

From: [Wufoo](#)
To: [Rodenburg, Jasmine](#); [Ott, Jean](#); [Hackett, Richard](#)
Subject: Submit a Public Comment on DC-19-0005 [#12]
Date: Thursday, October 15, 2020 5:05:44 PM

Name * Janace Cole

Email * janace@comcast.net

Phone Number * (303) 530-1772

Address * 6349 Waxwing Court
Niwot, CO 80503
United States

Is your primary residence in Boulder County, Colorado? * Yes

What are your thoughts and comments on proposed updates to the the Boulder County Land Use Code related to Short-term Dwelling Rentals and Bed and Breakfast uses? *

I am against short term rentals and Bed and Breakfast rentals in the area where I live. When I moved here several years ago, one of the attractions was that it was only homeowners who lived in the houses --- there were no short term rentals. We know who our neighbors are and what vehicles they drive. I do not want to see strangers moving in and out. And, rentals might increase traffic. They might change the character of the neighborhoods. Thank you.

Please check box below *

- I acknowledge receipt of the Open Records Notification

From: [Deborah Denser](#)
To: [Rodenburg, Jasmine](#); [Hippely, Hannah](#); [Ott, Jean](#)
Subject: FW: Short-term rental parties continue unchecked during pandemic
Date: Friday, October 16, 2020 9:50:22 AM

Good Morning,

I thought this might be interesting to you ladies with enforcement and how difficult it can be, especially with Covid.

*Good Luck,
Deborah Bates-Denser*

From: Christa Watson [mailto:christa@granicus.com]
Sent: Friday, October 16, 2020 9:36 AM
To: dbdenser@comcast.net
Subject: Short-term rental parties continue unchecked during pandemic

Hi Deborah,

While bars and restaurants across North America are closing – or remain closed – due to public health requirements, short-term vacation rental (STR) parties are in full swing. Bloomberg recently wrote about this situation, including how contact tracing has tracked positive COVID-19 cases back to these forbidden STR parties. Here’s one resident’s experience highlighted in the article:

“People were looking to escape from their own homes and came into our tiny neighborhood to party all day, every day,” says Kristen Robinson Doe, a resident of a quiet suburban Dallas neighborhood... Doe watched in disbelief as strangers streamed through the gates [of a party pad] every weekend and danced until dawn, unmasked, inebriated — and in clear violation of social distancing protocols.

As you wrap up your week, learn more about what might be happening in your community this very weekend.

[Read the Bloomberg article here.](#)

If you’d like to learn more about the short-term rentals in your community, or how you can address these STR challenges, [please get in touch with us.](#)

Christa Watson

415-715-9280

A 408 St. Peter St., Suite 600, St. Paul MN 55102

Granicus-white-600.png



© 2020 Granicus, Inc. | 1999 Broadway, Suite 3600, Denver, Colorado 80202

[Contact](#) [Privacy Policy](#)

[Manage the emails you get from us](#)

From: [John Gaventa gmail](#)
To: [#LandUsePlanner](#)
Subject: DC-19-0005
Date: Sunday, October 18, 2020 1:09:59 PM

Dear Planners,

We have recently received notice of the proposed changes regarding Short-term Dwelling rental, DC-19-0005. We have several questions.

I own a rental property in a rural area for which we went through considerable expense to meet existing regulations in 2019, and received approval for rentals up to 100 nights a year.

- I see no information in the proposals to be presented to the Planning Commission for such properties. Will our previous approval be 'grandfathered' in?
- Will we have to go through this process every time we apply for a license and a renewal?
- We see a requirement to post the license on the property so it may be seen by others. In a rural area, this has big risks of showing people that it is a rental property, not regularly occupied, and therefore greater risks of vandalism. What is the purpose of this requirement?

I live overseas and my notices regarding this came very late. How can I make sure I receive any pertinent notices to this issue by this email?

Many thanks

John Gaventa

From: [Kathy Sniffin](#)
To: [#LandUsePlanner](#)
Subject: DC-19-0005 proposal for meeting Oct. 21, 2020
Date: Tuesday, October 20, 2020 11:07:49 AM

To Whom It May Concern:

I received a postcard from Boulder County regarding proposal DC-19-0005 and short-term dwelling rental and bed and breakfast lodging.

Are you able to provide a list of those addresses requesting to be short term or B and B rentals?

In the recent few years, we have experienced, first hand, the effects of having short term rentals, as the house due south of ours currently rents its home and it's garage as separate dwellings to others. It is disconcerting at times to have unknown people with direct view and access of our yard, while we also are subject to unpredictable situations such as noise, parties, and currently, an ever-present smell of growing/smoking marijuana coming into our yard. Most of the tenants have been pleasant when we've had a chance to say hello over the fence, but still we have not had the opportunity to develop relationships with them as we would a permanent neighbor.

We have lived in this neighborhood since 1992, and we moved here for the rural setting, yet closeness to community and town. We appreciate the relationships we have developed with neighbors over the years. I wish there could be better solution to have some input into the conditions or behavior of tenants of rentals.

Thank you for your efforts.

Sincerely,
Kathy Sniffin
6206 Misty Way

From: [Cheryl Craig](#)
To: [#LandUsePlanner](#)
Subject: Input for short-term rental consideration
Date: Tuesday, October 20, 2020 1:30:44 PM

I want to give you folks some firsthand feedback about our experiences owning a mountain property in Park County with an active VRBO next door. This property has only been a short-term rental for one year, but we have seen it impact our enjoyment of our property tremendously. We want to make sure that our home in Boulder County does not experience the same impact as it is very disruptive.

The Park County VRBO lists up to 10 adults. While the owners try to screen the renters, we have had two very unpleasant experiences and many more nuisance experiences. In the two unpleasant experiences, the groups were carrying on until midnight in one case and 1AM in the second. In the 1AM case, guys were screaming at the top of their lungs (drunk happy we think) at that time. The more numerous nuisance experiences are groups simply enjoying themselves outside. When you have a neighbor, people tend to respect each other's privacy and not every weekend is a "let's enjoy being outside, making lots of noise" experience. When people are on vacation, they tend to be outside more and be more noisy. Also, with a new renter every week, you never know what you are getting. The Park County VRBO owner is trying to make things work, but they are not nearby. We neighbors are the ones who have to "police" it. I would hate to see my Boulder County home experience this same disruption. All that being said, there certainly have been renters where we barely know they are there. I think most of the time these are a single family.

When I vacation, I do enjoy renting a VRBO over a hotel room, so I understand that people would want to be able to do so in Boulder County as well. I simply request that Boulder County help us to maintain the balance between people living 100% of the time in their homes being right next door to a new vacation neighbor every week. Homeowners need to be able to have a way to address when there are nuisance renters and recourse if a rental becomes an ongoing issue. Perhaps a VRBO could undergo an annual renewal with neighbors being given the opportunity to register documented, valid complaints so that the county could see if there were repeated problems with a particular rental?

Thank you for your consideration,
Cheryl Craig
5921 Niwot Rd
Niwot, CO 80503

From: [ILONA DOTTERER](#)
To: [Rodenburg, Jasmine](#)
Subject: Comments to Planning Commission re STRs
Date: Tuesday, October 20, 2020 4:38:58 PM
Attachments: [DRAFT BOULDER COUNTY STR REGS - CC SUBMISSION.pdf](#)

Hello Jasmine,

I attach comments I would like to present to the Planning Commission tomorrow evening.

Could you please include the comments in the members' packet?

Also, could you send a link to attend the meeting?

Thank you very much.

Ilona Dotterer

COMMENTS TO DRAFT BOULDER COUNTY SHORT-TERM RENTAL
REGULATIONS DATED AUGUST 26, 2020

Planning Commission Members:

Thank you for allowing this submission as you consider the land use impacts of the revised STR Regulations for all of unincorporated Boulder County.

The Land Use staff has done a great job soliciting public comment and graciously explaining the reasoning supporting the draft regulations. They should be commended for their hard work and outreach efforts.

I respond to the draft Regulations dated August 26, 2020. When staff was questioned about the reasons behind some particular regulations, their responses did not seem to fall within the public health, safety, and welfare requirements. As well, some of the draft regulations seem to be a solution in search of a problem.

For example:

1. Limits on Family Cabin Rentals. The regulations create two STR categories for rentals of single family dwellings that are primary residences: Secondary Accessory STR (SASTR) and Vacation Rentals. According to staff, SASTR category was created for family cabins and “well-used second homes” that “will not or should not be rented out frequently.” This is most likely correct; most cabins and second homes are well-loved and well-cared for by their owners. These owners tend to limit the rentals on their own to allow use by friends and family. Staff recognized this, but then went ahead and imposed strict rental limits on such cabin rentals. Not only did they propose a limit of only 60 nights rental, they also required a two-night minimum, which they stated would “lead to less turnover.” These strict requirements presuppose (without factual support) a problem: owners of family cabins rent their well-loved cabins as much as possible, which creates untenable land use impacts and must be curtailed. Staff did not provide any credible evidence to support any rental abuse by family cabin owners; their only rationale appears to be that the cabins “will not or should not be rented out frequently.” Staff also based the 60-day rental and 2-day minimum on the belief that these well-loved cabins are only seasonal and not built for year-round use, which arbitrarily ignores cabins that have been upgraded and modernized for safe year-round use, including septic systems, insulation, and fire mitigation.

I strongly suggest the Planning Commission staff to review the actual land use impacts of family cabin rentals, especially the 60-night limit. Absent evidence of rental abuse, perhaps a 120-night rental limit with a two-night minimum would be more realistic, reasonable, and based on facts.

Of note, 75% of the attendees at the September 17 open house had rental properties in the mountains.

2. STR License Fees: The differences in the license fees between the SASTR and Vacation Rental categories are remarkable. Owners who rent their cabin for 60 days pay \$150, but if they rent for 65 days, they fall into the Vacation Rental category and must pay \$800. Staff stated the high Vacation Rental fee is because Vacation Rentals “will likely have more enforcement costs and fees,” but it is difficult to understand how a well-loved 1,000 square foot cabin that sleeps four people and rents 65 nights a year requires as much enforcement as a 5,000 square foot house in eastern unincorporated Boulder County that sleeps 12 and rents 300 days a year. The significant difference in license fees seems totally arbitrary.

Perhaps basing STR license fees based on maximum advertised occupancy is more objective and rational. For example, the Grand County (including Winter Park) STR regulations base license fees on \$25.00 per occupant; if a property sleeps 10 people, the fee is \$250.00.

Remarkably, staff somehow ties the license fees to the cost of the average nightly short-term rental in Boulder County, which they calculated was \$172.00 per night. It is uncertain how the average nightly rental rate bears any connection to enforcement costs.

As well, in proposing an \$800 license fee, staff appears to be most concerned with having sufficient resources to pay for enforcement costs, which was mentioned several times at the September 17 open house. Staff suggested they may use a third party, such as Host Compliance, to monitor listings on internet vacation rental sites in an effort to find non-compliance by Boulder County rental owners. Although this may be reasonable, the fact that staff failed to provide any information about STR abuses, including any examples of non-compliance, the locations of “party houses,” and the neighborhoods where investors allegedly own homes that are used solely as STRs, raises concerns of overreaching and solutions in search of problem.

3. Due Process Concern. The draft regulations state in Section 7.A: "This section will not limit any inspection authorized under other provision of law or regulation." This statement seems to violate due process principles. Apparently, an owner who consents to the defined short-term rental inspection consents to any and all undefined and unrelated inspections under any other undefined law or regulation, with notice of the requirements of these laws or regulations. As well, this provision conflicts with the first sentence in Section 7.A, which states inspections are limited to those "as may be required under this ordinance."
4. Thank you for the opportunity to address my concerns with the proposed Boulder County Short-Term Rental Regulations.

ILONA DOTERRER (ild17@comcast.net).

From: [Cheryl Craig](#)
To: [Rodenburg, Jasmine](#)
Cc: [Ott, Jean](#)
Subject: Re: Input for short-term rental consideration
Date: Tuesday, October 20, 2020 5:10:55 PM

Jasmine-

Thank you for your reply. I believe that if Park County were to adopt these guidelines some, but not all of our problems would be resolved. While 8 guests is a good limitation, I believe some of our bad experiences were with groups that size or smaller.

I took a quick pass through the draft proposal, and a couple of items that I didn't see which might help are:

Minimum age for primary renter? (it's amazing at how noisy a small group of college aged people can get)

Is the local management contact provided to the neighbors? While directly adjacent neighbors are most impacted, from our experience, even neighbors a couple of lots away have heard the problem gatherings (and these are 2 acre plus lots). If the management company's contact is provided to neighbors, I would suggest a larger distribution than just immediate neighbors. Is the management company on call 24 hours a day as some problems occur much later?

I will try to find some time to read through the draft regulations carefully. I just found out about this today, so I'm catching up.

Thanks,
Cheryl

On Tuesday, October 20, 2020, 4:24:26 PM MDT, Rodenburg, Jasmine
<jrodenburg@bouldercounty.org> wrote:

Good Afternoon, Cheryl –

Thank you for submitting your comments for docket DC-19-0005: Proposed Boulder County Text Amendments related to Short-Term Dwelling Rentals and Bed & Breakfast uses. We have added your comment to the public record for consideration by staff, the Boulder County Planning Commission, and the Boulder County Board of County Commissioners.

We appreciate hearing your story and insight. I encourage you to check out the draft regulations at www.boco.org/dc-19-0005. The Licensing Ordinance has a few provisions that might interest you including: an 8 person maximum, a local management contact who must be able to respond to the property in person in one hour to manage issues, information sheets that outline good neighbor guidelines (including noise limitations), and more enforcement mechanisms (active enforcement, fines). In the Text Amendments you will find that we are proposing to limit how people can rent out secondary dwellings (where it is not the owners primary residence).

In our draft we did work to strike a balance. I encourage you to take a look and provide any additional

feedback you might have. We have a Boulder County Planning Commission hearing tomorrow (you can find details on the webpage for how to sign-up to participate) and there will be another public hearing in front of the Board of County Commissioners. So there is more time to provide input.

Our regulations are currently a draft as we have not yet received approval through the public hearing processes.

Please feel free to reach out to me directly with any other questions/comments/concerns! I am one of the principal planners working on this docket.

Kindly,

Jasmine

Jasmine Rodenburg

Senior Planner – Oil/Gas and Environmental Policy

Boulder County Community Planning & Permitting Department (*formerly Land Use and Transportation*) – [We've become a new department!](#)

Direct: 303-441-1735

Main: 303-441-3930

www.bouldercounty.org

Staff is focused on fire response and many have been redeployed to other roles. Our response may be delayed. Thank you for your patience

PLEASE NOTE: In an effort to mitigate the spread of COVID-19, the Boulder County Community Planning & Permitting physical office at 2045 13th St. in Boulder is CLOSED to the public until further notice. We will continue to operate remotely, including the online acceptance of building permits and planning applications. Please visit our webpage at www.boco.org/cpp for more detailed information and contact emails for groups in our department. You may also leave a message on our main line at 303-441-3930 and the appropriate team member will return your call. ***Thank you for your adaptability and understanding in this extraordinary time!***

From: Cheryl Craig <cacraig10@yahoo.com>

Sent: Tuesday, October 20, 2020 1:31 PM

To: #LandUsePlanner <Planner@bouldercounty.org>

Subject: Input for short-term rental consideration

I want to give you folks some firsthand feedback about our experiences owning a mountain property in Park County with an active VRBO next door. This property has only been a short-term rental for one year, but we have seen it impact our enjoyment of our property tremendously. We want to make sure that our home in Boulder County does not experience the same impact as it is very disruptive.

The Park County VRBO lists up to 10 adults. While the owners try to screen the renters, we have had two very unpleasant experiences and many more nuisance experiences. In the two unpleasant experiences, the groups were carrying on until midnight in one case and 1AM in the second. In the 1AM case, guys were screaming at the top of their lungs (drunk happy we think) at that time. The more numerous nuisance experiences are groups simply enjoying themselves outside. When you have a neighbor, people tend to respect each other's privacy and not every weekend is a "let's enjoy being outside, making lots of noise" experience. When people are on vacation, they tend to be outside more and be more noisy. Also, with a new renter every week, you never know what you are getting. The Park County VRBO owner is trying to make things work, but they are not nearby. We neighbors are the ones who have to "police" it. I would hate to see my Boulder County home experience this same disruption. All that being said, there certainly have been renters where we barely know they are there. I think most of the time these are a single family.

When I vacation, I do enjoy renting a VRBO over a hotel room, so I understand that people would want to be able to do so in Boulder County as well. I simply request that Boulder County help us to maintain the balance between people living 100% of the time in their homes being right next door to a new vacation neighbor every week. Homeowners need to be able to have a way to address when there are nuisance renters and recourse if a rental becomes an ongoing issue. Perhaps a VRBO could undergo an annual renewal with neighbors being given the opportunity to register documented, valid complaints so that the county could see if there were repeated problems with a particular rental?

Thank you for your consideration,

Cheryl Craig

5921 Niwot Rd

Niwot, CO 80503

From: [Bobby Rothschild](#)
To: [#LandUsePlanner](#)
Subject: Public input on docket DC-19-0005
Date: Wednesday, October 21, 2020 3:54:32 PM
Attachments: [Public Comment on DC-19-0005.pdf](#)

Planning,

I came to today's public hearing on DC-19-0005. I came to address the Short-term rental section of the hearing. It is now 4pm and I'm unable to dedicate the remaining time in my work day to waiting for this docket to come up. I am submitting the script of my comments in the .pdf file below with the hopes that the commissioners will review and include these comments when considering docket DC-19-0005.

Thank you,
Bobby Rothschild

"Music doesn't argue, discuss, or quarrel. It just breathes the air of freedom" Harold Arlen

My name is Bobby Rothschild. 6620 Finley Pl #301 Boulder, CO
My partner and I are in the process of building a home at 689 Sugarloaf Mtn Rd.

I'd like to address the Short-Term Dwelling Rental Licensing Ordinance.

My motivation for speaking today is that I'm moving into the Sugarloaf housing development at a time when the conditions of climate change, drought and high temperatures, are obvious and raging in the fires consuming Colorado. Climate Change is changing the future of fires and so we need your strong ordinance regarding short-term rentals now.

To begin with, *anyone* can accidentally start a fire.

Though they are classified by the EPA as natural disasters, only 10 to 15 percent of wildfires occur on their own in nature. The other 85 to 90 percent result from human causes.

So what can we do? To start, we should be doing everything that experts tell us to do. And that's where the Wildfire Mitigation team informs residents about exactly what we need to do. If it was up to me, every mountain property would be required to pass a Wildfire Mitigation certification as soon as possible.

I want to say that I endorse the extensive reach of the ordinance and I strongly approve of almost all of it in its entirety. I'd like to comment on several sections.

- I want to start by saying that I think that the inclusion of Wildfire Partners Assessment Certification is the most important part of the proposed ordinance. There should be no stone left unturned by a host regarding the wildfire safety on their property.
- The majority of rentals are most likely during the Wildfire season, so I would propose that the committee consider reducing the number of rentable days to the lowest possible number. For example, I would endorse no more than 90 days total per year.
- Short-term rentals are infamous for the paying guests opening the rental house to additional guests. And then there's the hosts who count their office, basement, and the walk-in closet as bedrooms. So the host is also effectively adding guests. An overcrowded house dramatically increases the risks of a wildfire accident. For these reasons, I endorse the Occupancy Limits set at two adults per legal conforming guest room with a maximum of eight.

I'll end by saying that ultimately a short-term rental host has no control over what happens during a rental, nor any control over how many people will actually stay on the property. It troubles me that rental guests come to vacation and thus are in an altogether different state of mind where they're not likely to be vigilant of the risks of fire.

I'll say it again; *anyone* can accidentally start a fire. Thank you.