



## PLANNING DEPARTMENT

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### **SUBMITTAL REQUIREMENTS FOR SHORT TERM RENTAL CONDITIONAL USE PERMIT**

#### **CRITERIA FOR REVIEW**

A Conditional Use Permit for a Type III license is required prior to application for a Type III license in the Neighborhood Overlay Zone. In the Resort Overlay Zone a CUP is required prior to submittal of an application for an STR license requesting occupancy of 19 guests or parking in excess of 5 outdoor vehicles.

An STR with a Type III license in the Neighborhood Overlay Zone may be rented in excess of 135 nights per year. The following minimum standards and accompanying review process shall apply to Type III STR applications in the Neighborhood Overlay Zone.

#### **Single Family Minimum Standards**

- A minimum of 100 feet between residential improvements designed for human occupancy on the subject property and said improvements on any adjacent or neighboring property; i.e. any interior living space including exterior improvements such as patios, hot tubs, and fire pit; but not including detached unoccupied garages or sheds. The applicant shall provide evidence of compliance with this distance requirement as part of their application materials. The Review Authority may require a certified survey if the materials provided are insufficient to determine distance to adjacent residential structures; or,
- An Accessory Apartment or Accessory Dwelling Unit having received a certificate of occupancy and in compliance with the provisions of Section 3809.03.E.1 concerning occupancy of the unit.

#### *Single Family Review Process*

- Lots less than 40,000 square feet require a **Class 4 CUP**.
- Lots in excess of 40,000 square feet require a **Class 2 CUP**.
  - Lots in excess of 40,000 square feet requesting occupancy in excess of 2 persons per bedroom + 2 additional persons require Class 4 CUP.

#### **Multi-Family Development Minimum Standards**

- Minimum of 100 units
- Significant on-site amenities as evidenced by at least 3 of the following: pool, hot tub, sauna, game room, tennis / pickle ball courts, or other significant amenities as approved by the Review Authority
- Direct, private shuttle to a ski area or public transit within 100 feet of the property

#### *Multi-Family Review Process*

- A Class 4 CUP; however, this review may be reduced to a Class 2 CUP if the applicant provides a letter from the HOA verifying the amenities as well as stating that a Type III STR will be harmonious and compatible with the surrounding residential uses and present no significant adverse impacts within the development or neighborhood.

## Review Criteria

### Section 3821.05 – Specific Review Criteria for STRs

The conditional use permit application shall be reviewed in the context of the property and neighborhood to consider whether the types of uses in the neighborhood, the home size, lot size and distance to neighboring properties can potentially enable these properties to accommodate higher occupancies, where possible to request, higher number of nights rented as an STR, and/or additional cars parked on site. Applications shall be referred to referral agencies such as the water and sanitation districts (or State Engineer and Environmental Health Department for units on well and septic), fire department, Building Inspection Department, Engineering Department, etc., in order to evaluate whether the unit is able to adequately accommodate the proposed intensity, given the capacity of the existing services and infrastructure and the potential impacts to the adjacent residents. Criteria for review of the application shall include the following:

1. The proposed use and occupancy of the STR property does not exceed the applicable building and fire code requirements for maximum occupancy of the structure, and protects the public health, safety and welfare.
2. The existing services and infrastructure (e.g., water supply, sewage disposal capacity, access, on-site parking spaces) can support the proposed use and occupancy of the property, or the applicant has obligated himself/herself to provide the necessary services and infrastructure in sufficient time to serve the proposed use.
3. The proposed operation of the STR will ensure preservation of the residential character of the neighborhood where it is located. The amount of traffic and noise from lodging guests will not result in significant adverse impacts to the adjacent neighborhood.
4. There is adequate separation and buffering of the STR use from adjacent residences and public rights-of-way to mitigate potential impacts on the surrounding neighborhood, including traffic, additional parking and noise. Standards for demonstrating adequate separation and buffering include but are not limited to: orientation of the STR unit on the property away from nearby residential structures; linear separation from other residential structures; separation from other structures by an intervening right-of-way; topographic features such as rock formations or grade differences; and mature vegetation or fencing.
5. There is not a history of STR complaints on the property, if an STR was already in existence on the property, the owner has adequately addressed the conditions that lead to the complaints, to the satisfaction of the Review Authority.
6. The property is in compliance with all other applicable laws, rules and regulations, including but not limited to standards concerning driveways and parking areas as found in Chapters 3 and 5 of this Code.

### 12302.04: Findings for Approval of Conditional Use Permits – General Criteria of Approval for CUPs

The Review Authority may approve a conditional use permit only if the application meets all relevant County regulations and standards and provided the Review Authority makes the following findings:

- A. The proposal is in general conformance with the goals, policies/actions and provisions of the Summit County Countywide Comprehensive Plan and any applicable basin or subbasin master plans.
- B. The proposed conditional use is in compliance with the County's Zoning Regulations.
- C. The use is in harmony and compatible with surrounding land uses and the neighborhood and will not create a substantial adverse impact on adjacent properties or on services and infrastructure.
- D. Adequate services and infrastructure are available to serve the use or the applicant has obligated himself to provide services and infrastructure in sufficient time to serve the proposed use.

## Length of Validity

1. The length of validity of a CUP shall not exceed 5 years.
2. A CUP for a Type III STR will remain valid so long as it is associated with an active STR Type III license. However, upon sale of a property, 60 days may lapse between licenses without voiding the CUP.
3. Revocation of an STR Type III license will automatically void the CUP approval.

**SUBMITTAL MATERIALS**

The following shall be submitted to the Planning Department with a Class 2 development review application for a conditional use permit for an administrative approval, except for items that may be waived, or additional items that may be required, in accordance with Section 12003 et seq. of the Code:

Initial & date when required (Office use only)	Initial & date when submitted (Office use only)	A. Written Material
		<b>1. Application Form:</b> Attached to the packet.
		<b>2. Letter from Property Owner(s):</b> Letter from property owner indicating that such owner is applying for a development review application, or a letter from the property owner giving permission for another person or entity to apply for a conditional use permit.
		<b>3. Preliminary Title Report:</b> An applicant shall submit a preliminary title report ( <u>Schedule B</u> ).
		<b>4. Project Narrative:</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Lot size, home size, bedroom count</li> <li><input type="checkbox"/> Explanation on communication with guests if natural features or open space are on the property or adjacent to the property.</li> <li><input type="checkbox"/> Information on outdoor fire pit, if any</li> <li><input type="checkbox"/> Information on hot tub and quiet hours</li> <li><input type="checkbox"/> Information on quiet hours</li> <li><input type="checkbox"/> Maximum occupancy</li> <li><input type="checkbox"/> Characteristics having impact on adjacent properties.</li> <li><input type="checkbox"/> Parking plan</li> <li><input type="checkbox"/> Trash plan</li> </ul>
		<b>5. Master Plan Conformance Statement:</b> Statement of how proposal generally conforms to the applicable master plan goals and related policies/actions. Conformance with Master Plans is a criterion of approval for a CUP, mater plans can be found at.
		<b>6. Criteria for Decisions Statement and Statement of Compliance on Specific Code Criteria:</b> Written narrative on all 10 of the criteria of approval in Section 3821.05 and 12302.04 and how this application meets these standards.

		<p><b>7. Water Supply:</b> Description of water supply proposed:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Amount of water needed (in gallons per day).</li> <li><input type="checkbox"/> Letter from the water district, as applicable, that they have no concern with the proposed STR intensity</li> <li><input type="checkbox"/> Copy of a well permit.</li> <li><input type="checkbox"/> Copy of water augmentation plan, if applicable.</li> </ul>
		<p><b>8. Sewage Disposal:</b> Description of means of sewage disposal:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> OWTS permit and current pumper report within the last three years.</li> <li><input type="checkbox"/> Letter from the wastewater district, as applicable, that they have no concerns with the proposed STR intensity.</li> </ul>

		<p><b>B. Graphic Material</b></p>
		<p><b>1. Vicinity Map – Aerial showing distance to adjacent property improvements</b></p>
		<p><b>2. Existing Conditions Plan / Site Plan:</b> To engineering scale (1":10', 1:20 or 1":30' scale), showing:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Property boundaries and dimensions and easements.</li> <li><input type="checkbox"/> Certified topographic survey of the property showing driveway grade and existing conditions of all improvements include parking areas, etc.</li> <li><input type="checkbox"/> Steams, ponds, lakes and other water features including wetlands.</li> <li><input type="checkbox"/> Certified survey of all existing development and improvements, such as buildings and structures, utility lines, wells, septic and leach fields, sewer and water line connections, trails, driveways, and parking areas prepared by a Colorado Licensed Surveyor.</li> <li><input type="checkbox"/> Snow Storage</li> <li><input type="checkbox"/> Trash Disposal Locations</li> <li><input type="checkbox"/> Property Line Setbacks</li> </ul>
		<p><b>3. Architectural Plans</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <b>Floor Plans:</b> Dimensioned floor plans to ¼:1 to 1/8:1 architectural scale, or other scale as may be approved by the Planning Department based on the extent of a proposed building. Label all rooms and show bed / sleeper configurations.</li> <li><input type="checkbox"/> <b>Elevations:</b> Dimensioned elevations to ¼:1 to 1/8:1 architectural scale, or other scale as may be approved by the Planning Department based on the extent of a proposed building.</li> </ul>
		<p><b>4. Parking Plan:</b> Include parking plan in compliance with all applicable regulation, showing number of vehicles</p>
		<p><b>5. Trash Disposal Plan:</b> May include in written material if visual layout is not applicable.</p>
		<p><b>6. Exterior Lighting Fixtures:</b> Photos of all exterior lighting, all exterior lighting shall be fully shielded and down-lit as required by Section 3505.07 of the Code.</p>

		7. <b>Wetlands:</b> Show wetlands on property, if applicable. Provide information in narrative about communication with guests about wetland
		<b>C. Information Required for Public Noticing or Hearing, as applicable</b>
		Note: Class 2 and Class 4 applications for STR CUPs require a sign posting notice per the provisions of Sections 12000.10 et seq. and 13100 et seq.  Note: Class 4 applications will require mailed notice to property owners within 300' to alert them of the public hearing with the Basin Planning Commission.
		<b>D. Other Materials</b>
		1. <b>Development Review Processing Fee:</b> Required fee and adjacent property owner notification printing & mailing cost (payable to Summit County Government). Note fees are adjusted in accordance with the CPI every March. <b>Class 2: \$1,650.00</b> <b>Class 4: \$4,925.00</b>

		2. <b>Number of Copies Required:</b> <input type="checkbox"/> ___ copies of stapled packets of the graphic material, in the scale as outlined above at 24" x 36" in size, <b>folded to 8½"x11"</b> . <input type="checkbox"/> ___ copies of stapled packets of the graphic material that are scalable at 11" x 17" in size, <b>folded to 8½"x11"</b> . <input type="checkbox"/> ___ copies of the written materials. <input type="checkbox"/> Individual PDF's of each item required as part of the submittal, separated and labeled according to the submittal requirements.
		3. <b>The Planning Department</b> may require you to submit additional information needed for review of your application.

I, \_\_\_\_\_ understand and acknowledge the above listed submittal requirements are needed in order to make application for a Conditional Use Permit Application. The application includes all the submittal requirements as indicated by an initial and date on the submittal requirement checklist. All applicable fees, any required plans and any other submittal documents so indicated "*When Required*" on this checklist are also included in the submittal.

Date of Pre-Submittal Meeting: \_\_\_\_\_ Planner's Signature: \_\_\_\_\_



# Planning Department Application for Development Review

For Staff Use Only	
Date submitted:	Project #
Date deemed complete:	Class:
Fees paid: Yes on _____ <span style="font-size: small; margin-left: 100px;">date</span>	Staff assigned:

## PROJECT NAME:

### PROJECT LOCATION

Township/Range/Section:		Subdivision:	
Street Address:		Block(s):	
Location relative to landmarks or cross-streets:		Lot(s):	

### REQUEST *(please check all that apply)*

Conditional use permit		Preliminary plat	
Final PUD		Site plan	
Final plat		Subdivision exemption	
Final zoning		Temporary use permit	
Non-conforming parcel plan review		Vacation/easement	
Preliminary zoning		Variance	
Preliminary PUD		Other	

### APPLICANT

Name	Phone #
E Mail Address	Fax #
Mailing Address	City, State, Zip

### OWNER *(if different from applicant)*

Name	Phone #
E Mail Address	Fax #
Mailing Address	City, State, Zip

### APPLICANT'S PROJECT PLANNER *(if different from applicant)*

Name	Phone #
E Mail Address	Fax #
Mailing Address	City, State, Zip

### PROJECT DESCRIPTION

Size of site	acres	square feet
Zoning	current	proposed
Residential uses	# of units proposed	# of employee units proposed
Non-residential uses	type of use	square feet
Lodging uses	# of units proposed	square feet
Other (please describe)		