

PROPOSED AMENDMENT TO SECTION 10-1-2 TO ADD CORRECT DEFINITIONS FOR RENTAL USES

~~ROOMING/BOARDING HOUSE: A residential structure containing a single dwelling unit and two (2) or more guestrooms where lodging is provided, with or without meals, for compensation. Includes rooming/boarding as a permitted use, as an accessory use, and as a tourist home as provided in section 10-3-2 of this title.~~

Bed and Breakfast residence means an owner occupied, single-family detached home having from one to not more than six guestrooms.

Hotel means a public establishment providing lodging and meals. A hotel must meet the following:

- a. Contain at least one full service restaurant open to the public providing full sit-down meal service.
- b. Have a central, common lobby with check-in/check-out and guest services. Examples are valet parking and room service.
- c. Access to units should be either internal or through a secured internal courtyard.
- d. Have a minimum of 100 guest rooms.
- e. Provide a guest fitness center with exercise and fitness equipment.
- f. Offer internet access, data ports and phone lines in all rooms.
- g. Rooms shall be located on multiple levels with elevator access.
- h. A guest shall at all times be prohibited from using a hotel room or suite as a primary permanent residence.

Hotel extended stay shall mean any establishment that provides temporary lodging for compensation meeting all of the following:

- a. Providing larger rooms (greater than 400 square feet) with a living space separate from the bedroom. Extended stay hotels shall provide 75 percent of all suites with pullman kitchens (sink, built-in cook top or stove, microwave oven, and refrigerator). Ninety percent of all rooms within this category shall be available to guests staying 90 days or less.
- b. Hotels in this category shall have a main office providing check-in, checkout, and customer service functions at all hours.
- c. Housekeeping/maid service shall be provided. Ingress and egress to units shall be either internal or through a secured internal courtyard.
- d. This type of facility shall provide hospitality lounge and/or meeting rooms and may provide limited retail space for newsstands, gift shops, and business service center. Extended stay hotels are encouraged to provide a formal restaurant or cafe and a fully equipped fitness center for use by guests, on-site or through co-op.

- e. A hotel extended stay shall at all times operate only as a hotel, and in no event shall it be converted to a multiple unit dwelling or any other form of permanent residence.
- f. A guest shall at all times be prohibited from using a hotel room or suite as a primary permanent residence.

Motel means a building or group of buildings, whether detached or connected, of one or more stories with rooms that open to an open or enclosed exterior walkway access that is not considered as an interior building corridor, providing lodging for short-term occupancy, meeting all of the following:

- a. No more than ten percent of the guests reside for a period of more than 30 days.
- b. A motel shall at all times operate only as a motel and in no event shall it be converted to a multiple unit dwelling or any other form of permanent residence.
- c. The establishment shall provide daily housekeeping, room, maid, linen, telephone, and other similar services.
- d. Hotels in this category shall have a main office providing check-in, checkout, and customer service functions at all hours.
- e. A guest shall at all times be prohibited from using a motel room as a primary permanent residence.

Primary residence means a dwelling unit that is the usual place of return for housing of a person as documented by at least two of the following: motor vehicle registration, driver's license, Colorado state identification card, voter registration, tax documents, or a utility bill. A person can only have one primary residence at one time. For purposes of application to short term rentals "person or persons" shall not include any corporation, partnership, firm, association, joint venture, or other similar legal entity.

Rooming facility means a single structure in which the owner rents individual rooms with communal cooking and restroom facilities. The facility is designed to serve as the residence of individuals subject to the following:

- a. Rooms may be rented on a daily, weekly or monthly basis.
- b. Rooms are generally furnished by the owner
- c. Owner provides some housekeeping and linen services.
- d. The relationship between owner and resident is that of a landlord/tenant with references and deposits required of the resident.

Rooming/boardhouse means a single detached dwelling unit in which the owner rents individual rooms without cooking and/or restroom facilities to up to a maximum of three rooms, subject to the following:

- a. The rooms are generally furnished by the owner
- b. Owner provides some housekeeping and linen services.
- c. The relationship between owner and resident is that of a landlord/tenant with references and deposits required of the resident.

Short Term Rental means a rental of a residential dwelling unit or accessory building for periods of less than thirty-one consecutive days, characterized to the following:

- a. The rental is marketed through a third party, examples are Airbnb, Trip Advisor and similar on-line entities.
- b. The rental has exclusive use of the portion of the premises rented.
- c. Deposits and fees must be paid in advance and may be non-refundable
- d. Short Term Rentals shall have an operator’s license.

P	-	Use permitted by right.
C	-	Conditional use required pursuant to chapter 8 of this title.
A	-	Permitted as accessory use, pursuant to section 10-4-4 of this title.
H	-	Permitted as home occupation pursuant to section 10-4-5 of this title.
T	-	Permitted as temporary use pursuant to section 10-4-10 of this title.
G	-	Group home for the elderly pursuant to chapter 14 of this title.
O	-	Permitted pursuant to chapter 9 of this title.
R	-	Permitted pursuant to section 10-4-12 of this title.
S	-	Use by special permit pursuant to title 3, chapter 17 of this code.
PS-16	-	Permitted pursuant to section 10-4-16 of this title.
PS-18	-	Permitted pursuant to section 10-4-18 of this title

ZONING DISTRICTS	A-1	R-S	R-L	R-E	R-1	R-2	R-3	R-3X	R-4	R-5	MH	B-P	T	B-1	B-2	B-3	CA	STP	I-P	I-1	I-2	CEM
3.60 Miscellaneous Lodging Services																						
3.61 Rooming/boarding houses Bed and Breakfast Residence		C	C	C	C	C	C	P	P	P				P	P	P	P					
3.62 Rooming/boarding, accessory to residential occupancy of a dwelling—Hotel														P	P	P	P					
3.63 Tourist homes and other temporary residences renting by the day or week Hotel-Extended Stay									C	C				P	P	P	P					
3.64 Hotels and motels—Motel														P	P	P	P					
3.65 Sorority/fraternity houses									C	P				P	P	P	P					
3.66 Rooming Facility									P	P				P	P	P	P					
3.67 Rooming/Boar		C	C	C	C	C	C	C	P	P	P			P	P	P	P					

ding House																				
3.68 Short Term Rentals	P S - 1 8		P S - 1 8	P S - 1 8	P S - 1 8	P S - 1 8														
3.70 Miscellaneous																				
3.669.71 Dwelling units located in the same structure as a nonresidential use and which meet the requirements of section 10-4-12 of this title													R	R						

ADD NEW SECTION 10-4-18

Sec. 10-4-18: Short Term Rentals.

(A) Short-term rentals. Short-term rentals, as defined in Section 10-1-2 and where allowed per Section 10-3-2 shall comply with the following regulations:

1. Each property owner operating a short term rental shall obtain a license from the community development department.

2. Ownership. The applicant must be the fee owner of record of the subject property and/or provide a lease agreement showing the property as primary residence along with landowner approval granting short term rental of the unit.

3. Primary residence. Each applicant for an operator’s license for a short term rental shall attest that the location is the applicant’s primary residence.

4. Permitted structures. Primary and accessory structures are allowed as provided by Section 10-4-4 of this code. All structures shall comply with the regulations for primary and accessory

structures, including maximum size, height, lot coverage, and setbacks, for the property's zone district.

5. Number of short-term rentals per lot. If a lot contains more than one legal dwelling unit, including accessory dwelling units, only one dwelling unit on such lot is eligible for an operator's license conditional use permit as a short-term rental under this chapter. All applicable zoning regulations regarding density must be met in order to allow a short term rental to operate.

6. The owner shall display a copy of the operator's license in a prominent place inside the premises. The owner shall provide contact information for the owner and/or their agent in writing and post in a prominent place inside the premises.

7. Sales and use tax license required. It shall be unlawful to operate a short-term rental without having first obtained a valid City of Littleton sales and use tax license for the property or dwelling unit to be utilized as a short-term rental.

8. Occupancy. The occupancy of a short-term rental shall not exceed the total number of unrelated persons that are otherwise permitted to occupy property under the applicable requirements of the zone district, building code, or any other city code applicable to the subject premises.

9. Parking requirements. Parking requirements for the property shall meet the number of off-street parking spaces as would otherwise be required to serve residential uses for the specific area of the city in which the licensed premises is located, as set forth in Section 10-4-9 of this code. Notwithstanding any other provision of this code, non-conforming properties shall be required to come into compliance with the parking requirements. The location of required parking shall be identified in the license application.

10. Safety requirements. Each short-term rental shall be equipped with an operational smoke detector, carbon monoxide detector, and fire extinguisher on the licensed premises during each short-term rental occupancy. It shall be unlawful to operate a short-term rental without a smoke detector, carbon monoxide detector, or fire extinguisher. The director or his/her designee may inspect the dwelling unit proposed to be licensed for the purpose of verifying compliance with such requirements. Refusal by the applicant to allow such inspection shall be grounds for denial, nonrenewal, or revocation of a license.

11. Insurance. The licensee must maintain fire, hazard, and liability insurance.

12. Compliance with other laws. The dwelling or dwelling unit to be licensed must comply with all applicable federal, state, and local laws, including but not limited to, the International Fire Code as adopted by the South Metro Fire and Rescue District and all City of Littleton Codes.

13. The licensee shall provide to each short term rental customer a copy of the city's noise, trash, and related regulations and shall indicate a primary local contact who may be contacted by the city on a 24 hour/7 day a week basis regarding any problems with the property.

(B) License Requirements:

1. Notwithstanding any other provision of this code, a Short Term Rental Operator's License shall be good for a period of one year and must be renewed annually. For any license issued prior to January 1, 2019, the license may be issued for a pro-rata period expiring on December 31, 2019.
2. Any property currently operated as a short term rental shall obtain an operator's license prior to January 1, 2020.
3. The annual fee for the short term rental operator's license shall be \$25.00.
4. The applicant must provide proof of residency that indicates the subject property is their primary residential residence.
5. A site plan of the property must be submitted to the city to provide detailed information as outlined in Section 10-4-18.
6. A copy of the property's fire, hazard, and liability insurance shall be provided.
7. A primary local contact for the property must be provided, and such contact must be available 24hours/7days a week.
8. Failure to comply with any of the requirements of this section, or any other zoning, building or city code applicable to the subject premise shall be grounds for denial, nonrenewal or revocation of a license.

Amend business license provisions

3-9-2-1: LICENSE REQUIRED:

A. It shall be unlawful for any person to engage in the business of selling at retail, as the same is defined in this chapter, without first having obtained a license therefor, which license shall be applied for on a form prepared by the ~~treasurer~~ **finance director**. **Except for those licenses in subsection B of this section**, no fees shall be charged for issuance of the license, and it shall be issued by the ~~treasurer~~ **finance director** unless he or she determines that the business to be operated would violate any of the statutes of the state of Colorado, of the United States or any of the provisions of this code. Zoning approval shall be required for all sales and use tax licenses provided, however, that if the person or entity seeks a sales and use tax license for an adult entertainment establishment, the license shall be issued by the ~~treasurer~~ **finance director** within five (5) days of application therefor, unless the adult entertainment establishment is in or proposed to be located in a location where such establishments are not permitted under this code. Except for those licenses in subsection B of this section, said license shall be and remain in full force and effect until and unless revoked.

B. Sales and use tax licenses shall be issued on a calendar year period beginning on January 1 of each year for the following items under this section, except the prorated period of the year in which this section was adopted may be added to the first year. For each license issued pursuant to this subsection a fee of twenty (\$20.00) dollars shall be charged:

1. Short Term rentals as defined in Chapter 10 of the code.