



County STR Regulations - Windcliff Needs EVPAC's (& the County's) HELP - NOW!

Rich Chiappe <rich@chiappe.com>

Mon, Jan 16, 2023 at 3:02 PM

To: converseevplanning@gmail.com, mike kennedy <eotranh@gmail.com>, pmoak@aol.com, poggenpohl@mac.com, scott stewart <scottsfast@yahoo.com>, dhwebb10@gmail.com

Cc: luc2020@co.larimer.co.us, Lesli Ellis <ellislk@co.larimer.co.us>, Tawn Hillenbrand <hillenta@co.larimer.co.us>

EVPAC members,

My neighborhood needs your help - more than ever.

Short-term Rental Regulations - Public Review Draft #2 is simply unacceptable to Windcliff Property Owners.

In it, the County is completely ignoring repeated requests/pleas from Windcliff Property Owners to be "left to regulate ourselves" with regard to the permissible operation of STRs in Windcliff.

The County's response to our repeated requests and pleas is simply to say, "This Draft #2: Does not include changes to exempt certain neighborhoods after the staff team explored the legality and equitable ways to address requests from Windcliff. The best option for those communities with HOAs that support or encourage STRs that would be to request to rezone to an Accommodations zoning district."

To be clear: rezoning to an Accommodations zoning district is completely inappropriate for Windcliff Estates for a number of reasons:

- Rezoning would require approval by 100% of the homeowners in Windcliff which is simply **IMPOSSIBLE**.
- Rezoning to a commercial (Accommodations) zone is inappropriate for Windcliff Estates Property Owners as its designation permits the operation of motels, hotels, lodges and resorts. Granted, WPOA Covenants would over-ride these uses, but the implication alone is unacceptable to ANY reasonable property owner therefore, again, the possibility of 100% acceptance of a rezoning effort will be **ZERO**. The County's recommendation is non sequitur.
- Windcliff is **residential**. But with a mixture of multifamily attached (duplex) and single family detached residences, community greenspace, a privately owned community center and a mix of year-round, full-time, seasonal second homes and STRs, Windcliff actually doesn't conveniently fit into **ANY** of the County's zoning designations.
- As proven time and again in high-level court cases, STRs are NOT commercial use. They are, in fact, **residential** use of private **residences** in private **residential** communities — like Windcliff. Accommodations, again, is simply inappropriate at describing the historically permitted and enjoyed use of homes in Windcliff by their property owners.

Who is Windcliff and What Does Windcliff Want?

- Windcliff is a private residential community in unincorporated Larimer County that has been peacefully, harmoniously and continuously offering visitors use of their homes as short-term rentals since 1970 (53+ years).
- In 1999, as part of its comprehensive zoning plan, Larimer County assigned E-1 (residential) zoning to all parcels contained within the 282 acres of Windcliff Estates.
- Today, Windcliff is comprised of 160 individual private land owners — organized on the WPOA (Windcliff Property Owners Association) HOA
- **ALL** of Windcliff's 160 private property owners have enjoyed and possess the innate property right to choose to rent (or choose not to rent) their home to visitors for more than 53 years and running.
- The "gatehouse" at the entrance to Windcliff is a converted private residence (continuous, non-conforming business office use) that has provided on-site, professional management of short-term rentals for Windcliff Property owners for 53+ years.
- The Windcliff Property Owners Association is likely the most sophisticated, organized, active, competent and extensive HOA organizations in the Estes Valley.
- The WPOA has drafted and self-enforces an extensive set of governing covenants for residents of Windcliff Estates.
- All Windcliff governing documents are stored and accessible to Windcliff Property Owners online at windcliff.hoaspace.com
- The following is an excerpt from an Amendment to Declaration of Covenants Conditions and Restrictions filed December, 2020 with Larimer County which in part addresses short-term rentals in Windcliff Estates as follows:

Rental Properties: ...WPOA shall have the authority to regulate all rentals and shall have the authority to adopt, amend, and revise rules, regulations, policies and procedures for all rentals. The current Short-Term Rental Policy shall be available on the WPOA Website. All rentals shall comply with the 1983 Declaration, this Amendment, and all WPOA rules, regulations, policies and procedures as adopted by the Board and as may be amended by the Board from time to time... The Short-Term rental of homes (rentals for less than 30 days) within the Windcliff Community is permitted but all such rentals must comply with the WPOA Short-Term Rental Policy as reasonably promulgated by the Board, as amended from time to time, and as posted on the WPOA Website. The provisions of the Short-Term Rental Policy may not include rules or provisions that would materially and unreasonably interfere with an Owner's ability to offer their Home as a Short-Term Rental.

- Windcliff actively maintains and administers the aforementioned "Short-Term Rental Policy" for all private property owners in Windcliff.
- What Windcliff wants from the County is this: simply leave Windcliff alone as it regards the regulation of short-term rentals in Windcliff and do not take away any of the property rights all Windcliff Property Owners have enjoyed continuously for 53+ years.
- Windcliff property owners want to retain their perpetual, innate right to rent their homes as STRs and want that right to be transferrable in perpetuity as it has always been.

- Windcliff **WANTS** what it has historically **enjoyed**: the CONCENTRATION of STRs in Windcliff. The County's newly proposed, "minimum separation of 500-feet" is inappropriate and undesirable to Windcliff property homeowners. Again, Windcliff's 160 property owners includes 35 duplex unit owners — ALMOST HALF OF WHICH are licensed, active STRs. No neighboring property owner should be stripped of *their* right to additionally offer *their* duplex in Windcliff's STR program just because it shares a wall with an existing licensed STR. The same goes for detached homes of which there are currently more than 30 (or more) licensed STRs which, given the County's "Draft 2.0" regulations would prohibit just about ANY other Windcliff property owner from being able to offer their home in Windcliff's STR program due to the inevitable proximity to existing Licensed STRs within 500-feet!

Visually, I've attached a map of all the existing STR licenses in Windcliff below this message. You can see, imposing an arbitrary "500-foot minimum separation from existing license holders" would in fact be an ad-hoc **PROHIBITION** on ANY **new** STRs in Windcliff!!! Windcliff property owners do NOT want this! Windcliff property owners want to RETAIN ALL their historically enjoyed rights to rent (or not to rent) their homes to vacationers and tourists when the property owners are not using the property themselves! This is the tradition and right of ALL Windcliff property owners.

The Current Short-term Rental Regulations - Public Review Draft #2, as currently written, could irreparably HARM multiple Windcliff Property Owners.

I'd like to bring your attention — and that of the County policymakers — to a significant unintended consequences of this second draft. At least six Windcliff Property Owners are actually in the process of building or remodeling their homes. The largest of these projects represent well over \$2M of investment for these Windcliff families (the largest of these may actually top \$3M). Each of them undertook the process of building (or significant \$M remodeling) with the understanding that they would need to add expensive active fire suppression sprinkler systems and meet other code requirements so that upon inspection would be permitted and licensed to rent their homes as STRs to offset their massive investment expense. With the latest Short-term Rental Regulations - Public Review Draft #2, these homeowners are in limbo and rightfully concerned their right to rent their homes, once completed, has been stripped from under prior to their underway project completions. This is frightful. These homeowners also represent why it is so important for Windcliff Property Owners to retain their rights to rent their homes (or choose not to) in Windcliff's STR rental program like all other property owners in Windcliff have done for 53+ years.

As you can all see, Windcliff has taken the matter of regulating acceptable and appropriate operation of short-term rentals into its own hands and has regulated the harmonious and acceptable operation of STRs in Windcliff for more than 53 years.

Windcliff does not want or need the County's additional prohibitions, reductions or additional regulations to restrict the long-enjoyed rights of ALL Windcliff property owners to rent (or choose not to rent) their Windcliff homes to tourists and visitors to the Estes Valley.

Windcliff property owners do not want to be inadvertently caught in the County's "catch net" of new regulations and in so doing, lose innate property rights all Windcliff property owners have enjoyed continuously since the founding of the neighborhood in the late 1960's.

Please, once and for all, see that Larimer County make a simple **exception** for any and all property owners in all HOA's that willingly permit, oversee and self-regulate the acceptable operation of short-term rentals in their private residential community(ies). Rezoning is not an acceptable suggestion.

We ask that and look forward to seeing such an exception entered into the corrections and additions to the impending regulation of Short-Term Rentals as soon as practicable.

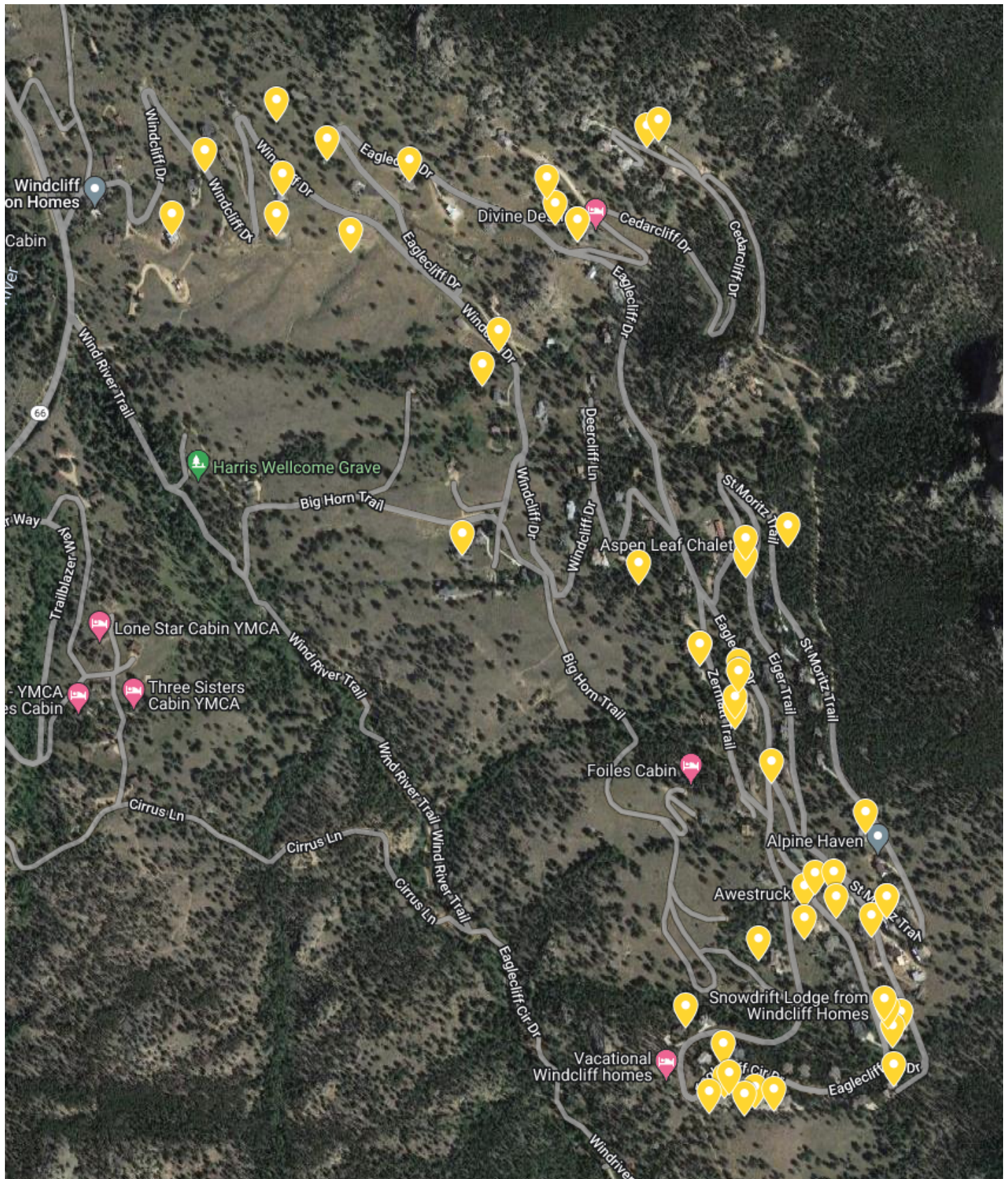
Thank you,

- Rich Chiappe
Resident, Windcliff Estates

Owner, Windcliff.com Vacation Rentals

Colorado Broker, HomeSmart Realty

o (970) 586-2181
c (817) 219-3456



Yellow pins represent all currently licensed Short-Term Rentals in Windcliff.



Please _____ provide an exemption for Windcliff

Ellen Doiron <ellen39forever@gmail.com>
Bcc: luc2020@co.larimer.co.us

Sat, Jan 14, 2023 at 4:37 PM

Hello All involved in the new regulations for STR's in Larimer County,

It is hard for me to believe that the County is not going to recognize that Windcliff has been operating as a combined neighborhood of rental homes and permanent homes for more than 50 years. Our neighborhood recently voted into being new covenants which cleaned up and clarified our own regulations. We addressed all of the issues that you are trying to take care of for other neighborhoods in Larimer County on our own because our neighborhood has a well organized board and governance. We had the foresight to see the issues that were coming because of renting in this new changing day and age. Our covenants are carefully worded to stand the test of time.

We are an exception. We are exceptional.

We do our best to make sure our guests know they are guests. We are allowing them the privilege of being in nature, and enjoying quiet relaxation.

I bought a rental condo in Windcliff in 2003 and have been active in the community.

I purchased a lot in Windcliff in 2019. I bought, understanding the neighborhood covenants, which are required to be presented to any prospective buyer by the real estate agent. Upon reading them, it is understood that renting your home is a property right in Windcliff as long as the permit is purchased as recently required. I am currently building my dream home which I would like to be able to rent if need be. I would never have bought, or begun a build if I thought my ability to rent my home would be restricted or not allowed.

If an exemption is not granted to Windcliff I will experience irreparable financial harm. I was only able to build knowing that my costs will be able to be offset through years of using my home as a luxury rental. I am not sure what I am going to do now.

Please, please consider all the facts that have been presented to you regarding our neighborhood. We truly are an exception and should be legally acknowledged as such.

Thank you.

Ellen Doiron



County STR Regulations - Windcliff Needs EVPAC's (& the County's) HELP - NOW!

Sharon Wenner <sharonwenner@verizon.net>

Tue, Jan 17, 2023 at 10:56 AM

Reply-To: Sharon Wenner <sharonwenner@verizon.net>

To: "rich@chiappe.com" <rich@chiappe.com>, "converseevplanning@gmail.com" <converseevplanning@gmail.com>, "eotranh@gmail.com" <eotranh@gmail.com>, "pmoak@aol.com" <pmoak@aol.com>, "poggenpohl@mac.com" <poggenpohl@mac.com>, "scottsfast@yahoo.com" <scottsfast@yahoo.com>, "dhwebb10@gmail.com" <dhwebb10@gmail.com>

Cc: "luc2020@co.larimer.co.us" <luc2020@co.larimer.co.us>, "ellislk@co.larimer.co.us" <ellislk@co.larimer.co.us>, "hillenta@co.larimer.co.us" <hillenta@co.larimer.co.us>, "jfwenner@gmail.com" <jfwenner@gmail.com>

Dear committee members and associates,

My husband John and I are among the Windcliff property owners that Mr. Chiappe referred to. After renting houses in Windcliff many times since 2009, we enthusiastically purchased a lot in September of 2021 and house construction is underway right now. It was our intention from the time we purchased the lot to use rental income to help offset costs, so we put ourselves on the STR permit waiting list in October 2021, and have been at position 32 on the list for about the past six months.

In a good faith effort to comply with Larimer County STR requirements, we're having a sprinkler system installed. Our goal is also to make the house wheelchair accessible with the installation of an elevator, no steps whatsoever on either floor, roll-in showers, and extra-wide doorways throughout. Even though we don't have disabilities that require these accommodations, our vision is for families of all ages and abilities to be able to enjoy the mountains that we so love. It's been with sinking hearts that we're now faced with the reality that, if your current draft regulations go into effect, there is no chance that we will ever get a rental permit because the new house is within 500 feet of an existing rental.

We understand that there must be regulation of the rental industry, but it must be combined with common sense and at least some flexibility. We've made every effort to comply with rigorous requirements from the Windcliff HOA, the town of Estes Park, and Larimer County - which all seemed pretty reasonable until now. However, what seems to be happening is that the planning committee is trying to come up with a one-size-fits-all solution with no flexibility or regard for best practices.

We respectfully and urgently request that you include the ability to consider reasonable requests for exceptions, on an individual basis and/or a neighborhood basis as Mr. Chiappe outlined. The response from the committee to have Windcliff rezone itself seems like a cop-out and not a reasonable solution. Given that it will be impossible for Larimer County to create perfect regulations that are perfectly enforced, it should be the right of every responsible property owner to petition for exceptions and expect fair, common sense-driven allowances. Provisional permits could be part of this solution.

We've watched this process play out for a while now, and hope that the many calls for input - which we appreciate - are more than just show. We'd love to be part of a creative, proactive solution that is not driven by fear of litigation. Finally, please have some regard for the people like ourselves who were on the STR waiting list well before the many proposed changes were introduced.

Respectfully,
Sharon and John Wenner
(301) 788-1032

[Quoted text hidden]



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

Fwd: Please take the time to consider our ask

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

Tue, Jan 17, 2023 at 4:36 PM

FYI

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

From: **Tim Traxinger** <tim@howardshouse.org>

Date: Tue, Jan 17, 2023 at 1:40 PM

Subject: Please take the time to consider our ask

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

Cc: pcboardmember9@larimer.org <pcboardmember9@larimer.org>, pcboardmember4@larimer.org <pcboardmember4@larimer.org>, pcboardmember5@larimer.org <pcboardmember5@larimer.org>, pcboardmember8@larimer.org <pcboardmember8@larimer.org>, pcboardmember6@larimer.org <pcboardmember6@larimer.org>, pcboardmember7@co.larimer.co.us <pcboardmember7@co.larimer.co.us>, pcboardmember3@larimer.org <pcboardmember3@larimer.org>, pcboardmember1@co.larimer.co.us <pcboardmember1@co.larimer.co.us>, pcboardmember2@co.larimer.co.us <pcboardmember2@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>, scottsfast@yahoo.com <scottsfast@yahoo.com>, dhwebb10@gmail.com <dhwebb10@gmail.com>

Thank you all for your service in Larimer County. We appreciate all that you do. I am currently an owner in Windcliff and have been following all the proposal in regard to the Short-Term Rental. I would like to address some of these and have you consider some options.

I think what Larimer County wants is what is best for our community and I appreciate that. In this situation we need to strive for a Win-Win for both parties. Can you at least consider some of the reasonable things that we are asking?

Windcliff Community is not a community that has just started. It has been in existence for a long time and we as residence have taken it very seriously to manage and keep our neighborhood safe and accommodating. We have taken it very seriously to keep noise levels down and be professional on how we conduct STR in that community. I personally was in favor of the Board back in March of 2021 putting standards to STR and getting our residence up to code. Here is what is not a win

1. In the new draft that you are proposing you are asking us to change our status from E1 to A1. Why? Does it not make sense to Exempt those STR regulations for HOA that Support STR and have shown for the last 50 years to have it right? What you are asking will cause a major problem because you are well aware that we will never get the approval of 100% property owners. Is there a middle ground here that makes sense for both parties?
2. In the new Draft you have suggested:
 - Limits the size of STRs to no more than 10 occupants.
 - A minimum separation between STRs of at least 500-feet. [Impossible in Windcliff - even in the 1st, 2nd & 3rd Subdivisions where lots are 1+ acre]
 - License renewal every other year with a Building Division reinspection every fourth year at the same time as the license renewal.
 - No transferability for new STR approvals after a date certain (Mar. 1, 2023, proposed) would not be able to transfer licenses.
 - Reduction in the cap in the Residential Zoning Districts of the Estes Valley by 10-20% to reflect the mixed feedback from EVPAC and the public that ranged from eliminate STRs from residential areas to no change to the cap of 266. [this means fewer and fewer new STR license applicants will be eligible for a license each passing year]

These are residence and investments for people. You would take away dollars that help to offset our cost and take away tax revenue for Larimer county. Help me understand where that is a win for anyone? I personally just

went through a major expense to get my townhouse up to code and I was good with that. I just don't understand why the above makes sense to those that have been more than compliant.

I am sure that you have received more detail from a number of residence but I wanted to keep it short but considerate. The people of Larimer County and the Board should not be at odds we should figure out how to work for what is best for our county and strive for that. Please consider these points and lets make some changes for the better of all.

Thank you,

Tim Traxinger

tim@howardshouse.org

P:312-965-4730



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 Larimer / Estes Park

Will Shaughnessy <buddhabikeanddrum@gmail.com>
To: LUC2020@larimer.org

Wed, Jan 18, 2023 at 8:13 AM

Hello

I wish to submit yet another declaration

I do believe the County should follow the precedent set forth by other Coloradan tourist destinations. In that more restrictions should be placed for STR owners and they should be taxed more .

Ideally would be to ban all STR and open up incentives for long term rentals so to procur a more solid young community rather than senior or retirees who have no vested interest in the community as a whole
Again this is my opinion. But ..str traditionally bring in tourists who like our snowbird population, don't reside here full time and often disregard the privacy and sanctity of our natural surroundings

I do hope str would one day be banned entirely.

Dr William J OShaughnessy



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

Fwd: STR regulation project

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

Wed, Jan 18, 2023 at 5:33 PM

Reply-To: ellislk@larimer.org

To: Amy White <awhite@larimer.org>, Tawn Hillenbrand <hillenta@co.larimer.co.us>

Tawn and Amy - Did I forward this for review, record, and possibly response? 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: **William Brown** <williamcbrown1953@gmail.com>

Date: Mon, Jan 16, 2023 at 12:47 PM

Subject: STR regulation project

To: Lesli Ellis <ellislk@larimer.org>

Lesli - in reviewing Draft #2 of the proposed regulations, I believe there is additional information that the county needs to furnish citizens in order to evaluate the effect to the Draft #2 regulations:

1) I know that the county has been developing a "heat map" of STRs in the county. In light of the proposal to require new STRs in residential zones to be located more than 500 feet from any existing STR, the county should develop and publish a map showing prohibited areas for new STRs in the county. Currently, with 260 STRs in residential zones already and a 500 feet restriction effectively imposing a 2/10ths of a mile cone around every existing STR in which a new STR could not be located, I suspect there remains very little area in county residential zones in which a new STR could be located.

2) I understand that the local roadway standards are not applicable to multiple access roads built before August 23, 1999. Again it would be helpful to know what private roads now existing in county residential zones in the Estes Valley do not qualify for the exemption. Also, it is not clear whether the county intends to apply these standards to single access roads with respect to new STRs, for which the Appendix G provisions are currently only recommended. Please see if you can come up with a map indicating those private roads that will be subject to these requirements. I am guessing that most private roads in residential zones in the Estes Valley will be exempt, but without mapping the effect of this restriction, it is impossible to understand the implications of this limitation. It would probably be helpful to provide a similar map on floodplain restrictions.

3) I am uncertain about the efficacy of reducing the response time provisions for managers from 1 hour to 30 minutes. That would no doubt redound to the benefit of Estes Valley managers to the detriment of Lyons, Longmont and Loveland STR owners and managers. I believe a better solution is the establishment of a local monitor in the Estes Valley as I previously suggested and which Mike Kennedy supports.

Feel free to call me (515-360-4292) if your current process would allow. I believe a collaborative approach in which face to face discussions were permitted would do a better job of creating good public policy than an approach in which no dialogue can exist.



MATT CURTIS, CEO

MATT@SMARTCITYPOLICYGROUP.COM

January 18, 2023

Larimer County
County Commissioner and County Staff

RE: Analysis of Short-term Rental Discussion

Dear Commissioners and County staff,

The Short-term Rental regulatory discussion continues to be a challenge for local governments. Most communities find it difficult to achieve compliance when creating policies and often their approach negatively burdens the everyday taxpayer.

During our Conference on Short-term Rental Regulations held annually we spotlight Best Practices, and many bad ones, only to find the greatest danger to a successful Short-term Rental regulatory program is a set of restrictions that result in driving the industry underground.

The United States Conference of Mayors identified the impacts of burdensome rules when they stated;

“Onerous regulations of short-term rentals can drive the industry underground, thus evading local regulations and local hotel taxes,” and “fair regulation of short-term rentals ensures greater compliance and greater receipt of local hotel taxes”.

COST OF COMPLIANCE

An analysis of the discussions in Larimer County lead us to the conclusion suggested by America’s mayors; the financial burden on the everyday taxpayer will rise, the negative impact on the general fund will be significant and the value of the Short-term Rental economy will be lost.

Our Cost of Compliance studies conducted around the United States (typically in concert with Economic Impact Studies and Housing Studies) show budgetary burdens are created by bad regulations that do not achieve local goals.

The analysis of Larimer County is the same;; citizenry in the County, adjacent Town of Estes Park and its special districts will pay to chase good money after bad.

RECCOMENDATION

highly recommend a facilitated process that includes a data-driven conversation with potentially impacted stakeholders.

MATT CURTIS, CEO

MATT@SMARTCITYPOLICYGROUP.COM

The recommendation for a facilitated dialogue with potentially impacted stakeholders is recommended by Institute for Participatory Management and Planning (IPMP) and is a guideline Smart City Policy Group follows.

By engaging a facilitator trained in the nuance and changing trends of the Short-term Rental industry you will create a good policy that will achieve local goals without unnecessarily hurting Larimer County taxpayers.

AVOID UNINTENDED CONSEQUENCES

The data behind Short-term Rental regulations is strong. The economic benefits are high and the potential for unintended consequence is even higher.

A United States Conference of Mayors resolution touched both jobs and economic impact when they stated, “economic impact studies conducted in 2014 show an overall economic impact by the traditional short-term rental activity in Myrtle Beach, SC at \$200.7 million and 2,587 jobs; overall economic impact to St. Joseph, Michigan of \$24 million and 300 jobs; and, the Coachella Valley, California communities of \$272 million and 2,539 jobs”.

While the economic benefits are high, the unintended consequences include:

- Driving the activity underground
- Driving up the cost of enforcement
- Exposing the County to potential legal action
- Depressing Economic Impact and Taxes generated for your citizens by visitors
- State Pre-emption

We strongly urge the Larimer County Commissioners to:

- Pause further discussion to focus on the creation of a successful policy
- Avoid the unintended consequences of poorly created regulations and the financial burdens they bring to everyday taxpayers
- Engage a trained STR facilitator to aid the County by holding:
 - Virtual site visits with successful counties and cities addressing STRs
 - Hold discussions with national compliance leaders
 - Bring STR operators, County staff, and community stakeholders together to address common concerns
 - Create an STR policy that achieves compliance



MATT CURTIS, CEO

MATT@SMARTCITYPOLICYGROUP.COM

We hope you will take time to fully understand the impacts these policies, the cost implication for everyday Larimer County taxpayers and this constantly evolving industry.

Thank you,

Matt Curtis
Founder, Smart City Policy Group

Jeff Coffee
Former City Manager of Elgin, Texas
Member, Smart City Policy Group

Lee Leffingwell
Former Mayor of Austin, Texas
Member, Smart City Policy Group

Jennifer Hosterman
Former Mayor of Pleasanton, California
Member, Smart City Policy Group

Matt Curtis is the founder of Smart City Policy Group, a team of consultants working with cities across the United States on innovative solutions in the New Economy.

Matt is a former right hand to the last two Austin mayors and he has extensive experience in municipal government and local politics, working on a broad variety of initiatives and best practices in a rapidly changing city. He is a trained facilitator with 15 years of expertise in helping connect potentially conflicting interests to create effective policy.

He has served on the United States Conference of Mayors Business Council, the National League of Cities Corporate Council, the Sharing Economy Advisory Network and the Travel Technology Association board.

His team at Smart City Policy Group includes former Austin Mayor Lee Leffingwell, former Pleasanton, California Mayor Jennifer Hosterman, former tourism industry leader and travel association president Bob Lander, and several other former policy makers and thought leaders with extensive backgrounds in local governments.

In August of 2019 Matt Curtis and his team held the first Conference on Short-term Rental Regulations in Austin, Texas. The conference attracted over 200 policy makers from around the United States and Canada for a day of Best Practice Policy discussions. Both 2020 and 2021 conferences were cancelled due to Covid-19 and were held online.



Feedback STR Draft 2 Regulations & STR Enforcement comments

Tom Moretti <tommore2003@outlook.com>
To: "LUC2020@larimer.org" <LUC2020@larimer.org>
Cc: Tom Moretti <tommore2003@outlook.com>

Sun, Jan 22, 2023 at 2:56 PM

To Commissioners and Staff, Thank you for the opportunity to give some feedback related to the proposed changes in STR regulations in the county.

My family and I live in the Estes Valley and have since 2013 full time. I've owned a home there since 2006, and a townhome previously from 1998 – approximately 2005. Since owning my home in the Estes Valley I've had numerous conversations with the town administrators and compliance officer while the IGA was in place and prior to official STR rental regulations were put in place. I've also owned an STR in another state and currently are involved with an STR again outside of Colorado. I've had STR renters using my property for partying, drinking, smoking and parking on my driveway all without my consent. I've made numerous complaints, many due lighting violations (flood lights on all night), parking violations on the narrow roadway, noise complaint (only once), and have had culvert repairs required due roads being blocked due STR renters blocking the roadway.

I'm delighted the county is proposing changes in current regulations. In my area of Carriage Hills we have EV R zoning.

Feedback:

AS and S Special Reviews – How will these work? What would make these STR requests rejected by the county? I've participated in one of these reviews for a local B&B and it was a rubber stamp review. What issues would reviewers consider a rejection vs acceptance? Will any homeowner feel like its worth their time to participate in a review process, assuming good notification.

- Density of STRs?
- Another STR within X thousand feet?
- Other?

Why are there no density limitations in the Draft 2 Regulations? There should be. Having two or three STR's on a single street or a narrow roadway is unacceptable.

Why are we permitting STR License transfer? The government is artificially indemnifying an investors investment. So once a home is an STR it may be an STR forever or at least in a lifetime. Not sure why the county wants to indemnify or guarantee this additional value. Plus it permanently makes that area a lodging area. STRs are lodgings, not residential.

- Points to major flaws in how we designate zoning areas. I bought in a zoned residential area, deliberately staying away from lodging areas. Now I'm living in a lodging area but its zoned EV R. Makes no sense.

Glad there is an option to reduce the # of STRs in the future. Too bad we don't do that in this draft. Encourage or incentivize people who want to invest and have STRs to do so in zoned accommodation or commercial zones, not residential.

EV R – noting the comment of Roadway and Access Standards. Hoping these address the fact that some STRs (two on my street) have regularly parked on the narrow roadway.

One in particular has had numerous wedding parties where we'll see, 4-6 cars parked on the roadway due the very small parking space on the STR driveway. This should not be allowed and I'll be sure to photograph and report on future violations.

Love the improvements on safety standards, especially as they apply to fire prevention and solid fuel burning. This may curtail the out of control bon fires that some STR renters have.

- What about cigarette/cigar/other outside smoking? It is very typical for STR renters, not familiar with our fire risk, to be outside smoking and throwing still lit butts into the grass. I've seen it and had it happen on my street. Only a miracle with haven't had a major blaze due these renters.

A few comments on the STR Enforcement Regulations:

Like there is some language as related to parking, lighting, other.

Like there is a monetary penalty – nothing changes without some costs or impending three strike rule. Investors only care about one thing - \$\$\$

Like there is language to property manager responsiveness. Attempt to resolution within 60 min is reasonable and satisfactory.

Don't like – the burden is still on the resident to report with substantial proof. This should be well communicated. You are essentially asking the homeowner to photograph and record in cases the infractions. Otherwise the investor or property manager can (and will) dispute the violation. It will be a “he said/she said” scenario and unenforceable.

- The reporting party should be allowed to be anonymous OR there should be language on immediate license revocation for any instance of “retribution”. I know of at least one person who was threatened by a major investor in the valley for opposing an STR.

Don't like that the reporting party must first call the Property Manager. How will property managers be publicized? How will surrounding residents maintain list of who to call? Especially if there are more than a single STR near them.

- Should be a single number for anyone to call for violations. That number should record calls for reporting purposes.

Don't like that Property Managers are responsible for reporting to the County. This is like having the fox watching the henhouse. How will this be monitored? This is an abdication of duty by the county IMO.

I'll look forward to further participation in this process.

Regards,

Tom Moretti

(303)475-5578

[730 Ponderosa Lane](#)



STR Draft Regulations Version 2 & STR Enforcement Ordinance

Bob Leavitt <bob@bobleavitt.com>
To: LUC2020@larimer.org

Sun, Jan 22, 2023 at 9:16 PM

To Commissioners and County Staff:

I have lived in the Estes Valley (Carriage Hills) for 8 years. During that time I served on the Estes Valley Planning Commission for 3 years, including 1 year as Chairman. I have served for several years on the Carriage Hills POA board. Recently I served on the Comprehensive Planning Advisory Committee. In this time I have been actively involved in short-term rental issues and the development of STR regulations. You have heard persistent negative comments from the EVSTRA organization. If there is any loss of tax revenue, as they claim, it will be gradual. In our robust economy other tax revenue will make up any gradual loss of STR tax revenue. With a reduction in STR's other considerations come into play. If some STRs are lost, many of those properties will be occupied by long-term renters or they will be owner-occupied. Both types of properties are in very short supply in the Estes Valley. Providing such housing stock is in the best interest of the Estes Valley community. People living in these homes will work, shop, and volunteer in Estes Park. They will help maintain the quiet residential character of our neighborhoods. With fewer short term rentals, more homeowners will stay put rather than move out. Homeowners and long-term renters are a core constituency in our community and clearly worth preserving and expanding. The EVSTRA people ignore these benefits, because for them it's all about money. They fear that new regulations could impact their ability to maximize profits from their STRs.

Based on my experience in Carriage Hills and observations across the community, there is a clear need for additional STR regulations. The proposed STR regulations draft #2 are a good start to addressing and strengthening STR regulations in the Estes Valley, and I support them subject to the comments below.

How does "Short-term Rental, Hosted" differ from "Bed & Breakfast"? Is it that a B&B provides breakfast to the guests? Make this distinction more clear.

Tables 3.1 and 3.2. What criteria apply to STR approvals for S and AS* reviews? Does strong neighborhood opposition come into play? Or is it entirely based on these development code regulations? If so, neighbors are wasting their time attending hearings. Can an AS review become an AS* review if there is strong neighborhood interest? If so, this should be stated in the regulations along with the mechanism for making this happen. It should be clear as to whether the Commissioners have the discretion to deny an application based on neighborhood input.

4.B.2.c. I propose 1000 feet for distance between STRs rather than 500 feet. Sound carries quite far in the Estes Valley.

4.B.2.d "...however, an owner may reside in an Accessory Living Area unit on a property while renting the principal dwelling as a short term rental." Does this make it a Hosted, Short-Term Rental?

4.B.2.n Property Managers should inform renters whenever fire restrictions are in place. It's true that renters can't have outside fire pits, but they can have grills and they may have to evacuate in a hurry. Giving this notice promotes caution in the use of fire and provides situational awareness should a wildfire break out. I have witnessed renters flicking lighted cigarette butts into nearby grass and illegally shooting off fireworks in grassy areas. Knowing that fire restrictions are in place may cause renters to avoid this kind of behavior.

13.7.6.B Says "All new development shall comply with the standards set forth in this section. Short-term rentals (vacation homes) as designated and regulated in this Code shall comply with the standards set forth in this section, whether new or existing."

With regard to short-term rentals, what does this mean? Does every existing STR have to comply?

I thought we had been trying to follow this standard: Whenever modifications are made to the exterior of an existing structure (whether STR or not) all lighting shall be added, and existing lighting modified, to comply with 13.7.6.D. I might add that this is often ignored for existing structures.

4.6.4 Minimum of two on-site parking spaces. Proposed: In addition, there shall be adequate on-site parking spaces for all the renter's vehicles. In Carriage Hills we have problems with renters parking in the roadway. For a large STR this provision for adequate parking might exceed the regulation that specifies no more than 4 vehicles parked on the property outside the garage area. When I was on the EV Planning Commission, a STR would not be approved unless there was adequate off street parking for all the anticipated vehicles (generally 1 per bedroom + 1).

There is no "Use It or Lose It" provision in the regulations and there should be. We have STR licensees who have not rented their property. They obtain a license because they might rent their property in the future and the existence of a license increases the value of their property when sold. Proposed: Add a use it or lose it provision to work like this: When existing STR's licenses are renewed, license holders shall show evidence of short-term rentals during the preceding operating period. Such evidence may include guest registrations or guest books, rental receipts, or similar documents. Alternative: License holders must sign a statement attesting to the fact that they have done short-term rentals at renewal time. License holders who are unable to show evidence of rentals during the operating period or who do not sign a statement attesting to such rentals shall surrender their license, and the license will be returned to the pool of available licenses. Providing a false statement attesting to the rentals will be grounds for surrendering a license.

Short Term Rental Enforcement Ordinance

8.G. Noise and Disorderly Conduct. The Sheriff's office and Department of Environmental Health should use the same complaint reporting process as used by other reporting entities (e.g. Property Managers) so that an accurate accounting of complaints can be maintained.

9.B.2 Leaving the reporting of complaints to the Property Managers is problematic. Will they always follow through? How will residents know it was reported? Additionally, residents may have to reveal their identity when reporting a complaint to a Property Manager. This can be intimidating. Maybe they will retaliate? Better to let it go, grit one's teeth and bear it. Thus, when the person reporting a complaint is not anonymous, fewer complaints will be reported. Residents should be able to report a complaint anonymously to a Property Manager and directly to Community Development if they feel that the Property Manager is not handling it properly.

9.B.2 Proposal: The Community Development Department will maintain a database of complaints from all complaint reporting sources, including Property Managers, Sheriff's Office, Department of Environmental Health, and any other entity reporting complaints. To ensure accurate reporting of complaints, any resident who has reported or witnessed a reported STR violation can call the Community Development department to verify that the complaint was accurately reported and find out how it was handled. Entities responsible for reporting complaints will be trained by Community Development in the proper procedure for reporting complaints. Community Development will report periodically on the number of complaints logged from each complaint reporting entity.

Thanks,
Bob

Bob Leavitt
740 Ramshorn Drive
Estes Park, CO 80517
Phone: 402-488-5335
Email: bob@bobleavitt.com



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

Feedback on Proposed STR Changes in Estes Valley

mel.causer@yahoo.com <mel.causer@yahoo.com>

Mon, Jan 23, 2023 at 3:10 PM

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

Hi Tawn,

Further to your email of 11/30/2022, I have read the STR Draft 2 of the proposed STR regulations and wish to make the following comments accordingly:

- Why are there no density limitations in draft 2 of the regulations?
- Why do draft 2 regulations permit STR license transfer. If the County permits a home to be an STR even after it is sold, it may be an STR forever?

I will not be able to log into the Zoom call on 1/26/2023 intended for residents of unincorporated Larimer County but would like to attend the in-person meeting at the community center on 1/25/2023 at 7.30 PM.

All the Best,
Mel Causer

[Quoted text hidden]



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

Fwd: Larimer County Commissioners.

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

Tue, Jan 24, 2023 at 7:48 AM

FYI - for the file



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: **Chris Sharpe** <c_sharpe01@hotmail.com>
Date: Mon, Jan 23, 2023 at 7:20 PM
Subject: Larimer County Commissioners.
To: jkefalas@larimer.org <jkefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>, JShaddockMcNally@larimer.org <JShaddockMcNally@larimer.org>, ellislk@co.larimer.co.us <ellislk@co.larimer.co.us>
Cc: Chris Sharpe <c_sharpe01@hotmail.com>

Dear Commissioners and staff,

I would strongly urge you to pause the proposed STR regulations which will inevitably create additional financial burdens on taxpayers and drive the activity underground. I am asking the county to enforce the **existing** STR regulations in combination with responsible, local, on-the-ground property management to address the handful of neighbour concerns pertaining to parking, trash, and noise.

The proposed regulation will hurt our local economy, reduce available jobs for maintenance staff and cleaners, and significantly reduce local tax revenue by millions of dollars. A home rented to a tenant for 31 days is no different than home rented for 30 days when it comes to key issues like parking, trash, and noise. STRs can be managed responsibly and locally (with the community in mind) through the following best practices:

- Stringent guest-vetting processes including: background checks, social media activity tracking, mandatory quiet hours, occupancy limits, and stiff fines or immediate cancellation for violations — all monitored 24x7
- Adoption and enforcement of existing residential use and zoning ordinances related to noise, protection of welfare, property maintenance and other nuisance issues as long as it is applied uniformly to other types of residential uses, like long-term rentals.

Thank you very much for your time reading this email and I am always happy to jump on a call to discuss.

Best regards,

Chris Sharpe.



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

Fwd: Proposed Updates to STRs in Larimer County

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

Mon, Jan 23, 2023 at 4:01 PM

FYI

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

From: **Adam Sanders** <acsanders1@gmail.com>
Date: Mon, Jan 23, 2023 at 3:50 PM
Subject: Proposed Updates to STRs in Larimer County
To: <jkefalas@larimer.org>, <kstephens@larimer.org>, <JShadduckMcNally@larimer.org>, <ellislk@co.larimer.co.us>

Dear Commissioners,

I am writing as a Larimer County resident who is concerned about the affordability of our community. My own family has countered high cost of living with a responsible, well-managed and complaint-free STR in our home (with the appropriate licence, of course). I agree that there should be oversight and regulation, but striking the right balance is critical to representing your constituents.

Many of the proposed changes are overbearing and vindictive. A policy meant to manage an area as diverse as all of Larimer County would surely need to be far less restrictive and allow cities to pass further, more specific regulations as they see fit, and there is no reason these homes would need requirements far more onerous than the neighbors house next door or even old-built hotels (such as increasing snow load capacity).

One regulation in particular that the City of Fort Collins has used very well is the difference between Primary and Secondary STRs. This balances the needs of individuals to counter ever-increasing costs of living with the ability to prevent investors from driving that cost even higher.

Please consider having alternate regulations and license availability for these two classes of hopeful hosts.

All the best,
Adam Sanders
Fort Collins, CO

--



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>

Mon, Jan 23, 2023 at 3:49 PM

FYI

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

From: 'Kay Osentowski' via Commissioner_Shaddock-McNally <commissioner_shaddock-mcnally_public@co.larimer.co.us>

Date: Mon, Jan 23, 2023 at 3:28 PM

Subject: STR regulations

To: jkefasas@larimer.org <jkefasas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>, jshaddockmcnally@larimer.org <jshaddockmcnally@larimer.org>, ellislk@co.larimer.co.us <ellislk@co.larimer.co.us>

Dear Commissioners and staff,

I would strongly urge you to pause the proposed STR regulations which will inevitably create additional financial burdens on taxpayers and drive the activity underground. I am asking the county to enforce the **existing** STR regulations in combination with responsible, local, on-the-ground property management to address the handful of neighbor concerns pertaining to parking, trash, and noise.

Most of us in this line of rental business hire and pay for on the spot property management. The vetting of guests is extremely important and should be and could be the step that property owners can take to prevent any less than desirable guests.

The proposed regulation will hurt our local economy, reduce available jobs for maintenance staff and cleaners, and significantly reduce local tax revenue by millions of dollars. A home rented to a tenant for 31 days is no different than home rented for 30 days when it comes to key issues like parking, trash, and noise. STRs can be managed responsibly and locally (with the community in mind) through the following best practices:

- Stringent guest-vetting processes including: background checks, social media activity tracking, mandatory quiet hours, occupancy limits, and stiff fines or immediate cancellation for violations — all monitored 24x7
- Adoption and enforcement of existing residential use and zoning ordinances related to noise, protection of welfare, property maintenance and other nuisance issues as long as it is applied uniformly to other types of residential uses, like long-term rentals.

Our properties are not affected by this proposed change, but this will have a profound negative outcome for all of the very good property owners who work diligently at keeping their properties in good standing. Please let us not allow a few outlier complaints be your guide. Common sense is very much required right now.

Kay Osentowski
NCREB
160 Fairway Lane
Fort Collins, CO 80525

970-420-9005

--



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

Fwd: I am a STR owner and I disagree with the proposed STR regulations!

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

Tue, Jan 24, 2023 at 8:02 AM

Reply-To: ellislk@larimer.org

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

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: **Dionne Liggett** <dionneliggett@hotmail.com>

Date: Mon, Jan 23, 2023 at 2:43 PM

Subject: I am a STR owner and I disagree with the proposed STR regulations!

To:

Dear Commissioners and staff,

I would strongly urge you to pause the proposed STR regulations which will inevitably create additional financial burdens on taxpayers and drive the activity underground. I am asking the county to enforce the **existing** STR regulations in combination with responsible, local, on-the-ground property management to address the handful of neighbor concerns pertaining to parking, trash, and noise.

The proposed regulation will hurt our local economy, reduce available jobs for maintenance staff and cleaners, and significantly reduce local tax revenue by millions of dollars. A home rented to a tenant for 31 days is no different than home rented for 30 days when it comes to key issues like parking, trash, and noise. STRs can be managed responsibly and locally (with the community in mind) through the following best practices:

- Stringent guest-vetting processes including: background checks, social media activity tracking, mandatory quiet hours, occupancy limits, and stiff fines or immediate cancellation for violations — all monitored 24x7
- Adoption and enforcement of existing residential use and zoning ordinances related to noise, protection of welfare, property maintenance and other nuisance issues as long as it is applied uniformly to other types of residential uses, like long-term rentals.

If these proposed rules are enacted it will force other STR owners, like myself, to no longer offer their properties for rent as STRs. Guests of Short Term Rentals add mightily to the local economy via city and county sales tax, eating out, entertainment, etc.

If you vote in the proposed STR regulations it is voting for duplicitous, unneeded, and costly changes and will count as a "NO" vote from me at re-election time.

Kindest Regards,

Dionne Liggett
C: 970-290-3191



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

STR and Windcliff

Trey Garland <trey@kjg3.com>
To: John Garland <trey@kjg3.com>
Bcc: hillenta@co.larimer.co.us

Tue, Jan 24, 2023 at 11:51 AM

To Larimer County Officials regarding STR,

I am writing regarding your second draft of STR regulations and the new policy of limited STR permits. My parents have been visiting Estes Park long before I was born in 1974. Growing up in Texas, I remember seeing mountains and snow for the first time when I was at Windcliff, and ever since was captivated by the area. My family always rented a house in Windcliff when visiting, and both Windcliff and Estes Park have held a deep place in my heart, so much so that I will retire there.

I now write to you as a property owner. In law school, the first thing we are taught in property law is that the property must be put to the highest and best use. We are now in the process of building a new house after selling our old one and have grave concerns regarding the current restrictions and the second draft. We won't be there a vast majority of the time, and having an empty house is not the "highest and best use" of the property. Furthermore, the restrictions placed on the number of permits and the second draft of regulations would financially harm both myself and my mother, as well as many other property owners in Windcliff. I am certain this is not the intent of the county, but that is the track it seems to be on.

Windcliff has harmoniously, since its inception, been a community that has both full-time residents and vacation rentals; we self-police a set of governing covenants and maintain Firewise standards in the community. The policy for rentals set out in the WPOA covenants is maintained and administered by Windcliff, which has been a boon to the community. The innate rights of all property owners in Windcliff to rent or not to rent have existed for over 53 years. Your current draft of the regulations would, in reality, negate these rights and likely cause financial harm to the property owners that opt to rent their houses.

Please exempt Windcliff from the current restrictions on STR permits, and exempt Windcliff from any further regulations.

Yours,

The Rev'd Father John (Trey) Garland

--

The Rev'd Fr John (Trey) Garland III
512-808-7477 - Mobile



Larimer County STR Regulations

Ellen Doiron <ellen39forever@gmail.com>

Wed, Jan 25, 2023 at 1:03 PM

To: jkefelas@larimer.org, JShaddockMcNally@larimer.org, kstephens@larimer.org, pcboardmember9@larimer.org, pcboardmember4@larimer.org, pcboardmember5@larimer.org, pcboardmember8@larimer.org, pcboardmember6@larimer.org, pcboardmember7@co.larimer.co.us, pcboardmember3@larimer.org, pcboardmember1@co.larimer.co.us, pcboardmember2@co.larimer.co.us, converseevplanning@gmail.com, eotranch@gmail.com, Linda Moak <pmoak@aol.com>, poggenpohl@mac.com, scott stewart <scottsfast@yahoo.com>, dhwebb10@gmail.com, luc2020@co.larimer.co.us, ellisk@co.larimer.co.us, hillenta@co.larimer.co.us

To: Larimer County & EVPAC Members

Thank you for providing online access to the EVPAC meeting on January 19th where the second draft of the proposed Estes Valley Short Term Rental Regulations was discussed. This was very informative.

We realize this has been a work in process and plenty of input has already been received by the EVPAC. As Windcliff property owners, we remain very concerned about the potential for the proposed STR regulations to negatively impact our rights to freely choose to rent our homes as we have always done. That being said, we would like to make the following observations regarding the discussion during this recent meeting, and propose a suggestion on how to proceed

First, toward the end of the meeting, it was very encouraging to hear multiple comments by the committee members acknowledging that Windcliff does in fact represent a unique situation which is not adequately represented in the current STR draft.

Second, there seemed to be unanimous consensus among the EVPAC members that some accommodation for Windcliff (and similarly organized neighborhoods) should be made before proceeding.

Third, the suggestion that Windcliff apply for rezoning in order to be excluded was clearly demonstrated to be a non-starter, even with the EVPAC / County suggestion to try to streamline the process. Garnering a 100% approval from all Windcliff property owners would simply be impossible.

Fourth, we heard from Tawn Hilenbrand, that in reviewing the language for the second draft, no "equitable exception" could be found to exclude Windcliff (and like neighborhoods) from the proposed regulations.

Given these facts, we would like to recommend the EVPAC and Larimer County consider adding a **"Qualified Exception"** which would exclude neighborhoods in Estes Valley who meet specific conditions, from being impacted by the proposed STR regulations.

If a neighborhood can reasonably demonstrate that it meets the following conditions - they would not be subject to the proposed STR regulations

- An established history of formally allowing short term rentals, (pick a reasonable time frame - minimum 10 years, 20 years, or in our case 53 years - since inception)
- Continuous on-site management of short-term rentals
- Written HOA by-laws, rules and regulations that clearly outline how STR's are to be managed within the neighborhood.
- Community voted on and adopted rules that specifically self-regulate short term rentals, including self-policing of those rules.

Given the Committee members stated desire to find a way to allow Windcliff to continue to operate as it always has, and the fact that policing the proposed rules is already considered problematic, as was brought up by several members of this committee, the above approach would not only be reasonable to Windcliff owners, but also equitable to all parties in that neither the EVPAC, Larimer County nor the Estes Park Police Department would be burdened with having to enforce STR complaints within Windcliff because we manage that ourselves (and always

have). That would not negate the possible occasional need for EVPD calls in Windcliff altogether, but we are confident that the general history of Police calls for STR complaints within Windcliff are negligible as compared with STR's in the greater Estes Valley.

We appreciate all the hard work that has been invested in this process and thank you in advance for your thorough consideration of this proposed solution.

Respectfully,

John Donaghy & Ellen Doiron
[1637 Zermatt Trail](#)
[Estes Park, CO 80517](#)



Proposed STR Regulations

James Mapes <jmapes03@hotmail.com>

Tue, Jan 24, 2023 at 1:26 PM

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

Previously, we have sent you two documents that addressed some of our concerns about the proposed changes in the STR regulations. We had sent one additional document to the County Commissioners. I have attached the three documents in a PDF form to this email. Thanks for your consideration of our concerns about the proposed changes in the STR regulations.

I would like to tell my story of how our family first came to Estes Park and subsequently bought and remodeled a home in the area.

My parents were invited by my father's college roommate who lived in Denver and worked for the Denver Parks and Recreation Department at the time to come to the YMCA in Estes Park in the 1970's. They spent many summers and falls with their friends at the YMCA. In 1985 my parents started bringing our daughters to join them at the Y for 2-3 weeks every summer. The girls loved attending camp and one went on to become a summer camp counselor at the YMCA while in college. We continued coming to the YMCA throughout their college years and beyond. We now have 4 grandchildren who enjoy coming to Estes Park for Christmas and summers. After staying in all the large cabins at the Y for there were 12 of us, we decided to purchase a home in the Estes Valley. In the summer of 2012, we bought a home in Windcliff across from the YMCA which we had been visiting for 27 years.

The home we bought was built in 1974 and it needed extensive work to upgrade all the electrical and plumbing to meet code for Larimer County. We had to gut the home and spent over \$500,000 at that time to update and upgrade the home. It took from September 2012 to July 2013 to complete the renovations. I remember one of the workers, a stone mason, coming up to me and thanking me for giving his crew a job. As the grandchildren grew, we realized we needed a bigger playroom so in 2019 we added a double car garage with a playroom over the garage. The addition was started and completed during the Covid pandemic. Again, we supported masons, electricians, framers, contractors, etc during a hard time.

I am retired and my husband has recently retired. We would both love to retire in Estes Park. At this time, I am taking care of my 98-year-old Mother and cannot move permanently to Estes Park. We do spend Christmas and summers in Estes Park with my children and grandchildren. Friends and relatives also visit and enjoy the immediate area and also Fort Collins and Loveland. We use our home as a Short-Term Rental (4-5 weeks a year) to help with expenses so we can keep the home until we can permanently move there. When our home needs repairs and services, the property management uses local businesses. When our friends and family visit, we eat at local restaurants, enjoy the local recreational activities and purchase from local shops. I used to own a small bookstore so I understand the importance of supporting local businesses.

The take away STR points from my story are:

- We love coming to Estes Park and plan on making it our permanent home
- Using our home as a STR is financially necessary
- We have helped keep a number of local people employed with our construction projects
- We continue to support local business

All of this would not be possible without the ability to rent our home on a short-term basis.

Anita Mapes

2060 Windcliff Dr

Estes Park, CO

January 24, 2023

Sent from [Mail](#) for Windows

3 attachments



Life Safety.pdf
55K



STR - Windcliff Dec2022.pdf
79K



STR - Windcliff.pdf
66K

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

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

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



Larimer County - Land Use Code, Short-Term Rental and Lodging Regulations

Patty Bartlett <pattybartlett5@gmail.com>

Wed, Jan 25, 2023 at 3:40 PM

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

To the Larimer County Commissioners and the Estes Valley Planning Commission Advisory Committee

Thank you for your work on the short term rental regulations.

Although I am not an STR owner, I am the trustee of a trust that owns property in Estes Park, Colorado. My family has owned property in Estes Park since the 1920's. Having been born and raised in Estes, I, like so many others, hold Estes Park as a very special place. As such, it is very important to maintain the local economy of tourism and all the businesses that support it.

After reviewing the Larimer County proposed STR regulations, it appears that Larimer County government does not share my views.

The economic impact of these regulations should be foremost in the discussion of, the drafting of, the passage of and implementation of any short-term rental regulations. Sound policies should always consider the economic effects and sustainability of those policies. The proposed regulations specifically target the Estes Valley. That is discriminatory. County regulations should apply county-wide.

The requirement of a minimum of 500 feet between STR's in residential zones would be a death knell for STR owners indicating the county's desire to totally eliminate STR's in residential zones. Again discriminatory and a stomping on individual property owner's rights.

The proposed property manager travel time requirement of 30 minutes ignores road and weather conditions and is therefore unrealistic.

Enforcement is another issue. If the County adopts an enforcement ordinance, the County must be the entity to enforce the ordinance. It is not the responsibility of the STR owner/manager to enforce a county ordinance.

In regards to transferability, the proposed regulations would only effect permitted licensees after the effective date of the regulations and ordinance. So how easy would it be for an SRT owner to determine what STR regulations were in place at the time of the granting of his/her permit/license? Seems that would be a daunting task and one that the County should be responsible for.

Thank you for reading these comments. I sincerely hope that the powers that be slow down this schedule of review, discussion, and hearings in order to frame a much better set of regulators and ordinance acceptable to all parties concerned.

Respectfully,
Patty Bartlett
Concerned Estes Park Resident

Sent from my iPhone

On Dec 1, 2022, at 11:27 AM, LUC 2020 <luc2020@co.larimer.co.us> wrote:

[Quoted text hidden]



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

Fwd: Other STR thoughts

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

Wed, Jan 25, 2023 at 8:18 AM

FYI

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

From: **Craig Demartino** <craigdemartino@gmail.com>
Date: Wed, Jan 25, 2023 at 3:52 AM
Subject: Other STR thoughts
To: <JShaddockMcNally@larimer.org>

Dear Jody,

After reading again the proposed new regulations on STR properties I want to strongly recommend you and the board not change the policy.

We as homeowners have to go through a lengthy, expensive process to get our home legal to rent. We bring new people to the area where they spend money on our economy and tell others to visit and do the same. Making us jump through more hoops doesn't seem like something that needs to happen. I had to do, and continue on a regular basis, update my home and property to keep it safe and protected under the current laws, adding things like signs, inspections and others only causes more work and expense that isn't needed. We've never had a noise complaint because our property manager vets all our renters and our property is maintained to make it appealing to the surrounding area. We love our home, but my work requires us to be gone and this is a way for us to be able to keep our home in the area we love until we can return.

Please don't make this process more complicated, it's working well as is.

Thank you,
Craig DeMartino
Property Owner

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: STR Regulations Proposal

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

Wed, Jan 25, 2023 at 12:49 PM

FYI

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

From: **Brent Pauly** <pauly.brent@gmail.com>
Date: Wed, Jan 25, 2023 at 11:45 AM
Subject: STR Regulations Proposal
To: <jkefalas@larimer.org>, <kstephens@larimer.org>, <JShaddockMcNally@larimer.org>, <ellislk@co.larimer.co.us>

Dear Commissioners and staff,

My wife and 3 children benefit in a big way from our STR located in Loveland, CO. While we have every intention of being good neighbors and properly conducting our business in a safe, legal and respectful manner, the proposed regulations would assuredly impact us in a very negative way.

I would strongly urge you to pause the proposed STR regulations which will inevitably create additional financial burdens on taxpayers and drive the activity underground. I am asking the county to enforce the **existing** STR regulations in combination with responsible, local, on-the-ground property management to address the handful of neighbor concerns pertaining to parking, trash, and noise.

The proposed regulation will hurt our local economy, reduce available jobs for maintenance staff and cleaners, and significantly reduce local tax revenue by millions of dollars. A home rented to a tenant for 31 days is no different than home rented for 30 days when it comes to key issues like parking, trash, and noise. STRs can be managed responsibly and locally (with the community in mind) through the following best practices:

- Stringent guest-vetting processes including: background checks, social media activity tracking, mandatory quiet hours, occupancy limits, and stiff fines or immediate cancellation for violations — all monitored 24x7
- Adoption and enforcement of existing residential use and zoning ordinances related to noise, protection of welfare, property maintenance and other nuisance issues as long as it is applied uniformly to other types of residential uses, like long-term rentals.

Thank you,

Brent Pauly
970-658-6587

--



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: Tonight's STR meeting

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

Wed, Jan 25, 2023 at 1:33 PM

FYI

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

From: **Mike Kennedy** <eotranch@gmail.com>
Date: Wed, Jan 25, 2023 at 11:26 AM
Subject: Tonight's STR meeting
To: Jody McNally <shaddujl@co.larimer.co.us>

Hi Jody. I hope this reaches you before tonight's meeting in Estes. I wonder if you have a few minutes before the meeting to discuss enforcement of the new STR regulations? I'm available all day or prior to the meeting.

The primary reason, in my estimation, for the controversy over STRs in the Estes Valley is and has been related to disturbances and other violations of current regulations and the County's inability to provide timely resolution. Both residents and STR owners and their managers listed lack of enforcement as their main concern prior to the recent drafts. However, once the recent drafts were released, STR owners and their managers became principally concerned about transferability and the cap, but enforcement remains high on their list of issues to be dealt with.

I have spent considerable time talking with residents and STR owners and their managers regarding the new regulations and enforcement ordinance. I have attended EVISRA meetings seeking input. In addition to one-on-one discussions with both groups, attended NEPOA's public meetings and had discussions within the NEPOA Board where enforcement is noted as a principal concern. As a member of EVPAC, I answered every letter or email and often got replies, many mentioning enforcement.

I believe timely, 24/7, on the ground enforcement can go a long way toward resolving the complaints from both sides and would like to get your views regarding the new Ordinance for Enforcement and why it is not a prominent consideration by the County. Otherwise, I think Lesli and her department have done an outstanding job of recognizing and addressing rights of the various parties involved in the STR discussion and they have been a joy to work with.

In lieu of a meeting, I would be satisfied if you simply asked for the attendees to voice their thoughts regarding the current proposals for enforcement and past experiences. Although I always enjoy visiting with you and getting your perspective, that would eliminate taking your time or time during the meeting.

With the highest regard for your work as County Commissioner, --
Mike Kennedy
2550 Devil's Gulch Road
Estes Park, CO 80517
720.244.6411
eotranch@gmail.com

--



Laurie M. Kadrach
Assistant County Manager

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

Fwd: Windcliff Plea for Qualifying Exemption or Variance from Impending STR Regulations & Prohibitions

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

Wed, Jan 25, 2023 at 11:16 AM

Reply-To: ellislk@larimer.org

To: Frank Haug <haugfn@co.larimer.co.us>, Matthew Lafferty <laffermn@co.larimer.co.us>, 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: **Rich Chiappe** <rich@chiappe.com>

Date: Wed, Jan 25, 2023 at 11:13 AM

Subject: Windcliff Plea for Qualifying Exemption or Variance from Impending STR Regulations & Prohibitions

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

Cc: Lesli Ellis <ellislk@co.larimer.co.us>, <pcboardmember9@larimer.org>, <pcboardmember4@larimer.org>, <pcboardmember5@larimer.org>, <pcboardmember8@larimer.org>, <pcboardmember6@larimer.org>, <pcboardmember7@co.larimer.co.us>, <pcboardmember3@larimer.org>, <pcboardmember1@co.larimer.co.us>, <pcboardmember2@co.larimer.co.us>, Rich Chiappe <rich@windcliff.com>

Larimer County Board of County Commissioners
200 W. Oak Street
Fort Collins, CO 80521

Dear County Commissioners,

Windcliff hereby emphatically pleas for a qualifying exemption, exclusion or variance from Larimer County's Proposed Land Use Code Short-Term Rental and Lodging Regulations.

As has been stated previously, Windcliff Estates is a unique mountain community. Developed in the late 1960's, Windcliff is a private residential community in unincorporated Larimer County comprised of:

- 160 privately-owned properties
- 37 multi-family residences in ten separate condominium developments
- 113 single-family detached residences including 8 townhouse units in 2 separate townhouse developments
- 10 luxury homes currently under construction or major expansion/remodeling
- 10 undeveloped private, single-family lots
- 133-acres of HOA owned & managed green space
- 1 Community Center
- 1 Rental Management and Real Estate office
- 1 Community Trash Compactor Facility
- 6-miles of privately owned & maintained roads
- 1 Very active and effective HOA (Windcliff Property Owners Association)

In 1999, all of Windcliff was zoned E-1 (residential) by Larimer County Planners despite the fact that fewer than 50 of Windcliff's 160 parcels is over 1 acre in size and the existence of the aforementioned 37 multi-family properties, the Community Center and the 133-acres of HOA owned & managed green space — none of which fit into A-1 Residential zoning regulations. **Windcliff didn't conform to E-1 zoning** then. Nor does Windcliff conform to E-1 zoning now.

Windcliff also doesn't conform to A-1 (or any Accommodations) zoning either as Windcliff was developed and has ALWAYS been a private residential community, not a resort, lodge, motel or hotel. Rezoning is not an appropriate solution.

Windcliff has simply always been a private residential community the permits owners of each private home in Windcliff to use their homes as short-term rentals as they so desire. The HOA, the Windcliff Property Owners Association (WPOA) codified into its recorded covenants regulations permitting and regulating the rightful operation of short-term rentals in Windcliff.

The first home completed in Windcliff in 1970 was rented as a short-term rental by the original developer who managed short-term rentals from the "gatehouse" office at the entrance to Windcliff Estates. Short-term rental management for Windcliff has been handled professionally from that same office continuously for the 53+ since.

Since the first property was sold in Windcliff, ALL of Windcliff's 160 property owners have understood themselves to have the right to enter their home into Windcliff's on-site professional short-term rental management program. Throughout the years, the number of STRs in Windcliff has varied but typically, no more than 1/3 of Windcliff's homes are typically actively rented.

Those Windcliff property owners who choose not to rent their homes understand fully that other homes are being used as short-term rentals when their owners are not using their homes. This has been the culture and tradition of Windcliff for 53+ years.

Today, 45 of Windcliff's 160 property owners currently use their homes as short-term rentals. 10 other residents are also licensed but do not current rent their homes.

Six property owners currently have homes under construction (or significant remodel) and did so fully expecting to be able to obtain an STR license and rent their home upon its completion. They were unable to obtain STR licenses prior to completion of their project(s).

The recently proposed Larimer County's Land Use Code Short-Term Rental and Lodging Regulations are not appropriate for Windcliff.

In aggregate, the proposed regulations represent an ad hoc prohibition from any Windcliff property owners, not currently licensed as a STR from ever being able to exercise their traditional, continuous right to rent their homes as STRs if or when they so choose.

Clearly, there is an acceptable mechanism by which Larimer County can permit ALL Windcliff homeowners to continue to enjoy the full bundle of property rights they have enjoyed continuously and harmoniously for 53+ years.

Windcliff finds all of the following proposed Larimer County's Land Use Code Short-Term Rental and Lodging Regulations UNACCEPTABLE for the following reasons:

- All Windcliff properties should be allowed to be licensed STRs as this has always been the right of ALL Windcliff property owners since the founding of the community without cap, limitation or exclusion
- All STR licenses in Windcliff should be transferable to future property owners in perpetuity as this has always been the right of ALL Windcliff property owners since the founding of the community
- No restriction on proximity to other STRs as ALL of Windcliff's properties are within 500' of existing STR license holders — some actually share a common wall (duplex owners)
- No signage requirements. Signs are not permitted anywhere in Windcliff by HOA covenants. Signs near front doors of homes cannot be read without inducing trespassing and possible conflict. All Windcliff property owners know which homes are used as STRs and how to contact the home's property manager when there is a need. There is no need for, nor is it possible to require such signage.
- No restriction on the size or max occupancy of any of the STRs in Windcliff. Some of Windcliff's homes are very large and set-up to safely provide conforming sleeping for 14, 16 and in some cases even 18 occupants. Windcliff STR homes are almost exclusively rented by multigenerational families. The homes are designed, constructed and furnished for use by large, multigenerational families. Large occupancies present no safety, nuisance or disruption concerns in Windcliff's STR program.
- No restriction on Windcliff's 37 duplex/condo homes to offer their homes as STRs even if the other side of the duplex is an STR. All of Windcliff's duplex homeowners have always enjoyed the right to offer the use of their home as an STR whether or not the neighboring property owner already rents their unit as an STR. The proposed "one license per property" is not appropriate in Windcliff.

Rest assured, Windcliff's self-governing STR policy already **prohibits**:

- Events, parties or noise are already PROHIBITED at all STRs in Windcliff.
- Non-standard vehicles including RVs, trailers, motorcycles, ATVs and drones are already PROHIBITED at all STRs in Windcliff.
- Smoking and outdoor solid-fuel fires are PROHIBITED at all STRs in Windcliff.
- ALL property in Windcliff is privately owned and guests are instructed to trespass only community roads and the property which they are renting. Trespassing is PROHIBITED in Windcliff.
- There are actually MANY other additional prohibitions and restrictions specific to Windcliff.

ALL properties in Windcliff:

- Are supplied with water from the Town of Estes Park
- Are served by Upper Thompson sewer
- Are within 500' of a fire hydrant
- Are located in a FireWise community
- Are served by 1Gb broadband, POTS and reliable cellular telephone service
- Are NOT located anywhere CLOSE to a floodplain
- Are safely accessible by EMS and Fire apparatus — year round
- Are compliant to all applicable life-safety inspections
- Provide acceptable minimal, safe parking for each home's occupants. Most have attached garages.

Therefore, it is imperative, in order to protect all of the inherent property rights possessed by all Windcliff property owners since development began in Windcliff, for Larimer County Planners and Commissioners to exclude or exempt Windcliff by variance or some other suitable mechanism from the proposed short-term rental regulations.

Perhaps this could be done in the form of a qualifying exemption, exclusion or variance given any (or all) of Windcliff's unique qualifying characteristics including:

- HOA recorded covenants permitting and regulating STRs in Windcliff, a private residential community
- 53-year history of continuous and harmonious operation of STRs in Windcliff
- On-site, professional STR management program

Yours very sincerely,

- Rich Chiappe
Windcliff Property Owner & Full-Time Windcliff Resident
Larimer County STR license holder
Owner, Windcliff Homes, Windcliff's on-site professional rental management program
Licensed Colorado Real Estate Broker
o (970) 586-2181
c (817) 219-3456



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

Fwd: Windcliff Plea for Qualifying Exemption or Variance from Impending STR Regulations & Prohibitions

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

Wed, Jan 25, 2023 at 12:50 PM

FYI

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

From: **Whilden, Wade** <Wade.Whilden@bakerbotts.com>

Date: Wed, Jan 25, 2023 at 11:42 AM

Subject: RE: Windcliff Plea for Qualifying Exemption or Variance from Impending STR Regulations & Prohibitions

To: Rich Chiappe <rich@chiappe.com>, jkefalas@larimer.org <jkefalas@larimer.org>, JShaddockMcNally@larimer.org <JShaddockMcNally@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>

Cc: Lesli Ellis <ellislk@co.larimer.co.us>, pcboardmember9@larimer.org <pcboardmember9@larimer.org>, pcboardmember4@larimer.org <pcboardmember4@larimer.org>, pcboardmember5@larimer.org <pcboardmember5@larimer.org>, pcboardmember8@larimer.org <pcboardmember8@larimer.org>, pcboardmember6@larimer.org <pcboardmember6@larimer.org>, pcboardmember7@co.larimer.co.us <pcboardmember7@co.larimer.co.us>, pcboardmember3@larimer.org <pcboardmember3@larimer.org>, pcboardmember1@co.larimer.co.us <pcboardmember1@co.larimer.co.us>, pcboardmember2@co.larimer.co.us <pcboardmember2@co.larimer.co.us>, Rich Chiappe <rich@windcliff.com>

At my request Rich Chiappe sent me a copy of his email to each of you. I own a home at Windcliff which we do not rent. I have been on the Board of the Windcliff Homeowners Association since its creation. I knew the developers of Windcliff, Wylene and Don Buser and I am well familiar with the history of Windcliff. As Rich has stated, Windcliff has always permitted STR at Windcliff and, in fact, the ability to STR a Windcliff home has been fundamental in the ability of many Windcliff owners to initially afford their Windcliff home. Our Covenants specifically permit STR and the required approval percentage of the most recent amendment to the Covenants, which specified many requirements for STR, required an affirmative vote of over 67%. So, let me state a few applicable bullet points:

1. Windcliff wants long time family residences and permitting STR is a way for families to keep their homes in the families when supporting the Windcliff home might be otherwise unaffordable. Many Windcliff homes are Legacy Homes, and we value that community continuity.
2. There is absolutely no reason for you to impose regulations upon Windcliff when Windcliff's own Covenants specifically permit STR. I understand you wanting to regulate STR in communities that want your regulations. But, Windcliff does not want nor need your regulations.
3. Windcliff has its own Covenants that regulate STR in a manner desired by Windcliff Owners. Do not try to fix what does not need fixing. You will do harm.
4. Imposing STR rules on Windcliff will do nothing for work force house because those in need of work force housing would not be able to afford the rent commanded by homes in Windcliff. And, in fact, it would hurt work force housing because it would reduce the income raised by the new work force housing tax.
5. Why would you want to encourage a lawsuit by one or more Windcliff residents fighting your STR rules? Windcliff does its own regulations and Windcliff Owners have relied upon the right to STR consistent with the Windcliff Covenants regulating STR in Windcliff. We enforce our Covenants so why do you want to take away a rental right permitted by the Windcliff Covenants?
6. There is no logical reason to deny a now legal activity in an area (Windcliff) that wants to maintain that right.
7. Converting Windcliff to Accommodation is not logical. Windcliff is a residential community and we do not want hotels, motels, etc. that would be permitted if we were zoned Accommodations. We are a residential community and we regulate our STR to our satisfaction. Just leave us alone.
8. **You can easily solve your dilemma (the concern about regulation some but not all rentals) by making a logical exception that says "These STR shall not apply to a community that has its own recorded Covenants that permit STR unless and until said community revokes its Covenants permitting STR." By so doing you would be regulating those communities that want regulations and not regulating those communities that have recorded Covenants specifically permitting STR. Clearly that is a win-**

win and places you in compliance with the wishes of all of your constituents and not just those who want STR.

From: Rich Chiappe <rich@chiappe.com>

Sent: Wednesday, January 25, 2023 12:13 PM

To: jkefalas@larimer.org; JShaddockMcNally@larimer.org; kstephens@larimer.org

Cc: Lesli Ellis <ellislk@co.larimer.co.us>; pcboardmember9@larimer.org; pcboardmember4@larimer.org;

pcboardmember5@larimer.org; pcboardmember8@larimer.org; pcboardmember6@larimer.org;

pcboardmember7@co.larimer.co.us; pcboardmember3@larimer.org; pcboardmember1@co.larimer.co.us;

pcboardmember2@co.larimer.co.us; Rich Chiappe <rich@windcliff.com>

Subject: Windcliff Plea for Qualifying Exemption or Variance from Impending STR Regulations & Prohibitions

[EXTERNAL EMAIL]

[Quoted text hidden]

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. 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>

questions and comments regarding 1/26/23 STR Meeting

Taylor Kiser <taylorrekiser@gmail.com>
To: hillenta@co.larimer.co.us

Thu, Jan 26, 2023 at 7:28 PM

To whom it may concern,

A few questions and comments regarding the meeting about STRs in Larimer County.

Instead of regulating everything, would it be possible to encourage people to speak directly with their neighbors and community members that have STRs? It just feels like we are trying to accommodate the dislikes of a few people, when in reality there are 365,000 who reside in Larimer County and the majority reap the benefits of short term renters making purchases at local stores and restaurants. Wouldn't it be more beneficial to have seminars that educate owners and property managers on the intricacies of having an STR in the county to help mitigate fire, water shortages and other issues neighbors have?

Who is paying for the third party "police" that will be looking for unregistered STRs? Will it be tax payers or from the fees STR owners pay to register?

Thank you,

Taylor Kiser



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

Comments on Short-term Rental Regulations: Public Review Draft #2 – Clean Version

megan teddysteeth.com <megan@teddysteeth.com>
To: "megan teddysteeth.com" <megan@teddysteeth.com>

Sun, Jan 29, 2023 at 4:25 PM

From: Megan MacMillan
Owner of: 3125 Eaglecliff Drive, Estes Park, CO 80517

January 29, 2023

To the Larimer County Commissioners, the Planning Commission, the EV Planning Advisory Committee, and Larimer County Staff:

I've read and reread the latest draft of the "Short-term Rental Regulations: Public Review Draft #2 – Clean Version" and the other accompanying documents. I can see that you all are trying to be fair to all parties involved or affected in the outcome of these regulations. However, this document also shows how difficult it is to be Solomon and cut the baby in half.

Some of the regulations make sense. But many of them seem to go too far in protecting one citizen more than another. For example, many of the regulations try to be specific in certain places. Specifics are necessary metrics for enforcement, but they can also cause many unintended consequences. Do 11 people in a house really cause more problems than 10? Or even 4 people? Is 500' between rentals the magic number for distance so that there aren't problems? Or can there be well-managed guests in side-by-side townhomes? Is 266 STR units the right number of units to satisfy the guests/tourists in Estes? Or do you need a percentage of the guests/tourists to satisfy their preference for a place to vacation?

What I'm driving at is that doesn't it matter more how well guests/tourists understand the regulations and how well owner enforces the regulations than the specific metrics?

In our community (Windcliff), the guests are well managed, they understand the rules, and they can be expelled if they do not adhere to the rules. In other situations and neighborhoods, guests/renters are not managed and they may or may not cause problems. It seems that the regulations should ensure STR owners are encouraged to manage their guests/renters well and those who cannot manage them should have consequences.

The proposed regulations affect me and my family. Even though my neighbors and I have been allowed to rent our properties short-term over the past 53+ years (my parents bought our lot in 1969 and built in 1970-1971), there is a chance that we may not be able to continue to keep our license because of the proposed minimum distance between rentals is 500'. We have been careful to adhere to all the regulations of our HOA, of the city/county, and to all safety requirements necessary to rent to short-term tenants. Because of this, we have great relationships with both our neighbors and our renters—with many of our renters returning year after year as they love the beauty and the peace and quiet of the house and the neighborhood. However, because of this proposed regulation, we may not be able to rent out the house any longer. That is but one of the unintended consequences of the current draft of the STR Regulations. Although it's never been a problem to my neighbors or neighborhood, the proposed 500' distance between STRs, could cause the loss of my license, as well as many, if not all, my neighbors who have licenses. Our house is on over an acre of land with only one of my neighbors clearly in-sight while the others cannot be seen due to distance or can only be partially seen (distance and trees) and we've never had an issue that wasn't quickly resolved. Will those of us who already have licenses have an exemption? I hope so. But lots of exemptions of one, or more, regulation(s) can cause other issues, particularly with enforcement.

I believe there are other specified regulations that will cause issues. For example, putting in a cap of the number of STR units with the possibility of decreasing the cap 10%-20% in the future, acts against further growth of accommodations for an increase of tourists in the future. If the regulations are going to use percentages to define a cap, should not those percentages be defined against the numbers of tourists rather than a feeling that "less might be better"? There are different kinds of tourists who come to Estes. Some enjoy hotels. Many more enjoy "cabins" or houses where they can stay as an extended family. According to the website "[Property Management](#)", Post-COVID trends show that:

- "61% of families are more likely to visit a rural or 'outdoorsy' destination than an urban one";
- "Private room accommodation has decreased in popularity by 99%";
- "Cabins have increased in popularity by 80%"; and that
- "Villas and bungalows increased in popularity by 61% and 60%, respectively.

Trends change over the years, however, in the current environment and perhaps well into the future, STR units will accommodate current tourist preferences in lodging while helping to pull more tourists to Estes. STR units are the preferred place to stay for longer stretches of time as they are more comfortable with accommodations like living rooms and kitchens. ([Forbes](#), "[Travelers are Vacationing Than Ever. They're Staying Here](#)", Jun 11, 2022)

I believe that you have all tried to be fair, but I also believe that these proposed regulations try to paint all STRs with the same brush and try to solve one citizen's dissatisfaction to the detriment of another one. I believe that there are more than just the two regulations that could cause issues. *I urge you all to take a step back and rethink exactly what these regulations are and who they are for before tying things down to regulations that could cause more issues than they solve.*

Thank you for reading this and taking my comments into consideration.

Sincerely,

Megan MacMillan

megan@teddysteeth.com



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

Fwd: Estes Chamber position on county regulations

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

Mon, Jan 30, 2023 at 10:45 AM

Reply-To: ellislk@larimer.org

To: Tawn Hillenbrand <hillenta@co.larimer.co.us>, Amy White <awhite@larimer.org>

FYI, for the record.



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: **Jody Shadduck-McNally** <shaddujl@co.larimer.co.us>

Date: Mon, Jan 30, 2023 at 10:05 AM

Subject: Fwd: Estes Chamber position on county regulations

To: Lorenda Volker <volkerl@co.larimer.co.us>, Laurie Kadrich <kadriclm@co.larimer.co.us>, Lesli Ellis <ellislk@larimer.org>



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

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

From: **Larimer.org** <noreply@larimer.org>

Date: Mon, Jan 30, 2023 at 9:52 AM

Subject: Estes Chamber position on county regulations

To: <JShadduckMcNally@larimer.org>

This form was submitted on Monday, January 30, 2023 - 9:52am from <https://www.larimer.gov/bocc>.

Emailing (to) JShadduckMcNally@larimer.org

Subject Estes Chamber position on county regulations

Your Name Colleen DePasquale

Phone 970-480-7552

Your Email director@esteschamber.org

Message (no html)

Good morning Commissioner Shadduck-McNally

The Chamber Executive committee and staff have met with community leaders in the STR community and would like to share this position.

"Regarding Larimer County's proposed regulations on Short Term Rentals, the Estes Chamber of Commerce encourages the County Commissioners to consider economic impact when adopting new regulations. "

If you have any questions or would like to discuss, please let me know!

Thank you for your time,

Colleen DePasquale
Executive Director
Estes Chamber of Commerce
director@esteschamber.org
970-480-7552
Attach a file (optional)



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

Fwd: Estes Park Short Term Rentals

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

Mon, Jan 30, 2023 at 11:32 AM

FYI

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

From: **Eric Blackhurst** <eric@ericblackhurst.com>
Date: Mon, Jan 30, 2023 at 10:55 AM
Subject: Estes Park Short Term Rentals
To: Jody Shadduck McNally <JShadduckMcNally@larimer.org>, jkefalas@larimer.org <jkefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>

Commissioners

Thank you for your attention to this correspondence. While I am Chairman of the Estes Park Housing Authority and a past two-term Town of Estes Park Town Trustee, I am communicating with you as a private constituent of 37 years, concerned about the proposed limiting and restrictive short-term rental regulations within the Estes Valley.

Requiring a 500-foot separation between property lines/units (and 1,000 for parks and public open space) is impractical in condominium and townhome developments constructed with the possibility of short-term rentals in mind. It's just not the way that Estes Park has developed/redeveloped.

Eliminating the transferability of licenses and requiring properties to be brought up to current building codes at the time of licensing renewal is punitive, at best. Over regulation of a sector of the lodging properties in the Estes Valley is not in the best interest of the community as a whole.

Short-term rentals have been a fact of life in the Estes Valley since the 1860s - 163 years - shortly after the formation of Larimer County. During approximately the last two decades the Estes Valley Planning Area allowed for these licensed homes and were regulated jointly by the Town and the County. Unfortunately, the Estes Valley Planning Commission was dissolved by former elected officials undoing 20-plus years of joint planning, cooperation, and coordination of codes and regulations.

I do not own or manage short-term rentals either in the Town Limits or the Estes Valley Planning area or anywhere else. The County staff and Commissioners appear to be spending an inordinate amount of time and energy on an area of 29.5 square miles (1.16 % of the county land mass) housing a mixture of part-time residents, second home owners, and year-round residents (approximately 1.9 percent of the county population according to the 2021 data). It has been my experience that there are very few verified complaints concerning short-term rentals in the Valley.

Please don't penalize our community for what has worked for our tourism economy for so long.

Eric W. Blackhurst, Ed.D
1620 Raven Circle, P.O. Box 334
Estes Park, CO 80517



Feedback on STR regulations

The Wolf <thewolf@thewolfrentals.com>

Thu, Jan 26, 2023 at 5:37 PM

To: jkefalas@larimer.org, kstephens@larimer.org, JShaddockMcNally@larimer.org

Cc: Lesli Ellis <ellislk@co.larimer.co.us>, LUC 2020 <luc2020@co.larimer.co.us>

Commissioners:

I would like to provide more feedback as Larimer reconsiders its STR regulations.

I applaud Community Development for its reasonable and just suggestions, but I think the county should take things further. We have an opportunity to become a national leader, and create a set of regulations that can function as a model across the US. They should be progressive, environmentally friendly, and designed to make our communities even stronger, even safer and even closer knit.

My company, The Wolf Rentals, manages a collection of 40 vacation homes in the Estes Valley. Short Term Rentals essentially saved my professional life after my wedding photography business collapsed in the wake of COVID. As I have built my STR business, I've decided to pay it back, and use STRs as a force of good.

The Wolf's core values encompass the Triple Bottom Line, which is basically an accounting practice that places profits, people and planet on equal pedestals. Profits do not come first — they are paired with paying my workers well and helping them afford homes in Estes Park, and they are paired with environmental initiatives to protect the planet.

I think we have effective rules in place already, but I would like to see the following:

- An industry minimum wage, or at the very least, living wage pledge requirement from hosts so we can grow and build our communities. It's criminal that hotels pay their cleaners \$13/hr — that's a third of what mine make. This alone is why we have an itinerant workforce in Estes that spends countless hours and tons of carbon driving up and down 34 and 36 each day.

- Require the use of noise meters like Minut or NoiseAware to ensure neighborhood peace and quiet. I require this in the homes I manage, and guests who are noisy are automatically texted, messaged, and robocalled within ten minutes of decibels surpassing a preset limit. I am then notified if noise doesn't drop so I can intervene. I realize that noise complaints are a statistical insignificance, but noise meters go a long way toward helping neighbors feel heard and safe.

- Invest more in enforcement so unpermitted STRs stop their illegal operation

- Grandfathering in of all existing vacation homes under the rules that were in place when they were originally permitted. Owners have and continue to make constant upgrades into their properties and losing their permits over an incompatible driveway or an existing STR within a 500-yard radius would be devastating. That said, I think *new* STRs shouldn't be in floodplains, *new* STRs shouldn't be permitted next door to others in residential districts, and *new* large home STRs don't belong in neighborhoods.

- Create a liaison or team of liaisons between regulatory bodies and the STR industry to help craft regulation that actually works within the context of our businesses. I am nearly certain that policymakers do not understand the constraints placed on us by the booking platforms that we rely on, and new regulations should be respectful of those constraints. Example: if my permit is stripped and I have to cancel and entire summer of bookings, I could be forced into *paying* thousands of dollars in penalties and I may never be able to list on AirBnB again.

- Allow categories of unique stays like treehouses, tiny homes, and other environmentally friendly lodging options with low carbon footprints. This would serve to lower the environmental impact of tourism, add inventory back into the housing stock, and show that Larimer is a national leader when it comes to progressive and responsible STR regulation.

- Regarding accessory dwelling units — I believe this should be expanded to owners *and* renters should be allowed to live in accessory dwelling units while the main home is being rented. This would create additional housing inventory, and would encourage existing homeowners to build such inventory to reduce their mortgage costs while at the same time creating long term rental opportunities.

- Regarding safety standards - consider changing this clause. We use digital welcome guides (ie, Hostfully and

TouchStay) that are emailed to people, and these have proven far more effective than printed guides when it comes to information retention. Again, this is why the County should create a liaison body.

- Renewals should not be on a rolling basis as they are now. From a management, paperwork and logistic perspective, the existing renewal process is difficult. It is *so much* easier to renew annually with the Town of Estes Park than it is with the county. We submit our renewal paperwork and permit fees at the end of the year and receive them back early Q1. Right now there is no way to track renewals, the renewal emails coming from Planning don't reference an address but rather a permit numbers (so if you're managing multiple renewals as a management company, you need to cross-reference the permit number with the address), etc. This whole thing could be *majorly* improved, and again I would suggest creating a liaison body to help streamline it. It would save staff and owners/managers a ton of time.

- Implement a reasonable permit fee to fund expedited/streamlined permit renewals, and other enforcement processes. It's nice we don't have to pay money for our permits, but I'd rather pay a little to create a good job and have a better system.

- Transferability should be granted for existing permits. I do believe this. People have made major life decisions with their investments, and I think they should be honored.

- Newly permitted STRs should be required to meet specific sustainability standards. I have a goal of creating a proof of concept STR that produces more than it consumes. I want to use regenerative showers (check out the Rain Stick!), PassiveHaus design, full solar, induction stoves, electric heat pumps, and so much more. Sustainable travel is in our future, so let's embrace, incentivize and encourage such developments.

- Reconsider the "three strikes" policy when it comes to noise and code complaints. The reality is, we are dependent on booking platforms to do guest screening. They generally do an okay job, and they sometimes fail. Some guests read, some guests don't. Some make noise, some are quiet. The code should encourage the host or management company to respond and take issues seriously, not punish them having a having a bad guest. The former is reasonable, the latter is out of our control. I recently had a noise complaint a property that led to an officer taking my guest into custody. He was in the midst of a psychotic break and was admitted into a facility due to a mental health crisis. I still don't know if this counted as a "strike" against me. I hope not. We responded immediately, in good faith, and did our best to resolve the issue and do so while respecting our neighborhood. A mental health crisis is not reason to punish an STR owner. That could happen anywhere.

Thanks for your time, and best to you all in 2023.

- Nathan Welton
Owner, The Wolf Rentals
TheWolfRentals.com



Comments regarding the STR Application Process

Stacy Bernard <stacymbernard@gmail.com>
To: LUC2020@larimer.org

Fri, Jan 27, 2023 at 7:59 AM

Greetings,

In the many meetings and Zoom calls attended, there is often discussion of the, "under the radar" STR's and those circumventing the system. Those conducting business with integrity complain about what it does to their reputation. Those experiencing the activities of unlicensed STR's and county officials all agree that this is an issue, an issue that is difficult to control and mitigate.

Looking at the initial process, it seems that there should be an attestation to the application and all documents submitted in the approval process. Should the applicant be found to submit false information, the application should be immediately null and void. I would further submit that the applicant should be flagged for any future applications.

In my line of work, when I sign documents submitted to the state and federal authorities, I sign and attest that all information is true and will be audited for continued compliance and accuracy. The current system is open to deception and misleading statements with no real repercussions.

Thank you for your time and consideration.

Respectfully submitted.

Stacy Bernard
961 North Lane
Estes Park, CO 80517



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

Short term rentals

nancy knoell <nknoell@hotmail.com>

Fri, Jan 27, 2023 at 8:33 AM

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

I am opposed to short term rentals but certainly want to convey that I believe they should be few and far between if they must exist. I prefer 100 yards apart. Please consider the full time residents when considering this ruling.

Nancy Knoell

Sent from my iPad



Short term rentals

Donna Chapel <2chapels@gmail.com>
To: LUC2020@larimer.org

Fri, Jan 27, 2023 at 10:09 AM

Dear Ms. Hillenbrand -

Thank you for providing the opportunity to attend both the virtual meeting as well as the in-person STR open house for Estes Valley. Thank you, too, for the work that the county has done to try to balance the rights of both the STR license holders and the community members who are their neighbors.

Generally, we feel that the new Land Use Code is balanced. There are a few comments, however, we feel compelled to make.

1) Transferability. We strongly disagree with the ability to transfer these licenses and hope that you will reconsider allowing the current license holders to transfer their licenses in perpetuity. If you feel you must allow some transferability to protect the investment of the STR license holder, a good compromise would be a one-time transferability. For example, License Holder Smith sells his property to Jones. A new license is granted to Jones under the transferability right. If this were to be a new license issued to Jones after the effective date of the Land Use Code, Jones will not be able to transfer the license. These licenses impact all surrounding homes and new owners should have to go through the same application process. (Please note that in the revised Code document, under transfer of STR license, Pages 11 and 12, Paragraph z, aa and bb, reference to paragraph i and iii, which appear to be incorrect.)

2) In the event of a reportable violation, thank you for reducing the response time to 30 minutes. While STR license holders objected, neighbors who are having to deal with violations appreciate them dealt with in a timely manner.

3) During the Estes Valley Open House on Wednesday, January 25, we spoke with a member of the Estes Valley Planning Advisory Committee, who stated that they voted in favor of the license for an STR in our neighborhood. The reason for their affirmative vote was that there are few existing STRs in our neighborhood. We are zoned EV-RE. Per Larimer Land Use Code, Article 13.2.2:

B. EV RE Estes Valley Rural Estate Zoning District.

This district permits relatively low-density single-family residential development in areas of the Estes Valley where this is the established and predominant land use pattern. New residential development is encouraged to incorporate rural residential conservation designs, such as clustering and other open space preservation techniques, in order to preserve the existing rural character and limit development in sensitive environmental areas such as steep sloped areas. The regulations contained in this district will permit continued, low-density residential development, generally at densities no greater than one dwelling unit per two and one-half acres. [emphasis added]

We are concerned that this apparent misunderstanding of the Land Use Code may continue to result in the incorrect application of the Code. We suggest that the Advisory Board be reminded of the intent of the Land Use Code with respect to STR license applications, specifically the character of the surrounding neighborhood. We could find nowhere in the code any reference to an STR application being relevant to the number of existing STRs within a neighborhood, especially the Rural Estate Zone.

Again, thank you for the opportunity to provide our comments.

Sincerely,
Tom and Donna Chapel
880 East Lane
Estes Park, Colorado



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

Seperation between STR's

normaandirv@aol.com <normaandirv@aol.com>
Reply-To: normaandirv@aol.com
To: "luc2020@co.larimer.co.us" <luc2020@co.larimer.co.us>

Fri, Jan 27, 2023 at 10:23 AM

Good Morning,

After viewing the meeting last night, I feel that the 500 feet separation would probably be adequate for downtown residential areas, but for rural properties I feel that a distance of 1000 + feet would be better because of the acreage of each property.

Thank You,

Irv and Norma Dees



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

STR regs draft 2 of Jan 13

glassguy@fii.com <glassguy@fii.com>
Reply-To: glassguy@fii.com
To: luc2020@co.larimer.co.us

Fri, Jan 27, 2023 at 11:08 AM

Hello,

We have read the v. 2 STR regulations, and are very impressed with the care and completeness exhibited by the Planners. Your professionalism and craftsmanship are appreciated and the concern and respect shown for existing neighborhoods is commendable. If advertised as amenities 'included with each rental', the privacy and quaintness of our neighborhoods will disappear.

Our only suggestion for improvement would be to decrease potential STR densities by increasing their minimum separation from 500' to 1000'.

We found one typo:

The last line on page 5 reads, "The decision is made but the Planning Director," and should be 'made *by* the Planning Director'.

Thank you for all your hard work,

Michael & Sue Olsen
241 Greenwood Dr
Loveland CO 80537



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

Larimer County - Land Use Code, Short-Term Rental and Lodging Regulations

Patty Bartlett <pattybartlett5@gmail.com>
To: LUC 2020 <luc2020@co.larimer.co.us>

Fri, Jan 27, 2023 at 11:56 AM

Thank you for reading my email.

One other comment. In regards to the "cap", "mixed feedback" should not be a criteria in determining the cap. A reduction in the cap, again, does not consider the economic impact that this would have on local taxpayers and the government entities that receive funds from STRs. If there is a consideration for reducing the cap, why not consider an increase the cap based on the number of properties on the waiting list/? Seems rather arbitrary.

Again, thank you for reading and considering these comments.

Patty Bartlett
[Quoted text hidden]



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

STRs

skyhawk@lpbroadband.net <skyhawk@lpbroadband.net>
To: luc2020@co.larimer.co.us

Fri, Jan 27, 2023 at 1:32 PM

I live at [15 Sylvia Ct, Loveland 80537](#).

I am writing you to express my concern with the STRs filling our neighborhood.

I would encourage the county to enforce the 500 foot rule, I would feel safer with 1000 foot distance between STRs.

Thank you, Mike Magruder



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

proposed changes to STR rules and regs.

Bruce Rheubottom <brc968@gmail.com>

Fri, Jan 27, 2023 at 1:38 PM

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

1-I agree that the 500' minimum distance between lot lines would be the bare minimum it should be. 2- Also water and sewer considerations as well to be appropriate for the maximum number of guests. 3- I also agree with both the 30 min. travel distance and the non transferable license.

Bruce Rheubottom 970-669-7985



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

STR

Alice Easter <aleasterwalter@aol.com>
To: luc2020@co.larimer.co.us

Fri, Jan 27, 2023 at 1:56 PM

Dear County Commissioners and staff,

Please consider 1000 ft or more between STR's, especially in rural areas where 1000 ft could very well mean an STR every other home. Thank you for your consideration in helping neighborhoods not be overrun with commercial enterprises.

Alice Easter Sent from my iPhone



Comment and question about short term rentals

michael@sunstudiodesign.com <michael@sunstudiodesign.com>
To: LUC2020@larimer.org

Fri, Jan 27, 2023 at 2:54 PM

I am emailing a question and comment instead of asking during the on-line meeting the other day.

I am concerned about the proposed 500' separation rule. Has the county thought about the social side of what happens when two neighbors are competing, due to their proximity, for one rental license?

My cabin has been in my extended family for generations ... as has my neighbor's cabins. I had to take out a mortgage to rebuild after a recent natural disaster, but might only be able to afford to keep the place in the family if I can rent it at times we are not using it. You could have a situation where two neighbors have the same circumstance, and only one of them will get the license and be able to keep their cabin in the family.

Has the county considered how this competition will affect community bonds and relations between neighbors, when their livelihoods might be pitted against each other?

Thank you !

Michael Tavel

Michael Tavel AIA

Principal, SUN Studio

3312 Osage Street, Denver, CO 80211

720-317-3700

michael@sunstudiodesign.com

www.sunstudiodesign.com



Comments on Proposed Short Term Rental Regulations

Karen Huntsberger <kmhuntsberger@gmail.com>

Sun, Jan 29, 2023 at 11:41 AM

To: luc2020@co.larimer.co.us

To Whom It May Concern:

I am a resident of Larimer County and as a resident (NOT a Short Term Rental Owner or Applicant) it is probably no surprise that I am in favor of more strict regulations on Short Term Rental approvals.

In the recent list of proposed regulations I would like to voice my complete support for:

Short Term Rental- General Standards. A short-term rental must be a minimum of 500 feet from another short-term rental. This minimum separation distance is measured from property line to property line.

I absolutely agree that this is an extremely common sense approach to ensuring our residential areas do not become inundated with STRs. My only suggestion would be to increase this distance to 1000ft to accommodate for less dense rural areas.

I would also suggest this is for all STRs - not just unhosted.

It is imperative that we keep residential areas - residential. That we have homes for people to buy and live in - not just a series of rentals. In our mountain rural community - almost all our infrastructure is performed by community members. If all our homes become rentals there will be no one left to make up what we think of as "community".

Having this distance regulation will go a long way to provide a simple method for controlling density of businesses within residential areas.

Several other proposed regulations that I would like to voice my complete support for include:

Maximum Number of ≤ Ten Occupants A short-term rental shall be limited to 10 or fewer occupants who are part of one party or single group of renters.

This regulation will go a long way to keep STRs from turning into "party houses" whether they are listed on anti-party sites like AirBnB or others that do not care like Verbo.

The short-term rental shall have an approved and reliable water source (well or public water) available for firefighting and meet standards for wastewater system.

This is an excellent regulation. When you understand that per Larimer County's own statistics - 70% of fires responded to in 2021 were in STRs, Guest Houses, and Lodges. It makes sense that we should prohibit high fire risk STRs from setting up shop in areas where fire risk is high, but fire fighting systems are less robust or even on-existent.

The property manager shall be located within 30 minutes or less travel distance from the short-term rental.

This is another great idea - for rural communities where emergency services are not readily available the proximity of the property manager is important.

If obtained after March 1, 2023, an STR license would not be transferable.

Not all STR managers are created equally and it makes sense that STR licenses should not be transferable. Just because one manager does a good job - does not guarantee that another will do an equally good job. Each STR manager should be judged on their own merits.

In closing - I can tell from the draft regulations that you all have done an amazing job of listening and responding to the community. For that I express my thanks to you for your hard work and dedication. The "battle" of the STRs (between homeowners and STR owners) has been fraught with tension and you all have been caught in the middle. Thanks for all that you do.

V/R

Karen Huntsberger
Larimer County Resident
[300 Newell Drive](#)
[Loveland](#)



STR comment

Michael CLINGAN <mclingan@mac.com>
To: luc2020@co.larimer.co.us

Sun, Jan 29, 2023 at 12:21 PM

Hello, I appreciate Larimer County's thoughtful approach to STR policy and the opportunity to comment during their creation.

My comment pertains to separation between STRs, which in a peer reviewed academic study has been shown to be the key factor in maintaining the social fabric of the community and controlling increased STR related crime. I understand the county is considering a minimum spacing of 500 feet between licensed STRs, which is probably a good minimum in towns and cities.

My suggestion is to double this distance to 1,000 feet in unincorporated areas of the county where the social fabric is built differently and where there is a higher sensitivity to nuisance sound and light as well as maintaining safe behavior.

Rural areas are still communities but don't always present as such until there is a threat or crisis. A larger buffer between rural STRs could easily avoid many potential problems in their regulation and oversight by the county. And even improve the experiences of STR renters.

I'm happy to discuss, as requested.

Thank you,

Michael Clingan
970-215-2981
mclingan@mac.com



proposed regulations for short-term rentals

Pamela Mausner <drpamela@medinfoquest.com>
To: luc2020@co.larimer.co.us

Sun, Jan 29, 2023 at 10:13 PM

To whom it may concern:

I haven't had time to read the entire proposal document re: regulations for short-term rentals. However, about the proposals I know about, my comments are as follows:

- **A short-term rental must be a minimum of 500 feet from another short-term rental. This minimum separation distance is measured from property line to property line.** Actually, I think a larger minimum distance would be preferable --for example, 1000 feet.
- **A short-term rental shall be limited to 10 or fewer occupants who are part of one party or single group of renters.** A smaller number of occupants would be preferable, depending on the property's distance from the nearest neighboring residence.
- **The property manager shall be located within 30 minutes or less travel distance from the short-term rental.** Very important, in case there are urgent problems or complaints.
- **The short-term rental shall have an approved and reliable water source (well or public water) available for firefighting and meet standards for wastewater system.** Absolutely essential for health and safety.
- **If obtained after March 1, 2023, an STR license would not be transferable.** Also essential. Transfer to a new licensee, especially if not previously approved by the county, could result in new problems and disturbances.

Thank you for your consideration.

Sincerely,

Pamela Mausner
84 Green Mountain Dr.
Loveland, CO 80537
(970) 663-2350 -- home
(303) 355-9679 -- cell



STR

Lake View Retreat <RFLakeViewRetreat@outlook.com>
To: "LUC2020@larimer.org" <LUC2020@larimer.org>

Sun, Jan 29, 2023 at 10:18 PM

Hello. I have a few comments and questions about STR.

I was in the zoom call last Thursday.

It is unfortunate that the people against STR are so very uninformed, one being the president of Crystal Lakes subdivision where I own property. I hope when the county is hearing their comments, and they are themselves informed to pick up instantly that the people complaining are clearly uninformed.

As for the changes proposed:

Requiring the "property manager" to be 30 minutes away I feel is, well I don't understand the reasoning behind that. I live 1 1/2 hours from my 2nd home in Red Feather Lakes, so I had to get a manager. That manager may be busy when a call from my property comes in and may not be able to get to the property right away. If the renters, just like a property owner, have an emergency they should be calling for emergency help. If they are having a mechanical issue then the needed company would be called (ie: well service, HVAC, electrician, etc.) And those will all take an hour or more to get there, or even an hour to get in contact with any of those service companies).

So, there are a couple of things about the rules for a property manager. For one All of those phone calls; if the issue is electrical, HVAC. Plumbing, etc.; can be done from anywhere. In my opinion, the most important thing about the requirement to even have to have a property manager is: **Property manager responsibilities include setting and collecting rent, handling maintenance requests, filling vacant units and potentially setting the budget for the property.** Property managers often take care of property that real estate investors either do not live near or do not wish to personally manage.

When I was interviewing property managers and I asked what they would be possibly called for by a renter that the county is requiring us to have someone within 60 minutes away, one of the things I was told was if the renters run out of toilet paper or something of that sort that would be something they would go to the house for. When asked what they would do for an electrical heating or plumbing issue they said they would call whoever I had already provided them with the number of to come and check out the issue. I could do that from Mexico.

A property manager, as I was told by my STR contact person at the county, can be anyone; a neighbor, a business that calls itself a property manager, or even myself just as long as they are 60 minutes from the property.

So clearly, I am not understanding the reasoning for having someone within 30 minutes or 60 minutes from the property location. And I'm not understanding what specifically you are expecting them to be available for. If it's a neighbor complaining about noise, my neighbors don't know if it's a renter or if it's me at the property, so the neighbor should be calling the police, not a property manager.

As for the number of people allowed. I understand the septic system and leach field being able to handle a certain amount of liquid. I understand they needed to come up with a mathematical formula to figure out how much each size system can handle with assumptions on how much each person may use, because the health department already explained that to me. However, there's no consideration of those people being at the property for 2-4 days out of a week and not having anyone there for days before anyone else is there. (The house may be empty for many days in-between renters or homeowners being there). Whereas a full-time homeowner may have a family living in their house that's to capacity of that formula and still have guests stay with them for a day, week, month; yet they have no regulations to do so or not do so. Which place is more likely to have an issue with over filling their system? I know of homeowners in my subdivision who allow people to stay at their house when they are not there and have no rules or regulations or County requirements followed like a short-term rental house has to so just because they don't collect money from these people, they don't have to have any rules?

I am not clear on the new requirement changes in how and when they effect the properties that already have their STR certification or are currently in the process of completing the process.

As for transfer of certification after a sale of a STR property that should, in my opinion, not be an issue if the seller has a certification up to date. The new owner should have to do the inspections to confirm the property is still to code after the sale and have it then be in their name and their responsibilities to prove it's to code.

I have noticed that the people that are against short term rentals are blaming anything and everything on short term renters. Examples given on the call were people throwing cigarettes out the window, and the place being a party house. The other things that I've heard comments on over the last couple years: people speeding in the neighborhood, people fishing when they're not supposed to be fishing on private lakes, throwing litter, all of these things are done by people that live in the community. These people blaming any of these issues on a renter have no proof at all that the people doing those things are renters, I've asked for proof from them, so I know they have no proof.

I am curious to know what prompted the reason for the county to put all these rules and regulations on people that are using their home as a short-term rental.

My property is safer inside and out then any of my neighbors who live there full-time or part-time due to me using it as a short-term rental with your requirements.

I look forward to reading your response. Thank you for reading my questions and comments.

Leeanne Bauer



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

Short term rentals

dkuhar@lpbroadband.net <dkuhar@lpbroadband.net>
To: luc2020@co.larimer.co.us

Mon, Jan 30, 2023 at 6:59 AM

To whom it may concern

Please note that my husband and myself are in favor of Short term rentals being at least 1000 feet apart as part of the General Standards for Short term rentals at Pinewood Reservoir. The environment of this area is unable to support Short term rentals due to water issues, natural habitat, wildlife and fire mitigation.

Thank you,
Debra Kuhar
[567 Green Mountain Drive](#)
Loveland, CO 80537
970-622-0159



COMMENTS on STR Regulations and Ordinance - Estes Valley

ddvvhenny@aol.com <ddvvhenny@aol.com>

Mon, Jan 30, 2023 at 10:15 AM

Reply-To: ddvvhenny@aol.com

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

To: Larimer County - Commission relating to Land Use Code for Short-Term Rentals

From: David and Victoria Henry (ddvvhenny@aol.com)

Date: January 30, 2023

Re: Stakeholder Comments regarding Land Use Code STR Public Review Draft #2 (1/13/2023) and Amended draft of related Ordinance (1/13/2023)

(Note: an earlier email was sent by mistake before all our comments below had been completed. Please review THIS email for our comments. This is the final version.)

As members of the Estes Valley community, we obtained copies of the above review drafts at the January 25 public meeting in Estes Park. We have some direct experience with a STR next to our residence in a residentially zoned neighborhood.

We personally experienced significant illegal trespass (a dual wheel truck driving across our driveway and property), noise (including late night), parking (blocking driveways in our cul-de-sac), garbage laying outside for more than 2 weeks, intimidating and retaliatory behavior by occupants, and lack of response by the owner. Based upon the owner either hanging up on us or saying "call the police", the local police had to respond to repeated calls by us and our other neighbors.

We are also aware of the direct correlation between increasing numbers of STRs and decreasing numbers of long-term rentals that would provide affordable housing in our mountain community. It is not reasonable to complain about the lack of affordable housing for our workers, when a large part of the reason is that long-term rentals are taken off the market by STRs. **So we see that STRs cause us 2 problems -- residential neighborhood problems AND lack of affordable housing for workers who need long-term rentals.**

Based upon personal experience, we submit the following comments on the STR draft documents as of 1/13/2023:

1. LUC STR, page 9, Article 3, Section 3.3.5 - subparagraph B.1
Total occupancy in a residence -- 2 per bedroom, plus allowing sleeping in other non-bedroom areas -- is too many for a residential property (and the surrounding neighborhood) to handle. A reasonable maximum should be NO MORE than 2 per bedroom (and these have to be "legally considered" bedrooms per property tax assessments). The more people, the more cars, the more noise and the more traffic in a formerly peaceful residential neighborhood.
2. LUC STR, page 10, Article 3, Section 3.3.5 - subparagraph B.2.c
STRs should be a minimum of 1,000 feet from another STR. The 500 feet causes too much density in residential neighborhoods -- exacerbating the above problems for residents.
3. LUC STR, page 10, Article 3, Section 3.3.5 - subparagraph B.2.e AND STR Ordinance, page 4, Section 8, subparagraph H
In regard to not allowing other persons in the "party" to stay in RVs, campers, tents, etc., the language "on the [STR] property" is too vague. In a residential neighborhood, persons with RVs, campers, or autos could also be parked on the residential street -- so not "ON" the STR property. **This language needs to clarify that NO persons affiliated, associated or acquainted with the STR renting party is allowed to be staying in any such conveyance close to the property or in areas directly impacting the neighborhood.**
4. LUC STR, page 10, Article 3, Section 3.3.5 - subparagraph B.I AND STR Ordinance, page 4, Section 8, subparagraphs B and C
These provisions need to be consistent and include more neighbors -- that **property manager is available 24/7 within 30 minutes response time, and all contact information is to be provided to ALL neighbors within 1000 feet of the STR property.**

5. LUC STR, page 11, Article 3, Section 3.3.5 - subparagraph B.2.p (we could not see related information in Ordinance)

Based upon our personal experience that unattended garbage was left outside next to the STR driveway for a couple weeks, **the garbage regulation needs to be tightened and also addressed in the Ordinance.** There should be NO unattended garbage outside at any time (not on a pick-up scheduled day). Due to wildlife (bears, rodents, birds, etc.) and resident safety, this is an absolute MUST. Plus, arrangements for quick pickup of garbage when a "party" leaves the STR needs to occur -- the property manager should be charged with this task as part of clean-up.

6. LUC STR, page 14, Article 13, Section 13.6.2 - subparagraph B.2.d - and page 15, Article 4, Section 4.6.4 - Parking?

In the STR Regulations Article 13, four vehicles (outside of a garage) are at least 2 too many. Plus this appears to be inconsistent with Section 4.6.4?? **Parking needs to be clearly addressed and significant limits put on number of vehicles -- requiring ALL vehicles to be ON the STR property/driveway and NONE on the street.** Estes Park/Valley residential neighborhoods do NOT have adequate parking. Some houses barely have a driveway so street parking is all there is. **Regulations should prohibit blocking neighborhood driveways and penalties/fines should be imposed. Allowing numerous cars in residential neighborhoods is a safety problem (how do emergency vehicles reach our house or fire trucks save our neighborhood?).** Parking and traffic was a major concern with our neighboring STR forcing us to purchase traffic cones to mark our driveway.

7. STR Ordinance - Reviews/License renewals should be on an ANNUAL basis. This impacts:

Section 4, C
Section 7. B
Section 8. D

8. STR Ordinance - page 4, Section 8, subparagraph G

"Be a good neighbor" sentence will not be followed. The word MUST should be used at a minimum. And in Estes Valley, what is the anticipated or required response time for the Larimer County Sheriff's Office for disorderly conduct cases? Estes Valley wait times could be lengthy unfortunately.

9. STR Ordinance - page 5, Section 9, subparagraph B - Complaints

subparagraph (1) What is the penalty for not resolving the complaint within an hour of notification?

subparagraph (3) "If violations are not corrected" --- by when?

"if there are repeat offenses" --- how many?

subparagraph (4) What are the specific penalties for failure to comply?

10. STR Ordinance - pages 5 and 6, Section 9, Subparagraphs C and D

subparagraph C.1.i -- **How is a complaint substantiated?**

subparagraph D.3 -- **replace "may" with "must"**

11. STR Ordinance - page 7, Section 9

subparagraph G -- **add "and revocation of license"**

subparagraph H -- **add "and refusal of license"**

Thank you for your attention to these important comments.

David and Victoria Henry

303-437-9836

ddvvhendry@aol.com

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

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

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

Sent: Wed, Jan 11, 2023 9:14 am

Subject: You're Invited - Larimer County Short-term Rental Regulations Draft #2 Open House

Good afternoon,

As you are likely aware, in early July, Larimer County began a project to revisit and update its existing Short-term Rental (STR) regulations in the Land Use Code to better align with the changes and expansions in the home sharing and rental industry and to address community concerns about impacts and compatibility.

Having received public input from the community and project stakeholders on the *Initial Public Discussion Draft* of suggested revisions, the County is developing a *Public Review Draft #2* of suggested revisions that will be available to the public on the project webpage (link below) on January 13, 2023, for public review. Additionally, the *Ordinance of Enforcement of STR Regulations* is also being revised and will also be available online for public review.

The community is invited to two community Open Houses where the County will share information on the draft regulations and enforcement ordinance and hear input from the public on the draft documents:

- Wednesday, January 25th, 6:00 – 7:30 p.m. – In-Person* community meeting, **geared for participants in the Estes Valley** to review specific proposals and possible regulation changes that apply to STRs in the Estes Valley unincorporated area. *This meeting is weather permitting. If inclement weather is forecasted this meeting will become a Zoom Webinar. Please visit the project webpage (link provided below) 3-5 days prior to Jan. 25th to confirm that this is in-person; a Zoom link will be provided if things change.

Location - Estes Valley Community Center, [660 Community Dr., Estes Park](#)

- Thursday, January 26th, 6:00 – 7:30 p.m. – Zoom Webinar, **geared for participants located in unincorporated Larimer County outside of the Estes Valley** to review specific proposals and possible regulation changes that apply to STRs in unincorporated Larimer County. If you would like to participate in the webinar please register here:

https://larimer-org.zoom.us/webinar/register/WN_N8wLR6PeT663VYSosAEIkg

Community input on the *Public Review Draft #2* of suggested regulations will take place through January 30th. To stay up to date on Larimer County's Short-term Rental Regulations update process and to participate in refining the Short-term Rental regulations, visit the project webpage at:

<https://www.larimer.gov/planning/short-term-rentals-regulation-updates>

Thank you,
Tawn

--



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 |
thillenbrand@larimer.org | www.larimer.org



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

Airbnb permit Sparrowhawk Cabin

Amy & Lars <amyandlarlarslarsen@gmail.com>

Mon, Jan 30, 2023 at 1:39 PM

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

Hello Tawn, thank you for your help.

We have been discussing the matter of a host's timed reply.

It seems very unrealistic to penalize the host for not responding to the guests within an hour.

1. Our Airbnb and our house have very spotty internet and phone coverage. We also are ranchers and if we are working outdoors, we have no coverage.
2. There is very unreliable coverage on the Cherokee Park Road, the Red Feather Lakes Road and on Hi 287.
3. We are not like a hotel that has 3 shifts of staff at a desk twenty-four hours a day. We do sleep every night and turn off our phones.
4. Even Fort Collins is infamous for consistent cell coverage.
5. We deeply care about our guest's wellbeing and try to keep in touch with our guests as much as possible.
6. Our emergency numbers and contacts are in the operations manual.
7. A huge financial penalty and threat of closure is extreme.

The Airbnbs that I know are very small operations and will be unfairly impacted by this.

Best regards,

Amy and Lars Larson

970-221-1123

[Quoted text hidden]



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

Fwd: FW: Proposed Larimer County STR Regulations

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

Wed, Dec 14, 2022 at 2:45 PM

FYI

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

From: **Joy Harvey** <joyharvey@hotmail.com>
Date: Wed, Dec 14, 2022 at 2:43 PM
Subject: FW: Proposed Larimer County STR Regulations
To: jkefalas@larimer.org <jkefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>, JShadduckMcNally@larimer.org <JShadduckMcNally@larimer.org>

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

2022

Comments to Draft #2

Larimer County STR Regulations



William C. Brown

Estes Valley Short Term Rental Alliance

1/30/2023

info@evstra.org

The Estes Valley Short-Term Alliance has determined that the following points as proposed in Larimer County's Second Draft of Proposed Short Term Rental Regulations pose the most serious impacts to STRs in the Estes Valley.

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.

Re-inspections

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

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:

- Alternative suggestions that the residential cap be reduced by 10% or 20%
- A minimum 500 foot limit between STRs makes it likely no new licenses will be issued in residential zones since each new STR is likely to be within 500 feet of an existing STR in a residential zone. This in turn makes it likely that STRs in residential zones will decline over time as a result of attrition with severe adverse economic effects for the Estes Valley and the local jurisdictions receiving substantial tax revenues from STRs.
- Elimination of licensure for large STRs accommodating more than 10 guests unless the owner or manager is on site (i.e., a Hosted STR)
- Requiring new STR applications to have additional review from the county commissioners and planning commission even though compliance with the requirements for licensure have been previously verified

by staff. This additional review appears to be designed to give the county excuses for denying new licenses.

Short-term rental licenses in residential zones are currently capped at 266 licenses. This means that there can be no growth in short-term rentals under current regulations. 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.

EVSTRA objects to either of the two options presented regarding reducing 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.

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.

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.

Floodplain Requirements

The proposed regulations add new requirements with respect to floodplains that are not required of existing houses. In particular, even parking areas for STRs in a floodplain zone will disqualify the STR from licensure even though the house itself is not within the floodplain. Floodplain restrictions should be coordinated with FEMA requirements.

Signage

The proposed regulations call for certain signage outside an STR and at “each entrance and exit” within the STR. Signage outside the STR will notify potential thieves that the house may be unoccupied, and hence could be a magnet for criminals seeking to gain access to the home. The county should not be requiring outdoor postings that could facilitate criminal activity.

Signage inside the house should generally be limited to the main entry to the home. STRs frequently have numerous exits that are readily identifiable from inside the house, such as exits to patios and decks. Requiring such information is unnecessarily duplicative and would result in such signage being required to be posted even on sliding glass doors to decks and patios.

In addition, several Homeowner Associations within the Estes Valley prohibit such signage in their neighborhoods.

Further Restrictions on Location of Owners or Managers

While current rules require an owner or manager within one hour from the STR, the regulations would reduce the one-hour requirement to 30 minutes. As a result, either an owner or manager must be located within the Estes Valley itself to qualify. Many STR owners are located in cities in both Larimer and Boulder counties which would be within 1 hour but not within 30 minutes.

Response time issues have not arisen because of the location of the owner or manager, but because of the slow response time of law enforcement which often can take more than 2 hours. The county should not make this change as it would prevent an owner in the areas within 1 hour of Estes to own an STR and self-manage it.



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

Fwd: Comments on Short-Term Rental Regulations - Public Review Draft #2.

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

Mon, Jan 30, 2023 at 3:56 PM

FYI
Sent from my iPhone

Begin forwarded message:

From: Andrew Graham <andrew.c.graham@gmail.com>
Date: January 30, 2023 at 3:04:39 PM MST
To: kstephens@larimer.org
Subject: Comments on Short-Term Rental Regulations - Public Review Draft #2.

Dear Commissioner Stephens,

I write to offer comments on certain aspects of the Short-Term Rental Regulations - Public Review Draft #2 dated January 13, 2023.

Article 3, Section 3.3.5, B. 2. b.

I believe there is a typo here. The phrase "shall require a change of occupancy permit" should likely read shall require a *certificate* of occupancy permit.

Article 3, Section 3.3.5, B. 2. h.

This section requires, for any short-term rental property that is within 1,000' of the boundary of a public open space or park land, that "the STR owner will mitigate potential impacts to the public natural resources or wildlife." That provision is vague and seemingly sets no upper bound on what might be required for such mitigation. In the Estes Valley, virtually all properties are likely within 1000' of a park or open space, and other properties that are much closer to the park or open space have a much greater potential impact on wildlife than the STR. So why the 1000' distance requirement?

Article 3, Section 3.3.5, B. 2. n.

This Safety Standards section requires posting a sign at each entrance and exit of the short-term rental. Each of these signs must include a long list of information, including: (i) a map including the address and Global Positioning System (GPS) coordinates of the short-term rental; (ii) exit mapping from each habitable room; (iii) a map of escape routes from the neighborhood to a public road; (iv) contact information for and a copy of current registration with the Fire Department having jurisdiction, as well as contact information for Police/sheriff and ambulance service; and (v) contact information with a phone number for the short-term rental owner or manager.

I believe this signage requirement is vague (in certain respects), requires information beyond that which would even be helpful to a guest, and is potentially counterproductive to the intended goals of the short-term rental regulations.

First, what does it mean to post a sign at each entrance AND exit? I cannot think of an STR property having an entrance that is not also an exit. So does this requirement mean posting the sign on the exterior AND interior side of each exterior doorway? Because of the large number of items required to be shown, such a compliant sign would be inordinately large. If required to be posted outside, such a large sign would be unsightly to neighbors, who likely do not want such signage adorning nearby homes in their neighborhood. Moreover, if posted outside, such a sign will be largely unhelpful to a rental guest.

If posted inside, many of the required items to be included on such a sign would still be largely unhelpful to a rental guest. For example, what value does the "current registration with the fire department" provide to an STR guest? Guests need only know to call 9-1-1 and provide the property address when reporting a

fire. Most of us learned that in elementary school. As another example, showing (on a sign posted by the exit door) the exit mapping from each habitable room is totally unhelpful, since to read such a sign one would already be standing next to an exterior door. Besides, people know how to exit a typical house, as they enter and leave multiple times per day, such STR houses rarely, if ever, have non-obvious exit paths, and each bedroom is already required to have an egress window or door. Commercial hotels do not even require posting this amount of information in all the locations required by this draft.

To the extent that any of the required information is actually helpful to a guest, such information would be better provided in the operations manual/users guide for the guest, rather than posted in an unsightly sign at the interior and exterior of each doorway.

Thank you for your consideration of these comments, and thank you for your public service to Larimer County.

Andrew Graham



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

Fwd: Short Term Rental regulations

Julie Reichle <juliereichle@cox.net>
To: Tawn Hillenbrand <hillenta@co.larimer.co.us>

Mon, Jan 30, 2023 at 4:11 PM

Begin forwarded message:

From: Julie Reichle <juliereichle@cox.net>
Subject: Short Term Rental regulations
Date: January 30, 2023 at 6:09:57 PM EST
To: jkefalas@larimer.org, kstephens@larimer.org, JShaddockMcNally@larimer.org

Dear Commissioners,

Every couple of years the Town or County decided vacation rental regulations should change. The County and the Town had many meetings and public input to make new regulations in 2015 and 2016 and at that time they put a cap on vacation rentals. The cap is working there is a limit on vacation rentals.

I encourage you to look at these proposed regulations and determine the ones that are smart and to determine the ones that are over regulating and creating winners and losers. Every family has their own story about their home. There are a lot of unintended consequences from regulation and over regulation. I hope you and staff consider those consequences in making the decisions about regulations and stop burdening individual homeowners who have been licensed and collecting and remitting sales tax for years. The emphasis should be put on those not in compliance.

Sincerely,
Julie Reichle



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

Fwd: Objections to the STR Regulations

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

Mon, Jan 30, 2023 at 4:34 PM

FYI

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

From: <carol.primdahl@gmail.com>

Date: Mon, Jan 30, 2023 at 1:01 PM

Subject: Objections to the STR Regulations

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

Dear Honorable Commissioners,

I'm writing today to share our story and why we object to a number of the requirement drafted in the proposed STR regulations. We are in favor of generating revenue for low cost affordable housing and child care however we believe the regulations currently proposed will actually reduce our tax revenue and negatively impact EV's tourist economy.

My husband and I purchased a condo in Park River West (PRW) in 2015 with hopes to enjoy the EP mountain living when we retire. We purchased in PRW because the HOA bylaws and rules were specifically designed for a mix of full/part time resident and STRs. We use the condo during off season but rent it out during the summer to help us offset the rising expenses. We use a local EP Property Manager and fully complied with all current STR regulations that EP has imposed over the years.

We are rule followers however we are concerned that the current and proposed STR regulations have/will drive more folks to rent their homes as unlicensed STRs. We believe more needs to be done to enforce current regulations and we think it would be a huge challenge to adequately enforce the proposed regulations.

Regarding the 500 feet between STRs, how would that work in a Condo complex like Park River West which is within the EP township? Our complex is made up of duplex and triplex buildings. In our case, we are the middle unit in a triplex build. Both units on either side of us are full time STRs.

We are opposed to the external label requirement because it will "advertise" that our unit might be vacant and result in burglars. We already have a requirement to notify our neighbors that our unit is a STR. A person renting our unit already knows it is an STR, so why is a label needed?

I can go on and on but in summary, we believe the new proposed STR regulations need further review to prevent negative impact to our local economy. Please take the time to consider the feedback, implications and enforcement requirements of the regulations you are proposing. Hopefully you can get additional advice from experts that can provide recommendations on regulations that would benefit us all.

Kind regards,

Carol

Carol and John Primdahl

653 Park River Place,

Estes Park, CO

Email: carol.primdahl@gmail.com

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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 Short Term Rental Regulations

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

Mon, Jan 30, 2023 at 4:39 PM

FYI

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

From: **Tim Mortenson** <tmortenson@continuumhcs.com>

Date: Mon, Jan 30, 2023 at 12:25 PM

Subject: Proposed Short Term Rental Regulations

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

Cc: conrad mccarty <radmccarty@gmail.com>, John McCall <jhmccall66@gmail.com>, Trophy Husband <davebakossr@gmail.com>, Sample, Ken <ken.sample@chase.com>, Justin Ricketts <justin.ricketts@yahoo.com>, Mary Reilly <MaryReilly476@gmail.com>, Brenda Mortenson <bmortenson@continuumhcs.com>

To Who It May Concern;

I am writing in regard to the proposed short term rules being considered. I am new to the short term rental process but I am not new to regulatory processes up to and including addressing issues in congress regarding my chosen profession. In my 40 years working within the various regulatory systems I have never seen an expedited process that seems to be occurring with these regulations. I am both disappointed and alarmed by both the process and the proposed rules. As a new Colorado property owner I am alarmed at the short sightedness of these proposed rules. In this case, there appears to be little evaluation and consideration to one of the biggest revenue sources in the Estes Park area which is Tourism. These rules will cripple the number of available rentals that are available resulting in a significant impact on the businesses that depend on this critical revenue stream. As leaders of the county, it would seem to be in your best interest to assure that business can succeed rather than injure them. I question if the constituents who voted for you understand that these potential actions will likely have significant impact on their business viability and the potential personal impact on these taxes and property values.

Some aspects to these rules simply make no sense. An example of this is the proposed 500 foot rule. Most of the properties that reside in Estes are multi-family constructed units. This specific rule seems completely unreasonable as many units had to be built with an understanding of the terrain and available space. Again this seems to lack a full and clear understanding of the impact.

Many of these rules appear to be driven by a small faction of people rather than a full understanding of the market and what is truly happening. I don't believe that any owner is supportive of bad behavior of renters which appears to be the primary drive of many of these rules to simply limit a renter population. I would suggest that a focus on managing the real issues would make more sense than to penalize the entire system. This seems to be a "kill the fly with dynamite" vs "a fly swatter" approach.

If these rules are passed an unintended consequence will be the decrease in property values which will ultimately affect real estate taxes and further cause damage to the areas ability to operate and maintain required infrastructure. Again this is representative of government overreach and missing the true issues that may have driven this issue. Address the real issues and maybe evaluate to motivation and agenda of the small group of people who are driving this issue. I do not believe that they represent the greater needs and will undoubtedly cause significant damage without concern for the greater picture.

Anytime there has been an effort to drive rules with such a short time frame there is an underlying lack of understanding and represents a less than forthright agenda. As elected individuals it seems imperative that you take the necessary time and processes to fully consider and understand the motivations and agendas at hand.

I pray that you take the time to truly consider that full depth of the issues that these proposed regulations will impact and consider the negative impacts vs. the limited benefits any of these proposed rules may affect. Please take the time top consider the greater needs of the business and economy's that will be affected and as representatives you consider your full responsibilities to the business, and local communities that will be negatively affected.

Respectfully,

Tim H Mortenson

Tim H Mortenson

President/CEO

SKY Enterprises LLC

PO Box 7

Manchester, Iowa 52057

515-238-3800

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Laurie M. Kadrich
Assistant County Manager

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

Fwd: proposed STR proposals

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

Mon, Jan 30, 2023 at 4:45 PM

FYI

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

From: 'Monika Jarvis' via Commissioner_Shaddock-McNally <commissioner_shaddock-mcnally_public@co.larimer.co.us>
Date: Mon, Jan 30, 2023 at 12:07 PM
Subject: proposed STR proposals
To: jkefalas@larimer.org <jkefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>, JShaddockMcNally@larimer.org <JShaddockMcNally@larimer.org>

We would like to add comments to your proposals. I haven't actually seen your proposals entirely, but saw the bullet points from EVSTRA.

My husband and I own two properties in Estes. One we rent out very affordably to a local hispanic family and the other we have up near Mary's Lake Lodge. I feel like we are doing our bit towards helping locals with affordable housing and find it very unfair that we keep getting punished by increased fees and regulations. I feel like the town is making a lot of money from all the STR's.

Re-inspections every 4 years - what a joke. Nothing has changed at our property these past 4 years. Do you really want to spend time and money on this? You must have too many employees. 500 feet between STR's, well in our case that is simply not possible, the whole area around Mary's Lake Lodge is full of rentals.

Labeling exits? Unless it is a very complicated or large house, why wouldnt guests know there the exit is without labelling, in our case upstairs front door and downstairs sliding door.

I feel like everything is being regulated to death, actually making us consider leaving altogether.

Monika and Terry Jarvis



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

Fwd: Proposed STR Regulations

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

Mon, Jan 30, 2023 at 4:46 PM

FYI

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

From: **Liz Mulhern** <mulhernliz@gmail.com>
Date: Mon, Jan 30, 2023 at 12:00 PM
Subject: Proposed STR Regulations
To: <jkefalas@larimer.org>, <kstephens@larimer.org>, JShaddockMcNally@larimer.org
<JShaddockMcNally@larimer.org>

Larimer County Commissioners

I have been a Short Term Rental Owner for the past 20 years in Phoenix and Estes Park. I have always counted it as a joy to serve my guests and help contribute to the local economy. We have worked very hard to be a good neighbor, provide a safe restful place for guests and be a profitable business for us and our community. I feel that the additional regulations are going to make it harder for STR owners to have the chance to get a license. This will reduce tax revenues as well as income to the county and city with less guests visiting the area. Estes Park and the county have done a great job on managing the cap over the past several years. I recommend to not reduce it. It is still a very small percentage of all residences in the area. It is one business that has not been able to grow in the town or county, except for in the A zoning. A new business needing 10 more employees has a greater impact on workforce housing than one STR that may accommodate 1-2 employees. Not sure why STR's continue to be blamed for this issue, when the cap has been the same for the past several years. Please consider the impact of adding more burdens to your staff and community with additional regulations.

Liz Mulhern

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Have a great day!

Liz Mulhern

970-590-0923

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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: Short-term Rental Proposed Regulations

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

Mon, Jan 30, 2023 at 4:50 PM

FYI

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

From: **conrad mccarty** <radmccarty@gmail.com>
Date: Mon, Jan 30, 2023 at 7:43 AM
Subject: Short-term Rental Proposed Regulations
To: JKefalas@larimer.org <JKefalas@larimer.org>, KStephens@larimer.org <KStephens@larimer.org>, JShaddockMcNally@larimer.org <JShaddockMcNally@larimer.org>
Cc: conrad mccarty <radmccarty@gmail.com>

Dear Larimer County Commissioners,

My name is Conrad McCarty and my wife and I are property owners in the Estes Valley. I am writing to you concerning the proposed regulations for short-term rentals (STRs). We have owned our vacation home in the Estes Valley since ~2002. We were able to afford our vacation home by being able to rent it part of the time when we were not occupying it. We have guests who have been coming back to our property year-after-year.

Our home is located in the Blue Spruce Village subdivision - a group of 20 condominiums, of which there are 8 or 9 rentals (since the re-construction of the neighborhood in the mid 1980's, Blue Spruce Village has had rental vacation homes). Before the reconstruction, there were individual rental cabins on the property - those were razed just prior to the reconstruction.

As required, our vacation home was originally registered/licensed with the Town of Estes Park (original registration #3248) and then more recently with Larimer County (Registration # 20-NCD0142).

Although I appreciate the efforts to provide more guidance (and oversight) for short-term vacation rentals, I believe the proposed regulations have a number of flaws, particularly as it relates to existing short-term vacation rental owners. The law of unintended consequences comes to mind - it feels like existing STR owners may be unduly and unjustly affected by these regulations, despite years of compliance and adherence to prior requirements and being conscientious owners and neighbors.

Below are a few of the more significant concerns that we have relative to the proposed Short-Term Rental and Lodging Regulations.

1. The proposed regulations are discriminatory. Property in the Estes Valley should be treated and regulated similarly to other parts of Larimer County. For example, why are the regulations for Estes Valley more restrictive than areas where there are also higher proportion of vacation rentals such as Red Feather Lakes?
2. Zoning District for our property in the Blue Spruce Village subdivision ([2222 Highway 66](#)). [The Highway 66](#) corridor looks to be primarily EV-A and EV-A1. The map provided does not provide enough detail for us to tell what our property would be/is zoned as. If I look at the Larimer County Zoning Parcel Search screen for the property, it shows "Larimer County Zoning District: EV R1". There is not an EV R1 category in Table 13-1 of the proposed regulations. More information is needed for us and the public to be able to provide additional feedback on proposed zoning categories.
3. In Article 3, Section 3.3.5 B. 2. c., there is a restriction concerning "minimum of 500 feet from another short-term rental". For our property and subdivision and adjacent properties, there are a number of existing short-term vacation rentals already licensed and this requirement is not consistent with the existing use of the property and should this provision be enforced to existing licensed properties - it would be taking away property rights for owners. I ask the Commissioners for further guidance relative to how this provision would apply to our subdivision.
4. In Article 3, Section 3.3.5 B. 2. I., the requirement that the property manager (owner or representative) be located within 30 minutes or less travel distance from the short-term rental. This new draft of the regulations changed the time that used to be 1 hour. The requirement should be reverted to 1 hour.

We are "hands-on" rental owners - we are in contact with our guests throughout their stay. We are also involved in our subdivision, serving on the HOA Board of Directors. It can take longer than 30 minutes to get to our property, especially in the summer time (traffic in and around Estes and the National Park is heavy in the summer and it can add 15 minutes to our travel time). We believe the travel distance time should be 1 hour.

5. As it relates to existing STR owners, should the regulations proceed in the current proposed form, we believe that it will result in a change in our rights as property owners and is the equivalent to the taking of property rights. Additionally, it will have an undue economic impact for existing STR owners and vendors that provide services to our renters and our property.

Thank you for reading our note and your consideration of the items identified above.

Conrad McCarty
720-839-5514

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Laurie M. Kadrich
Assistant County Manager

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

Fwd: Larimer County Short-term Rental Proposals

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

Mon, Jan 30, 2023 at 4:54 PM

FYI

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

From: 'ryan smithburg' via Commissioner_Shadduck-McNally <commissioner_shadduck-mcnally_public@co.larimer.co.us>
Date: Sun, Jan 29, 2023 at 9:43 AM
Subject: Larimer County Short-term Rental Proposals
To: JShadduckMcNally@larimer.org <JShadduckMcNally@larimer.org>

January 29, 2023

Ms. Jody Shadduck-McNally:

I am writing this letter as a homeowner, part-time resident, and vacation home operator in the Windcliff Subdivision. I was first introduced to Windcliff more than 25 years ago when my wife and I was able to stay in a beautiful home there for the first time. We immediately fell in love with the Estes Park and the Windcliff area. After staying numerous times, we had the opportunity to purchase a home there and share it with many families who are be getting together from various places around the country and sometimes around the world. We have even been able to open our home to a family who was getting together as part of a dying father's hospice request. With that in mind I am reaching out to you with the following thought's:

- Windcliff is designed as a short-term rental neighborhood. When I traveled here 25 years ago, I came to Windcliff for just that reason. When you buy here you understand that it is part of the culture and has been a property right of ALL Windcliff property owners.
- I understand that Windcliff did not ASK to be zoned residential (E-1) in the County's 1999 Comprehensive zoning plan. The County put that designation upon Windcliff. However, because rezoning requires 100% of the 160 property owners of Windcliff to agree to be rezoned, this is not a likely solution. There needs to be another solution which can continue to permit Windcliff to continue to operate STRs without restriction — albeit through licensing and proper inspections — without requiring 160 property owners to agree to be rezoned to Accommodations. Can Windcliff work with the County to create a zoning "overlay" over Windcliff that enables these permissions since the Windcliff HOA has always permitted STR operation in our community?
- The 500' separate regulation should NOT apply to STRS in Windcliff or anyone else for that matter, it is much too close to be realistic and workable.
- The max occupancy 10 regulation should NOT apply to STRs in Windcliff - most of the homes in Windcliff are very large with many having 5 or more bedrooms. For instance, my home is 6300 square feet with 5 large bedrooms.
- Transferability of STR licenses has been a property right of STR owners in Windcliff for 53 years and this should NOT be taken away from Windcliff property owners. As stated, many families return year after year to our community. Allowing these licenses to transfer retains this option and allows people to enjoy the Estes splendor we all love.

- There should be NO cap on the number of permissible STRs in Windcliff as it has been a property right of ALL Windcliff property owners for 53+ years. Additionally, reducing the cap in the Residential Zoning Districts of the Estes Valley by 10-20% means less opportunity for people to vacation in Estes Park and the surrounding communities due to less homes being available. Please consider at least leaving the cap at 266, although more room for growth fosters competition and would effectively eliminate poorly managed rentals!
- Is reinspection really necessary every 4 years? This seems like an unnecessary financial burden on both the homeowner and the county. Maybe this should be a requirement of properties that receive multiple complaints, but not every property.
- Having different road and driveway requirements for STRs which differ from the requirements of regular developments makes absolutely no sense! That's about as crazy as requiring signage to indicate how to get outside when guests have already entered the property. We have to have so common sense and understanding of the massive financial impact to the county with all these regulations.

In closing, it has been stated that these new regulations only affect NEW applicants for STR licenses. Those of us with existing licenses are grandfathered, but I have not seen anything to this point in writing. Can you please tell me where this is written? Thank you in advance for addressing my and other STR owner concerns. We bought our home shortly after the Sandy Hook massacre, with the thought that we wanted to share it with other families as you never know what life has in store. Please work on solutions that make the experiences better and not effectively eliminate the experience all together through the process of regulation.

Sincerely,
Ryan Smithburg

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Laurie M. Kadrich
Assistant County Manager

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County Commissioners and Board Members,

I encourage Larimer County decision makers to find an exception from the proposed short-term rental regulations for neighborhoods like mine.

My name is Erich Rachwitz and I own a second home at 2720 Windcliff Dr in unincorporated Larimer County outside of Estes Park. A native of Omaha, Nebraska, I spent my childhood vacationing in Estes Park. Like so many of us, the mountains called me. I hike in the park, I fly fish using guides, I patronize restaurants and shops. I also happen to be a veterinarian, a profession whose first tenet is “first do no harm.”

I am pleading with you today because I believe that some of the thoughtfulness and consideration and research that you have done to make good decisions appears to be on a path of unintended consequence which will harm myself and my fellow property owners in Windcliff.

After 21 years of veterinary medicine and saving my hard-earned money, I stretched my finances to purchase our dream home in Windcliff. The only way we were able to use our \$500K budget to purchase a \$1M home was the property’s permitted use as an STR.

Only with the help of the WPOA, Windcliff’s HOA which permits and regulates STRs in Windcliff, and Rich Chiappe and his team as my onsite professional managers, were we able to make this work. STR rentals help me cover most (but not all) of my annual holding expenses while still allowing me and dozens of families to enjoy it as well. An STR license doesn’t make the dream free, but it puts it in reach of working professionals like myself.

Families that rent our home don’t want a hotel/motel experience or a river-side lodge cabin in an Accommodations zone. They choose Windcliff as their destination for its level of residential familiarity, on-site service and perhaps even luxury that I am proud to say Windcliff homes uniquely provide.

Families that rent our home also spend money — a LOT of money. Our rental guests hire guides, buy groceries and fuel, patronize restaurants, breweries and shops and return to do it all again year after year.

Please understand: Windcliff homes have also never been and never will be affordable to the local workforce. Windcliff homes are simply expensive. The best way to help the local workforce is to continue to encourage and enable Windcliff homeowner to rent their homes, attract visitors to the Estes Valley, collect the taxes and contribute hundreds of thousands of dollars to the local marketing district and workforce housing and childcare programs.

The value, importance and history of Windcliff homes is inherently about their use as STRs and the massive economic impact that those rental visits have on the economy of the Estes Valley.

Please be thoughtful when you make decisions specifically about the Windcliff neighborhood. Your constituents are counting on you to act like a veterinarian and “first do no harm.” Please find a suitable path forward to those of us in Windcliff to retain our rights to rent our homes as STRs.

Sincerely,

Erich Rachwitz, DVM, DAVDC

2720 Eaglecliff Drive

Estes Park, CO 80517



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

Fwd: ECONOMIC IMPACT OF PROPOSED STR REGULATIONS ON THE COUNTY'S ECONOMY

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

Mon, Jan 30, 2023 at 4:57 PM

FYI

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

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

Date: Sat, Jan 28, 2023 at 1:33 PM

Subject: ECONOMIC IMPACT OF PROPOSED STR REGULATIONS ON THE COUNTY'S ECONOMY

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

Dear Commissioner Kefalas,

The attached Op Ed was submitted this week to the Trail Gazette to shed more light for the public on the economic impact of the proposed county regulations on Estes Valley businesses and the financial well-being of the Valley and Town of Estes Park.

I have been closely following the developments regarding the proposed regulations, and I am very concerned, that as the people who govern and hopefully safeguard the welfare of all of Larimer County's citizens, the financial welfare is being overlooked by you, the Commissioners, the staff of Larimer County and your constituents.

I request that you carefully consider and address the financial implications of these regulations on our economy.

Becky Robbins, EVSTRA Director



Short Term Rental Owner

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Laurie M. Kadrach
Assistant County Manager

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Op Ed 012623 BR.docx

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OP ED / LETTER TO EDITOR

JANUARY 24, 2023

Larimer County made it clear in the beginning of its short-term rental regulations review that it intended to reduce Short Term Rentals (STRs) in residential zoned areas. Its initial draft did so explicitly by eliminating eligibility for most types of STRs in most residential zones. The second draft now attempts to do so behind the scenes – by making it nearly impossible to qualify for licensure. It does so stealthily, by eliminating large STRs (>10 guests) and by prohibiting any new STRs within 500 feet of any existing STR in residential zones. Because there are 260 existing STRs in county residential zones, this 500-foot limit would effectively eliminate new STR applicants in these areas to replace those lost through attrition. Roadway access requirements and new floodplain restrictions in the proposed regulations would further limit the ability to license a new STR.

An EVSTRA study based on a recent public records request of the Town of Estes Park indicates that STR licenses lapse in residential zones at the rate of approximately 5% of outstanding residential zone licenses per year. In addition to that lapse rate, the annual rate of transfer of STR licenses is approximately 6% to 7% of outstanding licenses.

From this one must necessarily conclude that the county wants to reduce and eventually eliminate STRs from county residential zones through attrition and that attrition will likely result in declines in STRs in such zones at a rate of at least 5% per year - perhaps more.

The January 1, 2023 EVSTRA white paper analyzed the economic impact and impact on state and local government lodging and sales tax collections and determined that over a ten year period such an ongoing 5% annual reduction of STRs in county residential zones would reduce state and local lodging and sales tax collections by over \$11 million. That includes a reduction over the period of over \$3.5 million of Town sales taxes and \$3 million of lodging tax dollars, of which approximately \$2 million would have been devoted to workforce housing and childcare. The State of Colorado once took the approach of choking off tourist promotional dollars – and it took 20 years for the tourism economy to recover to prior levels.

Meanwhile the county refuses to consider the true economic impact to the Estes Valley community of its decisions. In a December 22, 2022, staff memo to the Larimer County Commissioners staff noted “[t]he EVSTRA white paper delves into local sales taxes, visitor spending, and economic impacts that county staff has not studied nor is planning or able to analyze at this time.” That statement was then reiterated orally by staff in a January 9, 2023, County Commissioner public work session.

Really? As locals know, tourism is the lifeblood of the Estes Valley economy. The Visit Estes Park report indicated that STR visitors spent \$158 million in the Estes Valley in 2021. Nothing is more integral to tourism revenues than short-term lodging to keep people here multiple days. Short-term rentals have become an integral part of our visitor lodging stock and are contributing significantly to our local tax collections. Visitors which rent short-term rentals will not transition back to traditional lodges or cottages. Most will simply go elsewhere if supply is not available for the type of lodging they seek.

The vitality of our local tourism-based economy is at stake and decreased local lodging and sales tax revenues because of this new regulation is not in the best interest of any political constituency in the community.

The county should stop attempting to reduce short-term rentals in county residential zones. Nearly 75% of the STRs in the county are in residential zones. The economic impact of decisions that will cause the reduction in the number of STRs in county residential zones is unacceptable to the residents of the Estes Valley.

Becky Robbins, Short Term Rental Owner, Estes Park



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

Fwd: STR regulation changes

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

Mon, Jan 30, 2023 at 5:10 PM

FYI

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

From: **garyppeak via Commissioner_Kefalas** <commissioner_kefalas_public@co.larimer.co.us>
Date: Fri, Jan 27, 2023 at 6:26 PM
Subject: STR regulation changes
To: jkefalas@larimer.org <jkefalas@larimer.org>

Hi,
I have a home I have operated as a short term rental for over sixteen years. We have never had a complaint or a problem with neighbors and have around two hundred five star reviews from our guests.
The regulations have me worried.

A one hour call out works well for me. Was there a problem with the one hour call out?
The 30 minute call out requires me to get someone else to be the property manager and I have not had good luck with property managers due to a lack of punctuality and motivation for customer service. Everything goes better if I do it myself.
Could I get a waiver?

The 500 foot property line? A setback of 500 feet or similar to separate rentals would make more sense, as a rental could be on a ten acre property and no one could have a rental adjacent to that property line even though the houses are not close.

I applied for and after considerable time and expense was licensed as a large vacation home with the town of Estes. I had a lot of code compliance to do, but I was happy to do it to get approval for my property. With five bedrooms and an additional sleeping area I could have a maximum of twelve guests. We book a lot of families of twelve and they love being able to have everyone under one roof.
Can I continue renting to twelve as I have done for years?
I hope to continue renting to families of twelve and be able to transfer the license to my Daughter, who has nothing going for her. I would like her to be somewhat comfortable after I am gone.

Thank you for your consideration,
Gary and Cindy Peak

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Laurie M. Kadrach
Assistant County Manager

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

Fwd: STR Regulation comments

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

Mon, Jan 30, 2023 at 5:13 PM

FYI

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

From: **Clark Cyr** <ClarkCyr@msn.com>

Date: Fri, Jan 27, 2023 at 5:32 PM

Subject: STR Regulation comments

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

Regarding the proposed changes to the STR regulations:

Requiring 500 feet between STR locations seems extreme and unnecessary. It also seems particularly unfair among those that are already established. What criteria would you use to eliminate among them and why? At a minimum there should be an exception clause grandfathered in among those that already exist.

Road and driving requirements across the board may make sense among STR locations within city limits (and even that may be questionable within Estes Park city limits), but the same criteria do not make sense among mountain locations. Better regulation might demand a description regarding road access to the property (paved, gravel, slope, etc.). Some of the locations that vacation rental customers are looking for are exactly what the new regulations would eliminate.

Thanks for reading these comments,
Clark Cyr

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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: Short-term rental regulations

Lorenda Volker <volkerl@co.larimer.co.us>

Mon, Jan 30, 2023 at 5:17 PM

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 <ellisk@larimer.org>, Tawn Hillenbrand <hillenta@co.larimer.co.us>, Laurie Kadrich <kadriclm@co.larimer.co.us>

Commissioners, the email below was sent to you at the bocc@larimer.or email address. I'm forwarding it to you for your information and I've also copied Community Development staff members.



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, Jan 30, 2023 at 3:23 PM

Subject: Short-term rental regulations

To: <bocc@larimer.org>

This form was submitted on Monday, January 30, 2023 - 3:23pm from <https://www.larimer.gov/bocc/commissioners-public-record-email>.

Emailing (to) bocc@larimer.org

Subject Short-term rental regulations

Your Name William Brown

Phone 515-360-4292

Your Email williamcbrown1953@gmail.com

Message (no html)

Commissioner Kefalis - I very much appreciated your comments at the Work Session today entreating the staff to seek more common ground. I know that Commissioner Shadduck-McNally unabashedly wishes to reduce short-term rentals in residential zones, but you and Commissioner Stephens appear to be more circumspect about the issue.

This issue has become of great interest to me not as a short-term rental owner or manager (which I am not) but because of the potential impact of these actions on the economic vitality of the Estes Valley and local government supported by the resulting sales and lodging taxes. Here's what you didn't hear from the staff. Following the December 22, 2022 staff memo to you, EVSTRA issued two further whitepapers to specifically address the statements by county staff arguing that EVSTRA was exaggerating the damage. One of those white papers established the uncontraverted conclusion that STR licenses in the Estes Valley lapse at the rate of approximately 5% per year. The other white paper analyzed the economic impact to the Estes Valley community of an ongoing 5% or 10% annual reduction in the number of STRs in residential zones. The ongoing lost tax revenues are staggering since they accumulate by ongoing reductions in STRs only because of attrition. If new licenses are not issued, this would happen under the proposed regulations.

The reason this analysis is important is because the Draft #2 regulations will effectively choke off the possibility of new licenses principally because of the 500 foot limitation, which will make off limits most areas of residential zones because of the 260 STRs already in those zones. Nearly everything will be within 500 feet of an existing STR and those that are not may not have qualifying access roads or be too near a floodplain. The county should provide an online map illustrating those portions of the residential zones that are unavailable for new STR licensure.

The Estes Valley community depends on tourism. Reducing STRs will inevitably reduce those revenues and the taxes arising from STR occupancy. While it may be true that part of that loss will be made up from other sources, that claim is entirely speculative. There hasn't been a balanced approach because the rules of engagement do not permit a dialogue between the public and the staff. At one point staff indicated that they would not take individual meetings because then they would have to take anyone's meeting. And the public statement by staff that they did not consider nor were able or willing to consider economic impacts is truly unbelievable and certainly not in the public's interest. I hope and trust that the Commissioners will take these economic impacts into account in reaching their final decision on these regulations. As you can see from the Estes Chamber's letter to you, the Estes business community does not want the county to take action that adversely affects tourism.

Attach a file (optional)



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

Fwd: Regarding STR regulations

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

Mon, Jan 30, 2023 at 5:38 PM

FYI

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

From: 'beth cooper' via Commissioner_Shaddock-McNally <commissioner_shaddock-mcnally_public@co.larimer.co.us>

Date: Fri, Jan 27, 2023 at 11:40 AM

Subject: Regarding STR regulations

To: kefalas@larimer.org <kefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>, JShaddockMcNally@larimer.org <jshaddockmcnally@larimer.org>

Dear County Commissioners,

I urge you to adopt your proposed regulations. I am not opposed to STR's but am concerned that without boundaries they will over take our community.

The majority of STR properties in my Estes Park neighborhood are owned by individuals who either live out of town or live out of state. Many of these individuals are not interested in connecting with our community and tend to spend very little time locally. In my experience, they are focused primarily on the purpose of getting an income with little awareness of the impact that the increasing number of STR has on our special mountain town.

Please do all that you can to protect Estes Park and the surrounding areas from losing their community to this type of outside investors.

Thank you,
Beth

"The earth laughs in flowers."
Emerson

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Laurie M. Kadrach
Assistant County Manager

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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>

Mon, Jan 30, 2023 at 5:42 PM

FYI

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

From: 'Linda Moak' via Commissioner_Stephens <commissioner_stephens_public@co.larimer.co.us>
Date: Fri, Jan 27, 2023 at 10:17 AM
Subject: STR Regulations
To: jkefalas@larimer.org <jkefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>, jshadduckmcnally@larimer.org <jshadduckmcnally@larimer.org>

Dear Commissioner,

I am writing today regarding a couple of items that have come up during this extended process of regulating STR. As I have served on the EVPAC for some time, I keep hearing about the issues regarding Windcliff Subdivision in Estes Park. It seems to me that they deserve their requested special dispensation as they have promoted sales in their community for over 50 years as rental properties. If denied or made to re-zone I believe it would place a severe undue hardship upon their thriving community. Perhaps language could be inserted into the regulations that states "not to supersede Homeowner Association Rules & Regulations". In my community of Little Valley, no STR less than 30 days are allowed already. There are many HOAs that have put similar regulations in their rules of ownership. While I support the county in their seeking to regulate the STR residences, I feel strongly that individuals have property rights that should not be abridged. In my opinion, a STR that is used as a RESIDENCE is still a residence without regard to who is occupying the home and does not alter the character of a residential neighborhood. Stronger enforcement seems to have been the primary concern we have faced since I served on the Vacation Rental Task Force in 2016. Please do not restrict further the ability of STR owners, but rather concentrate on putting real "teeth" in the enforcement area.

I also share concerns that none of the county employees who have drafted these proposals actually live in the Estes Valley. The economic impact of further regulating the market here would have a substantial impact upon tax dollars in our community. I urge you to hear the collaborative intentions from a local group of concerned citizens, EVSTRA which is an alliance of community members who have come up with some novel approaches to STR management and deserve to be heard. I have always believed that collaborative efforts generally make everyone satisfied with the end results. Thank you for your service.

With all due respect,

Linda Moak
Estes Park, CO

Member Estes Valley Planning & Advisory Committee

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Laurie M. Kadrach
Assistant County Manager

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The Law Offices of Tim Rees

2236 EAGLE CLIFF ROAD, ESTES PARK, COLORADO 80517
E-MAIL: TIMREESLAWOFFICE@AOL.COM * PHONE: (970) 232-6885

January 31, 2023

Larimer County Commissioners

Dear Jody Shadduck-McNally:

This letter is in regard to the Short-Term Rental regulations currently under consideration.

I have lived in the area for more than 40 years, and my wife grew up in the Estes area. We retired several years ago, and now rely on money from our vacation rental that is directly next to our home. We purchased the rental home around 10 years ago and invested heavily to make it a safe and successful short term rental. This is our 9th year renting the home. We are proud to have nearly 180 reviews that are **ALL 5 STAR** (the best possible). It is a historic property. It was one of the first homesteads in the Estes Valley. There are records of the property owners welcoming guests to stay in this home for nearly 100 years. Over the years, the property was subdivided and many cabins, homes, and resorts currently occupy the original land. Our rental home was once a thriving farm with chickens, cattle, etc. Over the years, the chicken coop was turned into a duplex which is now a short-term rental directly next to our rental home. The original cattle barn, adjacent to our rental, is now a two family long-term rental. The farmhand cabin, directly next door, has also been converted to a short-term rental. However, we only own the original farm house, and our personal home which is directly next door.

Our short-term rental is licensed and in compliance with current regulations. We have had **NO** complaints regarding our rental. None of the surrounding properties that are now long- or short-term rentals have had any complaints.

I am concerned about the impact of the new regulations that are currently under consideration. Specifically, the following.

1) DISTANCE - the 500 feet rule would suggest our rental and most of the properties surrounding us would be in violation of this limitation. The mountainous geography of the area forced our ancestors to build where it was feasible and accessible. Although we back up to the RMNP, short-term and long-term rentals, resort cabins, and personal homes are much closer than 500 feet. This seems completely unreasonable. Plus, a multi cabin resort next to us is less than 500 feet away and has over 20 cabins which are all located much closer than 500 feet. ***If density, and potential neighborhood complaints is the real issue, the current requirement for neighbors to approve of short-term rental use prior to approved licensing, seems like the best and most reasonable solution.***

2) ACCESS - as you are no doubt aware, some of our local roads are steep, windy, and narrow. Owners, guests, and visitors have been successfully navigating the roads leading up to our rental home for nearly 100 years. It is a private road and we all keep it in great condition. We do not have the pot holes that are found in downtown Estes. We don't pile the snow where it blocks half a lane of traffic like they do in downtown Estes. We don't have the delivery trucks double parking and blocking an entire lane of traffic like you will find in downtown Estes. I am worried that any road and driveway requirements will not be compatible with the existing mountainous roads in and around Estes. I believe that if it was up to any fire district, all roads would be paved, 4 lanes wide, no hills, no parking, etc. for the convenience of access. Although I recognize the importance of access for emergency vehicles, it shouldn't dictate an unreasonable burden on the local residents. ***I travel frequently and I can tell you without reservation that our worst roads are much better than many of the best roads in other mountainous regions of the country and the world.***

3) INSPECTIONS - I am proud to say we are licensed and meet, or exceed all the safety requirements. However, many code requirements change frequently or are adopted on arbitrary timelines. It doesn't seem fair to require **ONLY** short-term rentals to meet these ever changing requirements while all of the cabins, resorts, long-term rentals, park service housing that surround us, aren't required to be inspected and certainly don't have to worry about re-occurring inspections that will lead to unexpected expenses, potential home modifications, and loss of revenue during any required modification(s). ***As an example, during our safety inspection, we were told our existing handrails, which look identical to all the handrails in our neighborhood, did not meet current code requirements. We had to order new handrails. It took over 6 months for these to arrive. We then had to wait until our rental was empty to have these installed. If we were building a new home, this wouldn't be an issue. It takes 6-12 months to build a new home and we would have ordered the required handrails. In the meantime, all our neighbors still have our old handrail design. This is just one of many incredibly picky things we had to address.***

Thank you for taking the time to hear my perspective on the proposed regulations and the potential impact on property owners such as myself. In retirement, I value predictability. It seems like there is has been a whirlwind of changes, proposed changes, etc. over the last 10 years. It is really hard to keep up with these changes and certainly not what I expected when I planned on having supplemental income from our short-term rental in retirement.

Sincerely,

Tim Rees, esq.
Attorney at Law (Retired)



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>

Mon, Jan 30, 2023 at 5:55 PM

FYI

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

From: **Kyle Knapp** <kyle@risenshinerentals.com>

Date: Thu, Jan 26, 2023 at 8:45 PM

Subject: STR Proposed Regulations

To: jkefalas@larimer.org <jkefalas@larimer.org>, kstephens@larimer.org <kstephens@larimer.org>, JShaddockMcNally@larimer.org <JShaddockMcNally@larimer.org>, ellislk@co.larimer.co.us <ellislk@co.larimer.co.us>

Dear Commissioners and Staff,

I encourage you to consider pausing the proposed STR regulations. As a newcomer into the space it is my opinion that regulating STR properties more than they already are provides an unfair advantage to big businesses (Hotels) in the hospitality industry. Doing so will negatively impact the local economy and provide less affordable accommodations to travellers looking to explore Northern Colorado.

I do understand that complaints and noise violations are playing a big role in this decision but I do not believe that the actions of a few bad actors warrants severe repercussions for everyone in this space. I would support more harsher penalties for hosts that do not regulate parties, quiet hours, occupancy limits and other bad business tactics but do think this should be done on a case by case basis.

As a small business owner who has just invested into this industry, I only seek a fair shot at competing with bigger businesses rather than to accept a monopolized industry due to regulations that seem to single out smaller businesses.

The large majority of short term rental managers do wish for the best in our community. We provide jobs for handymen, house cleaners, and draw more travellers to boost the local economy.

I appreciate your time and consideration.

Kyle Knapp
Rise n' Shine Rentals

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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

January 26, 2023

To Commissioners:

I am writing to express concern about your proposal to change short-term rental regulations.

Regulation can be good or bad depending not just on the regulation itself but also on the ripple effect – intended or unintended. I'm hopeful you have Larimer County and Estes Park's best interest in mind – not just short-term but long-term – with the proposed new short-term rental (STR) regulations you are proposing. I fear there are many unintended bad ripples that will come from the huge number of changes you are proposing.

We own a short-term rental in Estes Park have these comments and requests:

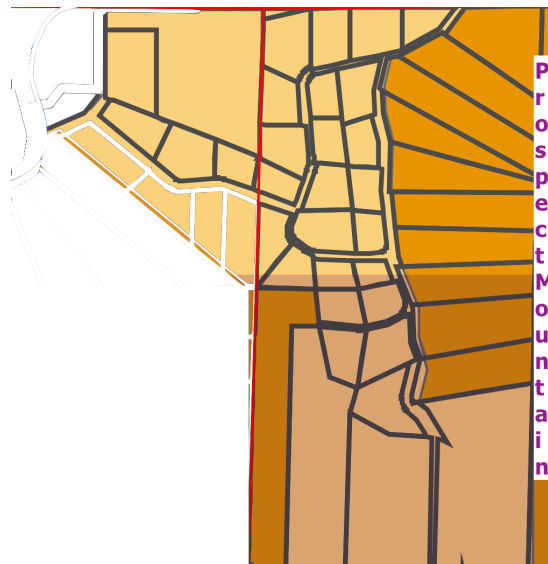
1. The 500 foot between STR is unrealistic and impractical. It would spread the STR around town and into neighborhoods that prefer not to have STR. Our neighborhood has many, many STR and we (the owners), our resident neighbors, and the renters enjoy the safety and welcome that we receive in this neighborhood. Visitors from out of state frequently rent STR next to each other so they can be close their family members since the number of people in each rental is limited. Separating them would be like have a hotel room 500 feet away from the next hotel room. That makes no sense feasibly, economically, or practically – and it is not what the customer (who pays a lot to visit Estes Park) wants.
2. Tourists who come to Estes Park enjoy the rural mountain settings, including the roads to STR. They want to feel like they are in a mountain setting. The road and driveway requirements are not compatible with mountain settings and not required by other private developments. The change is overly aggressive and with no benefit.
3. STRs bring in a huge amount of revenue to Estes Park and Larimer County. Our STR alone paid nearly \$7,000 in taxes to Estes Park and/or Larimer County last year. Our guests spent over \$20,000 in food/restaurants and at least \$10,000 in recreational activities. For each STR you displace or remove from service you will cut thousands of dollars off from the Estes Park and Larimer County economy.
4. Re-inspection of the STRs every 4 years is a big waste of resources. Nothing significant is going to change from year-to-year in a STR because of the current regulations. If needed, you can re-inspect based on complaints. The money would be better spent on enforcement offices for the city.
5. Labels on STR for how to get into and out of the unit are not needed. Placing a sign outside on how to get inside makes no sense and could attract robbers. All of that information is provided to renters during the booking and check-in process. Plus exterior signage is governed by HOAs and many are not going to allow this.
6. A 30 minute response time is excessive. Our local manager lives within 5 minutes but she has a life and there are times when she cannot and should not drop everything to get there in 30 minutes. You don't set response times for other services and you should not be over-zealous in this area. If it is a true, life-threatening emergency they should call 911 or the police. You also don't require hotels to respond to customer needs in a specific amount of time, so to be fair you should stay with the already aggressive 1 hour response time.

Lots of communities are working to increase the income from STR at the same time as meeting the needs of the residents of the community. Estes Park is a tourist town that is supported by tourist revenues, so we are sure you are looking at ways to increase, not decrease, tourist revenue from STRs. Please study both sides of this issue, listen to the experts, and consider all of your customers – including us the STR owners who support Estes Park. Thank you.

Sheryl Bellinger
Buffalo 36 Properties LLC
(720) 530 – 5492
sbellinger @homecarephhc.com

I would like to comment on “Smart City Policy Group’s” letter to the Commissioners. I plead that you listen to other Mountain towns in CO rather than Austin, an urban large city and the Capitol of Texas. You are always going to have law breakers, so if Larimer County or the Town of Estes Park thinks that STVR regulations/laws will be broken and not easy to manage, then you might as well not have any regulations/laws Smart City Policy Group’s position is just not a logical argument.

Please Our Prospect Park neighborhood backs up smack dab onto the west side of of the Environmentally Protected Prospect Mountain. Our unmaintained county dirt roads are very narrow and in most places 2 cars cannot pass each other, so a car needs to pull off into a driveway to allow passing.



We in Prospect Park Neighborhood: Brown, Sumverilla, and Hondius Heights subdivisions are very concerned with the General Standards 13.6.1.D item c states “A short-term rental must be a minimum of 500 feet from another short-term rental”. This minimum separation distance is measured from property line to property line as we understand from the meetings. I strongly support the 500’ **minimum** distance AND support that 500’ distance be made even **further**. We appreciate all the work that the Planning committee has done to work out the issues with STRV in Estes Valley, but having these accommodation businesses in our rural mountain residential neighborhood is detrimental to our quiet environmentally sensitive neighborhood. We have a long term rental in our neighborhood, who has been in this neighborhood for 20 years; they are part of our neighborhood and work in Estes Park.

We argue that housing for School, Park, Hospital and Restaurant, Grocery, and Retail staff is essential to the community. People who live and work in Estes Park brings economic benefit to the entire community: Taxes income and money spent at Stores, Restaurants, and the Hospital. Whereas, STVRs provide tax dollars only during the summer season.

PLEASE, I pleaded with you to consider NOT allowing STVRs in Residential Areas of Estes Valley and to support a **minimum** of 500’ distance OR **greater** than 500’ distance. Thank you, Jo Anne Ollerenshaw, ollerenshawjoanne@gmail.com 535 Hondius Circle, Estes Park, CO 80517 (970) 480-5664



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

Fwd: Comments on the Proposed Changes to Ordinances and Regulations Relating to Short Term Rentals

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

Mon, Jan 30, 2023 at 6:04 PM

FYI

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

From: **Jen Bakos** <jenmccallumbakos@gmail.com>

Date: Mon, Jan 30, 2023 at 5:43 PM

Subject: RE: Comments on the Proposed Changes to Ordinances and Regulations Relating to Short Term Rentals

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

Dear Larimer County Commissioners:

I am writing to respectfully request you think carefully about the proposed changes to the Short-Term Rental regulations. I feel strongly that the Estes Valley has had STRs for a very long time as a way to meet the needs of the tourists that visit here. Families want to have an in-home experience where they can stay together under one roof and many of our current developments were built and designed to be short-term rentals. It was the intent of many of our neighborhoods from the beginning. I live in one such development and the majority of my neighbors rent their homes as short-term rentals (STRs). We all knew this would be the case when we bought here and/or moved in here. We respectfully work with each other to ensure guests are respectful of each neighbor's home and the neighborhood as a whole. We have not had problems. Additionally, our development was originally built to be short term rental cabins and that was later changed to be short term rental homes and/or townhomes. It's always been this way and we co-exist peacefully with the guests of our neighbors that do short-term rentals. My neighborhood does not need help for a perceived, "problem." We work together on all issues that affect our neighborhood and STRs are no different.

I also remind you that short term rentals support small family-owned businesses in the valley. They provide revenue for vendors that provide property management, maintenance, cleaning and other services needed by the STR owner, which, in turn, supports the local economy. Almost all STR owners I know are also family-owned businesses themselves with many of them being multi-generational. So, making it harder to own and operate a STR is the same as saying the county does not support small business and/or small family-owned businesses from all perspectives - from the owner of the STR and also the local vendors it supports.

The proposed 500-foot radius also makes no sense for how communities that have STRs were planned (and approved) by the county as very few have 500 feet between units that have had STRs in them for decades. I see no reason to change this unless, as I reference above, you are trying to hurt small family-owned businesses (both the STR owners and the local businesses they support).

Additionally, many of the new proposed rules appear intrusive and overly burdensome for those who do rent their homes on a short-term basis. I refer to the four-year inspection rule that makes no sense and appears to merely be a revenue generation tool for the county to put another burden on STRs as a way to get rid of them. What is the justification for putting undue burdens on one class of businesses over others? There are many such overly intrusive burdensome proposed requirements in the new regulations that are in this category - exterior signage for neighborhoods that have them (that would violate my privacy as an owner that does not rent my home as a STR), revising FEMA requirements, etc., etc., etc. I'm not in favor of increased government and see the proposed regulations as a way for the county to further a political agenda (anti-STRs).

I also think the perceived link to the affordable housing problem is just not there. The state legislature has declared the affordable housing problem a state-wide problem and STRs in Larimer County can't solve it alone. Citizens from other states are moving into all of our mountain resort communities and purchasing homes. If an owner with a STR decides that it no longer makes financial sense to run his or her STR, he or she can either sell it or rent it and that will in no way help the affordable housing market b/c the rent or the sales price will be beyond what a typical worker will be able to afford.

I also oppose the proposed changes to the transferability aspect of STRs after March 2023. Many of the properties that were purchased prior to this date had a purchase price that reflected a STR permit and if it can't be transferred, that negatively effects the property's value. This makes no sense to me because other uses that are applied for and received from a county, run with the land. Why would STRs be different? It appears to set a very dangerous precedent where STRs are being treated differently than other uses. If an owner receives permission to operate a property as a STR, how does that go away if they sell their property? The only way it makes sense is if this particular use has become political and there is a bias against it.

In closing I ask you to please think about your vote carefully and the economic impact it may have on Larimer County. Anything that harms a business sector, like STRs, always has negative side-effects that may not be appreciated at the time the proposed legislation is enacted. Here, harming STRs will hurt small family-owned businesses in the valley and also those who own and operate STRs. It will also hurt families that have owned properties that operate STRs for generations. Overly regulating this one market sector also won't help the affordable housing problem as it is a much bigger problem state-wide. Also, many neighborhoods are like mine, they've worked harmoniously together for many years to deal with the issue of guests living amongst full-time residents.

Thank you for your time.

Jennifer McCallum
Blue Spruce Village



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>

Amended STR Regulations feedback

Kurt Johnson <terratomah@hotmail.com>

Mon, Jan 30, 2023 at 7:35 PM

To: "LUC2020@larimer.org" <LUC2020@larimer.org>, "thillenbrand@larimer.org" <thillenbrand@larimer.org>

Cc: "jshadduckmcnally@larimer.org" <jshadduckmcnally@larimer.org>, "jkefelas@larimer.org" <jkefelas@larimer.org>, "kstephens@larimer.org" <kstephens@larimer.org>

To whom it may concern,

I'm writing to weigh in on the County's proposed new Short Term Rental regulations. As someone who has been negatively affected by a short term rental, as have countless Estes Valley residents I've heard from and spoken with, I want to make sure our voices are heard.

My wife and I saw first hand the dark side of STRs: They take away housing where community members would otherwise live; they commercialize neighborhoods and encourage investors to buy up homes for profit; they turn what used to be homes into unsupervised lodges and neighborhoods into vacation resorts; they create conflict between neighbors, short term rental owners and the people who stay at them; they force neighbors to assist with property management and code enforcement of someone else's commercial business operation; and they force out neighbors who can't take it anymore, as happened to us 5 years ago.

As such, we have little patience for STRs and believe they don't belong in residential neighborhoods. Knowing that will never happen, we at least want to see the strictest rules possible in order to preserve what's left of our unincorporated Estes Park neighborhoods and areas that are zoned residential.

Occupancy

Keep it at 2 renters per bedroom. No additional renters.

No High Occupancy STRs, Hosted or Otherwise

There's nothing residential about commercial lodging in residential neighborhoods. More people only compounds the impact.

Separation Between STRs

At least 500 ft between STRs, and 1,000 ft is better. As Commissioner Shadduck-McNally mentioned at the hearing we attended, she knows Estes Park and sound carries here, especially in the mornings and evenings when it's almost always completely quiet. People who stay at STRs are often in "party mode" and even when they're just in "vacation mode," they are often just as loud. Noise aside, residential areas are zoned residential for a reason. When you fill them with STRs you might as well re-zone them accommodations or commercial.

Property Manager Travel and Response Time

Obviously the sooner the better. Regardless, neighbors are required to be the "first line of defense" against noise and violations which is a burden not asked from any other form of commercial lodging which has on-site managers to handle problems and complaints.

Transferability

STR permits should not be transferable when the house is sold. STR permits are used by realtors as a selling point, which just encourages prospective buyers to purchase the house for use as a business. Owners should be required to reapply.

Cap STRs

There should absolutely be a cap on the amount of STRs allowed in the Estes Valley, just as there are in Estes Park city limits. The two are inseparable, and as the Town understood years ago why it needed to be done, the County is somehow just now catching up.

Give Neighbors a Larger Role in the STR Approval Process

When the newest STR was recently approved in our neighborhood, we discovered how one-sided the approval process is. The STR owners had months to prepare and were briefed on our comments we had emailed when we first received notice. Then at the hearing, they had 10 minutes to give a slick Powerpoint presentation with color handouts, and time to speak again later. We had 3 minutes to speak.

Having never been to a hearing and not being given any information on how it would work (no info or link on the postcard on how the hearing or the process worked) we had no idea our only chance to defend our neighborhood would have to be summed up in 3 minutes each.

It showed us how easy it is for someone who doesn't even live in Larimer County to put a short term rental in an Estes Valley neighborhood but impossible for neighbors to keep them out, and how people who want to profit from residential neighborhoods take priority over those of us who live in them.

Thanks for your time,

Kurt Johnson



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, Jan 31, 2023 at 9:00 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: **Jeff Hyler** <jhyler15@gmail.com>
Date: Mon, Jan 30, 2023 at 8:32 PM
Subject: STR Regulations
To: <ellislk@co.larimer.co.us>

Leslie,

Please share this note with our Commissioners.

I have been visiting Estes Park for the past 53 years — first as a young boy, and later as a father, and eventually as a grandfather. Part of the joy of Estes Park is enjoying it with three generations of my family. To do this, we purchased a home with the expectation of renting it while we are not there to partially offset the costs.

The County Commission's proposed STR regulations will restrict my ability to pass down the full value of my home to my children and their children. While I may not understand Larimer County economic development (i.e., discouraging tourism by reducing the number of high quality rental homes), I do understand what your proposed regulations will do to me and my family.

I encourage you to listen to both sides and come up with a fair and equitable set of regulations that protect the rights of **ALL** homeowners.

Sincerely,

Jeff Hyler



Comments on new STR regulations

Justin Stiles <justin.stiles@gmail.com>
To: luc2020@larimer.org

Mon, Jan 30, 2023 at 5:50 PM

To whom it may concern,

Please see my comments below for the Public Review Draft #2 of the proposed Short-term Rental regulations and the first draft of the Ordinance for Implementation and Enforcement of Short-term Regulations

STR Ordinance Revised Comments:

Why is the wording License used instead of Approval?

Section 7b.

Subsequent to the Planning Division approval and the Certificate of Occupancy issuance from the Building Division, a license to operate as a short-term rental will be issued. For short-term rentals or vacation homes approved prior to March 1, 2023, the planning approval number will serve as the license until the renewal or re-certification of the license on the two-year anniversary date.

What does this mean for my current application in progress? The planning division has recently given me approval. I still have to obtain the Certificate of Occupancy issuance from the Building Division and it is likely that this will not happen until after March 1, 2023.

Section 7f.

If an application is not submitted and approved, any advertising will clearly state in the banner heading the residence is only allowed to be rented long-term, greater than 30 days.

The title in the advertisement on short term rental sites does not allow enough characters to input this information. It can however be included in the description part of the advertisement. Banner Heading should be changed to STR description.

Section 8b.

The Property Manager must be able to affirmatively respond to complaints within 30 minutes an hour of notification of such complaint. Failure of a Property Manager to affirmatively respond to a complaint and attempt to resolve such complaint within an hour of notification shall be considered a violation of the Ordinance.

I believe the existing requirement of 1 hour for a property manager to respond should be more than sufficient and will cause undo hardship to other STR owners in Larimer County. Getting an STR license revoked after 3 violations should be more than enough to motivate STR owners to respond to complaints in a timely manner.

Section 8d.

Renewal. Biennial Renewal is required every other year on the anniversary of the original approval or license date. biannually upon notification by the County Failure to complete and resubmit the renewal form to the Community Development Department, shall be cause for consideration or revocation of license approval.

Can renewal notifications be sent out to the STR owner automatically to avoid a lapse with the license?

Section 8e.

Re-Inspection. Short-term rentals shall be re-inspected by the Building Division every four (4) years accompanying the renewal every other year to ensure continued compliance with the building code in effect at that time. At the time of the reinspection a non-conforming vacation home shall be required to be in compliance with the LUC safety standards contained in Section 3.3..5.B l through t.

Are the Re-inspections by the Building Division every 4 years to check if something has been built without a permit or does it mean that the STR has to be brought up to the current code regardless? The latter will cause undue hardship to STR owners if something drastic changes with the building code that everyone has to now adhere to.

Section 8f

Advertising. Any advertising shall contain the Larimer County approval number or license number once provided in the banner heading of any advertisement. The advertisement shall also contain the approved number of occupants.

The title in the advertisement on short term rental sites does not allow enough characters to input this information. It can however be included in the description part of the advertisement. Banner Heading should be changed to STR description.

STR Regulation Revised #1 Comments:

Article 3.0, Table 3-1: Table of Allowed Principal Uses – Rural

Why has the STR max 10 occupants been changed from administrative special review back to special review. Initially when the LUC adopted STR rules it was a special review, then changed to an administrative special review. It should stay administrative special review.

4 - Use-Specific Standards for Larimer County, including Estes Valley (Articles 3 and 13)

4.B.2.c

A short-term rental must be a minimum of 500 feet from another short-term rental. This minimum separation distance is measured from property line to property line. Shortterm rentals in the EV A and EV A-1 zoning districts are not subject to this requirement.

I believe this rule is too strict and should be removed. For example, If one of my neighbors wants to apply for an STR and I am farther along in the process then does their application get denied because

of this clause? I believe this causes undue hardship as many STR owners in unincorporated Larimer county are just trying to keep their generational family home.

4.B.2.g

The short-term rental shall have an approved and reliable water source (well or public water) available for firefighting and meet standards for wastewater system.

This clause should be changed to remove the word “firefighting”. This will cause undue hardship to many STR owners who are currently approved when someone comes in and says the well does not have adequate supply for “firefighting”.

4.B.2.i

Ordinance for Implementation and Enforcement of Short-term Rentals

i. Subsequent to the Planning Division approval and the Certificate of Occupancy issuance from the Building Division, a license to operate as a short-term rental will be issued. For short-term rentals approved prior to March 1, 2023, the planning approval number will serve as the license.

The March 1, 2023 date should be moved back to a later date. I recommend that it's at least 6 months from the adoption of the new LUC regulations. This deadline was not in Draft #1 and could cause undue hardship to STR applications currently in progress. It is a very lengthy process.

4.B.2.u

4.B.2.v

Floodplain Overlay District Standards

o.u. The short-term rental structure and any portion of the primary access route, including a driveway, and any portion of the primary parking shall not be located within the Floodplain Overlay (FPO) District Zone AE (Floodway) nor within the Floodplain Overlay (FPO) District Zone AE (Flood Fringe).

v. If the short-term rental is located adjacent to the Floodplain Overlay (FPO) District Zone AE (Floodway) and Zone AE (Flood Fringe), the Operations Manual shall include information on sheltering in place or the egress route, whichever is the safest option during a flood event. This information shall also be posted on or adjacent to the primary exit door.

I had to go through the Larimer County Flood Review Board before I could submit my STR application. I had to hire an engineer to prove that my property was indeed not in a Floodplain Overlay (FPO) District Zone AE (Floodway) nor within the Floodplain Overlay (FPO) District Zone AE (Flood Fringe). I was granted a flood variance and was able to submit my STR application after that. How does this wording affect my flood variance or others for that matter? I believe this will cause undue hardship to any STR owner that has been granted a flood variance. Going through the Larimer County Flood Review Board was a very costly and lengthy process. The new wording on Floodplain Overlay District Standards should be removed.

4.B.2.r

Life -Safety Inspection and License Renewal

r. The Building Division shall be notified of any changes made to the short-term rental structure or building and the facility must undergo and pass a life-safety inspection or other required building inspection. Failure to notify the Building Division of any changes may be grounds for revocation of the short-term rental license.

I do not think that the STR must undergo and pass a secondary life-safety inspection if the Building Department was notified of changes being made to the property which require a building permit. A secondary life-safety inspection is an unnecessary cost and is redundant to the already required permit inspection.

4.B.2.c

Transferable licenses. An active license for a specific short-term rental operating continuously (by new license, renewal, or approved transfer) under the required license since prior to the effective date of March 1, 2023, or for a short-term rental operating in the EV A or EV A-1 zoning districts, shall be transferable to a different owner in accordance with procedures in this Code, including paragraph (iii) below, and in the form and manner established by the Larimer County Community Development Department.

The March 1, 2023 date should be moved back to a later date. I recommend that it's at least 6 months from the adoption of the new LUC regulations. This deadline was not in Draft #1 and could cause undue hardship to STR applications currently in progress. It is a very lengthy process.

Please let me know if you have any questions for me.

All the best,

-Justin Stiles
3033965389



Comments/Concerns regarding Revisions to STR Regulations

Judy Stencel <judy.stencel@gmail.com>
To: luc2020@co.larimer.co.us

Mon, Jan 30, 2023 at 5:54 PM

TO WHOM IT MAY CONCERN:

I am a resident of Larimer County who resides in a small, rural mountain community (i.e., Pinewood Lake) and am concerned with the increasing number of STR applications (and possible approvals) in my community. Upon reading the proposed revisions to the Larimer County STR and Lodging Regulations, I specifically would like to comment on the following regulations:

- Distance Between STRs: I am in support of the 500 feet separation between STRs -- and specific to my "rural mountain community", would recommend 1000 feet as a more appropriate distance to avoid STR overcrowding in a small, secluded, and quiet residential mountain community.
- Maximum Occupancy: I am in support of the Maximum Number of \leq Ten Occupants -- for ALL STRs. Again, specific to our community, I feel that a Large Hosted STR is **unsuitable** given:
 - (1) a reliable water source (well, or -- specifically -- our private water system)
 - (2) issues regarding wildfire safety, neighborhood safety (i.e., trespassing, theft, and vandalism), noise pollution, and a degradation of neighborhood character
 - (3) unavailable cell phone service
- Response Time: Because our community is already located 30 minutes from Loveland, I am very concerned with response time (especially with intermittent/unavailable cell phone service). I feel that a property manager should be located within 15 minutes or less travel distance (rather than 30 minutes) from any STR.
- Non-transferable STR license: Finally, I am in support of a **non-transferable STR license**. If an approved property is sold or changes ownership, the new owner should be required to submit a new application if interested in continuing the property as an STR.

I realize that our community is atypical. Would it be feasible to create a separate set of regulations (or possibly a different Article?) for our community?

Thank you for your consideration,

Judy Stencel
707 Green Mountain Drive
Loveland, CO 80537



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

One more comment STR issues

maria brownell <mariabrownell@comcast.net>
To: luc2020@co.larimer.co.us

Mon, Jan 30, 2023 at 8:05 PM

Hi,
Just finished monkey survey and had one more thing to add. The requirement to notify neighbors of new STR. If that could be a violation issue I think in approving an STR the county should help shoulder who to notify, what constitutes notification, proof needed?

Thank you



You're Invited - Larimer County Short-term Rental Regulations Draft #2 Open House

Diana Clements <princessdianac7@gmail.com>

Mon, Jan 30, 2023 at 8:20 PM

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

Dear Tawn,

Thank you for the time you and your team have spent working on this project.

I apologize for my delay in getting my thoughts over to you, but my husband lost his Microsoft job last week and we had to work through a 53 page document to transition out of that with a deadline of last night. Since today is your deadline I am hoping you will still consider our comments and concerns which I list below.

- As mentioned multiple times in the Webinar the 30 minute timeline (and location) for the Property Manager to respond and be present at the STR to resolve a complaint is not realistic in some instances. Please keep this timeline and location of the owner at 1 hour. 😊
- It is a big concern that if a STR is in good standing and say the owner dies and it needs to pass on down to a family member as a new owner, that they need to reapply rather than the license just transfer into the new owner's name. Please leave alone and let it be transferable IF in good standing.
- It is soooo sad to see the county is trying to take away the gift of providing one location for a bigger family to gather privately in groups 10-16 by limiting the size to 10 per home! You are forcing families to be separated instead of gathering under one roof to bond and make memories together. Does your family want to stay with a stranger/host in the home with them? PLEASE allow the 10-16 to stay without a host! Provide that gift to large families. The "3 strikes your out" will protect the neighbors.
- As far as allowing only 1 STR per property it should be added that a special review to consider exceptions may take place if the property has multiple acreage.
- Also consider the "special review to consider exceptions may take place" on this as well. "A short-term rental must be a minimum of 500 feet from another short-term rental. This minimum separation distance is measured from property line to property line."

Thank you so much for your time and consideration of the above.

[Quoted text hidden]

--

Sincerely,

Diana Clements



Short-Term Rental Comments

Matt Wood <woodm@techincsolutions.com>

Mon, Jan 30, 2023 at 11:32 PM

To: LUC2020@larimer.org

Cc: Culp Family <jimdfd@gmail.com>, Kimberly Culp <kmbryculp@gmail.com>, Vanessa Mancill <Vmancill@gmail.com>, Dan Kaiser <dkaiserhltlake@netscape.com>, Scott Ruff <scott@theruffs.net>, Mickey Ruff <mickey@theruffs.net>, Mark Mecseji <mark.mecseji@comcast.net>, Colleen Mecseji <mcolleen83@gmail.com>, "Wood, Kirsten - SHE" <kwood@psdschools.org>, Bruce Haas <brucehaas1@hotmail.com>, Nina Rogers <nina.rogers@comcast.net>, Todd Rogers <cpntodd@comcast.net>, Gary & Carla Pettenger <cpetteng@msn.com>, gdcdp@msn.com, terihaas27@gmail.com

To Whom It May Concern:

The Larimer County Board of County Commissioners provides the following rulings (Findings and Resolution, Alsup Appeal to Community Development Director's Determination, Reception #20220063958) on the unique characteristics of certain neighborhoods in the Wildland Urban Interface. The Board of County Commissioner's ruling targets the unsuitability and incompatibility of Short-Term Rentals in certain WUI neighborhoods. Heightened and unmanageable risk, WUI, road grade, ingress/egress, lack of fire hydrants, and myriad other mismatches with WUI neighborhoods deserve consideration. The Board findings, resolutions, and rulings serve as a guide to follow in the development of Short-Term Rental regulation.

We ask the Larimer County Planning Department to consider the Larimer County Board of County Commissioner's findings regarding public safety and fire safety in the WUI during STR revisions.

- Board Finding: The lack of fire hydrants, the lack of maintenance on the road, as well as the steep nature of the roadway cause significant impacts and risks to the development of the area because it could cause a **heightened risk for fire or for dangerous conditions for emergency access personnel.** There are more than minimal impacts on the area because of the safety issues listed above. **The property is in the Wildland Urban Interface which creates additional need for protection from wildland fires.** The road is steeper than would be allowed in any new developments, and numerous people who are new and are unfamiliar with this area creates too much potential concern.

We have offered suggested guidance related to developing additional provisions within the WUI but those remain unanswered.

- Modify Short-Term Rental Ordinance to prohibit short-term rental permits in neighborhoods where sixty percent or more of the homes are classified by PFA as Extreme Hazard or Severe Hazard.

We believe the Larimer County Planning Commission should take into consideration the Fire Risk for a community, specifically for locations identified as a severe or extreme risk for fire in the WUI.

Regards, Matt Wood
4132 Ann Street



Matt Wood

CEO at Tech Inc.

Managed IT Services

Email: mwood@techinc.co



Website: techinc.co

Phone: 303-835-4363

The Front Range: Fort Collins, Longmont, & Denver



techinc.

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Short-Term Rental Regulations Team
Larimer County Planning Department
PO Box 1190
Fort Collins, CO 80522

RE: Draft #2 of Short-Term Rental Regulations Update

Dear members of the Short-Term Rental Regulations Team,

I am writing to provide public comment on the second draft of proposed regulations for short-term rentals. These comments are based on my personal experiences and concerns as a homeowner in the Horsetooth Lake Estates subdivision, which has experienced several short term rentals (both permitted and non-permitted). Please consider these recommendations and concerns with this context, which may differ in ways both large and small from those which may be located within Estes Park and other municipalities.

Legacy Development Standards - Mountains

First, it is important to understand that this subdivision and others within the county were developed at a time with minimal design standards; our roads do not meet the County's current roadway design standards nor standards established by the National Fire Protection Association (e.g., NFPA #1140 Standard for Wildland Fire Protection). Roads are steeper and narrower than County and NFPA standards, with substandard cul-de-sacs and a lack of any secondary egress. Many homes are on septic and the water supply is limited, with no functional fire hydrants for firefighting. The homes in the back of the subdivision are a mile from our only egress, County Road 38E. Being within the Wildland Urban Interface (WUI), this presents risk for all residents, but especially for guests not familiar with our rural hazards.

With this context in mind, I feel it is important to have some explicitly defined discretion to restrict the number of guests below the standard formula (2 guests per bedroom + 2 extra), where site conditions indicate a lower number is warranted due to limited egress, septic system constraints, etc. I support the proposed standard 'w' (*Local roadways, whether public or private, used to access the short-term rental, shall comply with the Appendix G Standards of the Larimer County Rural Area Roadway Standards.*), but am concerned that the proposed regulations regarding existing STRs and transferability will still result in many STRs remaining in locations not meeting the proposed standards.

Existing STRs and Transfers

For the aforementioned and additional reasons, I find that the proposed regulations exempting existing STRs and allowing transfer of existing, noncompliant STRs to future owners is problematic. There is good reason why these regulations are being updated, and the new regulations should apply to all STRs to remedy these problems. When a license is renewed, it should have to be brought into conformance with these standards – otherwise the problems will persist in perpetuity, and there will be two classes of STRs with different rules for each. Just

as building code updates are enacted, there should be some defined trigger that requires an applicant to bring a property up to current code to receive the renewed license.

Table of Allowed Principal Uses – Rural

I agree with the revisions to Article 3.0, Table 3-1: Table of Allowed Principal Uses – Rural, with one exception. A Bed and Breakfast with up to 20 guests can be a major impact to residential neighbors even in rural areas, such as Zone O where I live. Many homes in our subdivision are built 10 feet (or less) from a property line, as mine is. Allowing a Bed and Breakfast to be processed as an Administrative Review is not sufficient protection to neighboring property owners who may be significantly impacted. These B&Bs should be processed via Special Review just as is proposed for STRs with fewer guests (STR Hosted-Large and STR non-hosted), if there are homes a similar distance from the proposed development. At a minimum, I believe there should be a requirement for such proposals to be reviewed via Special Review or Site Plan Review if the distance to a neighboring residence is within a specified distance.

Definition: Short Term Rental Hosted

The definition for STR Hosted is proposed as “A principal dwelling occupied by a full-time resident or owner living on-site where short-term lodging (30 days or less) is provided to transient occupants.” The inference is that a hosted STR will have the resident or owner on the premises during the rental, and available to resolve any problems. However, this definition (nor the standards listed for Hosted STRs) does not require that the owner/resident be present or available to respond within any specified period of time to do so. It is possible for an owner/resident to, for example, leave for a two-week vacation and rent out the unit while being out of state or country. Who is then available to contact and resolve problems? For clarity, I believe this definition needs to include a requirement to be present, on premises or within 30 minutes of travel (as proposed for STRs that are not Hosted) during a rental occupation.

Short Term Rental Standards

Many commonsense standards are proposed for (non-Hosted) STRs that are not listed for Hosted STRs. Why? As this document is currently structured, it does not require Hosted STRs to meet any standards listed in Article 3 Section 3.3.5.B. Perhaps the intent was to have the General Standards and Safety Standards apply to STRs and B&Bs of all types – if that is the intent, the outline structure of this document needs to be corrected.

If the document structure is as intended, at a minimum, I believe these should apply to Hosted as well as non-Hosted STRs:

- Only one short-term rental shall be allowed on a property.
- A short-term rental must be a minimum of 500 feet from another short-term rental. This minimum separation distance is measured from property line to property line.
- Accessory Living Areas, Extended Family Dwellings, and Farmstead Accessory Dwellings shall not be utilized as a short-term rental; however, an owner may reside in an Accessory Living Area unit on a property while renting the principal dwelling as a short-term rental.

- No person shall be permitted to stay overnight in any motor vehicle, including but not limited to a recreational vehicle, travel trailer, tent, or other outdoor structures on the short-term rental property.
- The short-term rental property shall not be advertised as an event space.
- The short-term rental shall have an approved and reliable water source (well or public water) available for firefighting and meet standards for wastewater system.

Standards for Short-Term Rentals with Ten or Fewer Occupants

Item B.2 General Standards lists several standards for non-Hosted Short-Term Rentals with Ten or Fewer Occupants. In general, I support these standards, but have a few comments:

- f (*The short-term rental property shall not be advertised as an event space*) – please consider inserting “or operated as” after the word “advertised”.
- g (*The short-term rental shall have an approved and reliable water source [well or public water] available for firefighting and meet standards for wastewater system*) – please clarify what an “approved and reliable water source” is. There is at least one STR in our subdivision that was approved under the stated premise that a nearby fire hydrant was available for firefighting. In fact, none of the few hydrants in our subdivision are designed or constructed for firefighting – Spring Canyon installed them for flushing the mainlines. Consider revising this to clarify that the fire department has confirmed that sufficient water supply is available for firefighting, in conformance with their current standards (e.g., hydrant within 500 feet of the proposed STR/B&B building.)
- g (*The short-term rental shall have an approved and reliable water source (well or public water) available for firefighting and meet standards for wastewater system.*) – I think the wastewater system requirement should be listed separately for clarity. Additionally, it would be prudent to require this wastewater system to be permitted (not just meeting design standards).

Ordinance for Implementation and Enforcement of Short-term Rentals

Item B.2 General Standards lists the means of Implementation and Enforcement of STRs, including:

- Item k (*The 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.*)

As experienced in our subdivision, some STRs may routinely violate property restrictions and covenants previously established by their HOA and their owners. If the County is informed by the HOA, with proper documentation, that a County-licensed STR or B&B is persistently and clearly violating the covenants and code restrictions of the HOA, I believe that should be considered to be violation of an applicable regulation and potential grounds for revoking or not renewing a license. Please consider clarifying this statement to include CCRs (which the County has approved).

Safety Standards

Item B.2 General Standards lists safety standards for STRs. In general, I support these standards and believe they should apply to all rental types, but have some comments:

- i (formerly g) (*The property manager shall be located within 30 minutes one hour or less travel distance from the short-term rental...*) – how is this defined or verified? Is this referring to an office/residence location, or the physical location of a person for the duration of the rental? For clarity and effectiveness, please add “and available to respond” after “located” so that it is clear that a response is expected within that time period, not just that a property manager’s office is located within this time distance.
- n.iii (*A map of escape routes from the neighborhood to a public road*) – in our subdivision, the public road is at the end of a (typically) short driveway. These public roads in our subdivision do not meet County road standards, and navigation out of the subdivision with only one egress can be confusing in low visibility conditions or during an emergency. Please consider revising this requirement to achieve safe egress out of a subdivision like ours (not just the end of a driveway), so guests don’t get lost in loops and cul-de-sacs.
- o (*The location of the property boundaries for the short-term rental shall be easily identifiable and posted to prevent trespass*) – it appears that someone could staple paper signs to some fence posts and would satisfy this requirement initially, yet be entirely ineffectual. Please specify some expectations for permanent, weather-proof signage that will last for the duration of the license. Additionally, please add “onto adjacent properties” at the end of this sentence to clarify that the goal is to keep guests from trespassing onto others’ property, not vice versa.
- p (*The short-term rental shall have a plan for garbage storage and removal. The plan shall clearly illustrate the location of garbage storage areas, the method and frequency of regular garbage pick-up/disposal, and screening of the outdoor storage area*) – this requirement adequately addresses identification and visual concerns, but does not address attracting bears, raccoons, etc. Please add a requirement/expectation that trash is secured in bear-resistant containers for STRs in the mountains. (Guests are often unaware of wildlife issues in the mountains.)
- r (*Unless already equipped with an approved automatic fire sprinkler system or installing one with a building and/or fire department permit, approved fire extinguishers shall be installed in a readily accessible and visible locations for immediate use in the following locations within the short-term rental*) – As written, properties with a sprinkler system will not be required to have any fire extinguishers. This seems foolish as many fires can best be put out with extinguishers before an automated system will be triggered (and causing water damage). However, my primary concern is exterior fires such as from a gas grill, cigarette, etc. Please keep the requirement for an extinguisher “inside and adjacent to the door leading to a deck, porch, or patio with such appliances” for all STRs, regardless of the presence of an automated system which will not put out an exterior fire.
- t (*The 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*) – in the mountains and perhaps elsewhere, cell service at an STR location may be

“reliable” by one carrier, but no service is available by the other networks. In our subdivision, only visitors with Verizon accounts can get cell service. I think this needs to be described better to ensure all guests can call in an emergency, not just those with a particular provider.

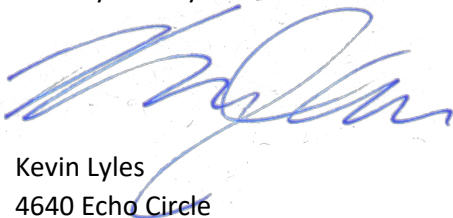
Table 4-4 Minimum Off Street Vehicle Parking Requirements

The proposed parking requirement for non-Hosted STRS is only two on-site parking spaces, regardless of the number of guests. This is different than Hosted STRs, which will require “two spaces plus one space per bedroom used for accommodation”. Why the difference? Non-hosted STRs will have the same impact on parking per guest as hosted STRs, and should not place the burden of parking on public and private roads, regardless of the suitability of those roads to accommodate guest parking. Please correlate the parking requirement to the number of guests (e.g., one parking space per two permitted guests). Alternatively, please require applicants to demonstrate that all parking can be provided on site and/or on public roads without encroaching on minimum road widths, blocking driveways, etc.

Design, Use, and Location of Vehicle Parking

The current draft does not specify any standards for the location, spatial dimensions, or design of parking for STRs – this is problematic for several reasons, including verifiability of adequate provision, protection of septic fields, impact on vegetation, and risk of ignition of flammable vegetation. At a minimum, I believe a “parking space” does not reasonably exist unless it is accessible from the road or driveway, physically designated or delineated in some way, and surfaced with gravel or pavement. Free-for-all parking in vegetation or dirt is not appropriate for a commercial enterprise, negatively impacts neighbors, and risks ignition of wildfires.

Thank you for your consideration.



Kevin Lyles
4640 Echo Circle
Fort Collins, CO 80526



Comments - Draft 2 - Land Use Code, Short-Term Rental

Fred Brasch <fred.brasch@comcast.net>
To: LUC2020@larimer.org

Tue, Jan 31, 2023 at 9:03 AM

The following comments are from the pdf version of Public Review Draft #2, January 13, 2023

1. The definition of Short-term Rental, Hosted is not clear. The definition of Hosted version is given as:

Page 3, bottom paragraph

A principal dwelling occupied by a full-time resident or owner living on-site where short-term lodging(30 days or less) is provided to transient occupants.

Is it saying that whoever is hosting, be it the owner or an owners agent, must be a full-time occupant of the dwelling? Or is it saying that a full-time resident, i.e, an owner's agent can be the host or if there is no full-time resident, the owner can be a host on a drop in basis as long as the the owner is there while the transient occupants are? What is actually meant?

2. Why isn't the specific use standard as applied to STR - Max Ten Occupants equally applicable to STR, Hosted 1-10 Occupants? More details below.

Page 7 ff

There's a section heading labeled 4 on page 8 but the articles under it are labeled 3 so I think there's either cleanup coming or the 4 is wrong so I'll just ignore it and use the 3 references. Table 13-1 on page 7 says that the specific use regulations for STR Hosted 1-10 occupants are given by 3.3.5.A while the regs for STR - Max Ten occupants are in 3.3.5.B. Section 3.3.5.A.2 lists 5 standards, a. through e. Section 3.3.5.B.2 lists 28 standards, a. through bb. The A.2 standards look to be included in the B.2 standards but in general I don't understand why the B.2 standards aren't also applicable to STR-Hosted category. I really don't see where any of the B.2 standards are affected by a host's presence. This may just be document organization mix up. If so, what's the real intent. If not why aren't the B.2 standards applied to STR-Hosted? They all look to be extremely pertinent regardless or whether a host is on site or not.

Thanks,
Fred Brasch
[1105 North Lane](#)
Estes Park



Comments on STRs rulemaking

tarilynn4@gmail.com <tarilynn4@gmail.com>
To: luc2020@co.larimer.co.us

Tue, Jan 31, 2023 at 11:04 AM

Hello,

My family has owned the home on Bighorn since the 1940s – our home has historic fixtures and was exempt from some of the building requirements for the Life Safety Inspections I passed a few years ago. I appreciate the grandfathering in of allowing for transfers of Vacation Home Licenses and would ask that homes built I think is was before the 1960s are also grandfathered in for future Life Safety inspection requirements.

Thank you for taking the time to listen to your community and considering all that you have heard to continue to make Estes Park a special place for families both residents and visitors.

Respectfully submitted,

Tari King

STR Owner

Tari

Tarilynn4@gmail.com

303.809.1233

CONFIDENTIALITY NOTICE:

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

Fwd: STR/Ordinance/Etc.

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

Mon, Jan 30, 2023 at 1:05 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: **Matt Wood** <woodm@techincsolutions.com>
Date: Mon, Jan 30, 2023 at 12:56 PM
Subject: Re: STR/Ordinance/Etc.
To: <ellislk@co.larimer.co.us>, <volkerl@co.larimer.co.us>

These are the questions that remain unanswered:

1. The names of the committee members working on the STR ordinance. Please include their respective County departments and expertise in similar matters.
2. The committee member who proposed the 1000' park language. (S)he needs special recognition, and we would like to arrange an interview. You are welcome to forward the minutes detailing this discussion.
3. The hypothetical impact of an STR on a park that is 1000 feet away? Sounds comical, right? Especially considering you endorse this language but don't endorse fire safety.
4. The location of all meeting minutes associated with the topic of WUI, Fire Safety, and STRs. PFA has referred us to your department for those notes. **PFA: Please remember it is Larimer County Planning that conducts the meetings, not Poudre Fire Authority. The contact I have for Larimer County Planning is: planningoncall@co.larimer.co.us to determine the place of minutes from their meetings.**
5. In light of the Marshall fire and other significant anniversaries along the front range, a formal statement regarding why this committee elects to ignore fire and WUI? We want to be privy to the thought process, so we do not misrepresent your department.

And:

1. We are also looking for clarity regarding how an "idea" lands in the revision. What is the process?

Please provide explicit instructions and the POC for each outstanding item (6 total).

Matt



Matt Wood

CEO at Tech Inc.
Managed IT Services

Email: mwood@techinc.co

Website: techinc.co

Phone: 303-835-4363

The Front Range: Fort Collins, Longmont, & Denver



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On Mon, Jan 30, 2023 at 12:32 PM Matt Wood <woodm@techincsolutions.com> wrote:
Leslie,

You reference the availability of answers related to Q1-5 of my previous email will be available online. Where do I find this information? We are also looking for clarity regarding how an "idea" lands in the revision. What is the process?

Matt



Matt Wood

CEO at Tech Inc.

Managed IT Services

Email: mwood@techinc.co

Website: techinc.co

Phone: 303-835-4363

The Front Range: Fort Collins, Longmont, & Denver



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On Wed, Dec 14, 2022 at 11:57 AM Matt Wood <woodm@techincsolutions.com> wrote:
Good morning, Lesli.

We recently had an opportunity to review the proposed STR language. It is adorable. You added language to evaluate the impact of an STR on a park 1000 feet (nearly 3.5 football fields) away but failed to ask how an STR might impact a 14-year-old that lives right next door (i.e., typically less than 50 feet). It is more of the same. A higher value on a goose (or your park) than a child or neighbor in a neighborhood?

Please provide the following:

1. The names of the committee members working on the STR ordinance. Please include their respective County departments and expertise in similar matters.
2. The committee member who proposed the 1000' park language. (S)he needs special recognition, and we would like to arrange an interview. You are welcome to forward the minutes detailing this discussion.
3. The hypothetical impact of an STR on a park that is 1000 feet away? Sounds comical, right? Especially considering you endorse this language but don't endorse fire safety. Maybe it is a typo, and it was intended to be 10 feet away?

4. The location of all meeting minutes associated with the topic of WUI, Fire Safety, and STRs. PFA has referred us to your department for those notes. **PFA: Please remember it is Larimer County Planning that conducts the meetings, not Poudre Fire Authority. The contact I have for Larimer County Planning is: planningoncall@co.larimer.co.us to determine the place of minutes from their meetings.**
5. In light of the Marshall fire and other significant anniversaries along the front range, a formal statement regarding why you elect to ignore fire and WUI? We would like to be privy to the thought process, so we do not misrepresent your department.

It is rather astonishing that your department wasn't savvy enough to insert the language from the Alsup appeal regarding WUI and fire. If the County Commissioners endorse our argument, it should be considered the most significant of the proposed changes, but you elected to ignore it. Baffling. Unless I am mistaken, these are your bosses, correct? If possible, we would like to understand these developments as well.

I want to ensure we get this right, especially after the documented inconsistencies and errors throughout the last appeal by your department. We intend to be transparent and factual. In short, we don't want to misrepresent your department.

Have a nice day. Again, if you are the incorrect contact for this information, please let me know. Matt



Matt Wood

CEO at Tech Inc.

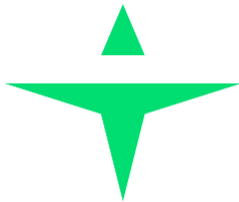
Managed IT Services

Email: mwood@techinc.co

Website: techinc.co

Phone: 303-835-4363

The Front Range: Fort Collins, Longmont, & Denver



techinc.

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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, Feb 1, 2023 at 10:01 AM

FYI

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

From: **Larimer.org** <noreply@larimer.org>
Date: Wed, Feb 1, 2023 at 9:52 AM
Subject: STRs
To: <JShadduckMcNally@larimer.org>

This form was submitted on Wednesday, February 1, 2023 - 9:52am from <https://www.larimer.gov/elected-officials>.

Emailing (to) JShadduckMcNally@larimer.org
Subject STRs
Your Name Rebecca Urquhart
Phone 9705867586
Your Email rebecca.l.urquhart@gmail.com
Message (no html)

Thank you for your positions on STRs. I fully agree a license should only be allowed to be transferred once in say 5 or 10 years. I would go a bit farther, and adopt the Denver ordinance, that no license be issued unless the house has been a primary residence for at least a year (by owner or renter). This at least opens up the inventory of housing occasionally. 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: Please vote for Full time residents who live, work, ay ties, and spend money in Estes Park. Thanks

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

Fri, Feb 3, 2023 at 3:53 PM

FYI

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

From: **Jo Anne Ollerenshaw** <ollerenshawjoanne@gmail.com>
Date: Fri, Feb 3, 2023 at 3:40 PM
Subject: RE: Please vote for Full time residents who live, work, ay ties, and spend money in Estes Park. Thanks
To: <JShaddockMcNally@larimer.org>, <kstephens@larimer.org>, <jkefelas@larimer.org>

The editorial in Today's Estes Park Trail Gazette is the CORE of the STVR problem.... After receiving notice from Larimer County of a proposed short term rental in our neighborhood, ... It was a disheartening experience and highlighted how easy it is for someone from out of town [or out of state who do not elect officials] to put a short term rental in an Estes Valley neighborhood but impossible for neighbors to keep them..

Thank you,
Jo Anne Ollerenshaw
[535 Hondius Circle](#)
[Estes Park, CO](#)
970-302-3359 c
ollerenshawjoanne@gmail.com

--



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: Land Use Code

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

Fri, Feb 3, 2023 at 4:32 PM

FYI

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

From: Larimer.org <noreply@larimer.org>
Date: Thu, Feb 2, 2023 at 9:47 AM
Subject: Land Use Code
To: <kstephens@larimer.org>

This form was submitted on Thursday, February 2, 2023 - 9:46am from <https://www.larimer.gov/bocc>.

Emailing (to) kstephens@larimer.org
Subject Land Use Code
Your Name Donna Chapel
Phone 9702148275
Your Email dchapel3@comcast.net
Message (no html)

Dear Commissioner Stephens -

Thank you for the work that the county has done to try to balance the rights of both the STR license holders and the community members who are their neighbors.

Generally, we feel that the new Land Use Code is balanced. There are a few comments, however, we feel compelled to make.

1) Transferability. We strongly disagree with the ability to transfer these licenses and hope that you will reconsider allowing the current license holders to transfer their licenses in perpetuity. If you feel you must allow some transferability to protect the investment of the STR license holder, a good compromise would be a one-time transferability. For example, License Holder Smith sells his property to Jones. A new license is granted to Jones under the transferability right. If this were to be a new license issued to Jones after the effective date of the Land Use Code, Jones will not be able to transfer the license. These licenses impact all surrounding homes and new owners should have to go through the same application process. (Please note that in the revised Code document, under transfer of STR license, Pages 11 and 12, Paragraph z, aa and bb, reference to paragraph i and iii, which appear to be incorrect.)

2) In the event of a reportable violation, thank you for reducing the response time to 30 minutes. While STR license holders objected, neighbors who are having to deal with violations appreciate them dealt with in a timely manner.

3) During the Estes Valley Open House on Wednesday, January 25, we spoke with a member of the Estes Valley Planning Advisory Committee, who stated that they voted in favor of the license for an STR in our neighborhood. The reason for their affirmative vote was that there are few existing STRs in our neighborhood. We are zoned EV-RE. Per Larimer Land Use Code, Article 13.2.2:

B.EV RE Estes Valley Rural Estate Zoning District.

This district permits relatively low-density single-family residential development in areas of the Estes Valley where this is the established and predominant land use pattern. New residential development is encouraged to incorporate rural residential conservation designs, such as clustering and other open space preservation techniques, in order to preserve the existing rural character and limit development in sensitive environmental areas such as steep sloped areas. The regulations contained in this district will permit continued, low-density residential development, generally at densities no greater than one dwelling unit per two and one-half acres. [emphasis added]

We are concerned that this apparent misunderstanding of the Land Use Code may continue to result in the incorrect application of the Code. We suggest that the Advisory Board be reminded of the intent of the Land Use Code with respect to STR license applications, specifically the character of the surrounding neighborhood. We could find nowhere in the

code any reference to an STR application being relevant to the number of existing STRs within a neighborhood, especially the Rural Estate Zone.

Again, thank you for the opportunity to provide our comments.

Sincerely,
Tom and Donna Chapel
880 East Lane
Estes Park, Colorado
Attach a file (optional)

--



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

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FEB 13 2023

COMMISSIONERS' OFFICE

EWB Resources, Inc.

P.O. Box 334

Estes Park, CO 80517-0334

(970)215-2625(c)

(970)586-4104(h)

Commissioner Stephens
200 West Oak, Suite 2200
Fort Collins, CO 80521

Dear Commissioner Stephens,

Thank you for your attention to this correspondence. While I am Chairman of the Estes Park Housing Authority and a past two-term Town of Estes Park Town Trustee, I am communicating with you as a private constituent of 37 years, concerned about the proposed limiting and restrictive short-term rental regulations within the Estes Valley.

Requiring a 500-foot separation between property lines/units (and 1,000 for parks and public open space) is impractical in condominium and townhome developments constructed with the possibility of short-term rentals in mind. It's just not the way that Estes Park has developed/redeveloped.

Eliminating the transferability of licenses and requiring properties to be brought up to current building codes at the time of licensing renewal is punitive, at best. Over regulation of a sector of the lodging properties in the Estes Valley is not in the best interest of the community as a whole.

Short-term rentals have been a fact of life in the Estes Valley since the 1860s - 163 years - shortly after the formation of Larimer County. During approximately the last two decades the Estes Valley Planning Area allowed for these licensed homes and were regulated jointly by the Town and the County. Unfortunately, the Estes Valley Planning Commission was dissolved by former elected officials undoing 20-plus years of joint planning, cooperation, and coordination of codes and regulations.

I do not own or manage short-term rentals either in the Town Limits or the Estes Valley Planning area or anywhere else. The County staff and Commissioners appear to be spending an inordinate amount of time and energy on an area of 29.5 square miles (1.16 % of the county land mass) housing a mixture of part-time residents, second home owners, and year-round residents (approximately 1.9 percent of the county population according to the 2021 data). It has been my experience that there are very few verified complaints concerning short-term rentals in the Valley.

Please don't penalize our community for what has worked for our tourism economy for so long.

Sincerely,



Eric W. Blackhurst, Ed.D



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

Fwd: STR regulations from the perspective of Estes Valley residents

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

Mon, Feb 6, 2023 at 11:24 AM

FYI

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

From: **Bob Leavitt** <bob@bobleavitt.com>

Date: Sun, Feb 5, 2023 at 1:55 PM

Subject: STR regulations from the perspective of Estes Valley residents

To: Jody Shadduck-McNally <JShadduckMcNally@larimer.org>, John Kefalas <jkefalas@larimer.org>, <kstephens@larimer.org>

Cc: <LUC2020@larimer.org>

Dear BOCC Board,

The following guest editorial by Kurt Johnson appeared in the February 3rd Estes Park Trail Gazette. It clearly describes how residents of the Estes Valley feel about STRs and the proposed STR regulations.

GUEST OPINION Impacts of STRs on community

By Kurt Johnson

After receiving notice from Larimer County of a proposed short term rental in our neighborhood, my wife and I attended a hearing in late December.

It was a disheartening experience and highlighted how easy it is for someone from out of town to put a short term rental in an Estes Valley neighborhood but impossible for neighbors to keep them out, and how people who want to profit from residential neighborhoods take priority over those of us who live in them.

That hearing was like stepping back in time to about 10 years ago when STRs were flooding the market and my wife and I were blindsided by the one that was built next door to us that was a near constant headache for 5 years.

We lived within Estes Park city limits then and met with everyone we could in Town government, and the issue was new enough that people had yet to fully understand the impacts of STRs on neighbors and neighborhoods, housing availability and affordability, and on how they affect our very sense of community.

Back then, it was the Larimer County Commissioners who were more concerned about the negative impacts than the Town was. As time went by, however, the roles began to reverse. Estes Park put a cap on STRs because so many people, most of whom don't live here, want to turn residential housing into commercial lodging. The County, on the other hand, looks more like the Town did 10 years ago, continuing along a path of approving STRs seemingly without hesitation. [Note: the author did not realize that the county also has a cap on STRs, but his point is that most STRs are routinely approved by the county despite strong neighborhood opposition.]

When thinking about community, and how the Community Development department handles STRs for the Larimer County government, it's worth pointing out that the term "community development" carries with it a sense of building community, of creating a more livable and sustainable place for people in Larimer County to call home.

With few exceptions, short term rentals are the antithesis of community. They take away housing where community members would otherwise live; they commercialize neighborhoods and encourage investors to buy up homes for profit; they turn neighborhoods into vacation resorts and fill them with strangers; they create conflict between neighbors, STR owners and the people who stay at STRs; they force neighbors to assist with property management and code enforcement; and they force out neighbors who can't take it anymore, as they did my wife and I when we moved out of our old neighborhood. Larimer County is finally catching up to the Town of Estes Park in updating its STR regulations, and it's long overdue. I don't know if and what changes the County will ultimately make to its rules, but nothing I read indicates a meaningful shift in how it views STRs and the impacts they have on the community. That said, updated regulations are

better than nothing, and I welcome any changes that limit the negative impacts of short term rentals.

I understand that Estes Park is a vacation destination and relies heavily on tourism for its economic well being, but we are also much more than that. We're real neighbors in real neighborhoods, and turning homes into unsupervised motels and neighborhoods into vacation resorts is not the way to make a town more livable.

End of Guest Opinion by Kurt Johnson

You are receiving a constant drumbeat of phone calls and messages from the EVSTRA organization. Do not assume that the Estes Valley residents, who are less vocal and "in your face," go along with EVSTRA's position. For STR owners it is all about preserving the high profits that STRs bring in. For residents it is about our community and preserving the character of our residential neighborhoods. I and my neighbors are asking that you stay the course and implement the proposed STR regulations!

Regards,
Bob

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

--



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 update comment

Sean Serell <sserell@ncaphealth.com>

Mon, Feb 6, 2023 at 8:31 AM

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

Regarding the revised definition of resort lodge / cottage (cabins)

The addition of "an on-site manager or staff" to the definition effectively migrates this into the Bed and Breakfast category (+/-) serving food to occupants.

The previous definition of resort lodge / cottage cabins provides the ability of multiple different STR on the same property without the requirement for on-site management/ owner.

For consideration in the Estes Valley area our property on 1 Riverside Dr (EV-A1) is in the process of developing a building plan for a resort lodge with 3 separate units. The new requirement of on-site management would require a complete re-drawing of the plans at significant cost and/ or force conversion of one of the cottages / cabins to a management lodging, significantly impacting revenue and financial feasibility of the model.

I would like to strike the added terminology of on-site manager or staff to the definition.

Thank you,

Sean Serell MD

5602 Fireside Ct
Fort Collins CO 80528



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

STR updated regulations Public Comment

Sean Serell <sserell@ncaphealth.com>

Mon, Feb 6, 2023 at 8:51 AM

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

Regarding Safety Standards

"The property manager shall be located within 30 minute travel time"

This creates undue hardship and expense on STR property owners - suggest changing it to add

"The property manager shall be located within Larimer County or within 30 minutes travel time of the STR property."

This would allow residents of Larimer county, who reside in Larimer County, to manage their STRs located within the county without the travel time calculation requirements. This simplifies the administrative oversight of the requirements for management locations as well as reduces potential cost burdens on STR owners.

Thank you,

Sean Serell MD
5602 Fireside Ct
Fort Collins CO 80528



STR Updated Regulations Public Comment

Mile High Hype <zserell@gmail.com>
To: luc2020@co.larimer.co.us

Mon, Feb 6, 2023 at 11:22 AM

As a resident of Fort Collins I have concerns with the changes regarding the distance of a property manager.

I believe changing it to "The property manager shall be located within Larimer County or within 30 minutes travel time of the property."

This simplifies the requirements and allows STR owners to continue to manage their properties located within Larimer that reside outside of the 30 minute range.

For example I am a resident of Fort Collins and this would prohibit me from managing our family property in Estes Park which would place a financial burden on our family.

Thank you,

Zachary Serell
Registered Voter and Resident of Larimer County
5602 Fireside Court
Fort Collins, CO 80528



Comments regarding short term proposed rental regulations.

maria lafrance <marialafrance@gmail.com>
To: luc2020@co.larimer.co.us

Mon, Feb 6, 2023 at 12:43 PM

Hello! I have a short term rental permit for my property in zone EV1 (I think) at [1721 Windham Court, Estes Park](#). I have a couple of comments that I would like to be considered.

1) The license should be transferable upon sale of the property. If a license is given, it means the HOUSE has passed inspection. This is customary in other cities and states.

2) My property is less than 500 feet from one neighboring property, even though it is 1.4 acres. The goal might be to minimize noise interfering with other residents. However, a city is an urban area and thus people are used to neighbors. I would rather see an ordinance minimizing noise within the city limits. (hopefully we already have this). I have traveled extensively, and I am grateful for short term rentals in urban areas that are convenient for walking. our son is in a wheelchair, so we prefer to rent some thing with a kitchen and living area since his choices for getting out in the community are somewhat limited. if he was forced to rent some thing 500 feet away from anything else, likely he would not choose Estes Park.

3) My third comment is regarding RVs or campers parked on site. No one can control what visitors are driving. This seems a bit of overreach. I would suggest restricting RVs to seven days or less. Example: my friend rented an RV to travel with her family from Des Moines to Estes Park to stay at my house in 2015. They had no other means of transportation. If they were not allowed to park that RV at my residence, that would have been very inconvenient for them, they would have needed to find a public parking and either Uber or walk.

Maria La France
515-865-8887

Begin forwarded message:

From: Estes Valley Short-Term Rental Alliance - EVSTRA <info@evstra.org>
Date: January 29, 2023 at 12:27:55 PM CST
To: marialafrance@gmail.com
Subject: Procrastination Time Has Ended
Reply-To: info@evstra.org

