



City of Ketchum

December 6, 2021

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to hold Public Hearing and First Reading of Short-Term Rental Ordinance 1230

Recommendation and Summary

Staff is recommending the Council review and approve the first reading of Ordinance 1230 which will create a new standalone business license, regulations, and fee for short-term property owners.

"I move to approve the first reading of Ordinance 1230 and read by title only"

The reasons for the recommendation are as follows:

- The ordinance will enable better compliance with Local Option Tax collection
- The regulatory framework will allow for improved data collection regarding the number of units in town and associated yearly utilization
- The ordinance will provide for consistent regulatory treatment for all short-term rentals (homes and hotels)

Introduction and History

During the November 18th City Council meeting, city staff provided an overview of the draft ordinance for short-term rentals based upon state law and examples from the cities of McCall and Sandpoint.

In 2017, the Idaho Legislature adopted legislation that sets forth limitations on the ability of counties and cities to regulate STRs. Most particularly, this legislation, now Idaho Code §67-6539, prevents a city from prohibiting STRs.

Idaho Code §67-6539

67-6539. LIMITATIONS ON REGULATION OF SHORT-TERM RENTALS AND VACATION RENTALS. (1) Neither a county nor a city may enact or enforce any ordinance that has the express or practical effect of prohibiting short-term rentals or vacation rentals in the county or city. A county or city may implement such reasonable regulations as it deems necessary to safeguard the public health, safety and general welfare in order to protect the integrity of residential neighborhoods in which short-term rentals or vacation rentals operate. A short-term rental or vacation rental shall be classified as a residential land use for zoning purposes subject to all zoning requirements applicable thereto. (2) Neither a county nor a city can regulate the operation of a short-term rental marketplace.

IC 67-6539 makes clear that the City cannot outright prohibit STRs within city limits. Less defined is what amount of regulation would be proscribed as constituting a "practical effect of prohibiting" STRs. To date, there has not been further legislation or judicial analysis clarifying where the boundaries might be drawn on such regulation.

Additionally, IC 67-6539 makes clear that STRs are to be generally treated as a residential land use for zoning purposes. This means that STRs cannot be regulated by limiting them only to areas of non-residential zoning (one of the more popular approaches in the early days of STRs).

As the Council reviews options for potential STR regulations, the key finding that should be considered is how the regulations are “necessary to safeguard the public health, safety and general welfare ...” including how to “protect the integrity of residential neighborhoods.” IC 67-6539.

Two Idaho cities that have been at the forefront of STR regulations after the adoption of IC 67-6539 are the City of McCall and the City of Sandpoint. Both cities have generally adopted a permit/license process as the procedural mechanism for STR regulations.

City of Sandpoint Key Provisions:

- STR permit required, tied to LOT to ensure collection of LOT
- Definition of STR that explicitly states that temporary shelters (such as RVs, tents) are to be used as an STR
- In residential zones, two-night minimum stay and only one STR per parcel
- Maximum of 35 non-owner occupied STRs across all residential zones within the City, with exceptions for STRs approved within PUDs or multi-unit developments meeting certain standards (primarily tied to proximity to tourism areas)
- Permits only valid for one year and tied to specific property owner (not tied to property itself)
- Inspection required for permit to verify certain health/safety standards
- Local representative/contact required
- Infraction-based enforcement policy

City of McCall Key Provisions:

- Permit/business license required, tied to LOT permit to ensure collection of LOT
- Conditional use permit approach for any STR with occupancy of 20+ guests. CUP addresses factors such as parking, access, noise, neighborhood impacts, and health and safety
- Room occupancy limits on all STRs
- Noise and health/safety requirements, including posting of such on premises
- Identification and provision of contact information for a property manager

Sustainability Impact

There is no direct impact. Increased inventory of long-term rentals does decrease the amount of auto trips as local workers are closer to their place of employment.

Financial Impact

Depending on final new costs associated with the new program (software, increased staffing), the Council will need to determine a reasonable license fee in relation to proper cost recovery.

Attachments

1. Ordinance 1230
2. Fire regulatory framework



City of Ketchum

November 18, 2021

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Review and Provide Feedback on Draft Short-Term Rental Ordinance

Recommendation and Summary

In June, City Council directed staff to investigate a standalone license program for short-term rentals (STRs) with new regulations (*see attachment #1*). Staff will have a short presentation that will outline key policy discussion items. Once the Council has provided feedback, staff will schedule the ordinance for first reading and public hearing.

Introduction and History

During the June 21, 2021, City Council meeting, the City Attorney reviewed the following potential elements that could be included in a new short-term rental ordinance based upon state law and examples from the cities of McCall and Sandpoint.

In 2017, the Idaho Legislature adopted legislation that sets forth limitations on the ability of counties and cities to regulate STRs. Most particularly, this legislation, now Idaho Code §67-6539, prevents a city from prohibiting STRs. The open question still remains as to what extent STRs can be regulated.

Idaho Code §67-6539

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Additionally, IC 67-6539 makes clear that STRs are to be generally treated as a residential land use for zoning purposes. This means that STRs cannot be regulated by limiting them only to areas of non-residential zoning (one of the more popular approaches in the early days of STRs).

As the Council reviews options for potential STR regulations, the key finding that should be considered is how the regulations are “necessary to safeguard the public health, safety and general welfare ...” including how to “protect the integrity of residential neighborhoods.” IC 67-6539.

Two Idaho cities that have been at the forefront of STR regulations after the adoption of IC 67-6539 are the City of McCall and the City of Sandpoint. Both cities have generally adopted a permit/license process as the procedural mechanism for STR regulations.

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Sustainability Impact

No direct impact. Increased inventory of long-term rentals does decrease the amount of auto trips as local workers are closer to their place of employment.

Financial Impact

Depending on final new costs associated with the new program (software, increased staffing), the Council will need to determine a reasonable license fee in relation to proper cost recovery.

Attachments:

1. Draft ordinance
2. Fire/building regulations

**CITY OF KETCHUM
ORDINANCE 1230**

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, ADDING A NEW CHAPTER 9 OF TITLE 5 OF KETCHUM MUNICIPAL CODE ENTITLED SHORT-TERM RENTAL PERMITS; PROVIDING A PURPOSE; DEFINING KEY TERMS; ESTABLISHING REQUIREMENTS FOR OWNERS AND OPERATORS; CREATING STANDARDS TO OBTAIN A SHORT-TERM RENTAL PERMIT; REGULATING HIGH OCCUPANCY SHORT-TERM RENTALS; PROVIDING FOR VIOLATIONS, INFRACTIONS, PENALTIES, AND ENFORCEMENT; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Recitals:

- A. The City is authorized to exercise its powers to “maintain the peace, good environment and welfare.” Idaho Code §§50-301 and 50-302(a).
- B. The City is authorized to “implement such reasonable regulations as it deems necessary to safeguard the public health, safety and general welfare in order to protect the integrity of residential neighborhoods in which short-term rentals or vacation rentals operate.” Idaho Code §67-6539.
- C. The significant growth of short-term rentals within the City has created a need for reasonable regulations so as to protect the health, safety, and welfare of short-term rental guests, as well as neighboring property and the public.
- D. A permitting system provides a reasonable regulatory approach to seek to balance the operation of short-term rentals with the health, safety, and welfare impacts upon guests, neighbors, and the public.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Ketchum, Blaine County, Idaho:

SECTION 1: That a new Chapter 5.09 of Title 5 of the Ketchum City Code is created to read as follows:

Chapter 5.09
SHORT-TERM RENTAL PERMITS

- 5.09.010: Purpose
- 5.09.020: Definitions
- 5.09.030: Permit Requirements
- 5.09.040: Standards
- 5.09.050: High Occupancy Standards
- 5.09.060: Violations and Enforcement

5.09.010: Purpose: Short-term rentals provide additional tourism opportunities and economic impacts, but also increased impacts on guests, neighbors, and the public. The purpose of this chapter is to provide the City with reasonable regulatory procedures to protect the health, safety

and welfare of short-term rental guests, neighboring residents, and the public. These regulations are further intended to protect the integrity of neighborhoods in which short-term rentals operate.

5.09.020: Definitions:

LOCAL REPRESENTATIVE: An area property manager, owner, or agent of the owner, who is readily available to respond to guest and neighborhood or City questions or concerns.

OWNER: The person or entity that holds legal and/or equitable title to the private property.

OWNER-OCCUPIED: Where the owner of a dwelling unit resides on the parcel for a minimum of six (6) months out of a calendar year. Homeowner-occupied tax-exempt status may be considered to be proof of homeowner occupied status for the purposes of this chapter.

SALE/TRANSFER: Any change of Owner, whether for consideration or not, during the term of the permit.

SHORT-TERM RENTAL (STR): Any individually or collectively owned single-family house or dwelling unit or any unit or group of units in a condominium, cooperative or timeshare, or owner-occupied residential home that is offered for a fee and for thirty (30) days or less.¹

5.09.030: Permit Requirements.

- A. Compliance Responsibility: An Owner may act through an agent or property manager, but the Owner shall remain responsible for compliance with these provisions.
- B. Declaration of Compliance: An Owner is required to complete the application, including completing the declaration that the Short-Term Rental complies with all of the requirements within this chapter and those that may be required by the City as indicated on the application.
- C. Permit Required: No person shall operate or manage, or offer or negotiate to use, lease or rent a dwelling unit for Short-Term Rental occupancy within the City without obtaining and maintaining a Short-Term Rental (STR) Permit.
- D. Permit Application: The City shall prepare and make available an application form for a STR Permit reflecting appropriate information, standards compliance, and fee as may be established in the City's fee schedule.
- E. Permit Term: An STR Permit shall be valid for a period of one year from issuance and may be annually renewed. A permit shall expire upon end of its one-year term or upon a sale/transfer of the property.
- F. Permit Applicability: A permit shall be applicable to the designated dwelling unit to be used as a STR. The permit shall be issued to and in the name of the Owner; and a change in Owner, such as by sale/transfer, shall require a new permit.
- G. Occupancy Tax: STRs must comply with the requirements of Ketchum Municipal Code 3.12.030, Imposition and Rate of Certain Nonproperty Sales Taxes.
- H. Existing STRs: Short-Term Rentals in existence prior to the effective date of this ordinance shall be provided a grace period of **one-year** from the effective date in which to obtain a permit according to the standards of this chapter.

¹ IC 63-1803(4).

- I. Residential Zones: Within residential zones, Short-Term Rentals shall have a minimum two (2) night stay and shall be limited to one Short-Term Rental per parcel.

5.09.040: Standards:

1. Issuance: The issuance of a Short-Term Rental permit shall be subject to the following standards:

- a. Declaration:

- i. At the time of application for a new Short-Term Rental permit, the applicant must declare that the dwelling unit complies with all of the standards set forth in this chapter. If any of the below items are not complete, the applicant must make any necessary adjustments to the dwelling unit prior to submitting the application for permit.
- ii. For renewals, applicants shall be required to submit an affidavit affirming continued compliance with the standards set forth in this chapter by completing a City provided self-inspection checklist.
- iii. The minimum standards required for all Short-Term Rental dwelling units, are set forth below. The City retains the ability to add to requirements as necessary, as will be stated on the permit application, to provide for the health, safety, and general welfare of both the citizens of the community and the temporary occupants of the Short-Term Rentals.
 1. Windows: Bedroom windows shall be operable to allow for emergency egress in accordance with the most recent building and fire codes as adopted and amended by the State of Idaho.
 2. Smoke Alarms: Single or multiple-station smoke alarms shall be installed and maintained in accordance with manufacturers specification:
 - a. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
 - b. In each room used for sleeping purposes.
 - c. In each story within a dwelling unit, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.
 3. CO Detectors: A CO detector is required on each floor if: there is a garage, solid fuel appliance or gas appliance.
 4. Fire Extinguishers: The Short-Term Rental shall be equipped with one 2A:10BC type extinguisher per floor. Fire extinguisher(s) shall be mounted in visible locations with the tops of the fire extinguishers mounted between three feet (3') and five feet (5') above the floor, and shall be accessible to occupants at all times.
 5. Local Representative:

- a. Each Short-Term Rental shall list a local representative who permanently resides within twenty (20) vehicular miles of the Ketchum city limits.
 - b. If the City is not able to contact the local representative in a timely manner more than twice during the term of the annual permit, this shall be considered a violation of this chapter.
 - c. The designated local representative may be changed by the permit holder from time to time throughout the term of the permit. However, to change the local representative, the permit holder must file a revised permit application that includes the name, address and telephone number of the new local representative. Failure to notify the City of a change in the local representative constitutes a violation of this chapter.
 - d. For non-owner-occupied Short-Term Rentals within the residential zones that do not meet the standards of this chapter, property owners and/or residents within two hundred feet (200') of the dwelling shall be provided with the name and telephone number of the owner or the local representative. The permit holder shall provide documentation to the City of this notification and list of the owners and/or residents contacted.
- 6. Permit Posting: The Short-Term Rental permit shall be posted within the dwelling adjacent to the front door. At a minimum, the permit will contain the following information:
 - a. The name of the local representative and a telephone number where the representative may be reached;
 - b. The name and a telephone number where the property owner can be reached;
 - c. The telephone number and website address of the City of Ketchum;
 - d. The maximum number of occupants permitted to stay in the dwelling;
 - e. The solid waste and recycling collection day; and
 - f. The Ketchum snowplowing regulations.
- 2. Inactivity: License issuance and continued validity for non-owner-occupied Short-Term Rentals shall be contingent upon the owner's good faith effort to actively engage in the rental of the property. Failure to provide documentation of rental activity for a minimum of twelve (12) nights during a twelve (12) month period, pro-rated quarterly, prior to the Short-Term Rental permit renewal deadline shall constitute an immediate forfeiture of the license
 - i. A signed declaration affirming that the property will be managed to adhere to the following requirements:
 - 1. Parking: all parking for the unit is contained on the site and not more than one (1) parking space per bedroom is provided. All

trailers shall be parked on a surfaced area, if space is provided, and shall not park on the right-of way.

2. Occupancy: Short-Term Rentals shall contain no more than four (4) people per bedroom. Total maximum occupancy of the Short-Term Rentals shall be based on the number of bedrooms times four (4) people per bedroom.
3. Noise: Quiet hours from 10 pm to 8 am the following day are enforced.
4. Trash Service: Bear proof solid waste collection facilities shall be available on the site and adequate for the occupancy of the short-term dwelling unit.

5.09.050: High Occupancy Standards:

- A. A permit for a Short-Term Rental with an occupancy of 20 or more guests shall comply with the general standards and findings for approval of a conditional use permit as set forth in Title 17 and the standards for all Short-Term Rentals set forth in this Chapter.
- B. The use of the dwelling unit as a Short-Term Rentals shall not have greater impacts than would be created by long term occupancy of the dwelling unit including the following:
 1. Access: The access and ingress to the site shall maintain safe conditions for pedestrians and vehicles and shall be adequately sized and designed so that access to other properties is not impacted or unsafe conditions on public streets are created.
 2. Parking: Improved surface areas on the site shall be the minimum necessary to provide adequate parking for the occupancy.
 3. Noise: Loud music, outdoor activities or any other source of noise that can be heard beyond the perimeter of the Short-Term Rental premises shall not be generated during the hours of 10:00 p.m. to 8:00 a.m. the following day.
 4. Health and Safety: The building is designed to accommodate the occupancy expected. Smoke, propane gas and carbon monoxide detectors shall be installed and maintained.
 5. Exterior Changes: No exterior changes shall be made to the structures or site conditions that would eliminate its appearance or use as a dwelling unit for long term residency.
 6. Use Restrictions: A copy of the use restrictions (occupancy, number and location of parking spaces, restrictions on RV parking, solid waste collection, quiet hours and noise restrictions, outdoor activity restrictions) as imposed through the conditional use permit, and the name and phone number of local representative and property owner shall be posted within the Short-Term Rental dwelling unit for user reference. The Short-Term Rental shall not be used for special events (i.e. weddings, wedding receptions).
- C. Neighborhood Impacts: a communication strategy with neighbors within 300' of the Short-Term Rental regarding any complaints shall include:
 1. The contact information of the property representative to serve as initial contact if there are questions or complaints regarding the operation of the Short-Term Rentals, and
 2. A copy of the conditions of approval.

- D. Application Requirements: In addition to the STR Permit application, the following submittals are required prior to the noticing of a public hearing before the Ketchum Area Planning and Zoning Commission:
1. A basic site plan that indicates the location of on-site parking;
 2. An operations plan;
 3. A communication strategy;
 4. A stormwater management plan, if there are changes to the site; and
 5. A declaration identifying the date and location of the neighborhood meeting and a roster of the persons attending.

5.09.060: Violation; Infraction; Penalty:

The following conduct shall constitute a violation for which the penalties and sanctions specified in this section may be imposed:

- A. Violations:
- a. The occupants of the dwelling have created noise, disturbances, or nuisances, in violation of City Code.
 - b. Violations of law pertaining to the consumption of alcohol or the use of illegal drugs.
 - c. The owner has failed to comply with the standards of this chapter.
- B. Penalties:
- a. For the first two (2) violations within a twelve (12) month period, the sanction shall be a warning notice.
 - b. For the third violation within a twelve (12) month period, the sanction shall be a revocation of the permit.
 - c. Additional penalties as may be provided for by the specific violation in other sections of City Code shall remain applicable.
- C. Written Notice: The City shall provide the permit holder with a written notice of any violation of this section that has occurred. If applicable, a copy of the warning notice shall be sent to the local representative.
- D. Appeal of Suspension or Revocation: Pursuant to this section, the City shall provide the permit holder with a written notice of the permit suspension or revocation and the reasons. The permit holder may appeal the suspension or revocation under the same process as an administrative appeal under Ketchum Municipal Code 17.144.
- E. Application for Permit After Revocation: A person who has had a Short-Term Rental permit revoked shall not be permitted to apply for a subsequent Short-Term Rental permit for a period of **one year** from the date of revocation.
- F. Infraction: Unless otherwise provided, any person who shall commence or continue to operate a Short-Term Rental for which a permit is required without first procuring the permit shall be deemed guilty of an infraction and subject to a fine of one hundred dollars (\$100.00). A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.
- G. Advertisement of Short-Term Rental: An advertisement promoting the availability of Short-Term Rentals property in violation of this Code is prima facie evidence of a violation and may be grounds for denial, suspension or revocation of a license. Advertising that offers a property as a residential Short-Term Rentals shall constitute prima facie evidence of the operation of a residential Short-Term Rentals and the burden of proof shall be on the

owner, operator, or lessee of record to establish that the subject property is being used as a legal residential Short-Term Rentals or is not in operation. Any communication by a property owner, manager, operator, or lessee to any person where the owner, manager, operator, or lessee offers their home for rent as a residential Short-Term Rentals shall constitute prima facie evidence of the operation of a residential Short-Term Rentals and the burden of proof shall be on the owner, operator, or lessee of record to establish that the subject property is being used as a legal residential Short-Term Rentals or is not in operation. Other evidence of the operation of a residential Short-Term Rentals without a valid permit number may include, but is not limited to: guest testimony, rental agreements, advertisements, and receipts or bank statements showing payments to the owner by a guest.

SECTION 3: REPEALER. All previous ordinances, resolutions, orders, or parts thereof, that are in conflict herewith are hereby repealed.

SECTION 4: SAVINGS AND SEVERABILITY. It is hereby declared to be the legislative intent that the provisions and parts of this ordinance shall be severable. If any paragraph, part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5: EFFECTIVE DATE. This ordinance shall be in full force and effect after its passage, approval and publication, according to law.

PASSED BY THE CITY COUNCIL of Ketchum, Idaho this ____ day of _____ 2021.

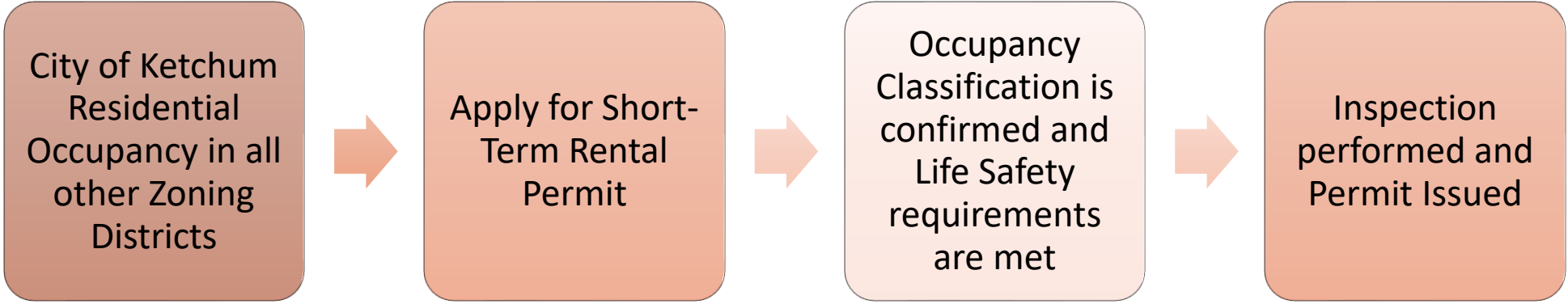
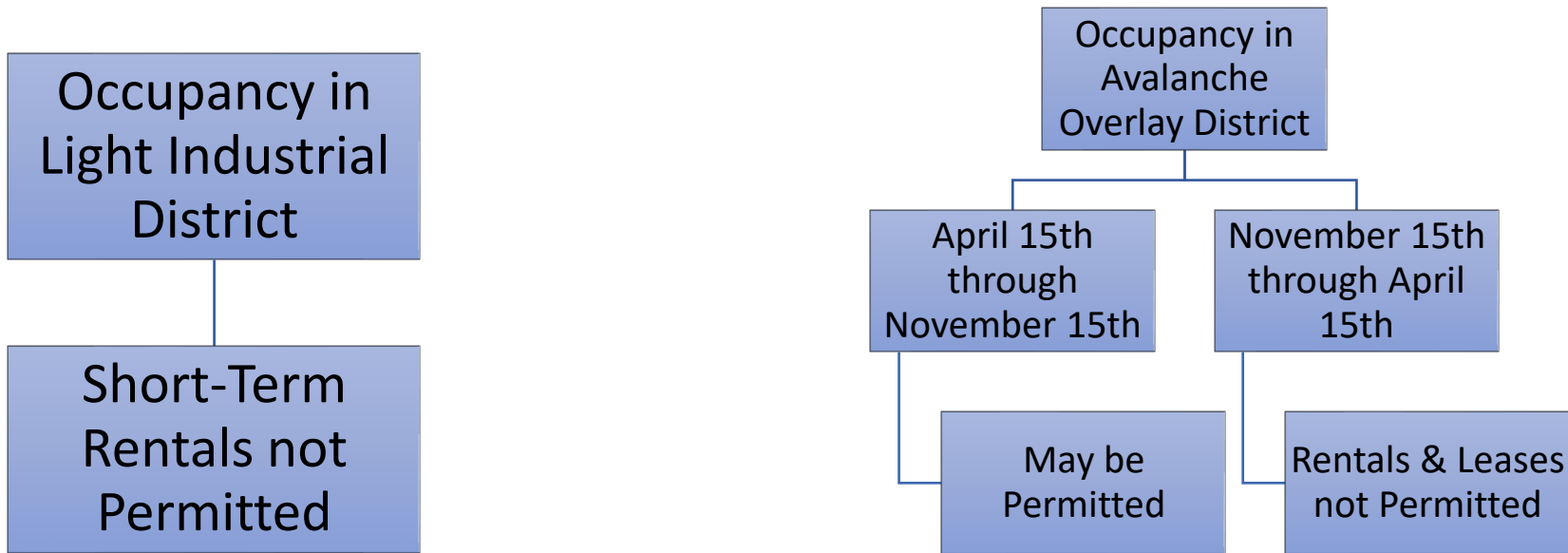
APPROVED BY THE MAYOR of Ketchum, Idaho this ____ day of _____ 2021.

Neil Bradshaw, Mayor

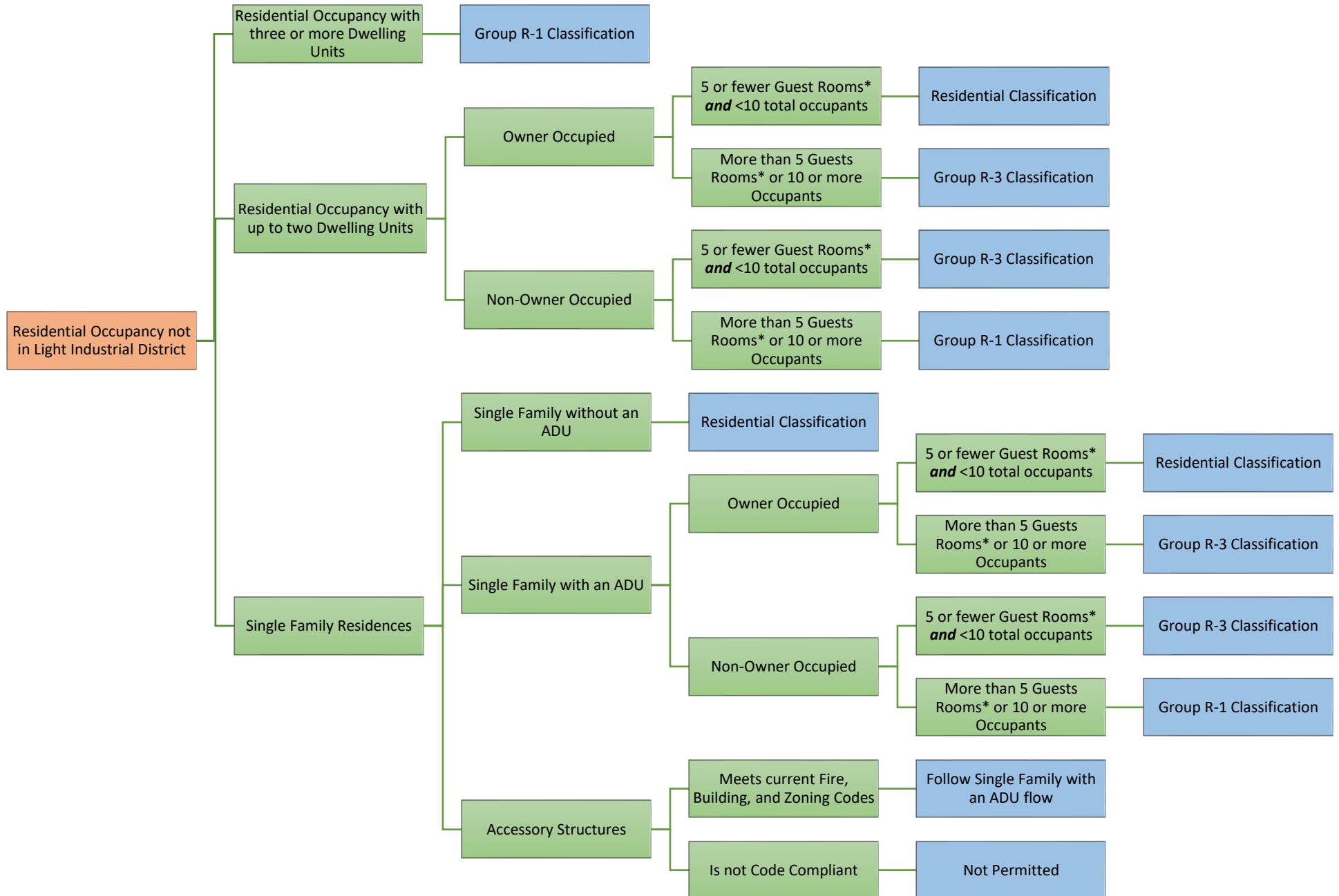
ATTEST:

Tara Fenwick, City Clerk

Short-Term Rental Permitting Flow



Occupancy Classification Flow Chart



**Guest Room*: A room used or intended to be used by one or more guests for living or sleeping purposes.

Short Term Rental Classification for Fire and Building Code

- Short term rentals are not specifically identified in code
 - They are rather defined by the terms, transient or non-transient, in relationship to the primary nature of the residents of an occupancy.
- Short Term Rentals most closely align with one of the following Occupancy Classifications
 - Residential Group R-1
 - Defined as “occupancies containing sleeping units where the occupants are primarily transient in nature”.
 - Motels and Hotels also fall into this category.
 - Residential Group R-3
 - Building that do not contain more than two dwelling units
 - Townhomes and Duplexes typically fall into this category
 - Residential
 - Defined as “one and two-family dwellings”.
 - Includes owner-occupied lodging houses with 5 or fewer guest rooms and 10 or fewer occupants.
- IBC defines transient as
 - “Occupancy of a dwelling unit or sleeping unit for not more than 30 days”

The less familiar an occupant is with a building; the more life safety code requirements are placed on that building. In addition to familiarity, density drives more stringent life safety code requirements.

Idaho tax code seems to support the transient classification of short-term rentals as well. The State’s tax code for lodging is labeled the “Hotels, Motels, and Short-Term Rental Tax Code” and referred to on the State’s web site as “residences rented for a fee for 30 days or less”.

Quote from Fort Collins web site

Short Term Rentals (STR’s) are currently only allowed in single-family dwellings. This includes property line townhomes, otherwise known as single-family-attached homes. STR’s are not allowed in multi-family R-2 buildings. R-2 buildings are apartment or condo buildings with 3 or more dwelling units on a single property. The Building Code considers the STR use of the condo/apartment building to be too risky for the renters who are not familiar with the space and trying to exit.

Occupancy Classification when used as a Short-Term Rental

Group R-1 Occupancy	Group R-3 Occupancy	Residential Occupancy
Buildings with three or more Dwelling Units	Buildings with up to two dwelling units	Single-Family Residences & Owner Occupied STRs in buildings with up to two dwelling units
One Hour vertical and horizontal fire separation throughout building (Exit corridors, floors, walls, etc.) !	One Hour vertical and horizontal fire separation between units (common wall)	Normal Residential fire separations
IBC compliant exits, exit signage, and exit illumination. !	IBC compliant exits	No exit signs required
Adequate Exits per story of building height, and occupant load restrictions (More restrictive) !	Adequate Exits per story of building height, and occupant load restrictions (Less restrictive)	One Exit to exterior per 10 occupants, occupant load restrictions (Least restrictive)
Fire Sprinklers throughout - Meet the requirements of NFPA 13	Fire Sprinklers throughout - Meet the requirements of NFPA 13	Fire Sprinklers Required at 6,000sq/ft - Meet the requirements of NFPA 13
NFPA Compliant alarm notification Devices in STR units !	Standard audible notification devices	Standard audible notification devices
Constantly Monitored Fire & CO Detection System throughout building	Constantly Monitored Fire & CO Detection System throughout building	Constantly Monitored Fire & CO Detection System throughout building !
Adequate fire extinguishers per NFPA Code - Every Stair way landing and with 75' of travel to all locations in building	Adequate fire extinguishers per NFPA Code - One per kitchen and one per garage	Adequate fire extinguishers per NFPA Code - One per kitchen and one per garage
Posted Fire & Life Safety plan and property representative available to respond 24hrs a day within 4 hours. !	Posted Fire & Life Safety plan and property representative available to respond 24hrs a day within 4 hours. !	Posted Fire & Life Safety plan and property representative available to respond 24hrs a day within 4 hours. !
Additional requirements to be ADA compliant	Additional requirements to be ADA compliant	Additional requirements to be ADA compliant

Darker color indicates more restrictive code requirements

! = More restrictive than non-STR property

Local Occupancies currently listed on VRBO.com

Occupancies with three or more dwelling units

Buildings that don't meet current R-2 or R-3 codes and would be difficult to change to R-1

Andora Villas – Built before fire sprinklers were required. Multiple dwelling occupancy and no centrally monitored fire detection system or notification devices.



Wildwood Condos – Built before fire sprinklers required. Does have monitored fire detection system but only for common areas. All units exit into interior central corridors and would be difficult to meet R-1 code standards.



Buildings that meet current R-2 Codes and would be easier to change occupancy classifications to R-1

Christoph Condos – Meet current sprinkler requirements, has monitored fire detection system, all exits are on exterior corridors and be easier to meet R-1 code standards.

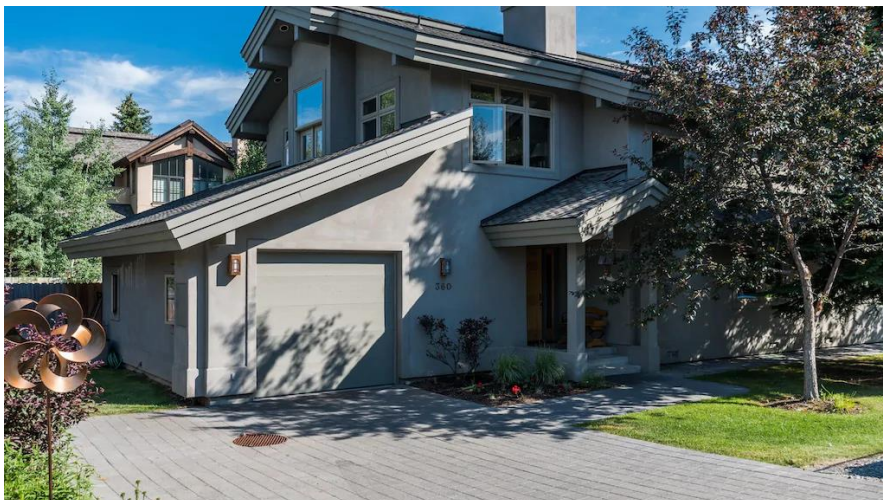


Group R-3 Occupancy (Townhomes) Examples

Townhomes with fire detection systems would be more easily updated to meet current R-3 Codes.

Townhomes where an owner occupies one half of the building would be considered owner occupied and classified in the less restrictive residential ranking. These buildings would not need to be retrofitted with sprinklers.

Owner occupied Townhome



Townhome with fire sprinklers



Single Family Residences (with and without ADUs)

This classification includes stand-alone single-family homes, homes with ADUs, and Owner-Occupied Townhomes.

Occupancies less than 6,000sq/ft without sprinklers and occupancies larger than 6,000sq/ft with sprinklers could be easily modified to meet the STR code.

Homes with ADUs would need to certify that one of the units is owner occupied or risk being classified as a R-3 occupancy.



Stand-alone, single family Residential Occupancy, currently booked for 22 days in December as listed on VRBO.com.



STRs not permitted due to extreme life safety hazards in these specific zones

Not Permitted in the Industrial Zones, or Avalanche Overlay District (November 15th – April 15th)

Light Industrial

125 Lewis St – No fire sprinklers, in a building where numerous light industrial activities could be approved. Lacks appropriate egress and fire separation requirements.

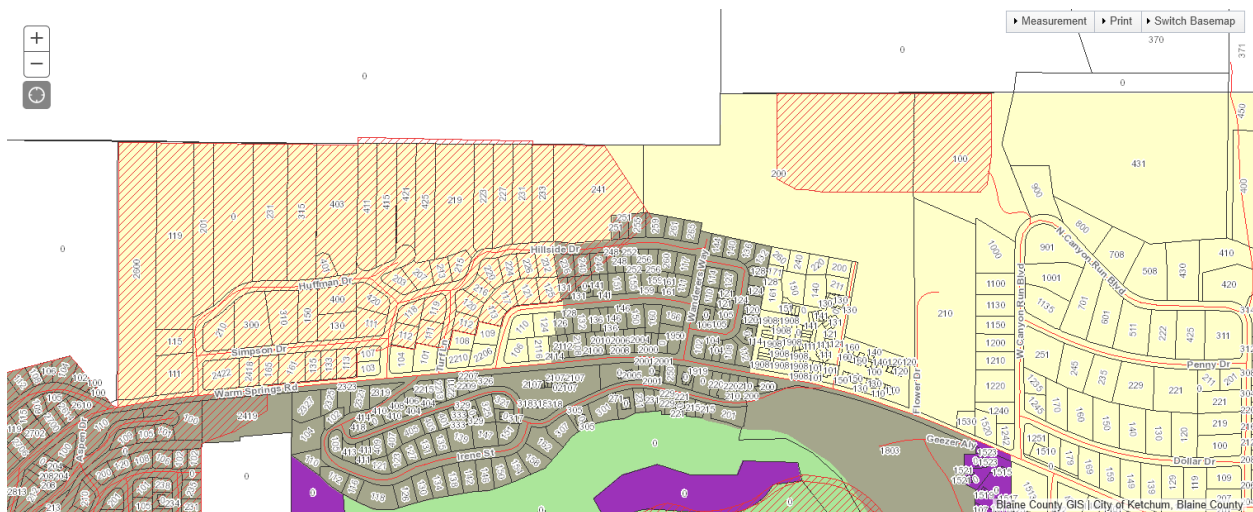


Avalanche Overlay District

226 Hillside Dr – Listed on VRBO.com and is currently booked for 16 days in December and 15 Days in February



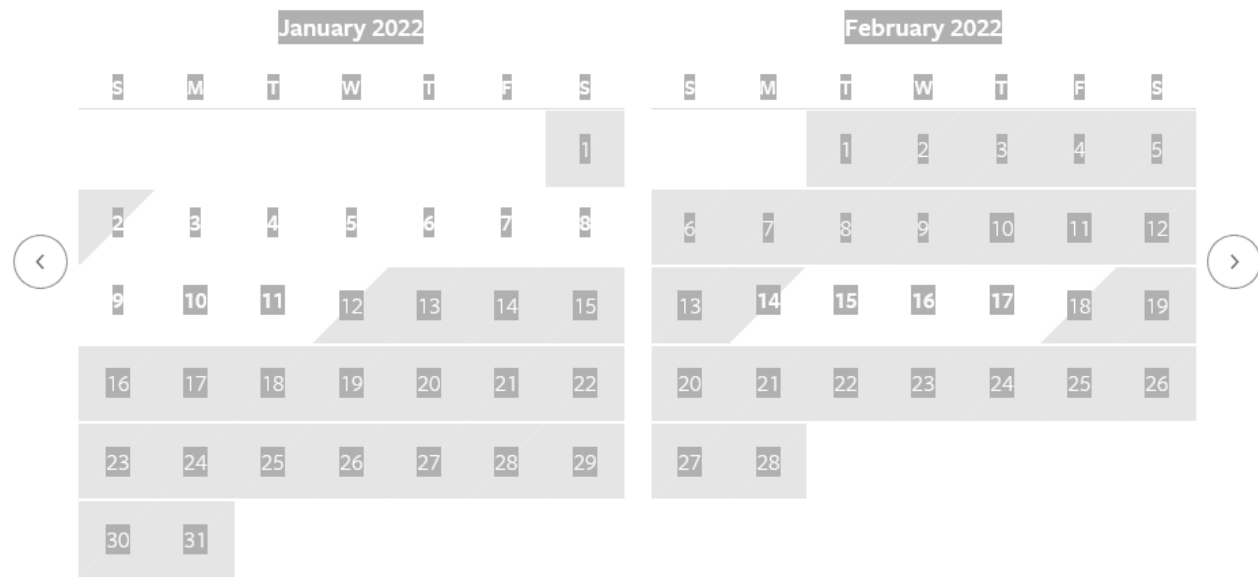
226 Hillside Dr is part of the Avalanche overlay district



320 Sage Rd – May qualify as a R-3 Occupancy (Townhome) and need minimal modifications to meet a potential STR code, but it's in the Avalanche Overlay District and can't currently be rented or leased during the winter despite what appears to be an almost completely booked listing on VRBO.com.

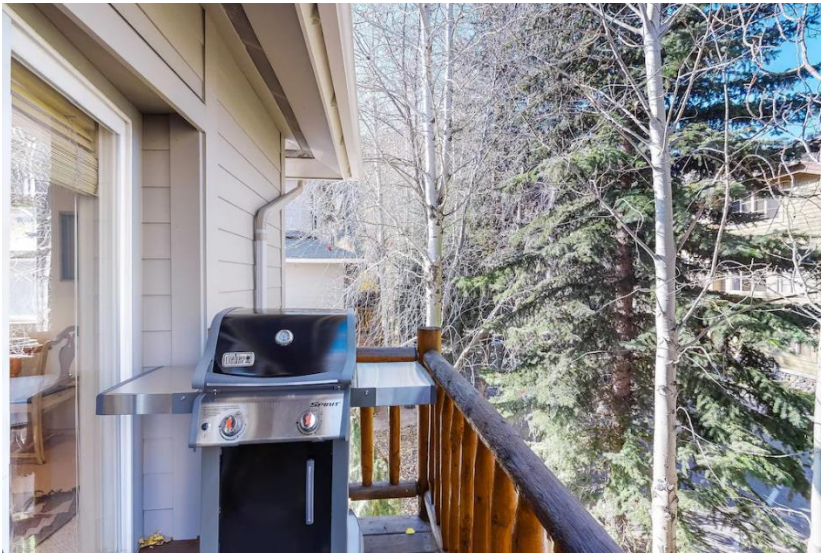


Availability



Other Code Violations to be worried about (photos from local VRBO listings)

BBQs on decks with overhangs in multi dwelling occupancies without fire sprinkler coverage



Improper storage of hazardous materials

