

**AGENDA  
OURAY CITY COUNCIL**

**July 19, 2021**

**4pm – Work Session**

**IN-PERSON MEETING – ALL PUBLIC WHO WOULD LIKE TO SPEAK SHOULD  
ATTEND IN-PERSON  
320 6<sup>th</sup> Ave. – Massard Auditorium**

**ZOOM MEETING (FOR LISTENING PURPOSES ONLY)**

<https://zoom.us/j/9349389230>

Meeting ID: 934 938 9230      Passcode: 491878  
Or dial:                      408 638 0968      or      669 900 6833

- Changes to this agenda can be found on the bulletin board at City Hall
- Electronic copies of the Council Packet are available on the City website at [www.cityofouray.com](http://www.cityofouray.com). A hard copy of the Packet is also available at the Administrative Office for interested citizens.
- Action may be taken on any agenda item
- Notice is hereby given that a majority or quorum of the Planning Commission, Community Economic Development Committee, Beautification Committee, Tourism Advisory Committee, and/or Parks and Recreation Committee may be present at the above noticed City Council meeting to discuss any or all of the matters on the agenda below for Council consideration

**Work Session – 4pm**

1. Historical Review of Short-term Rentals, STRs, in the City of Ouray **Page 2**
2. Discussion of possible Cap and Trade Policies on STRs
3. Discussion of Possible Additional Taxation of STRs to Create Housing Fund **Citizen Correspondence - Page 9**

P.O. Box 468  
320 Sixth Avenue  
Ouray, Colorado 81427



970.325.7211  
Fax 970.325.7212  
[www.cityofouray.com](http://www.cityofouray.com)

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**TO:** Ouray City Council  
**FROM:** Lily Oswald, Community Development Coordinator  
**DATE:** July 15, 2021  
**FOR:** July 19, 2021  
**SUBJECT:** Short-Term Rental, Residential Units & Lodging Occupancy Tax Research Packet

**STR REGULATION CHANGES & HOUSING RESOLUTIONS TIMELINE**

<b>Date</b>	<b>Action</b>
Fall 2017	STR Committee formed to evaluate impacts of STRs and draft STR regulations
2018	Community hosts formal discussion on STRs; referred to other regional municipalities' (e.g. Silverton) newly adopted ordinances for framework
May 2018	Planning Commission begins deliberations of STR regulations; PC reviews STR Committee's work and regulation proposals; directs staff to redraft regulations
Oct. 10, 2018	Planning Commission unanimously passes motion to recommend the City Council adopt the drafted STR Regulations
Nov. 5, 2018	City Council conducts Public Work Session on STR Regulations
Dec. 3, 2018	City Council conducts a discussion on STR Regulations; directs staff to set up work session with Committee and Planning Commission
Jan. 2019	Planning Commission recommends the City Council adopt a cap on the number of STRs at the current number (112) with a 15+ unit "wobble room" (total cap = 127 STRs). STR Committee did not agree with the cap on STRs
Jan. 31, 2019	STR Committee submits final proposed Ordinance for suggested changes and regulations for STRs in the City Code ("Ordinance Version 1.31.18 – Final")
Feb. 29, 2018	CDC staff submits memo to Council with history of STR regulation changes and Committee meetings. Recommends Council, Committee, Planning Commission review changes and develop a list of changes, concerns, questions for staff
Mar. 3, 2019	City Council conducts joint work session with STR Committee and Planning Commission to discuss changes in STR regulations and definitions in City Code
Apr. 30, 2019	CDC staff submits memo to Council with proposed changes to STR regulations; recommends staff make a decision on moving forward with the Ordinance
May 20, 2019	Ordinance adopted for STR Regulations and Permitting
Aug. 11, 2020	Planning Commission reviews ADUs and provides code change recommendation to City Council per Planning Commission Resolution 2020-03
Jun. 7, 2021	City Council conducts Joint Work Session with Planning Commission to discuss Workforce RV camping, third party rental options, Home Trust of Ouray County, and other organization partnership, Land Use Code revisions and STR regulation options; Telluride Foundation presents potential Attainable Housing project north of the Biota Buildings

Jun. 29, 2021	Emergency Ordinance 4, Series 2021 – Adoption of Temporary Allowance of Workforce Recreational Vehicle Camping on Private Property to assist with Workforce Housing
Jul. 6, 2021	Resolution 8, Series 2021 – Authorizing staff to reject any STRs application from a property owner in violation and operating without a permit
Jul. 8, 2021	Joint Meeting with City Council and Planning Commission to discuss Code changes regarding ADUs
Jul. 19, 2021	Cap and Trade for STRs discussion begins
<b>Upcoming:</b>	
	STR Violator Penalties Ordinance
	ADU Land Use Code Update Ordinance
	Potential further taxation of STRs
	‘Cap’ and/or ‘Cap and Trade’

### SHORT-TERM RENTAL NUMBERS (7/15/21)

- Total number of STRs in Ouray:
  - 94** Active & licensed (incl. recently expired licenses)
  - 19** Active & unlicensed (incl. units previously told no license was needed)
  - 113** Total active STRs in Ouray
  - .....
  - 114** Licenses issued from the City (incl. Sold licenses) since Ordinance was adopted
- Total number of residential housing units (excl. commercial uses)
 

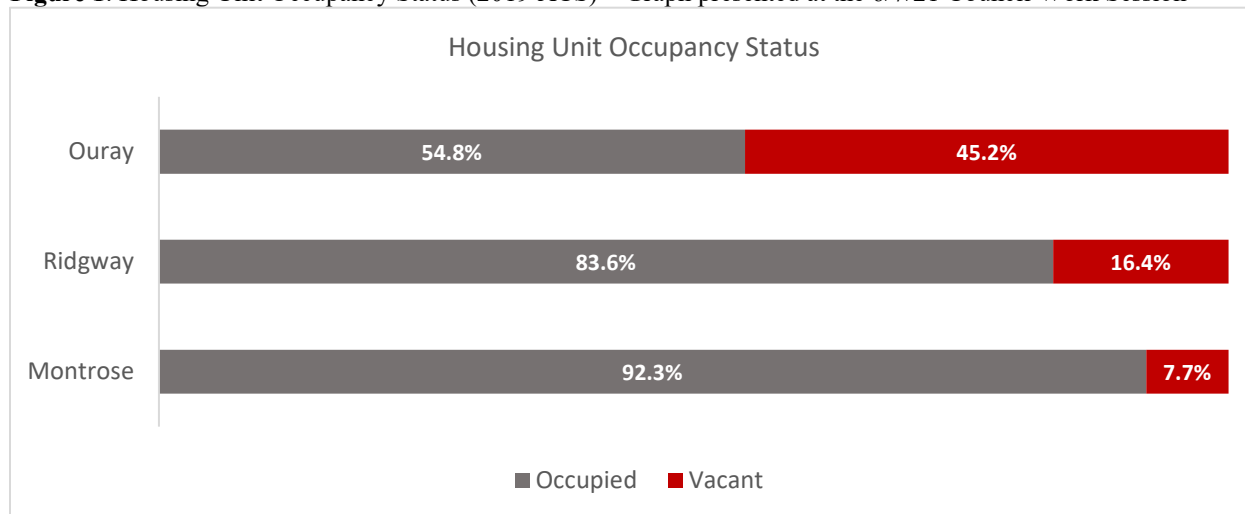
The City of Ouray’s utility licenses help indicate how many residential units there are in town.

  - 667** Residential water users within Ouray city limits
  - 76** Bachelors Switch water users, and
  - 15** Mineral Farms water users.
  - 758** Total water users in Ouray.
- Total STRs as a Percentage of Total Residential Housing Units (excl. commercial uses)
  - 113** STRs
  - 667** Residential water users in Ouray
  - 17%** of total residential units claimed as STRs

### RESIDENTIAL DATA

- Housing Tenure & Occupancy: (US Census Information – Based on 2019 ACS estimates)\*

**Figure 1.** Housing Unit Occupancy Status (2019 ACS) – Graph presented at the 6/7/21 Council Work Session



\* According to the U.S. Census, **Housing Vacancy** is defined as a housing unit that doesn't have anyone living in it at the time of the interview, unless its occupants are only temporarily absent. A vacant unit can also refer to a unit which is entirely occupied by persons who have a usual residence elsewhere (e.g. second homes). New units not yet occupied are classified as vacant only if construction has reached a point where all exterior windows and doors are installed and final usable floors are in place.

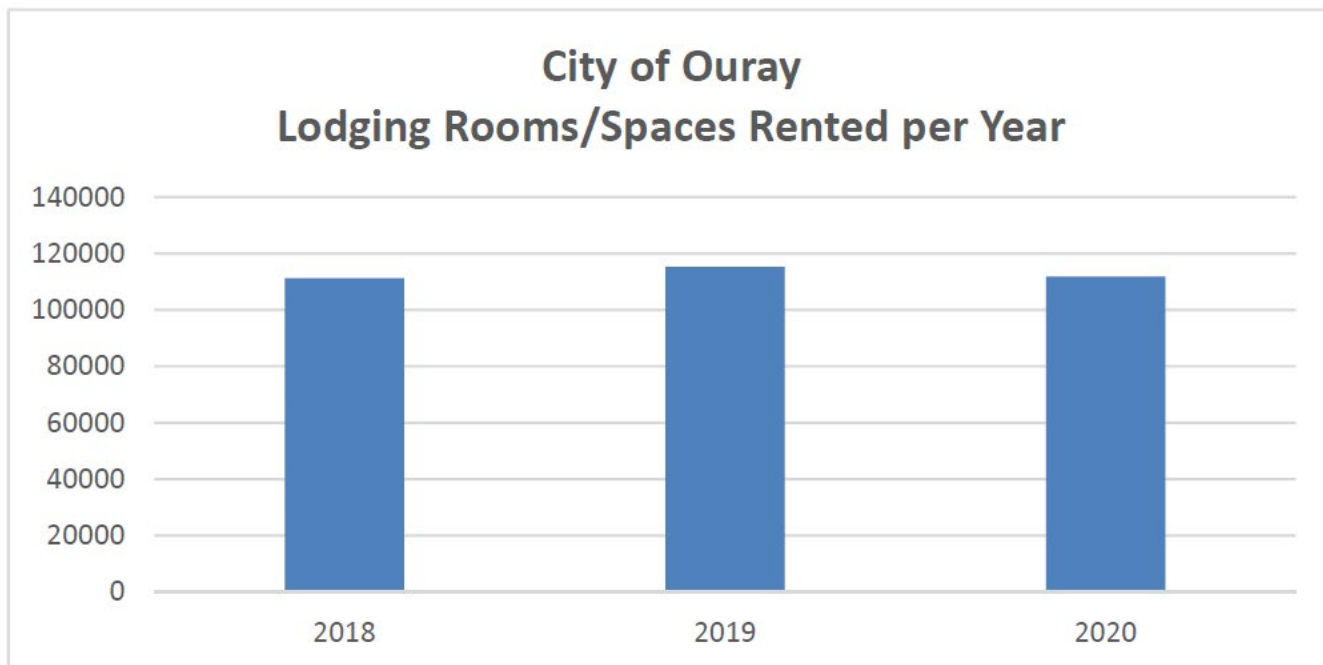
Year-round units (used to calculate all Housing Units in the U.S.) are those intended for occupancy at any time of the year, even though they may not be in use the year round. In resort areas, a housing unit which is usually occupied on a year-round basis is considered a year-round unit. Year-round units temporarily occupied by persons with usual residence elsewhere are included with year-round vacant units (e.g. Short Term Rentals).

- Total number of Residential Housing Unit Sales since May 2019
 

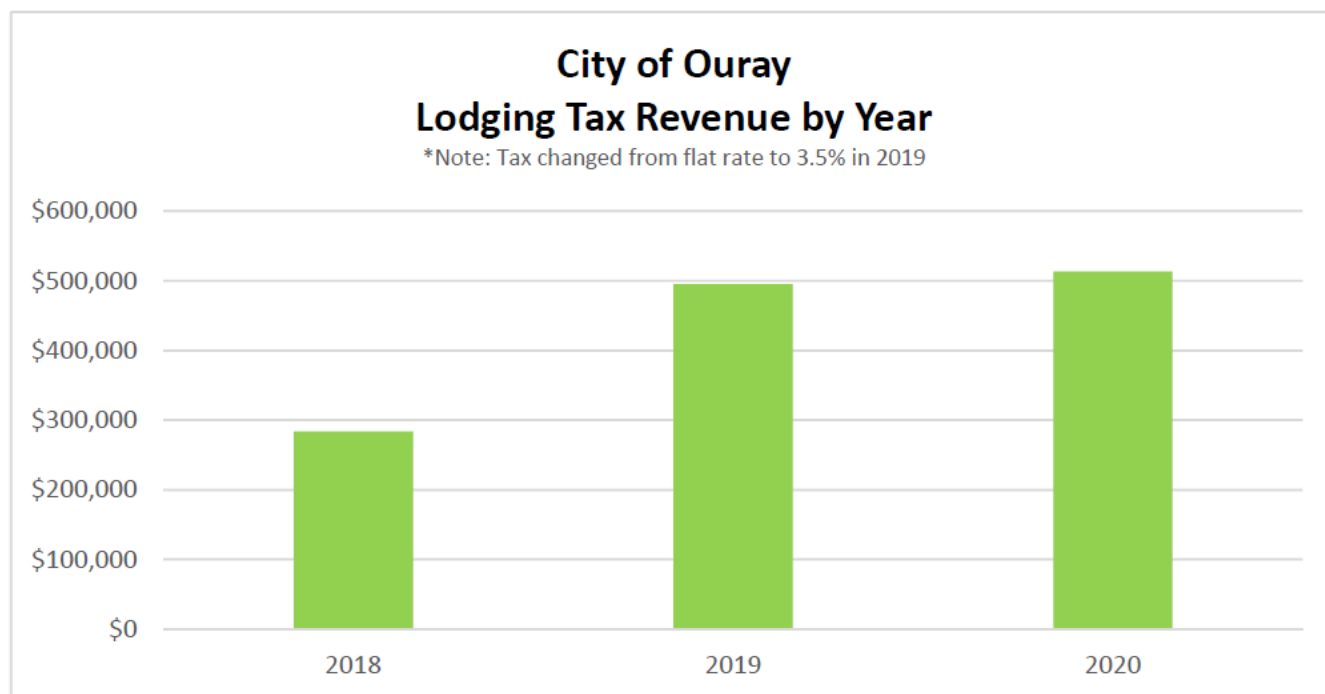
2019 (May-Dec)	<b>37</b> Residential properties sold
2020	<b>54</b> Residential properties sold
2021 (To Date)	<b>30</b> Residential properties sold
<b>Total</b>	<b>121</b> Residential properties sold

### LODGING OCCUPANCY TAX (LOT) SUMMARY (2018-2020)

**Figure 2.** Lodging Rooms/Spaces Rented per Year (2018-2020)



**Figure 3.** Lodging Tax Revenue by Year (2018-2020)



### CURRENT STR REGULATIONS & ORDINANCES

- City’s Ordinance and Regulations, Application packet (and example of completed packet), Reapplication packet, Zoning information, Dark Sky Lighting Information, and contact information is posted to City’s website.
- Section 7-2 of the Ouray Municipal Code (OMC) defines Short Term Rental as “*any rental or lease of a single-family, duplex, or multi-family dwelling unit, or part thereof, for less than thirty (30) days.*”

- Section 7-5-J-11 of the OMC outlines regulations for STRs as follows:

**a. Purpose**

These Short-term Rental Regulations are intended to protect the public health, safety, and welfare; preserve the character and ambience of neighborhoods within the City; prevent adverse impacts attributable to short-term rentals; collect data on short-term rentals; and ensure compatibility with surrounding land uses.

**b. Applicability**

These Short-term Rental Regulations are applicable to the short-term rental of any single-family, duplex, or multi-family dwelling located in the R-2, C-1, and C-2 Zone Districts.

- i. Short-term rental of dwelling units in the R-1 Zone District is prohibited. However, the existing legal non-conforming short-term rentals in the R-1 Zone District shall be required to comply with these regulations until the use ceases and is no longer allowed.
- ii. Short-term rental of accessory dwelling units is prohibited.
- iii. Lodging businesses are not subject to these Short-term Rental Regulations.
- iv. The short-term rental or property shall be subject to the City of Ouray Lodging and Occupation Tax and sales tax.

**c. Registration and Licensing**

- i. Applicants for a short-term rental license, or renewal of a license, shall submit a short-term rental application and other City required application materials.
- ii. The short-term rental application fee shall be in accordance with a fee schedule which is adopted by City Council from time to time.
- iii. The applicant/licensee shall reimburse the City for all out-of-pocket costs incurred during review of the application or license by outside consultants, including but not limited to legal fees and engineering fees. The City shall bill the applicant/licensee upon completion of the application or review process and completion of any conditions thereof. No application or license shall be finally approved until the bill is paid.
- iv. The Land Use Official will review and act on short-term rental licenses.
- v. As a condition of the issuance of an initial license, the City shall conduct a site inspection to ensure the standards set forth in this Section will be met, including but not limited to parking, carbon monoxide detectors, smoke detectors, street addressing, and lighting.
- vi. License renewals shall not require an additional inspection unless Land Use Official determines a new inspection is required due to changes since the last application, past complaints, or other issues that arise from the license review.
- vii. A short-term rental license shall be granted solely to the owner of record of the property for which the license is issued and shall not be transferable to any other person.
- viii. The short-term rental license may list a responsible party to ensure the requirements of this Section are met; however, the property owner shall remain responsible for compliance.
- ix. Short-term rental licenses shall be issued for a period of one (1) year.
- x. All existing short-term rentals shall apply for a short-term rental license within three (3) months of the effective date of this ordinance. Thereafter, short-term rentals without a license shall be considered illegal and the City may pursue enforcement action.

**d. Standards**

- i. A short-term rental shall not change the residential character of the property by improvements that change the residential character.
- ii. A short-term rental shall not cause a public nuisance through adverse impacts such as lighting, parking, signage, trash, noise, glare, vibrations, or odors.
- iii. Signs are prohibited for short-term rentals in the R-1 and R-2 zone districts.
  - a. Short-term rentals that currently have a sign in the R-1 and R-2 zone districts shall remove all signage as a part of obtaining a license.
  - b. Signs in the C-1 and C-2 zone districts shall comply with the City Sign Code.

- iv. All short-term rentals shall clearly post the correct address on the exterior of the building in accordance with City addressing and street numbering requirements.
- v. The maximum number of persons per short-term rental shall be two (2) per bedroom, plus two (2) additional persons.
- vi. In addition to City of Ouray Municipal Code Section 10-2-Y, short-term rentals shall be subject to quiet hours between 11:00 PM and 7:00 AM.
- vii. One (1) parking space per bedroom shall be provided.
  - a. All parking for the short-term rental shall be provided on site, or on-street fronting the short-term rental where on-street parking is allowed by the City.
  - b. The on-street parking shall not be reserved for the short-term rental and will be available to the general public on a first come, first served basis.
  - c. No parking shall occur on sidewalks, lawns, or other landscaped improvements.
  - d. Trailer parking on City streets shall comply with the City of Ouray Municipal Code.
  - e. Parking shall be constructed and provided on site if physically possible based on standard engineering practices.
  - f. On-street parking shall meet the applicable provisions of the City of Ouray Municipal Code and the parking requirements of the underlying zone district.
- viii. Short-term rentals shall meet the applicable snow removal and storage policies of the City of Ouray Municipal Code.
- ix. The short-term rental license shall designate a responsible party who is located within a forty-five (45) minute drive of the City and available for immediate response to issues or emergencies that arise from the short-term rental.
- x. A short-term rental shall only be leased or rented out to one party that occupies the entire dwelling. Individual rooms within a single-family dwelling short-term rental shall not be rented out separately unless either: (a) the dwelling unit has a separate, attached, or detached dwelling unit that complies with the applicable City of Ouray Municipal Code requirements (Building Regulations, OLC, etc.); or (b) the short-term rental has a separate entrance from the primary dwelling, the short-term rental bedroom or area has been constructed in accordance with the City Building Regulations, no more than one short-term rental bedroom is provided on the property, and the building use and design complies with the underlying zone district requirements.
- xi. The owner or responsible party shall collect and pay all applicable local, state, and federal taxes, including the City's Lodging and Occupation Tax.
- xii. The short-term rental shall meet all applicable local, state, and federal regulations, such as the Colorado requirement for carbon monoxide detectors (C.R.S. §§ [38-45-101](#) et seq.), and the City's Building Regulation requirement for smoke detectors, and other life-safety requirements, such as egress from sleeping areas.
- xiii. One (1) fire extinguisher shall be kept and maintained within the short-term rental kitchen area.
- xiv. Short-term rentals shall be evaluated to ensure required water and sewer investment fees and City utility fees are paid.
- xv. The short-term rental property shall be kept free from litter and junk as required by Ouray Municipal Code Section 10-2-Z (Litter and Junk).
- xvi. Trash or recycling shall not be stored in a location that is visible from the public street or sidewalk. The short-term rental shall comply with City of Ouray Municipal Code Section [12-1](#) (City's Refuse Collection Service), with arrangements for proper disposal of garbage, refuse and trash collection.
  - a. Short-term rentals shall be charged the residential rate to manage trash. The City may require a short-term rental property to provide for two or more residential trash services at the same address to manage trash (paying for two residences), or to provide for a commercial trash pickup of trash if residential service and pickup cannot manage trash in accordance with the City of Ouray Municipal Code and these regulations.
  - b. Trash shall be properly managed and not visible or overflowing so as to cause a nuisance.

- c. Animal resistant trash containers shall be provided as required by the City of Ouray Municipal Code.
- xvii. Short-term rentals shall replace any exterior open light fixtures with dark sky compliant lighting.
- xviii. Short-term rentals shall comply with the City requirements for snow removal for public sidewalks through a property, and shall remove snow from required parking spaces and walkways to the short-term rental.
- xix. The Owner of the short-term rental shall annually provide proof of liability insurance to the City and shall execute and indemnification agreement in a form set forth by the City.
- xx. The following information shall be posted in readily visible location inside the short-term rental:
  - a. The Short-term Rental License issued by the City;
  - b. Contact information for the owner and, or, responsible party;
  - c. Maximum number of guests;
  - d. Location of fire extinguishers;
  - e. A copy of the noise ordinance and quiet hours of 11 PM to 7 AM;
  - f. Parking and snow storage rules;
  - g. Trash disposal information;
  - h. How to sign up for emergency notifications;
  - i. Information on any City fire bans or water use restrictions;
  - j. The short-term rental's address; and
  - k. Map showing locations where trailer parking is allowed.
- xxi. All online or published advertising for the short-term rental shall display the City of Ouray Short-term Rental License number.
- xxii. The Land Use Official may impose reasonable license conditions to ensure the Short-term Rental Regulations will be met.
- e. Violations, Revocation and Penalties**
  - i. The administration and enforcement of the Short-term Rental Regulations shall be as provided for in OLUC, 7-3-A.
  - ii. In addition to the foregoing, serious or repeat violations of the Short-term Rental Regulations may warrant revocation of a Short-term Rental License for a period of up to two (2) years.



From: [jjackson@garyallan.com](mailto:jjackson@garyallan.com) <[jjackson@garyallan.com](mailto:jjackson@garyallan.com)>

Sent: Tuesday, July 13, 2021 12:20 PM

To: Greg Nelson

Subject: Ouray Looming STR Cap Agenda

Greg,

Jeff Jackson here, we met at the Elks when you were running for office. My wife Donna and I own 952 Main, which is zoned C2. We are very concerned about your platform of putting a cap on STRs.

First, we do 100% believe that there is a direct need regarding affordable housing in Ouray to take care of the essential seasonal workers. But why should our STRs take the hit to supplement the businesses that need the workers? ***Our one of many STRs help to keep those businesses open FOR business.*** No local is going to pay \$16 for a cheeseburger on Main. My point being that we are already enriching the bottom line for them, there is no need for us to DOUBLE support their bottom line. Shouldn't Ouray follow the lead like so many other mountain towns to provide affordable housing that is directly funded by tax dollars? With tax revenue at all time highs, plus (like everyone else) our property tax suddenly increased one would assume that there is a huge surplus of money that could be put to positive use, or at least provide a clear statement of fact as to exactly where and how those funds are being utilized. How about a fair and unbiased report on use of funds, and how STRs actually do enhance the bottom line of the community?

It is probably true that as long as we can maintain our STR permit we will be fine (subject of course to whatever potential changes to the licensing that might occur when it needs to be renewed) , but that is only a part of the larger picture that in the event of a future sale, the new owners will not be able to obtain an STR permit thus undermining and a direct devalue of our property.

Us even being able to afford our second home there in Ouray is partially funded by the fact that we can STR it when we are not able to enjoy it ourselves. Donna and I have both worked hard in our lives to be at this point. She has 2 semesters left on her Doctorate and I plan on managing bands, both of which we can and will do from Ouray. She is planning on practicing medicine here. We are not making a killing nor is the seasonal rent income anywhere near the actual operating expense of the house, it merely helps. We did not choose Ouray because we thought it was neat. I was born here, my dad, grandfather and my great-grandfather are all buried here as well, my local ties to the community run far deeper than most.

I also have LTR property here in Tennessee and can tell you that having a stable renter is a wonderful thing, but there are year round opportunities here versus the seasonal instabilities that are present there in Ouray. We would never LTR out our Ouray home, and it will be yet another empty summer home if your agenda passes.

Thank you for taking the time to read my letter.

I ask that you pass this along to the other City Council members for their information as well.

If you have any comments or wish to contact me my cell is 615.415.9399 or email is [jjackson@garyallan.com](mailto:jjackson@garyallan.com)

Jeff Jackson

**From:** Jen Brock <jenbrock2012@gmail.com>  
**Sent:** Wednesday, July 14, 2021 11:43 AM  
**To:** Silas Clarke <clarkes@cityofouray.com>  
**Subject:** STOP STR IN OURAY

I'm writing this email as a citizen and homeowner in the city of Ouray. Please establish a firm cap on the STRs. The developers and realtors are looking after their own self-interest and not the citizens of Ouray. In the process we are losing our town including state-funded schools with available students to help with the much needed labor pool.

We need to have lodging tax dollars go to infrastructure/affordable housing and not tourism. I know the city is trying to address the sewer and water situation and I appreciate the efforts but there is so much more that needs to be done. I like what Crested Butte is doing having 5% of the rental tax go to infrastructure instead of tourism but I think we should have 100% of it go to infrastructure and none of it go to tourism at least until we can fix a few things around here. The word is out and we have too many tourists to support. Have you been to a local restaurant recently and seen how long the lines are and how employees are doing the job of 2 or 3 people or have you walked along Main Street shoulder to shoulder with tourists watching them trip on our sidewalks and place litter in our beautiful flower baskets? Stop the madness. Please.

Respectfully and sincerely,

Jen Brock  
Visitor Center Volunteer  
WCOC board member  
OCPAG board member  
Part-time employee in local business

708 Main Street unit 1  
PO Box 1236  
Ouray, Colorado  
81427

Sent from my jenPhone

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

From: Jenny Hart <jennyinouray@centurylink.net>

Sent: Wednesday, July 14, 2021 1:18 PM

To: Silas Clarke <clarkes@cityofouray.com>; Cindy Carothers <cindycarothers@gmail.com>

Subject: cap on short term rentals

Mr. Clarke,

I am a long time resident of Ouray (26 years) and my mother was born and raised here (born in the hospital). I am a teacher at Ouray School. I am writing in support of a cap on short term housing in our community. We desperately need housing for those who live here long term. We need housing for families in Ouray to help our school remain viable. Our school population is bare bones at this point. With housing so tight, it is highly unlikely that more families will join our community. We have plenty of short term housing here already. We need long term housing options for families with kids in our school and for employees for our businesses.

I know that there are valuable members of our community who rely on short term rentals to help them pay their own mortgages. I get that. But, we also have people who don't live here or contribute in any way to our community who are buying short term rentals to make a buck. That is not what we need here. The cap and trade idea is also a faulty one. We need a cap on the total, not a way for more str to come along later. We must be proactive here.

We also need to move ahead on the planning commission's recommendation of two years ago to approve ADUs for our community to provide more housing. We need to increase the density in our core to allow for more housing. Is this in the works??

I will try to be at the meeting on Monday but I am not sure if I will be able to make it due to work. I am sending this letter in strong support of a cap on short term rentals in the City of Ouray.

Thank you,

Jenny Hart  
909 Potosi PL  
Ouray

**From:** Steve Cumella <stevecumella@gmail.com>

**Sent:** Wednesday, July 14, 2021 5:11 PM

**To:** Silas Clarke <clarkes@cityofouray.com>

**Subject:** Short-term rentals

Hi Silas,

I would like to see the city of Ouray limit the number of short-term rentals. Most of the Ouray properties bought in the last year were by people from out of the area that do not plan to live here. Part of the economic reasoning for at least some of these people is that they can recoup some or all of their costs by renting their properties short term. If STR were capped, some of the buyers that planned to use their properties as STRs would likely decide not to try to buy, hopefully making more properties available to those who would like to live here.

This issue is important enough to nearby communities that they have limited STRs. Ridgway and Silverton have limits of 50 and 40 STRs, respectively. If they can cap STRs, Ouray can as well.

Thank you,

Steve Cumella

812 4th St, Ouray, CO

**From:** Mary Ann Buxton <maryannbuxton@gmail.com>

**Sent:** Thursday, July 15, 2021 6:43 AM

**To:** Silas Clarke <clarkes@cityofouray.com>

**Subject:** Short Term Rentals

Please add my name to the list of local homeowners that wish the number of short term rentals to be limited to fewer than 100.

Thank you,  
Mary-Ann Buxton  
645 2nd St, Ouray, CO 81427

916-716-7351  
[maryannbuxton@gmail.com](mailto:maryannbuxton@gmail.com)

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

From: Craig Whitney <craigrwhit@gmail.com>  
Sent: Thursday, July 15, 2021 7:17 AM  
To: Silas Clarke <clarkes@cityofouray.com>  
Cc: John and Jeanette Quay <jhquay@gmail.com>  
Subject: Short Term Rentals

Good morning. We are writing in support of a firm limit of 120 allowable short term rental units for the City of Ouray. We object to “cap and trade “ or any other method that would automatically increase this limit.

Please include our comments in the record of the meeting at 1 pm at City Hall on Monday July 19. Thank you.

Craig and Helen Whitney  
1721 Hinkson Terrace

Sent from my iPhone

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

From: Ames Risch <arisch@muleteam.com>

Sent: Thursday, July 15, 2021 1:42 PM

To: Silas Clarke <clarkes@cityofouray.com>

Subject: Short term rentals

Hi Silas,

I live at 220 9th Avenue in Ouray and am concerned about the lack of cap on short term rentals. I think a cap of 100 units that did not go up with new construction would enable our residents and workers to catch up on housing. We have a serious lack of available units now and without workers, teachers, police and others who can afford to live here, Ouray will no longer be the great place it is now to visit.

Other communities have caps and still maintain vibrant tourist economies and good real estate markets. We need to cap STR levels and not increase them.

Thanks,

Ames Risch

220 9th Avenue



**From:** Bobbie Johnson <bobbiejohnson@me.com>  
**Sent:** Thursday, July 15, 2021 1:44 PM  
**To:** Silas Clarke <clarkes@cityofouray.com>  
**Subject:** STR

Silas and Greg,

I would like this email recorded as part of public document. I would like to request that the city of Ouray caps the number of short term rentals (STR) at 108 with NO 'cap and trade'. I request the number of STRs decrease to 75 in the future as licenses are not renewed or properties sold.

We need Ouray to become a community of permanent residents who care about their town, not short term residents who only come for the fun they can have.

Respectfully, Mark and Bobbie Johnson  
Box 943  
970-209-5795

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

From: Susette Warynick <susettew@earthlink.net>

Sent: Thursday, July 15, 2021 3:47 PM

To: Silas Clarke <clarkes@cityofouray.com>; Greg Nelson <nelson@cityofouray.com>

Cc: John Wood <woodkj@cityofouray.com>; Ethan Funk <funke@cityofouray.com>; Glenn Boyd <boydg@cityofouray.com>; Peggy Lindsey <lindseyp@cityofouray.com>

Subject: STR in Ouray

Ouray City Administrator and Ouray City Council:

Please make this email part of the public record for the Council meeting of July 19, 2021.

I would like to support a Short Term Rental cap for Ouray effective as soon as possible, not to exceed the current paid STR licenses/permits issued by the City. I would also be in favor of decreasing the cap as current licenses are not renewed or the property is sold.

I would ask that staff and council use as a guide what similar tourist small communities have put in place for STR ordinances...we are all facing the same community problems created by our housing becoming STR housing for tourists.

I do not support 'cap and trade', but would rather see deed restricted property built or duplex/triplex units built under the current building codes which could provide housing for permanent local workforce without adding more STR's units.

Investors who build or buy in Ouray, with no intent to live here and become part of the community, but only to create STR's for income are destroying the very quality of life which so many of us value in our small town.....they are sapping the soul out of Ouray.

Thank you for your thoughtful consideration of this important issue and how it will affect the future of Ouray.

Respectfully submitted,

Susette Warynick  
1261 Main Street  
Ouray, CO 81427

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

> From: Jenny Hart <[jennyinouray@centurylink.net](mailto:jennyinouray@centurylink.net)>

> Sent: Wednesday, July 14, 2021 1:18 PM

> To: Silas Clarke <[clarkes@cityofouray.com](mailto:clarkes@cityofouray.com)>; Cindy Carothers <[cindycarothers@gmail.com](mailto:cindycarothers@gmail.com)>

> Subject: cap on short term rentals

>

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>

> I know that there are valuable members of our community who rely on short term rentals to help them pay their own mortgages. I get that. But, we also have people who don't live here or contribute in any way to our community who are buying short term rentals to make a buck. That is not what we need here. The cap and trade idea is also a faulty one. We need a cap on the total, not a way for more str to come along later. We must be proactive here.

>

> We also need to move ahead on the planning commission's recommendation of two years ago to approve ADUs for our community to provide more housing. We need to increase the density in our core to allow for more housing. Is this in the works??

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>

> Thank you,

>

> Jenny Hart

> 909 Potosi PL

> Ouray

**From:** L MECKEL & COMPANY <meckel@flash.net>  
**Sent:** Thursday, July 15, 2021 5:24 PM  
**To:** Silas Clarke <clarkes@cityofouray.com>  
**Subject:** SHORT TERM RENTALS

GREG NELSON, SILAS CLARKE, AND THE OURAY CITY COUNCIL,

I would like this email on the above issue to be recorded as part of the record. My wife just had surgery, so not sure I can make your Monday meeting on the topic.

As always with these issues, the question is where do you draw that line as to what is appropriate for a tourist destination like Ouray and what only caters to developers and non-permanent residents who want to make more money by taking houses off the market that could be used for permanent working people like teachers, service people, and downtown business helpers?

We should keep STRs to perhaps 70 or less and this would still be larger than Silverton or Ridgway, similar communities who have given it a lot of thought. If over 70, then each should be leveled with a new tax with all that money going directly to the City of Ouray to maintain our critical infrastructures. This would help with financial infrastructure upkeep, but still would not free up houses for needed permanent residents which I consider to be critical to maintain our community for people who need to live and work here full time. Those are the people we need to attract and provide for to have our community grow properly. Let's not let "more tourists are better" rule the day. Be responsible and draw that reasonable line.

I would also definitely vote for no "cap and trade".

Thanks, Larry Meckel  
602 Oak Street  
970-325-4249  
Part time resident since 1976  
Full time resident since 1999.

**From:** L MECKEL & COMPANY <meckel@flash.net>  
**Sent:** Thursday, July 15, 2021 5:59 PM  
**To:** Silas Clarke <clarkes@cityofouray.com>  
**Subject:** SHORT TERM RENTALS.

SILAS, GREG, AND THE CITY COUNCIL.

We need to cap short term rentals in the city. Beyond a certain point, too many STRs destroy neighborhoods. I want Ouray to remain a small real town, not just a tourist place. We don't need more advertising, including that for STRs. We need to invest in infrastructure and taxes from STRs don't contribute to improving and maintaining key infrastructures.

Please cap STRs at a reasonable level, some where between 50 and 100 units with no "cap and trade". Let's keep Ouray a real town!

Thanks, Barbara Meckel  
602 Oak Street  
970-325-4249

Please have this email recorded as part of the public record.

**From:** Cindy Carothers <cindycarothers@gmail.com>  
**Sent:** Thursday, July 15, 2021 6:48 PM  
**To:** Silas Clarke <clarkes@cityofouray.com>  
**Cc:** Greg Nelson <nelsong@cityofouray.com>  
**Subject:** STR

Silas and Greg,

I would like this email recorded as part of the public document. I would like to request that the city of Ouray caps the number of short term rentals (STR) at 108 with NO 'cap and trade'. I request the number of STRs decrease to 75 in the future as licenses are not renewed or properties sold. I have called city planners of neighboring San Juan towns to educate us on their plans. Ridgway has 50 maximum STRs; Silverton has 40 maximum; and Telluride dictates only 3 STRs/month. None of these towns have or ever want a 'cap and trade'. Towns such as Crested Butte are looking at a cap right now and currently dedicating all their STR lodging tax money to affordable housing. If they can do this, we can do this. I'm confident this is the City Council that is strong enough to make it happen now.

Silverton's city planner, Lisa Adair, told me we can copy or use guidelines from their May 2021 ordinance called 'Ordinance No. 2021-02' on their website to vastly accelerate the process. She declined to speak in person at the meeting due to work, but is available for any consultation.

I would like to state below just some of the many reasons we need to cap STR with NO 'cap and trade' and increase permanent residents....

We need permanent residents for support for our infrastructure and community such as ..

- ... Sewage and water

- ... Support for year long business here

- ....Our School system enrollment remain stable for procuring for state funds

- ....Stable or increasing high school student numbers for working in town

- ... More School students to be part of athletic teams; currently we can't have girls' basketball or volleyball

- ....Arts, music theater support, history society support...We have these wonderful jewels and few volunteers

- ... Visitor Center.. need more volunteers to educate and protect visitors, especially from risky hiking/climbing activities around Ouray

- ....Permanent worker lodging is needed all around Ouray

- ....Lodging tax from STRs goes only to more tourism, not affordable housing or infrastructure; let's change that!

- ....Additional tourists in our town tax our infrastructure even further and don't contribute dollars towards supporting infrastructure

- ... Neighboring towns such as Ridgway and Silverton have a maximum of 50 and 40 STRs respectively. We can educate ourselves. Go to their websites to see their ordinances and reasons for capping STRs. Their ordinances can accelerate our movement forward.

Thank you for your time and your service as always.  
Respectfully submitted,

**Cindy Carothers** 812 4th St. Ouray, CO  
**Prior Visitor Center Director during Covid**

**Visitor Center volunteer**  
**Ouray flower planting volunteer Beautification Committee**  
**Wright Opera volunteer**  
**OCHS volunteer**  
**Women's club volunteer**  
**Ouray County Land Trust Volunteer**  
**Covid Volunteer- delivered food and groceries to elderly**  
**Covid Volunteer- Sewed over 500 masks for our local Hospital**  
**Running race volunteer at Imogene Pass and others**

--

Cindy Carothers  
303-670-7353

**From:** Teris Schery <tschery@gmail.com>  
**Sent:** Thursday, July 15, 2021 7:02 PM  
**To:** Silas Clarke <clarkes@cityofouray.com>  
**Subject:** Short Term Rentals in Ouray

Dear Silas and members of the City Council,

Ouray's popularity continues to grow as visitors escaping urban crowds and hot temperatures rave about the town to friends on facebook and other social media. The demand for short term housing here has grown at a rate that encourages investors to buy local real-estate and make a profit by offering short term rentals at peak rates during just part of the year, typically between June and October. This has exacerbated the lack of affordable housing for residents and their families who are part of the community year round. Ouray only functions as the friendly, welcoming place I have known for the past 70 years and where our children attended school if we can have resident teachers, law enforcement personnel, business owners, service providers etc , e.g. community members who connect with each other and make the town function as a community. Otherwise Ouray runs the risk of becoming a "tourist destination" period.

Information from other mountain towns underlines that all of them are facing the same pressures and have, in most cases, put various limits on the licensing of short term rental properties. I encourage Ouray City Council to adopt a policy that limits the number of short term rental properties in Ouray and supports property owners who are willing to provide some affordable housing for year round residents.

Thank you for your consideration of this difficult but critical issue and your work toward a meaningful resolution that helps keep Ouray a real community.

Respectfully submitted,

Teris Schery  
481 N. Pinecrest Dr.  
970-325 4359



July 15, 2021

Dear Mayor Nelson and Members of the City Council,

This is to urge you to cap the number of short-term rentals in Ouray to 100 permits, and to refrain from any "Cap and Trade" program. Ideally, the number of short-term rentals should be reduced to a far smaller number.

The number of short-term VRBO type rentals in Ouray is far out of balance- they are significantly crowding out and virtually eliminating the long-term rental market, and contributing to the significant increase in the sales prices of residences as many buyers factor in an expectation of rental income to their purchase offer. We are all lamenting the great shortage of affordable housing in Ouray, and its hurting us all with effects ranging from falling enrollments in our school, to shortages of workers, to a lack of volunteers for our many community activities. Many of our neighboring communities have taken action to slow down the out-of-control domination of short-term rentals and I would urge you to take similar actions here in Ouray.

Sincerely,

Vivian Toan  
438 8<sup>th</sup> Avenue  
Ouray, Co, 81427  
Telephone: 917-538-5346

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

From: Carol Harper <carolandchris@yahoo.com>

Sent: Thursday, July 15, 2021 9:47 PM

To: Silas Clarke <clarkes@cityofouray.com>

Subject: STR

City council, Greg, and Silas

Please put this on the public record,

As long time residents(1991), we would like to add our concerns over the increasing number of STR's being proposed for our city. We ask that a limit of 50-70 be allowed with no cap and trade allowed.

We need to free up housing for permanent residents working in our schools and businesses to keep our city running year round.

Carol and Chris Harper  
355 Easy Street

Be Sent from my iPadr city.

July 15, 2021

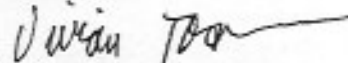
Dear Mayor Nelson and Members of the City Council,

This is to urge you to cap the number of short-term rentals in Ouray to 100 permits, and to refrain from any "Cap and Trade" program. Ideally, the number of short-term rentals should be reduced to a far smaller number.

The number of short-term VRBO type rentals in Ouray is far out of balance- they are significantly crowding out and virtually eliminating the long-term rental market, and contributing to the significant increase in the sales prices of residences as many buyers factor in an expectation of rental income to their purchase offer. We are all lamenting the great shortage of affordable housing in Ouray, and its hurting us all with effects ranging from falling enrollments in our school, to shortages of workers, to a lack of volunteers for our many community activities. Many of our neighboring communities have taken action to slow down the out-of-control domination of short-term rentals and I would urge you to take similar actions here in Ouray.

I am requesting that you add my letter to the Council's records.

Sincerely,

A handwritten signature in black ink, appearing to read "Vivian Toan", with a long horizontal flourish extending to the right.

Vivian Toan  
438 8<sup>th</sup> Avenue  
Ouray, Co, 81427  
Telephone: 917-538-5346

**From:** Brian Exstrum <brianexstrum@gmail.com>

**Sent:** Friday, July 16, 2021 8:37 AM

**To:** Silas Clarke <clarkes@cityofouray.com>

**Subject:** Short Term Rentals in Ouray

To whom it may concern,

I would like you to put this email into the public record as part of the meeting on short term rentals in Ouray.

I request that you limit the number of short term rentals to an absolute maximum of 70 (preferably only 50) in Ouray as a way to maintain the health of our small community. I am a full-time year-round resident and also a business owner. I am concerned that if we have too many short term rentals, we will become an empty town, devoid of the lifeblood of a community which is full-time residents which include a variety of ages and socio-economic status.

Vote NO on cap and trade.

Brian Exstrum

Ouray Bookshop

Home Address: 518 5th Street

**From:** Amy Exstrum <amyexstrum@gmail.com>  
**Sent:** Friday, July 16, 2021 8:38 AM  
**To:** Silas Clarke <clarkes@cityofouray.com>  
**Subject:** Short Term Rentals

To whom it may concern:

First, I request that my email be put in the public record.

I am requesting that short-term rentals be limited to the 50-70 unit range, which is reasonable for a town this size. As a permanent full-time year-round resident and business owner in Ouray, I do not want our community hollowed out, which it will be if we don't have enough affordable housing for people who live and work here.

The healthiest communities are the ones that contain people of all ages and socio- economic status. Limiting the number of short term rentals helps with this goal.

Please vote NO on Cap and Trade.

Respectfully,  
Amy Exstrum  
Ouray Bookshop  
Home Address 518 5th Street

From: Lisa Knight <lknight84@yahoo.com>

Sent: Friday, July 16, 2021 8:40 AM

To: Greg Nelson <nelsong@cityofouray.com>; Silas Clarke <clarkes@cityofouray.com>

Subject: Short Term Rentals

Hello Greg and Silas,

I would like to state my opposition to increasing the number of short term rentals (STR) in Ouray. The STRs do not contribute directly to much of the infrastructure they utilize while visiting, for example our over-taxed sewage system. In addition, STRs do nothing to help with our lack of worker housing.

Also, the surrounding communities have capped their STRs at much lower numbers than we have here in Ouray. For example, Silverton and Ridgway each allow 40 and 50 STRs each respectively. They also express their reasoning behind their STR caps, so a visit to their websites could be very illuminating. Let's be careful and thoughtful about our use of STRs so as not to destroy our community.

Please include this letter in the Public Record.

Thank you for your time,

Lisa Knight

1544 Hinkson Terrace

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

From: J P Lauderdale <jplauderdale@me.com>

Sent: Friday, July 16, 2021 9:02 AM

To: Silas Clarke <clarkes@cityofouray.com>

Subject: Protest additional building of STRs in Ouray

Good morning, Silas -

I am writing in response to information regarding the possibility of allowing the addition of STR units to future development projects. I believe the STR situation has gotten completely out of hand, and it is time for the City of Ouray to continue to prioritize work on this issue with consistent, collaborative work to create solutions that benefit the whole community, not only those seeking to turn a profit. The following issues need to be clear and firm:

- a cap on the number of allowable units
- significant fees for licensing, and enforcement of licensing
- significant fines for non-compliance

The creation of the 2019 ordinance is a good start, but needs more teeth in it to hold STR owners accountable to the city. Other communities have established firm limits on this, and I believe Ouray needs to do so as well.

Incentivizing the addition of more STR units will only serve to make the ongoing shortage of sustainable workforce housing worse; more STRs are not needed or wanted by the community. Establishing and enforcing firm rules, and implementing them as quickly as possible, is what's needed to start addressing Ouray's housing issues.

Thanks for your time.

Jackie Lauderdale  
830 4th St.

**From:** Cie Hoover <ciehoover@gmail.com>

**Sent:** Friday, July 16, 2021 9:39 AM

**To:** Greg Nelson <nelsong@cityofouray.com>; Glenn Boyd <boydg@cityofouray.com>; Ethan Funk <funke@cityofouray.com>; John Wood <woodkj@cityofouray.com>; Peggy Lindsey <lindseyp@cityofouray.com>

**Cc:** Silas Clarke <clarkes@cityofouray.com>

**Subject:** Short-Term Rentals

Good morning all -

Karisa and I are writing to express our thoughts regarding the short-term rental issue facing Ouray. I would request that this email be a part of public record, and for you to consider feedback like this as you decide how to move forward on this issue.

**In short, we believe the town needs to severely limit the number of short-term rental units allowed within city limits.** We've heard some folks say to cap it at 100, others at 75, some at 50...in our opinion the fewer short-term rentals allowed the better our city will be.

We know many others have expressed similar thoughts with specifics on how a strict cap on STRs would be better for our community: support for infrastructure, year long business, more school enrollment, more school students to work summer jobs, etc... While these are all important impacts to consider, the underlying factor for us is that we want to ensure the COMMUNITY we moved here for is preserved and protected. It is our opinion that the more short-term rentals there are in such a small town, the less opportunities there are for the local workforce to live and contribute to this community (i.e. more folks will be forced to live in Ridgway, Montrose, or move away all together).

With the current housing crisis we are going to lose more teachers, more service industry workers, and more of our community. Rather than building more housing, and putting even more stress on our current infrastructure, a severe limit on the number of STRs would go a long way in helping this crisis. We know this community relies on tourism, but that's what our plethora of hotels and RV parks are for. Let's ensure we allow our COMMUNITY to survive along with the tourism industry.

We appreciate your careful consideration on this matter.

With respect,

Cie and Karisa Hoover  
445 8th Ave, Ouray, CO



**From:** Karen Risch <rischbk@gmail.com>

**Sent:** Friday, July 16, 2021 3:11 PM

**To:** Silas Clarke <clarkes@cityofouray.com>

**Cc:** Greg Nelson <nelsong@cityofouray.com>; Glenn Boyd <boydg@cityofouray.com>; Ethan Funk <funke@cityofouray.com>; John Wood <woodkj@cityofouray.com>; Peggy Lindsey <lindseyp@cityofouray.com>

**Subject:** Short term rentals

Dear Mr. Clarke and City Council:

You will be discussing Short Term Rental regulations again this coming Monday. As a close neighbor of several of these units, I understand what draws people to rentals in Ouray's residential areas. They are generally good accommodations, close to Main Street, and give visitors a taste of what it is like to live here.

But the severe impact of the steadily increasing presence of these legally listed short term rentals, now occupying nearly 15 percent of Ouray's housing stock (122 housing units out of 851) on Ouray's workers and its neighborhoods is important to consider, too. Those of us who have lived here a long time realize that many of the people we know and whose presence we value can no longer afford to live in Ouray, even if more housing were available. This is true for both service workers and those with salaried jobs like teachers, policemen and city employees. Lucky are those who owned or had rented a long term residence before the STR boom hit!

Our neighborhoods, too, often feel like they are under siege when as many as 10-12 visitors with five or six jeeps and associated ATVs occupy the house next door or the condo down the street. Our streets are narrow, most of these units have parking for two vehicles, and you can guess where the excess motors are parked. What children remain in these neighborhoods are at risk if they ride bikes or walk our streets, as are citizens walking to town or to the park with a dog in tow.

In addition, I urge you to consider that Ridgway, with a much larger housing stock, allows only 50 STRs. Ouray County allows only 100, though the total number of residences and available is also much greater than Ouray's.

Yes, many people are making a very good profit from these STRs. Please consider, though, if profit above community is the reputation we want for Ouray? Or do we wish for a community of persons whom we value for their many skills and talents and then welcome the visitors as we can manage them?

If the latter, we need you, our civic leaders, to be thoughtful and lead by example. We have multiple housing experiences for visitors: campgrounds, cabins, motels,

hotels and STRs. But our geographically limited housing stock and our workers and valued businesses are already excessively strained due to the ever increasing number of STRs. Cities and towns throughout Colorado have caps on STR numbers, for these and other good reasons.

It is time for us to limit STRs. In fact, it is long overdue.

Sincerely,

Karen Risch  
212 9th Avenue  
Ouray