluding lodging) in Estes Valley by STVR guests staying in Estes Park Town					
28			\$83,911,570 x .41 = \$34,403,743 approximate spend (excluding lodging) in Estes Valley by STVR guests staying in Estes Valley outside of Estes Park Town					
29								
30			\$49,507,826 (including taxes) spent in Estes Park by STVR Guests staying in Estes Park town limits is approximately \$45,540,000 (excluding taxes) spent in Estes Park (excluding lodging)					
31								
32			\$45,540,000 (STVR spending excluding lodging) +\$40,232,000 (STVR lodging) = \$85,772,000 spent by Guests staying in STVRs in Estes Park town limits generates State Sales Tax (2.9%) of \$2,487,388					
33			\$45,540,000 (STVR spending excluding lodging) + \$40,232,000 (STVR lodging) = \$85,772,000 spent by Guests staying in STVRs in Estes Park town limits generates County Sales Tax (.8%) of \$686,176					
34			\$45,540,000 (STVR spending excluding lodging) + \$40,232,000 (STVR lodging) = \$85,772,000 spent by Guests staying in STVRs in Estes Park town limits generates Estes Park Town Sales Tax (5%) of \$4,288,600					
35			\$40,232,000 spent by Guests staying in STVRs in Estes Park town limits on lodging generates LMD Tax (2%) of \$804,640 at LMD Tax (5.5%) of \$2,212,760					
36								
37			\$34,403,743 (including taxes) spent in Estes Park by STVR Guests staying in Estes Valley outside of Estes Park Town is approximately \$32,540,000 (excluding taxes) spent in Estes Park (excluding lodging)					
38								
39			\$32,540,000 (STVR spending excluding lodging) + \$27,958,000 (STVR lodging) = \$60,498,000 spent by Guests staying in STVRs in Estes Valley outside of town limits generates State Sales Tax (2.9%) of \$1,754,442					
40			\$32,540,000 (STVR spending excluding lodging) + \$27,958,000 (STVR lodging) = \$60,498,000 spent by Guests staying in STVRs in Estes Valley outside of town limits generates County Sales Tax (.8%) of \$483,984					
41			\$32,540,000 (STVR spending excluding lodging) = \$32,540,000 spent by Guests staying in STVRs in Estes Valley outside of town limits generates Estes Park Town Sales Tax (5%) of \$1,627,000					
42			\$27,958,000 (STVR lodging) = \$27,958,000 spent by Guests staying in STVRs in Estes Valley outside of town limits on lodging generates LMD Tax (2%) of \$559,160 at LMD Tax (5.5%) of \$1,537,690					
43								
44			STVR Contributions to Estes Valley Employment					
45			Homes average \$135 cleaning 68 times a year=\$9,180 cleaning/home/yearly x 877 homes = \$8,050,860					
46			\$8,050,860 spent yearly by STVR Owners employing House Cleaners in Estes Valley is approximately 201 jobs (average \$40K year) in the Estes Valley					
47								
48			\$1950/year spent per home on hot tubs, snowplowing, lawn care, repair, painting, electrician, plumbing etc. \$1950 x 877 = \$1,710,150					
49			\$1,710,150 spent yearly by Vacation Rental Owners employing Maintenance People in Estes Valley is approximately 42 jobs (average \$40K year) in the Estes Valley					
50								
51			Note: Not quantified is the contribution by Vacation Rental Owners employing Property Management Companies					
52								
53								

	A	B	C	D	E	F	G	H
54	footnote 1 - Source Town of Estes Park and Larimer County							
55	footnote 2 - Source VEP September 2022 Economic Study							



Feedback on Proposed STR Changes in Estes Valley

mel.causer@yahoo.com <mel.causer@yahoo.com>

Wed, Nov 23, 2022 at 3:36 PM

To: "tawnhillenbrand@larimer.org" <tawnhillenbrand@larimer.org>, "LUC2020@larimer.org" <LUC2020@larimer.org>, "hillenta@co.larimer.co.us" <hillenta@co.larimer.co.us>

Hi Tawn,

We have owned our house in Estes Park for the last 12 years and bought it with a view to retiring here but never rented it out. I support nearly all of the proposed changes (safety and zoning) the county has in their current draft and especially Option two on the zoning for STR's. If STRs are permitted in residential areas they should be limited by having large distance limitations between STR's. All homes when sold should be sold as a home in a residential. Otherwise these should be zoned as a commercial entity and not allowed in residential areas at all.

Transferability. Any home should go back into the standard real estate pool. We have a housing shortage and returning homes to the pool is helpful. There should be no guarantee of increased resale value simply due a certificate to operate a business in a residential area.

STR zoning and concentration in a residential neighborhood needs to be fixed. Having a resident surrounded by multiple STR's no longer is a residential area. It becomes a commercial zone. Dispersal zoning should be considered so no resident needs to deal with more than a single STR.

Compliance enforcement We need immediate and monetary punitive remedies against STR owner/investors, property managers, and renters when there is a violation. These penalties should be clear and unwavering in there enforcement. Renters, owner/investors, and property managers should all receive fines for infractions.

All the Best,
Mel Causer



Str proposals

Billy Ocean <billyo4464@gmail.com>
To: luc2020@co.larimer.co.us

Thu, Nov 24, 2022 at 11:07 AM

Hello

I and my family are in agreement on reducing the number of short term rentals in Estes Park Valley areas .
We are residents of EP and have lived here for over 4 years now, our great aunt family member now deceased, has been an active member of EP for 30 yrs . She loved EP , and that's how we wound up here..staying at her home bf we found our own

In my great aunts community we had several short term rentals.

On several occasions people who rented these homes had loud brash parties with more than the allowed guests..blaring rap music and loud obnoxious guests..

In addition these same unwelcome tourists have reaked havoc on our food supply, wild animal welfare and our cyclist / hiker safety

I say ban all short term rentals, even within city limits.

Encourage long term rentals so that professionals and families can make a home here in Estes not a retirement community or tourist filled neighborhood of people who trash it and then leave..

The profiteers who own these homes need to think of others, not just their greedy pockets

It's time EP takes back their town and commits to a ban or restriction on str ..period

No transfers

No more permits

William J OShaughnessy & family



Feedback on STR Draft Rules

Cole Harter <coleharter@gmail.com>
To: luc2020@co.larimer.co.us

Fri, Nov 25, 2022 at 6:03 AM

Hello,

I'm a Colorado native living in Larimer county in West Loveland and want to lay out my thoughts and frustrations on the proposed STR rules you have laid out.

I'm a 37 year old, with a wife and 2 kids. I travel all the time with my family. We never, EVER stay in hotels. I haven't stayed at a hotel in years because that is not the experience my family and I are looking for. Your customers, aka tourists, want the flexibility to stay in a larger place where they can be with other family's and friends in one place, not stuck in a small hotel room. The customer needs have changed!

By forcing harder rules on owners you will 100% take money out of the pocket of the county. The fewer options a person has like me has to stay in Estes park area, the more likely I will go stay in another town.

Cap of 135 days?? How do you come up with this number? I think you have been watching too much Yellowstone TV show thinking you are John Dutton trying to protect our land. This decreases demand for housing by telling a person they can only make money on their property 1/3 of the time. For current home owners, this decreases the value of their home, so you are actually hurting the citizens you are supposed to be working for. My suggestion would be to increase this to 250 days.

I also am against not being able to transfer the license to a family member, no idea why this was even a suggestion.

By passing these rules as-is, you will be without a doubt hurting this county, but also setting up a baseline that will hurt the citizens of this county for years to come.

If you had the data to show that short term rentals are hurting the county, then I would understand, but you don't, you are making up rules under the assumption STR's are bad based on a select few citizens who think every STR are just a bunch of young kids partying. The REALITY is, an overwhelming majority are good people who will stay at these homes and not bother anyone.

STR's will continue to grow in popularity. Did you know Marriott, the largest hotel chain in the world is buying up vacation homes left and right?? Why are they doing this you ask? Because they know they need to innovate or die.

My point is don't fight this they way you are, work with STR owners on what this income means to their family.

Thanks for taking the time to read and please reach out if you want to discuss more.

Thanks,
Cole

--
-Cole



LUC 2020 <luc2020@co.larimer.co.us>

Response to Larimer County's Proposed Short-term Rental and Lodging Regulations

ROMO Planning, NPS <ROMO_Planning@nps.gov>

Tue, Nov 29, 2022 at 2:32 PM

To: "luc2020@co.larimer.co.us" <luc2020@co.larimer.co.us>, "ellislk@larimer.org" <ellislk@larimer.org>

Cc: "ROMO Superintendent, NPS" <ROMO_Superintendent@nps.gov>, "Yost, Cheria K" <Cheri_Yost@nps.gov>

Greetings,

Please see the attached letter from Superintendent Darla Sidles in response to the county's proposed Short-term Rental and Lodging Regulations. Thank you for considering our comments, and we look forward to working with Larimer County on future short-term rental and lodging proposal reviews.

Kind regards,
Desirée

Desirée Fiske
she/her(s)
Outdoor Recreation Planner
Rocky Mountain National Park
Office: 970-586-1484



Larimer Country Short-Term Rental and Lodging Regulations Letter_signed.pdf

1795K



United States Department of the Interior
NATIONAL PARK SERVICE
Rocky Mountain National Park
Estes Park, Colorado 80517



IN REPLY REFER TO:
A32 (ROMO)

NOV 28 2022

Lesli Ellis
Director Community Development
Larimer County
200 West Oak Street, Third Floor
Fort Collins, CO 80521

RE: Larimer County's Proposed Short-Term Rental and Lodging Regulations

Dear Lesli:

Rocky Mountain National Park appreciates Larimer County's forethought in short-term rental planning and looks forward to continuing communication on short-term rental proposals adjacent to the park boundary. The park did not receive correspondence about Larimer County's proposed Short-Term Rental and Lodging Regulations from the county directly, but rather we learned about the planning efforts through general notification during the public engagement phase. Because Larimer County's short-term rental permit regulations can potentially impact park resources and visitor experiences, we request that Larimer County consider Rocky Mountain National Park as an agency in these types of planning efforts, rather than a member of the general public. We greatly support Larimer County's effort to better regulate short-term rentals, and provide the following comments on the proposal.

Agency Notification

The draft Short-Term Rental and Lodging Regulations draft proposes potential changes to review procedures that require agency notification. Currently, the park is notified about proposals inconsistently: sometimes we are notified as an agency and sometimes we are notified via postcard as a neighbor. The park requests that the county forward all permit applications for properties adjacent to the park for review and comment, as an agency, so that our comments can be considered early in the process. neighbor.

Definitions

The proposed reclassification of the terms "Full STR" and "Limited STR", outlined in the regulations draft, may better support park review of short-term rental proposals. When reviewing a proposal, we would be able to consider seasonality of operations and frequency of use to potentially provide more detailed responses. The proposed definitions would also help us understand the use patterns of short-term rentals within nearby neighborhoods.

Impacts to Public Lands

The park appreciates the proposed direction for incorporating public open/space impacts in reviews and the additional scrutiny for proposals within 1,000 feet of the boundary of a public open space or park land. We also appreciate the attention to garbage storage, exterior lighting, quiet hours, and restrictions to exterior appliances within identified wildfire hazard areas. Proposal reviews from the park consider these topics in the context of resource protection and human and wildlife safety. In addition, we consider the proximity of a property to the park and the potential for visitor-created trails or guests entering the park without a pass, as well as wildlife familiarity, safety, and migration. Please see considerations on these topics below:

Fire Protection – We appreciate the county's attention to fire danger and attempts to minimize risk by limiting use of exterior appliances. We encourage the establishment of a designated smoking area, a container for cigarette butts and ashes, and prohibiting use of fireworks and other open flames on the property. Fireworks should be prohibited all months of the year.

Garbage – Bears, skunks, racoons, and other wildlife are active in this location and are attracted to food odors. We strongly recommend securing food, garbage, and recycling inside the short-term rental/lodge at all times or storing these items in a wildlife-resistant canister. Guests should close and lock windows and doors of vehicles and the rental, even when present and especially at night. Preventing food rewards is fundamental to ensuring human safety and protecting bears.

Wildlife – Guests should be cautioned from approaching wildlife to prevent human-wildlife conflicts. Elk, moose, and deer are abundant within and near RMNP, and can be aggressive during rut (late summer/fall) and birthing (spring) seasons. Guests should be especially aware of the potential safety issues during these times of year (e.g., avoid bulls and bucks during rut; do not approach calves or get between calves and cows). Bears may enter neighborhoods and should be avoided. Mountain lions are less frequently seen but do live within and near the park. Guests should be informed on how to react if they encounter mountain lions or bears.

Visitor-Created Trails and Park Access – Unofficial trails created by visitors can result in damage to resources, encourage unauthorized uses such as motorized vehicles and dogs, and confuse park visitors. Guests should use existing roads or official, designated trails to access RMNP from the property.

Night Skies and Natural Quiet – RMNP values dark night skies and natural quiet. Noise generated from vehicle traffic and large gatherings or music played from outdoor speakers may disrupt natural quiet that is essential to the surrounding wilderness character of RMNP. At night, lights from the property may have a negative effect on park visitors and wildlife. To minimize impacts from outside lighting, we recommend motion-activated lights that time out after 10 minutes, covered with a hood, and no spotlights.

Thank you for considering our comments, and we look forward to working with Larimer County on future short-term rental and lodging proposal reviews.

If you have any questions, contact Cheri Yost, Park Planner, at cheri_yost@nps.gov or (970) 586-1320.

Sincerely,

A handwritten signature in blue ink, appearing to read "Darla Sidles".

Darla Sidles
Superintendent

Thank you
so much,
Lesli!



LUC 2020 <luc2020@co.larimer.co.us>

Concerns about Short Term Rentals

Deborah Sie <djsie2008@gmail.com>
To: luc2020@co.larimer.co.us

Tue, Nov 29, 2022 at 7:13 PM

To Whom it may concern:
Attached is a two page document expressing my concerns on short term rentals STRs.

Sincerely,
Deborah Sie

--

Deborah J. Sie M.A. | Coach & Way Guide
Founder of Wise Women Create LLC
Author Into Avalon: Mythic Adventures

[WiseWomenCreate.com](https://www.wisewomencreate.com)
Conscious Business Creation



A perspective on SHORT TERM Done2 .docx
26K

To whom it may concern
From: Deborah Sie
11/29/2022

My concerns about STRs [short term, Absentee Owner rentals]. This is to distinguish this from Long Term rentals where a manager is present, and resort rentals that operate accordingly. An Absentee Owner is not present with their renters. I wish to address why homeowners would not want them in their communities and why this can open a pandoras box. Links to articles below show the basis for my concerns.

Threat to HOAs forcing STRs into communities: I live in Glacier View Meadows. We are a single-family home community that has an HOA. The HOA does not want STRs. However, they felt they had to allow them in over fear of lawsuit. In response to a email I wrote the county, it was stated in a reply to me, that the county does not get involved with HOAs. This is a cop out. The county got involved with HOAs when it passed that STRs could be allowed, thus setting up HOAs for lawsuits. The county should make it clear; HOA rules should take precedence over the county on STRs, that HOAs have the right to refuse them in, and that HOAs *cannot be sued for NOT allowing STRs*.

Homes as commodities are bad for communities. In the face of a housing shortage and increased home costs nationwide, why would we allow AirBnbs/STRs in residential or single homeowner communities? This turns family homes into commodities. Why would I invest over 400 thousand dollars in my home and want a STR next door or near me? What about my investment?

STRs are stressful to community residents:

Unoccupied Owner STRs Place Burden of Renter Issues/bad behavopr On Communities. Our HOA does not have staff at night and weekends to deal with renter issues. Giving the STR manager phone number to residences within 500 feet, as was stated in a letter to me, shows a lack of understanding in mountain communities. Sound and light can be heard and seen for miles. Residents should not have to endure bad renter behavior and be responsible for the correct reporting process to manage it. Bad behavior happens. I have friends who live on site and rent an STR with clear rules. They have experienced illegal fires, drugs, and illicit sex regardless. Up here, a group of renters were snowed in and banged on doors for help. During a big snowstorm, another renter disregarded advice by a plow service, who told them not to try to get out as they would get stuck and interfere with plows getting the community out. They tried to get out anyway, got stuck, and demanded to be plowed out so were referred to the HOA.

Dealing with STRs: As a resident, I found it time consuming and stressful to respond to an application for an STR. It is stressful to worry about what kind of impact it will make. More so as I did not know STRs were even allowed at that time. I expressed my concerns via the process, it was allowed anyway, and I was informed it would cost about \$800 to contest which I did not appreciate. All the information research I did for STRs coming into a community I sent the county was forwarded to the applicant. What I wanted was the county to review it.

STRs impact on communities and homeowners:

Investors buy up homes making it cost prohibitive for families: Concerns are growing worldwide about AirBnbs/STRs. Investors can buy up homes and properties in communities for STRs. They are willing to pay more for homes and land because they are an investment. This makes it cost prohibitive for a family who wants to buy a home to live in, to compete with them. Families are priced out from buying a home competing with an investor who by the way, can buy multiple homes, and sell them as a portfolio to other investors. This is especially true for picturesque communities. Investors want those communities and families lose out. Permanent residents become displaced by STRs. I have heard of .communities who

have kicked out STRs due to problems. And FYI... fire concerns are real! Many up here have put out fires left smoldering by campers on trails that run through the forest or reported fires on red flag day. We have evacuated multiple times since living here and when your house is on the line you worry about fire.

Why STRs on acreage in rural communities is a bad idea: I absolutely do not support allowing the building/allowing STRs on plots of acreage outside of towns. This is a backdoor way to get a commercial foothold in noncommercial areas. Landscapes sliced up and dotted with STRs will negatively impact the beauty of our Colorado landscape and wildlife. It will increase traffic, pollution, and noise in normally quite natural spaces. Additional lights for “safety” will threaten what is left of our night skies and landscapes. If allowed, investors will buy up the land to build these STR commercial communities driving up land prices and it will become cost prohibitive for the person wanting to purchase land to build a home.

The beautiful place Colorado once was, has been disappearing. Developers make their money and move on, leaving a developmental footprint behind for generations. If not carefully managed the beauty, culture, and what makes Colorado great will disappear into another smog ridden, traffic choked, overcrowded, and overbuilt landscape. Profit driven motives will twist it into becoming unnatural to provide enough water and land for building to promote more people to be in a place that was never made to support a large population.

Business and community must be a balance. Unoccupied owner STRs, like the hotels they are competing with, should only be allowed in tourist destination places where it makes sense and not forced on single family home communities.

The internet business driving STRs is big business. Make no mistake about it. Where there is profit to be made, large entities will form and gain an advantage over small communities and home owners. This has already occurred.

Communities should have the right to maintain their values and way of life. It is unfair for STRs to be forced on existing single family home community of homeowners. Especially one run by an HOA, where part of the homeowner buying decision and investment was made on protections offered by an HOA. The county should not pull the rug out from under the feet of community homeowners.

I suggest the County personnel involved with STRs at minimum, read the article in the link below put here for your convenience on how STRs have impacted communities elsewhere:

<https://survivingtomorrow.org/an-open-letter-to-airbnb-8b1b58b4ad33>

Below are links to articles and studies I used in researching AirBnbs/STRs and their impact.

<https://survivingtomorrow.org/an-open-letter-to-airbnb-8b1b58b4ad33>

<https://www.epi.org/publication/the-economic-costs-and-benefits-of-airbnb-no-reason-for-local-policy-makers-to-let-airbnb-bypass-tax-or-regulatory-obligations/>

<https://www.alternativetravelers.com/airbnb-effect/>

<https://www.forbes.com/sites/garybarker/2020/02/21/the-airbnb-effect-on-housing-and-rent/?sh=40a203fd2226>

<https://hndrealty.com/why-are-short-term-rentals-like-airbnb-bad-for-communities/>

Sincerely,

Deborah Sie



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Short term rental

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fri, Nov 25, 2022 at 2:29 PM

FYI

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

From: **Christy Crosser** <c2strategies@gmail.com>
Date: Fri, Nov 25, 2022 at 1:59 PM
Subject: Short term rental
To: Jody Shadduck-McNally <shaddujl@co.larimer.co.us>

Greetings, Commissioner.

I live in unincorporated Larimer County and part of Estes Valley (hospital, library and school districts). We recently had a short term rental application for a home here submitted to Larimer County. I sent my comments in which I am sure you can access. It outlined the many concerns I have for STRs including water, fire, private property accessing local trails, oversight and monitoring, and enforcement.

I get that people would enjoy staying in a home when they visit this beautiful area and I also get why homeowners would like to use STR for the income. However, there is a place for STR and it is not everywhere and anywhere. It seems to me that STRs have gotten out of hand with the growth and too little regulations during the growth. I hope that we can get to a place where this settles down.

The purpose of this message to you is to let you know that I support the Larimer County proposed regulations on short term rentals. Thank you for this effort to bring these forward.

Christy Crosser
C2Strategies@gmail.com
303-807-1541

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Laurie M. Kadrach
Assistant County Manager

Community Planning, Infrastructure and Resources
200 W Oak St, Fort Collins, 80521 | 3rd Floor
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Kadriclm@co.larimer.co.us | www.larimer.org



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Comments on STR regulations

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fri, Nov 25, 2022 at 3:01 PM

FYI

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

From: **Rebecca Urquhart** <rebecca.l.urquhart@gmail.com>
Date: Wed, Nov 23, 2022 at 12:07 PM
Subject: Fwd: Comments on STR regulations
To: <jkefalas@larimer.org>, <KStephens@larimer.org>, <JShaddockMcNally@larimer.org>

Apologies;;; resending this due to an error in the email address of the original one.

Dear Commissioners,

Many would love to see all STRs banned, but from a legal standpoint, that is not a viable option. Instead, please continue to limit the number in the Estes Valley, in order to preserve its residential character, and adopt some common sense regulations.

The arguments the Estes Valley STR Alliance have made are ridiculous and incentivized by their enormous profits they make by turning residential areas into hotel zones. You are no doubt aware of the decade long struggle by neighbors to protect their homes from the noise, trespassing, etc., and I will not detail the voluminous problems here.

Yes, the courts have ruled that STR is a residential property right, but, as you know, the State has allowed regulation of this right by local authorities by statute. The STR industry may challenge ANY regulations, but if the County adopts regulations similar to other communities, Larimer County can piggyback on those governments if lawsuits result from regulation. I urge you to not back off regulations out of fear of legal challenges.

Other Counties or municipalities have regulations that are worthy of consideration:

- Denver:.. *Denver does not allow investor-owned STRs or multiple licenses per person. The license applicant must provide a valid Colorado driver's license or state identification card and at least two other documents to demonstrate primary residency.....* This keeps open a small portion of residences for workers, etc. periodically, and prevents commercial entities from buying up residences for "hotels".
- Colorado Springs: *STRs are only allowed in residential zones if the owner occupies the dwelling for at least 185 days each year. Non-owner-occupied STRs are not permitted in single-family zoning districts and must be 500 feet from another permitted STR unit.*
- Manitou Springs: *Property owners who meet conditions for a permit may apply for a Minor Conditional Use Permit (MCUP), to be approved by the planning commission.* While this may create administrative burdens, right now, the neighbors have NO notice of any permit applications or a right to be heard on objections.
- Boulder: *There is also a primary residence requirement (is defined as the dwelling unit in which a person resides for more than one half of the year.), and a maximum short term use of 120 days a year, maximum*
- Broomfield. *Also prohibits STRs of a residence that is not the property owner's principal residence, defined as the dwelling unit in which a person resides for more than half the year,*

The license **should NOT follow the sale of the house**, particularly if 12 month primary residency is required. This frees up the STR to be used as a residence for at least a year. The argument that the license is property right that follows the title is NOT established by law (yet). And, it has to be a USE IT OR LOSE IT license, to prevent owners from tying up inventory from residential use.

At some point, make sure there is funding and a mechanism for enforcement. As a neighbor of several STRs, we found the Town government basically useless, and in fact, openly hostile to any complaints about noise, excessive occupancy, and parking problems. The "hotline" reporting is a joke.

Insure that third-party facilitators collect the taxes on behalf of the listing party, and if the third-party facilitator fails to perform, the owner must be liable for complying with the tax regulations.

Do not be persuaded by the imbalance of pro - STR emails, vs. those homeowners who want more restrictions. The STR owners have the money and incentive to flood you with requests for protection. Residents of the valley have been protesting for over a decade, and sadly, most have given up. It is not apathy, it is cynicism.

I could write a book on more regulations needed, but these are the points that I feel need attention.

Rebecca Urquhart
[1955 Homestead Lane](#)
[Estes Park CO 80517](#)
(surrounded by STRs, and bordering County parcels)

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Laurie M. Kadrich
Assistant County Manager

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Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Estes Park Vacation Properties

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fri, Nov 25, 2022 at 3:11 PM

FYI

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

From: **Eric Blackhurst** <eric@ericblackhurst.com>

Date: Tue, Nov 22, 2022 at 4:28 PM

Subject: Estes Park Vacation Properties

To: jkefalas@larimer.org <jkefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>, JShaddockMcNally@larimer.org <JShaddockMcNally@larimer.org>

To the Commissioners:

My involvement with housing in the Estes Valley goes back to the late 1980s and I have been a member of the board of Estes Park Housing Authority Commissioners since the town created it in 2000. Now as Chairman I am very pleased with the passage of initiative 6E by the voters of the Estes Park Marketing District. This will provide a stable source of funding for both childcare and housing which are desperately needed in the Estes Valley. I thank you for your support of this initiative.

I am now dismayed to watch as you are being asked to seriously consider regulating and eliminating a substantial portion of the very funding source that you helped to create. Short-term rentals have been a part of the Estes Valley and surrounding areas since the 1860s. They provide vacationers with the experiences that eventually bring many of them back year-after-year, and some to eventually move and/or retire here to make the Estes Valley a diverse place to live.

While there are some short-term rentals that are strictly investment property, the vast majority are second homes where the owners periodically come to enjoy the area. Those homes will never be long-term rentals. Revenue earned tends to offset mortgage and utility payments, management and maintenance fees, and property taxes for the individual owners. Banning this use, forcing owners to update older properties to current building codes, denying new permits to qualifying owners, and banning the transfer of existing licenses are counterproductive to this small part of the County that relies on revenues generated by our visitors to not only maintain the economy but to help provide future funding for critical needs of the Estes Vally.

Thank you for your time and attention. Please let me know if you would like to discuss this issue further.

Eric W. Blackhurst, Ed.D, Chairman

Estes Park Housing Authority

970.215-2625(c)



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd:

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Mon, Nov 28, 2022 at 10:12 AM

FYI

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

From: **Susan Eichinger** <s.eichinger@gmail.com>
Date: Sun, Nov 27, 2022 at 4:26 PM
Subject:
To: <JShaddockMcNally@larimer.org>

Jody,

I read this as being the reason for the county reevaluating regulations-

“While STRs provide some increased revenues and options for visitors and owners, Larimer communities are hearing increasing levels of complaints from neighbors about traffic, noise, trespassing, public safety and growing concerns about commercial uses in residential neighborhoods.”

Our two have not once had any of these complaints in 20 years at the first property (in accommodations zone at Strong and Riverside, sleeps 4-6) or in 15 years at our second property (on Riverside Dr between the aerial tramway and Mary's Lake Rd, sleeps 6 now, used to sleep up to 12).

A friend of mine has had 4 rentals sleeping 6-10 for almost as many years and she's only had one lot two complaints.

Thank you.

Susan & Calvin Eichinger

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Laurie M. Kadrach
Assistant County Manager

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Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Short Term Rentals in Estes Valley

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Mon, Nov 28, 2022 at 10:16 AM

FYI

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

From: **'Mona Glover' via Commissioner_Stephens** <commissioner_stephens_public@co.larimer.co.us>
Date: Sun, Nov 27, 2022 at 1:28 PM
Subject: Short Term Rentals in Estes Valley
To: jkefalas@larimer.org <jkefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>, JShaddockMcNally@larimer.org <JShaddockMcNally@larimer.org>

Dear Larimer County, Commissioners

As you are aware, the concern of potential changes in regulations affecting short-term rentals is of major concern to owners of these properties. Estes Park and Rocky Mountain National Park are gems in the American landscape and are visited by millions of tourists each year. The funds generated from lodging, retail and restaurants are critical to the sustainability of the Estes Valley economy and its continued prosperity.

The importance of adequate housing for those who are employed here is paramount in keeping the tourist industry healthy. Without safe childcare options being available for workers how will they be able to provide income for their families? Why would the county consider jeopardizing funds supporting these necessities? Wouldn't this undermine the infrastructure required to keep a vacation destination alive and well?

In my opinion, a short-term rental provides amenities very attractive to families. Access to a kitchen is invaluable as well as economical. The ambiance lended by a home allows travelers to experience a more personal environment. The privacy afforded by a short-term rental enhances the experience of being one with nature. These are just some of the advantages I believe many travelers desire.

Reducing the number of available rental days as well as adding more requirements to obtaining a license or not being able to pass the license onto a family member or new buyer complicates a system seeming to be working flawlessly for the most part. Do not allow those who have created problems to negatively affect many who have abided by the existing regulations. For the good of the current short-term system address issues needing attention and do not upset the entire apple cart!

Sincerely,

Mona and George Glover
Windcliff property owners

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Laurie M. Kadrach
Assistant County Manager

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Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Short Term Rentals in Estes Park

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Mon, Nov 28, 2022 at 10:18 AM

FYI

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

From: 'cindy sisson' via Commissioner_Stephens <commissioner_stephens_public@co.larimer.co.us>
Date: Sat, Nov 26, 2022 at 9:53 AM
Subject: Short Term Rentals in Estes Park
To: jkefalas@larimer.org <jkefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>, JShaddockMcNally@larimer.org <JShaddockMcNally@larimer.org>

Dear Madams and Sir:

I am writing as a citizen from Estes Park regarding Short Term Rentals (STR). I have lived in Estes Park since 1987, my home is on Davis Hill, a small neighbor hood above the town, sandwiched between the Big Thompson River and Fall River, and between Elkhorn and Moraine.

STRs have negatively impacted my neighborhood. Right now, there are 5 properties adjacent to me that use their property for short term rentals. This was not true when I moved into this neighborhood in 1987. The addition of short-term rentals to this once zoned Estate neighborhood has added traffic, parking difficulties, noise, more people, more dogs, and more risk to my home. I have had people rummaging through boxes on my patio, had people throw trash in my trash can, attract bears with their trash and drive up my driveway looking for STRs. Trash has spread through the neighborhood due to poor containment practices. People and pets wander the neighborhood streets at all times now.

These are commercial businesses. With one exception, the owners do not reside in the rental homes at all. As commercial, not residential properties, I think STRs should be taxed and regulated as a commercial accommodation business. I noticed that the occupancy of hotels in October was only 65%, it appears STRs are directly competing with previously established businesses in Estes Park.

I am distressed that it seems only the special interest group representing STRs have responded to the policies that Larimer County proposed. I am completely in favor of more regulation, more taxes, less density, and a cap on this type of business in Estes Park. We are losing our community, workers cannot find housing, cost of living is becoming prohibitive, the National Park has had to limit visitors, and I believe Estes Park should be pro-active in protecting its citizens. Thank you for your considered policy, and know that I would be glad to have even more oversight and regulation of STRs.

Thank you,

Cynthia L Sisson
[221 Lott Street, Estes Park, CO](#)



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: STR Extension

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tue, Nov 29, 2022 at 9:11 AM

FYI

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

From: **Larimer.org** <noreply@larimer.org>
Date: Tue, Nov 29, 2022 at 8:25 AM
Subject: STR Extension
To: <JShaddockMcNally@larimer.org>

This form was submitted on Tuesday, November 29, 2022 - 8:25am from <https://www.larimer.gov/bocc>.

Emailing (to) JShaddockMcNally@larimer.org
Subject STR Extension
Your Name Nancy Rocknich
Phone 19705866908
Your Email nrock76@hotmail.com
Message (no html)

Just wanted to add my 2 cents to the discussion of Short-Term Rentals. I do not think they should be allowed in a residential area. We have 4 in close proximity to our home, and they are disruptive to the neighborhood. Living in Estes Park for the past 31 years and a former business owner I have experienced the tourist attitude of "anything goes" while on vacation. The renters are rude, loud, do not respect the quiet of our neighborhood, park on our roads which in our case is barely a two-lane road to begin with, trespass on our property etc. When we bought our house in 2000, we did not assume we were buying in a "commercial" area. Please return our neighborhoods to us. Also, I know that the STR industry has destroyed the long-term rental market, making it impossible for workers to find housing. I do not agree that the taxes from these STR will help in the long run with affordable housing. They have been singing the affordable housing song for as long as we have lived here, and greed always wins out. So please put heavy restrictions on the STR or eliminate them all together. thank you.

Attach a file (optional)

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Laurie M. Kadrach
Assistant County Manager

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Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: FW: EP Trail-Gazette Letter to the Editor - Receipt

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tue, Nov 29, 2022 at 11:41 AM

FYI

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

From: **Tom Moretti** <tomm2003@outlook.com>
Date: Tue, Nov 29, 2022 at 10:40 AM
Subject: FW: EP Trail-Gazette Letter to the Editor - Receipt
To: JShaddockMcNally@larimer.org <JShaddockMcNally@larimer.org>
Cc: Tom Moretti <tomm2003@outlook.com>

Dear Commissioner McNally, as an FYI I've sent a Letter to the Editor of the Trail Gazette voicing my support for the proposed changes and encouraged others to do the same.

Regards,

Tom Moretti

From: no-reply@dailycamera.biz <no-reply@dailycamera.biz>
Sent: Monday, November 28, 2022 4:16 PM
To: tomm2003@outlook.com
Subject: EP Trail-Gazette Letter to the Editor - Receipt

Topic of Letter to the Editor

STR Regulation Changes - Overdue and Positive

Letter to the Editor

STR Regulation Changes – Long overdue and Positive Step

Given recent misleading information I thought it important to share a differing more realistic view on the proposed regulation changes on short term rentals (STRs) in Larimer County (outside of Estes Park). First off, thank you to the Commissioners, Planning Commission, and Larimer County employees for the courage and effort to reevaluate and remedy current regulations and safety requirements related to STRs.

Emotional and false claims have been made by the Gazette and others in depicting a gloomy picture of what may happen if any STR regulations change. The county is seeking to maintain and support the lodging tax extension revenues funding for workforce housing/childcare and they are looking to improve the safety of STRs while also protecting residents from the negative impacts of STRs in some zoning areas. The County has proposed the same/similar safety measures that other lodgings must abide by, and they are looking to reduce negative impacts to neighborhoods not conducive to STR/lodging/businesses over the long term. Sounds good, right? Revenue stays same, safety for residents and guests, more protections for residents in neighborhoods not conducive to STRs. Why are some opposed?

The gloomy financial claims do not add up in the valley. The concern of lost funding for Estes workforce housing and childcare. Really? How can this be? According to the Gazette any regulations changes for STRs will hurt the valley. Changes will reduce the STRs and funding they say. By any count the valley has grown lodging units by large numbers over the past 5+ years. Numerous hotels/motels have expanded their short term stay capacities. Lodging on east and west Elkhorn has dramatically

expanded with the Best Western expansion, Quality Inn expansion, Maxwell Inn expansion, the opening of the new Fall River Resort, and what will be a large expansion at the Elkhorn lodge when completed. Not to mention the Stanley expansion and all those new mostly rental condos out at Mary's Lake Lodge. All this as the STRs in the valley dramatically expanding into zoned residential neighborhoods exploded in growth. A recent search in Airbnb showed in excess of "1000+" STR lodgings in the valley today. The regulations permitting that growth were poorly designed while we were still under the old Intergovernmental Agreement (IGA). That plan allowed STRs virtually anywhere in the valley with almost ~600 in zoned residential neighborhoods. There was little to no concern for the negative impacts on neighborhoods originally zoned as residential, nor was there any concern for what STRs might do to the long-term rental market in Estes Park. Many families and individuals who are workforce and had long term rentals in the valley have been pushed out of those very rentals as investors decided to change from long term rental to STR.

So one question we should ask, "how did Estes Park survive 5,10 or 15 years ago?". We've added hundreds of hotel/condo lodgings in accommodation/commercial zones (non-residential). Hundreds. Now add the 1000+ STR's that show up in Airbnb, all delivering new tax revenues. Admittedly there may be some overlap of the hundreds in the 1000+ number. But even with some overlap the town has been, and will be, bringing in large amounts of existing and new lodging tax extension revenues. No one should be surprised that in the end, this is all about the money for investors and others associated with STRs. The recent bill for the lodging tax extension supported by the town, county, EVSTRA, and the voters was a good step in the funding needs for workforce housing. Nothing will change with the proposed regulatory changes by the county. Estes Park will remain a terrific destination for visitors from the front range, the nation, and the world. The lodgings and STRs will remain busy and generating tax revenues for all needs including workforce housing, childcare, and other needs.

The misleading communications we hear is a misdirection by investors and other financially vested parties to ensure there are no future limits to where they can purchase a property and convert that property to an STR. The county proposal is seeking to preserve the nature of neighbors and neighborhoods long term. The proposed changes will help protect neighborhoods, they will improve safety for both guests and residents, and they would over time make it more challenging for STRs to have concentrations in neighborhoods not conducive to lodging businesses (STRs). It is almost a certainty that the number of STRs would not be reduced but they may be concentrated in areas more conducive to STRs.

Many others like myself support what our commissioners, planning committee, and Larimer County employees are trying to accomplish. Fixing a currently broken set of regulations slanted toward investors, not the residents who simply desire to live here without profiting.

To express your support to the Commissioners, they can be reached by email.

John Kefalas, District I, jkefalas@larimer.org

Kristin Stephens, District II, Chair, kstephens@larimer.org

Jody Shadduck-McNally, District III, Chair Pro Tem, JShadduckMcNally@larimer.org

Name	Tom Moretti
Email	tommore2003@outlook.com
Address	Ponderosa Estes Park, Colorado 80517 United States
Phone	(970) 823-2825

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Assistant County Manager

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Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Proposed Short-term Rental (STR) Regulations

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tue, Nov 29, 2022 at 1:22 PM

FYI

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

From: **Whilden, Wade** <Wade.Whilden@bakerbotts.com>

Date: Mon, Nov 14, 2022 at 3:54 PM

Subject: Proposed Short-term Rental (STR) Regulations

To: JShadduckMcNally@larimer.org <JShadduckMcNally@larimer.org>, jkefalas@larimer.org <jkefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>

My name is Wade Whilden. I first came to Estes Park when I was about 8 years old. We stayed at Sprague's Lodge, and then Steads Ranch, both in Rocky Mountain National Park. Those lodges were closed by the Park and in 1974 I decided to bring my family to Estes Park and I called a friend whose father owned a couple of cabins at the YMCA for a recommendation as to where to stay. He recommended Windcliff, a small community directly across the street from the Y. We rented a home at Windcliff for 10 days, loved it, and our family has come back to Windcliff every year since. Our family was able to develop a love for Windcliff because STRs were allowed and, in fact, homes at Windcliff have always been available for STR. The first home built at Windcliff was a STR. In the late 1970s we purchased a lot in Windcliff. The family that owned and developed Windcliff decided in 1983 to form a homeowners' association, and the Windcliff Property Owners Association (WPOA) was formed. I was a member of that first Board of Directors of the WPOA and I have been on the Board of the WPOA ever since, almost 40 years. In 1986 we built our home at Windcliff and when that home burned down (confined house fire) in 2011 we re-built our home. We have never rented our Windcliff home, but we discovered Windcliff because rentals were permitted and we have consistently supported STRs at Windcliff. We have recommended Windcliff to many of our friends who first rented at Windcliff to try it out, then purchased lots and built homes. STRs bring new blood to Windcliff and as new renters discover and love Windcliff they buy homes and help our property values. In fact, I believe that the great majority of Windcliff owners discovered Windcliff through its on-site managed STR program and that is very positive because it means that new owners understand the uniqueness of the Windcliff Community before they purchase their home. They know that STR is permitted in Windcliff and many buy at Windcliff for that very reason—it allows them to rent their home until their individual financial situation permits them to stop renting if they so desire. I recite this family history to you so that you will know that I have a long experience with Estes Park and Windcliff and I do know how Estes Park and Windcliff have developed and prospered over the years.

Windcliff is comprised of approximately 282 acres of which approximately 133 acres are owned and managed by the WPOA. The remaining acreage consist of 159 privately-owned properties and is a blend of approximately 35 full-time year-round residents, 45 private homes licensed for STR used both by their Owners as well as STR guest, approximately 75 seasonally occupied homes and about 10 lots owned by Owners who plan to build homes in the future. In summary, Windcliff is clearly a mix of homes that exist together in harmony while permitting STRs. In the early 1990s the then Owners of property at Windcliff had a vote to determine whether or not to continue to permit STRs. The vote was an overwhelming yes vote even though only about ¼ of the homes were used as STRs.

When Windcliff was developed it was done so as six individual subdivisions, each with different Covenants and rules. This was not a good way to manage today's Windcliff so a few years ago the WPOA's Board of Directors commenced a drive to combine all six subdivisions into what was called One Windcliff, with one set of Covenants applicable to all of Windcliff. There were many months of discussion among the Owners of property at Windcliff and many drafts were circulated. A final draft was completed and circulated to all Owners for review and approval. That draft was approved by an over-whelming majority of Owners (existing Covenants required a 2/3 approval of all Owners, not just Owners signing the document). The signed document was recorded on November 9, 2020 as an Amendment to our Covenants (the "Amendment"). And, for this discussion the important point is that the Amendment contained extensive provisions permitting STRs at Windcliff, subject to the rules and regulations agreed to by the Owners and enforced by the Windcliff Board of Directors. In summary, Owners at Windcliff approved STRs, agreed upon applicable regulations for STRs, and to this day enforce those rules and regulations. Owners at Windcliff strongly support STRs at Windcliff because they know that Windcliff has always had STRs and the STRs at Windcliff have helped Windcliff attract similar new Owners.

As for the goal of improving work force housing, that is a very worthy goal. However, homes at Windcliff would never be utilized for work-force housing. The average value of a home at Windcliff is well over one million dollars, with many of the homes having a value of several million dollars. Recent lot sales at Windcliff have been for prices well over \$300,000. Owners of homes of that value would not be willing to rent their homes at a rental rate affordable by those needing work-force housing, and thus subjecting a subdivision like Windcliff to the proposed STR regulations would do nothing to advance the goal of improving work-force housing.

In fact, subjecting Windcliff to the proposed STR regulations would hurt the stated goal of helping work-force housing because as presently operated STRs at Windcliff generate more than \$100,000 annually in local lodging taxes, with those funds being used to assist the construction of work-force housing. Rental guest at Windcliff renting STR homes contribute more than \$6,000,000 annually to the Estes Valley economy and tax base, and that important revenue would be lost if Windcliff is to be covered by the proposed STR regulations because those regulations just do not fit a subdivision like Windcliff that has its own STR rules.

My Suggestion: The way to solve this issue is for the final STR regulations approved by your group to exempt those subdivisions that specifically permit STRs, **and** specifically regulate STRs, by their own recorded and enforceable Covenants. If a subdivision wants STRs, and that desire is evidence by recorded Covenants specifically permitting STRs in their subdivision, then your final regulations should not override the desires of the owners in such subdivisions. In your regulations were so structured you would be doing what everyone wants you to do—regulating areas that do not have rules permitting STRs, but permitting those areas that specifically permit STRs by recorded evidence of the desires of the owners to regulate themselves. Otherwise, regulating a subdivision that does not want the proposed STR regulations will surely lead to strife, controversy, lawsuits, unhappiness, etc.

But, if you do not like my suggestion, or if my suggestion causes some issues for you, then I submit that it would be appropriate for you came up with some other exclusions that permitted subdivisions like Windcliff to continue without being subject to your STR regulations—maybe a provision that exempts homes that have an assessed value in excess of \$XXX, being a value that would certainly not be a home that would be rented for a rental rate low enough to be attractive for a work-force housing. In addition, every Owner at Windcliff who avails themselves of STRs does use their home some of the year for their personal use, and thus they would not rent their home as work-force year round use. That would totally defeat their purpose of owning a mountain home that they can personally use, then rent to provide revenue until they can afford to not rent.

Thank you for taking the time to read this email. My bottom line is that I submit that it is important for your STR regulations to contain exemptions that permit you to cover the areas you need to cover (and help the work-force housing shortage) without including areas that will not become work-force housing and that have specifically permitted STRs by a recorded document containing enforcement rules.

Note: I think Windcliff's STR rules are very good and thorough and I attach a copy for your review. You might find many of our rules to be appropriate for your consideration and you will also see that Windcliff is doing a very good job of regulating STRs within Windcliff in a manner desired by Windcliff Owners.

Confidentiality Notice:

Please note that I have retired from the practice of law at Baker Botts. Any information contained herein does not constitute legal advice of Baker Botts L.L.P.

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Laurie M. Kadrich
Assistant County Manager

Community Planning, Infrastructure and Resources
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2020-11_wpoa_short-term_rental_policy-2.pdf
129K



WPOA'S SHORT-TERM RENTAL POLICY

The Windcliff Property Owners Association (the "WPOA"), acting through its Board of Directors (the "Board"), has the authority to regulate short-term rentals (30 days or less) pursuant to the Amendment (defined below), and pursuant to that authority the Board has determined that there is a need for a set of rules governing the short-term rental of Homes located within the Windcliff Community ("Short-Term Rental Policy", or "Rental Policy"). Set forth below is the initial Rental Policy, and this Rental Policy may be amended from time to time by the Board, provided that no amendment of this Rental Policy shall be effective (a) if it materially changes the rights of Owners to rent their home for less than 30 days, and (b) until any such amendment is posted on the WPOA Website. Definitions set forth in the Amendment to the Covenants recorded ___ (the "Amendment") and the 1983 Covenants recorded with the Larimer County Clerk and Recorder at Reception No. 507960 (collectively the "Covenants") shall have the same meaning when used herein. The rental of Homes in the Windcliff Community is also subject to the zoning for the Lot as well as the provisions of the Larimer County Land Use Code Supplemental Standards for the Estes Valley, or any successor code, or similar applicable governmental code, as may be amended from time to time.

DEFINITIONS

Authorized Short-Term Rental is a Short-Term Rental that complies with the conditions set forth in the Short-Term Rental Policy.

Governing Documents shall refer to the governing documents applicable to the Windcliff Community as listed on the Windcliff Website. Governing Documents shall include, but not be limited to, the Covenants, WPOA Policy Documents, and any and all other rules, regulations, policies, and procedures of WPOA.

Operations Manager shall refer to the WPOA employee, agent or independent contractor reporting to the WPOA Operations Committee who is responsible for the maintenance and operation of the WPOA Assets.

Property Manager shall refer to the Rental Owner or the responsible party representing the Rental Owner to manage the use of the Short-Term Rental. The Property Manager must be duly licensed or registered if required by any applicable governmental agency including but not limited to the Town of Estes Park, Colorado, and/or Larimer County, Colorado, and/or the state of Colorado or any entity so designated by any such governmental authority.

Owner shall refer to a person or entity that owns a Home within the Windcliff Community.

Short-Term Rental is the rental of a Home in the Windcliff Community for a period of 30 days or less. Any Short-Term Rental must comply with this Rental Policy.

Short-Term Rental Agreement is the agreement between the Owner and the Renter that complies with this Short-Term Rental Policy and authorizes the Renter to occupy the Home pursuant to the Short-Term Rental Agreement.

Short-Term Rental Policy is this document, and the Board shall have authority to regulate, adopt, amend, and revise the Short-Term Rental Policy.

Rental Home is a Home rented by the Rental Owner for a Short-Term Rental.

Rental Owner is an Owner who engages in the Short-Term Rental of his or her Home.

Renter is the person renting a Rental Home within the Windcliff Community pursuant to the Short-Term Rental Agreement.

Windcliff Community shall refer to the six subdivisions that currently constitute Windcliff, as is described in the Covenants, plus any land that may be hereinafter added to the Windcliff Community.

WPOA'S SHORT-TERM RENTAL POLICY

A Rental Owner may rent his or her Home for periods of 30 days or less only if they are in compliance with the Windcliff Short-Term Rental Policy. In order to be in compliance with the Short-Term Rental Policy the Rental Owner must comply with the following:

1. The Short-Term Rental of the Rental Home must be managed by a Property Manager. The Property Manager shall be responsible for ensuring that the Renter comply with of the Short-Term Rental Agreement. The Property Manager shall attach the then current Short-Term Rental Policy to the Short-Term Rental Agreement. The current Short-Term Rental Policy shall be available on the WPOA Website.
2. There must be a Short-Term Rental Agreement and a copy of the Rental Owner's standard form of the Short-Term Rental Agreement must be on file with the Windcliff Operations Manager.
3. The Property Manager should provide adequate directions to the Rental Home.
4. The Short-Term Rental Agreement must include the information set forth below, to wit:
 - a. A list of emergency contact numbers should be included in the Short-Term Rental Agreement.
 - b. The Renter must comply with all of the provisions of the Short-Term Rental Agreement, failing which the Renter may be required by the Rental Owner or Property Manager to immediately vacate the Rental Home. The Renter must be 25 years of age or older.
 - c. Fire is a constant threat in the Estes Valley. Outdoor smoking of any kind is strictly prohibited by Renters in the Windcliff Community. Renters may not smoke marijuana within the Windcliff Community.

- d. The use of any propane or gas grill used solely for the preparation of food is permitted if provided by the Rental Owner. Otherwise, outdoor or open fires are prohibited. Do not grill in high winds, and do not leave the grill unattended. All then current Estes Valley Fire Protection District and Larimer County fire restrictions, and any applicable fire ban notice shall be posted in the Rental Home.
- e. Fireworks are not permitted anywhere within the Windcliff Community.
- f. The only vehicles permitted within the Windcliff Community are Department of Motor Vehicles approved for on-highway passenger use. Recreational Vehicles and Off-Road Vehicles are not permitted within the Windcliff Community. These are defined in the WPOA's Recreational Vehicle and Off-Road Vehicle Rules, a copy of which shall be attached to the Short-Term Rental Agreement.
- g. Drones of all kinds are prohibited for use by Renters within the Windcliff Community.
- h. The speed limit within the Windcliff Community is 20 MPH.
- i. Number of vehicles per Short-Term Rental shall comply with Larimer County Parking Standards for Short-Term Rentals, or any successor code, or similar applicable governmental code, as may be amended from time to time. No parking is permitted on WPOA Roads. Renters shall be notified in advance of the maximum number of vehicles permitted. No RVs or trailers are permitted.
- j. Renters and their guests may not feed wildlife, except bird feeders and hummingbird feeders are permitted, but must be suspended out of reach or otherwise inaccessible to bears when they are active, April through November.
- k. Renters may use the trash facility at the entrance to Windcliff but shall comply with the posted restrictions. Rental Home refuse disposal shall be in compliance with wildlife refuse container requirements applicable to the Estes Valley, as promulgated under Larimer County Ordinance # 062020170002, or any successor ordinance applicable to the Estes Valley that regulates such containers and all refuse located outside a Rental Home shall be deposited in such approved wildlife resistant containers that are secured or fastened to the Rental Home or kept in place by other means to prevent removal or dispersal by wildlife.
- l. The Rental Home's garage door must be kept closed at all times except when entering and leaving the garage.
- m. All property within the Windcliff Community is privately owned and Renters must stay on the Windcliff Roads when hiking and they may not cut between Homes or across private property.
- n. The discharge of firearms and weapons of any kind, including but not limited to paint ball guns, pellet guns, BB guns, bows/arrows, pistols, shotguns or rifles is not permitted within the Windcliff Community.
- o. Exterior lights visible from other properties should remain off whenever possible, but where needed should be on for no more than 30 minutes at a time between 10:00 P.M. and 5:00 A.M.

- p. Windcliff is a private residential community and guests are asked to respect the quiet, serene mountain surroundings. Outdoor activities must be respectful of neighbors at all times and noise and exterior lighting should be kept to a minimum after 10:00 P.M. This shall not be construed to limit lighting when necessary or appropriate for outdoor activities, or when illuminating planned arrivals or departures of owners, renters or guests.
 - q. Renters may only bring household pets (dogs and/or cats) to a Rental Home if the contract with the Rental Owner permits, and in such event the pet and the Renter shall adhere to the WPOA and Larimer County Animal Control regulations and a Rental Owner shall not permit his or her pet to disturb the peace and quiet of any person by barking, whining, howling, yowling or making any other noise in an excessive, on-going or untimely fashion. Dogs outside of the Rental Home must be on a leash at all times.
 - r. The Short-Term Rental Agreement must provide that the Renter is subject to the Governing Documents and the Short-Term Rental Agreement must provide that the Renter agrees to comply with the Governing Documents.
- 5. The Rental Home must comply with all applicable governmental regulations, including but not limited to working smoke and carbon monoxide detectors on each floor of the Rental Home.
 - 6. The Renter shall be liable for any damage caused by the Renter to any property owned by the WPOA or any Owner of property at Windcliff.
 - 7. The Property Manager, whether the Rental Owner or the responsible party representing the Rental Owner, must be registered with the Windcliff Operations Manager and provide 24/7 contact information for such managing party and must be available by telephone 24 hours per day 7 days per week, and be able to respond, in person at the Rental Home if necessary, within one (1) hour of receiving a call. Property Manager contact information shall be posted on the WPOA Website and in the operations manual located in the Short-Term Rental.



STR comments

Tom Chapel <tchapel3@gmail.com>
To: luc2020@co.larimer.co.us

Wed, Nov 30, 2022 at 11:02 AM

Thank you for the opportunity to provide comments regarding planned revisions to the short term rental (STR) regulations. I own and reside in residential property at 880 East Lane in Estes Park. The following comments pertain specifically to the proposed regulations for STR's in the Estes Valley.

The stipulation that STR licenses expire when ownership changes is a good one; I fully support that part of the proposed regulations. Not only will it reduce the practice of outside developers "buying up" properties in residential areas as investment properties, it will require the new STR owners to demonstrate that the property continues to meet the requirements of the regulations.

However, I believe the proposed STR regulations fall short in a number of areas, as described below:

- * First and foremost, STRs are commercial ventures and should be required to "pay their own way" similar to other commercial operations and in accordance with Larimer County's vision and policy.

- * The STR application process should require owners to demonstrate that on-site wastewater treatment systems are in good working order and are adequate for the owners and the maximum number of guests who could potentially stay on the property.

- * The proposed regulations (Article 3, section 3.3.5) mention building codes, but they should specifically stipulate relevant codes in addition to life safety. For example, STRs should address the dark sky lighting compliance requirements of the Estes Valley.

- * The regulations should require the character of the property to remain unchanged. For example, an investor purchased a property adjacent to mine last spring with the intent to convert it to a STR. One of the first things he did was to cut down more than 30 old growth, mature Ponderosa pines from the property with the sole intent to improve views of the mountains from his deck. This type of destruction of natural resources should be prohibited, or at least be regulated based on "existing character of the neighborhood" or similar basis.

- * A traffic impact analysis should be required to determine what impact a proposed STR may have on existing public and/or private roadways.

Regards,

Tom Chapel
880 East Lane
Estes Park, CO 80517
970-420-3568



Short Term Rental comments

Tony Burfield <burfield.tony@gmail.com>
To: luc2020@co.larimer.co.us

Wed, Nov 30, 2022 at 11:22 AM

Hello Larimer County,

Having lived next to a short term rental for a period of time, I have to say I believe they are bad for communities, destroy neighborhoods, and present constant stress and worry for those with their full-time homes around them. That being said, I could see how a STR where the operator lives on site could be ok, but I have no experience with that situation. I could make a long list of reasons why it sucks to have strangers constantly coming in and out of a neighborhood, from creepy single men to groups of partiers. But I won't bore you with something I'm sure everyone can imagine. If you all decide to make this an option, please put a residency requirement on the books. For me this isn't a case of NIMBYism. I don't want to see this in anyone's back yard, NIABY.

Thanks,
Tony Burfield
242 Button Rock Road



Larimer County - Land Use Code, Short-Term Rental and Lodging Regulations

Patty Bartlett <pattybartlett5@gmail.com>
To: luc2020@co.larimer.co.us

Wed, Nov 30, 2022 at 11:34 AM

To the Larimer County Commissioners and the Estes Valley Planning Advisory Committee Members

Both County staff and the advisory committee members have done a lot of work on the proposed changes to the STR and lodging regulations. However, the proposed STR and lodging regulations need some more work.

My family home sits on land that has been in my family for over 75 years in Estes Park. It is located in a great neighborhood. There are several STR's in the neighborhood and there has never been any problems with the renters that I know of. On occasion we have provided STR renters suggestions as to things to do, places to eat and local events.

The Short Term Rental, Full and Limited is unnecessary and it would be difficult to enforce. In light of the recent passage of the increase to the lodging tax extension to help fund workforce housing and childcare, putting a limit on the number of days an STR can be rented is counter productive. The regulations do not state that full or limited is an option to the owner.

Transferability from an owner to a buyer should remain as is. Just because other towns have limited transferability does not mean that Larimer County should do it.

It appears that enforcement of the regulations is what is needed. The regulations should not be driven by complaints. Has there been a review of the complaints about STR's indicating whether complaints came from licensed and permitted STR's or from unlicensed and residences without a permit? The fact that STR's with no complaints should be taken into consideration

Thank you for reading this.

Respectfully submitted,

Patty Bartlett

Sent from my iPad



STR Comments and Considerations

Benjamin Nelson <benjamin.nelson87@gmail.com>
To: luc2020@co.larimer.co.us

Thu, Dec 1, 2022 at 5:18 PM

Hello,

To whom it may concern, these are my thoughts/comments regarding STR regulations in Larimer County as a Larimer County resident:

- 1) STR permits should be transferable upon the sale of the property. This is described as "Option 1" on page 10 of [this document](#).
- 2) All STRs should be considered "Full STR". It is my opinion/position that the "Limited STR" designation need not exist. [Reference page 3 of this document for context](#).
- 3) I would like to see a regulation added for cigarette and cigar disposal areas added to all STR permit regulations. Said differently, all STRs should have an outdoor ashtray made available to their guests. Here is an example: [Link to amazon.com](#). To be clear, I'm not proposing a designated smoking area, but rather a designated receptacle for cigarette butts.
- 4) I would like neighborhood opposition to STRs to be limited to official HOA regulated opposition only. Said differently, only neighborhoods with HOAs can oppose the operation of STR in Larimer County.

The above thoughts/comments are in direct relation to the proposed changes in the "[Larimer County – Land Use Code Short-Term Rental and Lodging Regulations](#)"

Thank you,

Ben Nelson



Draft STR Regulations for Larimer County and Specifically the Estes Valley

Stewart Squires <squiressg@yahoo.com>

Mon, Dec 5, 2022 at 6:18 AM

To: "luc2020@co.larimer.co.us" <luc2020@co.larimer.co.us>

Thank you for the opportunity to comment on the proposed STR regulations, and specifically those proposed for the Estes Valley.

1) Town of Estes Park Ordinance 13-21 eliminated Transfer on Sale for all newly issued residential neighborhood STR licenses from September 21st of 2021. Follow-on Town of Estes Park Ordinance placed a moratorium on accepting any new applications for STR licenses until the waiting list was depleted. Roughly fifty on the list. It is estimated that five a year would be dropped requiring ten years before anyone can expect to be able to apply for a license. Then the Town of Estes Park grandfathered Transfer on Sale for all existing residential STR license holders. This in essence allowed an STR licensed property within a residential neighborhood to remain an STR in perpetuity, affecting the value of nearby homes negatively. Because of the cap on licenses in residential neighborhoods within the Town of Estes Park a premium in price paid for a grandfathered licensed home developed, with examples of up to \$150,000 for a \$750,000 home (20%). This skews the valuations of all homes in the neighborhood and especially affects property tax valuations raising average values per square foot of occupancy space up to 20% greater value.

Residential neighborhoods are not resorts. Housing available for year-round residents shouldn't have the residential character of the neighborhood destroyed by resort accommodations permanently located within their boundaries. Please eliminate Transfer on Sale from STR licenses in residential neighborhoods. It will not harm the conduct of business for these properties for as long as current owners maintain ownership of the property and will allow properties to be fairly valued going forward. Over time the stigma of living next to an STR resort property will be mitigated. It also will allow other residence owners the opportunity to offer their homes as short-term rentals through new licenses granted through a waiting list or even a lottery process.

2) For those STR licensed properties with the Estes Valley within residential neighborhoods, we support the limitation on the number of rental nights per seasonal year to the 135 nights proposed in the draft regulation.

Sincerely,

Stewart Squires
618 Park River Place
Estes Park, CO 80517



STR regulations and "tax"

Randy Zavada <rjz7781@yahoo.com>
Reply-To: Randy Zavada <rjz7781@yahoo.com>
To: "LUC2020@larimer.org" <LUC2020@larimer.org>

Mon, Dec 5, 2022 at 8:04 AM

My family owns a second home in Estes since 2007. We have been blessed to be able to have this home because of the ability to rent it out in the summer and have costs offset so we are able to afford owning it..

We are full time residents of Fort Myers Florida since 1962, a few miles from Sanibel - Captiva Islands, a popular vacation destination much like Estes Park. In the '80s Sanibel city council implemented all the same programs, to solve all the same situations Estes is currently addressing. Now, 40 years later, Sanibel is MORE exclusive than it has ever been. Raising fees/taxes and implementing stricter regulations did nothing more than make the area accessible for only those with financial means. Fees and taxes were passed on to those who could afford it, property values went up and to date all workers still have to be bused in daily to fill the positions businesses need to operate. Much like what Estes is trying to accomplish, the market thwarted Sanibel's plans, to the detriment of ordinary vacationers.

Solutions are hard to find, but common sense would suggest more competition (more STRs / hotels,etc.) would drive prices down and make the market more affordable to all.

People will not stop coming to Estes, the National Park is too popular and too accessible. The decisions you make will determine if those coming will only be the wealthy or will it be accessible to all families.

Sincerely,

Randy Zavada

Renegades Embroidery, Silk Screen and Uniforms



STR Code Review

gshirey@glenshirey.com <gsh5rey@gmail.com>
To: luc2020@co.larimer.co.us

Wed, Dec 7, 2022 at 7:03 PM

Dear Tawn;

Before I list my comments on the new STR licensing terms, I would like to state once again my concern about Estes Park Municipal interests who wish to expand their interests across all of Estes Valley, particularly EVSTRA, including those rural properties who depend on the Larimer County government to protect them from municipal encroachment.

They do not represent the County, they have no legal standing, and their influence should not be elevated above County residential landowners. They represent the interests of municipal based businesses.

1. **My main concern by far is allowing transferability as in 3.3.5.B.u, Commercial Uses, Short-Term Rental, OPTION 1 and OPTION 2.**

- a. I am adamantly opposed to OPTION 1, allowing transferability.
 - i. There is no valid reason for this. Purchasing a business property does not give me any right to the business that previously resided there.
 - ii. Certainly, if the license is to be transferred, there should be no guarantee that it can remain at the current address for which it is granted. That would be a separate licensing issue.
 - iii. Creating threads of STR licenses transferred time and again, and grandfathered rights ahead of any queued up requests is blatantly unfair to those seeking STR licenses under current regulations, who have been waiting only to allow a currently licensed property to cut in line.
 - iv. The County has NO obligation to ensure the marketability of a property whose owner is in possession of an STR license. I receive no guarantees from the County on the marketability of the capital improvements I make on my property as a resident.
 - v. Should any property owner wish to transfer their license, then it should be by public auction to allow equal opportunity for those waiting to purchase such licenses. These are business licenses, and should not be considered a legacy for heirs or any new owner of the original property.
- b. Obviously I support OPTION 2 and hope that form will be in the final regulations. However, I find the last sentence confusing. Since OPTION 2 does not allow transfer of the license to any other person, legal entity, or residential address, then why is language added about whether the new owner can meet the requirements of the Code or not? There should be no legacy for the new owner, and if they want an STR license they should be required to go through the full process as any other applicant in queue - is that what you were trying to say?

2. **Licensing, 3.3.5.B.v**

- a. Licensees SHOULD be required to self-certify and there should be a reinspection every 3rd year, and licensees should be responsible and held accountable for their self-certification.

- b. I have heard many requests in the EV Webinar from EVSTRA members to hasten the license application process, so that they can create their revenue streams sooner. All due care should be taken in granting licenses. These licenses have no limitations, particularly if transferability is granted. They exist for as long as the licensee owns the property on which the license was drawn, that could be decades. It would be a major concession to potential licensees to ask to relax any application requirements for a licensee they can keep for untold years into the future. If they want to shorten the process, they can reply quicker.
- c. Specifically regarding (b), all license applications should undergo an AS* review. If STRs want to work with the neighborhood as they claim, and want to be good neighbors and citizens as they claim, then give residents their say. We know we have no Board power, but we want to be heard. If that is accommodated, then we've done all we could do and can be satisfied with that.
- d. There should be no relaxation of Safety Code. I have heard request ranging from relaxing access requirements for emergency vehicles to being able to allow advertising unlicensed sleeping spaces since renters will use them anyway; there couldn't be any more ridiculous argument than to justifying negating code because people won't follow it - seeing that they do follow it is the County's responsibility.
 - i. Renters are not merely guests on a property or within the residence; they have rights including safety and convenience. It is much more than inviting guests into your home. You would not make any such allowances for a hotel.
 - ii. Safety is a huge concern for other residents in the neighborhood including other renters.
 - 1. There can be no expectation that a renter will show the same care and responsibility as a resident; otherwise please explain to me why hotel rooms get trashed
 - 2. Even with the best of intentions, renters do not live in the mountains and are not aware of the dangers or consequences of their actions.
 - 3. Renters rent to behave as tourists, not residents, and their behavior differs greatly from residents in terms of respect for property boundaries and automobile and other traffic.



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Estes Valley STRs

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fri, Dec 9, 2022 at 8:00 AM

FYI

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

From: **Irvingjj2** <irvingjj2@gmail.com>

Date: Fri, Dec 9, 2022 at 6:53 AM

Subject: Estes Valley STRs

To: <JKefalas@larimer.org>, <KStephens@larimer.org>, <JShadduckMcNally@larimer.org>, <luc202@co.larimer.co.us>

Dear Commissioners,

My name is Jack Irving and I am a long-term resident of Larimer County. I bought and lived in my small cabin at 2050 Upper High Drive in June 2015. Due to unforeseen circumstances, I returned to Fort Collins. After initially waiting on the list and receiving a permit from the Town of Estes Park, I now have a STR permit from Larimer County for the cabin in Estes Park. I am very active with my neighbors in Estes Park and have initiated the formation of a PID to maintain our roads. I am writing to express my opposition to any retroactive changes in the transferability of that permit. I invested a lot of money in bringing my cabin, which was built in 1935, into compliance with the county rules for STRs. This investment decision was impacted, in part, by the terms of the permit which included unlimited transferability. To change the terms after the fact is patently unfair. Imagine if you took out a mortgage on your home at 5% and a few years later, the bank decides to change it to 6%. It's a small change, but with a big impact. That's exactly what The proposal to eliminate transferability of my permit does to my family and other families in the same position. I am urging County Commissioners to maintain unlimited transferability of existing permits.

Thank you for your consideration,

Jack Irving

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Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Comments on Proposed Regulations for STR's

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fri, Dec 9, 2022 at 8:01 AM

FYI

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

From: **Cyndi Wallace** <wallace.cyndi@gmail.com>

Date: Fri, Dec 9, 2022 at 6:31 AM

Subject: Comments on Proposed Regulations for STR's

To: <luc202@co.larimer.co.us>, <jkefalas@laimer.org>, <kstephens@larimer.org>, <jshadduckmcnally@larimer.org>

Hello All,

You have so many owners operating as an STR that are not following the rules, not registering with the Town or County, and not respecting their neighbors. These proposed regulations you want to impose will only make those of us suffer that are actually following the rules and not causing the issues permanent residents are complaining about.

Personally, my family has been vacationing in Estes Park for nearly 50 years. We go as a family every summer - 20+ of us. Now that 2 of us in the family own property there, we go in the winter as well. My husband and I intend to retire there and spend our last years of life in the place that makes us the most happy. The only way we can accomplish this is to rent out our house now until we are ready for retirement. We don't make money on our STR. We simply make enough to pay the mortgage so we can afford to keep the home until we retire. We are committed to the upkeep of the property. We have pride of ownership. We treat our neighbors there with love and respect. We don't consider ourselves "tourists" anymore, but rather part-time residents.

It breaks my heart to think we may lose all of this because of the restrictions and additional taxes being imposed on STR owners. I realize not all STR owners are in the same position as I am. There are companies that are simply in this to make money and don't really care about much else. I think there should be additional consideration for those people who own only 1 STR and are not in this to make a profit. I don't feel like enough emphasis has been given to those of us in this category of ownership.

I hope and pray you will find a solution that will benefit the Town of Estes Park without devastating us smaller STR owners.

Thank you for your time,
Cynthia Wallace
2616 Sunrise Court

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Laurie M. Kadrach
Assistant County Manager

Community Planning, Infrastructure and Resources
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970) 498-5741 | M: (970) 589-0674
Kadriclm@co.larimer.co.us | www.larimer.org



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: STR regulations

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fri, Dec 9, 2022 at 8:01 AM

FYI

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

From: **'Beth Cooper' via Commissioner_Shaddock-McNally** <commissioner_shaddock-mcnally_public@co.larimer.co.us>

Date: Fri, Dec 9, 2022 at 6:15 AM

Subject: STR regulations

To: <JShaddockMcNally@larimer.org>

I support the proposed new STR regulations and would like to see them pass.

Estes Park residents recently voted to pass the lodging Tax Extension because it will increase funding for workforce housing and childcare options in the Estes Valley, while preserving essential funds for tourism.

So who are those that oppose the new STR regulations? Probably a group of property owners who do not have the best interests of Estes Park's families and community in mind.

Beth

Sent from my iPhone Sent from my iPhone

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Laurie M. Kadrach
Assistant County Manager

Community Planning, Infrastructure and Resources
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970) 498-5741 | M: (970) 589-0674
Kadriclm@co.larimer.co.us | www.larimer.org



Comments on Short Term Rental Changes

Scott Howard <showard@hfsd.org>
To: luc2020@co.larimer.co.us

Fri, Dec 9, 2022 at 2:51 PM

To Whom it may concern,

First of all a couple of questions,

1. What specifically initiated the need for this study to revise the current land use code?
2. And who requested it.....Larimer County Officials, the Town of Estes, the Estes Valley Planning Advisory Committee (EVPAC), etc.?

It took us almost two years to obtain our short term rental permit this past summer. It is already, a very cumbersome process. We are 100% AGAINST any changes to the current code. And it the very least ALL permits granted prior to any changes should be grandfathered in, including the transferability of the permit.

This transferability of the permit was the most important reason why we chose to pursue a short term rental permit.

I don't see how it is legal to change the terms/conditions of current permit holders, especially since it seems the County is looking for a solution to a problem that does not exist. I have listened to or watched numerous EVPAC meetings. The comments from most of the committee members are ALWAYS the same – (complaints of noise, increased traffic, and wear and tear on the roads). Only to be rebutted by a member of Larimer County's own staff, (Amy White) who has stated several times, that the county has only rarely received complaints. It seems the pursuit of making these changes is arbitrary and capricious.

So why then, the need to make the proposed changes? They are not warranted. The Town & County, each have their share of capped numbers of homes that can be permitted for short term rental use. Those numbers are pretty much static because of the cap. It's not like someone has suggested increasing the cap. I would like to know how many properties were utilized as short term rentals prior to the cap being implemented???

The Estes Valley has been a vacation destination since its inception. My family and I have vacationed in Estes for over 20 years before we finally purchased a home in 2019. Every summer we rented a private home/condo through Ponderosa Realty. This was long before the implementation of a "cap" on short term rentals. So think about that for a moment, private homes have been rented out for DECADES. Now it is a problem? I don't think so.

In conclusion, we are adamantly OPPOSED to any changes that further increase restrictions or limitations to the terms of Short Term Rental permitting in Larimer County.

Sincerely,

Scott L. Howard, FASLA, CLARB, LEED AP

[641 Larkspur Rd., Estes Park, CO. 80517](#)

405.204.7916



From Deborah Sie: Short Term Rentals

Deborah Sie <djsie2008@gmail.com>
To: luc2020@co.larimer.co.us

Fri, Dec 9, 2022 at 6:05 PM

To whom it may concern.

I would like to add this information to what I have written before.

While not focused on STR the issue is the same. When homes become commodities investors compete with families buying homes.

Excerpt below from congress woman Kati Porter:

KATIE ★ PORTER
FOR CONGRESS

STOP WALL STREET LANDLORDS >>

In 2021, **investors bought nearly one in seven homes sold** in the 40 largest metropolitan areas.

That's a real problem because corporate landlords tend to be more likely to evict tenants and aggressively raise rents, and they worsen our country's existing housing crisis. These Wall Street investors have targeted Black neighborhoods, contributing to gentrification and preventing families from being able to afford to purchase a home.

Katie co-sponsored the Stop Wall Street Landlords Act to rein in the greed of Wall Street and help make housing more affordable. **Sign our petition to show your support for passing this bill.**

F
L
E
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P

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Deborah J. Sie M.A. | Coach & Way Guide
Founder of Wise Women Create LLC
Author Into Avalon: Mythic Adventures

WiseWomenCreate.com
Conscious Business Creation



LUC 2020 <luc2020@co.larimer.co.us>

STR perspective

Ed Wagner <ed@edwagner.org>
To: luc2020@co.larimer.co.us

Sat, Dec 10, 2022 at 10:18 AM

Commissioners,

We are homeowners in a residential neighborhood in Estes Park and would like to offer our perspective on the STR conversation: we support a reasonable distribution of short term rental licenses in residential areas. We have a family of 5 and when we travel we rely on STRs for a unique and comfortable experience. As members of the Estes Valley community, we believe that STRs are an important component of our hospitality fabric. STRs should be managed professionally and not overrun our neighborhoods, but it appears to us that the caps and regulations that we already have in place are sufficient to ensure that. Let's not add further unnecessary restrictions.

We also noted that in the draft that there is a box towards the end that brings up the notion of different rules for named subdivisions like Windcliff that were originally designed to support STRs. Locations like these where there are HOA rules in place seem like they ought to be able to retain their freedom to self-govern (e.g. no cap, etc.). We don't see any need for our broader government to step in where local rules and agreements have already been established.

Thanks for taking the time to hear our opinion and thank you for your service.

Ed & Jennifer Wagner
430 Fall River Ln



LUC 2020 <luc2020@co.larimer.co.us>

Short term housing

Robert Cole <akcole64@gmail.com>

Sun, Dec 11, 2022 at 7:49 AM

To: "luc2020@co.larimer.co.us" <luc2020@co.larimer.co.us>

I believe that Air B and B's take single family homes off the market, and therefore contribute to the emergency in housing availability and affordability. I support restrictions on short-term rentals. Go for it.

Robert L. Cole
Loveland



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Estes Valley, STR Larimer county regulations

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fri, Dec 9, 2022 at 3:35 PM

FYI

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

From: **Cameron Stewart** <cameronestewart@gmail.com>
Date: Fri, Dec 9, 2022 at 3:17 PM
Subject: Estes Valley, STR Larimer county regulations
To: <JShaddockMcNally@larimer.org>

Please vote no on the Estes Valley Larimer county proposed changes to property owners who are generating income through short term rentals.

We are a retired couple, love, Estes and Rocky Mountain national Park. We purchased our condo to generate a small amount of income to supplement our retirement funds.

The proposed changes are in direct conflict with property ownership. Also, we paid about \$100,000 more for our condo because it had an STR permit. So by making these changes, our condo will lose \$100,000 of its value. Additionally, we expect our children to inherit our condo and the STR permit. Changing the current STR permit requirements would have very destructive impacts on owners with significant investments in Estes Park Valley.

Requiring annual inspections would be expensive for the county and cumbersome for the owners. I can assure you that we are responsible owners and maintain our condo and all permit inspection requirements completely.

Please support the STR owners in Estes valley. Making the proposed changes will have very significant financial impact on owners. In our case, it would bankrupt us.

Thank you, Cameron Stewart
Sent from my iPhone

Sent from my iPhone

--



Laurie M. Kadrach
Assistant County Manager

Community Planning, Infrastructure and Resources
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970) 498-5741 | M: (970) 589-0674
Kadriclm@co.larimer.co.us | www.larimer.org



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Impending restrictions, regulations, and prohibitions for the STR market

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fri, Dec 9, 2022 at 3:37 PM

FYI

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

From: **megan teddysteeth.com** <megan@teddysteeth.com>

Date: Fri, Dec 9, 2022 at 3:00 PM

Subject: Impending restrictions, regulations, and prohibitions for the STR market

To: ShaddockMcNally@larimer.org <ShaddockMcNally@larimer.org>, jkefalas@larimer.org <jkefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>

My family has a long association with Estes Park, the Valley, and Colorado. My mother and her family lived their summers outside of Estes up on Holy Hill, starting their visits back in 1926 or 1927. My grandfather spent a lot of his time helping with the direction of the YMCA Camp of the Rockies along with the ministers who summered up on Holy Hill. My mother's family also spent a lot of time in RMNP and in town. When my mother married, she talked my father into visiting "Just once", and he did to "shut her up" about Estes. Low and behold, he found that he loved the area almost as much as she did. He continued to hike and camp in the area until he turned 92. As a result, my siblings and I grew up summers in Estes as well, starting our visits in 1954.

In the late 1960s, they found the lot that they decided to retire to and bought that lot with the inheritance my father received from his father. They built a small house on Windcliff in 1970, which they then enrolled in the nascent rental program that Windcliff started. They rented the house back then so that they could afford to keep it and improve it for their retirement. Finally, in 1983/1984, my parents were able to retire there, and they quickly became integrated into life on the hill and life in Estes Park. My mom volunteered for the library, the hospital, and the charity shop. My dad ended up working at the halfway house in Estes as their house doctor. He also worked on improving Spur 66 as well as working on the road for the Windcliff community. In fact, there's a bench up on the hill that is dedicated to my dad and another for the work that they did on improving the roads for Windcliff. In 1998, my mother's health precipitated a move out of Estes, but they continued to rent the house out in the Windcliff program so that they could go visit during different times of the year.

With my parents making their decision to retire in the Estes Valley, 3 of their 4 kids moved here as well. My brother, Stuart, came first, living and working up in Estes for several years before moving down to Fort Collins, where he currently resides and works (MacMillan Development Company). I came second, being a ski-bum in Vail and then pursuing a couple of advanced degrees and finally settling down to live and work in Boulder County. My younger sister was last, completing her residency at CU and then practicing OB/GYN in Pueblo.

When both my parents finally died in 2014, we four children inherited the house. We kept renting the house as a short-term rental so that we could all continue to keep the house and have a great place to visit and enjoy with the whole family. When the Estes Valley started issuing licenses for STRs, we applied and brought the house up to the level necessary to rent the house out. Over the years, we have continued to modify and maintain the house, improving both the comfort and safety of the house for ourselves and our renters.

A couple of years ago, I ended up purchasing the house from my siblings so that I would have a place to retire when I am ready. I still rent the house from May to December, closing it to renters during the winter so that I can make some use of the house myself as well as get maintenance and cleaning done for the next season. This means that our house has been enrolled on and off in the Windcliff rental program since 1971, or about 52 years. What's great is that I have a quite a few renters who come back year after year, who love the house and feel like it's their house, too. I even "rent" the house out to neighbors (who don't rent their house out) for their family reunions or other family events.

Renting our house on the long-term rental market doesn't work as it would deprive us of being able to use the house during the year, which is one of the joys of having it. But even if I did rent it long-term, the house doesn't really fit or fulfil the need by Estes Park or Larimer County for affordable housing. When we start looking at the additional restrictions and fees that the County Commissioners are looking at, the house may become too difficult and expensive for me to keep, and it is likely that the people who purchase the house will do a huge remodel and push the house even further out of the affordable housing market.

I understand the need for long-term housing in the Estes Valley and in all of Colorado. Resort communities: communities are having trouble housing employees and young people are having trouble purchasing homes. However, I believe that there needs to be a deeper analysis of what actions will help increasing that housing while continuing to bring in visitors and their money to the Valley. Over the many years of allowing rentals, Windcliff has created rules and regulations that ensure that our renters are respectful of the community and our neighbors. , and the rental of my house, has brought 40 years of visitors who keep returning and who spend a lot of money in the Estes Valley.

Estes is a wonderful, magical place and very deep in my heart and in my family's lives. I would hate to lose my ability to rent the house, which makes it affordable for me to keep and enjoy. My family would hate the loss of the ability for the house to be passed down through the generations while still being able to rent it out as necessary so that they, too, can hand it down over the years.

Thank you for listening. I hope you will see how deeply ingrained Estes is in my and my family's life.

Megan MacMillan

2062 Red Feather Point

3125 Eaglecliff Drive

Lafayette, Colorado 80026

Estes Park, Colorado 80517

megan@teddysteeth.com

720-938-3028



Laurie M. Kadrich
Assistant County Manager

Community Planning, Infrastructure and Resources
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970) 498-5741 | M: (970) 589-0674
Kadriclm@co.larimer.co.us | www.larimer.org



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Re: Short term rentals

Jody Shadduck-McNally <shaddujl@co.larimer.co.us>

Sun, Dec 11, 2022 at 9:03 PM

To: Nancy Nelson <nancynelson982@gmail.com>

Cc: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Thank you Mrs. Nelson for sending in your comments for our public process. I have copied the staff so your comments will be added to the public record.

Respectfully,

Commissioner Shadduck-McNally



Jody Shadduck-McNally
Larimer County Commissioner, District 3

Commissioner's Office
200 W Oak St, Fort Collins, 80521 | 2nd Floor
W: (970) 498-7003 | M: (970) 939-0558
jshadduckmcnally@larimer.org | www.larimer.org

On Sun, Dec 11, 2022 at 8:12 PM Nancy Nelson <nancynelson982@gmail.com> wrote:

Jody:

My husband and I are residents of Larimer County and also own property in Estes Park.

It is our family cabin/short term rental small business. We have come to rely on the income from our cabin to supplement our retirement income.

Now we learn that Larimer County is considering onerous changes to our rights as property owners as well as the economic stability of the Estes Valley. STRs and the visitors it brings in supports not only our family but many others in Estes Park such as the rental agency, cleaning company,....

How can you even be considering this? It will be detrimental to the reputation of Estes Park as the public has learned to enjoy renting houses where families can be together. Estes Park is traditionally a multigenerational vacation destination. All that tourism brings in a lot of money to the community.

We pay our taxes, hired a responsible rental agency in town, did everything necessary to become a short term rental. Yet you treat us like we're all problems that should go away.

The consequences of these onerous proposals is long reaching. Has anyone considered that?

Please do not change the current policy which benefits the county and the home owners.

Sincerely, Nancy Nelson



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Short Term Rentals

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Mon, Dec 12, 2022 at 8:57 AM

FYI

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

From: **'James Hurst' via Commissioner_Shaddock-McNally** <commissioner_shaddock-mcnally_public@co.larimer.co.us>
Date: Sun, Dec 11, 2022 at 8:58 AM
Subject: Short Term Rentals
To: <JShaddockMcNally@larimer.org>

I am the owner of # 10 in Blue Spruce Village in Estes Park. I just renewed my STR permit. I rent my condo 1-2 months a year to help with my granddaughter's college tuition. Prohibiting STR in Estes would devastate businesses. This would remove a huge funding to Estes and RMNP. I am very much against ending the STR permits in Larimar county and Estes Park. Please reconsider this action. James Hurst

Sent from my iPad

--



Laurie M. Kadrach
Assistant County Manager

Community Planning, Infrastructure and Resources
[200 W Oak St, Fort Collins, 80521](https://www.co.larimer.org) | 3rd Floor
W: (970) 498-5741 | M: (970) 589-0674
Kadriclm@co.larimer.co.us | www.larimer.org



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Re: Estes STR's

Jody Shadduck-McNally <shaddujl@co.larimer.co.us>

Sun, Dec 11, 2022 at 9:09 PM

To: ALAN H WAGNER <awagz44@aol.com>, Tawn Hillenbrand <hillenta@co.larimer.co.us>

Thank you Mr. Wagner for sending your concerns to me. I am copying staff on this reply so we can add your concerns to the public input process regarding STRs.

Respectfully,

Commissioner Jody Shadduck-McNally



Jody Shadduck-McNally
Larimer County Commissioner, District 3

Commissioner's Office
200 W Oak St, Fort Collins, 80521 | 2nd Floor
W: (970) 498-7003 | M: (970) 939-0558
jshadduckmcnally@larimer.org | www.larimer.org

On Sat, Dec 10, 2022 at 3:40 PM ALAN H WAGNER <awagz44@aol.com> wrote:

Jody, please continue to fight for those of us who simply want calm, quiet neighborhoods!

It's out of control with the money hungry STR Alliance!

A Wagner,

Estes

Sent from my iPhone



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Short term rentals, public policy study

Christina Scrutchins <scrutcch@co.larimer.co.us>

Mon, Dec 12, 2022 at 2:31 PM

To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tawn,

This came to my email and I'm not sure if you needed me to send this to you.

Thank you
Christina

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

From: **Larimer.org** <noreply@larimer.org>

Date: Sun, Dec 11, 2022 at 4:48 PM

Subject: Short term rentals, public policy study

To: <scrutcch@co.larimer.co.us>

This form was submitted on Sunday, December 11, 2022 - 4:48pm from <https://www.larimer.gov/boards/estes-valley-planning-advisory-committee>.

Emailing (to) scrutcch@co.larimer.co.us

Subject Short term rentals, public policy study

Your Name Rebecca Urquhart

Phone 9705867586

Your Email rebecca.l.urquhart@gmail.com

Message (no html)

(please forward to the EV Planning Ctee members) The short term rental lobby is pressing the newspapers and ocal officials with "white papers", etc on the tax benefits it brings it, while ignoring the related burden on our tax supported infrastructure (emergency & health care services, roads, utilities, affordable housing for the workers). This published article, posted today by Moms Against STRs (in the non-tourist community of Dallas) also says public policy should consider that "touristification disintegrates the places people belong to and rely on for their daily lives, which therefore leads communities to experience disruptions to their mental health as well as feelings of dispossession, anger, and frustration.

I have recently discoveerd that the American Legion, the Museum, the Library, etc. are cutting back or struggling due to lack of workers and volunteers. This will only get worse, as residents flee the Town. <https://www.sciencedirect.com/science/article/pii/S0016718522002433?fbclid=IwAR3CXDAyIWohWgbByf4kdTt-11wliogWLsXN5qnj1-WOKDa1Kk8eNQFfZM4>

WOKDa1Kk8eNQFfZM4

Attach a file (optional)



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Re: EVSTRA

Lesli Ellis <ellislk@co.larimer.co.us>

Mon, Dec 12, 2022 at 4:35 PM

Reply-To: ellislk@larimer.org

To: Frank Kintzle <frankkintzle@gmail.com>, Tawn Hillenbrand <hillenta@co.larimer.co.us>

Hi Mr. Kintzle -

Thanks for your input and interest. I'm copying this email to Tawn Hillenbrand, the project manager for the Short-term Rental project, so she can be aware of your interest and add it to our record. We have heard from others in Windcliff the idea to be considered differently than other Residential Zoning Districts and are factoring that information into the next round of options. For information about the next steps and schedule related to the project, keep an eye on <https://www.larimer.gov/planning/short-term-rentals-regulation-updates>.

Kind regards,
Lesli



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

On Sat, Dec 10, 2022 at 10:26 AM Frank Kintzle <frankkintzle@gmail.com> wrote:

Lesli,

We are very concerned over the potential effects of EVSTRA and as it relates to our Home located at [2040 Windcliff Dr, Estes Park](#).

Windcliff has its own regulations for short term rentals and was zoned a residential property in 1999 and we value our rights and hope you respect those rights. We do not believe we should be subject to the potential regulations as Windcliff has never provided affordable housing for the Estes Valley workforce.

we purchased our home in 1983 and it has been in the rental program since. It is rented out for those dates that our family does not use our home. . We do not have complaints from our renters nor from our neighbors. Thank you for considering our concerns.

Frank



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Estes Valley Short Term rental regulations

Lesli Ellis <ellislk@co.larimer.co.us>
Reply-To: ellislk@larimer.org
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tue, Dec 13, 2022 at 8:06 AM

FYI



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **Lorenda Volker** <volkerl@co.larimer.co.us>
Date: Mon, Dec 12, 2022 at 5:31 PM
Subject: Fwd: Estes Valley Short Term rental regulations
To: John Kefalas <kefalajm@co.larimer.co.us>, Kristin Stephens <stephekm@co.larimer.co.us>, Jody Shadduck-McNally <shaddujl@co.larimer.co.us>
Cc: Lesli Ellis <ellislk@larimer.org>, Laurie Kadrich <kadriclm@co.larimer.co.us>

Commissioners, the following email was sent to you at the bocc@larimer.org email address. I'm forwarding it to you and Community Development staff for your information.



Lorenda Volker
County Manager

Commissioners' Office
200 W Oak St, Fort Collins, 80522 | 2nd Floor
W: (970) 498-7008
lvolker@larimer.gov | www.larimer.gov

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

From: **Larimer.org** <noreply@larimer.org>
Date: Sun, Dec 11, 2022 at 9:13 AM
Subject: Estes Valley Short Term rental regulations
To: <bocc@larimer.org>

This form was submitted on Sunday, December 11, 2022 - 9:12am from <https://www.larimer.gov/bocc/commissioners-public-record-email>.

Emailing (to) bocc@larimer.org
Subject Estes Valley Short Term rental regulations
Your Name Rebecca Urquhart
Phone 9705867586
Your Email rebecca.l.urquhart@gmail.com

Message (no html)

I just read the article in the EPNEWS that County restrictions will cost in the neighborhood of \$5 million. Even if that is true (doubtful) , it fails to consider the BURDEN of tourism on our community. More road repairs, more utility needs, and less year round residents. Already, the local Museum is closing down its gift shop and bookstore for lack of volunteers. The American Legion can't find employees or volunteers to operate efficiently. the Observatory can't find enough volunteers. The library is closing 2 days a week for lack of staff. At least 1 author of that study has a commercial STR business, and I suspect the study outcome is determined by questionable assumptions. My neighborhood is a hotel zone, and more and more residents who used to make this a vibrant community are leaving because tourism has killed the golden goose

Attach a file (optional)



LUC 2020 <luc2020@co.larimer.co.us>

STR letter

Reid Bradford <reidbradford9@gmail.com>

Mon, Dec 12, 2022 at 10:18 AM

To: "luc2020@co.larimer.co.us" <luc2020@co.larimer.co.us>

A letter commenting on STRs

Thank you.



STR Letter 1.pdf

86K

Short Term Rentals: A different perspective

Assume that if you happen to have the misfortune of living near a 3 bedroom vacation rental, it will mean that on every possible bookable day of the year, 8-12 adults plus a few of their friends in at least 4-5 vehicles will set up shop, heavy bass Bluetooth speaker, coolers full of alcoholic beverages, pent up with a full work week of stress from their jobs in the city, ready to let loose and party for the next few days and most especially, nights. I mean, why not? They are on vacation and they paid a lot of money for their right to not care about those around them.

This may not be the case on every booking, but you can be sure this is always possible and very probable, and not knowing who you're going to get as your neighbor du jour is now your life.

I have lived next to 2 incarnations of vacation rentals (STRs) and I have seen it all.

The first incarnation; out of town owners from Nebraska who we have never met, didn't care what happened as long as they got paid. If you called the owners, they'd tell you to call the management. If you called the management office about the heavy bass bluetooth speaker ruining the peace and quiet, all day and night, all he wants to talk about is the decibel level and the statute that allows for it. Not a care in the world about the fact that every single family who lives nearby has to get up in the morning to go to work and get their kids to school, daycare, day camp etc. Not a care in the world that in the summer, when we can FINALLY leave our windows open all night and if you don't, your house will be 85 degrees all night, means the non-stop party is loud and clear in our bedroom and our kid's bedrooms allowing for very little sleep at all. Not a single care that the entire rest of our quiet residential neighborhood respects the peace and quiet we all share and cherish. Not one single care from the out of town investor owner or the management company.

The second iteration is an STR owner who is one of the most amazing human beings on the planet and actually lives in the home and a great neighbor who cares a great deal about this community as well as the impact of the downstairs rental on the rest of the neighborhood. It is a different situation, but ultimately and sadly, often the very same deal.

The very first time it was rented, I called at 2:30 am to find out what was going on with the flashlight tag in the backyard, noise and beams of light bouncing off the walls in our open windowed bedrooms keeping us awake only a few short hours before we had to rise and shine for the day's obligations. The ruckus was stopped, but the sleep was already lost. The times when the neighbor travels and is not around to put a lid on the disturbances, the management takes FULL advantage by booking up to 9 people in that small apartment and other insanity such as I will mention below.

The time, a 50-foot RV conversion bus towing a Jeep gets stuck out front and when I (not knowing or imagining they are renters) go over to see if I can help, I get an earful of swearing about how they were duped by the owner and management about the RV parking at the rental

and that the kitchen and fold out couches were massively inadequate for their very large RV full of passengers. They leave to park the bus somewhere else more suitable and completely destroy the landscaping at the corner of our property in a cloud of diesel smoke as they head back down the street.

Another time, sounds of heavy banging bring me out to see what's going on. I see two teenage boys, left alone by the vacationing parents, who had found a pick axe in the owner's shed, smashing the landscape rocks around the neighbor's mulched beds. Within a few minutes, I find myself turning on my video on my phone as the same 2 boys were up on the garage roof with a screwdriver trying to pry open the owner's kitchen window to break in. They notice me and run. I forward the video to the owner who alerts the manager. The manager, in time, arrives, and does nothing, allowing them to stay giving the gift of uncertainty to the neighborhood of whether or not our houses might be the next target of the screwdriver for the rest of their stay.

Another time, the new renter for the week, who is supposed to be one person ends up being a group of 5 whose car alarm continues to go off at least a dozen times throughout a very windy Sunday night in the fall. The night before the Monday of a long week of work and school, the usual things people in a quiet residential neighborhood call life. I go over in the morning on the way to work to ask for some cooperation with the alarm situation, and offer some advice on bear activity as it relates to food being left in vehicles. The man angrily snaps back "my alarm didn't go off, it never goes off!" Two nights later, as the alarm is going off all night long, I decide to get out of bed, go outside, and video the lights and sounds of the renter's car just to show him that his alarm does and is going off. When I went over to express my concern for our lost sleep, the renter literally came at me, aggressively screaming, "what's your name?! Where do you live!? And then told me to F-off. I walked home a completely different way so he wouldn't know where I lived, afraid for the safety of me and my family, and sure enough the guy got into his car to try to follow me! Knowing the intricacies of our neighborhood, I was able to work my way home unscathed, and we just suffered through 2 more days of violent renter guy's car alarm going off till they finally went home to Texas. I don't even bother to call the owner or the manager. It's no use.

These are all true stories, and only a tiny fraction of my mostly negative experiences of living near a vacation rental in Estes park.

It has been truly infuriating reading week after week of seemingly Trail Gazette sponsored articles from this new EVSTRA group, proclaiming their devotion to the Estes Park community. It's like reading non-stop articles written by the butcher professing his complete and total support for the farm animal rights movement. It's pure nonsense. This group's sole and specific existence is to further their agenda of STR proliferation throughout Estes Park's quiet residential neighborhoods as well as the greater Estes Valley for profit.

In the September 16th edition, Greg Rosener from EVSTRA said "we're here to show the community that we in the industry are good citizens and do care about the community." You

may be good citizens, nobody wants to argue that, but keep your 'industry' out of our quiet residential neighborhoods!

In the September 2nd TG edition, John McCall, from Texas in a letter outlines 14 bullet points for those of us who live and work and are raising our families in Estes Park and the Estes Valley, outlining ways we can change the way we operate so he can have his STR here. He says his recommendations have fallen on deaf ears when he has brought these points to the attention of the town and county officials. No, they heard you loud and clear, as well as several other letter writers whose special interest pleas are "falling on deaf ears." The truth is, they also hear the 99% of residents who do not want your 'industry' in our quiet residential neighborhoods!

The Short Term Rental 'Industry' used to be a reasonable amount of property owners renting their homes or cabins when they weren't there and that is how visitors enjoyed vacations as an alternative to hotels. That dynamic has exploded into the industry that it is today, and it is common knowledge that this industry is exponentially blowing up into vacation towns from the mountains to the beach and completely destroying the balance of tourism service and residential community in the pursuit of profit. This is the ONLY industry in our town that actively tries to take housing away from the viable pool of homes to make working or retired people full time residents and build equity for their future. We are not interested in selling out any more of our neighborhood's single-family homes. This is not an industry that acts on behalf of the community so please keep your 'industry' out of our quiet residential neighborhoods!

Quiet, safe, cohesive residential neighborhoods, where you don't have to wonder who will be your neighbor this week, are the foundation to a thriving community and there is only one industry that completely erodes this foundation and that is STRs. Allow this industry to continue on the path that it seeks and there will no longer be a foundation at all. We have seen this in vacation towns who have let this happen and then it is too late to close the door once the horse is out of the barn. Towns with an overwhelming amount of STRs serving tourists, but the workforce is living in garages, storage units, crowded into tiny apartments, camping out at the edge of town, commuting from distant towns, melting away their earnings on gas and car troubles, or, ultimately, just giving up and leaving for good. Hundreds even thousands of single-family homes have been taken from the inventory leaving very little available for families to plant roots. The sad thing is, it is not just workforce in the sense of support staff for the tourist industry, but this affects teachers, nurses, police and other town personnel and so many other vital residents that make our town what it is. Work force rental housing is a great solution to this problem but preserving single family homes in residential neighborhoods is the best long term way forward.

Some may think just by implementing some minor regulations here and there we can keep the STR issue under control, but again, we have seen what happens with even a moderate amount of regulation in other towns that have seen this get out of control before us. STRs need a license, but so many investor home owners get away with renting short term anyway till they get caught. If you slap them on the wrist and tell them they can rent legally but only for 30 days or more, over time as wealthy visitors dominate the tourist demographic, and will gladly pay

for 30 days for their 5 day stay, and the investor owner will just turn it around and rent it again for '30 days' 4-5 times a month. This and other shady behavior from the STR industry happens all the time as popular vacation towns see wealthier tourists coming to visit.

The County and Town officials and elected boards are doing the right thing by listening to the vast majority of residents about the disruptive nature of Short Term Rentals in quiet residential neighborhoods. It was the best move to at the very least, implement the 'no fires in STRs' rule, and we need to keep putting the brakes on this STR issue as a whole for the best interest of our town's and county's future. At least there won't be a need for renters to sneak over to steal our firewood now.

A massive abundance of established short term lodging establishments already exist in designated accommodation zoned areas, and the number of rooms continues to grow every year to fund 6E. The Already existing abundance of STRs that have proliferated throughout the downtown zone and along accommodations corridors will provide plentiful funding for the 6E initiative. There are residential, commercial, industrial and accommodations zoned areas for a reason so let's stick to keeping what belongs in those zones in those zones. In other words, keep your industry out of our quiet residential neighborhoods!

The lodging tax that the EVSTRA and the Trail Gazette editorial writer hid in sheep's clothing to promote week after week will be adequately supported by these existing lodging establishments and existing STRs that are in neighborhoods that are primarily zoned accommodation. It is so transparent for them to come out as the wolves we see them to be with that opinion piece in the November 18th TG edition titled "County should not backtrack on Estes Valley workforce" The Larimer County Commissioners absolutely supported this initiative to fund workforce housing and child care. It is also very clear that they simultaneously see the dire need to preserve the integrity of our quiet residential neighborhoods and to stem the flood of the STR intrusion that EVSTRA is in favor of. That was a shameful piece, and is indicative of the TG editorial staff's willingness to take the side of a very small special interest group over the greater long-term health of the community it serves. 6E will get funded and again, we do not need to sell out our quiet residential neighborhoods for the STR industry.

In the November 4th issue, EVSTRA's Greg Rosener makes my important and resounding point himself in his quote in Trail Gazette headline article "Estes lodging community rattled over proposed regulations" Rosener states "All of my neighbors are used to having a vacation rental next to their property, but now that vacation rental may move to the other side of town that has never had a vacation rental there. A person that never has had a vacation rental next to their property all of a sudden does, which could lead to a disruption in the neighborhood." I would propose that those neighbors who allegedly are so used to having an STR next door would most certainly prefer not to, and if there were to be a requirement that neighboring property owners would have to approve the adjacent STR before the license could be issued or re-issued, there would be very few STRs left. Also, Mr. Rosener, thank you again for making my point on the record, and I wholeheartedly agree, that vacation rental are disruptive in

neighborhoods. So please, hear me when I say, the people of Estes Park and the Greater Estes Valley want you to keep your 'industry' out of our quiet residential neighborhoods!

Too many neighborhoods have been entirely lost already, and there are already too many STRs peppered into long time work force neighborhoods that don't deserve the incongruous nature of 8 or more partying adults 7 days a week in their midst, taking away their right to peace and quiet. Too many of our residents, vital and integral people who live in and contribute to our community have been evicted from their homes because they were bought and turned into a Short Term Rentals. There is too much of our future at risk if this STR issue is not severely held in check and even reversed as much as possible now. As far as extra funding for the community, perhaps we need a citizen's initiative for a much higher per night per room Occupational Lodging Tax for STRs since they're so eager and ready to fund workforce housing and child care. After all these are no longer residential homes, but revenue generating commercial enterprises doing disruptive business in our quiet residential neighborhoods, so it is probably time to take a closer look at this as well. The city of Salida just approved an increase from \$4.82 to \$15 per room per night plus a \$1000 a year fee starting Jan.1, 2023. That would go a long way for EVSTRA to further support the community for workforce housing and child care.



New Short Term Regs

Shawn Preston <shawnbigsoda@hotmail.com>
To: "luc2020@co.larimer.co.us" <luc2020@co.larimer.co.us>

Mon, Dec 12, 2022 at 12:24 PM

To Whom It May Concern,

I've been an on-off resident of Estes Park since 1986. I came here for many of the same reasons other residents did... the outdoor grandeur, world-class rock climbing, etc. But one thing I didn't do is buy a house, and then try to turn the town into something it isn't, a normal residential town. This town is built on tourism. Tourists fund and drive everything. I know there are retirees who resent the noise, traffic and other residents renting their homes out to tourists.

My house was built in '94 and has always been a vacation rental. It used to be listed in a paperback guide with Ponderosa Realty.

VRBO and Airbnb, made my dream of owning a house in Estes a reality, like many owners. I realize there are some businesses that own multiple homes, but these are the exception, not the rule.

By further reducing the number of people who can rent, and the number of days, etc. you are undermining my ability to have a home in Estes and undermining my retirement. This home is part of my retirement... a big part as these short-term rentals are for most owners.

I've already complied with your previous regs, modified my house to get a large-home permit, and now I'm staring down the barrel of more government regulation, albeit local government. However, it's still government.

Your proposed regulations with all the zoning and verbiage is so confusing, I'm not even sure what my new regs would be.

I've heard people complain about the lack of affordable housing for workers, but this has been a problem since the '80's when I was one of these workers. I've bartended at the Dunraven when Jules owned it. I've waited tables at the Plantation when that existed. I've worked at the Stanley and at Ed's when Ed actually owned it. The idea that this housing need will be fixed by these single-family homes suddenly being rented out to seasonal workers is ridiculous. It's just a lame excuse from the town, when really the town should be finding other solutions that actually work. Hell, it took them decades to do something obvious like build a parking garage. It's not the job of a small number of individual property owners to solve this problem entirely.

I'd like to keep my home in Estes. More regs and more bureaucracy directly threatens this, as well as my retirement income.

Sincerely,
Shawn Preston
310 383 9882



Comments on proposed STR regulations (December 2022) (Tiffany Parcher)

Tiffany Parcher <tiffany.parcher@gmail.com>

Mon, Dec 12, 2022 at 1:54 PM

To: luc2020@co.larimer.co.us

Cc: Daniel Parcher <daniel.parcher@gmail.com>

Dear Larimer County Commissioners,

My husband and I own a short-term rental in Larimer County, just outside the Estes town limits. We live in Denver and visit Estes Park often with our three children. We are members of the YMCA of the Rockies and always have an annual pass to the national park. I first came to Estes Park as a child in the 1980s, when my parents started vacationing here from Texas with me and my brothers. We came most summers, stayed at Misty Mountain Lodge, hiked to Emerald Lake, sampled taffy downtown, and shopped at Dick's rock shop.

I have loved Estes Park since my childhood, and it is our goal to keep it thriving. In addition to visiting there now with our own children, it is important to us to invite others to come experience Estes too. Owning an STR here enables us to share these experiences with other families and travelers. The guest book at our STR is filled with hand-written expressions of gratitude from visitors who come to our house and fall in love with Estes Park, RMNP, and Colorado.

As you consider your proposed amendments to regulations for short-term rentals, please know that we are community members with a deep and many decades-long love for this mountain town. We have no concern implementing measures to keep our home safe and accessible, and we thank you for enabling us to do that. However, we hope you won't limit the number of days we can operate over the year. Operating our STR year-round enables us to maintain employment of local professionals, pay wages year-round rather than seasonally, and drive foot traffic to local businesses in slower months -- as well as sharing the absolute beauty of the area in the winter.

Your STR community is investing in Estes and its future. We truly believe that our home provides a valuable service to local residents who live in the community, to Coloradans who live nearby and visit frequently, and to people who manage to come only once in a lifetime. We hope to keep doing this for years to come.

Thank you for reading.

Sincerely,

Tiffany and Dan Parcher

tiffany.parcher@gmail.com



STRs and our home

HSMD Kimberly <Kimberly@holisticsolutionsmd.com>

Mon, Dec 12, 2022 at 1:11 PM

To: jkefalas@larimer.org, kstephens@larimer.org, JShadduckMcNally@larimer.org, converseevplanning@gmail.com, eotranh@gmail.com, pmoak@aol.com, poggenpohl@mac.com, ftheis3@gmail.com, dhwebb10@gmail.com, ellisk@larimer.org, laffermn@co.larimer.co.us, luc2020@co.larimer.co.us

Cc: Amy White <awhite@larimer.org>, Paul Branch <drbranch@holisticsolutionsmd.com>, HSMD Kimberly <kimberly@holisticsolutionsmd.com>

> To whom it may concern:

>

> We have a home in Estes Park and want to share how we conduct our STRs. We hope that we are grandfathered in as this is our retirement plan and income. We love our home and hope that, what ever changes, you are aware of how much we care about Estes Park as a community and for our neighbors.

>

> We hope:

>

> --Existing homes are grandfathered in under the rules under which they applied.

>

> --There is no revoking transferability in the event that we have to sell some day. We hope you follow in the footsteps of the Town, and grandfather transferability for homes that are currently permitted, but revoke transferability for all new homes.

>

> Here is some of what we make sure of while conducting STRs:

>

> --We ensure great pay for cleaners and staff, creating a true year round workforce.

> --Our cleaners make 3x what they make in hotels.

> --Our cleaner is a homeowner in Estes Park!

> --We are proud that our management company mandates noise meters to be good neighbors, and preclude all noise complaints.

> --We tell guests at least 6x before arrival no outdoor fires!!

>

> Here are some personal things we wish for you to know:

>

> --Our home is our retirement plan.

> --Not grandfathering us in means we spent more than \$20k bringing our home up to code, only to lose it all!

> --Not allowing transferability means my husband and I have to work many more years to compensate for the lost equity if taken away from us.

> --We take pride in showing guests a true mountain experience. We are not a commodity like a hotel.

> --Our home is on the side of a mountain with no neighbors in earshot; Estes is unique in that many homes like our are isolated.

>

>

> We ask that you grandfather us and allow transferability.

>

> Thank you for your consideration,

>

> Kimberly and Paul Branch

> 1680 Mary's Lake Rd. 80517

>

> 917-403-5774



Comments on str regulations

Bryan Burke <bryan@estesresort.com>
To: luc2020@co.larimer.co.us

Mon, Dec 12, 2022 at 9:31 PM

Hello,

Comments concerning short term rentals and proposed regulations:

They are a business running in residential neighborhoods.

They do not pay a higher rate of property tax in comparison to those businesses which are zoned commercial. They do not have as strict requirements for safety systems as other commercial accommodations, yet they compete for the same customers.

It makes sense to upgrade the properties and any infrastructure to the more modern standard for safety.

Operating license should not be transferred as part of the sale. The sale is of a residential home, not a business.

Less short term rentals can increase our available (and affordable) housing needs. Meaning working families need more long term rentals.

Higher penalties for those operating short term rentals without proper permitting should be considered.

Short term rentals should only be allowed where zoned.

Most all businesses are regulated in some way, these all make good sense.

These regulations are well thought out and take into consideration the residents of the county who have these businesses operating in their neighborhoods.

Bryan Burke

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Comments on STR draft regulations - Robert Wallace (EV)

Rob Wallace <rlwallace@gmail.com>
To: luc2020@co.larimer.co.us

Mon, Dec 12, 2022 at 11:41 PM

Dear Planning Team,

My wife and I have a vacation home in the Estes Valley which also has a short term rental permit. It is our second home and our one and only short term rental. We follow the rules and regulations and do not want anything to change that might jeopardize the value of our place including the ability to rent it out or transfer the permit. We cherish our place, use it responsibly, and spend as much time there as possible. We might even retire there some day. We love the Estes Valley, the national park, and we're glad to be part of the Larimer County community. We care about our neighbors, our neighborhood, and the larger community and want only good things for them.

The current STR regulations can work and are working for us. Most of our neighborhood is made up of second homes which means that most of our neighbors are part-time residents like us. We have continued to rent out our place in a responsible way like the previous owners and have not had any problems. In fact, one of our neighbors commented that he has not seen any problems with our renters. Another neighbor said that he hardly notices when anyone is at our house and to keep doing what we are doing. We set a responsible tone in our rental listing which contains the words "Quiet and relaxing home near the national park". We have had great renters, many of which are families coming to hike the national park, retirees traveling the country, or grandparents attending a grandkids' wedding.

We bought our place knowing the benefit of continuing the short term rental with a transfer of the permit from the previous owner. The rental history and permit were part of the equation in valuing the home and our decision to make the purchase. The income from that was an important component in our budgeting and continues to be to this day. The rental so far operates at a loss but the income is still a significant benefit toward our ownership costs.

Our place is safe, clean, and improving. Here's a partial list of improvements made in the last 2.5 years:

- Replaced outdoor light fixtures with dark sky compliant fixtures
- Upgraded all thermostats to smart thermostats
- Replaced all incandescent light bulbs
- Replaced two windows with upgraded energy efficient glass
- Upgraded water heater with smart water heater
- Painted the exterior

My parents began the tradition of summer vacations in Estes Park with me and my brothers in the late 1970s and we continue to vacation there today. We've now had multiple generations of our family who have vacationed there and built memories together. We spent many of those early vacations camping at Mary's Lake Campground. It is now my privilege to return the favor and bring my parents to Estes Park for vacations. Having our own place for that is a dream come true.

We don't want to lose what we have due to short term rental regulations that go too far. I am requesting that you consider the impact of changes on us "little guys" who are doing the right things in a responsible way under the current set of rules. I have reviewed the Larimer County short term rental draft documents and I know that changes are coming. My view is that a balance can be reached between the pro-STR side and the anti-STR side with minimal changes and good enforcement. I ask that you do not adopt the Option 2 table in the draft document which prohibits STRs in residential zones and that you do not prohibit permit transfers. I understand that, as current permit holders, we might not be impacted by new changes in the short term but the long term impacts are also important to me.

My wife and I understand that owning a home in the Estes Valley and having a short term rental permit in Larimer County are great privileges and come with great responsibilities. The decisions you will make on short term rental regulations will have a significant impact on us. Please keep us, the independent responsible homeowners, in mind when making your decisions. We very much appreciate what we have and thank you for considering our story and opinions.

Sincerely,
Robert Wallace
rlwallace@gmail.com



Short term rentals

nancy curtiss <nancyjo1977@gmail.com>

Tue, Dec 13, 2022 at 8:07 AM

To: LUC 2020 <luc2020@co.larimer.co.us>

I know how harmful short term rentals are to Estes Park personally. In the past we had one right down the road, as it turns out there was a log for visitors to look at. (According to a realtor I know). We constantly had people on our drive walking their dogs and leaving their waste, they used our hot tub when we were at work, they used my deck. I had to ask people to leave the property more than once, and had one man threaten me when I asked him to leave. Renters would throw food outside and photo bears for their entertainment. Our drive has 7 (seven!) signs indicating dead end, private drive, keep out. It never mattered. More than once I took the photo of someone or their cars and had to tell them I was calling the sheriff. That generally got them moving, but they complained constantly that the mountains don't belong to anyone.

We have neighborhoods just 2 streets down within town limits and still in residential areas who struggle and have to call police due to bonfires, loud parties, cars blocking roads, too many people in a vacation home, etc. Police are useless in stopping this behavior. When they leave, it resumes. There is no oversight for this behavior.

When that home sold, our HOA passed a covenant in order to stop this invasion of our neighborhood.

I have lived here for 35 years and seen many changes. However, now we don't have teachers, nurses and professionals who live where they work. Housing has become unattainable because of the invasion of vacation rentals in family neighborhoods.

Yes, it's far past time to limit them in residential neighborhoods in the county as well as the Town of Estes Park.



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Short Term Rentals

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tue, Dec 13, 2022 at 8:38 AM

FYI

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

From: 'Tim LeBrun' via Commissioner_Stephens <commissioner_stephens_public@co.larimer.co.us>
Date: Mon, Dec 12, 2022 at 3:09 PM
Subject: Short Term Rentals
To: luc202@co.larimer.co.us <luc202@co.larimer.co.us>, jkefalas@larimer.org <jkefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>, JShadduckMcNally@larimer.org <jshadduckmcnally@larimer.org>

Hello Larimer County Officials,

After sitting in through the Larimer County online meeting I was hard pressed to say why any of these changes are needed at all. Estes Park has already done an extensive look into how to manage short term rentals and has some excellent rules in place. The county rules are not needed and do seem to be aimed at trying to rid the area of all short term rentals by adding more and more requirements.

Being the gateway to Rocky Mountain National Park is both an honor and a burden on the Town of Estes Park and I hate to think of what the canyon roads into the park would like without short term rentals to keep people close at hand and not commuting into the park. Estes Park needs the STR and I have seen this through 5 generations. Our single cabin we rent out during the summer was my Great Grandparents house and I worked with my Grandparents at Coulter's Waffle Shop in downtown Estes Park. This gave me great exposure to see the workers who come into town to support the hospitality business as well as out of state and local visitors getting to stay locally and enjoy the town and park. The amount of hoops I am required to jump through now makes it prohibitive and if it were not for my dedication and family connection to the town I would have given up long ago. There are many people like myself who share their house with others just to make ends meet and pay my county taxes. Without those taxes we would not need to rent at all, but we actually enjoy sharing the area with renters and immediately read the comments when we use the house ourselves. The proposed strangling requirements will deny Coloradoans as well as visitors from across the nation and the world the opportunity to explore and appreciate Estes Park and Rocky Mountain National Park. Intentional or not your path will lead to only the very wealthy having access.

I urge Larimer County to pull back from imposing unneeded regulations and restrictions. Let the Town of Estes Park be the regulating body. Sorry if it sounds bad, but the whole online meeting seemed to be bureaucrats creating more bureaucracy to justify their existence. "If it isn't broken don't fix it" and it has been working well with the Town of Estes Park regulating themselves for the 82 years my family has owned property here. I hope you don't ruin the valley before our 6th generation arrives to appreciate this spectacular area of our country.

Sincerely,
Tim LeBrun

--



Laurie M. Kadrach
Assistant County Manager

Community Planning, Infrastructure and Resources
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970) 498-5741 | M: (970) 589-0674
Kadriclm@co.larimer.co.us | www.larimer.org



LUC 2020 <luc2020@co.larimer.co.us>

STR

Susan Jackson <sjofalltrades@gmail.com>
To: LUC2020@larimer.org

Tue, Dec 13, 2022 at 8:16 AM

I have attached a letter describing my personal story regarding my situation.



STR letter.docx
15K

To Whom It May Concern,

My name is Susan Jackson, and I have lived in Estes Park for 30 years. During that time, I have served the community in a variety of ways. First, I was the Recreation Specialist at the Harmony Foundation and worked a second job at Special Me Preschool, where my children attended. As they grew up, I was hired as the Director of Kreative Kids Day Kamp, where we did a large afterschool program in addition to kindergarten enrichment. I served there for 11 years. When my two girls were 8 and 10, I became a single parent and struggled to make ends meet. I would often work two jobs and we were forced to move from rental to rental.

When Kreative Kids closed, I had no idea what I was going to do, so I came up with a business plan and started my own company, "Jackson of All Trades". During that time, I worked for many people in the community doing home maintenance, running errands, cleaning, landscaping, mowing, refinishing decks and painting. I also mowed, raked and landscaped numerous HOA's, businesses and private homes. It was difficult to find good help, so I usually did it all myself. As a result of doing this type of work for as long as I did, I am no longer able to physically do this type of work.

When the began building Vista Ridge, an affordable condo complex, I was the first on the list to purchase. We lived there for five years, until my kids graduated high school. It was soon after that my best friends were moving on and were getting ready to put their house on the market. I was able to purchase it and began the process of getting it ready to rent out as a short-term rental. This has allowed me to quit doing such physical work, although I have done most of the maintenance on the property myself.

When Larimer County took over management of the STR's, I spent over \$20,000 to comply with the life safety requirements. When it was announced that the county may be taking that right away from me, I was devastated. I am 65 now, and would not be able to live here on just my social security. It has also been my dream to keep this amazing property in my family so my kids can enjoy it any way they choose.

I will, and have continued to, do whatever I can to comply with all rules. Please carefully consider the hardships you may be imposing on those of us who live here, depend on this income and contribute greatly to the local economy

I am wholeheartedly in favor of supporting affordable workforce housing and feel like that can be achieved without eliminating income driven properties in the area. Those of us who do comply with rules, pay our taxes and operate well managed and complaint free rental properties should be allowed to continue operating with support from our local government.

It has been proven that the income generated in the Estes Valley by the visitors of short term rentals has greatly contributed to the growth of our area.

Thanks for your consideration,

Susan Jackson,

Formerly known as Jackson of All Trades



LUC 2020 <luc2020@co.larimer.co.us>

Short term rentals (STR)

Howard Pomranka <hardpomranka@gmail.com>

Tue, Dec 13, 2022 at 8:33 AM

To: luc2020@co.larimer.co.us

Cc: Mom <mjobo@estesvalley.net>

I agree that STRs should be limited. People who work need housing.

Thank You for Your work,

Howard Pomranka

Sent from my iPhone



Short Term Rentals

Carl Van Hess <ephikers@hotmail.com>

Tue, Dec 13, 2022 at 9:07 AM

To: "luc2020@co.larimer.co.us" <luc2020@co.larimer.co.us>

Cc: Dave Henry <dvhenryep@yahoo.com>

I would like to express my strong disapproval of short term rentals in Estes Park neighborhoods . In my opinion, short term rentals only benefit absentee homeowners who don't live here, only visit here a couple of weeks a year and make money from their home at the expense of those of us who DO LIVE here !

Short term rentals bring added coming and going traffic, noise from partying groups of visitors sitting on the deck, drinking , talking loud and yelling until the wee hours of the night. They don't care about the residents they'll be gone tomorrow.

Estes Park has sufficient lodging facilities for visitors without a need to disrupt the lives of those of us who have chosen to make our neighborhoods, our home. Please consider the impact of homeowners over the benefit of absentee homeowners or real estate investors.



LUC 2020 <luc2020@co.larimer.co.us>

STR

Leslie <ephikers@yahoo.com>
To: luc2020@co.larimer.co.us

Mon, Dec 12, 2022 at 5:17 PM

Please give consideration to limiting STRs in Estes Park. We feel like STRs are ruining our community. We feel less safe not knowing our neighbors. We also feel that STRs lower or property value
STRs also must hurt our hotel/motel businesses

Leslie And Carl Van Hess
1980 Craggs Ct
Estes Park CO
80517

Sent from my iPhone



Vacation rentals

JUSTUS DRAKE <JDRAKE69@msn.com>

Tue, Dec 13, 2022 at 11:39 AM

To: "jkefalas@larimer.org" <jkefalas@larimer.org>, "kstephens@larimer.org" <kstephens@larimer.org>, "JShadduckMcNally@larimer.org" <JShadduckMcNally@larimer.org>, "luc2020@co.larimer.co.us" <luc2020@co.larimer.co.us>

My name is Justus Drake. My family has owned and lived at 1615 Upper Broadview Rd in Estes since my Great Grandmother bought the property in 1919. After my Dad moved away in 1950 my Great Grandmother began renting out what we call the "Bunkhouse," a separate residence on the property, as a vacation rental. She did this through the 50's till her passing and then my Grandmother continued the practice till maybe 1975.

When my wife and I bought the property from my Dad's estate in 06, we renovated the home. Then in about 08 we spent over \$80,000 on the bunkhouse with the expectation that the rental income would supplement our retirement. All of the remodeling was permitted through the county.

Until about 2000 all of Upper Broadview was zoned A for accommodations (vacation rentals, not hotels etc.).

About 2008 we began our remodeling of the bunkhouse unaware the county had changed our zoning to E1. We discovered that two of our neighbors had protested the change and were granted their A zoning back. When I was denied a license to rent out the cabin (accessory dwelling unit) as a vacation rental, the Estes Planning Dept refused to reconsider our zoning though they had changed the others.

So we were dead in the water so to speak until a local realtor figured out the rules allowed for two residences on one property. We re-applied and were granted a license.

We depend on the rental to supplement my Social Security. We could not live here without it.

After 100 years of my family, 5 generations, enjoying this property, any restriction of the number of days would cost us our connection to a place we love.

Also, losing the ability to transfer our permit to heirs or in a possible real estate sale would, in the view of a realtor friend up here, cost us about \$100,000 in value. Withdrawing that right would be a direct blow to our property value. We ask that you keep in place the current transfer policy.

I might note, we have not received the required letters from neighbor(s) who rent out cabins as vacation rentals informing us they do rent and giving contact info. These notifications we are required to send to our neighbors are useful and I believe the radius required might be expanded so we can contact nearby property managers when their guests are trespassing on private property as they make their way to Giant Track Mountain.

We have been frustrated because we have tried to comply with all the required steps to successfully operate a short-term rental. We have gone to some length to visit with neighbors (all old friends) to keep from causing them any problems and provide guests with a safe quiet retreat. But we have no avenue to deal with those in our neighborhood who have not met your requirements without contentious confrontation. We encourage you to provide a contact point with the County when questions or problems arise that the County might be in the best position to resolve.

Thank you for taking the time to consider our views,
Justus and Vicki Drake



LUC 2020 <luc2020@co.larimer.co.us>

Larimer County – Land Use Code Short-Term Rental and Lodging Regulations Initial Public Discussion Draft - Oct. 27, 2022

Susan Molloy <susan.molloy@gmail.com>

Tue, Dec 13, 2022 at 12:07 PM

To: luc2020@co.larimer.co.us

Hello,

I am a resident of Estes Park and appreciate the work you are doing regarding lodging regulations (STR's).

I realize you are not looking at the cap in this public discussion, but want to express my support reducing the cap on total number of STR permits allowed in Estes Park. I believe this issue is critical to Estes Park. Our community is so small that vacation homes already represent a large percentage of homes, which causes housing prices to increase artificially, and thus put an additional financial strain on people who want to own a home and live/work in Estes Park full time. Better that visitors stay primarily in hotels and resorts and let our neighborhoods be for members of the community.

I also support all efforts you are pursuing to keep STR visitors and the properties they are staying in safe and with minimal impact on the local neighborhoods.

Susan Molloy



Estes Park Resident Comments on Larimer County STR Draft Regulations (Dec 2022)

vjhllc@yahoo.com <vjhllc@yahoo.com>

Tue, Dec 13, 2022 at 12:37 PM

Reply-To: "vjhllc@yahoo.com" <vjhllc@yahoo.com>

To: LUC 2020 <luc2020@co.larimer.co.us>

Thank you for the opportunity to comment upon draft STR regulations -- as noted below.

I live in Estes Park and have reviewed Larimer County's current draft of changes to STR regulations. I strongly support tighter restrictions on current STRs and a complete ban on STRs in our residential areas.

When we purchased our house in 2009, we specifically chose a residentially zoned neighborhood for its peaceful character, low level of traffic, feeling of safety, and unthreatened wildlife. Since that time, we know some areas in Estes Park have changed -- and not for the better.

Most of the unfavorable changes have been due to STRs which have introduced traffic and persons entering our neighborhood who do not respect us nor the character of our neighborhood. Loud parties that you can hear from many houses away have occurred at least several times -- especially in summer months with parties having outdoor events, that may go far after dark.

This year we had an extremely bad experience with a STR starting next door. Even in its starting phase, we experienced significant and destructive trespassing, noise, parking problems, bags of trash left in the driveway, and harassment. Here is the sad story of just the beginning:

We had to file call the absentee owner with our complaints (who didn't want to do anything except tell us to call the police);

We did call the police who had to respond in person twice especially due to the trespassing and the harassment -- and we contacted the police by phone one other time for extreme noise late at night;

We complained to the STR "rental" group telephone number on the "STR postcard" multiple times (who knows what they did because we never heard back -- EVER);

For security purposes, we even put up blocking curtains on that side of the house so that strangers could not see in any part of our house -- while we never before had felt threatened in our neighborhood.

Other neighbors also experienced similar problems and called the absentee owner (to no avail), complained to the STR "postcard" number (frustratingly unresponsive), and also spoke to the police (at least one time that we saw them show up). Ultimately, we believe the absentee owner lost his STR because he had to sell the house this fall. We have no idea what the new owner intends to do because they have not moved in.

Because we believe the previous absentee owner lost his STR license, we are hopeful that there was no STR to "transfer" to a new owner. NO STR license should ever be transferable -- new owners should always have to, at minimum, qualify on their own. Accordingly, at a minimum we believe 3.3.5.B.2.u Option 2 -- with no transferability -- is preferable. Of course, we support NO STRs in any residential neighborhood.

We are disappointed that you have not included a specific “cap” or “saturation limits” on STR in Estes Valley residential zones at this time. (page 15 of marked draft) We strongly support issuing NO further STR licenses in our residential areas of Estes Valley/Estes Park and ultimately getting rid of ALL STR licenses that currently exist in our residential areas.

We firmly believe that having an STR in our neighborhood not only lowers the quality of our neighborhood, but also lowers our property values significantly. We are also very concerned about property taxes. Absentee owners who are making profits off their STR in our neighborhoods continue to pay property taxes at the lower “residential” property assessment rates. Because they really are a business, they should be paying at “commercial” property tax assessment rates. This is especially a problem if there is “corporate” ownership of STR licenses. This loophole needs to be addressed.

In addition, we are very worried about threats to wildlife in our areas. The trash left out for many days in our experience next door (see above) is a direct threat to bears and neighborhood safety for persons. Our long-term neighbors with dogs keep them responsibly on leashes, but we have seen loose dogs chasing deer and worry that STR persons may not understand their responsibilities in regard to animals.

Persons who stay at a STR have no long-term commitment to our residential neighborhoods, do not respect our neighborhoods, nor do they respect our residents who have a big investment in maintaining our property and our environment. Strangers who come here may want to “enjoy” our environment, but they take NO responsibility in protecting it while they are here.

In regard to residential parking issues, we live on a cul-de-sac and that makes parking very sensitive for residents. All cars at any STR must be in the garage or within the limits of their own driveway -- at all times. Our personal experience described above included having cars obstructing our driveway AND our neighbors' driveways, plus blocking the cul-de-sac if an emergency vehicle needed access. We finally had to buy traffic cones to try to protect our own driveway. In a cul-de-sac situation, allowance for 2 parking spaces may NOT be sufficient -- even for “<10”. We have many areas in Estes Park/Valley where parking is almost non-existent.

As far as the draft “zoning tables”, unfortunately I found the draft too confusing to understand or comment on at this time.

I appreciate your efforts in strengthening STR regulations -- this current draft is a good start. Overall, STR licenses do NOT belong in residential areas. They place an untenable burden on persons who invested their retirement savings into a property for their personal enjoyment and did not believe they were buying a HOME to be surrounded by properties run for profit.



LUC 2020 <luc2020@co.larimer.co.us>

Short term rental regulation

pcminier <pcminier@gmail.com>
To: luc2020@co.larimer.co.us

Tue, Dec 13, 2022 at 1:53 PM

I think limiting the number of short-term rentals in Larimer County, and especially in Estes Park is a GOOD idea.

We need work force housing and short term rentals have limited the number of work force housing rentals, thus impacting staffing in every sector of our economy.

Cindy Minier

Sent via the Samsung Galaxy S10e, an AT&T 5G Evolution capable smartphone



LUC 2020 <luc2020@co.larimer.co.us>

Changes to STRs

ginhutch <ginhutch@gmail.com>
To: luc2020@co.larimer.co.us

Tue, Dec 13, 2022 at 1:16 PM

To whom this may concern,

As a full time resident of Estes Park for the past 28 years, it is with a great deal of frustration and disappointment that I find myself once again concerned with an issue I began fighting in 2005. I watched as my neighborhood lost 8 long-term rentals when they converted to STRs. The simple fact is, STRs are responsible for the extreme rise in real estate prices, which created unaffordable monthly rental fees for the working class of Estes Park, exacerbating the need for more and more "affordable" housing to be built.

In addition, these STRs are responsible for a shortage of groceries for residents, the complete and total erasure of community in residential areas, lack of sufficient infrastructure, dangerous evacuations during wildfires, lack of respect for wildlife, and the over-crowding of our recreational areas, including Rocky Mountain National Park.

I am in support of all Larimer County can do to help rein in this insanity and protect the integrity and ecology of our small mountain town. The clock is ticking.

Thank you for your efforts.

Sincerely,
Virginia Hutchison
Estes Park, CO
80517



STR Regulations Draft for Larimer County

Dave Henry <dvhenryep@yahoo.com>
To: LUC 2020 <luc2020@co.larimer.co.us>

Tue, Dec 13, 2022 at 1:37 PM

I am a full-time Estes Park resident and have owned my home in a very nice residentially zoned neighborhood for 11 years.

I recently became aware that our area does have some STR houses, but this past year the owner of the house next door threw out his long-term tenants and turned his house into a STR. He lives outside of Estes Valley.

The STR license was a complete nightmare to us -- we suffered problems of traffic, trespassing, noise, parking, trash, and started to be worried for our personal safety. Our complaints to the absentee owner went unheeded, so we ended up calling the police multiple times. The absentee owner not only insulted us but hung up on us.

The "rental" complaint number on the STR postcard was totally useless. Every time we called to register a complaint, there was never any follow-up. We think that "complaint" number is just a ploy to make residents feel they are being listened to -- when nothing is further from the truth. Even the people answering that number never knew what happened next. THAT needs to be fixed. There needs to be a call back to acknowledge your complaint and let you know what has been done. AND something has to be done. It has to have some "official" purpose.

Our other neighbors also had complaints that went unanswered. The STR license that absentee owner had appears to have been lost (maybe TOO many complaints??). So far it has been a relief. We do not know the plans of the new owner, but just pray it will not involve a STR and plunge us once again into the nightmare.

We are grateful that the "lost" STR license does not appear to be transferred to the new owner. Thus, I firmly support the no transferability item under 3.3.5.B.2.u Option 2 in your draft.

I agree that any existing STR has to be renewed at least annually and at that time can have no open complaints -- and they have to have taken steps to prevent any past complaint items from recurring. Otherwise licenses should be cancelled.

Your draft regulations have some very good points -- acknowledging that a "cap" on STRs may be needed. However, I don't think that goes far enough. We need an immediate ban on any new STRs licenses in residential areas, and eventually work to retire all existing STR licenses in Estes Park/Valley residential areas. Saturation maps in some of our residential areas show close to more STRs than permanent residents -- that is very sad -- and an indication that residential area licenses should be ended. Estes Valley has plenty of hotel, motel, managed condo, B&B accommodations and full-time managed home rentals (such as Windcliff). Private homes should remain private. Rental accommodations should ALL be managed.

I am very sensitive to property tax concerns -- when a privately owned home is assessed at a lower rate, but is actually used as a commercial profit center by the STR license holder -- that cheats me and my neighbors. My property value goes down with a "business" next door and that is damage to me. Any future private buyer of my house will not be interested if a STR is next door.

Please continue to tighten restrictions on STRs in Estes Park and Valley. We retired here in a nice residential neighborhood (before STRs) and continue to pay for the privilege in our property taxes and high sales taxes -- but that has been our choice. We do NOT choose to have an STR next door that could still make our lives miserable up to 135 days a year (or possibly more). No new STR licenses should be granted in residentially zoned areas, and the existing STR licenses in these areas should be ended.

Thank you for asking for my opinion.



LUC 2020 <luc2020@co.larimer.co.us>

Proposed Short Term Rental Regulations - Estes Valley

Mike Warren <mike.p.warren@comcast.net>
To: luc2020@co.larimer.co.us

Tue, Dec 13, 2022 at 2:56 PM

We support Option 2 for regulating short term rentals in the Estes Valley.

We also support addressing saturation of short term rentals at the neighborhood level. This is a major problem in our neighborhood. It doesn't do any good limiting the number of short term rentals if the allowed number of short term rentals are concentrated in specific neighborhoods.

We speak from experience as a homeowner surrounded by short term rentals. We successfully challenged the approval of a short term rental primarily on the basis of saturation and the resulting noise, traffic, late night parties, illicit activities, fire danger, trespassing, and excessive parking of vehicles.

Michael P Warren
Renee J Warren
1303 Kinnikinnic Ct
Estes Park, CO 80517
309-531-7905

Sent from my iPhone



Proposed changes in the Short-term Rental Regulations

James Mapes <jmapes03@hotmail.com>

Tue, Dec 13, 2022 at 3:22 PM

To: "Luc2020@co.larimer.co.us" <Luc2020@co.larimer.co.us>

The following are our comments concerning the proposed draft to the Short-term Rental Regulation.

- We rent our Windcliff home on a short-term bases to people that enjoy the outdoors, Rock Mountain National Park, and Estes Park. In addition, our renters have a significant positive affect on the economy of Estes and Estes Valley. Windcliff Properties manages our rental. They have 5 full time employees plus a number of people in their cleaning crew. If short-term rentals are eliminated in residential zones, then these people would lose their jobs. We would hope that you would not want to be responsible for causing these people to lose their jobs as well as the rest of the people in Estes and Estes Valley that depend on STR for employment.
- Since we starting renting our home in 2014 we have had no complaints from our neighbors concerning renters. In addition, we have 2 homes near to us that rent their homes on a short-term base. Their renters have never given us a reason to complain. Thus, from our standpoint, we see no reason to change our current rental regulations. As such, we wish to retain all of our current, established, recorded and enjoyed rights. Any additional Short-Term Rental and Lodging Regulations established by Larimer County should not apply to Windcliff Estates.
- Windcliff was developed as a residential community that permits short-term rentals. It is a property right all Windcliff residents have always valued. Anyone buying a property in Windcliff understands that short-term rentals are a part of the community.
- Windcliff's HOA has recorded covenants allowing and regulating short-term rentals in Windcliff Estates (a residentially zoned community). It was the County that zoned our community residential in 1999. We shouldn't lose our property rights because the county now wants to reduce or eliminate STRs in residential zones.
- The continuous and harmonious operation of short-term rentals in Windcliff has had exactly ZERO negative impacts on the availability of workforce housing the in Estes Valley. Windcliff has never provided affordable housing for the workforce in the Estes Valley.

Sincerely,

James and Anita Mapes
[2060 Windcliff Dr.](#)
Estes Park, CO 80517

Sent from [Mail](#) for Windows



LUC 2020 <luc2020@co.larimer.co.us>

Proposed Life-Safety Regulations for Short-term rentals

James Mapes <jmapes03@hotmail.com>

Tue, Dec 13, 2022 at 3:24 PM

To: "Luc2020@co.larimer.co.us" <Luc2020@co.larimer.co.us>

The following are our comments in regards to the Life-Safety proposals for Short-term Rental Regulation.

We have a serious concern about the number of fire extinguishers that are being required in the proposed regulations. We do not want our renters to fight fires. If there is a fire, we want them to immediately leave our house. Having extinguishers on every level would suggest to and encourage our renters to fight the fire instead of leaving. Requiring a fire extinguisher close to a hot water heater is dangerous. We only have electrical water heaters and if there is an electrical fire the fire extinguisher will be little use. If one has a gas water heater, then putting out a fire may lead to gas escaping into the house which could result in a life threatening issue.

Places that we believe fire extinguishers are important are in the kitchen, close to a log burning fireplace and in the garage.

We hope that you will consider these thoughts before finalizing the Regulations.

Sincerely,

James and Anita Mapes
[2060 Windcliff Dr.](#)
[Estes Park](#)

Sent from [Mail](#) for Windows



LUC 2020 <luc2020@co.larimer.co.us>

Estes Valley Short Term Rentals

R Harris <rephmtn@gmail.com>
To: luc2020@co.larimer.co.us

Tue, Dec 13, 2022 at 3:52 PM

To whom it may concern:

I am very much opposed to STR's in our neighborhoods. If I had wanted to live next to a hotel, I would have done so! Why are these commercial properties being permitted in residential neighborhoods? Please let me know why this is being allowed to happen.

Thank you,

Priscilla Nelson
A concerned citizen

Sent from my iPad

Sent from my iPad



LUC 2020 <luc2020@co.larimer.co.us>

STRs

R Harris <rephmtn@gmail.com>
To: luc2020@co.larimer.co.us
Cc: "rephmtn@gmail.com" <rephmtn@gmail.com>

Tue, Dec 13, 2022 at 5:45 PM

Hello,

As a 23 year resident of Estes Park I wish to express my opposition to short term rentals for the following reasons:

noise,

increased traffic and parking issues,

operating a business in a residential neighborhood,

the erosion and/or elimination of affordable housing for teachers, public service workers, and young families.

The quality of life in a small town should not be compromised for the financial gain of the few, who mostly do not reside in the STR neighborhoods.

respectfully,

Ronald D. Harris
2198 Governors Lane
Estes Park, CO 80517



Comments - STR Public Discussion Draft Regulations

Jeff Robbins <jeff.robbs03@sbcglobal.net>

Tue, Dec 13, 2022 at 8:21 PM

To: luc2020@co.larimer.co.us, jkefalas@larimer.org, kstephens@larimer.org, JShaddockMcNally@larimer.org

County Commissioners,

I read through the draft of proposed new regulations for STRs. As an STR owner/operator I have a few comments to make.

- 3.3.5.A.2.d – Define operations manual & its purpose
- 3.3.5.B.2.g – Exit maps required in each room is silly for a single-family home. Must include the phone number of the short-term rental – do you mean the property managers phone #?
- 3.3.5.B.2.i – Define user's manual & what its purpose is
- 3.3.5.B.2.L - *Owner or operator must ensure that guests do not cause excessive noise or other disturbances, disorderly conduct, or violations of any applicable law or regulation pertaining to the rental of the property or adversely affect other residents in the vicinity of the property.* This is a big one and one I agree with wholeheartedly. The issue with it is the County does not enforce this regulation. More about this later.
- 3.3.5.B.2.r.v If a roadway, crossing, bridge or other publicly constructed, and maintained appurtenance is deficient, the County should fix it and bring it up to acceptable standards. There is no reason to put str renters' well-being above that of residents.
- 3.3.5.B.2.u Option 1 is preferable. Short term rental operators are business owners and invest substantially in their business assets (the property). They should have the right to sell their business assets. If you were to take the ability of any other business owner to sell their business, it would not go well for anyone.
- 3.3.5.B.2.x Do not bring energy efficiency standards into this. That is something that is already handled on the construction end of things when a home is built. If you want property owners to upgrade the energy efficiency of their property, then be sure to include all property owners. If you single out STRs, it would be purely punitive let alone unfair.

All in all, I do not have much issue with most of the proposed regulations. The real issue here is that there are already a lot of regulations, and it appears the county is unable to enforce any of them. So why spend all this time & effort introducing more? I believe a huge difference could be made by making only 2 changes:

1. Enforce the existing regulations. Most importantly, vigorously enforce *"guests do not cause excessive noise or other disturbances, disorderly conduct, or violations of any applicable law or regulation pertaining to the rental of the property"*. Furthermore include in the new regulations that should a property owner be cited 2 times for violation of the above they lose their license.
2. Eliminate the "dead wood" – that is revoke STR licenses owned by property owners that do not contribute to the tax base. There are many of these people that got STR licenses only to increase the value of their property. If they do not use those licenses to generate revenue, then take it away from them.

Additionally, there seems to be an awful lot of ill will on both sides of the STR issue. The cause is pretty clear (to me anyway). The STR owners feel that they are being vilified and discriminated against, and not being heard. I am sure feelings on the other side of the fence are not much different. In my experience, when that happens the root cause is lack of real communication – nobody is authentically listening to each other.

Evidence being - I listened to one of the public discussions on this topic & heard a lot of suggestions from STR owners that never made into these proposed regulations. I also saw Ms ShadduckMcNally roll her eyes at one of the STR people while he was speaking. She also made a comment about the results of the STR questionnaire results – saying (paraphrasing here) “they were not really valid because most of the respondents were STR owners”.

My regards,

Jeff Robbins

[441 Chiquita Lane](#)

[Estes Park, CO 80517](#)

[\(303\)818-0517](#)



Proposed Larimer County STR Regulations

Joy Harvey <joyharvey@hotmail.com>

Wed, Dec 14, 2022 at 9:36 AM

To: "luc2020@co.larimer.co.us" <luc2020@co.larimer.co.us>

Dear Larimer County,

I am writing to you as a short term rental owner in the unincorporated County area near Estes Park.

Please see us as responsible human beings trying to make a living/enhance our retirement income through our very small business and our hard work rather than as villains doing harm to our community.

If you limit the number of nights we are able to offer our cabin for rent, this will limit our ability to support not only ourselves but will also limit the support we are able to offer our community in the form of employing local folks to help us clean and also our ability to contribute to worthy local causes like Crossroads and Blue Santa.

It breaks our hearts to be so vilified in a community we love and would never bring harm to our neighborhood.

We are a retired 70 year old couple, having been blessed through our own hard work over more than 50 years of our working lives to be able to have purchased a small cabin which we lived in for several years and now rent short term as a vacation home. We live in a wonderful neighborhood across the road from our small rental which we keep a very close eye on. We love our neighbors, they are like family to us and we would NEVER allow anything to occur that could potentially harm our neighborhood family.

Our typical guests are families with children or couples seeking a quiet, active vacation in Estes Park to experience Rocky Mountain National Park, nature, hiking and the amazing wildlife. Their experience here includes shopping downtown, eating at our local restaurants and participating in activities provided by local businesses such as horseback riding, jeep tours and miniature golf. We offer recommendations to support our local businesses.

We have been very protective of our neighborhood, posting 'No Trespassing' signs on our property borders, placing a 'Children at Play' sign in front of our cabin and posting 'Drive Like Your Children Play Here' signs on our road.

Important to note is the sentiment our guests invariably relay to us. They prefer to spend their vacation dollars on private homes within quiet neighborhoods due to the sense of security and safety such as our vacation rental provides. If our vacation rental becomes so unresponsive to the needs of our guests due to the STR regulations you are proposing they will not choose to stay in a hotel or a busy rental downtown, they will indeed choose another community that is willing to meet their needs and they will spend their vacation dollars elsewhere.

We recognize the need for quality workforce housing and affordable, safe childcare here in the Estes Valley and support efforts to increase funding for those needs. We support the increase in the Local Marketing District tax, designated for

these needs.

We do take issue with the premise that if STR's are eliminated, these homes will convert to long-term rentals. The majority will not. We have experience with long term rentals and have found there are very few legal protections for long-term rental owners (something you may want to consider). Should we be forced by your proposed new regulations to discontinue using our cabin as a STR, long-term renting is not an option for us.

We are rule followers, our cabin has been licensed as a STR since 2015. We have NEVER had a complaint from any of our neighbors and would be mortified if we did. We emphasize our safety rules to our guests, supply them with both our cell phone numbers and engage in text messaging with each guest to answer any questions they may have. Our response time to any issues our guests may have is approximately 30 seconds. We are close with each of our neighbors and every neighbor has our cell numbers and feels free to contact us with any issue but they never have.

Our neighborhood is very special, we care for each other like family. Out of 15 homes we have 3 STR's, 3 LTR's, 4 vacation homes and 5 full time residents. You can clearly see from these numbers that saturation percentage does not tell the full story. We look out for each other, help solve problems for and support each other. The STR's in our neighborhood are indistinguishable from any other home. We have had no complaints from any of these. I would invite you to visit our neighborhood. Many of the 'issues' you describe in justifying the need for these new, restrictive STR regulations could be resolved on a local neighborhood level by a simple 'golden rule' attitude. You could potentially provide support for this approach to 'problem' STR's.

The new regulations you are proposing appear to be attempting to solve problems that have been created by a relatively small number of STR's that have made a terribly negative impact on some otherwise wonderful residential neighborhoods. In this case, one size does not fit all. You have invested quite a lot of time, energy and money into developing these new regulations. Would it not be wise to invest just as many resources into solving these 'problems'? Please investigate the individual issues and address these violations, i.e. enforce the regulations you already have. Focus on the unlicensed and poorly run STR's.

We have spent our lifetimes planning and saving to provide security for our retirement. That is not a crime. We provide a valuable service to our community. That is not a crime. We should have the right to pass our cabin and the right to rent it short-term to our children if that is what they should choose to do. That is not a crime.

Can you not see the value in the quality service we provide? Please do not punish those of us who have quality STR's and are definitely NOT part of this problem.

Respectfully,

Rich and Joy Harvey



Estes Valley STR regulations

Karen Randinitis <krandinitis@gmail.com>
To: luc2020@co.larimer.co.us

Wed, Dec 14, 2022 at 9:39 AM

December 14, 2022

To the County Commissioners and Larimer County Planning Department,

The Estes Valley has been a tourist and vacation community since the late 1800s and into the early 20th century. This is something our community was, is, and will always be. When you tell someone you are from Estes Park, they share an experience of when they took a vacation there one time.

When you consider the number of annual visitors, sales tax and now the increase in lodging tax through the community vote on 6E (which was supported by over 60% of the voters) which supports marketing and now workforce housing and childcare, we want visitors to stay in our community. Some camp, some stay in hotels, and others choose a vacation rental. Estes Park has promoted itself as a family friendly vacation destination and in doing so we need to continue to support that with a multitude of options for our vacationers.

A typical neighborhood as one would expect to see in a suburban area in Loveland and Ft Collins does not exist in the Estes Valley. Generalizing and a blanket approach not only across the county but even in the Estes Valley shouldn't be considered. All zones should continue to be allowed to have vacation homes within them.

I would also like to see the limited rental category completely withdrawn. Our community came together loud and clear to vote on ballot measure 6E in order to support workforce housing and childcare. The studies that were included to support this measure promoted an income stream of \$5-\$6 million annually. By limiting nightly rentals, this will cause an unintended and short sighted consequence for development of future housing projects our community and businesses DESPERATELY need.

In studying the regulations and watching the online meetings, I'm struggling to see what the end goal is. I heard time and again that compliance and enforcement have been long time issues. I don't see mention in the regulations regarding this. I think spending time and digging deep into data is a better place to start than deciding on density and zoning issues. Create an easily accessible database where neighbors can see if a property has an STR license or not. In that same spreadsheet, share the contact information as all properties are required to have a manager that is within an hour of the location. After a year of data collection, then make decisions based on the complaints and illegal rentals.

During the Estes Valley Planning Commission sessions, there was a lot of concern about property values as a result of a neighboring short term rental. I believe this to be an asset not a liability. Through the life safety inspection, the home has to be safe to live in with CO and smoke detectors, dark sky compliant exterior lighting, and egress. There are no regulations for the neighbor that has piles of slash, abandoned cars, and junk lying around. That is a liability on my property value and the safety of my home.

Transferability should be grandfathered in as well. The expense that is required to bring the property up to the life safety standards can be in the thousands of dollars. Owners decided to pursue their short term rental status because the license is transferable. I would like to see data regarding eliminating transferability. What is the reasoning? What are the unintended consequences? What is the average cost to bring a property up to the standards for the short term rental license?

In closing, I have more questions than answers after reading all the information on the county website and watching hours of webinars and zoom meetings.

- What is the end goal?
- Where is the data to support the changes in regulations?
- Where is the data regarding compliance issues?
- How will you measure the success of the stated goal?
- Did the staff research what the economic impact would be as a result of any changes?
- Have they talked to the experts right here in our community that have been working on a year round sustainable economy...Economic Development Corporation?
- Have they talked with Visit Estes Park regarding sales and lodging tax impacts?
- Have the staff met with owners in a focus group, not just a simple google form survey, to discuss what changes they'd like to see?

I would encourage you to make data driven decisions and consider the long lasting impact of these decisions. Thank you for your time and energy that you are spending on this and the future of the Estes Valley.

Sincerely,

Karen Randinitis

[207 Evergreen Lane](#)

[Estes Park, CO 80517](#)



STR Rentals Letter

Phil Frank <pfrankeagle@gmail.com>

Wed, Dec 14, 2022 at 1:51 PM

To: jkefalas@larimer.org, kstephens@larimer.org, JShadduckMcNally@larimer.org, luc2020@co.larimer.co.us

Larimer County Commissioners

I am a Board Member on the Estes Park Housing Authority recently appointed to fill a vacancy and previously served a 5-year term as Board Member of the EPHA. I have also been on Housing Authorities in Western Colorado in resort and bedroom communities. The EPHA mission Statement is "In order to ensure a balanced and sustainable community Estes Park Housing Authority creates and facilitates housing opportunities and services for persons of low and moderate income."

I have been in the Estes Valley for 8 years, worked as a banker for 40 years in Colorado until I retired in July of 2020. I have finance STR's so benefited from STR, but have been retired for 2 years with no plans to go back to banking. I have seen where short-term rentals have increased housing cost for local full-time residents. A builder that I work with had a Spec Home up for sale and received several offers one was from a local who offered the full list price for the home, which was the maximum they could qualify for. Another offer (which was accepted) was for \$50,000 over the list to someone that wanted to use it as a STR.

I currently hold a real estate license but am inactive, have never benefited from a STR and have no plans to do so.

I would like to offer my support for proposed changes to the Short-Term Rental and Lodging Regulations in the Estes Valley. There is a tradeoff for tax revenues and housing cost, by increasing or decreasing the cap on STR. Continuing with the 266 cap will ensure the tax revenues to the local economy for Workforce Housing, child care, help with housing cost and supply of housing for local workers. The 266 cap has been in place since 2017, before the passing of the recent 6E lodging tax.

As times change there is a need to update regulations as dictated by current circumstances. Increasing the standards for properties use as short-term rentals is a matter of safety and will help maintain the neighborhood for locals to live in. With a waiting list for STR permits one would assume that a property taken out of the rental pool would be replaced with STR from the wait list by properties and owners that will comply. Also, properties coming out of STR pool could increase housing inventory for sale and long-term rentals for local workers and full-time residents.

It seems that many individuals and originations that would benefit from relaxed regulations and increased number of Short-Term rentals are trying to justify their point based on decreased tax revenues if new regulations and decreased caps passed. We need to have balance between tax revenue generation and the negative effects of short-term rental on full time residents.

If you wish to discuss this further, please feel free to contact me.

Thank you for your consideration.

Phil Frank

2915 Little Valley Rd.

Estes Park, Co

970.471.2511

Phil Frank

P.O. Box 3721

Estes Park, Co. 80517

970-471-2511



Please Tighten Regulations on STRs

Lisa Hutchins <lisahutchins@outlook.com>

Wed, Dec 14, 2022 at 2:20 PM

To: "luc2020@co.larimer.co.us" <luc2020@co.larimer.co.us>

Hello,

I would like to comment on the proposed changes to STR regulations.

We live just outside Estes Park in unincorporated Larimer County. Like many in Estes Park, we have been impacted by the booming number of STRs on our residential road and in the area. Here is what I am asking for:

-A five-year moratorium on any new STR licenses in Larimer County. A period of reevaluation could follow the moratorium once the time period is up.

-No more STRs in residential areas. They are incompatible with the character of the neighbor, taking away the comfort and friendliness and making the area "barren." In fact, I would like to see a phaseout of all STRs that are currently in residential areas.

-Please put a moratorium (hopefully permanent) on corporate ownership of STRs and limit the number of owners on any given STR property to two, to prevent group purchases.

-No "inheritance" transfer of STR licenses or automatic transfers if the property is sold. The new owners should have to reapply for a license.

Thank you for reading this and considering my thoughts on the issue of STRs and the impact they have on mountain communities.

Best wishes,

Lisa Hutchins

[1660 Lower Broadview Rd.](#)

[Estes Park](#)



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Short Term Rental Policies in Estes Valley

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tue, Dec 13, 2022 at 2:50 PM

FYI

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

From: **Chris Armstrong** <chris@lawrencetravelco.com>
Date: Tue, Dec 13, 2022 at 1:00 PM
Subject: Short Term Rental Policies in Estes Valley
To: JShadduckMcNally@larimer.org <JShadduckMcNally@larimer.org>

Dear Commissioner Shadduck-McNally:

I am writing this e-mail to express my opinion about possible changes to Short Term Rental Policies in Estes Valley in general, and the Windcliff Development specifically.

Estes Valley (EV) is beyond a doubt a Tourist Destination. It has been for 130+ years. It is unlike any residential areas in Larimer County. Its uniqueness must be considered. The idea of potentially limiting or even eliminating STR's in Estes Valley, and especially Windcliff, is akin to shooting yourself in the foot. The EV economy is built around tourism. The revenue generated contributes to the EV infrastructure to benefit of both residents and visitors. Eliminate short term stays will certainly stifle visitors and the revenue they generate which means loss of jobs, etc. AND...since you clearly understand that Travel and Tourism is a very competitive industry, visitors may go elsewhere, i.e. Summit County, Eagle County, Pitkin County, etc. or even Wyoming, Montana, etc. for their western experience. You must not take past EV successes for granted!

Windcliff is even more unique. It was never designed for affordable housing. If Windcliff short term rentals has had a negative impact on residential housing for the EV workforce, it is upon the County's burden to prove it. Windcliff has been self-regulating for decades with professional management, and its own restrictive covenants allowing and provide for short term rentals.

I spent 45+ years in Travel and Tourism and I know what I am talking about. I have seen generations of decision makers in travel and hospitality make decisions which were later reversed by the following generations of decision makers who again think that they have the best ideas. In reality, things should have been left alone. This is the case with Short Term Rentals in Estes Valley. "If it's not broken, don't fix it!!"

I would greatly appreciate your acknowledgement of your receipt of my e-mail.

Thank you for your consideration.

Regards,

Chris W. Armstrong

4520 Wolcott Drive

Loveland, Colorado 80538

Ph: 1 (785) 979-4631

--



Laurie M. Kadrach
Assistant County Manager

Community Planning, Infrastructure and Resources
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970) 498-5741 | M: (970) 589-0674
Kadriclm@co.larimer.co.us | www.larimer.org



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: STR

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tue, Dec 13, 2022 at 3:11 PM

FYI

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

From: **Janell Bailey** <janellbailey@gmail.com>

Date: Tue, Dec 13, 2022 at 2:51 PM

Subject: STR

To: <luc202@co.larimer.co.us>, JKefalas@larimer.org <JKefalas@larimer.org>, KStephens@larimer.org <KStephens@larimer.org>, JShaddockMcNally@larimer.org <JShaddockMcNally@larimer.org>

We are writing about the new taxes and fees put onto the STR community in Estes Park. When we bought our home last year it was not a great house, it was falling apart, it smelled like a wet dog, we put in a ridiculous amount of money to make it what it is today. What made it worth it was the transferrable short term rental permit.

I am surprised to see how much can change in just over a year and I worry that this can change so much and so fast and so expensive. What else will change next year and the years to come?

This makes us think more about buying another property in Estes. We want to bring growth (we hire many people) . We use this property for our personal use as well and want to retire in Estes.

I want to keep using my home for our personal benefit and don't want a cap on amount of days I can rent it out.

*I want to be able to transfer our license, especially to our children

Our neighbors love us and compliment us on our process to make sure the people we rent our property to are good people who obey the rules.

I do wish there was more monitoring of unlicensed STR in Estes Park, for example on Airbnb and on VRBO. If you ever have a position open to help with this, please let me know :)

I would like to see the rule that we have to put our short term rental permit number on our booking listing sites.

Thank you for your time. Please let me know if you have any questions.

Janell Bailey

--



Laurie M. Kadrach
Assistant County Manager

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Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: STR proposed regulations

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tue, Dec 13, 2022 at 4:39 PM

FYI

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

From: **'TIM REES' via Commissioner_Shaddock-McNally** <commissioner_shaddock-mcnally_public@co.larimer.co.us>
Date: Mon, Dec 12, 2022 at 1:28 PM
Subject: STR proposed regulations
To: <JShaddockMcNally@larimer.org>

Greetings,

I have a concern about the increasingly arbitrary and capricious regulation of the narrowly and perhaps discriminatorily defined Short Term Rental "proposed regulations."

After many years in private legal practice and 20 years at Hewlett-Packard including roles as Intellectual Property Attorney, I'm concerned about the path Larimer County is on with regard to this issue.

I do have a vested interest.

I've lived in the area for more than 40 years. My wife worked at Bob and Tony's Pizza as a waitress and as a hotel cleaner in Estes over 40 years ago.

In retirement, we bought a home next door to our home 9 years ago. The Real Estate agent suggested we bulldoze the property and make it a parking area for our home.

Contrary to their recommendation, we spent hundreds of thousands of dollars of our retirement funds turning it into a vacation rental. I have no other source of income. The home has a history, over 100 years, of welcoming people from all over the world to stay in the home. It was one of the original homesteads in Estes.

Since we began renting the property to visitors, we have faced increasingly burdensome new taxes, fees, regulations, inspections, etc. in what appears to be a blatant attempt to eliminate my only source of income in retirement.

Here is a brief list of some of the unanticipated and perhaps unjust issues we have faced.

- * NEW Licensing requirements
- * Requirement to convert to commercial utilities
- * Safety Inspections
- * Cost to Convert Property to Current Codes
- * Special Marketing Tax District
- * Sales Tax
- * Restriction on solid fuel fire
- * Etc., Etc., Etc.

All of this has happened while the homes surrounding our property, that includes an existing large resort, faces none of these restrictions. All of the surrounding cabins would be considered dilapidated and illegal as Short Term Rentals!

Also, of this has happened while all of the longer term rentals don't get inspected, taxed, regulated, etc. I don't believe ANY of the long term rentals surrounding us would meet most, if not any of the regulations on short term rentals!

We are adjacent to the RMNP. As you know, about 5 million visitors visit the park each year. They can have open solid fuel fires while the 500 or so Short term rentals can't. If this was really about fire safety, wouldn't it make sense for the 5 million visitors to have the same restrictions as the 500 or so Short Term Rentals? They can have open solid fuel fires right next to us!?!?

We lost thousands of dollars during Covid when we were forced to close, but hotels were allowed to stay open. Begging the question ... what would have been safer? Staying at a hotel with 100 strangers or staying isolated with your family in a Short Term Rental?

We lost thousands of dollars converting outdoor fireplaces and firepits to propane while long term rentals and RMNP is exempt. We can't even use our Treager Grill!

We had to pay unexpected increases in utility costs for the required conversion to commercial rates while long term rentals were exempt.

We had to pay thousands of dollars to upgrade to meet current zoning code requirements while resorts and long term rentals were exempt.

We have to pay sales taxes and Special Marketing Taxes while long term rentals are exempt.

We have to pay a new lodging tax while long term rentals are exempt!

All of this arbitrary, capricious and what appears to be targeted discriminatory regulations, taxes, fees, inspections, etc. have interfered with our business practice.

Thanks for taking the time to listen to my frustration. This was suppose to be my income during retirement. It has turned into a confusing, expensive quagmire of relations, ever changing requirements, etc. I can't imagine what our predecessors who opened their homes in and around Estes for over a hundred years should think of the current state of affairs.

Stop selectively burdening Short Term Rentals while ignoring the MUCH bigger issues with Long Term Rentals, Existing Resorts, and the RMNP. Taxes, Regulation, Restrictions, Fees, Inspections, Etc.

Stop Interfering with our legal right to use our properties.

Stop Interfering with our Business Practices.

Stop encroaching on the historical practice of opening our homes in Estes to visitors that we expected to continue after significant personal investments without reimbursement.

Perhaps you should consider reimbursing Short Term Rental owner for the government taking off property, equity and business investments before you continue down this legally questionable path!

Sincerely,

Tim Rees
Colorado Attorney Registration 030607

Tim Rees, esq.

Favorite Quote: "illegitimi non carborundum!"

The Overlook, A Vacation Rental in Estes Park

Tim Rees, esq.

Favorite Quote: "illegitimi non carborundum!"

The Overlook, A Vacation Rental in Estes Park

--



Laurie M. Kadrich
Assistant County Manager

Community Planning, Infrastructure and Resources
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Kadriclm@co.larimer.co.us | www.larimer.org



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Ouch

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tue, Dec 13, 2022 at 4:40 PM

FYI

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

From: **Harley Pottroff** <harley@hwpottroff.com>

Date: Mon, Dec 12, 2022 at 1:09 PM

Subject: Ouch

To: luc202@co.larimer.co.us <luc202@co.larimer.co.us>, jkefalas@larimer.org <jkefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>, JShadduckMcNally@larimer.org <JShadduckMcNally@larimer.org>

I do hope the regulations for STR does not get passed. I feel it infringes on my property rights and does not provide equal treatment. It is obvious that you have an agenda and it is aimed at eliminating the right to own and rent your house out to others as a short-term rental. I do hope you are indemnified from your actions here as they obviously are violating our rights to enjoy our property.

Harley W Pottroff

--



Laurie M. Kadrach
Assistant County Manager

Community Planning, Infrastructure and Resources
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Kadriclm@co.larimer.co.us | www.larimer.org



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: New STR regulations

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tue, Dec 13, 2022 at 4:41 PM

FYI

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

From: 'James MacKay' via Commissioner_Stephens <commissioner_stephens_public@co.larimer.co.us>

Date: Mon, Dec 12, 2022 at 12:47 PM

Subject: New STR regulations

To: luc202@co.larimer.co.us <luc202@co.larimer.co.us>, jkefalas@larimer.org <jkefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>, JShadduckMcNally@larimer.org <JShadduckMcNally@larimer.org>

I have rented my summer home/cabin since 1976 and have made many families happy with the gorgeous mountain views. It is only open 4 months out of the year due to lack of tourists and not being efficient energy wise during cold weather. I have complied with all the safety regulations and have even replaced windows due to fire regulations. Now it appears someone feels there is a problem and is trying to eliminate the STRs. I do not know the reasons for more restraints and regulations, but they must be rather arbitrary and capricious since I have had no issues with these summer rentals. Please do not make this a case of large interests trying to limit the independent owners who have been faithful stewards of Estes Park for so many years.

James MacKay MD 2300 Upper High Drive.

--



Laurie M. Kadrach
Assistant County Manager

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Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: STR

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tue, Dec 13, 2022 at 4:31 PM

FYI

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

From: **Lorenda Volker** <volkerl@co.larimer.co.us>
Date: Tue, Dec 13, 2022 at 4:18 PM
Subject: Fwd: STR
To: John Kefalas <kefalajm@co.larimer.co.us>, Kristin Stephens <stephekm@co.larimer.co.us>, Jody Shadduck-McNally <shaddujl@co.larimer.co.us>
Cc: Laurie Kadrach <kadriclm@co.larimer.co.us>, Lesli Ellis <ellisk@larimer.org>

Commissioners, the following email was sent to you at the bocc@larimer.org email address. I'm forwarding it to you and staff for your information.



Lorenda Volker
County Manager

Commissioners' Office
200 W Oak St, Fort Collins, 80522 | 2nd Floor
W: (970) 498-7008
lvolker@larimer.gov | www.larimer.gov

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

From: **Larimer.org** <noreply@larimer.org>
Date: Tue, Dec 13, 2022 at 12:59 PM
Subject: STR
To: <bocc@larimer.org>

This form was submitted on Tuesday, December 13, 2022 - 12:59pm from <https://www.larimer.gov/bocc/commissioners-public-record-email>.

Emailing (to) bocc@larimer.org
Subject STR
Your Name Alice easter
Phone 970-217-8646
Your Email aleasterwalter@ail.com
Message (no html)

Please keep Str's out of residential areas. They belong in commercial areas where the infrastructure will accommodate them. This is especially true in rural areas. Thank you. Alice Eastet
Attach a file (optional)

--



Laurie M. Kadrach
Assistant County Manager

Community Planning, Infrastructure and Resources
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970) 498-5741 | M: (970) 589-0674
Kadriclm@co.larimer.co.us | www.larimer.org



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Comments regarding proposed regulations for short term rentals in Larimer County

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Wed, Dec 14, 2022 at 7:57 AM

FYI

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

From: **Becky Robbins** <beckyrobbins50@outlook.com>

Date: Tue, Dec 13, 2022 at 7:46 PM

Subject: Comments regarding proposed regulations for short term rentals in Larimer County

To: luc202@co.larimer.co.us <luc202@co.larimer.co.us>, jkefalas@larimer.org <jkefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>, JShadduckMcNally@larimer.org <JShadduckMcNally@larimer.org>

Commissioners,

I have read through the proposed regulations for short term rentals in Larimer County and have given them substantial thought.

I have questions about a few of them.

3.3.5.A

d. Is it necessary to have an operations manual in each guest room? These manuals are posted on VRBO and Air BnB. In our experience one manual is sufficient in each property...but is never read by guests. If not listed with these two sites, property managers surely must post them on their websites. Why does it seem necessary to have this as a regulation?

3.3.5.B

g. Instead of "maps" installed indicating how to exit the property, (people came in the door, they should know how to get out)

wouldn't it be more important to have window ladders on the 2nd and 3rd stories to get out? I don't think in an emergency anyone will be looking for a map. Maybe they would in a hotel, but not in a home.

Finally, I don't understand why the county is planning to impose these new regulations.

- Who will do the inspecting to make sure these regulations are being followed?
- Who will enforce them?

Why vote to impose new regulations when there doesn't seem to be the means to follow through. This will cost the county a substantial amount of money, and for what? Manuals, signs, etc. are easily lost, removed, outdated, torn up, etc. This occurs as

There are already regulations in place which are not being inspected or enforced...unlicensed short term rentals among them.

This occurs as micromanaging short term rental owners and managers. These people are intelligent people who know how to run their properties.

Respectfully,

Becky Robbins

Director, Estes Valley Short Term Rental Alliance

(281) 989-5587

--



Laurie M. Kadrich
Assistant County Manager

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Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: STVR Serious Concerns

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Wed, Dec 14, 2022 at 8:32 AM

FYI

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

From: **Joseph Croteau** <joesasquatch2515@gmail.com>

Date: Wed, Dec 14, 2022 at 8:24 AM

Subject: STVR Serious Concerns

To: <luc202@co.larimer.co.us>, <jkefalas@larimer.org>, <kstephens@larimer.org>, <JShaddockMcNally@larimer.org>

Good morning all - me and my extended family bought a home in Estes Park together in 2013. The five brothers and sisters all invested our own equity from our homes here on the front range (Fort Collins, Thornton, and Longmont) to purchase the home on a 30 year fixed. Our hope was for us to use it throughout the years for our entire family. When not in use (usually around 100 days or so a year) we use it as a short term vacation rental. The new proposed changes concern us very much as we already struggle to make sure the house mortgage is paid for. My biggest concern about the new legislation isn't the number of days (135 max I believe) it is the change in max beds (we have a three bedroom place that sleeps 8 or more comfortably) and between that change and the new approval process every three years we are nervous about all these changes and how they will affect our family.

Please Note: During the summer months we use the home full time and use some of the empty beds for local fly fishing guides / workers to live there while they work all summer. We completely understand the lack of housing for workers which we enjoy helping every year. There are NO Provisions for those of us who help local workers living accommodations like we do and all that is in the proposed changes is punishments and punitive measures. Incentives for those of us who help house workers and also have large families who may want to pass down the home from one generation to the next should be considered.

Thanks,
The Croteau / Dann / Cronin Families



Laurie M. Kadrach
Assistant County Manager

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Kadriclm@co.larimer.co.us | www.larimer.org



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Proposed county STR regulations

Lesli Ellis <ellislk@co.larimer.co.us>

Wed, Dec 14, 2022 at 9:47 AM

Reply-To: ellislk@larimer.org

To: Tawn Hillenbrand <hillenta@co.larimer.co.us>



Lesli Ellis, AICP CEP
Community Development Director

Community Development Department
200 W Oak St, Fort Collins, CO 80521 | 3rd Floor
Phone: (970) 498-7690
ellislk@co.larimer.co.us | www.larimer.gov

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

From: **William Brown** <williamcbrown1953@gmail.com>

Date: Wed, Dec 14, 2022 at 9:36 AM

Subject: Proposed county STR regulations

To: <jshaddockmncally@larimer.org>, <kstephens@larimer.org>, <JKefalas@larimer.org>, <converseevplanning@gmail.com>, oharper44@gmail.com <oharper44@gmail.com>, mike kennedy <eotranch@gmail.com>, <pmoak@aol.com>, <poggenpohl@mac.com>, <ftheis3@gmail.com>, Drew Webb <dhwebb10@gmail.com>

Cc: pcboardmember1@larimer.org <pcboardmember1@larimer.org>, <pcboardmember2@larimer.org>, pcboardmember3@larimer.org <pcboardmember3@larimer.org>, pcboardmember4@larimer.org <pcboardmember4@larimer.org>, pcboardmember5@larimer.org <pcboardmember5@larimer.org>, <pcboardmember6@larimer.org>, pcboardmember7@larimer.org <pcboardmember7@larimer.org>, pcboardmember8@larimer.org <pcboardmember8@larimer.org>, pcboardmember9@larimer.org <pcboardmember9@larimer.org>, <ellislk@larimer.org>, <laffermn@co.larimer>

Attached is a letter to the Commissioners and the EVPAC members for your consideration.



121322 WCB letter to county commissioners and EVPAC members.docx

23K

December 14, 2022

Larimer County Commissioners
Members of Estes Valley Planning Advisory Committee

Dear Commissioners and Committee Members:

As you know, I have submitted on behalf of EVSTRA recommendations to the proposed regulations and the EVSTRA study on Tax Effects of STRs in the Estes Valley. I have offered to meet with the Commissioners and/or staff to discuss these matters and have been rebuked on the basis that the Commissioners had established a policy to not hold one on one meetings. That policy is remarkably short-sighted as these one on one meetings can be helpful in crafting reasonable and meaningful regulations, whether the meetings are with advocates or detractors of short-term rentals.

This letter is from a constituent and not on behalf of EVSTRA.

STRs are a convenient target for many in our community. They have been scapegoated for many things. Because of anecdotal stories from citizens about being renters in a house being converted to a short-term rental, they have been accused of causing the workforce housing shortage and many other woes. While I believe it to be true that some of the decline in the availability and affordability of workforce housing has occurred as the number of short-term rentals grows, the Root Policy Group study commissioned by the Town of Estes Park to support its impact fee on short-term rentals concluded that if STRs were immediately banned in Estes Park, only from 36 to 92 of the approximately 500 STRs in the town would become either rented or owned workforce housing. The reason for this is two fold: first, most of these houses are used by their owners during the year and hence would not be available for long-term rental or sale; second, the vast majority of the STRs are quite valuable and as a result are not feasible for sale or rental as workforce housing. Since the recent housing assessment study commissioned by the Town indicates a shortage of 2,200 housing units for the workforce, even a total ban on STRs would only have a very minor impact on available and affordable workforce housing.

At the same time, there are relatively few complaints about licensed short-term rentals. Most of the complaints and inquiries to governmental officials are about unlicensed short-term rentals. Most of the chatter against STRs is about the amorphous “they change the character of the neighborhood.” STRs have been in residential zones in the Estes Valley for decades and reflect a continuation of the tradition established in the 1860’s by Griff Evans of hosting guests in homes in the Estes Valley. These neighborhoods have always had short-term rentals. The only change is who owns them and the fact that they are now licensed – an appropriate approach to dealing with life and safety issues for our visitors.

There is currently a cap of 266 STR licenses in residential zones outside of town in the Estes Valley. There can be no more STRs in residential zones than there are currently. Eliminating short-term rentals in all residential zones in the county would reduce state, local and marketing district taxes by over \$4 million per year. A reduction in the number of short-term rentals is estimated (by the EVSTRA study) to reduce state and local tax collections by \$11,300 for each single reduction in the number of short-term rental licenses in the valley. While not all STRs will be eliminated immediately, turnover in licenses will result in reduced tax collections unless new STRs are then approved. Since the county appears to want to eliminate new STR licenses in certain residential zones, this turnover will degrade our sales and lodging tax base and make it more difficult for visitors to enjoy the Estes Valley.

I believe the right course of action is to maintain the cap in residential zones and to allow transferability of licenses so as to minimize new STRS in residential neighborhoods in which there is currently no STR. Restricting new licenses in residential zones when there is already a cap in place will do nothing but reduce the total number of STRs in the Estes Valley to the detriment of the local economy and taxes upon which the state, county, town and local marketing district depend – including for workforce housing and childcare under the newly increased lodging tax in the local marketing district (which includes the Estes Valley area being addressed in these new proposed regulations).

It is clear to me that the core problem being raised by constituents complaining about STRs is a lack of enforcement of existing regulations concerning health and safety issues, occupancy limits, parking, noise and trespassing. We already have these requirements and restrictions. New restrictions will only increase the level of enforcement required to mitigate these issues and it seems readily apparent that the county does not have the political will to do this.

STR visitors in the Estes Valley generate approximately \$1,175,000 of taxes to the county. Surely the county can stand to allocate more funds towards enforcement from this tax windfall. Please focus on the real issues – enforcement of basic licensing requirements for unlicensed short term rentals and enforcement of standards regarding health and safety, occupancy limits, parking, noise and trespassing. Don't make the mistake in thinking that additional regulation will solve a problem which is at its core an enforcement problem.

Sincerely yours,

William C. Brown
270 Cyteworth
Estes Park, CO 80517
Phone: 515-360-4292
Email – williamcbrown1953@gmail.com

Feel free to call me or email me with any thoughts or questions. Dialogue is much more productive than the methodology you are using with respect to public comment.



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: STRs

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Wed, Dec 14, 2022 at 2:49 PM

FYI

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

From: 'D'Rae Ward' via Commissioner_Stephens <commissioner_stephens_public@co.larimer.co.us>
Date: Wed, Dec 14, 2022 at 2:21 PM
Subject: STRs
To: <luc202@co.larimer.co.us>, <jkefalas@larimer.org>, <kstephens@larimer.org>, <JShaddockMcNally@larimer.org>
Cc: Kim <kim.trees@yahoo.com>, Jozelle Ward <jozelleward@yahoo.com>

Dear Commissioner,

We purchased our first short term rental in 2014 as a second home before we moved full time to Estes Park. This email represents 3 of us with multiple properties in the county (myself, my partner, and my mother).

All of our properties were in horrible condition when we purchased them, and could not be lived in part time much less full time. Our properties were so dilapidated and run down they would have never passed any sort of a certificate of occupancy. We have done extensive remodels on all of them, and now they are beautiful properties that the town and county should be proud of. They have all been brought up to code, which the majority of places in Estes have not, and never will be. We have always done everything legally by getting them licensed, and accommodating any and all safety measures that were imposed. What originally started as a second home has now grown into our retirement plan. We spent hundreds of thousands of dollars, and our own blood, sweat and tears to build our retirement plan. We recently sold our business in town (Rocky Mountain Dumpsters), and now feel as though that life plan is being threatened.

None of our places are a good fit for long term rentals because they are either tiny (less than 300 sqft), or don't have full kitchens, closets or washer dryers etc. They are perfect as short term vacation spots, but not for full time living. The price points of our properties are also an issue, as a family is not going to purchase a 300 or 600 sqft 1 bedroom tiny cabin with no full kitchen, closet or washer dryer for \$500-800k. The properties that we own sat on the market for months before we purchased them. Obviously, they were not good fits for long term living, or that would not have been the case. They were originally small, not winterized, and unlivable places. We take great pride in our places and how they look today. We get excellent reviews, and cater to higher end short term renters. We have never had any issues with noise, parties or anything of that nature (more on this below). We mostly attract retired nature lovers that love Estes and RMNP. The type of clientele that we get are not the type of people that would rent a hotel room or a condo. They enjoy the peace and quiet and privacy a vacation rental in a neighborhood brings. They will simply choose to vacation elsewhere if these types of properties are not available for them. We know this for a fact because we are also those types of people. We choose our vacation places around vacation rentals, and will go where we can find a place we like. Our guests enjoy shopping in downtown and eating at our restaurants. They bring in not only the lodging tax, but also generate a large amount of sales tax. Without these visitors those tax amounts will be greatly affected. This loss will significantly affect the Estes Valley as a whole. Please refer to EVSTRAs actual tax figures for more info on that.

While we certainly believe the county should enforce the rules and regulations that are currently in place, we strongly disagree with imposing new regulations that ultimately lead to taking away STRs from those of us that have complied with all the rules and regulations over the years. This is not fair to STR property owners, and is not in the best interest financially for the Estes Valley.

If the county feels new restrictions should be put in place, those new restrictions should only pertain to new properties that are not currently licensed STRs. This is the only fair way to implement these kinds of regulation changes because anyone that wishes to buy a property is completely aware of what they are buying and the rules and regulations surrounding it. We strongly disagree with any retroactive changes that would affect currently licensed STRs. After all the updates and improvements we have made to our properties for life safely measures etc, we feel they must be grandfathered in. We also don't see any reason our licenses should not be transferable, as that was part of our decision for purchasing the properties in the first place.

We know what our properties looked like when we purchased them, and have a very good idea of what they would look like if we sold them. They were horrible, junked up eyesores that could not be lived in. All of our neighbors have been extremely happy with the transformations of our properties. Short term rentals bring value to neighborhoods because they are updated, safe, and nicely kept. Furthermore, we also have first hand experience from our dumpster business with how many long term rental owners had to rent dumpsters from us over the years to clean out trash etc that tenants left behind or property damage they did. Not one time did we deliver a dumpster to a short term rental property to clean out what vacationers left behind or damage they did.

We personally have never ever had a single complaint about any of our properties. STRs are all too often accused of having noise, fire, wildlife or other safety issues. Unfortunately, these accusations are unfounded as pertaining only to STRs. We know firsthand of many locals that feed wildlife illegally or have unsecured trash. We have personally called the fire department on a neighbor that had a huge fire with embers blowing all over after the 2020 wildfires during a burn ban. We don't believe noise from STRs is even a valid complaint because the Stanley Hotel with their concerts and weddings, Black Canyon Inn wedding parties, Taharaa wedding parties, and SkyView at Fall River Village wedding parties have unbelievable noise pollution that can be heard loudly throughout entire residential areas. Just because those properties are zoned accommodation doesn't mean their noise stops at their property lines. We have lived in proximity to all of those places in town and know the noise pollution they create firsthand. Clearly that's not really a concern or something would have been done about them all these years. All in all, I would say the locals are far guiltier of these infractions than STR's. 'If' there are actually valid complaints about these issues at STR's then the issue is an owner problem and not a renter problem. We make sure we educate our renters on properly securing trash, no wood fires and wildlife safety etc. We have a very detailed instruction book at all of our places addressing these issues.

We certainly don't deny that there are affordable housing issues in the Estes Valley, but we strongly disagree with STRs being to blame for those issues. We know for a fact that our properties and most STRs are not good candidates for affordable housing units. This is either due to their high price points or the characteristics of the properties (size, amenities etc). If the majority of STRs were sold they would end up as second homes, thus not generating revenue for the town or county nor providing affordable housing. The solution to this issue won't be found by banning STRs, but by coming up with other solutions to the problem.

We take great pride in our places, and love being a part of the Estes Valley community. I trust the county will review all the facts and do the right thing as it navigates these issues moving forward.

Thank you for your time,
D'Rae Ward, Kim Trees & Jozelle Ward



Laurie M. Kadrich
Assistant County Manager

Community Planning, Infrastructure and Resources
200 W Oak St, Fort Collins, 80521 | 3rd Floor
W: (970) 498-5741 | M: (970) 589-0674
Kadriclm@co.larimer.co.us | www.larimer.org



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Short Term Rental - Proposal of Regulations - Concerns

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Wed, Dec 14, 2022 at 2:53 PM

FYI

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

From: **Barb Bortz** <bortz668@gmail.com>
Date: Wed, Dec 14, 2022 at 12:06 PM
Subject: Short Term Rental - Proposal of Regulations - Concerns
To: JShadduckMcNally@larimer.org <JShadduckMcNally@larimer.org>, <luc202@co.larimer.co.us>, JKefalas@larimer.org <JKefalas@larimer.org>, KStephens@larimer.org <KStephens@larimer.org>

We would like to share our comments regarding the proposed regulations for Short Term Rentals.

* We do not feel it is fair to make changes to existing STR's in regards to licensing. We and many others have put time and money into these properties and for many it could cause financial hardship. We personally have re-furnished our home to make it more comfortable and safe for our guests.

* We are okay with the proposal of periodic inspections on STR's. We personally feel this is a great idea for the safety of our guests.

*We do feel that if STR's were taken away from Estes Park it would affect the lodging. There would not be enough lodging for all the visitors that come in and support the town of Estes Park.

*We are okay with paying an extra annual fee to support the Workforce housing and childcare. If you took STR's away you would also lose money for this cause. However, on this subject; We do believe all business owners in Estes Park should pay into this fund since we all have the need for employees.

*We are aware that many of the permanent residents in Estes Park are retired folks and many do not like the STR's. It would be interesting to see the breakdown of the ages of folks who live in Estes Park. We imagine this could be changing to a younger group of people who are in Estes Park to enjoy the lifestyle as well as work here. Yes, it is probably disappointing to some of the residents to have seen Estes Park grow like it did. But, isn't this how it is everywhere anymore? Including other mountain towns.

*Take away the STR's, that will mean less people staying in Estes Park and that will mean less customers for local businesses. They would then probably stay in towns close by such as Loveland, Lyons and Longmont and then drive into the Park for the day. This would then not only disappoint the STR owners but also the business owners in town.

So, please, do take into consideration the fact that we need to keep the present Short Term Rentals (with the transfer of licensing to always continue and not just one time). Changes regarding licensing should only affect new short term rentals moving forward.

It was also mentioned that if someone isn't using their license after a certain period of time it should be taken away. We agree with this as well. Perhaps a 2 year plan. Sometimes people may need to take a break from renting but they shouldn't hold onto their license just for the purpose of selling it with their home later. Is there someone that checks the licenses against the listed rentals? This should be a job for someone to keep track of.

Thank you for your time and consideration on this matter.

Have a great day.

Barb and Michael Bortz

--



Laurie M. Kadrach
Assistant County Manager

Community Planning, Infrastructure and Resources
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STR Ordinance

Matt Wood <woodm@techincsolutions.com>
To: luc2020@co.larimer.co.us

Wed, Dec 14, 2022 at 3:23 PM

Please replace this inept statement:

A) If the short-term rental property is within 1,000 feet of the boundary of a public open space or park land, it shall be referred to the relevant public lands management agency and the owner will mitigate potential impacts to the public natural resources or wildlife.

With:

B) If the short-term rental property is within 100 feet of the boundary of a residential dwelling, it shall be referred to the neighboring homeowner for approval. The applicant will mitigate potential impacts to the neighboring property, residents, children, and other stakeholders. Short-term rentals may not adversely impact, or change the character of a neighborhood.

A and not B? Here is the darling part, a group of individuals lifted A into the proposed ordinance language. I think we can all agree on how foolish that statement is and that it has no basis in this conversation. However, item B needs to be moved to the ordinance unless, of course, you place more value on a park than you do a permanent, long-term family. I can assure you the squirrels will be fine unless the entire area catches fire because you continue to overlook fire safety in the WUI.

If you need help drafting a competent policy, please just ask.

Unbelievable!!!!



Matt Wood

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techinc.

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Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Public Comment regarding STR regulations

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Thu, Dec 15, 2022 at 8:11 AM

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

From: **Rick Grigsby** <rkgr@beyondbb.com>
Date: Wed, Dec 14, 2022 at 4:51 PM
Subject: Public Comment regarding STR regulations
To: jkefalas <jkefalas@larimer.org>, kstephens <kstephens@larimer.org>, JShaddockMcNally <JShaddockMcNally@larimer.org>

Greetings, please find attached my public comments. I \ apologize if you have already received duplicate emails. An erroneous address kept my emails bouncing back.

Thank you for your service and consideration. If I may answer any questions, please let me know.

Rick Grigsby

--



Laurie M. Kadrach
Assistant County Manager

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Grigsby STR Jurisprudence and Public Comment 12.13.22.pdf
131K

Rick Grigsby Esq.
OK, TX & CO Ret.
Former General Counsel
1950 Cherokee Drive
Estes Park, Colorado USA

December 13, 2022

Larimer County Planning Commission
luc202@larimer.org
jkefalas@larimer.org
kstephens@larimer.org
JShadduckMcNally@larimer.org

and, the Estes Valley Planning Advisory Committee
% Linda Moak

RE: Public Comment on Vacation Home Jurisprudence and Local Short-Term Rental Regulations

Dear Commissioners and Planning Advisors,

My name is Rick Grigsby. I am a private community-minded family man, outdoor explorer, mountain dog lover, and old attorney once astute in entrepreneurship and private property rights. I've been a full time constituent of yours for over 25 years. All three of my children are graduates of Estes Park High School and live and work in the Town or County.

My wife and I own residential vacation property within your jurisdiction with all incidents and common property rights thereto.

This is my short-term vacation rental story in a nutshell and suggestions for improvement of the Short-Term Vacation Rental regulation.

But first to be certain and with all due respect: Notwithstanding new local regulations past or future, our property rights include the freedom to rent our residential property for less than 30 days without further local governmental interference or harassment.

My private rights in property are superior to your limited public powers to regulate.

I own the inherent property rights to possess, control, maintain and manage my residential property as best I see fit.

I own the inherent property rights to derive income from my property and to rent my residential property to any third party for residential purposes as I reasonably choose.

I also own vested property rights to rent my residential property short-term having detrimentally relied, in good faith, on former governmental pronouncements, land use approvals, and three governmental "Short-Term Residential" building permits intended for that purpose. In lay terms, I am fully grandfathered in. New regulation can not prohibit me from completing the improvements and using the land for the purposes earlier approved by local government.

The temporary nature of my occupancies does not change residential status into commercial when my occupants use my property in the same residential way as I would or could. The fact that the rental is temporary is not in any way inconsistent with my property being used as a residence.

My rights to derive income via renting short-term cannot be taken away now or abridged by the exercise of government police power unless the interest of the public requires such interference and the means are reasonably necessary and not unduly oppressive.

All my property rights in my vacation residence are freely transferred to successors without restriction.

Except for due process and a substantial showing of health, safety or nuisance impacts, governmental STVR regulation that by its terms substantially defeats my rights to derive income or rent short-term is governmental overreach and not politically or legally justifiable.

Secondly, most all STVRs, like mine, are great contributors to our community and local economy. We represent the best ambassadors of local values, traditions, and social and economic vitality. We pay a heavy load of Town and County operations. Governmental regulation must find a way to recognize and preserve these positive realities.

Yet, not all short-term vacation rentals are the same with huge stakeholder differences. They are as diverse and unique as the rocky mountains we live in. Regulation should resist treating us like the same ol' left-over sausage. We are choice prime rib that deserves case by case net benefit analysis.

The establishment of short-term settlements and vacation homes in Colorado followed the "frontier" pattern of fate, not planning. Property rights like mine were deeply staked out long before any local regulation.

From the beginning of my retirement years in 2010 till now, I have invested my full time efforts, energy, and retirement assets in a restorative preservation project starting with a risky investment in an abandoned, uninhabitable, unproductive, multi-family residential property that was totally destroyed by deferred maintenance, the elements, and a long run of bad occupants' abuse. I chose this specific piece of property as my ground to till because of its historic uses as temporary traveler cabins and its long blighted appearance under the nose of Town Hall. You might say I risked everything I had previously accomplished on nothing but a mission and vision no one else had the courage to undertake. At the time, I knew little of the tasks or trades I would need be learning and doing. After three public auctions trying to attract all offers, I was the only person willing to take on the property's liabilities and risk a bid. Nobody else in the local workforce would touch it, or wanted it. It was just too complicated of a project. I did all the work and solved all the problems. I've added to the local housing inventory never eliminating any workforce housing options.

Since buying the broken down antique property, and under the guidance and permitting of the Town, I personally rebuilt the three tiny structures into three tiny short-term vacation cabins for my guests. My purpose was to accommodate my wife of 40 years, our extended family and friends, and near strangers needing to experience what I had to give- hope for the broken hearted and best days ever.

With my bride by my side, I operate our cabins in a manner that is in character with residential uses. The mountainside cabin life we have created and share is a ministry of redemption, exploration and reflection. It is our free expression of the living God in the form of helping others, extraordinary hospitality, and loving care. We do not have outside investors or employ professional management. We run a smooth simple operation with a small team of loyal, ministry-minded, cabin-keepers. Truth, faith, goodness and beauty are ideas we judge by. Liberty, equality and justice are ideas we act on.

We grant our guests the temporary right to exclusively occupy our premises for short mountain respites, retreats, vacations or get-a-ways, and extended business and clergymen sabbaticals. To offset rebuilding materials, our time, and operational costs, we have some of our guests contribute to the upkeep by paying taxes and rent. Others stay free as our unconditional gift.

Our guests use my property as I intend them to- for residential purposes only. Our guests faithfully abide by all my house rules. They demonstrate appropriate respect for my property and the property rights of quiet enjoyment owned by and owed to my adjoining neighbors. Our guests are quiet and do not make offensive noises or shine too bright light or otherwise impact the neighborhood in any negative manner. Our guests are the best people in the world. They are welcomed into my downtown neighborhood community. On departure, they neatly fold their bedding, bag their trash, and make spotless their dishes before leaving the neighborhood pristine as they found it.

I have a clean building and operational track record without one single neighborhood complaint. Our neighbors fully support what we are doing, the quality of our work, and what we have accomplished on behalf of the residential neighborhood.

New or old regulation that purports to restrict or interfere with my basic rights to rent short-term are not reasonable; but rather arbitrary and unduly oppressive. In my opinion, completely unenforceable.

If the aggressive regulatory trend does not temper, I see it potentially leading to county-wide legal contests.

At the beginning of focused STVR oversight, and on December 15, 2016, the County Board of Commissioners and the Town of Estes Park Board of Trustees jointly passed new vacation home regulations governing vacation homes in the Estes Valley. At the time, **officials promised the new regulations were “not putting owners (like me) in jeopardy of losing their property rights to rent their homes short term”** and their goal was **“to find balance”**¹.

Yet in practice, the Town has targeted my property and attempted to deny me STVR license. I can not number now the unto days, weeks and months I’ve had spend addressing the matter. I’ve have been forced into the extreme measures of demanding the Town recognize that my common law rights superseded their regulation. In time, the former Town Attorney overseeing the new regulation, confessed my standing was sound and my position correct.

Recently, I have been hearing in increasing measure how the STVR regulations are being wrongly used to deny many property owners’ rights to derive income and rent their homes for periods less than 30 days. Officials seem to be governing residential rental activity not as an owner’s fundamental right but as a mere privilege subject to extra judicial subjective conditions. Local government is exceeding its policing powers and is way out of balance.

The Town and County early promises of restraint and balance have been broken. Threats to owners’ property rights have been substantially growing. STVR regulation has become an oppressive moving target increasing public confusion and decreasing public trust. After 3 or 4 more recent bites at the same apple, we’re seeing more and more staff initiated policy and radical activism. Each round of amendments lead to more and more lost time by all concerned; less and less Town productivity; more and more neglect of the Town’s most essential governmental functions; more onerous owner requirements, fees, costs of operation, burdens and dissatisfaction; more restrictions on property options, uses, transferability, and caps; and more outright bans of owner opportunities to rent short-term and derive income. Owners with inherent and vested property rights are indeed in jeopardy.

¹ Town Letter dated December 22, 2016.

Complicating my life still further, the Town's regulatory framework now includes nontransferable caps and queues narrowly limiting opportunities to only their chosen few, preferential treatments, and unequal treatment under civil law. Their system has created artificial market demands for what they are selling, vacation home license products. Having established an exclusive captive audience, my Town fees and costs have gone through the roof by a factor of 10 or more.

From 2016 to now, I've been forced to personally take the Town to task on its regulatory overreach. To preserve my rights and drive down stakes, I've had to challenge the Town's power to regulate my rental opportunities. I've stood firm on my common law inherent and vested property rights and promissory estoppel. If regulation is not rebalanced to recognize these, other property owners might have to follow in my steps.

After my facts and legal position² were reviewed by the last Town Attorney, the Town did not contest any facts or law and recognized the teeth of the ordinance could not be used to diminish any previously established property owners rights. The Town confessed my rights to rent short-term were superior to its limited policing powers. In the end, the Town Clerk issued us a Town STVR license for each structure on my residential property, all three cabins unencumbered by the restrictions of new STVR regulation.

For good civil preservation sake, I hope none of your other constituents are forced into having to make legal demand on the Town and County people they love, only to become in that process Town Hall's next hated man. Please require all new regulation to recognize constituents grandfathered inherent and vested property rights by enumerating clear and easy pathways for securing their exemption. Please provide your constituents a way forward that avoids the ugly realities of having to "fight Town Hall".

Presently, my vacation cabin property interests have been exposed to new jeopardy in the form of a Town Staff initiated- **STVR Workforce Housing Impact Fee**, cooked up quickly behind doors in back offices early this year. The Town Board must be acting on bad advice or some misunderstanding of the limits of their statutory powers. It is my opinion the new impact fee exceeds Town's authority and violates CRS § 29.20.104.5 which defines Impact Fee uniform standards. Statutory municipalities have only those powers granted by state legislation. Local ordinances that conflict with state laws are invalid. I am duty bound to stand firm and resist in the coming days this grave overreach too.

² Expects from my winning arguments to save my vacation home:

"If you are imposing the new Ordinance 29-16 to limit, impair, annul, or destroy the historic character and short-term rental uses of our private downtown Property, we strenuously object and formally protest."

"By 2004 and again in 2010, the Town officially recognized short-term Vacation Rentals by Owner and left that STVR door wide open to all Town property owners provided the property was not burdened by HOA restrictive covenants."

"If the Town is purporting that the new ordinance can be used to deny us license to rent our cabins on less than 31 day increments, or to otherwise destroy our historic property uses and acquired rights now firmly vested, you are without legal foundation".

"The doctrine of equitable estoppel bars a municipality from taking a position contrary to a previous representation reasonably relied upon by the party dealing with the municipality to his detriment."

By enacting the Ordinance, the Town can not take our private property without just compensation or deny us short-term rental usage without a clear statement of legislative intent."

It is in everyone's best interest to know for certain that elected officials will best exercise their policing powers to protect and defend their constituents' health, safety, dwelling places and private property interests on consistent, reasonable, easy to understand and follow, uniform rules. Expectations need to be settled.

I hope you will actively advocate for my property rights including the right to derive income from my residential property and the right to rent short-term.

I ask you to recognize that most of us want to work out our daily lives and relations with others without government interference. Please redirect your limited policing power and public resources on the few bad eggs only.

Finally, for good civil order and justice sake, new regulation should:

Acknowledge inherent and vested property rights to rent. When interests compete with neighbors, new regulation should balance their interests with an easy programed path to resolution, not leaning all one way or the other, or toward outright bans.

Recognize that local government policing power is limited and must meet the reasonableness test. Regulations must be easy to follow and not so time consuming or costly to be unduly oppressive.

Define and apply reasonable community health, safety and nuisance standards and enforce them equally across the whole community through a common complaint generation and community based enforcement methodology.

Specify clearly appropriate exemptions. Short-term vacation rentals, like mine, that were established in residential areas of the Estes Valley since before the Town of Estes Park was incorporated, or that relied on prior Town or County licenses and permits for "Short-term Residences (rented less than 30 days)" or similar, or that did invest in properties relying on prior conditions or regulations, should be made explicitly exempt of new limitations expressed.

Reward excellent owners with minimal oversight.

Penalize only the recalcitrant repeat offenders.

When you tackle affordable housing issues, I hope you consider the legislative intent expressed in CRS § 29.20.102.

Thank you for your public service. Please let me know if you have any questions or concerns.

Respectfully submitted,

Rick Grigsby

cc: Town of Estes Park Mayor, Trustees, Administrator, Attorney



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Short term rental comments

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Wed, Dec 14, 2022 at 4:23 PM

FYI

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

From: **Chris Norton** <waicashu@gmail.com>
Date: Wed, Dec 14, 2022 at 3:58 PM
Subject: Short term rental comments
To: <JShaddockMcNally@larimer.org>

I thought I would write you a fast note to let you know what I think about what's going on with the short-term rentals? I have one in unincorporated Larimer County and, and what's going on is it is so restrictive to try and get it through the licensing process that it's nearly impossible. Currently I am under a Cease and Desist Order.

I went short-term in the first place not to make a lot of money but because I had a long-term renter that tore my place up. Just for the record.

Here's an idea for you. Austin Texas for instance they just have you pay a set fee in an instantly you're working with a short-term rental. This will give unincorporated Larimer County a lot of Revenue fairly quickly. Plus, VRBO already has use taxes going directly to then county

Take a look at the current marijuana legislation for instance. We had a a boom of marijuana businesses that started when the whole thing started? And they're now going out of business because they haven't figured out the business model. What's wrong with doing that with the short-term rental market?

Here's the other part of the whole thing if you think about it larimer county is definitely afraid of meth labs? I know myself it was a big surprise I thought I was going to be catering to Outdoorsman with this process. What I got were Brides. lots of brides. No shortage of brides. As a matter of fact, they want to have weddings at my house. It matter of fact I've had about 15 offers for this. Where my home is parking doesn't exist for 50 people and as described it's a simple family home! Nobody running a Meth Lab is going to rent out a home for \$450 a night. Besides there's too many people around.

The current permitting procedure is restrictive. I bought my home a year and a half ago and I found out that I am missing two permits. As described the home was built in 1977 a Larimer County's records are highly inaccurate, so they depend on Dell Howard, a contractor to find the errors. This has been exciting because I have to get both of these things fixed for permits somebody called in as is permit. Granted the sellers disclosure statement shows no problems with the permitting? And yes I will get it fixed.

Which is fine but they make you go through classes and drag their feet while they're at it and not make it easy for people that honestly bought the house in the first place. This is just plain wrong. There should be an expedited process for this. Otherwise Larimer County is going to lose revenue on \$450 a night houses like mine till the cows come home. What is Larimer County thinking ? I'm not sure they're capable of that that operation.

This makes the ordinance unenforceable by Larimer county. Why? I know when I was working with the minerals management service, everything was based off of what the existing records already were. You can't enforce something when you don't have accurate records in the first place.

So basically I have to go through permitting process for a bathroom, and in a variance on my deck when in fact it's been there since about 2005. Think about this. The fact of them matter is is that the amount of Revenue that is being held up negates any benefit to the county in the first place.

I've already had the electrician and plumber go through the bathroom. So far nothing has really had to be fixed. So why are we going through this whole process in the first place? The instructions for the as is permits are very difficult to read and understand. Why does Larimer County make it so difficult? Like I say? I bought the house a year and a half ago. Welcome to Colorado right?

Also going through the process is unreal. For instance you have to have stuff that's not in anyone's home. An example of this would be on the stove you have to have things where you can't knock the stove over, and something that will actually hold it down.

I've rebuilt about 15 houses. The licensing procedure under the ordinance requires that I put in stuff I didn't know existed that stuff in. Does your home have an exit plan for every room in case of fire? That and I have to come up with exit plans from every room? And I'm being told that certain things that are standard in a normal house which is what I have single family house? Is just not acceptable.

In closing this would be my question. I think it's only fair that everybody on the city council also be subjected to one of Dell Howard's report? I got that call from the Larimer county inspector in the middle of a Cat 4 Hurricane and with no prior notification. Let's have all the county officials be subjected to this the same way to get their houses inspected the way mine has been. It's only fair.

Thank you for listening. Merry Christmas.

Chris Norton
[1612 Fire Rock Court](#)
[Loveland Colorado 80538](#)

Home
[4405 Lenox Boulevard](#)
[Venice Florida 34293](#)
303 956 0212

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Laurie M. Kadrach
Assistant County Manager

Community Planning, Infrastructure and Resources
[200 W Oak St, Fort Collins, 80521 | 3rd Floor](#)
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Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Estes Valley STR Regulation proposal comments

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Wed, Dec 14, 2022 at 4:27 PM

FYI

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

From: **'Bruce Harrington' via Commissioner_Stephens** <commissioner_stephens_public@co.larimer.co.us>

Date: Wed, Dec 14, 2022 at 3:41 PM

Subject: Estes Valley STR Regulation proposal comments

To: jshaddockmcnally@larimer.org <jshaddockmcnally@larimer.org>, jkefalas@larimer.org <jkefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>, luc202@co.larimer.co.us <luc202@co.larimer.co.us>, info@evstra.org <info@evstra.org>

Please find attached out comments and concerns regarding the proposed changes.

Thank you,

Bruce and Tonya Harrington

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Laurie M. Kadrach
Assistant County Manager

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Comments on STR regs to Larimer County.docx
19K

Questions and comments on proposed changes to Larimer County STR Regulations

12/12/2022

Bruce and Tonya Harrington
4680 W. 110th Ave
Westminster, CO 80031
303-656-8548
970-946-9149

[Diver bruce@yahoo.com](mailto:bruce@yahoo.com)

STR Address

2211 Gaillardia Drive
2161 Gaillardia Drive
Estes Park

- FULL STR's, no limits on rental nights. These are big investments for us, the same as an investment in a Long Term Rental. If you limit our availability, you may force property sales. Long Term Rentals aren't an option for many STR owners as they don't make enough money in a limited market like Estes Park to own the mountain property of our dreams and retirement home.
- 3.3.5 Commercial Uses, B.2.c Short-Term Rental. "...property manager....their contact information shall be posted outside at the front door and in the operations manual. Whoever wrote that hasn't rented an STR. **There is no reason to post anything outside the door.** All the information the renter needs is on their app, in their texts and email from the management company. They know who to contact before they are packed for the trip. Having the information in the Operations Manual is more than sufficient.
- No residency requirements of owners. For many of us, these are the only way we have to own a property like this. We don't have deep pockets. Personally, for us it is our little dream mountain getaway just an hour from our urban home.
- 3.3.5 Commercial Uses, B.2.g and h. Maps. Maybe for the larger >10 Guests STR's but not the <10 guests. The floor plans aren't complicated enough for that. "...each habitable room...the address, GPS Coordinates and the phone number..." What?? Every room in the house has to have the address of the property the renter is INSIDE OF? Why GPS Coordinates, seriously? Emergencies? I have made a few 911 calls and I have NEVER been asked the GPS Coordinates. These requirements are not useful in any way. All of these things are perfect for inside the Owners Manual you require.
- Owners Manual. Just one per property is all that is needed.
- Maps at the entrance and exits. For STRs with >10 guests maybe, but not for the <10 guests STRs. The floor plans of the smaller properties aren't complicated. In our property, standing at the front door, we can see the back door and all 3 habitable rooms. So, I will be required to have 5 maps containing the information that is in the Owners Manual, within sight of each other. My, how relaxing and homey my vacation feels.
- Entrance and exit maps. "...escape routes from the neighborhood to a public road". A map to tell them how they already got there and how to get out of the driveway?

- Entrance and exit maps. "...contact information for...(fire and police) is 911. In the Owners Manual. What is "contact information" for "ambulance service."? Nobody calls and ambulance service directly. Not how it works. 911 is how it works.
- Plan for garbage storage mentions "screening of the outdoor storage area". Is there or will there be proposed, a requirement for some sort of "screening" for our containers?
- Roadways and Appendix G Standards. If a roadway is inspected and found wanting, will the property be shut down until when and if the county takes responsibility for the road and corrects any deficiencies? Where will these roads be on the maintenance priority list for the CDOT? Will the county commit to reimbursing property owners for the time their rentals are shut down by county regulations? Or will the county allow existing permit holders to continue to operate while the county and CDOT commit to bringing the roadways up to Appendix G Standards?
- Water source for firefighting. Rural properties do not have hydrants. Even with wells, they are not equipped for a firefighting team to tap into, nor could they be without major expense to the property owner. And, if I am required to engineer my well so firefighters can tie into it, my neighbors who don't rent should also be required to re-engineer their wells. We are in the same neighborhood where the fire is so why not? Plus, rural fire departments and Estes Park Fire carry water. They have already thoroughly mapped their jurisdiction and have identified reliable water sources. They aren't counting on ANY individual property to meet their water needs, unless that property has a lake or cistern on it. Please ask them if they can tie into any wells they consider "available for firefighting"?
- Permit Transfers. Option 1. Permit stays with the property. New owner is required to re-apply within 30 days.
- Annual Renewal is unnecessary paperwork and expense for the property owner. Eliminate it. Easier for the county and property owners. Tie an Automatic Renewal to every 2 or 3 year inspection. Self Certify with each inspection that the property will be kept to standards until the next inspection. Allow room for county inspections anytime if a property is being reported as operating in an un-standard manner.
- Strive for regulation consistency and simplification between county and Estes Park.
- Increase oversight of unpermitted STR's and shut them down.



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Vacation homes

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Thu, Dec 15, 2022 at 8:06 AM

FYI

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

From: **Julie Reichle** <estesparkco@cox.net>
Date: Wed, Dec 14, 2022 at 9:59 PM
Subject: Vacation homes
To: <jkefalas@larimer.org>

Dear Commissioner,

Thank you for your service as Commissioner. I urge you to please be cautious in making decisions regarding vacation rentals that could have long standing repercussions for families that own vacation rentals. Vacation Homes in Estes Valley have been around since the beginning in Estes Valley. Many families pass homes down and many individuals have invested hard earned money and have followed the rules to have a vacation home.

Some of the proposed changes are not cost effective or reasonable for mountain towns.

Much of the problems stem from not enforcing rules that already exist.

Sometimes complaints are from people not understanding the rules.

Many vacation homes are safer than residents homes because they have been through the safety inspections.

There are vacation homes in the County that are in HOA's that allow vacation rentals why would we change that?

There are many sides to all these arguments. The Town and County went through a long and detailed process in 2015 and 2016 to come up with caps and reasonable rules. Please consider what the repercussions not only on property owners but for cleaners, handymen, snow removal services, tax revenue and for managers.

Thank you, Julie Reichle

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Laurie M. Kadrach
Assistant County Manager

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Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Estes Valley STR licenses transferability

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Thu, Dec 15, 2022 at 8:07 AM

FYI

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

From: **Pamela Wallace** <pamela2wallace@msn.com>

Date: Wed, Dec 14, 2022 at 9:45 PM

Subject: Estes Valley STR licenses transferability

To: luc202@co.larimer.co.us <luc202@co.larimer.co.us>, jkefalas@larimer.org <jkefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>, JshaddockMcNally@larimer.org <JshaddockMcNally@larimer.org>

Dear Larimer County Planning Commissioners,

I am a licensed owner of an STR (a small 1-bedroom cabin) in the Estes Valley, having purchased the home with my husband in 2006, and we have lived locally in Estes Park year-round ever since that time. We have raised our two children here and they have attended all 12 years of public school at Estes Park School District. We vote here, pay all our taxes and property taxes, and I am also part of the local Estes Park workforce, having been employed over the years at several businesses downtown. We hope to continue to live here even after we might be able to retire someday. We believe our vacation rental cabin fits in well with the community of Estes Park, which has always been a place where visitors come to stay and experience the beautiful Rocky Mountain National Park, which also drew us to this area to live full-time 17 years ago. The local economy benefits from us providing a place for tourists to stay and spend money, including the additional lodging tax that will now be used to subsidize workforce housing and childcare. We are careful to be good neighbors at our STR and our own home, and we have not had any complaints or problems with our neighbors, who are also our friends.

I hope you will consider the licenses for existing STRs should be allowed to be transferred with the property title unlimited times within the family, and at least once outside of the family. My husband and I have invested in our STR property to comply with all licensing and safety regulations, and our goal has always been to keep the property in our family after we die. We believe it is within our property rights (and our children's property rights and our children's children's property rights, etc.) to continue to have the option for the property to be a short-term vacation rental even after we die, in order to maintain it and pay property taxes on it, as has historically been done here throughout the Estes Valley for many years.

Thank you,

Pamela Wallace

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Laurie M. Kadrach
Assistant County Manager

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Tawn Hillenbrand <hillenta@co.larimer.co.us>

Regulation Changes for Larimer County STRs Comments & Question

millerland <millerland@aol.com>

Wed, Dec 14, 2022 at 5:31 PM

To: luc202@co.larimer.co.us, jkefalas@larimer.org, kstephens@larimer.org, JShadduckMcNally@larimer.org

Cc: hillenta@co.larimer.co.us

Hello,

I recently was made aware that there's a supposed process for obtaining a license to operate a STR in unincorporated Larimer County, yet the supposed rules for such a thing continue to evolve and change. Even those who have gone as far as appearing before the BCC and received a certain determination are having things detrimentally changed on them. That said, my particular question is this:

Can you definitively say there's currently a legitimate path to obtain a STR license in the Meadowdale Hills Homeowners Association Neighborhood (4 miles East of Estes Park), or is it really a false pretense where upon starting the process it would only lead to wasted expenditures that would ultimately be fruitless and lead to a forgone determination of denial?

It would be greatly appreciated if the above question could currently be answered with certainty.

Thank you for your time.

Sent from my Galaxy



Short term rental regulation update comments

Tim Burke <tim@estesresort.com>
To: luc2020@co.larimer.co.us

Wed, Dec 14, 2022 at 3:49 PM

Hello,

This is in response to requested comments on the proposed Larimer County short term rental regulations.

The proposed regulations allow for much too many vacation home rentals. There should be no short term vacation rentals allowed on property not zoned for commercial accommodations. Short term vacation homes not located on accommodation zoned property need to be completely eliminated, and their vacation rental licenses need to be revoked. Here are some reasons for this recommended change:

1. Foremost these short term vacation rentals are operating as a commercial accommodation yet are located on property which is not zoned for commercial accommodation use and therefore violating zoning laws. Therefore they were never legally allowed to be in operation in the first place; Our local and county government seems to have bent the rules to allow these but this is in violation of the overlying land use rules. Residential zoned property was never intended for commercial accommodations use.
2. These short term vacation rentals are operating as a commercial accommodation but have not been required to pay property tax at the commercial tax rate of 29%, but instead only pay a 6.9% rate! Completely unfair for other accommodations who have to pay the 29% property tax rate and cannot be legal.
3. These short term vacation rentals have decimated our workforce housing leaving us with little to none available, because instead housing is being used as vacation rentals. We hear the story again and again of how a local worker is getting displaced from the home they were renting long term because the owner is turning it into a short term vacation rental. In fact a current employee of ours is being displaced from the home he has been renting the last two years because the owner told him he is now converting it into a vacation rental. He has been told they need to be out by the end of this year and is not sure if they will be able to stay in town and continue working here.
4. These short term vacation rentals, though operating as a commercial business, are not being required to conform to commercial building codes and ordinances.
5. According to local newspaper articles from July 2022, according to the Estes Valley Fire Protection District, in the last five years approximately 60 percent of structure fires in the valley occur at Vacation Home Rentals. That seems ridiculous. There needs to be extra fees imposed on these short term vacation rentals to recoup the extra costs the fire protection district has incurred. Now the Estes Valley Fire Protection District is considering a large mill levy rate increase. It would seem without a doubt this at least partially results from increased costs incurred from short term vacation rentals.
6. These short term vacation rentals cause much heavier traffic on residential roads than the regular residential traffic they were designed for. The overuse due to combined vehicle traffic of owners and guests, cleaning, management, are causing premature road degradation and increased safety concerns. There should be additional higher fees taken from short term vacation rental owners for the additional road maintenance and repairs required and not taken out from our general sales taxes.
7. From personal observation these short term vacation rentals seem to have minimal supervision and enforcement; it would seem there are way too many to enforce legally. Undoubtedly I also suspect there are many rentals operating without a vacation rental license. It seems the only reasonable way to enforce this is to not allow any vacation rentals on residential zoned property. There are clearly high administrative costs for providing oversight of vacation rentals which should not take away from general tax collected but certainly it is. There is no way the recently introduced fees cover all of these and so there should be additional fees for vacation rental owners to cover these costs.
8. The town of Estes Park will be imposing an additional 3.5% sales tax to subsidize workforce housing that these short term vacation rentals have taken away. The higher sales tax rate is a sure way to drive away accommodation business to other areas. I could see why short term vacation rental owners would want to promote this tax because they know they are rightfully to blame for a lack of affordable workforce housing. Without these illegal short term vacation rentals there would still be ample availability of legal accommodations for visitors to stay in Estes Park and a comparable amount of sales tax collected.

So here are my recommendations for short term vacation rental regulations on property not zoned for commercial accommodations (A):

1. Reduce the number of these short term vacation licenses to 0 in 1 year. There should be none of these short term vacation rentals allowed or licensed by January 1, 2024
2. Change property tax rate to the 29% commercial tax rate for all short term vacation rentals beginning in 2023 and beyond
3. Increase fees on short term vacation rentals to cover additional administration and oversight costs.

As the above changes may be deemed too quick, a more gradual phased approach could be:

1. Reduce these short term rental licenses to something like 100 for 2023, 50 for 2024, 0 for 2025 and beyond.
Collect additional fees and commercial property tax rate as noted above.

Thank you,
Tim Burke



Public Comment - Short Term Rental Regulations

McKenna Howard <mlhoward222@gmail.com>
To: LUC2020@larimer.org

Wed, Dec 14, 2022 at 3:57 PM

First, I appreciate the County's efforts to take this matter seriously while trying their best to create solutions that satisfy the majority.

I understand that things have changed in the last several years and the amount of visitors coming to the Estes Valley has increased, causing issues for full time residents, but I feel like it is important to acknowledge that Estes Park has always (**for decades**) been a tourist destination and tourism is a huge reason that this Town that we all love continues to thrive.

Having participated in acquiring a short term rental license for a family property over the last two years, it is very apparent to me how tedious the process already is and how polarizing the topic is to residents and community members.

I think instead of increasing the amount of regulations in order to acquire a short term rental license right now, the County should focus on the implementation plan for enforcement of rules and regulations. I know this is addressed in the Draft document, but I think a concrete system put in place would be beneficial-- for applicants to get a fair review process, and for residents to have a place to officially express any frustrations or issues they have with specific STRs. From what I've gathered over the last few years of going through the STR approval process and listening in to EVPAC meetings, the complaints about STRs are mostly word of mouth/gossip between neighbors and community members who are upset. This causes a lot of talk and while sometimes the police may be called out for noise or disruptions every now and then, complaints are rarely officially filed with the County. So for all of this talk amongst the community without any solid action to have come to a point where we're having to dispute new regulations based upon not much evidence is frustrating for STR homeowners. I get that there are probably a handful of bad apple rentals in the Estes Valley, but for those to overshadow everyone else following guidelines and regulations is extremely upsetting. Our goal as homeowners who have STRs is not to overrun the town with visitors who cause disruptions, but to allow families from all over to visit this wonderful place we all love and cherish. I've been coming to Estes Park for over 20 years and having the ability and opportunity to rent unique and special cabins has been a highlight of my time as a visitor, and has strengthened my admiration for the town and the national park. Not everyone wants to rent a room at a lodge/hotel/motel. A part of the draw towards Estes Park is the desire to get away, rent a cabin in the woods and explore what Rocky Mountain National Park has to offer, and if STRs in certain areas are taken away, you've created a whole other issue that will negatively impact the local economy.

As for the transferability of licenses -- I don't think it is fair or wise to limit/prohibit the transferability of licenses when a property is sold and/or passed onto family. The area in which my family's property is has a long history of cabins remaining within families for multiple generations and this is the intent for our property as well; to limit the transferability of the license to only one exchange or none at all could be detrimental to the ability of the inheriting entity to keep and maintain the property. Our plan is not to rent out our property 365 days and "disrupt the nature" of our surrounding community and neighborhood, but to use it personally as often as we can, with a few weeks rented out to supplement our ability to maintain the property and keep it in the best and safest shape possible. Also, how can the County legally go about trying to limit transferability for properties who were approved prior to these new regulations? Will those prior license holders' properties be grandfathered in? Limiting/prohibiting the transferability just creates so many additional issues down the line with properties that are sold within families, which in turn creates even more of a headache for all parties involved.

After reviewing the survey responses that the County received back about STRs, it's pretty clear that there's a 50/50 split on STRs, which I understand puts the County in a tricky spot and puts us all in a stalemate, but I hope that as a community and a county we can create effective solutions that have benefits to each side.

Sincerely,

M. Howard



Revised Regulations for Short-Term Rentals

Doug Sacarto <doug.sacarto@outlook.com>
To: "luc2020@co.larimer.co.us" <luc2020@co.larimer.co.us>

Wed, Dec 14, 2022 at 4:34 PM

Thank you for developing new regulations for short-term rentals (STRs). The more stringent requirements and frequent performance reviews are very much needed. But they need to be further revised to progressively reduce the number of STRs in any residential zone of the county.

Here are more specific recommendations for the revised regulations.

- STR permits should not be issued for properties owned by corporations (including partnerships, trusts, joint ventures, etc.). Allowing corporate ownership of STRs essentially converts residential zoning to accommodation zoning by another name. Their investments in residential areas should be limited to long-term rental properties.
- Any residence submitted for STR permitting should be required to meet current code standards (as is required for new construction and major renovation) for life/safety, energy efficiency, and dark sky compliance.
- STRs degrade residential neighborhoods and cause speculative inflation in property values that makes housing unaffordable in the general area of the STRs. This effect grows exponentially with the total number of STRs in a broad region and is further compounded by high-density of STRs. The residents are denied the expected amenities of a residentially zoned area when numerous units are converted to STRs, or if multiple units in near proximity are converted.

The revised regulations do not appear to address the issue of density of STRs in any specified area measurement (such as 4 square blocks for developments or per 0.25 mile of roadway in more rural areas). This needs to be addressed to deal with the actual impacts of STRs on residential neighborhoods.

- The revised regulations should set a goal of greatly reducing (or eliminating) STRs from residential zones, with a percentage reduction in renewals on a defined schedule. STR permits should not be renewed upon transfer of property title or inheritance (as specified in Options 2 of 3.3.5.b.u: "Commencing January 1, 2023, short-term rental licenses shall be granted only for the property for which it is issued and solely to the licensee to whom it is issued. The license shall not be transferrable to any other person, legal entity, or residential address. The review of a new owner shall include a determination if that particular owner can meet all of the requirements contained in this Code."
- This transition could be facilitated by (a) stopping "first-time" issuance of STR permits for any residential property and by (b) issuing an STR renewal only for a defined period (e.g. 10 years) that is non-renewable. In other words, the STR use does not continue after that defined period for any current or future owner. This will accommodate those fabled "retirement" buyers who supposedly need to operate the property as an STR until they "retire" to the property. (Of course, they could operate it indefinitely as a long-term rental.)
- The following provisions should **apply to ALL STRs**, including owner/operator-occupied, for health/safety emergency response:
 - 3.3.5.B.g -- The short-term rental shall include maps installed onto or adjacent to the doorway of each habitable room, illustrating how to exit the building. **The map should include the address, GPS coordinates and the phone number of the short-term rental.**
 - 3.3.5.B.u--The ~~non-owner/operator~~ **short-term rental shall have reliable cellular or VoIP service** available or provide access to a landline telephone to enable guests to call 911 in the event of an emergency.
- All rentals in residential areas should be mandated to use wildlife/bear-proof trash containers. There simply is not adequate management of non-bear-proof containers in rental units.

Thank you for all the work in these revisions. Please help protect residential areas from the depredations of STRs. Here in the Estes Valley, the proponents of STRs openly predict that the Estes school district will cease to function within 20 years because there will not be enough residents with children. This is not something they lament—it is an outcome they know is being fostered by STRs and the inflation they cause in property values.

Again, thank you.

Douglas Sacarto
1660 Lower Broadview Road
Estes Park, CO 80517
(Unincorporated Larimer County)



Comments on STR Regulations in Larimer County

George Shell <go2shell@gmail.com>
To: luc2020@co.larimer.co.us

Wed, Dec 14, 2022 at 4:50 PM

Thank you for your process of collecting community responses to help shape STR regulations in Larimer County.

We have both owned and used Short-Term rentals. As owners, we benefited from revenue that the rental provided and also paid tax revenue to the county. As Short-Term Rental users, we've been able to explore unique places across the U.S. We respect the pros and cons of the short-term rental debate.

One of the more difficult issues to regulate is an investor's desire for profit vs. neighborhoods that prioritize their well-being, their safety, and the harmony of their lifestyles. We view this as one of the top priorities that the regulations will be struggling with. Our opinion is that all Short-Term rentals should be considered commercial entities, and as such, more suited as a commercial development in areas with current established infrastructure, emergency services and easy ingress/egress. Let's leave the residential areas for their intended purpose. Simply put, let's not integrate small family run motels into the fabric we call neighborhoods.

Very Sincerely,

George and Barbara Shell
[157 Greenwood Dr.,](#)
[Loveland, Colorado 80537](#)



STR Regulation Comments

The Wolf <thewolf@thewolfrentals.com>

Wed, Dec 14, 2022 at 5:28 PM

To: jkefalas@larimer.org, kstephens@larimer.org, JShaddockMcNally@larimer.org, converseevplanning@gmail.com, eotranche@gmail.com, pmoak@aol.com, poggenpohl@mac.com, ftheis3@gmail.com, dhwebb10@gmail.com, ellisk@larimer.org, laffermn@co.larimer.co.us, LUC 2020 <luc2020@co.larimer.co.us>

Hi all,

I own The Wolf Rentals, a vacation home management company in the Estes Valley overseeing 40 units. I believe the STR industry has potential to help so many people, and regulations should be crafted with this in mind. My company's core values revolve around the Triple Bottom Line: People, Planet, Profits. I am dedicated to advancing these ideals simultaneously and I try *really* hard to be a responsible business owner.

I want to see Larimer become a national leader on how to responsibly develop vacation homes, but this can only happen if the industry is regulated with vision, and not simply regulated out of existence. I want to be an ally of my leaders and a partner in my community. STRs should benefit the greater good — they should supply high paying jobs, help families continue to live here, and lower the carbon footprint of our housing inventory.

I'd like to see:

- Fresh and innovative approaches that allow rental owners/operators to harmoniously coexist in neighborhoods and communities.
- Liaisons bridging the gap between the STR space and local policymakers, because regulations made in a vacuum cause damage.
- An understanding that this industry is full of people who choose not to speak about how their lives are enriched from STRs because they are under attack by nearly everyone. I now countless young families in Estes trying to make it work with their AirBnB and they keep their mouths shut because they are under fire by their friends and colleagues for reasons based on principle and not fact.

To address very specific items in your draft policies:

GRANDFATHERING

- Existing homes need to be grandfathered in under the rules they signed up to play by. I know many owners, myself included, who have invested life savings to upgrade or build rental units under a specific set of rules. To see permits pulled because of new road or driveway specs, etc, would cause financial ruin.
- For the same reason, I object to forcing old/nonconforming permits to meet new requirements as a condition of permit renewal.
- I want to see a grandfathering clause written into the drafts so we know what to expect when they are voted on.

PAY

- Owners and managers should sign a living wage pledge for anyone who works for them.
- There should be an industry minimum wage in the STR space.
- My cleaners earn 3-4x what they would otherwise make in hotels. I believe hotel pay is criminal.
- I know of nobody who makes less than \$20/hr cleaning vacation homes. Meanwhile, Estes Park starts its own employees at a wage that's illegal in the city of Denver.
- Let STRs help pave the way toward a stable and local workforce.

UNUSED PERMITS

- Permits should not go unused just to increase home equity.
- If a home is out of inventory (and not providing revenue for community services or jobs) it should be doing something beneficial, like generating surplus solar electricity.
- Permits should be revoked if a home is not rented for (X) number of days per year.
- Alternatively, consider a higher permit fee that is partially refundable to a baseline if a home is actually rented for X number of days (to discourage people from holding permits to boost home equity)
- Consider a permit fee that is less costly when more days get booked, and more costly when less days get booked.

- Community services aren't benefitted by a small permit fee — they're benefitted by tax revenue. The permit fee should be a tool to prevent manipulation of home prices.

NOISE/NUISANCE

- All STRs should be required to have decibel meters as a condition of permit. To lead by example, my owners are installing Minut devices in every unit I manage. The cost is minimal (\$15/mo) and a few counties have negotiated those rates down significantly with the companies that make them. When these devices detect noise above a certain threshold, they text, call and email both the guests and owners. Noise complaints, which are statistically insignificant to being with, are then removed from the discussion.

- I want to point out that I own a home next door to a neighbor who shot a peace officer. As another example, the neighbor to my long term personal residence was physically abused by her drug addicted son on a regular basis, and I was constantly helping her negotiate this situation. He eventually went to jail and she was eventually evicted. This went on for 3 or 4 years. The entire time, her front yard was a junkyard full of cars in disrepair, and the Larimer Sheriffs were sometimes coming several times a month. This was fairly disruptive to my neighborhood. Meanwhile, all the STRs in my neighborhood were not disruptive in any way whatsoever. I bring this up only to illustrate that neighborhoods are complex, dynamic and full of people from all backgrounds and with varied life experiences. I'd rather have a disruptive tourist one night year than a disruptive neighbor 365 days a year.

ENFORCEMENT

- If the 1000 listings on AirBnB in the Estes Valley each paid \$100/year, they could create a \$100k/yr job for someone to only respond to noise and nuisance complaints. Considering the rarity of these complaints, that could wind up being the best paying job per hour in all of Colorado. I support this as part of the permitting requirements.

- There should be an educational push so everyone knows who to call in case of a noise or nuisance complaint.

- I have spent hundreds of dollars mailing postcards to neighbors, and they get thrown out. We need a better way to handle a complaint process

- The three strikes policy needs to be grounded in reason. Nobody should get strikes complaints from neighbors who hate on principle. I have a neighbor who films children playing in my yard and complains about them being a liability if they fall off a play rock and roll 65 feet into her yard. Her anger is not rooted in fact but rather in emotion, and she shouldn't haven't the capacity to ruin my income stream. Every time she complains to me, I call the Sheriff's Office to file a complaint so they have my side of the story first. To my knowledge she has never called code enforcement but she often tries to intimidate me.

CAPS

- We should remove the cap on STRs for hosted STRs and small BnBs. I have overseen tens of thousands of guests, and the ones staying in Hosted STRs are less impactful than regular renters or even neighboring homeowners. This is because they know their host is on site and are on their best behavior.

- Hosted STRs bring an excellent source of income for young families, and also create a lot of turnover work for cleaning crews because the average stay duration is so short.

- The limited STR category should be not have a wait list for local working families who wish to rent out their home for a number of weeks per year (say, 4) to offset mortgage payments when they travel.

- The cap also should not apply for local working families below a certain income threshold for up to 12 weeks per year.

- Consider this sentiment from a friend and new mother: her husband travels around the country for contract work teaching in the outdoor space. She joins him. She is frustrated that she is 7 years behind on an STR waitlist, especially since she only wants to rent out her house occasionally while they have concurrent work obligations. There is zero reason why she should be on a wait list. This family shouldn't have to wait, and any rental of her house would have zero impact on a community.

- I think it would be tragic for one family who bought their home decades ago for a song to tell a young mother that she can't pay her mortgage by renting out her home a few weeks a year because of "noise" or "neighborhood character." If anyone would be being a bad neighbor, it would arguably be the former.

TRANSFERABILITY

- Existing permits should transfer on sale, because those are the rules that were in place when homes were purchased. Again, this comes back to grandfathering.

- Further, all people on wait lists should be eligible for a transferrable permit. I can't tell you how many people suffered dramatic financial harm because the Estes Trustees disallowed transferability for people whose homes were on waitlists. I know many of those people bought homes with the sole purpose of creating a vacation home business that they could then transfer to their families. Instead they are stuck with a multi-hundred-thousand dollar asset that they cannot operate as intended.

Regulations should benefit local businesses, homeowners, families and communities. They should not be discriminatory or unjust.

I totally reject the idea that STRs ruin communities; in fact, STRs allow people to thrive here. My cleaners own homes, my management staff own homes, and I am recruiting new managers to work for me because doing so helps them attain homeownership.

For many young people, working in the STR space is a good way to lose friends and gain enemies. We have been targeted again and again as the bad guys. But STRs kept me and many others in Estes Park after COVID destroyed numerous thriving businesses. At 40 years old, I lost a 15-year wedding photography business that had taken me to 20 countries due to COVID. My wife and I contemplated our future — would we declare bankruptcy and be moving into my parents basement? Instead, we pivoted and found success in short term rentals.

I hope to pay my good fortune forward with my new endeavor as an STR manager and entrepreneur.

Understand that STRs are how many people survive.

- Myself and my wife are still here due to them despite COVID destroying our other careers
- One owner is a widow whose STR will support her until she passes
- One owner is a grandmother with no other source of income
- One owner is a retired friend who uses his STR as his sole income stream
- One owner is a young family who can do more community and volunteer work by creating a new income stream

And on, and on, and on.

Last, I think the County is missing an incredible opportunity to turn our very thriving vacation home industry into an industry leader on sustainability. I would love to see a discussion on how to incentivize these homeowners to run on renewables, and then use surplus power, and power generated when there aren't guests, to build some sort of fund to offset the electric costs of our workforce.

Respectfully

Nathan Welton
The Wolf Rentals
970 286 8351



LUC 2020 <luc2020@co.larimer.co.us>

STR reg update review comments due 12/14/22

P H <hiltononline@msn.com>

Wed, Dec 14, 2022 at 5:53 PM

To: "luc2020@co.larimer.co.us" <luc2020@co.larimer.co.us>

Please find attached the excel file with our comments for the solicited community comments to the Oct 27 version of STR updates proposed for 2023 implementation.

The PDF file is a clunky view of the EXCEL file, in the event you do not have software to open an excel file.

Regards,

Penny T Hilton for Ken and Penny Hilton

2 attachments



Larimer County STR reg reveiw (doc of 27 OCt 2022).xlsx

14K



comments in PDF.pdf

89K

doc location	Comment
Article 20, definition of STR; "principal" dwelling not defined.	The text following this comment is provided by the county (OCT 27) in redlined update. HOWEVER, the adjective "principal" in front of dwelling is not defined. If a property owner does NOT use the dwelling as their principal dwelling, is the property a candidate for an STR? I would hope not because properties bought purely for renting as STRs
	Short-term Rental, Full and Limited A principal dwelling rented to transient guests who are part of one party for short-term lodging (less than 30 days) when not occupied by the owner/operator. · Full STR – unlimited or unrestricted in the number of nights rented per year. · Limited STR – restricted to no more than 135 (or another number of) nights per year as calculated from Oct. 1 through Sept. 30. a. ≤ Ten Occupants A short-term rental with 10 or fewer occupants who are part of one party or single group of renters. b. > Ten Occupants (Large STR) A large short-term rental with more than 10 occupants who are part of one party or single group of renters
Article 20, definition of STR; "principal" dwelling seems to be in conflict with definition of "full" STR	
	If the dictionary definition of principal is used (the main dwelling of an owner) can be used for renting all nights of the year, how can it be a main/principal dwelling?

Article 20, definition of STR and section 3.0, B short term rental, 1, total occupancy; 10 or less guests far exceeds "normal" occupancy,

recommend 6 or less guests for an STR application with only director (administrative) review.

Most homes are not normally occupied by 10 persons, regardless of the rooms available. To better protect the surrounding community, it seems it would be prudent to only allow a guest count that is more typical. One bedroom holds two persons (master) and each other bedroom holds 1. Seems this is more typical of how homes are used. More importantly, any formula and depicts the original use of the place would seem MORE in-line with approved use of the home.

3.0, B, 2, c; A property manager that can be on site within an hour

In my opinion, this is not fast enough. Issues can escalate quickly and in remote areas, an hour can be too long a wait (to be locked out, to be in conflict with a neighbor, etc). As a neighbor, with an STR nearby, the last person I would call with an issue is the property manager if it takes that long. I would instead call the sheriff. Additionally, There is NO certainty that a property manager will keep records of calls and issues!

3.0.B.2,d; Property boundaries shall be marked

This is not enough and there are NOT teeth for enforcing this. Our neighbor operates and illegal STR, has been issued a cease and desist and still operates, and guests wonder off the property regularly. The property is NOT marked but is fenced and the drive into the property is NOT on the owner's property, but instead across four other properties. This makes it very difficult for visitors to know and more difficult for adjacent and nearby property owners to manage. I would request that any proof that visitors move outside the location and trespass result in STR owner fines that start with say, \$250 and increase to \$1000 on third incident and then without question, the permit is pulled and the owner is not allowed to apply again for 5 years.

IN 2013, our land was flooded and the road that moves traffic from HWY 7 to properties on TWIN sisters (Levings Way) was washed out. SO flooding occurred but it was not in a flood plain. And, we are also in a high fire danger area. IN early discussion with the BCC, the team updating the regs proposed some restrictions for high fire danger areas. I think this should be included. Fire, especially in forestry zones (FO) is at greater risk when outsiders, folks unfamiliar with mountain terrain and forestry risks, visit. They don't mean harm, but their ignorance cannot be the excuse for starting a forest fire and destroying homes. The county requirement for insurance for an STR does not begin to address liability for guests destroying national parkland and homes for fires that grow out of control (est half million dollars per day expense to fight a large wildfire). This is a cost the public has to bear and I don't think the public should have to shoulder the risk or the cost. Personally, STRS should be prohibited in and around HIGH FIRE DANGER zones/within miles (Dependent upon fire response). IN remote areas, where fire response is slower than in a city, there needs to be consideration for how fast a fire and can move and how fast a response can be made. For instance, if the fire response is 15 minutes and fires on average move 5mile per hour, then the area around the high fire danger location, plus a circle of 1.25 miles (.25 percent of rate of movement), should be restricted from STR permits.

3.0.b.2."X"; There is no proposed update to manage high fire danger areas like flood plains.

3.0.b.2.m; solid fuels restricted in high fire danger areas, but not propane

Recommend restricting propane in exterior appliances because it can pool and ignite.

3.0.b.2.u (First appearance of "u")

What is an non-owner/operator STR? This is a term that is not defined. I would think there are NO non-owner/operator STRs.

3.0.b.2 u, OPTION 2

licences should not be transferrable. There is no justice - being evenhanded with all property owners - when an STR may fetch a higher price in resale while driving down the price of nearby properties. Licenses need to be associated with owners, not property. By associating with the property, the approval is effectively modifying the deed outside of a legal deed change process.

3.0.b.2.y

STRs should not be advertised and should not be used as an event space. Any advertising and any use should be an automatic removal of the permit/approval for the STR and deny the owner of the STR application for 5 years. There have to be consequences for bad behaviors. From what we can see, the county has NO ability to manage STRs so the consequences have to be steep and have to be applied a few times for folks to get the message and get behaviors in check.

Unknown location; Access

Access to an STR from a Public ROW should be on the STR or on legally allowed (Deeded or easment) travel across other property. If there is none, the STR is not allowed.

Failure to comply with STR regulations, once approved, needs to carry heavy consequences. Immediate fines and stiff fines for STR owners regardless of WHO at the STR (owner or renter) is out of compliance. The fines need to be large enough and increase with each non compliance until, say three, non compliances are reached. Then, without question, the STR approval shall be revoked and the owner cannot apply or operate an STR at the location or anywhere else in Larimer county for 5 years.

Unknown location;
Penalties

When you have KNOWN illegal STRs operating and multiple cease and desist letters do nothing, it is really CLEAR that the county has no real means for managing STR compliance. Unless and until there are STIFF and SWIFT penalties (even fining for use to the tune of nightly rate plus X 2 for illegal rental), the abuse of STRs and risk to neighborhoods will persist.

When notifying neighbors, the policy is to identify properties within 500 feet of a dwelling. This is insufficient. A property could pass through several other properties and those properties NEVER be included in the "sweep". This policy needs to be updated to include any and all property owners near (you decide) or that share roadway to the property. Then you will pick up property owners that may also be impacted but are greater than 500 feet away.

Unknown location; Policies
within Larimer County



Comment on STR refs

Maria Brownell <mariabrownell@comcast.net>

Wed, Dec 14, 2022 at 6:55 PM

To: LUC2020@larimer.org

Question on doc: Will previously approved STRs be affected by revisions to the regulations? Answer: New STR standards would not apply to previously approved STRs. ..only to new applications.

For Estes Park area: Agree that existing STRs should be transferable. An option 3 would be to only allow it to be transferred once by existing owner. This would be a compromise to existing owners who paid a premium due to the STR in place. Otherwise the current owners will have a loss of business use which they paid for if they bought the property after licenses were no longer available. You could consider inheritances an exception to a family member only as it seems reasonable.

Listening to earlier meetings it appears complaints of some STRs in Estes were almost solely unregistered STRs.

Property care is much better when an STR. I had a rental elsewhere for years and always the 1st yr great but on 2nd yr they just didn't care as much about the property.

Agree that complaints should have 2-3 witnesses or a more intricate list of requirements to build a nuisance complaint.

Sorry to say some people will just be chomping at the bit to shut down all STRs near them. I also think it should be REQUIRED to call property manager AND owner immediately - unless owner signs a waiver.

I agree 100 percent that if the neighborhood has an HOA it's their responsibility to regulate # of STRs. Following Estes, identify all HOAs and confirm STRs allowed before 'renewing' license. The historic STR areas in Estes- I can see that in some areas.

In Estes, limiting the # of nights rented goes against the point of providing for the need. If people are renting it - it is because they need accommodation thus the need for STRs. It is true, as commented that many people make reservations a year in advance! Also, most people can't afford 4 days, and most people work and can only come for the weekend 2-3 days max. That is discriminating or at the least inconsiderate to the average working class who can only save for a weekend getaway once in a blue moon. The therapy of visiting the mountains should not just be for the richer people who can afford 4 days! Also decreases revenue to the city/county.

I have more to say but I'm out of time.

I think the STRs it appears rallied for workforce housing/childcare in Estes despite the impact fee charged solely to them. What I find disparate is how Estes could charge them , let's say 3% STR fault without first identifying who's at fault for the other 97% and calculating their charge?

Ta Ta for now,

Brownell

(303)621-5983 call if anything I said is unclear- no time to check it.

Thanks for your time. Love to know more data and debates, what was provided was interesting and well-presented.
Thanks

Sent from my iPhone



short term rental proposed changes

Dale Beck <dabeck49@gmail.com>

Wed, Dec 14, 2022 at 8:55 PM

To: luc2020@co.larimer.co.us

I am writing as a homeowner who lives in an unincorporated area on the immediate border with Estes Park town limits. I urge the adoption of stringent regulations concerning short term rentals. I have lived in this location for 14 years and have experienced an increase in noise, excessive lighting at night, congestion and abuse of the roadway and trespassing on private [property](#) as more and more properties in the neighborhood have converted to short term rentals. Generally owners of the rentals in our area do nothing to control noxious weeds and have large patches of weeds that are prohibited by the county. There appears to be no effort on the part of the town or county to regulate this. It is my experience that absentee owners will clean the inside of the property, but do not take care of the grounds. Renters have driven a path on our property to take a shortcut onto the rental property.

As I read the revisions, I feel a neglected piece is regulation of large short term rentals. There is one close to me that advertises accepting 16 residents. Residents are always related in some way and week after week we hear them have a week-long "party of the year." There is no way for 16 people (even 10) to be outside eating, drinking and playing together and not make a lot of noise. Owners of the rental have asked us to call them if there is a problem instead of calling the hotlines. Clearly they want to prevent neighbors from reporting the noise and other behaviors. A hotel or lodge with a caretaker would prevent the behaviors but large rentals have no such oversight. Ironically, the renters choose to rent in a residential neighborhood with the promise that it is "quiet" and then they often abuse the serenity of the neighborhood.

I was pleased to see that there is consideration of a limit of the number of days that properties can be rented. Summit County has such limits and that seems to help preserve the residential character of neighborhoods.

When I travel, I often choose to utilize short term rentals. I try to be a good neighbor. Some of the visitors at rentals around us have that value, too and we appreciate that. But when you put a large group together you get the behavior we are seeing.

Now concerning taxes: I observe that one of the factors in the shortage of work force housing is corporate purchase of smaller dwellings and converting them for commercial purposes. If we turn all the smaller dwellings into short term rentals we will always lack housing for the work force. Apparently those who would turn our residential neighborhoods into rentals would rather pay taxes than be regulated.

Yours truly
Dale Beck



LUC 2020 <luc2020@co.larimer.co.us>

response to STR additional comments for commissioners

MarkZigray@ <ncpsrealty@aol.com>
Reply-To: "MarkZigray@" <ncpsrealty@aol.com>
To: "luc2020@co.larimer.co.us" <luc2020@co.larimer.co.us>

Wed, Dec 14, 2022 at 9:08 PM

Please deliver and input for STR comments.
Thanks



short term rentals LC.docx
14K

To whom it may concern

This is concerning the possible changes being looked at for short term rentals.

1. At several meetings I have asked for documentation showing the concerns over short term rentals that need to be addressed. Specifically, what is happening at short term rentals that is not happening at long term or owner-occupied homes. i.e. Police reports or Fire reports etc.(higher by what percentage) It seems to me that property owners have the right to use their property whether they stay there themselves or family or friends or should they want or need to rent it out. It also seems to me that whoever is staying there has to obey the laws that are written for everyone, regardless of who they are or how long they are staying. That being the case it seems that if laws are being broken, they could be enforced. If people are being too loud, they should be warned or ticketed, the same for trespassing, illegal fires etc. to discriminate for any reason including the length of time someone is staying, is wrong.

2. I have to speak to the zoom meetings. I know I had difficulty following the meeting, as people were not being able to be heard or understood. I feel many of the people affected by these changes, live in rural areas and due to the poor quality or lack of internet, would not be able to participate. I would prefer to have at least some meetings face to face with the ability to interact.

Also concerning the survey, It would not send on my phone. I reported that to the county and they said they would have it re-sent to me, but I never received it. I don't know if that happened to anyone else.

3. The interaction time allowed to the public is not reasonable. Two minutes to speak on the whole subject is just not right. This topic affects every single property owner's rights. There are too many areas to cover. Perhaps the county could cover one area or sub topic at a time. I would like to request that we be able to speak with the County Commissioners during the work sessions. When only given two minutes just prior to the Commissioner's taking a vote is not fair representation.

4.This started as a concern for safety, it was said to be a quick process with small fees, but it has mushroomed into a full-blown development. The time factor alone is outrageous and prohibitive to many, but the fees have gone up from hundreds to thousands...tens of thousands!!! Not counting proposed permit/fees/property tax hike. That's not what was told to the planning commission or the County Commissioners, or the public.



short-term rental regulations

peggy beck <pbofep@gmail.com>
To: luc2020@co.larimer.co.us

Wed, Dec 14, 2022 at 11:05 PM

To whom it may concern:

I am a full time resident of Estes Park, CO, Larimer County. I am writing concerning the proposed changes to the "Short-Term Rental" regulations.

We have experienced short term rentals in our neighborhood. We find that often the renters have not respected the culture of the residential neighborhood. There is often loud talking on cell phones on the decks, loud laughter and talking into the evenings. children using a hot tub as a swimming pool with loud screeching going on. Renters do not seem to realize (or care) that the sound of their voices carries and is magnified in the mountains off of the rock surfaces.

We have had drones invade the spaces of our yard and close to our house. We have had people trespassing into our yard, climbing on the rock outcropping in our yard, walking through close to our deck..

We have found that the worst offenders are where there are more than 4 or even 6 people in one place with no manager or owner on site. The limits to the number of people in a single residence should be absolutely limited in residential neighborhoods.

Please ,

- *regulate the STRs so that owners or managers are present on site

- *If no owner or manager is on site, limit the number of people allowed in a residence. I would prefer STRS with less than 6 people be allowed to have no manager on site rather than those with less than 10.

- *DO NOT transfer a license to a new owner when a property is sold. Scrutiny is very important and should not make licenses make a property more attractive to absentee or corporate buyers.

- *Limit the corporate or absentee ownership of STRs-These owners have no stake in the Estes Park community and the quality of our neighborhoods other than gleaning a profit.

Please preserve the quality of the Estes Park neighborhoods and keep them from becoming business districts overrun by STRs which are businesses, not residential homes.

Thank you,
Margaret Beck
[1454 Narcissus Dr/](#)



LUC 2020 <luc2020@co.larimer.co.us>

Land Use Code Revision - Fire Safety Section

Vanessa Mancill <vmancill@gmail.com>

Thu, Dec 15, 2022 at 1:00 AM

To: "luc2020@co.larimer.co.us" <luc2020@co.larimer.co.us>

Good Evening,

I respectfully submit the attached language to be adopted into the Land Use Code currently being revised for Short Term Rental Use under its own heading Fire Safety.

Thank you kindly,

Vanessa Mancill
4335 Ann Street
Fort Collins CO 80526
307-286-5797



Points that need coverage in the Land Use Code Revision.docx

15K

Points that need coverage in the Land Use Code Revision under Fire Safety

- If an owner of a property in the Wildland Urban Interface (the WUI) applies for STR status, the planning department will first refer to Poudre Fire Authority's WUI report, a detailed evaluation for the property address for Fire and Safety Risk. If the property was determined to be an Extreme Hazard or Severe Hazard by PFA, STR status will not be granted.
- For prospective Short-Term Rental properties situated in the Wildland Urban Interface, if their WUI rating is less than Extreme or Severe Hazard, shall be referred to Poudre Fire Authority (PFA) for a wildland threat analysis including topographical location of the property, road grade, ingress/egress, availability of water and other firefighting resources, and accessibility of the property for emergency services. PFA will look at the surrounding properties on a street and in the neighboring community to assess the broader risk of fire and safety to the residents as well as the public safety of the community at large to determine the feasibility of Re-Zoning the property as a business for a transient community.
- Short-Term Rentals are prohibited in neighborhoods where sixty percent or more of the homes are classified as Extreme Hazard or Severe Hazard for fire risk in the property's WUI Assessment.



LUC 2020 <luc2020@co.larimer.co.us>

Re: Short Term Rentals (STR)

Mary Jo Beagh <mjobo@estesvalley.net>
To: luc2020@co.larimer.co.us

Thu, Dec 15, 2022 at 7:15 PM

I recommend that residential neighborhoods remain residential. Rentals for workers should be allowed for a minimum of 6-month terms, nothing shorter than that. Therefore, the neighborhoods would still be residential, not housing transients. Motels are available for short terms.

Thank you for your consideration.

Sincerely,
Mary Jo Beagh
Estes Park, CO



Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fwd: Public Comment on Proposed Larimer County Short-Term Rental Regulations

Laurie Kadrach <kadriclm@co.larimer.co.us>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Fri, Dec 16, 2022 at 4:54 PM

FYI

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

From: **Bill Maitland** <m8landw@gmail.com>
Date: Fri, Dec 16, 2022 at 3:12 PM
Subject: Public Comment on Proposed Larimer County Short-Term Rental Regulations
To: <jkefalas@larimer.org>, <kstephens@larimer.org>, <JShaddockMcNally@larimer.org>, <converseevplanning@gmail.com>, <eotranch@gmail.com>, <pmoak@aol.com>, <poggenpohl@mac.com>, <ftheis3@gmail.com>, <dhwebb10@gmail.com>

Dear Commissioners and Committee Members,

Thank you for taking the time to consider my input to your proposed changes to the County Short-Term Rental regulations. I've owned and operated a short-term rental in the Estes Valley for seven years. This option was the only viable way to keep the only house my parents ever owned. From their home, they introduced friends and family our beautiful mountain community and Rocky Mountain National Park. Many of those guests have returned throughout the years to enjoy the area because they had access to this home before and after it became a vacation rental.

The investments I made to make my parent's home an attractive short-term rental, along with operating costs, maintenance, and having to comply with ever increasing government regulations resulted in my expenses exceeding the income for five of the seven years I've been in business.

There are efforts in many communities across the country to reduce or eliminate short-term rentals. Reasons include noisy guests disrupting neighborhoods, reduction in affordable housing in the community, and a whole host of other reasons. This proposal appears to have the same goal. It appears to be just another set of evolving rules and regulations that have cost owners thousands of dollars to comply with.

I strongly disagree with the following portions of the proposed regulations:

- Elimination of short-term rentals in certain residential zones in which they are currently permitted will negatively impact existing businesses possibly leaving them with a need to sell or rent their property long term. I would argue that this will rarely be at pricing that would be affordable workforce housing. Rather than help one group of people, you will not only not help them, but you may also cause harm to the property owner, and the community through reduced tax base.
- Limitation on number of days rented of Limited Short-Term Rentals in zones in which such short-term rentals are permitted makes no sense whatsoever. It will not help a neighborhood and is obviously direct economic attack on short-term rentals by making them less viable. Would you seriously consider requiring any other business or industry to reduce their business hours by nearly 63 percent? Or any other amount of time for that matter?

I request you consider grandfathering any existing, properly licensed short-term rentals from changes to the regulations and take into account not all vacation rentals are owned and operated by big corporations with an eye only on profits. There are owners/operators like me who just make ends meet or turn a small profit to be able to maintain a family treasure. We still have a vested interest in the neighborhood and respect for our neighbors.

If there is truly a problem with unlicensed operators, properties that are unsafe, or rentals that truly disrupt the neighborhood (not just disliked by a neighbor), then deal with those issues appropriately. Do not try to regulate all short-term rentals out of business.

I appreciate your consideration.

William L Maitland

--



Laurie M. Kadrach
Assistant County Manager

Community Planning, Infrastructure and Resources
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