



PLANNING DEPARTMENT

970.668.4200

www.SummitCountyCO.gov

0037 Peak One Dr. | PO Box 5660

Frisco, CO 80443

STAFF REPORT

TO: Countywide Planning Commission

FROM: Kate Berg, Senior Planner
Don Reimer, Planning Director

FOR: August 27, 2018 Meeting

SUBJECT: Amendments to Chapters 3, 12 and 15 of the Summit County Land Use & Development Code to add Section 3821, Short-term Vacation Rentals. In addition to Section 3821, such amendments include, but are not limited to Section 12000 Development Review Procedures, Chapter 15 Definitions, and other amendments to accomplish the foregoing.

APPLICANT: Summit County Government

PURPOSE:

The purpose of the August 27 meeting is for the Commission to review proposed short term vacation rental (STR) regulations, to be inserted as a new Section 3821 in the County Land Use and Development Code, hear public testimony, and provide a recommendation to the Board of County Commissioners, along with any comments or suggested modifications. This meeting will include a public hearing, during which members of the public are invited to provide comment.

This staff report provides a summary of the STR regulations currently proposed, to be reviewed and discussed by the Commission at the August 27 meeting. A draft of the proposed Code amendments is attached as Attachment C. Staff requests feedback from the Commission on the information outlined in this staff report and the attached draft of the proposed Code amendments. Input received from the Commission will then be forwarded to the Board of County Commissioners for their consideration at a public hearing to be scheduled for a date to be determined in late September or early October.

BACKGROUND INFORMATION TO DEFINE THE ISSUE AND PROJECT GOALS:

What is a short term rental?

Short-term rentals have been in existence for many years. In Summit County, the majority of short-term rentals have historically been operated by property management companies, and concentrated within large multi-family projects and resort areas where the impacts of short-term rentals was less noticeable, and because they were generally managed by a company with an on-site or local presence, any negative impacts could be quickly managed and mitigated.

However, within the past two decades, several websites have been created which make it easier for a property owner to short-term rent a property anywhere in the county, frequently without any local management program (i.e. "self-rental"), resulting in more widespread and noticeable impacts on the surrounding community.

How are short term rentals affecting mountain resort communities?

Staff research has identified the following positive and negative aspects associated with short term rentals in Summit County and other mountain resort communities throughout Colorado.

Community Values and Benefits of STRs:

- Support the tourism economy by providing lodging for visitors
- Generate property management jobs in the community
- Provide an opportunity for residents to make extra income to afford the cost of living

Issues Associated with STRs:

- Neighborhood impacts of allowing a commercial lodging use in residential areas – not compatible with residential character of the neighborhood; generate traffic, parking issues, noise, trash and snow removal issues
- Impacts on housing supply and housing costs
 - Loss of housing supply for long term occupancy
 - Increase in investment properties used as STRs
 - Drive up home prices in the community
- Inequality within the lodging sector. STRs are not on a level playing field with other commercial lodging uses (i.e., bed & breakfasts, hotels) and have unfair financial advantages over other lodging properties.
- Life safety concerns for STR guests – smoke and carbon monoxide detectors, access, fire separation, egress
- Resource impacts – sanitary and domestic water service – is the rental occupancy consistent with the permitted water supply and wastewater treatment?

To help mitigate these impacts on the community, based upon public input and research, Staff has identified the following goals for establishing STR regulations. Staff would note that these goals are also commonly documented by other mountain resort communities in establishing STR regulations:

Common Goals of a STR Regulatory Program

- Balance the needs of guests with the needs of the local community.
- Mitigate neighborhood impacts to preserve quality of life – traffic, parking, noise, trash, neighborhood character.
- Level the playing field with other commercial lodging businesses (bed & breakfasts, hotels).
- Ensure proper regulation and inspection of health, life, and safety items.
- Mitigate the impacts on the supply of long term housing, to maintain a year-round community.

Community Sentiment / Public Input on Short Term Rentals

The community input received in 2017 during the Countywide Comprehensive Plan update showed community sentiment that the increasing number of short-term rentals in Summit County is a top issue to be addressed by the County. The majority of residents surveyed at that time indicated that the number of short-term rentals and second homes is problematic, because these units negatively affect the sense of community, reduce the supply of long-term housing and drive up rents, home prices and the cost of living for local residents. Community survey responses show widespread support for short term rental regulations that would create a consistent policy on short-term rentals countywide, with an emphasis on regulating their impacts on surrounding neighborhoods.

Countywide Planning Commission Input

Based on the community input received during the Comprehensive Plan update process, the CWPC agreed that adoption of countywide short term rental regulations and a compliance monitoring system is one of the highest priority issues to be addressed by the County. The CWPC recommended a holistic evaluation of short term rentals on a countywide basis and adoption of regulations and a compliance monitoring system that will be applicable to the entire County.

In December 2017, the Board directed County staff to initiate a public planning process to develop short term rental (STR) regulations in 2018 that will be applicable to properties within the unincorporated areas of Summit County. The scope of this project includes establishing STR regulations that address:

- Permitting and fees
- Verifying compliance with the applicable sales tax and property tax collection requirements

- Regulation of key neighborhood impacts (e.g., parking and trash)
- Regulation of health, life, and safety issues (e.g., smoke and carbon monoxide detectors)
- An effective compliance monitoring and enforcement system.

The draft regulations have been prepared over the course of the past several months through reviewing regulations from other communities, holding focus group meetings with interested parties, and meeting with staff from the towns within Summit County with the goal of gaining consistency across communities. The County is currently reviewing proposals from third-party vendors to assist with permitting, monitoring, and enforcement of the short-term rental regulations, and has invited the Towns to consider contracting with the same vendor to try to gain efficiency, consistency, and possibly reduce costs of the program.

A community input survey was created and was open to the community throughout the month of June to gather input to help inform development of draft STR regulations. A total of 475 survey responses were received. A summary of the survey results is attached to this memo as Attachment A, and staff will provide a synopsis of the survey response data at the CWPC meeting. Individual focus group meetings were held in April to gather input from various stakeholder perspectives prior to drafting regulations.

County staff has also created a project webpage and blog to keep residents and community stakeholders informed of relevant meetings, proposed policies, key issues and other matters related to this process (www.SummitCountyCO.gov/STR).

After discussing a first draft of proposed STR Regulations with the BOCC at a July 31 work session, staff hosted two additional focus group meetings to gather community feedback on the draft STR regulations and draft STR permitting guide. A total of 49 people attended these two focus group meetings, with diverse representation from a range of community stakeholders (e.g., STR unit owners, property managers and STR industry representatives, concerned neighbors and citizens). The draft regulations and permitting guide were also posted to the County's STR project webpage with an opportunity for the public to provide feedback via an online feedback form. A total of 65 feedback forms have been received as of August 21. A summary of the input received on the draft STR regulations is attached as Attachment B.

The Towns of Breckenridge, Dillon, Frisco and Silverthorne are all also currently working on revised/expanded STR regulations, and are all striving for adoption of the new regulations in fall 2018. Blue River has existing regulations in place and is not currently planning any revisions. County and town staff met to discuss ongoing town and county efforts to draft new short term rental regulations, and identify potential opportunities for coordination and consistency. All jurisdictions are interested in communicating and sharing information for cross-jurisdictional consistency and exploring the possibility of participating in joint contracting with a third party company.

STR Contractor for third-party administration services. As discussed during the County and town staff meeting in June, all jurisdictions are interested in exploring the potential to use the same third party company moving forward. Items to be further evaluated as we proceed with the contractor selection process include the options for services provided, costs, and potential discounted pricing for joint contracting. Potential services to contract include:

1. STR inventory, and creation and maintenance of a STR database.
2. Outreach to STR owners to inform them of permitting and tax remittance requirements.
3. Development and management of an online permitting system for STR units, including managing the payment of all fees and verifying compliance with applicable sales tax and property tax remittance requirements.
4. Development and management of an online complaint system for STRs, and performance of compliance monitoring, complaint management and assistance with initial enforcement.

The County issued a Request for Proposals (RFP) in July, with responses due August 17. Staff will review these proposals in the coming weeks and work with the Towns to see if there is interest in using the same contractor.

PROPOSED CODE AMENDMENTS AND APPLICATION MATERIALS

Staff has prepared a draft of potential code regulations for STRs and a permitting system for initial permits and annual renewals. This includes draft regulations to be inserted as a new Section 382I in the County Land Use and Development Code (Attachment C), and draft application forms to be made available in on-line form (Attachment D). Key items included in the draft regulations include:

Permitting

- Require a permit for each short-term rental property in unincorporated Summit County, with applications reviewed through the Class I administrative review process.
- Provide an online permitting system where applicants can submit the following application materials:
 - Application form and application fee
 - Self-compliance affidavit certifying the short-term rental property complies with the required health and safety standards, site plan and operation standards for mitigating community impacts, and advertising requirements
 - Local Agent Authorization Form designating a local point of contact living within Summit County or within 30 miles driving distance of the short-term rental property who will be available 24/7 to respond to tenant and neighborhood questions or concerns.

Potential Alternative Language for STR Property Contact Person:

Most of the concerned neighbors who have provided input on the draft regulations are supportive of the requirement for a local contact person within 30 miles of the STR property. However, many STR unit owners and operators are opposed to the requirement for a local agent to be physically located within 30 miles of the property. STR owners and managers are supportive of accountability but do not feel the designated contact person needs to be local. Many owners live on the Front Range and claim they can more effectively manage their units from their phones than a local property management company. The input received from these stakeholders is that responsiveness is the issue, not the location of the manager; what's important is knowing who to call and making sure that person is responsive. STR owners and managers feel that response by phone/text should be adequate, as opposed to requiring an in-person response 24/7. Many other jurisdictions require response within 60 minutes 24/7 and allow that response to be by phone or text.

In response to this input, the proposed regulations for a Local Agent could be changed to **require identification of a contact person for the property who will be responsible for responding to all issues within 60 minutes 24/7 either by phone, text or an in-person response.**

- Documentation of an adequate water supply and sewer service
- Parking plan and trash & recycling plan for the property
- Proof of all required tax licensing
- A signed copy of the Good Neighbor Guidelines – owners must sign and submit with permit application, and must provide a copy to renters
- Permits will need to be renewed annually by September 30 of each calendar year, or when title of the property transfers to a new owner.
- STR website – Staff recommends creating an informative one-stop STR website with an online permitting portal and online complaint portal. Administration of the online STR permitting and complaint management system will likely involve both third party and County staff administration.
- STR permit fees will be set to cover the cost of administering the STR regulatory program. To further evaluate and recommend a proposed fee schedule for STR permits, the items to be calculated include the cost of the annual third-party contract and the anticipated internal County staff administration needs in multiple departments (Planning, Finance, Assessor, Environmental Health, Building Inspection, etc.). These projected internal administration needs will likely impact any necessary requests for

additional staff in the affected departments, which would be funded through the STR permit fee revenue.

Health, Life, & Safety Issues

- The proposed regulations require applicants to self-certify that health and safety standards are being met. The regulations propose self-certification for administrative efficiency, with spot auditing conducted annually to verify compliance. Third-party monitoring services may also be used to check compliance with items such as the required occupancy limitations.
- Occupancy limits – As currently drafted, permitted occupancy shall be limited to two (2) persons per bedroom, plus two additional occupants. For example, a three (3) bedroom residence shall have a maximum occupancy of eight (8) people. Additional occupancy limitations apply to any short-term vacation rental property that is served by a well and/or septic system, per the regulations set forth in Section 3821.13.

Potential Alternative Language for Occupancy Limitations:

As documented in the summary of community input on the draft STR regulations (Attachment B), many STR owners and operators are concerned about the proposed occupancy limitations of 2 people per bedroom plus 2 people for all STR units, regardless of the home size / square footage. Many individuals have suggested that occupancy limits should be set based on the size of the home, in addition to the number of bedrooms, and that there should be exemptions for families with children.

In response to this input, **the occupancy limitations could be modified to set the occupancy limits based on the square footage of the home or the bedroom count, whichever results in the highest permitted occupancy, and to potentially exempt a certain number of children under a certain age from the occupancy restrictions.** For example, the occupancy limits could be changed to 1 person per 300 sq. ft. or 2 people per bedroom plus 2 additional occupants, whichever is more, with an exemption for up to a set number of additional children ages 10 and under. Another option may be to consider additional occupancy through a conditional use permit.

STR owners and managers have also asked that existing bookings (any reservations booked prior to adoption of the County STR regulations) be grandfathered in, even if these bookings exceed the occupancy limitations in the new regulations. If supported, **the regulations could include a grandfather clause for rental reservations booked prior to adoption of the County STR regulations.**

- Additional standards are included for short-term rental properties served by wells and/or septic systems, which will require a separate review and use permit from the Environmental Health Department.

Neighborhood Impacts

- Site plan and operation standards are included to outline parameters for STR operation that will minimize community impacts. These include requirements for parking, trash and recycling, noise, outdoor lighting, and responsible pet ownership.

Monitoring, Management and Enforcement

- The proposed regulations require a sign to be posted inside the unit, which includes the local agent and/or owner's contact information, the street address and short-term rental permit number. The regulations also require the Good Neighbor Guidelines, parking plan and trash & recycling plan to be posted in the unit.
- The draft regulations require all advertising for a short-term rental property to include the Summit County short-term rental permit number, and the occupancy and parking limitations.
- The draft regulations propose the following system for handling complaints and enforcement:

Initial complaints – An online complaint module designed, hosted and managed by the third-party administrator will be provided to direct complaints from neighbors and renters to the designated local agent. Through the RFP, staff will be asking STR contractors to provide a user-friendly website that allows residents to search for STRs in their neighborhood, linked to the County’s property map system.

Formal complaints – If initial complaints are not resolved, formal complaints will be directed to County staff. If the County receives a substantiated complaint, enforcement of the violation will be implemented and penalties issued. The regulations include a vetting process to determine the validity of complaints, and specify that only substantiated complaints will be acted upon for formal enforcement, penalties and/or eventual permit revocation.

Draft revisions to Figure 3-2 are included outlining where STRs may be allowed in various County zoning districts. Figure 3-2 has been drafted to permit STRs in all residential zoning districts and prohibit STRs in all non-residential zoning districts. This has been applied to the County’s antiquated and modified zoning districts as well, with revisions drafted proposing to allow STRs in the RME, RP and R25 districts, and prohibit STRs in the non-residential antiquated and modified zoning districts B-1 and SU-1. STRs are already specifically prohibited in the B-3 and BC zoning districts. STRs will also be permitted in all PUD that allow residential uses, unless STRs are specifically prohibited by the PUD.

Incorporation of Additional Changes in Response to Community Input:

Attachment B provides a comprehensive summary of the community input that has been received on the draft STR regulations and permitting guide, from both focus group meetings and online feedback forms. This document contains many good suggestions that could be incorporated into the STR regulations and accompanying permit application materials as appropriate. During the August 27 meeting, staff will walk through Attachment B with the Commission to identify the recommendations that could be incorporated into the proposed regulations and/or permitting guide materials, to obtain input and direction from the Commission on these potential modifications prior to making the suggested changes to the attached documents. In addition to the potential local agent and occupancy revisions already discussed above, other key suggestions to potentially be incorporated (if supported by the Commission and the BOCC) include:

- Insert a **requirement for STR unit owners to notify their neighbors** of their STR permit, the designated contact person for the property and the protocol for dealing with issues. This requirement could be added to the STR regulations and included as an item on the self-compliance affidavit form, for the STR unit owner to verify that such notice has been provided to the neighbors / adjacent property owners.
- STR owners and managers are concerned about the requirement for a physical response from a local agent in cases where the local agent’s safety could be at risk, and have suggested that **law enforcement should be called upon to respond when safety is a concern**. The complaint system should **direct complaints to the local agent for property management related items, and direct complaints to law enforcement for issues that are a threat to neighborhood safety**.
- STR owners have expressed concerns about the time limits for permit revocation; some have requested **a shorter timeframe for permit revocation** (6 months to 1 year), instead of a 2 year permit revocation. There have also been suggestions that the **permit revocation period should reset if/when the residence transfers ownership** to a new property owner.
- **Protocols for responding to and resolving issues** should be better defined. Better define the requirements for response time vs. resolution of issues, and provide more specificity on what exactly constitutes resolution of an issue.
- **Develop a more specific, tiered protocol for enforcement of violations and permit revocation**. Spell out a “3 strikes and you’re out” policy for basic nuisance complaints with a possibility for immediate permit revocation reserved for a singular event at a higher threshold (i.e., one that poses eminent danger to the public or is deemed a catastrophic health/safety event).

CRITERIA FOR DECISION:

Section 1454 of the Code states that in order to approve an amendment to the Code, the BOCC shall make the following findings:

- A. The proposed revision meets the purpose and intent of this Code.
- B. The proposed revision gives consideration to the goals and policies in the Summit County Countywide Comprehensive Plan and any applicable basin or subbasin master plan.
- C. The proposed revision is consistent with any applicable State Statutes.

Consistency with the Purpose and Intent of the Code

As stated in Section 1100, the purpose of the Code is to protect, promote, and enhance the public health and safety; to provide for planned and orderly development in Summit County in a manner consistent with constitutional rights of property owners; and to balance the needs of a changing population with legitimate environmental concerns. The purpose and intent section of the Development Code outlines a number of specific objectives, which are being met by this proposal including:

- Relate proposals for the development and use of land to the goals, policies and provisions in the Summit County Countywide Comprehensive Plan and in basin or subbasin plans, and to use these plans as guidelines and standards in evaluating development proposals.
- Provide a comprehensive regulatory system for the development and use of land in Summit County.
- Establish uniform application procedures and development standards to promote the equitable handling of all development applications.
- Coordinate the development of land with the County's and other agencies' ability to provide essential services.
- Encourage the economic health of Summit County.
- Preserve and enhance Summit County's unique mountain character and protect its natural environment.

The proposed amendments are specifically intended to maintain the character of residential neighborhoods, while balancing the economic benefits of short-term rentals to the community with the need to protect the public health, safety, and welfare. The regulations are designed to apply uniformly and equitably to all properties, while maintaining the ability to allow flexibility for unique properties.

Consideration of the Goals and Policies of the Applicable Master Plans

Overall, the proposed Development Code amendments give consideration to the goals and policies in the Summit County Countywide Comprehensive Plan and the applicable basin and sub-basin master plans because, without limitation, the proposed amendments will help to: maintain the residential character of neighborhoods and mitigate the adverse impacts of noise and light; ensure use of residential properties for short-term lodging does not exceed the capacity of existing infrastructure and services (i.e., water and sewer capacity); fulfill relevant master plan goals related to economic sustainability, while protecting community health, safety and welfare and protecting the surrounding environment by mitigating potential wildfire hazard and impacts to wildlife.

Consistency with Applicable State Statutes

Pursuant to the County land use statutes at C.R.S. 30-28-101 et seq. and the Local Government Land Use Control Enabling Act at C.R.S. 29-20-101 et seq., the County has broad authority to regulate the use of land and to protect areas of historical importance. All of the proposed amendments are in conformance with applicable State Statutes.

STAFF RECOMMENDATION:

Staff recommends that the Commission consider the proposed amendments to the Summit County Land Use and Development Code and any public testimony received at the public hearing, and recommend approval to the BOCC with the following findings and any additional comments or suggested modifications to the draft regulations recommended by the Commission:

Findings:

- I. The proposed revisions meet the purpose and intent of the Summit County Land Use and Development Code, which is to protect, promote and enhance the public health and safety; to provide for planned and orderly development in Summit County in a manner consistent with constitutional rights of property owners; and to balance the needs of a changing population with legitimate environmental concerns. The purpose and intent section of the Development Code outlines a number of objectives, which are met by this Code Amendment including:
 - i. Providing a comprehensive regulatory system for the development and use of land in Summit County.
 - ii. Establishing uniform application procedures and development standards to promote the equitable handling of all development applications.
 - iii. Coordinating the development of land with the County's and other agencies' ability to provide essential services.
 - iv. Encouraging the economic health of Summit County.
 - v. Preserving and enhancing Summit County's unique mountain character and protecting its natural environment.

The proposed amendments are specifically intended to maintain the character of residential neighborhoods, while balancing the economic benefits of short-term rentals to the community with the need to protect the public health, safety, and welfare. The regulations are designed to apply uniformly and equitably to all properties, while maintaining the ability to allow flexibility for unique properties.

2. The proposed revision gives consideration to the goals and policies in the Summit County Countywide Comprehensive Plan and any applicable basin and subbasin master plan because, without limitation, the proposed amendments will help to: maintain the residential character of neighborhoods and mitigate the adverse impacts of noise and light; ensure use of residential properties for short-term lodging does not exceed the capacity of existing infrastructure and services; fulfill relevant master plan goals related to economic sustainability, while protecting community health, safety and welfare and protecting the surrounding environment by mitigating potential wildfire hazard and impacts to wildlife.
3. Pursuant to the County land use statutes at C.R.S. 30-28-101 et seq. and the Local Government Land Use Control Enabling Act at C.R.S. 29-20-101 et seq., the County has broad authority to regulate the use of land and to protect areas of historical importance. All of the proposed amendments are in conformance with applicable State Statutes.

ATTACHMENTS:

Attachment A – Summary of community survey responses

Attachment B – Summary of community input on the draft STR regulations and permitting guide

Attachment C – Draft of proposed STR Regulations

Attachment C2 – Draft of proposed changes to Figure 3-2

Attachment D – Draft of STR permit application forms

ATTACHMENT A

Summit County Short Term Rental Regulation Survey

July 31, 2018

Survey Results Summary

SURVEY OVERVIEW:

A Community Input Survey was open to the community throughout the month of June to gather input to help inform development of draft Short Term Rental (STR) Regulations. The introduction to the survey discussed the scope of the project, which includes regulations that address permitting and fees, compliance with sales tax and property tax collection requirements, regulation of key neighborhood impacts, regulation of life safety issues, and development of an effective compliance monitoring, and enforcement system. Staff invited all community members to complete the survey in order to help identify important issues and priorities to be addressed in County STR regulations.

There were 475 total responses collected after the survey closed at the beginning of July. Staff analyzed the results of the survey, to gather an overall picture of who took the survey and where they stand on the development of Short Term Rental Regulations in Summit County.

Public Feedback Received:

475 Total Responses

- 31% live within Unincorporated Summit County
 - ≈ 25% live in each Basin
 - ≈ 33% live within the Resort Areas
- 93.5% Own a home
- 53% Own a 2nd home (approximately 230 people own a 2nd home or Residential Investment property in Unincorporated Summit County
 - ≈ 80% own 1 unit additional to their primary residence
 - 83% use 2nd home as a Short Term Vacation Rental
 - 69% of the second homes are Multi-Unit Housing

250 surveys did not answer the write-in questions provided

225 written responses to write-in questions were received and reviewed to determine the respondents' level of support for County STR Regulations. The breakdown was as follows:

- 137 were in support of the County creating STR regulations.
- 88 were opposed to the County creating STR regulations (of these, 18 expressed limited support for basic regulations with a very limited scope and cost; and 70 expressed opposition to any regulations)

Summary of Input from Respondents Supportive of STR Regulations:

- Require a permit, collect all applicable taxes for this lodging use, regulate neighborhood impacts, and limit the allowances for STRs to reduce the proliferation of this use.
 - License and fee requirement (perhaps based on square footage or # of bedrooms)
- Each rented unit should have smoke and carbon monoxide detectors
- Limit by area and limit total number of STRs.
- Require occupancy limits (2 bedrooms can have 6 people)
- Base regulations on zoning, and designate some areas as purely residential
- Provide educational publications that the owner must provide to each renter regarding things like fire safety/restrictions, parking, pets, garbage, etc.
- They need to be processed via a Use Permit
- Limit number of nights a year you can short term rent
- Require a registry for property owners who want to short term rent their property so they can be better monitored by the County
- Creation of a county Position to monitor/maintain the registration and management of STRs
- Regulation is good and generates some additional tax for the County.
- STRs need to be regulated in a way that provides more housing for those who work locally
- Funding from STRs should support workforce housing.
- Regulations should only apply in problem areas (Not Countywide).

Key Issues identified to be addressed by County STR Regulations:

- Noise, safety (fire and carbon monoxide)
- Non-local property management people make response time lag
- Number of STRs in a neighborhood
- Occupancy limits
- Dogs
- Trash
- Parking
- Capacity
- Regulations should be uniformly and fairly enforced
- Loss of community and accountable responsible neighbors

Summary of Input from Respondents Opposed to STR Regulations:

- Do not see a need to change current regulations.
- There should be no regulations and less regulation is better.
- They are necessary to the ski resorts and should not be taxed beyond what is currently allowed.
- Government should not interfere with property owners' right to rent their property.

- Regulations could hurt the tourist community.
- I would be homeless if I couldn't rent out a room on AirBnB
- Additional permit and license fees would be redundant and unfair.
- This will only help property management companies and no one else.
- Will negatively impact the ability to offer families an affordable rental option in the Breckenridge Area.
- Leave it up to the HOAs in the neighborhoods to regulate
- Over Regulation can harm the community
- Short Term Rentals are already taxed
- Very important for me to rent my home to afford living in Summit County
- Short Term Rentals help keep housing affordable for everyone, including tourists and seasonal workers.
- Regulations should only apply to problem areas (not Countywide)
- Requirements for property managers within 60 minutes is completely unreasonable.
- Manage long term rentals more closely, and stop blaming short term rentals.
- Regulations are fine as they are as long as proper enforcement is happening.

Key Issues identified for consideration:

- Would likely sell if unable to rent short term
- Would consider investing outside of Summit County if they are regulated.
- Worried about excessive fees and regulations
- There are really no issues with STRs in Summit County
- The process could be difficult for property owners to go through

Other Comments and Feedback:

- Short Term Rentals are a great way to offset the expense of a mountain home.
- People would have to move out of Summit County if they were not allowed a STR in their home.
- Short Term Rentals fund the economy through taxes
- There should be regulations that vary between the different residential neighborhoods. STRs should not be allowed in certain residential neighborhoods, but the closer to the ski resort should be allowed.
- A 3-strike policy should be implemented for enforcement.
- They provide lodging for tourists who visit the County and contribute significantly to the local economy.
- Summit County is a vacation destination and resort town.

- Consider over-reaching regulations that cause owners and renters undue financial hardships.
- Publication of guidelines to help the industry

ATTACHMENT B

SUMMARY OF COMMUNITY INPUT ON THE DRAFT STR REGULATIONS AND PERMITTING GUIDE

To gather community input on the draft STR regulations and draft STR permitting guide, County staff hosted two **focus group meetings** on August 14 and 16. A total of 49 people attended these two focus group meetings, with diverse representation from a range of community stakeholders (e.g., STR unit owners, property managers and STR industry representatives, concerned neighbors and citizens). The draft regulations and permitting guide were also posted to the County's STR project webpage with an opportunity for the public to provide feedback via an **online feedback form**. A total of 65 feedback forms have been received as of August 21.

This document provides a summary of the community input received from the focus group meetings and public feedback forms. The input has been organized by topic and the key ideas are bolded for easy skimming of the input received.

Local Agent Requirement:

- Most of the **concerned neighbors** who provided input **are supportive of the requirement for a local contact person** within 30 miles of the STR property.
- A majority of **STR unit owners and operators are opposed to the requirement for a local agent** to be physically located within 30 miles of the property.
- STR owners and managers are supportive of accountability but do not feel the designated contact person needs to be local. Many owners live on the Front Range and claim they can more effectively manage their units from their phones than a local property management company.
- **Responsiveness is the issue, not the location of the manager.** What's important is knowing who to call and making sure that person is responsive. **Response by phone/text is adequate**, as opposed to requiring an in-person response 24/7. Many other jurisdictions **require response within 60 minutes 24/7 and allow that response to be by phone or text.**
- Concerns about the requirement for the local agent to provide a copy of their driver's license.
- Update the language so the local agent can be a corporation (a third-party management company), not just an individual. Add a space to insert a Federal Tax ID on the permit application forms.
- **Add property manager accountability as a requirement** so there are consequences for unresponsiveness that encourage the designated property manager to respond.

Occupancy Limitations:

- Many STR owners and operators are concerned about the proposed occupancy limitations of 2 people per bedroom plus 2 people for all STR units, regardless of the home size / square footage.
- Many individuals have suggested that **occupancy limits should be set based on the size of the home**, in addition to the number of bedrooms, and that there should be **exemptions for families with children**. Set the occupancy limits based on both the square footage of the home and the bedroom count, and **consider exempting children under a certain age.**
- **Set an allowable square footage required per person** and also an allowable number of people per bedroom, whichever is more (e.g., 1 person per 300 sq. ft. or 2 people per bedroom plus 2 additional people, whichever is more).

- **Refer to the respective building code requirements** for the number of people that can be served by one toilet.
- STR owners and managers have asked that **existing bookings (any reservations booked prior to adoption of the County STR regulations) be grandfathered in**, even if these bookings exceed the occupancy limitations in the new regulations.

Parking:

- There are concerns about the strict application of the proposed parking requirements, but most people were ok with the proposed parking regulations once they understood the flexibility for more or less parking spaces to be approved, depending upon the characteristics of the property.

Education, Communication, Signage and Notice to Neighbors:

- The County should **notify all STR owners of the forthcoming County regulations**.
- Require communication of the STR rules and regulations and the ramifications if the rules are violated to all STR unit owners, managers, renters and neighbors.
- Notifying neighbors – **require STR owners to notify their neighbors of their STR permit and the designated contact person for the property**.
- STR property owners should be required to communicate with their neighbors about the contact person for the property and the protocol for dealing with issues.
- Clearly convey in the STR regulations and permitting materials that there may be stricter rules that may apply (e.g., HOA covenants, deed restrictions).
- STR owners and managers have requested that the County **provide template signage** that can be posted inside the unit for all required signage (good neighbor guidelines, parking and trash plan).
- Some STR owners have requested that the required signage inside the unit include only the local agent / primary contact person's information, and that the owner's information not be included.
- STR owners and managers are **concerned about too much information being available online** for scammers.

Complaints, Violations and Enforcement:

- Concern with complaint hotline – that there will be some neighbors that are always angry and always call to complain about minor issues. There should be a **mechanism for vetting complaints**.
- The complaint system should allow the person complaining to **rank the severity of the complaint** and the urgency of the response needed.
- The complaint call center should be staffed by local employees.
- STR owners and managers are concerned about the requirement for a physical response from a local agent in cases where the local agent's safety could be at risk, and have suggested that **law enforcement should be called upon to respond when safety is a concern**. The complaint system should **direct complaints to the local agent for property management related items, and direct complaints to law enforcement for issues that are a threat to neighborhood safety**.
- Concerned citizens have recommended imposing **homeowner fines when the sheriff has to be called**.
- STR owners have expressed concerns about the **time limits for permit revocation**; some have requested a shorter timeframe for permit revocation (6 months to 1 year), instead of a 2 year permit revocation. There have also been suggestions that the **permit revocation period should reset if/when the residence transfers ownership** to a new property owner.

- **Protocols for enforcement and eventual permit revocation** should be better defined. The County should recognize that we need to **allow a reasonable amount of time for issues to be resolved, and provide an appeal process** for owners to appeal any permit revocation. Provide more specificity on what exactly constitutes resolution of an issue.
- **Develop a more specific, tiered protocol for permit revocation.** Spell out a “3 strikes and you’re out” policy for basic nuisance complaints with a possibility for immediate permit revocation reserved for a singular event at a higher threshold (i.e., one that poses eminent danger to the public or is deemed a catastrophic health/safety event).

Permitting Process:

- STR owners and managers have expressed concerns that the proposed permit **application is too burdensome.**
- Provide a method for **easy online renewal of permits each year**, especially those that have no changes.
- On the County STR website, show specifically which areas are zoned for STRS and which one’s aren’t on a searchable County map.

Copper and Keystone Resort Areas:

- Copper and Keystone Resort areas are different and **should have different and more streamlined regulations.**
- **STRs in these resort areas are already regulated effectively** by the various owners associations and property management firms.
- The County should further evaluate where added regulations are needed for STRs in the County and where they are not. **Resort area STRs should not be regulated by the County** because STRs are already being dealt with within the resorts and the unit owners are already paying for this. Additional County regulations would be redundant and result in added time and expense for the owners within the resort areas.
- **The majority of the housing units within the resort areas have been built specifically to be used as lodging for guests**, and STRs are an established, appropriate and expected use in these areas of the County.
- The County should work with the resorts to **develop a different STR permit application process for the Copper and Keystone Resort PUDs that simply confirms that all STR requirements are being met and taxes are being paid.**

Multifamily Developments:

- For large multifamily complexes, **many of the proposed regulations are the responsibility of the HOA or property manager**, not individual unit owners.
- The County should **allow a streamlined permitting process** so one entity can submit a STR permit application for the entire complex.
- The HOA and/or the property manager could complete a STR permit application for all of the STR units within their development, on behalf of the STR unit owners.

Requested Exemptions and Special Situations:

- Some STR unit owners have requested an **exemption for units rented for less than 15 days/year.**
- **Rental of individual rooms should be treated the same** as whole house rentals.

Other Comments:

- This is a huge project. Don’t rush it. It’s important to get it right.

- Clarify whether natural gas fire features are permitted.
- Clarify any provisions related to service dogs.

ATTACHMENT C:

WORKING DRAFT OF PROPOSED STR REGULATIONS TO BE INSERTED INTO THE COUNTY LAND USE AND DEVELOPMENT CODE

This Draft reflect additions and revisions made since the last published version of this document was posted to the County website on August 3, 2018 for public review and comment.

NEW CODE SECTION PROPOSED IN CHAPTER 3: ZONING REGULATIONS

3821: Short-term Vacation Rentals

3821.01: Purpose and Applicability

- A. The purpose and intent of this section of the Code is to establish comprehensive permitting regulations to safeguard the public health, safety and welfare by regulating and controlling the use, occupancy, location and maintenance of short-term vacation rental properties within the unincorporated areas of Summit County.
- B. These regulations are also intended to ensure that short-term vacation rentals are operated in a manner that is compatible with the surrounding neighborhood and protects the overall community character.
- C. The regulations set forth in this Code section shall apply to short-term vacation rental property only, as defined herein. This Code section shall not apply to the furnishing of lodging services in hotels, motels, lodges or bed and breakfast establishments, or to properties with long-term leases.
- D. This Code section shall not supersede any private covenants or deed restrictions prohibiting short-term vacation rental property.

3821.02: Definition of Short-term Vacation Rental Property

- A. **Definition:** A short-term vacation rental property, for the purpose of this Section, is defined as a residential dwelling unit, or any room therein, available for lease or exchange for a term of less than thirty (30) consecutive days. A short-term vacation rental property as regulated by this section is differentiated from a bed and breakfast establishment, which is regulated by Section 3803 of this Code.

3821.03: Zoning Districts Where Permitted

- A. Figure 3-2 identifies where short-term vacation rentals may be allowed in various County zoning districts. Short-term vacation rentals are also allowed in the antiquated residential zoning districts remaining in effect listed in Section 3305.01, unless specifically prohibited in that zoning district.
- B. PUDs: A short-term vacation rental may be permitted in specific PUDs that allow residential uses, without necessitating a PUD modification, provided such use meets the standards and criteria of Section 3821 et. seq. Short-term vacation rentals shall not be permitted in a PUD which specifically prohibits such use.
- C. Short-term vacation rentals of deed restricted affordable workforce housing or employee housing properties is prohibited unless specifically authorized by the deed restriction for the property.

3821.04: Permit Required

- A. A permit is required for each short-term vacation rental property in unincorporated Summit County. Short-term vacation rental applications will be reviewed through the Class 1 administrative review process. If the Planning Department finds that the application complies with Section 3821 of the Code, the Planning Department shall issue a short-term vacation rental permit. The permit shall be issued in the name of the owner and shall not be transferable. All short-term vacation rental properties shall receive a permit prior to advertising or operation.
- B. The Review Authority may impose any conditions of approval upon any permit in order to ensure that the criteria set forth herein, and the purpose and intent of this Section 3821, are met and adhered to.

3821.05: Application

- A. At least thirty (30) days prior to any advertising for or lease of a short-term vacation rental property, the owner shall file a written application for a short-term vacation rental permit with the Planning Department, on forms supplied by the County. The application shall not be deemed complete until all required information is submitted.
- B. Application Materials. An application for a short-term vacation rental permit shall include the following:
 - 1. Application form
 - 2. Application fee, as established by the Board of County Commissioners via resolution.
 - 3. Self-Compliance Affidavit, signed by the owner under penalty of perjury, certifying that the short-term vacation rental property is in habitable condition and complies with the health and safety standards set forth in Section 3821.08, the site plan and operation standards for mitigating community impacts set forth in Section 3821.09, and the advertising requirements set forth in Section 3821.11.
 - 4. A short-term vacation rental Local Agent and Owner Authorization Form and a copy of the designated agent's driver license and address of permanent residence. This form appoints and provides contact information for a designated local point of contact living within Summit County or within 30 miles driving distance of the property, who shall be available 24 hours per day, 7 days per week, in accordance with the requirements set forth in Section 3821.07.
 - 5. Documentation of an adequate water supply and sewer service to serve the proposed use (i.e. special district, well, septic system).
 - 6. A parking plan for the property showing adequate parking for the occupancy of the short-term vacation rental operation, which complies with the parking requirements set forth in Section 3821.09.A.
 - 7. A trash and recycling disposal plan for the property, which complies with the requirements set forth in Section 3821.09.B.
 - 8. Proof of all required state and local sales tax licenses and personal property tax declaration forms.
 - 9. A copy of the Good Neighbor Guidelines, signed by the owner, certifying that owner has read and understands the guidelines for responsible operation and will make these guidelines available to all renters in the rental agreement and by posting it in a prominent location within the property.

3821.06: Length of Validity / Permit Term

- A. A short-term vacation rental permit shall expire on September 30 of each calendar year, or when title of the short-term vacation rental property transfers to a new owner, whichever occurs first. Each change in ownership of a short-term vacation rental property shall require a new permit.
- B. An application for renewal of a short-term vacation rental permit shall be submitted at least thirty (30) days prior to expiration of the existing permit.

3821.07: Local Agent Required

- A. Each owner of a short-term vacation rental property shall designate a local person whose physical address of residence is within Summit County or within 30 miles driving distance of the short-term vacation rental property's street address to serve as the local agent. An owner of a short-term vacation rental property may designate himself/herself as the agent, as long as their physical address of primary residence is within Summit County or within 30 miles driving distance of the short-term vacation rental property's street address.
- B. The local agent shall have access and authority to assume management of the unit and take remedial measures. The agent shall be available 24 hours per day, 7 days per week to respond to tenant and neighborhood questions or concerns.
- C. In the event of a fire ban within Summit County, the local agent is required to notify renters of the current fire restrictions and provide renters with instructions on how to access the Summit County Alert System for real-time information during their stay.
- D. The owner shall notify the Planning Department in writing of any modification to the local agent appointment within five (5) days of any such modification.

3821.08: Health and Safety Standards

- A. Buildings, structures or rooms shall not be used for purposes other than those for which they were designed or intended.
- B. Roofs, floors, walls, foundations, ceilings, stairs, handrails, guardrails, doors, porches, all other structural components and all appurtenances thereto shall be capable of resisting any and all forces and loads to which they

- may be normally subjected, and shall be kept in sound condition and good repair.
- C. Smoke detectors, carbon monoxide detectors and fire extinguishers shall be installed and operable, and all wood-burning fireplaces and stoves shall be cleaned on an annual basis per CRS 38-45-104.
 - D. An operable toilet, sink, and either bathtub or shower shall be located within the same building, and every room containing a toilet or bathtub/shower shall be completely enclosed by walls, doors, or windows that will afford sufficient privacy.
 - E. There shall be a sufficient number of trash receptacles to accommodate all trash generated by those occupying the short-term vacation rental property.
 - F. Occupancy limits – permitted occupancy shall be limited to two (2) persons per bedroom, plus two additional occupants. For example, a three (3) bedroom residence shall have a maximum occupancy of eight (8) people. Additional occupancy limitations apply to any short-term vacation rental property that is served by a well and/or septic system, per the regulations set forth in Section 3821.13.
 - G. Partial home short-term vacation rentals shall be advertised and used consistent with the permitted use as a single dwelling unit including occupancy limits and access (i.e., shall not be advertised as a separate apartment, and shall not solely utilize a separate entrance).
 - H. Outdoor firepits shall be permanently installed improvements that are permitted and inspected by the applicable fire district. The use of portable outdoor fireplaces is prohibited. **[Consult with Summit Fire and EMS and insert any additional clarifying language needed.]**
 - I. Electrical panels shall be clearly labeled.
 - J. All short-term vacation rental properties shall have reliable cellular or VoIP service or provide a landline telephone within the unit to enable tenants to call 911 in the event of an emergency.
 - K. Sanitary Standards and Rules for Public Accommodations – Where Applicable, all short term rental property owners shall understand and maintain compliance with the Sanitary Standards and Regulations for Public Accommodations set forth in the Code of Colorado Regulations, Official Publication of the State Administrative Rules Section 6 CCR 1010-14. The purpose of these regulations is to provide minimum requirements for the protection of the health and safety of the occupants of public accommodations and community residents.
 - L. Swimming pools and spas – Any Public/Semi-Public swimming pools or spas are subject to the requirements set forth in 5 CCR 1003-5. Any Private swimming pool or spa shall be under responsible charge of a Certified Pool Operator (CPO) or equivalent as listed in section 4.9 of 5 CCR1003-5 and meet the basic aspects of the regulation to prevent illness.

3821.09: Site Plan and Operation Standards to Mitigate Community Impacts

- A. **Parking:** A minimum of one (1) parking space per bedroom is required, with a minimum of two (2) parking spaces required per unit, up to a maximum of five (5) cars permitted to be parked outdoors on any property. Designated parking spaces shall comply with all applicable parking requirements set forth in Section 3700 of this Code. All vehicles shall be parked on-site in designated parking areas; parking is prohibited on County roads, in any landscaped area, or in a manner that blocks egress for adjacent residents (driveways, sidewalks, alleys or mailboxes). A copy of the County-approved parking plan for the short-term vacation rental property shall be provided to all renters in the rental agreement and posted in a prominent location within the property.
 - 1. A reduction of the minimum parking requirements may be granted by the Review Authority if the applicant agrees to limit the number of cars permitted on the site accordingly and include the allowable number of parking spaces in the short-term vacation rental advertising.
 - 2. A property owner may request an increase in the maximum number of parking spaces if the parking is found to be consistent with neighborhood character, including location and visual buffering from adjacent properties.
- B. **Trash and Recycling:** All short-term vacation rental properties shall provide a trash and recycling collection plan to ensure that containers are not left outdoors where they can cause issues for wildlife or snow removal operations. The proposed trash and recycling plan shall be reviewed and approved by the County during initial permit review and during review of any permit renewals. Examples of acceptable trash and recycling collection plans may include:
 - 1. Indoor storage of trash and recycling with concierge/valet collection service provided by the waste hauler at the time of pickup.
 - 2. Storage of trash and recycling using bear-proof containers.
 - 3. Trash and recycling containers to be put out by the local agent no earlier than 6:00 a.m. and returned to the designated location by 7:00 p.m. on the day of pickup.

- C. **Noise:** Renters shall be informed of the Summit County noise ordinance, which is enforced by the County Sheriff's Department for all properties located in unincorporated Summit County.
- D. **Outdoor Lighting:** All outdoor lighting shall comply with the exterior lighting requirements set forth in Section 3505.07 of this Code.
- E. **Pets:**
 - 1. If pets are allowed, renters shall be informed of applicable requirements for controlling pets, pet waste disposal, and barking/noise considerations set forth in the Summit County Animal Control and Licensing Regulations. These Regulations are enforced by the County Sheriff's Department for all properties located in unincorporated Summit County.
 - 2. All short-term vacation rental properties shall comply with the County Animal Keeping Regulations set forth in Section 3802 of this Code, and all pet food shall be stored indoors.

3821.10: Signage

- A. An owner shall post a sign conspicuously inside the short-term vacation rental property, which includes the local agent's current contact information and/or the owner's current contact information, the street address of the short-term vacation rental property and the short-term vacation rental permit number.
- B. The Good Neighbor Guidelines, parking plan and trash and recycling plan shall be posted in a prominent location within the short-term vacation rental property.
- C. Any exterior signs advertising a short-term vacation rental must first be reviewed and approved in accordance with the Summit County sign regulations contained in Chapter 9 of this Code.

3821.11: Advertising

All advertising for a short-term vacation rental property shall include the Summit County short-term vacation rental permit number, immediately following the description of the short-term vacation rental property, along with the relevant occupancy and parking limitations.

3821.12: Taxes

The owner or agent shall collect and remit the required sales and personal property taxes on each short-term vacation rental property.

3821.13: Short-term Vacation Rental Properties served by Well and/or Septic Systems

- A. **Septic Systems.** If a short-term vacation rental property is connected to an On-site Wastewater Treatment System (OWTS) for sewer service, the following requirements shall apply:
 - 1. **Occupancy Limits** - the maximum overnight occupancy of the unit shall be limited to the capacity established on the OWTS permit. OWTS systems in Summit County are typically designed to accommodate a maximum occupancy of 2 persons per bedroom.
 - 2. **Use Permit** – A Use Permit for the OWTS will be required prior to the initial permit issuance effective October 1, 2019. A septic tank pumping is required every three (3) years thereafter, or more frequently as determined by the Summit County Environmental Health Department during each County review of a permit renewal application for the property. Self-certification of this requirement will be allowed for the initial application for permits first issued prior to September 30, 2019, but will be required for any renewal or new permit thereafter.
- B. **Wells.** If a short-term vacation rental property is served by an on-site well for domestic water use, well water testing will be required prior to the initial permit issuance effective October 1, 2019 and every three (3) years thereafter, or more frequently as determined by the Summit County Environmental Health Department during each County review of a permit renewal application for the property. The water sample shall be collected and tested for Total Coliform Bacteria and Nitrates by the Summit County Environmental Health Department or a state certified laboratory with a signed affidavit identifying the property where the sample was collected. Water systems that exceed the Colorado Primary Drinking Water Regulation 5 CCR 1002-11 for these two parameters will require compliance prior to permit issuance or renewal. Self-certification of this requirement will be allowed for the initial application for permits first issued prior to September 30, 2019, but will be required for any renewal

or new permit thereafter.

3821.14: Notice

Any notice required by this Code Section to be given to an owner is sufficient if sent by first-class mail to the address provided by the owner on the most recent permit or renewal application. Notice given to the local agent, by first-class mail to the address provided by the owner, shall also be sufficient to satisfy any required notice to the owner under this Code Section.

3821.15: Initial Complaints

Initial complaints concerning a short-term vacation rental property shall be directed to the local agent. The local agent shall respond to the complaint, including visiting the site if necessary.

3821.16: Formal Complaints, Enforcement and Permit Revocation

- A. If an initial complaint is not resolved, a formal complaint may be filed with the Planning Department or designee, on forms provided by the County. The formal complaint shall describe in detail the violation(s) of this Section alleged to have occurred on the short-term vacation rental property. Within three (3) days of receipt of such a complaint, the County shall provide a copy of the formal complaint to the owner. Formal complaints shall be signed by an individual and subject to public inspection; no anonymous formal complaints shall be accepted.
- B. The County shall investigate any formal complaint received, in order to determine if it is a substantiated complaint that represents a documented violation of any provision(s) of this Section 3821. Violations of this Section 3821 shall be subject to the code enforcement provisions set forth in Section 14300 of this Code, in accordance with any and all remedies provided by law, including but not limited to withholding any development approvals, inspections or permits and issuing stop work orders. It is the philosophy of Summit County to first educate and inform property owners or residents of the violation and provide them with an opportunity to correct the situation to comply with the requirements of this Code. If violations are not corrected or if there are repeat offenders of Code requirements, Summit County will then pursue more formal action as provided for in Section 14300 and by applicable law. Every violation of this Code may be deemed a criminal and/or civil offense and each day during which such violation continues shall be deemed a separate offense (C.R.S. § 30-28-124).
- C. If there is one or more unresolved substantiated complaints for a short-term vacation rental property, or if upon review at any time, the Planning Department determines that the permit holder has failed to comply with any of the performance standards, conditions or restrictions imposed by this Section 3821, by the short-term vacation rental permit itself, or by the representations and assertions made by the applicant in his or her initial permit application, the Planning Department may take such action as is deemed necessary to remedy the noncompliance, including but not limited to revocation of the permit. The Planning Department may revoke the permit for that short-term vacation rental property upon written notice to the owner. The County shall notify an owner, in writing, of any revocation and the reasons therefor.
- D. The owner may appeal any revocation by filing a written appeal with the Planning Department within ten (10) days of the date of the revocation notice. In the written appeal, the owner shall describe the reason for the appeal, and may request a hearing with the Community Development Director or designee. At the hearing, the owner shall have the opportunity to be heard on the revocation. Within ten (10) days of the hearing, the Community Development Director or designee shall either uphold or reverse the revocation, in writing. The decision of the Community Development Director is appealable to the respective Planning Commission pursuant to the applicable appeal procedures set forth in section 13200 of the Code.
- E. For a minimum of two (2) years following revocation of a short-term vacation rental permit, the County shall not accept an application for a new permit for the same short-term vacation rental property.

3821.17: Appeal Procedure for Denial of Permit

If the application for a short-term vacation rental permit is denied, the applicant may appeal that decision to the Community Development Director within ten (10) days of receipt of written notice of such denial, otherwise the permit denial shall be final and not subject to appeal. All decisions by the Community Development Director may then be appealed to the respective Planning Commission, pursuant to the applicable appeal procedures set forth in Section 13200 of the Code.

PROPOSED AMENDMENTS TO CHAPTER 12: DEVELOPMENT REVIEW PROCEDURES

12000: DEVELOPMENT REVIEW PROCEDURES

- A. **Procedures and Requirements:** As part of this Code, Summit County has established procedures and requirements for the review of development proposals, and for issuance of permits for the development and use of property. Such provisions are contained throughout this Code.
- B. **Basic Planning Processes:**
1. Summit County has the following six (6) basic types of development review processes:
 - a. Class 1 & 2: Planning Department review and action.
 - b. Class 3: Planning Commission and, in certain instances, Board of County Commissioner (“BOCC”) informal review and comment on proposed applications in the forum of a work session.
 - c. Class 4: Planning Commission, Board of Adjustment (“BOA”), or other Review Authority’s review and action.
 - d. Class 5: Planning Commission review and recommendation to the BOCC, followed by BOCC review and action.
 - e. Class 6: BOCC review and action.
 2. Each type of development review or planning application, as outlined in the relevant section of this Code, specifies which process shall be followed for the processing of applications. Any process outlined in other chapters of this Code and not referenced as subject to one of the development review processes outlined above is only subject to meeting those specific requirements and procedures contained in such relevant section.
- C. **Application of Development Review Processes:**
1. **Class 1: Planning Department Review and Action on Building Permits [and Short-Term Vacation Rental Permits:](#)**
 - a. **General Description:** The Class 1 development review process is the administrative review process for short-term vacation rental permits, and building permits and other related permits per the applicable Building Code, and is designed to run concurrently with, and mesh with, the Building Department’s review of such permits. It is acknowledged that there may be unique situations where the Planning Department’s review of building permits as a Class 1 development review may take longer than the Building Department’s review based upon unique site considerations, such as but not limited to the presence of development constraints that pose a threat to the public health, safety or welfare. It is the goal of this process to have a seamless development review of building permit applications via the Class 1 development review process. The Class 1 development review process is designed to review [short-term vacation rental permits, and](#) building permits for development review applications that may be administratively acted on, as well as building permits for projects that are required by the provisions of the Code to be first reviewed and approved by either the Planning Commission, BOA or the BOCC (e.g. Site plan review for multi-family project must first be reviewed and approved by a Planning Commission prior to the Planning Department reviewing the building permit).
 - b. **Applicability:** The Class 1 development review process shall be used for those development reviews identified as such in this Code, including but not limited to, the following types of applications:
 - i. Site plan review as required by Section 12600 et seq. for certain development that may be administratively reviewed and acted on by the Planning Department, including but not limited to single-family and duplex dwellings and permitted or accessory uses related thereto. If a Planning Commission site plan review is required either by a plat note, a Planned Unit Development (“PUD”) provision or some other legal mechanism, such applications shall instead follow the Class 4 development review process and such items shall be placed on the Planning Commission’s consent agenda.
 - ii. The Class 1 development review process is also the review process for building permits for projects that have been first reviewed and acted on by the Planning Department, Planning Commission, BOA or the BOCC.
 - iii. Small scale solar, small scale wind, and small scale wood burning energy systems as provided for in Section 3507 et seq.
 - iv. [Short-term vacation rental permits as provided for in Section 3821 et. seq.](#)

PROPOSED AMENDMENTS TO CHAPTER 15: DEFINITIONS

Short-term Vacation Rental Property. A short-term vacation rental property is defined as a residential dwelling unit, or any room therein, available for lease or exchange for a term of less than thirty (30) consecutive days. A short-term vacation rental property as regulated by this section is differentiated from a bed and breakfast establishment, which is regulated by Section 3803 of this Code.

DRAFT

FIGURE 3-2
LAND USE MATRIX (17)

	LAND USE MATRIX (17)																			NOTES
	A1	BC	CG	CN	I1	M1	MHP	NR2 ¹	OS	PUD ²	RU	RE	R1	R2	R3	R4	R6	RC 5000	RC 40000	
AGRICULTURAL																				
Agricultural Operations	P	C	NA	NA	NA	NA	NA	NA	NA		P	NA	NA	NA	NA	NA	NA	NA	NA	
Bunkhouse	(see bunkhouse under residential - local resident housing - housing for on-site employees)																			
Fish Farm	(see fish farm under animal related uses)																			
Fish Hatchery	(see fish hatchery under animal related uses)																			
Fur Farm	(see fur farm under animal related uses)																			
Greenhouse	(for private greenhouses, refer to Accessory Uses)																			
Commercial	P/C	NA	A	NA	NA	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Nursery	(see nursery under commercial uses)																			
Office, farm/ranch	P	NA	NA	NA	NA	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Stable/Barn	(see stable/barn under animal related uses)																			
Community Garden	(see community gardens under Community Facilities)																			
ANIMAL - RELATED USES																				
Animal Clinic	C	NA	P	P	NA	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Animal Feedlot	C	NA	NA	NA	NA	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Animal Hospital																				
1. with large animals	C	NA	NA	NA	NA	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
2. without large animals	C	NA	C	C	NA	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Animal Keeping																				
1. general	(see Figure 3-8)																			See Section 3802
2. common facility																				See Section 3802
Animal Pound	C	NA	NA	NA	C	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Animal Salesyard	C	NA	NA	NA	NA	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Crematorium, animal	(see crematorium, animal under storage and disposal uses)																			
Fish Farm	C	NA	NA	NA	NA	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Fish Hatchery	C	NA	NA	NA	NA	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Fur Farm	C	NA	NA	NA	NA	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Kennel																				
1. breeding	C	NA	NA	NA	NA	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
2. boarding	C	NA	C	C	C	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Stable/Barn																				
1. boarding	P	NA	NA	NA	NA	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
2. commercial	P/C	NA	NA	NA	NA	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
3. community	P	NA	NA	NA	NA	NA	NA	NA	NA		P	P	C	NA	NA	NA	NA	NA	C	
4. private	P	A	NA	NA	NA	NA	NA	NA	NA		P	P	C	NA	NA	NA	NA	NA	C	
Wild Game Ranches	C	NA	NA	NA	NA	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Wildlife Rehab	P/C	NA	NA	NA	NA	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
COMMERCIAL																				
Art Gallery	NA	NA	P	P	NA	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Auto Body Work/Paint	(see auto body/ paint under industrial uses)																			
Auto Rental	NA	NA	P	NA	NA	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Auto Repair	NA	NA	P	NA	P	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Auto Sales	NA	NA	P	NA	NA	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Auto Service Station																				
1. with auto repair	NA	NA	P	NA	P	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
2. without auto repair	NA	NA	P	P	P	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Auto Wash/Polish	NA	NA	P	NA	P	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Bank	NA	NA	P	P	P	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Bar/Tavern	NA	NA	P	C	C	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Business, Retail	NA	NA	P	P	P	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Business, Service	NA	NA	P	P	P	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Drinking/Dancing Estab.	NA	NA	P	C	P	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Equipment Rental	NA	NA	P	NA	P	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Equipment Repair	NA	NA	P	NA	P	NA	NA	NA	NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	

FIGURE 3-2
LAND USE MATRIX (17)

	LAND USE MATRIX (17)																			NOTES	
	A1	BC	CG	CN	I1	M1	MHP	NR2 ¹	OS	PUD ²	RU	RE	R1	R2	R3	R4	R6	RC 5000	RC 40000		
P-Permitted																					
C-Conditional																					
T-Temporary																					
	A-Accessory																				
	NA-Not Allowed																				
Equipment Sales	NA	NA	P	NA	P	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		
Financial Institution	(see bank under commercial uses)																				
Health Club	NA	NA	P	P	P	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		
Liquor Store	NA	NA	P	P	P	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		
Lumberyard	NA	NA	P	NA	P	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		
Market																					
1. convenience	NA	NA	P	P	P	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		
2. supermarket	NA	NA	P	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		
Medical Marijuana Center	NA	NA	P	P	P	NA	NA		NA	P	NA	NA	NA	NA	NA	NA	NA	NA	NA		Permitted in accordance with Section 3804 et.al. Permitted only on properties with a commercial designation in PUDs.
Medical Marijuana Optional Premise Cultivation Operation	NA	NA	P	P	P	NA	NA		NA	P	NA	NA	NA	NA	NA	NA	NA	NA	NA		Permitted in accordance with Section 3804 et.al. Permitted only on properties with a commercial designation in PUDs.
Medical Marijuana Infused Products Manufacturing Facility	NA	NA	P	P	P	NA	NA		NA	P	NA	NA	NA	NA	NA	NA	NA	NA	NA		Permitted in accordance with Section 3804 et.al. Permitted only on properties with a commercial designation in PUDs.
Nursery																					
1. retail	NA	NA	P	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		See footnotes #5 and #19
2. wholesale	C	NA	P	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		See footnotes #5 and #19
Offices																					
1. admin/busin/prof	NA	NA	P	P	P	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		
2. construction	T	T	T	T	T	T	T		NA		T	T	T	T	T	T	T	NA	NA		See Section 3806 (subject to a class 2 review)
3. farm or ranch	(see offices, farm or ranch under agricultural uses)																				
4. government	NA	NA	P	P	P	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		
5. property management	NA	NA	P	P	P	NA	P		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		
6. real estate sales	NA	NA	P	P	T	NA	T		NA		NA	NA	T	T	T	T	T	NA	NA		See Section 3817
7. rental	NA	NA	P	P	P	NA	P		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		
Outdoor Vendors	A	NA	T	T	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		See footnotes #4, #19; See Section 3816
Restaurant																					
1. carry out	NA	NA	P	C	C	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		
2. fast food	NA	NA	C	C	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		
3. standard	NA	NA	P	P	C	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		
Retail Marijuana Stores, Retail Marijuana Cultivation Facilities, Retail Marijuana Products Manufacturing Facilities, and Retail Marijuana Testing Facilities	NA	NA	P	P	P	NA	NA		NA	P	NA	NA	NA	NA	NA	NA	NA	NA	NA		Permitted in accordance with Section 3804 et.al. Permitted only on properties with a commercial designation in PUDs.
Retail Sales	P	NA	P	P	P	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		See footnotes #5 and #19
Wholesale sales	P	NA	P	P	P	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		See footnotes #5 and #19
COMMUNITY FACILITIES/INSTITUTIONAL USES																					
Auditorium	NA	NA	P	C	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		
Cemetery	NA	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		See footnote #20
Child Care Center	NA	NA	P	C	NA	NA	NA		NA		C	C	C	C	C	C	C	C	C		
Church	NA	NA	P	C	NA	NA	NA		NA		C	C	C	C	C	C	C	C	C		
Community Center	C	NA	P	C	NA	NA	NA		NA		C	C	C	C	C	C	C	C	C		See footnote #19
Community Garden	P	NA	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P		See Section 3801
Concert Hall	NA	NA	C	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		
Crematorium, Human	(see crematorium, human under storage and disposal uses)																				
Fire Station	C	NA	P	P	P	NA	C		NA		C	C	C	C	C	C	C	C	C		See footnote #19
Fraternal/Service Club	NA	NA	P	C	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		
Funeral Home	NA	NA	C	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		
Government Facilities									NA												
1. admin. office	(see admin. office under commercial uses)																				
2. other	NA	NA	NA	NA	P	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		
Library	NA	NA	P	P	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		See footnote #19
Museum	C	NA	P	P	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		See footnote #19
Park/Playground	(see park/ playground under recreation)																				
Penal Facilities	NA	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA		
Police Station	C	NA	P	P	P	NA	C		NA		C	C	C	C	C	C	C	C	C		See footnote #19
Recreation Building	(see recreation building under accessory uses)																				
Schools																					

FIGURE 3-2
LAND USE MATRIX (17)

	LAND USE MATRIX (17)																		NOTES	
	A1	BC	CG	CN	I1	M1	MHP	NR2 ¹	OS	PUD ²	RU	RE	R1	R2	R3	R4	R6	RC 5000		RC 40000
P-Permitted																				
C-Conditional																				
T-Temporary																				
	A-Accessory																			
	NA-Not Allowed																			
1. college/university/high school	NA	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #20
2. elem/secondary, private	NA	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #20
3. elem/secondary, public	C	NA	NA	NA	NA	NA	NA		NA		P	P	P	P	P	P	P	P	P	See footnote #19
4. middle school	C	NA	NA	NA	NA	NA	NA		NA		P	P	P	P	P	P	P	P	P	See footnote #19
5. trade/vocational	NA	NA	P	NA	P	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Sewage Treatment Plant	(see sewage treatment plant under utilities)																			
Water Treatment Plant	(see water treatment plant under utilities)																			
HEALTH CARE FACILITIES																				
Clinic	NA	NA	P	P	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Convalescent Home/ Nursing Home/ Assisted Living Facility/Memory Care Facility	NA	NA	P	C	NA	NA	NA		NA		NA	NA	C	C	C	C	C	C	C	
Hospital	NA	NA	C	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
INDUSTRIAL																				
Asphalt Plant	C	NA	NA	NA	C	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #19 Not allowed for off-site use. Subject to a class 2 review and only in conjunction with an on-site active mining improvement.
Auto Body/Paint	NA	NA	NA	NA	P	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Concrete Batch Plant	C	NA	NA	NA	C	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #19 Not allowed for off-site use. Subject to a class 2 review and only in conjunction with an on-site active mining improvement.
Industry																				
1. heavy	NA	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
2. light	NA	NA	NA	NA	P	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #6
3. service	NA	NA	NA	NA	P	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #6
Manufacturing																				
1. heavy	NA	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
2. light	NA	NA	NA	NA	P	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #6
Wood Manufacturing	C	NA	NA	NA	C	NA	NA		C		NA	NA	NA	NA	NA	NA	NA	NA	NA	
TOURIST SERVICES																				
Bed and Breakfast	P	NA	P	P	NA	NA	NA		NA		C	C	C	C	C	C	C	C	C	See Section 3803; See footnotes #15, #19
Boarding House/Rooming House	NA	NA	P	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Campground	(see campground under recreation)																			
Condo-Hotel	NA	NA	P	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Conference Facilities	NA	NA	P	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	Accessory to hotel/motel See footnote #19
Dude Ranch/Resort																				See footnote #19
1. large scale	NA	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #20
2. medium scale	C	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See Section 3808
3. small scale	P	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See Section 3808, See footnote #19
Hotel/Motel	NA	NA	P	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Packing/Outfitting	P	C	NA	NA	NA	NA	NA		A		NA	NA	NA	NA	NA	NA	NA	NA	NA	See Section 3514.02.D, See footnote #19; OS: Accessory to Open Space
Snowmobile, Jeep, and Mountain Bike Tours	NA	NA	C	NA	NA	C	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Recreational Vehicle Park	NA	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #20
Short-term Vacation Rentals	P	NA	NA	NA	NA	NA	P		NA		P	P	P	P	P	P	P	P	P	See footnote #21- See Section 3821
Wedding Events																				
1. family	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	
2. commercial	C	NA	P	P	NA	NA	NA		NA		C	C	NA	NA	NA	NA	NA	NA	NA	
MISCELLANEOUS																				
Outdoor Display																				
1. art	A	A	C	C	C	NA	A		NA		A	A	A	A	A	A	A	NA	NA	See Section 3813, See footnote #19
2. merchandise	A	A	A	A	NA	NA	A		NA		A	A	A	A	A	A	A	NA	NA	See Section 3814, See footnotes #7, #19
NATURAL RESOURCES																				
Crushing, Gravel/Rock	C	NA	NA	NA	C	P	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See section 3812 et.seq.
Firewood Split/Storage																				See footnote #19
1. commercial	C	C	NA	NA	C	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
2. private	P	P	A	A	A	P	A		NA		A	A	A	A	A	A	A	NA	NA	Accessory to residential use; CG, CN, I1: Accessory to employee housing unit
Timber Harvest																				
1. commercial	P/C	P/C	NA	NA	NA	P	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See Section 3514.02.E, See footnote #19. Commercial timber harvesting and extensive tree clearing in excess of .5 acre requires a Class 2 conditional use permit.
2. private	P	C	NA	NA	NA	P	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	BC: See Section 3514.02.E, See footnote #19. Private timber harvesting and extensive tree clearing in excess of .5 acre requires a Class 2 conditional use permit.

FIGURE 3-2
LAND USE MATRIX (17)

	LAND USE MATRIX (17)																			NOTES
	A1	BC	CG	CN	I1	M1	MHP	NR2 ¹	OS	PUD ²	RU	RE	R1	R2	R3	R4	R6	RC 5000	RC 40000	
Milling	C	NA	NA	NA	C	P	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #19 See Section 3812 et.seq.
Mining	C	P/C	NA	NA	C	P	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #19. Where Conditional Use Permits are required, they will be subject to a Class 4 review. See Section 3812.02B BC: Also see Section 3514.02.A
Open Space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Sawmill																				See footnote #19
1. commercial	C	NA	NA	NA	C	C	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See Section 8424; Permitted if on 35 acres or more and Conditional if on less than 35 acres
2. private	P	P	NA	NA	NA	P	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Silviculture	P	NA	NA	NA	NA	A	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	Subject to a class 2 review and only in conjunction with an onsite active mining operation.
Wildfire Mitigation	A	A	A	A	A	A	A		A		A	A	A	A	A	A	A	A	A	Allowed in all zoning districts. If a G/E Permit is required, a Fire Mitigation/ Forest Management plan will also need to be submitted and approved in conjunction with the permit unless waived by the Review Authority.
RECREATION																				
Alpine Ski Area	NA	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #20
Amusement Facilities	(see recreation facilities under recreation)																			
Athletic Facilities	(see recreation facilities under recreation)																			
1. commercial	NA	NA	C	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #19
2. community	A	NA	NA	NA	NA	NA	NA		NA		A	A	A	A	A	A	A	NA	NA	Accessory to residential development, parks/playgrounds. Conditional as stand alone facilities.
3. private	A	NA	NA	NA	NA	NA	NA		NA		A	A	A	A	A	A	A	NA	NA	Accessory to residential development
Bowling Alley	NA	NA	P	P	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Campground	NA	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Community Bldg	(see community building under accessory uses)																			
Fairground	NA	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #20
Game Arcades	NA	NA	P	P	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Golf Course	NA	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #20
Nordic Ski Center	P/C	C	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	A-1: Permitted on 35 or more acres, conditional on less than 35 acres, See footnote #19. BC: Within the BC Zoning District, nordic ski center uses shall be limited to groomed and un-groomed nordic trails, trailheads, signage, toilets and warming huts. Such uses shall be designed in a manner that is consistent with the backcountry character. A trailhead shall be evaluated and/or approved through a conditional use permit, and shall comply with the standards set forth in the BC Zoning District regulations (e.g., road standards and operational considerations).
Nordic Ski Huts	P/C	C	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #19, See Section 3514.02.C; Permitted if on 35 acres or more and conditional if on less than 35 acres
Packing/Outfitting	(see packing/ outfitting under tourist services)																			
Park/Playground	(see recreation facilities under recreation)																			
1. accessory	P	P	NA	NA	NA	NA	NA		NA		P	P	P	P	P	P	P	NA	NA	Accessory to a school, community center, or a recreation building
2. freestanding	C	C	NA	NA	NA	NA	NA		NA		C	C	C	C	C	C	C	NA	NA	
Recreation Bldg	(see recreation building under accessory uses)																			
Recreation Facility	(see recreation facilities under recreation)																			
1. commercial	(see recreation facilities under recreation)																			
a. indoor	NA	NA	P	P	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
b. outdoor	NA	NA	C	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
2. community	C/A	NA	NA	NA	NA	NA	NA		NA		A	A	A	A	A	A	A	NA	NA	Accessory to residential development, parks/playgrounds. Conditional as stand alone facilities.
3. private	A	NA	NA	NA	NA	NA	NA		NA		A	A	A	A	A	A	A	NA	NA	Accessory to residential development
Ski Area	(see alpine ski area or nordic ski center under recreation)																			
Shooting Range	(see recreation facilities under recreation)																			
1. public	(see recreation facilities under recreation)																			
a. indoor	C	NA	NA	NA	C	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #19
b. outdoor	P	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
2. private	P/C	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	Permitted on 35 or more acres, conditional on less than 35 acres
Theater	(see recreation facilities under recreation)																			
1. indoor	NA	NA	P	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
2. outdoor, public	NA	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #20
3. outdoor, private	NA	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #20
Trail	P	C	P	P	P	P	P		A		P	P	P	P	P	P	P	P	P	OS: Accessory to Open Space
Trailhead	A	C	A	A	A	A	A		A		A	A	A	A	A	A	A	A	A	Accessory to trails

FIGURE 3-2
LAND USE MATRIX (17)

	A1	BC	CG	CN	I1	M1	MHP	NR2 ¹	OS	PUD ²	RU	RE	R1	R2	R3	R4	R6	RC 5000	RC 40000	NOTES
Tubing Hill	A	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	Accessory to dude ranch/resort, See footnote #19
RESIDENTIAL USES																				
Manufactured Home Park	NA	NA	NA	NA	NA	NA	P		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Residential Subdivision																				See footnote #8
1. rural cluster	P	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See Section 8420
2. standard	P	P	NA	NA	NA	NA	P		NA		P	P	P	P	P	P	P	NA	NA	
TYPES OF UNITS																				
Primary Dwelling																				
1. one-family unit	P	P	NA	NA	NA	NA	P		NA		P	P	P	P	P	P	P	P	P	BC: See Section 3514.02.B
2. two-family unit	NA	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	P	NA	NA	
3. multifamily unit	NA	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
4. manufactured home	P	P	NA	NA	NA	NA	P		NA		P	P	P	P	P	P	P	P	P	See Section 3505.08, See Section 3514.02.B
5. modular home	P	P	NA	NA	NA	NA	P		NA		P	P	P	P	P	P	P	P	P	See Section 3505.08, See Section 3514.02.B
6. recreational vehicle	NA	NA	NA	NA	NA	C	NA		NA		NA	NA	NA	NA	NA	NA	NA	C	C	See footnote #14; M1: See footnote #9; RC5000, RC40000: See Section 3820. Recreational vehicles are subject to a Class 2 review.
Subsidiary Dwellings																				
1. accessory apartment	(see accessory apartment under local resident housing)																			
2. caretaker unit	(see caretaker unit under local resident housing)																			
Group Residences																				
1. group home	P	NA	NA	NA	NA	NA	NA		NA		P	P	P	P	P	P	P	NA	NA	
2. dormitory	NA	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
3. retirement home/senior housing	NA	NA	C	C	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Local Resident Housing																				
1. affordable workforce housing																				Affordable workforce housing, which complies with the requirements in Section 3809.02 et seq. and the other applicable requirements of this Code, may be permitted on properties that have been authorized for such use through an approval of the County. A1: See footnote #19. CG, CN: See footnote #11.
2. accessory apartment	A	NA	NA	NA	NA	NA	NA		NA		A	A	A	A	A	A	A	A	A	See Section 3809.03; A1: See footnote #19
3. housing for on-site employees																				
a. caretaker unit																				
i. freestanding unit	P	NA	NA	NA	NA	C	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	A1: Permitted on 35 or more acres, NA on less than 35 acres; M1: Conditional upon the establishment of an active mining operation, subject to a class 4 review.
ii. incorporated into residence	P	NA	NA	NA	NA	NA	NA		NA		P	P	P	P	P	P	P	NA	NA	
iii. recreational vehicle	P	NA	NA	NA	NA	C	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	A1: Permitted on 35 or more acres, NA on less than 35 acres; M1: Accessory to active mining operation; subject to a Class 2 review. See footnotes #9, #10, and #14.
b. on-site employee housing for:																				
i. commercial/industrial business	A	NA	A	A	A	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See Section 3809.04.B.2.a. An employee housing unit can either be incorporated into a commercial/industrial building or located in a separate, freestanding structure on the same property as the commercial/industrial business.
ii. multifamily residential development	NA	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See Section 3809.04.B.2.b. On-site employee housing for multi-family residential developments is permitted in PUDs where multifamily development is allowed, and in the antiquated zoning districts remaining in effect, which allow multifamily development, including R-25, R-4 with plan, R-6 with plan, and RP.
iii. ranching and farming operations	P/C	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See Section 3809.04.B.2.c. Bunkhouse or hired hand quarters for temporary, seasonal harvesting crews, accessory to farm/ranch, permitted on 35 or more acres, conditional on less than 35 acres, See footnote #19.
iv. active mining operations	A	NA	NA	NA	NA	C	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See Section 3809.04.B.2.d. Bunkhouse conditional upon the establishment of an active mining operation and subject to a Class 4 review.
ACCESSORY USES																				
Child Care, home	P	NA	NA	NA	NA	NA	P		NA	P	P	P	P	P	P	P	P	P	P	See Section 3810
Community Building	A	NA	NA	NA	NA	NA	NA		NA		A	A	A	A	A	A	A	A	A	Accessory to residential development
Community Garden	P	P	P	P	P	P	P		NA	P	P	P	P	P	P	P	P	P	P	See Section 3801
Garages																				
(see garage under storage and disposal uses)																				
Greenhouse, private	A	A	A	A	A	A	A		NA	A	A	A	A	A	A	A	A	A	A	Accessory to a residential unit
Home Occupation	A/C	A/C	NA	NA	NA	NA	A/C		NA	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C	Section 3810, See footnote #12
Motor Vehicles, storage/parking																				
(see motor vehicles, storage/parking under storage and disposal uses)																				
Recreation Building	A	NA	NA	NA	NA	NA	NA		NA		A	A	A	A	A	A	A	NA	NA	Accessory to residential development

FIGURE 3-2
LAND USE MATRIX (17)

	A1	BC	CG	CN	I1	M1	MHP	NR2 ¹	OS	PUD ²	RU	RE	R1	R2	R3	R4	R6	RC 5000	RC 40000	NOTES
P-Permitted C-Conditional T-Temporary	A-Accessory NA-Not Allowed																			
Residential Cultivation of Medical Marijuana	A	A	A	A	A	A	A			A	A	A	A	A	A	A	A	A	A	Permitted as an accessory use to a residential dwelling unit in accordance with Section 3804 et.al.
Storage Areas	(see storage areas under storage and disposal uses)																			
STORAGE AND DISPOSAL USES																				
Construction Staging Area																				
1. on site	P	P	P	P	P	P	P		NA		P	P	P	P	P	P	P	P	P	
2. off site	T	T	T	T	T	T	T		NA		T	T	T	T	T	T	T	NA	NA	
Crematorium, Animal	A	NA	NA	NA	P	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	Accessory to animal clinic/hospital/pound, minimum 20 acre lot required, See footnote #19
Crematorium, Human	NA	NA	NA	NA	P	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Garage																				
1. private	A	A	A	A	NA	A	A		NA	A	A	A	A	A	A	A	A	A	A	Accessory to a residential unit RC-5000: See footnote #18; BC: See Section 3514.04.B.3
2. public																				
- accessory	NA	NA	A	A	A	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	Accessory to commercial/industrial businesses
- primary	NA	NA	C	NA	C	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Impound yard	NA	NA	NA	NA	C	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Junkyard	NA	NA	NA	NA	C	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Mini-Warehouse	NA	NA	NA	NA	P	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Motor Vehicles, Parking/Storage	C	A	P	P	P	P	A		NA		A	A	A	A	A	A	A	A	A	Accessory to a residential unit, See Section 3815; A1: See footnote #19; RC-5000: See footnote #18
Park and Ride	NA	NA	C	NA	C	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Parking Lot																				
1. accessory	A	NA	A	A	A	A	A		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #19
2. primary	NA	NA	C	NA	C	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	Accessory to the activities associated with mining operations
Recreational Vehicle, not in storage yard	A	A	P	P	P	P	A		NA		A	A	A	A	A	A	A	A	A	See Section 3815, see footnote #16; RC-5000, RC-40000: See footnote #18
Sanitary Landfill	C	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #19 Accessory to uses directly related to an onsite mining operation and must comply with all applicable State Regulations.
Sludge																				
1. disposal	C	C	NA	NA	NA	P	NA		A		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #19 See Section 3818
2. temporary storage	C	C	NA	NA	A	P	NA		NA		A	A	A	A	A	A	A	NA	NA	See Section 3818, Accessory to a sewage treatment plant
Storage Areas																				
1. equipment	A	A	NA	NA	NA	A	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #13 accessory to the activities associated with mining operations.
2. nonresidential	(see storage yards under storage and disposal uses)																			
3. residential	A	A	NA	NA	NA	NA	A		NA		A	A	A	A	A	A	A	A	A	See Section 3815; RC-5000: See footnote #18 BC: See Section 3514.02.G
Storage Buildings	A	A	A	A	P	P	A		NA		A	A	A	A	A	A	A	NA	NA	BC: See Section 3514.04.B.3; MHP: See Section 3513.04A.3
Storage Yards																				
1. equipment	NA	NA	A	NA	P	P	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	Accessory to equipment rental
2. non-rec vehicles	NA	NA	NA	NA	P	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
3. nonresidential	A	NA	A	A	A	A	NA		NA		C	C	C	C	C	NA	NA	NA	NA	See Section 3815, See footnote #19, NA on lots of 10,000 sq.ft. or less
4. rec vehicles																				See Section 3815, See footnote #14; RC-5000: See footnote #18
- commercial	NA	NA	NA	NA	P	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
- private	NA	NA	NA	NA	NA	NA	P		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Warehouse	NA	NA	NA	NA	P	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
TRANSPORTATION USES																				
Airport	NA	NA	NA	NA	NA	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #20
Bus Shelter	P	NA	P	P	P	P	P		NA		P	P	P	P	P	P	P	NA	NA	See footnote #19
Bus Terminal	NA	NA	C	NA	P	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
Heliport	C	NA	C	C	C	C	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #19
Helistop	C	NA	C	C	C	C	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	See footnote #19
Truck Terminals	NA	NA	NA	NA	C	NA	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	
UTILITIES¹⁶																				
Communication Tower																				See Section 3805
1. commercial	C	C	C	C	C	C	C		C		C	C	C	C	C	C	C	C	C	See footnote #19
2. commercial, accessory	P/C	NA	P/C	P/C	P/C	P/C	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	Permitted if 35' or less, conditional if over 35', see Section 3805, see footnote #19
3. noncommercial	P/C	C	P/C	P/C	P/C	P/C	P/C		P/C		P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	Permitted if 35' or less, Conditional if over 35', See section 3805, See footnote #19; BC: See Section 3805.02.B
Communication Antennas																				See Section 3805, See footnote #19

FIGURE 3-2
LAND USE MATRIX (17)

	LAND USE MATRIX (17)																			NOTES	
	A1	BC	CG	CN	I1	M1	MHP	NR2 ¹	OS	PUD ²	RU	RE	R1	R2	R3	R4	R6	RC 5000	RC 40000		
1. commercial	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	See Section 3805.02.C
2. commercial, accessory	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	See Section 3805.02.C
3. noncommercial	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	See Section 3805.02.D
4. Private	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	See Section 3805.02.E
Hydroelectric Energy Systems																					See Section 3507.03; A-1: See footnote #19
1. small scale	A	A	A	A	A	A	A		A	A	A	A	A	A	A	A	A	A	A	A	Accessory to a primary use
2. large scale	C	NA	NA	NA	C	C	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Sewage Treatment Plant	C	NA	NA	NA	C	A	NA		NA		C	C	C	C	C	C	C	NA	NA		Accessory to the activities associated with the mining operations.
Solar Energy Systems																					See Section 3507.01; A-1: See footnote #19
1. small scale	A	A	A	A	A	A	A		A	A	A	A	A	A	A	A	A	A	A	A	Accessory to a primary use; BC: See section 3514.
2. large scale	C	NA	C	C	C	C			NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Utility Facility																					
1. major	C	C	C	C	C	C	C		NA		C	C	C	C	C	C	C	C	C	C	
2. minor	P	P	P	P	P	P	P		NA		P	P	P	P	P	P	P	P	P	P	BC: Limited to those utilities listed in Section 3514.04.D
Water Treatment Plant	C	NA	NA	NA	C	A	NA		NA		C	C	C	C	C	C	C	C	C	C	Accessory to the activities associated with the mining operations.
Wind Energy Systems																					See Section 3507.02; A-1: See footnote #19
1. small scale	A	A	A	A	A	A	A		A	A	A	A	A	A	A	A	A	A	A	A	Accessory to a primary use
2. large scale	C	NA	NA	NA	NA	C	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Wood Burning Energy Systems																					See Section 3507.04; A-1: See footnote #19
1. small scale	A	A	A	A	A	A	A		A	A	A	A	A	A	A	A	A	A	A	A	Accessory to a primary use
2. large scale	C	NA	NA	NA	C	C	NA		NA		NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	

FOOTNOTES:

1	Uses shall be permitted as specified in the State or Federal approved authorization.
2	Uses shall be permitted as specified in a County approved PUD designation.
3	The keeping of livestock animals in the R-1 and RC40,000 zoning district is a conditional use; construction of a barn/stable is also a conditional use, and requires the concurrent approval of a CUP for the keeping of livestock.
4	Only the sale of products produced on the property is allowed. The sale of products produced offsite is not allowed. Regulations on outdoor vendors are stated in Section 3816 et seq.
5	The wholesale sales of products produced on the property, and as a part of a wholesale nursery operation are allowed on property zoned A-1. In the A-1 Zoning District, a wholesale nursery may only sell products grown, raised or manufactured from products grown or raised on site.
6	Only industrial or manufacturing businesses, meeting the performance standards in Section 3512 et seq., are permitted.
7	The outdoor display of merchandise in residential zoning districts is limited to garage sales. See Section 3814 et seq.
8	The provision for certain types of residential subdivisions does not preclude subdivisions for other types of development, provided such subdivisions comply with County Subdivision Regulations (Chapter 8).
9	Recreational vehicles may be used as a residence for the caretaker or mine operator on a seasonal basis where an active mining operation is underway, provided the recreational vehicle is in compliance with Section 3809.04.F et seq. and is subject to a Class 2 review.
10	A recreational vehicle may be used as a residence for a caretaker on parcels of 35 acres or more, provided the recreational vehicle is in compliance with Section 3809.04.F et seq.
11	In the CG and CN zoning districts, affordable workforce housing cannot be located on the ground floor level, and the amount of floor area for affordable workforce housing cannot exceed the total commercial floor area on the property.
12	Home businesses in the RP zoning district are restricted to areas at densities of six or less dwelling units per acre. See Section 3810 et seq.
13	Allows for the establishment of areas for the storage of equipment associated with farming, ranching, or an active mining operation. Such areas are not required to be screened except as required by Section 3505.11.
14	"Recreational Vehicle" listed under "Residential"- "Primary Dwelling" refers to the occupancy of the recreational vehicle as a primary dwelling, see sections 3815.08 and 3819; "Recreational Vehicle" listed under "Residential"- "Local Resident Housing"- "Housing for On-Site Employees"- "Caretaker Unit" refers to occupancy of the recreational vehicle as a caretaker unit; "Recreational Vehicle" listed under "Storage and Disposal Uses" refers to the storage of a recreational vehicle; "Rec Vehicle" listed under "Storage and Disposal Uses"- "Storage Yards" refers to the storage yards used for the storage of vehicles used for recreational purposes such as snowmobiles, four-wheelers, motorcycles, etc.
15	Bed and breakfasts may only be established in single family dwellings. They may not be established in duplex or multifamily dwellings. See Section 3803 et seq.
16	Any activity or structure subject to a 1041 permit is exempt from any requirement for a Conditional Use Permit pursuant to Figure 3-2.
17	Figure 3-2 is designated as the County Land Use Matrix. Figure 3-3 lists land uses allowed by zoning district and is included in this Code for informational purposes only. It is the intent of this Code that Figures 3-2 and 3-3 be consistent. Where an inconsistency occurs, Figure 3-2 shall govern.
18	In the RC-5000 zone these accessory uses are allowed on a lot, or lots, within 500 feet, or directly across a local access or low volume road, from the lot where the primary use is located. In such cases the lot, or lots, where the accessory use is located shall be deed restricted or tied to the primary lot in such a way that sale separate from the primary lot is prohibited, except that the accessory lot, or lots, may be transferred to the owner of an adjacent lot with a primary use. If the accessory lot is transferred, the same deed restriction and covenant requirements shall apply.
19	Parcels created through the rural land use subdivision process may have additional restrictions on use. Please refer to Section 8424 to determine use restrictions that may apply.
20	These uses shall only be allowed in a PUD where a rezoning has been approved that allows for such use.

21 These uses are only regulated as a distinct land use in those zone districts that have a designation assigned in this Land Use Matrix; if the matrix is blank for a zone district, the land use is subject to the generally applicable regulations for land uses in that zone district.



2018

Draft Short-Term Vacation Rental Permitting Guide

If you are interested in renting your home for periods of less than 30 consecutive days, you qualify as operating short-term vacation rental lodging within unincorporated Summit County.

As an owner of a short-term vacation rental property, you are required to obtain a short-term vacation rental permit and remit taxes on the gross sales received from your short term vacation rental. [Following adoption, Define and insert details and key dates on the phased rollout of these requirements.]

- Read the attached Short-Term Vacation Rental Regulations set forth in Section 3821 of the Summit County Land Use and Development Code.
- Obtain a Short-Term Vacation Rental Permit from Summit County
 - Complete the Application for a Short-Term Vacation Rental Permit Form
 - Complete and Notarize the Short-Term Vacation Rental Self-Compliance Affidavit
 - Complete the Short-Term Vacation Rental Local Agent & Owner Authorization Form and provide a copy of the designated agent's driver license
 - Read and Sign the Good Neighbor Guidelines
 - Submit application documents and application fee of \$_____ to Summit County
- Be Aware of the Sales Tax Rate to Collect:
 - State of Colorado – 2.9%
 - Summit County – 2.0%
 - Mass Transit – 0.75%
 - Affordable Housing – 0.725%
 - Unincorporated Summit County does not have a lodging tax.**Total of 6.375%**
- Complete a Personal Property Declaration Form and submit it to the County Assessor's Office. Colorado Statute requires anyone who owns a business or rents their residential property on a short or long term basis to declare their business equipment or residential rental furnishings.
- Post your Short-Term Vacation Rental Permit Number on all advertising (print, online, etc.)
- Verify that all of the life-safety requirements required are in place at your property.
- Review your Homeowner's Insurance Policy to ensure you have the coverage appropriate for the use of the property as a short-term vacation rental.
- Submit your monthly or quarterly taxes to the following agencies:
 - State of Colorado (Sales Tax)

Include a link to the County GIS mapping so applicants can locate which jurisdiction their property is in and apply to the right jurisdiction.

Questions? Contact: str@summitcountyco.gov



Short-Term Vacation Rental Permit Application

Application Fee \$ _____

STR Property Address: _____

PPI or Schedule Number: _____

Check One: New STR Existing STR – Permit Number: _____

Is this property a deed restricted workforce housing unit? Yes No

Is the property subject to a homeowners association or private covenant? Yes No

If Yes, please select a statement below that applies to the property:

- The property is subject to a homeowners association or private covenant and the operation of a short-term rental does not require approval by the homeowners association or covenant beneficiary.
- The property is subject to a homeowners association or private covenant and the operation of a short-term rental has been approved by the homeowners association or covenant beneficiary.

Proposed water supply and sewer service to serve the STR property:

- Water District _____
- Domestic Well (attach water sample results as required in 3821.13)
- Sanitation District _____
- On-site Wastewater Treatment System (OWTS) / septic system (attach Use Permit or pumping report as required in 3821.13)

Type of Ownership: Sole Proprietor Partnership Corporation Other _____

Owner's Name(s) or Name of Ownership: _____

Mailing Address: _____

City: _____ State/Zip: _____

Preferred Telephone: _____ Email: _____

If Corporation - Registered Agent: _____

Name of Person or Entity Preparing Tax Return: _____

Telephone Number: _____ Email: _____

Sales tax license number: _____

Select the hosting platform(s) or website(s) that the property is advertised on:

- Air B&B VRBO HomeAway TripAdvisor FlipKey Vacasa Evolve
- Other _____ Other _____ Other _____ Other _____

Select the type of rental that this property is offered as:

- Entire Home (Host Absent) Entire Home – Detached Residence (Host Present)
- Private Room (Host Present) Shared Room (Host Present)

Self-Compliance Affidavit

Please Note: All statements listed below must be initiated.
Failure to initial any questions will delay your permit issuance.

Occupancy: Occupancy limits of 2 per bedroom, plus 2 will be adhered to and appropriately listed in rental advertisements. Note - Additional occupancy limits apply to properties served by wells and/or septic systems. See Section 3821.13 of the County Land Use and Development Code for more details.

Number of Bedrooms: _____ Total Overnight Occupancy Advertised: _____

Health & Life Safety Standards:

_____ Buildings, structures or rooms shall not be used for purposes other than those for which they were designed or intended.

_____ Roofs, floors, walls, foundations, ceilings, stairs, handrails, guardrails, doors, porches, all other structural components and all appurtenances thereto shall be capable of resisting any and all forces and loads to which they may be normally subjected, and shall be kept in sound condition and in good repair

_____ The street address, permit number, local agent and property owner contact information is posted conspicuously in the interior of the property.

_____ The operation of the short-term rental will comply with all county regulations that apply to a residential dwelling

_____ Smoke detectors are installed outside of each sleeping area, in each room used for sleeping purposes, and on each level of a living area, including basements, in accordance with [insert relevant building code reference].

_____ Carbon monoxide detectors are installed in accordance with all requirements for carbon monoxide alarms in rental properties set forth in Colorado Revised Statutes Sections 38-45-102, 103 and 104, including but not limited to installation of carbon monoxide detectors within twenty feet of sleeping areas, within twenty feet of fuel fired appliances (including wood/ gas fireplaces), and within 10 feet of the doorway of an attached garage.

_____ Fire extinguishers are located within thirty feet of the kitchen, on each level of a living area, and in the garage; and they are readily available for immediate use

_____ Wood Burning Fireplaces / Stoves - Fireplaces and flues are maintained in accordance with recognized standards and have been inspected and cleaned on an annual basis. Proof of inspection and cleaning for the current year is required to be available upon request.

_____ An operable toilet, sink, and either a bathtub or shower shall be located within the same building, and every room containing a toilet or bathtub/shower shall be completely enclosed by walls, doors, or windows that will afford sufficient privacy.

_____ Electrical panels shall be accessible at all times with 36 inches of clearance maintained in front of the panels, and shall be clearly labeled.

_____ Outdoor Fires – Outdoor fireplaces shall be permitted and inspected by the applicable fire district. Portable outdoor fireplaces are prohibited

_____ Portable electric space heaters shall not be operated within 3 feet of combustible materials and shall not be plugged into extension cords. Space heaters must be plugged directly into outlets.

_____ The use of outdoor heating appliances is prohibited on balconies. Outdoor heating appliances shall not be operated beneath or closer than 5 feet to buildings, overhangs, awnings, sunshades or similar combustible attachments.

_____ Property Address is required to be visible from the street. Minimum 4 inches in height, 1/2" width numbers permanently affixed on a contrasting background.

- _____ Emergency Exits - The property must have a map or floor plan showing two ways out of the building to a designated meeting place.
- _____ The property has reliable cellular or VoIP service, or a landline telephone has been provided within the unit to enable tenants to call 911 in the event of an emergency.
- _____ The property shall maintain compliance with the Sanitary Standards for Public Accommodations set forth in the Code of Colorado Regulations, Section 6 CCR 1010-14. Requirements include, but are not limited to proper cleaning of linens and pest management.
- _____ The property shall maintain compliance with section 3821.08.K for any swimming pools or spas to prevent illness. Requirements include, but are not limited to, having a Certified Pool Operator in responsible charge, disinfection, and filtration.
- _____ The property has adequate wastewater treatment by means of an approved Onsite Wastewater Treatment System (OWTS) or a sewage treatment works per the OWTS Regulations of Summit County Colorado.
- _____ The property shall provide an adequate supply of water in terms of quantity, quality and dependability for the proposed use as required in section 3821.13.B.

Site Plan and Operation Standards to Mitigate Community Impacts:

- _____ Renters will be informed that on-street parking is not allowed.
- _____ Adequate parking spaces will be provided for renter's use in accordance with the County approved parking plan for the property.
- _____ Renters will be informed of the noise ordinance. No excessive or unreasonable noise will be permitted at any time.
- _____ Renters will be informed of the County approved trash/recycling plan for the property.
- _____ A sufficient number of trash and recycling receptacles will be provided to accommodate all trash generated by those occupying the short-term rental property.
- _____ Exterior lighting requirements will be complied with to prevent off-site glare.
- _____ If pets are allowed, renters will be informed of county regulations for controlling pets, pet waste disposal, and barking/noise considerations.
- _____ The operation of the short-term rental will comply with the "Good Neighbor Guidelines" and a copy of the guidelines will be provided to the renters in the rental agreement and by posting it in a prominent location within the property.

Advertising and Signage:

- _____ All advertising for this short-term rental shall include the short-term rental permit number, immediately following the description of the property, along with the maximum permitted occupancy and the number of on-site parking spaces available.
- _____ A sign will be posted in a prominent location inside the short-term rental property, which includes the local agent's current contact information, the owner's current contact information, the street address of the short-term rental property and the short-term rental permit number.
- _____ The Good Neighbor Guidelines, parking plan and trash and recycling plan and any fire restriction information shall be posted in a prominent location within the short-term rental property.

By completing and signing this affidavit I (we) affirm that, under pains and penalties of perjury, that I (we) have inspected this property and that it complies with all applicable laws, and codes, and will maintain adherence to these requirements throughout the duration of use of the property as a short-term vacation rental.

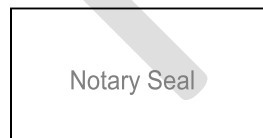
Owner Signature Printed Name Date

Owner Signature Printed Name Date

State of _____
County of _____

Subscribed and affirmed before me this ____ day of _____, 20__.

(Notary's official signature)

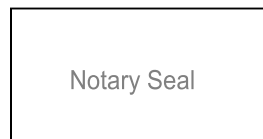


(Commission Expiration)

State of _____
County of _____

Subscribed and affirmed before me this ____ day of _____, 20__.

(Notary's official signature)



(Commission Expiration)



Short-Term Vacation Rental (STR) Local Agent Responsibility and Owner Authorization

Check One:

- New STR
- Existing STR – Change of Property Contact – STR Permit Number: _____

STR Street Address: _____

Owner's Name: _____

Designated Local Agent:

Name: _____

Address of Physical Residence: _____

Phone Number: _____

Email Address: _____

A copy of designated local agent's driver's license must be attached for address verification.**Owner Declaration:**

Each owner of a short-term vacation rental property shall designate a local person whose physical address of residence is within Summit County or within 30 miles of the STR's street address to serve as the local agent. The local agent shall have access and authority to assume management of the unit and take remedial measures. The agent shall be available 24 hours a day, 7 days a week to respond to tenant and neighborhood questions or concerns and must have a text-enabled phone. An owner of a short-term vacation rental may designate himself/herself as the agent, as long as their physical address of primary residence is within Summit County or within 30 miles of the permitted STR's street address.

If you have listed yourself as the designated local agent and will be renting out your entire primary residence, you certify that you will remain within Summit County or within 30 miles of the permitted STR throughout the duration of the rental.

I am the owner(s) of the subject property and hereby authorize the designated person listed above to assume responsibility as the local agent.

Owner Signature	Printed Name	Date
-----------------	--------------	------

Agent Responsibility:

As the local agent, and due to the language "assume management of the unit and take remedial measures", you are responsible for contacting the renters when you have been notified of a complaint. You may be contacted by the Summit County Sheriff's Department to secure the property as needed. Therefore, your phone number will be available to sheriff's office staff, and will be listed under the short term rental permit and posted for renters within the interior of the unit.

Agent Signature	Printed Name	Date
-----------------	--------------	------

Any change of the agent or modification of contact information must be furnished to the county within five (5) days of effective date of the change.



Good Neighbor Guidelines

The Good Neighbor Guidelines were created to educate Short-Term Vacation Rental (STR) owners and tenants/ guests on the importance of being a good neighbor.

- **24-Hour Local Agent Contact Information** - If at any time you have concerns about your stay or in regards to your neighbors, please call the 24-hour contact number listed in the rental lease agreement or posted in the property. In the event of an emergency, please call 911.
- **Fire Restrictions** – Colorado has been in a period of extended drought, and fire restrictions may be enacted by the County depending on conditions. Even if fire restrictions are not in place, be fire-wise only use approved outdoor devices and do not leave outdoor fires unattended.
- **General Respect for Neighbors** - Be friendly, courteous, and treat your neighbors like you want to be treated. Respect your neighbors and their property.
- **Noise and Outdoor Lighting** - Be considerate of the neighborhood and your neighbors' right to the quiet and peaceful enjoyment of their home and property, especially after 11 p.m.
- **Maintenance of Property** - Be sure to pick up after yourself and keep the property clean, presentable, and free of trash.
- **Waste Disposal** - Place all trash and recycling in the designated containers stored indoors. Trash and recycling is collected on _____. The local agent will handle trash disposal on the designed pickup day by placing the containers at the appropriate place no earlier than 6:00 am for pickup, and returning trash and recycling containers to the designated indoor location by 7:00 pm on the day of pickup. Cigarette butts should be properly extinguished and disposed of.
- **Parking & Traffic Safety** – Park in the designated parking spaces provided. Do not park on roadways, lawns, or in a manner which blocks driveways, sidewalks, alleys or mailboxes. Drive slowly through neighborhoods and watch for pedestrians and children playing.
- **Pets** - Promptly clean-up after your pets. Prevent excessive and prolonged barking, and keep pets from roaming the neighborhood. Control aggressive pets, and be sure to abide by the local leash laws. Store pet food indoors and in a secure container to reduce the likelihood of unwanted pest problems.
- **Respect Wildlife** – Consult with CPW and insert educational information about living with wildlife.
- **Tenant/Guest Responsibility** - Approved guests and visitors are expected to follow the Good Neighbor Guidelines. Be sure to read your rental agreement for additional terms and restrictions which may include consequences for violating the Good Neighbor Guidelines.

Owner Signature

Printed Name

Date

Owner Signature

Printed Name

Date

Below is an **EXAMPLE** of the sign you must have posted in your short-term rental property. Please retain for your records



Short-Term Rental Permit # _____

Short Term Rental Property Street Address:

Property Contact:

Name:

Phone Number:

Owner:

Name:

Phone Number: