

# Larimer County Short-term Rental Regulations Review project

## Short-term Rental Regulation Examples from other Larimer County Communities

Work in Progress -- Updated 10/10/2022

Note: The City of Loveland, Town of Windsor, Town of Wellington, Town of Berthoud, and Town of Johnstown currently do not have STR regulations. This summary includes current STR regulations for the City of Fort Collins, Town of Timnath, and Town of Estes Park.

Topic	Regulation Language (Jurisdiction)	Other Notes												
Reasoning/Purpose Statement	<ul style="list-style-type: none"> <li>“Short Term Rentals could impact the neighborhoods in which they are located with respect to parking, noise, and neighborhood livability regarding persons from outside a neighborhood transiently visiting. Additional oversight of Short Term Rentals will help to ensure the health and safety of renters, and management of impacts to the surrounding neighborhood.” (City of Fort Collins)</li> </ul>													
Zoning or Location	<ul style="list-style-type: none"> <li>City of Fort Collins single-family residential only</li> <li>Town of Timnath single-family residential and mixed-use</li> </ul>													
Density	<ul style="list-style-type: none"> <li>“Each subdivision shall be allowed 1% of the total number of COs issued.” (Town of Timnath)</li> <li>“The number of permits available based on COs will be as follows:                             <table border="0" data-bbox="569 760 1703 902"> <tr> <td>- 1-100 COs = 1 permit</td> <td>- 401-500 COs = 5 permits</td> <td>- 801-900 COs = 9 permits</td> </tr> <tr> <td>- 101-200 COs = 2 permits</td> <td>- 501-600 COs = 6 permits</td> <td>- 901-1000 COs = 10 permits</td> </tr> <tr> <td>- 201-300 COs = 3 permits</td> <td>- 601-700 COs = 7 permits</td> <td></td> </tr> <tr> <td>- 301-400 COs = 4 permits</td> <td>- 701-800 COs = 8 permits</td> <td></td> </tr> </table> </li> </ul>	- 1-100 COs = 1 permit	- 401-500 COs = 5 permits	- 801-900 COs = 9 permits	- 101-200 COs = 2 permits	- 501-600 COs = 6 permits	- 901-1000 COs = 10 permits	- 201-300 COs = 3 permits	- 601-700 COs = 7 permits		- 301-400 COs = 4 permits	- 701-800 COs = 8 permits		
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Transferability	<ul style="list-style-type: none"> <li>“An active license for a specific vacation home or bed and breakfast inn operating continuously (by new license, renewal, or approved transfer) under the required license since prior to the effective date of Ordinance 13-21 of the Town of Estes Park shall be transferable to a different owner in accordance with procedures in this Code, including paragraph (3) below, and in the form and manner established by the Town Clerk's Office.” (Town of Estes Park)</li> <li>“Licenses for vacation homes and bed and breakfast inns not addressed in subparagraph (a) above are not transferrable to any person upon sale or other transfer of ownership of the property. Upon such sale or transfer of ownership, the license shall terminate automatically and the new owner of the property shall apply for a vacation rental license if it wishes to continue the use of the property as a vacation rental. Such application shall be subject to any applicable waitlist.” (Town of Estes Park)</li> <li>“If a resident moves within Town to a new neighborhood their permit will not be transferrable and they will have to apply for a new permit within that subdivision.” (Town of Timnath)</li> <li>“Each license shall be applicable to a single dwelling unit and no license issued shall be transferable. A license shall terminate upon transfer of ownership of the licensed premises.” (City of Fort Collins).</li> </ul>													

Topic	Regulation Language (Jurisdiction)	Other Notes
<b>Standards and Criteria</b>		
Property Management	<ul style="list-style-type: none"> <li>“... shall designate a local resident or local property manager residing within either the Estes Valley Recreation and Park District boundary or the Estes Park School District R-3 boundary, who can be contacted by telephone and is available when the vacation home is rented, regarding any violation of the provisions of this Section.” (Town of Estes Park)</li> </ul>	
Life Safety Inspections	<ul style="list-style-type: none"> <li>“To be issued a new license, a vacation home or bed and breakfast inn must first undergo and pass a life safety inspection or other required building inspection, as applicable, and receive a certificate of occupancy that allows for such use, such as described in Section 14.12.025 of this Code, section R327 of the International Residential Code as amended.” (Town of Estes Park)</li> <li>Short Terms Rentals must be inspected... on an annual basis accompanying the annual renewal to ensure compliance.” (Town of Timnath)</li> </ul>	
Neighbor Notification – following approval	<ul style="list-style-type: none"> <li>“Notice shall be mailed, with <b>certificate of mailing</b>... to owners of properties within ## feet. Notice shall provide property address and 24/7 hotline phone number.” (Town of Estes Park)</li> </ul>	<ul style="list-style-type: none"> <li>Hotline for code compliance concern?</li> </ul>
Nights per month	<ul style="list-style-type: none"> <li>“The maximum number of nights per month shall not exceed 15 or the max number of unique reservations cannot exceed 3 per month.” (Town of Timnath)</li> </ul>	
Occupancy	<ul style="list-style-type: none"> <li>Residential zoning districts: &lt;8; Large: &gt;9 (Town of Estes Park)</li> <li>Maximum staying per night shall not exceed 6 persons. (Town of Timnath)</li> </ul>	
Single Party	<ul style="list-style-type: none"> <li>In residential zoning districts in Estes Park shall be rented to no more than one party at a time – “All occupants shall be registered by name on or before the time of the party's initial occupancy. The name registry shall be maintained by the property owner, local representative or manager, and shall be made available to the Town or any other appropriate regulatory entity upon request.” (Town of Estes Park)</li> <li>“...leased to one party at a time for periods of less than 30 consecutive days.” (City of Fort Collins)</li> </ul>	
Proof of Insurance	<ul style="list-style-type: none"> <li>“Proof of liability insurance is to be provided at time of application.” (Town of Timnath)</li> <li>“...must provide proof of liability insurance sufficient to compensate renter injuries...” (City of Fort Collins)</li> </ul>	
Advertising / Special Events	<ul style="list-style-type: none"> <li>“Short Term Rentals may not be advertised as an event space.” (Town of Timnath)</li> </ul>	
<b>Fees</b>		
	<ul style="list-style-type: none"> <li>Annual renewal \$100 (Town of Timnath and City of Fort Collins)</li> </ul>	
<b>Compliance</b>		
License Renewal	<ul style="list-style-type: none"> <li>“A business license does not convey a right to continue operation as a vacation home or bed and breakfast inn in future years. When the term of an annual license expires, and the license has not been properly renewed, the license shall be considered automatically to have expired and terminated without any further action necessary by the Town.” (Town of Estes Park)</li> </ul>	

License Renewal, cont.	<ul style="list-style-type: none"> <li>“License must be renewed annually... Any formally established violation of the provisions of this Article may be considered during the license renewal review and may result in non-renewal.” (additional remarks about conditions on renewal) (City of Fort Collins)</li> </ul>	
Enforcement/Liability/Revocation	<ul style="list-style-type: none"> <li>Town of Estes and City of Fort Collins provide sections on Violation/liability/penalties; includes fines; requires property owner sign statement of understanding.</li> </ul>	
<b>Topic</b>	<b>Regulation Language (Jurisdiction)</b>	<b>Other Notes</b>
<b>Sales Tax License</b>		
	<ul style="list-style-type: none"> <li>“The applicant must have valid sales and use and lodging tax licenses issued...” (City of Fort Collins)</li> <li>“Short Term Rentals are subject to lodging, sales, or other applicable taxes.” (Town of Timnath)</li> <li>“A condition of issuance of the license shall be proof of a current sales tax license, provided by the applicant.” (Town of Estes Park)</li> </ul>	
<b>Definitions</b>		
Type of STR	<ul style="list-style-type: none"> <li>Short-term non-primary rental “a dwelling unit that is not a primary residence and that is leased in its entirety to one party at a time for periods of less than 30 consecutive days.” (City of Fort Collins)</li> <li>Short-term primary rental “a dwelling unit that is a primary residence of which a portion is leased to one party at a time for periods less than 30 consecutive days.” (City of Fort Collins)</li> </ul>	
Bed & Breakfast	<ul style="list-style-type: none"> <li>“An adaptive re-use of a single-family detached building as a place of temporary overnight accommodation, in which: <ol style="list-style-type: none"> <li>Five or fewer guest rooms are rented for daily and / or weekly terms;</li> <li>Breakfast is provided to guests; and</li> <li>The operator resides on the premises.” (City of Loveland)</li> </ol> </li> <li>“An establishment operated in a private residence or portion thereof, which provides temporary accommodations to overnight guests for a fee, and which is occupied by the operator of such establishment.” (Town of Wellington)</li> <li>Timnath ‘Bed and Breakfast <i>Inn</i>’- definition same as Wellington</li> <li>“... Portion thereof, that provides temporary accommodations for a fee to overnight guests, a morning meal limited to guests only, and that is occupied by the operator of such establishment. A bed and breakfast may provide accommodations to individuals or multiple separate parties concurrently on both a reservation and walk-in basis.” (goes on to define ‘party’) (City of Fort Collins)</li> </ul>	<ul style="list-style-type: none"> <li>Wellington and Timnath have B&amp;B regulations that could be helpful</li> </ul>

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## Short-Term Rental Regulation Examples from Other Communities

Work in Progress -- Updated 10/11/22

This table includes STR regulation information from various jurisdictions that is different than Larimer County standards. It addresses: (1) purpose or recitals, (2) zoning and location, (3) Standards and criteria, (4) Review procedure, (5) Compliance, and (6) Definitions that may be useful in the drafting process.

Topic	Regulation Language (Jurisdiction)	Other Notes
<b>Purpose</b>		
Related particularly to housing and neighborhoods	<ul style="list-style-type: none"> <li>“Over the last five to ten years, the advent and increasing popularity of individuals and companies purchasing, advertising, and renting out residential properties as short-term lodging has resulted in approximately 30% of Summit County’s housing stock being utilized as such short-term vacation rentals.” (Summit County; the County is working on Ver. 3.0 of regulations.)</li> </ul>	<ul style="list-style-type: none"> <li>Summit County Ordinance No. 20-B, Dec. 2021</li> </ul>
	<ul style="list-style-type: none"> <li>“The consequence of making more beds available for short-term rental reduces potential housing stock for the local work force as well as increases the number of visitors to the community causing an increase in demand for services.” (Pitkin County)</li> </ul>	<ul style="list-style-type: none"> <li>Pitkin County Ordinance, June 2022</li> </ul>
	<ul style="list-style-type: none"> <li>“Boulder County has received numerous comments expressing concern about how the short-term rental of Dwelling Units might impact housing stock and the residential and rural character of Boulder County... Boulder County prioritizes preserving housing units for Boulder County residents and workers and their families...” (Boulder County)</li> </ul>	<ul style="list-style-type: none"> <li>Boulder County Ordinance No 2020-01</li> </ul>
	<ul style="list-style-type: none"> <li>“Aspen is a tourist destination, attracting tens of thousands of visitors a year... (there is recognition that) without regulations and limitations on their operation and extend, short-term rentals also have adverse impacts on the character of residential neighborhoods and the availability of long-term housing options.” (Aspen)</li> </ul>	<ul style="list-style-type: none"> <li>Ordinance No. 09, 2022, City of Aspen</li> </ul>
<b>Zoning or Location</b>		
<b>Cap in certain locations</b>	<ul style="list-style-type: none"> <li>Aspen limits STR-C permits by number in specific residential zone districts (ranging from 1 to almost 200) depending on the zone with no limit in commercial zone districts. (In Aspen, currently there are 1,319 legal vacation rentals and those will be reduced to less than 1,000 through attrition.)</li> <li>Avon caps STRs at 15% of the total number of residential units that fall within the residential geographic boundary. Article cites that Eagle County is incentivizing individuals to convert short-term rentals to long-term rentals.</li> </ul>	<ul style="list-style-type: none"> <li>Article notes that Aspen and Pitkin limited rental days to 120 per year, and some cited concerns.</li> </ul>
<b>Rural and Remote Zone District</b>	<ul style="list-style-type: none"> <li>Pitkin County establishes the Rural and Remote Zone District with stronger standards or prohibitions as: (1) location more than one-half (1/2) mile from winter-maintained public roadway, (2) absence of service districts, (3) limited availability of services, (4) little or no development existing in the surrounding area, (5) presence of natural hazard areas or important environmental or historic resource areas.” (6) location within subalpine or alpine ecosystems, and or located above 9,000-foot elevation, and/or (7) location adjacent to USFS or BLM owned properties.” (Pitkin County)</li> </ul>	

Topic	Regulation Language (Jurisdiction)	Other Notes
<b>Types of Licenses</b>	<ul style="list-style-type: none"> <li>• STR Full (unlimited STR – year-round), Host-Occupied, a property occupied by a full-time resident living on-site., Limited License, used fewer than 42-days per year (Avon, Summit County approaches)</li> <li>• “Duration of each rental period must be a minimum of four (4) nights.” (Pitkin County)</li> <li>• “No property shall be rented for more than 120 nights during any one-year license term.” (Pitkin County)</li> <li>• Summit County establishes a Resort Overlay Zone that has no annual limit, a Neighborhood Overlay Zone with three types of Licenses: Type I (Primary Residence only), Type II License, restricted to no more than 135 nights per year as calculated from Oct. 1 through Sept. 30, and Type III License reviewed through Conditional Use Permit process. Different standards apply within each zone, with more restrictive standards in the neighborhoods. (Summit County)</li> <li>• Permit Types: Short-term Rental Classic (STR-C) – only the residential units located in eligible zones, Owner-occupied STR OO, only to owner-occupied residential units and limited to 90 rental nights per year, and Lodging Except (STR LE), lodges and condo hotels. (Aspen)</li> </ul>	<ul style="list-style-type: none"> <li>• Some jurisdictions that have regulated based on Primary Residency are reevaluating those standards per recent court rulings.</li> </ul>
<b>Transferability</b>	<ul style="list-style-type: none"> <li>• “Licenses are not transferrable from one individual to another.” (Pitkin County)</li> <li>• “No License granted pursuant to this Ordinance is transferable from one person to another or from one location to another. Any change of ownership of the Licenses Premises must be reported to the Director within 30 days of the transfer of ownership.” (Boulder County)</li> <li>• “Commencing October 1, 2022, STR permits shall be granted only for the property for which it is issued and solely to the permittee to whom it is issued. The permit shall not be transferrable to any other person, legal entity, or residential address.” (Aspen)</li> <li>• “All short-term rental permits are revocable and non-transferable.” (Santa Cruz)</li> <li>• “Each STR License is non-transferrable.” (Vail)</li> </ul>	<ul style="list-style-type: none"> <li>• Most local jurisdictions either have or have recently put in place non transferability clauses. These are some examples.</li> </ul>
<b>Standards and Criteria</b>		
<b>Occupancy</b>	<ul style="list-style-type: none"> <li>• “... In no case shall the occupancy exceed ten (10) people. Additional persons may be authorized through a specific Administrative Review process where it is determined that the onsite wastewater treatment system as designed and built is adequate for the proposed use.” (San Miguel County)</li> <li>• “Two adults per Sleeping Room with a maximum of eight individuals, or the occupancy limit of the permitted and approved on-site wastewater treatment system, whichever is fewer.” (Boulder County)</li> </ul>	<ul style="list-style-type: none"> <li>• Multiple jurisdictions put an upper limit on occupancy.</li> </ul>
<b>Prior violations</b>	<ul style="list-style-type: none"> <li>• “The short-term rental permit shall automatically lapse if the subject unit is not used as a short-term rental for two full years.” (Santa Cruz)</li> <li>• “A prior revocation of a short-term rental permit will disqualify the applicant in being able to apply for a subsequent short-term rental permit for any residential property for two years from the date of the prior revocation.” (Santa Cruz)</li> <li>• “Any eligible short-term rental property must not be subject to any outstanding building, electrical, plumbing, fire, health, housing, police, or planning code violations or enforcement actions, including any notices of violation, notices to cure orders of abatement, cease and desist orders or correction notices.” (Santa Cruz)</li> </ul>	<ul style="list-style-type: none"> <li>• Grand County has a similar requirement, and this appears in several other ordinances.</li> </ul>

Topic	Regulation Language (Jurisdiction)	Other Notes
<b>Emergency Services</b>	<ul style="list-style-type: none"> <li>“...property has adequate emergency services available...” (Pitkin County)</li> </ul>	<ul style="list-style-type: none"> <li>Several jurisdictions address safety.</li> </ul>
<b>Wildfire Mitigation</b>	<ul style="list-style-type: none"> <li>The Wildfire Mitigation Team [or designee] has verified the following:... completed a Wildfire Partners Assessment for the Licenses Premises, and Upon the first renewal, the Licensed Premises is Wildfire Partners Certified.” (Boulder County)</li> </ul>	
<b>Signage</b>	<ul style="list-style-type: none"> <li>“A sign, in a form approved by the Town, shall be conspicuously posted instead each STR...” “A second sign, in a form approved by the Town, shall be posted in a location so as to be visible from the exterior of the STR by passersby, stating that the property contains an STR and providing the local representative’s current contact information and the Town’s hotline for complaints. The second sign shall not be required if the STR is located in a building with on-site management services available at all times.” (Vail)</li> </ul>	<ul style="list-style-type: none"> <li>Check Grand County requirements for Posting Information</li> </ul>
<b>Noise and Disorderly Conduct</b>	<ul style="list-style-type: none"> <li>“Licensee must insure that the renters and their guest do not cause excessive noise or other disturbances, disorderly conduct, or violation of any applicable law or regulation pertaining to the rental of the property or adversely affect any of the other residents in the vicinity of the licensed property.” (Pitkin County)</li> <li>“Renters shall be informed of the Summit County noise ordinance, which is enforced by the County Sheriff’s Department...” (Summit County)</li> <li>“Be a good neighbor...” (Many counties do have such requirements)</li> </ul>	<ul style="list-style-type: none"> <li>Also Grand County</li> <li>Can require noise monitors such as “Noise Aware.”</li> </ul>
<b>Vehicles and Other Structures</b>	<ul style="list-style-type: none"> <li>“No person shall be permitted to stay overnight in any motor vehicle, including but not limited to a motorhome, truck camper, travel trailer, or other similar vehicle, tent or other outdoor structures.” (Grand County)</li> <li>“Occupancy of a recreational vehicle is prohibited on any Property that has obtained a short-term rental license.” (Summit County)</li> </ul>	
<b>Landline</b>	<ul style="list-style-type: none"> <li>“...shall have reliable cellular or VoIP service available or provide access to a landline telephone to enable tenants to call 911 in the event of an emergency.” (Summit County)</li> </ul>	
<b>Energy Audit</b>	<ul style="list-style-type: none"> <li>“For Vacation Rentals a HERS Certificate or Energy Audit must be completed by the Dwelling Unit by 2022 and thereafter, a copy must be provided to guests.” (Boulder County)</li> </ul>	<ul style="list-style-type: none"> <li>Boulder County may consider sustainability points</li> </ul>
<b>Toilets, sinks, etc.</b>	<ul style="list-style-type: none"> <li>“An operable toilet, sink, and either a bathtub or shower shall be located within the same buildings, and every room containing a toilet or bathtub/shower shall be completely enclosed by walls, doors, or windows that will afford sufficient privacy.” (Vail)</li> </ul>	<ul style="list-style-type: none"> <li>Note: This type of requirement might bump against “glamping”.</li> </ul>
<b>HOA</b>	<ul style="list-style-type: none"> <li>Permit applications for residential properties which are in a Homeowners Association (HOA) must include HOA approval for the applicant to operate an STR in the form of a signed letter, including telephone and email contact information for the HOA, with the permit application. (Aspen)</li> </ul>	<ul style="list-style-type: none"> <li>Requirement fairly unique. County does not enforce HOA req.</li> </ul>
<b>Single Party</b>	<ul style="list-style-type: none"> <li>“The STR shall only be rented to a single party.” (San Miguel County)</li> <li>“A short-term vacation rental property shall not be rented to more than one booking party at a time.” (Summit County)</li> </ul>	

Topic	Regulation Language (Jurisdiction)	Other Notes
<b>Advertising</b>	<ul style="list-style-type: none"> <li>“Advertising for an STR shall include the STR license number immediately following the description of the STR.” (Vail)</li> </ul>	<ul style="list-style-type: none"> <li>Common type of requirement in multiple ordinances.</li> </ul>
<b>Review Procedure</b>		
<b>Types of reviews</b>	<ul style="list-style-type: none"> <li>To be added</li> </ul>	
<b>Sales Tax License</b>	<ul style="list-style-type: none"> <li>“Registering with the Colorado Department of Revenue (CDOR). Short-Term Rental of a residential unit requires the property owner to file with the CDOR and provide the County Planning Department with a copy of their State Sale Tax License... The use of a property management company or on-line rental platform does not relieve the property owner of the responsibility to register with CDOR and to collect and remit taxes.” (San Miguel County)</li> <li>“All Licensees will be required to remit all applicable taxes for the Licensed Premises, including state and local sales and use taxes.” (Boulder County).</li> </ul>	<ul style="list-style-type: none"> <li>Common type of requirement in multiple jurisdictions.</li> </ul>
<b>Compliance</b>		
<b>License period</b>	<ul style="list-style-type: none"> <li>License valid for one year – renewed annually. (Avon, Vail, Pitkin County – many of the jurisdictions)</li> </ul>	
<b>Liability</b>	<ul style="list-style-type: none"> <li>“Owner compensates county for any expense incurred...” (Grand County)</li> </ul>	<ul style="list-style-type: none"> <li>Appears from time to time in other ords.</li> </ul>
<b>Offenses and Fines</b>	<ul style="list-style-type: none"> <li>Minor Offense (violations that are procedural or do not endanger the health safety or welfare of the public, as determined by the Director): First Offense: \$150 fine; Second Offense during License Period: \$500 fine; Third Offense... \$1000 fine and one-year suspension of the License. Major Offenses (violations that endanger the health, safety, or welfare of the public, as determined by the Director): First Offense: \$750; Second Offense: \$1,000 fine and one-year suspension of the License. (Boulder County)</li> <li>Graduated Fine Schedule: 1<sup>st</sup> \$250, 2<sup>nd</sup> \$750, 3<sup>rd</sup> \$1,000. Revocation when a licenses has been cited multiple times in a short-term or significantly endangers the public health, safety, and/or welfare. (Summit County)</li> </ul>	
<b>Example Definitions</b>	<i>This section to be completed...</i>	
<b>Existing STR</b>		
<b>Hosted STR</b>		
<b>Hosting Platform</b>		
<b>Non-hosted STR</b>		
<b>Condo-hotel</b>	<ul style="list-style-type: none"> <li>A lodging property which meets the definition of Lodge in (Use Categories) and in which ownership of individual lodge units has been condominiumized in accordance with the Colorado Condominium Ownership Act, C.R.S. Sec. 38-33-101, et. Seq.</li> </ul>	