

Ben Fulmer

From: Sarah Terwilliger <sterwilliger@ashevillenc.gov>
Sent: Thursday, September 07, 2017 10:18 AM
To: councilgroup
Subject: P&Z Interviews-- please respond
Attachments: P&Z Final Packet.pdf

Mayor and Council members,

Attached please find the application packet with essay responses for the current P&Z vacancies. There are 3 eligible seats, in which one member, Laura Berner Hudson is eligible and interested in reappointment.

There are 7 candidates, including Ms. Hudson. Please send me your top THREE recommendations for interviews to be conducted prior to the 10/3 Council Meeting by next **Monday, 9/11 at 5:00**. I will then compile the results for the Bds/Comm review and recommendation at the upcoming 9/12 meeting. Also, because Ms. Hudson is an incumbent she will automatically get an interview, please do not include her in your top 3.

Please let me know if you should have any questions.

Thanks!
Sarah

Sarah Terwilliger
Deputy City Clerk
City of Asheville
(828) 259-5839

Ben Fulmer

From: Brian Haynes <brianhaynes@avlcouncil.com>
Sent: Wednesday, August 02, 2017 5:12 PM
To: Gary Jackson;councilgroup
Subject: Fwd: alternatives to gentrification
Attachments: AvlGentFinalReport6-30-14.pdf

Gary,

After reading through the Comprehensive Plan Draft I'm not seeing where the strategies proposed in this 2014 report are specifically addressed. As this issue has been made a priority by both the previous and current council can we look at adding this to the plan. If it's there and I'm missing it please let me know. Thanks Brian

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

From: Brian Haynes <bhaynes@ashevillehabitat.org>
Date: Wed, Aug 2, 2017 at 2:27 PM
Subject: alternatives to gentrification
To: "brianhaynes@avlcouncil.com" <brianhaynes@avlcouncil.com>

Ben Fulmer

From: Lee, Rich <Richard.Lee@edwardjones.com>
Sent: Friday, April 21, 2017 1:35 PM
To: undisclosed.for.privacy
Subject: RE: Please reconsider the ADU issue

I haven't seen any responses from Cecil, just a number of emails from CAN members. I'm against the changes that are going to council on Tuesday for a few reasons:

1. Attached ADUs are typically cheaper long-term rentals than detached ADUs. So if the goal is to preserve affordable housing stock, this doesn't work. It encourages a bleeding away of the most likely affordable units and saves the most expensive ones.
2. The changes don't do anything I can see to address neighbor concerns about parking or strangers roaming the neighborhood or commercialization of residential areas. Hard to see how this is a compromise that satisfies neighborhood-character advocates.
3. If the goal is a compromise that puts the STR issue to bed, this doesn't seem to be it. Anyone can easily, and rightly, argue it's an arbitrary line on a slippery slope that won't hold. Next there will be a push for STR in ADUs separated by a carport or deck, and from there to wholly detached.
4. The changes don't place any limit on the overall number of STRs in an area.

I'm still inclined to allow some STRs, even detached or whole-house, as long as they:

- Satisfy basic parking, noise, and nuisance concerns; and
- Don't go over 3% of the housing units in any neighborhood.

This doesn't do any of that. I could see voting against it if I were on council. Hope that helps,

Rich Lee

Financial Advisor
141 Asheland Avenue #201 Asheville, NC 28801
☎ 828-236-3220 | Fax: 888-556-8563 | ✉ richard.lee@edwardjones.com

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From:
Sent: Friday, April 21, 2017 11:31 AM

To:

Subject: Please reconsider the ADU issue

Rich,

I don't know if you are copied on the CAN listserve where Cecil and I along with several others have been discussing the use of ADU homes as STRs.

If you haven't read the article in the ACT about how we, the Asheville area, leads the state in Airbnb rentals by a huge margin I hope you do - the link is below. Especially if you were to put this in per capita terms, it is clear the demand on our housing stock for use as hotels is astronomically higher here than anywhere else in the state.

One of the problems with Cecil's "logic" on this issue is he thinks it is just a "few home owners" who will rent STRs. The data is clear - it is not just a few. **We have more STRs than Charlotte, Raleigh, Wilmington, Durham, Boone and Chapel Hill Combined!**

I really hope you reconsider your view on this. I and many others want to support you, but if you want to let whole homes to be used as STRs (ADUs are whole complete homes) we cannot support you. Other than this one, crucially important issue I think you are one of the top three candidates. I want to support you, but with the housing crisis and all the money and efforts we put towards creating higher density and housing we really can not cannibalize the housing we have converting it into hotels - it is truly counter-productive and undermines all these efforts.

Here is part of the email I sent to Cecil / CAN with the link to the article:

Printed on the front page of the Asheville Citizen Times March 2, 2017:

"ASHEVILLE - Local property owners renting houses to tourists, some possibly in an illegal fashion, raked in more than \$13 million in 2016, **more than Charlotte, Raleigh and four other top North Carolina municipal areas combined.**

That's according to numbers released Thursday by Airbnb, the international online short-term rental company."

Here's a link to the entire article: <http://www.citizen-times.com/story/news/local/2017/03/02/asheville-area-airbnb-sales-131m/98636488/>

Cecil - lets also face this fact. **WE NEED MORE HOUSING.** This is why you all voted two years ago to increase the size of ADUs. Now a 1200 sq ft home can have an attached 1000 sq ft ADU home. The intent was to create housing, not hotels. ADUs are real homes housing real people. Why do you want to displace folks renting these homes for more profitable tourists?

One more fact I wish you would quit hiding from. Converting a home into a hotel reduces housing. I'll give you that this isn't a 1:1 relationship, there are some folks who would never rent long term, but the net here is a reduction in housing if you allow homes to be used as hotels. This is just a basic fact.

Please Cecil - face the facts. Reconsider your view on this.

David L. Rodgers

Real Estate Broker - Appalachian Realty Associates

<http://www.appalachianrealty.com>

828.545.9571

The North Carolina Real Estate Commission requires that Real Estate Agents discuss with potential buyers and sellers the different ways we may work with them. For more information on this: <http://www.ncrec.gov/Brochures/WorkingwAgents.pdf>

Ben Fulmer

From: Maggie Burleson <MBurleson@ashevillenc.gov>
Sent: Thursday, March 30, 2017 1:02 PM
To: Brian Haynes; Cecil Bothwell; Esther Manheimer; Gordon Smith; Gwen Wisler; Julie Mayfield; Keith Young
Subject: Draft March 28 Minutes
Attachments: Minutes 2017-MAR-28.pdf

Please let me know if you'd like any corrections by Noon on Wed. April 5.

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: Maggie Burleson <MBurleson@ashevillenc.gov>
Sent: Thursday, February 16, 2017 10:26 AM
To: Brian Haynes; Cecil Bothwell - Email; Esther Manheimer; Gordon Smith; Gwen Wisler; Julie Mayfield; Keith Young
Subject: Draft 2-14-17 Council Minutes
Attachments: m170214.pdf

Please let me know if you'd like any changes no later than Wednesday, March 1 at Noon.

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: Lou Farquhar <jloufarquhar@gmail.com>
Sent: Thursday, January 19, 2017 11:15 AM
To: Richard Lee
Cc: David Rodgers; Cecil Bothwell; councilgroup; ashevillecan@googlegroups.com
Subject: Re: [CAN] Re: Please reconsider the facts on ADUs

Rich,

Thank you for reasoned response. I think the reason ADU owners are the "bogeyman" is because they're easy targets. Not very vocal because they're small in number and also worried about being ratted out by "neighbors", city enforcement lurking in alleys and expensive software trolling for illegal listings. Also it seems every discussion gets hi-jacked by throwing in whole house rentals which are the source of most of the complaints.

At the end of the day, using David as an example, it's always much easier to blame and shame ADU owners and not do the hard work of finding a solution to the lack of affordable housing. I'm hopeful that with the new enforcement data being collected and follow up on the new Homestay permitting, we will finally get some REAL facts on the impact to neighborhoods and some REAL numbers on "100's and thousands" of ADU's.

Lou Farquhar

On Wed, Jan 18, 2017 at 7:22 PM, Richard Lee <ric.hardlee@live.com> wrote:

There are lots of ways that housing stock is removed from circulation: when its bought for a vacation when its spot for a vacation home that stands empty most of the time. When it's downtown apartments whose residents are evicted to create a boutique hotel or "mixed use". When it's turned into businesses Northside or around Shiloh. When it's a divided house that's recombined back into a restored mansion. Or simply the spec building bubble that means developers putting a \$450k house on every tiny lot instead of building things the local employment pool can afford.

The city doesn't have policies about any of these. You can buy up houses and let them stand empty all you want. You can convert them to regular bed and breakfasts or, if you're downtown, into unlimited short-term rentals with the city's blessing. I note that, of all of these, building and renting an ADU is the most likely to be practiced by people of modest means, local people without much going for them except maybe some equity in their home, rather than a large developer or wealthy out-of-town investor in downtown properties.

Doesn't it seem strange that of all uses, this one that we can't even say is the biggest drag on the housing market has become the bogeyman? Every other use gets a pass -- or applause as a boon to the local tax base. As it happens I agree there should be a lot of limits on STRs, on who owns them and where. But I can't help notice that once again the practice of the lowest stakeholder is vilified for what the richest does at will. If we're going to curtail STRs, and we should, let's not drag the housing debate into it. Or let's drag every practice in equally.

Rich

----- Original message -----

From: David Rodgers <rodgersdl@gmail.com>

Date: 1/18/17 7:04 PM (GMT-05:00)

To: Cecil Bothwell <cecilbothwell@gmail.com>

Cc: Lou Farquhar <jloufarquhar@gmail.com>, councilgroup <AshevilleNCCouncil@ashevillenc.gov>, ashevillecan@googlegroups.com

Subject: [CAN] Re: Please reconsider the facts on ADUs

Cecil,

What is the lie? I just stated facts. Please explain what you think is a lie.

Really. Lets deal with the facts starting with this:

1. Converting homes to hotels equals less housing.
2. We need more not less housing.

This is pretty basic and what it boils down too. We have a choice to make we either need more housing or we don't.

David L. Rodgers

On Wed, Jan 18, 2017 at 6:23 PM, Cecil Bothwell <cecilbothwell@gmail.com> wrote:

David,

Your answer fails to address your lies about other people's financial situations.

You really need to sit down and shut up, IMHO.

-C

On Jan 18, 2017, at 12:52 PM, David Rodgers <rodgersdl@gmail.com> wrote:

Lou,

The basic facts are this:

1. We don't have enough housing in Asheville. You and I agree on this.
2. Our city goals, policies, development incentives and now \$25 Million plus interest all clearly are behind getting more units of housing built in our city. You and I both agree on this too I presume.
3. Allowing whole homes to be used as hotels (let's be clear ADUs are homes) subtracts units of housing. This is a basic math problem that is just a fact we have to face.

I imagine this third point you probably will want to use the presentation your husband gave to council as a rebuttal. The Portland "model" does not account for the cannibalization of existing

housing in our market here in Asheville where the ratio of tourists to citizens is drastically much higher (this is why we threw this idea out on the task force).

Is the Farquhar / Tierney model of buying homes with ADUs that were long term rentals and turning them into hotels adding or subtracting units of housing? It is clear between your two households we as a city now have two less units of housing. Is this the example of what we want replicated hundreds of times losing hundreds of homes for use as hotels?

I get that you don't want to be a landlord with long term tenants and can respect that. It is your right to do what you want within the zoning. The real issue I see here is we really can't afford to have hundreds or thousands of folks follow the example and path you want to go down. Maybe thousands seems like a crazy number, but how many hotel rooms were added in the last five years? I can easily see entire neighborhoods turned into beach front / resort areas where the majority are transients. Whole houses are next using Cecil's logic we "have to legalize it" in order to regulate. So if this reasoning is true about ADUs it is true about whole homes and is where we are headed (personally I reject this flawed logic).

We have lots of garage apartments in our neighborhoods. These are real homes and some of the most affordable options. The zoning is there for a reason. We need housing to be used as housing, not hotels. As one who works with Habitat for Humanity I am sure you understand more than I just how important it is for families to have a place to call home.

Please, I hope you reconsider this a bit more and put your personal self-interests aside and live within the zoning we have. The rules are there for a reason - we need more homes not hotels in our residential zoned neighborhoods.

David L. Rodgers

On Thu, Jan 12, 2017 at 12:20 PM, Lou Farquhar <jloufarquhar@gmail.com> wrote:
Bless yer heart, David.....

You don't know me but I am the wife who is on John's "property card" He chooses to ignore you but I can't...maybe it's a "woman thing" needing to have the last word. If so I own that. I suppose we should be flattered by your portrayal of "millionaire businessman" but in the final analysis, I think your letter says more about you----a bit squishy on facts and heavy on insinuation.

To flesh out your "revelations" (not that anyone really cares) let me give you some facts. We moved to Asheville in 2006 from DC and bought our house in Fairview and the Timberlake condo followed in 2008 as a joint purchase with my sister and her husband. We decided to move closer to downtown in 2014 and listed the Fairview house for sale. As often happens, it did not sell so is now rented long term. My sister and her husband live in the Timberlake condo. And no, not **"several other properties in Buncombe County of over One Million Dollars"**. Would that that were true. And no, no LLC's to look for.....

Again along the lines of "who cares?", we purchased our 100 y/o Norwood Park house because we fell in love with it...not because we needed or wanted extra income from the rental apartment. The 450 SF furnished apartment (or should I say "hotel"?) above the detached carriage house (25 feet from our house) is our "guest room" used by visiting family, friends , friends of friends and the parents and children of neighbors. The bottom floor of the carriage

house was renovated as a writing space for John and a quilting studio for me. Long term tenants (affordable or otherwise) would not allow the flexibility and privacy we want 25 feet from our house. Short term guests, yes: we control who, when and whether.

I suppose your diatribe may sway some who choose to see John as you portrayed him. but people who know him see him as a pragmatic, fact seeking, consensus promoting angry liberal. I believe people are entitled to their opinions but not their "facts" and his work on the Task Force speaks to that. Of course he argued for "his side" ...just as you did. We still believe that the use of ADU's for short term rentals is not the Apocalypse so many seek to describe and can be a flexible source of both income and housing when regulated and licensed under the current Homestay ordinance.

The Asheville Blade recently published enforcement data on each of the 127 violations presented by City Enforcement at the December CC meeting. I looked at this data and it appears that *maybe* 12 are ADU's...less than 10%. Of these 12, all appear to have been either "anonymously" reported or found through new city compliance software. No mention was made of noise, parking, sketchy behavior or any of the other scare-mongering reasons given for banning their use. Going forward, more data from City Enforcement will help to inform the discussions: How many are ADU's with owners on site? How many are single family homes with no owner present? Are the verified noise, parking, nuisance reports really just from whole house rentals as it appears? Opponents of ANY short term rentals always lump ADU's and whole houses together under one Apocalyptic umbrella...let's prove it once and for all with real facts, especially now that you can add legal Homestays to the mix and see if those horrible predictions have come true.

I do agree with you on one thing you said: the need for affordable housing is obvious, and should be a priority for all of us. I for one am happy my tax increases will go to that end. I have worked on local Habitat building sites every Tuesday for the last 10 years, as well as on trips to Louisiana. I'm concluding my second term on the Habitat Board of Directors. I know first hand the scope of the problem and have seen the results when City, County, State, Feds, non-profits, for-profits, donors and yes, homeowners come together to work on it. Affordable housing works both ways and to Cecil's point, many ADU owners ARE single mothers, widows, divorcees; ADU income can make their own home affordable but you can also add young families and retirees looking to supplement pensions and Social Security.

Your letter to Cecil et al promoting this trope that it's greedy fat cats who are responsible for taking away affordable housing and thus should be required to provide it with our 450 SF ADUs is a cop out: it smacks of NIMBYism and a fatal lack of imagination.

Lou Farquhar

On Wed, Jan 11, 2017 at 9:49 AM, David Rodgers <rodgersdl@gmail.com> wrote:
Cecil,

I just saw your posting on the ASTRA Facebook page:

"It has come to my awareness that a seeming majority of persons who are offering short term rentals are single women who need the income. (And no surprise, since women are paid lower and hold more part time jobs, hence needing the income.) I'd be very interested to hear from you in complete confidence if that's the case. I am doing everything I can to make STR of ADUs legal in Asheville and I promise utter confidentiality if you contact me. Either FB message or e-mail.

cecil@braveulysses.com"

Please know that two of the ADU Task Force members are seemingly affluent males wanting to use their ADUs as STRs. Both bought their homes in 2014, John Farquhar in Norwood for \$445,000 and Jackson Tierney in Montford \$565,500. Both have their wives listed on the property cards so I guess you can present this as "women needing the income" to all at city council. I really don't think these two men and their wives are broke and needing the income from running a hotel to survive. It is interesting to note that when these two men purchased homes with ADUs in 2014 the listing of John's said it was a long term rental. Jackson's said it was income producing and my understanding is this was a long term rental too. I understand Jackson did a lot of work to bring his up to code, but the point here is that these were two men bought homes with ADUs that were sheltering citizens, not tourists. **The zoning in place when they bought their homes did not and does not allow STRs.**

Why do you want to convert our housing to hotels?

These are not impoverished individuals. **John Farquhar owns several other properties in Buncombe County of over One Million Dollars. Jackson Tierney owns or owned other investment properties too.** Many smart investors use LLCs so it is hard or impossible to know just how many properties an individual owns.

Maybe John Farquhar or Jackson Tierney can let you know if they are truly destitute and need the additional profit of operating a hotel vs. the income generated from long term rentals. The listing on John's when he bought it in 2014 said the rental rate for the ADU was \$1000 per month. Isn't this enough profit? I guess not.

These two men dishonored the work we did on the ADU Task Force by presenting their own plan, developed secretly. We as a group decided not to use the "Portland model". It is clear they presented this plan to you before the city council meeting where we were all blindsided by John presenting for 10 minutes on a plan we rejected. I hesitated to outline their investments, but it is clear you need to know the leading advocates of changing the zoning is not destitute women. It is two profit maximizing businessmen not satisfied with the profits of long term rentals.

AirBnB is a \$30 Billion company trying to profit converting our housing to hotels.

Cecil, why are you siding with these wealthy men and AirBnB when we obviously need more housing? We are all going to be paying for decades the \$25M plus interest for the housing bonds. It is clear the taxpayers want more, not less housing. The vote was clear on the bonds. ADUs are real housing. It doesn't make sense to convert hundreds of homes into hotels while financing the construction of apartments in the same price point. We might as well flush our tax dollars / bond money down the toilet.

I BCC all ADU Task Force members as I believe in not going behind the backs of others. We all worked too hard over nine meetings developing a path forward to let this get hijacked by wealthy business men not happy with the zoning rules they purchased their homes with now trying to get the rules changed.

I truly hope you reconsider your position on using our homes as Short Term Rentals. ADUs are homes, not hotels.

All the best,

David L. Rodgers

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You received this message because you are subscribed to the Google Groups "Asheville CAN" group.
To unsubscribe from this group and stop receiving emails from it, send an email to AshevilleCAN+unsubscribe@googlegroups.com.

To post to this group, send email to AshevilleCAN@googlegroups.com.

To view this discussion on the web visit

<https://groups.google.com/d/msgid/AshevilleCAN/CAAQRpBgvrn%3DCpgR7%3DFk4M5j1AOeS77RqKR1UVMfAFjb7k4H%3Dww%40mail.gmail.com>.

For more options, visit <https://groups.google.com/d/optout>.

Ben Fulmer

From: Lou Farquhar <jloufarquhar@gmail.com>
Sent: Thursday, January 19, 2017 11:10 AM
To: Cecil Bothwell
Cc: David Rodgers;councilgroup;<ashevillecan@googlegroups.com>
Subject: Re: Please reconsider the facts on ADUs

Thanks for trying, Cecil. People are going to believe what they want to believe....

I'm out also.

LF

On Thu, Jan 19, 2017 at 9:47 AM, Cecil Bothwell <cecilbothwell@gmail.com> wrote:

I apologized to David for my choice of language.

I'm a little fed up with the endless badgering, and as Lou Farquhar pointed out in an e-mail and FB post, David did distribute false information about that family.

I think both sides of this discussion have made their positions eminently clear, so I'm not going to participate in a further e-mail exchange with any of the respondents in this thread concerning the issue.

I recognize that I can be unpleasant when I am ticked off.

-C

On Jan 18, 2017, at 7:04 PM, David Rodgers <rodgersdl@gmail.com> wrote:

Cecil,

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I imagine this third point you probably will want to use the presentation your husband gave to council as a rebuttal. The Portland "model" does not account for the cannibalization of existing housing in our market here in Asheville where the ratio of tourists to citizens is drastically much higher (this is why we threw this idea out on the task force).

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whole houses together under one Apocalyptic umbrella...let's prove it once and for all with real facts, especially now that you can add legal Homestays to the mix and see if those horrible predictions have come true.

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"It has come to my awareness that a seeming majority of persons who are offering short term rentals are single women who need the income. (And no surprise, since women are paid lower and hold more part time jobs, hence needing the income.) I'd be very interested to hear from you in complete confidence if that's the case. I am doing everything I can to make STR of ADUs legal in Asheville and I promise utter confidentiality if you contact me. Either FB message or e-mail. cecil@braveulysses.com"

Please know that two of the ADU Task Force members are seemingly affluent males wanting to use their ADUs as STRs. Both bought their homes in 2014, John Farquhar in Norwood for \$445,000 and Jackson Tierney in Montford \$565,500. Both have their wives listed on the property cards so I guess you can present this as "women needing the income" to all at city council. I really don't think these two men and their wives are broke and needing the income

from running a hotel to survive. It is interesting to note that when these two men purchased homes with ADUs in 2014 the listing of John's said it was a long term rental. Jackson's said it was income producing and my understanding is this was a long term rental too. I understand Jackson did a lot of work to bring his up to code, but the point here is that these were two men bought homes with ADUs that were sheltering citizens, not tourists. **The zoning in place when they bought their homes did not and does not allow STRs.**

Why do you want to convert our housing to hotels?

These are not impoverished individuals. **John Farquhar owns several other properties in Buncombe County of over One Million Dollars. Jackson Tierney owns or owned other investment properties too.** Many smart investors use LLCs so it is hard or impossible to know just how many properties an individual owns.

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Cecil, why are you siding with these wealthy men and AirBnB when we obviously need more housing? We are all going to be paying for decades the \$25M plus interest for the housing bonds. It is clear the taxpayers want more, not less housing. The vote was clear on the bonds. ADUs are real housing. It doesn't make sense to convert hundreds of homes into hotels while financing the construction of apartments in the same price point. We might as well flush our tax dollars / bond money down the toilet.

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I truly hope you reconsider your position on using our homes as Short Term Rentals. ADUs are homes, not hotels.

All the best,

David L. Rodgers

Ben Fulmer

From: Michael Lewis <mlewis6956@charter.net>
Sent: Thursday, January 19, 2017 5:20 AM
To: anne marie doherty;David Rodgers;councilgroup;CAN-Board@googlegroups.com
Subject: Re: [CAN] Please reconsider the facts on ADUs

Well, the Homestay, which is evidently what you did, is no longer an issue. They're legal and always have been. Either from ignorance, or by intent, STR advocates keep mixing the two in their arguments to commercialize residential neighborhoods. It is beginning to appear that STR advocates use stories like yours to blur the issue and confuse the public about what is legal and what is not. Once the differences are obscured, legalizing STRs will gain public support. Then, SUPRISE! Once STRs are approved, there will be no going back whether the position of the folks against STRs (like me) is valid or not. Then the property rights argument will have substance. The STR issue is an unknown, but some people are willing to impose a risk on others.

Just don't mess with neighborhoods.

Mike Lewis

On 1/18/2017 9:44 PM, anne marie doherty wrote:

David,

I am a single mother, long term Asheville resident, who has given countless volunteer hours to improving quality of life for "all" Asheville residents. For example, I worked on the highway issue, organizing a community forum, created and managed a neighborhood website for free, was one of the primary volunteers on Solarize Asheville, tutored children at Isaac Dickson, Odyssey and JCC, precinct chair for years, did Building Bridges, was on Executive Committee of Sierra Club, attended many CAN meeting, even ran the meeting before...perhaps you don't agree with my politics, but I have more than demonstrated my desire for safe, livable, connected, healthy Asheville neighborhoods. When I saw an issue, I didn't just rant about it, I took action and worked for solutions.

I never intended to rent my ADU, it was my guest room, but that wasn't an option when the recession hit. It helped get me through without being forced to sell my home, and it was bloody "hard work" to do it right.

I am in the process of writing my story, help put a human face on the issue, but meanwhile I want to say how tired I am of the "rants" from a few residents, that point to a some bad actors and lump all of us together. I'm so tired of being treated like a criminal.

Am I frustrated with the way the City has handled STR regulation?, you bet I am! Does Airbnb have some serious flaws? yes. I started the STRAA website four years ago, because I realized this was going to be a huge issue for Asheville, and I genuinely wanted to get ahead of the curve and work to craft reasonable regulations, help bring genuine hosts out of hiding to work together. So much for that idea.

The spectrum of hosts is broad, but It is true that at the extremes there tend to be two types of STR hosts. Type 1, those that are "only" in in for the money, don't care much about the neighborhoods, own many properties, don't want to even know who their guests are...

Type 2, legitimate residents, long term property owners that are active in the community, single women or young folks, retired folks, all trying to make it financially, folks that really need the income, hosts that love introducing folks to Asheville, hosting parents of UNCA kids, workshop attendees, new arrivals, and all the other type of visitors to Asheville that can't afford an expensive hotel. When I was attending Lenoir Rhyne's sustainability program, we even did a project how Airbnb could be used to promote sustainability.

It's not going away, and at the moment those that "stayed" underground are being rewarded financially, while those of us that tried to do it right, and tried to work with the City are being punished. I lived the issue of affordable housing for years when raising my daughters alone, I do care about Asheville neighborhoods, and I'm not a criminal! I worked long and hard to own a home, and it's my only retirement plan. - Anne Marie

PS It is my experience that Type 2 hosts tend to live on or near the property and have ADU's.

From the desk of Anne Marie Doherty

On Wed, Jan 11, 2017 at 6:49 AM, David Rodgers <rodgersdl@gmail.com> wrote:

Cecil,

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Michael N Lewis
48 Gracelyn Rd.
Asheville, NC 28804
828-252-3684
mlewis6956@charter.net

Ben Fulmer

From: David Rodgers <rodgersdl@gmail.com>
Sent: Wednesday, January 11, 2017 9:49 AM
To: councilgroup
Cc: <ashevillecan@googlegroups.com>
Subject: Please reconsider the facts on ADUs

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All the best,

David L. Rodgers

Ben Fulmer

From: Maggie Barry <emma04406@gmail.com>
Sent: Sunday, January 08, 2017 12:15 PM
To: Richard Lee
Cc: David Rodgers;Michael Lewis;Amy Kemp;councilgroup;AshevilleCAN@googlegroups.com
Subject: Re: [CAN] Plan on a Page - No support for STRs. Why do you?

We need to think about how to house homeless people and not our "backyards" and pocketbooks. Where is the voice of the homeless on this forum?
Maggie Barry

On Thu, Jan 5, 2017 at 8:49 AM, Richard Lee <ric.hardlee@live.com> wrote:

I'm always considering. I know we agree on a lot, including strengthening neighborhoods and restricting the number of Airbnb-type rentals in them. We may draw the line in different places, but we have the same goal.

Thank you for going through the plans-on-a-page for the information below. It's very useful and informative. The city should be giving neighborhoods some autonomy or authority over this.

Rich

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: David Rodgers <rodgersdl@gmail.com>
Date: 1/5/17 7:13 AM (GMT-05:00)
To: Richard Lee <ric.hardlee@live.com>
Cc: Michael Lewis <mlewis6956@charter.net>, Amy Kemp <aakemp111@gmail.com>, councilgroup <AshevilleNCCouncil@ashevilenc.gov>, AshevilleCAN@googlegroups.com
Subject: Re: [CAN] Plan on a Page - No support for STRs. Why do you?

Rich,

Staff spoke clearly about not allowing STRs in residential zoned neighborhoods. Their reasoning applies to using ADUs as STRs. Please read the email I sent about 11 Wayside Dr rezoning for an STR staff and P&Z forcefully rejected.

The ship has not sailed on this issue. Do you want all commercial activities in residential? Zoning has meaning. I chose specifically NOT to share a fence with commercial hotel operations. When I bought my home I considered one a street a way that bordered commercial on Merrimon and specifically chose against this based on wanting to be surrounded by residential zoning and all this offers.

Pulling the rug out from under us and allowing a \$30B firm (Airbnb) to profit from my neighborhood is not what I signed up for when I signed my mortgage.

I donated to your last campaign. I support you on a lot of levels. Please reconsider this. It is clear from the plan on a page, staff reports and P&Z votes that residential zoning needs to keep commercial lodging out. Home businesses without customers coming and going such as my real estate work is much different than hotel operations. There is no additional traffic or late night noise generated.

The ADU rules were super sized to create more housing - not stand alone two bedroom hotels. I live on a .14 acre lot. City staff emailed my parcel and how a 800 sq ft detached home easily fits on my lot. This was to create housing, not hotels.

The ADU Task Force I served on clearly recommended not using ADUs as STRs.

I appreciate your consideration of this.

David

Sent from my iPhone

On Jan 5, 2017, at 6:49 AM, Richard Lee <ric.hardlee@live.com> wrote:

The city has already said it's fine with running a commercial enterprise in your residence as long as you live in it and it's a permitted homestay. The debate isn't over some absolute definition of what's a "commercial" property and what's a "residential" one. That ship already sailed. It's about whether home stay rules should mean you live in the house or just live on the property.

Rich

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Michael Lewis <mlewis6956@charter.net>

Date: 1/4/17 8:16 PM (GMT-05:00)

To: Amy Kemp <aakemp111@gmail.com>

Cc: councilgroup <AshevilleNCCouncil@ashevillenc.gov>, AshevilleCAN@googlegroups.com, David Rodgers <rodgersdl@gmail.com>

Subject: Re: [CAN] Plan on a Page - No support for STRs. Why do you?

I don't even know why we are discussing this. Except....there are folks who want to exploit residential neighborhoods for their own purposes and to the detriment of the neighborhoods. They don't care that some of us choose to live in residential neighborhoods for a reason.

We've had zoning in Asheville since the 1940's. I'm sure we heard from the "property rights" folks back then. "I can do anything I please with my property!" Not! Not when your activity is to the detriment of others. By zoning the City, we allowed various land uses in specific areas. We created zones for commercial purposes, manufacturing and industrial purposes, and

residential purposes. We acknowledged that manufacturing, industrial, and commercial activities might not be compatible with residential neighborhoods. That was true then and it remains so. STRs are commercial activities. They are illegal in residential neighborhoods. They should not be allowed in residential neighborhoods. How simple is that? Keep STRs and other commercial activities **out** of residential neighborhoods. People who have invested in their homes away from commercial entities are entitled to peace and quiet.

Mike Lewis

On 1/4/2017 11:21 AM, Amy Kemp wrote:

Mr Rodgers, whereas I appreciate what you have brought up regarding short-term rentals, there are some very real pieces of this complex puzzle that are not considered in the information I have heard presented on this subject. This information is critical, with the results of the STR landscape unfolding daily as we watch the cost of Asheville's housing increase:

Short-term rentals have broadly impacted the affordability of housing in our community, while resulting in deeply held positions that are dividing neighborhoods while imperiling our ability to free use of our private property. The outcome of the resulting government intervention is impersonal, divisive and an economic burden to our community.

The situation has contributed to our perspective that the government should take on the challenge of regulating the STR "industry" while simultaneously making it responsible for solving the resulting affordable housing crisis. The affect of STR's on our communities is moved into a government arena to be played out by individuals who are not directly impacted by the situation.

Every short-term rental situation is as unique as the individuals involved. In other words, the playing field is extremely complex, and the situations behind them are broad.

Consider this very real situation:

A local resident who has owned and operated ~30 affordable housing units for the past 20+ years. The individual's properties have always rented well below market, and as a result provide housing for numerous struggling individuals over many years.

The cost of housing increases; the owner starts to increase rents, including those of longterm residents. It makes good economic sense! Why leave money on the table??? Although these properties still rent below market, the owner can and does easily justify raising rent on individualss.

That same property owner builds a new home that includes an ADU. The ADU could generate \$2000+ in income monthly, well above what the investor could get for a longterm rental. That income offsets the individual's need to increase rent on 30 affordably housing units. Neighbors don't have an issue. Everyone is a winner, no government involvement required.

There is NO consideration for this situation in the current proposed situation. Writing laws completely overlooks the very real and unique situations that exist within our community. There are tons of landlords in our community that have owned and offered affordable housing for years. What are we doing to encourage those individuals to keep their housing affordable? How are they being recognized and appreciated? How are we working with them, rather than against them?

And how are we considering the individuals whose housing is affordable because they share it? Or those who use the extra income to improve their properties and the community as a whole?

In an effort to keep housing affordable, the first thing that we need are strong neighborhood associations that meet on a regular basis, structured in a manner that will allow them to give consideration to be to all individuals and situations that comprise the shortterm rental landscape.

Strong neighborhood associations would allow those living in neighborhoods to identify all short-term rentals, some of which they may actually want in their neighborhood. It allows for the improvements that can be gained through those rental activities. It allows neighbors to talk to each other rather than to city employees when resolving disputes. Collective decisions are more inclusive and impactful than decisions made by outside parties or legal authorities.

We all relinquish our power when we are not given the ability to participate in outcomes that directly impact us. This is a prime example of relinquishing power rather than taking responsibility for participating in a reasonable and inclusive outcome.

Short-term rental market issues directly affect affordable housing and our overall cost of government, while directly impacting our property rights. We don't need more laws, we simply need to strengthen our neighborhoods, provide them with structure, and allow those within our neighborhoods visibility to the activities and participation in the outcomes.

Sincerely,

Amy Kemp
Concerned and Active Citizen
[828-989-2892](tel:828-989-2892)

Amy

On Fri, Dec 30, 2016 at 10:01 PM, David Rodgers <rodgersdl@gmail.com> wrote:

Mayor and Council Members,

At the last meeting three of you voted to move forward with using our ADU homes as hotels. I hope you reconsider this.

I can't find support for short term rentals (STRs) in any of the "Plan on a Page" documents created by neighborhood associations. I did find quite a few in opposition STRs and increased density which will occur if Accessory Dwelling Units (ADUs) are allowed to be built as hotels. It seems most residential neighborhoods like the zoning rules as they are. I put the quotes from the neighborhoods below and hope you take the time to read them.

Please consider this:

1. P&Z voted against using ADUs as STRs.
2. The ADU Task Force recommendation is to not allow ADUs to be used as STRs - we presented a path forward with Core 1 supported by the majority 8 of 12 voted for.
3. Neighborhoods are not supporting STRs (a common theme is we like the zoning we bought our homes with and would like it to stay the same).

Neighborhood quotes from "Plan on a Page"

Source:

<http://www.ashevillenc.gov/Departments/CommunityRelations/NeighborhoodServices/NeighborhoodPlans.aspx>

Albermarle Park:

- Keep commercial uses including short-term and vacation rentals out of the neighborhood
- Maintain our residential neighborhood – our strength, our vision and our challenge
- □□□□□□□□ Short-term and vacation rental threat – City needs to protect in-town neighborhoods and pro-actively enforce its laws and not leave neighbors to do all the local policing; AP needs to be vigilant to these intrusive uses and encourage neighbors to work together to maintain the residential character, be contributing members of the neighborhood and not “strip mine” our local resources for commercial use.

Beverly Hills:

- Neighborhood Challenges - 2) Rentals, Including annual, Homestay and STR
- Neighborhood Responsibility – 2) Homestay and STR violations will be reported to the city by the neighborhood, but regulations have to be promulgated by the city.

Chestnut Hills

- Character how to maintain the neighborhood character amidst increasing density pressure, rising property taxes and values and increasing absentee landlords.
- Maintain the character of the historic, architecturally diverse neighborhood by maintaining the RM8 Zoning classification.

East – West Asheville

- Vision – The single-family character of East-West Asheville neighborhoods is preserved.

Grove Park – Sunset Mountain

- promotion of short-term rentals (such as AirBNB) – could adversely allow commercialization into established residential neighborhood areas.

Grace

- Too much density could destroy the character of our neighborhood. Many of us live on 50' wide lots with just a tiny greenspace in the backyard and our neighbor's backyards. There is a value to greenspace. Noise is an issue and increases with more density.

Heart of Chestnut Hill

- An increase in density requirements will forever change the community and ultimately destroy this historic area.

Kenilworth

- Rising housing prices with resulting property tax increases and purchase of properties for vacation rentals and second homes are creating financial pressure and pushing out residents of a lower socioeconomic status.

Lakeshore Heights

- Maintain the single family home character of the neighborhood
- Support care for neighborhood home structures and properties, and limit additional conversions of owner residences to rental residences

Montford

- Impacts of short-term rentals in the neighborhood, especially impacts on long-term affordable housing and on a sustainable balance of residents to visitors.

Parkway Forest

- We, the residents of Parkway Forest want to see single-family homes that are kept residential and we do not want to see homes turned into commercial-use buildings (such as the Air B&B's).
- Residents are worried about increased density and Air B&Bs which many residents do not want.
- keeping Air B&B out of our neighborhood would ensure that any rental units would be long-term rentals only, also adding to the affordable housing stock.

West End Clingman Area Neighborhood (WECAN)

- Neighborhood Challenges - short term rentals

Why are we considering and still discussing using whole homes (which ADUs are, lets start calling them homes, I've never heard someone say they live in an ADU) as housing for tourists?

As we head into 2017 lets put this issue to rest. It is a fact we need housing. It is a fact ADUs are housing. It is a fact that converting units of housing into hotels reduces our housing stock. It is a fact that many, many neighborhoods do not want short term rentals and want the zoning to remain the same as when they purchased their homes assuming it would preserve the character of their neighborhood. Don't pull the rug out from underneath us by changing the zoning to allow commercial lodging operations displacing our neighbors for more profitable tourists.

You are using millions of our tax dollars every year to create more housing and now an additional \$25M plus interest. All the ADU rental rates I have been finding meet the affordable / workforce rates. Why do you want to allow these to be used as hotels? Aren't the long term rental profits high enough? Do you really want to see folks kicked out of homes so tourists have a place to stay? This is the reality. Real people get kicked out of homes for tourists. I'll gladly meet with you to show you real examples of where this has and is happening if you don't think this is true.

Lets do the right thing in 2017. Quit wasting all the staff time and money reviewing this and your time with public hearings. We have been doing this long enough. Please listen to the advice of P&Z, the ADU Task Force, the neighborhood associations and all the affordable housing advocates.

All the best,

David L. Rodgers

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Michael N Lewis
48 Gracelyn Rd.
Asheville, NC 28804
[828-252-3684](tel:828-252-3684)
mlewis6956@charter.net

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To post to this group, send email to AshevilleCAN@googlegroups.com.

To view this discussion on the web visit

<https://groups.google.com/d/msgid/AshevilleCAN/CY4PR12MB1783C6EDC68BB83E2CF6948186600%4CY4PR12MB1783.namprd12.prod.outlook.com>.

For more options, visit <https://groups.google.com/d/optout>.

Ben Fulmer

From: morricat@juno.com
Sent: Wednesday, January 04, 2017 1:17 PM
To: <AshevilleNCCouncil@ashevillenc.gov>
Cc: <rodgersdl@gmail.com>
Subject: Please do not support ADUs for STRs.
Attachments: [CAN] Plan on a Page - No support for STRs. Why do you?

Dear Asheville City Council,

Please know I do NOT support at all Short Term Rentals in residential neighborhoods in any form, for single unit housing nor the ADUs (Assessory Dwelling Units). I hope you recognize that quality of life issues and strong neighborhoods contribute to a vital and living community, while allowing commercialization of our residential areas via STRs in any format, will degrade the community in the long run for individual financial gain. I agree with David Roger's analysis attached and hope you will not allow this.

Regards, Catherine Morris, Falconhurst Neighborhood

Ben Fulmer

From: David Rodgers <rodgersdl@gmail.com>
Sent: Wednesday, January 04, 2017 10:29 AM
To: councilgroup
Cc: <ashevillecan@googlegroups.com>;Tuch, Shannon;Gary Jackson
Subject: Staff and P&Z say NO to STRs - Why do you support this?
Attachments: 11 Wayside Staff Report.pdf

Mayor and City Council Members,

City staff and P&Z both spoke forcefully against the 11 Wayside Drive rezoning for use as a short term rental. The request was withdrawn by the applicant so you didn't get to vote on this last April. This case deserves your review and consideration as you consider using whole homes, which Accessory Dwelling Units (ADUs) are, as Short Term Rentals (STRs). The summary staff report is attached (the entire report was too large too email, I'll print and deliver a copy to you if you'd like).

It is clear **staff and P&Z are against Short Term Rentals in residential neighborhoods.**

Here are some quotes from the 11 Wayside Drive staff report:

“Compatibility with the Comprehensive Plan: The use is not compatible with the stated goals of the Comprehensive Plan (see below) that focus on housing, compatible development and quality of life. Asheville has determined that a short-term rental in a residential district where the owner is not present on the property introduces the potential for nuisance and compatibility concerns, disrupting the harmony and quality of life in those areas; there are no stated land use goals that describe the commercialization of Asheville’s residential neighborhoods.”

“Relationship between the proposed and adjacent uses: If approved, the short-term rental would be classified as a commercial “lodging use” while all of the surrounding properties are single family residential uses. The commercial use is not consistent or compatible with the surrounding residential land uses.”

"This action does not align with the 2036 Council Vision in any of the eight focus areas."

When staff and P&Z spoke so clearly against allowing our homes to be used as STRs why would you want to open this up to occur anywhere and everywhere with a permit process? It is clear we need to keep commercial lodging operations out of residential neighborhoods. The ADU Task Force and affordable housing advocates do not want ADUs to be used as STRs. The “Plan on a Page” many neighborhoods submitted spoke clearly against short term rentals. Please, please listen and read the attached report.

I appreciate your consideration of this.

All the best,

David L. Rodgers

Ben Fulmer

From: David Rodgers <rodgersdl@gmail.com>
Sent: Friday, December 30, 2016 11:01 PM
To: councilgroup
Cc: <ashevillecan@googlegroups.com>
Subject: Plan on a Page - No support for STRs. Why do you?

Mayor and Council Members,

At the last meeting three of you voted to move forward with using our ADU homes as hotels. I hope you reconsider this.

I can't find support for short term rentals (STRs) in any of the "Plan on a Page" documents created by neighborhood associations. I did find quite a few in opposition STRs and increased density which will occur if Accessory Dwelling Units (ADUs) are allowed to be built as hotels. It seems most residential neighborhoods like the zoning rules as they are. I put the quotes from the neighborhoods below and hope you take the time to read them.

Please consider this:

1. P&Z voted against using ADUs as STRs.
2. The ADU Task Force recommendation is to not allow ADUs to be used as STRs - we presented a path forward with Core 1 supported by the majority 8 of 12 voted for.
3. Neighborhoods are not supporting STRs (a common theme is we like the zoning we bought our homes with and would like it to stay the same).

Neighborhood quotes from "Plan on a Page"

Source:

<http://www.ashevollenc.gov/Departments/CommunityRelations/NeighborhoodServices/NeighborhoodPlans.aspx>
[x](#)

Albermarle Park:

- Keep commercial uses including short-term and vacation rentals out of the neighborhood
- Maintain our residential neighborhood – our strength, our vision and our challenge
- Short-term and vacation rental threat – City needs to protect in-town neighborhoods and pro-actively enforce its laws and not leave neighbors to do all the local policing; AP needs to be vigilant to these intrusive uses and encourage neighbors to work together to maintain the residential character, be contributing members of the neighborhood and not "strip mine" our local resources for commercial use.

Beverly Hills:

- Neighborhood Challenges - 2) Rentals, Including annual, Homestay and STR
- Neighborhood Responsibility – 2) Homestay and STR violations will be reported to the city by the neighborhood, but regulations have to be promulgated by the city.

Chestnut Hills

- Character how to maintain the neighborhood character amidst increasing density pressure, rising property taxes and values and increasing absentee landlords.
- Maintain the character of the historic, architecturally diverse neighborhood by maintaining the RM8 Zoning classification.

East – West Asheville

- Vision – The single-family character of East-West Asheville neighborhoods is preserved.

Grove Park – Sunset Mountain

- promotion of short-term rentals (such as AirBNB) – could adversely allow commercialization into established residential neighborhood areas.

Grace

- Too much density could destroy the character of our neighborhood. Many of us live on 50' wide lots with just a tiny greenspace in the backyard and our neighbor's backyards. There is a value to greenspace. Noise is an issue and increases with more density.

Heart of Chestnut Hill

- An increase in density requirements will forever change the community and ultimately destroy this historic area.

Kenilworth

- Rising housing prices with resulting property tax increases and purchase of properties for vacation rentals and second homes are creating financial pressure and pushing out residents of a lower socioeconomic status.

Lakeshore Heights

- Maintain the single family home character of the neighborhood
- Support care for neighborhood home structures and properties, and limit additional conversions of owner residences to rental residences

Montford

- Impacts of short-term rentals in the neighborhood, especially impacts on long-term affordable housing and on a sustainable balance of residents to visitors.

Parkway Forest

- We, the residents of Parkway Forest want to see single-family homes that are kept residential and we do not want to see homes turned into commercial-use buildings (such as the Air B&B's).
- Residents are worried about increased density and Air B&Bs which many residents do not want.
- keeping Air B&B out of our neighborhood would ensure that any rental units would be long-term rentals only, also adding to the affordable housing stock.

West End Clingman Area Neighborhood (WECAN)

- Neighborhood Challenges - short term rentals

Why are we considering and still discussing using whole homes (which ADUs are, lets start calling them homes, I've never heard someone say they live in an ADU) as housing for tourists?

As we head into 2017 lets put this issue to rest. It is a fact we need housing. It is a fact ADUs are housing. It is a fact that converting units of housing into hotels reduces our housing stock. It is a fact that many, many neighborhoods do not want short term rentals and want the zoning to remain the same as when they purchased their homes assuming it would preserve the character of their neighborhood. Don't pull the rug out from underneath us by changing the zoning to allow commercial lodging operations displacing our neighbors for more profitable tourists.

You are using millions of our tax dollars every year to create more housing and now an additional \$25M plus interest. All the ADU rental rates I have been finding meet the affordable / workforce rates. Why do you want to allow these to be used as hotels? Aren't the long term rental profits high enough? Do you really want to see folks kicked out of homes so tourists have a place to stay? This is the reality. Real people get kicked out of homes for tourists. I'll gladly meet with you to show you real examples of where this has and is happening if you don't think this is true.

Lets do the right thing in 2017. Quit wasting all the staff time and money reviewing this and your time with public hearings. We have been doing this long enough. Please listen to the advice of P&Z, the ADU Task Force, the neighborhood associations and all the affordable housing advocates.

All the best,

David L. Rodgers

Ben Fulmer

From: Maggie Burleson <MBurleson@ashevillenc.gov>
Sent: Thursday, December 15, 2016 1:30 PM
To: Brian Haynes; Cecil Bothwell - Email; Esther Manheimer; Gordon Smith; Gwen Wisler; Julie Mayfield; Keith Young
Subject: Draft 12-13-16 City Council Minutes
Attachments: m161213.pdf

Please let me know if you have any changes no later than Tuesday, January 3.

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: Gary Jackson <GJackson@ashevillenc.gov>
Sent: Friday, December 09, 2016 2:43 PM
To: Esther Manheimer
Cc: councilgroup
Subject: FW: HIAC - 5 year plan
Attachments: HIAC Five Year Strategic Plan on Homelessness.final.draft.pdf

In response to your request, the HIAC plan is attached.

From: Christiana Glenn Tugman
Sent: Friday, December 09, 2016 2:37 PM
To: Gary Jackson <GJackson@ashevillenc.gov>
Subject: RE: HIAC - 5 year plan

Please find the pdf. attached.
Thank you and have a good weekend,
Christiana

Christiana Glenn Tugman
Homelessness Lead
The Asheville-Buncombe Homeless Initiative
Community and Economic Development
City of Asheville
P.O. Box 7148
Asheville, NC 28802
t.(828) 251-4048
c.(828) 231-5682
CTugman@ashevillenc.gov

From: Gary Jackson
Sent: Friday, December 09, 2016 2:34 PM
To: Christiana Glenn Tugman <CTugman@ashevillenc.gov>
Cc: Heather Dillashaw <HDillashaw@ashevillenc.gov>
Subject: HIAC - 5 year plan

Can you send me a pdf or link to the HIAC five year plan?

Ben Fulmer

From: Gordon Smith <gordonsmithasheville@gmail.com>
Sent: Saturday, December 03, 2016 7:01 AM
To: Gordon Smith
Subject: Fwd: HIAC Five Year Strategic Plan on Homelessness final draft
Attachments: HIAC Five Year Strategic Plan on Homelessness.final.draft.pdf

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

From: **Christiana Glenn Tugman** <CTugman@ashevillenc.gov>
Date: Fri, Dec 2, 2016 at 4:53 PM
Subject: HIAC Five Year Strategic Plan on Homelessness final draft
To: Allison Bond <Allison.Bond@va.gov>, "Amy Hobson (amy.hobson@caring4children.org)" <amy.hobson@caring4children.org>, April Burgess-Johnson <abjohnson@helpmateonline.org>, Ben Maney <ben@pisgahlegal.org>, Brooks Ann McKinney <Brooks.McKinney@msj.org>, Carlos Gomez <cgomez@wncchs.org>, "CelesteC@ontrackwnc.org" <CelesteC@ontrackwnc.org>, Chuck Rosenblum <charlesrosenblum@msn.com>, David Nash <dnash@haca.org>, "dggarrett1@gmail.com" <dggarrett1@gmail.com>, Elizabeth Kelly <Elizabeth.Kelly@unitedwayabc.org>, Emily Ball <emily@homewardboundwnc.org>, Gordon Smith <gordonsmithasheville@gmail.com>, Heather Dillashaw <HDillashaw@ashevillenc.gov>, Jay Lively <jeromylively@gmail.com>, Jeff Staudinger <JStaudinger@ashevillenc.gov>, Jonathon Jones <JJones2@ashevillenc.gov>, Kari Kopp <kari.kopp@smokymountaincenter.com>, Kristi Case <casekristi@smokymountaincenter.com>, Mary Sczudlo <Mary.Sczudlo@abccm.org>, "micheal@westerncarolinarescue.org" <micheal@westerncarolinarescue.org>, Rachael Nygaard <Rachael.Nygaard@buncombecounty.org>, "Rich Munger (richardmunger44@gmail.com)" <richardmunger44@gmail.com>, Richard Leatherman <richard.leatherman@va.gov>, "robin@pisgahlegal.org" <robin@pisgahlegal.org>, Sabrah n'raHaven <wnchomeless@gmail.com>, Sarah Lancaster <Sarah.Lancaster@smokymountaincenter.com>, Scott Parker <wparker@wncchs.org>, Scott Rogers <srogers@abccm.org>, Sioux Free <sioux@pisgahlegal.org>, Sue Hollifield <Sue.Hollifield@uss.salvationarmy.org>, Whitney Lott <Whitney.Lott@va.gov>

Please find attached a final draft copy of the Homeless Initiative Advisory Committee Five Year Plan on Homelessness.

Thank you all for your work,

Christiana

Christiana Glenn Tugman

Homelessness Lead

The Asheville-Buncombe Homeless Initiative

Community and Economic Development

City of Asheville
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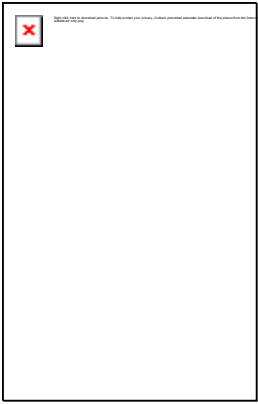
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If you'd like to learn more about my counseling practice for adolescents, adults, and families, please visit gordonsmithasheville.com



Ben Fulmer

From: Maggie Burleson <MBurleson@ashevillenc.gov>
Sent: Friday, September 23, 2016 9:19 AM
To: Brian Haynes; Cecil Bothwell - Email; Esther Manheimer; Gordon Smith; Gwen Wisler; Julie Mayfield; Keith Young
Subject: Various Bd/Com Minutes
Attachments: Bd & Com Minutes of 7-26-16.docx; Civic Center Commission Minutes 8 2 16.docx; CPAC Min 6-1-16.pdf; CPAC Min 7-6-16.pdf; CPAC Min 8-3-16.pdf; 8-3-16 P&Z Minutes.docx; 8-12-16 Downtown Com Minutes.docx; Neighborhood Adv Com Min 6-27-16.pdf; Neighborhood Adv Com Plan.pdf; 8-10-16 HRC Minutes.docx; ABC Bd Min 6-28-16.pdf; ABC Law Enforcement Report July 2016.xlsx; PED 8-16-16 Minutes.pdf

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: Adam Charnack <adam.chnack@hiwirebrewing.com>
Sent: Tuesday, July 19, 2016 11:09 AM
To: Keith Young
Cc: Julie Mayfield;councilgroup;Jaime Matthews;Cathy Ball;Barbara Whitehorn;Paul Fetherston;Gary Jackson;Mariate Echeverry;Ken Putnam
Subject: Re: Transit project inclusion in bond referendum
Attachments: High Frequency calculation 7-14-16.pdf; Transit Percent.pdf

Hi everyone,

Thanks for the conversation. I'm truly passionate about this demonstration project and need your help to find the estimated \$175,000-\$350,000 to do so. Your showing of interest is tremendous, and I truly appreciate it.

Since there are a few topic threads going on here, I think it's best to address a few topics individually:

Follow the Transit Master Plan. Thanks, Ms. Ball, for the explanation. My project is a pilot project that I'd like to be funded *outside* of the parameters of the Transit Master Plan. That plan, which the City will be putting an RFP out later this year to update, currently calls for incremental bus improvements over decades. My proposal would aim to show Asheville a glimpse - for one summer - of what the end-product of this incremental change would look like - by running fast, frequent buses through the heart of some of the densest and most popular Asheville neighborhoods. While an incremental improvement like Sunday service, for example, is viewed as a huge win and large step forward amongst City Hall and many transit advocates, to the overwhelming majority of residents of Asheville Sunday service was a news headline that faded quickly. To most in Asheville, adding modest bus service to Sundays - again, a big advance for the community and much appreciated by transit advocates as well as those that must rely upon the service - has little-to-no impact on citizens' daily lives. Further incremental improvements will, over time, add up to a sum that's greater than its parts, but to build support for the future system many transit advocates and City leaders envision, I believe the City needs to demonstrate "what we're missing" by implementing a targeted pilot project that exemplifies what fast, frequent service can look like in our city.

Legality of Including Pilot Programs in the Bond. Thanks, again, Ms. Ball, for the explanation that "For a project to be funded as part of a bond it has to be a capital investment that has a life of 20 years or more". While I understand what you're saying, I don't see how roadway resurfacing and re-striping, then, would apply. If buying a bus or a transit station is a capital improvement, and it is, and acquiring a right-of-way and building a roadway (or, for a more visceral example, think of the DOT acquiring land and building an interstate), which it is, then the operations and maintenance of buses must fall into the "maintenance and operations" category just as much as resurfacing, respaving, and regrading, et cetera must fall into that same category for roadways. I'm not debating that roadway resurfacing is important - where I live is littered with potholes. While that's upsetting, the lack of adequate alternatives is more so. In short, what I am saying is that there should be some measure of parity for transit such that if the City is planning to "catch up" on roadway maintenance some sort of allocation to "transit innovation/demonstration projects" should be strongly considered. *Note: After re-reading Mr. Jackson's explanation I believe I understand the City's position as to why roadway resurfacing, et cetera is allowed but transit operations funding isn't. See the next paragraph for more thoughts on this. That said, I find the lack of parity for transit extremely troubling.*

Regarding Mr. Jackson's Note about "GO Debt Financing". I understand and respect the language in the text you copied and pasted. The language, after re-reading it, seems to essentially eliminate by design any sort of

transit-related operations project, which is disparaging. Assets are great, but buildings need gas and electricity to function, cars need gas to run, and buses need to be funded to serve the public. **I'm not entirely familiar with what City-funded transit capital projects the City has planned for the next few years in its CIP, but can a portion of such funds be replaced by this GO bond funding and reallocated to "transit innovation/demonstration projects" funds?** *As a side note, thank you, Mr. Jackson, for the TFA link. I'm pretty sure I've read that report before, but have printed it out and will be sure to do so again.*

Mr. Young's BRT Idea. Thanks for the idea, Mr. Young! I appreciate the idea and think that BRT is an excellent and underutilized, relatively low-cost solution to combat congestion and increase transit ridership. BRT, or bus rapid transit, seems to implement "rail-like" characteristics that speed up transit service while doing so for less money than most alternatives and on existing rights-of-way. Ultimately, though, inadequate service levels, and not dedicated rights-of-way, are far and away the largest impediment to transit being effective for 98.5% (1) of Asheville's population. While BRT-like solutions might improve bus speeds, our biggest challenge in Asheville is a lack of funding dedicated toward providing frequent service on important, high-ridership-potential corridors. In short, Mr. Young, I think BRT would be an excellent longer term solution for Asheville. Even if the City were to implement BRT-like capital improvements along certain corridors and the DOT would consent to such improvements, we'd still, though, be in the unenviable position that most capital-oriented programs in our country leave us with where we have expensive capital improvements without the funding to adequately take advantage of those improvements. Examples abound of transit agencies building hundreds of millions of dollars of light-rail and other capital transit improvements and then only funding the operation of trains every 20- or 30-minutes, or similarly infrequently, which, of course, defeats the purpose of the investment. Here are some glaring examples of severely underutilized transit assets: <http://www.thetransportpolitic.com/2014/08/20/a-call-for-minimum-service-standards/>. Ultimately, while it may at times feel otherwise to some, Asheville doesn't have the congestion issues commensurate with cities that might feel it necessary to invest in BRT-like capital improvements. Frequency of service, see below, is the primary solution to attracting ridership to our fledgling system.

Service/Frequency is King. At the end of the day, more so than nice stations, comfortable rides, A/C, wi-fi, et cetera, et cetera, transit riders want frequency. As is deducible from the above, the onus for operations funding is upon us, the City, as there are scant resources elsewhere to provide such operations funding. I found this article particularly clarifying: <http://www.citylab.com/amp/article/490913/>. Here are the linchpin sentences: "[R]esearchers compared satisfaction levels with various attributes of regional transit systems between respondents who said they'd recommend their transit service to others and those who wouldn't. Of all the attributes[...], **frequency of service demonstrated the largest gap in satisfaction between transit boosters and detractors**, and it got the very lowest rating from transit detractors. **That suggests that frequent service is essential if you want happy riders.**"

BACKGROUND INFO:

Transit Pilot Concept. The concept is to show Asheville what true transit service looks like - ie. service that ALL of Asheville, not merely the 1.5% who use presently use it but also the other 98.5% (1) can rely upon. Asheville's ART provides approximately 5.1 trips per resident of the city per year, 60% of the ridership per resident as Charleston, 65% as Chattanooga, 32% as Savannah (source: <http://fivethirtyeight.com/datalab/how-your-citys-public-transit-stacks-up/>). It would run, tentatively, along portions of existing routes from Biltmore Village to downtown through the River Arts district to West Asheville along Haywood Road. In short, this project would provide for 10- to 15-minute frequency along this corridor from 12pm to 12am on Fridays and Saturdays and from 10am to 10pm on Sundays - from Memorial Day through Labor Day of 2017.

Support/Endorsements. The concept has been officially endorsed by the Transit Committee as well as the Multimodal Transportation Commission. While I have been personally working on this project for several years, I have also been building a coalition with and have been having regular meetings with both the Convention and Visitors Bureau as well as Land of Sky on ways to implement this service. A long list of

identified supports can, and most likely will, support such a project, an effort that I will be happy to lead. Such likely supporters would include members of the brewery, non-profit, health care and hospitality industries as well as various business and neighborhood associations.

Cost Calculation. See attached.

Final Note. After two and a half years of efforts as a Transit Committee member and roughly eight months as Chair of the Transit Committee, I am passionate about seeing this project come to fruition. I'd like to do everything in my power to find a way to have it implemented by next summer (2017). I would love to work with the City on a collaborative approach to doing so. Please help me in that effort; I'd be more than happy to meet personally or in a group with as many folks as possible to discuss this project.

I am also prepared to rally official support from a coalition first and then come back to seek the City's support, although I'd prefer the more inclusionary approach of having the City's support first. Frankly, I'm also not sure of my long-term interest in continuing to serve much beyond next summer should I be unsuccessful in implementing this pilot project. Asheville is growing, and that growth can be curated towards more walkable environments by providing adequate transit options, or it can be left unfettered while it naturally disperses towards DOT-subsidized public infrastructure investments. In the end, concentrating investments in auto-first solutions will lead to a decreased quality of life and lack of preparedness for our city's long-term growth. This "transit innovation/demonstration projects" fund would allow the City to implement trial programs to better gauge residents' interest in further transit improvements, while providing a mechanism to refine those solutions and the basis on which to drum up support for further transit investments.

Best,
Adam

Note: (1) Transit mode share is estimated at 1.5% of the city's population. See attached.

--

Adam Charnack
Hi-Wire Brewing, Asheville, NC
"Walk on the Wire Side"
828.738.BIGTOP (2448) (o)
828.738.2450 (direct)
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adam.chnack@hiwirebrewing.com
Facebook [facebook.com/HiWireBrewing](https://www.facebook.com/HiWireBrewing)
Twitter twitter.com/HiWireBrewing
Instagram [instagram.com/hiwirebrewing](https://www.instagram.com/hiwirebrewing)

Trying to setup an appointment? Here's my availability [link](#).

Ben Fulmer

From: Gary Jackson <GJackson@ashevillenc.gov>
Sent: Tuesday, May 31, 2016 3:01 PM
To: Keith Young
Cc: councilgroup;Robin Currin;Todd Okolichany
Subject: FW: Miami Circle
Attachments: 5-4-16 P&Z Minutes.docx

Keith:

Per your request for background, please see attachment.

Gary

From: Maggie Burleson
Sent: Tuesday, May 31, 2016 2:55 PM
To: Gary Jackson <GJackson@ashevillenc.gov>
Subject: RE: Miami Circle

Attached is the draft P&Z minutes. Starts on page 12.
Thanks,
Maggie

From: Gary Jackson
Sent: Tuesday, May 31, 2016 2:54 PM
To: Maggie Burleson
Subject: FW: Miami Circle

Have it?

From: Robin Currin
Sent: Tuesday, May 31, 2016 2:20 PM
To: Gary Jackson <GJackson@ashevillenc.gov>
Subject: RE: Miami Circle

Maggie may have a draft. They should lay it out.

From: Gary Jackson
Sent: Tuesday, May 31, 2016 2:11 PM
To: Robin Currin
Subject: Re: Miami Circle

Checked on line for minutes but not posted yet.

Sent from my iPhone

On May 31, 2016, at 2:06 PM, Robin Currin <RCurrin@ashevillenc.gov> wrote:

Gary – Are you up to speed on this? I can provide information if needed, but it may be sending staff report, minutes and recommendation from P&Z is best thing for now – pending Council staff report. Copying Todd. I can also talk to Keith if needed. Please advise.

From: Keith Young [<mailto:keithyoung@avlcouncil.com>]
Sent: Tuesday, May 31, 2016 1:51 PM
To: Gary Jackson
Cc: councilgroup; Robin Currin
Subject: Re: Miami Circle

Gary,
do you or any other council members have any knowledge of what this gentleman is referencing? City staff conversations? Evictions? I feel like I should know what he is talking about, but I am completely out of the loop. I took a day or so off from email. I feel like I missed something somewhere. Its my first time hearing of this and before I write Mr. Haskell back I want to know what he is talking about since clearly he states the city is involved.
Thanks,
Keith Y.

On Tue, May 31, 2016 at 12:11 PM, Haskell, Nicholas P. <NPHaskell@charlottediocese.org> wrote:

Dear Councilman Young,

We know each other through our children being classmates at Isaac Dickson. Through my job at Catholic Charities, I am working with the families of Miami Circle many of whom are members at St. Barnabas Catholic Church. 256 people are about to be evicted and they are some of the poorest in our community and have no place to go. The families have been meeting with city staff and the owners/developers. They have been encouraged to meet with all of the city councilmembers. Can we arrange a 30 minute meeting with you and the Miami Circle families? You can reach me at my cell phone: 828-424-1992.

Sincerely,

Nick

Nicholas Haskell

Poverty and Justice Education Coordinator - Western NC

Catholic Charities Diocese of Charlotte

50 Orange Street
Asheville, NC 28801
P: 828.424.1992

ccdoc.org

<image001.png><image002.png>



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Ben Fulmer

From: Marsha Stickford <MStickford@ashevillenc.gov>
Sent: Tuesday, May 31, 2016 10:27 AM
To: Marsha Stickford
Subject: City of Asheville Notification: Recruiting for members for an Accessory Dwelling Unit Task Force

Dear Neighborhood Residents,

The City of Asheville is recruiting a community Task Force to help shape decisions about Accessory Dwelling Unit (ADU) homestay rentals. The City of Asheville currently does not allow full-home short-term rentals in residential neighborhoods but does permit homestays provided certain conditions can be satisfied. A homestay is a legal form of short-term renting where the owner or resident manager resides on the property full-time. Under Asheville's current homestay rules, an ADU may not be used as part of a homestay operation; although, ADUs (such as garage apartments and cottages) can be legally used for long-term rentals in residentially zoned areas, with "long-term" defined as anything rented for one month or longer.

Task Force members will be expected to attend approximately six meetings between July and September 2016 to research, discuss and recommend programmatic and land use regulations related to the potential use of ADUs as part of a homestay operation. The Task Force will not be responsible for researching, discussing or recommending changes to either general standards regulating homestays, nor to the position to continue to prohibit whole-house rentals, as City Council recently approved an ordinance (on November 17, 2015) that addresses these issues.

The City seeks a range of collaborative, solution-oriented participants to serve on the Task Force of up to 12 people. The City Council will appoint a group that will work respectfully together to create well-informed recommendations for programmatic and land-use regulations in the Fall of 2016. The City recommends stakeholder groups nominate individuals to apply to represent their collective interests. Applicants should understand both sides of the debate, the vacation home rental industry, the land use process and/or have other pertinent experience.

There will be approximately eight at-large Task Force seats to be filled by members of the community via an application process. The City intends to distribute those seats evenly among:

- Concerned neighbors who are impacted by the ADU short-term rentals
- Members of the community who own, manage or benefit from such rentals
- Renters
- Neutral but interested individuals

There will be four other seats filled by representatives from the following stakeholder groups:

- Asheville Short-Term Rental Advocates
- Asheville Neighborhood Advisory Committee
- Asheville Board of Realtors
- Asheville Affordable Housing Advisory Committee

The above groups will nominate three individuals each from their respective organizations. In June 2016, the city's Governance Committee will select one representative from each of the four groups to serve on the ADU Task Force.

Regular attendance for the task force is crucial for this effort. The first meeting is anticipated in July 2016.

For questions regarding the application process and application, please contact Maggie Burleson at mburleson@ashevillenc.gov. You can get more information about how to apply here: <http://www.ashevillenc.gov/Departments/CityClerk/BoardsCommissions.aspx>

For questions regarding the Task Force, please contact Shannon Tuch at stuch@ashevillenc.gov.

Deadline for all applications (with responses to the questions below) is Wednesday, June 8, 2016.

Also, with each application, please indicate whether you are (1) a concerned neighbor who is impacted by the ADU short-term rentals; (2) a member of the community who owns, manages or benefits from such rentals; (3) a renter; or (4) a neutral but interested individual.

Additional responses to the questions below MUST BE included with each application:

1. What do you see as the major challenges faced in Asheville's current housing market?
2. What would you envision as the preferred outcome of this task force?
3. As a member of this task force, it is expected that you will be fair and act in the best interest of the larger Asheville community. Please indicate whether you have any conflicts with this statement.

Thanks, Marsha

Marsha Stickford
Neighborhood Coordinator
Volunteer Coordinator
Communication and Public Engagement Division
City of Asheville
PO Box 7148
Asheville, NC 28801
828.259.5506
mstickford@ashevillenc.gov

Ben Fulmer

From: Maggie Burleson <MBurleson@ashevillenc.gov>
Sent: Friday, May 27, 2016 9:21 AM
To: Brian Haynes; Cecil Bothwell - Email; Esther Manheimer; Gordon Smith; Gwen Wisler; Julie Mayfield; Keith Young
Subject: Accessory Dwelling Unit Task Force - Special Volunteer Opportunity
Attachments: ADU Task Force Information with Questions.docx

Please circulate this special volunteer opportunity as much as possible and let me know if you have any questions.

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: Dave Nutter <dnutter@aol.com>
Sent: Friday, May 20, 2016 9:39 AM
To: GordonSmith@avlcouncil.com; emanheimer@vwlawfirm.com; gjackson@ashevillenc.gov
Subject: ADU next steps

PS I looked over the list of possible palliatives and I am not sure that any of them would work. Maybe the grandfathering/amnesty one, but these are not like legally pre-existing non-conforming uses in zoning because many of them went into operation after the 30-day rule and therefore are not legally pre-existing.

Tough one.

Dave

David G. Nutter, AICP, Principal, Retired
Member, American Institute of Certified Planners
Nutter Associates, Community Planners & Development Professionals
169 Flint Street,
Asheville, North Carolina 28801 USA
Tel 828-505-8242 Cell: 828-279-1820
For large files: google drop-box

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

From: Dave Nutter <dnutter@aol.com>
To: gordonsmithasheville <gordonsmithasheville@gmail.com>
Sent: Fri, May 20, 2016 8:52 am
Subject: Re: Thank you and next steps

Gordon:

Thanks for the thoughtful analysis.

I found Councilman Young's perception about a clash of classes to be very insightful.

Best,

Dave

David G. Nutter, AICP, Principal, Retired
Member, American Institute of Certified Planners
Nutter Associates, Community Planners & Development Professionals
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Asheville, North Carolina 28801 USA
Tel 828-505-8242 Cell: 828-279-1820
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-----Original Message-----

From: Gordon Smith <gordonsmithasheville@gmail.com>

To: Gordon Smith <gordonsmithasheville@gmail.com>

Sent: Thu, May 19, 2016 12:55 pm

Subject: Thank you and next steps

Thank you for your advocacy regarding Short Term Rental policy in Asheville. These issues are obviously the center of a lot of controversy, and I appreciate everyone who's willingly put themselves forward.

At Tuesday's Council meeting, Council narrowly rejected expansion of short term rentals into Accessory Dwelling Units. Council also created what's being called a Green Ribbon Task Force to recommend some sort of regulatory approach to allow the use in a limited way. The outcome of the process will be greatly dependent on continued advocacy.

The Governance Committee, made up of Mayor Manheimer, Vice Mayor Wisler, and Councilman Young, will determine the membership, scope, and duration of the Task Force at their next meeting (time/date TBD). That recommendation will come to Council at our first meeting in June. The Task Force will then meet and come up with alternatives for Council.

Examples of alternatives include: continuing the current policy, a citywide cap on the number of STRs in ADUs, a Conditional Use Permit process that would demand Council decisions on a case-by-case basis, a percentage of homes in any given census tract, spacing requirements, a "cooling off" period for new ADUs, amnesty for existing ADUs to bring them into legality, and more.

Among the shifts that occurred as a result of our advocacy - Councilmember Bothwell said on the record that he now opposes legalizing whole house STRs. Councilmember Haynes said he is against displacing locals and wants any allowance of the activity to help only those who can't otherwise make ends meet. Councilmember Young called the debate a battle of wills between middle and upper-middle class residents. Wholesale legalization of STRs in ADUs was dismissed.

My concerns have not changed. I am putting our housing crisis and our neighborhoods' integrity front and center as this issue is debated. In case you missed it, you can see my comments and rationale in this 9-minute comment at Tuesday's City Council meeting:

<https://www.youtube.com/watch?v=dHCbv95m8Dw&t=3h5m43s>

I write today to thank you for your civic participation and to ask you to maintain and redouble efforts over the next several months. The pro-STR contingent is well-organized and well-funded. There is not an comparable organization reflecting the position we've been taking.

Now is the time for an increase in organizing and education about the issue. Those of you who are willing to persist in your efforts can make an enormous difference as the process moves forward. One Councilmember said on Facebook recently that he looks forward to making it an election year issue next year. That Council Member is also advocating for surrendering the push to build affordable housing in Asheville and minimizing the deep concerns of neighborhood advocates.

Among potential action steps are:

- ongoing letters to the editors of local publications
- ongoing social media advocacy and education
- ongoing advocacy with Council members
- recruitment of allies
- the creation of an organization that reflects our advocacy positions. Such an organization could fundraise, distribute yard signs, mail literature, etc.

Thank you for reading this long email, and thank you again for standing up for Asheville.

All the best,

Gordon Smith

Ben Fulmer

From: Gordon Smith <gordonsmithasheville@gmail.com>
Sent: Thursday, May 19, 2016 1:36 PM
To: Gordon Smith
Subject: Re: short-term rentals

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- volunteering to serve on the Task Force

Thank you for reading this long email, and thank you again for standing up for Asheville.

All the best,

Gordon Smith

On Thu, May 19, 2016 at 1:33 PM, Gordon Smith <gordonsmith@avlouncil.com> wrote:

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

From: Carol Polsgrove <ccpolsgrove@gmail.com>

Date: Tue, May 17, 2016 at 8:44 AM
Subject: short-term rentals
To: AshevilleNCCouncil@ashevillenc.gov

I strongly oppose any relaxation of city rules that would make it legal for homeowners to rent out ADUs for less than a month at a time. As a renter in the near downtown aires, I know how difficult is to find affordable rental housing. Letting homeowners use up potential rental housing as vacation rentals would make our housing crisis worse.

The city made construction of ADUs more likely on the grounds that rental housing would be increased. It would seem a betrayal of that promise to let that rental housing be converted into what amount to hotels in residential neighborhoods.

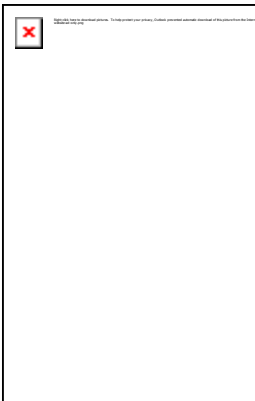
Carol Polsgrove
169 Pearson Drive, Apt. 4
Asheville, NC 28801

--

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Ben Fulmer

From: Gordon Smith <gordonsmithasheville@gmail.com>
Sent: Thursday, May 19, 2016 1:35 PM
To: Gordon Smith
Subject: Re: Please vote against short term rentals for ADUs

Thank you for your advocacy regarding Short Term Rental policy in Asheville. These issues are obviously the center of a lot of controversy, and I appreciate everyone who's willingly put themselves forward.

At Tuesday's Council meeting, Council narrowly rejected expansion of short term rentals into Accessory Dwelling Units. Council also created what's being called a Green Ribbon Task Force to recommend some sort of regulatory approach to allow the use in a limited way. The outcome of the process will be greatly dependent on continued advocacy.

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Now is the time for an increase in organizing and education about the issue. Those of you who are willing to persist in your efforts can make an enormous difference as the process moves forward. One Councilmember said on Facebook recently that he looks forward to making it an election year issue next year. That Council Member is also advocating for surrendering the push to build affordable housing in Asheville and minimizing the deep concerns of neighborhood advocates.

Among potential action steps are:

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- ongoing advocacy with Council members
- recruitment of allies
- the creation of an organization that reflects our advocacy positions. Such an organization could fundraise, distribute yard signs, mail literature, etc.
- volunteering to serve on the Task Force

Thank you for reading this long email, and thank you again for standing up for Asheville.

All the best,

Gordon Smith

On Thu, May 19, 2016 at 1:33 PM, Gordon Smith <gordonsmith@avlouncil.com> wrote:

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

From: **Linda Marie Barrett** <lindamariebarrett@gmail.com>

Date: Tue, May 17, 2016 at 7:45 AM
Subject: Please vote against short term rentals for ADUs
To: AshevilleNCCouncil@ashevillenc.gov

Hi,

Please do not allow short term rentals for ADUs. With the current growth of Asheville looking to continue at a fast pace, we need to keep an eye on the integrity of our neighborhoods as especially community-centered and safe for those residents who live year-round. There are now so many new hotels in town to accommodate visitors. Having short term rentals in ADUs in areas that are residential creates a number of potential negatives for residents: these overnight visitors are less likely to respect speeding limits, noise ordinances, or to know that there might be children who play in the street after school, or cats that roam. We also do not know if these overnight or short term renters have criminal records, etc.. The short term renters have no bond with or obligation to the people who are living around them, and from what I've heard from people who live next to homes used as air bnbs, often don't care that their late-night partying, or shouting from their cars to people inside the house, might be disruptive to the neighbors on either side.

If there is to be any accommodation for short term rentals, please consider zoning them in areas that are not primarily residential.

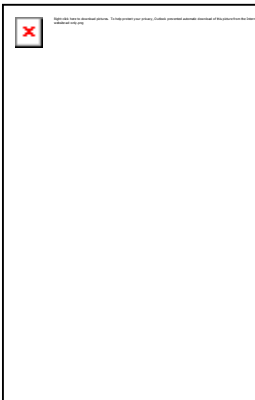
Sincerely,
Linda-Marie Barrett

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Ben Fulmer

From: Esther Manheimer <esthermanheimer@avlcouncil.com>
Sent: Friday, May 13, 2016 2:36 PM
To: Gordon Smith
Subject: Re: Asheville, NC - Member of City Council

Wow, this is great. Let me know what info he has.

Sent from my iPhone

On May 13, 2016, at 8:34 AM, Gordon Smith <gordonsmith@avlcouncil.com> wrote:

Esther,

Please see below to learn more about a correspondence between Murray Cox and I. Mr. Cox is the proprietor of InsideAirBnb.com

Best,

Gordon

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

From: **Gordon Smith** <gordonsmithasheville@gmail.com>
Date: Fri, May 13, 2016 at 8:32 AM
Subject: Fwd: Asheville, NC - Member of City Council
To: Gordon Smith <gordonsmith@avlcouncil.com>

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

From: **Murray Cox** <murray@murraycox.com>
Date: Thu, May 12, 2016 at 5:55 PM
Subject: Re: Asheville, NC - Member of City Council
To: Gordon Smith <gordonsmithasheville@gmail.com>

Great - thanks for the context - given your Council meeting, I'll definitely aim for something before then, at least by Monday, but I'll aim for sooner. I'll let you know when there's something to look at.

--

Murray

On 12 May 2016, at 8:23 AM, Gordon Smith
<gordonsmithasheville@gmail.com> wrote:

Thanks for getting back to me, Murray. I'm a data geek. It's true. ;)

Let's break things up by zip code, though both formats would be very helpful.

The current situation:

- Short Term Rentals (STRs) have been illegal in residentially zoned districts and legal in commercial districts since the 1990's.
- There was a big push among advocates last year to legalize them.
- City Council chose to allow Homestays (where guests can rent up to two rooms in the operator's primary residence while the operator is present in the home) and ramp up enforcement on all other STRs
- Whole house STRs and STRs in Accessory Dwelling Units remain illegal in residential neighborhoods.
- Also last year, City Council made it easier to build Accessory Dwelling Units (ADUs) with the explicit intent of expanding the housing stock for locals.

Now there is a push by advocates to allow STRs in ADUs.

That is the item on our City Council agenda on Tuesday, May 17. It has been opposed by our Affordable Housing Advisory Committee, Coalition of Asheville Neighborhoods, Housing and Community Development Committee, Planning and Zoning Committee and other civic bodies. It is supported by advocates and an uncertain number of Council members. I am opposed to legalizing the use at this time.

Other context:

- Asheville has less than 1% vacancy rate in rental housing
- Asheville was just named the 6th most unsustainable housing market in the nation
- Asheville has been referring to its "housing crisis" for over 18 months now.
- Asheville has been implementing a Comprehensive Housing Affordability Strategy that will take a couple of years to bear fruit.

Thanks again for your willingness to offer data. This will help everyone get their feet on the ground. Feel free to contact me by phone, text, or email at any time.

With great appreciation,

Gordon Smith
[828 279 2551](tel:8282792551)

On Thu, May 12, 2016 at 1:01 AM, Murray Cox <murray@murraycox.com> wrote:

Dear Gordon,

Thanks for contacting me - it's always great to see elected officials taking an interest in data!

A few other residents and organizations in Asheville have reached out to me in the past to request data but I haven't had the chance to release anything yet - however, I have some capacity at the moment, and should be able to release some data for you early next week.

A couple of questions:

- I can provide the data broken up by zip, or by [Asheville Neighborhood](#) (as defined by Neighborhood Services) - which one makes more sense to you?
- what is the current law for Short-Term Rentals in Asheville, and are there current or upcoming processes of reconsidering regulation or enforcement?

--

READ: The Independent [Airbnb is 'ravaging' black neighbourhoods in New York City and trying to hide it, officials say](#) (25 April, 2016)

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--

Murray Cox

Creator of [Inside Airbnb](#)

Providing data on Airbnb's impact on residential communities

[+1 \(917\) 592 9700](#)

--

On 11 May 2016, at 9:23 AM, Gordon Smith
<gordonsmithasheville@gmail.com> wrote:

Mr. Cox,

Good morning. I hope you're well. Thanks for the work you're doing on helping policy makers operate via a data driven process.

Here in Asheville, NC we have the highest rents in the state of North Carolina. Our city's housing market was recently named the 6th most unsustainable housing market in America. We have a population of 90,000, and we are drowning in illegal short term rentals.

I am wondering how to go about doing an AirBnB data analysis for Asheville.

Any help you can offer will mean smarter policies here. I have been fighting for affordable housing throughout my time in office, and our city is drowning.

Thank you,

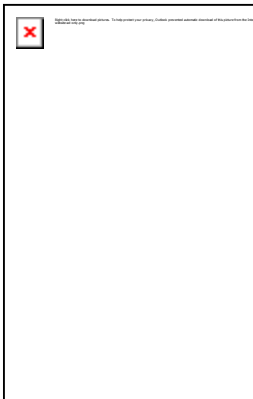
Gordon

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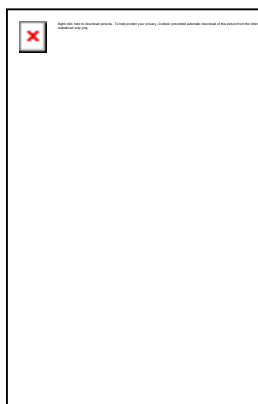


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Murray Cox

Creator of [Inside Airbnb](#)

Providing data on Airbnb's impact on residential communities

[+1 \(917\) 592 9700](#)

--

On 11 May 2016, at 9:23 AM, Gordon Smith
<gordonsmithasheville@gmail.com> wrote:

Mr. Cox,

Good morning. I hope you're well. Thanks for the work you're doing on helping policy makers operate via a data driven process.

Here in Asheville, NC we have the highest rents in the state of North Carolina. Our city's housing market was recently named the 6th most unsustainable housing market in America. We have a population of 90,000, and we are drowning in illegal short term rentals.

I am wondering how to go about doing an AirBnB data analysis for Asheville.

Any help you can offer will mean smarter policies here. I have been fighting for affordable housing throughout my time in office, and our city is drowning.

Thank you,

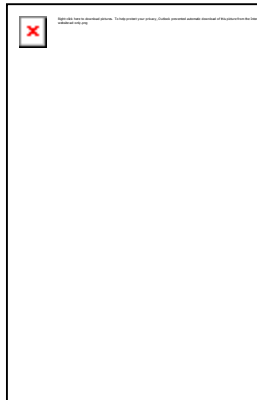
Gordon

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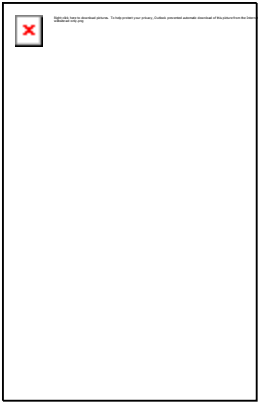


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Ben Fulmer

From: Austin Hill <theloungeport@gmail.com>
Sent: Saturday, May 07, 2016 12:00 PM
To: Gordon Smith
Subject: Re: ADU's

Gordon,

All of your arguments are based on what ifs. That is a reckless and irresponsible way to make decisions. The reason this is even an issue is because a lot of people want it. It is telling that you are willing to disregard what is most likely a majority opinion.

Austin

On Thu, May 5, 2016 at 2:40 PM, Gordon Smith <gordonsmith@avlcouncil.com> wrote:

Thank you for reaching out. I am not sure what vote you're referring to, unless you mean the survey tool. While I anticipate it will become a good yardstick, the statistical significance isn't currently representative or reliable. Below please find my rationale for my current position.

How many local people will be evicted or denied housing in Asheville to make room for more tourists in our neighborhoods? That is the question coming before City Council this month. Asheville is in a time of rapid change and a severe housing crisis. Rental housing is the most expensive in North Carolina. Rental vacancies are less than 1 percent. These conditions are pushing people out of the city and into the county to find a home. This disconnects them from their communities, makes housing more expensive because of travel costs, undercuts the city's diversity, and promotes sprawl development.

When City Council voted last year to make it easier for people to build structures like garage apartments or tiny houses (Accessory Dwelling Units, or ADUs) on their property, we made good on a promise to address the housing crisis with many strategies. Council created a win-win approach – making it easier for homeowners to build wealth by adding long-term rental housing for locals. Add to that the city's focus on neighborhood organizing and planning, and you have the recipe for tightly knit, prosperous, and safe neighborhoods.

On the other side of the issue is a huge multinational corporation four times the size of Marriott Hotels and a local special interest group. If they're successful, local renters will be pushed out, and the tourism business will move into our residential neighborhoods. AirBnB, a \$24 billion megacorporation, has been sending its lobbyists to influence City Council. Some who want more tourists in neighborhoods have threatened to join forces with Raleigh Republicans to strip the city of its powers to protect our citizens. Asheville already struggles with tourism and a sense of uncertainty about how to hold on to our culture. We need a sustainable, deliberate strategy to address economic, environmental, and social elements of the tourist industry. We need the time to come together to understand how tourist housing in Asheville's neighborhoods will affect our social fabric. Rushing to deny homes to locals and evict families in order to make room for tourists is reckless and irresponsible. In the words of another City Council member, it is better to measure twice and cut once. Otherwise we risk cutting people off from housing and cutting the ties that bind our community.

Affordable housing champions, neighborhood advocates, and policy leaders agree that Asheville should not do away with housing options and neighborhood protections. These diverse stakeholders are rarely in full agreement on an issue, but they have come together to recognize that pushing our neighbors out of their homes in order to bring tourists into our neighborhoods is a lose-lose for Asheville.

The housing crisis is real, and it affects us all. Keeping our neighborhoods safe and connected is a fundamental good. We need to broaden housing choices and strengthen neighborhoods. We should not enact policies that will evict our residents and push more tourism into our neighborhoods. Displacing locals and fragmenting communities would take Asheville in exactly the wrong direction.

Gordon Smith

On Thursday, May 5, 2016, Austin Hill <theloungeport@gmail.com> wrote:

Hello,

Asheville voted 3 to 1 to allow ADU's as short term rentals!!!! WE ARE the type of travelers that appreciate this type of accommodation. There is only one way to vote if you truly represent your constituents.

Please seek creative simple solutions that benefit everybody.

Thank you,

Austin Hill

Ben Fulmer

From: Gordon Smith <gordonsmithasheville@gmail.com>
Sent: Friday, May 06, 2016 3:32 PM
To: Gordon Smith
Subject: Fwd: Op/Ed if you'd like
Attachments: headshot.png; STRADUOPED.docx

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

From: **Gordon Smith** <gordonsmithasheville@gmail.com>
Date: Sun, May 1, 2016 at 7:03 PM
Subject: Re: Op/Ed if you'd like
To: "Buchanan, Jim" <JBUCHANA@ashevill.gannett.com>

Jim,

Thanks for the opportunity. Attached please find the Op/Ed (coming in at 494 words) and a photo should you choose to include it.

Best,

Gordon

On Fri, Apr 29, 2016 at 11:52 AM, Gordon Smith <gordonsmithasheville@gmail.com> wrote:
Can do.

Thanks,

Gordon

On Fri, Apr 29, 2016 at 11:50 AM, Buchanan, Jim <JBUCHANA@ashevill.gannett.com> wrote:

If you can keep it 500 words or below I can probably squeeze it in Tuesday or Wednesday.

Jim Buchanan

Editorial Page Editor

Asheville Citizen-Times

[828 232 5841](tel:8282325841)

From: Gordon Smith [mailto:gordonsmithasheville@gmail.com]
Sent: Friday, April 29, 2016 11:48 AM
To: Buchanan, Jim <JBUCHANA@asheville.gannett.com>
Subject: Re: Op/Ed if you'd like

Jim,

Thanks. I will have it to you by Monday morning. I have no preference regarding which day it runs. The Planning and Zoning meeting on this topic is May 4.

Gordon

On Fri, Apr 29, 2016 at 11:45 AM, Buchanan, Jim <JBUCHANA@asheville.gannett.com> wrote:

Ship it on over, Gordon; pages are full through Monday, so it'll be next weekend. Leadership changes still in play; will miss Josh, new pub seems quite level-headed.

Jim Buchanan

Editorial Page Editor

Asheville Citizen-Times

[828 232 5841](tel:8282325841)

From: Gordon Smith [mailto:gordonsmithasheville@gmail.com]
Sent: Friday, April 29, 2016 11:44 AM
To: Buchanan, Jim <JBUCHANA@asheville.gannett.com>
Subject: Op/Ed if you'd like

Jim,

Good morning! I hope you're well and that the latest leadership change is working out.

I have penned a piece regarding the push to allow short term rentals in accessory dwelling units. Would you be willing to run it? It's currently 527 words, and I have a few more edits before it's complete.

This is a very divisive issue, and I hope to bring some clarity and balance to the conversation.

Thanks for letting me know.

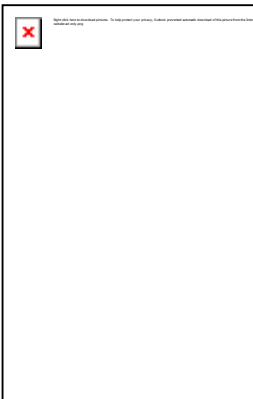
Gordon

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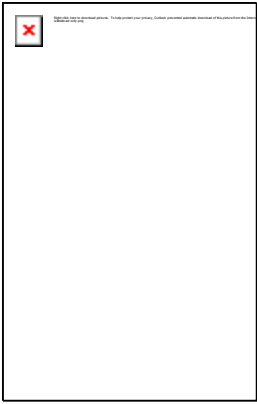


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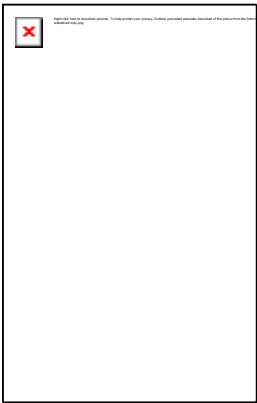


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Ben Fulmer

From: Gordon Smith <gordonsmithasheville@gmail.com>
Sent: Friday, May 06, 2016 2:33 PM
To: Gordon Smith
Subject: Fwd: Short Term Rentals
Attachments: Staff Report PED_Short Term Rentals (1).docx

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

From: **Gordon Smith** <gordonsmithasheville@gmail.com>
Date: Sun, Mar 23, 2014 at 4:23 PM
Subject: Short Term Rentals
To: Rob Hess <Richard.Lee@edwardjones.com>

Rich,

Attached please find a staff report that was presented at the February Planning and Economic Development Committee meeting. It will likely serve the discussion re: short term rentals.

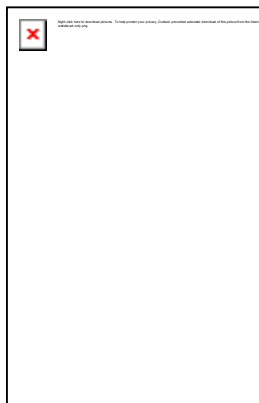
G

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Ben Fulmer

From: morricat@juno.com
Sent: Saturday, February 27, 2016 2:26 PM
To: <rodgersdl@gmail.com>
Cc: <AshevilleNCCouncil@ashevillenc.gov>; <stuch@ashevillenc.gov>; <aglines@ashevillenc.gov>; <GJackson@ashevillenc.gov>; <vsatvika@ashevillenc.gov>; <tokolichany@ashevillenc.gov>
Subject: Re: Fwd: ADU Housing citizens or tourists?
Attachments: Fwd: ADU Housing citizens or tourists?

Hello City Council and Planning Department Staff,

I have read with interest many citizen's comments about using ADU's for short term rentals and temporary vacation housing. The vocal advocates for this proposal seem to be primarily interested in maximizing their profit potential and don't particularly care about the impact on neighbors or their neighborhoods. They mention the convenience of having more money from the rentals and don't seem to want to do long term rentals to alleviate the housing crisis because they would not make as much money that way.

I believe this is a slippery slope to blurring the lines for us all, degrading livable communities to transient housing, increasing traffic concerns and very doubtfully generating the desired tax revenue desired by the city. Enforcement would be a nightmare, turning citizens into the watchdogs. How would enforcement ever be accomplished when the "proof" drives away when the STR ends within a day. I suggest those that want STR's look to establish their domiciles where they can be B&B's, boarding houses, or hotels.

Regards, Catherine Morris, West Asheville

Ben Fulmer

From: Maggie Burleson <MBurleson@ashevillenc.gov>
Sent: Tuesday, February 16, 2016 8:30 AM
To: Brian Haynes; Cecil Bothwell - Email; Esther Manheimer; Gordon Smith; Gwen Wisler; Julie Mayfield; Keith Young
Subject: More Annual Reports
Attachments: HRC.pdf; Multimodal Transportation Commission.pdf; SACEE.pdf; Public Art & Cultural Commission.pdf; Board of Adjustment.pdf; Downtown Commission.pdf; Noise Ordinance Appeals Board.pdf; Board of Education.pdf

Attached please find additional 2015 annual reports which highlight the activities of the particular board for the past year. Others were provided to Council prior to your retreat.

Please let me know if you have any questions.

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: Dawa Hitch <DHitch@ashevillenc.gov>
Sent: Thursday, January 21, 2016 12:20 PM
To: councilgroup
Cc: Gary Jackson;Cathy Ball;Jaime Matthews;Sasha Vrtunski
Subject: Equitable Development Report
Attachments: AshevilleEquitableDevelopmentReport_Final.pdf

Mayor and Council Members,

The attached document is the Draft Environmental Protection Agency (EPA) Equitable Development Report. The report includes a cover sheet which describes how the information will be used. Staff is sharing this information with City Council and workshop participants ahead of the posting for the general public.

In a presentation at this Tuesday's City Council meeting, Planning staff will summarize the report and how it will be used in the City's day-to-day work.

All my best,
Dawa

Dawa Hitch

City of Asheville
Director of Communication &
Public Engagement
828.259.5981
www.ashevillenc.gov



Ben Fulmer

From: Marsha Stickford <MStickford@ashevillenc.gov>
Sent: Tuesday, January 05, 2016 1:07 PM
To: Alan Escovitz;'Barber Melton;DeWayne Barton ;Elaine Poovey;Gordon Smith;Greta Bush (Parkway Forest);Joe Fioccola;Phil Lenowitz;Spenser Hardaway;Teddy Jordan
Subject: January 11 (special called meeting) of the Neighborhood Advisory Committee - meeting materials
Attachments: 1.11.2016 Agenda.docx; 2015.11.23 minutes.docx; DRAFT NAC Annual Report January 2016.docx

Hi Folks,

Here is the agenda for the January 11 Neighborhood Advisory Committee meeting, the minutes from November and the draft annual report. Please let me know if you have any questions.

Thanks, Marsha

Marsha Stickford
Neighborhood Coordinator
Volunteer Coordinator
Communication and Public Engagement Division
City of Asheville
PO Box 7148
Asheville, NC 28801
828.259.5506
mstickford@ashevillenc.gov

Ben Fulmer

From: Jaime Matthews <JMatthews@ashevillenc.gov>
Sent: Wednesday, December 16, 2015 11:42 AM
To: councilgroup
Cc: Gary Jackson; Todd Okolichany; Cathy Ball
Subject: Mayor's Institute on City Design Report
Attachments: MICD 63_Final Meeting Summary (1).pdf

Good Afternoon,

Please see message below from Esther regarding the attached report from the Mayor's Institute of City Design:

All: Please find attached a report from the Mayors' Institute I attended earlier this year. The report provides information about the Institute, and then makes recommendations about Asheville's project at pages 15-18. Several other cities presented projects as well. We asked this team of experts to make recommendations regarding the Hunt Hill/South Charlotte Street area, an area where the city owns a great deal of land. Let me know if you have any questions.

Esther

Jaime Matthews
Business Services Manager
City Manager's Office
City of Asheville, North Carolina
828-232-4541
jmatthews@ashevillenc.gov

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 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

On Oct 8, 2015, at 3:27 PM, Samantha Bowers <sjobowers@gmail.com> wrote:

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[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

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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: Alice Helms <helms.alice@gmail.com>
Sent: Saturday, August 08, 2015 9:38 AM
To: Gordon Smith
Subject: Re: Short Term Rental question

Perfect! Thanks so much, Gordon.

On Aug 8, 2015, at 9:11 AM, Gordon Smith <gordonsmith@avlcouncil.com> wrote:

West End Bakery. Looking forward to it!

Gordon

On Sat, Aug 8, 2015 at 9:08 AM, Alice Helms <helms.alice@gmail.com> wrote:

Thursday at 10:00 am. Where do you want to meet?

Thanks!

On Aug 8, 2015, at 8:46 AM, Gordon Smith <gordonsmith@avlcouncil.com> wrote:

Sure, Alice. Next week is very booked, but here are some options for getting together:

Monday, August 10 - 8pm
Thursday, August 13 - 10am

Which works best for you?

Gordon

On Fri, Aug 7, 2015 at 2:57 PM, Alice Helms <helms.alice@gmail.com> wrote:

Hey Gordon,

Could I discuss this with you in person? It might be more efficient that way.

Can you meet for coffee next week? You say where and when, and I promise I won't take up too much of your time.

Thanks.

Alice

On Aug 7, 2015, at 8:29 AM, Gordon Smith
<gordonsmith@avlcouncil.com> wrote:

Alice,

There are a number of different asks. Some STR advocates are seeking unlimited STR permission in all parts of town. Some are seeking limited STR permission (neighborhood by neighborhood limits). They are against retaining the current prohibition on STRs in residentially zoned areas.

Gordon

On Thu, Aug 6, 2015 at 9:57 PM, Alice Helms

<helms.alice@gmail.com> wrote:

I guess what I'm wondering, Gordon, is what the AirBnB advocates are asking for. Are they asking council to consider revising the Short Term Rental rules?

Alice

On Aug 6, 2015, at 8:00 PM, Gordon Smith

<gordonsmith@avlcouncil.com> wrote:

Good questions -

1) No Council can bind future Councils, so, yes, it could be changed in the future.

2) They would need a revision to the Short Term Rental rules in the Unified Development Ordinance. Those rules are not up for consideration at this time. The penalties policies would be altered/eliminated if a Council were to alter the STR policy. In short, existing STR restrictions will remain in place with new, more serious penalties.

3) Yes. Retaining and further codifying Homestay regs has majority support, as does retaining the existing ban on STRs.

Let me know if I've been unclear. Trying to do this on my phone!

Best,

Gordon

On Thursday, August 6, 2015, Alice Helms

<helms.alice@gmail.com> wrote:

Thank you, Gordon, for the information. I knew that these proposals passed P&Z, but didn't understand what that meant in terms of STRs.

Help me understand this better and I will do my best to spread the word.

Is it correct to say:

That if these two proposals are passed by city council, the STR ban cannot be lifted in the future?

That if the STR advocates want to lift the ban, they must first defeat the Homestay and Civil Penalty changes?

And that if someone is against STRs and Homestays, they they had better support Homestays in order to prevent STRs?

Alice Helms

On Aug 5, 2015, at 8:55 PM,
Gordon Smith
<gordonsmith@avlouncil.com>
wrote:

Alice,

You're right that several Council Members met with AirBnB lobbyists. They are putting together a full court press to protect their business interest in Asheville. They've done this in cities across the nation, and they've been fairly successful in their efforts.

However, there is no proposal for the current STR ban to be lifted. Council did not instruct staff to create any such proposal. Instead, staff was instructed to create new policy for enforcing the existing ban on STRs and to create new rules for Homestays. You can see the staff reports as presented to the Planning and

Zoning Commission attached to this email.

These proposals passed P&Z 4-2 and will come before City Council on August 28. We are receiving a ton of emails from AirBnB prompted advocates (many from out of state), so if you wanted to register your perspective, it would be a welcome contrast.

Gordon

On Wed, Jul 29, 2015 at 8:58 PM, Alice Helms
<helms.alice@gmail.com>
wrote:

Hello Gordon,

I'm reaching out to you because I've been hearing some upsetting news about short term rentals lately, and I know you've stated in the past that city council does not plan to lift the STR ban.

Two unrelated neighbors told me that city council members met with AirBnB representatives last week to discuss strategies to make short term rentals legal in Asheville. And that the AirBnB reps and Cecil Bothwell also met later with local AirBnB operators, where it was announced that the STR ban will be lifted, but there will be limitations on how many STRs each person can operate. My neighbors are very confident about this happening so I'm just wondering if you can tell me if there's any truth to this.

Thanks so much for all you do for Asheville.

Alice Helms

<P&Z Homestay Staff
Report.pdf><P&Z Civil Penalty
Staff Report.pdf>

Ben Fulmer

From: Laurie Fisher <fiddlewitch1111@main.nc.us>
Sent: Thursday, July 23, 2015 12:39 AM
To: Gordon Smith
Subject: Re: Questions

Dear Councilman Smith,

Thank you for your reply to my query describing your reasons for regulating Airbnb hosts and guests. I appreciate your interest in affordable housing and neighborhood integrity. I share those concerns, but would like to posit here why I, and many others, think prohibiting STRs and applying restrictions to home-stays is misguided and will prove ineffective, inefficient and unfair in that course.

The current appeal of Asheville will continue to bear pressure on housing stock. As city and county have seen fit to permit so many luxury accommodations, it is no surprise there are now few places the many service industry workers can live. This is not the fault of vacations homes or Airbnb, but falls squarely in the laps of stakeholders that have been welcoming expensive developments for years. Add a possible near-future of thirsty Californians and Floridians in need of a new address and even Old Fort will become crowded! Those of us with real estate or leases in many cases require the tourist lodging income to stay here ourselves and provide a hope of prosperity.

In terms of hollowing out neighborhoods; yes I agree that can happen. But it can also not happen. West Asheville is chock full of all sorts of Airbnb listings, yet it is still the hottest zip code in WNC, and there is no sense of 'hollowed' neighborhoods. The 'hollowing' potential is a coin toss. Why complicate everyone's life and waste city resources on a coin toss? IF neighborhoods become 'hollowed', the effect will control itself in its lost appeal or transition to a vacation area. Besides, an unpleasant tourist next door will be gone soon, whereas an offensive new renter/owner will be there for a year or more. Meanwhile, un-restricted lodging income will enable a waitress to live/own in the city--which I and many others think is more important than prohibiting STRs, or complicating Airbnb hosting.

Also, I must point out clearly, that all these potential regulations are a blatant protectionism or revenue grab. Obviously, no city dept. or hotelier cares if someone's mother stays in the cottage, extra room or family house while she visits--whatever the building code, parking space, licensing, zoning or home value. The revenue enabled by Airbnb's platform is really all that matters here and has catalyzed this whole effort. IF affordable housing is the main issue, there should be no place at the table for the NC Restaurant & Lodging. If you are indeed composing a position paper, this fishy situation must be addressed.

I would also like to emphasize that home-stays and STR's are COMPLETELY DIFFERENT then hotel accommodations. . Any rhetoric to put hotels and Airbnbs on a 'level playing field' is total BS to thwart competition for lodging revenue. They are totally different and should be categorized as such. Here are few un-reconcilable differences between my offering and a hotel:

- 1) I do not receive walk in guests
- 2)I can decline guests based on gender, age, creed, race, disability, body odor and any other whim
- 3)I do not have to maintain cleanliness standards
- 4)My guests have to accept my space, whatever that happens to be when they are here
- 5)My guests may be asked to feed the cat
- 6)My guests, like me, have to park at the bottom of the hill and hike up in case of inclement weather

7)My guests may just stay in the yard in a tent

8)If I practice my fiddle or banjo or have band rehearsal, the guests will hear it--loud and clear

Efforts to obstruct people in safe and neighborly use of their property is invasive, draconian and tyrannical. Not to mention ultimately impossible to do fairly. Yes, you would successfully fine some people, yes some will de-select using Airbnb as hosts. But all the prohibited arrangements in the UDO I have seen utilized fully and necessarily all the years I've lived here. Add all the grey areas, like housemating, backyard studios, mother-in-law cottages, garage apartments and all the non-Airbnb arrangements that will ensue and have proceeded apace for many years. It seems to me an endless rabbit hole of needless effort for the city to be involved at all. Is this worth it to hedge a coin toss of a hollowed neighborhood? Will there be enough tangible benefits to outweigh the effort and bad will it will inspire? IF hosteling enables a waitress to keep her house in Asheville, she wont have to sell to a Charleston investor.

IF affordable housing is the issue . . . send the hotel lobby away and establish a policy that freezes high end development. STR prohibition and interfering with people and their guests should be a total non-issue.

A well designed and efficiently enforceable complaint system is all that is needed. If there are safety or nuisance issues neighbors should have a channel to enforce their peaceful enjoyment of their property. With Airbnb peer reviews, bad guests should be rare and avoidable. BTW the delightful guests I have hosted are often invited along with me to neighbor's BBQ and visiting.

I truly believe the very best thing for the city to do is to be hand's off beyond general safety and complaint enforcement. Let the market and the citizens manage the infinite details and possibilities. Especially with Airbnb, the platform delivers success where the best in people is put forth, and failure if that is not put forth.

BTW, I wonder if you heard of the meeting in Woodfin in June . . . where local STR advocates spilled out the door. There are many taxpayers who are much against the STR prohibition, and the interference over Airbnb may well have catalyzed a need to re-visit the policy on STR's as well as home-stays. Also, I am a new 'like' on a new Facebook page entitled "Buncombe County Residents Against Banning Short Term Rentals" which mobilized the big turnout in Woodfin. ALSO, there is a meeting this Thurs. hosted by an Airbnb community organizer that I will attend with many others. All that is to say, perhaps the Airbnb has waked a sleeping dragon of stakeholders who will now pressure for change, so you all will be hearing more of this. Many new hosts are appalled to learn that there are restrictive laws that would prevent safe use of their property as they see fit.

Sincerely,
Laurie Fisher

On 7/14/15 3:25 PM, Gordon Smith wrote:

Laurie,

Thanks for reaching out. I don't have a 'position paper', but your letter helped to realize that I ought to compose something for folks. This is a very complicated subject and even the terminology can create confusion. Reasonable people can have different opinions on the issues as well.

Asheville is in the midst of an affordable housing crisis. There are currently 0% vacancy rates for all rental units except the most expensive, and only 1/4 of available for-sale housing is within the reach of 2/3 of our population. You can learn more about the housing shortage here: <http://www.slideshare.net/gordonsmithasheville/11-asheville-city-hna-14462>

Further, the integrity of our city's neighborhoods is critical to maintaining our quality of life. In other destination communities, Short Term Rentals have hollowed out whole neighborhoods.

Some clarification of terms is in order. These are taken from this City of Asheville page: <http://coablog.ashevillenc.gov/wp-content/uploads/2015/03/Short-Term-Rentals-Handout1.pdf>

Homestays: A homestay, as defined in the UDO, is an owner-occupied single family home with more than 2,500 square feet, and offering one to three guest rooms. This use allows the owner to rent rooms in the home for less than 30 days as long as the owner resides in the home on a full-time, permanent basis.

Short-Term Rental: Short-term rental is the renting of property for overnight stays less than 30 days. The owner does not reside in the home.

I am in favor of enforcing the existing prohibition on Short Term Rental in residentially zoned areas. I am also in favor of allowing Homestays and reducing restrictions on doing so. I believe this approach will free up housing units for long term rental and sale while still allowing homeowners and property owners to tap directly into the tourism market and offer rental properties to residents. Socioeconomic diversity is vital to Asheville's health, and our multifaceted approach to the housing shortage must take STRs into consideration. Already there are investors buying up our housing stock for use by tourists. One gentleman contacted from John's Island, SC to bless me out! You can learn more about the City of Asheville Comprehensive Housing Affordability Strategy here: <http://www.slideshare.net/gordonsmithasheville/comprehensive-affordable-housing-strategy-and-framework-10-1414>

I hope this clarifies my position and reasoning, and I am very open to answering any other questions you might have. I spent a great deal of time studying, listening, and soul-searching before arriving at my position on this important set of issues.

Best,

Gordon

On Tue, Jul 14, 2015 at 1:47 PM, Laurie Fisher <fiddlewitch1111@main.nc.us> wrote:
Dear Councilman Smith,

I recently sent you a letter stating my position on the value of Airbnb to our community and that it should not be regulated. You replied (to Cecil) that your position is different. I would like to know your reasons and concerns about Airbnb and why you want it to be regulated or removed. DO you have a 'position' paper or other reference you use on this I can read on the web? If so please send a link. Otherwise, please inform me of your concerns with Airbnb and STRs.

THank you,
Laurie Fisher

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: 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: Jeff Staudinger <JStaudinger@ashevillenc.gov>
Sent: Friday, October 03, 2014 4:56 PM
To: Barber Melton; Gordon Smith; Jay Gurney; 'Laura Simmelink'; Lindsey Simerly; Mae Creadick; 'Mastrogiacomo, James R'; 'Randall Barnett'; 'Robin Raines'; Scott Dedman
Cc: Shannon Capezzali
Subject: Meeting Follow Up
Attachments: A Long Way From Home.pdf; Affordable Housing Plan Recommendations Update 12-1-11.docx; Affordable Housing PP 6-2-14.pdf; AHAC Report to City Council revised 2 6 14.doc; AHAC Staff Report - Developer Interviews 12-5-13.doc

Dear Affordable Housing Advisory Committee Members-

Thanks for your new and ongoing willingness to serve on the Affordable Housing Advisory Committee. I remind you that next month's meeting will be on November 13, at 8:30 AM. I will send an updated contact list next week.

I am attaching some documents that I think should be helpful to you, as well as noting below a couple of links to reports and other educational information.

Attached reports include:

- A Long Way From Home
- A summary of recommendations, with a 2011 update, from the 2008 Affordable Housing Plan
- The Affordable Housing Power Point presentation the Committee has used in the past few months
- The Committee's February report to City Council
- The Committee staff report summarizing the Develop interview process from this past fall

Links:

- <http://www.ashevillenc.gov/Departments/CommunityDevelopment/PlansReports.aspx> This is the plans and reports page from the City's Community Development web site. Here you can find the 2009 Housing Needs Assessment, the Affordable Housing Scorecard from earlier this year, the Center for Neighborhood Technology Locational Efficiency report, and other reports and plans.
- http://www.jchs.harvard.edu/research/state_nations_housing Joint Center for Housing Studies at Harvard University

Hope this is a good start!

Jeff

Jeff Staudinger, Assistant Director
Community and Economic Development Department
City of Asheville
828-259-5723
828-280-1726 (cell)

Ben Fulmer

From: Gordon Smith <gordonsmith@avlcouncil.com>
Sent: Monday, September 15, 2014 12:59 PM
To: Lindsey Simerly
Subject: Fwd: Materials and a meeting
Attachments: City of Asheville Affordable Housing Production 8-12-14.docx; Matrix of Elements and Issues 8-7-14.xlsx

Lindsey,

Do you have any time in the afternoon of October 7th for a meeting with me and Jeff?

Gordon

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

From: Jeff Staudinger <JStaudinger@ashevillenc.gov>
Date: Tue, Sep 9, 2014 at 4:41 PM
Subject: RE: Materials and a meeting
To: Gordon Smith <gordonsmith@avlcouncil.com>

Gordon-

Tuesday, October 7 is good for me anytime in the afternoon into early evening.

I've attached that two-pager, and the summary of the current production pipeline. I am working closely with Lauren Bradley (as a consultant to the City) to take this very early draft and develop it into a significant background and policy direction piece for the meeting on the 14th.

Jeff

Jeff Staudinger, Assistant Director

Community and Economic Development Department

City of Asheville

828-259-5723

828-280-1726 (cell)

From: Gordon Smith [mailto:gordonsmith@avlcouncil.com]
Sent: Tuesday, September 09, 2014 1:07 PM
To: Jeff Staudinger
Subject: Materials and a meeting

Jeff,

Good afternoon. I hope all is well.

(1) You know those two pages you handed me prior to our last HCD meeting with the rundown of all the various affordable housing pieces? I've misplaced it. Could you either send it via email or hand me a hardcopy tonight?

(2) I'd like to meet prior to the big City Council worksession in October to make sure I am 100% up to speed. I'd also like to include Lindsey in that meeting.

How about Tuesday, October 7? Anytime that day can work for me.

Gordon

Ben Fulmer

From: Jeff Staudinger <JStaudinger@ashevillenc.gov>
Sent: Tuesday, September 09, 2014 4:42 PM
To: Gordon Smith
Subject: RE: Materials and a meeting
Attachments: City of Asheville Affordable Housing Production 8-12-14.docx; Matrix of Elements and Issues 8-7-14.xlsx

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Jeff Staudinger, Assistant Director
Community and Economic Development Department
City of Asheville
828-259-5723
828-280-1726 (cell)

From: Gordon Smith [mailto:gordonsmith@avlcouncil.com]
Sent: Tuesday, September 09, 2014 1:07 PM
To: Jeff Staudinger
Subject: Materials and a meeting

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Gordon

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)

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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: Thursday, April 17, 2014 9:38 AM
To: Cecil Bothwell - Email;Chris Pelly;Esther Manheimer;Gordon Smith;Gwen Wisler;Jan Davis;Marc Hunt
Subject: Various Bd/Com Com
Attachments: HRC Min of 3-12-14.doc; Bd & Com Minutes of 2-11-14.docx; 3-14-14 Downtown Com Minutes.docx; Recreation Board Min 3-10-14.pdf; PED Min 2-18-14.doc; HCD Min 3-18-14.docx; SACEE Min 3-19-14.doc

Sending one day early due to holiday tomorrow.

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: 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.urbanest@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: Maggie Burleson <MBurleson@ashevillenc.gov>
Sent: Friday, April 04, 2014 8:36 AM
To: Cecil Bothwell - Email;Chris Pelly;Esther Manheimer;Gordon Smith;Gwen Wisler;Jan Davis;Marc Hunt
Subject: Various Bd/Com Mintues
Attachments: Public Safety Com Min 2-24-14.docx; Public Art and Cultural Commission 9 26 13.docx; Public Art & Cultural Com Min 10-24-13.docx; Public Art & Cultural Com Min 1-23-14.docx; Tree Com Min 1-21-14.doc; Tree Com Mim 2-17-14.doc; Tree Com Min 3-17-14.doc; TDA Min of 2-26-14.pdf; Civic Center Commission Minutes 2 4 14.docx; Multimodal Transp Com Min 8-28-13.pdf; Multimodal Transp Com Min 9-25-13.pdf; Multimodal Transp Com Min 10-23-13.pdf; Multimodal Transp Com Min 12-4-13.pdf; Multimodal Transp Com Min 1-22-14.pdf; abc mIN 2-25-14.pdf; Firemen's Relief Fund Min 9-30-13.doc; CRC Min 2-27-14.docx; Public Art & Cultural Com Miin 2-27-14.pdf; Finance Com Min 1-28-14.pdf; 2-5-14 P&Z Minutes.docx

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: Cathy Ball <cball@ashevillenc.gov>
Sent: Friday, February 14, 2014 5:04 PM
To: Marc Hunt;Gwen Wisler;Jan Davis
Cc: councilgroup;Gary Jackson;Dan Phairas;Sam Powers;Judy Daniel;Shannon Tuch;Nikki Reid;Joey Robison;Christy Edwards
Subject: PED Agenda for February 18
Attachments: PED_February18_2014_Agenda.docx; Staff Report PED_Short Term Rentals.docx; Staff Report PED_Update on 68-76 Haywood Street.docx; Staff Report PED_MSDs.docx; CBD Approved MSD.pdf; Large Scale MSD.pdf; MSD MAPS.pdf; Staff Report_PED MOU 98 Desota Street.docx; 98desota.pdf

Council PED Members,

Please find the attached PED Agenda and staff report for the February 18, 2014 meeting. Please let me know if you have any questions. We will get this information posted to the web.

Have a great weekend.

Cathy

Cathy D. Ball, PE
Assistant City Manager
Development and Infrastructure
City of Asheville
P.O. Box 7148
Asheville, NC 28802
(828) 259-5939
cball@ashevillenc.gov

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: 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

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Elena Temple Webb
Director of Communications
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