

Ben Fulmer

From: Shannon Tuch <stuch@ashevillenc.gov>
Sent: Friday, October 16, 2015 1:46 PM
To: sjobowers@gmail.com
Cc: Gary Jackson;Cathy Ball;Todd Okolichany;Alan Glines;Jason Nortz;councilgroup
Subject: FW: Short Term Rentals
Attachments: Public Input Timeline.docx

Dear Ms. Bowers –

Councilwoman Wisler forwarded me your emails so that I may help respond with some information. As the Councilwoman mentioned, this is a complicated issue and one that the City has been working on for some time now. I've attached a summary timeline of all of the meetings and public discussions that have occurred on the subject of Homestays and Short Term Rentals indicating the extent of the discussion that has occurred to date, and what is planned in the next couple of months. Once you review, I hope you will see that we have tried very hard to provide ample opportunity for public input and education. Additionally, staff and Council has received numerous emails and other communications from citizens and other stakeholders expressing opinions or valuable considerations, and we continue to research what is happening in other communities. All of this information has been taken into consideration and weighed against many desired outcomes and goals. Also worth mentioning is that we have also provided other communications have including public notices for these meetings, website information pages, publicly posted staff reports and research, etc. The media has also been a partner in helping to get the word out.

I am personally familiar with the multiple property complaint you refer to, as well as the property in Kenilworth that has been grandfathered for STR's. The former is not the first complaint of this kind that we have received, which I believe helps to illustrate the polarity of strong opinions on this issue; and the latter is a unique situation where a STR community was constructed at a time when these uses were allowed, and has remained in operation ever since. This is the only use of this kind that I have encountered since working for the city and given the level of interest in this subject lately, I believe the property owner did a wise thing in requesting this research and formal documentation of their status as a legally established but, non conforming use. Unfortunately, most of the STR/homestay complaints we receive did not establish legally and are not eligible for the same consideration.

Enforcement of a reported illegal STR or Homestay begins with our staff verifying the activity, we don't just take someone's word for it and have to have first hand knowledge. Most commonly, this is done by researching the website posting and if there's enough information to verify the activity, a Notice of Violation is sent. These notices identify the violation but provides a time frame to correct – usually 30 days for a STR/homestay. It also invites the recipient to contact our staff to discuss how to, or different options for resolving the violation. It also explains that if the recipient believes that the notice was sent in error, to please contact the staff to explain and we can void the case if indeed in error. In most instances, we achieve compliance and do

not ever have to issue a citation (fines). Our goal is not to issue citations but, rather, work with folks on achieving compliance while addressing the concerns expressed by others.

I hope this information is helpful and please feel free to contact me with any other questions you may have.

Sincerely,

Shannon Tuch, Principal Planner/Zoning Administrator
Planning & Urban Design
City of Asheville
828.259.5817
stuch@ashevillenc.gov

From: Gwen Wisler AVL City Council [mailto:gwenwisler@avlcouncil.com]

Sent: Tuesday, October 13, 2015 1:19 PM

To: Gary Jackson; Shannon Tuch

Subject: Fwd: Short Term Rentals

Shannon:

Do you have the list of all the outreach staff and Council did around this issue?

Thanks,
Gwen

Begin forwarded message:

From: Samantha Bowers <sjobowers@gmail.com>

Date: October 13, 2015 at 11:16:19 AM EDT

To: Gwen Wisler AVL City Council <gwenwisler@avlcouncil.com>

Subject: Re: Short Term Rentals

Hi Gwen-

Thank you for your kind response. I would be most interested in assisting officials create a task force where all perspectives are represented allowing for a compromise to be reached. The town of Woodfin took this approach, and they were successful, albeit I would suggest a City staffer and an attorney be assigned to avoid any non-legit ideas.

You and Council are right; we need to get this right. This is a multifaceted issue with many layers. I think the community can come to a reasonable compromise and help alleviate the burden on Council.

I appreciate your willingness to listen.

Take care,
Samantha

On Fri, Oct 9, 2015 at 2:24 AM, Gwen Wisler AVL City Council

<gwenwisler@avlcouncil.com> wrote:

Ms Bowers:

Thank you for your email. Very complicated issue. Council is trying to get this one "right" and the process is taking time.

Different zoning districts have different regulations: that's true. A strictly residential neighborhood should and does have different rules than mixed use. If the City is issuing notices of violations in error, I am confident this will be corrected. However I'm sure you would agree that the city has an obligation to follow up on complaints. Also homeowners and residents have an obligation to follow the regulations regardless of whether they agree with the regulations. Assisting elected officials with getting to a better place is the viable alternative to disagreeing with rules.

Thank you,

Gwen Wisler

On Oct 8, 2015, at 9:27 PM, Samantha Bowers <sjobowers@gmail.com> wrote:

Hello Honorable Mayor and Councilmembers-

I wanted to share where I stand with Short Term Rentals. I am in favor of legalizing on a reasonable level and regulating, for many reasons.

Recently, a neighbor of 5 Points anonymously reported over 40 households that operate short term rentals/Airbnb's out of their home. That means 40 of their community members are now facing a significant loss in critical income since they are receiving Notices of Violation based on this anonymous filing. The people I am hearing from would qualify as a Homestay, if Council had voted in favor of the loosened ordinance in August.

The guests of these homeowners were not partying, creating loud noises, or bothering neighbors in any way to warrant a complaint. Sadly, one of their neighbors, was essentially 'stalking' their property for clues. The City has created a pathway for anonymous complaints, which is pitting neighbor against neighbor while the short term rental homeowners are stuck in an awkward limbo, not knowing when they will have a pathway to compliance.

Meanwhile, someone who has their property for sale, has been approved by the City to allow a Short Term Rental in Kenilworth because of the date of the home. The letter seemed to say that some current residential zones that had their zoning changed in 1965 are Grandfathered in. So, homes downtown can operate a Short Term Rental, homes built prior to 1965 can operate a Short Term Rental, homes in the County can operate a Short Term Rental, and homes that are more than 2500 sqft and offer an evening refreshment can operate a Homestay-STR. But anything

else is a flat out violation and anyone with any chip on their shoulder can effectively take away their neighbor's livelihood?

Thanks for listening and thank you for your dedication to our City. This is an issue I have been following closely for three years now.

In service,
Samantha Bowers
[828.230.0233](tel:828.230.0233)

<STR Advocates - White Pages.pdf>

<MiddleClassReport-MT-061915_r1.pdf>

<Sales jump \$1M with Airbnb 'on the books' in Asheville area.pdf>

Ben Fulmer

From: Cecil Bothwell <cecil@braveulysses.com>
Sent: Thursday, October 08, 2015 3:40 PM
To: Samantha Bowers
Cc: <AshevilleNCCouncil@ashevillenc.gov>
Subject: Re: Short Term Rentals

Hi Samantha,
I couldn't agree more ... but I need three more votes on Council to make this happen.
Sorry to hear about this.

-c

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<STR Advocates - White Pages.pdf><MiddleClassReport-MT-061915_r1.pdf><Sales jump \$1M with Airbnb 'on the books' in Asheville area.pdf>

Ben Fulmer

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Sent: Thursday, October 08, 2015 3:27 PM
To: <AshevilleNCCouncil@ashevillenc.gov>
Subject: Short Term Rentals
Attachments: STR Advocates - White Pages.pdf; MiddleClassReport-MT-061915_r1.pdf; Sales jump \$1M with Airbnb 'on the books' in Asheville area.pdf

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In service,
Samantha Bowers
[828.230.0233](tel:828.230.0233)

Ben Fulmer

From: Emily Richter <emilykrichter@gmail.com>
Sent: Monday, August 24, 2015 2:36 PM
To: <AshevilleNCCouncil@ashevillenc.gov>
Subject: Short Term Rentals Advocacy Letter
Attachments: STR Advocates.pdf; MiddleClassReport-MT-061915_r1.pdf

Hello Honorable Mayor and Council Members:

I am writing today in regards to the upcoming Short Term Rental ordinance changes. I would like to start by saying most people are good people, well-meaning people. Let's be mindful to not speak in a way that labels citizens first as criminals waiting to break the law. Overreaching regulations harms both the economy and individual liberty. As Mayor Esther Manheimer said, "Innovation districts are a way of wrapping our arms around the future in a strategic way instead of just letting it happen haphazardly. We are trying to guide growth into the right places and generate good quality, high paying jobs." Common-sense solutions for policymakers should support innovative housing opportunities like Short Term Rentals which keep dollars local, create living wage jobs and send customers to small businesses.

To continue, when citizens see unjust principles they act in civil disobedience. "An individual who breaks a law that conscience tells him is unjust...is in reality expressing the highest respect for the law," said Martin Luther King Jr. Furthermore, Mahatma Gandhi said, "An unjust law is itself a species of violence. Arrest for its breach is more so." (Switch law to ordinance for application in STR context.) This is a time for policymakers to make the decision to either support economic mobility or continue to criminalize citizens with, as one council member said, 'draconian' rules.

Another Council member noted on a Facebook thread, events or polls showing a majority of people in favor of STRs does not sway him, "Those who are marginalized and underresourced are notoriously difficult to effectively poll." I agree yet add there are many locals scared to speak up and share their stories on why Short Term Rentals are important to them and how their individual scenario should be protected. People reach out to me and say the STR source of income is vital, and risking losing it by speaking out would be detrimental to their family's security. This local subset is also being marginalized and socially excluded. With these untold stories, there is a higher percentage in favor of STRs on some level than shown in the below examples.

- **June 2014-** 379 signatures, iPetitions-Community requests delay of enforcement and a review of Asheville's policy on STRs
- **March 25, 2015** - Majority of the 200+ people at public forum showed hands in favor of STR
- **August 11, 2015** - 81% out of 1,138 votes on the recent A-CT poll are opposed to stricter rules for STR. (Granted, you need to take into account some of the votes are duplicates as a Councilman said even he has played that game. Nevertheless, I would wager the outcome would still show a majority).

Though people speak against STRs as being filled with loud parties, the recent July 2015 Noise Ordinance Appeals Board meeting was canceled as no appeals or complaints had been filed. The fear-based antic that Short Term Rentals are degrading neighborhoods is exaggerated. Let us not "barricade ourselves behind preconceived notions or well-practiced cynicism," said President Obama. Instead of shouting, let's listen and be willing to try new things. As stated in the CoA Comprehensive Housing Strategy, we need to prevent further

loss of Asheville's economic middle by providing greater variety of housing choices for middle-income families and for Asheville's workforce.

In August 2015, the affordable housing essays written by affordable housing professionals posted by Mountain Xpress did not address Short Term Rentals as a means of supplying or controlling the affordable housing stock. There are 59,000 homes in Asheville with 582 active rentals on Airbnb, which comprises 1% of the housing stock. Increasing enforcement versus altering the ordinance to allow STRs with reasonable regulation will not address the affordable housing crisis, it will exacerbate it by removing a solid source of income for hundreds of homeowners. A guiding principle in the CoA Comprehensive Housing Strategy says to form new partnerships to deliver housing that meets the needs of the community, not to pit neighbor against neighbor as suggested increased enforcement may create.

Meanwhile, saying there is a compromise by loosening Homestay's ordinance is not a transparent statement. The current suggestions do not support locals securing a 'piece of the tourism pie.' Specifically, requiring hosts to stay overnight with guests excludes 64% (370 listed as 'entire home rental,' meaning owner absent) of rentals listed on Airbnb. Furthermore, majority of listings are locally owned and managed, not third party managed from a distance. Short Term Rentals regulated clearly can serve as a permanent affordable homeownership option that preserves the stability of neighborhoods while assisting the prevention of gentrification.

Even more, Henry David Thoreau said, "I heartily accept the motto, 'That government is best which governs least.'" By the same token, I suggest ordinance changes follow suit with Ockham's razor. The principle states, among competing hypotheses that predict equally well, the one with the fewest assumptions should be selected. As stated in the CoA Comprehensive Housing Strategy, we need to foster mixed-income, mixed-use neighborhoods in amenity rich locations to maximize locational efficiency.

A closing thought to the future, with sales tax revenues potentially shifting away from Asheville with House Bill 903, why increase STR enforcement, resulting in a decreased Occupancy Tax windfall from Airbnb's collecting and remitting on hosts' behalf? We all can agree, this is a necessary pool of revenue for our County with a portion needing to be allocated to the Housing Trust Fund. Allow the Short Term Rental community to unite hundreds strong, without fear of retribution, to focus efforts on campaigning for that change with the Tourism Development Authority.

Please refer to the attached STR Advocates and Middle Class Report for more information.

In service,
Emily Richter

Emily Richter ASID, LEED AP
Designer
571-215-9384
www.emilykrichter.com
www.marcharkness.net

Ben Fulmer

From: Cecil Bothwell <cecil@braveulysses.com>
Sent: Saturday, July 04, 2015 5:49 PM
To: Jocelyn Olcott
Cc: AshevilleNCCouncil@ashevillenc.gov
Subject: Re: short term rentals resolution?
Attachments: STR op-ed.doc; ATT00002.txt

Jocelyn,

As I noted in an op-ed in the Asheville Citizen-Times (attached below), the whole idea of a meaningful ban on STRs is nuts.

Your observation that it would depend on neighbor snitches is exactly correct - and no amount of City oversight can eliminate that. If we assign a staff member to monitor AirBnB and other similar sites, we will know who is advertising - but that's free speech. All contractual arrangements between renters and landlords are private - so the simple fact that an offer is made does not create a legal proof that the offer was accepted.

Next step? I guess we station more employees in the bushes to wait and see if some renter actually shows up, and then check every day to see whether its a 30+ day rental or a 3 day affair. Then court, where a landlord can argue that the rental was for 30 days but the renter only stayed for 3 ...

We are up against a sea-change in commerce due to the shift in technology. Hoteliers hate AirBnB, many citizens love it both as owners and renters. We need to accept change and see what actually happens.

My guess is that the intrusion of STRs into neighborhoods will be minimal. Noise complaints will handle occasional problems. We ought to focus on more serious matters.

I will be pressing for full legalization of STRs in all zoning districts.

Happy 4th!

-c

Ben Fulmer

From: Cecil Bothwell <cecil@braveulysses.com>
Sent: Monday, June 15, 2015 10:55 AM
To: councilgroup
Subject: FYI - op ed I submitted to AC-T per STRs
Attachments: STR op-ed.doc

Ben Fulmer

From: Richard Fort <RFort@ClarkNexsen.com>
Sent: Tuesday, May 12, 2015 2:44 PM
To: Roy Borden
Cc: Marc Hunt (hunt.marc@gmail.com); Jan Davis (jandavis@avlcouncil.com)
Subject: RE: Short Term Rentals - March 25 Meeting

Marc:

Your views on STRs are disappointing indeed. I agree with Roy, i.e. why does there have to be a one-size-fits-all solution? There are instances where tightly controlled, tasteful STRs are located in neighborhoods which are not harmed by these STRs. These residences would never be leased at such a rate that would qualify as affordable. Nothing would be lost to affordable housing stock. Might we come up with a solution that allows Asheville to benefit from these while doing what we can to protect neighborhoods?

Thanks my man,
Rich

Richard Fort AIA, LEED AP
Vice President | Associate

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From: Roy Borden [mailto:bordy96@gmail.com]
Sent: Monday, May 11, 2015 9:25 PM
To: Marc Hunt
Subject: Re: Short Term Rentals - March 25 Meeting

Marc, thanks for taking the time to respond. I agree that the regulation of Homestays and Short Term Rentals is indeed complex and challenging. I would suggest, however that one solution does not fit all. Higher end STR's (\$450/night or more) on larger parcels of around one acre or more are a different breed. They do not diminish the availability of affordable housing. They do not present parking problems. They do not disturb the neighborhood due to the property buffers and the quality of guests. Large parties and noise are not allowed. They are monitored closely by owners and property managers. They are "islands" of luxury sought after by reasonably affluent guests who bring significant revenue to Asheville.

Would it not be possible to develop a process by which such properties could be certified and approved?

Thanks for your consideration.

Roy Borden
[828-768-3116](tel:828-768-3116)

On Fri, May 8, 2015 at 9:11 AM, Marc Hunt <marchunt@avlcouncil.com> wrote:

Mr. Borden

Thanks for writing me regarding our regulation of short-term rentals and homestays here in the City of Asheville. These are complex issues and the source of much concern in the community.

As was announced Thursday, Council is set to discuss of STR and homestay policy at our regular session on Tuesday, May 12th at 5:00PM at City Hall. Council will not be deciding on specific ordinance amendments that evening, rather, we will deliberate among ourselves in order to provide city staff guidance for drafting and later presenting possible ordinance amendments. As we recently held a large public input session on these matters, I do not anticipate that public comment will be included on the 12th. Public comment would of course be guaranteed with any formal consideration of ordinance changes at both the required Planning and Zoning Commission and City Council meetings. Those interested may attend the session, may watch it live on Charter Cable or web stream, or view video replay beginning Wednesday the 13th.

I want to share with you my current policy positions on these topics. I of course look forward to learning more with the deliberation at Council and with any additional public input I receive before I finalize my positions.

You probably realize that there are two areas of policy and regulation in all this – short term rentals (STR) and homestays. Put simply, STRs involve rental of less than 30 days of an entire residence without the owner necessarily being present, and a homestay involves short-term rental of one or more bedrooms in a residence that is occupied by the owner/operator.

Short Term Rentals

Currently, STRs are in violation of our ordinance and some citizens are proposing that they be legalized. As I have learned more about this, I appreciate just how complex this issue is and how there are genuine tradeoffs in going either way on it. My posture today is that we should continue to prohibit STRs in residential neighborhoods and continue to allow them in certain non-residential areas, thus, I'd suggest no modification to the current ordinance other than increasing the fine for violation from \$100 per instance to \$250. Because violations are proving disruptive and I do not believe complaint-driven enforcement is fair, I also feel we should change our enforcement strategy to a more pro-active one including the screening of promotions on the internet. Stepped up enforcement would require additional funding in next year's budget which I would be ready to support. I am convinced that the City is faced with the need to step up enforcement in a significant way no matter what our policy approach is given the market dynamics and tensions in the community over STRs.

Advocates for permitting STRs in residential zones emphasize benefits to the tourism economy, boosting tax collections, responding to market demand of visitors, and economic opportunity for property owners as points in favor of legalization of STRs. Those are all reasonable points. My wife and I once owned and managed an STR in Swain County, and we use STR accommodations sometimes when we travel. I do understand the dynamics of STRs. For me, the overriding arguments against permitting STRs are the negative effects on neighborhood and community integrity when homes are empty or occupied by transient visitors, the negative effects on availability of long-term rental housing when significant housing stock is dedicated to tourism, and the negative effect on affordability of housing as a result of increased demand by investors for residential properties and reduced supply of long-term housing. I also am sensitive to the negative effects on neighbors of disruptive behavior and noise that occurs in some STR situations.

As a side note, were we to allow for STRs in the community, I believe the market dynamics and economics for STR owners would change significantly with an increase in supply and increased competition.

Homestays

-

Homestays are currently allowed in residential areas, and I am inclined to support continuation and some expansion of the provision for homestays. Homestays do not present nearly the concerns that STRs do when it comes to neighborhood integrity, impacts of affordability, and disruptions/noise. I think homestays do fill an important niche in the hospitality industry, and I am also sensitive to the “shared economy” opportunity desired by some homeowners.

Compared to the current ordinance regarding homestays, I would favor amendments that require owner/operators to obtain an applicable permit from the city and that there be appropriate liability insurance in place. The revised ordinance would allow rental of up to 3 bedrooms as long as their combined square footage does not exceed 25% of the total residence, no minimum square-footage requirement for the entire residence (currently at 2,500 square feet which I think is too arbitrary), nor require service of breakfast (again, too arbitrary). I think we should require that the owner/operator be present overnight during homestays. I would favor continuation of the off-street parking requirement. I would not favor minimum separation requirements between homestay operators as a first-come/first-serve approach is not a fair way to provide economic opportunity in this case. In not requiring minimum separation, I am not sure there would be sufficient geographic concentration of homestays, nor that occasional close proximity would be disruptive. Though they would be requirements under law anyway, we should highlight in the ordinance that owner/operators must be in compliance with all building and zoning codes and with the North Carolina Vacation Rental Act. I would also favor coordinating with Buncombe County to ensure that occupancy tax requirements are met. I would support rigorous enforcement consistent with that of STRs in order to avoid the predictable problems that come with “under the radar” violations. I also want to make sure that the City would have a concise and readable policy guide available for anyone considering getting into the homestay business so that all the regulations are clearly known.

Last year, city staff had framed up several recommendations regarding homestays that were presented to Council's Planning and Economic Development Committee and the Planning and Zoning Commission. My above suggestions reflect some of those suggestions but not others. You might find it interesting to review those, in the linked P&Z meeting minutes, especially the handy table on page 8 that staff created regarding various provisions of the ordinance. http://www.ashevillenc.gov/Portals/0/city-documents/cityclerk/mayor_and_citycouncil/boards_and_commissions/planning_and_zoning/PZ_May2014_midmonth_minutes.pdf

Asheville's comprehensive land use plan, The 2025 Plan, lays out guidance for all our zoning regulations alongside other adopted master plans. There are several plan goals that would be served by the policy directions laid out above: Adaptive use/re-use of existing structures, advancing the tourism economy as an economic driver, advancing small business and home occupations, improved housing affordability, and reinforcing neighborhood integrity and quality of life.

As much as any policy challenges the city has faced since I was elected in 2011, regulation of homestays and STRs have been among the most complex and most challenging. The issues have been controversial and divisive at times, but there has been great effort by many citizens to research and interpret these issues carefully and to offer constructive input. I am appreciative for that as I know others on Council and staff are. My own views have evolved significantly over the course of the discussion.

It is now time to move to resolution. Thanks for your ongoing input and advice.

Marc Hunt

On Mar 23, 2015, at 4:42 PM, Roy Borden <bordy96@gmail.com> wrote:

I look forward to the meeting this Wednesday. This issue needs an open discussion of all views both pro and con. I have some concern however, that Short Term Rental owners will be reluctant to speak up, due to the concern that they would be admitting that they are in violation of the city ordinance. Some assurance at the beginning of the meeting that all should feel free to speak without fear of penalty would go a long way in assuring that all views are aired.

Also, if you have not already seen the site below, I recommend viewing for a very good understanding of the pros and cons of short term rentals.

<http://www.stradvocacy.org/>

Thanks for your consideration.

Roy Borden

[828-768-3116](tel:828-768-3116)

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Roy Borden
[828-768-3116](tel:828-768-3116)

Clark Nexsen Email Security: Click [here](#) to report this email as spam.

Ben Fulmer

From: Greg Goodman <greglgoodman@gmail.com>
Sent: Tuesday, April 21, 2015 7:44 PM
To: <AshevilleNCCouncil@ashevillenc.gov>
Cc: Greg Goodman
Subject: Comments on Short Term Rental & Home-Stay Regulations from March 25, 2015 City Meeting at the Civic Center

Dear Honorable Council Members & Mayor:

Please excuse my tardiness in submitting my observations/comments made during the above referenced meeting. I spoke at the meeting, but wanted to submit my comments 'for the record'. My comments follow my general observations of the meeting. Those general observations follow:

1. Until the meeting began, I was under the impression that it was specific to 'short term rentals (STR)'--however, I am appreciative of the Mayor's opening remarks that included descriptions of the difference between STRs and 'home-stays'.
2. However, as the meeting progressed, there seemed to be a great deal of confusion regarding the differing meanings of what is considered to be a STR versus home-stay.
3. It appeared to me that most of the vocal STR advocates were actually operating/interested in home-stay regulations.
4. It may be in everyone's best interest to modify the name 'home-stay' to 'owner occupied home-stay' or some other descriptive phrase to minimize future confusion.

A summary of **my comments made at the March 25 meeting specific to and/or regarding STRs** follow:

1. My family and I oppose STRs within residential zoned neighborhoods based on my experiences with STRs within my neighborhood (Albemarle Park, zoned RS-2). Short term house rentals, by nature of the relatively large house size and rental fee, attract gatherings of large numbers of people and associated automobiles--frankly, our neighborhood is not designed or built to support this type of use. This additional infrastructure burden (car trips, extended hours, trash, water, sewage load) effectively turns an RS-2 house into an RS-4 or RS-8 zoning island inside of the RS-2 zone.
2. When the owner of a 'residence' decides to vacate the house and maximize their return on investment via STR, in my mind that house is no longer a residence, but is a business or commercial venture that is not appropriate for a residential zone, certainly not an RS-2. However, STRs may be appropriate for RS-4 or higher depending on the neighborhood.
3. The transient nature of STR tenants results in a basic lack of accountability not present with long term rentals, bed & breakfasts, and home-stay situations. For the latter cases, there is an on-site owner or manager available to discuss issues in a neighborly manner. STRs can be (and I believe will become) anonymous investments with unknown or indirect contact information that is not compatible with residential neighborhoods.
4. Finally and in general, Asheville suffers from a lack of housing for its citizens. Allowing STRs further decreases available housing stock for Asheville's citizens..

I did not publicly comment on the City's proposed home-stay regulations at the above referenced meeting. I would like to offer the following **comments on proposed home-stay regulation**:

1. The spacing restrictions between home-stay structures (500' I believe) is too stringent. I believe that any owner occupied residential structure (regardless of zoning) should be allowed to operate a home-stay. This will allow underutilized structures to be more efficiently occupied and addresses my STR #3 comment regarding owner accountability to their neighbors. I do not believe that Asheville lacks an adequate number of bedrooms to house its population--I believe that we have too many un-occupied/under-utilized/collector/second houses. Please query the County property tax records for the number of bedrooms in Asheville--if there are more than enough for our population, this could be an enlightening piece of information.
2. The minimum sizing restrictions (2,500 SF) to qualify as a home-stay is too restrictive. I believe that the minimum square footage should be in the 800-1,000 SF range with one home-stay allowed for each additional 400-500 SF of floor space. Therefore there is no limit to the percentage of the house used for home-stay. Larger houses could therefore support more home-stays so long as they have adequate numbers of bedrooms. This would allow for a more efficient use of existing housing stock within the City.

Thank you for the opportunity to speak at the March 25 meeting and to submit my comments. I hope you find them useful and will consider them as you finalize STR and home-stay regulations. You may email or call me if you would like to clarify any of my comments.

Sincerely,

Greg Goodman

60 Cherokee Road

Asheville, NC 28801

828.254.9547

Ben Fulmer

From: Stephanie Brown <sbrown@exploreasheville.com>
Sent: Friday, April 17, 2015 12:42 PM
To: Bob Patel (bpatel@holidayinnbiltmore.com); Chip Craig (chip@greybeardrealty.com); Jan Davis (jandavis@avlcouncil.com); Jim Muth (jim.muth@muthmail.com); Joe Belcher (joe.belcher@buncombecounty.org); John Ellis (jellis@dwtheatre.com); John McKibbon (johnm@mckibbon.com); Marita Mowry; Paula Wilber (pwilber@biltmore.com); Steve Frabitore (steve@tupelohoneycafe.com)
Cc: Marla Tambellini; Dianna Pierce; Jonna Reiff; Kit Cramer; Chris Cavanaugh (ccavanaugh@magellanstrategy.com); Craig Madison (craig@cmastrategy.com); Eric Scheffer (efscheffer@gmail.com); Herman Turk (Herman.Turk@wcghotels.com); John Winkenwerder (cjwink@bellsouth.net); Mark Rosenstein (mark.k.rosenstein@gmail.com); Ron Storto (rstorto@biltmorefarms.com)
Subject: TDA: Friday update

Dear TDA,

Great media clips always make a sunny Friday even better. I'm especially happy that Asheville is listed among America's greatest music cities with Nashville, Memphis, New Orleans, and Austin – just as we prepare to launch our music initiatives.

WASHINGTONIAN

Eating Your Way Across the South from Charleston to Asheville

<http://www.washingtonian.com/blogs/getaways/destinations/great-eating-vacations-in-charleston-new-orleans-richmond-and-asheville.php>

THRILLIST

AMERICA'S 12 GREATEST MUSIC CITIES, RANKED

<http://www.thrillist.com/travel/nation/best-cities-for-live-music-new-york-memphis-asheville-and-austin?ref=twitter-869>

The spring season is off to an extremely strong start. For the week starting April 5, occupancy was up 16%, reaching 96% for the weekend and 78% for midweek. Occupancy is up 13% for the past 28 days.

I'm also passing along an email I received regarding Short Term Rentals (below).

Have a great weekend,
Stephanie

Stephanie Pace Brown
Executive Director
Asheville Convention & Visitors Bureau
36 Montford Avenue | Asheville, NC 28801
P: 828.258.6104 | M: 828.214.5141
sbrown@ExploreAsheville.com | www.ExploreAsheville.com

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

From: **David Rodgers** <rodgersdl@gmail.com>

Date: Fri, Apr 17, 2015 at 11:40 AM

Subject: Affordable Housing Shortage - Short Term Rentals

To: dnash@haca.org, hdillashaw@ashevillenc.gov, brian@hbofa.org, richard.leatherman@va.gov, scott@mtnhousing.org, "Weeks, Cindy" <cindy@mtnhousing.org>

Affordable Housing Advocates,

Marsha Stickford sent a memo this week "Affordable Housing Shortage Increasing Homelessness". There was an article in the paper today about this. As folks working to help address the housing crisis in the city of Asheville I hope you will talk with city council members about how allowing more short term rentals in the city is undermining your efforts. They are considering allowing more of our existing housing stock to be used for sheltering tourists instead of those who live and work here.

. There is a relationship between the increasing number of short term rentals and the reduction of housing options in our city.

Here are a few excerpts from the LA Times, NY Times and USA Today, so far the ACT hasn't reported much on this but we have the same issues in Asheville:

"In parts of tourist-friendly neighborhoods such as Venice and Hollywood, Airbnb listings account for 4% or more of all housing units, according to a Times analysis of data from Airbnb's website."

Source: <http://www.latimes.com/business/realestate/la-fi-airbnb-housing-market-20150311-story.html#page=1>

"In October, New York Attorney General Eric Schneiderman issued a report saying one-third of the revenue from NYC Airbnb rentals was going to commercial renters, or people who were renting out multiple units. Some 6% of NYC hosts were responsible for 36% of short-term bookings and 37% of the revenue, the report found."

Source: <http://www.usatoday.com/story/tech/2015/01/20/airbnb-cityhall-nyc-housing/22053589/>

"The number of New York City apartments and private rooms rented through Airbnb rocketed from about 2,650 in 2010 to 16,500 early last year, state Attorney General Eric Schneiderman's office said in an October report."

Source: http://www.nytimes.com/aponline/2015/01/20/us/ap-us-airbnb-hearing.html?_r=0

We have around 40,000 housing units in Asheville according to the most recent census data. At the short term rental forum in January it was noted that on just one site, Air B&B, there are more than 780 short term rentals. The real number of short term rentals is likely much higher as there are lots of other websites selling vacation rental nights in Asheville. Just using these numbers though this is nearly 2% of our housing stock.

Every unit rented to tourists takes one more potential unit off the market for those who live and work here. Even if it is "just a room" rented occasionally under the homestay rules, this is still a room that could be potentially used by having a roommate. The vast majority of rental units are entire homes or apartments. Imagine the impact putting 500 or 1000 units of housing back into the market. With a 1% vacancy rate or less in all price points of rental housing (according to a city report published in the ACT) we need all the units we can get.

Letting tenants operate homestays or short term rentals will drive rental rates up. I know of cases like this where the owner of the property doesn't mind, but the net effect is that we are housing tourists instead of folks who live and work here. If allowed, folks will be renting homes with more rooms than they actually need with the intent to rent rooms to tourists to subsidize their own housing costs. What does this do to the family that really needs a three bedroom apartment when a single person rents a 3 bedroom unit to operate essentially as hotel? It takes that unit off the market driving the rates up on the remaining. At least one city council member is

saying more people should be doing this to take advantage of the “sharing economy”. I believe this is wrong and undermines all the time and effort spent trying to reduce housing costs. Maybe you can help spread this view.

Please let your council members know that not enforcing the existing rules banning most short term rentals is fueling the housing crisis. Legalizing more short term rentals in residential neighborhoods will undermine your efforts to reduce housing costs for those who live and work here in the city of Asheville.

I appreciate your help speaking to members on city council with your views on short term rentals. Maybe you feel short term rentals are a good thing and in some way help create more affordable housing. If this is your view I'd like to hear more and consider how this works. I am open to discussion, but it seems pretty clear that taking units off the market drives prices up on the remaining available units.

Please feel free to distribute this email to others.

All the best,

David L. Rodgers

Ben Fulmer

From: Sarah Nie <niesarah@gmail.com>
Sent: Tuesday, March 24, 2015 7:23 PM
To: jandavis@avlcouncil.com
Subject: STR Advocacy
Attachments: SELC-City-Policies-for-Short-Term-Rentals-DRAFT-pdf.pdf; What are Short Term Rentals 2.pdf

Dear Councilman Davis,

In preparation for tomorrow's public forum on short term rentals (STR's), our collective of short term rental advocates has completed a position paper, ***What are Short Term Rentals?***, which I have attached here.

You may have seen this already, but we also agree with the recommendations outlined by the **Sustainable Economies Law Center's** recent draft of ***City Policies for Short Term Rentals***. (attached).

Asheville must harness the proliferation of short-term renting by implementing smart and transparent regulatory policies that benefit the entire travel ecosystem, from concerned neighbors to traveling families.

Please consider these best practices and policy recommendations to address concerns regarding any potential negative impact STR's may have on available affordable rental housing stock.

This issue presents an opportunity for not only homeowners and travelers, but also City government to capitalize on a growing trend in the sharing economy.

Asheville homeowners should have the right to utilize their residential property as a short term rental in residential neighborhoods, because I believe the use does not change, if someone stays there 2 nights or 31 nights.

From 2008- 2011, I experienced a loss in home equity due to the recession; a loss of employment from a lay off at the Henderson County Public Health Department; temporary homelessness when my newly constructed property was destroyed by a flood due to a faulty installation of fire extinguishing sprinklers. It was difficult time.

Unemployed and homeless, I rented a rooms on craigslist and on Airbnb, because a hotel was too expensive and the insurance settlement was taking months. It was relief to share expenses and have a some place comfortable to live, as I figured out my next steps.

I then later benefitted from renting my home to travelers, when the devastating loss of my mother led me back to my hometown of Columbus, Indiana, to help my Father and family pick up the pieces after she passed.

Slowly, things eventually improved, as they always do.

I continued to rent my property intermittently, which gave me the time and flexibility to develop a small business, debt free; serve as President of a local arts organization's Board of Directors for two years, and most

importantly, why I am now advocating for City Staff and Council do what many other North Carolina Cities have done and allow short term rentals in all of the City, just as the County did in 2011.

Will Asheville embrace these new platforms in entrepreneurial endeavors, allowing them to play out in the free market while setting the bar high for other North Carolina cities or will we challenge innovation and consider them disruptive to the old ways of doing business?

I stand with Stephanie Swepson Twitty of Eagle Market Street Development Corp and block by block social enterprises, when she said at the ***Bring it Home*** conference at AB Tech last week, "**asset and wealth creation begins with individuals**". This is the faith and belief I have in our community and I trust we have in our politicians as well as talented City Staff.

We are looking forward to a constructive, harmonious dialogue tomorrow.

Thank you for your dedication to Asheville.

Sincerely,
Sarah Nie

Ben Fulmer

From: Brian Postelle <BPostelle@ashevillenc.gov>
Sent: Thursday, December 12, 2013 3:49 PM
To: Brian Postelle
Subject: FW: MAYORS' 2013 HUNGER AND HOMELESSNESS REPORT RELEASED TODAY -- 25 CITY SURVEY (INCLUDES YOUR CITY)

Please see the attached press release and report from the U.S. Conference of Mayors. Asheville is a participating city.

Local contact:

Heather Dillashaw
The Asheville-Buncombe Homeless Initiative
City of Asheville
P.O. Box 7148
Asheville, NC 28802
hdillashaw@ashevillenc.gov
828/259-5851

Thank you.

Ben Fulmer

From: Joey Robison <JRobison@ashevillenc.gov>
Sent: Friday, April 11, 2014 5:14 PM
To: Marc Hunt;gwen@gwenwisler.com;Jan Davis
Cc: Alex Carmichael;All Department Directors;Anne Marie Doherty;Brenda Mills;Caroline Long;Cathy Ball;Christy Edwards;councilgroup;Dan Phairas;Gary Jackson;gracecurry1@charter.net;Jaime Matthews;Joey Robison;John Sanchez;Judy Daniel;maxlalexander@gmail.com;Nikki Reid;Sam Powers;sarah.urbannest@gmail.com;Shannon Tuch;Stephanie Monson;Tom Downing;Tony McDowell
Subject: PED Agenda and Staff Reports for April 15 Meeting (additional information provided)
Attachments: Staff Report - Short Term Rentals Update.docx; Staff Report - ROW Acquisition.docx; Draft ROW acquisition policy.docx; Flow Chart for ROW Acquisition.pdf; Staff Report - Standards and Specifications Manual.doc; Staff Report - DevIncentivesUpdate.doc; Staff Report - AprilPED_TIGER VI Grant Application.doc; PED_Feb18_2014_minutes.doc; PED_April15_2014_Agenda.docx

Good afternoon,

Please find attached the PED agenda and staff reports for the April 15, 2014 meeting, along with the draft minutes from the February meeting. The meeting will be held in the 1st floor conference room from 3:30-5 p.m.

As we are currently experiencing issues with accessing and editing the PED webpage, this information - along with the full Standards and Specifications Manual, which is too large for many of you to receive via email - will be posted to the PED webpage as soon as possible, and no later than 10 a.m. Monday morning. I apologize for the inconvenience. For your convenience, the agenda is pasted into the body of this email below.

Thank you,

Joey Robison
Executive Assistant
Assistant City Manager's Office
City of Asheville

P.O. Box 7148
Asheville, NC 28801
828.232.4517
jrobison@ashevillenc.gov

Meeting Agenda
Planning & Economic Development Committee City of Asheville, NC

April 15, 2014
3:30 p.m.
1st Floor Conference Room

1. Approval of the January 21, 2014 Meeting Minutes 3:30
2. Updates (No formal action needed)
3. Unfinished Business (Formal action requested)
4. New Business (Formal action requested)
 - a. Review of City's Right-of-Way Acquisition Policy- Cathy Ball 3:35
 - b. Approval of the City's Standards and Specs- Ken Putnam 3:50
 - c. Draft consultant findings for development incentives review project- Will Lambe, UNC SOG DFI 4:05
 - d. TIGER VI grant application- City Staff 4:30
 - e. Update on Short Term Rental Policy and Homestays - Judy Daniel
5. Presentations and Public Comment 4:35
(3 minutes for up to 5 individuals)
6. Adjourn - Next meeting scheduled for Tuesday, May 20, 2014.

Ben Fulmer

From: Stephanie Brown <sbrown@exploreasheville.com>
Sent: Tuesday, January 13, 2015 11:28 AM
To: Bob Patel (bpatel@holidayinnbiltmore.com); Chip Craig (chip@greybeardrealty.com); Jan Davis (jandavis@avlcouncil.com); Jim Muth (jim.muth@muthmail.com); Joe Belcher (joe.belcher@buncombecounty.org); John Ellis (jellis@dwtheatre.com); John McKibbon (johnm@mckibbon.com); Marita Mowry; Paula Wilber (pwilber@biltmore.com); Steve Frabitore (steve@tupelohoneycafe.com); Chris Cavanaugh (ccavanaugh@magellanstrategy.com); Craig Madison (craig@cmastrategy.com); Eric Scheffer (efscheffer@gmail.com); Herman Turk Asheville Renaissance Hotel/Windsor Capital Group (Herman.Turk@wcghotels.com); John Winkenwerder (cjwink@bellsouth.net); Mark Rosenstein (mark.k.rosenstein@gmail.com); Ron Storto (rstorto@biltmorefarms.com)
Cc: Marla Tambellini; Pat Kappes; Toby Weas
Subject: FW: Asheville CVB Invitation: Community Forum on Short-Term Rentals
Attachments: 250599355-Study-on-short-term-rentals.pdf

We're expecting a good turnout for next week's forum on short term rentals. More than 100 have signed up so far. I hope you will join us for this informative session to help represent the hospitality industry, and for background as the TDA potentially considers a position on this subject.

A panel discussion will follow Lynn's presentation. We're finalizing the details, but the panel will include:

1. Kit Cramer, Chamber of Commerce
2. Chip Craig, representing realtors and property managers
3. TBD, Coalition of Asheville Neighborhoods
4. Jim Muth, representing bed & breakfasts
5. Short term rental representative

Many thanks to our TDA board members who are participating as panelists.

Please let me know if an important perspective is not represented. The city is supportive of us having the event, but does not wish to participate as a speaker. For your information, I am attaching the report the city commissioned regarding the short term rental market.

With best regards,
Stephanie

From: Asheville CVB [<mailto:ashevillecvb@exploreasheville.com>]
Sent: Wednesday, January 07, 2015 11:25 AM
To: Asheville CVB
Subject: Asheville CVB Invitation: Community Forum on Short-Term Rentals

You're receiving this email because you're a partner of the Asheville Convention & Visitors Bureau. If you no longer wish to receive monthly communications from the CVB, please [unsubscribe](#) from this list. If this email looks broken, [view it in your browser](#). If you'd like to include another member of your organization in this list, please [forward](#) this email.



You're Invited!



Community Forum on Short-Term Rentals



Wednesday, January 21, 2015 | 1:00 p.m.–3:00 p.m.

Diana Wortham Theatre, 2 South Pack Square, Asheville

The short-term online rental marketplace represents a billion dollar industry and is rapidly growing. Airbnb, for example, lists 400 properties in Raleigh, 390 in Charlotte and over 780 in the Asheville area. While this innovative, new business model, which is considered part of the sharing economy, can lead to additional offerings for consumers, it is important to understand the well-developed regulations and licensing requirements in place for traditional lodging properties that are designed to benefit and protect patron, business and community interests.

Join us for a presentation by Lynn Minges, president & CEO of the North Carolina Restaurant and Lodging Association (NCRLA), to learn NCRLA's position and hear an update on state-level activity regarding issues surrounding short-term rentals.



The Buncombe County Tourism Development Authority, in partnership with the Asheville Area Chamber of Commerce, Asheville B&B Association, and Coalition of Asheville Neighborhoods is hosting the forum on short-term rentals from the North Carolina perspective.



RSVP Today

Date: Wednesday, January 21, 2015

Time: 1:00 p.m.–3:00 p.m.

Location: Diana Wortham Theatre, 2 South Pack Square, Asheville



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[Asheville Convention & Visitors Bureau](#)

36 Montford Avenue

Asheville, North Carolina 28801



Ben Fulmer

From: chrispelly4asheville@gmail.com on behalf of Chris Pelly <chrispelly@avlcouncil.com>
Sent: Tuesday, September 09, 2014 12:39 PM
To: Gordon Smith;councilgroup
Subject: Re: Final draft for NAC West Asheville Community meeting Agenda
Attachments: 9.22.2014 Handout.docx

Gordon,

Thanks for the heads-up. Agenda now attached.

Chris

On Tue, Sep 9, 2014 at 12:36 PM, Gordon Smith <gordonsmith@avlcouncil.com> wrote:
Chris,

Agenda, location, time, etc. was not attached. Send it along?

Thanks,

Gordon

On Mon, Sep 8, 2014 at 4:40 PM, Chris Pelly <chrispelly@avlcouncil.com> wrote:
Marsha,

Agenda looks good and the meeting looks interesting.

Am sharing with the rest of City Council

Thank you!

Chris

On Mon, Sep 8, 2014 at 1:24 PM, Marsha Stickford <MStickford@ashevillenc.gov> wrote:

Hi Folks,

Here is the finalized draft of the agenda for the September 22 Neighborhood Advisory Committee West Community Meeting. Please let me know if there are any changes that need to be made before I print them up for the meeting.

Thanks, Marsha

Marsha Stickford

Neighborhood Coordinator

Volunteer Coordinator

City of Asheville North Carolina

P.O. Box 7148

Asheville, NC 28801

[828.259.5506](tel:828.259.5506)

fax [828.259.5499](tel:828.259.5499)

mstickford@ashevillenc.gov

www.ashevillenc.gov



Think Green! Please do not print this e-mail unless necessary

Ben Fulmer

From: Maggie Burleson <MBurleson@ashevillenc.gov>
Sent: Friday, June 06, 2014 8:33 AM
To: Cecil Bothwell - Email;Chris Pelly;Esther Manheimer;Gordon Smith;Gwen Wisler;Jan Davis;Marc Hunt
Subject: Various Bd/Com Minutes
Attachments: ABC Bud Amdt #4.pdf; ABC Minutes 4-29-14.pdf; Finance Com 3-25-14.pdf; TDA Min 4-23-14.pdf; BOA Minutes 3-25-14.pdf; 5-7-14 P&Z Minutes.docx; 5-15-14 P&Z Mid-Month.doc

Thanks,
Maggie

Maggie Burleson, MMC, NCCMC
City Clerk
City of Asheville
Post Office Box 7148
Asheville, N.C. 28802
828-259-5601 (phone)
828-259-5499 (fax)

Ben Fulmer

From: Jaime Matthews <JMatthews@ashevillenc.gov>
Sent: Tuesday, December 10, 2013 3:22 PM
To: councilgroup;'gwenwisler@avlcouncil.com'
Cc: Dawa Hitch;Brian Postelle
Subject: FW: MAYORS TO RELEASE NEW HUNGER & HOMELESSNESS REPORT TOMORROW - WED, DEC 11, 11am EST

Mayor and City Council,

Attached is the US Conference of Mayors new report on Hunger and Homelessness. Asheville is one of the participating cities. We will send the release to our media lists tomorrow and out via social media.

This is embargoed until tomorrow morning.

Thank you,
Jaime

From: Elena Temple-Webb [mailto:etemple@usmayors.org]
Sent: Tuesday, December 10, 2013 1:46 PM
To: Jaime Matthews; Mayor Terry Bellamy; Dawa Hitch; Tom Downing; Press.Office@cityofboston.gov; Virginia Mayer; Huffman, Peggy; kmcmillan@ci.charlotte.nc.us; Harris, Randy; Bonfiglio, Catherine; Weisser, Caroline; Hamilton, Sarah; Green, Melissa; McCall, Valarie; ataylor@city.cleveland.oh.us; mharper@city.cleveland.oh.us; Mayor's Office of Communications; Blackmon, Paula; Wilkinson, Brett; Libro, Frank; Amber - Mayor's Office Miller; Amelia Morris; mayor@norfolk.gov; Hamilton-Morris, Amelia K.; molly.fowler@lacity.org; Desiree Peterkin-Bell; oliver.delgado@lacity.org; Vicki Curry; Poynter, Chris D; Janel.lacy@nashville.gov; bonna.johnson@nashville.gov; Tumar Alexander; sethiscott@phoenix.gov; tammy.vo@phoenix.gov; karen.peters@phoenix.com; maryg@plano.gov; dortiz@providenceri.com; jamie.castillo@sanantonio.gov; Joe.campbell@ci.stpaul.mn.us; Raymond, Art; Christine.Falvey@sfgov.org; Francis Tsang; Mayor Ed Lee; mayorsoffice@trentonnj.org; McCoy, Doxie (EOM); njohnson@santabarbaraca.gov; dewanna.lofton@memphistn.gov; Barbara Vaughn
Cc: Gene Lowe; Gail Thomas; Elena TEMPLE
Subject: MAYORS TO RELEASE NEW HUNGER & HOMELESSNESS REPORT TOMORROW - WED, DEC 11, 11am EST

Hello all. You may be aware that tomorrow (Wed/Dec 11) The US Conf of Mayors is releasing its annual H and H Report and YOUR CITY IS INCLUDED in the survey results. Pls see attached the EMBARGOED REPT + RELSE for your review for messaging and in case you/your mayors gets calls.

Of course, you are encouraged to send the attached/below advisory to your local press corps so they may participate in the presser call. **Finally, you are invited to listen to the press conference. The LISTEN ONLY number is [1-888-427-9411](tel:1-888-427-9411) Passcode: 5382795.**

Participating on the call will be Tom Cochran, Executive Director of the U.S. Conference of Mayors, Memphis, TN Mayor A.C. Wharton, USCM Hunger and Homelessness Task Force, Santa Barbara, CA Mayor Helen Schneider, Chair of the USCM Task Force on Hunger and Homelessness, and Laura Zellingner, Deputy Director of the United States Interagency Council on Homelessness.

Thank you and pls advise if you have questions.

Elena

[202-286-1100](tel:202-286-1100)

FOOD STAMP CUTS AND VETERANS' SERVICES EXAMINED IN NEW REPORT
ON HUNGER AND HOMELESSNESS

The U.S. Conference of Mayors to Release 2013 Hunger and Homelessness Survey

25-CITY SURVEY RESULTS ANNOUNCED ON CONFERENCE CALL -- Wed, Dec 11th at 11 a.m.
EST

Washington, D.C. – With a backdrop of significant cuts in federal food assistance programs and continuing economic problems in cities across the nation, The U.S. Conference of Mayors (USCM) will release its 2013 Status Report on Hunger and Homelessness Report on Wednesday, December 11 at 11:00 a.m. (EST) during a CONFERENCE CALL featuring mayors from around the country.

The report comes shortly after the expiration of Recovery Act provisions which increased food stamp benefits and while Congressional negotiations on the 2014 Farm Bill suggest that further cuts to the Supplemental Nutrition Assistance Program are imminent. For the first time, it includes a series of questions about efforts to respond to homelessness among veterans.

For more than 30 years, The Conference of Mayors has reported on the status of hunger and homelessness in our nation's cities, as well as individual programs offered to help those needing emergency assistance.

**** NOTE: AN ADVANCED EMBARGOED COPY OF THE REPORT AND RELEASE WILL BE AVAILABLE AT WWW.USMAYORS.ORG THE EVENING OF Tuesday, December 10th! ****

WHO: Memphis, TN Mayor A.C. Wharton, USCM Hunger and Homelessness Task Force Chair
Santa Barbara, CA Mayor Helene Schneider, USCM Hunger and Homelessness Task Force Chair
Tom Cochran, USCM CEO and Executive Director
Laura Zeilinger, Deputy Director, United States Interagency Council On Homelessness

WHAT: NATIONAL CONFERENCE CALL to release the USCM 2013 HUNGER AND HOMELESSNESS REPORT

WHEN: Wednesday, December 11, 2013 at 11:00 a.m. (EST)

WHERE: Media Call-In Number: [1-888-455-2263](tel:1-888-455-2263) | Passcode: 5382795

PARTICIPATING CITIES (25):

Asheville, NC

Boston, MA

Charleston, SC

Charlotte, NC

Chicago, IL

Cleveland, OH

Dallas, TX

Denver, CO

Des Moines, IA

Los Angeles, CA

Louisville, KY

Memphis, TN

Nashville, TN

Norfolk, VA

Philadelphia, PA

Phoenix, AZ

Plano, TX

Providence, RI

San Antonio, TX

Santa Barbara, CA

St. Paul, MN

Salt Lake City, UT

San Francisco, CA

Trenton, NJ

Washington, D.C.

--

Elena Temple Webb
Director of Communications
US Conference of Mayors
1620 I Street, NW
Washington, DC
[202-861-6719](tel:202-861-6719)
etemple@usmayors.org
www.usmayors.org

Ben Fulmer

From: Dawa Hitch <DHitch@ashevillenc.gov>
Sent: Thursday, December 20, 2012 5:43 PM
To: Dawa Hitch
Subject: RELEASE: FINAL USCM HUNGER & HOMELESSNESS REPORT/RELEASE
Attachments: FINAL RELEASE - HUNGER HOMELESSNESS 2012 .pdf; USCM H AND H 2012.pdf; 2012 HHS Bellamy Briefing Points.docx

[Press Release from US Conference of Mayors including remarks from Mayor Bellamy.](#)

From: Elena Temple-Webb [mailto:etemple@usmayors.org]
Sent: Thursday, December 20, 2012 10:52 AM
To: Elena TEMPLE
Cc: Gail Thomas; Lina Garcia
Subject: FINAL USCM HUNGER & HOMELESSNESS REPORT/RELEASE

--

Elena Temple Webb
Director of Communications
US Conference of Mayors
1620 I Street, NW
Washington, DC
[202-861-6719](tel:202-861-6719)
etemple@usmayors.org
www.usmayors.org

Ben Fulmer

From: Grant Millin <grant@innovograph.com>
Sent: Tuesday, July 03, 2012 1:37 PM
To: Dawa Hitch;Ed Eads
Cc: AshevilleNCCouncil@ashevillenc.gov;Gary Jackson;William Anderson
Subject: Asheville panhandling violations since 2004: 2,507
Attachments: IG Favicon v3 (Very Small).jpg; 2004-2012 Asheville Panhandling-Tresspass Violations.pdf; November 2009 report_final.pdf; Searching out Solutions- Constructive Alternatives to the Criminalization of Homelessness RPT_SoS_March2012.pdf

Thanks, Dawa. Thanks, Ed.

I am glad we have the *A-B Homeless Initiative*. Homelessness was one of the first policy areas I began studying many years ago now. It's important to realize that APD receives any number of requests for service and are asked to implement a variety of policies coming from different focus areas.

But here are some we numbers we have that need further analysis but may lead to some historical performance when it comes to criminalization of non-violent homeless/street life activity and achieving 'betterness' in areas like downtown. Data courtesy of APD:

Asheville's 2002 panhandling ordinance produced 2,507 violations between Q2 2004 and Q2 2012. 15,603 second degree trespass violations were issued.

Note: This "2nd degree" category of trespass may have been applied in everything from domestic conflicts to public advocacy demonstrations. More segmented data from actual NC Court cases and law enforcement violation sheets would be needed to identify homeless/street life activity numbers.

There are efforts by downtown merchants to see orderliness for customers and employees as they conduct commerce and various homeless groups asking for a lighter enforcement hand when it comes to those living on the streets. I agree that the video you shared of the Homeless Initiative consortium and APD going out to the homeless and informing constituents about resources for moving up and out of poverty and homelessness before criminalizing homeless activities is something every stakeholder on this issue needs to view:

Reaching Out Together

You Tube: <http://bit.ly/MGwWZD>

A-B Homeless Initiative/APD

June 26, 2012

This new approach approach has only begun so checking these panhandling and trespass (segmented for homeless/street life activity) violations versus performance of the *A-B Homeless Initiative* in moving these folks up and out of homelessness/street life may be a valuable set of metrics. Everyone needs to be involved because those experiencing greater success hiring or just befriending a citizen work on moving out of these situations is probably a big part of the solution.

I see that in the attached document "2004-2012 Asheville Panhandling-Tresspass Violations.pdf" soliciting alms is our 'panhandling' ordinance (actually called something else in our ordinance code) and soliciting from the highway (in the same category as our 'panhandling' ordinance) are separated. I also see most of the trespass

charges are lower level cases. Upon further research I see trespass charges can arise from domestic conflict as much as merchants managing those living on the streets.

According to the attached APD matrix, something happened mid-2008 and we've been issuing more panhandling violations ever since. That was the bottom of the recession, but we've still been issuing more panhandling violations than 2004. We can assume the first years of Asheville's 2002 panhandling ordinance we are the lower rate as well.

More demographics, geospatial, and case specific data will help this visualization process, but I thank the City of Asheville for educating me about there side of this part of the homeless/street life issue. Along with the 2009 UNC study on Asheville-Buncombe homeless policies I am including this one that seems to be part of the new plan already:

Searching out Solutions- Constructive Alternatives to the Criminalization of Homelessness
RPT_SoS_March2012.pdf

I think BID proponents should be made aware of this *United States Interagency Council on Homelessness* report and if the BID policy is implemented their "Clean and Safe" staff should be trained on these new policies and be part of managing the difference between those that are in 'opportunity lock out' versus those who are genuine dangers to society. I am for fixing the first category with social innovation and reducing if not eliminating the real harms from real safety threats.

This kind of sharing of information and generation of understanding and deep innovations seems to be what is best about Asheville. The *Downtown Master Plan* and the as yet unarticulated similar plan for the rest of Asheville, Buncombe, our State and the nation (beyond BAU growth) depend of transforming text in such documents into a 'betterness' reality through people and great moves.

Happy Fourth of July.

Thank you,

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