

TITLE:

Amendments to the Larimer County Land Use Code regarding Short-Term Rental and Bed and Breakfast uses

REQUEST:

To amend the Larimer County Land Use Code regarding Short-Term Rentals and Bed and Breakfast uses by:

- 1) Amending Section 0.1. – Definitions by modifying the definition for Bed and Breakfast, Dwelling, and Short-Term Rental and by adding definitions for Bedroom, and Renter,
- 2) Amending Sections 4.1.1. - FA Farming, 4.1.2. - FA-1 Farming, 4.1.3. - FO Forestry, 4.1.4. - FO-1 Forestry, 4.1.5. - O Open, 4.1.8. - RE Rural Estate, 4.1.9. - RE-1 Rural Estate, 4.1.21. - AP Airport, and the Section 4.1 Zoning Table to change the review process for Bed and Breakfast from Minor Special Review or Special Review to Public Site Plan or Minor Special Review,

Amending Sections 4.1.3. - FO Forestry, 4.1.4. - FO-1 Forestry, 4.1.5. - O Open, 4.1.8. - RE Rural Estate, 4.1.15. - A Accommodation, 4.1.16. - T Tourist and the Section 4.1 Zoning Table to change the review process for Short-Term Rental from Special Review to Public Site Plan or Minor Special Review,

Amending Sections 4.1.6. - E Estate, 4.1.7. - E-1 Estate, 4.1.8. - RE Rural Estate, 4.1.10. - R Residential, 4.1.11. - R-1 Residential, 4.1.12. - R-2 Residential, and the Section 4.1 Zoning Table to add for Bed and Breakfast as a use allowed subject to approval by either Public Site Plan or Minor Special Review, and renumbering the balance of the Section,

Amending Sections 4.1.1. - FA Farming, 4.1.2. - FA-1 Farming, 4.1.6. - E Estate, 4.1.7 - E Estate, 4.1.9. - RE-1 Rural

Estate, 4.1.10. - R Residential, 4.1.11. - R-1 Residential, 4.1.12. - R-2 Residential, 4.1.21. - AP Airport and the Section 4.1 Zoning Table to add Short-Term Rental as a use allowed subject to approval by either Public Site Plan or Minor Special Review, and renumbering of the balance of the Section,

Amending Sections 4.1.17. - B Business and the Section 4.1 Zoning Table to eliminate the use Bed and Breakfast,

Amending Sections 4.1.17. - B Business, 4.1.23. - RFLB Red Feather Lakes Business and the Section 4.1 Zoning Table to eliminate the use Short-Term Rental,

- 3) Amending the use descriptions for Bed and Breakfast (Section 4.3.6.B.) and Short-Term Rental (Section 4.3.6.E.),

AND

- 4) Amending Section 8.6. – Private Local Access Road and Parking Standards by adding parking allowances for Short-Term Rentals to Table 8.6.3.(B).2.1 Parking Space Requirements,

<u>APPLICANT:</u>	Larimer County Community Development
<u>FILE #:</u>	19-CODE0241
<u>DATE:</u>	May 15, 2019
<u>STAFF CONTACT:</u>	Matt Lafferty, AICP
<u>NOTICE GIVEN:</u>	Newspaper publication

PROJECT BACKGROUND

On February 21, 2017, the Board of County Commissioners approved an amendment to the Larimer County Land Use Code to add Short-Term Rental as a use permitted in certain zone districts. This amendment codified the Community Development Director’s determination prior that Short-Term Rentals should be viewed as the same as “Resort Lodge/Resort Cabins” and thus be allowed in the zone districts allowing Resort Lodge/Resort Cabins.

Since the 2017 Short-Term Rentals Code change the Community Development Department has received several Special Review and Special Exception applications for such uses and the standards have been found challenging. First, because the Special Review process that applies to all cases takes about nine months, involves two public hearings, and costs more than other review processes. Additionally, fire suppression (sprinkler system) is required for all short-term rentals, large or small and regardless of locations. The seemingly onerous process and standards may have also led to an increase in code compliance cases by owners who choose not to follow the process. To remedy such unintended outcomes of the current short-term rental procedures and standards, the Board of County Commissioners, in early 2018, authorized the Community Development Department staff to renew the standards and procedures. The proposed updates are aimed at simplifying the process to encourage owners to be compliant and address health and safety issues and neighborhood compatibility for short-term rentals.

In July of 2018, Community Development staff with other County Staff held a series of meetings with the public, short-term rental owners/representatives, and various fire officials to identify the predominant topics surrounding the allowance of short-term rentals. From these meetings it was determined that life safety and compatibility were the dominant concerns of the fire protection agencies and residents living near short-term rentals, while processing times and costs were central concerns of the short-term rental owners. Staff also heard feedback from the Planning Commission and Board of County Commissioners at a work session in November of 2018.

Taking into consideration all information gathered from the outreach events, staff developed a proposed set of standards and procedures for Short-Term Rental uses in late 2018 and early 2019. These proposed standards and procedures were unveiled at an open house meeting on March of 2019. The public who attended the meeting generally gave supportive comments. However, some thought the regulations had not gone far enough to protect neighborhoods, while others believed that they are too strict. Staff made minor modifications based upon the meeting comment to arrive at the proposed standards that represent a balance of the input received.

At the March 2019 Planning Commission work session, staff presented the proposed standards and procedures for comment. Lively conversation at the meeting ended with a general understanding and direction that the proposed standards and procedures should move forward to the hearing process, generally as presented.

PROPOSED CHANGES (LAND USE CODE):

Short-Term Rentals are becoming a common adaptive use of residential dwellings across the U.S. While many of the Short-Term Rentals co-exist with surrounding neighborhoods where they are located, others are described as obtrusive to the harmony and character of the neighborhood. Therefore, to allow these uses to occur throughout Larimer County, the Community Development Department is proposing standards and processes for Short-Term Rental uses.

The changes addressed in this report have been determined necessary to ensure consistent application of standards and processes for Short-Term Rentals. Some of the amendments proposed involve modifying the Bed and Breakfast definition and use description to achieve equity in development review process and standards between the two similar accommodation types.

An initial question in the development of the proposed standards was: Where in Larimer County should Short-Term Rental uses be allowed (i.e., what zoning districts)? The answer was to allow them where they are currently allowed and second to allow them in zone districts where single-family dwellings are allowed. Based upon these factors the following is proposed (See Table 1).

Table 1: Proposed Zone Districts where STR's will be Allowed

Zone Districts	Current vs Proposed	
	Where Currently Allowed	Where Proposed to be Allowed
FA		Yes
FA-1		Yes
FO	Yes	Yes
FO-1	Yes	Yes
O	Yes	Yes
E		Yes
E-1		Yes
RE	Yes	Yes
RE-1		Yes
R		Yes (10 or Fewer occupants)
R-1		Yes (10 or Fewer occupants)
R-2		Yes (10 or Fewer occupants)
M		
M-1		
A	Yes	Yes
T	Yes	Yes
B	Yes	*
C		
I		
I-1		
RFLB	Yes	*
AP		Yes

*Eliminated because single-family dwellings are not allowed in these zone districts.

Because zone districts have different characteristics, such as lots size and setbacks, the intensity of the use (size and occupancy) are important factors in the evaluation of compatibility and location. Furthermore, because “compatibility” can be subjective it affects review process.

The two-tiered review process levels help address the compatibility issue and are consistent with the Building Code. First, for smaller short-term rentals, Public Site Plan (PSP) review is proposed for applications where occupancy levels are proposed at 10 or fewer transient guests, measured according to the number of bedrooms where on bedroom equals two (2) guests. This administrative process is a timely review process (approx. 6-8 weeks) that includes neighborhood notification and input for consideration by the Community Development Director when making a final determination of approval, approval with conditions, or denial. The process is also flexible in that it allows the Community Development Director to forward the application to the Board of County Commissioners when applicable, and it allows for appeals to the director’s decision by either the applicant or the neighbors.

Second, the Minor Special review (MS) process is proposed for larger short-term rental applications where occupancy levels are proposed to be greater than 10 transient guests. This process is recommended because at this occupancy level the compatibility issues may become elevated, therefore a public hearing should occur whereby the decision would rest with the Board of County Commissioners. The MS process is a simplified (one hearing) version of the SR process with a Board of County Commissioner hearing only (no Planning Commission hearing), making for a timelier process, approximately 3-6 months.

The method for determining occupancy is to count each bedroom as two guests, which method is consistent with the Building Codes. However, the County Attorney has suggested that rather than counting occupants in bedrooms, we should limit the occupancy by the number proposed in application process. Either of these options work, but staff believes that it is easier to define with applicant that the occupancy is base upon something rather than an number proposed by the applicant. Furthermore, no all rooms qualify as a space to sleep in as other factors play into the issue such as exiting requirements.

Based upon factors of zoning district characteristics, size and occupancy of use, compatibility and process, table 2 that follows presents the proposed review procedures for STR's):

Table 2: Proposed Procedures

Zone Districts	Proposed Code	
	10 or Fewer Occupants	11 or More Occupants
FA	PSP	MS
FA-1	PSP	MS
FO	PSP	MS
FO-1	PSP	MS
O	PSP	MS
E	PSP	MS
E-1	PSP	MS
RE	PSP	MS
RE-1	PSP	MS
R	PSP	*
R-1	PSP	*
R-2	PSP	*
M		
M-1		
A	PSP	MS
T	PSP	MS
B		
C		
I		
I-1		
RFLB		
AP	PSP	MS

*Due to the small lot sizes in these zoned districts the larger STR's are not recommended for these zone districts.

Having resolved where, at what intensity and by what process would be used, the remaining Code changes focus on topics such as alignment of similar uses, added and refined definitions, amended use descriptions and performance standards.

During the preparation of the proposed Code change, staff noted that the Bed and Breakfast use allowed by the Land Use Code would be subject to higher-level review processes than that of the Short-Term Rental use. Additionally, the Bed and Breakfast uses would have a lower occupancy level than short-term rentals. Therefore, to align and maintain an equitable level of review and occupancy of these similar uses, staff also proposes changes for the Bed and Breakfast definition as part of this Code amendment.

A predominant factor revealed during the public outreach events was the overall concern with health, safety and welfare concerns. While not at the same level, all the participants agreed that the safety of both the occupants of the short-term rental uses and the neighboring properties/owners was important. Therefore, performance standards such as appropriately accessible and positioned fire extinguishers, stove top fire stops, notification of the use to local emergency responders and exiting maps are being proposed as feasible features to be required for all short-term rentals.

To address basic compatibility concerns additional performance standards are being proposed to minimize neighborhood conflict. Quality of life issues such as privacy and property maintenance are at the heart of property owner concerns, so having an operation manual with each short-term rental use that will provide users guidance when staying at an approved facility. Some of the performance criteria being recommended include trash collection and disposal. Property identification to avoid trespass, and property management contacts. Additional suggested measures for the uses will be included in handouts for the applicant of short-term rentals. Some suggestions are ways to be neighborhood friendly by controlling outside activities during the certain hours of the day, managing exterior lighting, and minimizing noise to mention a few.

The changes being proposed to the Land Use Code for Short-Term Rentals and like uses are found in the staff recommendation at the end of this report. Please note that existing code language is in black, deletions in ~~striketrough~~ and new language is underlined.

NEXT STEPS:

Following Planning Commission's Review and approval of proposed Code amendments, the Board of County Commissioners will review and consider approval of the code amendments in June 2019. If the code amendments are approved in that timeframe, the new standards will take effect on September 1, 2019. (September 3, 2109 after the holiday).

REVIEW CRITERIA:

In order to approve amendments to the text of the Land Use Code, the County Commissioners must consider the following criteria and find that each criterion has been met or has been determined to be inapplicable:

1. *The proposed changes are consistent with the Master Plan and the intent and purpose of the Land Use Code.*

The Larimer County Master Plan and Land Use Code are living documents that are intended to be modified and expanded to address the changing needs of the County and its citizens. The proposed changes being consider for the Land Use Code are considered necessary to address the evolution from typical accommodation uses (hotels and motels) in non-residential zones to accommodation uses in single-family dwellings, within residentially zoned areas. To ensure the health, safety, welfare and quality of life of residents in residential areas, as well of the occupants of short-term rentals, the proposed Land Use Code changes have been formulated. These proposed changes are also seen as necessary to ensure that a consistent and transparent process and standard are used to evaluate and approve such uses.

2. *The proposed changes are necessary to correct an omission or error in the Land Use Code.*

Th criterion is not applicable as the proposed changes are not necessary to correct errors or omissions in the Code.

STAFF FINDINGS:

The Community Development Staff recommends that the Larimer County Planning Commission the adoption of the following findings with respect to these code amendments:

1. The proposed changes are consistent with the Master Plan and the intent and purpose of the Land Use Code.
2. The proposed changes are necessary to correct an omission or error in the Land Use Code.

STAFF RECOMMENDATION:

Community Development staff recommends that the Larimer County Planning Commission recommend to the Board of County Commissioners approval of the Land Use Code amendments regarding Short-Term Rental and Bed and Breakfast uses, as found in File #19-CODE0241 - Short-Term Rental and Associated Code Amendments by:

- 1) Amending Section 0.1. – Definitions by modifying the definition for Bed and Breakfast, Dwelling, and Short-Term Rental and by adding definitions for Bedroom, and Renter as follows:

Bed and Breakfast, An owner-occupied or operator occupied, ~~single-family~~ dwelling where short-term lodging rooms and meals are is provided to transient guests. ~~A guest is an individual over 12 years of age.~~

Dwelling, A building or portion thereof used for residential occupancy, including cabin, single-family, duplex and multiple-family dwellings. Dwelling ~~it~~ includes approved Bed and Breakfasts and Short-Term Rentals, but does not include hotels, motels, boarding/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. ~~A dwelling, or portion of a dwelling, shall not be rented for less than 31 continuous days.~~

~~Short-Term Rental. A building, under single management and ownership, for temporary rental to transient guests (for example: vacation rental by owner — VRBO or AirBNB). A dwelling rented to transient guests for short-term lodging when not occupied by the owner/renter.~~

Bed Room, a room in a dwelling designed and intended for sleeping in.

Renter, The primary occupant (non-owner) of a dwelling for 31 consecutive days or more.

- 2) Amending Sections 4.1.1. - FA Farming, 4.1.2. - FA-1 Farming, 4.1.3. - FO Forestry, 4.1.4. - FO-1 Forestry, 4.1.5. - O Open, 4.1.8. - RE Rural Estate, 4.1.9. - RE-1 Rural Estate, 4.1.21. - AP Airport, and the Section 4.1 Zoning Table to change the review process for Bed and Breakfast from Minor Special Review or Special Review to Public Site Plan or Minor Special Review,

Amending Sections 4.1.3. - FO Forestry, 4.1.4. - FO-1 Forestry, 4.1.5. - O Open, 4.1.8. - RE Rural Estate, 4.1.15. - A Accommodation, 4.1.16. - T Tourist and the Section 4.1 Zoning Table to change the review process for Short-Term Rental from Special Review to Public Site Plan or Minor Special Review,

Amending Sections 4.1.6. - E Estate, 4.1.7. - E-1 Estate, 4.1.8. - RE Rural Estate, 4.1.10. - R Residential, 4.1.11. - R-1 Residential, 4.1.12. - R-2 Residential, and the Section 4.1 Zoning Table to add for Bed and Breakfast as a use allowed subject to approval by either Public Site Plan or Minor Special Review, and renumbering of the balance of the Section,

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Amending Sections 4.1.17. - B Business and the Section 4.1 Zoning Table to eliminate the use Bed and Breakfast, and

Amending Sections 4.1.17. - B Business, 4.1.23. - RFLB Red Feather Lakes Business and the Section 4.1 Zoning Table to eliminate the use Short-Term Rental, as follows:

4.1.1. – FA-Farming.

A. Principal uses:

Accommodation

31. Bed and breakfast (~~MS/S~~) (PSP/MS) – See section 4.3.6

32. Seasonal camp (S)

33. Short-term rental (PSP/MS) – See section 4.3.6

Industrial

~~34.~~33. Mining (S)

~~35.~~34. Oil and gas drilling and production (R)

- ~~36.35.~~ Small solar facility (R/PSP)
- ~~37.36.~~ Small wind energy facility (MS)

Utilities

- ~~38.37.~~ Commercial mobile radio service (SP/S) – See section 16
- ~~39.38.~~ Radio and television transmitters (S)

4.1.2. – FA-1 Farming.

A. Principal uses:

Accommodation

- ~~34.~~ Bed and breakfast (~~MS/S~~) (PSP/MS) – See section 4.3.6
- ~~35.~~ Seasonal camp (S)
- ~~36.~~ Short-term rental (PSP/MS) – See section 4.3.6

Industrial

- ~~37.36.~~ Mining (S)
- ~~38.37.~~ Oil and gas drilling and production (R)
- ~~39.38.~~ Small solar facility (R/PSP)
- ~~40.39.~~ Small wind energy facility (MS)

Utilities

- ~~41.40.~~ Commercial mobile radio service (SP/S) – See section 16
- ~~42.41.~~ Radio and television transmitters (S)

4.1.3. – FO-Forestry.

A. Principal uses:

Accommodation

- ~~27.~~ Bed and breakfast (~~MS/S~~) (PSP/MS) – See section 4.3.6
- ~~32.~~ Short-term rental (~~S~~)-(PSP/MS) – See section 4.3.6

4.1.4. – FO-1 Forestry.

A. Principal uses:

Accommodation

- ~~24.~~ Bed and breakfast (~~MS/S~~) (PSP/MS) – See section 4.3.6
- ~~29.~~ Short-term rental (~~S~~)-(PSP/MS) – See section 4.3.6

4.1.5. – O-Open.

A. Principal uses:

Accommodation

- ~~38.~~ Bed and breakfast (~~MS/S~~) (PSP/MS) – See section 4.3.6
- ~~43.~~ Short-term rental (~~S~~)-(PSP/MS) – See section 4.3.6

4.1.6. – E-Estate.

A. Principal uses:

Accommodation

- ~~12.~~ Bed and breakfast (PSP/MS) – See section 4.3.6
- ~~13.~~ Short-term rental (PSP/MS) – See section 4.3.6

Utilities

- ~~14.12.~~ Commercial mobile radio service (SP/S) – See section 16

Industrial

- ~~15.13.~~ Oil and gas drilling and production (R)
- ~~16.14.~~ Small solar facility (R/PSP)

4.1.7. – E-1 Estate.

A. Principal uses:

Accommodation

- ~~12.~~ Bed and breakfast (PSP/MS) – See section 4.3.6
- ~~13.~~ Short-term rental (PSP/MS) – See section 4.3.6

Utilities

~~14.12.~~ Commercial mobile radio service (SP/S) – See section 16

Industrial

~~15.13.~~ Oil and gas drilling and production (R)

~~16.14.~~ Small solar facility (R/PSP)

4.1.8. – RE-Rural Estate.

A. Principal uses:

Accommodation

28. Bed and breakfast (~~S~~) (PSP/MS) – See section 4.3.6

32. Short-term rental (~~S~~) (PSP/MS) – See section 4.3.6

4.1.9. – RE-1 Rural Estate.

A. Principal uses:

Accommodation

11. Bed and breakfast (~~S~~) (PSP/MS) – See section 4.3.6

12. Short-term rental (PSP/MS) – See section 4.3.6

Utilities

~~13.12.~~ Commercial mobile radio service (SP/S) – See section 16

Industrial

~~14.13.~~ Oil and gas drilling and production (R)

~~15.14.~~ Small solar facility (R/PSP)

4.1.10. – R-Residential.

A. Principal uses:

Accommodation

16. Bed and breakfast (PSP) – See section 4.3.6

17. Short-term rental (PSP) – See section 4.3.6

Utilities

~~18.16.~~ Commercial mobile radio service (SP/S) – See section 16

Industrial

~~19.17.~~ Oil and gas drilling and production (R)

~~20.18.~~ Small solar facility (R/PSP)

4.1.11. – R-1 Residential.

A. Principal uses:

Accommodation

15. Bed and breakfast (PSP) – See section 4.3.6

16. Short-term rental (PSP) – See section 4.3.6

Utilities

~~17.15.~~ Commercial mobile radio service (SP/S) – See section 16

Industrial

~~18.16.~~ Oil and gas drilling and production (R)

~~19.17.~~ Small solar facility (R/PSP)

4.1.12. – R-2 Residential.

A. Principal uses:

Accommodation

16. Bed and breakfast (PSP) – See section 4.3.6

17. Short-term rental (PSP) – See section 4.3.6

Utilities

~~18.16.~~ Commercial mobile radio service (SP/S) – See section 16

Industrial

~~19.17.~~ Oil and gas drilling and production (R)

~~20.18.~~ Small solar facility (R/PSP)

4.1.15. – A-Accommodation.

A. Principal uses:

Accommodation

~~13.~~ Short-term rental (~~S~~)-(PSP/MS) – See section 4.3.6

4.1.16. – T-Tourist.

A. Principal uses:

Accommodation

~~32.~~ Short-term rental (~~S~~)-(PSP/MS) – See section 4.3.6

4.1.17. – B-Business.

A. Principal uses:

Accommodation

~~22.~~ Bed and breakfast (SP)

~~22.23.~~ Hotel/motel (SP)

~~23.24.~~ Nursing home (SP)

~~24.25.~~ Resort lodge/resort cabins (SP)

~~26.~~ Short term rental (SP)

Utilities

~~25.27.~~ Commercial mobile radio service (SP/S) – See section 16

~~26.28.~~ Radio and television transmitter (S)

Transportation

~~27.29.~~ Bus Terminal (S)

~~28.30.~~ Park and ride (SP)

~~29.31.~~ Parking lot/garage (SP)

~~30.32.~~ Transportation service (SP)

Recreational

~~31.33.~~ Country club (S)

~~32.34.~~ Golf course (S)

~~33.35.~~ Membership club/clubhouse (SP)

~~34.36.~~ Place of amusement or recreation (SP/S) – See section 4.3.5

Industrial

~~35.37.~~ Oil and gas drilling and production (R)

~~36.38.~~ Small solar facility (R/PSP)

4.1.21. – AP-Airport.

A. Principal uses:

Accommodation

45. Bed and breakfast (~~MS/S~~) (PSP/MS) – See section 4.3.6

46. Hotel/motel (S)

47. Short-term rental (PSP/MS) See Section 4.3.6

Industrial

~~48.47.~~ Enclosed storage (S)

~~49.48.~~ General industrial (S)

~~50.49.~~ Light industrial (S)

~~51.50.~~ Mining (S)

~~52.51.~~ Oil and gas drilling and production (S)

~~53.52.~~ Small solar facility (R/PSP)

~~54.53.~~ Trade Use (S)

Utilities

~~55.54.~~ Commercial mobile radio service (SP/S) – See section 16

Transportation

~~56.55.~~ Airport (S)

~~57.56.~~ Bus terminal (S)

- ~~58.57.~~ Commercial aerial sightseeing/tour flights (S)
- ~~59.58.~~ Heliport (S)
- ~~60.59.~~ Park and ride (S)
- ~~61.60.~~ Parking lot/garage (S)
- ~~62.61.~~ Train station (S)
- ~~63.62.~~ Transportation depot (S)
- ~~64.63.~~ Transportation service (S)
- ~~65.64.~~ Truck stop (S)

4.1.23. – RFLB-Red Feather Lakes Business.

A. Principal uses:

Accommodation

- ~~23.~~ Short term rental (SP)

Industrial

- ~~23.24.~~ Enclosed storage (S)
- ~~24.25.~~ Oil and gas drilling and production (S)
- ~~25.26.~~ Small solar facility (R/PSP)
- ~~26.27.~~ Trade Use (S)

Utilities

- ~~27.28.~~ Commercial mobile radio service (SP/S) – See section 16
- ~~28.29.~~ Radio and television transmitter (S)
- ~~29.30.~~ Treatment plant(S)
- ~~30.31.~~ Water storage facility (S)

Transportation

- ~~31.32.~~ Parking lot/garage (MS)

Zoning Table

Category	Use	FA, FA-1	FO, FO-1	O	E, E-1	RE, RE-1	R, R-1, R-2	A	T	B	RFLB	AP
Accommodation	Bed and Breakfast	MS PSP/	MS PSP/	MS PSP/	PSP/	PSP/	PSP	SP	SP	SP		MS PSP/
		MS	MS	MS	MS	MS						MS
Accommodation	Short Term Rental	PSP/	PSP/	PSP/	PSP/	PSP/	PSP	PSP/	PSP/	SP	SP	MS PSP/
		MS	MS	MS	MS	MS		MS	MS			

- 3) Amending the use descriptions for Bed and Breakfast (Section 4.3.6.B.) and Short-Term Rental (Section 4.3.6.E.), as follows

4.3.6.B. *Bed and breakfast*, An owner-occupied or operator occupied, single-family dwelling where lodging rooms and meals are is provided to transient guests for a fee 30 or fewer consecutive days. A guest is an individual over 12 years of age. (for example, a family consisting of a mother, father and a 12 year old child would be considered two guests).

- ~~1. A bed and breakfast in the RE Rural Estate or RE-1 Rural Estate zoning district requires special review approval.~~
- 1.2. A bed and breakfast in the ~~O-Open~~, FA-Farming, FA-1 Farming, FO-Forestry, FO-1 Forestry, O-Open, E-Estate, E-1 Estate, RE-Rural Estate, RE-1 Rural Estate, R-Residential, R-1 Residential, R-2 Residential and AP-Airport zoning district accommodating ten (10) six or fewer guests (determined by multiplying the number of guest bedrooms by 2) requires approval through the minor special-public site plan review process.
- 2.3. A bed and breakfast in the ~~O-Open~~, FA-Farming, FA-1 Farming, FO-Forestry, FO-1 Forestry, O-Open, E-Estate, E-1 Estate, RE-Rural Estate, RE-1 Rural Estate and AP-Airport zoning district accommodating more than ten (10) six guests (determined by multiplying the number of guest bedrooms by 2) requires approval through the minor special review process.

4.3.6.E. Short-Term Rental. ~~A building, under single management and ownership, for temporary rental to transient guests (for example: vacation rental by owner VRBO or AirBNB).~~ A dwelling rented to transient guests, when not occupied by the owner/renter, for 30 or fewer consecutive days.

1. A short-term rental in the FA-Farming, FA-1 Farming, FO- Forestry, FO-1 Forestry, O-Open, E-Estate, E-1 Estate, RE-Rural Estate, RE-1 Rural Estate, R-Residential, R-1 Residential, R-2 Residential, A-Accommodations, T-Tourist, and AP-Airport zoning districts accommodating a single group of ten (10) or fewer occupants (determined by multiplying the number of bedrooms by 2) requires approval through Public Site Plan (PSP) review process as defined in Section 6.2 of the Land Use Code.
 - a. In addition to the 6.2.3. - Review Criteria for a Public Site Plan Review, applications for short-term rentals shall comply with the following criteria:
 - i. Only 1 (one) short-term rental shall be allowed on a property.
 - ii. 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.
 - iii. 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 must be located within one (1) 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 (5) business days of the change in contact information.
 - iv. The short-term rental owner or property manager shall at the time of application provide documentation that the short-term rental location has been registered with the local fire department or if none with the local sheriff/police.
 - v. The location of the property boundaries for the short-term rental shall be easily identifiable and posted to prevent trespass

- vi. The short-term rental shall not be located within an established floodplain, and if located within a floodplain shall require compliance with the applicable requirements of Section 4.2.2. – Floodplain overlay zones.
 - vii. 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.
 - viii. 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).
 - ix. 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.
 - x. Accessory Living Areas, Extended Family Dwellings, and Farmstead Accessory Dwellings shall not be utilized as a short-term rental.
 - xi. Cooking areas within the short-term rental shall be equipped with a stove top fire stop.
 - xii. Unless already equipped with an approved automatic fire sprinkler system, approved fire extinguishers shall be installed in a readily accessible and visible locations for immediate use in the following locations within the STR:
 - 1. In each room with a cooking appliance, fireplace, heating appliance or water heater.
 - 2. Inside and adjacent to the door leading to a deck, porch or patio with such appliances.
 - 3. At least one on each story
2. A short-term rental in the FA-Farming, FA-1 Farming, FO- Forestry, FO-1 Forestry, O-Open, E-Estate, E-1 Estate, RE-Rural Estate, RE-1 Rural Estate, R-Residential, R-1 Residential, R-2 Residential, A-Accommodations, T-Tourist, and AP-Airport zoning district accommodating a single group consisting of more than ten (10) occupants (determined by multiplying the number of bedrooms by 2) requires approval through the Minor Special review (MS) process as defined in Section 4.5 of this Code.
- b. In addition to the 4.5.5. - Review Criteria for a Minor Special review, applications for short-term rentals shall comply with the following criteria:
 - i. All the criteria required for a short-term rental identified in Section 4.3.6.E.1.a (above), excluding item 4.3.6.E.1.a.xii.
 - ii. The short-term rental shall be equipped with a fire sprinkler system.

AND

- 4) Amending Section 8.6. – Private Local Access Road and Parking Standards by adding parking allowances for Short-Term Rentals to Table 8.6.3.(B).2.1 Parking Space Requirements, as follows:

Bed and breakfast	Two spaces plus one space for each bedroom used for accommodation
<u>Short-term rental</u>	<u>Short term rentals accommodating 10 or fewer guests shall be required to provide two on-lot parking spaces.</u> <u>Short-term rentals accommodating more than 10 guests shall be required to provide two on-lot parking plus one additional on-lot parking space for every additional 2 bedrooms within the short-term rental.</u>