Purpose of Work Session

1. **Summary of the feedback gathered** through the Short-term Rental Regulations Project Community Questionnaire.

2. **Overview of the 1st Draft of Short-term Rental Regulations** amending the Development Code to allow Short-term Rentals, and discussion topic.

3. **Next Steps**

The work session is intended to provide an update on the project since the last work session on January 30, 2024.
Short-term Rental Regulations (STR) Community Questionnaire

**Purpose:** To gather general feedback and ideas from the community early in the STR Regulations process.

- Available February 1st through February 16th
  - Link was available on the project webpage ([https://arcg.is/r5vz9](https://arcg.is/r5vz9)) and shared across Town’s social media
- Members of the community were able to self-select to participate
- Could participate in the questionnaire multiple times
- Intended for those community members who reside within Town limits; however, individuals living in unincorporated Larimer and Weld County could participate

➢ **Total participants:** 437
Feedback expressed by the community:

- About 3/4 of participants are in support of allowing short-term rentals within the Town of Berthoud.
- About 3/4 of participants believe that the Town should establish a set of regulations for short-term rentals, if allowed.
- Slightly more than half of participants indicated that they believe that there should be a cap or limit to the total number of short-term rentals in the Town.
- About 1/4 of participants respond that they have no concerns with short-term rentals.
- For those remaining participants who responded with concerns:
  - Noise, Events/Parties, and Parking were of higher concern.
  - Followed by Incompatibility with Neighborhood, Degradation of Neighborhood, Trespassing, Neighborhood Safety, Impact to Property Value, and Long-term Housing.
  - Trash, Traffic, and In Conflict with HOA and/or Covenants were noted as being of less concern.

A complete summary of the feedback received, as well as the questionnaire raw data, can be found online on the Short-term Rental Regulations Project webpage: https://arcg.is/r5vz9
Draft of Short-term Rental Regulations

The 1st Draft of Short-term Rental Regulations amending the Development Code to allow short-term rentals, addresses many of the common issues discussed during the previous work sessions in January 2024 and November 2023.

Those common issues discussed were:
1. Saturation of STRs in neighborhood environments (density)
2. Loss of sense of community
3. Parking
4. Trespassing
5. Noise
6. Parties/Events
7. Enforcement
The 1st Draft regulations incorporated many of the suggested regulations discussed during the previous work sessions.

Those suggested regulations discussed were:

1. Approval and licensing requirements, including annual license renewal.
2. Establishing a maximum occupancy limit per STR and defining an absolute maximum number of guests that cannot be exceeded.
3. Specifying minimum off-street parking standards.
4. General rules of conduct for guests, including requirement for Good Neighbor Standards.
5. Requirements for a property manager and neighbor notification.
6. Creating a standard that restricts the STR from being used as an event space.
7. Requirement for Life Safety Inspection at initial licensing and on an annual basis.
8. Penalties for violations.
Many of the proposed regulations are **consistently** seen in other communities’ short-term rental regulations.

- Recognized as being reasonable and fair
- Considered either industry standard or best management practices

Staff researched the following communities’ current short-term rental regulations:

**Colorado:**
- Fort Collins
- Timnath
- Windsor (in process)
- Estes Park
- Boulder
- Longmont
- Lakewood
- Denver
- Colorado Springs
- Manitou Springs
- Buena Vista
- Salida
- Dillon
- Glenwood Springs
- Grand Junction
- Montrose
- Durango
- Alamosa
- Del Norte
- Larimer County

**Outside Colorado:**
- Summit County
- Grand County
- Boulder County
- Pitkin County
- San Miguel County
- Moab, UT
- Sante Fe, NM
- Santa Cruz, CA
One issue of concern is more complex and is not consistently addressed by all communities:
Saturation of short-term rentals in neighborhood environments (density)

Common approaches to addressing this issue include:
- Establishing a cap and/or separation requirements,
- Defining ‘primary’ residence, and/or
- Limiting the number of nights rented per year.

Community Feedback
1st Draft proposes options for a cap on the total number of short-term rentals in the Town overall.

*Options provided in the 1st Draft should be discussed in more detail to determine which option is most appropriate for the Town.*
Draft of Short-term Rental Regulations, cont.

The 1st Draft can be found online on the Short-term Rental Regulations Project webpage: [https://arcg.is/r5vz9](https://arcg.is/r5vz9)

OR

Town of Berthoud Planning Department at: [https://www.berthoud.org/178/Planning-Department ’Short-term Rental Regulations Project’ tab]
Draft of Short-term Rental Regulations, cont.

The 1st Draft of regulations have been organized based on sections of the Development Code.

➢ Definitions
  • Proposes a definition for Short-term Rentals, which is currently not defined in the Development Code.
  • Includes total maximum occupancy for short-term rentals
  • Includes clarifying of total maximum occupancy for Bed and Breakfast uses

➢ Zoning
  • Proposes adding Short-term Rentals to the tables of Principal and Conditional Uses (Table 3.3), Conservation Subdivision Uses (Table 3.5), Suburban Uses (Table 3.7), and Urban Uses (Table 3.10) as a Principal Use By Right with licensing in specific zone districts.

➢ Use Specific Standards
  • Proposes use-specific standards for Short-term Rentals organized by subsections.
Draft of Short-term Rental Regulations, cont.

➢ Use Specific Standards

First Subsection:
Proposes Short-term Rental Business License requirements, including:
- Annual renewal
- License non-transferability standards
- Posting of business license information

Second Subsection:
Proposes General Standards for Short-term Rentals cover the majority of the regulations and address many of the best management practices and industry standard requirements, including:
- Limiting short-term rentals to one per property
- Legal dwelling unit standards
- Total occupancy limit
- Minimum off-street parking requirements
- Restricting use of the short-term rental as an event space

* This subsection also provides options for addressing density through a cap.*
Draft of Short-term Rental Regulations, cont.

➢ Use Specific Standards, cont.

Third Subsection:
Proposes Safety Standards, including:
- Life-safety inspection requirements
- Fire extinguisher
- Operations manual
- Property manager requirements
- Neighbor notification requirements
- Proof of liability insurance

Fourth and final Subsection:
Proposes violations and penalties as well as taxes and record keeping requirements.
Short-term Rental Regulations

Next Steps

Based upon the discussion and feedback received during the Town Board meeting, one of the two next steps could occur:

1. Minor modifications or no further refinement is necessary: Staff would update the draft of regulations as needed to address any minor changes and would move forward with scheduling the draft of Short-term Rental Regulations for Public Hearing.

2. Further refinement or significant modifications are necessary: In the coming weeks, Staff would complete any additional research necessary to make the revisions, would update the draft of regulations as needed, and would schedule an additional work session or Town Board meeting to allow for further discussion on the modified draft of Short-term Rental Regulations.
For project information including project timeline visit:

Direct link to the Project webpage:
https://arcg.is/r5vz9
OR
Town of Berthoud Planning Department at:
https://www.berthoud.org/178/Planning-Department
‘Short-term Rental Regulations Project’ tab
Cap Option 1: The maximum number of short-term rentals in the Town shall not exceed one percent (1%) of the Town’s residential structures in existence at the beginning of each calendar year (5,000 in 2024). An application for a new short-term rental shall be processed on a first-come-first-served basis. No applications for a short-term rental will be accepted if the maximum number has been met.

Cap Option 2: The maximum number of short-term rentals in the Town shall not exceed fifty (50). An application for a new short-term rental shall be processed on a first-come-first-served basis. No applications for a short-term rental will be accepted if the maximum number has been met.

Cap Option 3: Short-term rentals are only allowed in certain zone districts. A cap on the total number of short-term rentals is determined by zone district as provided in the table below. An application for a new short-term rental shall be processed on a first-come-first-served basis. No applications for a short-term rental will be accepted if the maximum number has been met.

<table>
<thead>
<tr>
<th>Zone District</th>
<th>Total Allowed</th>
</tr>
</thead>
<tbody>
<tr>
<td>R1, R2, SR, UR</td>
<td>25</td>
</tr>
<tr>
<td>R4</td>
<td>10</td>
</tr>
<tr>
<td>C1, C2, SC, UC</td>
<td>15</td>
</tr>
</tbody>
</table>