

5.5.6 Vacation Rental Standards

Vacation Rental is a Residential Use of a dwelling—in whole or in part—on a short-term rental basis (less than 30 days at a time). Temporary structures (recreational vehicles, tents, yurts, tipis, park model tiny homes, etc.) may not be used for Vacation Rentals.

5.5.6.1 There are two categories of Vacation Rentals.

(1) Owner-occupied (OO) Vacation Rentals are any Vacation Rentals that provide a portion of the dwelling for short-term rental while another portion is used for long-term rental or permanent residency of a property owner; or where there are multiple dwellings and one (1) dwelling is provided for short-term rental and the other is occupied as a long-term rental or as permanent residence of a property owner.

(2) Non-Owner-Occupied (NOO) Vacation Rentals are any Vacation Rentals that provide the entire dwelling for short-term rental while the property owner permanently resides elsewhere, and no portion of the dwelling or property is provided as a long-term rental.

5.5.6.2 Location. Vacation Rentals are a permitted use in each Zoning District in which a Dwelling Unit or Manufactured Home is a permitted use, ~~as an Administrative Conditional Use~~ as shown in Table 3. This includes the PUD Zone, unless the Development Plan specifies otherwise.

5.5.6.3 Performance Standards.

These standards were derived in part from Colorado Department of Public Health and Environment Sanitary Standards and Regulations for Public Accommodations, 6 CCR 1010-14.

(1) Owner/Caretaker Responsibilities. The owner of a Vacation Rental shall either be present within a distance of sixty (60) miles of the property, or shall employ a Property Manager or Caretaker within that distance who shall be on call 24 hours a day to respond to the property as needed to alleviate complaints regarding violations of these standards, County Ordinances, or neighborhood rules and covenants.

a. Contact phone numbers will be made available to the public upon request.

b. The Planning Department shall be informed within 10 days of any change of contact information for the manager/caretaker or owner.

(2) Code Compliance. Any person offering and dwelling offered as a Vacation Rental, in whole or in part, must be in conformance with all applicable building, zoning, and development codes, as well as nuisance ordinances (Section 1.4.3.1).

(3) Density. The number of dwellings permitted as Vacation Rentals shall be limited by density to preserve community character and encourage more equal distribution of Vacation Rentals throughout the county. Where calculations result in fractional numbers, all numbers will be rounded up to the nearest whole number (i.e. 1.1 = 2 VRPs allowed). Except as outlined in Section 5.5.6.3(3)d below, dwellings with a current Vacation Rental permit at the time of the adoption of these standards will be treated as a Non-Conforming Use in accordance with Section 1.3.3, except that the VRP will NOT be transferrable to new owners as outlined in Section 3.2.7.6(1). If a VRP is revoked due to violations of these Regulations, or Closed (Section 3.2.7.6(7)) the Non-Conforming Use designation will be removed. New permits in areas over the 5% number will not be allowed.

a. In each Major Subdivision (four (4) or more lots or parcels), Vacation Rentals shall not exceed a number equal to 5% of the total number of lots, tracts, or parcels in the neighborhood, with a minimum of one (1) active permit allowed.

b. In each Condominium or Townhome Community, Vacation Rentals shall not exceed a number equal to 5% of the total number of units in the community, with a minimum of one (1) active permit allowed.

c. In each Minor Subdivision (fewer than four (4) lots or parcels), Vacation Rentals shall not exceed one (1) active permit per subdivision.

d. On each lot, tract, or parcel (regardless of size), only one (1) active Vacation Rental Permit is allowed. Properties with more than one Vacation Rental Permit at the time of the adoption of these standards will be allowed to continue with multiple Vacation Rentals until the permit expiration date. After that, only one Vacation Rental Permit will be approved.

(4) Space and Occupancy. The number of short-term rental guests shall be limited by the number of bedrooms and capacity of a valid Onsite Wastewater Treatment System (OWTS). In situations where on-site parking availability is constrained, the number of guests may similarly be restricted. These limits do not otherwise apply to personal (not Short-term Rental) use by the property owner.

a. Dwelling Guest Limits. There shall be no more than two (2) overnight guests per bedroom, plus up to two (2) additional guests per dwelling.

1. These sleeping capacity limits must be reflected in the combination of all sleeping fixtures (beds, futons, air mattresses, cots, fold-away beds, Murphy beds, day beds, sleeper couches, etc.). Any excess sleeping capacity must be removed as a condition for approval of the VRP, as applicable.

2. Rooms not originally designed for sleeping will NOT be added to the dwelling's bedroom count to increase rental capacity, unless:

i. The room is completely enclosed (separated from the rest of the house by its own door and four (4) solid walls.

ii. The room meets all structural and fire safety requirements listed in sections 5.5.6.3(4)c below.

iii. The infrastructure supporting the dwelling can adequately absorb the additional occupancy generated by increasing the guest limits.

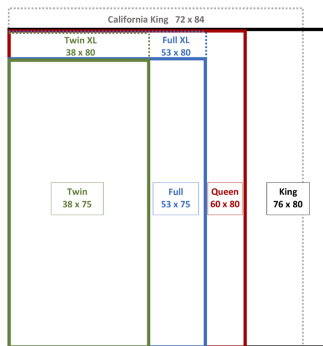
iv. Approval is received from Development Director.

b. Sleeping Room Guest Limits. Every room occupied for sleeping must be configured/furnished according to these standards:

1. **Floor Size.** No Sleeping Room shall be less than seven (7) feet in any horizontal dimension, must contain at least seventy (70) square feet of floor space for the first guest, and fifty (50) square feet of floor space for each additional guest. No portion of any room having a ceiling height of less than five (5) feet shall be considered as contributing to the minimum required areas.

2. **Ceiling Height.** No room used for sleeping shall have a ceiling height less than seven (7) feet. In rooms with sloping ceilings, the required ceiling height shall be provided in at least 50% of the room and no portion of any room having a ceiling height of less than five feet shall be considered as contributing to the minimum required areas.

3. **Bed Capacity.** Guest capacity per bed is calculated by mattress size. King, California king, and queen size mattresses are calculated as having a two-guest capacity. All others, including full, double, single, twin are calculated as having a one-guest capacity. Triple-deck bunk beds are prohibited. There shall be a clear ceiling height above the mattress of not less than thirty-six (36) inches and a clear space of at least twenty-seven (27) inches between mattresses of a double bunk bed.



c. Structural and Fire Safety. The dwelling must meet safety codes.

1. Access and Exits.

- i. Access – Every room used for sleeping must have its primary entrance directly accessible, without passing through another room or rooming unit, to the outside or to a common hallway leading to the outside.
- ii. Emergency Escape Route – All rooms used for sleeping must have an emergency escape route, other than its primary entrance, that leads from the room directly to the outside of the dwelling. If the emergency escape route is via a window, the minimum total window areas shall be at least 10% of the floor area of the room, and 1/2 of the window area must be openable. If the window is on the second or higher floor, there must be an emergency escape ladder available for use.

2. Detectors.

- i. All rooms used for sleeping must have a smoke detector installed *inside* the room and one outside each separate sleeping area within fifteen (15) feet of the entrance to the room.
- ii. All room used for sleeping must have a carbon-monoxide (CO) detector installed *outside* the room within fifteen (15) feet of the entrance to the room. If there is a fuel-burning appliance (wood or gas fireplace, etc.) inside a sleeping room or its attached bathroom, there must *also* be a CO detector inside the room.

3. Extinguishers. There must be at least one fire extinguisher in the dwelling, kept in the kitchen or food prep area.

4. Handrails and Guardrails. Any stair way with four (4) or more risers must have a grip-able handrail installed with a return on both ends. Any walking surface that is higher than thirty (30) inches above grade must have a sturdy guardrail of at least thirty-six (36) inches in height.

(5) Advertisements. All ads for Vacation Rentals in all media shall follow these guidelines. Deviations from these standards will be treated as a violation of these Land Use Regulations and will be subject to the provisions of Enforcement found in Section 1.4.

a. All ads must include the Vacation Rental Permit/Account Number.

- b. All ads must reflect a guest limit at or below that which is reflected on their permit.
- c. All ads must reflect the proper sleeping configuration as reflected in their permit and conditions.

(6) Refuse Disposal. The property owner, caretaker, or property manager shall manage storage, collection and disposal of refuse. All refuse shall be stored in fly-tight, water-tight, rodent-proof, bear-resistant containers, or be removed upon guest departure.

(7) Guest Parking. There must be at least one on-site parking space for every bedroom offered for rent. Bedroom capacity on the permit may be restricted by the number of parking spaces, if inadequate spaces are available or provided.

(8) Wastewater Treatment. Dwellings must be serviced either by public/district sewer services or an On-Site Water Treatment System (OWTS). No composting toilets or out-houses are allowed for use in Vacation Rentals. Bedroom capacity on the permit will be limited to the bedroom capacity included on the OWTS permit.

(9) Rental Guest Notice.

- a. All Vacation Rental guests must receive notice outlining property rules. At a minimum, these rules must include the requirements of these standards, County Ordinances, and neighborhood rules and covenants.
- b. Non-emergency contact numbers for fire, ambulance, and sheriff must be provided. Additionally, the property address must be prominently displayed on the refrigerator or cover of the guest book.

(10) Vacation Rental Identification Sign. Each Vacation Rental property shall be equipped with one (1) Vacation Rental Identification Sign, measuring 12" x 18" for houses or 8" x 10" for condos and townhomes. This sign will include information regarding parking and guest limits, as well as how to report a violation. No other advertising signs promoting or identifying Vacation Rental properties shall be permitted anywhere in residentially zoned districts. The required identification sign will be initially provided by the Planning Department with the approved permit, and at no cost to the property owner. However, if the sign is lost, stolen, or damaged, it must be replaced by the property owner within 10 days, at the fee found in the approved County Fee Schedule.

- a. For single-family dwellings, the sign will be placed in the yard near the driveway entrance from the road. The sign must remain visible at all times and be kept clear of snow, ice, and other debris.
- b. For condos or town homes, the sign will be hung on the door to the unit.