

ADMINISTRATIVE REGULATION 01-2015

RESIDENTIALLY ZONED PROPERTIES RENTED, LET AND/OR OTHERWISE OCCUPIED ON A TEMPORARY BASIS AS SHORT-TERM OR VACATION RENTALS

Issued by: 
Tim Moore, Deputy City Manager
Director of the Community Development Division

Topic:

This regulation construes and interprets §21.04.010 of the Grand Junction Zoning and Development Code (GJZDC) pertaining to the allowed uses of land.

Background and Purpose:

The purpose of this Administrative Regulation is to interpret, clarify and implement the provisions of the zoning and land use regulations of the Grand Junction Zoning and Development Code ("the Code" or "Code.") Presently the Code does not address, provide for or regulate "short-term rentals" which are typically residential properties, in use and zoning, which are rented, let or other occupied on a temporary basis by persons other than the owners.

Short-term rentals may be known and/or used as "vacation rentals." With the introduction of the principles of a "sharing economy" and the proliferation of that economy via the internet and social media, the Code is outdated and needs to be amended. Until the City has opportunity to review the problems and opportunities presented by these new and different land uses, it is right and proper to construe to Code to accept the uses as limited and specifically provided in this Administrative Regulation and any other applicable regulation or provision of the Code.

By and through the authority created in 2.12.010, the Director may interpret and implement a means to effectuate the purpose(s) of ordinances and ensure that the same are given full and reasonable effect. That process is being utilized here. ¹

Administrative Interpretation:

Many people that are traveling to/vacationing in Grand Junction are renting, letting or otherwise occupying homes, apartments and condominium properties that are the primary or second homes of other people. These "short-term" or "vacation" rentals were not contemplated by the Code at the time of its adoption and because it is not clear what the benefits and/or impacts of those uses are, the Director finds and determines, until the Code is amended or this regulation is superseded by a subsequent regulation(s) that "short-term"

¹ The Department Directors of the various departments of the City may promulgate, after public notice, administrative regulations for the purposes of interpreting, clarifying and effectuating the purposes of this code. A violation of an administrative regulation shall constitute a violation of this code. 2.12.010 GJMC

or "vacation" rentals are accepted land uses in all zone districts where residential uses are allowed.

Owners of property(ies) offered or used as "short-term" or "vacation" rentals" may not because of this regulation advertise, claim, promote or publicize that the use of their property(ies) is(are) "permitted" or that the City sanctions or approves the safety, condition or otherwise endorses the use, the owner or the activity(ies) that are or may be conducted on or in the property as a "short-term" or "vacation" rental.

Until the Code is amended this administrative regulation shall have the force and effect of law and the Code shall be construed as provided herein, to wit, that all homes, apartments and condominiums that are residentially zoned as of the effective date of this administrative regulation and which are used as or offered for use as "short-term" or "vacation" rentals and are occupied on a temporary basis of 30 days or less are accepted land uses subject to all other applicable laws, rules and regulations.

This administrative regulation is duly posted this 11th day of February 2015 and shall be effective on the 17th day of February 2015.