

**CITY OF STEAMBOAT SPRINGS, COLORADO**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 26 OF THE CITY OF STEAMBOAT SPRINGS REVISED MUNICIPAL CODE BY AMENDING SECTIONS 101, 103, 200, 300, 302, 306, 307, 701, 702, 703, 706, AND 720 AND ADDING NEW SECTION 238 TO ADOPT THE SHORT-TERM RENTAL OVERLAY (STR) OVERLAY ZONE, PL20220134.**

**WHEREAS**, the City Council adopted the Community Development Code as Ordinance No. 2624 on November 14, 2017; and

**WHEREAS**, the City is committed to regular, ongoing review of the Community Development Code so that the provisions contained therein are relevant and applicable to the community at any given point in time; and

**WHEREAS**, in accordance with Section 720 of the Steamboat Springs Community Development Code, a zoning has been initiated by the City of Steamboat Springs to adopt the Short-Term Rental Overlay (STR) overlay zone; and

**WHEREAS**, the City Council hereby finds and determines that short-term rentals have reduced the availability of housing for the local workforce by creating demand for such housing on the part of employees and contractors who provide services to property owners engaged in short-term rentals and by removing housing units from the supply of long-term rental units; and

**WHEREAS**, the City Council hereby finds and determines that short-term rentals have a detrimental impact on the character of some neighborhoods and the community due to the transient nature of their occupancy and the fact that transient occupants do not participate in the community in the same way as long term residents; and

**WHEREAS**, the City Council hereby finds and determines that short-term rentals have a detrimental impact on some neighborhoods and neighboring property owners resulting from violations of City regulations, including those relating to solid waste, parking, noise, and traffic, due to the unfamiliarity of transient occupants with City regulations and the local mountain environment; the fact that short-term rentals are a holiday or vacation environment for some of their occupants; and also due to the lack of traditional neighborhood relationships between the occupants of short-term rentals and neighborhood residents; and

**WHEREAS**, the City Council hereby finds and determines that short-term rentals are an essential component of the City's visitor economy and lodging infrastructure; are

a substantial contributor to the City's sales tax and property tax base; and operate in many neighborhoods with minimal impact to surrounding neighborhoods and property owners; and

**WHEREAS**, the City Council acknowledges that many owners of short-term rental property, having purchased, owned, and used their property for many years, have developed strong ties to the community and expect that they will be able to continue to be part time members of the community and/or transition to full time residence in the community and that in order to protect the expectations of such property owners the Short-Term Rental Overlay and licensing ordinances provide for the issuance of licenses to registered lawfully nonconforming short-term rental properties and permitted Vacation Home Rental properties notwithstanding licensing caps or prohibitions created by the Short-Term Rental Overlay and licensing ordinances; and

**WHEREAS**, the City Council hereby finds and determines that it is necessary to the public health, safety, and welfare to adopt a comprehensive regulatory plan to reduce the impacts of short-term rental uses, including tax policy, land use policy, and enhanced licensing and enforcement measures; and

**WHEREAS**, the City Council finds that renting of residential dwelling units on a short-term basis is an activity that has elements of a commercial enterprise; is widely regulated by business and occupational licensing requirements by municipal governments throughout the State of Colorado; creates substantial impacts to local communities in general, and in the City of Steamboat Springs in particular; and is properly the subject of City of Steamboat Springs zoning regulations for the purpose of managing community impacts; and

**WHEREAS**, this ordinance establishes an overlay zone to allow, restrict, and prohibit short-term rental uses in various geographical areas of the City for the purpose of minimizing the impact of short-term rentals in those areas.

**WHEREAS**, the Planning Commission of the City of Steamboat Springs considered the same at a public hearing held on April 28, 2022, found that the request is in compliance with all of the criteria of Section 723.B of the Community Development Code, and recommended approval of the proposed ordinance; and

**WHEREAS**, the City Council of the City of Steamboat Springs has considered the Planning Commission recommendation and finds that the request is in compliance with all of the criteria of Section 723.B of the Community Development Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STEAMBOAT SPRINGS, COLORADO, THAT:**

**SECTION 1.** Amend Sections 101, 103, 200.C.4, 302.E, 306.D, 307.A, 701.A.1, 706, and 720, and add new Section 238 as described in Exhibit A.

**SECTION 2.** Amend Tables 300-1, 300-2, and 300-3 as described in Exhibit B.

**SECTION 3.** Amend Table 702-1 as described in Exhibit C.

**SECTION 4.** Amend Table 703-1 as described in Exhibit D.

**SECTION 5.** That pursuant to Section 7-11 of the Charter of the City of Steamboat Springs, Colorado, the second publication of this ordinance may be by reference, utilizing the ordinance title.

**SECTION 6.** A public hearing on this ordinance shall be held on \_\_\_\_\_ at any time after the meeting is called to order at approximately 5:00 p.m. in the City Council Chambers at Centennial Hall, at the corner of 10<sup>th</sup> Street and Oak Street, Steamboat Springs, Colorado, or by remote attendance at <https://us02web.zoom.us/j/985289877>.

**SECTION 7.** All ordinances heretofore passed and adopted by the City Council of the City of Steamboat Springs, Colorado, are hereby repealed to the extent that said ordinances, or parts thereof, are in conflict herewith. Section 1-13(b) of the Revised Municipal Code shall apply to preserve any causes of action existing as of the effective date of this ordinance pursuant to any ordinance repealed by this Ordinance.

**SECTION 8.** If any section, subsection, clause, phrase or provision of this Ordinance is, or the application thereof to any person or circumstance, shall to any extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

**SECTION 9.** The City Council finds, determines, and declares that this ordinance is necessary for the immediate preservation of the public health, safety, and welfare.

**SECTION 10.** This Ordinance shall take five effect (5) days after its publication following final passage, as provided in Section 7.6 of the Steamboat Springs Home Rule Charter.

**INTRODUCED, READ, AND ORDERED PUBLISHED** as provided by law, by the City Council of the City of Steamboat Springs at its regular meeting held on \_\_\_\_\_, 2022.

\_\_\_\_\_  
Robin Crossan, City Council President

ATTEST:

\_\_\_\_\_  
Julie Franklin, CMC, City Clerk

**FINALLY READ, PASSED, ADOPTED, AND APPROVED** this \_\_\_\_ day of  
\_\_\_\_\_, 2022.

\_\_\_\_\_  
Robin Crossan, City Council President

ATTEST:

\_\_\_\_\_  
Julie Franklin, CMC, City Clerk