

Links:

[Planning & Community Development Home](#) | [Look At Applications Online](#) | [FAQ Meeting Request](#) | [Applications and Checklists](#) | [Historic Preservation](#)

From: COSSTRA@protonmail.com
To: [Herington, Meggan](#)
Subject: STR Ordinance Changes Please Review
Date: Thursday, July 26, 2018 4:38:42 PM
Attachments: [COS STRA DRAFT2 Ordinance STR.docx](#)

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Hi Meggan - The COSSTRA members have highlighted additional suggestions for the city to consider while creating the ordinance for short term rentals. Please see the attached document with notes next to yours in the margins. If you have any questions please reply to this email.

Regards,
COS Short Term Rental Alliance



DRAFT #2 - Short Term Rental Unit Ordinance
For Discussion at the July 18 Stakeholder Group Meeting
Held in the A&B Conference Room, Second Floor
Pikes Peak Regional Development Center
2880 International Circle

Note from staff: Through the public input process the City has received input both for and against the overall ordinance as well as input on specific draft ordinance elements. This is Draft No. 2 to be discussed at the stakeholder meeting. Staff has updated language based on input to date. Comments are included next to each highlighted item giving background into the discussion topic.

PLEASE NOTE!!!

- This is a draft document for discussion purposes. Discussion items for the July 18th Stakeholder meeting are highlighted in YELLOW.
- Language removed from the first draft is in ~~STRIKETHROUGH~~
- Language modified or added since the first draft is added in RED

ORDINANCE NO. 18- XXXX

AN ORDINANCE AMENDING SECTION 201 (DEFINITIONS ENUMERATED) OF PART 2 (DEFINITIONS) OF ARTICLE 2 (BASIC PROVISIONS, DEFINITIONS AND LAND USE TYPES AND CLASSIFICATIONS); SECTION 105 (ADDITIONALSTANDARDS FOR SPECIFIC USES ALLOWED IN RESIDENTIAL ZONES) OF PART 1 (RESIDENTIAL DISTRICTS) AND SECTION 205 (ADDITIONALSTANDARDS FOR SPECIFIC LAND USES) OF PART 2 (COMMERCIAL DISTRICTS) BOTH WITHIN ARTICLE 3 (LAND USE ZONING DISTRICTS); SECTION 105 (THRESHOLD OF REVIEW) OF PART 1 (PURPOSE, REVIEW AUTHORITIES) AND SECTION 906 (APPEALS) OF PART 9 (NOTICE, HEARINGS AND APPEALS) AND CREATING A NEW PART 17 (SHORT TERM RENTAL UNIT) ALL WITHIN ARTICLE 5 (ADMINISTRATION AND PROCEDURES); OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO SHORT TERM RENTAL UNITS

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Section 201 (Definitions Enumerated) of Part 2 (Definitions) of Article 2 (Basic Provisions, Definitions And Land Use Types and Classifications) of Chapter 7

(Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

7.2.201: DEFINITIONS ENUMERATED:

* * *

SHORT TERM RENTAL UNIT: A residential dwelling unit, or portion of such a unit, that is rented for less than thirty (30) days at a time, with the exception of dwelling units owned by the federal government, the state or the City, or any of their agencies, or facilities licensed by the state as health care facilities.

* * *

Section 2. Section 105 (Additional Standards for Specific Uses Allowed in Residential Zones) of Part 1 (Residential Districts) of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

7.3.105: ADDITIONAL STANDARDS FOR SPECIFIC USES ALLOWED IN RESIDENTIAL ZONES

* * *

Q. Short Term Rental Units: A short term rental unit is allowed as an accessory use in all residential zone districts, however, all conditions and requirements for a short term rental unit permit listed in article 5, part 17 of this chapter shall be met for a short term rental unit to be operated.

Section 3. Section 205 (Threshold of Review) of Part 1 (Purpose, Review Authorities) of Article 5 (Administration and Procedures) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

7.3.205: ADDITIONAL STANDARDS FOR SPECIFIC LAND USES

* * *

Q. * * *

- 5. Where residential dwelling units are allowed in the **PUD, OR, OC, PBC, C-5, C-6 and M-1** zone districts, a short term rental unit is allowed as an accessory use, however, all conditions and requirements for a short term rental unit permit listed in article 5, part 17 of this chapter shall be met for a short term rental unit to be operated.

Section 4. Section 105 (Threshold of Review) of Part 1 (Purpose, Review Authorities) of Article 5 (Administration and Procedures) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

7.5.105: THRESHOLD OF REVIEW:

* * *

* * *			
Administrative permits:			
Temporary use permit	CD	Administrative	PC (10 days)
Home occupations permit	CD	Administrative	PC (10 days)
Short term rental unit permit	CD	Administrative	PC (10 days)
* * *			

Section 5. Section 906 (Appeals) of Part 9 (Notice, Hearings and Appeals) of Article 5 (Administration and Procedures) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

7.5.906: APPEALS

A. * * *

2. * * *

b. * * *

(10) Part 17 of this article (short term rental unit permits).

* * *

Section 6. Part 17 (Short term rental unit) of Article 5 (Administration and Procedures) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is created to read as follows:

PART 17: SHORT TERM RENTAL UNIT

7.5.1701: PURPOSE:

7.5.1702: SHORT TERM RENTAL UNIT PERMIT REQUIRED:

7.5.1703: APPLICATION:

7.5.1704: SHORT TERM RENTAL UNIT PERMIT REVIEW CRITERIA:

7.5.1705: CONDITIONS OF APPROVAL:

7.5.1706: RULES AND REGULATIONS:

7.5.1707: PERMIT SUSPENSION OR REVOCATION BY MANAGER:

7.5.1701: PURPOSE:

The purpose of the short term rental unit permit is to facilitate the permitting of short term rental units subject to appropriate restrictions and standards and to allow for varied accommodations and experiences for visitors while retaining the character of residential neighborhoods.

7.5.1702: SHORT TERM RENTAL UNIT PERMIT REQUIRED:

A. It shall be unlawful for any person to operate any short term rental unit without a valid short term rental unit permit, as approved by the Manager.

B. The short term rental unit permit does not run with the property, but is issued to the specific owner of the property. The permit shall not be transferred or assigned to another individual, person, entity, or address **but may be managed by a third party on behalf of the owner.** ~~Further, a permit does not authorize any person, other than the person named therein, to operate a short term rental unit on the property.~~

7.5.1703: APPLICATION:

A. Applicants for a short term rental unit permit shall submit a completed application form which contains such information as required by the Manager, and shall pay all fees required for a permit application. The application shall be reviewed administratively by the Manager who shall approve or deny the application within ten (10) working days of submittal.

B. The permit application shall include:

1. Standard City application;
2. Safety self-inspection certification;
3. Sales tax license customer ID;

Comment [HM1]: Comment was made that the owner would be the holder of the application BUT that there are companies that run the STR for those that may be out of town. Ask was to make it very clear that a 3rd party may manage. Language deleted and language in RED added. OWNER WILL ALWAYS NEED TO SIGN THE APPLICATION FOR THE PERMIT

4. Name and contact information of at least one local (within 30 miles of the short term rental unit) contact person who will be responsible for handling any problems that arise with the property (the owner may be the local contact person);

NEW PROPOSED LANGUAGE

The name, address and contact information including a 24-hour contact phone number for the owner or the owner's property manager or agent within El Paso County or a Colorado Springs resident who can be contacted in the event of an emergency and respond within one (1) hour.

5. Proof of insurance;
6. Proof that short term rental unit permit review criteria will be met; and
7. A statement that the owner has read and understands the rules and regulations for a short term rental unit set forth in this part.

7.5.1704: SHORT TERM RENTAL UNIT PERMIT REVIEW CRITERIA:

The Manager may approve or approve with conditions an application for a short term rental unit permit if the following criteria and specific regulations are met:

A. Sleeping quarters for short term tenants shall not be in non-residential areas within buildings or accessory structures (e.g. shed, garage, etc.) that do not contain finished living space; or in commercial (office/retail) or industrial (warehouse) spaces; or outdoors (e.g. tent, etc.); or in a recreational vehicle.

B. Limit one (1) short term rental unit per building or property; or in the event of condominiums or buildings held in similar common ownership, each owner shall be limited to one (1) unit per building or property. Entities under common control shall be considered a single owner for the purpose of evaluating ownership of units.

Change Proposal

Maximum number of short term rental units per dwelling and/or lot:

- Single-family residential dwelling or used lot - a maximum of 1 short term rental unit is permitted
- Two-family residential dwelling or used lot - a maximum of 2 short term rental units are permitted. An accessory dwelling unit may be utilized as one of the short term rental units.
- Multi-family residential dwelling or used lot - a maximum of 4 units.

C. The owner shall obtain a sales tax license from the City's sales tax office.

D. The owner shall maintain weekly residential trash collection services. Outdoor trash bins shall be screened from public view or kept inside of a structure or garage. Trash receptacles shall not be left out 24 hours after collection and property shall be free of trash and debris.

E. The owner shall maintain and provide proof of property liability insurance in the amount of not less than \$500,000, or provide proof that property liability coverage in an equal or higher amount is provided by any and all hosting platforms through which the

Comment [HM2]: Proposal to clarify language and remove the distance where the person lives, but that they do need to live in this County or City

RESPONSE TIME BUMPED TO 1 HOUR

Comment [HM3]: The city WILL NOT map the STR locations, but will provide the local contact information to HOA's, CONO, and other neighbors as a means of mitigation potential issues in neighborhoods. Contact info will be searchable online by address but will not have all addresses listed if it can be avoided.

All other permit and applications submitted to the city are also available online.

Comment [COS-STRA4]: Recreational vehicle or tiny home that is not permanently connected to utilities.

Comment [HM5]: Discussion Item – There has been negative input on limiting the number of STR's to 1. How to better represent the density of zoning in which the unit is located.

Definition of HOTEL/MOTEL: An establishment which provides guestrooms or suites for the temporary occupancy of more than fifteen (15) individuals. Accessory uses can include a restaurant and meeting facilities.

Comment [HM6]: The specific language still being reviewed by CAO

Comment [HM7]: Would apply to all zone districts with these specific uses on an individual lot. A single family unit in any zone district would be permitted 1 STR. An 8-plex unit in an SU zone would be permitted a maximum of 4 STR's

Comment [HM8]: Comment was made that not all owners screen their trash bins, but do take them in once the trash is collected. Propose deletion of language and addition of language in RED.

Application and checklist will state that the owner should leave instructions for trash removal with the short term tenant.

owner will rent the short term rental unit. Proof of liability insurance is not required if short term rental reservations are handled exclusively by hosting platforms (websites) that extend liability coverage of not less than \$500,000 under terms acceptable to the Manager.

F. Short term rental units must remain compliant with all planning, zoning, building and other City codes.

G. The owner shall not have had a short term rental unit permit revoked within the preceding twenty-four (24) months.

Comment [COS-STRA9]: ~~twenty-four (24) months~~ six (6) months for the same dwelling, unless the applicant demonstrates compliance with all licensing requirements.

7.5.1705: CONDITIONS OF APPROVAL:

In the permitting of such use, or in the reinstatement of a suspended permit, the Manager, Planning Commission or City Council shall have authority to require such reasonable conditions as necessary to protect the public health, safety and general welfare and to ensure that the use, value and qualities of the neighborhood surrounding the proposed location will not be adversely affected.

7.5.1706: RULES AND REGULATIONS:

It shall be a violation of this part for the owner or short term rental tenants to fail to comply with the following rules and regulations:

A. All short term tenants shall abide by all applicable noise ordinances of the City and with all other City ordinances.

D. Parking in private driveways shall be utilized first with overflow parking on the street where permitted. Parking on-site in non-driveway areas (i.e. front yard areas, parkways and rear-yards) shall be prohibited.

C. No meals shall be prepared for or served to the short term tenants by the owner or the owner's agents.

Comment [HM10]: Deleted food and substituted meals.

D. Use of the short term rental unit for any commercial or large social events or gatherings that may include attendees other than the short term tenants, such as weddings, is prohibited.

Comment [COS-STRA11]: D.Use of the short term rental unit for any ~~commercial or large social event or gathering that violates occupancy limits set forth in accordance with rules of the City Fire Marshal's Office that may include attendees other than the short term tenants,~~ is prohibited.

E. The permit with all local contact information and emergency safety information shall be prominently displayed within the short term rental unit.

F. The City issued permit number shall be used in all rental marketing materials.

G. During the term that a short term rental unit is occupied by a short term tenant, the owner and/or the local contact person designated by the owner shall be available twenty-four (24) hours per day, seven (7) days per week, for the purpose of responding within one (1) hour to complaints regarding the condition or operation of the short term rental unit or the conduct of short term tenants. If the local contact person designated by the owner changes, then the owner shall update the permit on file within three (3) business days.

Comment [COS-STRA12]: 1hour response time for health or safety complaints, complaints other than health or safety shall have a 2hr response time.

7.5.1707: PERMIT SUSPENSION OR REVOCATION:

A. City Council hereby finds that the suspension or revocation of a short term rental unit permit may be necessary when an owner fails to operate the short term rental unit in accord with the provisions of this part. The Manager is authorized to initiate permit suspension or revocation proceedings against an owner when these circumstances arise, by issuing a notice to show cause to the owner.

B. Planning Commission shall hold a public hearing on the allegations contained in the notice of hearing. Notice to show cause shall be served on the owner not less than ten (10) days prior to the scheduled hearing date. Service may be accomplished by hand delivery to the owner or to the local contact person, or to any principal, any managing agent or the agent for process of the owner, or by first class mail, postage prepaid, to the last address furnished to the Manager by the owner. The Manager may also affix a copy of the notice to the principal entrance of the short term rental unit, in addition to hand delivery or mailing. The notice to show cause shall give the owner notice of the alleged grounds for suspension or revocation and of the date, time and place of the hearing on the alleged violations.

C. The Planning Commission may suspend or revoke a permit if it finds, by a preponderance of the evidence, that:

1. The operation of the short term rental home no longer conforms with the review criteria of this part; or
2. The owner has violated a condition of approval; or
3. The owner has violated the rules and regulations provided for in this part.

D. Permit suspension or revocation by the Planning Commission may be appealed pursuant to section 7.5.906 of this chapter.

E. A suspension or revocation shall be effective immediately upon the decision of the Planning Commission or, if appealed, of the City Council. A perfected appeal shall operate as a stay of the Planning Commission decision unless the Manager certifies in writing that the condition giving rise to the decision constitutes an imminent hazard to the public health, safety and welfare.

F. A suspended permit shall be suspended for a term not to exceed thirty (30) days, and for so long thereafter until reinstated by the Manager upon proof that the cause of the suspension has been remedied.

G. Suspension or revocation of a permit may be in addition to any remedy provided for in this chapter, including but not limited to, the remedies provided in section 7.5.1005 of this chapter.

Section 7. Any person violating Paragraph A of Section 1702 (Short Term Rental Unit Permit Required) of Part 17 (Short Term Rental Unit) of Article 5

Comment [COS-STRA13]: We want a graduated fine for violations, including 3 suspensions before revocation of permit.

Comment [COS-STRA14]: The Planning Commission may suspend or revoke a permit if it finds, by a preponderance of evidence, that a permit holder has been issued three (3) or more administrative citations within the past 12 months in violation of:

Comment [COS-STRA15]: We are in favor of a graduated citation model to be implemented before the Planning Commission shall hold a public hearing for suspension or revocation. Our proposal below:
If the Manager finds that a violation of any provision of this chapter exists, the Manager, after notice to the permit holder, may impose a civil penalty according to the following schedule:
- (i) For the first violation of the provision, \$150;
- (ii) For the second violation of the same provision, \$300; and
- (iii) For the third violation of the same provision, \$500.

(Administration and Procedures) of Chapter 7 (Planning, Development and Building) shall be shall be punished as provided in Sections 201 (General Penalty) and 202 (Minor Offenders) of Part 2 (General Penalty) of Article 1 (Administration) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs, 2001, as amended.

Comment [COS-STRA16]: We are proposing a set of penalties specific to Short Term Rentals, see comment B15

Section 8. Any person violating Paragraph A of Section 1702 (Short Term Rental Unit Permit Required), Section 1704 (Short Term Rental Unit Permit Review Criteria), or Section 1705 (Conditions of Approval) or Section 1706 (Rules and Regulations) of Part 17 (Short Term Rental Unit) of Article 5 (Administration and Procedures) of Chapter 7 (Planning, Development and Building) shall be subject to the remedies provided in Section 1005 (Remedies) of Part 10 (Zoning Enforcement) of Article 5 (Administration and Procedures) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended.

Section 9. This ordinance shall be in full force and effective ninety (90) days from and after its final adoption and publication as provided by Charter.

Section 10. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this ____ day of _____, 2018.

Finally passed: _____
Council President

4. Name and contact information of at least one local (within 30 miles of the short term rental unit) contact person who will be responsible for handling any problems that arise with the property (the owner may be the local contact person);

NEW PROPOSED LANGUAGE

The name, address and contact information including a 24-hour contact phone number for the owner or the owner's property manager or agent within El Paso County or a Colorado Springs resident who can be contacted in the event of an emergency and respond within one (1) hour.

5. Proof of insurance;
6. Proof that short term rental unit permit review criteria will be met; and
7. A statement that the owner has read and understands the rules and regulations for a short term rental unit set forth in this part.

7.5.1704: SHORT TERM RENTAL UNIT PERMIT REVIEW CRITERIA:

The Manager may approve or approve with conditions an application for a short term rental unit permit if the following criteria and specific regulations are met:

A. Sleeping quarters for short term tenants shall not be in non-residential areas within buildings or accessory structures (e.g. shed, garage, etc.) that do not contain finished living space; or in commercial (office/retail) or industrial (warehouse) spaces; or outdoors (e.g. tent, etc.); or in a recreational vehicle.

B. Limit one (1) short term rental unit per building or property; or in the event of condominiums or buildings held in similar common ownership, each owner shall be limited to one (1) unit per building or property. Entities under common control shall be considered a single owner for the purpose of evaluating ownership of units.

Change Proposal

Maximum number of short term rental units per dwelling and/or lot:

- Single-family residential dwelling or used lot - a maximum of 1 short term rental unit is permitted
- Two-family residential dwelling or used lot - a maximum of 2 short term rental units are permitted. An accessory dwelling unit may be utilized as one of the short term rental units.
- Multi-family residential dwelling or used lot - a maximum of 4 units.

C. The owner shall obtain a sales tax license from the City's sales tax office.

D. The owner shall maintain weekly residential trash collection services. Outdoor trash bins shall be screened from public view or kept inside of a structure or garage. Trash receptacles shall not be left out 24 hours after collection and property shall be free of trash and debris.

E. The owner shall maintain and provide proof of property liability insurance in the amount of not less than \$500,000, or provide proof that property liability coverage in an equal or higher amount is provided by any and all hosting platforms through which the

Comment [HM2]: Proposal to clarify language and remove the distance where the person lives, but that they do need to live in this County or City

RESPONSE TIME BUMPED TO 1 HOUR

Comment [HM3]: The city WILL NOT map the STR locations, but will provide the local contact information to HOA's, CONO, and other neighbors as a means of mitigation potential issues in neighborhoods. Contact info will be searchable online by address but will not have all addresses listed if it can be avoided.

All other permit and applications submitted to the city are also available online.

Comment [COS-STRA4]: Recreational vehicle or tiny home that is not permanently connected to utilities.

Comment [HM5]: Discussion Item – There has been negative input on limiting the number of STR's to 1. How to better represent the density of zoning in which the unit is located.

Definition of HOTEL/MOTEL: An establishment which provides guestrooms or suites for the temporary occupancy of more than fifteen (15) individuals. Accessory uses can include a restaurant and meeting facilities.

Comment [HM6]: The specific language still being reviewed by CAO

Comment [HM7]: Would apply to all zone districts with these specific uses on an individual lot. A single family unit in any zone district would be permitted 1 STR. An 8-plex unit in an SU zone would be permitted a maximum of 4 STR's

Comment [HM8]: Comment was made that not all owners screen their trash bins, but do take them in once the trash is collected. Propose deletion of language and addition of language in RED.

Application and checklist will state that the owner should leave instructions for trash removal with the short term tenant.

7.5.1707: PERMIT SUSPENSION OR REVOCATION:

A. City Council hereby finds that the suspension or revocation of a short term rental unit permit may be necessary when an owner fails to operate the short term rental unit in accord with the provisions of this part. The Manager is authorized to initiate permit suspension or revocation proceedings against an owner when these circumstances arise, by issuing a notice to show cause to the owner.

B. Planning Commission shall hold a public hearing on the allegations contained in the notice of hearing. Notice to show cause shall be served on the owner not less than ten (10) days prior to the scheduled hearing date. Service may be accomplished by hand delivery to the owner or to the local contact person, or to any principal, any managing agent or the agent for process of the owner, or by first class mail, postage prepaid, to the last address furnished to the Manager by the owner. The Manager may also affix a copy of the notice to the principal entrance of the short term rental unit, in addition to hand delivery or mailing. The notice to show cause shall give the owner notice of the alleged grounds for suspension or revocation and of the date, time and place of the hearing on the alleged violations.

C. The Planning Commission may suspend or revoke a permit if it finds, by a preponderance of the evidence, that:

1. The operation of the short term rental home no longer conforms with the review criteria of this part; or
2. The owner has violated a condition of approval; or
3. The owner has violated the rules and regulations provided for in this part.

D. Permit suspension or revocation by the Planning Commission may be appealed pursuant to section 7.5.906 of this chapter.

E. A suspension or revocation shall be effective immediately upon the decision of the Planning Commission or, if appealed, of the City Council. A perfected appeal shall operate as a stay of the Planning Commission decision unless the Manager certifies in writing that the condition giving rise to the decision constitutes an imminent hazard to the public health, safety and welfare.

F. A suspended permit shall be suspended for a term not to exceed thirty (30) days, and for so long thereafter until reinstated by the Manager upon proof that the cause of the suspension has been remedied.

G. Suspension or revocation of a permit may be in addition to any remedy provided for in this chapter, including but not limited to, the remedies provided in section 7.5.1005 of this chapter.

Section 7. Any person violating Paragraph A of Section 1702 (Short Term Rental Unit Permit Required) of Part 17 (Short Term Rental Unit) of Article 5

Comment [COS-STRA13]: We want a graduated fine for violations, including 3 suspensions before revocation of permit.

Comment [COS-STRA14]: The Planning Commission may suspend or revoke a permit if it finds, by a preponderance of evidence, that a permit holder has been issued three (3) or more administrative citations within the past 12 months in violation of:

Comment [COS-STRA15]: We are in favor of a graduated citation model to be implemented before the Planning Commission shall hold a public hearing for suspension or revocation. Our proposal below:
If the Manager finds that a violation of any provision of this chapter exists, the Manager, after notice to the permit holder, may impose a civil penalty according to the following schedule:
- (i) For the first violation of the provision, \$150;
- (ii) For the second violation of the same provision, \$300; and
- (iii) For the third violation of the same provision, \$500.

(Administration and Procedures) of Chapter 7 (Planning, Development and Building) shall be shall be punished as provided in Sections 201 (General Penalty) and 202 (Minor Offenders) of Part 2 (General Penalty) of Article 1 (Administration) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs, 2001, as amended.

Comment [COS-STRA16]: We are proposing a set of penalties specific to Short Term Rentals, see comment B15

Section 8. Any person violating Paragraph A of Section 1702 (Short Term Rental Unit Permit Required), Section 1704 (Short Term Rental Unit Permit Review Criteria), or Section 1705 (Conditions of Approval) or Section 1706 (Rules and Regulations) of Part 17 (Short Term Rental Unit) of Article 5 (Administration and Procedures) of Chapter 7 (Planning, Development and Building) shall be subject to the remedies provided in Section 1005 (Remedies) of Part 10 (Zoning Enforcement) of Article 5 (Administration and Procedures) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended.

Section 9. This ordinance shall be in full force and effective ninety (90) days from and after its final adoption and publication as provided by Charter.

Section 10. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this ____ day of _____, 2018.

Finally passed: _____

Council President

Mayor's Action:

- Approved on _____.
- Disapproved on _____, based on the following objections:

Mayor

Council Action After Disapproval:

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

Council President

ATTEST:

Sarah B. Johnson, City Clerk

CAO: _____
COS: _____

Mayor's Action:

- Approved on _____.
- Disapproved on _____, based on the following objections:

Mayor

Council Action After Disapproval:

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

Council President

ATTEST:

Sarah B. Johnson, City Clerk

CAO: _____
COS: _____

From: [Michael Lustig](#)
To: [Herington, Meggan](#)
Subject: IMPORTANT: WHY IT'S SO DIFFICULT TO REGULATE SHORT TERM RENTALS?
Date: Tuesday, July 24, 2018 10:57:07 AM

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Commissioner Herington,

I am writing to you because I recently received a call from a concerned Colorado Springs resident about the proposed Short-Term Rental Ordinance and he asked if I would help.

By profession, I am an award winning producer and media executive. But about a year ago I stopped working and have since dedicated my every hour to studying the Short-Term Rental issue and advocating for effective regulation on behalf of the residents of Malibu, where I live.

Currently under the rules of my City I act as a volunteer advisor to our Council and Planning Commissioners. In addition, I am an advisor to Council Person Helena Moreno in New Orleans. (I am happy to provide references upon request.)

The Short-Term Rental issue is large and complex. The framing of the conversation has been controlled by the consumer messaging of Airbnb, the market-maker of what is now a \$130 billion industry.

The public testimony in every city boils down to two things; nuisances on one side, and the Airbnb Mom & Pops who say they'll lose their homes without the STR income, on the other. Airbnb is organized and very effective at lobbying, and mobilizing the operators to come out in full force who always out number the frustrated and suffering residents. This causes divisiveness in the community and takes the focus off of what is really happening.

Cities generally approach STR ordinances in one of three ways; as a land use issue, a real estate business, or a nuisance problem. All first ordinances fail and have to be revised.

Initially, Cities completely overlook the notion that they are regulating a giant tech firm and a layer of professional hosts and management companies.

This has allowed Airbnb to become the biggest hotel company in the world that owns no hotels; that is valued at \$38 Billion. And it's not just Airbnb, there are now between 60-100 on-line platforms competing in this unregulated space.

The decisions a city makes should not be made based on transient tax revenue or emotions. Undoubtedly, there are going to be severe long-term consequences from overlaying a corporate business cycle on top of residential neighborhoods, commercialization and depletion of housing stock.

We have to ask these questions now:

What will our City be like in 5, 10, or 20 years in the future?

What can be done now, and how do we do it?

I speak with City Planners around the country every day and I ask about their pain points and they all say the same thing, "We don't know what to do. We're writing multiple ordinances simultaneously and there just isn't enough time to study and fully understand the issue. We take

direction from Council.”

I recently completed a study of more than 20 Short-Term Rental ordinances and created a tool to analyze proposed ordinances by comparison of provisions and most effective language from the ordinances that have worked, and withstood legal challenge in the 9th Circuit Court of Appeals.

This way, drafting an ordinance is like a making a film. First you gather as much footage or information as you can; and then you subtract or edit out until you have the best version for your purpose.

At present, I do not charge cities a fee for looking at ordinances. I do not and have not accepted money from any lobbyist, business entity, corporation or organization.

My time is limited due to my commitments in Malibu and NOLA. But if you feel that an analysis of the Colorado Springs Proposed Ordinance and a comparison report of what other cities have done would be in the best interests of serving your community. I'd be happy to discuss further and make time to be of service.

Very best regards,

Michael Lustig
Let's Regulate.
310 310 1800

From: [Skroback, Ted](#)
To: [Skorman, Richard](#); [Wysocki, Peter](#); [Herington, Meggan](#); [Gaebler, Jill](#)
Subject: FW: Marianne STR AMEND application to Vet
Date: Friday, July 20, 2018 9:52:03 AM

We had multiple questions at the District 3 PlanCOS open house about short term rentals. This is one of the people that specifically was hoping to talk with Richard on Wednesday. Is there any quick information we can send her about the upcoming proposed ordinance?

Best,
Ted

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

From: mariannelouise.calm [<mailto:siftingsongs@yahoo.com>]
Sent: Thursday, July 19, 2018 10:38 AM
To: Skroback, Ted
Subject: Marianne STR AMEND application to Vet

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Dear Ted, truly you are a communications expert. Your presence is very disarming, and i do feel like you are listening, so thank you. This means everything.

My name is Marianne Peiler. Richard knows me from Poor Richard's. Songwriter, singer, window washer in the 80's and 90's there.

I met up with one of my guests, who stayed @ my guest house. Tuesday night we met @ Poor Richard's.

As i sat down in my chair at my table, the tears began to stream, and they wouldn't stop. For all the years Poor Richard's dining experience is part of my reality and why i love Colorado Springs. IT's a fixture. a dining experience, repleat with used bookstore coffee shop, etc. etc.

Back in the 80's and early 90's i played acoustic music to a packed back room @ Poor Richard's. I washed the windows for years when i was young. I wrote poetry there, because the place is inspiring to an Artist.

I wish i had all the receipts of all the STR guests that i have sent to Poor Richard's to dine for the past 6 years. The feedback is always great satisfaction, no disappointments.

What if

The franchised restaurants were to propose an Ordinance to eliminate Original Dining Experiences? Only Fast Food Chains and Resturaunt Franchises allowed. Poor Richard's is part of the heart and soul of this town. So is my Place. My guest house.

The City is sold out from Memorial day to labor day. i get phone calls constantly begging to get in a room all summer, because there are no rooms in Denver or Pueblo either. This is a real phenomenon in the Summer here. My Capacity is only 12 to 20 % per year. Mostly in the Summer.(perimeters of Ordinance not realistic) WE are offering a guest experience. Just like Poor Richard's.

We are hardworking Blue Collar Working Class Heroes that make up the soul of this town.

Please, am asking for a Application to Vet Seasoned STR hosts who can prove paid Sales Tax for All

years in operation
and
Show other responsibility.

Thank you for listening.

i don't have much time, but will write again soon.

Thank you for your consideration and help..

Please relay this to Megan and Peter in Planning. And of Course Richard. Thank you so~

From: Herington, Meggan
Bcc: "Chris Orsborn"; "Doug Price"; "Evan Wilburn"; "Ian Lee"; "Rachel Beck"; "Tammy Fields"; "Welling Clark"; "Renee Behr"; "svaas@cscono.org"; "Brandon Behr"; <lauren@stayoutwest.com>; anazook@yahoo.com; andrea@riedner.us; brian@maecker.com; chadgross80@gmail.com; clayton.clabaugh@gmail.com; ebrookens42@gmail.com; eorsillo@gmail.com; "femesam@aol.com"; "gwla93@gmail.com"; hbargine@aol.com; "jdoran1003@aol.com"; jennica@nimsmedia.com; kzehringer@gmail.com; koby.smothers@strhelper.com; L Ln <parttrap@gmail.com>; lokehler@gmail.com; maggiepropertyplace@gmail.com; mangofence@gmail.com; Michelle Hurtado <m@michellehurtado.com> (m@michellehurtado.com); pamelargiggins@yahoo.com; pylypczuk@gmail.com; renolambert@yahoo.com; Ryan Spradlin <ryanspradlin@gmail.com>; saraheduis@gmail.com; siftingsongs@yahoo.com; teediaz; tim@tovproperty.com; tim.odonnell@live.com; wdremillard@gmail.com
Subject: Short Term Vacation Rental Public Meeting
Date: Friday, July 20, 2018 5:32:00 PM
Attachments: image003.png

All, You are receiving this email because at some point we have corresponded on the topic of short term vacation rentals. As a short recap of this process to date, City staff originally presented the concept of short term vacation rental permitting at the CONO quarterly meeting held June 13 and at the Organization of Westside Neighbors meeting on June 14. At those two meetings a great deal of input on the draft was received. Based all of the input received in the past 2 months, staff as re-drafted the original proposal.

CONO will host and facilitate a public meeting on **August 7th from 5:30-7 pm at the City Auditorium 221 E Kiowa St, Colorado Springs, CO 80903.**

-
This is an informational public meeting to discuss with city planning staff the updated draft ordinance and give an update on the public process moving forward. **Again, this is not the public hearing with City Council, ONLY a chance to discuss the re-draft with staff and give input.**

-
*** While the draft is not yet complete, it is important to note that the limit of 1 short term rental per unit or property has been removed and replaced with unit limits that more closely model city zoning. That proposed language is below. This means if you own a tri-plex or a four-plex in a zone district that permits multi-family dwelling units, up to FOUR (4) units can be short term rentals. The draft will be sent out as soon as it is complete.

The number of short term rental units shall be limited to the permitted density of the property as follows:

- 1 (one) short term rental unit within a Single-family residential dwelling or used lot,
- 2 (two) short term rental units within a Two-family residential dwelling or used lot. An accessory dwelling unit may be utilized as one of the short term rental units.
- 4 (four) short term rental units within a Multi-family residential dwelling or used lot.

Thank you,



Meggan L. Herington, AICP
Assistant Director of Planning
Phone: (719) 385-5083
Email: mherington@springsgov.com

City of Colorado Springs
30 South Nevada Avenue, Suite
105
Colorado Springs, CO 80901

Links:

[Planning & Community Development Home](#) | [Look At Applications Online](#) | [FAQ Meeting Request](#) | [Applications and Checklists](#) | [Historic Preservation](#)

From: [Ryan Spradlin](#)
To: [Knight, Don](#)
Cc: [Herington, Meggan](#)
Subject: Re: Short term rental ordinance
Date: Wednesday, July 18, 2018 5:49:07 PM

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Hello,

I did want to reply and point out a part of the ordinance that concerns me. As it stands, there isn't much about the ordinance that will change my daily operations. I am already paying the appropriate taxes, and have the correct level of insurance coverage. My main concern is surrounding the process for which neighbors can file complaints. I currently have multiple properties and they all run seamlessly. I've never had a complaint at any of them. However, at one property, I have a couple of neighbors across the street who openly told me they did not like my business plan on the day I purchased the home. They had wanted their parents to buy it. They seem like nice enough people and I've gone painfully out of my way to accommodate them whenever possible. That said, they routinely get on the neighborhood board and speak poorly of our rental and our business. I've reached out to them in an effort to be friendly, but I don't think they will be happy with anything short of me closing up shop. How does this ordinance protect me against false complaints? I have a feeling that as soon as they have a dedicated channel to register complaints, they will flood it with less than reasonable issues. I welcome an ordinance of reasonable guidelines that help ensure all STRs are paying taxes and remaining compliant with the City's rules. It worries me that a pair of neighbors (two sisters and their families) could simply register non stop complaints and create overwhelming headaches for me just because they'd prefer that I not be there. Additionally, I have twice as many neighbors of the same home who have told me that they are fine with the situation and prefer it to the neighbor who lived there previously.

Thanks for your time,

Ryan Spradlin

On Wed, Jul 11, 2018 at 3:00 PM, Knight, Don <dknight@springsgov.com> wrote:

Mr Spradlin,

Is there a specific section of the draft ordinance you have concerns with? If you do not have a draft. Ms Herington can provide you a copy.

Don Knight

Colorado Springs City Council, District 1

[107 N Nevada Ave, Ste 300](#)

[Colorado Springs, CO 80901](#)

719-385-5487

719-368-0729 (cell)

From: Ryan Spradlin <ryanspradlin@gmail.com>

Sent: Monday, July 9, 2018 2:35 PM

To: Knight, Don <dknight@springsgov.com>

Subject: Short term rental ordinance

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Hello Mr. Knight,

I wanted to reach out to you in regards to the proposed ordinance on short term rentals. I live in your district and three of my four rental properties are homes in district 1.

First, let me explain a little about how I became involved in STRs. Ive lived in COS for 31 years. My wife and I have always loved to travel. One of my jobs when I was younger was as a corporate technical trainer for local software company. About ten years ago, a family friend who had a son graduating from the Air Force asked if they could rent our house during that week. We we're a bit reluctant at first but decided to do it since I had a work trip that coincided with their request. After that, we began getting flooded with requests from AF parents. We have rented our personal house, as well as all of our rental houses to AF grad families every year since. All of the interest led us to buying a second, third, and fourth home specifically for rentals. As an entrepreneur, I recognized a demand and acted. It was a simple as that.

Since then, we have turned four (long term renter destroyed) properties into very nice, well maintained short term rentals. We are at these houses multiple times each week, checking on our guests and making improvements. Needless to say, the houses are in much better shape now.

Beyond that, we travel with our children all over the world using AirBnB, in the same way that we host guest families from all over the world. None of this would be possible without short term rentals. Hotels don't offer affordable prices or reasonable accommodations for families. This is why our properties are so popular. We offer something that hotels can't and we allow families and larger groups to explore and enjoy Colorado Springs in a way that wasn't possible in the past.

I hope you consider some of these points when making your decisions about the ordinance. I own a small family business that I have worked very hard at and I'm a little worried that my hard work and dedication will be smothered by the complaints and worries of others that are not entirely legitimate. I cater almost entirely to families on vacation and I'd be happy to share some of the stories they have left in my guest books about the wonderful times they have had staying in our properties and visiting our city.

Thank you,

Ryan Spradlin

From: [Rick and Jessica Lambert](#)
To: [Herington, Meggan](#)
Subject: Re: RE: Meeting for short term rental tomorrow
Date: Wednesday, July 18, 2018 5:26:28 PM
Attachments: [image001.png](#)

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Ms. Herington

Just wanted to say thank you for inviting me into the meeting today. It really helped my understanding of what the competing interests are, and how important a strong permitting process will be in helping us keep our neighborhoods safe. Your efforts to include both sides in the process give me a lot of confidence in the process overall.

Thanks again

Rick Lambert

On Tuesday, July 17, 2018, 1:07:28 PM MDT, Herington, Meggan <mherington@springsgov.com> wrote:

Yes, the meeting is tomorrow at 10am to about 12pm.

The meeting is held at 2880 International circle which is the Pikes Peak Regional Building Dept. Second floor large conference room. On the second floor on the north side of the building is conference room named A&B.

Attached is the draft document we will be discussing. We truly hope you can attend to hear the discussion and add your input. Meggan



Meggan L. Herington, AICP

Assistant Director of Planning

Phone: (719) 385-5083

Email: mherington@springsgov.com

From: Rick Lambert [<mailto:renolambert@yahoo.com>]

FIGURE 4

Sent: Tuesday, July 17, 2018 12:59 PM
To: Herington, Meggan
Subject: Meeting for short term rental tomorrow

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Ms. Harrington

This is Rick Lambert, I got an email that the meeting was tomorrow, but I have seen a couple of different times. I emailed Mr. Webb to clarify at what time the meeting is, but haven't heard back. I was wondering if you knew what time the meeting was at.

Thanks so much

Rick Lambert

Renolambert@yahoo

913 207 9255

On Jul 5, 2018 4:06 PM, "Herington, Meggan" <mherington@springsgov.com> wrote:

Good afternoon Mr. Lambert and CM Knight!

Mr. Lambert, the City Planning Department is working on a permit for short term vacation rentals. I have included a summary and the proposed permit details. You have pretty good timing in that if you feel strongly about greater oversight of short term rentals now is the time to voice your input. Staff has heard a strong voice from vacation rental owners, but not a lot of input from neighborhoods. Please feel free to contact me if you have questions or would like to voice input.

Keep in mind that the attached is a DRAFT proposal and may change somewhat. Notice that staff is recommending a 24-hour a day contact for the vacation rental in order for City and neighbors to contact the home owner or their representative. That contact info would be provided to you for situations just as you described.

The proposal is scheduled to now be heard by City Planning Commission in August and City Council in September. I can add you to a notification list if you would like?

Councilman Knight – I cannot find this address on the City Sales Tax Licensing spreadsheet, nor can I find the listing on AirB&B. Those are the only two ways we can verify that sales tax is being paid. With my limited resource, it appears that this address is not paying sales tax. Again, I could just be missing this address in my search.

In addition, Mr. Lambert, you can expect a call from Frank McGee with Colorado Parks and Wildlife. His office is the only office currently to report wildlife feedings. He said that if there are issues in the future, or as a general reference, feeding complaints can be called in at 719-227-5200 CO Parks and Wildlife main number.

If there is a noise issue, the recourse currently would be to call the COS Police Department. If this permit ordinance passes, there will be enforcement through City Neighborhood Services and the owner could lose their vacation rental permit if it is not dealt with.

City Logo 2016



**Meggan L.
Herington, AICP**

Phone: (719) 385-5083

*Assistant Director of
Planning*

Email: mherington@springsgov.com

From: Knight, Don
Sent: Thursday, July 05, 2018 2:22 PM
To: Rick and Jessica Lambert
Cc: Herington, Meggan
Subject: RE: short term rentals in Colorado Springs, From Rick Lambert in Rockrimmon area

Mr Lambert,

Our rules are pretty loose right now but we are in the process of tightening them up. Ms Herington from City Planning can provide you with both a copy of the proposed new Code as well as a schedule as to when it will come to City Council for a vote if you wish to speak on the matter.

Meggan,

Also, who currently has the responsibility for dealing with the property owners in ensuring they educate their renters on noise and deer feeding restrictions? Can you also let me know if the current property owners are collecting the right taxes?

Thank you,

Don Knight

Colorado Springs City Council, District 1

107 N Nevada Ave, Ste 300

Colorado Springs, CO 80901

719-385-5487

719-368-0729 (cell)

From: Rick and Jessica Lambert [mailto:renolambert@yahoo.com]

Sent: Monday, July 02, 2018 8:16 PM

To: Knight, Don

Subject: short term rentals in Colorado Springs, From Rick Lambert in Rockrimmon area

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Mr. Knight

My name is Rick Lambert, I live at 1415 Winding Ridge Terrace in the Rockrimmon area. My concern is with a short term rental property that has become my next door neighbor (1425 Winding Ridge Terrace, 80919). I was hoping to get some answers about what the present rules in Colorado Springs are about short term rental properties. We have multiple different people next door, and being a family with 4 kids, there is now constant concern about who is next to us, simply from a safety standpoint. The people who stay of course are on vacation, so even during the week we are experiencing increased noise in the evenings, as well as multiple cars worth of traffic parking on the street, blocking sight lines for drivers seeing us pulling out. We also have significant issues with all of the renters feeding the deer. The owners seem to advertise about the deer, so people must feel it is OK to feed the deer. We have talked to some of the renters pointing out it is illegal to feed wildlife, but as there is a new group coming in every few days, it starts all over again. We have already noticed in the last couple of months that the deer are now hanging out right by the decks every time we or the newest renters are around. We know that this is illegal to feed the wildlife, and not only are we concerned for the deer, we also are obviously concerned that feeding the animals next door may also bring increased predators in, putting our animals and younger children potentially at increased risk as well. The owners have never left us any contact information, so we can't even contact them and try to relay our concerns. This area does not have an HOA, which limits our ability as a neighborhood to enforce

any rules limiting short term rentals.

We feel that having a short term rental on the block devalues the neighborhood, while increasing risk to both residents and the wildlife in the area. I would be grateful if we could at least know the rules in the area about short term rentals, and what we can do to make sure all rules are enforced. Any contact information to whom we should address our concerns to would be great.

We also have recently read that there are some upcoming votes about tightening up regulations for Airbnb type rentals in the springs. We request that you take this opportunity to make rules for short term rentals as stringent as possible for the safety of the area. If you would like anyone to speak up at a meeting against short term rentals, I would be happy to help.

Thank you again for your time, we appreciate any help you can give us.

Thank you

Rick Lambert

1415 Winding Ridge Terrace

Colorado Springs, CO 80919

renolambert@yahoo.com

(913) 207-9255

From: [Welling Clark](#)
To: [Herington, Meggan](#); [Webb, Cody](#)
Cc: [Gaebler, Jill](#); [Sallie Clark](#)
Subject: Fwd: STR Meeting
Date: Wednesday, July 18, 2018 8:04:00 AM
Attachments: [Update DRAFT Ordinance STR.docx](#)
[ATT00001.htm](#)

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Hi Meggan & Cody –

I like the linkage with the R-# zoning; dovetails with the “family unit” and would be in line with dwelling unit density. The max of four (4) units helps to ensure that we protect affordable housing property (generally multi-unit dwelling like small 2/4 duplexes are the most affordable/less expensive than homes). If anyone wants more, then they really just want to build the equivalent of a time share condominium complex.

One of the most frustrating things about STR properties is when the owner overloads the property with more people than residentially designed for. **Real Example:** On such STR duplex locate on the 1100 block of W. Kiowa was advertising it could sleep up to 22 people. A construction crew from Utah (20 people) rented it for 3 weeks, overloaded the entire block on street parking with their construction vehicles (on the Westside some properties only have on street parking (no garages/alleyways). I was neighborhood president at the time and we could never find out who the owner/manager was (Ryan T. is familiar with that incident of a few years ago).

Some ways to ensure we avoid the overloading/misuse of STRs could be:

- <!--[if !supportLists]-->• <!--[endif]-->Allow a maximum of two people per designated bedroom (generally general rule of thumb for more residential properties). This would require the STR to submit data on the number of bedrooms. The assessor's office/city planning records can be used to verify actual number; falsification could result in a delay (12 month?) for approval. (We want STR owners to be honest).
- <!--[if !supportLists]-->• <!--[endif]-->Ensure they also follow the city code of no more than five (5) non-family people in a single rental unit (like the city has for residences to prevent “flop houses”). This would resolve the “visiting construction crew” problem we had on the Westside a few years ago. This is harder to enforce but when such an incident happens the permit can be revoked immediately upon verification (standard penalty time period).
- <!--[if !supportLists]-->• <!--[endif]-->Ensure one off street parking stop per rental unit or for every two rooms (assume four (4) people is general max load in a vehicle so if one STR draws lots of vehicles the local on street parking is minimally impacted. Each STR can submit a site plan (hand drawn with a ruler should be okay, so the city can review the proposed STR; we don't want people parking/blocking alley ways etc.).
- <!--[if !supportLists]-->• <!--[endif]-->Recommend that the STR owner signs a document stating they are in compliance with the American Disability Act. Which is basically 1 rental unit in 25 shall be ADA compliant. We want to protect the city so ADA can't hold the city responsible for “allowing non-compliance with the ADA”.

These are my thoughts. I forwarded the draft on to Sallie for review but she is currently out of state a USDA state director's summit. I do have issues with STR not being charged commercial property tax rates like all the other lodging properties throughout Colorado. I expect the Colorado Hotel & Lodging Association to weigh in on that in the near future. And I am really interested to see what the ADA (disabilities act) does to STRs (the exemption for short lodging is a single structure of 5 rooms or less that the primary resides upon).

I hope this helps. I am sorry for not being able to attend nor finding someone to attend

FIGURE 4

in my place.

Well

From: "Herington, Meggan" <mherington@springsgov.com>
Date: July 16, 2018 at 9:58:27 PM MDT
To: Brandon Behr <brknnarrow8@gmail.com>, Chris Orsborn <doug@VisitCOS.com>, Elliott Orsillo <eorsillo@gmail.com>, Evan Wilburn <evan.wilburn@iamhoste.com>, Ian Lee <ianjacoble@gmail.com>, "Gaebler, Jill" <jgaebler@springsgov.com>, "Kathy Zehringer" <kazehringer@gmail.com>, "Hammes, Mitchel" <mhammes@springsgov.com>, Rachel Beck <rbeck@csrba.com>, "Skorman, Richard" <rskorman@springsgov.com>, Sara Vaas <svaas@cscono.org>, Tammy Fields <tfields@cscedc.com>, Welling Clark <welling80904@yahoo.com>, Renee Behr <renee@behrandbehr.com>, "svaas@cscono.org" <svaas@cscono.org>
Subject: RE: STR Meeting

All, Wednesday is the stakeholder group meeting to discuss short term vacation rentals. PLEASE NOTE THE LOCATION ---- the meeting will be held at 2880 International Circle, Second Floor, Conf Room A&B.

Attached is a REVISED DRAFT to be discussed at the meeting.

The agenda will consist mainly of a brief recap of work done to date and then the group walking through the highlighted items as those that have been updated. We will review a tentative future public meeting schedule.

Thank You, Meggan

From: Herington, Meggan
To: ["Michael Applegate"](#)
Subject: RE: Concerns about short term rentals
Date: Tuesday, July 17, 2018 9:27:00 PM
Attachments: [image001.png](#)

Michael, given the short notice, if you are unable to attend I can always meet with you and your neighbors independently to give you the download. In order to limit the number of people to a smaller working group. I did ask that short term rental owners only bring 6 representatives and CONO and neighborhoods organize to bring the same number. I'd ask that you not bring everyone with you; but try to have one representative. There will be a larger meeting on August 7th that we will have everyone at. Again, I'd be happy to meet with groups separately. Please see below for my answers to your questions.
Meggan



Meggan L. Herington, AICP
Assistant Director of Planning

Phone: (719) 385-5083
Email: mherington@springsgov.com

From: Michael Applegate [<mailto:mangofence@gmail.com>]
Sent: Tuesday, July 17, 2018 8:41 PM
To: Herington, Meggan
Subject: Re: Concerns about short term rentals

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Hello Meggan,

Thanks so much for including us in the group that received this updated proposed ordinance.

Before we go any further, we'd like to clarify a critical piece of language that appears in the definition section:

7.3.105: ADDITIONAL STANDARDS FOR SPECIFIC USES ALLOWED IN RESIDENTIAL ZONES

* * *

Q. Short Term Rental Units: A short term rental unit is allowed as an ACCESSORY USE in all residential zone districts

We added capital letters for emphasis. Does this mean that STRs would be an accessory use only, and would be subordinate to the primary use, stated in the City's zoning language as "primarily for single family residential use". Put simply, does this limit STRs to a person's primary residence? This same language is found in the regulations that we support from other cities such as Denver, Boulder and Golden.

This does not mean that the unit needs to be owner-occupied. It is meant to stress that we are considering this more along the lines of a home occupation and that the residence truly needs to remain

residential in nature. The permit section sets limits for the number of short term rental units per property based on the use; a single-family dwelling unit in a single-family zone district is only allowed 1 short term rental per property. An owner could not rent out multiple rooms in their home to different parties.

The other thing that stands out right away is the following edit:

Use of the short term rental unit for any commercial or large social events or gatherings that may include attendees other than the short term tenants, such as weddings, is prohibited.

Having lived across the street from a non-owner-occupied STR for less than a year, we've experienced five large events that greatly increased traffic on our quiet street and caused parking issues for us and our surrounding neighbors. With the new edit, this regulation seems too grey and subject to interpretation.

Our intent is to try to say that weddings, corporate retreats ect, are not permitted. However, we have been at a loss for how to write it but still allow a renter to have a small BBQ or friends over. There will be language that states if the noise is out of control that the police should be called. This is definitely open to interpretation. I'd say if a short term rental has a party, neighbors first may call the police if the issue is noise. Then a call to Code Enforcement where an officer would need to go out and document the occurrence. Notice that there is a section that states that the owner of the home has a "3 strikes you're out" type of permit revocation process. If City Planning and/or Code Enforcement receive multiple complaints then the Manager may schedule a revocation hearing.

One of us will certainly try to attend the meeting tomorrow; thank you very much for the invite. Would it be appropriate for one of our neighbors to attend as well?

Thanks again,
Mike and Katherine

On Tue, Jul 17, 2018, 7:12 PM Herington, Meggan <mherington@springsgov.com> wrote:

Michael, attached is the latest proposed draft. You will notice that the draft references an application and a self-certification safety checklist. Both are attached. Please provide any comments via email

You will also notice on the updated draft that it references a meeting tomorrow to be held at 10am. This is a smaller group meeting of equal representation from HOA's and short term owners to discuss the draft. After this meeting, on August 7th, there will be a larger citizen meeting facilitated by CONO.

However, if you happen to be free tomorrow and wish to attend you are more than welcome.

Thanks, Meggan

Error! Filename not specified. **Meggan L. Herington,**
AICP
Assistant Director of Planning

Phone: (719) 385-5083
Email: mherington@springsgov.com

From: Michael Applegate [mailto:mangofence@gmail.com]
Sent: Tuesday, July 17, 2018 1:58 PM
To: Herington, Meggan
Subject: Re: Concerns about short term rentals

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Good afternoon Meggan,

I hope that you're doing well!

I'm sure that you're incredibly busy. I'm just checking in on the status of the latest edition of the proposed STR ordinance. If it went out last week as planned, I'd still love to see it. If it's simply delayed, no worries and I'll wait until it's ready.

Thanks very much,
Mike Applegate

On Tue, Jul 10, 2018, 12:55 PM Herington, Meggan <mherington@springsgov.com> wrote:

Mike, thank you for your comments. I have definitely not heard from a lot of neighbors on the topic yet and continue to spread the word. We are working on an ordinance that would require short term rental owners to get a permit through the city. I have added you to a list that will receive that draft around the end of the week. You can email me again if you have specific comments to the document.

I will also be sending you updates on public meetings to discuss the ordinance. The first will be a citizen engagement meeting held by CONO first week of August. After that the City Planning Commission and City Council make the final decisions. Thank You, Meggan

Error! Filename not specified. **Meggan L. Herington,**
AICP
Assistant Director of Planning

Phone: (719) 385-5083
Email: mherington@springsgov.com

From: Michael Applegate [mailto:mangofence@gmail.com]
Sent: Tuesday, July 10, 2018 11:31 AM
To: Herington, Meggan
Subject: Concerns about short term rentals

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Good morning Meggan,

We hope that you're having a terrific Tuesday! We got your email from Sara Vaas at CONO.

We are writing to express our concern about investment properties as short term rentals in Colorado Springs neighborhoods, knowing that our concerns are shared by many other residents of the city, including our immediate neighbors.

Investors are buying properties and operating them as a lodging business in residential neighborhoods, booking guests through online sites such as Airbnb.

Investors bought the house across the street from ours and we have been very uncomfortable as they operate their business in our neighborhood. Where there once was a neighbor, there is now a steady stream of strangers. We have been left to watch as the community, safety, peace, and security we have all worked for as a community of neighbors has been disrupted, and at the same time, marketed and sold for a per night price.

Airbnb is supposed to be a platform for home sharing and their motto is "Belong Anywhere." This is anything but the case as strangers occupy a house within a neighborhood that the "host" (investor) has no connection to. Investors have found a very lucrative gray area within the home sharing platform. However, operating a lodging business within a residential neighborhood is NOT home sharing. Home sharing is the sharing of a primary residence. The issue needs to be made black and white and the protection of neighborhoods and their residents needs to be the priority. We were pleased to see language in the proposed STR ordinance that stated that STRs would be approved as an accessory use in all residential zones, because we feel strongly that the primary use of residential properties should continue to be long-term residents, not transient guests.

When the property is booked to near listed capacity (up to 13 people), traffic on our quiet street with no through traffic can more than double. Things homeowners generally do as a courtesy to neighbors such as raking leaves or shoveling snow have not happened since the investors took ownership of the property. We are tired of tourists pointing their cameras at our house taking pictures of the deer in our yard. Any children's book about being safe in your neighborhood speaks about the importance of knowing your neighbors and being aware of strangers. Before our young children knew all of our immediate neighbors (including those in that house) and had friendly interactions with them whenever we were outside. Now they are greeted by generally cold and always unfamiliar faces across the street and have to be aware of strangers every time they set foot out of our door.

As residents of Colorado Springs we can count on the city to protect our neighborhoods in certain situations. There are protections in place concerning safety of structures, structures or objects that are disruptive or intrusive, noise, fire codes, even the number of garage sales a person may have in one calendar year. However in the situation of investment properties as short term rentals, a lodging business, we are offered no protection. Any other business in the middle of a residential neighborhood would be subject to city code put in place to ensure that the business does not have a negative impact on the community. Investors operating their short term rental businesses are left unchecked in our neighborhood.

Property values and affordable housing are also being impacted. The value of our own property decreases because we suddenly find ourselves across the street from a lodging business. Meanwhile, prices are driven up elsewhere because investors, with the added security of income from their business, are outbidding families who are just looking to buy a home. There have been many discussions on the Next Door app about families desperately trying to purchase a home and being outbid every time in our general neighborhood. Also, the number of houses available for long term rent decrease and their prices increase as properties are used as short term rentals. Colorado Springs is one of the fastest growing cities (and has the fastest growing rent prices) in the nation and affordable housing for residents should be a priority over the interests of investors. If the City of Colorado Springs does not limit STRs to primary residences only, there is the potential that investors could buy up a large percentage of the available homes, destroying neighborhoods and pricing out residents.

Other cities in Colorado and across the nation have recognized investment properties as short term rentals as a problem. They have taken action to protect neighborhoods and their residents and Colorado Springs needs to do the same. Please take action here in Colorado Springs to clearly regulate and define the home sharing

platform that is currently being abused; home sharing should be limited to primary residences. Investment properties as short term rentals is NOT the same thing as home sharing. Colorado Springs neighborhoods and their residents need your protection.

Thanks very much for your time!

Mike and Katherine Applegate
Residents of Holland Park

On Jul 17, 2018 7:12 PM, "Herington, Meggan" <mherington@springsgov.com> wrote:
Michael, attached is the latest proposed draft. You will notice that the draft references an application and a self-certification safety checklist. Both are attached. Please provide any comments via email

You will also notice on the updated draft that it references a meeting tomorrow to be held at 10am. This is a smaller group meeting of equal representation from HOA's and short term owners to discuss the draft. After this meeting, on August 7th, there will be a larger citizen meeting facilitated by CONO.

However, if you happen to be free tomorrow and wish to attend you are more than welcome.

Thanks, Meggan

Error! Filename not specified. **Meggan L. Herington,**
AICP
Assistant Director of Planning

Phone: (719) 385-5083
Email: mherington@springsgov.com

From: Michael Applegate [mailto:mangofence@gmail.com]
Sent: Tuesday, July 17, 2018 1:58 PM
To: Herington, Meggan
Subject: Re: Concerns about short term rentals

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Good afternoon Meggan,

I hope that you're doing well!

I'm sure that you're incredibly busy. I'm just checking in on the status of the latest edition of the proposed STR ordinance. If it went out last week as planned, I'd still love to see it. If it's simply delayed, no worries and I'll wait until it's ready.

Thanks very much,
Mike Applegate

On Tue, Jul 10, 2018, 12:55 PM Herington, Meggan <mherington@springsgov.com> wrote:

Mike, thank you for your comments. I have definitely not heard from a lot of neighbors on the topic yet and continue to spread the word. We are working on an ordinance that would require short term rental owners to get a permit through the city. I have added you to a list that will receive that draft around the

end of the week. You can email me again if you have specific comments to the document.

I will also be sending you updates on public meetings to discuss the ordinance. The first will be a citizen engagement meeting held by CONO first week of August. After that the City Planning Commission and City Council make the final decisions. Thank You, Meggan

Error! Filename not specified. **Meggan L. Herington,**
AICP
Assistant Director of Planning

Phone: (719) 385-5083
Email: mherington@springsgov.com

From: Michael Applegate [mailto:mangofence@gmail.com]
Sent: Tuesday, July 10, 2018 11:31 AM
To: Herington, Meggan
Subject: Concerns about short term rentals

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Good morning Meggan,

We hope that you're having a terrific Tuesday! We got your email from Sara Vaas at CONO.

We are writing to express our concern about investment properties as short term rentals in Colorado Springs neighborhoods, knowing that our concerns are shared by many other residents of the city, including our immediate neighbors.

Investors are buying properties and operating them as a lodging business in residential neighborhoods, booking guests through online sites such as Airbnb.

Investors bought the house across the street from ours and we have been very uncomfortable as they operate their business in our neighborhood. Where there once was a neighbor, there is now a steady stream of strangers. We have been left to watch as the community, safety, peace, and security we have all worked for as a community of neighbors has been disrupted, and at the same time, marketed and sold for a per night price.

Airbnb is supposed to be a platform for home sharing and their motto is "Belong Anywhere." This is anything but the case as strangers occupy a house within a neighborhood that the "host" (investor) has no connection to. Investors have found a very lucrative gray area within the home sharing platform. However, operating a lodging business within a residential neighborhood is NOT home sharing. Home sharing is the sharing of a primary residence. The issue needs to be made black and white and the protection of neighborhoods and their residents needs to be the priority. We were pleased to see language in the proposed STR ordinance that stated that STRs would be approved as an accessory use in all residential zones, because we feel strongly that the primary use of residential properties should continue to be long-term residents, not transient guests.

When the property is booked to near listed capacity (up to 13 people), traffic on our quiet street with no through traffic can more than double. Things homeowners generally do as a courtesy to neighbors such as raking leaves or shoveling snow have not happened since the investors took ownership of the property. We are tired of tourists pointing their cameras at our house taking pictures of the deer in our yard. Any children's book about being safe in your neighborhood speaks about the importance of knowing your neighbors and being aware of strangers. Before our young children knew all of our immediate neighbors (including those in that house) and had friendly interactions with them whenever we were outside. Now they

are greeted by generally cold and always unfamiliar faces across the street and have to be aware of strangers every time they set foot out of our door.

As residents of Colorado Springs we can count on the city to protect our neighborhoods in certain situations. There are protections in place concerning safety of structures, structures or objects that are disruptive or intrusive, noise, fire codes, even the number of garage sales a person may have in one calendar year. However in the situation of investment properties as short term rentals, a lodging business, we are offered no protection. Any other business in the middle of a residential neighborhood would be subject to city code put in place to ensure that the business does not have a negative impact on the community. Investors operating their short term rental businesses are left unchecked in our neighborhood.

Property values and affordable housing are also being impacted. The value of our own property decreases because we suddenly find ourselves across the street from a lodging business. Meanwhile, prices are driven up elsewhere because investors, with the added security of income from their business, are outbidding families who are just looking to buy a home. There have been many discussions on the Next Door app about families desperately trying to purchase a home and being outbid every time in our general neighborhood. Also, the number of houses available for long term rent decrease and their prices increase as properties are used as short term rentals. Colorado Springs is one of the fastest growing cities (and has the fastest growing rent prices) in the nation and affordable housing for residents should be a priority over the interests of investors. If the City of Colorado Springs does not limit STRs to primary residences only, there is the potential that investors could buy up a large percentage of the available homes, destroying neighborhoods and pricing out residents.

Other cities in Colorado and across the nation have recognized investment properties as short term rentals as a problem. They have taken action to protect neighborhoods and their residents and Colorado Springs needs to do the same. Please take action here in Colorado Springs to clearly regulate and define the home sharing platform that is currently being abused; home sharing should be limited to primary residences. Investment properties as short term rentals is NOT the same thing as home sharing. Colorado Springs neighborhoods and their residents need your protection.

Thanks very much for your time!

Mike and Katherine Applegate
Residents of Holland Park

From: [Chad Gross](#)
To: [Herington, Meggan](#)
Subject: Proposed Short-Term Rental Regulations
Date: Sunday, July 15, 2018 11:56:50 AM

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Meggan,

My wife and I just purchased a duplex a little over a month ago with the sole intent to manage the units as short-term rentals. We've now learned that there is a proposal which would prevent us from legally continuing with that business model. I can understand legislation that capitalizes on tourism via taxation or preventing commercial (5+) properties from circumventing hotel regulations, but this hurts the mom & pop shop. My wife and I are about to have a baby and we are trying to build something that will help us support and provide a better life for our daughter. This proposed regulation would make that significantly more difficult. If there is no hope of stopping this legislation from being enacted entirely, I sincerely hope you will at least consider listing duplexes as an exception to the regulation.

Best,

Chad

From: [Michael Applegate](#)
To: [Herington, Meggan](#)
Subject: Informal poll regarding STRs
Date: Thursday, July 12, 2018 11:53:52 AM

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Hello Meggan,

Thanks again for keeping us in the loop regarding the proposed STR ordinance. We're looking forward to seeing the latest version.

Since we last cooresponded, we put up a very informal poll on Nextdoor. It's been up for a couple days now, and went out to Holland Park and 11 nearby neighborhoods.

Here's what it says:

Do you want houses used like motels (short term rentals) in your neighborhood?

We later clarified the intent of the poll as some folks thought that the language was biased:

Hi all! The intent of this poll is to get people thinking about the issue. Many people are unaware that investment properties used exclusively as short term rentals exist in our city. Finding succinct language to describe them to people who know nothing about them isn't easy.

The results so far are:

No - 66%

Yes - 33%

Total votes: 69

We've also encouraged people to contact you with their concerns, no matter how they feel about the issue.

Have a great day, and thank you for your diligence in carefully weighing the impact of this important regulation.

Mike and Katherine Applegate

From: [Knight, Don](#)
To: [Ryan Spradlin](#)
Cc: [Herington, Meggan](#)
Subject: RE: Short term rental ordinance
Date: Wednesday, July 11, 2018 3:00:24 PM

Mr Spradlin,

Is there a specific section of the draft ordinance you have concerns with? If you do not have a draft. Ms Herington can provide you a copy.

Don Knight
Colorado Springs City Council, District 1
107 N Nevada Ave, Ste 300
Colorado Springs, CO 80901
719-385-5487
719-368-0729 (cell)

From: Ryan Spradlin <ryanspradlin@gmail.com>
Sent: Monday, July 9, 2018 2:35 PM
To: Knight, Don <dknight@springsgov.com>
Subject: Short term rental ordinance

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Hello Mr. Knight,

I wanted to reach out to you in regards to the proposed ordinance on short term rentals. I live in your district and three of my four rental properties are homes in district 1.

First, let me explain a little about how I became involved in STRs. Ive lived in COS for 31 years. My wife and I have always loved to travel. One of my jobs when I was younger was as a corporate technical trainer for local software company. About ten years ago, a family friend who had a son graduating from the Air Force asked if they could rent our house during that week. We we're a bit reluctant at first but decided to do it since I had a work trip that coincided with their request. After that, we began getting flooded with requests from AF parents. We have rented our personal house, as well as all of our rental houses to AF grad families every year since. All of the interest led us to buying a second, third, and fourth home specifically for rentals. As an entrepreneur, I recognized a demand and acted. It was a simple as that.

Since then, we have turned four (long term renter destroyed) properties into very nice, well maintained short term rentals. We are at these houses multiple times each week, checking on our guests and making improvements. Needless to say, the houses are in much better shape now.

Beyond that, we travel with our children all over the world using AirBnB, in the same way that we host guest families from all over the world. None of this would be possible without

short term rentals. Hotels don't offer affordable prices or reasonable accommodations for families. This is why our properties are so popular. We offer something that hotels can't and we allow families and larger groups to explore and enjoy Colorado Springs in a way that wasn't possible in the past.

I hope you consider some of these points when making your decisions about the ordinance. I own a small family business that I have worked very hard at and I'm a little worried that my hard work and dedication will be smothered by the complaints and worries of others that are not entirely legitimate. I cater almost entirely to families on vacation and I'd be happy to share some of the stories they have left in my guest books about the wonderful times they have had starting in our properties and visiting our city.

Thank you,
Ryan Spradlin

From: [Marie McGinnis](#)
To: [Herington, Meggan](#)
Subject: concerns pertaining to short term rentals in Colorado Springs
Date: Tuesday, July 10, 2018 12:13:39 PM

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Dear Ms. Herington,

I am writing to express my concern about the rise in short term rental properties in Colorado Springs. A house has recently been bought across the street from me for this purpose and it honestly makes my family feel uncomfortable. Not only does it have a negative impact on our life, but it also negatively impacts families searching for housing in our city.

People can sign up for seminars about how easy it is to get rich on short term rentals in Colorado Springs. The rules and regulations are a joke here. Some “hosts” claim that they really enjoy the hospitality of offering a place for guests to stay, but in reality they are making a killing in collecting rental fees. It would be different if a family lived in a home and shared their space by renting out a small room in their basement for travelers to stay in. That seems great, but purchasing an entire house to use solely for this purpose is not fair to families searching for a place to live. Our city is booming and families are constantly being outbid on properties. Investors purchasing a home to serve as a short term rental can offer higher bids because they know they will quickly make money on the property. There are also fewer properties available for long term rent. Many families are feeling frustrated by the lack of available rentals and their skyrocketing prices. How can the city allow long term residents to be displaced by these short term rentals?

I have been lucky enough to buy a house next to my sister. We are raising our small children next door to each other. We also know all of our other immediate neighbors. Our street even has barbecues and our children enjoy chatting with familiar faces when they walk by. This has been shrouded by the short term rental across the street. We have to remind our children of “stranger danger” everytime they want to go play out front and guests are staying in the house. My sister, who also lives across the street from this short term rental recently won a battle with breast cancer. During her chemotherapy and entire fight, she took solace in her quiet street and kind neighbors. Since this house became a short term rental, her anxiety level has gone through the roof. I can feel her become tense every time a new guest arrives at the house. No one should feel that way in their own home.

Other Colorado cities have recently taken action against short term rentals and it is time for Colorado Springs to do the same. It is easy for many people in the city to think that these short term rentals are not a harm, but families like us with small children living right across this street are quite unhappy. Now, there

can be up to 13 strangers in the house across the street at any given time. That also means that there could be up to 13 extra cars driving on our non through street on any given day. People searching for affordable housing may not realize that this is one of the factors in their struggles, but it is!

Thank you for taking our concerns into consideration. I hope that the council follows suit with so many other cities across the nation and finds ways to protect their citizens by regulating these properties.

Marie McGinnis

3831 Ellston Pl.

Colorado Springs, CO 80907 (206)388-8975

From: [Michael Applegate](#)
To: [Herington, Meggan](#)
Subject: Concerns about short term rentals
Date: Tuesday, July 10, 2018 11:31:34 AM

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Good morning Meggan,

We hope that you're having a terrific Tuesday! We got your email from Sara Vaas at CONO.

We are writing to express our concern about investment properties as short term rentals in Colorado Springs neighborhoods, knowing that our concerns are shared by many other residents of the city, including our immediate neighbors.

Investors are buying properties and operating them as a lodging business in residential neighborhoods, booking guests through online sites such as Airbnb.

Investors bought the house across the street from ours and we have been very uncomfortable as they operate their business in our neighborhood. Where there once was a neighbor, there is now a steady stream of strangers. We have been left to watch as the community, safety, peace, and security we have all worked for as a community of neighbors has been disrupted, and at the same time, marketed and sold for a per night price.

Airbnb is supposed to be a platform for home sharing and their motto is "Belong Anywhere." This is anything but the case as strangers occupy a house within a neighborhood that the "host" (investor) has no connection to. Investors have found a very lucrative gray area within the home sharing platform. However, operating a lodging business within a residential neighborhood is NOT home sharing. Home sharing is the sharing of a primary residence. The issue needs to be made black and white and the protection of neighborhoods and their residents needs to be the priority. We were pleased to see language in the proposed STR ordinance that stated that STRs would be approved as an accessory use in all residential zones, because we feel strongly that the primary use of residential properties should continue to be long-term residents, not transient guests.

When the property is booked to near listed capacity (up to 13 people), traffic on our quiet street with no through traffic can more than double. Things homeowners generally do as a courtesy to neighbors such as raking leaves or shoveling snow have not happened since the investors took ownership of the property. We are tired of tourists pointing their cameras at our house taking pictures of the deer in our yard. Any children's book about being safe in your neighborhood speaks about the importance of knowing your neighbors and being aware of strangers. Before our young children knew all of our immediate neighbors (including those in that house) and had friendly interactions with them whenever we were outside. Now they are greeted by generally cold and always unfamiliar faces across the street and have to be aware of strangers every time they set foot out of our door.

As residents of Colorado Springs we can count on the city to protect our

neighborhoods in certain situations. There are protections in place concerning safety of structures, structures or objects that are disruptive or intrusive, noise, fire codes, even the number of garage sales a person may have in one calendar year. However in the situation of investment properties as short term rentals, a lodging business, we are offered no protection. Any other business in the middle of a residential neighborhood would be subject to city code put in place to ensure that the business does not have a negative impact on the community. Investors operating their short term rental businesses are left unchecked in our neighborhood.

Property values and affordable housing are also being impacted. The value of our own property decreases because we suddenly find ourselves across the street from a lodging business. Meanwhile, prices are driven up elsewhere because investors, with the added security of income from their business, are outbidding families who are just looking to buy a home. There have been many discussions on the Next Door app about families desperately trying to purchase a home and being outbid every time in our general neighborhood. Also, the number of houses available for long term rent decrease and their prices increase as properties are used as short term rentals. Colorado Springs is one of the fastest growing cities (and has the fastest growing rent prices) in the nation and affordable housing for residents should be a priority over the interests of investors. If the City of Colorado Springs does not limit STRs to primary residences only, there is the potential that investors could buy up a large percentage of the available homes, destroying neighborhoods and pricing out residents.

Other cities in Colorado and across the nation have recognized investment properties as short term rentals as a problem. They have taken action to protect neighborhoods and their residents and Colorado Springs needs to do the same. Please take action here in Colorado Springs to clearly regulate and define the home sharing platform that is currently being abused; home sharing should be limited to primary residences. Investment properties as short term rentals is NOT the same thing as home sharing. Colorado Springs neighborhoods and their residents need your protection.

Thanks very much for your time!

Mike and Katherine Applegate
Residents of Holland Park

From: [Rick and Jessica Lambert](#)
To: [Herington, Meggan](#)
Subject: Re: RE: RE: short term rentals in Colorado Springs, From Rick Lambert in Rockrimmon area
Date: Friday, July 06, 2018 7:44:15 PM
Attachments: [image001.png](#)
[image002.png](#)

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Meggan

Thanks for the invitation, I would love to attend the meeting. It may be for the meeting, but my concerns simply are as follows

- 1) at 300 a night (the next door neighbors price per evening), there is an unregulated potential \$100000 a year business in a residential neighborhood. It needs to be treated and regulated as a business, since it is one.
- 2) There are no restrictions or guidelines on who uses airbnb, you only need a credit card and an email. What I mean by this is a sexual predator in my neighborhood must be registered and is easily found online, but anyone can now be my next door neighbor for a few days, and with 4 children under 16 including 2 daughters, I have no idea who is next to me, and there is no way to know in advance. I'm not even sure how easy it will be to track anyone if something does happen. I'm not sure what the solution is to this issue, I will be putting more time into it.
- 3) I am now considering fencing and security cameras, which will come at a significant cost to me. This seems unreasonable as I am having to respond to the neighbors profitable venture by spending extra to protect my family and house investment. I believe the Airbnb permit process needs to involve notification to the neighbors prior to beginning the rental, and also reasonably safety precautions for the neighborhood to be covered by the rental property.
- 4) Response time from the owner/manager needs to be very short. As my fire picture shows, if someone waited an hour or two to tend to that issue, there is the potential that our neighborhood doesn't exist anymore. Sounds dramatic, but everyone who has lived through mountain shadows and black forest knows exactly what I mean.
- 5) I think that short term rental houses should pay the same room tax percentage as hotels. By circumventing hotels, we are losing tax money that goes to improve our city, and to provide the services that are required to pay for the influx of tourists. An even better outcome would be if all the short term rental room tax was a safety tax of some sort that went to public safety/police/fire. I think this would be an easy tax to sell to the public paid for by out of town residents, allowing us to improve city services, or increase pay for those already working to serve and protect our city.

Thank you for your time again. If you would like, I can have neighbors come as well to the meetings. Let me know what kind of numbers you are looking for.

Thank you

Rick Lambert

On Friday, July 6, 2018, 10:28:41 AM MDT, Herington, Meggan <mherington@springsgov.com> wrote:

Mr. Lambert, Sorry to bother you again. How involved would you like to get in this topic? Would you like to attend a meeting with city staff, other HOA's and short term rental owner?

If you would like to consider it I'd like to all and speak with you about the details. Let me know.
Thanks, Meggan



Meggan L. Herington, AICP

Phone: (719) 385-5083

Assistant Director of Planning

Email: mherington@springsgov.com

From: Rick and Jessica Lambert [mailto:renolambert@yahoo.com]

Sent: Thursday, July 05, 2018 5:51 PM

To: Herington, Meggan

Subject: Re: RE: short term rentals in Colorado Springs, From Rick Lambert in Rockrimmon area

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Thank you so much for your quick response. I would love to be added to the notifications list for the planning proposals. I would also be more than happy to participate in any way to make sure the voice of the neighbors of these houses is heard. It has been a dramatic change for our household going from having a steady neighbor to a new set of strangers every 4 days. I also appreciate all of the work you have done to provide the contact information. I have already heard from parks and wildlife, and we are attempting to help them try to find where the homeowner presently lives. I am attaching a picture of the fire pit this weeks renters started on July 4. They initially refused to put the fire out until myself and other neighbors essentially confronted them about the importance of not having open flames. It was a combative situation that was uncomfortable to say the least. Sadly, this is becoming more common, as those on vacation believe they have paid to do what they want rather than follow the rules of the area.

Once again, anything I can do to make sure our voices are heard, I will be happy to participate in.

Thanks again.

Rick Lambert

renolambert@yahoo.com

On Thursday, July 5, 2018, 3:06:43 PM MDT, Herington, Meggan <mherington@springsgov.com> wrote:

Good afternoon Mr. Lambert and CM Knight!

Mr. Lambert, the City Planning Department is working on a permit for short term vacation rentals. I have included a summary and the proposed permit details. You have pretty good timing in that if you feel strongly about greater oversight of short term rentals now is the time to voice your input. Staff has heard a strong voice from vacation rental owners, but not a lot of input from neighborhoods. Please feel free to contact me if you have questions or would like to voice input.

Keep in mind that the attached is a DRAFT proposal and may change somewhat. Notice that staff is recommending a 24-hour a day contact for the vacation rental in order for City and neighbors to contact the home owner or their representative. That contact info would be provided to you for situations just as you described.

The proposal is scheduled to now be heard by City Planning Commission in August and City Council in September. I can add you to a notification list if you would like?

Councilman Knight – I cannot find this address on the City Sales Tax Licensing spreadsheet, nor can I find the listing on AirB&B. Those are the only two ways we can verify that sales tax is being paid. With my limited resource, it appears that this address is not paying sales tax. Again, I could just be missing this address in my search.

In addition, Mr. Lambert, you can expect a call from Frank McGee with Colorado Parks and Wildlife. His office is the only office currently to report wildlife feedings. He said that if there are issues in the future, or as a general reference, feeding complaints can be called in at 719-227-5200 CO Parks and Wildlife main number.

If there is a noise issue, the recourse currently would be to call the COS Police Department. If this permit ordinance passes, there will be enforcement through City Neighborhood Services and the owner could lose their vacation rental permit if it is not dealt with.



**Meggan L.
Herington, AICP**
*Assistant Director of
Planning*

Phone: (719) 385-5083
Email: mherington@springsgov.com

From: Knight, Don
Sent: Thursday, July 05, 2018 2:22 PM
To: Rick and Jessica Lambert
Cc: Herington, Meggan
Subject: RE: short term rentals in Colorado Springs, From Rick Lambert in Rockrimmon area

Mr Lambert,

Our rules are pretty loose right now but we are in the process of tightening them up. Ms Herington from City Planning can provide you with both a copy of the proposed new Code as well as a schedule as to when it will come to City Council for a vote if you wish to speak on the matter.

Meggan,

Also, who currently has the responsibility for dealing with the property owners in ensuring they educate their renters on noise and deer feeding restrictions? Can you also let me know if the current property owners are collecting the right taxes?

Thank you,

Don Knight
Colorado Springs City Council, District 1
107 N Nevada Ave, Ste 300
Colorado Springs, CO 80901
719-385-5487
719-368-0729 (cell)

From: Rick and Jessica Lambert [mailto:renolambert@yahoo.com]
Sent: Monday, July 02, 2018 8:16 PM
To: Knight, Don
Subject: short term rentals in Colorado Springs, From Rick Lambert in Rockrimmon area

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Mr. Knight

My name is Rick Lambert, I live at 1415 Winding Ridge Terrace in the Rockrimmon area. My concern is with a short term rental property that has become my next door neighbor (1425 Winding Ridge Terrace, 80919). I was hoping to get some answers about what the present rules in Colorado Springs are about short term rental properties. We have multiple different people next door, and being a family with 4 kids, there is now constant concern about who is next to us, simply from a safety standpoint. The people who stay of course are on vacation, so even during the week we are experiencing increased noise in the evenings, as well as multiple cars worth of traffic parking on the street, blocking sight lines for drivers seeing us pulling out. We also have significant issues with all of the renters feeding the deer. The owners seem to advertise about the deer, so people must feel it is OK to feed the deer. We have talked to some of the renters pointing out it is illegal to feed wildlife, but as there is a new group coming in every few days, it starts all over again. We have already noticed in the last couple of months that the deer are now hanging out right by the decks every time we or the newest renters are around. We know that this is illegal to feed the wildlife, and not only are we concerned for the deer, we also are obviously concerned that feeding the animals next door may also bring increased predators in, putting our animals and younger children potentially at increased risk as well. The owners have never left us any contact information, so we can't even contact them and try to relay our concerns. This area does not have an HOA, which limits our ability as a neighborhood to enforce any rules limiting short term rentals.

We feel that having a short term rental on the block devalues the neighborhood, while increasing risk to both residents and the wildlife in the area. I would be grateful if we could at least know the rules in the area about short term rentals, and what we can do to make sure all rules are enforced. Any contact information to whom we should address our concerns to would be great.

We also have recently read that there are some upcoming votes about tightening up regulations for Airbnb type rentals in the springs. We request that you take this opportunity to make rules for short term rentals as stringent as possible for the safety of the area. If you would like anyone to speak up at a meeting

against short term rentals, I would be happy to help.

Thank you again for your time, we appreciate any help you can give us.

Thank you

Rick Lambert
1415 Winding Ridge Terrace
Colorado Springs, CO 80919
renolambert@yahoo.com
(913) 207-9255

From: [Elliott Orsillo](#)
To: [Herington, Meggan](#)
Subject: Re: application question
Date: Friday, July 06, 2018 9:04:23 AM
Attachments: [image002.png](#)
[image002.png](#)

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Amy,

Thanks for the email and that all makes sense. I'm not questioning the validity of the argument as the fire department is way more in the know on that subject than I am although I would be curious to know how many house fires started from an extension cord malfunction in C Springs last year to better understand the danger.

The only question I'm proposing is do we write laws that are in line with reality or the way we wish things could be? It is unrealistic to assume that all 100 year old houses can be brought up to modern day fire code. Additionally, we are making the point that a STR is the same as an LTR (per IRS guidelines) and not a hotel/business, so logic would dictate that any rules imposed on a STR would also need to be enforced on LTRs and by extension all primary residencies. Could you imagine the backlash the city would receive if they tried to enforce a no extension cord policy on every resident in Colorado Springs?

There are definitely things we can do to make STRs as safe as possible, but the goal should be to a standard of reasonableness. Having someone re-wire their entire 100 year old house in order to eliminate the use of an extension cord seems unreasonable to me. That's why we have the "existing, non-conforming" caveats in place for older buildings and homes.

Thanks again,
Elliott

On Thu, Jul 5, 2018 at 4:05 PM Herington, Meggan <mherington@springsgov.com> wrote:

Elliott, the language that is on the safety checklist is taken from and reviewed with the City Fire Marshal. The Fire Dept. has a self-safety checklist for businesses and the proposal is adopting some of that language as it most pertains to vacation rental. I attached that checklist for your review. Fire Dept. says that extension cords cause safety issues and there is a concern for their use in all structures.

City Logo 2016



Meggan L. Herington, AICP

Assistant Director of Planning

Phone: (719) 385-5083

Email: mherington@springsgov.com

From: Elliott Orsillo [mailto:eursillo@gmail.com]
Sent: Thursday, July 05, 2018 9:41 AM
To: Herington, Meggan
Subject: application question

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Hey Meggan,

Curious to know the thinking behind all the extension cord language in the proposed application? Although this language is perfectly reasonable for a newer house that was designed to modern day building standards, for some of the 100 year old houses in our most historic neighborhoods, I could see this being an issue (e.g. I need a window unit A/C but don't have an outlet directly underneath my window). Additionally, this same restriction isn't being made for any homeowners or long-term renters that are living in similar houses.

Thanks,
Elliott

From: [sarah_e](#)
To: [Herington, Meggan](#)
Subject: Re: Question on new Airbnb law/zoning
Date: Thursday, July 05, 2018 3:33:19 PM

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Hello Meggan,

Thank you so much for your response, and for requesting my input on this important issue.

If the ordinance were to change as you described, I absolutely believe it would be a win-win proposal because it incorporates duplexes and multi-families in a fair and sensible way. I am very much in favor of it, and I think it will be received with well-deserved support.

I just want to mention that the property I manage in the C-5 zone has three units, but they are not all attached. There are two attached units plus a separate cottage. It's my understanding that there are many three-unit multi-families in multi-family zones that are not all attached. There may even be some that consist of three separate units. Perhaps that might even apply to four-unit and larger multi-family properties. I just wanted to point that out since you have included the word, "attached," under the multi-family section.

If more opportunities arise to give input on this issue, I'd be happy to participate.

Best,

Sarah

On Tue, Jul 3, 2018, 3:38 PM Herington, Meggan <mherington@springsgov.com> wrote:

Sarah, we are re-evaluating that 1 unit limit number. However, if it moved forward as written it would apply to a multi-unit structure in any zone district; including C-5. I will add you to the list of people to be updated as this ordinance changes.

Just to pick your brain, what if the ordinance changed to allow:

In a single family zone – 1 short term rental

In a two family zone (duplex allowed – 2 short term rentals

In a multi-family zone (3 or more units attached) – up to 4 short term rentals

Any thoughts on a concept like this that mimics the unit allowances or size of the building? Just looking for input. Meggan

City Logo 2016



Meggan L. Herington, AICP

Phone: (719) 385-5083

Assistant Director of Planning

Email: mherington@springsgov.com

From: sarah e [mailto:saraheduis@gmail.com]
Sent: Tuesday, July 03, 2018 2:25 PM
To: Herington, Meggan
Subject: Question on new Airbnb law/zoning

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Hello,

I manage 3 Airbnb units in a multi-family home that's in a commercial zone. The home is a triplex zoned C-5 in the city of Colorado Springs. Does this mean the new upcoming vacation rental laws, which will only allow 1 Airbnb unit per multi-family property, will not affect us because we're zoned commercially?

Or, will the new law (if passed) still apply to us, meaning we could only rent 1 of the 3 apartments as short-term Airbnbs, despite being zoned C-5?


Thank you!

Sarah

From: [Brian Maecker](#)
To: [Herington, Meggan](#)
Cc: "dalekoppel@aol.com"
Subject: petition
Date: Tuesday, July 03, 2018 10:50:05 AM

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!


Stationery Header



[Visit us online at www.maecker.com](http://www.maecker.com)

I understand there is a petition regarding saving Air BnB. I agree and would like to sign.
Thanks, brian

Stationery Footer



From: [Welling Clark](#)
To: [Herington, Meggan](#)
Subject: Re: Bed and Breakfast law definitions
Date: Monday, July 02, 2018 2:07:43 PM

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Sounds good. Sorry it took so long to get back to you. The number rental units needs to be married up with the zoning. Also the number of people per unit needs to be taken into account; we don't want to over saturate the neighborhood. One VRBO advertises it can house 22 people in a single duplex.

If you can send some of their feedback I could try and make some recommendations back to you for consideration.

Take care,
Well

Sent from my iPhone

On Jul 2, 2018, at 11:22 AM, Herington, Meggan <mherington@springsgov.com> wrote:

Thank you,

The short term rental owners have asked for additional input into the ordinance. There is some disagreement on several provisions; including the limit to the number of short term rentals per property. We will be bringing the stakeholder group back together with 5 STR owners and 5 HOA reps as well as you, chamber/edc. CM Gaebler and CONO.

Cody will be sending a doodle poll in an attempt to schedule that meeting in the next few weeks.
Meggan

<image001.png>

Meggan L. Herington, AICP
Assistant Director of Planning

Phone: (719) 385-5083
Email: mherington@springsgov.com

From: welling clark [<mailto:welling80904@yahoo.com>]
Sent: Sunday, July 01, 2018 2:47 PM
To: Herington, Meggan
Subject: Fw: Bed and Breakfast law definitions

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Meggan - Here are some ordinances. I will be sending you more correspondence as the "devil is in the details".
Well

----- Forwarded Message -----

From: Holden House 1902 Bed & Breakfast Inn <mail@HoldenHouse.com>
To: NL Welling Clark <welling80904@yahoo.com>
Sent: Sunday, July 1, 2018, 2:27:52 PM MDT
Subject: Bed and Breakfast law definitions

See attached three references for Colorado State Laws pertaining to definitions:

Liquor Law: Not more than 20 sleeping rooms

Health Dept. Memorandum: No maximum defined

Property Tax Assessment: Not more than 13 sleeping rooms.

--

<image002.jpg>

From: [Elliott Orsillo](#)
To: [Herington, Meggan](#)
Cc: amy.stephens@dentons.com
Subject: Re: follow up
Date: Monday, July 02, 2018 11:06:46 AM
Attachments: [image003.png](#)
[image003.png](#)

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Hey Meggan,

I think that sounds great. I'm going to be out of town July 19 - Aug 3. If the meeting is scheduled during that time I won't be able to attend. But other than myself, I would say the 3 reps we would want from the alliance would be Brandon Behr, Ian Lee, and Amy Stephens. The first alternate to take my place would be Evan Wilburn with Hoste who was also at the meeting last week. Here are email addresses for everyone:

Amy Stephens: amy.stephens@dentons.com (cc'd)

Brandon Behr: brandon@behrandbehr.com

Ian Lee: ian@leespirits.com Evan Wilburn: Evan.wilburn@iamhoste.com

We are having our meeting tonight at the Platinum Group to update the hosting community on our meeting last week and discuss the ordinance in general as well as educate everyone on collecting and remitting taxes. Is the ordinance still on the docket for 7/19 or has it been pushed to the August agenda? If the latter, I'd like to make the announcement tonight at the meeting.

Thanks, Elliott

On Mon, Jul 2, 2018 at 10:45 AM Herington, Meggan <mherington@springsgov.com> wrote:

Sorry, Elliott, one follow-up; I'm going to start having my assistant schedule a meeting with the original stakeholder group.

That meeting will hopefully be set up in the next 3-4 weeks. Can you tell me how to determine what owners should be invited. Again, this is a limited group with several representatives from The Alliance. For every member you send we will also make that same offer to HOA's. My hope would be that you could send 4 representatives. That way the group is a manageable size for discussion.

Please let me know who would be those representatives and their emails. Thanks

Meggan L. Herington, AICP

Phone: (719) 385-5083



From: Elliott Orsillo [mailto:eursillo@gmail.com]
Sent: Tuesday, June 26, 2018 1:19 PM
To: Herington, Meggan
Cc: amy.stephens@dentons.com
Subject: follow up

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Meggan,

First off, thanks for the taking the time to meet and listen to our objections today. I completely understand the predicament you are in with voices from all different sides and commend the effort for trying to find the right balance.

As a side note, I drafted most of the language in the handout outlining our objection to section B on one rental per property and would be happy to have a follow up discussion on any of the issues we either addressed (e.g. neighborhood continuity, business vs. rental, and LT housing supply) or failed to address on that topic. I of course can't speak for the entire alliance but I can at least be a point of contact for you or play middle man for tossing around ideas back and forth.

I wanted to shoot a quick follow up with two resources the city might want to consider to get some better data on 1) how many STRs are in the city and 2) how many of those would be classified as multi-family. Here are the two sites I found which might be able to provide data:

1. www.airdna.com
2. www.hostcompliance.com

I tried contacting both sights on my own with that specific request but only heard back from HostCompliance. Unfortunately they only work with government entities so they were not willing to entertain my request but they encouraged me to encourage you to make the same request. As a disclaimer, I know nothing about either of these companies and can't vouch for them.

Thanks,
Elliott

From: [Tim O'Donnell](#)
To: [Herington, Meggan](#)
Cc: [Tim O'Donnell](#); [Sara Vaas \(svaas@cscono.org\)](mailto:svaas@cscono.org); [Suthers, John](#)
Subject: Proposed Short Term Rental Ordinance
Date: Wednesday, June 27, 2018 7:56:00 AM

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Meggan,

I manage 3 mixed use buildings in the core downtown area with a total of 40 residential units. I also manage 4 townhomes in different areas of the city. All of these properties are under CCIOA HOA declarations. I totally agree with this proposed ordinance. It's important to properly regulate the VRBO market both for tax and property value considerations. I will gladly assume some bureaucracy in order to assure adherence to noise, safety, and other residential bylaws of the HOA.

Tim O'Donnell

Council of Neighborhood Organizations Board Member

101 N Tejon #330

Co. Springs, CO 80903

719-442-2337

tim_odonnell@live.com

From: [Tim Thornton | Tov Property Solutions](#)
To: [Herington, Meggan](#)
Subject: Re: Follow up you requested on STR ordinance
Date: Tuesday, June 26, 2018 3:13:45 PM
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Hello again, Meggan.

Thanks again for inviting my input and thanks for your work on this language.

I think that striking the section you highlighted is an important first step, but I still think the language that's there could be construed as prohibiting managers and tenants in saying that the permit "may not be transferred or assigned to another person or entity."

In my opinion would be extremely important to add language that clarifies the intent to allow manager/tenant operators, something like "owner may at their discretion hire a manager or lease to a tenant who may operate short-term-rentals under the owner's permit."

I feel that something like this would be extremely helpful in clarifying that the intent of the ordinance as you have communicated it is to establish that the owners as the ultimately responsible party for an STR on their property, rather than to dictate that owners must self-operate their short-term rental.

I hope that's helpful. Always happy to communicate further.

Tim Thornton
Tov Property Solutions LLC
~ cospringsvacationrentals.com - Where Adventure Rests
~ <http://tovproperty.com> - Full Service Vacation Rental Management

On Tue, Jun 26, 2018 at 8:32 AM, Herington, Meggan <mherington@springsgov.com> wrote:

Tim, I'm slowly gathering all of the input for updates to this ordinance. I propose changing the language below. The property owner still needs to sign the permit application or send an email stating that they agree that a representative can pull the permit on their behalf. If the owner changes, a new permit to that owner is required. Does this clarify your concerns?

7.5.1702: SHORT TERM RENTAL UNIT PERMIT REQUIRED:

A. It shall be unlawful for any person to operate any short term rental unit without a valid short term rental unit permit, as approved by the Manager.

~~B. —~~ The short term rental unit permit does not run with the property, but is issued to the

specific owner of the property. The permit shall not be transferred or assigned to another individual, person, entity, or address. Further, a permit does not authorize any person, other than the person named therein, to operate a short term rental unit on the property.



Meggan L. Herington, AICP

Assistant Director of Planning

Phone: (719) 385-5083

Email: mherington@springsgov.com

From: Tim Thornton | Tov Property Solutions [mailto:tim@tovproperty.com]
Sent: Thursday, June 14, 2018 12:37 PM

To: Herington, Meggan
Subject: Re: Follow up you requested on STR ordinance

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Oh good. Thanks again. I'll pass what I have to my contacts and wait to hear from you for more. Thanks!

I mean "to that end" not "Stop that end" on my previous email--sorry for the editing error.

Tim Thornton

Tov Property Solutions LLC

719.337.0198 | <http://tovproperty.com>

Full Service Short-Term Rental/Vacation Rental Management

On Thu, Jun 14, 2018 at 12:34 PM, Herington, Meggan <mherington@springsgov.com> wrote:

Yes, meeting is still on at 6pm at westside community center. Once I have a new schedule I will send it out

to everyone. It will be at least another week and I will work with CONO to set another meeting BEFORE the public hearing.

I spoke with Ryan from the Colorado Springs Short Term Rental Alliance Facebook Page and updated him as well.

Thanks



Meggan L. Herington,
AICP

Phone: (719) 385-5083

*Assistant Director of
Planning*

Email: mherington@springsgov.com

From: Tim Thornton | Tov Property Solutions [mailto:tim@tovproperty.com]

Sent: Thursday, June 14, 2018 12:09 PM

To: Herington, Meggan

Subject: Re: Follow up you requested on STR ordinance

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

I will do that. Stop that end, would it be possible for you, Meggan, to write up a quick summary of the upcoming meetings and other opportunities for stakeholders to make their voices heard so I can transmit that to STRA and my contacts all at once? I would love to include whatever email address or other medium by which you would invite people to provide written input.

Is the meeting still on at the Westside Community Center tonight? It was very hard for me to find any information about that online.

On Thu, Jun 14, 2018 at 11:57 AM Herington, Meggan <mherington@springsgov.com> wrote:

Thanks, Tim, if you could just tell them we are postponing. I don't want people to show up next week

for no reason. There will be zero discussion on the ordinance at the hearing.



Meggan L. Herington,

AICP

Phone: (719) 385-5083

*Assistant Director of
Planning*

Email: mherington@springsgov.com

From: Tim Thornton | Tov Property Solutions [mailto:tim@tovproperty.com]

Sent: Thursday, June 14, 2018 11:56 AM

To: Herington, Meggan

Subject: Re: Follow up you requested on STR ordinance

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

I don't operate it but I can get any information you would like me to over to the person who does.

On Thu, Jun 14, 2018 at 11:04 AM Herington, Meggan <mherington@springsgov.com> wrote:

Can you update COS Short Term Rental Alliance on facebook?



Meggan L. Herington,

AICP

Phone: (719) 385-5083

*Assistant Director of
Planning*

Email: mherington@springsgov.com

From: Tim Thornton | Tov Property Solutions [mailto:tim@tovproperty.com]

Sent: Thursday, June 14, 2018 10:57 AM

To: Herington, Meggan

Subject: Follow up you requested on STR ordinance

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Dear Meggan,

Thank you for your hard work on this issue and for a great meeting last night at the library, and thank you specifically for validating my concerns and those of everyone in the meeting.

You asked me to follow up with you today in regards to the language in 7.5.1702 B on page 4 of the draft.

To recap and ad specificity, my concern is that **the language seems to say that only owners can operate short term rentals**, by saying that permits are issued to owners and then subsequently that "a permit does not authorize any other person, other than the person named therein, to operate a short term rental on the property."

It seems the draft just wasn't written with owners who do not self-operate in mind.

You indicated that the intent of that section was to issue a permit to an owner who will remain ultimately responsible and accountable for the STR, rather than to prohibit owners from contracting with businesses like mine which provide management solutions to owners who cannot or do not wish to self-operate their STR.

Since that is the case, it seems that a revision of the language would be helpful, as you said particularly around the term "operate." For the many managers and tenant operators like me who operate with the knowledge and approval of owners for their benefit and ours, **it is extremely important that the ordinance clearly state that owners may employ a co-host, hire a manager or rent to a tenant who will responsibly operate the short-term rental in accordance with the law, with the understanding that the owner as the permit-holder is ultimately responsible to make sure the management solution they choose is operating properly.**

Or alternatively, you might consider allowing a manager or tenant to hold the permit so that accountability can be brought directly to the responsible party but I'm sure there would be many other factors in that decision.

I also wish to reinforce a second concern which I heard someone else bring up to you after the meeting, which is that many owners and hosts (myself included) are operating two STR spaces on one lot. **If this ordinance goes through with the prohibition of more than one STR per legal lot intact, hosts will be forced to cancel bookings that already exist in order to remain compliant** (many hosts are booked 2-3 years in advance). As you can imagine, channels like Airbnb and VRBO take cancelations very seriously and penalize hosts across all their listings for cancelations. **As a result there is a very real danger that hosts will be penalized, receive bad reviews on social media, and even lose their accounts on Airbnb/VRBO which could quite realistically cost them their businesses if no consideration is given to grandfathering in owners and hosts who are already operating more than one STR per lot, not to mention it seems fair to give owners and tenants a chance (as was mentioned) to recoup their significant investments (as one neighbor mentioned--her life savings) which they made under the existing laws.**

Thanks again for considering these important factors. I'd be very happy to talk on the phone or correspond further at any time if I can provide further clarity.

Tim Thornton

Tov Property Solutions LLC

719.337.0198 | <http://tovproperty.com>

Full Service Short-Term Rental/Vacation Rental Management

--

Tim Thornton

Tov Property Solutions LLC

719.337.0198 | <http://tovproperty.com>

Full Service Short-Term Rental/Vacation Rental Management

--

Tim Thornton

Tov Property Solutions LLC

719.337.0198 | <http://tovproperty.com>

Full Service Short-Term Rental/Vacation Rental Management

[\[HM1\]](#) Comment was made that the owner would be the holder of the application BUT that there are companies that run the STR for those that may be out of town. Can we delete this? YES

From: [Skorman, Richard](#)
To: [Hank Bargine](#)
Cc: [Gaebler, Jill](#); [Herington, Meggan](#)
Subject: RE: Airbnb meeting
Date: Thursday, June 21, 2018 3:24:52 PM

Hi Hank,

Councilmember Gaebler has been active in the committee meetings on Airbnb's as well as Meagan Herington from our Planning Department. I am ccing them on this in case you would like to reach out to them. They might be better ones to talk to but it was my understanding that we are going to require a license and ask for taxes to be paid as we do now for Bed and Breakfast facilities or any other business for that matter. I assume your guests may use our roads and public safety resources as other guests who visit our community. I understood that the requirements for smoke alarms and CO2 detectors will be voluntary, that a license will be easy to get and inexpensive and that no inspections will occur unless there are complaints. You may be doing a great job with your situation, but there are many complaints we get from neighbors on Airbnb's about drug use, loud late and outdoor parties and making it difficult for neighbors to park. If we have a license to revoke, then we have a way to ensure compliance. Of course, we will enforce rules softly unless there are repeat offenses. Airbnbs are a business and because they are, there does need to be some rules. But certainly our intent isn't to make those rules burdensome or difficult to follow. Hope this helps and thanks for reaching out.

Best wishes,

Richard Skorman
Councilmember District 3
City of Colorado Springs
Office: 719-385-5470
Cell: 719-627-1148

From: Hank Bargine [mailto:hbargine@aol.com]
Sent: Wednesday, June 20, 2018 9:17 PM
To: Skorman, Richard; Susie Chambless
Subject: Airbnb meeting

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Hi Richard

My name is Hank Bargine and I'm a journalist who has for years worked for CBS News and have had the privilege of interviewing you numerous times regarding Colo Spgs issues.

I am writing to you in hopes of finding an ear to listen to my issues related to the latest attack on airbnb's here in Colorado Springs.

I have just read the DRAFT ordinance relating to airbnb's and how it over reaches in diminishing the availability of these resources of the community.

First off, my wife Trudy and I just invested in a tri-plex here in the Old North End this past September.

We invested our life savings into this property with the intent of developing two of the units into short term rentals. We've invested thousands of dollars in the renovation of these properties.

We've utilized Colorado Springs contractors, purchased our furnishings from local stores and nurseries. Stated in the proposal is the intent to keep neighborhoods integrity.

I think if you drive around any neighborhoods - you can easily pick out who the long term renter homes there are. They are the homes that are not taken care of. The homes that Douglass Bruce owns

could easily be replicated in many of the ill maintained properties that are long term rentals. As for the short term rental properties, you have to really make them attractive to be competitive. So that argument really does

not stand up.

I have to really wonder why this ordinance is being considered at all. What special interest is being served here?

One can only look as far as the hotel lobby to see why this initiative is being presented.

Colorado Springs has always had a libertarian bent to it's politics - which makes this ordinance totally out of whack with freedom of the entrepreneurial mindset of our leaders.

Something doesn't smell right, don't you agree?

This also seems like it is being shoved down our collective throats without due process.

The tri-plex that my wife and I just bought will now with the proposed changes provide a fraction of income that our investment and renovation called for.

I feel like I'm being robbed to incentivize another Comfort Inn to be built here.

I don't know about you - but I was talking to my wife the other day and wondering how wonderful it would have been to be able to stay at Airbnb's when our kids were younger instead of the tired old hotel rooms with two

queen beds in it — and pay what you pay now for a complete house that seems like home.

Do we want to turn back the clock and limit these options?

If we need to create this ordinance - please limit this ordinance to two units instead of one. It is over reaching and not necessary. Who are protecting — really?

Sincerely,

Hank and Trudy Bargine

Hank Bargine Productions Inc
14 East Caramillo Street
Colorado Springs, CO 80907
719-337-6686
www.freelancevideo.com

From: [Sunderlin, Katie](#)
To: [Herington, Meggan](#); [Hammes, Mitchel](#)
Subject: FW: Short-Term Rental Ordinance Draft
Date: Thursday, June 21, 2018 3:17:03 PM

You guys are working on this correct?

Katie Sunderlin, *Architect*

LEED AP BD+C

Neighborhood Development Outreach Specialist

Neighborhood Services

719-385-5773

sunderka@springsgov.com



From: Miller, Kristie
Sent: Thursday, June 21, 2018 8:40 AM
To: Sunderlin, Katie <sunderka@springsgov.com>
Subject: FW: Short-Term Rental Ordinance Draft

Hi Katie,

We received this in our Community Development email and the ladies here thought you might know who this should be directed to. Do you have any idea?

Thanks,

Kristie Miller

Administration Technician

Community Development Division

City of Colorado Springs

719.385.5341 (O)

krmiller@springsgov.com



From: Andrea Riedner [<mailto:andrea@riedner.us>]
Sent: Wednesday, June 20, 2018 3:52 PM
To: Community Development
Subject: Short-Term Rental Ordinance Draft

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Hello,

Last week I had the unexpected opportunity to learn about the draft of a new ordinance for short term rentals and went to a community meeting at the East Library.

I am in favor of doing things right and well. Two things that seem to me a bit unrealistic in the requirements and I am hereby requesting to hear my concern:

1. On Self-Inspection list, exterior: all exterior doors provided with screens: that would be fine for the porch and is ok for windows, but the front door would have to be changed or adjusted to make this work and I don't really see the point in it. It will definitely be difficult and look terrible.
2. On Self-Inspection list, interior safety: extension cords, I understand that part in general, but perhaps it could put in an allowance for the TV and related gadgets as there is no way that whatever all can be plugged in and is used in connection with the TV will reach as many outlets as needed as those things are usually all used within reach of the TV and connected. Perhaps you could find some sort of wording that allows specifically save extension devices by the TV.

I feel you are leaving a lot of room for people to 'lie' on the form if the two above things aren't adjusted.

Blessings,
Andrea Riedner
719-287-3260

From: [Lauren Molenburg](#)
To: [Herington, Meggan](#)
Subject: Short Term Rental Legislation - Proposal of Changes to the Draft
Date: Thursday, June 14, 2018 12:37:14 PM

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Good morning, Meggan,

My name is Lauren Molenburg, I am a short term rental owner in the Pikes Peak region with over 5 years of experience in the area. I have read what I believe is the most current draft of the City of Colorado Springs' proposed rules regarding short term rentals, and I would like to offer my feedback on the subject.

First, I applaud the City for their efforts to create definitions and certain regulations for this area, and I believe most of what is in place is both fair and appropriate. As a short term rental manager, having standards is what makes this business work so well for guests, me as a manager and owner, and for the neighbors.

However, I would like to raise concerns for a few of the things I read.

SHORT TERM RENTAL UNIT PERMIT REQUIRED:

"The short term rental unit permit does not run with the property, but is issued to a specific owner of the property. The permit shall not be transferred or assigned to another individual, person, entity or address. Further, a permit does not authorize any person, other than the person named therein, to operate a short term rental unit on the property."

As a manager, I would obtain a permit and sales tax license on behalf of the owner, and accept reservations and payments for that property under my business name for the owner. This language seems too vague to me. It seems like the license would only be issue-able to an owner without giving them the ability to hire a manager to run the rental. This language should be amended to allow a manager working on behalf of an owner to obtain a permit. I also think it should be allowed for the permit to be in the name of the manager or management company rather than the owner.

SHORT TERM RENTAL UNIT PERMIT REVIEW CRITERIA:

"Limit one (1) short term rental unit per building or property; or in an event of condominiums or buildings held in similar common ownership, each owner shall be limited to one (1) unit per building or property. Entities under common control shall be considered a single owner for the purpose of evaluating ownership units."

This seems too limiting. As an owner, if my property allows, I should be able to build additional accommodations to increase the number of guests I can host. For example, if I owned a piece of property which would allow a second home to be built, I should be able to do so and then rent each unit on the property separately or together.

I know on certain websites like Airbnb and VRBO renting a "mother-in-law suite" or "carriage house" type of unit in addition to the main house is common. Those are just examples.

Again, as a property manager, I would want to obtain a permit on behalf of an owner, and if I had two owners in one condominium building, it seems like I would not be able to get a permit for more than one unit. Further, as a unit owner, if I had more than one unit, I should be allowed to rent both units as short term rentals.

All guests would have to adhere to "good neighbor" policies and rental rules set forth by the city and me as a manager/owner. As an owner or manager, I would be responsible for the "up-keep" of the home, so the neighborhood or building aesthetic would not be affected. Limiting the rentals per common building or per property is an unnecessary limitation.

"The owner shall maintain weekly residential trash collection services. Outdoor trash bins shall be screened from public view or kept inside of a structure or garage."

I agree that outdoor trash bins should be screened or trash should be kept in a certain area or structure like a garage, but I disagree that weekly trash collection should be required. Right now, for the properties I manage, I have no weekly trash service. I remove all trash at the end of each reservation and dispose of it properly myself. My guests are only required to keep trash in the designated area (in the large bins in the garage).

Guests are here on vacation, they don't want to wake up to put out the trash bins for weekly collection, nor do they want me there to disturb them to get the trash. Further, if they put it out the night before, that invites animals to get into it, wind to knock it over, and creates a mess.

I understand the idea behind keeping trash out of the way and sight of neighbors, but I think there is more than one way to accomplish that goal without *requiring* weekly trash service.

RULES AND REGULATIONS

"Use of the short term rental unit for a commercial or large social events or gatherings that may include attendees other than the short term tenants, such as weddings, is prohibited."

Again, I think this is too limiting. We have 2 Air Force bases, 1 Army base, UCCS, and the Air Force Academy here in town. Much of our tourism comes from families visiting families or students living here in the Springs. If tenants want to invite their families or students over for a meal, Christmas gift exchange, graduation celebration, etc., this rule forbids them from doing so. I think limits should be made for the number of visitors that tenants can invite to the rental while they are staying (150-200% of the total sleeping capacity) but I don't think it should go so far as to prohibit tenants from having visitors or guests of their own. For example, if a home sleeps 10 people, no more than 15-20 people total should be allowed at that home, and no one that is not on the reservation is allowed to spend the night.

--Final thoughts--

I think I saw in a previous draft that there would be a limit to the number of reservations per week. However, I often have very short reservations (2-3 days) especially during the slower winter months. Limiting my total reservations per week would go against the bottom line of owning or managing a short term rental. And as a manager with a fiscal responsibility to my owners, imposing a limit of reservations per week hurts them as well.

Please feel free to reach out at any time if you need clarification for the points I made. Thank you for your time and for your consideration.

Sincerely,



Lauren Molenburg

Owner

[\(719\) 581-7474](tel:(719)581-7474)

lauren@stayoutwest.com

www.stayoutwest.com

From: [Dean Remillard](#)
To: [Hammes, Mitchel](#)
Cc: [Herington, Meggan](#); [Webb, Cody](#)
Subject: Re: Dean Remillard here from last night's meeting
Date: Thursday, June 14, 2018 11:26:42 AM
Attachments: [image001.png](#)

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Hi Mitch,

Thank you for responding so quickly to my email. I appreciate you copying Cody Webb & Meggan Herington on my email as well, since I was not able to connect with Meggan after last night's meeting. (Thank you for your research and hard work on this initiative, Cody & Meggan.)

Thank you for your offer to help me craft a CORA request, as I am not an expert on such matters. I am mostly wanting to determine the number of complaints that are logged each month for each of the categories that exist within your record-keeping database. I don't know if you have additional categories- such as hotel/motel complaints, home businesses, etcetera, or if you only have data for the two categories of long-term rental and owner-occupied complaints. I would be interested in the number of complaints for each distinct category. Furthermore, if you had a breakdown of the nature of complaint for each different property-use type, that would be helpful. Is that too broad a request? Additionally, I am not sure if I understood you to say that you get 5 complaints a month that are caller-identified as short-term rental related. Any clarification on this best guesstimate is greatly appreciated.

I look forward to hearing from you all, and I believe that we are all working towards bettering our neighborhoods, while preserving individual property owner's rights.

Thank you for the time and attention that you have already put into this matter, and for your responses to my inquiries,

Dean Remillard
719-371-1651

On Thu, Jun 14, 2018 at 10:07 AM, Hammes, Mitchel <mhammes@springsgov.com> wrote:

Hi Dean,

Thank you for your email and for attending CONO's quarterly meeting last night. Your questions as to the ordinance language and research will best be answered by Cody Webb or Meggan Herington, both of whom I've copied on this email so that they can respond directly.

With regard to CORA requests, all of Neighborhood Services records are subject to CORA. We can certainly provide responsive records pertaining to long-term rental complaints and owner-occupied complaints. I am more than happy to help you craft your CORA request so that you are able to quickly obtain the specific records you want. Overly broad requests usually result in long delays and a large invoice for time and materials. We do not keep records concerning calls or complaints that do not fall under the purview of Neighborhood Services. Because there are currently no regulations in effect regarding short-term rentals, we would not have any responsive records to provide in response to a CORA request about short-term rentals.

If there is anything else I can do, please don't hesitate to let me know.

Sincerely,

Mitch Hammes

Neighborhood Services Manager

City of Colorado Springs

(719) 385-5583 office



From: Dean Remillard [mailto:wdremillard@gmail.com]

Sent: Thursday, June 14, 2018 8:29 AM

To: Hammes, Mitchel <mhammes@springsgov.com>

Subject: Dean Remillard here from last night's meeting

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Good Morning Mitch,

I trust that you made it on time to pick up your son from his drum line at 8 PM. I think that people were still wanting to address the issues probably well past when I had to leave. Thanks to you and Meggan for spending your evening going over the proposed changes and for taking a minute to speak with me. I know that it is a thankless job, and that you will be facing opposition each time you present to different groups.

I hope you don't mind my asking a few questions that might help me understand the process. Can you possibly send me a list of the municipalities whose ordinances you reviewed and used as a reference to help you and your team craft the proposed language? Also, are complaints that come into your department subject to CORA? I am particularly interested in the types of complaints and how many involve short-term rentals, long-term rentals, and owner-occupied units.

Once again, thanks for your hard work in attempting to come up with solutions that address citizen concerns, as well as protect the rights of other citizens.

Dean Remillard

Old North End

719-371-1651

From: [Tim Thornton | Tov Property Solutions](#)
To: [Herington, Meggan](#)
Subject: Follow up you requested on STR ordinance
Date: Thursday, June 14, 2018 10:57:21 AM

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Dear Meggan,

Thank you for your hard work on this issue and for a great meeting last night at the library, and thank you specifically for validating my concerns and those of everyone in the meeting.

You asked me to follow up with you today in regards to the language in 7.5.1702 B on page 4 of the draft.

To recap and add specificity, my concern is that **the language seems to say that only owners can operate short term rentals**, by saying that permits are issued to owners and then subsequently that "a permit does not authorize any other person, other than the person named therein, to operate a short term rental on the property."

It seems the draft just wasn't written with owners who do not self-operate in mind.

You indicated that the intent of that section was to issue a permit to an owner who will remain ultimately responsible and accountable for the STR, rather than to prohibit owners from contracting with businesses like mine which provide management solutions to owners who cannot or do not wish to self-operate their STR.

Since that is the case, it seems that a revision of the language would be helpful, as you said particularly around the term "operate." For the many managers and tenant operators like me who operate with the knowledge and approval of owners for their benefit and ours, **it is extremely important that the ordinance clearly state that owners may employ a co-host, hire a manager or rent to a tenant who will responsibly operate the short-term rental in accordance with the law, with the understanding that the owner as the permit-holder is ultimately responsible to make sure the management solution they choose is operating properly.**

Or alternatively, you might consider allowing a manager or tenant to hold the permit so that accountability can be brought directly to the responsible party but I'm sure there would be many other factors in that decision.

I also wish to reinforce a second concern which I heard someone else bring up to you after the meeting, which is that many owners and hosts (myself included) are operating two STR spaces on one lot. **If this ordinance goes through with the prohibition of more than one STR per legal lot intact, hosts will be forced to cancel bookings that already exist in order to remain compliant** (many hosts are booked 2-3 years in advance). As you can imagine, channels like Airbnb and VRBO take cancellations very seriously and penalize hosts across all their listings

for cancelations. **As a result there is a very real danger that hosts will be penalized, receive bad reviews on social media, and even lose their accounts on Airbnb/VRBO which could quite realistically cost them their businesses if no consideration is given to grandfathering in owners and hosts who are already operating more than one STR per lot, not to mention it seems fair to give owners and tenants a chance (as was mentioned) to recoup their significant investments (as one neighbor mentioned--her life savings) which they made under the existing laws.**

Thanks again for considering these important factors. I'd be very happy to talk on the phone or correspond further at any time if I can provide further clarity.

Tim Thornton
Tov Property Solutions LLC
719.337.0198 | <http://tovproperty.com>
Full Service Short-Term Rental/Vacation Rental Management

From: [Kathy Zehringer](#)
To: [Herington, Meggan](#)
Cc: [Gaebler, Jill](#)
Subject: Re: Short Term Vacation Rental Ordinance
Date: Tuesday, June 12, 2018 1:33:37 PM
Attachments: [image001.png](#)

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Thanks for your response, Meggan, & for bringing Jill into this conversation.

I am still very unhappy with this ordinance because, in my view, it's not proactive & community building in any way, shape or form. It reads like it was developed to address the needs of a few harmed neighborhoods (I would imagine Patty Jewett with poor parking being one) due to a few bad actors (I would imagine off site owners) while penalizing the majority of the people, like ourselves, that are engaged, proactive short-term rental owners. I thought the purpose of this ordinance was to be able to penalize and remove those who I would classify as bad actors because they overbook their rentals, are not on site, and do not resolve neighbors' issues in a timely manner. Instead, it overreaches to add limitations to the majority of people, like ourselves, who are on-site owners & resolve any issues (there have been none) by talking to our neighbors in a proactive and responsive way. To me, if someone is sited twice as stated in this ordinance, they can no longer operate as a short-term rental property & the ramifications should be significant enough to enforce & protect neighborhoods. But to limit my rights, as a property owner to host short term rentals because of the bad actions of a few, is unacceptable.

To review your responses:

- *If a web platform is collecting sales tax for the City an owner DOES NOT need a separate sales tax license. However, if an owner advertises on Airbnb and separately through another website that does not collect the sales tax for the owner, sales tax collection by the owner for the other bookings that are not Airbnb bookings will be required. **The ordinance wording simply needs to be adjusted to reflect this so that the City Clerk isn't overwhelmed with new sales tax license applications to administer.***
- The limit of 1 short term rental per property came as a result of a discussion that there are numerous communities that require that the owner live on the property as their primary residence for a certain number of months out of the year. There are arguments on both sides of this. Neighbor representatives felt that this gives responsibility and could control issues better. Those that are more pro short term rental felt something like this was unacceptable. Parties on both sides agreed to the one per property concept. ***Were owners that live on the property as their primary residence & do short term rentals represented in this discussion? It sounds like this was an acceptable compromise for off-site owners to retain any short-term rental privileges at a major cost to me as an on-site owner. I was not represented. This is where I wonder if any concrete data was looked at to see the impact of this ordinance. The questions below should have been answered with concrete data to know the impact of the ordinance you were developing & if it was truly solving the problem you set out to solve – I would like to see the data on these:***
 - ***Number of total short-term rentals in the city of Colorado Springs.***
 - ***Number of complaints related to short term rentals in Colorado Springs & the areas with the density of complaints.***
 - ***Percent of short-term owners that live on the property as their primary residence.***

- **Percent of short-term owners that live on the property & have one or more short term, legal rentals.**
 - **Percent of short-term rentals with off-site owners.**
 - **Relationship between complaints lodged & types of owners – on-site & off-site.**
 - **Amount of LART & total sales tax revenues paid by short-term rentals last year.**
 - **What would be the total LART & sales tax dollar impact, based on last year's LART revenues from short-term rentals, if limits of 1 rental every 7 consecutive days as well as the limit of 1 rental per property were imposed?**
- Similarly, neighborhoods are feeling like there is too much turn-over. This also is part of the larger conversation related to how problems with short term tenants are resolved AND how to limit short term rentals; the fear that an out of town owner comes and purchases an entire block for short term rentals OR a full duplex or 4-plex and all units are short term rentals. The 7 days, one rental per property and local contact requirement all attempt to gain compromise between owner needs and neighbor needs. **Again, where is the data behind "neighborhoods are feeling like there is too much turnover..." What is "too much turnover" & how does that impact them? And, how many out of town owners have come in to purchase entire blocks for short term rentals or full duplexes? Once again, the fears of "neighborhoods" about off-site owners result in my rights as an on-site owner being hurt. It makes no sense to me.**
- But let me ask you a question. Now that it is clarified that you don't need a separate sales tax license if advertising with a site that collects on your behalf, your remaining concerns are the 7 consecutive days and the 1 rental unit per property. **WHAT IF the 7 consecutive days was deleted and the 1 rental per property remained. Is that better? It helps to delete the 1 booking every 7 consecutive days but it still is unnecessarily harmful to us as on-site owners if the 1 rental per property remains. As you & Jill are well aware, we made a decision to invest over \$200K to build a cottage to ADD to our short-term rental potential along with our in-home suite. To conform to this ordinance as currently written, it would cost us \$9,000 - \$12,000 of income since we wouldn't be able to rent the suite in our home as we have done for the past two years even though we are an R-2 property & would be living in our home as we rent it. This is income that we were planning to use to age in community proactively. And, there's the added impact of \$900-1200 in lost sales/LART tax revenue in our case alone. Multiply that by the number of units arbitrarily eliminated to solve the problems of a few and it could be quite an impact!**

In conclusion, we have done everything right to start and run our Air Bnb responsibly and proactively, as well as to build a cottage to do the same with. We have more than adequate parking, have met all the requirements of the city/RBD, & plan to continue to do so. We did this with the objective of creating retirement income on our debt-free home so that we can continue to age in the neighborhood & home we love so much – something that is a stated priority of Colorado Springs as an Age-Friendly community. We also are fantastic community builders through our Air Bnb as we show our guests Colorado Springs through our eyes &, consequently, 10-15 of our guests have either moved here or are preparing to move here since staying with us. Our cottage is a great example of extremely well done in-fill – another stated city priority. We plan to use it as we get older, too, as "flipped housing" where we would live in the cottage while a young family lives in the main house – sharing resources & aging in community. Quite simply, we are a living, breathing example of what this community is trying to create for baby boomers as they age! This ordinance limits and harms us unnecessarily. It's demoralizing, to say the least.

I think that we need to truly understand the problem we're trying to solve & the impacts of this ordinance. Currently, it has too many unintended consequences. Perhaps that means having two rule sets: one for on-site owners as their primary residences and one for off-site owners but, as currently written, it punishes those of us who are not part of the problem.

Also, I would love to show you both around our cottage and home sometime soon so you can see the vision that we're creating for our neighborhood and community using Air Bnb rentals as part of our toolset. Are you available some morning this week? There are so many positive examples of short term rental owners building and adding to our Colorado Springs community, and I just want to ensure that we consider the full short-term rental picture in this ordinance process – not just those creating the problems.

Please let me know your thoughts on how best to influence this process. I look forward to hearing the answers to my questions cited above since they should be included as part of this review process. I will also do my best to get this ordinance out to people to review & provide written feedback. I have been surprised by how few people know about this or have seen it – including almost all Air Bnb owners that I've talked to.

Best,

Kathy Zehringer
(719) 210-5777

From: "Herington, Meggan" <mherington@springsgov.com>
Date: Sunday, June 10, 2018 at 8:49 PM
To: Kathy Zehringer <kazehringer@gmail.com>
Cc: "jgaebler@springsgov. com" <jgaebler@springsgov.com>
Subject: RE: Short Term Vacation Rental Ordinance

Kathy, I will try to address a few of your concerns. Councilwoman Gaebler has been involved in the process and I copied her so that she is in the loop on correspondence.

- If a web platform is collecting sales tax for the City an owner DOES NOT need a separate sales tax license. However, if an owner advertises on Airbnb and separately through another website that does not collect the sales tax for the owner, sales tax collection by the owner for the other bookings that are not Airbnb bookings will be required.
- The limit of 1 short term rental per property came as a result of a discussion that there are numerous communities that require that the owner live on the property as their primary residence for a certain number of months out of the year. There are arguments on both sides of this. Neighbor representatives felt that this gives responsibility and could control issues better. Those that are more pro short term rental felt something like this was unacceptable. Parties on both sides agreed to the one per property concept.
- Similarly, neighborhoods are feeling like there is too much turn-over. This also is part of the larger

conversation related to how problems with short term tenants are resolved AND how to limit short term rentals; the fear that an out of town owner comes and purchases an entire block for short term rentals OR a full duplex or 4-plex and all units are short term rentals. The 7 days, one rental per property and local contact requirement all attempt to gain compromise between owner needs and neighbor needs.

But let me ask you a question. Now that it is clarified that you don't need a separate sales tax license if advertising with a site that collects on your behalf, your remaining concerns are the 7 consecutive days and the 1 rental unit per property. WHAT IF the 7 consecutive days was deleted and the 1 rental per property remained. Is that better?

Planning Commission and Council can make adjustments based on citizen input. I will provide all correspondence as part of my report and public testimony will be heard. The City Planning Commission will hear this item on June 21st. The hearing will be held at City Hall in Council Chambers. While the hearing starts at 8:30, I expect that this item will not start until 10 am at the earliest. Your comments will be attached to the report and you are encouraged to attend to voice your requested changes and opposition.

At this point staff has received very little input on this ordinance. I continue to ask the Chamber/EDC, Visitors Bureau, Small Business Alliance and Downtown Partnership to distribute this as well as CONO, OWN, ONEN and about 20 other HOA's that have contacted the City. If changes are made based in input received I will keep you in the loop. We can also meet to discuss if you would like. As this ordinance is presented I will be sure to stress the upset with the 7 day rule.

Thank you for the time and the comments.



Meggan L. Herington, AICP
Assistant Director of Planning

Phone: (719) 385-5083
Email: mherington@springsgov.com

From: Kathy Zehringer [mailto:kazehringer@gmail.com]
Sent: Tuesday, June 05, 2018 12:45 PM
To: Herington, Meggan
Subject: Short Term Vacation Rental Ordinance

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Hi Meggan,

Thanks for sending this to me. I've been working away at building our cottage so I apologize for my delayed response.

My deepest concern with this ordinance is around the 1 rental in a consecutive 7-day period (17.5.1706 – G) which is the antithesis of Air BnB & short-term rentals. I'm wondering how & why this is part of the

document? That would hurt a great deal of law-abiding, neighborhood-respecting short-term rental owners in Colorado Springs. I also think it would ultimately cost the city a substantial amount of LART tax revenues – has anyone looked at this impact? When I last talked with you, this ordinance was all about establishing a mechanism to identify & proactively license short term rental owners but not to limit them if they're abiding by the zoning, parking, & noise/nuisance requirements of the city. What happened? Does it have to do with having property owners living on site? Would it be possible to do an "either/or" condition which would say that when a property owner is not living on site, then only 1 rental per 7-day period is allowed?

We're in the midst of making a substantial financial commitment to generate additional income at our residence through the cottage that we're building – in accordance with every requirement the city/RBD has leveled upon us - which is no small feat! Now, you send me this. It's demoralizing & truly unacceptable to see that this new proposed ordinance would substantially limit our flexibility & possibility of creating strong cash flow to allow us to age in our neighborhood comfortably & create a strong model of in-fill. It definitely flies in the face of the city's pro-infill and age friendly initiatives, too.

I'm also concerned with several other clauses including:

- Limit of one short term rental per building or property. We will have the cottage (separately metered & addressed at 844 N. Spruce) & a room in our house... which are two separate buildings so I believe we are compliant?
- The requirement to get a sales tax license with the city is a bureaucratic nightmare for myself as a property owner since my rental platform (Air BnB) collects our full 10.25% tax rate (including LART) based on an agreement with the city. It also will create a huge & unnecessary workload for the city to administer the sales tax reporting requirements for every short-term owner especially when Air BnB owners will have nothing to report. This needs to be changed to match the liability clause so that people that have hosting platforms collecting LART don't need to have a sales tax license & the city isn't overwhelmed with needless sales tax licenses to administer.

In conclusion, Meggan, I am really discouraged by the lack of visibility into this process and by this proposed draft. It's short-sighted & terribly limiting of my rights as a responsible property owner. Additionally, it's not what you represented to me when I asked to be on the board to discuss this licensure. At this point, what do you specifically recommend I can do to ensure these key items are revised and addressed? It really must happen.

Thanks & I look forward to hearing from you,

Kathy Zehringer
(719) 210-5777

To: "kazehringer@gmail.com" <kazehringer@gmail.com>

Subject: Short Term Vacation Rental Ordinance

Hello Kathy. I hope all is well. Attached is the proposed vacation rental ordinance and information that I've been sending to interested citizens. Let me know if you have questions. Thanks, Meggan

From: Herington, Meggan

Sent: Thursday, May 10, 2018 3:28 PM

To:

Subject: RE: Zoning concern

Last year you contacted the City related to short term vacation rentals. Staff will be presenting an ordinance to Planning Commission and City Council this summer that proposes a community standard for vacation rentals. That draft document is attached for your review. Also note that there will be a proposed \$120.00 fee for the short term rental unit permit. This is a one-time fee. The ordinance proposes revocation of the permit for not complying with the standards described in the document.

Please send any comments of support or opposition to me via email and I will include that in the packet that moves to the public hearing process. The schedule for public hearings is as follows. Ultimately, City Council will have the final vote. Please feel free to contact me if you have questions. Thank You, Meggan

JUNE 13 - Presentation at CONO quarterly neighborhood group meeting

JUNE 14 - Presentation to CONO Board

JUNE 21 - City Planning Commission Hearing

JULY 9 - Introduction at Council Work Session

JULY 24 - First Reading and Formal Hearing at City Council

AUGUST 14 - Second Reading and Adoption of Ordinance

** Ordinance will give Short Term Rental Owners 90 days to come in for a permit.

Staff will also be working through the summer with business groups to educate short term rental owners on the requirements. Please let me know if you have any questions. Thank You, Meggan

<image001.png>

Meggan L. Herington, AICP

*Assistant Director of
Planning*

Phone: (719) 385-5083

Email: mherington@springsgov.com

From: [Tammy Fields](#)
To: [Herington, Meggan](#)
Subject: RE: Short Term Vacation Home Rentals
Date: Monday, June 11, 2018 5:38:03 PM
Attachments: [image001.png](#)

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Meggan – it looks good to me. I’ve shared it with a few people (Hannah Parsons being one, since she was in on this conversation in the beginning). I’ll let you know if I get any other feedback.

Tammy

Tammy Fields

Chief Economic Development Officer

Tel: 719.884.2836 | Cell: 719.213.0616



cscedc.com | [twitter](#) | [facebook](#) | [linkedin](#)

From: Herington, Meggan <mherington@springsgov.com>

Sent: Monday, June 11, 2018 2:22 PM

To: Doug Price <doug@VisitCOS.com>; Rachel Beck <RBeck@cscedc.com>; Tammy Fields <TFields@cscedc.com>; Ian Lee (ianjacob.lee@gmail.com) <ianjacob.lee@gmail.com>; ianjacoblee@gmail.com

Subject: Short Term Vacation Home Rentals

All, As you are aware we are trying to move the Short Term Vacation Rental ordinance to Planning Commission this month. While I feel that we have outreach to HOA’s, I would like additional outreach to owners. There has been very minimal input on this language to date.

CPC is June 21st. I’d ask that you please review this draft ordinance and provide me with any comments as soon as you can. Please also share with others. Thank You, Meggan



Meggan L. Herington, AICP

Assistant Director of Planning

Phone: (719) 385-5083

Email: mherington@springsgov.com

City of Colorado Springs
30 South Nevada Avenue, Suite
105
Colorado Springs, CO 80901

PlanCOS

Planning & Community Development Home | [Look At Applications Online](#) |

FIGURE 4

[LEADING THE WAY TO
OUR FUTURE](#)

Links: [FAQ Meeting Request](#) | [Applications and Checklists](#) | [Historic Preservation](#)

From: [Doug Price](#)
To: [Herington, Meggan](#); [Rachel Beck \(RBeck@cscedc.com\)](mailto:RBeck@cscedc.com); [Tammy Fields \(TFields@cscedc.com\)](mailto:TFields@cscedc.com); [Ian Lee \(ianjacob.lee@gmail.com\)](mailto:ianjacob.lee@gmail.com); ianjacoble@gmail.com
Subject: RE: Short Term Vacation Home Rentals
Date: Monday, June 11, 2018 4:37:30 PM
Attachments: [image002.png](#)
[image003.png](#)

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Thanks Meggan – looks very comprehensive to me. No further edits at this time.

Regards,

Doug Price, IOM
President & CEO
Direct: 719.685.7633



From: Herington, Meggan <mherington@springsgov.com>
Sent: Monday, June 11, 2018 2:22 PM
To: Doug Price <doug@visitcos.com>; Rachel Beck (RBeck@cscedc.com) <RBeck@cscedc.com>; Tammy Fields (TFields@cscedc.com) <TFields@cscedc.com>; Ian Lee (ianjacob.lee@gmail.com) <ianjacob.lee@gmail.com>; ianjacoble@gmail.com
Subject: Short Term Vacation Home Rentals

All, As you are aware we are trying to move the Short Term Vacation Rental ordinance to Planning Commission this month. While I feel that we have outreach to HOA's, I would like additional outreach to owners. There has been very minimal input on this language to date.

CPC is June 21st. I'd ask that you please review this draft ordinance and provide me with any comments as soon as you can. Please also share with others. Thank You, Meggan



Meggan L. Herington, AICP
Assistant Director of Planning
Phone: (719) 385-5083
Email: mherington@springsgov.com

City of Colorado Springs
30 South Nevada Avenue, Suite
105
Colorado Springs, CO 80901



Links: [Planning & Community Development Home](#) | [Look At Applications Online](#) | [FAQ Meeting Request](#) | [Applications and Checklists](#) | [Historic Preservation](#)

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

From: [Clayton Clabaugh](#)
To: [Herington, Meggan](#)
Subject: Re: Zoning concern
Date: Monday, June 11, 2018 7:52:00 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Meggan,
Thanks for keeping me in the loop.

Regarding the ordinance language can I find out who wrote it, who had input on it besides the author, and what the council meeting process is? Are we there to speak into it or is this draft pretty much what the city has decided and the Mayor and Council make a decision on 6/21?

Is there a way to get more detailed information on the following items?

7.5.1704.D - Trash cans and service - if the residence has normal weekly trash service for the entire property, can those receptacles be used to meet this section of the ordinance? What if those trash cans are kept out in the open in the alley of the home as other homes do?

7.5.1704.E - While not applicable to my situation, what if the vacation rental has a value of only \$250,000. Why would the property liability limit be set at a minimum of \$500,000?

7.5.1706.G - What is the logic behind the limitation of one rental in a 7-day period? This specific item is highly problematic as it effectively puts us out of business. The very nature of "short-term vacation rental" means we have guests staying 2 nights. This subsection of the ordinance would mean that our property sits empty 5 out of seven days and this would have a material financial impact on us.

Thanks for your help.

Sincerely,
Clayton

Be courageous, have faith, go forward.
- Thomas Edison

On Sun, 10 Jun 2018 at 19:22, Herington, Meggan <mherington@springsgov.com> wrote:

Planning Commission starts at 8:30 am at Council Chambers, 3rd Floor of City Hall. While the hearing will start at 8:30 there are several items before this. I'd guess that it will be about 10 am before the vacation home ordinance is heard. Thanks!

City Logo 2016



Meggan L. Herington, AICP

Phone: (719) 385-5083

Assistant Director of Planning

Email: mherington@springsgov.com

From: Clayton Clabaugh [mailto:clayton.clabaugh@gmail.com]

Sent: Sunday, June 10, 2018 6:30 PM

To: Herington, Meggan

Subject: Re: Zoning concern

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Thanks Megan. What time and where?

Clayton

On Sun, Jun 10, 2018 at 6:27 PM Herington, Meggan <mherington@springsgov.com> wrote:

Good Evening, I wanted to send a reminder that City Planning Commission will hear this item on Thursday, June 21st. Please provide staff any comments or concerns to relay to the decision makers. Thank You, Meggan

City Logo 2016



**Meggan L. Herington,
AICP**

Phone: (719) 385-5083

*Assistant Director of
Planning*

Email: mherington@springsgov.com

From: Herington, Meggan
Sent: Thursday, May 10, 2018 3:28 PM
To: 'clayton.clabaugh@gmail.com'
Subject: RE: Zoning concern

Mr. Clabaugh,

In June of last year you contacted Councilwoman Gaebler related to short term vacation rentals. Staff will be presenting an ordinance to Planning Commission and City Council this summer that proposes a community standard for vacation rentals. That draft document is attached for your review. Also note that there will be a proposed \$120.00 fee for the short term rental unit permit. This is a one-time fee. The ordinance proposes revocation of the permit for not complying with the standards described in the document.

Please send any comments of support or opposition to me via email and I will include that in the packet that moves to the public hearing process. The schedule for public hearings is as follows. Ultimately, City Council will have the final vote. Please feel free to contact me if you have questions. Thank You, Meggan

JUNE 13 - Presentation at CONO quarterly neighborhood group meeting

JUNE 14 - Presentation to CONO Board

JUNE 21 - City Planning Commission Hearing

JULY 9 - Introduction at Council Work Session

JULY 24 - First Reading and Formal Hearing at City Council

AUGUST 14 - Second Reading and Adoption of Ordinance

** Ordinance will give Short Term Rental Owners 90 days to come in for a permit.

Staff will also be working through the summer with business groups to educate short term rental owners on the requirements. Please let me know if you have any questions. Thank You, Meggan

City Logo 2016



Meggan L. Herington,
AICP

Phone: (719) 385-5083

*Assistant Director of
Planning*

Email: mherington@springsgov.com

Begin forwarded message:

From: Clayton Clabaugh <clayton.clabaugh@gmail.com>
Date: June 15, 2017 at 5:57:00 PM GMT+2
To: <jgaebler@springsgov.com>
Subject: Zoning concern

Hi Jill,

I have a concern I'd like your help/advice on.

I live at [1519 N. Tejon, close](#) to Caramillo. I spoke with Jeff Huddleston at the zoning department and he said my only option was to speak with you.

Our next door neighbor at [1515 N. Tejon](#) has converted his home into multiple Vacation Rental units. He lives on the property. I too have a vacation rental in my garage apartment (with off street parking).

My issue is that our street is zoned single family and allows for one long-term rental unit. The vacation rental code skirts this restriction and allows him to have as many short-term rentals as he wants. I believe he mentioned building a small unit on the back of his lot and then converting his whole home into multiple short-term rentals.

This is not in line with the spirit of the zoning rules. So now I have his tenants parking in front of my house and our other neighbor's homes, often forcing us to park our cars in front of other homes. I have a constant stream of people I don't know coming down the side of our house to enter in the rear of his home, and I have to listen to his dogs bark incessantly at strangers.

There is no doubt that this conversion to apartments will impact my property value. It has impacted my enjoyment of my property.

I hope you can help us with this situation.

Thank you,

Clayton

512-785-7055

Be courageous, have faith, go forward.

- Thomas Edison

--

Be courageous, have faith, go forward.

- Thomas Edison