

CITY OF SALIDA, COLORADO
ORDINANCE NO. 07
(Series of 2017)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SALIDA, COLORADO, CREATING A NEW SECTION, AMENDED DEFINITIONS, AND AMENDMENTS TO TABLE 16-D IN THE LAND USE AND DEVELOPMENT CODE OF THE SALIDA MUNICIPAL CODE IN ORDER TO ESTABLISH OPERATIONAL REGULATIONS FOR SHORT-TERM RENTAL BUSINESSES.

WHEREAS, the number of short-term rental units within Salida has increased significantly in recent years and operational regulations currently do not exist in the Salida Municipal Code to mitigate the adverse impacts to the quality of residential neighborhoods resulting from short-term rentals; and

WHEREAS, the City Council finds it in the best interest of citizens to have regulations for short-term rental businesses to help ensure the health and safety of occupants and the peaceful enjoyment by citizens of their neighborhoods; and

WHEREAS, clarification is needed regarding which land use zones permit the use of property of as short-term rentals; and

WHEREAS, the Salida City Council wishes to add a new section to Chapter 16 of the Salida Municipal Code to establish operational regulations for short-term rentals; and

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

Section 1. The aforementioned recitals are hereby fully incorporated herein.

Section 2. A new Section 16-4-190 q. of Chapter 16 of the Salida Municipal Code shall be created as stated below.

Section 16-4-190 q.

(1) Purpose

The purpose of this section is to protect the health, safety and welfare of the general public and to ensure that the rental of private dwelling units as short-term rentals does not result in adverse impacts to the quality of residential neighborhoods due to excessive noise, parking congestion, and overcrowding and the availability of dwelling units for long term rentals.

a. Registration and licensing requirements

1. All short-term rentals shall comply with Chapter 6 Article VI of the Salida Municipal Code, which establishes the conditions under which a property owner may apply for a short-term rental business license.
2. A separate short-term license is required for each short-term rental property. The permit shall be issued only to the owner of the short-term rental property. In

the residential zones (R-1, R-2, R-3, and R-4), no more than one short-term rental permit is permitted per property owner. All short-term rental permits shall be granted solely to the applicant at the address for which the permit is issued and shall not be transferable to any other person or legal entity. The owner of the short-term rental is responsible for compliance with the provisions of this Section and Chapter 6 Article VI pertaining to short-term rental licensing.

3. Properties that cannot comply with the criteria set forth in this Section and in Chapter 6 Article VI of the Salida Municipal Code may appeal the decision of the Administrator or his or her designee in conformance with Section 16-2-70 of the Land Use and Development Code.

5. Each short-term rental unit shall have a clearly visible notice posted within the unit that includes the following:

- i. contact information for the property management
- ii. the City short-term rental business license number
- iii. contact information for emergencies
- iv. location of fire extinguishers and fire escape routes
- v. the maximum number of people in terms of permitted sleeping occupancy
- vi. the maximum number of persons permitted in the unit at any one time
- vii. the location for parking vehicles and the maximum number of parked vehicles permitted for the unit
- viii. alternative parking locations for extra vehicles, trailers and campers
- ix. requirements for smoking
- x. method and timing of trash disposal
- xi. snow removal instructions
- xii. notice to keep noise to a minimum between 10 pm. and 7 am.
- xiii. policy regarding pets

(2) Conditions and standards

- a. The maximum number of short-term rentals in the residential zones (R-1, R-2, R-3, and R-4) shall not exceed three and a half (3 1/2) percent of the total number of dwelling units eligible as short-term rentals (not including apartment units and accessory dwelling units) in those residential zones. This number shall be based on the survey of dwelling units in the residential zones completed in 2017 with the addition of new dwelling unit (with a certificate of occupancy) totals each year, added in December. Permitted short-term rentals in existence at the time of the adoption of this section shall be included in the calculation of the maximum number of units allowed. In the event the maximum number has been met, no new applications for short-term rentals will be accepted. If a waiting list for short-term rentals in the residential zones exists, new permits, once available, will be issued based on the ability of the applicant to comply with the conditions in this section and the licensing requirements in Chapter 6 Article VI of the Municipal Code on a first come first serve basis.
- b. In the residential zones (R-1, R-2, R-3, and R-4), short-term rentals shall be rented as a short-term rental for no more than 185 calendar days a year.

- c. A maximum of one short-term rental is permitted per street segment (which includes the dwelling units on both sides of the street) in the residential zones (R-1, R-2, R-3, and R-4).
- d. Short-term rentals are not permitted in an apartment building at any time in any zone district.
- e. Applicants wishing to rent an individual room (s) on a short-term basis in an owner-occupied dwelling unit shall comply with Table 16-D of the Land Use and Development Code listing for bed and breakfast inns.
- f. Quiet hours shall be observed between the hours of 10 pm and 7 am.
- g. No short-term rental shall be operated in such a way as to constitute a nuisance.
- h. The maximum number of occupants permitted in a short-term rental shall be established at the time of initial unit licensing. Events, such as concerts and wedding events are prohibited.
- i. The designated parking for vehicles of short-term rental guests shall be addressed at the short-term rental application and licensing stage.

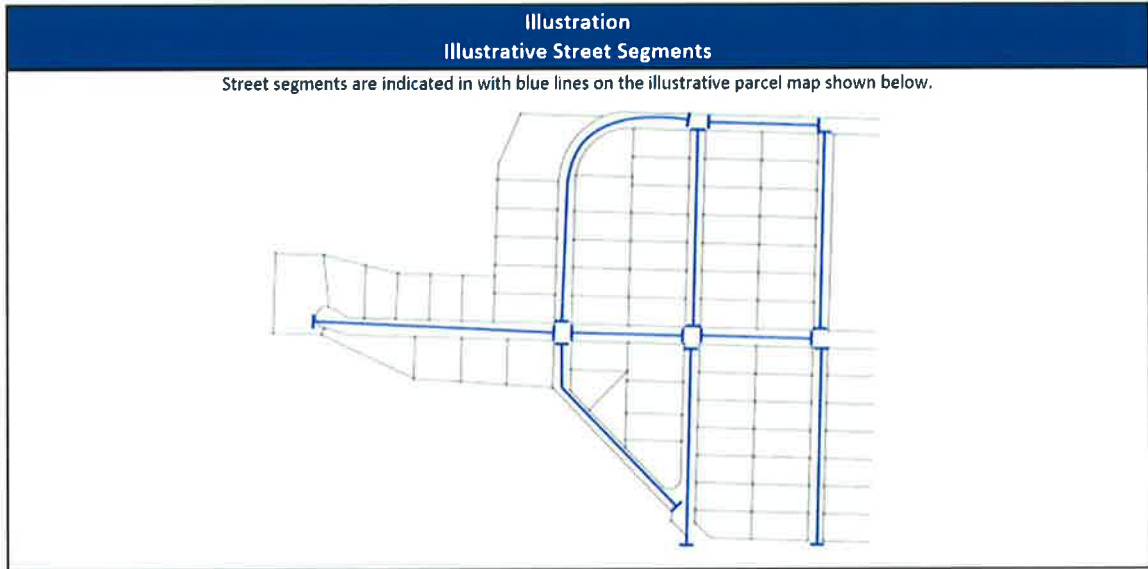
Section 3. The definitions in Section 16-1-80 of the Land Use and Development Code in the City of Salida are hereby amended to add the following new or revised definitions:

Apartment building means a building containing three (3) or more separate dwelling units for rent, which may be separated vertically or horizontally, but not including condominiums, commercial lodging, or bed and breakfast inns.

Dwelling unit means a building or portion thereof that provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Short Term Rental Unit means a privately owned residential dwelling unit, such as a single-family detached unit, duplex, condominium, or townhome that is rented for occupancy for the purpose of lodging for any period less than thirty (30) consecutive days, not to include accessory dwelling units, apartment buildings, Bed and Breakfast Inns, hotels, lodges, and hostels.

Street segment means a portion of a street that is located between two intersections or between an intersection and the end of a cul-de-sac or dead end.



Vacation rental means the rental of any dwelling for overnight or vacation lodging for periods of less than thirty (30) days (see short-term rental unit).

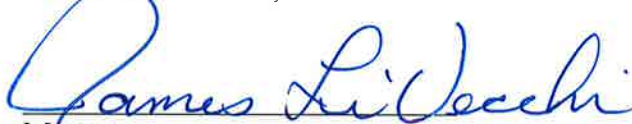
Section 4: Table 16-D Schedule of Uses in the Salida Land Use and Development Code is hereby amended under the Residential Business Uses to include the following two lines:

Residential Business Uses	R-1	R-2	R-3	R-4	RMU	C-2	C-1	I	Standards¹
Bed and breakfast inns	AR	AR	AR	AR	P	P	P	AR	
Short-term Rental Units	AR	AR	AR	AR	P	P	P	AR	Sec. 16-4-190(q)

INTRODUCED ON FIRST READING, on the 21st day of March 2017, ADOPTED and ORDERED PUBLISHED IN FULL in a newspaper of general circulation in the City of Salida by the City Council on the 24th day of March 2017 and set for second reading and public hearing on the 18th day of April 2017.

INTRODUCED ON SECOND READING, FINALLY ADOPTED and ORDERED PUBLISHED IN FULL, by the City Council on the 18th of April 2017.

CITY OF SALIDA, COLORADO


Mayor

[SEAL]

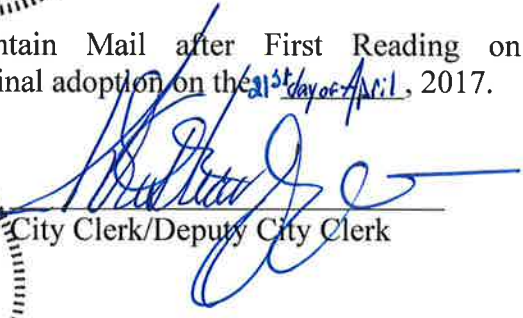
ATTEST.


City Clerk/Deputy Clerk



24th day of March 2017, and BY TITLE ONLY, after final adoption on the 18th day of April, 2017.




City Clerk/Deputy City Clerk