

5.5.6 Vacation Rental Standards²⁴

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

5.5.6.1 There are two categories of Vacation Rentals.

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

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

5.5.6.2 Location. Vacation Rental is a permitted use in each Zoning District in which a Dwelling Unit or Manufactured Home is a permitted use, as shown in Table 3. This includes PUD Zone, unless a Development Plan specifies otherwise.

²⁴ Amended July 2018 (Res. 2018-14); Amended May 2021 (Res. 2021-35)

5.5.6.3 Performance Standards.

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

- (1) **Owner/Caretaker Responsibilities.** The owner of a Vacation Rental shall either be present within a distance of sixty (60) miles of the property, or shall employ a Property Manager or Caretaker within that distance who shall be on call 24 hours a day to respond to the property as needed to alleviate complaints regarding violations of these standards, County Ordinances, or neighborhood rules and covenants.
 - a. Contact phone numbers will be made available to the public upon request.
 - b. The Planning Department shall be informed within ten (10) days of any change of contact information for the manager/caretaker or owner.

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

- (3) **Density.** *(Reserved for Future Use)*

- (4) **Space and Occupancy.** The number of short-term rental guests shall be limited by the number of bedrooms and capacity of a valid Onsite Wastewater Treatment System (OWTS). In situations where on-site parking availability is constrained, the number of guests may be similarly restricted. These limits do not otherwise apply to personal (not Short-term Rental) use by the property owner.
 - a. **Dwelling Guest Limits.** There shall be no more than two (2) overnight guests per bedroom, plus up to two (2) additional guests per dwelling.
 1. These sleeping capacity limits are calculated in all sleeping facilities in the home. Any excess sleeping capacity must be removed from all advertising as a condition for approval of the VRP, as applicable. Triple-bunks are prohibited.
 2. Lofts and other open spaces can be used for guest sleeping rooms. However, *rooms not originally designed for sleeping will NOT be added to the dwelling's bedroom count to increase rental capacity, unless:*
 - i. The room is completely enclosed (separated from the rest of the house by its own door and four (4) solid walls.
 - ii. The room meets all structural and fire safety requirements listed in sections 5.5.6.3(4)c below.
 - iii. The infrastructure supporting the dwelling can adequately absorb the additional occupancy generated by increasing the guest limits.
 - iv. Approval is received from the Development Director.
 - b. **Sleeping Room Guest Limits.** Every room occupied for sleeping must be configured/furnished according to these standards:

1. **Floor Size.** No Sleeping Room shall be less than seven (7) feet in any horizontal dimension, must contain at least seventy (70) square feet of floor space for the first guest, and fifty (50) square feet of floor space for each additional guest. No portion of any room having a ceiling height of less than five (5) feet shall be considered as contributing to the minimum required areas.
2. **Ceiling Height.** No room used for sleeping shall have a ceiling height less than seven (7) feet. In rooms with sloping ceilings, the required ceiling height shall be provided in at least 50% of the room and no portion of any room having a ceiling height of less than five (5) feet shall be considered as contributing to the minimum required areas.
3. **Bed Capacity.** Guest capacity per bed is calculated using the industry standard for mattress size. King-, California king-, and queen-size mattresses are calculated as having a two-guest capacity. All others, including full-, double-, single-, and twin-size are calculated as having a one-guest capacity. Triple-deck-bunk beds are prohibited. There shall be a clear ceiling height above the mattress of not less than thirty-six (36) inches and a clear space of at least twenty-seven (27) inches between mattresses of a double-bunk bed.



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

1. Access and Exits.

- i. **Access.** Every room used for sleeping must have its primary entrance directly accessible, without passing through another room or rooming unit, to the outside or to a common hallway leading to the outside.
- ii. **Emergency Escape Route.** All rooms used for sleeping must have an emergency escape route, other than its primary entrance, that leads from the room directly to the outside of the dwelling. If the emergency escape route is via a window, the opening of that window must be at least 5.7 square feet. If the window is on the second or higher floor, there must be an emergency escape ladder available for use.

2. Detectors.

- i. All rooms used for sleeping must have a smoke detector installed *inside* the room and one outside each separate sleeping area within fifteen (15) feet of the entrance to the room.
- ii. All room used for sleeping must have a carbon-monoxide (CO) detector installed *outside* the room within fifteen (15) feet of the entrance to the

room. If there is a fuel-burning appliance (wood or gas fireplace, etc.) inside a sleeping room or its attached bathroom, there must *also* be a CO detector inside the room.

- 3. Extinguishers.** There must be at least one fire extinguisher in the dwelling, kept in the kitchen or food-prep area.
- 4. Handrails and Guardrails.** Any stairway with four (4) or more risers must have a grip-able handrail installed with a return on both ends. Any walking surface that is higher than thirty (30) inches above grade must have a sturdy guardrail of at least thirty-six (36) inches in height.
- (5) Advertisements.** All ads for Vacation Rentals in all media shall follow these guidelines. Deviations from these standards will be treated as a violation of these Land Use Regulations and will be subject to the provisions of Enforcement found in Section 1.4 of these Regulations.
 - a.** All ads must include the Vacation Rental Permit/Account Number.
 - b.** All ads must reflect a guest limit at or below that which is reflected on their permit.
 - c.** All ads must reflect the proper sleeping configuration as reflected in their permit and conditions.
- (6) Refuse Disposal.** The property owner, caretaker, or property manager shall manage storage, collection and disposal of refuse. All refuse shall be stored in fly-tight, water-tight, rodent-proof, bear-resistant containers, or be removed upon guest departure.
- (7) Guest Parking.** There must be at least one on-site parking space for every bedroom offered for rent. Bedroom capacity on the permit may be restricted by the number of parking spaces, if inadequate spaces are available or provided.

²⁵ Amended June 2018 (Res. 2018-18)