

1 CITY OF LITTLETON, COLORADO

2  
3 ORDINANCE NO. 54

4  
5 Series, 2018

6  
7 INTRODUCED BY COUNCILMEMBERS: VALDES AND SCHLACHTER

8  
9 AN ORDINANCE OF THE CITY OF LITTLETON,  
10 COLORADO, AMENDING TITLE 10, CHAPTERS 1, 3 AND  
11 4 OF THE ZONING CODE INCLUDING ASSOCIATED  
12 DEFINITIONS, LAND USES AND BUSINESS LICENSE  
13 REQUIREMENTS, AND ESTABLISHING NEW  
14 REGULATIONS FOR SHORT-TERM RENTALS  
15

16  
17 WHEREAS, the planning commission on October 8, 2018, held a public hearing  
18 and voted to recommend approval of an ordinance amending the definitions of lodging uses and  
19 other associated definitions in Section 10-2-1 of Littleton Zoning Code for short-term rentals,  
20 and establishing new regulations for short-term rentals, now Section 10-4-18; and  
21

22 WHEREAS, the Littleton Zoning Code does not adequately address the topic of  
23 regulating short-term rentals in the city's residential neighborhoods and city council directed staff  
24 to draft regulations; and  
25

26 WHEREAS, there was a moratorium in place until January 14, 2019, for the city  
27 to not issue any more business licenses for short-term rentals in Littleton; and  
28

29 WHEREAS, the city council finds that the proposed amendments to the city code  
30 are in the best interest of the city and will promote the public health, safety, and welfare of its  
31 inhabitants.  
32

33 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF  
34 THE CITY OF LITTLETON, COLORADO, THAT:  
35

36 Section 1: Section 2 of Chapter 1 of Title 10 of the City Code is hereby amended to  
37 delete the existing and add correct definitions for rental uses as follows:  
38

39 BED AND BREAKFAST: AN OWNER OCCUPIED, SINGLE FAMILY DETACHED HOME  
40 HAVING FROM ONE TO NOT MORE THAN SIX (6) GUESTROOMS, AND PROVIDES  
41 BREAKFASTS TO GUESTS.  
42

43 DWELLING UNIT: ~~One (1) or more rooms connected together but structurally divided from~~  
44 ~~other structures or from all other rooms in the same structure and providing residence for a~~  
45 ~~family living together as a single housekeeping unit. No such dwelling unit shall be occupied by~~  
46 ~~more than one (1) unrelated individual over the age of twelve (12) years who is required to~~  
47 ~~register as a sex offender under the provisions of Colorado Revised Statutes section 18-3-412.5,~~  
48 ~~as amended. Provided however, that this section shall not require a resident to leave the home~~  
49 ~~upon becoming twelve (12) years of age.~~ ONE (1) OR MORE HABITABLE ROOMS

1 CONSTITUTING A UNIT FOR RESIDENTIAL OCCUPANCY, WITH FACILITIES FOR  
2 EATING, SLEEPING, BATHING, THAT OCCUPIES A STRUCTURE OR A PORTION OF A  
3 STRUCTURE. NO SUCH DWELLING UNIT SHALL BE OCCUPIED BY MORE THAN  
4 ONE (1) UNRELATED INDIVIDUAL EIGHTEEN (18) YEARS OF AGE OR OLDER WHO  
5 IS REQUIRED TO REGISTER AS A SEX OFFENDER UNDER THE PROVISIONS OF THE  
6 COLORADO REVISED STATUTES SECTION 18-3-412.5, AS AMENDED. PROVIDED,  
7 HOWEVER, THAT THIS SECTION SHALL NOT REQUIRE A RESIDENT TO LEAVE THE  
8 HOME UPON BECOMING EIGHTEEN (18) YEARS OF AGE.

9  
10 DWELLING, MULTIPLE-FAMILY: Any building structurally divided into two (2) or more  
11 separate dwelling units ~~including rooming/boarding houses and tourist homes. No such dwelling~~  
12 ~~unit shall be occupied by more than one (1) unrelated individual over the age of twelve (12)~~  
13 ~~years who is required to register as a sex offender under the provisions of Colorado Revised~~  
14 ~~Statutes section 18-3-412.5, as amended. Provided however, that this section shall not require a~~  
15 ~~resident to leave the home upon becoming twelve (12) years of age, nor shall this section apply~~  
16 ~~to any child required to register as a sex offender under said statute who is placed pursuant to~~  
17 ~~section 19-3-103(51.3), Colorado Revised Statutes in a foster care home certified or licensed~~  
18 ~~pursuant to article 6 of title 26, Colorado revised Statutes.~~ NO SUCH DWELLING UNIT  
19 SHALL BE OCCUPIED BY MORE THAN ONE (1) UNRELATED INDIVIDUAL  
20 EIGHTEEN (18) YEARS OF AGE OR OLDER WHO IS REQUIRED TO REGISTER AS A  
21 SEX OFFENDER UNDER THE PROVISIONS OF THE COLORADO REVISED STATUTES  
22 SECTION 18-3-412.5, AS AMENDED. PROVIDED, HOWEVER, THAT THIS SECTION  
23 SHALL NOT REQUIRE A RESIDENT TO LEAVE THE HOME UPON BECOMING  
24 EIGHTEEN (18) YEARS OF AGE.

25  
26  
27 FAMILY: IS DEFINED AS:

- 28  
29 (A) AN INDIVIDUAL LIVING ALONE; OR  
30  
31 (B) ANY NUMBER OF INDIVIDUALS, WHO ARE RELATED BY BLOOD,  
32 MARRIAGE, OR LEGAL ADOPTION, INCLUDING FOSTER CHILDREN;  
33 AND IMMEDIATE FAMILY AS DEFINED IN SUBSECTION E; OR  
34  
35 (C) ANY UNRELATED GROUP OF INDIVIDUALS LIVING TOGETHER AS A  
36 SINGLE HOUSEKEEPING UNIT UP TO A MAXIMUM OCCUPANCY AS  
37 OUTLINED IN THE CITY'S ADOPTED BUILDING CODE AND WITH NO  
38 MORE THAN A TOTAL OF FIVE UNRELATED PERSONS; OR  
39  
40 (D) NO MORE THAN TWO UNRELATED INDIVIDUALS AND THEIR  
41 RELATED CHILDREN AND/OR PARENTS; OR  
42  
43 (E) FAMILY SHALL NOT INCLUDE MORE THAN ONE INDIVIDUAL WHO IS  
44 REQUIRED TO REGISTER AS A SEX OFFENDER PURSUANT TO  
45 SECTION 18-3-412.5 COLORADO REVISED STATUTES. THIS SECTION  
46 SHALL NOT APPLY TO A REGISTERED SEX OFFENDER WHO IS LIVING  
47 WITH HIS IMMEDIATE FAMILY, FOR PURPOSES OF THIS SECTION,  
48 IMMEDIATE FAMILY IS DEFINED AS A PERSON, THE PERSON'S  
49 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) A HOTEL IS CHARACTERIZED BY AND MAY PROVIDE SOME OF THE FOLLOWING AMENITIES:

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

(B) AN EXTENDED STAY HOTEL IS CHARACTERIZED BY ONE OR MORE OF THE FOLLOWING:

1. PROVIDE LARGER ROOMS (GREATER THAN 400 SQUARE FEET) WITH A LIVING SPACE SEPARATE FROM THE BEDROOM.
2. EXTENDED STAY HOTELS SHALL PROVIDE 75 PERCENT OF ALL SUITES WITH PULLMAN KITCHENS (PULLMAN KITCHENS MAY CONTAIN SOME OR ALL OF THE FOLLOWING: SINK, BUILT-IN COOKTOP OR STOVE, MICROWAVE OVEN AND REFRIGERATOR).
3. NINETY PERCENT OF ALL ROOMS WITHIN THIS CATEGORY SHALL BE AVAILABLE TO GUESTS STAYING 90 DAYS OR LESS.
4. THIS TYPE OF FACILITY SHALL PROVIDE A HOSPITALITY LOUNGE AND/OR MEETING ROOMS AND MAY PROVIDE LIMITED RETAIL SPACE FOR NEWSSTANDS, GIFT SHOPS, AND BUSINESS SERVICE CENTER.
5. EXTENDED STAY HOTELS MAY ALSO PROVIDE A RESTAURANT/CAFÉ OR FOOD SERVICE.

1                   6.       A FULLY EQUIPPED FITNESS CENTER FOR GUESTS.  
2

3 LOCAL CONTACT: A PROPERTY OWNER'S REPRESENTATIVE WHO RESIDES  
4 WITHIN TEN MILES OF THE SUBJECT PROPERTY. A LOCAL CONTACT MAY BE  
5 LOCATED OUTSIDE OF THE BOUNDARIES OF THE CITY OF LITTLETON.  
6

7 MOTEL: A BUILDING OR GROUP OF BUILDINGS IN WHICH OVERNIGHT LODGING  
8 IS OFFERED TO THE PUBLIC FOR COMPENSATION, WHETHER DETACHED OR  
9 CONNECTED, OF ONE OR MORE STORIES WITH ROOMS THAT OPEN TO AN OPEN  
10 OR ENCLOSED EXTERIOR WALKWAY ACCESS THAT IS NOT CONSIDERED AS AN  
11 INTERIOR BUILDING CORRIDOR. A GUEST SHALL AT ALL TIMES BE PROHIBITED  
12 FROM USING A MOTEL ROOM AS A PRIMARY PERMANENT RESIDENCE. A MOTEL  
13 MUST MEET ALL OF THE FOLLOWING:  
14

- 15           (A) NO MORE THAN TEN PERCENT OF THE GUESTS RESIDE FOR A  
16 PERIOD OF MORE THAN 30 DAYS; AND  
17           (B) A MOTEL SHALL AT ALL TIMES OPERATE ONLY AS A MOTEL AND IN  
18 NO EVENT SHALL IT BE USED AS A MULTIPLE FAMILY DWELLING  
19 UNIT OR ANY OTHER FORM OF PERMANENT RESIDENCE.  
20

21 ~~ROOMING/BOARDING HOUSE: A residential structure containing a single dwelling unit and~~  
22 ~~two (2) or more guest rooms where lodging is provided, with or without meals, for~~  
23 ~~compensation. Includes rooming/boarding as a permitted use, as an accessory use, and as a~~  
24 ~~tourist home as provided in section 10-3-2 of this title.~~  
25

26 ROOMING FACILITY AND/OR BOARDING HOUSE: A SINGLE DETACHED  
27 DWELLING UNIT IN WHICH THE OWNER RENTS INDIVIDUAL ROOMS AND THE  
28 INDIVIDUAL ROOMS DO NOT HAVE INDIVIDUAL COOKING/RESTROOM  
29 FACILITIES. THE OWNER RESIDES ON THE PREMISE. THE UNIT IS DESIGNED TO  
30 SERVE AS THE RESIDENCE OF INDIVIDUALS SUBJECT TO THE FOLLOWING:  
31

- 32           (A) ROOMS MAY BE RENTED ON A MONTHLY BASIS.  
33           (B) THE ROOMS ARE GENERALLY FURNISHED BY THE OWNER.  
34           (C) COMMUNAL COOKING AND RESTROOM FACILITIES ARE PROVIDED.  
35           (D) OWNER PROVIDES SOME HOUSEKEEPING AND LINEN SERVICES.  
36           (E) THE RELATIONSHIP BETWEEN OWNER AND RESIDENT IS THAT OF A  
37 LANDLORD/TENANT WITH REFERENCES AND DEPOSITS REQUIRED  
38 OF THE RESIDENT.  
39           (F) ROOMS RENTED FOR A PERIOD OF LESS THAN ONE MONTH SHALL  
40 BE DEEMED A SHORT-TERM RENTAL.  
41

42 SHORT-TERM RENTAL: A RENTAL OF A DWELLING UNIT OR PORTION THEREOF  
43 CHARACTERIZED BY ONE OR MORE OF THE FOLLOWING:  
44

- 45           (A) THE RENTAL IS MARKETING ON-LINE AND MAY BE OFFERED  
46 THROUGH A THIRD PARTY ENTITY (SUCH AS AIRBNB AND/OR TRIP  
47 ADVISOR AND SIMILAR ON-LINE ENTITIES).  
48           (B) THE RENTER HAS EXCLUSIVE USE OF THE PORTION OF THE  
49 PREMISES RENTED.

- 1 (C) DEPOSITS AND FEES MAY BE PAID IN ADVANCE AND MAY BE NON-  
2 REFUNDABLE.  
3 (D) GENERALLY RENTED FOR A PERIOD OF LESS THAN THIRTY-ONE  
4 CONSECUTIVE DAYS.  
5 (E) THIS DEFINITION DOES NOT INCLUDE HOTELS OR MOTELS.  
6

7 **Section 2:** Section 1(A) of Chapter 3 of Title 10 of the City Code is hereby  
8 amended by adding an additional symbol of "ST" which is "Permitted pursuant to section 10-4-  
9 18 of this title."  
10

11 **Section 3:** Section 1(A) of Chapter 3 of Title 10 of the City Code is hereby  
12 amended by renaming subcategory 3.60 to "LODGING SERVICES," renaming subcategory 3.61  
13 to "ROOMING FACILITY/BOARDING HOUSE," renaming subcategory 3.62 to "HOTEL,"  
14 renaming subcategory 3.63 to "MOTEL."  
15

16 **Section 4:** The addition of subcategory 3.67 will be named "BED AND  
17 BREAKFAST" and be a permitted use (P) in zone district R-5, T and CA. The addition of  
18 subcategory 3.68 will be named "SHORT-TERM RENTALS" and be permitted pursuant to  
19 section 10-4-18 of this title (ST) IN ALL RESIDENTIAL ZONING DISTRICTS, AND ANY  
20 OTHER DISTRICT, INCLUDING PLANNED DEVELOPMENT DISTRICTS THAT PERMIT  
21 RESIDENTIAL USES.  
22

23 **Section 5:** Chapter 4 of Title 10 of the City Code is hereby amended by the  
24 addition of a new Section 18 as follows:  
25

26 SECTION 10-4-18: SHORT-TERM RENTALS:  
27

28 (A) UPON ISSUANCE OF A LICENSE FOR A SHORT-TERM RENTAL, ALL  
29 ADJACENT PROPERTY OWNERS SHALL BE PROVIDE WITH THE OWNER, LOCAL  
30 CONTACT AND CONTRACTOR MONITORING INFORMATION BY THE LICENSEE  
31 WHO SHALL CERTIFY TO THE COMMUNITY DEVELOPMENT DEPARTMENT THAT  
32 SUCH INFORMATION HAS BEEN PROVIDED.  
33

34 (B) SHORT-TERM RENTALS, AS DEFINED IN SECTION 10-1-2, ARE PERMITTED IN  
35 ALL RESIDENTIAL ZONING DISTRICTS AND OTHER NON-RESIDENTIAL ZONING  
36 DISTRICTS THAT ALLOW RESIDENTIAL USES. SHORT-TERM RENTALS SHALL BE  
37 DEEMED PERMITTED RESIDENTIAL USES IN THE PLANNED DEVELOPMENT  
38 DISTRICTS UNLESS SUCH PLANNED DEVELOPMENT DISTRICT LISTING OF  
39 ACCEPTABLE USES PROHIBITS SHORT-TERM RENTALS. SHORT-TERM RENTALS  
40 SHALL COMPLY WITH THE FOLLOWING REGULATIONS:  
41

- 42 1. OPERATOR'S LICENSE. EACH PROPERTY OWNER OPERATING A  
43 SHORT-TERM RENTAL SHALL OBTAIN A SHORT-TERM RENTAL  
44 OPERATOR'S LICENSE FROM THE COMMUNITY DEVELOPMENT  
45 DEPARTMENT. OPERATOR'S LICENSES ARE NOT TRANSFERABLE  
46 AND EXPIRE UPON CHANGE IN OWNERSHIP OF THE SUBJECT  
47 PROPERTY. OPERATOR'S LICENSES ARE PERSONAL AND DO NOT  
48 RUN WITH THE LAND  
49

1 2. OWNERSHIP. THE APPLICANT MUST PROVIDE PROOF THAT THEY  
2 ARE:

- 3  
4 A. THE FEE OWNER OF RECORD OF THE SUBJECT PROPERTY;  
5 AND  
6 B. MUST BE A RESIDENT OF THE CITY OF LITTLETON OR HAVE A  
7 REGISTERED CURRENT BUSINESS ADDRESS IN THE CITY OF  
8 LITTLETON; AND  
9 C. HAVE A VALID SALES AND TAX USE LICENSE IN THE CITY OF  
10 LITTLETON.

11  
12 AN APPLICANT SHALL BE LIMITED TO ONE SHORT-TERM RENTAL  
13 LICENSE FOR ONE DWELLING UNIT WITHIN THE CITY. THE  
14 APPLICANT FOR THE LICENSE SHALL SIGN THE LICENSE  
15 APPLICATION. SIGNATURE OF AN AGENT OR REPRESENTATIVE OF  
16 THE APPLICANT IS NOT PERMITTED FOR A SHORT-TERM RENTAL  
17 LICENSE.

18  
19 3. PRIMARY RESIDENCE. A LICENSE SHALL PROVIDE PROOF OF  
20 PRIMARY RESIDENCE AND MUST PHYSICALLY RESIDE AT THE  
21 PRIMARY RESIDENCE FOR NOT LESS THAN EIGHT MONTHS OF EACH  
22 LICENSING PERIOD. TWO ACCEPTABLE FORMS OF PROOF MUST BE  
23 PROVIDED WHICH MAY INCLUDE:

- 24  
25 A. VOTER REGISTRATION SHOWING THE ADDRESS AS THE  
26 ADDRESS FOR VOTING IN FEDERAL, STATE AND LOCAL  
27 ELECTIONS;  
28 B. CAR REGISTRATION, SHOWING THE ADDRESS AS THE  
29 ADDRESS FOR WHICH MOTOR VEHICLES ARE REGISTERED;  
30 C. DRIVER'S LICENSE SHOWING THE ADDRESS AS THE PLACE OF  
31 RESIDENCE;  
32 D. FEDERAL OR STATE INCOME TAX RETURNS SHOWING THE  
33 ADDRESS AS THE PLACE OF RESIDENCE OR A COUNTY  
34 PROPERTY TAX BILL SHOWING THE PROPERTY ADDRESS AS  
35 OWNER OCCUPIED;  
36 E. FEDERAL GOVERNMENT ISSUED DOCUMENT OR STATE  
37 IDENTIFICATION DOCUMENT SHOWING THE ADDRESS AS THE  
38 PLACE OF RESIDENCE;  
39 F. A BILL CONTAINING THE ADDRESS AND ISSUED BY A PUBLIC  
40 UTILITY, PRIVATE UTILITY, CABLE COMMUNICATIONS  
41 PROVIDER OR TELECOMMUNICATIONS PROVIDER.

42  
43 FOR THOSE SHORT-TERM RENTAL LICENSEES WHO HELD A VALID  
44 SALES TAX AND USE LICENSE AS OF JULY 16, 2018, SUCH LICENSEES  
45 SHALL NOT HAVE TO MEET THE PROVISIONS OF THIS SUBSECTION 3  
46 UNTIL JANUARY 1, 2021

47  
48 4. PERMITTED STRUCTURES. PRIMARY AND ACCESSORY STRUCTURES  
49 MAY BE ALLOWED AS PROVIDED BY SECTION 10-4-4 OF THIS CODE.

1 ALL STRUCTURES SHALL COMPLY WITH THE REGULATIONS FOR  
2 PRIMARY AND ACCESSORY STRUCTURES, INCLUDING MAXIMUM  
3 SIZE, HEIGHT, LOT, COVERAGE, AND SETBACKS, FOR THE  
4 PROPERTY'S ZONE DISTRICT.  
5

- 6 5. NUMBER OF SHORT-TERM RENTALS PER PROPERTY. IF A LOT  
7 CONTAINS MORE THAN ONE LEGAL DWELLING UNIT, INCLUDING  
8 ACCESSORY DWELLING UNITS, ONLY ONE DWELLING UNIT ON SUCH  
9 LOT IS ELIGIBLE FOR AN OPERATOR'S LICENSE FOR A SHORT-TERM  
10 RENTAL UNDER THIS CHAPTER. ALL APPLICABLE ZONING  
11 REGULATIONS REGARDING DENSITY MUST BE MET IN ORDER TO  
12 ALLOW A SHORT-TERM RENTAL TO OPERATE.  
13
- 14 6. THE OWNER SHALL DISPLAY A COPY OF THE OPERATOR'S LICENSE  
15 IN A PROMINENT PLACE INSIDE THE PREMISES AND INDICATE THE  
16 LICENSE NUMBER ON ANY ADVERTISING OR OTHER  
17 ANNOUNCEMENTS OF THE SHORT-TERM RENTAL. THE OWNER  
18 SHALL PROVIDE CONTACT INFORMATION FOR THE OWNER AND/OR  
19 THEIR AGENT AND THEIR DESIGNATED LOCAL CONTACT IN  
20 WRITING AND POST IN A PROMINENT PLACE INSIDE THE PREMISES.  
21
- 22 7. THE OPERATOR OF A SHORT-TERM RENTAL SHALL PROVIDE THE  
23 CONTACT INFORMATION FOR THE OWNER AND/OR THEIR AGENT  
24 AND THEIR DESIGNATED LOCAL CONTACT IN WRITING TO EACH  
25 NEIGHBOR ADJACENT TO THE PROPERTY. PUBLIC RIGHT OF WAY  
26 SHALL BE EXCLUDED.  
27
- 28 8. SALES AND USE TAX LICENSE REQUIRED. IT SHALL BE UNLAWFUL  
29 TO OPERATE A SHORT-TERM RENTAL WITHOUT HAVING FIRST  
30 OBTAINED AND MAINTAINING IN GOOD STANDING A VALID CITY OF  
31 LITTLETON SALES AND USE TAX LICENSE FOR THE PROPERTY OR  
32 DWELLING UNIT TO BE UTILIZED AS A SHORT-TERM RENTAL.  
33
- 34 9. OCCUPANCY. THE OCCUPANCY OF A SHORT-TERM RENTAL SHALL  
35 NOT EXCEED A MAXIMUM OF 200 SQUARE FEET PER OCCUPANT  
36 DIVIDED BY THE TOTAL AMOUNT OF LIVABLE SQUARE FEET OF  
37 THE RENTAL BASED ON THE DEFINITION OF LIVABLE SPACE AS SET  
38 FORTH IN THE INTERNATIONAL RESIDENTIAL CODES ADOPTED BY  
39 THE CITY. FOR ANY SHORT-TERM RENTAL CONTAINING UP TO 2000  
40 SQUARE FEET OF LIVABLE SPACE AS DEFINED BY THE  
41 INTERNATIONAL BUILDING CODE, THE MAXIMUM OCCUPANCY  
42 SHALL BE A FAMILY AND/OR NO MORE THAN FIVE UNRELATED  
43 PERSONS. FOR ANY SHORT-TERM RENTAL CONTAINING MORE  
44 THAN 2000 SQUARE FEET OF LIVABLE SPACE AS DEFINED BY THE  
45 INTERNATIONAL BUILDING CODE, THE MAXIMUM OCCUPANCY  
46 SHALL BE A FAMILY AND/OR NO MORE THAN SEVEN UNRELATED  
47 PERSONS. THE SHORT-TERM RENTAL SHALL BE SUBJECT TO THE  
48 MOST RESTRICTIVE MAXIMUM OCCUPANCY LIMITS THAT ARE  
49 APPLICABLE REQUIREMENTS OF THE ZONE DISTRICT, BUILDING

1 CODE OR ANY OTHER CITY CODE APPLICABLE TO THE SUBJECT  
2 PREMISES. CONVERSIONS OF NON-LIVABLE SPACE SUCH AS  
3 GARAGES OR BASEMENTS SHALL NOT COUNT AS LIVABLE SQUARE  
4 FEET UNLESS SUCH SPACES MEET ALL REQUIREMENTS OF THE  
5 INTERNATIONAL BUILDING CODE ADOPTED BY THE CITY.  
6

7 10 RECREATIONAL VEHICLES, WHICH INCLUDES ALL VEHICLES  
8 HAVING A VEHICLE IDENTIFICATION NUMBER, ARE NOT ELIGIBLE  
9 FOR A SHORT-TERM RENTAL LICENSE  
10

11 11. PARKING REQUIREMENTS. PARKING REQUIREMENTS FOR THE  
12 PROPERTY SHALL MEET THE NUMBER OF OFF-STREET PARKING  
13 SPACES AS WOULD OTHERWISE BE REQUIRED TO SERVE  
14 RESIDENTIAL USES FOR THE SPECIFIC AREA OF THE CITY IN WHICH  
15 THE LICENSED PREMISES IS LOCATED, AS SET FORTH IN SECTION 10-  
16 4-9 OF THIS CODE. NOTWITHSTANDING ANY OTHER PROVISION OF  
17 THIS CODE, NON-CONFORMING PROPERTIES SHALL BE REQUIRED TO  
18 COME INTO COMPLIANCE WITH THE PARKING REQUIREMENTS. THE  
19 LOCATION OF REQUIRED OFF-STREET PARKING SHALL BE  
20 IDENTIFIED IN THE LICENSE APPLICATION. A PROPERTY MAY NOT  
21 PAVE ADDITIONAL PARKING SPACES AND REMOVE LANDSCAPING  
22 TO ACCOMMODATE OFF-STREET PARKING SPACES ABOVE THE  
23 PARKING REQUIREMENTS. IF THERE IS A CHANGE IN USE OF A  
24 PROPERTY FROM COMMERCIAL FLOOR SPACE TO RESIDENTIAL  
25 FLOOR SPACE, THEN PARKING REQUIREMENTS SHALL BE  
26 CALCULATED BASED ON THE CHANGE IN FLOOR SPACE AND  
27 APPLIED ACCORDINGLY  
28

29 12. SAFETY REQUIREMENTS.  
30

31 A. EACH SHORT-TERM RENTAL SHALL BE EQUIPPED WITH  
32 OPERATIONAL SMOKE DETECTORS, CARBON MONOXIDE  
33 DETECTORS, AND FIRE EXTINGUISHERS ON THE LICENSED  
34 PREMISES DURING EACH SHORT-TERM RENTAL OCCUPANCY.  
35 IT SHALL BE UNLAWFUL TO OPERATE A SHORT-TERM RENTAL  
36 WITHOUT A SMOKE DETECTOR, CARBON MONOXIDE  
37 DETECTOR OR FIRE EXTINGUISHER.  
38

39 B. EACH SHORT-TERM RENTAL SHALL COMPLY WITH THE CITY'S  
40 ADOPTED BUILDING CODES AS SET FORTH IN SECTION 4-1-1  
41 OF THIS CODE.  
42

43 C. THE COMMUNITY DEVELOPMENT DIRECTOR OR HIS/HER  
44 DESIGNEE MAY INSPECT THE DWELLING UNIT PROPOSED TO  
45 BE LICENSED FOR THE PURPOSE OF VERIFYING COMPLIANCE  
46 WITH SUCH REQUIREMENTS. REFUSAL BY THE APPLICANT TO  
47 ALLOW SUCH INSPECTION SHALL BE GROUNDS FOR DENIAL,  
48 NONRENEWAL OR REVOCATION OF AN OPERATOR'S LICENSE.  
49



13. INSURANCE. THE LICENSEE MUST MAINTAIN UP TO DATE FIRE, HAZARD AND LIABILITY INSURANCE WHICH INCLUDES COVERAGE FOR THE SHORT-TERM RENTAL.
  14. 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 RESCUE FIRE PROTECTION DISTRICT AND ALL CITY OF LITTLETON CODES.
  15. 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.
- (C) CODES, COVENANTS AND RESTRICTIONS. NOTHING CONTAINED IN THIS SECTION SHALL BE CONSTRUED AS OVERRULING ANY PROPERTY RECORDED CODES, COVENANTS AND RESTRICTIONS THAT A DECLARANT MAY HAVE ESTABLISHED AND RECORDED AND WHICH PROHIBIT SHORT - TERM RENTALS WITHIN THE SUBJECT PROPERTY.
- (D) 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. THE LICENSE MAY BE ISSUED FOR A PRO-RATA PERIOD.
  2. ANY PROPERTY CURRENTLY LICENSED WITH A SALES TAX AND USE LICENSE ISSUED BY THE CITY AND OPERATED AS A SHORT-TERM RENTAL SHALL OBTAIN AN OPERATOR'S LICENSE PRIOR TO JANUARY 1, 2021.
  3. THE ANNUAL FEE FOR THE SHORT-TERM RENTAL OPERATOR'S LICENSE SHALL BE \$150.00 AND AS SUBSEQUENTLY DETERMINED BY CITY COUNCIL THROUGH ADOPTION OF THE CITY'S FEE SCHEDULE, WHICH MAY BE AMENDED FROM TIME TO TIME. SUCH FEE IS TO COVER THE CITY'S COST IN ISSUING AND MONITORING LICENSES AND SHALL NOT BE A TAX.
  4. THE APPLICANT MUST PROVIDE PROOF THAT INDICATES THEY ARE THE FEE OWNER OF RECORD OF THE SUBJECT PROPERTY AND IT MUST BE THEIR PRIMARY RESIDENCE. AN APPLICANT SHALL BE LIMITED TO ONE SHORT-TERM RENTAL LICENSE FOR ONE DWELLING UNIT WITHIN THE CITY.
  5. A SITE PLAN OF THE PROPERTY MUST BE SUBMITTED TO THE CITY

1 TO PROVIDE DETAILED INFORMATION AS OUTLINED IN SECTION 10-  
2 4-18.

3  
4 6. A COPY OF THE PROPERTY'S UP TO DATE FIRE, HAZARD AND  
5 LIABILITY INSURANCE SHALL BE PROVIDED TO THE CITY AS  
6 EVIDENCED BY A DECLARATION PAGE OR A POLICY SPECIFICALLY  
7 COVERING SHORT-TERM RENTALS.

8  
9 7. A PRIMARY LOCAL CONTACT FOR THE PROPERTY MUST BE  
10 PROVIDED TOGETHER WITH TELEPHONE NUMBERS, E-MAIL AND  
11 SUCH OTHER INFORMATION AS DETERMINED TO BE RELEVANT BY  
12 THE COMMUNITY DEVELOPMENT DEPARTMENT. SUCH CONTACT  
13 MUST BE AVAILABLE 24 HOURS/7 DAYS A WEEK. A PRIMARY  
14 CONTACT MUST BE LOCATED WITHIN TEN (10) MILES OF THE  
15 PROPERTY'S ADDRESS. THE INFORMATION PERTAINING TO  
16 PRIMARY CONTACT SHALL BE A PUBLIC RECORD SUBJECT TO  
17 DISCLOSURE.

18  
19 8. PAYMENT IN FULL OF ANY OUTSTANDING CIVIL PENALTY OR SALES  
20 TAX LIABILITY OWED TO THE CITY.

21  
22 9. COMPLIANCE WITH THE SUBMISSION, MONITORING AND ANY  
23 OTHER REQUIREMENTS OF A CONTRACTOR OF THE CITY WHO IS  
24 OPERATING A SHORT-TERM RENTAL MONITORING AND  
25 COMPLIANCE PROGRAM ON BEHALF OF THE CITY.

26  
27  
28 (E) TERMINATION. SHORT-TERM RENTAL OPERATOR'S LICENSES ARE  
29 PERSONAL TO THE APPLICANT AND DO NOT RUN WITH THE LAND.  
30 NOTHING IN THIS CODE SHALL BE CONSTRUED TO CREATE A NON-  
31 CONFORMING USE UNDER THIS CODE FOR A SHORT-TERM RENTAL.

32  
33 (F) VIOLATIONS.

34  
35 1. UPON DETERMINATION OF THE COMMUNITY DEVELOPMENT  
36 DIRECTOR THAT A LICENSEE HAS VIOLATED A REQUIREMENT OF  
37 THIS CHAPTER PERTAINING TO SHORT-TERM RENTALS WITHIN THE  
38 PRIOR THREE YEARS, THE COMMUNITY DEVELOPMENT DIRECTOR  
39 SHALL PROVIDE WRITTEN NOTICE OF THE IMPOSITION OF A CIVIL  
40 PENALTY FOR THE FIRST OFFENSE DURING THE LICENSE PERIOD OF  
41 TWO HUNDRED AND FIFTY (\$250.00) DOLLARS. THE CIVIL PENALTY  
42 SHALL BE PAID TO THE CITY PRIOR TO THE RENEWAL OF ANY  
43 BUSINESS LICENSE OR SHORT-TERM RENTAL OPERATOR'S LICENSE.  
44 AFTER THIRTY CALENDAR (30) DAYS, SUCH CIVIL PENALTIES SHALL  
45 BE SUBJECT TO INTEREST AT A RATE ESTABLISHED FOR UNPAID  
46 SALES TAXES.

47  
48 2. UPON DETERMINATION OF THE COMMUNITY DEVELOPMENT  
49 DIRECTOR THAT A LICENSEE HAS VIOLATED A REQUIREMENT OF

THIS CHAPTER PERTAINING TO SHORT-TERM RENTALS AND HAVING DETERMINED THAT THE LICENSEE HAS HAD ONE OR MORE PRIOR VIOLATIONS DURING THE PRIOR THREE YEARS, THE COMMUNITY DEVELOPMENT DIRECTOR SHALL PROVIDE WRITTEN NOTICE OF THE IMPOSITION OF A CIVIL PENALTY FOR THE SECOND AND EACH SUBSEQUENT OFFENSE DURING THE THREE YEAR PERIOD FOLLOWING THE SECOND VIOLATION OF FIVE HUNDRED (\$500.00) DOLLARS. THE CIVIL PENALTY SHALL BE PAID TO THE CITY PRIOR TO THE RENEWAL OF ANY BUSINESS LICENSE OR SHORT-TERM RENTAL OPERATOR'S LICENSE. AFTER THIRTY CALENDAR (30) DAYS, SUCH CIVIL PENALTIES SHALL BE SUBJECT TO INTEREST AT THE RATE ESTABLISHED FOR UNPAID SALES TAXES. NOTHING IN THIS SUBSECTION SHALL PRECLUDE REVOCATION OF AN OPERATOR'S LICENSE FOR A SECOND OR SUBSEQUENT VIOLATION.

3. FAILURE TO COMPLY WITH ANY OF THE REQUIREMENTS OF THIS SECTION, OR ANY OTHER ZONING, BUILDING OR CITY CODE APPLICABLE TO THE SUBJECT PREMISES OR THE FAILURE TO PAY ANY CIVIL PENALTIES IMPOSED UNDER THIS CHAPTER SHALL BE GROUNDS FOR DENIAL, NONRENEWAL OR REVOCATION OF A SHORT-TERM RENTAL OPERATOR'S LICENSE. A SHORT-TERM RENTAL OPERATOR'S LICENSE SHALL BE REVOKED IN THE SAME MANNER AS A BUSINESS LICENSE UNDER CHAPTER 3 OF THIS CODE.
4. A SHORT-TERM RENTAL OPERATOR LICENSEE MAY APPEAL THE IMPOSITION OF A CIVIL PENALTY OR THE REVOCATION OF A LICENSE BY FILING A NOTICE OF APPEAL WITH THE FINANCE DIRECTOR WITHIN FOURTEEN CALENDAR DAYS OF THE IMPOSITION OF THE PENALTY OR REVOCATION OF THE LICENSE. THE FINANCE DIRECTOR OR A HEARING OFFICER APPOINTED BY THE FINANCE DIRECTOR SHALL HEAR THE APPEAL. IF THE FINANCE DIRECTOR OR HEARING OFFICE FINDS BY A PREPONDERANCE OF THE EVIDENCE THAT A VIOLATION WARRANTING IMPOSITION OF A CIVIL PENALTY HAS OCCURRED OR A VIOLATION WARRANTS REVOCATION OF LICENSE, THE ACTION OF THE COMMUNITY DEVELOPMENT DIRECTOR SHALL BE UPHELD. ANY FURTHER APPEAL SHALL BE PURSUANT TO COLORADO RULES OF CIVIL PROCEDURE RULE 106(a)(4).
5. THE CITY ATTORNEY MAY FILE AN ACTION IN A COURT OF COMPETENT JURISDICTION TO COLLECT ANY UNPAID CIVIL PENALTIES AND INTEREST.

(G) UNLAWFUL ACTS. NOTWITHSTANDING SUBSECTION F OF THIS SECTION, VIOLATIONS OF THIS TITLE SHALL BE A MISDEMEANOR UNDER THE JURISDICTION OF THE MUNICIPAL COURT.

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

1  
2 **SECTION 3-9-2-1: LICENSE REQUIRED:**  
3

4 (A) It shall be unlawful for any person to engage in the business of selling at retail, as the  
5 same is defined in this chapter, without first having obtained a license therefor, which license  
6 shall be applied for on a form prepared by the ~~city treasurer~~ FINANCE DIRECTOR. EXCEPT  
7 FOR THOSE LICENSES IN SUBSECTION B OF THIS SECTION, no fees shall be charged for  
8 issuance of the license, and it shall be issued by the ~~treasurer~~ FINANCE DIRECTOR unless he  
9 or she determines that the business to be operated would violate any of the statutes of the state of  
10 Colorado, of the United States or any of the provisions of this code. FAILURE TO PAY ANY  
11 OUTSTANDING CIVIL PENALTIES OWED TO THE CITY OR ANY SALES TAX  
12 LIABILITY TO THE CITY SHALL BE GROUNDS FOR REFUSING TO ISSUE A  
13 BUSINESS LICENSE. Zoning approval shall be required for all sales and use tax licenses  
14 provided, however, that if the person or entity seeks a sales and use tax license for an adult  
15 entertainment establishment, the license shall be issued by the ~~treasurer~~ FINANCE DIRECTOR  
16 within five (5) days of application therefore, unless the adult entertainment establishment is in or  
17 proposed to be located in a location where such establishments are not permitted under this code.  
18 Except for those licenses in subsection B of this section, said license shall be and remain in full  
19 force and effect until and unless revoked.  
20

21 (B) FOR THOSE BUSINESS, SALES AND USE TAX LICENSES ISSUED FOR THE  
22 FOLLOWING ITEMS UNDER THIS SECTION, SUCH LICENSES SHALL BE ISSUED FOR  
23 A ONE YEAR CALENDAR PERIOD BEGINNING ON JANUARY 1 OF EACH YEAR,  
24 EXCEPT THE PRORATED PERIOD OF THE YEAR IN WHICH THIS SECTION WAS  
25 ADOPTED MAY BE ADDED TO THE FIRST YEAR. FOR EACH LICENSE ISSUED  
26 PURSUANT TO THIS SUBSECTION NO FEE SHALL BE CHARGED:  
27

- 28 1. SHORT-TERM RENTALS AS DEFINED IN CHAPTER 10 OF THE CODE.  
29

30 (C) FOR THOSE CURRENT SALES AND USE TAX LICENSES ISSUED FOR AN ITEM  
31 UNDER SUBSECTION (B) OF THIS CODE, SUCH LICENSES SHALL EXPIRE ON  
32 DECEMBER 31, 2019.  
33  
34

35 **Section 7:** Severability. If any part, section, subsection, sentence, clause or  
36 phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the  
37 validity of the remaining sections of this ordinance. The City Council hereby declares that it  
38 would have passed this ordinance, including each part, section, subsection, sentence, clause or  
39 phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences,  
40 clauses or phrases may be declared invalid.  
41

42 **Section 8:** Repealer. All ordinances or resolutions, or parts thereof, in  
43 conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the  
44 repealer clauses of such ordinance nor revive any ordinance thereby.  
45  
46

47 INTRODUCED AS A BILL at a regularly scheduled meeting of the City Council  
48 of the City of Littleton on the 4 day of December, 2018, passed on first reading by a vote of 6

1 FOR and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the  
2 Municipal Courthouse and on the City of Littleton Website.

3 PUBLIC HEARING on the Ordinance to take place on the 15 day of January,  
4 2018, in the Council Chambers, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado,  
5 at the hour of 6:30 p.m., or as soon thereafter as it may be heard.

6 PASSED on second and final reading, following public hearing, by a vote of \_\_\_\_\_FOR  
7 and \_\_\_\_\_ AGAINST on the \_\_\_\_ day of \_\_\_\_\_, 2018 and ordered published by  
8 posting at Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton  
9 Website.

10 ATTEST:

11 \_\_\_\_\_  
12 Wendy Heffner  
13 CITY CLERK

14 \_\_\_\_\_  
15 Debbie Brinkman  
16 MAYOR

17 \_\_\_\_\_  
18 Lena McClelland  
19 ASSISTANT CITY ATTORNEY