

CITY OF LITTLETON, COLORADO

PC Resolution No. 26

Series, 2018

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LITTLETON, COLORADO, RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING THE CITY'S DEFINITIONS OF LODGING USES AND OTHER ASSOCIATED DEFINITIONS INTO THE ZONING CODE, AMENDING ASSOCIATED LAND USES AND BUSINESS LICENSE REQUIREMENTS, AND ESTABLISHING NEW REGULATIONS FOR SHORT-TERM RENTALS.

WHEREAS, the planning commission of the City of Littleton, Colorado, held a public hearing at its regular meeting of September 24, 2018 to consider a proposed ordinance amending the city's definitions of lodging uses and other associated definitions into Section 10-2-1 of Littleton's Zoning Code, amending Section 10-3-1, Land Uses, amending Section 3-9-2-1, Business License requirements, and establishing new regulations for short-term rentals, Section 10-4-18, more specifically described in Exhibit A, which is attached hereto and made a part hereof by this reference; and

WHEREAS, the planning commission considered evidence and testimony concerning the proposed ordinance at said public hearing and voted to continue the discussion at its next regular meeting of October 8, 2018; and

WHEREAS, the planning commission finds that the proposed ordinance is consistent with the city's comprehensive plan; and

WHEREAS, the planning commission finds that the proposed ordinance is in the best interest of the city and will promote the public health, safety, and welfare of its inhabitants;

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF LITTLETON, COLORADO, THAT:

Section 1. The planning commission does hereby recommend that city council approve the proposed ordinance, more specifically described in Exhibit A, amending the city's definitions of lodging uses and other associated definitions into Section 10-2-1 of Littleton's Zoning Code, amending Section 10-3-1, Land Uses, amending Section 3-9-2-1, Business License requirements, and establishing new regulations for short-term rentals, Section 10-4-18, with the following conditions:

1) That the ultimate recommendation to city council include the concept of penalties as described by the staff's intent and as elaborated by City Attorney Kemp;

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2) The inclusion of minor corrections and clarifications as discussed during the planning commission review and as acknowledged by the staff;

3) That the license fee ultimately recommended to council be appropriately increased based on the conclusion of staff's review of same; and

4) That the licensee identify, in addition to the responsible party that is on call 24/7, a substitute responsible party that will be available in the event the primary responsible party is unable to fulfill their obligations.

INTRODUCED AND READ at a regularly scheduled meeting of the Planning Commission of the City of Littleton, Colorado, on the 24th day of September, 2018, at 6:30 p.m. at the Littleton Center, 2255 West Berry Avenue, Littleton, Colorado.

READ AND ADOPTED at a regularly scheduled meeting of the Planning Commission of the City of Littleton, Colorado, on the 8th day of October, 2018, at 6:30 p.m. at the Littleton Center, 2255 West Berry Avenue, Littleton, Colorado by the following vote: 6-1.

ATTEST:

DocuSigned by:

Denise Ciernia

D03BC259132D426...

Denise Ciernia

RECORDING SECRETARY

DocuSigned by:

Mark A Rudnicki

76FFFAA56CDE42E...

Mark Rudnicki

CHAIR

APPROVED AS TO FORM:

DocuSigned by:

Steve Kemp

AA60F12E5200430...

Stephen Kemp

CITY ATTORNEY

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Exhibit A

(see next page)

CITY OF LITTLETON, COLORADO

ORDINANCE NO. ____

Series, 2018

INTRODUCED BY COUNCILMEMBERS:

AN ORDINANCE OF THE CITY OF LITTLETON, COLORADO, AMENDING THE CITY'S DEFINITIONS OF LODGING USES AND OTHER ASSOCIATED DEFINITIONS INTO THE ZONING CODE, AMENDING ASSOCIATED LAND USES AND BUSINESS LICENSE REQUIREMENTS, AND ESTABLISHING NEW REGULATIONS FOR SHORT-TERM RENTALS,

WHEREAS, the planning commission, at its regular meeting on October 8, 2018, held a public hearing and voted to recommend approval of an ordinance amending the city's definitions of lodging uses and other associated definitions into Section 10-2-1 of Littleton's Zoning Code, amending Section 10-3-1, Land Uses and short-term rentals, amending Section 3-9-2-1, Business License requirements for short-term rentals, and establishing new regulations for short-term rentals, Section 10-4-18; and

WHEREAS, the Littleton Zoning Code does not adequately address the topic of regulating short-term rentals in the city's residential neighborhoods and city council directed staff to draft regulations; and

WHEREAS, there is a moratorium in place until October 17, 2018 for the city to not issue any more business licenses for short-term rentals in Littleton; and

WHEREAS, the city council finds that the proposed amendments to the city code are in the best interest of the city and will promote the public health, safety and welfare of its inhabitants;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LITTLETON, COLORADO, THAT:

Section 1: Section 2 of Chapter 1 of Title 10 of the City Code is hereby amended to delete the existing and add correct definitions for rental uses as follows:

~~**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: AN OWNER OCCUPIED, SINGLE FAMILY DETACHED HOME HAVING FROM ONE TO NOT MORE THAN SIX (6) GUESTROOMS, AND PROVIDES BREAKFASTS TO GUESTS.

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1 DWELLING UNIT: ~~One (1) or more rooms connected together but structurally divided from~~
2 ~~other structures or from all other rooms in the same structure and providing residence for a~~
3 ~~family living together as a single housekeeping unit. No such dwelling unit shall be occupied by~~
4 ~~more than one (1) unrelated individual over the age of twelve (12) years who is required to~~
5 ~~register as a sex offender under the provisions of Colorado Revised Statutes section 18-3-412.5,~~
6 ~~as amended. Provided however, that this section shall not require a resident to leave the home~~
7 ~~upon becoming twelve (12) years of age.~~ ONE (1) OR MORE HABITABLE ROOMS
8 CONSTITUTING A UNIT FOR RESIDENTIAL OCCUPANCY, WITH FACILITIES FOR
9 EATING, SLEEPING, BATHING, THAT OCCUPIES A STRUCTURE OR A PORTION OF A
10 STRUCTURE. NO SUCH DWELLING UNIT SHALL BE OCCUPIED BY MORE THAN
11 ONE (1) UNRELATED INDIVIDUAL EIGHTEEN (18) YEARS OF AGE OR OLDER WHO
12 IS REQUIRED TO REGISTER AS A SEX OFFENDER UNDER THE PROVISIONS OF THE
13 COLORADO REVISED STATUTES SECTION 18-3-412.5, AS AMENDED. PROVIDED,
14 HOWEVER, THAT THIS SECTION SHALL NOT REQUIRE A RESIDENT TO LEAVE THE
15 HOME UPON BECOMING EIGHTEEN (18) YEARS OF AGE.

16
17 DWELLING, MULTIPLE-FAMILY: Any building structurally divided into two (2) or more
18 separate dwelling units including rooming/boarding houses ~~and tourist homes. No such~~
19 ~~dwelling unit shall be occupied by more than one (1) unrelated individual over the age of~~
20 ~~twelve (12) years who is required to register as a sex offender under the provisions of Colorado~~
21 ~~Revised Statutes section 18-3-412.5, as amended. Provided however, that this section shall not~~
22 ~~require a resident to leave the home upon becoming twelve (12) years of age, nor shall this~~
23 ~~section apply to any child required to register as a sex offender under said statute who is placed~~
24 ~~pursuant to section 19-1-103(51.3), Colorado Revised Statutes in a foster care home certified~~
25 ~~or licensed pursuant to article 6 of title 26, Colorado Revised Statutes.~~ NO SUCH
26 DWELLING UNIT SHALL BE OCCUPIED BY MORE THAN ONE (1) UNRELATED
27 INDIVIDUAL EIGHTEEN (18) YEARS OF AGE OR OLDER WHO IS REQUIRED TO
28 REGISTER AS A SEX OFFENDER UNDER THE PROVISIONS OF THE COLORADO
29 REVISED STATUTES SECTION 18-3-412.5, AS AMENDED. PROVIDED, HOWEVER,
30 THAT THIS SECTION SHALL NOT REQUIRE A RESIDENT TO LEAVE THE HOME
31 UPON BECOMING EIGHTEEN (18) YEARS OF AGE.

32
33 FAMILY: IS DEFINED AS:

34
35 A. AN INDIVIDUAL LIVING ALONE;

36 B. ANY NUMBER OF INDIVIDUALS, WHO ARE RELATED BY BLOOD,
37 MARRIAGE, OR LEGAL ADOPTION, INCLUDING FOSTER CHILDREN;

38 C. ANY UNRELATED GROUP OF INDIVIDUALS LIVING TOGETHER AS A
39 SINGLE HOUSEKEEPING UNIT UP TO A MAXIMUM OCCUPANCY AS
40 ~~OUTLINED IN THE CITY'S ADOPTED BUILDING CODE; OF THREE HUNDRED~~
41 **SQUARE FEET (300 FT) PER PERSON APPLIED AGAINST A TOTAL**
42 **SQUARE FEET OF LIVING SPACE IN THE DWELLING UNIT AS DEFINED**
43 **IN THE CITY'S ADOPTED BUILDING CODE.**

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D. NOT MORE THAN TWO UNRELATED INDIVIDUALS AND THEIR RELATED CHILDREN AND/OR PARENTS;

E. FAMILY SHALL NOT INCLUDE MORE THAN ONE INDIVIDUAL WHO IS REQUIRED TO REGISTER AS A SEX OFFENDER PURSUANT TO SECTION 18-3-412.5 COLORADO REVISED STATUTES. THIS SECTION SHALL NOT APPLY TO A REGISTERED SEX OFFENDER WHO IS LIVING WITH HIS IMMEDIATE FAMILY. FOR PURPOSES OF THIS SECTION, IMMEDIATE FAMILY IS DEFINED AS A PERSON, THE PERSON'S SPOUSE, THE PERSON'S PARENT, THE PERSON'S GRANDPARENT, THE PERSON'S BROTHER OR SISTER OF THE WHOLE OR HALF BLOOD, THE PERSON'S CHILD, THE PERSON'S STEP-CHILD OR THE PERSON'S CHILD BY ADOPTION AND SHALL INCLUDE CHILDREN WHO HAVE BEEN PLACED IN FOSTER CARE, AS DEFINED BY THE COLORADO REVISED STATUTES.

HOTEL: A BUILDING IN WHICH OVERNIGHT LODGING IS PROVIDED AND OFFERED TO THE PUBLIC FOR COMPENSATION, AND IS NOT A ROOMING FACILITY OR BOARDING HOUSE. A GUEST SHALL AT ALL TIMES BE PROHIBITED FROM USING A HOTEL ROOM OR SUITE AS A PRIMARY PERMANENT RESIDENCE. A HOTEL IS CHARACTERIZED BY AND MAY PROVIDE SOME OF FOLLOWING AMENITIES:

- a. A RESTAURANT OR OTHER FOOD KIOSK OPTIONS THAT MAY BE AVAILABLE FOR FOOD SERVICE.
- b. A CENTRAL, COMMON LOBBY WITH CHECK-IN/CHECK-OUT AND GUEST SERVICES. EXAMPLES ARE VALET PARKING AND ROOM SERVICE.
- c. ACCESS TO INDIVIDUAL HOTEL ROOMS OR SUITES SHOULD BE EITHER INTERNAL OR THROUGH A SECURED INTERNAL COURTYARD.
- d. PROVIDE HOUSEKEEPING SERVICES.
- e. OFFER INTERNET ACCESS, DATA PORTS AND PHONE LINES IN ALL ROOMS
- f. PROVIDE A GUEST FITNESS CENTER WITH EXERCISE AND FITNESS EQUIPMENT.
- g. A HOTEL SHALL AT ALL TIMES OPERATE ONLY AS A HOTEL, AND IN NO EVENT SHALL IT BE CONVERTED TO A MULTIPLE RESIDENTIAL UNIT DWELLING OR ANY OTHER FORM OF PERMANENT RESIDENCE.

HOTEL, EXTENDED STAY: A BUILDING THAT MEETS THE DEFINITION OF HOTEL, AND SHALL MEET ALL OF THE FOLLOWING:

- a. PROVIDE 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 (PULLMAN KITCHENS MAY CONTAIN SOME OR ALL OF THE

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FOLLOWING: 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.
- c. HOUSEKEEPING SERVICE SHALL BE PROVIDED.
- d. INGRESS AND EGRESS TO HOTEL ROOMS AND SUITES SHALL BE EITHER INTERNAL OR THROUGH A SECURED INTERNAL COURTYARD.
- e. 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 MAY ALSO PROVIDE A RESTAURANT/CAFÉ OR FOOD SERVICE, AND A FULLY EQUIPPED FITNESS CENTER FOR GUESTS.
- f. A HOTEL EXTENDED STAY SHALL AT ALL TIMES OPERATE ONLY AS A HOTEL, AND IN NO EVENT SHALL IT BE CONVERTED TO A MULTIPLE RESIDENTIAL UNIT DWELLING OR ANY OTHER FORM OF PERMANENT RESIDENCE.

LOCAL CONTACT: A PROPERTY OWNER'S REPRESENTATIVE WHO RESIDES WITHIN TWENTY MILES OF THE SUBJECT PROPERTY. A LOCAL CONTACT MAY BE LOCATED OUTSIDE OF THE CITY OF LITTLETON BOUNDARIES.

MOTEL: A BUILDING OR GROUP OF **BUILDINGS** IN WHICH OVERNIGHT LODGING IS OFFERED TO THE PUBLIC FOR COMPENSATION, 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. A GUEST SHALL AT ALL TIMES BE PROHIBITED FROM USING A MOTEL ROOM AS A PRIMARY PERMANENT RESIDENCE. A MOTEL MUST MEET 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 USED AS A MULTIPLE UNIT DWELLING OR ANY OTHER FORM OF PERMANENT RESIDENCE.
- c. THE ESTABLISHMENT SHALL PROVIDE DAILY HOUSEKEEPING, LINEN, TELEPHONE AND OTHER SIMILAR SERVICES.
- d. A MAIN OFFICE PROVIDING CHECK-IN, CHECKOUT AND CUSTOMER SERVICE FUNCTIONS.

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~~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.~~

ROOM FACILITY AND/OR BOARDING HOUSE: A SINGLE DETACHED DWELLING UNIT IN WHICH THE OWNER RENTS INDIVIDUAL ROOMS AND THE INDIVIDUAL ROOMS DO NOT HAVE INDIVIDUAL COOKING/RESTROOM FACILITIES. THE OWNER RESIDES ON THE PREMISE. THE UNIT 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. THE ROOMS ARE GENERALLY FURNISHED BY THE OWNER.
- c. COMMUNAL COOKING AND RESTROOM FACILITIES ARE PROVIDED.
- d. OWNER PROVIDES SOME HOUSEKEEPING AND LINEN SERVICES.
- e. THE RELATIONSHIP BETWEEN OWNER AND RESIDENT IS THAT OF A LANDLORD/TENANT WITH REFERENCES AND DEPOSITS REQUIRED OF THE RESIDENT.

SHORT TERM RENTAL: A RENTAL OF A RESIDENTIAL DWELLING UNIT FOR A PERIOD OF LESS THAN THIRTY-ONE CONSECUTIVE DAYS, CHARACTERIZED BY ONE OR MORE OF THE FOLLOWING:

- a. THE RENTAL IS MARKETING ON-LINE AND MAY BE OFFERED THROUGH A THIRD PARTY ENTITY (SUCH AS AIRBNB AND/OR TRIP ADVISOR) AND SIMILAR ON-LINE ENTITIES.
- b. THE ~~RENTAL~~ **RENTER** HAS EXCLUSIVE USE OF THE PORTION OF THE PREMISES RENTED.
- c. DEPOSITS AND FEES MUST BE PAID IN ADVANCE AND MAY BE NON-REFUNDABLE

Section 2: Section 1(A) of Chapter 3 of Title 10 of the City Code is hereby amended by adding an additional symbol of "ST" which is "Permitted pursuant to section 10-4-18 of this title."

Section 3: Section 1(A) of Chapter 3 of Title 10 of the City Code is hereby amended by renaming subcategory 3.60 to "LODGING SERVICES," renaming subcategory

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3.61 to “ROOMING FACILITY/BOARDING HOUSE,” renaming subcategory 3.62 to “HOTEL,” renaming subcategory 3.63 to “HOTEL-EXTENDED STAY,” and renaming subcategory 3.64 to “MOTEL.”

Section 4: The addition of subcategory 3.67 will be named “BED AND BREAKFAST” and be a permitted use (P) in zone districts R-5, T, and CA. The addition of subcategory 3.68 will be named “SHORT TERM RENTALS” and be permitted pursuant to section 10-4-18 of this title (ST) in zone districts ~~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,~~ and CA.

Section 5: Chapter 4 of Title 10 of the City Code is hereby amended by the addition of a new Section 18 as follows:

SECTION 10-4-18: SHORT TERM RENTALS:

(A) SHORT-TERM RENTALS. SHORT-TERM RENTALS, AS DEFINED IN SECTION 10-1-2, **ARE NOT PERMITTED IN THE FOLLOWING ZONE DISTRICTS: R-S, R-L, R-E, AND R-1. INCLUDING SHORT-TERM RENTALS ARE NOT PERMITTED IN PLANNED DEVELOPMENTS, UNLESS SPECIFICALLY ALLOWED AS A PERMITTED USE. , AND AS LISTED PER SECTION 10-3-2,**

(B) **SHORT-TERM RENTALS, AS DEFINED IN SECTION 10-1-2, ARE PERMITTED IN THE FOLLOWING ZONE DISTRICTS: R-2, R-3, R-3X, R-4, R-5, AND OTHER NON-RESIDENTIAL ZONE DISTRICTS THAT ALLOW RESIDENTIAL USES, EXCEPT AS NOTED IN 10-4-18 (A). SHORT-TERM RENTALS 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. **THE APPLICANT MUST PROVIDE PROOF THAT INDICATES THEY ARE THE FEE OWNER OF RECORD OF THE SUBJECT PROPERTY AND MUST BE A RESIDENT OF THE CITY OF LITTLETON OR HAVE A REGISTERED BUSINESS ADDRESS IN THE CITY OF LITTLETON. AN APPLICANT SHALL BE LIMITED TO ONE SHORT TERM RENTAL LICENSE FOR A DWELLING UNIT WITHIN THE CITY.**

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

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1 COVERAGE, AND SETBACKS, FOR THE PROPERTY'S ZONE DISTRICT.

2 5. NUMBER OF SHORT-TERM RENTALS PER PROPERTY. IF A LOT CONTAINS
3 MORE THAN ONE LEGAL DWELLING UNIT, INCLUDING ACCESSORY
4 DWELLING UNITS, ONLY ONE DWELLING UNIT ON SUCH LOT IS ELIGIBLE
5 FOR AN OPERATOR'S LICENSE **OF** A SHORT-TERM RENTAL UNDER THIS
6 CHAPTER. ALL APPLICABLE ZONING REGULATIONS REGARDING DENSITY
7 MUST BE MET IN ORDER TO ALLOW A SHORT TERM RENTAL TO OPERATE.

8 6. THE OWNER SHALL DISPLAY A COPY OF THE OPERATOR'S LICENSE IN A
9 PROMINENT PLACE INSIDE THE PREMISES AND **INDICATE LICENSE**
10 **NUMBER ON ANY ADVERTISING OR OTHER ANNOUNCEMENTS OF THE**
11 **SHORT TERM RENTAL.** THE OWNER SHALL PROVIDE CONTACT
12 INFORMATION FOR THE OWNER AND/OR THEIR AGENT IN WRITING AND
13 POST IN A PROMINENT PLACE INSIDE THE PREMISES.

14 7. SALES AND USE TAX LICENSE REQUIRED. IT SHALL BE UNLAWFUL TO
15 OPERATE A SHORT-TERM RENTAL WITHOUT HAVING FIRST OBTAINED A
16 VALID CITY OF LITTLETON SALES AND USE TAX LICENSE FOR THE
17 PROPERTY OR DWELLING UNIT TO BE UTILIZED AS A SHORT-TERM
18 RENTAL.

19 8. OCCUPANCY. THE OCCUPANCY OF A SHORT-TERM RENTAL SHALL NOT
20 EXCEED THE TOTAL NUMBER OF UNRELATED PERSONS THAT ARE
21 OTHERWISE PERMITTED TO OCCUPY A DWELLING UNIT UNDER THE
22 APPLICABLE REQUIREMENTS OF THE ZONE DISTRICT, BUILDING CODE OR
23 ANY OTHER CITY CODE APPLICABLE TO THE SUBJECT PREMISE.

24 **A. ALL SHORT TERM RENTALS MUST BE FOR A MINIMUM OF TWO (2)**
25 **CONSECUTIVE NIGHT RENTALS TO THE SAME PARTY.**

26 9. PARKING REQUIREMENTS. PARKING REQUIREMENTS FOR THE PROPERTY
27 SHALL MEET THE NUMBER OF OFF-STREET PARKING SPACES AS WOULD
28 OTHERWISE BE REQUIRED TO SERVE RESIDENTIAL USES FOR THE SPECIFIC
29 AREA OF THE CITY IN WHICH THE LICENSED PREMISES IS LOCATED, AS
30 SET FORTH IN SECTION 10-4-9 OF THIS CODE. NOTWITHSTANDING ANY
31 OTHER PROVISION OF THIS CODE, NON-CONFORMING PROPERTIES SHALL
32 BE REQUIRED TO COME INTO COMPLIANCE WITH THE PARKING
33 REQUIREMENTS. THE LOCATION OF REQUIRED OFF-STREET PARKING
34 SHALL BE IDENTIFIED IN THE LICENSE APPLICATION. **A PROPERTY MAY**
35 **NOT PAVE ADDITIONAL PARKING SPACES AND REMOVE LANDSCAPING**
36 **TO ACCOMMODATE OFF-STREET PARKING SPACE/S ABOVE THE**
37 **PARKING REQUIREMENTS.**

38 10. SAFETY REQUIREMENTS. EACH SHORT-TERM RENTAL SHALL BE
39 EQUIPPED WITH ~~AN~~ OPERATIONAL SMOKE DETECTORS, CARBON

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MONOXIDE DETECTORS, AND FIRE EXTINGUISHERS 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 UP TO DATE 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, AND AS SUBSEQUENTLY AS DETERMINED BY CITY COUNCIL THROUGH ADOPTION OF THE CITY'S FEE SCHEDULE, WHICH MAY BE AMENDED FROM TIME TO TIME.

4. THE APPLICANT MUST PROVIDE PROOF THAT INDICATES THEY ARE THE FEE OWNER OF RECORD OF THE SUBJECT PROPERTY AND MUST BE A RESIDENT OF THE CITY OF LITTLETON OR HAVE A REGISTERED BUSINESS ADDRESS IN THE CITY OF LITTLETON. AN APPLICANT SHALL BE LIMITED TO ONE SHORT TERM RENTAL LICENSE FOR A

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DWELLING UNIT WITHIN THE CITY.

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 UP TO DATE 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. A PRIMARY CONTACT MUST BE LOCATED WITHIN TWENTY (20) MILES OF THE PROPERTY'S ADDRESS.

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. **A LICENSE SHALL BE REVOKED IN THE SAME MANNER AS A BUSINESS LICENSE UNDER CHAPTER 3 OF THIS CODE.**

Section 6: Section 2-1 of Chapter 9 of Title 3 of the City Code is hereby amended as follows:

SECTION 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 ~~city 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 thereforE, 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) FOR THOSE BUSINESS, SALES AND USE TAX LICENSES ISSUED FOR THE FOLLOWING ITEMS UNDER THIS SECTION, SUCH LICENSES SHALL BE ISSUED OF A ONE YEAR CALENDAR PERIOD BEGINNING ON JANUARY 1 OF EACH YEAR, 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)

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DOLLARS SHALL BE CHARGED:

1. SHORT TERM RENTALS AS DEFINED IN CHAPTER 10 OF THE CODE.

Section 7: Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, including each part, section, subsection, sentence, clause or phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases may be declared invalid.

Section 8: Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council of the City of Littleton on the ____ day of _____, 2018, passed on first reading by a vote of ____ FOR and ____ AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

PUBLIC HEARING on the Ordinance to take place on the ____ day of _____, 2018, in the Council Chambers, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

PASSED on second and final reading, following public hearing, by a vote of ____ FOR and ____ AGAINST on the ____ day of _____, 2018 and ordered published by posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

ATTEST:

Wendy Heffner
CITY CLERK

Debbie Brinkman
MAYOR

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1
2 APPROVED AS TO FORM:
3
4
5 _____
6 Stephen Kemp
7 CITY ATTORNEY
8