

TOWN OF MANCOS
PLANNING AND ZONING COMMISSION MEETING
April 20, 2022
7:00 p.m.

Agenda

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- D. Approval of the Agenda
- E. Approval of the minutes of February 16, 2022
- F. Audience Business
- G. Announcements
- H. Discussion and Action Items
 - Appoint Jason Armstrong as Alternate
 - Grand Ave. Subdivision Boundary Adjustment
 - Public Hearing: Ordinance 770 Series 2022: Short Term Rental Regulations
 - Visioning Statement Final Draft Discussion
- I. *Items for May 18, 2022 Agenda*
 - *TBD*
- J. Adjournment

TOWN of MANCOS
PLANNING & ZONING COMMISSION MEETING
February 16, 2022

- A. **Call to Order:** Chairman Brind'Amour called the meeting to order at 7:00 p.m.
- B. **Pledge of Allegiance**
- C. **Roll Call:** present- Peter Brind'Amour, Catherine Seibert, Alternate Carol Stout, Alternate Ann Coker, Mayor Queenie Barz, Trustee Betsy Harrison, Town Administrator Heather Alvarez, Deputy Clerk Georgette Welage
- D. **Approval of the Agenda:** Catherine Seibert made the motion to approve the Agenda for 2/16/2022. Peter Brind'Amour seconded the motion. Motion carried.
- E. **Approval of the minutes of January 19, 2022:** Catherine Seibert made the motion to approve the minutes of 1/19/22. Peter Brind'Amour seconded the motion. Motion carried.

F. Audience Business

none

G. Announcements

Town Administrator Heather Alvarez noted that the Water Treatment Plant upgrades are proceeding, with completion expected by April 2022.

Fifteen people responded to the online survey regarding the co working space proposal.

The Parks and Recreation survey received good online feedback.

Our Town Administrator will be traveling from 2/28 – 3/14.

H. Discussion and Action Items:

Appoint Carol Stout to the Planning Commission to replace Perry D. Lewis.
Catherine Seibert made the motion to recommend to the Board of Trustees the appointment of Carol Stout to the Planning Commission. Peter Brand'Amour seconded the motion. Motion carried.

Visioning Survey Results & Final Draft Discussion

After a productive discussion the Commission suggested they combine the Vision Statements from Peter Brind'Amour and Carol Stout, using the following:

The Town of Mancos has created a dynamic vision through community engagement that promotes a resilient, diverse and healthy community which prioritizes restoration and preservation of the land, air and water of the Mancos River Valley. The Town is defined by it's history, it's people and the land in which we live, work and play. The Town of Mancos appreciates that it has been built on the ancestral tribal lands of the Indigenous peoples whose descendants continue to contribute to the rich social, cultural and economic fabric of the community.

- Embrace a dynamic future while keeping an eye on the town's-and the region's-past.
- Work to maintain the safe, small-town feel responsible for attracting many of its residents here in the first place

The Commission will review the Vision Statement and send their drafts to Heather by March 9th so they might be included in the P&Z packet for March 16th.

Short Term Rental Discussion

Would like a review every 2 years of STR. It was suggested starting small on CAPS then increase if needed. Possibly face legal challenges if need to reduce. The number of Short Term Rentals was suggested capped at fifteen. After inspection STR would have two years to come into compliance with code. Licenses would not be transferable. Business licenses would be required.

March 23, 2022	Board discussion on residential and caps.
April 20, 2022	P&Z STR discussion with Elizabeth-consultant

Adjournment

8:13 p.m.

Peter Brind'Amour, Chairman

Georgette Welage, Deputy Clerk

STAFF REPORT

To: Members of the Planning and Zoning Commission
From: Heather Alvarez, Town Administrator
Date: April 20, 2022
Re: Recommend Appointment of Jason Armstrong as Alternate

Recommendation

Recommend the Appointment of Jason Armstrong as a Planning Commission Alternate member to the Board of Trustees

Background/Discussion

Perry D. Lewis submitted his resignation to the Planning Commission. Alternate Carol Stout was appointed to replace him as a regular member of the Planning Commission.

Attached is an application from Jason Armstrong. Staff is recommending we appoint Jason Armstrong as an alternate member of the Planning Commission to the Board of Trustees.

Attachments

Application from Jason Armstrong



Board/Commission Membership Application

PLEASE PRINT CLEARLY IN INK OR TYPE.

Date of Application: 02.22.2022

Board Interested to Serve*

☐ Board of Trustees

☐ Mancos Tree Board

☒ Planning and Zoning Commission

☐ Historic Preservation Board

☐ Board of Appeals

☐ Other _____

*Complete one application for each Board/Commission you wish to serve

Armstrong Jason M
Last Name First Name Middle Initial
[REDACTED] Mancos CO 81328
Mailing Address Number Street City State Zip Code

Residential Street Address _____

Telephone Number(s): [REDACTED] Email Address: _____

I have been a resident of Mancos (within Town Limits) for 4 years

Are you currently serving on any Boards for the Town of Mancos? NO

Please provide a brief summary of Education, Employment and Civic Experience.

I have Bachelor Degree in Public Relations and will complete my Masters of Public Administration in May 2022. I have spent 20+ years working in non-profits, and currently working public health. I have served on multiple boards and committees.

I am interested in serving on this Board because:

As a resident of Mancos I would like to work with local policy makers to help build for the future.

I hereby certify and affirm that all the information contained in this application is true, complete and correct. I understand that false or misleading statements or the omission of important information made on this application or any time during the process may disqualify me from volunteer work for the Town of Mancos. I understand that the Mayor and Members of the Board of Trustees must appoint members to Boards and Commissions.

Signature: [Signature] Date: 2/22/22

When complete, please return application to: Town Clerk, P.O. Box 487, 117 N. Main St., Mancos, CO 81328

117 North Main Street • P.O. Box 487 • Mancos, Colorado 81328

Phone (970) 533-7725 • Fax (970) 533-7727

www.mancoscolorado.com

Rec
2/22/2022
(12)

STAFF REPORT

To: Members of the Planning and Zoning Commission
From: Heather Alvarez, Town Administrator
Date: April 20, 2022
Re: Grand Ave. Subdivision Boundary Adjustment

Recommendation

Recommend approval of the Grand Ave. Subdivision Boundary Adjustment to the Board of Trustees per the attached survey

Background/Discussion

We have received a request for a very small boundary adjustment from the property owners of several lots in the Grand Avenue subdivision. The survey is attached for your review.

This minor boundary adjustment agreement was made between property owners to more easily access the detached garage at the rear of 854 Grand Avenue. This transfer of 45 sq. ft creates a diagonal line which is better suited for driveway access rather than a hard right angle in the property boundary. The change in the boundary was agreed upon and signed off by the property owners of both 845 Grand Ave. and 98 Monte Street, lots 4 and 2 respectively of the Grand Avenue Subdivision.

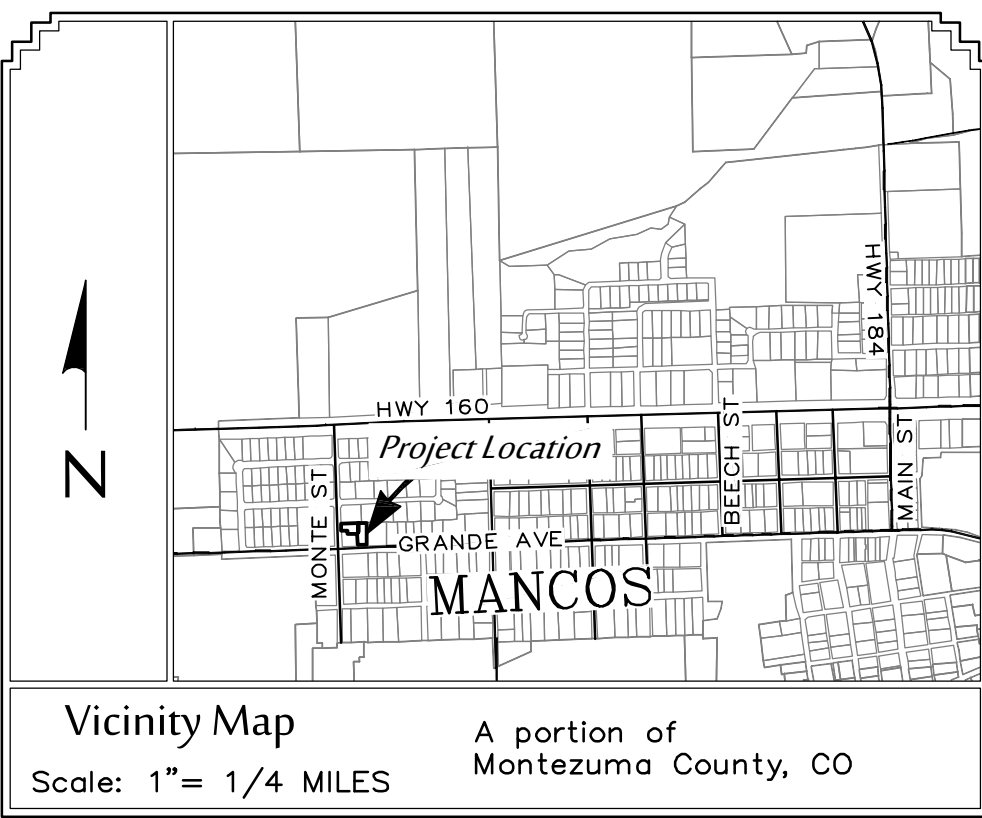
Minor subdivision plats may be approved by the Board of Trustees upon recommendation of the Planning and Zoning Commission without notice or hearing where all of the following conditions are met:

- No streets, roads, extensions or access easements need to be widened, dedicated or developed.
- All utilities, other than individual service lines, needed to serve the resulting lots are in place immediately adjacent to each lot.
- The resulting lots shall be in compliance with all zoning provisions, area and bulk requirements and any other applicable requirements of this Land Use Code.
- There are no other problems of public concern.

Large copies will be brought to the meeting.

Attachments

Grand Ave. Subdivision Boundary Adjustment



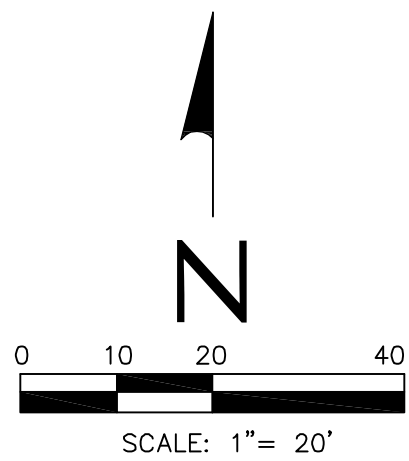
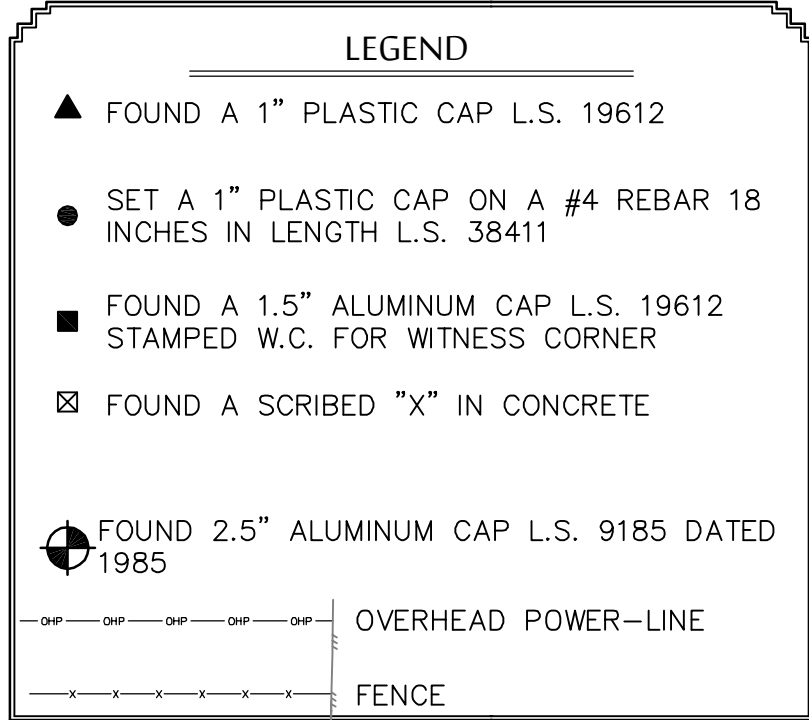
PLAT NOTES

1) According to the laws of the State of Colorado, any legal action based on any defect in this survey must commence within three (3) years after such defect was first discovered. In no event may any legal action based upon any defect in this survey be commenced more than ten (10) years from the date of the certification shown hereon.

2) Research for recorded easements and Rights of Way was not conducted by Survey Standard LLC and this property may be subject to the easements, rights and restrictions as listed in a current Title Commitment.

3) Existing fence lines may have been accepted as boundary lines by previous owners. Adjainers should be consulted before relocating fences.

4) The purpose of this plat is to amend the line between Lot 2 and Lot 3, Grand Avenue Subdivision.



The bearings on this plat are referenced by the West line of the SW/4 of Section 28, T.36N., R.13W., N.M.P.M. Both ends of said line being monumented by a "1985" 2.5" aluminum cap L.S. 9185.

Bearings are based on GPS observations.
Assumed WGS84S (geodetic) Reference Bearing = S00°01'01"E (2638.7")
Unit of Measurement = US SURVEY FOOT

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

That I, William Brian McLaughlin do hereby certify that I (or under my direct supervision) prepared this plat from field notes and an actual and accurate survey of the land in question and that the same is true and correct to the best of my knowledge and belief. This plat is in accordance with applicable standards of Professional Land Survey Practice in the State of Colorado. This statement is not a guaranty nor a warranty, neither expressed nor implied.

WILLIAM BRIAN MCLAUGHLIN COLORADO PROFESSIONAL LAND SURVEYOR 38411

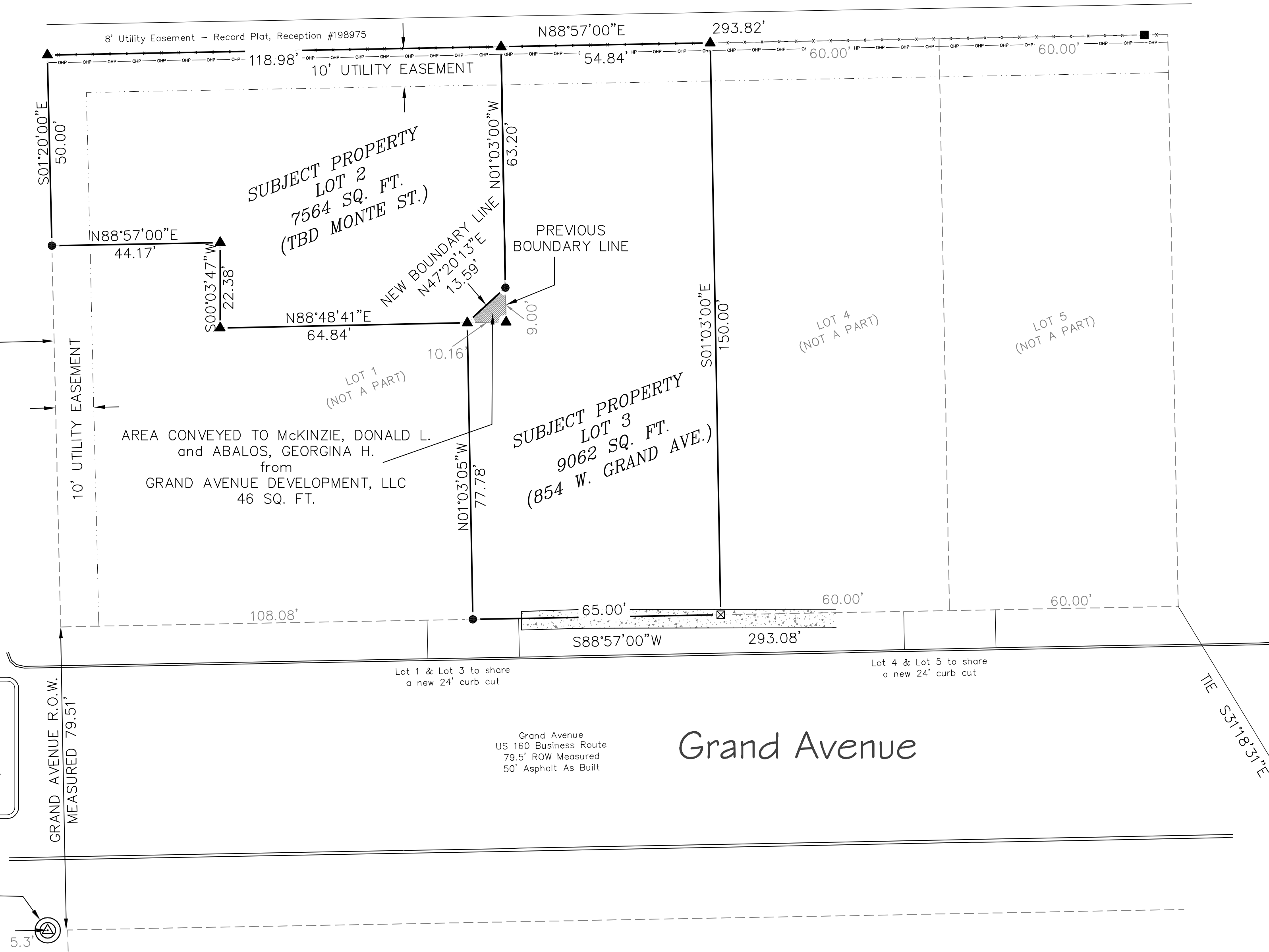
DATE _____

AMENDED PLAT OF LOTS 2 AND 3
GRAND AVENUE SUBDIVISION

(According to the plat thereof previously recorded under Reception No. 628424)

LOCATED IN SECTION 29, TOWNSHIP 36 NORTH, RANGE 13 WEST,
NEW MEXICO PRINCIPLE MERIDIAN, MONTEZUMA COUNTY, COLORADO

Monte Street



CERTIFICATE OF OWNERS
KNOW ALL MEN BY THESE PRESENTS

That GRAND AVENUE DEVELOPMENT, LLC record owner of Lot 2, GRAND AVENUE SUBDIVISION and MCKINZIE, DONALD L. and ABALOS, GEORGINA H. record owner of Lot 3, GRAND AVENUE SUBDIVISION said tract of land located in Section 29, Township 36 North, Range 13 West, New Mexico Principle Meridian, Montezuma County, Town of Mancos, Colorado platted under Reception No. 628424, and in Book 20 at Page 69 Records of Montezuma County, Colorado;

have caused the same to be platted under the name and style of AMENDED PLAT OF LOTS 2 AND 3, GRAND AVENUE SUBDIVISION;
and do hereby dedicate the same as shown hereon.

THIS PLAT IS HEREBY EXECUTED BY THE FOLLOWING PARTIES:

GRAND AVENUE DEVELOPMENT, LLC (LOT 2)

By _____

Title _____

State of _____ SS:

County of _____

This plat was subscribed and affirmed before me by _____
on this _____ day of _____, 2021, for the aforementioned purposes.

My commission expires; _____ Notary, _____

MCKINZIE, DONALD L. and ABALOS, GEORGINA H. (LOT 3)

By _____

Title _____

By _____

Title _____

State of _____ SS:

County of _____

This plat was subscribed and affirmed before me by _____
on this _____ day of _____, 2021, for the aforementioned purposes.

My commission expires; _____ Notary, _____

EASEMENTS PREVIOUSLY
DEDICATED UNDER
RECEPTION NO. 628424
NO CHANGES TO DEDICATION

THIS PLAT WAS FILED IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF
MONTEZUMA COUNTY, COLORADO AT _____ (A.M. / P.M.)
ON THE _____ DAY OF _____, 20____
AND DULY FILED IN BOOK _____ AT PAGE _____
UNDER RECEPTION NUMBER _____

MONTEZUMA CLERK AND RECORDER

This plat and the statements hereon approved on
this _____ day of _____, 20____
by the Planning Commission of the Town of Mancos, Colorado,
for the aforementioned purpose.

By: _____
CHAIRPERSON

DOVE CREEK TELLURIDE DOLORIS RICO TOWAOC CORTEZ MANCOS DURANGO			
SURVEY STANDARD LLC 25 NORTH MADISON STREET, CORTEZ, COLORADO 81321 PHONE: (970)564-2480 EMAIL: brian@4corners-survey.com			
AMENDED PLAT OF LOTS 2 AND 3 GRAND AVENUE SUBDIVISION LOCATED IN SECTION 29, TOWNSHIP 36 NORTH, RANGE 13 WEST, NEW MEXICO PRINCIPLE MERIDIAN, MONTEZUMA COUNTY, COLORADO			
FILE: SS 2021-10-TOM13	DIRECTED BY: TIM HUNTER	PREPARED BY DATE: BRIAN 01-06-22 REV. 02-01-22	SHEET 1 OF 1

STAFF REPORT

To: Members of the Planning and Zoning Commission
From: Heather Alvarez, Town Administrator
Date: April 20, 2022
Re: Ordinance 770 Series 2022: Short Term Rental Regulations

Recommendation

After public hearing, recommend approval of Ordinance 770 Series 2022 Short Term Rental Regulations to the Board of Trustees

Background/Discussion

The Town of Mancos currently has a moratorium on short term rentals within Town limits through August 31, 2022 to allow us time to draft regulations for short term rentals. We have been working on this project for several months. Attached is the final draft of the proposed short term rental regulations for the Town of Mancos.

Elizabeth Garvin will be present at this meeting to answer any questions or provide clarification to the Planning Commission.

Please review and request this be forwarded to the Board of Trustees consideration and adoption.

Attachments

Ordinance 770 Series 2022 Short Term Rental Regulations

Ordinance #770
Series 2022

An Ordinance of the Town of Mancos Amending Certain Portions of Chapter 16 of the Mancos Municipal Code Known as the Mancos Land Use and Development Code Concerning Short-Term Rentals and Lifting the Temporary Moratorium on Short-Term Rentals

WHEREAS, the Town of Mancos amends the Town of Mancos Municipal Code, Adopted by Ordinance 420 in 1982, Re-codified in 2010 by Ordinance 634, as amended, from time to time (hereafter “Mancos Municipal Code”); and

WHEREAS, Section 1-3-70 of the Mancos Municipal Code allows that amendments to the Code may be made; and

WHEREAS, the regulation of Land Use, Planning and Zoning are within the proper exercise of a local government’s police power to promote public health, safety, and welfare; and

WHEREAS, proper public notice was given and public hearings were held in consideration of the text amendments to the Mancos Land Use and Development Code as set forth in Section 16-18-2 and Section 16-19-14 of the Mancos Land Use and Development Code; and

WHEREAS, after having considered the public comment and having reviewed all aspects of the proposed changes and amendments as described in the attached Exhibit A, the Planning and Zoning Commission, at a regular meeting held on April 20, 2022, recommended approval of the amendments to the Mancos Land Use and Development Code as described in Exhibit A to the Board of Trustees or with suggested modifications as dictated by the Planning and Zoning Commission in Exhibit B, if any; and

WHEREAS, a duly advertised public hearing was held by the Board of Trustees at its regular meeting on _____; and

WHEREAS, after having considered the public comment, the Board of Trustees of the Town of Mancos has determined that amending the Mancos Land Use and Development Code as described in the attached Exhibit A is necessary in order to better achieve the purposes identified in Section 16-1-4 of the Mancos Land Use and Development Code; and

WHEREAS, in Ordinance 768, Series 2022, the Board of Trustees of the Town of Mancos extended a temporary moratorium on the submission, acceptance, processing, and approval of permits and renewals of any new short-term rental permit, but excluding renewals of short-term rental permits to allow for the development of new and amended short-term rental permitting through August 31, 2022.

NOW THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Mancos, Colorado, that:

1. The Mancos Land Use and Development Code is hereby amended as described in the attached hereto Exhibit A on the effective date of this ordinance.
2. The temporary moratorium on short-term rentals up to August 31, 2022, established in Ordinance 768, Series 2022 shall be deemed lifted, rescinded and of no further force and effect upon the effective date of this ordinance.

THIS ORDINANCE PASSED ON FIRST AND FINAL READING THIS __ DAY OF _____, 2022. This ordinance shall become effective thirty (30) days after publication.

TOWN OF MANCOS, COLORADO

Ellen “Queenie” Barz, Mayor

ATTEST:

Jamie Higgins, Town Clerk

PUBLISHED THE __ DAY OF _____, 2022 BY THE AUTHORITY OF THE TOWN CLERK OF MANCOS, COLORADO.

ATTEST:

Jamie Higgins, Town Clerk

Sec. 16-4-4. Permitted uses and classification of unlisted uses.

(d) Primary uses. The following uses are permitted as primary uses in the zone districts identified:

- (1) Uses identified with a /P/ in a district column are allowed by right in the district subject to compliance with any applicable use-specific standards conditions and all other provisions of this LUC.
- (2) Uses identified with an /S/ in a district column are allowed in the district only upon approval of a special use permit in accordance with the procedures and standards of Section 16-19-5, Special Use Permits.
- (3) Uses identified with an /X/ in a district column are prohibited in that district.

Table 16-4.1: Primary Uses												
Use Type	Additional Standards	Zone Districts										
		AR	AR-C	SFR-1	SFR-2	MFR-1	MFR-2	DMU	CMU	C	LI	P2
		Key: P= Permitted by Right, S = Special Use Permit, /X/ Prohibited										
Lodging Accommodations												
Bed and breakfast	16-4-6	P	S	S	S	P	P	P	P	P		
Hotel or motel								P	P	P		
Recreational vehicle park	16-4-6	S									P	P
Short-term rental	16-4-10(k); Town max: 15							P	P	P		

EG comment: I don't think STRs are actually primary uses in the residential districts - the pre-condition in residential districts is residential use on the property so that would be the primary use. STR could be a primary use in the mixed-use and commercial districts, does that matter?

HA comment: I do think this table is correct as STRs are NOT a primary use in residential. They may be a primary use in other.

(e) Permitted accessory uses. The following uses are permitted as accessory uses in the zone districts identified:

Table 16-4.2: Accessory Uses												
Use Type	Additional Standards	Zone Districts										
		AR	AR-C	SFR-1	SFR-2	MFR-1	MFR-2	DMU	CMU	C	LI	P2
Short-term rental	16-4-10		P	P	P	P	P	S	S			

EG comment: in the current code, we require a special use permit to allow a short-term rental in a mixed-use district and we don't allow them in commercial districts. Do we want to change or keep the /S/ and do we want to add one to the C district or just allow the business license to cover everything?

HA comment: We don't want to require a special permit anymore. We do want to allow them in the C district. We do want the business license to cover everything.

ARTICLE 4 - USE STANDARDS

Sec. 16-4-10 - Accessory Uses

(k)	Short-Term Rentals	1
(1)	Purpose	1
(2)	Business License for a Short-Term Rental (STR) Required	2
(3)	Applicability to Existing Short-Term Rental Licenses	3
(4)	STR Business License Cap	3
(5)	Short-Term Rental Eligibility	3
(6)	Use and Occupancy	3
(7)	Structure and Site Requirements	3
(8)	Business License	4
(9)	Periodic Life Safety Inspections	6
(10)	Listing Information	6
(11)	Guest Information in the Rental Unit	6
(12)	Violation, Enforcement, and Penalties	6
(13)	Definitions	6

(k) Short-Term Rentals

(1) Purpose

The purposes of the Mancos short-term rental unit licensing program are to:

- a. Maintain the viability and affordability of owner and renter-occupied residential housing in Mancos
- b. Protect existing commercial structures and spaces from investment pressure to convert to residential short-term rental use.
- c. Ensure that traditional residential neighborhoods are not turned into tourist areas to the detriment of full-time residents
- d. Prevent the creation and use of pseudo-hotels in residential neighborhoods.
- e. Ensure that short-term rental owners maintain compliance with the Town's LUC and other relevant municipal regulations.
- f. Support the property values of all properties in a neighborhood, not just those lots with short-term rentals.
- g. Minimize public safety risks and the noise, trash, and parking problems often associated with short-term rentals.

- h. Give permanent residents the option to occasionally utilize their properties to generate extra income from short-term rentals as long as all of the Town's other policy objectives are met.
- i. Protect the health, safety, and general welfare of the community.
- j. Establish a comprehensive review and licensing process to safeguard the public health, safety, and welfare of the community by regulating and controlling use, occupation, location, and maintenance of short-term rental properties within the Town of Mancos.

(2) Business License for a Short-Term Rental (STR) Required

- a. Business License Issuance
 - 1. A business license is required for all short-term rentals. A separate license is required for each short-term rental unit on a property. It shall be unlawful for any person to operate a short-term rental without a valid business license.
 - 2. The business license must be obtained before the rental is advertised or used, except as provided in Section (k)(3), Applicability to Existing Short-Term Rental Licenses, for properties with existing short-term rental licenses.
 - 3. Business licenses for short-term rentals are not transferrable and they do not run with the property.
- b. A short-term rental business license shall only be issued to any of the following, whose name shall appear on the deed of the property:
 - 1. A natural person;
 - 2. A trust, if the beneficiary of the trust is a natural person;
 - 3. A not-for-profit corporation licensed pursuant to Section 501(c) of the Internal Revenue Code; or
 - 4. A limited liability company or a closely held corporation with three or fewer members or shareholders who are natural persons.
- c. The business license holder shall be responsible for payment of all taxes, including any applicable sales and lodging taxes.
- d. Renewal
 - 1. All business licenses shall be renewed annually pursuant to Mancos Municipal Code Ch.6, Art. 8.
 - 2. Renewal applications for properties that have been compliant with the short-term rental regulations and that have been submitted for renewal in a timely manner will be given priority processing over new applications.
- e. The regulations in this section apply to short-term rentals only. They do not apply to long-term leases or businesses that provide lodging services with a staffed central check-in desk, such as a hotel or bed and breakfast, when operated in a zone district that permits lodging uses.

(3) Applicability to Existing Short-Term Rental Licenses

Property owners with a short-term rental business license issued prior to the adoption of this ordinance have until the end of the current yearly license expiration period (December 31, 2022) to bring the property into compliance with the terms of this ordinance, including compliance with the residency requirement, and apply for a new business license per Mancos Municipal Code Ch. 6, Art. 8.

(4) STR Business License Cap

Up to a maximum total of 15 business licenses for short-term rentals may be issued by the Town. The Town may decide to issue fewer than the maximum total number of licenses in any year.

(5) Short-Term Rental Eligibility

- a. The following properties may qualify for use as a short-term rental:
 1. A residential property with an ADU located in a residential zone district where the property owner lives on-site as a primary residence.
 2. Residential properties in mixed-use and commercial zone districts where the property is owned by a local owner.
- b. Residency requirements shall not be subject to exemption or variance.
- c. Permanently affordable housing, publicly-owned housing, or housing approved to serve workforce housing needs may not be used for short-term rentals.
- d. Nothing in this section shall limit the ability of a property owner; property covenants, conditions, and restrictions (CC&Rs); homeowners' association or similar association from prohibiting or further limiting the short-term rental of property where the authority to do so exists.

(6) Use and Occupancy

- a. Short-term rentals must be used for lodging purposes only. Occupancy shall be limited to 2 people per bedroom plus two additional guests.
- b. Short-term rental properties may not be used for commercial purposes or large social gatherings such as weddings or family reunions.
- c. Noise
 1. Quiet hours shall be from 10:00 p.m. to 7:00 a.m. and no outside assembly of more than the maximum overnight occupancy shall be permitted during this period.
 2. Outdoor amplified sound (microphone or speaker system) shall not be allowed at any time. This provision does not apply to casual music from personal music devices or similar situations that are typical of residential surroundings.
 3. Pets if allowed by owner shall be secured on the property at all times. Continual nuisance barking by unattended pets is prohibited.

(7) Structure and Site Requirements

- a. Sleeping quarters for short-term rentals shall be located in a habitable structure and not in:
 - 1. Non-residential areas within a building that do not contain finished living space (e.g., shed, garage);
 - 2. Commercial or industrial spaces; or
 - 3. Outdoors in temporary structures (e.g., tent) or in a recreational vehicle or tiny home on wheels.
- b. Short-term rental units must contain smoke detectors, fire extinguishers and CO2 detectors; and shall remain compliant with all zoning, building, fire, noise, and other applicable Town and state codes.
- c. Guests shall be provided with instructions about where to park. Parking is limited to driveways and garages; parking in other areas (e.g., setbacks or yards) shall be prohibited.
- d. The property owner shall maintain weekly residential trash collection services.
- e. No signage in addition to that allowed for the property in Article 16.13, Signs, is allowed for short-term rentals.
- f. A copy of the business license shall be posted in a prominent location within the rental. The business license shall specify the term of the license, maximum occupancy approved for the short-term rental, contact information for the property owner or manager, location of fire extinguisher(s), and any relevant conditions of the business license approval.

(8) Business License

- a. An application for a business license for a short-term rental shall include the following information:
 - 1. Contact information for the owner (person, trust, or corporation) of the property.
 - 2. Contact information for the owner's local contact person, who has authority to fix any problems or violations of this section, who is located within 30 minutes of the property and available 24 hours a day, seven days a week, at a phone number provided to both the Town and any person staying at the property.
 - 3. Identification of all dwelling units that will be rented on a short-term basis.
 - 4. The URL (i.e., the website address) for any and all advertisements of the short-term rental of the property.
 - 5. Proof of building and fire code compliance.
 - 6. Proof of commercial general liability insurance.
- b. All properties subject to a business license application must be inspected by the Town for compliance with this LUC and all applicable life safety codes within 30 days prior to the filing of the application.
- c. The Town Administrator shall review a new or renewal application for a short-term rental business license for compliance against the criteria listed below. The Town Administrator

may deny a short-term rental business license application or renewal application if any of the following issues are found:

1. The property has any unresolved code enforcement violations, including issues unrelated to the short-term rental.
2. The property is not in compliance with all applicable Land Use Code requirements, any permit requirements, or where applicable, any fire, building and safety, or other relevant laws and ordinances.
3. The applicant has knowingly made any false, misleading, or fraudulent statements of material fact in the application, or in any report or statement required to be filed that is related to the application.
4. The property that is the subject of the application is not available for immediate rental on a short-term basis consistent with the requirements of these regulations.

d. Issuance and Renewal

Business licenses for short-term rentals shall be issued pursuant to the Mancos Municipal Code Ch. 6, Art. 8. The issuance of a business license for a short-term rental does not create a continuous right to operate a short-term rental beyond the annual term of the license.

e. Effect of Denial

1. If an application for a new or renewal short-term rental business permit is denied, the Town Administrator may not approve a new application for that applicant and location for a one-year period after the denial unless the Planning and Zoning Commission determines that the reason for the denial has been cured or no longer exists.
2. An applicant who has requested review based on cured circumstances but is denied by the Planning and Zoning Commission may appeal the denial to the Board of Trustees.

f. Violation and Revocation

1. A business license may be found in violation and revoked pursuant to Mancos Municipal Code Ch. 6, Art. 8.
2. A license holder who is in notice of violation is prohibited from taking any further or future reservations.
3. If a short-term rental license is revoked, the short-term rental of the property must cease immediately. The unit shall not be used as a short-term rental until a new business license is issued, which may not be done for a period of one year following the revocation.
4. No fee refunds shall be issued to any licensee whose short-term rental business license is revoked.

g. Abandonment

Licensed owners must notify the Town of the closure of an STR within thirty days. Once the use of property for STR occupancy is abandoned, approval of a new business license shall be required before the property may be used again for a short-term rental.

(9) Periodic Life Safety Inspections

The Town may perform periodic life safety inspections on all short-term rental units.

(10) Listing Information

All short-term rental listings shall include the STR license number and maximum occupancy information.

(11) Guest Information in the Rental Unit

The following information shall be displayed in a prominent interior and easy to access location in each rental unit:

- a. The owner's and local property management or contact information,
- b. The short-term rental license number,
- c. A copy of the Mancos Short-Term Rental Regulations, and
- d. Site-specific instructions about parking locations and trash pick-up.

(12) Violation, Enforcement, and Penalties

- a. Short-term rental business licenses shall be enforced pursuant to Mancos Municipal Code Ch. 6, Art.8.
- b. The short-term rental license holder shall be held responsible for citations for violations of the municipal code committed by persons at the property during a period when the property is rented on Short-Term rental basis.

(13) Definitions

Accessory use or structure means a use or structure naturally and normally incidental to and subordinate to the permitted primary structure or use by right of the land or lot area.

Accessory dwelling unit (ADU) means a smaller, secondary residential dwelling unit with a separate entrance from the primary one-unit dwelling on the same lot as a primary one-unit dwelling. Accessory dwelling units are independently habitable and provide the basic requirements of living, sleeping, cooking, and sanitation.

Bed and breakfast means a commercial establishment operated in a house, or portion thereof, used by the record owner of the property as a primary residence where short-term lodging rooms and meals are provided to guests for compensation.

Boarding house means a building arranged or used for lodging for compensation, with or without meals, and not occupied as a single-family unit. Proposed update: Boarding house means an establishment where lodging in individual rooms or units without kitchen facilities is offered to one or more roomers or boarders for direct or indirect compensation for a period of 30 days or more.

Dwelling unit means a building arranged and designed as a dwelling unit and intended to be occupied by one (1) family, which has at least one bathroom and a minimum floor area of five hundred (500) square feet, unless otherwise specified within the appropriate zoning districts. Dwelling units shall include manufactured homes and factory-built homes.

Hotel or motel means a building or group of buildings with guest rooms in which lodging is provided and offered to transient guests for compensation.

Local Resident (for the purposes of short-term rental regulations) means a natural person who has primary residence within the 81328-zip code.

Owner means any part owner, joint owner, tenant in common, tenant in partnership, joint tenant, or other person with sole or with concurrent legal and/or beneficial title to the whole or to part of a building or land.

Person means an individual, proprietorship, trust, partnership, corporation, association, or other legal entity. For purposes of short-term rentals, “person or persons” shall not include any corporation, partnership, firm, association, joint venture, or other similar legal entity unless otherwise specified in the STR regulations.

Primary residence means a dwelling unit that is owner-occupied and is the usual place of return for housing of a person as documented by at least two of the following: motor vehicle registration, driver's license, Colorado state identification card, voter registration, tax documents, or a utility bill. A person can only have one primary residence.

Short-term rental unit means a full residential dwelling unit or accessory dwelling unit that is rented for compensation or consideration for less than 30 days at a time. This definition does not include bed and breakfasts; boarding houses; hotels; motels; dwelling units owned by the federal government, state, or Town, or any of their agencies; or facilities licensed by the state as health care facilities.

Short-term rental means the renting, or offer to make available, (by way of a rental agreement, lease, license, or any other means, whether oral or written) for compensation or consideration, of residential property, a full dwelling unit, or accessory dwelling unit for a period of 30 consecutive days or less to a transient.

Short-term rental party (or party) means one or more persons who, as a single group, rent a short-term rental unit pursuant to a single reservation and payment.

STAFF REPORT

To: Members of the Planning and Zoning Commission
From: Heather Alvarez, Town Administrator
Date: April 20, 2022
Re: Visioning Statement

Recommendation

Finalize the visioning statement and forward to the Board of Trustees for review and adoption

Background/Discussion

We have been working on this project for several months. The results of the visioning survey and discussion were presented to the Planning Commission in January and February this year for review and discussion.

Attached are the most recent recommendations from the Planning Commission. Please review and draft final language for Board of Trustees consideration and adoption.

Attachments

Visioning Statement Drafts

The Town of Mancos has created a vision through community engagement that promotes a resilient, diverse and healthy community which prioritizes restoration and stewardship of the land, air and water of the Mancos Valley. The Town is defined by its history, all its people and the land where we live, work and play. The Town appreciates that it was built on ancestral tribal lands whose descendants continue to contribute to the rich social, cultural and economic fabric of the community. Mancos will continue to pursue measured growth as a means to a dynamic future in harmony with the natural world.

MANCOS VISION STATEMENT

Mancos will strive to promote an environmentally responsible, prosperous, equitable, and caring community, a place that appreciates the rich social and cultural heritage of its first inhabitants, the Indigenous peoples, and the diverse heritages of its newer inhabitants, a place where everyone can work together to follow their dreams.

Catherine Seibert, 3/10/2022

Vision Statement – Town of Mancos, Colorado

Offered by Peter Brind'Amour on March 10, 2022

The town of Mancos has a dynamic vision of inclusive community engagement that promotes a resilient, diverse and healthy community prioritizing restoration and preservation of the land, air and water of the Mancos Valley.

Mancos is defined by its history, all its people – from indigenous forebears to new arrivals – and the land where we live, work and play.

In a spirit of justice and tolerance for all, Mancos embraces a vibrant future while keeping an eye on the town's – and the region's – past.

A healthy, secure equitable small town atmosphere continues to make Mancos an attractive place where all can realize their best selves in harmony with each other and the natural world.