



TOWN BOARD WORK SESSION

December 11, 2023 - 5:30 PM

1st Floor Conference Room, 301 Walnut Street, Windsor, CO 80550

To view Town Board meeting broadcasts, visit
www.windsorgov.com/MeetingsOnDemand.

AGENDA

GOAL of this Work Session is to have the Town Board receive information on topics of Town business from the Town Manager, Town Attorney and Town staff in order to exchange ideas and opinions regarding these topics.

Members of the Public in attendance are asked to be recognized by the Mayor before participating in any discussions of the Town Board

WORK SESSION AGENDA ITEMS

1. Board/Manager/Attorney Monthly Meeting
2. Hauler Licensing Discussion - E. Lucas, Public Services Director
3. Short Term Rental Discussion - D. Money, Town Attorney; S. Ballstadt, Director of Planning; M. Price, Planner I;
4. Court Update – Meet Municipal Court Judge Teresa Ablao and Prosecutor Amy Penfold
5. Future Meetings Agenda

The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 674-2400 by noon on the Thursday prior to the meeting to make arrangements.



MEMORANDUM

Date: December 11, 2023
To: Mayor and Town Board
From: Eric Lucas, Public Services Director
Re: Hauler Licensing Discussion - E. Lucas, Public Services Director
Item #: 2.

Background / Discussion:

In August of this year, Town Manager Hale, myself, and Scott Simmons from Sustainable Windsor met virtually with staff from TASP. TASP is short for (Technical Assistance Provider Program). They provide no cost consulting to Colorado Front Range communities to assist with multiple efforts around recycling, waste diversion / reduction and other policies, just to name a few.

Two TASP members will be in attendance to present the topic of Hauler Licensing and the benefits of implementing the program in Windsor. In short, hauler licensing is a specific permit that authorizes businesses in the service areas of collection, transportation and disposal of waste materials to legally operate within a specific jurisdiction.

Financial Impact:

None at this time

Relationship to Strategic Plan:

Recommendation:

Accept presentation, ask questions and provide staff feedback

CC:

Attachments:



MEMORANDUM

Date: December 11, 2023
To: Mayor and Town Board
From: Mark Price, Planner 1
Re: Short Term Rental Discussion - D. Money, Town Attorney; S. Ballstadt, Director of Planning;
M. Price, Planner I;
Item #: 3.

Background / Discussion:

Draft Short Term Rental Ordinance

Please see the attachments:

Draft Ordinance
Draft Application
Draft Workflow
Presentation

Financial Impact:

N/A

Relationship to Strategic Plan:

N/A

Recommendation:

Staff is seeking recommendations and guidance on next steps.

CC:

N/A

Attachments:

1. Ordinance Short Term Rentals - UPDATED DRAFT
2. Short Term Rental - PPT - Town Board - Ordinance UPDATED
3. 2023 STR Application Template
4. STR Workflow - DRAFT

TOWN OF WINDSOR
ORDINANCE NO. 2023-

AN ORDINANCE AMENDING CHAPTER 16 OF THE WINDSOR MUNICIPAL CODE TO
ALLOW SHORT-TERM RENTALS AS A RESIDENTIAL USE

WHEREAS, the Town of Windsor (“Town”) is a home rule municipality, with all powers and authority vested under Colorado law; and

WHEREAS, the Town created and adopted the Windsor Land Use Code consisting of Chapters 14, 15, 16 and 17; and

WHEREAS, short-term rental properties are utilized by homeowners throughout the Town; and

WHEREAS, the Town has not yet adopted code requirements for the licensure and regulation of short-term rentals; and

WHEREAS, for the purposes of health and safety of the inhabitants of short-term rentals, the protection of surrounding neighboring properties and the protection of community character, the Town seeks to license and regulate this residential use; and

WHEREAS, the Town finds that the adoption of this Ordinance is necessary for the health, safety, and welfare of the residents.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

Section 1. Article 3 of Chapter 16 of the Town Code of the Town of Windsor, Colorado, is hereby amended to add a new section allowing and regulating short term rentals in Town limits. The new section shall read as follows:

Sec. 16-3-60.-Short-Term Rentals.

- (a) Intent. The intent of this article is to provide procedural requirements to seek approval for and regulate an owner who rents or advertises for a short-term rental. Therefore, the intent is to establish an annual adoption of updated fees and fee schedule, terms, and manner for issuing and revoking an approval that is issued. Additionally, this article ensures that short-term rentals are operated in a manner that is compliant with all applicable rules, laws, and regulations, as well as to ensure it is compatible with the surrounding neighborhood and protects the overall community character.
- (b) The provisions set forth in this article shall only apply to short-term rental properties, as defined within the Land Use Code. This article shall not apply to the furnishing of lodging services in hotels, motels, resort lodge cottages, bed and breakfast establishments, timeshares/fractional ownership units within a building operating akin to that of a hotel/motel with a central check-in located within such facility, or to properties with leases of 31 days or longer.

- (c) Definition. Short-term rental means a dwelling unit within a residentially zoned property (single family residence, ADU, fee simple duplex or townhome, condominiums), that is rented or otherwise made available by way of a rental agreement, lease, permit, or any other means, whether oral or written, for compensation or consideration, of residential property, a dwelling unit, or a portion thereof located within the Town, for a period of thirty (30) consecutive days or less. Short-term rentals are separate and distinct from hotels, motels, resort lodge cottages, bed and breakfast establishments, timeshares/fractional ownership units with a building operating akin to that of a hotel/motel with a central check-in located with such facility.
- (d) General provisions. Town licensed short-term rentals are only allowed in the following residentially zoned districts, explicitly in the Single Family (SF-1) zone district, and within residentially defined areas within a Residential Mixed Use One (RMU-1) zone district, subject to the following conditions:
- (1) License Required. It shall be unlawful to offer, provide, or operate a short-term rental in the Town of Windsor without obtaining a short-term rental license from the Town, through the Division tasked with oversight and enforcement. A license shall only be issued to a natural person, whose name appears on the property deed or a trust whose beneficiary is a natural person.
- (2) Application. Before any license under this article is issued, an application shall be submitted to the Finance Department and Community Development Department Planning Division. All applications shall be made upon forms provided by the Community Development Department. The Community Development Department may require additional documentation associated with the application as necessary to enforce the requirements of this article.
- (3) Short-term rental fee. Before any license under this article is issued, an applicant for a short-term rental license must pay a short-term license fee which has been determined necessary by the Town to offset costs associated with short-term rental regulation. This fee may be reasonably adjusted by the Director of Finance or their designee.
- (4) Compliance with restrictive covenants. If the parcel upon which an accessory dwelling unit is proposed falls within the jurisdiction of a homeowners' association or similar covenant-based property owners' association, the requirements of this Section shall be considered minimum requirements. Any such association shall have the right to lawfully adopt more stringent standards for accessory dwelling units, including the outright prohibition of accessory dwelling units, for any parcel within the regulatory authority of such association.
- (5) Compliance with state and federal laws. All short-term rentals must comply with applicable state and federal laws.
- (6) Insurance required. It shall be unlawful to operate a short-term rental without fire, hazard and liability insurance coverages, which limits are set by the Town. Proof of insurance will be required prior to issuance of the license. The Town shall not be held liable.
- (7) Owner and or property management information for emergency contact. This owner or property manager shall have access and authority to assume management of the short-term rental, take remedial measures, and to accept service on behalf of the owner. The property manager shall be available 24 hours per day, seven days per week to respond to complaints, issues of concern, and violations related to this article. The property manager must be able to

affirmatively respond to complaints within an hour of notification of such complaint. Failure by the property manager to affirmatively respond to a complaint and attempt to resolve such complaint within an hour of notification shall be considered a violation of this article.

(e) Requirements.

- (1) Development standards. All short-term rentals must meet the applicable Town development standards, building, residential and fire codes adopted by the Town. These requirements include, but are not limited to, properly installed and functioning smoke detector(s), carbon monoxide detector(s) and fire extinguisher(s) on the properties.
- (2) Total Occupancy. Two occupants per each bedroom, or sleeping room, within the unit are allowed to reside in a short-term rental. (example: 2 bedrooms = 4 occupants). A bedroom is any enclosed habitable space within a dwelling unit, which complies with the minimum room dimension requirements of the International Residential Code, as adopted and amended from time to time. Living rooms, family rooms and other similar areas that are so situated and designed as to clearly indicate these intended uses, shall not be interpreted as bedrooms rooms.
- (3) Site plan depicting off-street parking stalls and trash facility locations.
 - (a) Parking The short term rental shall have one off-street parking space per bedroom in the unit. (Example: 2 bedrooms = 2 off-street parking spaces)
 - (b) Trash removal. Trash shall be contained in an appropriate manner to prevent litter dispersion to adjacent neighbors.
- (4) Application.
 - (a) Proof of property and liability insurance must be provided upon acceptance of application.
 - (b) Street side emergency address numbers are displayed in accordance with 911 Regulations.
 - (c) Smoke alarms and carbon monoxide detectors are in correct working order and that the correct number of devices are installed per the Building Code. (Include date of device).
 - (d) Working fire extinguisher is located in each cooking area and in close proximity to each open flame source.
 - (e) Trash containers are of sufficient size to accommodate the maximum occupancy allowed and that a collection plan is in place.
 - (f) Notification to tenants of noise and parking regulations in accordance with the applicable Town of Windsor Municipal Code ("The Code").
 - (g) Number bedrooms in the rental unit.
 - (h) Number of full bathrooms in the rental unit.
 - (i) Number of off-street parking spaces available.
 - (j) Property complies with The Code.

- (5) Owner/property manager shall be responsible to provide their contact information to all neighbors adjacent to the short-term rental. Proof of such shall be provided to the Town within ten days of planning approval and or following any change in information.
- (6) Existing Short-term rentals. Existing short-term rentals will be required to submit a formal short-term rental application within 90 days of implementation of this ordinance.
- (7) Renewal application. Renewal application and fee payment is required biannually upon notification by the Town. Failure to complete and resubmit the renewal application form to the Department, shall be cause for consideration or revocation of approval.
- (8) Change in ownership. Any change in ownership shall require a new application and license. Licenses are not transferable.
- (9) Inspection and reinspection. Short-term rentals shall be inspected for initial licensure, then reinspected by the Town Building Official and the Windsor Severance Fire Rescue every two (2) years accompanying the renewal every other year to ensure continued compliance with the applicable building and fire code.
- (10) Advertising. Any advertising shall contain the Town license number.
(Example: STR23-001)

(f) Neighborhood Complaints.

(1) Complaints concerning a short-term rental shall first be directed to the owner and/or property manager. The property manager shall respond to the complaint, including visiting the site, if necessary, within one hour of notification. Failure by a property manager to affirmatively respond to a complaint and attempt to resolve such complaint shall be considered a violation of this article.

(2) The Town may investigate any complaint received, to determine if it is a substantiated complaint that represents a documented violation of any provision(s) of this article.

(3) Violations of this article shall be subject to the enforcement provisions set forth herein. If violation(s) are not corrected or if there are repeat offenses, the Town may pursue action as provided for herein.

(4) If upon review at any time, the Town determines the owner has failed to comply with any of the requirements, performance standards, conditions or restrictions imposed by this article, the Town may take such action as is deemed necessary to remedy the non-compliance, including but not limited to, suspension or revocation of the approval as set for in section (g) below.

(g) Suspension or revocation. An approval granted pursuant to this article may be revoked by the **Town Manager or designee** following a show cause determination for any violation of this article or criminal violation. The authorized enforcement agency may commence suspension or revocation proceedings if any of the following occurs:

- (1) An owner has had three substantiated complaints by neighboring property owners or occupants; or
 - (2) An owner has violated or is currently violating this article, or the Town of Windsor Land Use Code, in a manner that significantly endangers the health, safety, or welfare of the public.
- (h) Suspension or revocation determination.
- (1) The show cause determination shall be made by the **Town Manager or designee**.
 - (2) A notice of violation shall be provided by certified mail to the owner and/or property manager setting forth the date and substance of the alleged violation(s).
 - (3) Within 15 days of receiving the notice of violation, the owner and/or property manager may correct the violation and present evidence of corrective action. The owner and/or property manager may also dispute the allegations to the Town Manager or designee.
 - (4) The **Town Manager or designee** will consider the following when determining whether to suspend or revoke the short-term rental approval:
 - a. The nature and seriousness of the violation.
 - b. Impact of the violation on the neighborhood and/or community.
 - c. Corrective action, if any, taken by the owner or property manager.
 - d. Prior violations.
 - e. The likelihood of reoccurrence of the violation(s).
 - f. Entirety of the circumstances surrounding the violation(s).
 - g. Willingness, or lack thereof, to rectify the violation(s).
 - h. License tenure.
 - (5) Following receipt of any evidence that may be provided to the Town Manager or designee, if it is determined that good cause exists for the imposition of a sanction against the owner, the Town Manager or designee may suspend or revoke a license:
- (i) Appeals of license revocations. Any determination made by the Town Manager or designee related to the suspension or revocation of the approval may be appealed to the Town Board of Adjustment, under Windsor Municipal Code Sec. 14-2-180(a)(1) and will be treated similarly to a determination made by the Zoning Officer of the Town.
 - (j) Violation of this article. Violation of this article may cause suspension or revocation of the short-term rental license or may be subject to prosecution dependent upon the nature and extent of the act or violation.

Section 2. Severability. The provisions of this Ordinance are hereby declared to be severable. If any section, paragraph, clause, or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 3. Repealer. All orders, resolutions, or ordinances in conflict with this Ordinance are hereby repealed, only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

Introduced, passed on first reading and ordered published this ____ day of _____, 2023.

TOWN OF WINDSOR, COLORADO

Paul Rennemeyer, Mayor

ATTEST:

[Seal]

Karen Frawley, Town Clerk

Introduced, passed on second reading, and ordered published this ____ day of _____, 2023.

TOWN OF WINDSOR, COLORADO

Paul Rennemeyer, Mayor

ATTEST:

[Seal]

Karen Frawley, Town Clerk



Short-Term Rental Ordinance and Application

Town Board Work Session - Planning
December 11, 2023



Short-Term Rental Discussion

- Overview:
 - Purpose and Intent
 - Definitions
 - Application, Licensing, and Fees (N/A - Lodging or Excise Tax)
 - Property Management and Notice Maps
 - Life-Safety Requirements and Inspections
 - Violations, Enforcement and Revocation

Purpose and Intent

- Purpose/intent.
 - To identify procedural requirements, for regulating and approving short-term rental properties (applicants).
 - To establish an annual adoption of updated fees and fee schedule, terms and manner for issuing, regulating, and revoking and STR.
 - To ensure that short-term rentals are operated in a manner that is compliant with all applicable rules, laws and regulations, health-safety and welfare, as well as to ensure it is compatible with the surrounding neighborhood and protects the overall community character.

Definitions

- *Short-term rental means a dwelling unit within a residentially zoned property for a period of less than thirty (30) consecutive days.*
 - Short-term rental units may be whole house rentals, duplexes, townhomes, or individual rooms in homes.
 - Apartments and Condo units are excluded and not applicable.

Licensing and Fees

- License required, with licensing fees paid (Fees TBD).
- It shall be unlawful to operate without license.
- An application for a short-term rental shall be reviewed by Community Development, in accordance with the applicable criteria.
- Licenses will be issued by the Finance Department after Community Development approves application.
 - Applications submitted via Muni-Revs or hardcopy to Finance and Community Development Departments.
- Approvals shall be in accordance with the Land Use Code, as well as building permits, inspection approvals and certificates of occupancy required by building code.

Application Overview

- Short-Term Rental Type
- Total occupancy.
 - Total number of occupants determined by the number of bedrooms multiplied by two.
 - Ex. 2 bedrooms = 4 occupants
 - Off street parking spaces = number of bedrooms (Ex. 2 bedrooms = 2 off-street parking spaces).
- Proof of Insurance.
- Floor Plan identifying emergency exits posted at exit locations within the STR.
- Operations manual located within the STR.

Application, Review, and Inspections

Building and Fire Code Inspection Criteria:

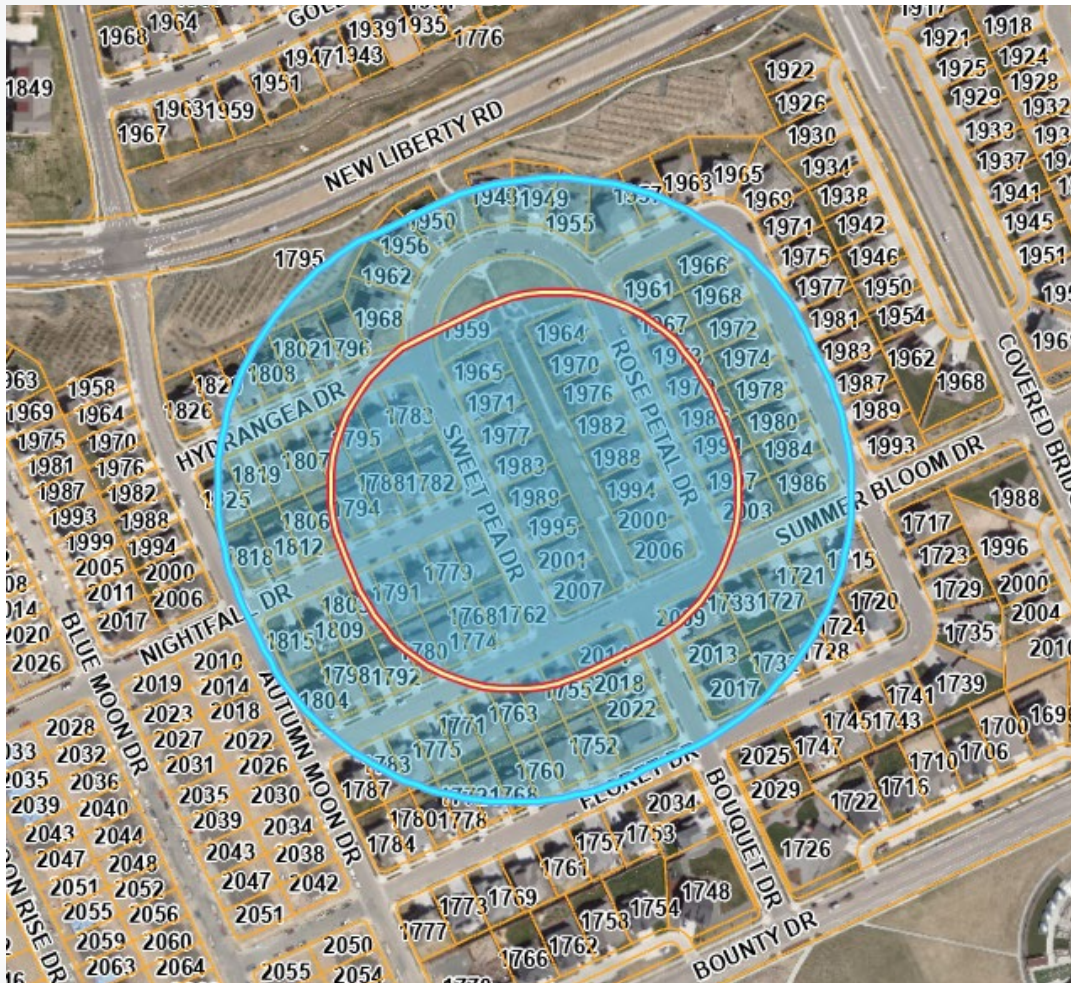
- Initial inspections:
 - To establish baseline condition and proposed maximum occupancy of the dwelling unit.
 - This will help validate the number of advertised bedrooms and confirm building and fire code is being met.
- Biennial inspections of the dwelling unit to align with STR renewal license.

Requirements

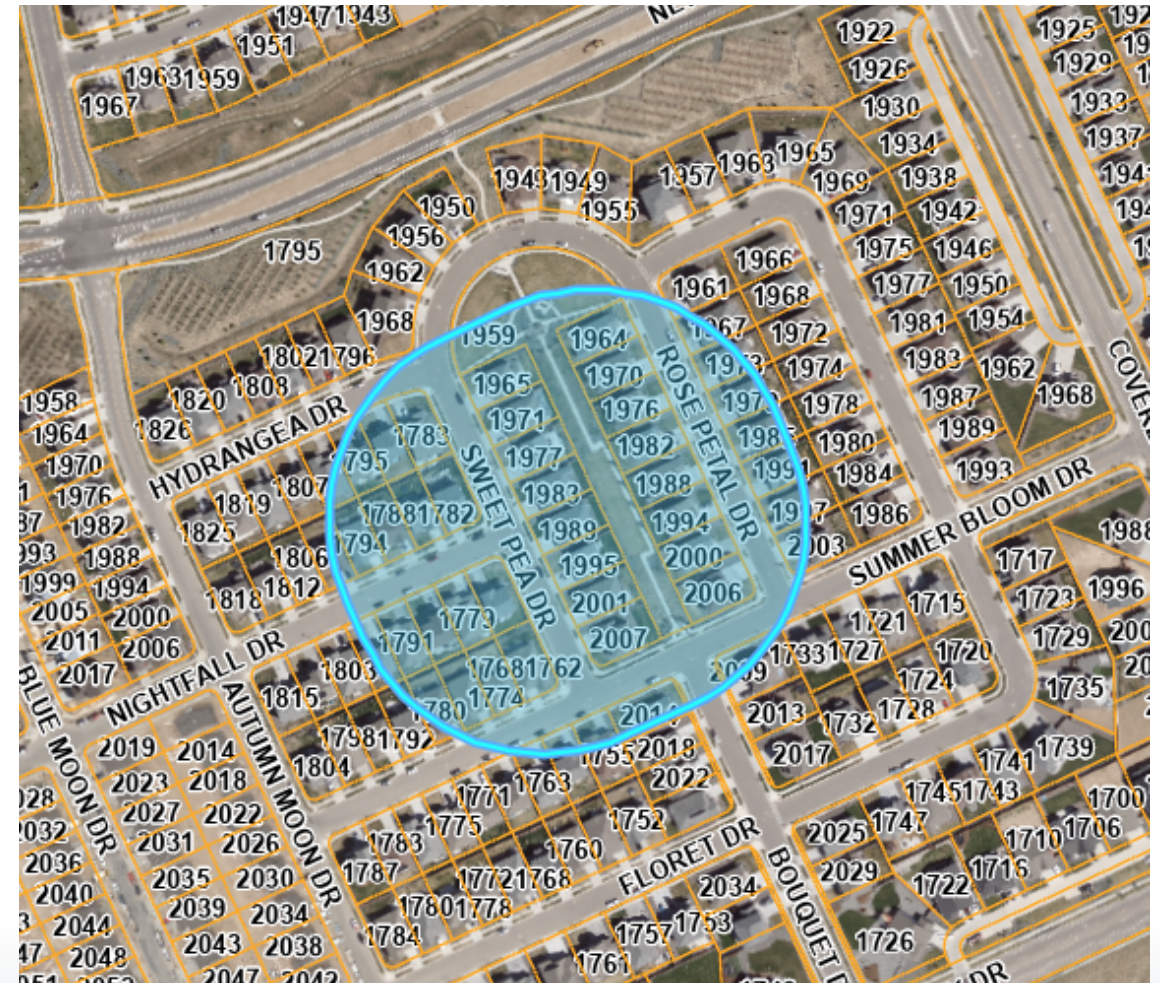
- Property manager or Owner:
 - The property owner and/or manager shall be available 24/7 to respond to complaints, issues of concern, and violations.
 - The property manager must be able to affirmatively respond to complaints within an hour of notification of such complaint.
 - Property owner and/or manager shall be responsible to provide their contact information to all neighbors adjacent to the short-term rental property.
 - Discussion on 500' vs 300' vs adjacent neighbors.

Example Map: 500' vs 300' or Adjacent Property Owners

500' - Approximately 100 parcels



300' - Approximately 50 parcels



Requirements...

- All short-term rentals shall be inspected for code compliance prior to approval of a license.
- Two-year Re-inspection for Renewal.
 - Renewals must be submitted to Finance a month prior to license expiration date.
- The fee for this re-inspection shall be \$100 for WSFR, SAFEbuilt Fees \$100.
- Any advertising shall contain the Town of Windsor approval number.
 - Example: STR23-003

Violations, Enforcement and Revocation

- Approval of a renewal application is expressly contingent upon the owner maintaining compliance:
 - Complaints concerning a short-term rental shall first be directed to the owner and/or property manager.
 - If the complaints are unresolved, they may be reported to the Town.
- The Town of Windsor may investigate any complaint received, to determine if it is a substantiated complaint that represents a legitimate violation.
- If the Town of Windsor determines the owner has failed to comply with any of the requirements, the license may be suspended or revoked.
 - 3 Strike Rule for Revocation
 - Suspension for minor site plan, or delayed renewal license efforts.

Violations, Enforcement and Revocation

- Suspension:
 - A determination of any minor violation of this article (non-life safety),
 - Trash Complaints,
 - Parking issues,
 - Working fire extinguishers,
 - Late submittal of documents for renewal,
 - Late payments, etc.

Violations, Enforcement and Revocation...

- Revocation:
 - An owner has had three substantiated major complaints; or
 - An owner has violated or is currently violating this article in a manner that significantly endangers the public health, safety and/or welfare.
- Revocation determination:
 - The determination shall be made by the Town Manager or their designee.
 - A notice of violation shall be given to the owner and/or property manager including the date and information regarding the violation.
 - Within 15 days of receipt of the notice of violation, the owner and/or property manager can present evidence of corrective action or dispute the violation.

Violations, Enforcement, Revocation

- Revocation:
- 1st complaint, contact from Planning regarding the complaint details and reminder of STR Regulations (signed by host during application process).
- 2nd complaint, contact from Planning warning of 3 strike rule for revocation.
- 3rd complaint, revocation of license.
 - Appeals heard by Town Board

Violations, Enforcement and Revocation...

- The Town Manager or designee shall consider the following when determining whether to suspend or revoke the short-term rental approval:
 - The nature and seriousness of the violation(s).
 - Impact of the violation on the neighborhood and/or community.
 - Corrective action, if any, taken by the owner or property manager.
 - Prior violations.
 - The likelihood of reoccurrence of the violation(s).
 - Entirety of the circumstances surrounding the violation(s).
 - Willingness, or lack thereof, to rectify the violation(s).
 - Length of time the owner has been approved.



Discussion

Town of Windsor - Planning



Short Term Rental (STR) License Application

Application and Information Packet

New License:	☐	\$250 Initial Application Fee (non-refundable)
Renewal License:	☐	\$50 Application Fee (non-refundable)
Inspection Fees:	☐	\$200 Fire / Building Inspection Fee (\$100/inspection)

Please Provide All Required Information:

Applicant Name or Business Name (DBA):					
Mailing Address:					
City:		State:		Zip Code:	
Phone:	() -	Contact Email:			
Short-Term Rental Type:		Full Home _____ Single Room _____ ADU _____			
Property Address:					
City:	<u>Windsor</u>	State:	<u>Colorado</u>	Zip Code:	
Legal Description of Property (Lot and Block, Subdivision):					
Property Owner Information:		Prefix _____ Suffix _____ Pronouns _____			
Full Name:					
Primary Residence Address:					
City:		State:		Zip Code:	
Phone:	() -	Email:			
Local 24/7 Contact:		Phone:	() -		
Address:		Email:			

301 Walnut St.
Windsor, CO 80550

Office: 970-674-2400
Fax: 970-674-2496

windsorgov.com



Short Term Rental (STR)

Application and Information Packet

Checklist and Certification for Application (Please initial all that apply):

____ I certify I have notification from an insurance company acknowledging the property is used as a short-term rental.

____ I certify street side emergency address numbers are displayed in accordance with 911 regulations.

____ I certify all smoke alarms and carbon monoxide detectors are in correct working order and that the correct number of devices are installed per the Building Code. (Include date of device).

____ I certify a working fire extinguisher is located in each cooking area and in close proximity to each open flame source.

____ I certify all chimney flues have been cleaned during the last 12 months.

____ I certify the trash containers are of sufficient size to accommodate the maximum occupancy allowed and that a collection plan is in place.

____ I certify I will notify tenants of noise and parking regulations in accordance with the applicable Town of Windsor Ordinance.

____ I certify there are (#) ____ bedrooms in the rental unit.

____ I certify there are (#) ____ full bathrooms and (#) ____ ½ baths in the rental unit.

____ I certify there are _____ on-site parking spaces available. (One Allowed On Premises)

____ Owner supplied advertisement for unit being considered for short-term rental.

____ I certify the property complies with the Town of Windsor Zoning Code.

____ I certify that the property is registered with Town of Windsor's Finance Department.

I, _____ (print name), certify that the Short-Term Rental Permit for which I am applying meets all the criteria described above. I acknowledge that failure to comply with the short-term rental requirements may result in revocation of the Short-Term Rental Permit.



Short Term Rental (STR)

Application and Information Packet

Checklist for Submittals to Planning/Engineering Review:

Item #	Checklist	Requirements for Planning/Engineering Review.
1.		Short Term Rental Site Plan/Plot Plan/Floor Plan Identifying the Following Information: Trash enclosures, square footage of lot, home and STR unit, and on-premises parking location.
2.		Completed STR application with acknowledgement of regulations.
3.		Contact Information. 24-hour contact information (i.e., name, address, and telephone numbers) for the Property Manager and the Owner.
4.		Site Plan/Plot Plan/Floor Plan: <u>See Plot Plan/Floor Plan Examples</u> A. Aerial Image of Existing and proposed buildings on the site: • Size (outer dimensions and area in square feet). • Uses of all buildings. • Structures Parking Areas Vehicular access and drives including widths. B. For new construction you will need a site plan drawn to scale that is NOT an aerial. Please include information noted in A. above in addition to the information noted on the attached Plot Plan Handout. • Distance between property lines and all existing and proposed buildings & structures. • Project boundary annotated with distances. • Setbacks (building, parking and etc.). C. A floor plan for each level of the home, drawn to a common scale or include all dimensions. Label all rooms including bedroom, bathrooms, common areas, mechanical rooms, decks, porches, stairs, doors, windows and attached garages. All bedrooms must have egress windows or doors, smoke and CO alarms, and meet other code requirements. You may draw the floor plan yourself or have a drafts person or architect prepare it. The plan must be complete, legible and accurate.



Short Term Rental (STR)

Application and Information Packet

Plot Plan Information:

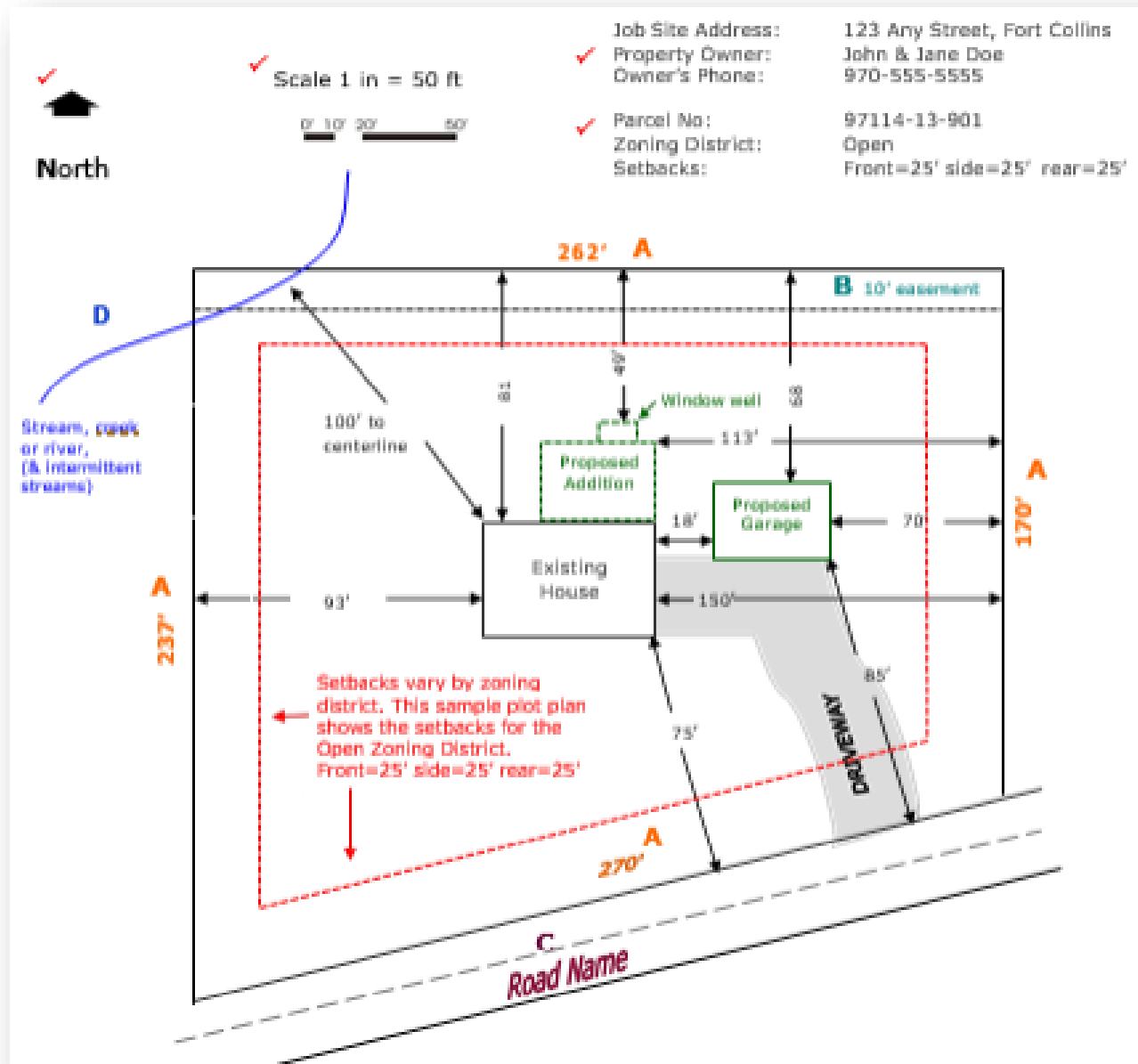
<u>What is a Plot Plan</u>	<u>What is required to be on a Plot Plan</u>
A plot plan is an accurate, scaled drawing illustrating the following: • Property's dimension and shape. • Location of roads. • The relationship and precise location of man-made features on the property (buildings, structures, driveways). • Natural water features (creeks, streams, rivers, lakes). • Architectural features (cornices, canopies, eaves, awnings, bay windows, window wells, cantilevered walls, chimneys). -Plot plans show what currently exists on the site and the physical changes you plan to make to the site. -See example plot plan.	Plot Plan Basics Note: Aerial photos will not be accepted 1. DRAWN TO SCALE -Like a map that depicts a 10-mile stretch of highway with a 1 inch line, a scaled plot plan represents the relationship between the actual property and its size on paper. -Common measures of scale for plot plans: Scale 1" = 10' 0" ----- 10 ft Scale 1" = 100' 0" ----- 100 ft • North Arrow 2. PLOT PLAN PAPER • Minimum Size 8½" x 11" • Maximum Size 24" x 36" • Larger parcels of land may require multiple sheets of paper. 3. PROPERTY DIMENSIONS • Draw and label property lines and length • Indicate if property is a corner lot and label all roads 4. EASEMENTS and RIGHT of WAY • Show easements, e.g., utility, drainage landscape, access. • Structures cannot be built in, over or under ANY easement or right-of-way including architectural features such as eaves and window wells. 5. ROADS, STREETS, ACCESS • Named and unnamed roads (public, private, county roads & state highways) • Driveways, existing and proposed • Vehicle parking area
A Plot Plan is required when submitting a building permit application for:	
• Residential Buildings • Accessory Buildings • Decks, porches, gazebos & awnings • Garages (attached and detached) • Pole Barns • Storage Buildings larger than 120 sq ft	



Short Term Rental (STR)

Application and Information Packet

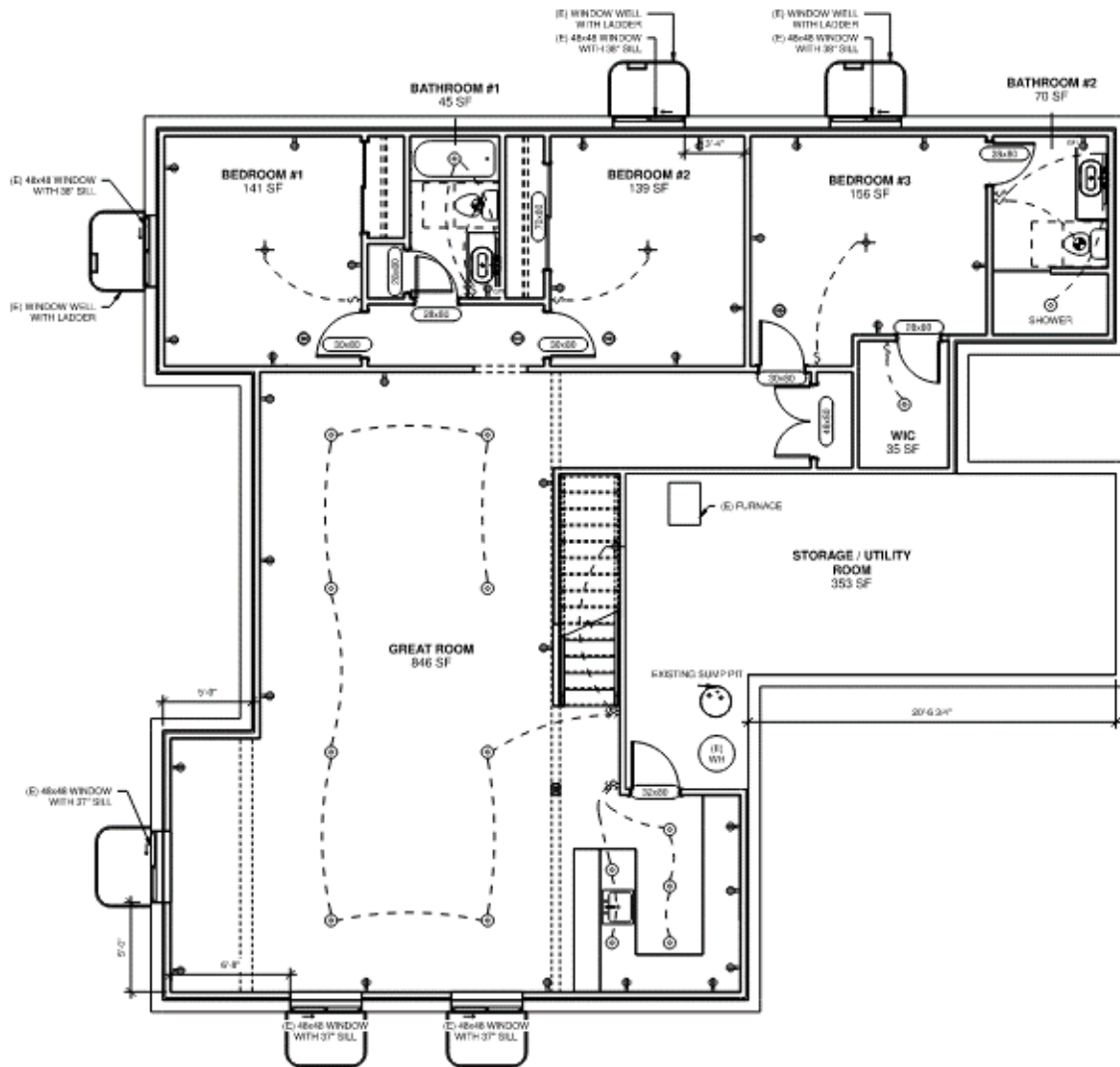
Example Plot Plan:



Short Term Rental (STR)

Application and Information Packet

Example Floor Plan:



① EXISTING BASEMENT
1/4" = 1'-0"



Short Term Rental (STR)

Application and Information Packet

Operations Manual (Details to be posted within the STR Unit):

Completed Y/N	Please include in your STR Operations Manual the following information.
	Quiet Hours. Restrictions on after-hour noise and good neighbor interaction.
	Contact Information. 24-hour contact information (i.e., name, address and telephone numbers) for the Property Manager and the Owner.
	Address. The address, GPS coordinates and phone number of the STR. If no phone, then use the phone number of the property owner.
	Property map. A map showing the location of property lines and instructions to prevent trespass onto neighboring properties.
	Maximum Occupancy Limits. The maximum number of occupants allowed to occupy the STR.
	Parking Instructions. Where vehicles are allowed to park on the property shall be clearly indicated. Vehicles must park on the property. On-street parking or parking on neighboring properties is not allowed.
	Egress Map. A map showing how to exit each habitable room in the STR.
	Escape Routes. A map of escape/evacuation routes from the STR/neighborhood to a public road.
	Emergency 911. Contact information for, and a copy of, current registration with the Windsor Severance Fire District, as well as contact information for Police/Sheriff and ambulance service.
	Emergency Shut Off Information. The location of, and instructions for, emergency shutoff of water, gas and electrical systems.
	Fire Extinguisher Information. Location and instructions on how to operate fire extinguishers.
	Stove-top fire stop Information. Instructions from the manufacturer regarding the stove-top fire stop should be included.
	Garbage Removal. Information regarding the plan for garbage storage and removal shall be provided.
	Fire-pit and/or fire ban information. Information regarding whether a fire-pit is allowed, the Wildfire Hazard Area restrictions and the dangers of fires in Colorado.



Short Term Rental (STR)

Application and Information Packet

Planning Staff Form Completion:

STR License Number: STR ____ - ____	STR ADDRESS: _____	
PARCEL NUMBER: ____ - ____ - ____	LOT SIZE: _____ sqft	
LEGAL DESCRIPTION:	LOT: ____ / BLOCK: ____ / SUB: _____	
ZONING/SUBAREA:	_____	
SETBACKS:	FRONT _____ ft SIDE _____ ft REAR _____ ft	
ADDITIONAL INFO:	Type of STR: Plot Plan Approved: Inspections Scheduled or Completed: Signed Acknowledgement:	
PLANNER:		DATE:



Short Term Rental (STR)

Application and Information Packet

Town of Windsor STR Ordinance and Legal Information:

Section 1. Article 3 of Chapter 16 of the Town Code of the Town of Windsor, Colorado, is hereby amended to add a new section allowing and regulating short term rentals in Town limits. The new section shall read as follows:

Sec. 16-3-60.-Short-Term Rentals.

(a) Intent. The intent of this article is to provide procedural requirements to seek approval for and regulate an owner who rents or advertises for a short-term rental. Therefore, the intent is to establish an annual adoption of updated fees and fee schedule, terms, and manner for issuing and revoking an approval that is issued. Additionally, this article ensures that short-term rentals are operated in a manner that is compliant with all applicable rules, laws, and regulations, as well as to ensure it is compatible with the surrounding neighborhood and protects the overall community character.

(b) The provisions set forth in this article shall only apply to short-term rental properties, as defined within the Land Use Code. This article shall not apply to the furnishing of lodging services in hotels, motels, resort lodge cottages, bed and breakfast establishments, timeshares/fractional ownership units within a building operating akin to that of a hotel/motel with a central check-in located within such facility, or to properties with leases of 31 days or longer.

(c) Definition. Short-term rental means a dwelling unit within a residentially zoned property (single family residence, ADU, fee simple duplex or townhome, condominiums), that is rented or otherwise made available by way of a rental agreement, lease, permit, or any other means, whether oral or written, for compensation or consideration, of residential property, a dwelling unit, or a portion thereof located within the Town, for a period of thirty (30) consecutive days or less. Short-term rentals are separate and distinct from hotels, motels, resort lodge cottages, bed and breakfast establishments, timeshares/fractional ownership units with a building operating akin to that of a hotel/motel with a central check-in located with such facility.

(d) General provisions. Town licensed short-term rentals are only allowed in the following residentially zoned districts, explicitly in the Single Family (SF-1) zone district, and within residentially defined areas within a Residential Mixed Use One (RMU-1) zone district, subject to the following conditions:



- (1) License Required. It shall be unlawful to offer, provide, or operate a short-term rental in the Town of Windsor without obtaining a short-term rental license from the Town, through the Division tasked with oversight and enforcement. A license shall only be issued to a natural person, whose name appears on the property deed or a trust whose beneficiary is a natural person.
- (2) Application. Before any license under this article is issued, an application shall be submitted to the Finance Department and Community Development Department Planning Division. All applications shall be made upon forms provided by the Community Development Department. The Community Development Department may require additional documentation associated with the application as necessary to enforce the requirements of this article.
- (3) Short-term rental fee. Before any license under this article is issued, an applicant for a short-term rental license must pay a short-term license fee which has been determined necessary by the Town to offset costs associated with short-term rental regulation. This fee may be reasonably adjusted by the Director of Finance or their designee.
- (4) Compliance with restrictive covenants. If the parcel upon which an accessory dwelling unit is proposed falls within the jurisdiction of a homeowners' association or similar covenant-based property owners' association, the requirements of this Section shall be considered minimum requirements. Any such association shall have the right to lawfully adopt more stringent standards for accessory dwelling units, including the outright prohibition of accessory dwelling units, for any parcel within the regulatory authority of such association.
- (5) Compliance with state and federal laws. All short-term rentals must comply with applicable state and federal laws.
- (6) Insurance required. It shall be unlawful to operate a short-term rental without fire, hazard and liability insurance coverages, which limits are set by the Town. Proof of insurance will be required prior to issuance of the license. The Town shall not be held liable.
- (7) Owner and or property management information for emergency contact. This owner or property manager shall have access and authority to assume management of the short-term rental, take remedial measures, and to accept service on behalf of the owner. The property manager shall be available 24 hours per day, seven days per week to respond to complaints, issues of concern, and violations related to this article. The property manager must be able to affirmatively respond to complaints within an hour of notification of such complaint. Failure by the property manager to affirmatively respond to a complaint and attempt to resolve such complaint within an hour of notification shall be considered a violation of this article.



(e) Requirements.

- (1) Development standards. All short-term rentals must meet the applicable Town development standards, building, residential and fire codes adopted by the Town. These requirements include, but are not limited to, properly installed and functioning smoke detector(s), carbon monoxide detector(s) and fire extinguisher(s) on the properties.
- (2) Total Occupancy. Two occupants per each bedroom, or sleeping room, within the unit are allowed to reside in a short-term rental. (example: 2 bedrooms = 4 occupants). A bedroom is any enclosed habitable space within a dwelling unit, which complies with the minimum room dimension requirements of the International Residential Code, as adopted, and amended from time to time. Living rooms, family rooms and other similar areas that are so situated and designed as so to clearly indicate these intended uses, shall not be interpreted as bedrooms rooms.
- (3) Site plan depicting off-street parking stalls and trash facility locations.
 - (a) Parking The short-term rental shall have one off-street parking space per bedroom in the unit. (Example: 2 bedrooms = 2 off-street parking spaces)
 - (b) Trash removal. Trash shall be contained in an appropriate manner to prevent litter dispersion to adjacent neighbors.
- (4) Application.
 - (a) Proof of property and liability insurance must be provided upon acceptance of application.
 - (b) Street side emergency address numbers are displayed in accordance with 911 Regulations.
 - (c) Smoke alarms and carbon monoxide detectors are in correct working order and that the correct number of devices are installed per the Building Code. (Include date of device).
 - (d) Working fire extinguisher is located in each cooking area and in close proximity to each open flame source.
 - (e) Trash containers are of sufficient size to accommodate the maximum occupancy allowed and that a collection plan is in place.
 - (f) Notification to tenants of noise and parking regulations in accordance with the applicable Town of Windsor Municipal Code ("The Code").
 - (g) Number bedrooms in the rental unit.
 - (h) Number of full bathrooms in the rental unit.



- (i) Number of off-street parking spaces available.
- (j) Property complies with The Code.
- (5) Owner/property manager shall be responsible to provide their contact information to all neighbors adjacent to the short-term rental. Proof of such shall be provided to the Town within ten days of planning approval and or following any change in information.
- (6) Existing Short-term rentals. Existing short-term rentals will be required to submit a formal short-term rental application within 90 days of implementation of this ordinance.
- (7) Renewal application. Renewal application and fee payment is required biannually upon notification by the Town. Failure to complete and resubmit the renewal application form to the Department, shall be cause for consideration or revocation of approval.
- (8) Change in ownership. Any change in ownership shall require a new application and license. Licenses are not transferable.
- (9) Inspection and reinspection. Short-term rentals shall be inspected for initial licensure, then reinspected by the Town Building Official and the Windsor Severance Fire Rescue every two (2) years accompanying the renewal every other year to ensure continued compliance with the applicable building and fire code.
- (10) Advertising. Any advertising shall contain the Town license number.
(Example: STR23-001)
- (f) Neighborhood Complaints.
 - (1) Complaints concerning a short-term rental shall first be directed to the owner and/or property manager. The property manager shall respond to the complaint, including visiting the site, if necessary, within one hour of notification. Failure by a property manager to affirmatively respond to a complaint and attempt to resolve such complaint shall be considered a violation of this article.
 - (2) The Town may investigate any complaint received, to determine if it is a substantiated complaint that represents a documented violation of any provision(s) of this article.
 - (3) Violations of this article shall be subject to the enforcement provisions set forth herein. If violation(s) are not corrected or if there are repeat offenses, the Town may pursue action as provided for herein.
 - (4) If upon review at any time, the Town determines the owner has failed to comply with any of the requirements, performance standards, conditions or restrictions imposed by this article, the Town may



take such action as is deemed necessary to remedy the non-compliance, including but not limited to, suspension or revocation of the approval as set for in section (g) below.

(g) Suspension or revocation. An approval granted pursuant to this article may be revoked by the Town Manager or designee following a show cause determination for any violation of this article or criminal violation. The authorized enforcement agency may commence suspension or revocation proceedings if any of the following occurs:

- (1) An owner has had three substantiated complaints by neighboring property owners or occupants; or
 - (2) An owner has violated or is currently violating this article, or the Town of Windsor Land Use Code, in a manner that significantly endangers the health, safety, or welfare of the public.
- (h) Suspension or revocation determination.
- (1) The show cause determination shall be made by the Town Manager or designee.
 - (2) A notice of violation shall be provided by certified mail to the owner and/or property manager setting forth the date and substance of the alleged violation(s).
 - (3) Within 15 days of receiving the notice of violation, the owner and/or property manager may correct the violation and present evidence of corrective action. The owner and/or property manager may also dispute the allegations to the Town Manager or designee.
 - (4) The Town Manager or designee will consider the following when determining whether to suspend or revoke the short-term rental approval:
 - a. The nature and seriousness of the violation.
 - b. Impact of the violation on the neighborhood and/or community.
 - c. Corrective action, if any, taken by the owner or property manager.
 - d. Prior violations.
 - e. The likelihood of reoccurrence of the violation(s).
 - f. Entirety of the circumstances surrounding the violation(s).
 - g. Willingness, or lack thereof, to rectify the violation(s).
 - h. License tenure.



(5) Following receipt of any evidence that may be provided to the Town Manager or designee, if it is determined that good cause exists for the imposition of a sanction against the owner, the Town Manager or designee may suspend or revoke a license:

(i) Appeals of license revocations. Any determination made by the Town Manager or designee related to the suspension or revocation of the approval may be appealed to the Town Board of Adjustment, under Windsor Municipal Code Sec. 14-2-180(a)(1) and will be treated similarly to a determination made by the Zoning Officer of the Town.

(j) Violation of this article. Violation of this article may cause suspension or revocation of the short-term rental license or may be subject to prosecution dependent upon the nature and extent of the act or violation.

Section 2. Severability. The provisions of this Ordinance are hereby declared to be severable. If any section, paragraph, clause, or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 3. Repealer. All orders, resolutions, or ordinances in conflict with this Ordinance are hereby repealed, only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

Acknowledge and Sign: _____ Date: _____

Receipt of Legal Ordinance

STR Workflow

1. Muni-revs:

- a. A link to STR application will be made available online on our Planning Web Page with a printable version also available. Contact at Muni-revs to figure out cost of building STR workflow within muni-revs.
 - i. Submittals will need to be downloadable, and notification emails sent to planning techs once an application is complete.
 - ii. Muni-revs workflow can ensure application is complete before it is downloaded to planning for Trakit upload and review scheduling.



Aniya Gill

Customer Success Manager

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m: [GovOS-ter a Meeting with Aniya!](tel:4696687215)

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- b.
 - c. Discussion with Aniya will have to occur to budget for the new workflow and access requirements (as well as training).
- ### **2. Application Fees Paired with WSFR and SAFEbuilt:**
- a. A determination will need to be made on what the fee amount for the Planning submittal will be.
 - b. Will the upfront application fee include WSFR and SAFEbuilt inspection fees?
 - c. Muni-revs will also be charging fees for credit card payments going forward.
- ### **3. Trakit:**
- a. Once an STR application is submitted, Planning staff will upload the documents to Trakit and distribute for review (as is current standard for other land use projects)
 - b. WSFR and SAFEbuilt will have their typical review and comments provided.
 - c. Once Summary and Comments via transmittal are distributed back to the applicant in an email from Planning. A link will be included in the email to allow scheduling to occur with WSFR and SAFEbuilt for final inspections.
 - d. Once an application is approved, all fees are paid and inspections done with all items passing, a STR License will be issued and approved on Muni-revs and distributed to the applicant.
- ### **4. Application approved:**
- a. Once an application is approved, the applicant and STR are then under the governance of the ordinance. Muni-revs will need to have check boxes for violation notices. A violation notification can be sent via muni-revs to the associated contact to inform them of wrongdoing.
 - b. Renewals and re-inspections can be scheduled, and notices sent to STR Owners via Muni-revs.
 - c. Fees for inspections shall be paid to SAFEbuilt and WSFR separately to ensure all building and fire codes are continuously met.



FUTURE TOWN BOARD MEETINGS

December 18, 2023	Town Board/Manager/Attorney Annual Dinner
December 25, 2023	Canceled – Christmas Holiday
January 1, 2024	Canceled – New Year’s Holiday
January 8, 2024 5:30 p.m.	Town Board Work Session Board/Manager/Attorney Monthly Meeting Cobb Lake Water Treatment Authority Creation Agreement
January 8, 2024 7:00 p.m.	Town Board Regular Meeting
January 15, 2024	Canceled – MLK Holiday
January 22, 2024 5:30 p.m.	Town Board Work Session
January 22, 2024 7:00 p.m.	Town Board Regular Meeting
January 29, 2024	Canceled – 5 th Monday

Future Work Session Topics

- DDA Entertainment District
- Telecom Code (Pending FCC Rules)
- Weld RE-4 School Land Dedication/Cash in lieu of Land Update