



ORDINANCE NO.: 3558
INTRODUCED BY: Phillips

AN ORDINANCE ENACTING SECTIONS 18-174 AND 18-54 OF THE THORNTON CITY CODE REGARDING SHORT-TERM RENTALS AND SHORT-TERM RENTAL LICENSING REVIEW; AMENDING SECTIONS 18-160 AND 18-596 TO ESTABLISH ZONING DISTRICT AND PARKING REQUIREMENTS FOR SHORT-TERM RENTALS; AMENDING SECTIONS 18-167 AND 18-173 TO CLARIFY THE REQUIREMENTS FOR HOME OCCUPATIONS AND ACCESSORY DWELLING UNITS; AND AMENDING SECTION 18-901 TO DEFINE SHORT-TERM RENTAL AND CLARIFY OTHER DEFINITIONS.

WHEREAS, the City is a home-rule municipality organized and existing under the provisions of Colorado Constitution Article XX; and

WHEREAS, pursuant to the Constitution, and as further authorized by State Statutes, including but not limited, to C.R.S. 31-15-401, the City has broad authority to exercise its police powers to promote and protect the health, safety, and welfare of the community and its residents; and

WHEREAS, such police powers include the power to regulate the nature and type of businesses allowed within such community; and

WHEREAS, Chapter 18 of the Thornton City Code (City Code), also known as the Development Code, is a compilation of the requirements, standards, and performance expectations for permitted land uses in the City; and

WHEREAS, short-term rentals are a form of temporary lodging whereby all or a portion of a home is rented for less than 30 days at a time; and

WHEREAS, short-term rentals are not currently identified as an allowed land use in the Development Code and are therefore not allowed in the City; and

WHEREAS, the City Council desires to allow short-term rentals to operate in the City as an accessory to an owner's use of a single-family attached or detached dwelling as their primary residence; and

WHEREAS, occupancy limitations, safety requirements, and other operational regulations are necessary and appropriate to protect the public welfare and maintain the residential character of neighborhoods; and

WHEREAS, the City Council desires to implement a short-term rental license requirement to establish processing and operating expectations and related enforcement mechanisms; and

WHEREAS, the short-term rental license provides a mechanism for monitoring short-term rental usage and collecting data regarding any impacts of short-term rentals on neighborhoods; and

WHEREAS, additional City Code amendments are necessary to add definitions, incorporate zoning and parking requirements, and clarify other provisions; and

WHEREAS, the City Council finds these City Code amendments are necessary to promote the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

1. Section 18-174 of the Thornton City Code is hereby enacted to read as follows:

Sec. 18-174. Short-term rentals.

The purpose of this section is to authorize the operation and regulation of short-term rentals in such a way as to ensure the health and safety of renters while mitigating the impacts of short-term rentals on the neighborhoods in which they are located.

- (a) *License required.* Operation of a short-term rental without a license issued pursuant to Section 18-54 or contrary to any provision of this section shall be unlawful and a violation of the Thornton City Code subject to the provisions of Section 1-8(a).
- (b) *Administration.* The city manager or designee shall administer the provisions of this section and shall promulgate rules and regulations for its administration and implementation.
- (c) *Severability.* If any clause, sentence, paragraph, or part of this section or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this section or its application.
- (d) *Operational regulations.* All short-term rentals shall comply with the following operational regulations. Failure to comply with these regulations or other applicable city, state, or federal law may be grounds to suspend or revoke any license, or for the imposition of civil penalties where applicable.
 - (1) *Dwellings allowed as short-term rentals.* In order to protect the character of residential neighborhoods, the following types of dwellings are permitted as short-term rentals:
 - a. All or a portion of a single-family attached or detached dwelling shall be permitted to be used as a short-term rental.

- b. The property owner's approved accessory dwelling unit when the principal dwelling is the owner's primary residence. An accessory dwelling unit shall not be used for short-term rentals if any portion or all of the principal dwelling is used as a short-term rental.
- (2) *Occupancy limit.* Overnight occupancy in the portion of the property used as a short-term rental shall be limited to no more than two persons per legal conforming bedroom, plus two additional persons. The total users, including overnight occupants and any other guests, shall be limited to ten more than the number of allowed overnight occupants.
- (3) *Off-street parking.* No additional parking is required for short-term rentals and any short-term rental must comply with applicable parking regulations. Short-term rental licensees desiring to expand the amount of off-street parking area shall seek approval via the processes specified in this chapter.
- (4) *Safety requirements.* Each short-term rental shall have smoke detectors, at least one carbon monoxide detector, and at least one fire extinguisher on the licensed premises during each short-term rental occupancy. All safety equipment shall be operable and installed in accordance with the manufacturer's instructions. It shall be unlawful to operate a short-term rental without the required operable smoke detectors, carbon monoxide detector, and fire extinguisher. Safety equipment shall be located as specified below:
- a. One smoke detector shall be installed in each bedroom and in each area used for sleeping. An additional smoke detector shall be installed outside each sleeping area in the immediate vicinity of the bedrooms, which is typically in a hallway.
- b. One carbon monoxide detector shall be installed outside each sleeping area in the immediate vicinity of the bedrooms, within 15 feet of bedroom doors.
- c. One fire extinguisher shall be located in close proximity to the kitchen or area available for cooking, if such area is accessible to the short-term rental. If the short-term rental does not include cooking space, a fire extinguisher shall be located in the sleeping area.
- d. The short-term rental shall not be rented if construction or repairs are occurring on the property that negatively affect the safety of the short-term rental.
- (5) *Primary residence.* It shall be unlawful to operate a short-term rental in any location that is not the licensee's primary residence. The primary residence is the place that a person by custom and practice, makes his or her principle domicile, and the address to which the

person intends to return following any temporary absence, such as a vacation, and it shall be where the licensee resides in excess of 50 percent of the year. Residence is evidenced by actual daily physical presence, use and occupancy of the primary residence, and the use of the residential address for domestic purposes, such as, but not limited to slumber, preparation of meals, package delivery, vehicle and voter registration, or credit and utility billings. For purposes of this section, a person shall have only one primary residence.

- (6) *Compliance with applicable laws.* It shall be unlawful to operate a short-term rental that does not comply with all applicable city, state, and federal laws, including but not limited to those regulating property maintenance and tax collection and remittance.
- (7) *Advertising.* It shall be unlawful to advertise a short-term rental without the short-term rental license number clearly displayed on the face of the advertisement. For the purpose of this section, the terms advertise, advertising, or advertisement mean the act of drawing the public's attention to a short-term rental in order to promote the availability of the short-term rental, including but not limited to websites and other electronic applications or media, and print, video, or other promotional materials.
- (8) *Commercial events.* It shall be unlawful to operate or advertise the use of the short-term rental as a commercial venue for weddings, parties, or for any similar activities.
- (9) *Insurance.* It shall be unlawful to operate a short-term rental without liability insurance coverage of a minimum of \$1,000,000.00.
- (10) *Right of entry.* Where there is probable cause to believe that there is a condition that is contrary to or in violation of the Code that makes the short-term rental unsafe, dangerous or hazardous, a peace officer, as designated in Section 14-10 of the Code, is authorized to enter the property at reasonable times and with proper respect of the occupant's constitutional rights, to inspect or to perform the duties imposed by this section, provided that if the property is occupied that credentials be presented to the occupant and entry requested. If such short-term rental or the property housing the short-term rental is unoccupied, the peace officer shall first make a reasonable effort to locate the owner and request entry. If entry is refused, the peace officer shall have recourse to the remedies provided by law to secure entry.
- (11) *Notification of general rules and regulations.* The owner shall, in a conspicuous location within the interior of the short-term rental, provide the following information:
 - a. The short-term rental license number;

- b. The contact information of the property owner and/or local emergency contact;
- c. The contact information for all emergency services;
- d. The maximum number of overnight occupants and maximum total users of the property subject to the short-term rental license;
- e. The location of all trash receptacles and the process for trash collection and container storage;
- f. The city's noise regulations;
- g. The location of any authorized areas for legal marijuana use; and
- h. Any other general behavioral expectations to minimize the impacts on neighboring property and maintain the nature of the single-family home.

2. Section 18-54 of the Thornton City Code is hereby enacted to read as follows:

Sec. 18-54. Short-term rental licensing review.

- (a) *Generally.* Each short-term rental, as defined in Section 18-901, shall hold a valid license issued pursuant to this section. All short-term rentals shall be operated pursuant to the provisions of Section 18-174.
- (b) *Number of licenses.* Only one license shall be issued per applicant and per property.
- (c) *Fees.*
 - (1) *Timing of payment.* All application fees shall be established pursuant to Section 18-32 and are payable at the time an initial or renewal application is submitted to the department.
 - (2) *Refunds.* All application fees shall be nonrefundable. In the event of a suspension or revocation of a license, or termination of the short-term rental for any reason whatsoever, no portion of the license fee shall be refunded.
- (d) *Application.*
 - (1) An applicant shall be the individual who holds fee title to the property proposed to be used as a short-term rental. The applicant must be a natural person or the beneficiary of a trust whose name appears on the deed to the property where the short-term rental is to be located.
 - (2) An application for a short-term rental license or renewal thereof shall be submitted to the department and shall be signed by the applicant.

All applications shall be made upon forms provided by the department.

- (3) The applicant shall be a legal resident of the United States of America.
- (4) Contents of an application for a new license.
 - a. The applicant shall self-certify the following:
 1. The information on the application is accurate and truthful under penalty of perjury under the laws of the State of Colorado; and
 2. The applicant will obtain the insurance required by Section 18-174; and
 3. Notification of intent to use the property as a short-term rental was sent via U.S. Postal Service to any applicable homeowners' association at least seven days before submitting the application to the department; and
 4. The applicant will meet and follow all the operational requirements specified in Section 18-174.
 - b. The applicant shall specify which portions of the dwelling or dwelling unit will be used for the short-term rental.
 - c. The applicant shall concurrently apply for a city sales and use tax business license pursuant to Chapter 26 of the Code and a copy of such application shall be included in the license application.
 - d. The applicant shall provide proof of ownership of the property to be issued a license, to be verified by the department against the information provided on the Adams County Assessor's website when available.
 - e. The applicant shall provide contact information for at least one other individual who can respond to the property within 60 minutes if the applicant cannot be reached.
 - f. If the applicant has previously held a license issued under this section, the applicant shall submit copies of any previous notices of violation, written orders from a hearing officer, or any other records pertaining to disciplinary action related to the license.
 - g. The city may require additional documentation associated with the application as may be necessary to enforce the requirements of the City Code.

(e) *Issuance or denial.*

- (1) No license authorized under this section shall be issued or renewed unless the property and licensee are in compliance with this section and Section 18-174, as applicable.
- (2) The city manager or designee may deny the application for a license or license renewal for the reasons described in Section 18-54(h)(2), and the applicant may request a hearing pursuant to the terms of Section 18-54(h)(3).
- (3) If the license is revoked or the city manager or designee denies an application for renewal for any reason, the licensee shall not be eligible to apply for a new license to operate a short-term rental in any property located in the city for two years from the date of revocation or denial.
- (4) If a license is suspended in two consecutive years, the licensee shall not be eligible to apply for a license to operate a short-term rental in any property located in the city for five years from the effective date of the second suspension.

(f) *Term license, renewal.*

- (1) Any license issued pursuant to this section shall be valid for a period of one year from the date of its issuance.
- (2) An application for renewal shall be submitted not less than 30 days prior to the date of expiration of the existing license. If such application for renewal is received less than 30 days prior to the date of expiration, a late fee established pursuant to Section 18-32 shall be assessed. No application for renewal shall be accepted less than seven days prior to the expiration of the license. In such instance, a new license application shall be required.
- (3) Contents of an application for license renewal.
 - a. The applicant shall self-certify that the information on the application is accurate and truthful under penalty of perjury under the laws of the State of Colorado.
 - b. The applicant shall certify that there have been no changes in the information contained in the original application, or specify what information has changed.
 - c. The applicant shall submit copies of any notices of violation, written orders from a hearing officer, or any other records pertaining to disciplinary action related to the license from the previous license term.
 1. If the licensee has received two or fewer notices of violation for Section 18-54(h)(2)a.2. and such

violations have been cured, this shall not be the basis for denial of an application for renewal.

2. If the licensee has received three notices of violation for Section 18-54(h)(2)a.2. and such violations have been cured, the city manager or designee shall review the nature of the violations and exercise discretion in a decision to grant or deny an application for renewal.
 3. If the licensee has received four or more notices of violation for Section 18-54(h)(2)a.2., the city manager or designee shall deny the application for renewal.
 4. If the licensee's license has been suspended for any reason, the city manager or designee shall review the basis for the suspension, including any written order issued by a hearing officer, for the following factors:
 - i. If the license was suspended for failure to cure a violation of Section 18-54(h)(2)a.2. and such violation has been cured at the time of the application for renewal, the city manager or designee may grant the application for renewal.
 - ii. If the license was suspended for failure to cure a violation of Section 18-54(h)(2)a.2. and such violation has not been cured at the time of the application for renewal, the city manager or designee shall not grant the application for renewal.
- d. The applicant shall submit proof of the insurance required by Section 18-174.
 - e. The city manager or designee may require additional documentation associated with the application as may be necessary to enforce the requirements of the City Code.
- (4) A short-term rental license is non-transferrable. The city shall not accept any request to transfer ownership of the license or change the location of a short-term rental operated by a licensee.
- (g) *Complete applications required.*
- (1) An application submitted pursuant to this section shall be considered substantially complete if it:
 - a. Is submitted in the required form; and
 - b. Includes all required submittal information, including all items or exhibits specified by the city manager or designee; and

- c. Is accompanied by the applicable processing fee. Any application that is not accompanied by the required fees shall be considered incomplete and shall not be accepted.
 - (2) The city manager or designee shall review an application for completeness. If the city manager or designee determines that the application is substantially complete, the application shall then be processed pursuant to this section.
 - (3) If the city manager or designee determines that the application is incomplete, the city manager or designee shall notify the applicant of that fact and identify the specific ways in which the application is deficient. No further processing of the incomplete application shall occur until the deficiencies are corrected.
 - (4) Any application submitted pursuant to this section must be determined to be substantially complete within one year of the date the application is filed with the city manager or designee. Any application that remains pending after the expiration of the one-year time period shall be administratively closed. Once an application is closed, the applicant must begin the licensing process anew.
- (h) *Enforcement provisions.*
- (1) *Immediate Suspension.*
 - a. Upon determination that a short-term rental is being operated in violation of this section and suspension is immediately necessary for the protection of the public health, safety, or welfare, the city manager or designee may suspend a license for up to 14 days without a hearing. The city manager or designee shall provide written notice of such suspension by posting a copy of the suspension notice at the short-term rental property and mailing a copy to the address provided on the application.
 - b. If the city manager or designee suspends a short-term rental license pursuant to this subsection, the property shall not operate as a short-term rental until a hearing is held and the license is reinstated.
 - c. Upon such suspension pursuant to this subsection, the licensee shall request a hearing, as described below, within 14 days of the posting of notice of the suspension or the license is deemed revoked and the right to a hearing is waived.
 - (2) *Notice of violation.*
 - a. The city manager or designee may issue a written notice of violation to the licensee if the city manager or designee determines that any of the following have occurred:

1. Fraud, intentional material misrepresentation, or intentional false statement related to the license or any license application; or
 2. Failure to comply with the terms or conditions of the license or the provisions of this subsection, including but not limited to operating a short-term rental without a license; failure to pay civil penalties, fines, or taxes; or any other applicable provision of federal, state, or local law, including but not limited to the Thornton City Code.
- b. The city manager or designee shall provide the notice of violation to the licensee by the method indicated as preferred in the application.
- c. The notice of violation shall specify the violation, the basis for such violation, and the right to request a hearing as described in Section 18-54(h)(3).
1. If the notice is issued for violation of Section 18-54(h)(2)a.1., the penalty shall be revocation of the license.
 2. If the notice is issued for violation of Section 18-54(h)(2)a.2., the licensee shall have 14 days from the date of the notice of violation to cure the violation and provide evidence of such cure to the city manager or designee.
 - i. Until such violation is cured to the satisfaction of the city manager or designee, the property shall not operate as a short-term rental.
 - ii. If such violation is not cured within 14 days, the short-term rental license shall be suspended for the remainder of the term unless the licensee has timely filed a request for hearing.
 - iii. If such violation is cured to the satisfaction of the city manager or designee, the city manager or designee may reinstate the license for the remainder of the term.
- (3) Hearing.
- a. If the licensee or applicant desires a hearing, the licensee or applicant shall request such hearing in writing, with the department, within 14 days of the date of a notice of violation or denial of an application for license or license renewal, unless good cause is shown for additional time. If no hearing is requested, the license shall be suspended for the remainder

of the term or, in the case of an application decision, the right to a hearing is deemed waived.

- b. The hearing shall be conducted as follows:
1. Upon receipt of a request for hearing by the department, the city manager or designee shall notify the applicant or licensee of the hearing date in the manner indicated as preferred on the application on file.
 2. The city manager or designee shall act as hearing officer and conduct any hearing held pursuant to this subsection in conformance with standards of procedural due process applicable to administrative hearings, including the right to present evidence and testimony and to confront witnesses.
 - i. The hearing officer shall evaluate whether the violation has occurred, the nature of the violation, and any attempts to cure such violation.
 - ii. The applicant or licensee shall have the burden, by preponderance of the evidence, to establish the facts necessary to warrant the order sought.
 3. The hearing officer, may, after hearing and considering the evidence, suspend, or revoke any short-term rental license, or grant additional time to obtain compliance with this section if the hearing officer finds:
 - i. Fraud, intentional material misrepresentation, or intentional false statement in the initial application or application for renewal; or
 - ii. The licensee or applicant has violated any provision of this section or Section 18-174, any applicable state or federal law, or any other applicable provision of the Thornton City Code, including but not limited to a failure of the licensee to prevent a violation of the Nuisance Code in Chapter 38, Article X of this Code from occurring on or about the short-term rental.
 4. The hearing officer may reinstate the license for the remainder of the term if the hearing officer finds that no violation has occurred or if the violation has been cured in a manner satisfactory of the hearing officer.
 5. The hearing officer shall enter written findings of fact and conclusions of law, which shall be mailed to the

licensee or applicant at the address shown on the license application. The hearing officer's decision shall be effective on the date of the written finding required by this subsection.

- c. No licensee who has had a license suspended under this section is entitled to obtain a short-term rental license during the period of suspension, either in the licensee's own name or as a co-owner for another property for which a short-term rental license is requested.
- d. The hearing officer's decision shall be a final decision and may be appealed to the district court pursuant to Colorado Rule of Civil Procedure 106(a)(4). Failure of the licensee to appeal said order constitutes a knowing waiver of any right to contest the city's order.
- e. The remedies provided in this section are in addition to, and do not limit, potential prosecution for any other violations of state or federal law or violations of the Thornton City Code.

3. Section 18-160 of the Thornton City Code is hereby amended by the addition of the words double-underlined in Part I of the Use Chart to read as follows:

Sec. 18-160. Use chart.

This chart identifies the uses allowed in the listed zoning districts. Additional regulations may be referenced in the chart or in the zoning district regulations in Article III. The applicable off-street parking and loading requirements are listed in Division 6 of Article V of this chapter.

Legend: R = Permitted use by right S = Use permitted by specific use permit L = Limited use permitted by right T = Use permitted by temporary use permit	Agricultural	Residential Estate	Single-Family Detached	Single-Family Attached	Multifamily	Manufactured Home	Eastlake Residential	Neighborhood Service	Community Retail	Regional Commercial	Business Park	City Center	Office/Institutional	Employment Center	Mixed Use	TOD - Core Subdistrict	TOD - Transition Subdistrict	Eastlake Business	Eastlake Service	Eastlake Office	Eastlake TOD	Industrial
	Use	Residential Districts							Nonresidential Districts													
Part I. Accessory Uses																						
<u>Short-term rental</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>		<u>R</u>								<u>R</u>		<u>R</u>					
<u>Additional provisions. See Secs. 18-162(a), 18-162(b), and 18-174.</u>																						

4. Section 18-167 of the Thornton City Code is hereby amended by the addition of the words double-underlined to read as follows:

Sec. 18-167. Home occupation.

- (a) All home occupations shall comply with all of the following standards and requirements:
- (1) The home occupation can only be conducted by the residents of the dwelling. No employees of the home occupation may conduct business at the residence.
 - (2) The activities conducted at the site shall be contained totally within the principal structure used as a residence. No garages or accessory structures shall be used for this purpose, with the exception of off-street parking or accessory dwelling units used in association with a licensed short-term rental.
 - (3) The home occupation shall clearly be incidental and secondary to the use of the dwelling unit as a residence and shall not change the character thereof.
 - (4) There shall be no interior alterations not customarily allowed for the use of the dwelling as a residence.
 - (5) There shall be no exterior alteration or addition to the home that alters the residential appearance of the premises or creates a separate entrance to the premises except as may be required or allowed by state law.
 - (6) The home occupation shall not generate any adverse impacts such as, but not limited to, noise, vibrations, smoke, dust, odors, heat, glare or interference with radio or television transmissions in the area noticeable at/or beyond the property line.
 - (7) No toxic, explosive, flammable, radioactive, or other hazardous materials, including ammunition, as defined by the International Building Code or the International Fire Code of the City of Thornton, shall be used, sold, or stored on the site for the use and in association with the home occupation.
 - (8) There shall be no outside storage of any type as part of the home occupation.
 - (9) There shall be no outside uses associated with a home occupation anywhere on the lot, other than those typically associated with the use of the property as a dwelling.
 - (10) No home occupation shall disrupt the residential character of the neighborhood, particularly with numerous cars parked in the neighborhood.

- (11) Performance of professional sales and services on the site as a home occupation will be limited to no more than one pupil, client or customer at a time.
 - (12) No home occupation shall endanger the health, safety or welfare of the occupants of the residence or the neighborhood.
 - (b) Family child care home facilities allowed as home day care operations shall be regulated as defined by the state and not by this Code.
 - (c) A short-term rental, as defined in Section 18-901, is a permitted home occupation for single-family detached, single-family attached, or accessory dwelling units only, as regulated in Sections 18-54 and 18-174.
5. Section 18-173 of the Thornton City Code is hereby amended by the addition of the words double-underlined and the deletion of the words stricken to read as follows:

Sec. 18-173. Accessory dwelling unit.

Accessory dwelling units are permitted for single-family detached dwellings subject to the following conditions:

- (1) Any request to incorporate accessory dwelling units in a new development must be received by the city at the time of application for a conceptual site plan or planned development district zoning.
- (2) Accessory dwelling units may be located within the principal dwelling unit, attached to the principal dwelling unit, or located separately on the same lot as the principal dwelling unit.
- (3) Accessory dwelling units shall comply with all established setbacks for the principal dwelling unit.
- (4) Only one accessory dwelling unit is allowed per lot.
- ~~(5) Accessory dwelling units shall utilize the same utility connections as the primary residence.~~
- ~~(6)~~(5) Any accessory dwelling unit shall meet the same development standards required for the principal dwelling unit.
- ~~(7)~~(6) A certificate of occupancy (CO) will only be granted to an accessory dwelling unit after a CO has been granted to the principal dwelling unit.
- ~~(8)~~(7) Required parking shall be located on the same lot as the principal dwelling unit and identified on the site plan required as part of a minor development permit.
- ~~(9)~~(8) Size requirements.
 - a. The minimum size for an accessory dwelling unit shall be 500 square feet.

- b. The maximum size for an accessory dwelling unit shall be 1,000 square feet or 50% of the gross floor area of the primary residence, whichever is less.
- c. For the purposes of this subsection, area calculations shall exclude any garage, porch or similar area.
- d. The area restrictions specified in Section 18-162 do not apply to this accessory use.

~~(10)~~(9)The property owner, as reflected in title records and evidenced by voter registration, vehicle registration or other similar means, must occupy either the principal dwelling unit or accessory dwelling unit.

~~(11)~~(10)Home occupations are prohibited within an accessory dwelling unit, with the exception of a currently licensed short-term rental.

~~(12)~~(11)Manufactured homes, campers, camper buses, travel trailers and recreational vehicles are prohibited as accessory dwelling units.

~~(13)~~(12)Deed restrictions.

- a. Prior to the issuance of a building permit for an accessory dwelling unit, the property owner shall file with the county clerk and recorder a declaration of restrictions to the deed for the property where the accessory dwelling unit will be located. At a minimum, the restrictions shall state:
 - 1. The accessory dwelling unit shall not be sold separately from the principal dwelling unit, nor shall the lot on which it is situated be subdivided unless such subdivision has been approved by the city in accordance with all provisions of Chapter 18 of the Code;
 - 2. The accessory dwelling unit shall comply with an approved minor development permit;
 - 3. The certificate of occupancy for the accessory dwelling unit shall be in effect only so long as either the principal dwelling unit or the accessory dwelling unit is occupied by the owner of record; and
 - 4. All restrictions run with the land and are binding upon any successor in ownership of the property.
- b. It shall be unlawful for any property owner to fail to comply with the deed restrictions.
- c. The deed restrictions shall lapse upon removal of the accessory dwelling unit. Upon verification of removal of an accessory dwelling unit, the city shall record appropriate documentation releasing such encumbrance. The property owner shall pay all required recording fees, and it shall be

the property owner's responsibility to ensure that such recording is successfully completed.

6. Section 18-596 of the Thornton City Code is hereby amended by the addition of the words double-underlined in Part I of the Off-Street Parking and Loading Requirements Chart to read as follows:

Sec. 18-596. Off-street parking and loading requirements chart.

Off-Street Parking and Loading Requirements		
Use	Required Off-Street Parking	Required Off-Street Loading
Part I. Accessory Uses		
<u>Short-term rental</u>	<u>None.</u>	<u>None.</u>

7. Section 18-901 of the Thornton City Code is hereby amended by the addition of the words double-underlined to read as follows:

Sec. 18-901. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bed and breakfast means a one-family owner-occupied dwelling where short-term lodging is provided through the rental of individual rooms to the general public, with common cooking and dining facilities. A bed and breakfast is not a short-term rental as defined in this section.

Boardinghouse or rooming-house means a facility that has at least two but no more than five or less guest rooms that are rented separately to occupants. A boardinghouse or rooming-house is not a short-term rental as defined in this section.

Short-term rental means a dwelling unit, or portion thereof, that is leased for periods of less than 30 days per occurrence, the owner of which holds a valid license issued pursuant to this chapter.

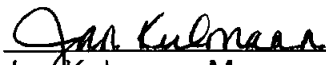
8. If any portion of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the constitutionality or validity of the remaining portions of this ordinance. City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared unconstitutional or invalid.
9. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

10. The repeal or amendment of any provision of the Code by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.
11. This ordinance shall take effect on February 1, 2021.

INTRODUCED, READ, PASSED on first reading, ordered posted in full, and title ordered published by the City Council of the City of Thornton, Colorado, on June 9, 2020.

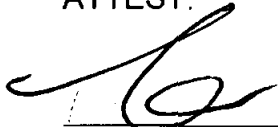
PASSED AND ADOPTED on second and final reading on July 15, 2020.

CITY OF THORNTON, COLORADO



Jan Kulmann, Mayor

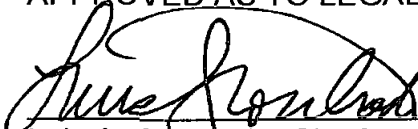
ATTEST:



Kristen N. Rosenbaum, City Clerk

THIS ORDINANCE IS ON FILE IN THE CITY CLERK'S OFFICE FOR PUBLIC INSPECTION.

APPROVED AS TO LEGAL FORM:



Luis A. Corchado, City Attorney

PUBLICATION:

Posted at City Hall, Margaret W. Carpenter Recreation Center, and Thornton Active Adult Center after first and second readings.

Published on the City's official website after first reading on June 10, 2020, and after second and final reading on July 15, 2020.