
JERRY THOMSEN

Thomsen.pe.olph@gmail.com



EMAIL

661/993-4398



TELEPHONE

1732 SHEA CENTER DRIVE,
APT. 201
HIGHLANDS RANCH, CO.
80129

LITTLETON, CITY COUNCIL

Dear Jocelyn Mills & Steve Kemp,

This letter is to bring to the attention to the City Council of Littleton Colorado, the advantages of having the Airbnb home of Tom and Kelley Smith available in your city.

In March of this year I planned a trip to Colorado to see my three boys who moved to the Highlands Ranch area with their mom. My mom, sister and myself, decided to we wanted to stay close to them for the week during their school spring break. Looking at the surrounding cities, we found that Littleton was the best location for our stay. Looking up accommodations from the week, Hotels and other places seemed very expensive. My sister who has stayed in an Airbnb homes before, suggested we looked into homes in the area for rent. On looking at a few homes, we decided on the home of Tom and Kelly Kidd. Their home looked very accommodating and family comfortable for our stay. On contact them and discussing our plans, we felt we made the right choice. They were both very excited and happy that we would be staying in their home.

On arriving to their Airbnb home on Bemis Street, we were taken in by the surrounding scenery and beautiful trees lining the street. On entering the home, it was very nicely decorated and very clean. It had the feeling of home and could tell they took pride in having it available to us. From inside the home to the front porch and the spacious back yard, this home was perfect for our stay. It had the accommodations of lovely home, as it provided us with all the cooking utensils, seating and beds for all of us. Sitting in the backyard and watching my boys play catch and having the room to play was perfect. The neighborhood was quiet and the surrounding neighbors were very friendly. We were greeted many times throughout the day by walking neighbors stopping by and greeting us to the area.

Having the City Council take away the availability of these Airbnb



homes, would be a wrong decision. These homes provide a family atmosphere and bring in potential buyer to the area. I have since moved to Colorado and am looking to purchase a home here. Having stayed in the Littleton area, specifically the home of Tom and Kelly Kidd, I am looking in the area to buy and settle in being close to my boys. Without the rental availability of this and many other Airbnb homes, I feel the town of Littleton would have lost me, and possibility other potential buyers.

Taking away the availability of the Airbnb homes to families visiting the Colorado area, the town of Littleton specifically, would be the wrong decision for the City Counsel's. Please do not judge these homes that do not screen their potential renters. Tom and Kelly, I feel take pride in not just their home, but the surrounding neighbor's that would be affected by renting out their home.

I hope I have brought to your attention the advantages of these Airbnb homes in the Littleton area. I am available to the City Council for any further discussion on this matter.

"Don't let a few bad apples" (Airbnb homes) take away from the homes that blossom and provide a great vacation for those families looking for a memorable time in Colorado.

Sincerely,
JERRY THOMSEN





Jocelyn Mills <jmills@littletongov.org>

Airbnb Homes

1 message

Coach T <thomsen.pe.olph@gmail.com>

Sat, Sep 15, 2018 at 10:44 AM

To: cdjm@littletongov.org, caosk@littletongov.org

Dear Jocelyn Mills and Steve Kemp,

I have attached a letter I would like to bring to the attention of the Littleton City Council Members. I understand the City Council is considering a motion to limit and restrict the rentals of Airbnb homes in the Littleton area. This letter I hope I will be able to bring to the attention of the City Council Members, the advantage of these homes.

Thank You
Jerry Thomsen

 **airbnb.docx**
168K



Jocelyn Mills <jmills@littletongov.org>

Another STR item

1 message

MICHAEL RADULOVICH <dooly3466@comcast.net>
Reply-To: MICHAEL RADULOVICH <dooly3466@comcast.net>
To: Jocelyn Mills <jmills@littletongov.org>

Mon, Sep 17, 2018 at 8:09 PM

Hello,

Another bit of research to add to the collection.

Thanks,

Dan Radulovich

2 attachments



who owns report.xlsx
12K



summary of who owns.docx
17K



Jocelyn Mills <jmills@littletongov.org>

City of Littleton - Short-Term Rental Regulations-Feedback

1 message

Denise Stephens <dstephens@littletongov.org>

Tue, Sep 18, 2018 at 9:29 AM

To: Steve Kemp <skemp@littletongov.org>, Jocelyn Mills <jmills@littletongov.org>, Lena McClelland <lmcclelland@littletongov.org>

Denise,

The below email is a response to our newsletter concerning feedback to the Short-term rental regulations...could you please direct this to the right person.

Thanks, Eric

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

From: **Patrick K McCall** <patrickkmccall@comcast.net>

Date: Mon, Sep 17, 2018 at 2:39 PM

Subject: City of Littleton - Short-Term Rental Regulations-Feedback

To: <eervin@littletongov.org>

Cc: BOD HOA <sthomes1002@qwestoffice.net>

Littleton Economic Development:

In regard to Short-Term Rental Regulations-Feedback requested.

Please for your consideration.

Homeowner Associations:

Where the Declarations of Covenants, Conditions, and Restrictions specify that "no lease shall be for less than thirty (30) days" or where there are policy restrictions reflected in the Association Rules and Regulations **not** allowing short term leases, Short-Term Rentals shall not be allowed.

Patrick K. McCall, President

Southbridge Townhomes Association Inc.

280 West Jamison Circle

Littleton CO 80120

Email: sthomes1002@qwestoffice.net

Home: (303) 795-2950

From: Littleton Economic Development [mailto:eervin@littletongov.org@mail248.sea71.mcsv.net] **On Behalf Of** Littleton Economic Development**Sent:** Wednesday, September 12, 2018 6:04 PM



Jocelyn Mills <jmills@littletongov.org>

Fwd: 9.18.18 City Council Meeting put the clause back in!!!!!!!!!!!!!!!!!!!!!!

1 message

Mark Relph <mrelph@littletongov.org>
To: Jocelyn Mills <jmills@littletongov.org>

Mon, Sep 17, 2018 at 4:40 PM

FYI and for the record.

Mark

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

From: **leah bang** <leah.bang3@gmail.com>
Date: Mon, Sep 17, 2018 at 9:51 AM
Subject: 9.18.18 City Council Meeting put the clause back in!!!!!!!!!!!!!!!!!!!!!!
To: <mrelph@littletongov.org>

Hello:

We have lived at [5348 S. Foresthill Street](#) in Littleton for 20+ years.

We (Jim and Leah Bang) are unable to attend tomorrow nights city council meeting but wish our voices to be heard as tax paying citizens.

We are aware that you are crafting an ordinance regarding short term rentals and have taken out of the ordinance the words "requiring the property be the primary residence of the person offering the property".

We ask that you keep this wording in the clause!!!! Personally, I do not wish to have short term rentals in my neighborhood which will just cause more problems. Words cannot describe how horrible it is living next to long term rentals, or section 8 houses, rented by 3rd party management companies where the owner does not have a vested interest in the property and the tax paying home owners of Littleton have to suffer by living next to these properties. You should be more concerned with the home owners of Littleton who live in the city day in and day out that helping out those transients or renters. Do you have any idea how many home owners have moved out of my neighborhood because of the influx of rental properties?

I get so tired of calling code enforcement/police and having to live next to dumps. If Littleton continues down this path we will not retire here. I already tell people not to move to Littleton and buy a house. Two houses down we had a group of 15 Hispanics (4 families) living in a 1600 sf home. This home was a rental by a 3rd party management company who wouldn't even return our calls when all of the neighbors were complaining. Our neighborhood had rats because of this family and they finally moved. They had relatives living in broken down cars out front in our street.

I don't know where you live, but we live by Cornerstone park. I am sick and tired of rentals. Why don't you care more about the home owners and protect them? Code enforcement should be driving around daily giving tickets to these rental places that are breaking the law instead of home owners having to constantly call and complain.

My husband was born in Littleton in 1960. This city is going downhill. You are creating a transient neighborhood and city. Please think of the home owners.

My son who is going to be 23, doesn't even want to live in Littleton anymore and he is looking at moving out of state. He sees what home owners have to go through, to protect their properties from renters.

Leah and Jim Bang.

--

Mark J. Relph
City Manager
City of Littleton, Colorado
303-795-3720 (office)



Jocelyn Mills <jmills@littletongov.org>

Fwd: Re: Short term rentals in Littleton

1 message

Dan Radulovich <danradulovich@comcast.net>
Reply-To: Dan Radulovich <danradulovich@comcast.net>
To: jmills@littletongov.org

Tue, Sep 18, 2018 at 11:21 AM

Here is another submission for STR community outreach

Thanks,

Dan Radulovich

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

From: "basel04@aol.com" <basel04@aol.com>

To: danradulovich@comcast.net

Date: September 18, 2018 at 8:31 AM

Subject: Re: Short term rentals in Littleton

St eve and Bonnie Lanton
5301 S. Cedar St.
Littleton 80120

PS- I also wrote a similar letter to the City Manager

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

From: Dan Radulovich <danradulovich@comcast.net>

To: basel04 <basel04@aol.com>

Sent: Tue, Sep 18, 2018 7:48 am

Subject: Re: Short term rentals in Littleton

Hello,

Thank you for this response. If you could please reply with your name and address. I only ask this as the city wants to make sure that they get responses from Littleton residents.

Thanks,

Dan Radulovich

On September 18, 2018 at 6:57 AM " basel04@aol.com" < basel04@aol.com> wrote:

Dear Dan,

You stopped by my house last weekend with a flyer about the City Council meeting on short term rentals. I am not attending the meeting tonight, but wanted to support your efforts.

First off, thank you for taking the time and your energy to address this problem in Littleton.

Secondly, I agree with you that short term rentals must be addressed and regulated to control those entrepreneurs who will not regulate themselves. Ideally, I agree with you that the "Primary Residence" is a key phrase in the pending ordinance.

However, as a compromise, perhaps the landlord could live nearby, say within one mile of the rental unit. This would allow the landlord easy and frequent drive-bys and to be close enough to address problems. Being within a mile would make the landlord a community member with, perhaps, a vested interest in the neighborhood. This would not be an ideal solution, but maybe better than nothing.

No need to reply to me as I believe your time is better spent in other ways.

Thank you.



Jocelyn Mills <jmills@littletongov.org>

Fwd: Short Term Rental Table

1 message

MICHAEL RADULOVICH <dooly3466@comcast.net>
Reply-To: MICHAEL RADULOVICH <dooly3466@comcast.net>
To: Jocelyn Mills <jmills@littletongov.org>

Thu, Sep 13, 2018 at 2:50 PM

Hello Ms. Mills,

This is the table that I sent the council, city manager and city attorney the other day. My wife, Julie asked me to forward this to you.

Thanks,

Dan Radulovich

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

From: MICHAEL RADULOVICH <dooly3466@comcast.net>

To: dbrinkman@littletongov.org, pcole@littletongov.org, pdriscoll@littletongov.org, kelrod@littletongov.org, kschlachter@littletongov.org, cfey@littletongov.org, jvaldes@littletongov.org, mrelph@littletongov.org, Steve Kemp <skemp@littletongov.org>, mtprice65@gmail.com, bkbenson61@gmail.com

Date: September 10, 2018 at 9:21 PM

Subject: Short Term Rental Table

Greeting Councilmembers,

Please review that attached table which we created based on information available on various city and county websites. In all the municipalities and counties close to Littleton, short term rentals are either banned outright or permitted using the primary residence clause with the exception of unincorporated Jefferson County. I would expect you to fact check this, please do.

The Primary Residency clause needs to come back in, without it we will become the target market in the area for anyone who wants to run unstaffed hotels in neighborhoods.

Thank you for your time,



Jocelyn Mills <jmills@littletongov.org>

Fwd: Short Term Rental Table

1 message

Mark Relph <mrelph@littletongov.org>
To: Jocelyn Mills <jmills@littletongov.org>

Tue, Sep 11, 2018 at 8:28 AM

FYI. . . . ,

Mark

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

From: **MICHAEL RADULOVICH** <dooly3466@comcast.net>

Date: Mon, Sep 10, 2018 at 9:21 PM

Subject: Short Term Rental Table

To: <dbrinkman@littletongov.org>, <pcole@littletongov.org>, <pdriscoll@littletongov.org>, <kelrod@littletongov.org>, <kschlachter@littletongov.org>, <cfey@littletongov.org>, <jvaldes@littletongov.org>, <mrelph@littletongov.org>, Steve Kemp <skemp@littletongov.org>, <mtprice65@gmail.com>, <bkbenson61@gmail.com>

Greeting Councilmembers,

Please review that attached table which we created based on information available on various city and county websites. In all the municipalities and counties close to Littleton, short term rentals are either banned outright or permitted using the primary residence clause with the exception of unincorporated Jefferson County. I would expect you to fact check this, please do.

The Primary Residency clause needs to come back in, without it we will become the target market in the area for anyone who wants to run unstaffed hotels in neighborhoods.

Thank you for your time,

Dan Radulovich

--

Mark J. Relph

City Manager

City of Littleton, Colorado

303-795-3720 (office)

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Jocelyn Mills <jmills@littletongov.org>

Fwd: short term rental

1 message

Dan Radulovich <danradulovich@comcast.net>
Reply-To: Dan Radulovich <danradulovich@comcast.net>
To: jmills@littletongov.org

Mon, Sep 17, 2018 at 7:27 PM

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

From: Shane Smith <notbing2@gmail.com>
To: danradulovich@comcast.net
Date: September 16, 2018 at 12:33 PM
Subject: short term rental

Hi Dan,

I'm curious as to what the problem is with "short term" rentals? As a home owner, I do have a vested interest in my property and neighborhood. I can walk down my street and point out exactly which houses are "long term" rentals. I will be happy to see all long term rentals become short term rentals in my neighborhood. All Airbnb's I have stayed in, have been well maintained inside and out, and these homeowners take pride in their houses, I can't say the same for long term rentals. As an ex-landlord I have to say long term rentals are usually problematic, renters who do not care about "my" property and there is always an excuse as to why they can't pay rent. I could go on about renters, but Airbnb tenants are better any day than a "long term" renter.

I am 100% for Airbnb in MY neighborhood. And I am glad you have decided this type of rental is not appropriate for MY neighborhood. Please let the city council know my stand on this concern or actually you can hand deliver it for me.

Thanks,
Shane Smith



Jocelyn Mills <jmills@littletongov.org>

Fwd: Short term rentals

1 message

Mark Relph <mrelph@littletongov.org>
To: Jocelyn Mills <jmills@littletongov.org>

Wed, Sep 19, 2018 at 9:55 AM

Just an FYI. . . ,

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

From: **Jeanie Newell** <jeanieln@comcast.net>

Date: Tue, Sep 18, 2018 at 5:49 PM

Subject: Short term rentals

To: <mrelph@littletongov.org>

Hello,

I am writing to express my support that the ordinance regarding short term rentals (Air BnB, etc) requires that the property be the primary residence of the person offering the property.

I do not want to see the old Littleton neighborhood be marred by vacant properties serving as unstaffed hotels and contributing nothing to the neighborhood.

Our neighbors are important and our homes are important to us. We're not just a money making opportunity.

Thank you,
Jeanie Newell

Sent from my iPhone

--

Mark J. Relph

City Manager

City of Littleton, Colorado

303-795-3720 (office)

www.littletongov.org[Twitter](#) | [Facebook](#) | [YouTube](#)

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Jocelyn Mills <jmills@littletongov.org>

Fwd: Short term rentals

1 message

Dan Radulovich <danradulovich@comcast.net>
Reply-To: Dan Radulovich <danradulovich@comcast.net>
To: jmills@littletongov.org

Tue, Sep 18, 2018 at 2:03 PM

And another one

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

From: "sajaggard@yahoo.com" <sajaggard@yahoo.com>
To: "danradulovich@comcast.net" <danradulovich@comcast.net>
Date: September 18, 2018 at 1:06 PM
Subject: Short term rentals

Thank you for coming by & visiting the other day to update me on this information.

As a home owner I am opposed to this as single zoned housing should be just that. There are less restrictions to enforce safety of these rentals let alone code violations which are already at limited resources to keep up with the growth. How are the background checks handled to provide safety for the homeowners & neighbors with regards to whom is renting. A sexual predator could rent with no registration as the law doesn't require temporary address changes to include this type of arrangement. Parking is also an issue in some areas, why should a neighbor rent the maximum space allowed for a B&B & then take all their neighbors parking. Responsibility of renters are with the homeowner for illegal activity, what are the restrictions on running a hotel in our neighborhoods. It seems that the pot industry has helped to drive this business for tourism & anyone who wants to make a profit can jump on board with people moving into our neighborhoods temporarily & doing whatever they want which includes bad behavior for some. I like my peaceful neighborhood that is why I moved where I live. If I wanted to live around the masses I would live DT or in a complex. I like my neighborhood & my neighbors. Unfortunately I have a Dr appointment after work & I work in Golden, if I can be there to support this effort to fail I will. But you have my full support as to why this is not good for our neighborhoods. Please don't make Littleton a Cherry Creek which we are trying to do. I grew up there & we see what that has become now.

Kindest regards,
Stephanie Haggard
[5313 S Datura Street](#)

Sent from my LG X venture, an AT&T 4G LTE smartphone



Jocelyn Mills <jmills@littletongov.org>

Littleton AirBnB

1 message

Terri <whereareyouterri@comcast.net>

Wed, Sep 12, 2018 at 1:55 PM

To: Littleton 2 <caosk@littletongov.org>, Littleton <cdjm@littletongov.org>

> Dear Jocelyn and Steve-

>

> I grew up in Littleton and currently live near Santa Fe and Prince. I'd like to have my viewpoints considered as the City develops a new ordinance aimed at regulating Airbnb rental properties. In general, I'm very much in favor of allowing all types of AirBnBs to operate in Littleton. I believe that they provide much needed lodging options for travelers to visit and stay in our city. They also provide tax revenues and tourism dollars for local businesses. Users of Airbnb rentals across the globe understand that the key to success is having a responsible host. It's a self regulating business in many ways. New restrictions that limit an owner's ability to earn legitimate income should not be overshadowed by unnecessary over-regulation. I am against a new ordinance that would restrict AirBnBs in any way. Thank you for including my opinion in the process. Would you please forward this email to all of the decision makers?

>

> Thank you very much,

> Terri Cruickshank

>

>

>

>



Jocelyn Mills <jmills@littletongov.org>

please keep the hold on allowing more short term rentals

1 message

Tod Siegel <todsiegel@yahoo.com>
To: jmills@littletongov.org

Wed, Sep 12, 2018 at 3:14 PM

Littleton is being DESTROYED by the city allowing 1000's of high density apartments daily, not doing anything about parking – where are all those people going to park, let alone making traffic even worse than it is – Littleton can't even time the signals to help. And now you want more people coming in and renting more space, NO, enough!! Just look at the Grove, are people buying places there so they can rent them out? Or all the other apartments – NO just no more. Businesses are being pushed out by larger corp companies maybe not 'chains' but I am sure that isn't too far away – greedy city politicians wanting more tax dollars destroying the way of life here.

*Namaste**Tod Siegel**303-919-3002**"When I look into the eyes of an animal, I do not see an animal, I see a living being, I see a friend, I feel a soul"*



Jocelyn Mills <jmills@littletongov.org>

Public input: short-term rentals

1 message

Tom Browning <tomwbrowning67@gmail.com>
To: caosk@littletongov.org, cdjm@littletongov.org

Wed, Sep 12, 2018 at 10:49 AM

Good morning, Mr. Kemp and Ms. Mills-

I had the opportunity to attend the recent Planning Commission meeting and study session. I've also attended various Council meetings. The matter of short-term rentals in Littleton is of high interest to me. I truly appreciate your thoughtful efforts to address this topic. The current zoning language is confusing at best. One could easily interpret that short-term rentals in Littleton could be viewed in the same manner as long-term rentals. I have no problem whatsoever with necessary clarifications, along with a new permitting process. Therefore, I respectfully submit the following comments:

1) Revise the current draft ordinance to allow for two (2) short-term rental permits per person, with no limitations or restrictions regarding the issue of primary residency. Require short-term owners/operators to reside within a reasonable driving distance from the rental property. Keep the ordinance clean and simple in this regard to avoid difficult enforcement issues for City staff. We understand that resources are limited, and appreciate the staff's hard work.

2) Require an annual license with a streamlined (non-onerous) application packet that can be completed quickly and efficiently by applicants. The renewal process should be simple and nearly automatic, so long as the applicant is in good standing with the short-term rental operation.

3) Require a two-night minimum stay for short-term rentals. Do not impose a requirement for stays longer than two nights. Doing so would have harmful regulatory impacts on an owner's ability to achieve optimal rental bookings. On the flip side, there is no data to prove that short-term turnover has a detrimental impact on the neighborhood. If the true issue is parking and/or the number of vehicles allowed per unit, then that should be dealt with as a separate provision. It seems that the true crux of the matter is to have rental owners/operators that are engaged in the business, communicating with the immediate neighbors, acting in a courteous manner, and focusing on responsible property upkeep. Please do not punish upstanding citizens and business owners with an overly restrictive new ordinance based on isolated incidents that could easily be addressed through existing noise and trash ordinances, for example.

4) Require 200 square feet per person within the rental unit. A requirement for any size larger than that would have detrimental regulatory impacts on the owner/operator, and would not necessarily guarantee a better experience for the neighbors. For example, if a 1,000 square foot unit in old town with 2 bedrooms and 2 bathrooms were restricted to 300 square feet per person, then such a unit would only accommodate 3 people. By way of example, this could easily be viewed as unreasonable by owners/operators, and could effectively eliminate the ability for families with two adults and two children, or two adult couples, from staying in a smaller, but fully adequate, unit.

Please include these comments as part of the formal public process, and be sure to share them with the full Commission and the full Council for their deliberative process prior to their next meetings.

Thank you very much for your time and consideration on this important topic. As a long-time Littleton resident (my two daughters are 4th generation natives; both were born at Littleton Hospital), I care very deeply about the local economy, public safety, and balancing the needs of businesses as well as the quality of life for our residents.

Best Regards,
Tom Browning, P.E., MBA, D.WRE
Littleton Resident, District 3
Attended Whitman Elementary, Euclid Jr. High, and Heritage High



Jocelyn Mills <jmills@littletongov.org>

Re: Info on Short Term Rentals From Denver, Aurora and Fort Collins

1 message

Kyle Schlachter <kschlachter@littletongov.org>

Thu, Sep 13, 2018 at 9:55 AM

To: Julie Radulovich <jradulovich@eksh.com>

Cc: Mark Relph <mrelph@littletongov.org>, Steve Kemp <skemp@littletongov.org>, Jocelyn Mills <jmills@littletongov.org>

Julie,

Thank you for sending the info. I'm sure the City Attorney and Community Development Director will take a look at it and use info appropriate for Littleton.

Sincerely,

Kyle

On Thursday, September 13, 2018, Julie Radulovich <jradulovich@eksh.com> wrote:

Hi everyone,

Earlier this week Dan Radulovich e-mailed out a table/listing of cities around Littleton with their STR license info, including those that require permanent residency for issuance of STR licenses.

As a follow up, I reached out to city officials in Denver, Aurora and Fort Collins to obtain further information about their STR rules, their processes, pros, cons, etc. I have compiled that information for your review in the attached document. I have put red stars next to items that I found particularly interesting. There is valuable information in this document that I believe will be of help as the City and Council move down the road with the STR rules.

I am still a strong supporter of the permanent residency requirement in the STR rules. I would encourage each of you to review the information attached and feel free to reach out to those individuals at Denver, Aurora and Fort Collins with any questions. Please also feel free to reach out to me at 303.523.3539 with any questions you may have.

Thanks for your consideration and time on this issue.

Julie

Julie Radulovich, CPA**Audit Senior Manager**

8181 East Tufts Avenue, Suite 600

Denver, Colorado 80237

303-846-3396

jradulovich@eksh.com





Jocelyn Mills <jmills@littletongov.org>

Re: Public Comment for ORDINANCE NO. 29 Series, 2018

1 message

Karen Hawes <karen@karenhawes.com>

Mon, Sep 17, 2018 at 5:48 PM

Reply-To: karen@karenhawes.com

To: jmills@littletongov.org

Hi Jocelyn,

Thank you for getting back to me and sorry for not sending this sooner (meetings at work)!

Please let me know if I need to include anything more, in my public comments (attached).

Thank you again!

Karen

On Mon, Sep 17, 2018 at 1:30 PM Jocelyn Mills <jmills@littletongov.org> wrote:

Hello Karen - Certainly! Thanks, Jocelyn

Jocelyn Mills, AICP

Community Development Director

City of Littleton

2255 West Berry Avenue

Littleton, Colorado 80120

303-795-3820 (office)

www.littletongov.org[Twitter](#) | [Facebook](#) | [YouTube](#)

On Mon, Sep 17, 2018 at 8:04 AM Karen Hawes <karen@karenhawes.com> wrote:

Hello,

I was wondering if I may be able to submit my public comment, for ORDINANCE NO. 29 Series, 2018, as a pdf to this email address.

I also called and left a message, so replying either by email or call works for me.

Thank you in advance,

Karen Hawes

720-924-1969

Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, S 24-72-100.1, et seq.



Jocelyn Mills <jmills@littletongov.org>

Short Term Rental changes

1 message

Rick Acres <rickacres@gmail.com>
To: jmills@littletongov.org

Tue, Sep 18, 2018 at 3:52 PM

Hello Jocelyn, It was a pleasure touching base with you yesterday evening regarding the changes that might be considered for short term rentals. I wanted to summarize some of my concerns for consideration. Not in order of priority. .As you know my short term rental is in a B2 zoned part of the City, I believe this should be treated differently than strictly residential zoning. My rental at 2690 Main St, is a fully self contained apartment with a private entrance, parking, and ideally located for access to downtown Littleton businesses and light rail.

(d) Reference to Operators License, is this separate from a business permit/ sales tax license which I already pay for? I presume so, why not one or the other for B2.

(5) My hope is to redevelop my B2 property in the future. I would like the flexibility to have multiple Vacation Rental apartments available for short term guests to the City. The nearest respectable accommodation is many miles from DT Littleton and it would be of significant benefit to have visitors stay within the DT area. Therefore I would hope that B2 designated buildings could have more than 1 unit available for that purpose,.As you know retail is dying, and having the flexibility to have more profitable uses for space above ground floor is critical to ensure property owners can survive the upcoming onslaught of additional property taxes. Please don't handcuff our ability to keep DT Littleton vibrant.

B.4 License requirements- Once again being in a B2 zone, this building is NOT my primary residence, therefore it would be best to not have this clause in at all. There are many rentals that include the entire house as a rental, so to require it to be a primary residence would cause owners to only use AirBnB , which in my opinion, caters to a less desirable clientele, unlike Homeaway or VRBO, based on my experience with using these services.

3-9-2-1 License required.....three quarters of the way down that paragraph you might notice it states treasurer, shouldn't that be finance manager as changed above.

Thanks for keeping me in the loop

Rick Acres

303-921-2560 cell.



Jocelyn Mills <jmills@littletongov.org>

Short Term Rental Draft Ordinance Comments

1 message

Michael Price <mtprice65@gmail.com>
To: jmills@littletongov.org

Tue, Sep 18, 2018 at 10:54 AM

Good morning, Jocelyn.

Mike Price here. I wanted to weigh in (again) on the Short Term Rental ordinance and let you know that our Ridgeview neighborhood is strongly opposed to allowing STR's in our Lindenwood, Bradbury Lane and Meadowbrook St. area near Heritage except in very narrowly defined ways. STR's are in direct opposition to our neighborhood plan and will be very disruptive on our normally quiet streets. Please advise the powers that be that our R-1 zoning area should be granted an exception and that STR's will not be allowed. This may apply as well to the Aberdeen Village area.

Thank you.

Mike

--

WLMD, Inc.
Michael T. Price, President
5682 South Spotswood St.
Littleton, CO 80120



Jocelyn Mills <jmills@littletongov.org>

Short Term Rental Draft Ordinance Comments

1 message

carolisa7 <carolisa7@comcast.net>
To: jmills@littletongov.org

Tue, Sep 18, 2018 at 10:36 AM

Hello Jocelyn,

Feedback for the proposed Littleton short-term rental regulations. I am a resident of incorporated Littleton.

1. The proposed revisions do not address short term rentals for areas zoned PD-R. I don't think this should be left to a homeowner's association to regulate.
 2. I am in general in favor of short term owner-occupied rentals for areas zoned PD-R, as long as they are licensed by the City of Littleton, taxes are collected and remitted, and the other requirements are met and enforced. I feel that a property owner has the right to generate income from his or her own owner-occupied property, subject to sensible regulation. This would allow individuals to supplement their income, and would particularly help people on fixed incomes or between jobs, who may be priced out of the market due to rising taxes tied to increased valuations.
 3. I would be in favor of some type of restriction on the number of dwelling units one owner could operate within the city limits, with an individual always being able to offer rooms for short term rentals in the owner's own owner-occupied property (perhaps one owner-occupied property and one additional property).
- That being said, there should be limits on the number of properties that are exclusively short-term rentals (again, exempting owner-occupied properties) in defined units of geography, so that entire streets or neighborhoods don't become predominantly short term rental enclaves. (Also, no workarounds like registering multiple business entities with the CO SOS to circumvent the limit.)
4. Item 13 - "related regulations" - should be more specific so that licensee doesn't accidentally fall out of compliance.
 5. There needs to be an entity responsible for enforcement of short-term rental regulations, and a tracking system to keep track of landlords that consistently violate the regulations. There need to be escalating penalties for infractions. (Side-comment: Littleton could do better on communicating and enforcing existing laws already on the books in other areas.)

Thank you,

Carol Borthwick



Jocelyn Mills <jmills@littletongov.org>

Short term rental draft ordinance feedback

1 message

Paul Fox <paul@thepaulfox.com>
To: jmills@littletongov.org

Mon, Sep 17, 2018 at 3:53 PM

Dear Jocelyn,

As a current short term rental business license holder, I thought it appropriate that I send in some feedback on the draft ordinance.

As a background, I purchased in Littleton in 2016 after living in Denver since 2014. A lengthy exploration of the Colorado neighborhoods and houses led me to purchasing a detached home not far from Sterne Park, and I have been very happy with the decision. In February after starting my own consulting firm I decided to travel a bit and rent my house on Airbnb. My neighbors are always aware when I'm going out of town and I have not had any complaints about any of the guests. It is a huge benefit to me financially to be able to rent out my house and travel at my own convenience. With the right marketing and instructions for guests, it is completely feasible to avoid most problems that may have prompted these changes.

In general, I agree with the goals stated by the [Littleton Plans web page](#) and I appreciate the opportunity to participate in the discussion. I hope that the final ordinance balances the needs of the community without imposing any undue restrictions on people looking for extra income in this growing city.

That being said, I think most of the problems with short term rentals should not be handled through the ordinance, but through responsible business practices enforced through existing channels (noise ordinances, building codes, etc) and potentially by a process to revoke business licenses from repeat offenders (the quality of the rental often drives the quality of the guests).

Additionally, here is some specific feedback on the draft ordinance:

1. The definition of short term rental *should not* include how the rental is marketed, I believe this is a correlation but not actually part of what defines a short term rental. There are also hostels, bed and breakfasts, and other types that may be on these sites. Trip Advisor which is specifically named also includes hotels.
2. The definition of short term rental *should not* include that they have an operator's license. This is not what defines a short term rental, but a requirement imposed by having a short term rental, and it does not match the other definitions which do not include any licenses requirements.
3. The definition *should* include that the relationship is not landlord/tenant, or something about the fact that renters are not screened as thoroughly.
4. I think limiting property owners to one Short Term Rental license is a bit restrictive. It should at least allow for one license per property, so that a house with multiple dwelling units (like a garage apt) may be able to rent both units. I think people should be limited to one property OR it should be required to provide proof that it's their primary. Personally I think people should be restricted to <3 properties and it shouldn't have to be their primary. We could use some more visitors to Littleton to help the local businesses, and more light rail riders to help RTD.
5. If we are required to leave a copy of the "city's noise, trash and related regulations" we would need something much clearer on what we need to provide and what would be "related regulations." I provide a much simpler "house rules" that would be even more restrictive than city regulations and include specifics about the property, and are much more likely to be read. So I'm not sure if this requirement helps at all.
6. In the License Requirements part of 10-4-18 it says there is an annual fee of \$25 for the license, but then it says there is a fee for \$20 for the sales and use tax license in 3-9-2-1. Are these the same fees? The more you can do to simplify and combine the licensing process and fees, the easier it will be for homeowners to stay compliant. Ideally, there is one fee and one license.

The rest of the definitions and new requirements seem reasonable, even if they are a bit more onerous than other cities.

Sincerely,
Paul Fox



Jocelyn Mills <jmills@littletongov.org>

Short term rental language

1 message

Susan B <burgyathome@comcast.net>

Thu, Sep 13, 2018 at 8:01 AM

Reply-To: burgyathome@comcast.net

To: jmills@littletongov.org

Cc: dbrinkman@littletongov.org, kelrod@littletongov.org, kschlachter@littletongov.org, jvaldes@littletongov.org

Questions:

I understand there are only around 10 air b&b units currently in use.

Have there been any complaints?

If yes, what is the nature of the complaint?

I assume this does not apply to private homes which are owner-occupied and who have housemates? If not, shouldn't there be language which offers those people a variance from all of these requirements. For example, recently I allowed a friend to stay with me for 6 months after she moved here. Based on this, I would have to get a license and meet all of the requirements.

Few things that seem out of sync:

Extended Stay Section

Extended stay hotels shall provide 75 percent of all suites with pullman kitchens (sink, built-in cook top or stove, microwave oven and refrigerator).

This puts very specific limits on the type of amenities offered by extended stay properties. Not all offer all of these amenities so you have created a no-win situation. Suggest: *pullman-style kitchens which may contain all or some of the following amenities: sink, built-in cook top or stove, microwave oven and refrigerator.*

In this same section, you **require** meeting rooms and hospitality lounge. Again, not all properties offer these.

Motel Section

You **require** 24-7 customer service. Not all provide that.

Sections a & e contradict each other.

Please send a response to the questions and consider the suggestions.

Thanks

--

Susan B



Jocelyn Mills <jmills@littletongov.org>

Short term rental proposed regulation feedback

1 message

Michael Orf <michaelorf@gmail.com>

Wed, Sep 12, 2018 at 5:20 PM

To: jmills@littletongov.org

Dear Ms Mills,

I am a current business license holder of a short term rental in the city of Littleton. I have owned this rental for about 2 years and am also a long time resident of the city of Littleton, living just a few miles away from my rental. I received the packet in the mail and just finished viewing the replay of study session on the topic. I wanted to send on my feedback on the proposed regulations and the discussion on 9/10.

- There was some discussion regarding the regulation of requiring a short term rental to be owner occupied/primary residence vs limiting one rental per person. It sounded like the commission was leaning toward the latter. I would definitely agree with this. The owner occupied requirement would basically shut down the short term rentals in the city and limit them to just those people that are renting out a room of their house vs. the entire residence.
- There was discussion of changing the code requiring one person in a residence for every 150 sq ft to 300 sq ft. I think this is a drastic increase. My vacation rental is a 4 bedroom/ 2000 sq ft house. I limit the occupancy to 8 people (2 per bedroom). The 300 sq ft change would limit my house to 6 people. This would require me to decrease my nightly rent and make the rental not viable financially for me.
- There was discussion of adding a regulation to require short term rentals be owned by real people vs a company. My short term rental is owned by an LLC that I set up and am the owner of. The only reason that I did this is to reduce my liability in case a guest decided to sue me. If the house was in my name, the guest could go after all my personal assets. When owned by an LLC they can only sue for the company assets. This is a great tool for small business owners regardless of the industry they are in. If this was added as a regulation, I would be forced to get out of the short term rental market since I do not intend to put my family at risk. The concern is that you do not want people to get around the one property per person regulation. You could still enforce this by looking at the owner of the LLC/company and ensuring they do not own multiple.
- There was a discussion about requiring a minimum night stay of 4 nights. The gentleman mentioned the concern that there would be constant traffic if the minimum nights were less. I don't really understand the connection between traffic and minimum nights. I require just a 2 night minimum, however, my average minimum is about 4-5 nights. I do have the occasional 2 night guest and I think it would be unnecessary to block people that just need the 2 nights from staying in a short term rental
- There was mention of a concern that more short term rentals could limit the number of regular long term rentals. I would advise the committee to not consider this. I believe that market forces will take care of this. (i.e. If the short term rentals increase, the vacancy rate will go up forcing some owners to sell their property or turn it into a long term rental)
- I agree with the gentleman that mentioned there is a right and a wrong way to rent out a short term rental. I include a lot of information up front, ban events/parties, include a binder in the house with a lot of information and primarily market and rent to families. This type of activity/documentation should be encouraged (but not regulated)

Thank you for inviting these comments. I sincerely believe that short term rentals are good for the local economy. Not only do they support the small business owner who owns the rental, they also bring in tourists who then spend money at local shops and restaurants. The City of Littleton does not have a lot of hotels like larger cities to bring in this type of revenue.

Sincerely,

-Michael Orf



Jocelyn Mills <jmills@littletongov.org>

Short term rentals

1 message

Dave Roos <dave@houseofroos.com>
To: jmills@littletongov.org

Wed, Sep 19, 2018 at 10:14 AM

Dear Jocelyn,

A. Relative to the proposed regulations, my specific comments are:

1. It is unclear what a primary residence is. 10-4-18.3 says "each applicant shall be limited to one Short Term Rental license for a dwelling unit within the city." Later on page 8, item B-4 it says "the applicant must provide proof of residency that indicates the subject property is their primary residence." Is primary residency a requirement or not?

2. I think owners should be allowed to have 5 short term rentals, not just one.

3. The licensing period should be two years, not one. This is simply to alleviate the annual burden of paperwork.

B. My general comments are below in an email I sent to Karina Elrod on August 29.

Thank you,

David Roos

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

From: **Dave Roos** <dave@houseofroos.com>

Date: Wed, Aug 29, 2018 at 8:51 AM

Subject: Short term rentals

To: Karina Elrod <emkelrod@gmail.com>

Hi Karina,

I'm sorry I missed the deadline for the study session last night. Here are my thoughts:

1. I do not like Denver's ordinance that disallows short-term rentals that are not primary residences. I believe property owners should have more flexibility in how they use their properties. Short-term rentals are a new phenomena enabled by telecommunications technology. We need to accept that technology-enabled changes are occurring and markets will have to adjust. For example, Uber or Lyft are a delight to use compared to the old taxi system. Yes, they are having some growing pains and we've found they need some regulation, but by-and-large their systems are superior to the taxi system for both riders and drivers.

2. From what I've read, Denver had some bad actor landlords who allowed their properties to become party houses that disturbed neighbors. Rather than deal with the bad actors individually, they banned a large group of non-owner-occupied rentals altogether. I would posit that most short-term rentals are not "party houses" and most short term tenants are regular quiet people coming to visit friends and family, do touring, or staying for business. They are visitors who want a little more space, a kitchen, a yard, a quieter street, a place with trees and foliage.

3. I haven't seen this argument in the press, but I believe it is intuitively true. Short-term properties are kept in better condition than regular long-term rentals. In order to attract renters and to charge the highest price, short-termers need to keep their properties up and make them appealing to internet shoppers. Short-term landlords live and die by their clients' online reviews at VRBO and AirBnB. If they're not well-rated they won't have as many guests and they won't be able to charge as much. In this way, the market forces the properties to be kept nice. By contrast, we all know how the condition of long-term rentals can slip, and unless there are code violations, the City can't do much about it. Some long-term rentals are the scourges of their blocks and neighbors are helpless to change it.

Also bad long-term tenants are difficult to evict prior to lease expiration. Unless they do something egregious, neighbors are stuck with them for 6- or 12-months. Any bad short-term tenants will soon be gone, and they can be evicted by landlords even before their stays are up because there's no duty for the landlord to allow them to stay; it's not their main domicile.

4. Downtown Littleton does not have any large hotels. If we overly restrict short-term rentals, visitors will not be able to stay near downtown. Visitors won't stroll down to Main street and spend money.

Thanks for your time addressing this matter. I believe Denver's policy was knee-jerk and I hope Littleton doesn't use it as a model.

Warm regards,

Dave Roos
303-324-5855



Jocelyn Mills <jmills@littletongov.org>

Short-term rental ordinance

1 message

Elaine Bateman <mbateman4@comcast.net>
To: cdjm@littletongov.org, caosk@littletongov.org

Mon, Sep 17, 2018 at 12:20 PM

Dear Jocelyn Mills and Steve Kemp,

Having been a resident of the City of Littleton for the past approximately 40 years, I would like to express my concern regarding proposed provisional changes to the draft short-term rental ordinance to be publicly introduced this week at the City Council meeting.

First and foremost I am concerned about any provision in the draft ordinance requiring short-term rental units be owner occupied. Requiring that short-term rental units only be owner occupied would be an overly restrictive provision to the new ordinance. A provision requiring that the owner be a Littleton resident would ensure that the owner will be available to address daily management situations.

Also, Including a provision to address neighbor complaints by requiring the unit to be owner occupied is unnecessary. As with any other residence in a Littleton neighborhood, be it a primary or rental residence, noise complaints are handled on a case by case basis. Complaints about loud guests or parties at short-term rental units should be filed and addressed via the process already in place.

Please consider the following suggestions of provisions to the draft short-term rental ordinance:

- Require a two-night minimum stay. A four-night minimum stay would negate any three-day long weekend stays.
-
- Maintain the minimum square footage per person to 150 square feet. This provision will ensure that a smaller two bedroom home could host four persons.
-
- Require that short-term rental owners be Littleton residents and allow for up to two short-term permits per Littleton resident.

Thank you very much for your consideration of my concerns and suggestions.

Please forward this email to the Members of Littleton City Council and the Littleton Planning Commission.

Best regards,

Elaine Bateman



Jocelyn Mills <jmills@littletongov.org>

Short-Term Rental Regulations Feedback

1 message

Scott Primeau <sprimeau20@gmail.com>
To: jmills@littletongov.org

Sun, Sep 16, 2018 at 4:08 PM

Hello Jocelyn,

I would like to start with saying that I appreciate the city's openness to comments and the effort the city puts forth to gather comments.

Regarding the short-term rental regulations, I have a few comments under two categories.

1. The written structure of the regulations could be improved.
 - Wording such as "A hotel is characterized by having some of following amenities" is ambiguous and creates the potential for confusion and contention.
 - I don't understand why renting through a third-party would be relevant. The following wording is unnecessary: "The rental is marketed through a third party, examples are Airbnb, Trip Advisor and similar on-line entities."
 - There are other more commonly used third-parties, and the leading parties will change over time, making the reference obsolete and possibly confusing.
 - In the future, there may be alternative methods other than the Internet.
 - If a third-party marketed a property in a newspaper, the goals, results, and impacts would be the same; thus referencing online entities is unnecessary.
 - Individuals can set up their own websites or post their own advertisements, leading to the same result as making a property available on Airbnb or another site. Calling out third-party websites only serves to restrict those sites.
2. The regulations themselves curtail citizens' investment opportunities.
 - Requiring a license is reasonable; however, there are some aspects of the regulations that go beyond supporting transparency of ownership, public safety, or being good neighbors.
 - I disagree with limiting the license to an owner's primary residence--this precludes some people from investing in property. Being able to rent a property, including a secondary home, allows more people to invest in real estate.
 - Limiting each license holder to one property in the city similarly limits investment potential.
 - The limit of 1 rental per lot is similarly limiting.
 - Conversely, the \$25 annual fee is really low. Given the income potential of short-term rentals, a higher fee would be reasonable, such as \$100 per year.

Overall, requiring a license is reasonable. However, I am concerned that the limits in the regulation are aimed a problem that doesn't really exist. Other than a small number of sensational news stories, the vast majority of short-term rentals seem to have almost no negative impact. I have rented several properties through Airbnb, VRBO, and other sites and have never encountered a problem, nor have I caused a negative impact to those cities. The short-term rental business supports not only the property owners, but also the city and its businesses. I have seen far more problems with regular, longer-term renters than short-term renters, particularly with out-of-state owners of long-term rental homes.

Scott Primeau
303-877-0009
sprimeau20@gmail.com

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

From: **Littleton, CO** <eConnect@littletongov.org>
Date: Wed, Sep 12, 2018 at 4:01 PM
Subject: Short-Term Rental Regulations Feedback Requested
To: <sprimeau20@gmail.com>



Jocelyn Mills <jmills@littletongov.org>

Short-term Rentals

1 message

Kim Moultny <kmoultny@msn.com>

Sat, Sep 15, 2018 at 11:07 AM

To: "jmills@littletongov.org" <jmills@littletongov.org>

As a long-time Littleton resident, I fear that by allowing short-term rentals in the city, we will lose some of our unique small-town characteristics. I live in the South Park townhomes and could easily see this area becoming prime real estate for short-term rentals. In the area, we already have absentee landlords who rent their properties to individuals and families who do nothing to maintain the premises. I believe this type of situation will only be exacerbated should Littleton open its arms to short-term rentals. Don't do it! Kim Moultny



Jocelyn Mills <jmills@littletongov.org>

STR Regs

1 message

CAROL A BRZECZEK Brzeczek <mcbreeze@comcast.net>
To: Jocelyn Mills <jmills@littletongov.org>

Tue, Sep 18, 2018 at 8:37 PM

Jocelyn,

I urge the Planning Commission to make all short term rental properties an owner occupied dwelling. We have a AirBnB in our neighborhood and there has not been one problem and I believe it is because the owner is on site. She does a great job of renting her property and I know her guests enjoy their stay with her. When she does not have guests she is still there and is a integral part of the neighborhood. She keeps her property in great condition and is there to shovel in the winter and keep a beautiful yard in the summer. She has always been a great part of our little neighborhood and her commitment to the neighborhood is very evident in her AirBnB adventure.

If a property owner is not part of the neighborhood I don't think there would be the effort to maintain the property to the standard of the neighborhood nor do I think there would be the same level of concern for maintaining the peace and quiet of the neighborhood when renting out their unit.

If we have to have short term rentals in our neighborhoods please require the owner to occupy the property at a minimum. The rest of the community deserves protection from AirBnBs from popping up all over the neighborhood and with more and more property owners becoming empty nesters with rooms to rent it is imperative that the rest of the home owners be protected from their neighborhoods becoming something other than the R1 neighborhoods they moved into many years ago.

thank you,
Carol Brzeczek



Jocelyn Mills <jmills@littletongov.org>

Fwd: Short Term Rentals/Air bnb/erbo

1 message

Dan Radulovich <danradulovich@comcast.net>
Reply-To: Dan Radulovich <danradulovich@comcast.net>
To: jmills@littletongov.org

Mon, Sep 17, 2018 at 7:27 PM

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

From: Kim Smith <pkkssmith@wmconnect.com>
To: danradulovich@comcast.net
Date: September 16, 2018 at 2:48 PM
Subject: Short Term Rentals/Air bnb/erbo

Hi Dan:

Thank you for taking up this issue with the City of Littleton.

I have been a resident of Littleton since 1972; a homeowner since 1982. I am very much against the use of residential properties to be used as short term rentals; as in the case of Air bnb or erbo. I believe this diminishes the value of the properties and the communities where these residences are. The owners of these properties have no reason to have a vested interest in the properties or the communities where these properties are. I also believe it is not beneficial to the housing shortage in the entire Denver Metro area; limiting the number of units available for sale or traditional rental.

Sincerely,
Kim Smith
5354 S. Prescott Street

Jocelyn Mills, Community Development Director jmills@littletongov.org 303-795-3820

Public Comment to the Planning Commission, for the September 24, 2018 public hearing

Please accept my public comment, as a homeowner and licensed AirBnB operator.

When re-working the new regulations, for short-term rentals, please keep in mind what restrictions are (not) in place, for long-term rentals; take this into account, especially when considering the protection of homeowner's rights to use their property, protection of public health and safety, and compatibility with the surrounding neighborhood.

As a homeowner, I hope to maintain my right to use my property as I choose and within my legal rights. It should not be against the law to have frequent guests, otherwise known as "strangers" to neighbors and other residents; guests may be paying (AirBnB) and non-paying (friends and family). Treating them differently is highly subjective.

With regards to all areas of concern (intended to be addressed by regulations), short-term renters should not be viewed differently than visiting friends and family. In fact, with outfits such as AirBnB, there is a system of accountability that does not exist for friends and family, or long-term renters and even owners. Yet, long-term renters and owners, with pets and children, often violate public health and safety; with un-trained and aggressive pets and unsupervised or aggressive children. No revised regulations are being discussed, on their behalf.

From my observations, of long-term renters and other homeowners, in my community, there are far more issues to address with them, than with short-term renters. However, given the perceived competition of short-term rentals, to hotels, the more-likely source of many "publicly-voiced concerns" is coming from organized, hotel-industry lobbyists.

After attending the council's meeting, to study aspects of the moratorium, some issues raised were based on assumptions or half-truths that have likely been framed by organized representatives of the hotel industry. As an owner-occupied, AirBnB participant, any perceived threat to a rise in rental prices, for long-term renters, does not apply; as they are not seeking rooms in homes - they are seeking homes of their own.

For any regulation that seeks to restrict the rights of owners, who want to offer short-term rentals in their home, then equally-restrictive regulations must be put in place, for long-term renters and owners; that is, if the purported concerns, for protecting the community's health and safety, are to be viewed as legitimate and unbiased concerns.

Additionally, as an owner-occupied host, with AirBnB, I do not mind paying taxes to the city of Littleton; it would be even better if it were handled the same way the state handles it... where AirBnB remits the taxes on behalf of the hosts, directly to the state, as an additional fee to the guests.

Not that if the combined taxes and fees, for city, county, state, and AirBnB, becomes excessively high, then homeowners will likely return to a cash-only trade, through online postings, private connections, and word of mouth.

Karen Hawes

In response to: ORDINANCE NO. 29 Series, 2018 and additional comments online:

Draft Ordinance:

<http://littletongov.legistar.com/gateway.aspx?M=F&ID=ca2ed7d5-2fe4-4f36-8a74-1cb2ae5a8acf.docx>

Some of the working used comes across as intentionally obstructive, so that it makes the document difficult to be interpreted by individuals outside the legal industry. Any effort to maintain clarity, for all citizens, is appreciated.

10-4-18 (A) 13. The licensee shall provide to each short term rental customer a copy of the city's noise, trash, and related regulations and shall indicate a primary local contact who may be contacted by the city on a 24 hour/7 day a week basis regarding any problems with the property.

If the city intends to require that hosts provide guest with specific documentation (noise ordinance, etc), the city should also provide direct links to all of the mentioned regulations.

In response to Online comments:

“Citizens have brought forward a number of concerns, including but not limited to:”

- **Claimed Issue: Turning residential neighborhoods into tourist zones**
 - What frequency and or quantity of non-residents is considered to be “acceptable”?
 - How will an “acceptable frequency” of people be determined and who will determine it?
 - Will frequent-visiting family/friends be equally regulated/restricted?
- **Claimed Issue: Safety issues with transient populations walking neighborhoods**
 - AirBnB guests adhere to a system of accountability, through online reviews and reporting.
 - There is no means for holding non-AirBnB renters/visitors to an equal standard.
 - Do visiting family/friends walking neighborhood pose an equal “safety threat”.
 - What kind of “safety threat” is being implied and who has assessed this as a threat?
 - The term “transient” is a directly-negative connotation for “short-term renters”.
 - If “transient” is the term to use, then long-term renters would be “long-term transients”.
- **Claimed Issue: Safety issues with drivers looking for rentals while driving**
 - How well a person drives is best managed through current DMV rules and regulations.
 - Visiting family/friends pose the same “safety issue”, but they are not mentioned in this context.
- **Claimed Issue: Safety issues with increased traffic**
 - Each homeowner is issued two parking permits, which means two cars are allowed per owner.
 - Will renter/resident-children, of legal-driving age, be equally regulated/restricted?
 - Will visiting family/friends of renter/residents be equally regulated/restricted?
 - Traffic, due to home-delivery of goods, is also on the rise, due to increased online shopping.
 - Will this type of traffic, especially large delivery trucks, be equally regulated/restricted?
- **Claimed Issue: Safety issues with cars parked on the street**
 - If drivers are not able to safely control/drive their vehicles, next to cars parked on the street, then those drivers should have their driver’s licenses revoked; these drivers pose a far greater, and more tangible, threat to everyone on roads and sidewalks.
 - Neighborhoods in countless cities, across the state, and other states, allow cars to be parked on the street. With more residents moving to Colorado, an increase in parked cars is to be expected and is, by law, allowed.
- **Claimed Issue: Noise and nuisance issues**
 - Homeowners and long-term renters, with pets, create a far greater noise nuisance, on a far more-regular basis, than short-term guests who rarely, if ever, travel with pets.
 - Children of homeowners and long-term renters also make far more noise, with greater regularity and volume (indoors and outdoors), than short-term renters (most of whom travel without young children).
 - Homeowners, while working on home projects, generate far more noises than travelers.
 - If this is to be regulated for visitors, then homeowners should be allowed to restrict other homeowners and long-term renters from making noises in/around their homes and or owning noisy pets (who also leave feces everywhere).
- **Claimed Issue: Effects on the character of existing residential neighborhoods**
 - From my observations, **long-term renters** have shown a far-lower regard for the character and care of the home and neighborhood in which they are renting.
 - Children of renters and owners often leave toys, bikes, food/drink wrappers, and more, strewn across sidewalks and in shared spaces. Parents of these children fail to clean up after them.
 - Some young-age renters have been witnessed as being rude, intoxicated, loud, and littering.
 - Short-term renters are required to follow “House Rules”, set by the owner. In contrast, long-term renters have no such rules to follow, yet these renters are allowed without equal regulation.

- **Claimed Issue: Drug use and crime increase**
 - Short-term renters are required to follow “House Rules”, set by the owner. These rules often restrict the use of drugs and, most certainly, crime. In contrast, long-term renters have no such rules to follow nor any system of accountability.
 - Homeowner's choose whether or not they themselves and their guest may use legal drugs in/around their own homes; this is allowed by Colorado law.
 - Homeowners can also pose the “threat” of drug use.
 - Long-term renters can also pose the “threat” of drug use and crime.
 - Long-term renters are not restricted from drug use, in and around the homes they rent.
- **Claimed Issue: Occupancy higher than in a typical single-family home**
 - What will the allowed occupancy be, for owners of single-family homes, and how is this to be fairly regulated for all single-family home owners?
 - Will multi-generational families, living in the same home, be equally regulated?
- **Claimed Issue: Impact on property values**
 - If having guests in one's home negatively impacts property values, then only immediate family members should be allowed in their homes, overnight.
 - Long-term renters have a greater/negative impact on property value, since the homeowner does not live in the home and cannot directly manage the renters.
 - Property value loss is more likely to be impacted by homeowners renting out homes to long-term renters who have no vested interest in the community.
- **Claimed Issue: Impacts on housing market (reduction of long-term rentals, rising prices)**
 - There is no impact to long-term rentals of homes, when homeowners are living in their home, and renting out rooms in that home, through AirBnB.
- **Claimed Issue: Limited rules and regulations for short-term rentals**
 - How are the rules and regulations, for short-term rentals, too limited, when compared to long-term rentals?

With regards to the use of the word “transient”, in public comments and otherwise, this comes across as intentionally mis-leading, with a negative connotation. It would seem more appropriate to use the original term “short-term renter”, which also maintains consistency across all communications regarding this topic.

Reference: <https://businessden.com/2018/07/20/littleton-stops-issuing-airbnb-licenses/>

Reference: <https://www.littletongov.org/home/showdocument?id=16927>

Reference: Description:08-28-2018 CC Agenda 08-28-2018 CC Meeting Document

Reference: <https://www.littletongov.org/Home/Components/Calendar/Event/20365/1311>

Reference: Agenda: <https://www.littletongov.org/home/showdocument?id=17075>

Reference: Meeting Doc: <https://www.littletongov.org/home/showdocument?id=17077>

Additional Comments:

If people rolling suitcases along sidewalks is considered a violation of public safety, or as being incompatible with the surrounding neighborhood, please keep in mind how children and pets, of owners and long-term renters, often cause greater issues. For example, this is a common occurrence, by long-term renters near my home:



Two small bikes and a ball, left outside my door and obstructing the sidewalk, by the young children of long-term renters two doors away, on the evening of 2018-09-15. You will not find short-term renters doing things like this.

From my observation of long-term renters, many show little interest in building a stronger community. I have heard of some who even shown outward/verbal contempt towards neighbors, publicly berating them (usually while drunk). I can only assume this is because renters have little vested interest in the community, beyond a lease and monthly check; in a sense, they are waiting for the time when they find "a place they can call home." I have watched long-term renters, 3 doors away, cause public disturbances, litter, and fail to clean up after their noisy, untrained pets. I have adjacent neighbors, who are long-term-renters, with young children; they also allow their kids to play (loudly) outside my home and everyone else's (as well as practice loud musical instruments, and play loud music, while indoors). However, owners and long-term renters are not equally-regulated, while they cause disturbances in the community.

In contrast, the short-term renters I have hosted, through AirBnB, have been polite, clean, and consider, in and around my home. I have a strict, no-smoking/no-drugs policy (inside and outside my home), which I directly monitor, since I am physically sharing the same house as my guests, as an "owner-occupied" host. No owner, who rents out their entire home to long-term renters, can claim the same oversight (and they are not being called into question). My guests are often parents who are coming to visit their children and grandchildren; or friends/family invited to weddings; or concert goers at Hudson Gardens, Red Rocks, and even Breckenridge Brewery; or hikers going to take on the Colorado Trail; or people who simply want to explore the area and enjoy what it has to offer. They bring revenue and taxes, to the local community, through my AirBnB rentals and my suggestions to guests of local businesses. Many could have stayed with family or friends but wanted a home-away-from-home experience instead.

Some of my guests drive up from Colorado Springs and New Mexico, or down from Wyoming, for work or training; these are working professionals, trying to make a living and improve their financial standing. My home offers them an affordable option, with a feeling of being "home", that they would never get at a hotel; otherwise, some of these guests would drive home, spending more time traveling, than they would spend in money at more-expensive hotels.

My guests are not drug-using "transients"; they must follow my "House Rules", which I have set in my online profile. Failure to comply with an AirBnB hosts' House Rules has actionable consequences, through the online-review process. I challenge any owner, who has long-term renters, to have as much oversight over their renters, as do the AirBnB hosts.

Short Term Rentals Table

City	Current Status	Primary Residence Allowed?	Non Primary Residence Allowed?
Denver	Considering requiring more documentation to prove primary residency and higher insurance per most recent meeting minutes	Yes	No
Boulder	Considering even tighter regulation to control party houses	Yes	No
Aurora	Allows only in primary residence	Yes	No
Arvada	All STR banned under current interpretation	No	No
Douglas County	Per website short term rentals banned	No	No
Wheat Ridge	No official policy, enforced under room and board definition	Yes	No
Jefferson County	Allowed in residential zone, must obtain permit	No	Yes
Englewood	Policy Developing, have a public "open house" on 9/20	TBD	TBD
Lakewood	Currently under ban, most current draft is for primary residence only	No	No
Golden	Must live in residence 10 months a year.	Yes	No

Brief Summary of Sample Locations

First, I could only do this for single family dwellings and only for listings that included pictures of the front of the property that had numbers. The websites place the locator 1-2 blocks off of where the listing actually is. I was unable to get data on any Townhome, Condo or Apartment as I was not able to see the actual address and unit number.

All but one of the properties is listed as “whole residence” and I can say with confidence that they are all whole home rentals after talking to neighbors. Here are some of the things you notice from this data.

- 1 Five (Probably Six) of the nine properties are owned by people not living in Littleton.
- 2 Four of the nine either are currently real estate agents or tied to real estate and mortgage businesses.
- 3 All of the properties have been purchased in the past 7 years, most within the past 3.
- 4 From looking at availability it looks like 8 of the 9 are full time whole home rentals.

The data is telling us that most, if not all, of these properties were purchased with the intent of using them for short term rental property.

The result of 4 of the 9 being tied to real estate somehow seems to a signal that real estate investors are targeting Littleton already as a place to run these businesses. This is because they knew there was no law in place regulating the operation. Additionally, they know Littleton is a community of older neighborhoods that either do not have HOA's or the HOA's do not address the situation.

I was not able to cross reference these locations with the current list of licensed properties as there seems to be no way search this on the Littleton website.



Jocelyn Mills <jmills@littletongov.org>

Short term rentals in Littleton

1 message

kidd_kelley <kidd_kelley@yahoo.com>

Tue, Aug 28, 2018 at 7:13 PM

To: dbrinkman@littletongov.org, cmory@littletongov.org, cmmjr@littletongov.org, cdjm@littletongov.org

Honorable Littleton City Council Members-

I applaud the City for reviewing and updating regulations related to short term rentals. However, there is a specific provision contained in the proposed draft ordinance that has me very concerned. I am unable to attend tonight's study session on the topic. I respectfully request that my written input be included for the record and to demonstrate my earnest and constructive public participation in the process.

The specific draft provision that I strongly dispute relates to potential requirements that short-term rentals be limited to primary residences in the City. As an upstanding, successful, and life-long resident of Littleton who cares deeply for the integrity of the community, I feel a need to express my views to you regarding the proposed restriction. I hope that as elected representatives of the citizens of Littleton, you will perform your due diligence and consider my opinions as well as those of other short-term rental owners in Littleton.

- 1) I own my home and lived there for nearly a decade with my family, prior to deciding to converting it to a short term rental property. I'm allowing short-term rentals to kind, appreciative families and groups of people who come to Colorado to enjoy the town and state amenities, and also for family events (weddings, births, graduations, etc). These people not only provide me with needed income for my family (college savings for my child, etc) but also provide businesses with added tourism income plus increased tax revenues for the City.
- 2) I have met many wonderful people through web-based services, who have stayed in my home, and have become friends of my family. They show immense appreciation for the beauty and comfort of the home, and truly love the neighborhood. Most of my guests have expressed interest in returning to Littleton, which benefits the City as well. The short-term rental movement is innovative, and embraces entrepreneurial actions within the community. It is not unlike the Uber and Lyft movements that have become embraced as an alternative means of transportation. Both types of movements are relevant, important, and here to stay.
- 3) I decided to provide short-term rentals *in order to maintain the character and quality of my home*. This has allowed me to consistently monitor and care for the property and keep it in top condition. Long-term rentals provide more of a concern for me personally, as to whether or not the property will be maintained to the standard I and my neighbors desire.
- 4) If an overly restrictive ordinance is passed, requiring the owner to live at the property that is being used for short-term rentals, I will not be able to continue renting my home as a short term rental. This will create a large loss of income and I will be interested in restoring my rights through legal processes to recapture future lost revenues as a result of what I believe to be regulatory takings.
- 5) I would kindly request access to any available data utilized by City staff to reach draft conclusions on this topic.
- 6) If the true concern around short-term rentals is regarding parties or loud guests, it would seem that the owners of these properties should be held responsible, via complaints filed by neighbors (as would be done with long-term guests/primary residents). It strikes me as arbitrary and capricious to punish responsible, caring home owners for the actions of those few negligent short-term operators. It seems far more reasonable to deal with case-by-case issues as an enforcement issue rather than a blanket restriction.
- 7) To summarize, my main concern with this draft ordinance is the proposed requirement of the owner to live at the property (e.g. the primary residence clause). It would be nearly impossible for me, and perhaps others, to offer space in my home while I'm living there. After all, with two adults in one bedroom and a child in the only other bedroom, I would be forced to offer space on my sofa. This situation does not at all appeal to me at all, nor to my customers that I hold in high esteem. I would essentially be punished for having a small home with my own family living in the home, without the ability to reasonably host other guests. Have you considered federal real estate laws that protect people from punitive and unfair measures? Would I only be able to rent a room if I were a single person having no kids at all? I'd be willing to look heavily into that aspect as well, in addition to the very definition of regulatory takings, which is "depriving the property owners of economically reasonable use or value of their property to such an extent that it deprives them of utility or value of that property".

In a recent quote contained in the Littleton Independent, Ms. Brinkman generally indicated that the City is interested in coming up with a solution that works for everyone. I completely agree with her assessment. Unfortunately, the draft ordinance as presented does not work for me and, therefore, does not work for everyone.

I respectfully offer the following constructive suggestions as an alternative to the unacceptable provision:

- 1) Allow each resident of the City to own and operate no more than two short-term (non-owner occupied) dwelling units. This would provide a beneficial situation where the owner/operator would live nearby and be available to handle day to day management and any situations as they arise.
- 2) Each short-term rental would still be subject to all of the normal zoning regulations, including noise and upkeep, just like long-term rentals. Enforcement abilities are already in place for those types of complaints.
- 3) Enact a permitting process with associated fees, as suggested in the draft ordinance, to track and monitor short-term rental operations. Use "surgical" measure to deal with actual problems, but please avoid broad brush over-regulation.

Thanks very much for your time and attention.

Kelley Kidd

Sent from my Verizon, Samsung Galaxy smartphone



Jocelyn Mills <jmills@littletongov.org>

Englewood Open House on STR

1 message

MICHAEL RADULOVICH <dooly3466@comcast.net>

Sun, Sep 23, 2018 at 12:02 AM

Reply-To: MICHAEL RADULOVICH <dooly3466@comcast.net>

To: dbrinkman@littletongov.org, kelrod@littletongov.org, kschlachter@littletongov.org, pdriscoll@littletongov.org, pcole@littletongov.org, jvaldes@littletongov.org, cfey@littletongov.org, mrelph@littletongov.org, Steve Kemp <skemp@littletongov.org>, Jocelyn Mills <jmills@littletongov.org>

Greeting Council and Civil Servants,

I attended the open house that Englewood hosted this past Thursday on short term rentals. I have attached the very rough draft of what they are proposing. You will find they are looking to require "proof of residency". When I asked their planning manager what that entailed he said it was proof though documentation that you live at the residence and you must live at the residence 9 months a year.

Thanks,

Dan Radulovich

**Englewood Draft STR.pdf**
1344K

Short Term Rentals

Open House Quick-Reference Guideⁱ

Proposed Definitions

Short Term Rental (STR): The nightly or weekly rental of a residential dwelling unit ancillary to a primary living use or a portion thereof, excluding hotels and motels, for less than 30 consecutive days, including but not limited to: single family dwellings, duplexes, townhomes, condominiums, or similar dwelling. This Short Term Rental definition also includes and applies to 'vacation rentals'.

Owner: The titled owner of the property as found on an Arapahoe County Deed of Record for which a short term rental permit is sought.

What Zoning Districts will STRs be allowed?

STRs will be allowed in all **R, M, MU, MU-B** zoning districts.

STR Application

What will I need to do to apply for an STR permit once regulations are in place?

A complete STR submittal shall include the following items:

1. Completed Short Term Rental Registration Form as provided by the Community Development Department
2. Registration Fee (TBD)
3. Information to be submitted to the Community Development Department:
 - a. A signed and notarized 'Proof of Residency' affidavit.
 - b. A Deed of Trust.
 - c. A valid business license.
 - d. The name and contact information of the designated '24-Hour' contact person.
 - e. A copy of the required posting information to be placed in the rental (see **page 3** for more details).
4. Copy of State of Colorado Sales Tax License for the STR
5. A floorplan of the proposed STR
6. Parking plan

Once a complete STR application submittal is received, the Community Development Dept. shall review the application and may refer the application to any City department or agency for review and comments.

STR Permit/Operating Permit Details

- All short term rentals **must** have an operating permit
- The permit shall be maintained and signed by the owner.
- No more than one (1) STR permit shall be issued per residence.
- Permits are non-transferrable.
- Any STR permit may be revoked or suspended by the City (see enforcement).

What are the basic requirements of the STR Operating Permit?

- The STR shall be operated by the person(s) who signed the 'Proof of Residency Affidavit' for the permit.
- A dwelling unit must be the primary residence of the owner.
- Any STR shall not exceed two (2) adults per bedroom.
- The maximum occupancy of any STR shall be eight (8) persons.
- STR's shall not be located in apartments, multi-family units, recreational vehicles, travel trailers, or temporary structures.
- The STR shall not include simultaneous rental to more than one party under separate contacts.
- During rental periods, the STR shall not be used for any other purpose by the renter other than lodging.

What are some other items I need to be aware of regarding the STR Permit?

- **Business license:**
 - Any person who owns or represents a Short Term Rental shall obtain an annual City of Englewood STR business license, pursuant to Title 5 of the Englewood Municipal Code (EMC).
 -
- **Taxes:**
 - Owners of STRs shall be subject to all taxpayer responsibilities set forth under Title 4 of the EMC, particularly the responsibility to collect and remit all applicable sales and lodging taxes at the city, local, state, and federal levels.
- **24-Hour Contact Person:**
 - Each short term rental owner shall have a contact person responsible for the short term rental and shall be available on a twenty-four (24) hour basis, seven days per week, and during periods in which the structure is being rented.

- The 24-hour contact person may be the owner or other person employed, authorized, or engaged by the owner to manage, rent or supervise the short term rental. The 24-hour contact person must be able to attend to any concerns that may arise during the rental period. This includes being able to access the STR in a timely manner.
- **Noise:**

While occupying or visiting a short term rental, no person shall make, cause, or permit unreasonable noise to be emitted from the short term rental that is audible upon private premises in excess of the limits set forth in Section 6-2-8 of the Englewood Municipal Code or otherwise disturbs the peace.
- **Parking:**

Parking shall be provided in the amount of 1 space per bedroom. STR's lacking a paved parking space in a driveway, garage, or carport shall be limited to two (2) on-street locations in front of the STR. These on-street locations shall remain public and these spaces may not be reserved or allowed signage. Advertisements of the STR must incorporate the number of parking spaces available for use by the property.
- **Signs:**

An approved STR dwelling is permitted one (1) exterior sign, up to a maximum of one (1) square foot in area. The sign shall be unlit and not contain animation of any means.

What information will I be required to post in my STR?

- A copy of your Short Term Rental permit;
- The name, address, and telephone number of the contact person, management company, or owner of the STR that can be reached on a twenty-four (24)-hour basis.
- The maximum number of persons allowed to occupy the STR;
- The maximum number of vehicles allowed to park on the STR property. All other vehicles may utilize a **maximum of two** on-street parking spaces; on-street parking spaces may not be reserved for use of the STR operation;
- Information for all trash removal and recycling program, including days of pick-up;
- Clearly-defined garbage storage areas shall be provided.
- The entire property address (including house number, street name, and city) shall be visibly posted inside the STR with instructions to call 911 in the case of an emergency;
- Location of fire extinguishers and all exits (including window exits if applicable);

Enforcement

How will STR Permits be enforced?

If granted, the Permit will be monitored for compliance by the Community Development and Code Enforcement Departments of the City. If the property is in violation, written notice of the nature of the violation shall be given to the property owner, agent, or the applicant.

The tentative enforcement process is as follows:

1. Once a complaint has been received, Community Development will contact the property owner to make them aware of the situation; Community Development will also mail a letter stating what the alleged violation is and shall state that the STR owner will be given fifteen (15) days to correct the alleged violation.
2. Second violation: if a second complaint is received, another letter shall be delivered to the property owner in person by a Code Enforcement Officer.
3. Third violation: a court summons will be delivered to the STR owner by a Code Enforcement Officer.
4. Revocation
After a third violation has been verified, the City of Englewood Community Development Department shall void the STR permit concurrent with a court order for said property in violation. Once an STR permit has been revoked, the owner of the STR may not apply for another STR permit for the period of eighteen (18) months.

Disclaimer: This hand-out is only reflective of the most recent draft of the STR regulations presented to the Planning & Zoning Commission on Sept. 18, 2018. This document will continue to evolve moving forward to reflect the most recent STR code language.



Jocelyn Mills <jmills@littletongov.org>

Proposed short term rental property ordinance for Littleton

1 message

JUDY THOMSEN <jltsc@sbcglobal.net>

Sat, Sep 22, 2018 at 6:40 PM

Reply-To: JUDY THOMSEN <jltsc@sbcglobal.net>

To: "cdjm@littletongov.org" <cdjm@littletongov.org>

Please see attached letter.

Thank you for your consideration.

Judy Thomsen

cc: Steve Kemp



airbnb.docx

16K

To: Jocelyn Mills

From: Judy Thomsen
455 N Wabash
Glendora, CA 91741
(818)653-2446

Re: New Ordinance of requirements of rental properties in Littleton, CO

My name is Judy Thomsen and I have been informed that your City Council is considering drastically limiting the requirements of Air BnBs rentals due to a few that have disturbed neighborhoods with loud parties. If I understand the new proposed ordinance correctly, there would be a new requirement of having the Air BnB be the primary residence of the owner. This would definitely be detrimental to many who rent out a second property in an attempt to create a secondary income, and personally take away the options of those of us who use the Air BnBs for vacation.

My experience in renting an Air BnB in the Littleton area was amazing due to its proximity to my family's residence. Because the house was a two-bedroom and had a sleeper sofa, we were fortunate to have my three teenaged nephews stay with us during their spring break. It was the perfect spot as it was walking distance to a small lake/park, close to restaurants, and other tourist spots. We met the neighbors on each side of our Air BnB property and they were friendly and encouraged us to come and stay again. We loved our hosts and plan on returning.

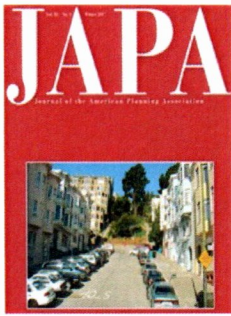
Unfortunately, your new ordinance would exempt us from staying in the Littleton area as we want to rent a house to ourselves which creates a family environment. It makes me sad as we have stayed in two other areas close to Littleton to visit family and enjoy your town the most. If this ordinance is to pass, you would lose us and others as tourists to your town, which would negatively impact tourist income and free word of mouth advertisement to encourage friends and family to visit Littleton.

I do understand your concern with the negative side of rental properties with parties and those who do not respect the neighborhoods around the houses they rent. To this I offer the solution of a 'two-strike' rule with a monetary fine. If the few irresponsible owners violate your ordinance by renting out their home to unruly guests, they would have one more chance before a hefty financial penalty and your initial requirement (property needs to be their primary residence) is enforced. This would set a boundary for those who abuse the privilege, keep intact your strong restrictions to irresponsible owners, and more importantly, not punish those owners of properties that specifically screen their clients so to alleviate these problems within their neighborhoods. I know for a fact that Air BnB have ratings for their renters, so this process would be relatively easy to find best clients that would respect the neighborhood of the Littleton community.

House Rules where we stayed specifically state: "We have a very strict 'no party' and no smoking (of any kind) policies. The house is located in a quiet neighborhood and we ask for quiet hours after 10pm"

Feel free to contact me for any further information you may need to make your decision regarding Air BnBs in the Littleton area a more positive one for all concerned. I love your city

Judy Thomsen



When Tourists Move In: How Should Urban Planners Respond to Airbnb?

Nicole Gurran & Peter Phibbs

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When Tourists Move In

How Should Urban Planners Respond to Airbnb?

Nicole Gurran and Peter Phibbs

Problem, research strategy, and findings:

The online accommodation platform Airbnb has expanded globally, raising substantial planning and regulatory concerns. We ask whether Airbnb rentals generate significant neighborhood impacts like noise, congestion, and competition for parking; reduce the permanent rental housing supply and increase rental prices; or provide income opportunities that help “hosts” afford their own housing. We focus on Sydney, the largest region in Australia with 4.4 million people in 28 individual municipalities, which has experienced both rapidly rising housing costs and exponential growth in Airbnb listings since 2011. Airbnb’s growth has raised concerns serious enough to result in a formal Parliamentary Inquiry by the state of New South Wales. We analyze stakeholder submissions to this inquiry and review local planning regulations, Airbnb listings data, and housing market and census statistics. We find that online homesharing platforms for visitor accommodations blur traditional boundaries between residential and tourist areas so Airbnb listings may fall outside of existing land use regulations or evade detection until neighbors complain. Our findings are constrained by the difficulties of monitoring online operations and the rapid changes in the industry.

Takeaway for practice: Planners and policymakers in cities with increasing numbers of Airbnb rentals need to review how well local planning controls manage the neighborhood nuisances, traffic, and parking problems that may be associated with them while acting to protect the permanent rental housing supply. Local planners need to ensure that zoning and residential development controls distinguish between different forms of short-term Airbnb accommodation listings and their potential impacts on neighborhoods and housing markets.

Keywords: Airbnb, land use planning, housing supply, housing affordability

Housing affordability pressures afflict the world’s major cities, while spare capacity within existing dwellings lies untapped. Proponents of the burgeoning “share economy” claim the movement can address both of these problems by releasing latent space within existing buildings through services such as Airbnb, an online platform allowing residents to raise income by offering their homes as short-term rental accommodations (Shareable and Sustainable Economies Law Center, 2013). Airbnb invites tourists to “live like a local,” implying that guests impose no additional burdens on neighbors and communities while bringing new income to local hosts and businesses (Khadem, 2016; Morris, 2016). Critics, however, argue that Airbnb has enabled tourism accommodations to penetrate residential neighborhoods, which creates conflicts between visitors and residents, displacing permanent accommodations in high-demand cities and exacerbating affordability pressures for low-income groups (Brousseau, Metcalf, & Yu, 2015; New York State Attorney General, 2014). Online holiday rental platforms such as Airbnb raise important questions for urban policymakers and planners about how effective existing planning controls on tourist and residential accommodations are and the extent to which increasing tourism demand puts pressure on the local housing market. Yet there is little academic research on the rise of Airbnb and its implications for urban policy and planning.

In this study, we begin to address this gap, focusing on Sydney, Australia, the largest city and region in the country, covering 4,775 square miles and housing more than 4.5 million people in 2011 in 28 individual municipalities. Housing prices have been increasing rapidly in the region: The median housing price in Sydney recently reached AUD\$900,000 (US\$684,000; Australian Bureau of Statistics [ABS], 2015). Airbnb listings in Sydney have also grown rapidly since spreading to Australia in 2011, more than doubling each year to 15,648 properties in January 2016. Airbnb listings now extend well beyond the traditional tourist destinations of Sydney’s inner and beachside areas. We

About the authors: **Nicole Gurran** (nicole.gurran@sydney.edu.au) and **Peter Phibbs** (peter.phibbs@sydney.edu.au) are professors of urban and regional planning at the University of Sydney, Australia.

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ask whether the rise of tourism in residential areas, facilitated by online platforms such as Airbnb, generates negative neighborhood impacts that require a new land use planning response. We also consider the potential impacts of Airbnb rentals on permanent housing supply and affordability, asking whether Airbnb is creating pressure on Sydney's permanent rental housing supply or, conversely, offsetting housing affordability pressures for "hosts" who rent rooms or beds to tourists.

Our sources include written submissions to a New South Wales (NSW) Inquiry on short-term holiday rentals (Parliament of NSW, 2015); a review of Sydney's land use planning regulations that apply to visitor accommodations; listing data from the independent source InsideAirbnb.com; and statistics on rental vacancy rates, monthly mortgages, and rents. We apply our analysis to greater Sydney overall and a subset of five municipalities in the Sydney metropolitan area to examine potential differences in Airbnb listings and revenue across the metropolitan region. Our empirical findings relate only to the Sydney region, but we believe they are likely to resonate in other cities affected by the global expansion of Airbnb listings.

We first summarize the brief scholarly literature on Airbnb and its potential impacts on local communities, then explain our study approach and data sources in more detail. Next, we discuss the growth of Airbnb in Sydney and question Airbnb's impact on residential neighborhoods, effect on the permanent housing supply, and whether hosts gain sufficient income to offset their own affordability problems.

We find that local land use planning frameworks are not equipped to regulate the new forms of visitor accommodations enabled by the Airbnb platform or the potential conflicts arising from increasing numbers of tourists staying in Sydney's residential areas. Not all forms of online homesharing have created serious impacts since 2011; converting whole houses or apartments into short-term visitor accommodations may most disturb residential communities and reduce permanent rental housing, absorbing 7% of stock in one Sydney municipality. The opportunity to raise additional income in flexible ways does appear to benefit some households able to present an attractive Airbnb listing; these households may gain almost a fifth of their median monthly rental or mortgage costs. But participating in Airbnb is unlikely to improve affordability for those with very low incomes. We conclude that local planners will need to revise zoning and residential development controls to distinguish between different forms of short-term accommodation listings enabled by Airbnb and to manage their differential impacts on neighborhoods and permanent rental housing.

The "Share Economy," Airbnb, and Urban Planning

What Is Airbnb?

Airbnb is part of a growing movement variously dubbed the "sharing," "peer-to-peer," or "digital" economy, which uses advanced technological platforms to enable new operators to compete with traditional "brick and mortar" businesses (Morgan & Kuch, 2015; Orsi, 2013). Airbnb was founded in 2007 by two university graduates who reportedly offered air mattresses on the floor of their San Francisco (CA) apartment to conference delegates wanting to save money (Guttentag, 2015). The concept grew slowly at first, reaching a million booking nights by February 2011, primarily through listings in New York and San Francisco. By January 2012, Airbnb bookings and listings had grown tenfold, spreading rapidly beyond the United States. By August 2016, more than 2 million Airbnb listings were located in 34,000 cities and 191 countries across the world (Airbnb, 2016), with the highest numbers concentrated in Paris, France (78,000), London, United Kingdom (47,000), New York (46,000), Rio de Janeiro, Brazil (26,000), Los Angeles, California (23,000), and Sydney (more than 20,000 by August 2016; McCarthy, 2016). Airbnb's property and room listings now rival the world's largest hotel firms (Guttentag, 2015; Zervas, Proserpio, & Byers, 2014), although its assets remain dispersed and virtual.

Published academic studies on Airbnb come primarily from tourism researchers (Boswijk, 2016; Guttentag, 2015; Zervas et al., 2014), although there have been a handful of legal papers addressing the regulation of the share economy overall (Morgan & Kuch, 2015) and short-term rental accommodations in particular (Gottlieb, 2013; Palombo, 2015). A single study examines Airbnb impacts on Los Angeles' permanent housing supply (Lee, 2016).

Guttentag (2015) describes Airbnb in a review article as an "informal tourism accommodation sector" that has significant disruptive potential. Airbnb enables individuals to compete with hotel operators without major overhead or investment by connecting ordinary people who have homes or rooms to rent with tourists in ways previously not possible (Guttentag, 2015). Airbnb's pervasive marketing extends the potential reach of the sector far beyond that of traditional holiday rental homes and enables several new forms of accommodation. First, individuals can rent out a spare bed in a living area or room within their own house or apartment, remaining present during the visit. Second, people might list their homes for rent while they are away. Third, owners of holiday houses might make their property

available for others when not in use. Finally, investors might use Airbnb to market homes that are solely reserved for short-term tourism accommodations.

What Are Airbnb's Impacts?

The economic impacts of Airbnb are contentious. Airbnb, which has invested considerable resources in commissioned studies and professional lobbyists (Guttentag, 2015), insists that online homesharing expands the tourism market rather than competing directly with hotels for the same customers. Airbnb also argues that homesharing visitors are likely to stay longer, spend more money overall, and bring new income to local neighborhoods (Boswijk, 2016). Independent studies, however, suggest that Airbnb listings will have negative impacts on local hotel revenue, particularly those at the lower end of the market, hurting established local providers and their employees (Boswijk, 2016; Guttentag, 2015). Zervas et al. (2014), in the most comprehensive study to date, compares Airbnb listings in Texas against the quarterly revenue of Texas hotels, finding that a 1% increase in Airbnb listings was associated with a 0.05% decrease in hotel income. Hotels at the lower end of the market, particularly venues without conference space, were the most affected. Airbnb's negative economic impacts on established local firms and their employees, however, may be offset by flexible expansion of tourism capacity during periods of peak demand, such as during conferences or conventions (Guttentag, 2015), or, as the company claims, by spreading tourist expenditure to new areas (Airbnb, 2014, 2016). Empirical evidence of economic benefits in non-tourism areas, however, remains limited (Boswijk, 2016).

There are extensive media reports on conflicts between local residents and Airbnb visitors and how cities are beginning to respond (Kelly, 2016; Khadem, 2016; Morris, 2015; Williams, 2016). New York City, concerned about the impacts of Airbnb on rental housing stock and affordable housing, was one of the first cities to seek to limit the spread of Airbnb (Zervas et al., 2014). It violates New York City laws to rent a whole home or apartment for less than 30 days via Airbnb, or any other means, but detecting illegal stays and prosecuting hosts (often commercial operators who own multiple properties) are extremely difficult (New York State Attorney General, 2014). The city of San Francisco now manages the potential loss of permanent rental accommodations (through their conversion to Airbnb rentals) by requiring Airbnb hosts to register with the city and by limiting sharing to short periods of time, provided that the hosts themselves reside in the dwelling for at least 275 days per year (City and County of San Francisco, 2014). Portland (OR) has added

an additional zone to its planning code, the accessory short term rental (ASTR; City of Portland, 2016). The city stipulates that this land use is an accessory to the normal residential purpose and that the dwelling has to be occupied by the host for at least 270 days per year. Portland, to manage impacts on multiunit apartment buildings, requires an ASTR permit and limits the proportion of dwellings with the permit to 25% of the dwellings in any one structure. The Airbnb system, however, requires hosts to voluntarily complete the permit process themselves, and observers have charged that the hosts rarely comply (Monahan, 2016). In Los Angeles, criminal proceedings have been brought against a landlord accused of evicting permanent tenants to establish an Airbnb rental. The practice, however, is thought to be widespread and difficult to detect and prevent (Poston, 2016). New startup companies have begun to assist in detecting these illegal holiday rentals by examining Airbnb listing data to identify information that they sell to city officials or landlords (Kelly, 2016).

Airbnb insists that hosts are responsible for understanding and complying with any applicable local controls or taxes applying to short-term tourist accommodations (Airbnb, 2016), while generally lobbying against stringent regulations (Airbnb, 2015; Guttentag, 2015). Proponents argue that the Airbnb market imposes a form of self-regulation on the quality of advertised accommodations and the trustworthiness of hosts and guests and suggest that there is no need for government intervention (Guttentag, 2015). Both guests and hosts rate each other on publicly accessible online reviews, which creates strong market-driven incentives to build and maintain a positive reputation, establishing the mutual trust essential to the business model (Boswijk, 2016). In 2016, Airbnb established an online facility for neighbors to complain about visitor behavior (<https://www.airbnb.com.au/neighbors>), promising that grievances will be forwarded to hosts.

Voluntary and market regulation, however, misses many of the traditional concerns that land use planners have about tourism accommodations, such as the opportunities to spatially cluster tourist facilities and services; the management of traffic, parking, and waste; building and urban design requirements to attenuate noise and privacy impacts; appropriate fire, safety, emergency, and disability access requirements; and likely levels of occupancy and potential overcrowding (Palombo, 2015).

Voluntary codes and market approaches to regulating online homesharing platforms, moreover, will not address concerns that permanent rentals are being converted to tourist accommodations. Indicators that conversions may be occurring include the number of listings held by a single

operator and frequently available to tourists (McCarthy, 2016), potential Airbnb revenue (nightly rates and monthly incomes) compared with permanent weekly rents (Cox, 2016), and the location of Airbnb listings in residential areas. Spatial analyses of listing data also provide evidence of tourist encroachment into residential neighborhoods, as demonstrated in a geographic information systems (GIS)-based study of Airbnb in Barcelona (Gutiérrez, Carlos García-Palomares, Romanillos, & Henar Salas-Almedo, 2016).

Lee (2016) examines Airbnb listings, census and municipal data relating to the city of Los Angeles, and county housing markets to understand Airbnb's impacts on rental supply and affordability. Lee finds that 7,316 units of accommodation had been removed from the city's rental market, with particular pressure in beachside neighborhoods such as Venice, where up to 12.5% of the neighborhood's apartments were listed on the platform. The study uses rental vacancy rates as an indicator of supply pressures to understand the impact of Airbnb conversion on rental housing affordability. This is an established housing market indicator that measures vacant rental stock available for rent as a proportion of the total rental stock. The equilibrium vacancy rate is defined as the vacancy rate at which there is no upward or downward pressure on rents (Belsky, 1992). If the vacancy rate becomes lower than the equilibrium rate, renters will compete with each other to secure rental property, pushing up rents. If the vacancy rates are higher than the equilibrium rate, there will be downward pressure on rents as landlords reduce rents to ensure their properties do not remain vacant. Belsky (1992) demonstrates how this equilibrium rate varies between cities, largely because of the nature of landlords. In the Sydney housing market, for example, this rate is estimated to be about 3% (Real Estate Institute of NSW [REINSW], 2016).

When rental vacancy rates are lower than or close to the equilibrium rate, even small changes in rental stock can materially affect rents (Centre for Affordable Housing, 2015). In Los Angeles, for example, Lees (2016) finds that up to 3% of apartments in districts with vacancy rates lower than the equilibrium rate have been removed from the market, which, given the time taken to construct new housing stock, would constitute a sudden supply shock and lead to upward pressure on rents.

Proponents also claim householders that rent out their homes can earn vital income that helps them afford their own rents or home mortgages, allowing them to remain in high-value locations (Airbnb, 2014; Guttentag, 2015). No academic research has yet examined this claim, but the potential pool of homeowners or renters able to achieve these benefits is likely limited. Those with poor computer

skills or no Internet access, for example, are less able to participate in the "digital economy" in general, whereas successful Airbnb listings will depend on the individual characteristics of homes (appearance, presentation, location, facilities) and the households themselves (Edelman & Luca, 2014).

In summary, there is only nascent scholarly research on the specific neighborhood and housing market impacts of Airbnb rentals, and the ways in which these impacts are managed by local land use planning frameworks. Review articles from tourism researchers (Guttentag, 2015) provide an overview of key issues, but questions remain about the specific impacts in residential and neighborhood settings, and whether modifications to existing land use planning frameworks are needed to manage these impacts. Specific cities have been concerned that Airbnb and other online short-term rental accommodation platforms will increase pressure on the local housing market, but the research literature is thin, meaning that wider applicability to other cities and contexts is unclear. The possibility that Airbnb-style platforms might also help some households meet their own housing costs, as Airbnb claims (Airbnb, 2014), warrants further examination. If short-term visitor hosting is potentially beneficial for income-constrained households seeking to meet rent or mortgage payments, planning and regulatory responses should be designed to support these opportunities while minimizing impacts on neighboring residents.

Investigating the Impacts of Airbnb in Sydney

Australia's largest city, Sydney, in the state of New South Wales (NSW), is the nation's economic center and the Asia Pacific headquarters for many global firms. It is also a focus for domestic and international tourists, receiving 32.5 million visitors in 2013 and 2014 (Ironside, 2015). There are 28 local government areas in the region, called councils or shires, which are similar to London's boroughs. Sydney's house prices are high by international standards and have risen rapidly since 2013 from a median of around AUD\$600,000 to AUD\$900,000, more than 10 times the median annual income (ABS, 2015). There are inherent housing supply constraints against this strong demand. Employment opportunities tend to be concentrated in the city center and surrounding inner neighborhoods (called "suburbs" in Australia), which have undergone rapid densification in the form of new medium- and high-rise apartment buildings. Demand for accommodations in inner locations, however, continues to outstrip

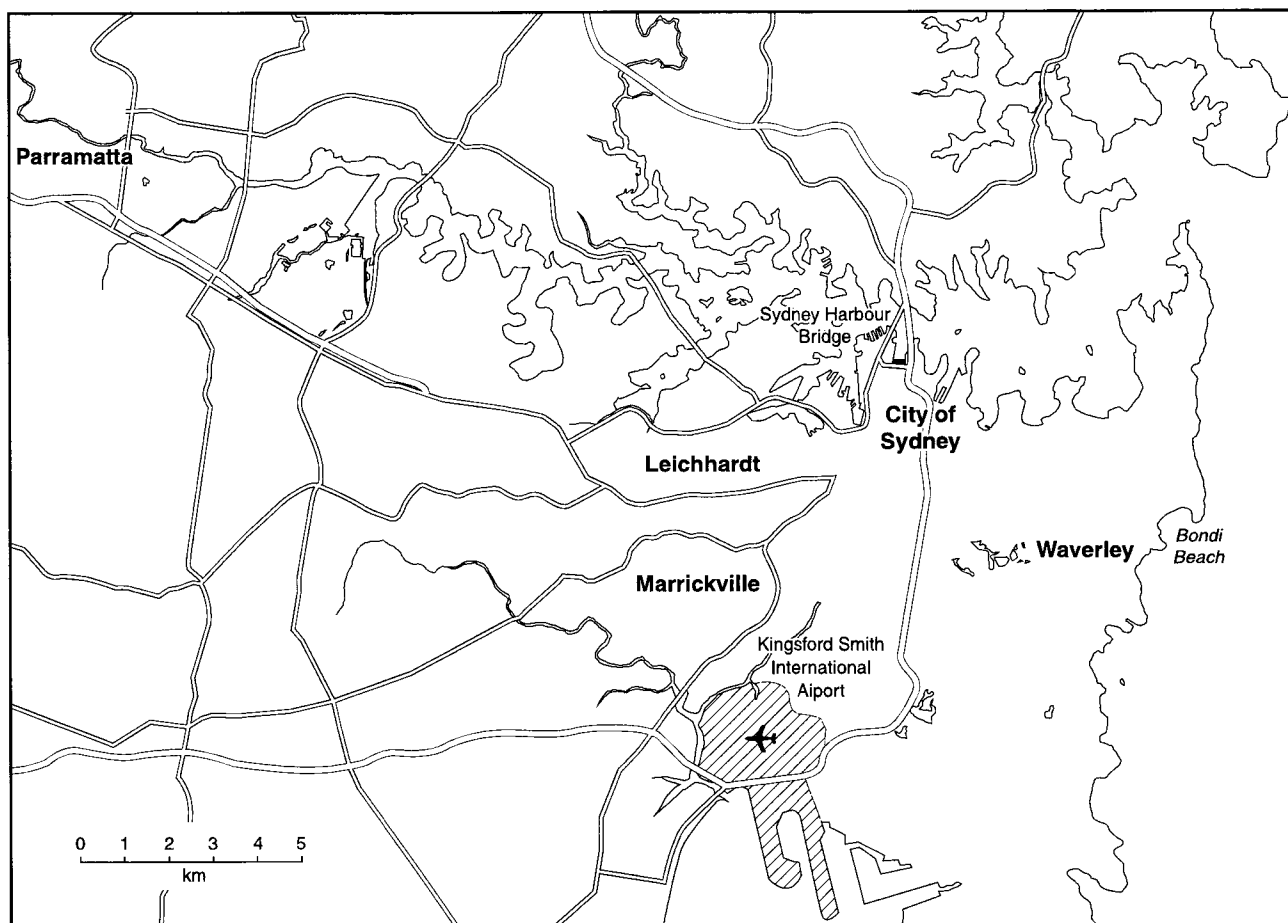


Figure 1. Greater Sydney, Australia.

supply (Shelter NSW, 2014). Many of these inner suburbs are located near Sydney's harbor and beaches, so they are also a focus for international tourists. Figure 1 shows the tourist focal points of Sydney Harbour and Bondi Beach, as well as the city's wider metropolitan context.

There has been a steady loss of existing lower-priced housing stock in Sydney's inner suburbs since the late 1980s, when developers began to convert older buildings into budget tourist accommodations (known as "backpacker" hostels; Peel & Steen, 2007). Attempts to control this process through the planning system have improved safety standards and restricted the location of these hostels to designated areas, although the loss of low-cost rental housing has continued. Thus, the entrance of Airbnb in Sydney occurred within a local context already concerned by the intrusion of tourists in residential areas.

In late 2015, the NSW Parliament launched an inquiry into the adequacy of regulations on the short-term rental sector, partly in response to concerns about the spread of online visitor accommodation platforms such as

Airbnb. The inquiry invited public submissions and held a series of hearings. The inquiry was not finalized by the time of this writing; however, many of the 212 written submissions provide primary insights on the impacts of Airbnb rentals for local communities and the views of local planners on the regulatory framework. We select nine submissions for detailed analysis, including four written by local planners on behalf of their municipalities and one by the representative body for NSW local government; another by a network of individuals owners concerned about short-term renting in their apartment buildings; and three submissions on behalf of online holiday rental providers and advocates, including Airbnb. Three of the local government submissions correspond with our sample of Sydney municipalities, and the fourth (Blue Mountains City Council) is a popular tourist area on greater Sydney's western fringe. We focus on the types of impacts attributed to online holiday rentals, the extent to which these differ from impacts associated with traditional tourism or residential activities, and views about the adequacy of existing state and local planning controls.

Land use planning across the greater Sydney metropolitan area is governed by the State of NSW and implemented by local government municipalities.¹ State legislation establishes the parameters for comprehensive local plans, which include land use zoning and development controls generally drafted by local government. To determine how tourism and residential activities are regulated in this planning framework, we review written evidence provided by local planners and undertake a primary review of state and local controls applying to five local municipalities across the Sydney metropolitan area. These include the city of Sydney itself, which encompasses the central business district as well as tourist attractions like the Harbour Bridge; the municipality of Waverley, which covers the iconic Bondi Beach; Marrickville and Leichardt municipalities, which have traditionally accommodated recent immigrants, students, and urban professionals; and Parramatta, a major commercial center in Sydney's geographical heart. The locations of these municipalities in relation to key tourist attractions and the wider metropolitan context are shown in Figure 1.

We use Inside Airbnb (InsideAirbnb.com) data to establish the quantity and type of listings across the Sydney metropolitan area. InsideAirbnb.com is a noncommercial source of data derived from publicly available information on Airbnb listings. The data are extracted and compiled by independent researcher Murray Cox (2016), providing point-in-time information (January 2016) on the number of Airbnb listings by geographic area (corresponding to suburbs and local government municipalities for Sydney); advertised availability (as a fraction of 365 days); the number of Airbnb listings per host; nightly prices; and reviews per month. This data source has some critical limitations: As with any online advertising, there is the potential for outdated or "bait and switch" listings (advertising of properties that upon investigation are not actually available). Nor is it possible to determine whether properties listed have long been available for short-term holiday renting, or as conventional bed and breakfast accommodations that now use the Airbnb platform for marketing and booking. Nevertheless, the data provide a useful basis for examining and monitoring Airbnb practices and penetration across local and regional housing markets; it is the primary data for two of the studies we cite above (Gutiérrez et al., 2016; Kakar, Franco, Voelz, & Wu, 2016).

We also examine the composition of listings (whole houses or apartments, rooms, and shared rooms) to distinguish between Airbnb accommodations where hosts rent some spare rooms in their property on a casual basis

versus a landlord who lets out an entire property for most of the year.

Rental vacancy rates provide a baseline measure of the potential housing market impact of Airbnb listings. The literature reports on the vacancy rate approach; it is used in the study of Airbnb and housing impacts in Los Angeles (Lee, 2016). We derive vacancy rate data pertaining to Sydney monthly from permanent rental advertisements data as a proportion of the total rental stock in each municipal area (REINSW, 2016). Inside Airbnb data also provides information about the proportion of listings managed by a single operator, which we use as an alternative measure of potential for Airbnb listings to encroach on permanent rental supply.

We use census data (ABS, 2012) on median monthly mortgages and state government data on median monthly rents to examine whether Airbnb income might help hosts meet their own housing costs, comparing the census data with average monthly incomes from each Airbnb accommodation type. Census data are the most definitive source of information on monthly mortgages by municipality although only median amounts are reported; we note that these may be lower than new mortgages and loans held by first-time homebuyers. We are not able to explore the possibility that Airbnb revenue potential may become capitalized into house prices and rents using the current data set, but we could do so when longitudinal information becomes available.

Do Airbnb Rentals Require a New Land Use Planning Response?

Table 1 summarizes our findings in reviewing selected submissions to the NSW inquiry on short-term holiday accommodations. All of the local government submissions report that noise, nuisance, traffic, parking, and waste management issues may arise when short-term holiday accommodations penetrate residential areas. Larger groups typically prefer holiday homes or apartments, thus increasing the potential for noise impacts from parties and drunken behavior, as well as traffic and parking congestion (Thomas, 2015). In localities strongly oriented toward tourism, short-term holiday rental of residential homes is an established practice and largely welcomed (Rhodes, 2015). In higher-density metropolitan areas that already experience traffic and parking congestion, however, increasing numbers of tourists are often resented. Indeed, the submission by Leichardt City Council states that the onset of Airbnb rentals resulted in the rise of resident complaints about tourist behavior

Table 1. Submissions to New South Wales (NSW) inquiry on the regulation of short-term holiday accommodations.

Organization	Key issues
City of Sydney	<ul style="list-style-type: none"> • Current planning regulation has not kept up with the new business opportunities that online technologies enable • Frequent short-term letting without the presence of the primary resident changes the use of a residential property • Traditional tourism activities occur in buildings designed for that purpose in designated locations; online providers establish operations in residential buildings and neighborhoods • Low-impact lettings could be permitted within certain guidelines but higher-impact uses need regulation to separate them from residential areas
Leichhardt Municipal Council	<ul style="list-style-type: none"> • Growing number of resident complaints about Airbnb accommodations • Complaints may reflect unease with increased numbers of visitors within the neighborhood rather than significant noise or other impacts • Low-impact uses are unlikely to be detected • Planning regulations currently unclear
Waverley Council	<ul style="list-style-type: none"> • Limited supply of traditional holiday accommodations but high demand in Waverley means short-term rentals are penetrating permanent housing stock • Use of a property for short-term rental is incompatible with most residential zones, but detection and enforcement is difficult • Airbnb platform introduces potential for new and unregulated forms of budget “backpacker” accommodations • Pressure for short-term rental and backpacker housing will affect housing affordability
Blue Mountains City Council	<ul style="list-style-type: none"> • Holiday rentals are typically meant for friends and family (rather than a single or couple), and more people mean higher potential impacts (noise, antisocial behavior, parking problems, rubbish) • With an online booking system, scope for neighbors to complain is reduced • Bed and breakfast operators are onsite to moderate guest behavior
Local Government NSW	<ul style="list-style-type: none"> • Issues of short-term rentals longstanding in popular tourist destinations and generally tolerated • In more densely populated areas where parking and traffic congestion is already a problem, local residents are generally more negative about the rise of Airbnb • Planning issues are difficult to characterize because holiday uses may be intermittent and vary in intensity • NSW case law establishes that short-term renting of a house does not change its residential character
Stayz	<ul style="list-style-type: none"> • Airbnb has brought housesharing and short-term rentals into metropolitan areas in Australia in a much bigger way • Banning short-term holiday rentals or requiring complex regulation would drive the practice “underground” or reduce tourism from the area • Short-term holiday rental owners who use the Stayz platform maintain the property for personal use for part of the year, renting it out to cover costs
Owners Corporation Network	<ul style="list-style-type: none"> • Different building standards for fire safety are needed in apartment buildings catering to visitors, who are unfamiliar with emergency exits and protocols • Ever-changing strangers often have little regard for building security and etiquette • Short-term letting of apartments is associated with excessive noise, drunken behavior, garbage disposal issues, and violations of visitor parking restrictions
Sharing Australia	<ul style="list-style-type: none"> • Homesharing provides income for people who want to live in their own home and are often underemployed, self-employed, or retired • Voluntary self-regulation via a holiday rental code of conduct and certification/accreditation systems is preferable to government oversight
Airbnb	<ul style="list-style-type: none"> • Airbnb provides important income for hosts, allows them to stay “in communities” despite increased living costs • Neighborhoods which would not otherwise receive tourists benefit from visitor expenditure • NSW planning law is inconsistent and should clarify that residents can host short-term visitors • Local councils should introduce their own regulations for professionally operated holiday homes

from one in six months to a weekly occurrence (Richardson, 2015). Resident complaints reflect, however, a more general disquiet about the increasing presence of visitors in the neighborhood, rather than tangible noise or nuisances:

Significantly, the complaints are not about noise or outrageous behavior, but merely the perception that a new person or people are occupying the premises each week. It is the feeling of unease that the changing tide of faces brings on. (Richardson, 2015, p. 4)

Resident owners of apartment buildings express more specific complaints about the increasing prevalence of short-term guests, including garbage disposal and parking problems; they note that visitors often ignore security, fire, and safety protocols (Stiles, 2015).

There are mixed views about the need to modify local plans to better regulate short-term accommodations. Each of the local government submissions report that the current planning framework is inadequate because it does not define or regulate the types of activities now enabled by online accommodation listing platforms. Stayz.com suggests that complex regulatory requirements would drive practices “underground” (Stanish, 2015). Airbnb argues that NSW planning law is inconsistent between local government areas, calling for the government to clarify that residents can host short-term visitors, and advocating for local councils to introduce their own regulations for professionally operated holiday homes (Airbnb, 2015).

We examine the specific planning controls applying to our selection of local government areas to further explore these issues. In NSW, each local government is required to adopt zoning and development controls from a suite of state-specified mandatory and optional provisions, although cities have some discretion to enact their own specific regulations in response to local circumstances. These mandatory provisions are contained in the NSW Standard Instrument–Local Environmental Plan (Gurran, 2011). A number of categories of tourist and visitor accommodations are defined by this instrument, including “backpackers’ accommodation,” “bed and breakfast accommodation,” “hotel or motel accommodation,” and “serviced apartments.” Local governments are then able to assign these different types of accommodations to specific land use zones. The Technical Appendix (available at the publisher’s website) summarizes the NSW tourist and visitor accommodation types that most closely resemble offerings available via Airbnb, and

outlines the overarching state and local planning frameworks applicable to each.

All forms of tourist and visitor accommodations are regarded as a “development” and therefore require planning permission. If the activity is to occur within an existing dwelling, hosts must seek a “change of use” permission. “Bed and breakfast accommodation” is typically permitted within dwelling houses (not apartments) in lower-density residential zones, including our sampled municipalities, if operators obtain approval and pay a “development contribution” (akin to an impact fee) toward local facilities and services before starting business. The state’s law governing bed and breakfast accommodations specifies standards for the design of kitchens if operators intend to serve food, and require a designated bathroom for guests. Each local government area may also impose their own onsite parking requirements for bed and breakfast establishments that are often difficult to achieve in inner-city locations (Richardson, 2015). The locations in which the other forms of tourist accommodations (serviced apartments, backpackers, and hotels or motels) are permitted are restricted to zones permitting commercial and mixed uses only.

Several submissions by local planners focus on whether renting homes, rooms, or beds to tourists changes the fundamental use of residential housing to one of these forms of tourism accommodations, thus violating zoning rules (Maher, 2015; Thomas, 2015). Planners express the view that in general the intensity and frequency of holiday rentals are critical considerations. Occasionally renting a home while the occupants are away would not constitute a change of use from residential to tourism accommodation (Richardson, 2015) and should not usually require special permission. Nor would occasional periods of homesharing with paying tourists who occupy rooms or beds during certain times of the year. However, repeated listings (more than 90 days per year was a commonly cited threshold) combined with intrusive visitors—one potential test being noise or other complaints—could mean that the property is no longer being used for residential purposes (Thomas, 2015). Detecting and compiling evidence of the change of use is another matter; local governments report that they do not have the resources to track and enforce breaches unless violations are brought to their attention by residents (Waverley Council, 2016). Advocates for online accommodation providers, in contrast, argue for legal legitimacy through recognition in local plans but relief from intensive regulatory requirements. Airbnb argues that the government should clarify that residents can host short-term visitors, for example.

Do Airbnb Rentals Reduce the Supply of Permanent Rental Accommodations?

Several local government submissions to the NSW inquiry raise the issue of housing availability and affordability (Richardson, 2015; Thomas, 2015). Waverley Council in particular expresses concern about the loss of permanent accommodations for short-term holiday rentals or illegal backpacking hostels. Sharing Australia, an advocate for homesharing, however, emphasizes the potential income-generating opportunities for the underemployed or retired (Willmer, 2015). Airbnb argues in its submission that the platform allows hosts to “make ends meet, keeping residents in communities amid increasing living costs and income inequality” (Airbnb, 2015, p. 6).

We summarize in Table 2 the results of our own analysis of the potential for Airbnb rentals to affect the supply of Sydney’s permanent rental accommodations. Table 2 shows that nearly 1% of Sydney’s total dwellings and 3.26% of the total rental stock were available for short-term stays via Airbnb in late 2015; Figures 2 and 3 show whole-home listings, rooms, and shared rooms spread across the metropolitan region. Nearly a third of greater Sydney’s listings are held by individuals who own multiple properties; frequently listed

Airbnb rentals provide lucrative income, exceeding permanent rental income for greater Sydney by more than AUD\$600 per month. Combined, these indicators suggest that Airbnb rentals are likely to create upward pressure on Sydney’s rents.

Sydney’s equilibrium rental vacancy rate is approximately 3%, while the metropolitan-wide rental vacancy rate at the time of this analysis was 1.9% as a result of strong population growth. We calculate that the number of dwellings removed from the permanent rental market in the region amounts to about half of Sydney’s current rental vacancy rate based on the Inside Airbnb data on frequently available listings. We find that Airbnb listings do concentrate in popular tourist areas such as Waverley and the city of Sydney. In Waverley, the number of whole dwellings frequently available on Airbnb is more than three times the vacancy rate in the locality. This suggests that Airbnb rentals have a sizeable impact on the availability of permanent rental housing in the Waverley local government area with consequent pressure on rents. In the city of Sydney, a total of 1,268 properties, equivalent to 144% of the city’s vacant rental stock, are available for holiday rental via Airbnb, a figure we would also expect to substantially affect rental availability and costs. In Leichardt and Marrickville, the percentages are lower but not inconsiderable at 69% and

Table 2. Sydney Airbnb rentals, housing supply, and affordability indicators.

	Greater Sydney	City of Sydney	Waverley	Leichardt	Marrickville	Parramatta
Housing stock	1,720,333	73,171	24,874	21,320	29,976	63,484
Airbnb listings	15,648	4,221	2,807	412	586	120
Rental housing stock	480,608	43,793	11,620	8,649	12,891	22,286
Frequently available Airbnbs (whole homes)	4,667	1,268	821	120	114	23
Rental vacancy rates	1.90%	2.0%	2.0%	2.0%	2.0%	1.90%
Frequently available Airbnbs as a proportion of rental vacancy rates	51%	145%	353%	69%	44%	5%
Proportion of multiple listings	30.8%	44.3%	29.2%	14.3%	27.5%	81.8%
Median rent	\$2,040	\$ 2,960	\$2,920	\$2,760	\$2,200	\$1,800
Median mortgage	\$2,167	\$2,539	\$3,000	\$3,000	\$2,485	\$2,063
Airbnb monthly income, frequently available homes	\$2,663	\$2,866	\$2,947	\$2,659	\$1,875	\$1,756
Airbnb rooms/beds	5,938	1,657	994	158	316	84
Airbnb rooms/beds as a proportion of total housing stock	0.9%	2%	4%	1%	1%	0%
Airbnb rooms/beds, monthly income	\$385	\$499	\$294	\$532	\$376	\$281
Airbnb rooms/beds, monthly income as % of median rent	18.9%	16.9%	10.1%	19.3%	17.1%	15.6%
Airbnb rooms/beds, monthly income as % of median mortgage	17.8%	19.7%	9.8%	17.7%	15.1%	13.6%

Note: All in AUD\$.

Sources: ABS, 2012; Department of Family and Community Services, 2016; InsideAirbnb.com; REINSW, 2016.

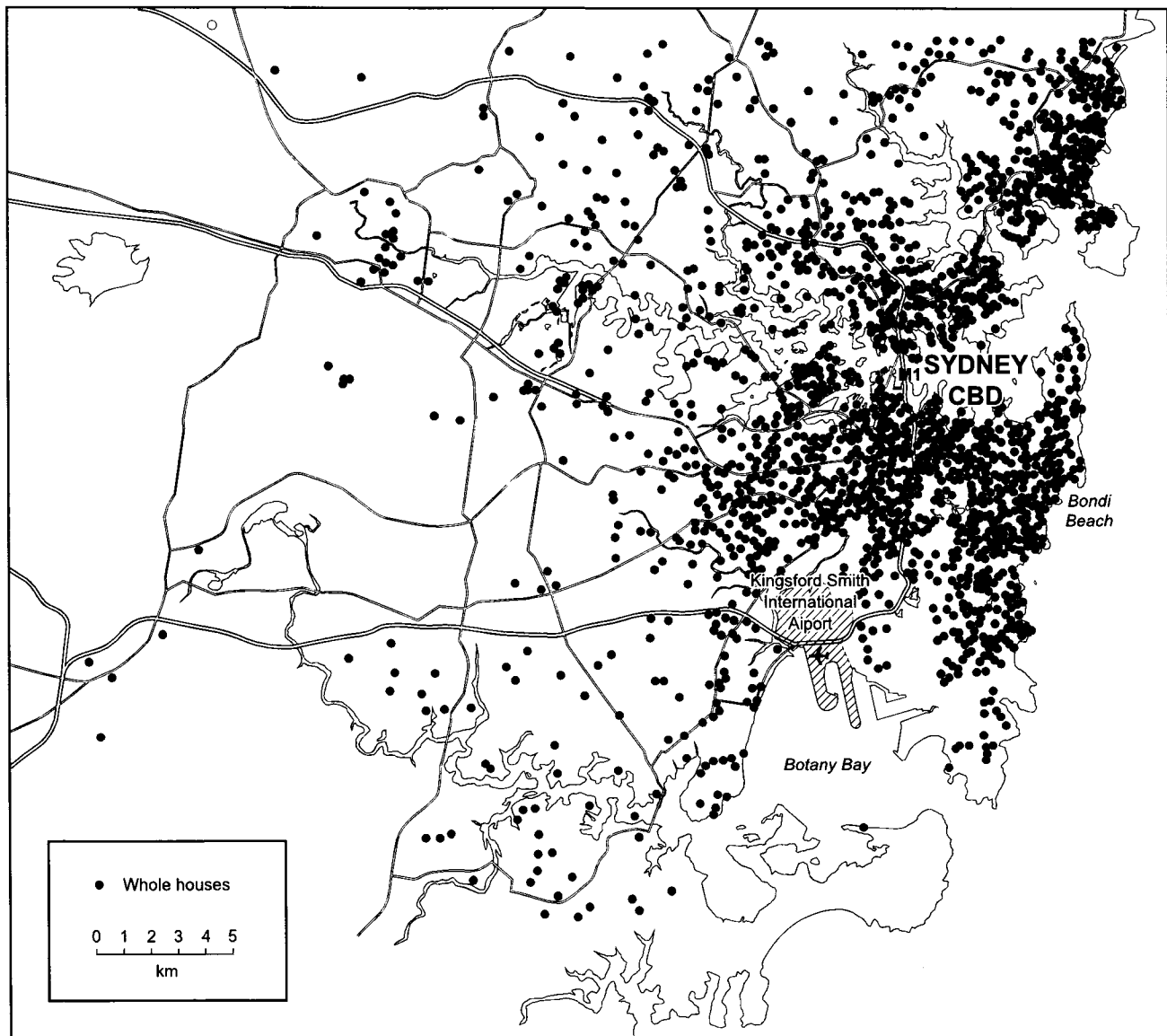


Figure 2. Whole-house Airbnb listings, January 2016.

Source: Derived from Inside Airbnb, 2016.

44% of the vacant rental stock, respectively. However, the number of Airbnb listings in Parramatta is much smaller, likely reflecting the area's distance from visitor attractions. Airbnb does not now affect Parramatta's local housing market, even though Parramatta's frequently available homes are controlled by landlords with multiple listings.

Does Airbnb Offer Flexible Income to Help “Hosts” Make Their Own Homes More Affordable?

Airbnb probably only assists people to meet their housing costs by sharing homes with tourists when the

host remains in the property and rents out rooms or beds. Sharing listings actually exceed Airbnb listings for whole dwellings in Sydney; Figure 3 shows that shared listings extend beyond the inner urban core. Online homesharing with tourists, however, does not appear widespread across the general population as a percentage of total stock (or households). The municipality of Waverley is the possible exception, where around 4% of households share their homes with fee-paying visitors. In the other sampled municipalities, homesharing via Airbnb is much less prevalent (from 2.3% in Sydney to 0.1% in Parramatta).

These findings suggest that only a small sector of the population benefits from Airbnb income, likely those able



Figure 3. Airbnb rooms and beds, January 2016.

Source: Derived from Inside Airbnb, 2016.

and willing to present their homes in a way that is appealing to the online accommodation marketplace. Those who do list rooms and beds on Airbnb, however, are obtaining rental income equivalent to 10% to 19% of median rents and mortgages. In Waverley, where the practice is most prevalent, renters or homeowners receive around AUD\$294 per month, or 10% of municipal median rent or mortgage expenses. Airbnb rental income makes an even greater contribution to housing expenses in Leichardt and Sydney, rising to nearly 20%. The risk for aspiring home purchasers in these locations over time, however, is that this mortgage “relief” might become capitalized into housing prices, undermining any affordability benefits.

Conclusions: How Should Urban Planners Respond to Airbnb?

In this study, we examine the expansion of online visitor accommodation listings in the Sydney metropolitan region epitomized by the Airbnb platform, focusing on implications for urban policy and planning. We ask whether Airbnb rentals generate neighborhood impacts that require a new land use planning response; create pressure on the permanent rental housing supply; or offer flexible income to help hosts make their own homes more affordable. Our primary data sources include written submissions to a NSW inquiry on short-term renting, local planning controls on tourist and visitor accommodations for a selection of Sydney

municipalities, and InsideAirbnb.com listings and real estate data for late 2015 to early 2016. We note the limitations in these data sources, primarily arising from the difficulties of monitoring online operations and of quantifying housing market impacts, particularly given the rapid evolution of Airbnb and of local and state regulatory responses. Our study, however, only provides an early contribution to understanding some of the complex policy and planning challenges presented by online homesharing platforms for visitor accommodations. Future studies will benefit from longitudinal data to examine the trajectory of Airbnb and the effects of emerging local planning responses.

Our findings show that Airbnb listings aggregate in areas of high tourist visitation but also extend beyond the inner core to Sydney's residential areas already affected by tight rental demand. In areas of high Airbnb visitation, there is growing concern over tourist behavior in residential neighborhoods and apartment buildings, particularly when whole homes or apartments are offered by absent hosts on a permanent or semipermanent basis. There is considerable potential for Airbnb (or other online holiday accommodation platforms) to remove whole homes from the permanent rental supply and therefore considerably increase pressures on rents, a pressure even more marked in certain parts of Sydney. The opportunity to raise additional income in flexible ways may benefit some households able to present an attractive Airbnb listing, but the practice is not widespread, even in the most popular areas of beachside and inner Sydney.

Local planners need to evaluate the potential impact of online housesharing on the potential housing market as well as the neighborhood impacts (noise, congestion, safety) and revise zoning and residential development controls accordingly. All planning efforts should be supported by a strong policy framework for monitoring the impact of Airbnb rentals on the availability and cost of lower-cost permanent rental accommodations, and ongoing research and analysis to fully understand implications for local neighborhoods and housing markets.

Supplemental Material

Supplemental data for this article can be accessed at the publisher's website.

Note

1. When we carried out the study, there were 43 local municipalities in Sydney; however, since this time, local government has undergone a period of reform and amalgamation, reducing the total number of jurisdictions.

References

- Airbnb.** (2014). *New study: Airbnb community contributes AUD \$214 million to Sydney and its suburbs, brings tourists to new neighbourhoods; hosts use money they earn to pay bills*. Sydney, Australia: Author.

Airbnb. (2015). *Adequacy of the regulation of short-term, holiday letting in New South Wales, Airbnb submission to NSW parliamentary inquiry*. Sydney, Australia: Author.

Airbnb. (2016). *About us: Airbnb.com*. Retrieved from <https://www.airbnb.com/about/about-us>

Australian Bureau of Statistics. (2012). *2011 census quickstats*. Retrieved from http://www.censusdata.abs.gov.au/census_services/getproduct/census/2011/quickstat/1GSYD?opendocument&navpos=220

Australian Bureau of Statistics. (2015). *6416.0 residential property price indexes: Eight capital cities, March 2015*. Canberra, Australia: Author.

Belsky, E. S. (1992). Rental vacancy rates: A policy primer. *Housing Policy Debate*, 3(3), 793–813. doi:10.1080/10511482.1992.9521110

Boswijk, J. (2016). Airbnb: The future of networked hospitality businesses. *Journal of Tourism Futures*, 2(1), 22–42. doi:10.1108/JTF-11-2015-0048

Brousseau, F., Metcalf, J., & Yu, M. (2015). *Analysis of the impacts of short term rentals on Housing*. San Francisco, CA: City and County of San Francisco.

Centre for Affordable Housing. (2015). *NSW Local Government Housing Information Kit—Assessing Trends*. Retrieved from <http://www.housing.nsw.gov.au/centre-for-affordable-housing/nsw-local-government-housing-kit/developing-your-own-housing-strategy/developing-a-statement-of-issues/step-3-assessing-trends>

City and County of San Francisco. (2014). *ORDINANCE NO. 218-14; Administrative, Planning Codes—Amending Regulation of Short-Term Residential Rentals*. San Francisco, CA: Author.

City of Portland. (2016). *Accessory short-term rental permits*. Portland, OR: Author.

Cox, M. (2016). *About Inside Airbnb*. Retrieved from <http://insideairbnb.com/about.html>

Department of Family and Community Services. (2016). *Rent and sales report no. 116*. Sydney, Australia: NSW Government.

Edelman, B. G., & Luca, M. (2014). *Digital discrimination: The case of Airbnb.com* (NOM Unit Working Paper No. 14–054). Cambridge, MA: Harvard Business School.

Gottlieb, C. (2013). Residential short-term rentals: Should local governments regulate the “industry”? *Planning & Environmental Law*, 65(2), 4–9. doi:10.1080/15480755.2013.766496

Gurran, N. (2011). Thirty years of environmental planning in New South Wales. In N. Gurran (Ed.), *Australian urban land use planning: Principles, systems and practice* (pp. 143–183). Sydney, Australia: Sydney University Press.

Gutiérrez, J., Carlos García-Palomares, J., Romanillos, G., & Henar Salas-Almedo, M. (2016). *Airbnb in tourist cities: Comparing spatial patterns of hotels and peer-to-peer accommodation*. Retrieved from <https://arxiv.org/pdf/1606.07138v2.pdf>

Guttentag, D. (2015). Airbnb: Disruptive innovation and the rise of an informal tourism accommodation sector. *Current Issues in Tourism*, 18(12), 1192–1217. doi:10.1080/13683500.2013.844910

Ironsides, R. (2015, April 24). Sydney named Australia's top tourist destination. *News.com.au*. Retrieved from <http://www.news.com.au/travel/travel-updates/sydney-named-australias-top-tourist-destination/news-story/f6379d446da7d50ebc4506bed14c7bbd>

Kakar, V., Franco, J., Voelz, J., & Wu, J. (2016). *Effects of host race information on Airbnb listing prices in San Francisco*. Retrieved from <https://mpra.ub.uni-muenchen.de/69974/>

Kelly, H. (2016, October 1). Meet the Airbnb police. *CNN Money*. Retrieved from <http://money.cnn.com/2016/10/01/technology/airbnb-police/>

- Khadem, N.** (2016, April 14). Noise, nudity, foul language: Airbnb hosts should be fined, says report. *Sydney Morning Herald*. Retrieved from <http://www.smh.com.au/business/the-economy/noise-nudity-foul-language-airbnb-hosts-should-be-fined-says-report-20160412-go4em1.html>
- Lee, D.** (2016). How Airbnb short-term rentals exacerbate Los Angeles's affordable housing crisis: Analysis and policy recommendations. *Harvard Law & Policy Review*, 10, 229–253. Retrieved from http://harvardlpr.com/wp-content/uploads/2016/02/10.1_10_Lee.pdf
- Maher, M.** (2015). *Adequacy of the regulation of short-term holiday letting in New South Wales: Submission to parliamentary inquiry*. Katoomba, Australia: Blue Mountains City Council.
- McCarthy, N.** (2016, July 7). Which cities have the most Airbnb listings? *Forbes*. Retrieved from <http://www.forbes.com/sites/niallmccarthy/2016/07/07/which-cities-have-the-most-airbnb-listings-infographic/#243fdb7369b5>
- Monahan, R.** (2016, August 24). Portland's short-term rental rules are such a joke that an Airbnb employee ignores them. *Willamette Weekly*. Retrieved from <http://www.wweek.com/news/2016/08/24/portlands-short-term-rental-rules-are-such-a-joke-that-an-airbnb-employee-ignores-them/>
- Morgan, B., & Kuch, D.** (2015). Radical transactionalism: Legal consciousness, diverse economies, and the sharing economy. *Journal of Law and Society*, 42(4), 556–587. doi:10.1111/j.1467-6478.2015.00725.x
- Morris, S. L.** (2015, January 22). Airbnb is infuriating the neighbors. Is it time for new rules? *LA Weekly*. Retrieved from <http://www.laweekly.com/news/airbnb-is-infuriating-the-neighbors-is-it-time-for-new-rules-5343663>
- New York State Attorney General.** (2014). *Airbnb in the city*. New York: Author.
- Orsi, J.** (2013, September 16). *The sharing economy just got real*. Retrieved from <http://www.shareable.net/blog/the-sharing-economy-just-got-real>
- Palombo, D.** (2015). A tale of two cities: the regulatory battle to incorporate short-term residential rentals into modern law. *American Business Law Review*, 4(2), 287–320.
- Parliament of NSW.** (2015). *Inquiry into the adequacy of regulation on short-term holiday letting in NSW: Terms of reference*. Sydney, Australia: Author.
- Peel, V., & Steen, A.** (2007). Victims, hooligans and cash-cows: Media representations of the international backpacker in Australia. *Tourism Management*, 28(4), 1057–1067. doi:10.1016/j.tourman.2006.08.012
- Poston, B.** (2016, June 20). L.A. apartment owners charged with allegedly evicting tenants, then renting their units via Airbnb. *Los Angeles Times*. Retrieved from <http://www.latimes.com/local/california/la-me-ln-landlords-illegal-rentals-20160620-snap-story.html>
- Real Estate Institute of NSW.** (2016). *Vacancy rates survey results December 2016*. Sydney: Author.
- Rhodes, K.** (2015). *Adequacy of the regulation of short-term holiday letting in New South Wales: Submission to parliamentary inquiry*. Sydney, Australia: Local Government NSW.
- Richardson, E.** (2015). *Adequacy of the regulation of short-term holiday letting in New South Wales: Leichhardt Council submission to NSW parliamentary inquiry*. Leichhardt, Australia: Leichhardt Council.
- Shareable and Sustainable Economies Law Center.** (2013, September 9). *Policies for shareable cities: A sharing economy policy primer for urban leaders*. Retrieved from http://d3n8a8pro7vnm.cloudfront.net/theselec/pages/209/attachments/original/1394836950/policies_for_shareable_cities_selc_9_9_13.pdf?1394836950
- Shelter NSW.** (2014). *Housing NSW fact sheet*. Sydney, Australia: Author.
- Stanish, A.** (2015). *Adequacy of the regulation of short-term holiday letting in New South Wales: Submission to parliamentary inquiry*. Sydney, Australia: Stayz.
- Stiles, K.** (2015). *Adequacy of the regulation of short-term holiday letting in New South Wales: Submission to parliamentary inquiry*. Sydney, Australia: Owners Corporation.
- Thomas, A.** (2015). *Inquiry into adequacy of the regulation of short-term holiday letting in NSW: City of Sydney submission to NSW Parliament*. Sydney, Australia: City of Sydney.
- Waverley Council.** (2016). *Late submission to the inquiry: The adequacy of the regulation of short term holiday letting in NSW*. Waverley, Australia: Author.
- Williams, L.** (2016, September 18). When Airbnb rentals turn into nuisance neighbours. *The Guardian*. Retrieved from <https://www.theguardian.com/technology/2016/sep/17/airbnb-nuisance-neighbours-tribunal-ruling>
- Willmer, J.** (2015). *Adequacy of the regulation of short-term holiday letting in New South Wales: Submission to parliamentary inquiry*. Melbourne, Australia: Sharing Australia Inc.
- Zervas, G., Proserpio, D., & Byers, J.** (2014). *The rise of the sharing economy: Estimating the impact of Airbnb on the hotel industry* (Boston University School of Management Research Paper 2013–16). Retrieved from <http://papers.ssrn.com/sol3/papers.cfm?abstract-id=2366898>



Jocelyn Mills <jmills@littletongov.org>

Personal letter regarding Short Term Rentals

1 message

John Crowell <johncrowell@renaissancehomes.me>

Fri, Oct 5, 2018 at 3:33 PM

To: Carol Fey <cfey@littletongov.org>, jmills@littletongov.org, ryoung@littletongov.org, Mark Relph <mrelph@littletongov.org>, Rebecca Thompson <rthompson@littletongov.org>, Michael Price <mprice65@gmail.com>, dbrinkman@littletongov.org, caosk@littletongov.org, ccwh@littletongov.org

My Name is John Crowell,

I have spoken in person to many of you and now ask for your time in reviewing my letter attached regarding STRs. I have read the revised Ordinance published on the Littleton website and have concerns. I coach on M/W/TH and will be unable to attend Mondays planning commission hearing and want to be sure to voice my concerns. Please see attached.

Have a great weekend,
John Crowell

--

John Crowell
3034343767
Renaissance Homes
1500 W. Briarwood Ave
Littleton, CO 80120

**Letter to the City of Littleton regarding short term rentals 10.5.18.docx**

20K

October 5th, 2018

Subject: Short Term Rental revised Ordinance

Attn:

Debbie Brinkman

Stephen Kemp

Wendy Heffner

Carol Fey

Rebecca Thompson

Jocelyn Mills

Randy Young

Mark Relph

To those mentioned above, and all who are working on the revisions to the Ordinance concerning Short Term Rentals, STRs. I would like to briefly introduce myself, my concerns with STRs and the current revised Ordinance that was published this week of October 1st, 2018, which will be reviewed at planning on Monday the 8th.

I have made myself known as well as my concerns over the past 6 months to Rebecca Thompson, Carol Fey, Jocelyn Mills and others. I graduated from Heritage High School, went to CSU, moved back to the City of Littleton where I Currently reside with my wife and two children who attend Euclid and Heritage. As well I own a custom homebuilding business, where I office in the City of Littleton, have built new custom homes in the City of Littleton as well as structural additions.

My wife and I both graduated from Heritage and have as much love and care for the city as all each of you. Our roots, friends, and history with Littleton have kept us here where we have raised our children. My wife has lead fundraising for Runyon, handled charitable events, organized silent auctions to raise money for the school, organized run for funds. We have both given financially, directly to the school to purchase computers for an entire grade level, volunteered our time both at school and in coaching for the past 10 years as well as time and money to our church. All of this to set an example for our children, giving back, as we all should to our community and to leave this place better than we found it.

I live at 1122 Carlson Dr, 80120. As mentioned above, I have had very heated conversations with the renters, property owner and city officials regarding the disgusting behavior immediately adjacent to not just my house, but all 3 of the bedrooms in my house. 1042 Carlson was recently purchased an turned

into a short-term party house where people not just from out of town, but families that reside in neighboring communities have come to stay and act in ways they would never do in front of their parents or neighbors. This STR has demonstrated the most vulgar, unkind, and disrespectful behavior you can imagine. As I have written to the city before and voiced at the "Listening Session", just outside of my 11 and 14-year-old childrens' windows are college kids and parents alike getting drunk, and high. Having witnessed erratic and drunk driving during the late afternoon into the night on our short cul-de sac, in front of my family, screaming at one another and arguing. It's a new show and a new set of characters each and every weekend! Though this show is not free.

I have had to stop cars in the road to protect my kids from getting run over. I have had to call the property owner in the middle of the night to get him to be responsible for his renters, take my time to go to the city with my complaints, why? I and my neighbors are the victims, and we are the only ones that can get this action to stop by taking over the responsibility of the property owner. That's wrong, he has brought this business to our families, our community, all in the name of money. As I see the writing on the wall, you are getting ready to once again issue permits for this behavior and business. Clearly, none of you live next door to the type of business you are trying so hard to approve.

I am certain that you have heard this from other citizens, frustrated that a business is getting the benefit of our community, of our hard work to have a beautiful city from which they prosper from. As I have stated, I am a builder and I am not a NIMBY, but this business practice is not what our community was intended for. I have no doubt that the City Council will look past this cancerous invasion and move to allow it. Given what I have read on the revised Ordinance on the City's website, I would ask that you please consider the following to help ensure that this business does not destroy our city. A city I have been a contributing, helpful, volunteering and caring citizen of.

1. I expect that no member of City Council or Planning has any involvement in the Ordinance creation, revision or approval if they currently own or intend on purchasing investment property in this City. If you own a secondary residential property, short or long term, you absolutely have a conflict of interest and must recuse yourself. I believe that at least one of you currently does and am trying to get confirmation.
2. I stated that this is an invasion. This property next to me has shown online and in person to be rented out for 3-4 days of each week over August and September. This was brought to a halt by the moratorium, thankfully. However, when they get permitted by the City to start up again they will be in the range of 14 days a month, and \$375 per night. Does \$5k sound like a great monthly return where a long-term rental would only fetch \$2k, you bet. That's why they have already assembled a buying group to invest in our City. There is very little risk when you can get such high returns. So now, you have to find some way to control these investment groups. Seems pretty easy to me. It's what we all asked for at the listening session and in recent meetings with the city. They have to be THE primary residence. You have to be willing to share your primary residence with an unknown group of people. Otherwise, you will simply have a separate company for each property to get legal separation from liability and to skirt your

poorly written revised Ordinance. If you want community, citizens that care and a council that deserves respect, then please show leadership on this. It must truly be your primary residence and the only property that you can rent short term. You have removed primary and initially the primary requirements were so weak, you could have 5 primary residences and the city would never know...

3. There must be a time limit of days that your PRIMARY residence can be rented, it simply can not be a party house by a new renter, each and every weekend, year after year.
4. I live in R2. I am happy to see that R1 is now exempt. R2 is more abundant and the homes cost less...should be a great attraction for the investment groups. What makes R2, which holds a large portion of children attending Littleton schools the right place for commercial business? I would think they are the ones to protect, protect their privacy and keep transients from being their new neighbors.

As I stated, my wife and I have tried to lead by example in giving. Giving our time, money, thoughts and everyday behavior to making this City and our neighborhood better. We don't have to do this in Littleton. If the citizens are secondary to the business you are permitting, then we can vote with our abilities and take them elsewhere. Of Course, I own a long-term rental with a family living in it. Their son will go to Littleton schools and they could not have lived in Littleton if their only option was to buy. This may no longer be the City for my family and we will have to decide that, but you will be the determining factor as to whether I convert both my R2 properties into STRs. Like I said, it's an invasion...

John Crowell

303-434-3767

If you are interested in keeping citizens who care, give me a call. Or, make it so our neighborhoods are not owned by businesses.



Jocelyn Mills <jmills@littletongov.org>

For Planning Commissioners on STRs

1 message

CAROL A BRZECZEK Brzeczek <cbrzeczek@gmail.com>

Sun, Oct 7, 2018 at 6:50 PM

To: Jocelyn Mills <jmills@littletongov.org>

I may not be able to be in attendance for the meeting on Monday so I am submitting my comments in writing.

Regarding the STR Resolution in front of the Planning Commission Oct. 8, 2018

1. Page 4 - local contact - having a contact that is no more than 20 miles away will not be meaningful if there is something illegal occurring on the premises. Having a local contact within 20 miles (or an hour or more depending on traffic) is no substitute for having eyes on the premises. Based on an experience in my neighborhood the owner of an AirBnB, that lives in the home, became concerned about her guests activities. She alerted the police and that led to the FBI. I believe it is imperative for STRs to have an owner occupied home particularly in R1. (See below - I do not know if they are allowed in R1 or not. If so, please stipulate that the owner has to reside on the property in order for the neighborhood to maintain it neighborhood feel.)

2. Page 6 - line 8 states that STRs will be permitted in R1, R-S, R-L, or R-E.. In line 16 of the same page it states that STRs are not permitted in R1, R-S, R-L, or R-E. Are they permitted or not?

3. Page 8 - line 29 - Allowing over a year for a current operator to obtain a license is too long of a time period. Littleton has numerous ways to get the information out to the public. There is no need to allow over a year for current operators to take the necessary steps to obtain a license and operate under the regulations. Six months from the date the council approves these changes to zoning code should be sufficient for operators to come into compliance and start paying sales taxes and adhering to the regulations that other operators are working under.

4. Page 8 line 31 establishes a fee for a STR operator's license. There are no penalties associated with not obtaining the proper license; without a penalty compliance is less likely. Below are examples of a couple of cities that have penalties in their regulations.

Golden has a penalty system in place that requires first time violators of their STR ordinance to pay a \$150 fine, second offense is \$300 and third offense is \$1,000. Then comes revocation.

Denver provided operators 14 days to comply or fines would be assessed after they sent violation letters to the operators that had not obtained a license. Fines are \$150 for first, \$500 for second and \$999 for the third and subsequent violations.

5. How will those AirBnBs located in R-1 (assuming they are not permitted in R1) be grandfathered in?

6. Littleton allows for a home occupation. (Quote below is from the city's website and is the definition found in the zoning code definitions.). Please note the language that has been highlighted in blue. It appears that any home business needs to be "incidental and secondary to the primary use" of the home as a home for either the local contact or the property owner. It appears that owning a home for the primary use of STR contradicts the city's own position.

"A "home occupation" is any business or service of limited scope, conducted entirely within a dwelling and carried solely by its residents. Such uses must be clearly incidental and secondary to the primary use of the premises for residential purposes. The exterior of the property cannot be altered for the purpose of operating a home occupation, nor can the existence of a home occupation affect the residential character of the neighborhood. Home occupations are permitted in any A-1, R-S, R-L, R-E, R-1, R-2, R-3, R-3X, R-4, M.H., or R-5 Residential Zone Districts; within residential uses in the T or CA District; or any portion of a Planned Development Plan approved for residential use."

I look forward to hearing Planning Commission's discussion on these important issues.

Thank you,

Carol Brzeczek



Jocelyn Mills <jmills@littletongov.org>

Resolution 26-2018

2 messages

don bruns <gaviaimer@gmail.com>

Mon, Oct 8, 2018 at 2:12 PM

To: pcmr@littletongov.org, cdjm@littletongov.org

Cc: mtprice65@gmail.com, Carol Brzeczek <owner@sheetsunlimited.com>

Hi Jocelyn and Mark,

Re. Resolution 26-2018, Short Term Rentals.

I originally set out to write an extensive set of observations for your consideration this evening. But since you've already heard most all of that rationale I would have enumerated, concluded that I should simply outline a few major concerns.

I very much appreciate all the good staff work that affected citizens and those to be adversely impacted by this resolution have already presented. But the remark made by pro STR presenters that the concerns are limited to a single neighborhood have missed the mark by a wide margin. The gentleman who observed that unlike other municipalities that have placed significant safeguards for citizens around STRs, Littleton's proposal would swing the doors open for adverse impacts to all those neighborhoods now proposed for STRs, including ours.

Mark, your observation that the proposed \$25 fee was absurdly low in effect took the words out of citizens mouths was right on target. Sheesh! We pay more than ten times that amount for simple furnace and other such installations as homeowners.

Moreover, I believe that those who insisted Community Development's assertion that the proposal will maintain community character is highly imaginative are correct. There is nothing about the proposal that would do that. By now, we've all been around the track often enough to have experienced the adverse impacts that come from neighbors having nothing invested in their homes or neighborhoods.

Watching all of that unfold, I first considered the proposal as inadequate staff work. But then reminded myself, this is coming from community development which has neither a stewardship mission nor adequate staff to actually follow through on the promise being made.

Last of all, as citizens recounted, many municipalities here in Colorado, elsewhere in the nation, and even abroad have put the brakes on STRs.

Therefore, I hope you will send the proposal back to the drawing board. I hope commission and staff will both take a much more critical look at why any citizens would believe it's in our best interests to bend over backwards to accommodate, if not actually subsidize short term rentals as the proposal recommends.

Thank you very much!

Don Bruns
District IV

Jocelyn Mills <jmills@littletongov.org>

Wed, Oct 10, 2018 at 1:39 PM

Draft

Jocelyn Mills, AICP

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