

ORDINANCE NO. 127, 2017
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 15 OF THE CODE OF THE CITY OF FORT COLLINS
REGARDING SHORT TERM RENTAL LICENSING REGULATIONS

WHEREAS, licensing regulations regarding the rental of dwelling units for periods of less than thirty days (“Short Term Rental” or “Short Term Rentals”) were adopted into Chapter 15 of the Code of the City of Fort Collins on second reading by Council on March 21, 2017, concurrently with Short Term Rental regulations adopted into the Land Use Code; and

WHEREAS, subsequent to the adoption of the Short Term Rental regulations, the need has arisen for an extension of the date by which Short Term Rental operators may obtain City tax licenses in order to obtain a Short Term Rental license for a dwelling unit deemed to be a lawful nonconforming use; and

WHEREAS, such an extension was discussed at the July 11, 2017, Council work session and City staff was directed to prepare amendments for Council consideration; and

WHEREAS, Council is concurrently considering similar amendments to the Short Term Rental regulations adopted into the Land Use Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. The changes adopted herein to the Short Term Rental licensing regulations contained in the Code of the City of Fort Collins are in the best interests of the citizens of Fort Collins and are adopted for the purposes of promoting the health, safety, morals, and general welfare of the community.

Section 3. That Section 15-641 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 15-641. - Definitions.

The following definitions shall apply to this Article:

...

Short term primary rental shall mean a dwelling unit that is a primary residence of which a portion is leased to one (1) party at a time for periods of less than thirty (30) consecutive days. A carriage house, as defined in the Land Use Code, that is not a primary residence is eligible to be a short term primary rental and may be licensed as a short term primary rental if it is located on a lot containing a primary residence. A dwelling unit of a two-family dwelling, as defined in the

Land Use Code, that is not a primary residence is eligible to be a short term primary rental and may be licensed as a short term primary rental if the connected dwelling unit is a primary residence and both dwelling units are located on the same lot. The term short term primary rental shall not include the rental of a dwelling unit to the former owner immediately following the transfer of ownership of such dwelling unit and prior to the former owner vacating the dwelling unit.

Section 4. That Section 15-644 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 15-644. - Licensing requirements.

(a) The following are the minimum requirements that must be satisfied by the applicant for the issuance of a short term primary rental license.

...

(8) The dwelling unit must be located in a zone district that allows short term primary rentals as specified in the Land Use Code. Alternatively, the dwelling unit must satisfy the requirements contained in § 15-646.

...

(b) The following are the minimum requirements that must be satisfied by the applicant for the issuance of a short term non-primary rental license.

...

(8) The dwelling unit must be located in a zone district that allows short term non-primary rentals as specified in the Land Use Code. Alternatively, the dwelling unit must satisfy the requirements contained in § 15-646.

Section 5. That Section 15-646 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 15-646. - Licensing of short term primary and non-primary rentals existing prior to Land Use Code restrictions.


(a) A dwelling unit used as a short term primary or non-primary rental that is located in a zone district in which the Land Use Code prohibits such use is eligible for a license pursuant to this Article provided that such dwelling unit was actually utilized as a short term primary or non-primary rental prior to March 31, 2017, and a valid sales and use and lodging tax license was obtained prior to October 31, 2017, for such dwelling unit in accordance with Chapter 25, Art. IV, of the Code of the City of Fort Collins.

(b) In addition to satisfying (a) above, the applicant must satisfy the requirements set forth in § 15-644 in order to be eligible for a license. License applications submitted pursuant to this Section on or before October 31, 2017, do not need to comply with the parking requirements in Land Use Code § 3.2.2(K)(1).

(c) In order to be eligible for a short term rental license pursuant to this Section, subject to (e) below, the applicant must submit an application for a license pursuant to this Article on or before October 31, 2017. No application submitted after October 31, 2017, shall be eligible for a license pursuant to this Section unless submitted pursuant to (e) below.

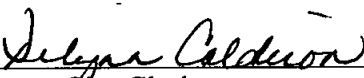
(f) Any license issued pursuant to this Section shall correspond to the type of short term rental conducted, either primary or non-primary, prior to March 31, 2017.

Introduced, considered favorably on first reading, and ordered published this 5th day of September, A.D. 2017, and to be presented for final passage on the 19th day of September, A.D. 2017.



Mayor


ATTEST:



Deputy City Clerk
Interim



Passed and adopted on final reading on the 19th day of September, A.D. 2017.



Mayor

ATTEST:



Interim City Clerk

