



VIRTUAL OPEN HOUSE

Community Planning & Permitting Department

Short-Term Dwelling Rental and Bed & Breakfast Code Update

DC-19-0005

July 30, 2020



AGENDA

Current Land Use Code

Why Change the Code Now?

New Direction and Ideas

Community Feedback

Frequently Asked Questions

Break-Out Sessions



In which area(s) is your property or residence located in Boulder County? If not in the County, where do you live?



Current Land Use Code

Short-Term Dwelling Rentals

Definition: A dwelling that is rented in durations of less than 30 days.

Districts Permitted:

	Less than 14 nights per year	14-45 nights per year	46 nights per year or more
Ag, Forestry, Historic, Mountain Institutional, Transitional, Business, Commercial, Economic Development	By right	By right, provided additional provisions are met	Public Hearing, provided additional provisions and special use criteria are met
Rural Residential, Estate Residential, Suburban Residential, Multi-Family, Manufactured Home, Light Industrial, General Industrial	By right	Public Hearing, provided additional provisions and special use criteria are met	Public Hearing, provided additional provisions and special use criteria are met



Current Land Use Code

Short-Term Dwelling Rentals

- ▶ Additional Provisions
 - ▶ On-site wastewater treatment system approved by Boulder County Public Health
 - ▶ Valid building permit(s) meeting applicable Building Code requirements at the time of construction
 - ▶ Structures built before building permit requirements were imposed shall be structurally sound, with any plumbing, electrical, and heating and cooling systems in a good state of repair
 - ▶ Legal building lot and legal access to the property
 - ▶ Smoke detectors in each bedroom
 - ▶ Carbon monoxide detector
 - ▶ Map showing parcel boundaries and parking
 - ▶ 2 adults per bedroom with a maximum of 8 people, unless otherwise approved



Current Land Use Code

Bed and Breakfasts

- ▶ Definition: An owner-occupied or tenant occupied single-family dwelling unit offering transient lodging accommodations where meals may be provided
- ▶ Allowed if approved through a Public Hearing in Forestry, Ag, Rural Residential, Suburban Residential, and Mountain Institutional
- ▶ Can have no more than 3 guest rooms
- ▶ No more than 6 guests per night



Why Change the Code Now?

Outdated Regulations

- ▶ Current Short-Term Dwelling Rental Provisions adopted in 2008
- ▶ Use of Short-Term Rentals has since increased nationwide
- ▶ Staff has received consistent input from Boulder County residents stating current code does not adequately address impacts of Short-Term Rentals
- ▶ Current Code treats most Short-term Dwelling Rentals equally when there may be differences in impacts based on type and location

Improve Enforcement Mechanisms

Decreasing Housing Availability and Affordability within Boulder County

- ▶ Long-term rentals becoming short-term vacation rentals
- ▶ Property values increase (and price people out) in areas with dense short-term dwelling rentals



New Direction and Ideas

Two Accessory Residential Uses (allowed in all zoning districts)

- ▶ Accessory Short-Term Rental (Primary residence)
 - ▶ Administrative Review
 - ▶ Residency Requirement (Multiple Metrics)
- ▶ Seasonal Short-Term Rental (vacation home used frequently by property owner)
 - ▶ Administrative Review
 - ▶ Seasonal cabins only (not built for year-round living)

Two Principal Lodging Uses (allowed in limited zoning districts)

- ▶ Vacation Rental
 - ▶ Public hearing required
 - ▶ Main purpose of property is short-term rentals (no residential use)
 - ▶ Not owner-occupied
- ▶ Bed & Breakfast
 - ▶ Administrative review
 - ▶ Owner-occupied during all rental periods
 - ▶ At least one meal provided



New Direction and Ideas

Licensing Program

- ▶ License required for all short-term rentals
- ▶ Must obtain after planning process is approved (administrative or Public Hearing)
- ▶ Annual or semi-annual renewal

Enforcement

- ▶ Revocation of license
- ▶ Fines
- ▶ Third-party oversight

Potential Conditions of Approval

- ▶ Local Management (somebody who could respond within 1 hour of an issue)
- ▶ Information sheet on septic usage, wildlife safety, wildfire safety, and evacuation routes
- ▶ Building Safety Inspection (scope is not yet determined)
- ▶ Wildfire mitigation



Community Feedback (So Far)

Survey Results

- ▶ Majority of people felt:
 - Short-Term Dwelling Rentals should be allowed
 - There should be a local management requirement
 - There should be some form of owner-occupancy or residency requirement
 - Minimum stays were not appropriate

Coffee with a Planner Meetings

- ▶ Positive Impacts: Supplemental income, agritourism, provide local jobs, money to keep seasonal cabins maintained, support local economy
- ▶ Negative Impacts: Parking, noise, traffic, housing stock/affordability
- ▶ Minimum Requirements for All: Local management and info sheets on wildlife, wildfire, and septic use
- ▶ License Requirement for All = Yes
- ▶ Principal Lodging Use
 - Not appropriate in dense neighborhoods
 - Public Hearing Requirement: Mixed feedback
 - Need a third use in between lodging and accessory residential
- ▶ Accessory Residential Use
 - Residency Requirement: Mixed feedback
 - Administrative Review Process = Yes, keep it streamlined



Frequently Asked Questions

- ▶ Can Accessory Dwellings be used for Short-Term Rentals?
- ▶ Are we changing taxes through this process?
- ▶ What will happen to existing Short-Term Rentals?
- ▶ How will enforcement change?
- ▶ Will Boulder County take into account private easements, or other agreements?





Next Steps





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Thank You!

Comments or Questions?
Join a Break-Out Session
or Email Us!

Stay tuned for
another Virtual Open
House in September



BREAK-OUT SESSIONS

Virtual Meeting Room #1: **Accessory and Seasonal Short-Term Rentals**

- ▶ Staff: Raini and Molly
- ▶ Link: boco.org/dc-19-0005-meet-1
- ▶ Dial-In: 720-400-7859
- ▶ Conference ID: 371 943 508#

Virtual Meeting Room #2: **Vacation Rentals and Bed & Breakfasts**

- ▶ Staff: Jasmine and Hannah
- ▶ Link: boco.org/dc-19-0005-meet-2
- ▶ Dial-In: 720-400-7859
- ▶ Conference ID: 775 963 776#