

**Larimer County Short-term Rental Regulations
Public Review Draft #2 and Amended Enforcement Ordinance
Summary of Estes Valley Community Open House
January 25, 2023
6:00pm – 7:30pm, 660 Community Dr., Estes Park**

Attendance

- County Team: Lesli Ellis (Community Development Director), Matt Lafferty (Principal Planner), Tawn Hillenbrand (Senior Planner), Amy White (Code Compliance Supervisor), Alan Kee (Code Compliance Inspector), Tony Brooks (Code Compliance Inspector), Shalana Lysaght (Business Operations Supervisor), Teresa Mollendor (Community Information Resource Technician), Sam Lasher (Planner I), Tatum Hastings (Planner I), Laura Culleton (Planner I), and Justin Currie (Planner II).
- Public Attendance – 52 signed in

Short-term Rental Draft Regulations Introduction

The County Planning Team provided a brief introduction on the Short-term Rental (STR) Regulations update project and provided instructions on the format of the open house.

The open house was organized around four (4) stations on the following topics:

1. Update Process + Lodging Types and Definitions,
2. Where STRs are Allowed in the Estes Valley (Zoning) + Review Procedures,
3. Standards for All STRs + Estes Valley STR Standards, and
4. Ordinance for Implementation and Enforcement of STR Regulations

The stations also included a link to the project webpage (<https://www.larimer.gov/planning/short-term-rentals-regulation-updates>) and the project email (LUC2020@larimer.org) where additional comments and/or questions can be directed.

Participant Feedback and Questions

Following the brief introduction on STRs, the meeting participants were encouraged to visit four (4) different tables or stations, each containing a specific topic of discussion. A county team member was present at each station to address questions and receive community feedback. The participants could move from each station at their leisure and were encouraged to post their written comments to each discussion board. Some of the participants expressed support of the regulations, while others expressed ongoing concern with the regulations and the need for better enforcement of existing regulations.

A summary of the specific comments received is provided below:

- Station 1: Update Process + Lodging Types and Definitions –

- Appreciate that the number of nights a STR can be rented are not restricted. The County's time would be better spent enforcing other existing regulations.
- Restriction on the number of guests obviates the ability to house the number of guests easily accommodated by the size of the rental (6 bedroom, but only 10 people?). Why not use 2 persons per bedroom plus 2 limits as the Town of Estes Park does for all living units, whether STR or not.
- A STR license database should be available to the public, like what the Town of Estes Park currently does.
- All investments are subject to changing markets. Revenue goes up, revenue goes down. STRs should not receive special treatment. This policy levels the playing field somewhat – a step in the right direction.
- STR owners take much better care of their property than a lot of owners or long-term renters. They must maintain their property to have a successful STR.
- Station 2: Where STRs are Allowed in the Estes Valley (Zoning) + Review Procedures –
 - Restricting or limiting Large STRs could limit or impact revenue in the Estes Valley.
- Station 3: Standards for All STRs + Estes Valley STR Standards –
 - Thank you for considering existing STRs and allowing them to transfer licenses.
 - Requiring exterior signage for STRs could encourage criminal activity for the whole neighborhood. The required interior signage and evacuation maps are adequate. Guests need to accept some responsibility when renting a property.
 - The exterior signage should be limited to the main entry to the home. Signage should not be needed for such things as ingress-egress to decks and patios. Additionally, signage could be a violation of HOAs in Windcliff and other sub-divisions.
 - The minimum 500-foot separation should be from dwelling unit to dwelling unit, not property line to property line.
 - Imposition of a 500-foot limit between STRs contradicts the very nature of neighborhoods such as Windcliff.
 - The County must realize that by implementing more strict regulations and eliminating STRs through attrition, the County would make all the homes with license much more valuable to the current owners.
 - Reduction in the number of STRs allowed, even incrementally, would negatively impact all. This creates economic hardship for the Town of Estes, Visit Estes Park, State of CO, and Larimer County. No need for further reduction beyond 266 units allowed in residential zones.
 - Roadway/driveway requirements do not reflect requirements for private roads and driveways. These requirements are not compatible with mountain settings and selective regulation not applicable to other homes in the neighborhood.
 - Road standards for STRs should not be different than non-STR homes.

- STRs should not be permitted on or adjacent to private roads.
- A Traffic Impact Study should be required.
- STRs are commercial operations and as such should pay their own way. Substandard conditions such as narrow roads, structurally defective roads, sewer systems, etc., should be required to be brought to current standards.
- The proposed floodway/floodplain requirements are not required of other properties in the neighborhood.
- The floodway/floodplain requirements should mirror FEMA requirements.
- If the County took away transferability of STR license, this would reduce STRs by 5% a year. This would have a huge economic impact.
- Some parking in the floodplain is in the driveway only, the floodplain regulations would not work.
- Workforce housing is a huge issue in the Estes Valley - more STRs would exacerbate the problem. More and stricter regulations are definitely needed. Good work.
- The proposed 30-minute response time is an excessively restrictive measure and does not address slow response time of law enforcement.
- Ladders should be required from second story windows.
- Station 4: Ordinance for Implementation and Enforcement of STR Regulations –
 - The County should require a mandatory training for all owners and property managers so that they hear firsthand about the 3 strikes policy that could and should be implemented.
 - The County should implement a 3-strikes rule. Most complaints come from a select few STRs.
 - It is not fair that certain neighbors continuously complain about STRs. Implementing the 3-strikes policy would solve a lot of these issues.
 - It is too difficult to monitor transient guests.
 - The County should provide one place to log complaints about a STR.
 - Primary reason, in their estimation, for the controversy over STRs in the Estes Valley is and has been related to disturbances and other violations of current regulations and the County's inability to provide timely resolution.
 - If there are issues needing to be addressed, that should come from a dedicated enforcement officer with a central database to record problems.
 - The County should hire at least two code enforcement officers that are stationed in Estes Park. This way they could respond in a timely manner when complaints are called in.
 - Enforcement! Just do it, hire a dedicated person. Police/sheriff do not do enforcement, they just mediate.
 - Current enforcement is inadequate. Create separate repository for complaints; provide information in compilation to neighbors when license application are

received. Use proceeds from STR fees to hire a dedicated enforcement officer with powers to issue fines and enforce the rules.

- Most problems with STRs are due to lack of enforcement of current regulations. Additional regulations that can't be enforced are a waste of time and penalize the law-abiding owners. The County should go after unlicensed STRs and impose significant penalties for unlicensed short-term rental.
- Regarding illegal or unlicensed STRs: issue cease and desist order and require an application for a STR within 30 days. Impose significant penalties for unlicensed STRs.
- Disorderly conduct should be addressed by police and through legal means.
- When a noise complaint, on a STR, is called in to the Sheriff's office it should be shown in the records that the property is a STR.
- Thirty minutes to respond to a complaint is not a fair amount of time, especially when it takes a few hours for the Sheriff to respond. One hour is adequate. Responsible owners and managers would respond as quickly as possible.
- Only a few owners and/or managers are incompetent. Crack down on them instead of adding more restrictions.
- In addition to "enforcement by complaint," inspections should be required at least annually, at the expense of the commercial entity (STR).
- A required reinspection every 4 years is not necessary or appropriate.
- Requiring the property manager to provide reports of complaints won't work. The property manager may not report the problem. Complainant would not know if the complaint has been reported.