

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. 5163**

**AN ORDINANCE AMENDING THE ZONING AND DEVELOPMENT CODE SECTION 21.04.030 USE SPECIFIC STANDARDS, SPECIFICALLY SUBSECTION (h) SHORT-TERM RENTALS, AND SECTION 21.10.020 TERMS DEFINED IN THE GRAND JUNCTION MUNICIPAL CODE.**

Recitals:

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

The amendments to the Code adopted with this Ordinance eliminate (1) requirements that have proven over time to be impractical, difficult, or impossible to apply or enforce, and for which there are other safeguards in the Code furthering the intent of the provisions; (2) inconsistencies within the Code; (3) unnecessary regulations; or (4) duplicative information.

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

After public notice and public hearing, the Grand Junction City Council finds that the proposed amendments to the Code are necessary to maintain effective regulations to implement the Comprehensive Plan and are in the interest of the public health, safety and welfare.

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

**Section 21.04.030 Use Specific Standards, specifically item (h) Short Term Rentals, and section 21.10.020 Terms Defined in the Grand Junction Municipal Code are amended as follows (deletions struck through, added language underlined):**

**21.04.030 Use-specific standards.**

...

(h) **Short-Term Rentals.**

(1) Purpose. The purpose of this regulation is to allow short-term rentals with a permit within the regulatory boundaries established by the City. ~~in certain zone districts in the City with a permit and with regulation~~ These regulations are 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 30 consecutive days. A bed and breakfast is, for purposes of this title, 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) of 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~~ a period of one year and is subject to annual permit renewal in a form prescribed by the City. A separate short-term rental permit is required for each short-term rental unit and will be issued as either a primary or a secondary short-term rental. 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 subsection (h) are met. A permit may contain conditions and restrictions.

(i) Primary short term rental permits shall not be issued for more than 7% of residentially zoned lots within the downtown area, defined as south of North Avenue, West of North 17th Street, North of Interstate 70 Business, and East of Highway 50.

(ii) Primary short-term rental permits shall not be issued for more than 3% of the residentially zoned lots outside of the downtown area as defined in (i) above.

(iii) No more than two STR permits shall be issued on a residentially zoned lot with four dwelling units or less. Only one of the two permits issued may be a primary short-term rental permit.

(iv) A residentially zoned lot with more than 4 dwelling units shall not be issued short term rental permits for more than 10% of the units on the lot, provided that a minimum of one short-term rental is permitted on all lots.

(5) Occupancy.

(i) The number of occupants at any given time in a short-term rental unit shall not exceed two persons per bedroom plus two additional occupants ~~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) A short-term rental permit shall only be issued and/or renewed in a residential zoning district when an applicant demonstrates that there is one additional parking space for each bedroom above 4 bedrooms on the lot. No additional required parking may be located between the front facade of the principal structure and the public street or private access way.

(iii) 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 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. Twenty-four-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~~ Renew permit 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 subsection (h).

(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 permit 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.

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**21.10.020 Terms defined.**

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*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 30 consecutive days. A bed

and breakfast and 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.

Short-term rental, Primary is a short-term rental that makes available for rent all bedrooms in a dwelling unit in a principal structure, excluding accessory dwelling units attached to a principal structure.

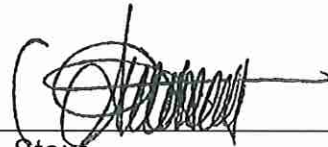
Short-term rental, Secondary is a short-term rental that makes available for rent less than all the bedrooms in a principal dwelling unit, or an accessory dwelling unit.

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All other provisions of Title 21 Chapter 4 and Chapter 10 shall remain in full force and effect.

**INTRODUCED** on first reading this 21<sup>st</sup> day of June, 2023 and ordered published in pamphlet form.

**ADOPTED** on second reading this 5<sup>th</sup> day of July, 2023 and ordered published in pamphlet form.



\_\_\_\_\_  
Anna M. Stout  
President of the City Council

ATTEST:



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Amy Phillips  
City Clerk



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 5163 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 21<sup>st</sup> day of June 2023 and 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 5<sup>th</sup> day of July 2023, at which Ordinance No. 5163 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 7<sup>th</sup> day of July 2023.

  
Deputy City Clerk

Published: June 23, 2023  
Published: July 7, 2023  
Effective: August 6, 2023

