

Larimer County – Land Use Code Short-Term Rental and Lodging Regulations

Public Review Draft #2 – January 13, 2023

**Note: Proposed changes are indicated in blue:
Underlined for new, and ~~Strikeout~~ for change or removal**

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Introduction and Overview

This **Public Review Draft #2** includes all the current Land Use Code standards for short-term rentals (STRs) and lodging as referenced throughout the Land Use Code along with potential changes to reflect analysis and public input to the project following the *Initial Public Discussion Draft*. It will be the precursor to the **Public Hearing Draft** in February 2023.

The draft includes potential changes to zoning and standards that apply to short-term rentals and other lodging types presented in this document. The County has also issued an update to the “Ordinance for Implementation and Enforcement of Short-term Rental Regulations,” including a licensing requirement that would take effect upon getting planning approval and building permits and apply to new short-term rentals upon their renewal.

***These new regulations would apply only to short-term rentals applied for and approved following the adoption of the regulations in March 2023, unless otherwise stated in these regulations. ***

As seen in the contents above, the sections in this draft are organized based on the existing Land Use Code as follows:

Part 1 - Proposed New and Revised Definitions for Article 3 (Countywide) and Article 13 (Estes Valley) are presented first to assist the reader with understanding changes and new STR class types.

Part 2 - Short-term Rentals in Zoning Districts -- Outside the Estes Valley (Article 3) includes the tables of allowed principal uses and locations – rural/urban and residential nonresidential, where STRs and lodging uses are allowed in unincorporated Larimer County outside the Estes Valley. The tables also include applicable review procedures (i.e., whether public notice and/or hearing(s) would be required).

Part 3 - Short-term Rentals in Zoning Districts in the Estes Valley (Article 13) includes the residential and nonresidential zoning district tables for the Estes Valley and the applicable review procedures.

Part 4 - Use-Specific Standards (Article 3 and Article 13) includes the standards that apply to all STRs and lodging facilities, including proposed new standards to address safety, access, and compatibility.

Part 5 - Other sections of the Code that reference STRs and lodging including Article 4, Parking, and Article 12, Floodplains.

Proposed Larimer County Land Use Code Changes

1 - New and Revised Definitions (Articles 13 and 20)

Unincorporated Larimer County

Article 20 of the Land Use Code includes Rules of Interpretation and Definitions. Section 20.2.4. defines Commercial Uses and Lodging Facilities as noted below. Section 20.3 defines other terms. Below are existing definitions and proposed changes and additional STR classifications, including a new term for Bed and Breakfast Inn and Hosted Short-term Rentals.

Lodging Facilities

Uses in this category provide lodging services for a defined period ~~of time~~ with the incidental food, drink, and other sales and services intended for the convenience of guests. Specific use types include:
~~1. **Bed and Breakfast** An owner or operator occupied dwelling where short-term lodging is provided to transient guests.~~

~~**a. ≤ Ten Guests**~~

~~— A Bed and Breakfast that serves no more than 10 guests.~~

~~**b. > Ten Guests**~~

~~— A Bed and Breakfast that serves more than 10 guests.~~

Bed and Breakfast Inn

An establishment operated in a principal dwelling or portion thereof, which provides transient accommodations for a fee to overnight guests, a meal limited to guests only, and that is occupied by the owner or operator of such establishment. A bed and breakfast inn may provide accommodations to individuals or multiple separate parties concurrently on both a reservation or a walk-in basis. The term “party” as used in this definition shall mean one or more persons who stay at a bed and breakfast inn as a single group pursuant to a single reservation and payment.

a. Maximum Number of Guests

A Bed and Breakfast Inn shall be limited to 20 or fewer guests.

Resort Lodge or Resort Cottages

A building or group of buildings, under single management and ownership with an on-site manager or staff, containing rooms and/or units available for temporary rental to transient guests, which serves as a destination point for visitors, and where the primary attraction is major recreational features or activities for persons on vacation.

~~5. Short-term Rental~~

~~A dwelling rented to transient guests for short-term lodging when not occupied by the owner/renter.~~

~~**a. ≤ Ten Occupant** A Short-term Rental with no more than 10 occupants.~~

~~**b. > Ten Occupant** A Short-term Rental with more than 10 occupants.~~

Short-term Rental

A principal dwelling rented to transient occupants who are part of one party for short-term lodging (30 days or less) when not occupied by the owner/operator. The term “party” as used in this definition shall

mean one or more persons who stay at a short-term rental as a single group pursuant to a single reservation and payment.

a. Maximum Number of ~~≤Ten~~ Occupants

A short-term rental shall be limited to 10 or fewer- occupants who are part of one party or single group of renters.~~b. Ten Occupants (Large STR)~~

~~A large short term rental with more than 10 occupants, with a maximum of 16 occupants who are part of one party or single group of renters.~~

Short-term Rental, Hosted

A principal dwelling occupied by a full-time resident or owner living on-site where short-term lodging (30 days or less) is provided to transient occupants.
(less than 30 days)

a. 1 – 10 Occupants (Small Hosted STR)

A hosted short-term rental that serves 10 or fewer occupants. ~~who are part of one party~~

b. 11 – 16 Occupants (Large Hosted STR)

A hosted short-term rental that serves more than 10 occupants, with a maximum of 16 occupantsguests.; ~~who are part of one party~~

20.3 Other Terms Defined: Dwelling

A building or portion thereof used for residential occupancy, including cabin, single-family, duplex, and multifamily dwellings. Dwelling includes approved Bed and Breakfast Inns and Short-Term Rentals (including Hosted), but does not include hotels, motels, boarding or rooming houses, resort cottages, lodges or manufactured homes that comply with the “National Manufactured Standards of 1974,” 42 U.S.C. 5401 et seq., as amended.

In the Estes Valley

Article 13 of the Land Use Code includes Definitions and Use Classifications/Special Use Definitions and Examples for the Estes Valley, in Section 13.8.2.

13.8.2.C.1: Accommodations, High-Intensity

- a. General Definition: Visitor-serving facilities that provide temporary lodging in guest rooms or guest units for compensation, and with an average length of -30 days or less. stay of less than 30 days. High-intensity accommodations generally serve a larger number of guests than low-intensity accommodations.
- b. Examples: This classification includes the following types of specific uses:
 - iv. Resort Lodge/Cottages ~~Cabins~~: A building or group of buildings, under single management and ownership with an on-site manager or staff, containing rooms and/or units available for temporary rental to transient guests, and where the primary attraction is generally recreational features or activities.
 - iv. ~~Short term Rental, Large, as defined in Sec. 20.3. Per the use tables, STR Large, are classified as Low Intensity Accommodations, not High Intensity~~

13.8.2.C.1: 2. Accommodations, Low-Intensity

- a. General Definition: Visitor-serving facilities that provide temporary lodging for compensation, and with an average length of stay of -30 days or less, less than 30-day Such facility shall be designed to be compatible, in terms of building scale, mass and character, with a predominantly low-intensity and low-scale residential and/or rural setting.
- b. Examples: This classification includes the following types of specific uses:
 - i. Hosted Short-Term Rental Bed and Breakfast: A principal dwelling occupied by a full-time resident (owner or operator) living on-site ~~An owner- or operator-occupied dwelling~~ where short-term lodging is provided to transient occupants.
 - ii. Bed and Breakfast Inn, as defined in Sec. 20.3.
 - iii. Hotel, Small: As defined above, containing no more than eight guest rooms.
 - iv. Resort Lodges/CottagesCabins, Low-Intensity: As defined above, with no more than a total of 20 guest rooms or guest units.
 - v. Short-Term Rental (Vacation Home),- 10 or fewer occupants10 Occupants: A principal dwelling rented to transient guests for short-term lodging when not occupied by the owner/~~operator-renter~~.
 - vi. Preexisting Lodging Facility: A legally constructed dwelling, including condominium units, cabins, or hotels, constructed prior to April 1, 2020, for transient lodging uses and located in the EV A or EV A-1 zoning districts.

2 - Short-term Rentals in Zoning Districts Outside Estes Valley (Article 3)

Tables 3.1 and 3-2 reflect how standards apply to different zoning districts outside the Estes Valley.

The rural zone districts in Table 3.1 are: NR = Natural Resources, FO = Forestry, A = Agriculture, ACE = Agricultural Commercial Enterprise, RR-1 and 2 = Rural Residential, O = Open, IR = Interface Residential, RC = Rural Commercial, CF = Community Facilities.

The urban zone districts outside the Estes Valley in Table 3.2 are: UR-1, 2 and 3 = Urban Residential, MR = Multifamily Residential, MHP = Manufactured Housing Park, MU-N = Mixed Use Neighborhood, MU-C = Mixed Use Commercial, CC = Commercial Corridor, CD = Commercial Destination, IL = Industrial Light, IH = Industrial Heavy, and AP = Airport.

Explanation of Abbreviated Uses for All Use Tables

Uses Permitted By-Right: “R” in a cell indicates that the use is permitted by right in the respective zoning district. Permitted uses are subject to all other applicable regulations of the Code.

Site Plan Review Required: “SP” in a cell indicates that the use is only permitted in the respective zoning district with approval of a site plan review pursuant to §6.4.1, *Site Plan Review*, subject to all other applicable standards within the Code. This review procedure does not include public notification of neighbors but it does include a referral process to other agencies. The decision is made by the Planning Director.

Administrative Special Review Required: “AS” in a cell indicates that the use is only permitted in the respective zoning district with approval of an administrative special review pursuant to §6.4.3, *Administrative Special Review*, subject to all other applicable standards within the Code. This review procedure includes public notification of neighbors and referral to other agencies. The decision is made but the Planning Director.

“AS*” indicates that a hearing before the Board of County Commissioners will be required.

Special Review Required: “S” in a cell indicates that the use is only permitted in the respective zoning district with approval of a special review pursuant to §6.4.2, *Special Review*, subject to all other applicable standards within the Code. This review procedure includes public notification of neighbors, referral to other agencies, and a public hearing before the Planning Commission and a hearing with the Board of County Commissioner for a decision.

Use Prohibited: A blank cell indicates that the use is prohibited in the respective zoning district.

Article 3.0, Table 3-1: Table of Allowed Principal Uses – Rural

												Use-Specific Standards
Lodging Facilities Categories	NR	FO	A	ACE	RR-1	RR-2	O	IR	RC	CF		
STR, Hosted Bed and Breakfast ≤ Ten 1-10 Occupants Guests		AS	AS		AS	AS	AS	AS	AS			3.3.5.A
STR, Hosted, Large-Bed and Breakfast > Ten 11-16 Occupants Guests		<u>S</u> AS	<u>S</u> AS		<u>S</u> AS	<u>S</u> AS	<u>S</u> AS	<u>S</u> AS	<u>S</u> AS			3.3.5.A
STR - Max. Ten Occupants		AS*	AS*		<u>S</u> AS	<u>S</u> AS	<u>S</u> AS	<u>S</u> AS				3.3.5.B
STR > Ten Occupants		AS	AS		AS	AS	AS	AS				3.3.5.B
Resort Lodge or Resort Cottages	<u>S</u> AS	<u>S</u> AS	<u>S</u> AS		<u>S</u> AS				SP			Standards to be created
Bed and Breakfast Inn			AS				AS	AS	AS			Article 4

AS = Administrative Special Review, AS* = BCC hearing, SP = Site Plan, S = Special Review, Blank = Not permitted

Article 3.0, Table 3-2: Table of Allowed Principal Uses – Urban

														Use-Specific Standards
Lodging Facilities Categories	UR-1	UR-2	UR-3	MR	MHP	MU-N	MU-C	CC	CN	CD	IL	IH	AP	
STR, Hosted B&B ≤ Ten 1-10 Occupants Guests	AS	AS	AS			<u>S</u> AS	<u>S</u> AS			SP			AS	3.3.5.A
STR, Hosted, Large B&B > Ten 11-16 Occupants Guest						<u>S</u> AS	<u>S</u> AS			<u>S</u> SP			<u>S</u> AS	3.3.5.A
STR ≤ Max Ten Occupants	AS*	AS*	AS*			AS*	AS*			AS*			AS*	3.3.5.B
STR Large > Ten Occupants						AS	AS			AS			AS	3.3.5.B

Resort Lodge or Resort Cottages							SP	SP	SP	SP	SP			Standards to be created
Bed and Breakfast Inn							SP	SP		SP	SP		AS	Article 4

AS = Administrative Special Review, AS* = BCC hearing, SP = Site Plan, S = Special Review, Blank = Not permitted

3 - Short-term Rentals in Zoning Districts in Estes Valley (Article 13)

Larimer County Zoning Districts Map - Estes Valley Planning Area

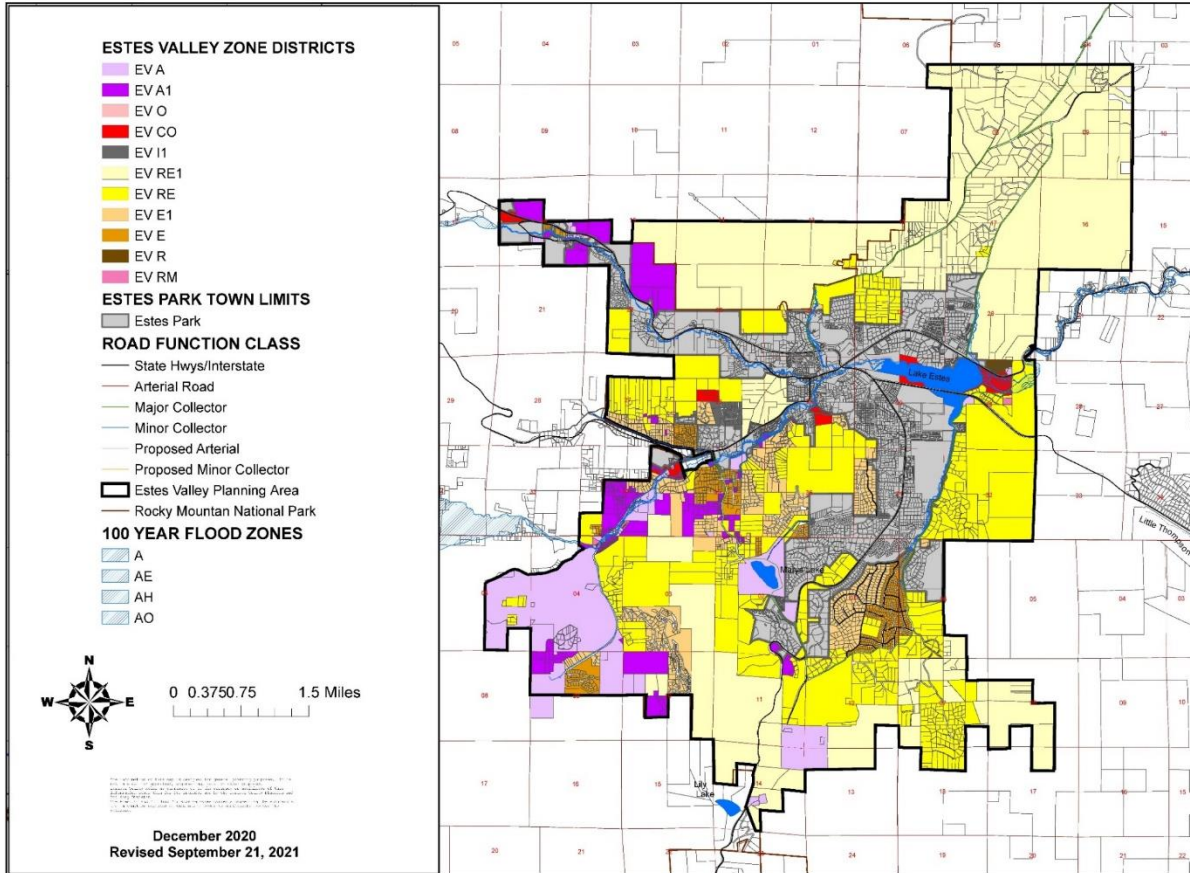


Table 13-1: Residential Zoning Districts Zoning Table

		EV RE-1	EV RE	EV E-1	EV E	EV R	EV RM	Specific Use Standard
Low Intensity Accommodations	Bed and Breakfast STR, Hosted ≤ Ten 1-10 Occupants Guests	AS	AS	AS	AS	AS	AS	Sec. 3.3.5.A
	Bed and Breakfast STR, Hosted > Ten 11-16 Occupants Guests	S AS	S AS	S AS	AS	AS	S AS	Sec. 3.3.5.A

		EV RE-1	EV RE	EV E-1	EV E	EV R	EV RM	Specific Use Standard
	STR (Vacation Home) ≤ Max Ten Occupants	AS*	AS*	AS*	<u>S AS</u>	<u>S AS</u>	AS*	Sec. 13.6.1.C and 3.3.5.B
	STR (Vacation Home) > Ten Occupants 11 or more	AS	AS	AS	AS	AS	AS	Sec. 13.6.1.c and 3.3.5.B
	Preexisting Lodging Facility							
	<u>Bed and Breakfast Inn</u>	<u>AS</u>	<u>AS</u>	<u>AS</u>				<u>Article 4</u>

AS = Administrative Special Review, AS* = BCC hearing, SP = Site Plan, S = Special Review, blank = prohibited

Table 13-4: Nonresidential Zoning Districts Zoning Table

		EV A	EV A-1	EV CO	EV O	EV I-1	Specific Use Standard
Low Intensity Accommodations	<u>Bed and Breakfast STR, Hosted ≤ Ten 1-10 Occupants Guests</u>	<u>SP AS</u>	<u>SP AS</u>	<u>SP</u>			Sec. 3.3.5.A
	<u>Bed and Breakfast STR, Hosted > Ten 11-16 Occupants Guests</u>	<u>AS*</u>	<u>AS*</u>	<u>S</u>			Sec. 3.3.5.A
	Hotel, Small		AS				Sec. 13.6.1.C and 3.3.5.B
	STR (Vacation Home) ≤ Max Ten Occupants	<u>SP AS</u>	<u>SP AS</u>	<u>SP AS</u>			Sec. 13.6.1.C and 3.3.5.B
	STR (Vacation Home) > Ten Occupants 11 or more	<u>S</u>	<u>S</u>	<u>S</u>			Sec. 13.6.1.C and 3.3.5.B
	Resort lodge/ <u>cottages cabins</u> , low-intensity		AS	<u>AS</u>			<u>Sec. 13.6.1.R Additional standards to be created</u>
	Preexisting Lodging Facility	R	R				Sec. 13.6.1.D
	<u>Bed and Breakfast Inn</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>			<u>Article 4</u>
High-Intensity Accommodations							
	Resort lodge/ <u>cottages cabins</u>	AS					Sec. 13.6.1.R <u>Additional standards to be created</u>

4 - Use-Specific Standards for Larimer County, including Estes Valley (Articles 3 and 13)

Article 3, Section 3.3.5. Commercial Uses

A. Bed and Breakfast-Hosted Short-term Rental

1. Total Occupancy

For purposes of determining the potential total number of occupants~~guests~~, the number of guest bedrooms is multiplied by two. One (1) additional sleeping area is allowed, such as a living room, loft, or similar, that if it meets all building code requirements for a bedroom, allowing two (2) additional occupants.

2. Standards for Hosted Short-Term Rentals

In addition to the §6.4.3.D, Review Criteria for Administrative Special Review, or §6.4.1.D, Review Criteria for Site Plan Review, applications for hosted short-term rentals shall comply with the following standards:

- a. Only one shall be allowed on a property.
- b. The structure and any portion of the primary access route, including a driveway, shall not be located within the Floodplain Overlay (FPO) District Zone AE (Floodway) nor within the Floodplain Overlay (FPO) District Zone AE (Flood Fringe).
- c. The ~~Each~~ hosted short-term rental ~~guest room~~ shall be equipped with an operations manual/users guide that is placed in a visible location (such as an entry table or kitchen table) accessible to all occupants.
- d. The property shall not be advertised as an event space.
- e. To be issued a new license, a hosted short-term rental must first undergo and pass a life-safety inspection or other required building inspection.

3. Large Hosted Short-Term Rentals with More than Ten Occupants

In addition to the §6.4.2.D, Review Criteria for Special Review, applications for short-term rentals with more than ten occupants shall comply with the following standards:

- a. All the standards required for a short-term rental identified in 3.3.5.B.2 above, excluding 3.3.5.B.2.i. (Note: correct section numbers when final)
- b. The hosted short-term rental shall be equipped with a fire sprinkler system.
- c. The hosted short-term rental shall meet International Building Code (IBC) accessibility requirements for a commercial operation.

B. Short-Term Rental

1. Total Occupancy

For purposes of determining the potential total number of occupants, the number of bedrooms is multiplied by two. One (1) additional sleeping area is allowed, such as a living room, loft, or similar, if it meets all building code requirements for a bedroom, allowing two (2) additional occupants.

2. Standards for Short-Term Rentals with Ten or Fewer Occupants

In addition to the §6.4.2.D, Review Criteria for Special Review and §6.4.3.D, Review Criteria for Administrative Special Review, applications for short-term rentals with ten or fewer occupants shall comply with the following standards:

General Standards

- a. Only one short-term rental shall be allowed on a property. Preexisting lodging facilities in the EV A and EV A-1 zoning districts are not subject to this requirement as set forth in

- §13.6.1.D, Preexisting Lodging Facility. [Preexisting multi-family dwelling units in the EV A and EV A-1 zoning districts are not subject to this requirement.](#)
- [b.](#) The short-term rental shall only be conducted in a legally constructed dwelling and shall require a change of occupancy permit prior to occupancy for the short-term rental use.
 - [c.](#) [A short-term rental must be a minimum of 500 feet from another short-term rental. This minimum separation distance is measured from property line to property line. Short-term rentals in the EV A and EV A-1 zoning districts are not subject to this requirement.](#)
 - [b.d.](#) Accessory Living Areas, Extended Family Dwellings, and Farmstead Accessory Dwellings shall not be utilized as a short-term rental; [however, an owner may reside in an Accessory Living Area unit on a property while renting the principal dwelling as a short-term rental.](#)
 - [e.](#) [No person shall be permitted to stay overnight in any motor vehicle, including but not limited to a recreational vehicle, travel trailer, tent, or other outdoor structures on the short-term rental property.](#)
 - [f.](#) [The short-term rental property shall not be advertised as an event space.](#)
 - [g.](#) [The short-term rental shall have an approved and reliable water source \(well or public water\) available for firefighting and meet standards for wastewater system.](#)
 - [d.h.](#) [If the short-term rental property is within 1,000 feet of the boundary of a public open space or park land, it shall be referred to the relevant public lands management agency and the owner will mitigate potential impacts to the public natural resources or wildlife.](#)

Ordinance for Implementation and Enforcement of Short-term Rentals

- [i.](#) [Subsequent to the Planning Division approval and the Certificate of Occupancy issuance from the Building Division, a license to operate as a short-term rental will be issued. For short-term rentals approved prior to **March 1, 2023**, the planning approval number will serve as the license.](#)
- [e.j.](#) [The short-term rental must comply with the “Ordinance for Implementation and Enforcement of Short-term Rentals” in effect at the time.](#)
- [k.](#) The owner or operator must ensure that guests do not cause excessive noise or other disturbances, disorderly conduct, or violations of any applicable law or regulation pertaining to the rental of the property or adversely affect other residents in the vicinity of the property.

Safety Standards

- [f.l.](#) The short-term rental shall be equipped with an operations manual/users guide that is in a visible location (such as a kitchen counter or entry table).
- [g.](#) The short-term rental shall have a property manager consisting of the owner or a responsible party representing the owner to manage the use at any time it is occupied. The property manager shall be located within [30 minutes ~~one hour~~](#) or less travel distance from the short-term rental, and their contact information shall be posted outside at the front door and in the operations manual located in the short-term rental. Changes to the contact information from the property manager shall be provided to the Larimer County Community Development Department within five business days of the change in contact information.
- [h.m.](#) [The short-term rental shall include maps installed onto or adjacent to the doorway of each habitable room, illustrating how to exit the building. The map should include the address, GPS coordinates and the phone number of the short-term rental.](#)

- n. A sign containing the information in i through v shall be posted at each entrance and exit of the short-term rental:
 - i. A map including the address and Global Positioning System (GPS) coordinates of the short-term rental.
 - ii. Exit mapping from each habitable room.
 - iii. A map of escape routes from the neighborhood to a public road.
 - iv. Contact information for and a copy of current registration with the Fire Department having jurisdiction, as well as contact information for Police/sheriff and ambulance service.
 - v. —Contact information with a phone number for the short-term rental owner or manager
- ~~i.o.~~ The location of the property boundaries for the short-term rental shall be easily identifiable and posted to prevent trespass.
- ~~j.p.~~ The short-term rental shall have a plan for garbage storage and removal. The plan shall clearly illustrate the location of garbage storage areas, the method and frequency of regular garbage pick-up/disposal, and screening of the outdoor storage area.
- ~~k.q.~~ Cooking appliances within the short-term rental shall be equipped with a stove top fire stop or approved alternative and an anti-tip device.
- ~~l.r.~~ Unless already equipped with an approved automatic fire sprinkler system or installing one with a building and/or fire department permit, approved fire extinguishers shall be installed in a readily accessible and visible locations for immediate use in the following locations within the STRshort-term rental:
 - i. In each room with a cooking appliance, fireplace, heating appliance or water heater.
 - ii. Inside and adjacent to the door leading to a deck, porch, or patio with such appliances.
 - iii. At least one on each story.
- ~~m.s.~~ ~~Solid fuel (such as wood or coal) fire pits shall not be allowed in identified wildfire hazard areas.~~ Solid fuel-burning (such as wood or coal) exterior appliances including, but not limited to fire pits, outdoor fireplaces, portable outdoor fireplaces, briquette BBQ, smoker, or similar shall not be allowed.
- ~~n.t.~~ The short-term rental shall have reliable cellular or VoIP service available or provide access to a landline telephone to enable guests to call 911 in the event of an emergency.

Floodplain Overlay District Standards

- ~~o.u.~~ The short-term rental structure and any portion of the primary access route, including a driveway, and any portion of the primary parking shall not be located within the Floodplain Overlay (FPO) District Zone AE (Floodway) nor within the Floodplain Overlay (FPO) District Zone AE (Flood Fringe).
- v. If the short-term rental is located adjacent to the Floodplain Overlay (FPO) District Zone AE (Floodway) and Zone AE (Flood Fringe), the Operations Manual shall include information on sheltering in place or the egress route, whichever is the safest option during a flood event. This information shall also be posted on or adjacent to the primary exit door.
- ~~p.~~

Local Roadway and Access Standards

~~w.~~ ~~w.~~ Local roadways, whether public or private, used to access the short-term rental, shall comply with the Appendix G Standards of the Larimer County Rural Area Roadway Standards.

~~g.~~

Life -Safety Inspection and License Renewal

~~x.~~ Before operating, a short-term rental must first undergo and pass a life-safety inspection or other required building inspection.

~~r.~~ The Building Division shall be notified of any changes made to the short-term rental structure or building and the facility must undergo and pass a life-safety inspection or other required building inspection. Failure to notify the Building Division of any changes may be grounds for revocation of the short-term rental license.

~~y.~~ Short-term rental licenses shall be renewed every other year and shall be reinspected by the Building Division every four (4) years accompanying every other renewal to ensure compliance unless there has been a change to the building. During the years when a reinspection is not required, the property owner or operator shall self-certify that the short-term rental remains in compliance with the regulations.

Transfer of Short-term Rental License

~~t.z.~~ Transferable licenses. An active license for a specific short-term rental operating continuously (by new license, renewal, or approved transfer) under the required license since prior to the effective date of **March 1, 2023**, or for a short-term rental operating in the EV A or EV A-1 zoning districts, shall be transferable to a different owner in accordance with procedures in this Code, including paragraph (iii) below, and in the form and manner established by the Larimer County Community Development Department.

~~u.aa.~~ Other Licenses. Licenses for short-term rentals not addressed in subparagraph (i) 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 short-term rental license if it wishes to continue the use of the property as a short-term rental. Such application shall be subject to any applicable waitlist.

~~bb.~~ Application required upon transfer. If the property owner changes during the period for which the short-term rental has been licensed, and the license is eligible for transfer as described in paragraph (i) above, a new property owner of record must file an application to transfer the license into their name within sixty (60) days of transfer of ownership and must ensure the short-term rental is in compliance with all other County regulations.

3. Standards for Large Short-Term Rentals with More than Ten Occupants

In addition to the §6.4.3.D, *Review Criteria for Administrative Special Review*, applications for short-term rentals with more than ten occupants shall comply with the following standards:

~~a.~~ All the standards required for a short-term rental identified in 3.3.5.B.2 above, excluding 3.3.5.B.2.i. (Note: correct section numbers when final)

~~b.~~ The short-term rental shall be equipped with a fire sprinkler system

~~c.~~ A Large short-term rental must be on a property that is 10 acres or greater in size.

Article 13, Section 13.6.1. Specific Use Standards (for Estes Valley only)

C. Short-Term Rental ~~(Vacation Home)~~

1. See §3.3.5.B, *Short-Term Rental*.
2. Estes Valley ~~short-term rentals vacation homes~~ shall be subject to the requirements and approval processes outlined in §3.3.5.B. ~~All vacation homes shall re-register their operation (i.e., operating registration) on a bi-annual basis.~~
3. A vacation home with a valid operating registration approved under the previous Estes Valley Development Code prior to April 1, 2020 may continue to operate as a nonconforming vacation home (~~short-term rental~~) (see §1.10.3, *Nonconforming Uses*), with the requirement to ~~renew the license re-register every other year. Short-term rentals shall be re-inspected by the Building Division every four (4) years accompanying the license renewal every other year to ensure continued compliance with the building code in effect at that time. At the time of the reinspection a non-conforming vacation home shall be required to be in compliance with Section 3.3.5.B.1-t, Safety Standards, of the LUC.~~
4. Operating ~~license registrations~~ for ~~hosted short-term rentals and short-term rentals and vacation homes~~ in residential zoning districts (designated herein as EV E, EV E-1, EV R, EV RE, EV RE-1, and EV RM) shall be held at a **maximum total ("cap") of 266 registrations** (~~NOTE: Could change to 240 (approximately a 10% reduction) or 215 (approximately a 20% reduction.)~~) in effect at any given time. This cap shall be reviewed annually by the County Commissioners, in or near the month of April. The County will maintain a waiting list for interested applicants whose application would cause the cap to be exceeded. The waiting list will rank prospective applicants in the order they were received and as operating registrations become available may be eligible to apply for approval as a short-term rental.

D. Preexisting Lodging Facility

1. Preexisting lodging facilities shall receive a basic life-safety inspection ~~as defined by the Building Division.~~
2. Preexisting lodging facilities ~~license~~ shall ~~be renewed every other year. re-register on a bi-annual basis.~~
3. Such uses are not subject to the requirements for short-term rentals as set forth in subsection B., above.

R. Resort Lodge/~~Cottages Cabins~~

A guest room or unit contained in a ~~resort lodge/resort lodge/cottage cabin~~ accommodations use may contain full kitchen facilities instead of the otherwise required "limited kitchen facilities", provided that the following conditions are satisfied:

1. The guest room/unit is contained in a freestanding, detached "~~cottage~~" "~~cabin~~" structure, and such structure contains no more than four such guest rooms/units.
2. For purposes of permitted density/intensity calculations, all guest rooms/units with full kitchen facilities shall comply with a minimum 5,400 square foot land area per unit requirement, in lieu of the 1,800 square foot requirement for accommodations units set forth in Table 13-9 of this Code.

13.6.2 Accessory Uses

B. Accessory Uses/Structures Permitted in the Residential Zoning Districts

2. Additional Requirements for Specific Accessory Uses/Structures Permitted in the Residential Zoning Districts

d. Storage or Parking of Vehicles, Recreational Equipment and Recreational Vehicles

vii. [Hosted Short-term Rentals, -Short-term Rentals, and Bed and Breakfast Inns](#) Maximum Off-Street Parking Residential Zoning Districts

This section applies to all vehicles that are not parked or stored in a fully enclosed garage. No more than a total of four vehicles shall be parked or stored on a lot of two acres or less. No more than a total of five vehicles shall be parked or stored on a lot greater than two acres in size, but less than five acres. No more than a total of six vehicles shall be parked or stored on a lot equal to, or greater than five acres, but less than 10 acres. No more than a total of eight vehicles shall be parked or stored on a lot equal to, or greater than 10 acres.

13.7.6. Exterior Lighting

B. Applicability

All new development shall comply with the standards set forth in this section. [Short-term rentals \(vacation homes\)](#) as designated and regulated in this Code shall comply with the standards set forth in this section, whether new or existing.

5 – Other Sections of the Code that Reference STRs (Articles 4 and 12)

4.6.4. Minimum Vehicle Parking Required

Table 4-4 Minimum Off Street Vehicle Parking Requirements

Note: this language will need to be combined with the 4-4 in the Code and updated with new terminology.

STR: ~~—≤10 guests:~~ two on-site parking spaces.

~~>10 guests: two on-site parking spaces plus one additional on-site parking space for every additional two bedrooms.~~

~~Hosted short-term rentals: B&B—~~ two spaces plus one space per bedroom used for accommodation.

Resort Lodge or Resort Cottages ~~and Bed and Breakfast Inn:~~ —varies

4.6.7. Design, Use, and Location of Vehicle Parking

D. Single-Family Detached and Duplex Dwellings

Single-family detached and duplex dwellings in the Urban districts and GMAs shall pave parking and loading access areas with asphalt, concrete, or similar material from the edge of the roadway to the right-of-way line. In all other areas, single-family detached and duplex dwellings shall pave parking and loading access areas when necessary to comply with ADA requirements or §3.3.5.B, *Short-Term Rental*.

12.1. Floodplain Overlay District

Table 12-1 Table of Allowed Uses – FPO District

Note: this language will need to be combined with the Table 12.1 in the Code and updated with new terminology.

~~Short-term rentals, TRs, hosted short-term rentals, B&Bs, Bed & Breakfast Inns,~~ and Resort Lodge or Resort Cottages ~~are~~ **Not** allowed in:

- AE (Floodway) per FEMA
- AE or 1% ACE (Floodway) per Best Available data or Poudre GMA
- AE or High Risk (Floodway) per Municipal

Allowed in other flood districts.