



**DENVER**  
THE MILE HIGH CITY

# **Proposed Denver Zoning Code Text Amendment #8**

## Short-term Rentals

### 03/16/16 Planning Board

FOR CITY SERVICES VISIT | CALL  
**DenverGov.org** | **311**



# Purpose of Text Amendment

- Recognize the growing popularity of home-sharing while providing protections for:
  - Neighborhoods
  - Residents
  - Short-term rental guests & hosts
  - Operators of traditional lodging accommodations
- Support a companion ordinance to create a business licensing system for short-term rentals
  - Improved tracking and enforcement

- Sponsored by Councilmember Mary Beth Susman, District 5



# Status of Short-term Rentals

- Short-term rentals are not allowed in most residential districts
  - Neighborhood Inspection Services enforces by complaint
- A short-term rental may be allowed in mixed-use commercial districts as “Lodging Accommodations” with a zoning permit and subject to parking and building code requirements





# Proposed Text Amendment

- Allows short-term rentals as accessory to a primary residential use where residential uses are currently allowed
  - Permitted with limitations in Articles 3-9 of DZC
  - Accessory use and limitations defined in Article 10 of DZC
  - No zoning permit required



Denver Zoning Code  
SHORT-TERM RENTALS  
**PUBLIC REVIEW REDLINE DRAFT 02/08/2016**

This document contains a redlined draft of the Short-term Rentals text amendment.

1. Text in **red underline** is proposed new language.
2. Text in **red strikethrough** is proposed deleted language.
3. Text that is **highlighted** is a note.
4. While every effort is made to ensure document quality, cross-referenced section numbers, figure numbers, page numbers, and amendment numbers may appear incorrect since both new and old text appears in a redlined draft. These will be corrected in the final, "clean" version of the text amendment that is filed for adoption by City Council.

Please visit our website at [www.DenverGov.org/CPD](http://www.DenverGov.org/CPD), then click on Text Amendments under Zoning, to:

- Learn more about Text Amendments
- Learn more about the process for this text amendment
- Sign up for email newsletters

Please send any questions or comments to [PlanningServices@denvergov.org](mailto:PlanningServices@denvergov.org).

# Proposed Text Amendment

- Permits short-term rentals conducted
  - By the person using the dwelling unit as their primary place of residence (owner or renter)
    - Resident may be off-site during the rental (on vacation, fulfilling National Guard service, etc.)
  - In a primary structure
  - In an attached or detached accessory structure
- Does not permit short-term rentals conducted
  - By persons who do not live in the unit



# Proposed Text Amendment

- The primary resident requirement is intended to address
  - Concern with commercial encroachment into residential areas
  - Concern with preservation of affordable housing stock for long-term residents
  - Consistency with existing regulations that apply to home-based businesses



## More Restrictive Primary Residence/Owner Requirements

- San Francisco
- Boulder
- Philadelphia
- Portland
- Cleveland\*

\*Under Proposal

## Medium Restrictions on Primary Residency (both models licensed)

- Austin\*\*
- Nashville
- Sacramento
- New Orleans\*

\*Under Proposal  
\*\*City Council recently voted to restrict non-primary residence STRs

## No Restrictions on Primary Residency Requirements

- San Jose
- Jersey City
- Colorado Springs
- Louisville, KY



- The Department of Excise & Licenses will propose a companion licensing ordinance to require
  - Basic guest safety provisions
  - Provision of basic information to guests
    - Emergency contact information
    - Neighborhood parking restrictions, etc.
  - Posting of license # in advertising
  - A tax license for collection of Lodger's Tax

**Property description**



This house is a charming and unique gem that we are very excited about! With 4200 SF on 3 levels, 4 bedrooms, 4.5 baths, and a cozy 'kids cave' that can sleep 4, there is plenty of room. The huge living room/dining room/bar area has amazing views and a hot tub right outside on the deck. The location is superb at the end of a quiet cul-de-sac hidden away yet right next to the ski area. You can walk down the street and be at the Gondola and all the restaurants and shops of Ski Time Square in 6 minutes or drive there in 1 minute.

This property is ideal for the group who doesn't want a cookie-cutter condo. We purchased the house last summer and renovated it so it's now all spruced up and ready for action. There are brand new smart TVs in every bedroom as well as the living room and kids cave. We are a Steamboat family living nearby and can help you with any needs that arise. Do be aware that there is a set of stairs between the 2 car garage and the front entrance.

We are unable to rent to Triple Crown teams.

Steamboat Springs Vacation Home Rental #VHR-14-11

**Why VRBO**

 <b>Build your best vacation ever</b> From over 1 million rentals worldwide	 <b>Escape the confines of a hotel</b> Enjoy the freedom of a vacation rental
 <b>Book with confidence</b> Relax and enjoy your stay	 <b>Personalized experiences</b> From online to on vacation

VRBO listing in Steamboat Springs  
with license #



# Companion Business Licensing

Draft primary resident definition in business licensing ordinance

- “Primary residence” means a residence which is the usual place of return for housing as documented by at least two of the following: motor vehicle registration; driver’s license; Colorado state identification card; voter registration; tax documents; a utility bill. A person can only have one primary residence.

2014	Initial sharing economy task force meetings
February 14, 2015	INC Delegates Forum on short-term rentals
Feb. 23 & March 3, 2015	Sharing Economy Task Force meetings on short-term rentals
April 22, Sept. 2, & Dec. 9	Neighborhoods & Planning Committee meetings on short-term rentals
July 25, 2015	INC ZAP meeting on short-term rentals
Jan. 20, 2016	Planning Board information item on short-term rentals
Jan, 2016	Text amendment presentation to INC ZAP
February 8, 2016	Public review draft posted
February, 2016	Four town hall meetings throughout Denver
February 29, 2016	Notice of Planning Board hearing
March 2, 2016	Presentation to Capitol Hill United Neighbors
<b>March 16, 2016</b>	<b>Planning Board public hearing</b>
March 30, 2016	Neighborhoods & Planning Committee update (info only)
April 13, 2016	Neighborhoods & Planning Committee
June 13, 2016	City Council public hearing (notice will be sent 21 days prior)



# Public Comments: Town Halls

South High School, February 3<sup>rd</sup>



East High School, February 11<sup>th</sup>



North High School, February 17<sup>th</sup>

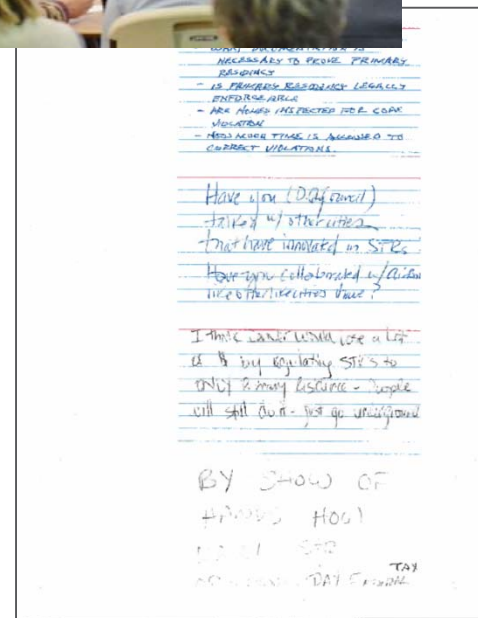


Christ Church United, February 25<sup>th</sup>





- Town Hall Meetings
  - 70-100 residents attended each of four meetings, along with several Council members
  - 30 minute presentation, followed by 1.5+ hours of comment and discussion
  - Most participants expressed support for short-term rentals
    - Many spoke against the proposed primary resident requirement
  - Some participants expressed opposition to short-term rentals or indicated that they should only be allowed with strict limitations
    - Some participants spoke in support of the primary resident requirement





# Public Comments: RNOs & other Orgs

	Support for Text Amendment as Drafted	Support for Primary Resident	Opposition to Primary Resident	Support for STRs in General	Opposition to STRs in General
INC Delegates					
INC ZAP					
West Wash Park					
Wash Park East					
Pinehurst HOA					
CARO					
University Park					*
AIA Denver					

\*In single-family neighborhoods



# Public Comments: Letters & Emails

	Support for Text Amendment as Drafted	Support for Primary Resident	Opposition to Primary Resident	Support for STRs in General	Opposition to STRs in General
Number of Letters & Emails	7	35	22	24	26
% of Letters & Emails	7.95%	39.55%	25%	27.27%	29.55%

Based on 88 Total Letters and Emails (some letters and emails fall into more than one category)





# Denver Zoning Code (DZC) Review Criteria

## DZC Text Amendment Review Criteria:

### 1. Consistency with Adopted Plans

- Comprehensive Plan 2000
- Blueprint Denver: A Land Use and Transportation Plan

### 2. Uniformity of District Regulations

### 3. Further Public Health, Safety and Welfare



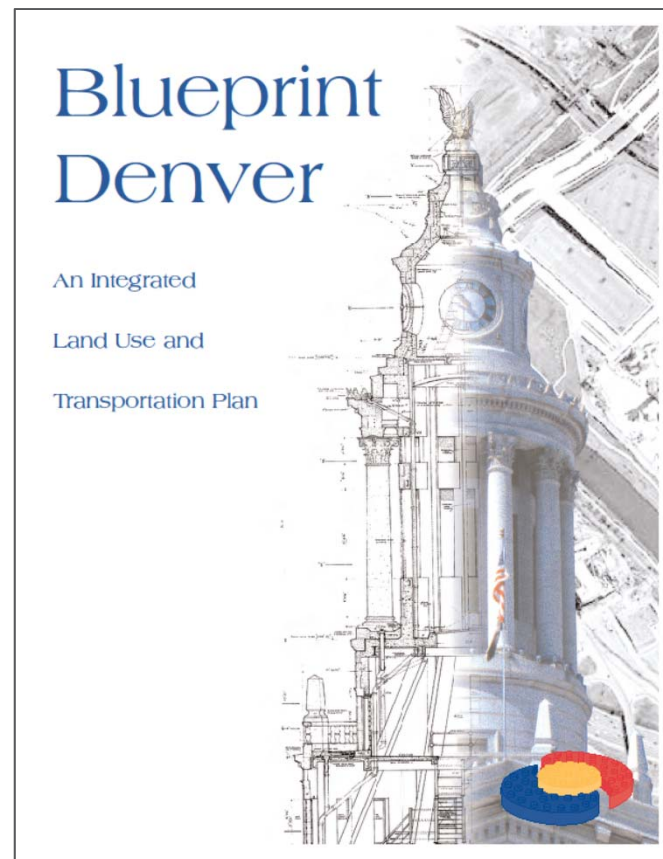
# Comprehensive Plan 2000

- Neighborhood Objective #1: A City of Neighborhoods
  - Modify land-use regulations for flexibility to accommodate changing demographics and lifestyles
  - Allow/encourage a diverse mix, including home-based businesses
- Housing Objective #2: Preserve and Expand Existing Housing
  - Preserve and modernize Denver’s existing housing stock and established neighborhoods
- Economic Objective #3: Expand Economic Activity
  - Promote quality accommodations for visitors
- Economic Objective #5: Neighborhood Economic Development
  - Support the creation and growth of neighborhood businesses

*The proposed text amendment is consistent with the objectives of Comprehensive Plan 2000*

- Goals for
  - Maintaining the character of Areas of Stability while accommodating redevelopment
  - New and revitalized neighborhood centers
- Recommendations that
  - Zoning concentrate more on building design than use
  - Unenforceable standards not be included in zoning

*The proposed text amendment is consistent with Blueprint Denver goals and recommendations.*





# Denver Zoning Code (DZC) Review Criteria

## DZC Text Amendment Review Criteria:

### 2. Further Public Health, Safety and Welfare

- Proposed text amendment includes reasonable neighborhood protections and will assist with tracking of short-term rentals

### 3. Uniformity of District Regulations

- Proposed text amendment applies uniformly to all zone districts where residential uses are permitted



## Staff Recommendation

Staff recommends that Planning Board recommend to City Council approval of Denver Zoning Code Text Amendment #8, to allow short-term rentals as an accessory use, where primary residential uses are permitted, finding that the applicable review criteria have been met.