

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 4813

AMENDING SECTION 21.04.030(H), 21.10.020, 21.04.010, AND 21.06.050 OF THE ZONING AND DEVELOPMENT CODE (TITLE 21 OF THE GRAND JUNCTION MUNICIPAL CODE) ALLOWING AND REGULATING SHORT TERM RENTALS AND INCORPORATING BED AND BREAKFASTS AS A SHORT TERM RENTAL

Recitals:

The City Council desires to maintain effective zoning and development regulations that implement the vision and goals of the Comprehensive Plan while being flexible and responsive to the community's desires and market conditions and has directed that the Code be reviewed and amended as necessary.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of the proposed Zoning and Development Code amendments.

After public notice and public hearing, the Grand Junction City Council finds that the proposed Zoning and Development Code amendments are necessary to maintain effective regulations to implement the Comprehensive Plan.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

SECTION 21.04.030 (h)

(h) Short-Term Rentals

(1) Purpose

The purpose of this regulation is to allow short-term rentals in certain zone districts in the City with a permit and with regulation to assist in protecting the health, safety, and welfare of property owners, neighbors, and occupants.

(2) Applicability

These regulations apply to all uses meeting the definition of short-term rental. Private covenants running with land may restrict or prohibit short-term rentals; it is the responsibility of the property owner, not the City or any employee or agent thereof, to ensure compliance with restrictive covenants.

(3) Definitions

Short-term rental is a type of lodging wherein a dwelling unit, either in full or in part, is rented to a temporary occupant(s) for monetary consideration for fewer than thirty (30) consecutive days. A bed and breakfast is, for purposes of this Title 21, a type of *short-term rental*. Likewise, a home used similar to a Rooming/Boarding House but where stays are fewer than 30 consecutive days is also a *short-term rental*. *Short-term rental* does not include shelters or other transient lodging as defined as a Community Service use.

(4) Permit Required.

No person or entity shall sell lodging to a temporary occupant(s) a dwelling unit for fewer than 30 consecutive days without first having obtained a short-term rental permit issued by the City and complying with any conditions or restrictions thereof. A short-term rental permit is valid for the life of the short-term rental use, subject to annual re-registration in a form prescribed by the City. A separate short-term rental permit is required for each short-term rental unit. A short-term rental permit may be issued only to the owner of the property used for short-term rental. A short-term rental permit may be issued by the Director upon finding that the requirements of this section 21.04.030.h. are met. A permit may contain conditions and restrictions.

(5) Occupancy.

(i) The number of occupants at any given time in a short-term rental unit shall not exceed two (2) persons per bedroom plus two (2) additional renters, including the operator, except where the Director determines that the size, configuration and/or structural features of the unit allow greater or lesser occupancy.

(ii) The permit shall specify the maximum occupancy of the unit.

(6) Designated local responsible party.

(i) The property owner shall designate one or more local person(s) who will be permanently available and responsible for immediately responding to complaints about or violations of law or of permit terms. "Local" as used herein means having a permanent address within a twenty (20) mile radius from the short-term rental property and a 24-hour contact phone number.

(ii) The designated local responsible party may be the owner of the property if he or she meets the "local" criteria.

(iii) The designated local responsible party must be authorized by the property owner to permit inspection of the premises by the City and/or its agent or employee to

ensure compliance with applicable fire and building codes and with the requirements for and/or of the short-term rental permit.

(7) General Requirements. The owner of a dwelling used or to be used as a short-term rental shall:

(i) obtain a tax license from the City of Grand Junction and comply with all applicable local, state, and federal taxes;

(ii) demonstrate and certify that the unit contains the following on the premises at all times:

(A) a smoke detector in good working order;

(B) a carbon monoxide detector in good working order;

(C) adequate and functional building egress from each sleeping room in the unit;

(D) posted notice providing in detail the following information in a highly visible location and readily accessible form:

a. location of building exits and fire extinguishers

b. 24-hour emergency contact information

c. parking areas and parking restrictions, including a notice that parking on lawns is not allowed

d. noise restrictions and quiet hours

e. trash disposal instructions including trash pickup location and schedule

f. maximum occupancy restrictions

g. City permit number

(iii) Certify all units maintain a fire extinguisher in good working order;

(iv) permit inspection of the premises by the City or its agent or employee during the pendency of the permit application, and thereafter upon reasonable notice;

(v) provide with its application a sketch or drawing of the unit that depicts all rooms, doors and windows, including dimensions, and shows on-site areas available for guest parking;

(vi) if the short-term rental unit is accessed by a shared driveway, provide the City with a copy of a written instrument authorizing use of the driveway for short-term rental purposes;

(vii) provide the name, address and phone number of the designated local responsible party to the City, and update such information with the City whenever it changes;

(viii) register annually with the City, certifying that the permit terms and requirements are still being met and updating any material changes to the unit or property;

(ix) where food is prepared and served to guests/lodgers on the premises, demonstrate compliance with Mesa County Health Department regulations.

(8) Revocation, suspension, and appeal.

(i) A short-term rental permit may be suspended or revoked for any of the following reasons:

(A) The owner or designated responsible party has failed to comply with a requirement of this Section 21.04.030(v).

(B) The owner or designated responsible party has failed to comply with a condition of or restriction set forth in the short-term rental permit.

(C) The owner has failed to collect or remit lodging taxes or otherwise comply with local, state and/or federal tax requirements.

(D) Materially false or misleading information has been provided to the City by the applicant, owner or designated responsible party on an application.

(E) The City has received excessive and substantial complaints by neighbors or affected persons that were not adequately and timely addressed by the owner or designated responsible party.

(ii) Notice of revocation shall be provided to the owner, who shall then be given an opportunity to respond within 10 days. The Director will issue any decision to revoke or suspend a permit within 10 days of the response date.

(iii) Any aggrieved person may appeal the issuance, denial, suspension, or revocation of a short-term rental permit to the Zoning Board of Appeals within 10 days of the issuance of the decision.

SECTION 21.10.020 DEFINITIONS

Bed and breakfast means a house, or portion thereof, where short-term lodging rooms and meals are provided and where the operator of the house lives on the premises or in adjacent premises. A bed and breakfast is a type of short-term rental.

Short-term rental is a type of lodging wherein a dwelling unit, either in full or in part, is rented to a temporary occupant(s) for monetary consideration for fewer than thirty (30) consecutive days.

“Lodging” Section in Use Table, SECTION 21.04.010 (ONLY THE AMENDED PORTION OF THE TABLE IS SHOWN HERE)

USE CATEGORY	PRINCIPAL USE	R-R	R-E	R-1	R-2	R-4	R-5	R-8	R-12	R-16	R-24	R-O	B-1	B-2	C-1	C-2	CSR	M-U	BP	I-O	I-1	I-2	MX	Std
Lodging – hotels, motels, short-term rentals and similar establishments	Hotels and Motels													A	A	A		A	A	A				
	Short-Term Rentals	A	A	A	A	A	A	A	A	A	A	A	A	A	A			A	A					See GJMC 21.04.030(h) 21.03.090

Parking Table in SECTION 21.06.050 (only the amended portion of the table is shown here)

USE CATEGORIES	SPECIFIC USES	MINIMUM NUMBER OF VEHICLE SPACES
RESIDENTIAL		
Household Living	Business Residence	1 per residence + business parking
	Accessory Dwelling Unit	1 per unit
	Single-Family, Two-Family	2 per unit
	Multifamily – 1 bedroom	1.25 per unit
	Multifamily – 2 bedroom	1.5 per unit
	Multifamily – 3+ bedroom	2 per unit

The other sections of the Parking Table shall remain unchanged hereby and in full force and effect.

Introduced on first reading this 1st day of August, 2018 and ordered published in pamphlet form.

Adopted on second reading this 15th day of August, 2018 and ordered published in pamphlet form.

ATTEST:

W. Winkelman
City Clerk

Paul Taylor Smith
Mayor



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 4813 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 1st day of August 2018 and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 15th day of August 2018, at which Ordinance No. 4813 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 15th day of August 2018.



City Clerk

Published: August 3, 2018
Published: August 17, 2018
Effective: September 16, 2018