



## **STR Ordinance Community Meeting Read-Out & Report**

Park County officials and staff conducted seven community meetings throughout the area beginning on September 25<sup>th</sup> in Lake George and ending on October 28<sup>th</sup> in Hartsel. These events were well-attended and STR owners, non-owner residents, property managers, and realtors were all represented in the discussions. Below is the summary of what we heard broken out into the topics as they were discussed. The transcribed “raw” notes for each meeting can be found on our website: <https://www.parkcountyco.gov/919/Short-Term-Rental-Ordinance-Review>.

Did we hear you completely and accurately? If not, please reach out to [STR@parkcountyco.gov](mailto:STR@parkcountyco.gov) with your comments, corrections, or additional input.

### **Eligibility:**

Community members unanimously supported occupancy restrictions based solely on the capacity of the permitted septic system with no overage allowances. They also supported the existing restriction that does not allow licenses to be transferable. There was strong support for not allowing more than 1 or 2 STR licenses per individual/entity. There was also strong support for not permitting corporations or investment firms to obtain STR licenses in the county, allowing an LLC to be eligible for a license IF they can provide documentation that proves the individual and the LLC are one and the same. Many community members found the idea of an LTR-First eligibility requirement prior to obtaining an STR license (1-3years) interesting and worth considering. Current STR owners supported this requirement as long as it doesn't retroactively apply to existing licenses.

In terms of capping licenses, there were mixed views. Some residents expressed a strong desire for zero STR licenses issued in the county, though they recognize this is impractical and unlikely. STR owners and potential owners expressed concerns about fairness in imposing a cap. Caps based on geographic location and/or neighborhood received the most support, particularly when determined by proximity to emergency services. In EMS-limited instances, there was notable support for exempting owner-occupied properties and for allowing an exception with a pre-paid additional fee that goes

directly to EMS funding (at least \$500 was agreed upon, but would need to be based on the actual cost impacts).

There were varying opinions on whether Park County residents should be exempt from caps versus non-residents – some feel it’s beneficial to incentivize residence, others believe that any increase in STR activity in the county is detrimental regardless of whether it belongs to a resident owner, and still others felt it’s unfair to “penalize” non-residents who may be working toward residency.

Nearly all STR owners we spoke with supported a requirement for a noise-monitoring device to be kept in the rental property. However, the county cannot require that owners purchase such a device.

There was strong support for requiring fencing for any STRs that allow renters to bring their pets.

Non-owner residents inquired about restricting STR activity in homes located on private roads that are shared with other homeowners. But without language in the existing easement that specifies owner-only access or does not permit STRs, the county cannot legislate restrictions or permissions of an easement. Any property owner in Park County has the right and ability to pursue legal changes to a relevant easement and/or to approach their homeowners’ association to have covenants and bylaws changed.

Accessory Dwelling Units (ADUs) received mixed sentiment as to whether STRs should be permitted. Many community members felt that ADU STRs should be allowed when the property is owner-occupied during the rental period, while others felt ADUs should be permitted for long-term rentals only. The current ordinance only allows for 1 STR license per property, regardless of which building is being rented.

We heard nearly unanimous support for significantly raising the license fee. Some expressed concerns that making the process more expensive would only result in more unlicensed STRs in operation, however, the majority of STR owners expressed willingness to pay higher fees to fund greater enforcement.

There was unanimous support for a “3 strikes rule” that ends in loss of license. Due to procedural considerations, it would not be accurate to characterize the penalties in this way. However, the county can suspend an STR license at the time the 3<sup>rd</sup> violation is reported and throughout the investigation period and continuing to rent the property during the suspension period would count as another violation. Photos and videos with date, timestamp, and geolocation tag information were recommended as sufficient evidence to count as a “documented violation.”

It was suggested and enthusiastically supported by both STR owners and non-owners that the county maintain a public-facing database of STR owners and their contact information online and require that all complaints must first be addressed to the STR owner before being escalated to the county. Those wishing to file a complaint must be able to prove they attempted to contact the owner.

All community members in attendance at these meetings expressed strong support for imposing hefty fines on property owners advertising and renting STRs without a license.

Incentivizing compliant STR owners in good standing with proof of tax remission received strong support, with the incentive being longer duration of license (up to 3 years was discussed) and/or less cumbersome paperwork and inspection requirements for owners with zero complaints on file. STR owners expressed willingness to pay a renewal license fee each year regardless of any documentation and procedural changes.

There was significant support expressed for imposing fines on Park County realtors whose property listings suggest the viability of STR income, imply the transferability of a license, or otherwise mislead would-be buyers in a way that encourages more unlicensed activity in the county. However, because real estate licenses are issued and regulated at the state level, it is unclear at this time whether the county can impose such fines but it is being investigated.

There was strong support for holding hosting platforms accountable for listing unlicensed properties. There is out-of-state precedent for this – county staff is investigating to try to adopt similar legislation.

### **Management:**

At all meetings, attendees unanimously agreed that the owner is ultimately 100% responsible for the STR property and renter compliance.

Attendees also unanimously agreed that license application should require the owner or a contracted responsible agent:

- A) Be available 24/7 AND
- B) Be able to respond to complaints in 1 hour or less AND
- C) Be physically located 1 hour or less from the subject property AND
- D) Have contact information posted both inside and outside the property as well as online AND

E) Fines and citations are to be issued to the property owner, not the management company or responsible agent.

There was not strong support for requiring that property management companies be licensed separately by the county.

There was notable support for the county compiling a “Good Neighbor Guidelines” one-page document and requiring it to be posted prominently in STRs and on their listings.

### **Zoning Mechanisms:**

Majority support for allowing STRs on agriculturally-zoned (35+ acres) properties. Nearly unanimous support for allowing STRs in commercial & mixed-use zones. Most non-owners do not support STRs being permitted in residential zones. Notable support for requiring STRs to be re-zoned as commercial and taxed as such, however county staff has advised that re-zoning is cumbersome, costly, and therefore unlikely.

Not a lot of support for the creation of overlay zones given the lack of a “resort area” such as in nearby counties that use this approach. There was, as mentioned above, nearly-unanimous support for permitted zones based on response time for emergency services, which would render some parts of the county ineligible for STRs unless the exemption fee is implemented and paid. Could also allow for summer-only seasonal rentals since road and weather conditions impede EMS response times in the winter.

In general, there was strong support across the board for creating exemptions and exceptions for resident owners and owner-occupied properties. It is unclear what the minimum residency requirement should be and the county must also define “owner occupied.”

Many community members want to see out-of-state owners not be allowed to obtain STR licenses, however this would open the county up to discrimination litigation and is therefore not recommended.

There was significant support (and no opposition expressed) to a tiered fee system that favors resident owners and owner-occupied properties and also for additional fee requirements imposed on non-residents such as additional EMS and road & bridge fees.

## **Future Growth of STRs:**

Attendees unanimously agreed that the county goal should be zero unlicensed STRs in operation.

There was no expressed support for an increase in STR activity in the county, though some owners believe the market will self-correct and is doing so already.

Community members across the meetings were unsure of what a cap could or should look like, the only specific numbers that were discussed were based on current STR activity in the county – they feel there should not be more licensed STRs than the current total amount of STRs (both licensed and unlicensed), which is about 1100, of which about 200 are licensed. County staff recommended that the number of STRs be based on what is manageable from a personnel and resources perspective, but the actual number has not yet been determined.

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## Meeting Notes By Location:

[Fairplay Community Meeting Notes – 9/30/24](#)

[Jefferson/Como Community Meeting Notes – 10/7/24](#)

[Alma Community Meeting Notes – 10/16/24](#)

[Bailey Community Meeting Notes – 10/21/24](#)

[Guffey Community Meeting Notes – 10/23/24](#)

[Hartsel Community Meeting Notes – 10/28/24](#)