



BED & BREAKFAST LICENSE APPLICATION

NEW TRANSFER ▶ _____ # OF TOTAL BEDROOMS PER LARIMER COUNTY (in home)

FEE SCHEDULE: \$200 Base Fee + \$50 per Guest Bedroom ▶ _____ # OF GUEST BEDROOMS

(Calendar Year January through December)

Payments can be made by cash, check or credit/debit card (transaction fees apply)

MAKE CHECKS PAYABLE TO: *Town of Estes Park*

APPLICATIONS WILL NOT BE PROCESSED WITHOUT ALL FIELDS COMPLETED & OWNER'S & ON-SITE MANAGER'S SIGNATURES

Owner Name: _____

Business Name: _____

Business Type (Circle one): Corporation/Inc./LLC/Sole Proprietor (see attached affidavit) Other (List): _____

Business Physical Address: _____

Owner Mailing Address: _____

Mailing City: _____ Mailing State: _____ Mailing Zip: _____

Business Phone: _____ Owner/Cell Phone: _____

Owner Email: _____

Emergency Contact Name: _____ Phone: _____

CO Sales Tax License # _____ Sales Tax Reporting Name _____

Copy of CO Sales Tax License Enclosed

By Checking You are Confirming: All B&B Correspondence/Renewals be Sent to the On-Site Manager.

****On-Site Manager (If Applicable)****

Name: _____ Email (required): _____

Business Phone: _____ Mobile Phone: _____

Mailing Address: _____

By signing below, I acknowledge:

- I am responsible for renewing the B&B license by the January 31st each calendar year.
- I am responsible for notifying the Town of Estes Park of any change in the status of this B&B (e.g., change in on-site manager, no longer operating as a B&B, change in ownership, etc.).
- I must abide by all Estes Park Municipal Codes and Estes Park Development Codes.
- I have read and understand, EPMC Chapters 5.20 & 14.12, EPDC Chapter 5.1, Local Marketing District and sales tax information.
- This B&B is subject to commercial utility rates for the current calendar year, and sales tax collection and remittance.
- I understand all communication from the Town of Estes Park will be done by email and maybe subject to spam filters (e.g., VH updates, renewal notices).
- I agree to have my email address included in the Town of Estes Park Public Information and Estes Valley Fire Protection District email lists, and I am responsible for notifying guests of relevant important information. It is my responsibility to seek out and relay information concerning the safety of the guests and the community, through any and all available sources.
- If applicable I confirm my previous statement of Lawful Presence as a sole proprietor and have provided proof to that effect.
- The information stated above is, to the best of my knowledge, true and correct and any changes to the information have been noted on the change form.
- All information contained on this form is public information.

All information contained on this form is public information.

X _____ / _____

Homeowner's Signature / Date

X _____ / _____

On-Site Manager's Signature / Date

RETURN TO: townclerk@estes.org, Town Clerk's Office, P.O. Box 1200, Estes Park, CO 80517

FOR OFFICE USE ONLY: LICENSE #: _____ CLERK: _____ DATE: _____

AMOUNT PAID: _____ DATE: _____ CASH CHECK #: _____ CC ID#: _____

Notes: _____ EMAIL TO CONSTANT CONTACT

BED & BREAKFAST INSPECTION

Bed & Breakfast Address _____

In-Home Posting: _____ Date: _____

Property Line Aerial Posting: _____ Date: _____

Parking Spaces: _____ Date: _____

Exterior Lighting: _____ Date: _____

Number of Sleeping Spaces: (Guest) _____ Date: _____

(Owner/Manager) _____ Date: _____

Trash Compliance: _____ Date: _____

Review of Outstanding Violations: _____

Notes: _____

Inspection Date: _____ Inspected With (owner/manager name): _____

Re-Inspect Deadline: _____ Re-Inspection Date: _____

Approval Date: _____ Denial Date: _____

Inspected By: _____

Print Name

Signature

S2: Special Review
(9 & Over Occ.)
 # of Bedrooms: _____ Occupancy: _____
 Approval Date: _____ Approved: _____
 Comments: _____

To be completed by Town Clerk's Office:
 # of Bedrooms: _____ Guest Occupancy: _____ Parcel ID: _____
 Date Packet Mailed: _____ Application Deadline: _____
 Date Neighbor Notification Affidavit Returned: _____ Date Advertising Reviewed: _____

To be completed by the Community Development Department:
 Inside Town Limits: Yes No Zoning District: _____ Community Development Approval: _____
 Comments: _____

To be completed by Utility Billing:
 Individual Water Meter: Yes No Electric Meter: _____ Location ID: _____
 Date of Conversion: _____ Utility Billing Department Approval: _____

RETURN TO: townclerk@estes.org, Town Clerk's Office, P.O. Box 1200, Estes Park, CO 80517

Estes Park Municipal Code
Vacation Home & Bed & Breakfast Regulations – Ordinance 08-21
Effective June 28, 2021

5.20.110- Additional provisions for vacation homes and bed and breakfast inns.

(a) Business license application requirements.

- (1) A business license for a vacation home or a bed and breakfast inn has also been known as an annual operating registration or an operating permit. All such terms refer to the same approval, which is a license from the Town to conduct such activities, valid for a single year.
- (2) Local representative.
 - (i) Vacation homes. The application for a business license for any vacation home shall designate a local resident or local property manager residing within either the Estes Valley Recreation and Park District boundary or the Estes Park School District R-3 boundary, who can be contacted by telephone and is available when the vacation home is rented, regarding any violation of the provisions of this section. The person set forth on the application shall be the representative of the owner for immediate violation resolution purposes with regard to the operation of the vacation home. The local representative may be the same person as the property owner.
 - (ii) Bed and breakfast inns. The application for a business license for any bed and breakfast inn shall designate the resident owner or on-site manager residing on the premises who can be contacted and is on the property twenty-four (24) hours per day when the bed and breakfast is in operation, regarding any violation of the provisions of this section. The person set forth on the application shall be the representative of the owner for immediate violation resolution purposes with regard to the bed and breakfast inn.
- (3) Acknowledgment of regulations. A business license for a vacation home or bed and breakfast inn shall not be valid unless the property owner, and the designated local contact described in paragraph (2), above (if different), sign the business license application acknowledging all applicable vacation home or bed and breakfast inn regulations.
- (4) Registration completion deadline. The Town Clerk issues registration packets upon finding that the application is complete and, if the property is in a residential zone, that the property is eligible to proceed from any waitlist to licensure, based on the cap described in subsection (b), below. Registration packets must be completed and submitted within ninety (90) days from issuance of the packet from the Town Clerk. Registration packets not submitted and complete, as determined by the Town Clerk, within those ninety (90) days shall be void and the property owner must reapply. Such reapplications for vacation homes in residential zoning districts shall be placed on the waitlist described in subsection (b) below if the cap has been reached.
- (5) No more than one (1) business license shall be issued and effective in any given calendar year for each vacation home or bed and breakfast inn.
- (6) State sales tax license. A condition of issuance of the license shall be proof of a current sales tax license, provided by the applicant.
- (7) Initial compliance inspection. To be issued a new license, a vacation home or bed and breakfast inn must first undergo and pass an initial inspection to ensure compliance with this code and the regulations of the Development Code.
- (8) Life safety inspection.
 - (i) Requirement. To be issued a new license, a vacation home or bed and breakfast inn must first undergo and pass a life safety inspection or other required building inspection, as applicable, and receive a certificate of occupancy that allows for such use, such as described in section 14.12.025 of this code, section R327 of the International Residential Code as amended.
 - (ii) Deadlines. If no such certificate of occupancy has been issued at the time the Town Clerk issues the registration packet as described in paragraph (4) above, the following deadlines shall apply:
 - (a) The applicant must request the life safety inspection building permit from the Building Division, in the form and manner set by the division, within

- thirty (30) days of the issuance of the registration packet from the Town Clerk.
- (b) Upon issuance of the life safety inspection building permit, the applicant must complete an initial life safety inspection within thirty (30) days.
 - (c) The applicant must complete and pass a final life safety inspection and obtain a certificate of occupancy that allows for the proposed use within ninety (90) days of the initial inspection.
- (iii) Lapse. Failure to meet any of these deadlines shall automatically cause the application to lapse, and any reapplication would be subject to the waitlist if applicable.
 - (iv) Early inspection. Nothing in this section shall prevent an applicant from requesting, undergoing, or completing the life safety inspection or receiving the necessary certificate of occupancy before the application is made or the registration packet is issued.
- (9) Neighbor Notification. Prior to issuance of the initial annual business license for a vacation home or bed and breakfast inn, the owner or local representative shall be responsible for mailing a written notice.
- (i) Notice shall be mailed, with certificate of mailing or other method as approved by staff, to the owners of properties within one hundred (100) feet of the boundary of the subject property.
 - (ii) Notices shall provide property address and 24/7 hotline phone number.
 - (iii) Proof of mailing shall be provided to the Town Clerk prior to issuance of initial annual business license.
- (b) Residential zone vacation home cap.
- (1) Vacation home licenses in residential zoning districts (designated for the purposes of this section as zoning districts E, E-1, R, R-1, R-2, RE, RE-1, and RM) shall be held at a maximum total ("cap") of 322 licenses in effect at any given time. This cap shall be reviewed annually by the Town Board, in or near the month of April. Applications received at any time such that their approval would cause the cap to be exceeded shall be held and kept on file in the order they are received and deemed complete by the Town Clerk's Office. Applications held on such list (the "waitlist") shall be issued during the calendar year as licenses may become available.
 - (2) Vacation homes in non-residential zoning districts (designated as all zoning districts except those enumerated in the preceding subsection) shall not be included in or subject to this cap.
- (c) Transfer of business licenses and changes to local representatives.
- (1) Transferable to new owner. An active license for a specific vacation home or bed and breakfast inn shall be transferable to a different owner in accordance with procedures in this Code, including paragraph (3) below, and in the form and manner established by the Town Clerk's Office.
 - (2) Not transferable to different home. A license assigned to a vacation home or bed and breakfast inn shall not be transferred to another location of the same or different ownership.
 - (3) Application required upon transfer. If the property owner changes during the annual period for which the vacation home or bed and breakfast inn has been licensed, a new property owner of record must file an application to transfer the license into their name within thirty (30) days of transfer of ownership, and must ensure the vacation home or bed and breakfast inn is in compliance with all other Town regulations.
 - (4) Notification of change in local representative. If the local representative changes during the calendar year, the property owner must notify the Town Clerk within fifteen (15) days of change, and must ensure the new local representative is knowledgeable of all applicable regulations for the vacation home or bed and breakfast inn.
- (d) Renewal.
- (1) Business licenses for vacation homes in residential zoning districts that are deemed active as of December 31 in any given year shall have priority for renewal in the following calendar

year over any new applications for business licenses for vacation homes in residential zoning districts, provided a renewal for said active registration is received and deemed complete and proper, all required inspections passed, and fees paid by January 31 of the renewal calendar year. Priority for renewal shall not otherwise be afforded, and shall not be afforded where an uncured violation of Town regulations for the vacation home is ongoing in the determination of the Town Clerk. When priority for renewal is not afforded, an application shall be subject to any applicable waitlist.

- (2) Issuance of a license for a vacation home or bed and breakfast inn shall not constitute a zoning entitlement for a property's use therefor, nor shall absence of a license for a vacation home or bed and breakfast inn constitute removal or abrogation of a property's zoning permissibility for such use. However, both appropriate zoning permission and compliance and a valid current business license shall be necessary elements in order for operation as a vacation home or bed and breakfast inn to occur.
 - (3) A business license for a vacation home or bed and breakfast inn must be renewed on an annual basis. A business license does not convey a right to continue operation as a vacation home or bed and breakfast inn in future years. When the term of an annual license expires, and the license has not been properly renewed, the license shall be considered automatically to have expired and terminated without any further action necessary by the Town. All provisions under this section, including those describing priority for renewal, transferability of registrations, continuity of operations, and the residential cap, are subject to any future changes in state or local regulations.
- (e) Operating requirements.
- (1) General requirements apply. Vacation homes and bed and breakfast inns must comply with all other applicable Town regulations, including those found in the Estes Park Development Code and building codes and regulations adopted under title 14 of this code.
 - (2) Postings
 - (i) Vacation homes and bed and breakfast inns in all zoning districts shall have a clearly legible notice posted on-site. The posted notice shall be provided by the Town at the time the business license is initially approved, shall be posted in a prominent location inside the vacation home or bed and breakfast inn prior to or during the initial inspection, and shall remain posted in the same location for the duration of its use as a vacation home or bed and breakfast inn. The posted notice shall include standard contents as determined and approved by the Town Clerk.
 - (ii) Property Line Boundaries: Included in the posting, the property owner or local representative shall inform all occupants of property boundaries.
 - (iii) The property owner or local representative shall include in all print or online advertising the business license number in the first line of the property description.
 - (iv) Advertising shall accurately represent the allowed use of the property, including the maximum number of allowed occupants.
 - (3) Number. Only one (1) vacation home or bed and breakfast inn shall be allowed per residential dwelling unit. The number of vacation homes allowed on an individual lot of record may be limited, based on all regulations in this Code, the Development Code, and other regulations as may be applicable.
 - (4) Parking
 - (i) Minimum Required Off-Street Parking. Except in the CD Downtown Commercial zoning district, the number of off-street parking spaces available to a vacation home or bed and breakfast inn shall not be less than two (2).
 - (ii) Maximum Off-Street Parking — Residential Zoning Districts. The maximum number of vehicles parked off-street on the vacation home or bed and breakfast inn property, and not parked or stored in a fully enclosed garage, shall not exceed the number of bedrooms in the vacation home.
 - (iii) Maximum Off-Street Parking — Non-residential Zoning Districts. Maximum parking for vacation homes and bed and breakfast inns in non-residential zoning districts

shall be regulated according to the parking standards applicable to "Hotel, small" as described in section 7.11(D) of the Estes Park Development Code.

- (5) Occupancy generally. All vacation homes and bed and breakfast inns are subject to the occupancy limits adopted under title 14, in addition to the maximums below. For the purpose of this section, occupancy shall not be counted differentially on the basis of age or status. "Bedroom" and "sleeping room" are deemed equivalent terms to each other, and equivalent to a sleeping space pursuant to building codes adopted under title 14. Kitchen facilities shall be limited to be consistent with single-family residential use. No kitchen facilities or cooking shall be allowed in guest rooms, sleeping rooms or bedrooms.
- (6) Occupancy for vacation homes.
 - (i) Maximum Occupancy in Residential Zoning Districts: 8 or below. Except for nine-and-over vacation homes that may be approved and registered under the provisions of this Code via Large Vacation Home Review (LVHR) application, the maximum allowable occupancy for an individual vacation home in a residential zoning district shall be eight (8) occupants. Occupancy shall be further limited to a maximum of two (2) individuals per sleeping room plus two (2) individuals per vacation home.
 - (ii) Maximum Occupancy in Residential Zoning Districts for Large Vacation Homes. A residential structure with four (4) or more sleeping rooms may apply for Large Vacation Home Review (LVHR) approval as a "nine-and-over vacation home", in accordance with the procedure described in section 5.1 of the Estes Park Development Code. The maximum occupancy in a nine-and-over vacation home in a residential zoning district shall be as specified in the LVHR terms of approval; provided that occupancy shall be limited to a maximum of two (2) individuals per sleeping room plus two (2) individuals per vacation home.
 - (iii) Maximum Occupancy in Non-Residential Zoning Districts. Occupancy shall be limited to a maximum of two (2) individuals per sleeping room plus two (2) individuals per vacation home in a non-residential zoning district. No overall maximum occupancy for a vacation home in a non-residential zoning district shall be applicable, provided that the vacation home is deemed to be in compliance with all Building, Fire, and Health Codes and that a valid business license is in effect.
- (7) Occupancy for bed and breakfast inns.
 - (i) Maximum Occupancy—Eight-and-under occupants. The maximum allowable occupancy shall be limited by a maximum of two (2) guests per bedroom plus two (2) guests. The maximum allowable occupancy for an individual bed and breakfast inn shall be eight (8) occupants.
 - (ii) Maximum Occupancy—Nine-and-over occupants. A residential structure with four (4) or more sleeping rooms may be permitted as a bed and breakfast inn if granted zoning approval by special review in accordance with the S2 procedure described in the Estes Park Development Code. The maximum occupancy in a nine-and-over occupant bed and breakfast inn shall be as specified in the special review approval granted by the Town Board; provided that occupancy shall be limited to a maximum of two (2) individuals per sleeping room plus two (2) individuals per bed and breakfast inn.
 - (iii) One bedroom must be assigned to the resident owner or on-site manager and therefore not added to the maximum occupancy calculations in paragraphs (i) and (ii) above.
- (8) Number of Parties.
 - (i) Vacation homes in residential zone districts as those districts are defined in subsection (b) above shall be rented, leased or furnished to no more than one (1) party at a time, occupying the vacation home as a single group. Owners of the vacation home shall not occupy the vacation home while a party is present. All occupants shall be registered by name on or before the time of the party's initial occupancy. The name registry shall be maintained by the property owner, local

representative or manager, and shall be made available to the Town or any other appropriate regulatory entity upon request.

- (ii) Bed and breakfast inns may be rented, leased or furnished to one (1) or more parties.
 - (9) Vacation homes and bed and breakfast inns, whether new or existing structures, shall be subject to the exterior lighting requirements for new development as described in section 7.9 of the Estes Park Development Code.
 - (10) Vacation homes and bed and breakfast inns shall be subject to the wildlife protection requirements as described in chapter 7.20 of this code.
 - (11) Vacation homes and bed and breakfast inns shall be subject to the requirements of the sign code of chapter 17.66 of this code, and shall obtain sign permits as required.
 - (12) Employee housing units, attainable housing units, and workforce housing units, as defined and regulated by the Estes Park Development Code, shall not be designated as vacation homes or bed and breakfast inns.
 - (13) Vacation homes and bed and breakfast inns shall not be allowed on residential lots of record containing an accessory dwelling unit as defined and regulated by the Estes Park Development Code.
 - (14) In the CD Downtown Commercial zoning district, bed and breakfast inns shall not be located on the ground floor of a building fronting on Elkhorn Avenue.
 - (15) Home occupations, as defined and regulated by the Estes Park Development Code, shall not be operated on the site of a vacation home, nor shall vacation homes offer ancillary services to guests. Home occupations may be operated on the site of a bed and breakfast inn. Bed and breakfast inns may also offer limited ancillary services to guests, such as offering classes/workshops to guests, provided they are in character with residential use.
 - (16) Meal Service. Bed and breakfast inns may provide meal service to registered overnight guests.
 - (17) The owner of a bed and breakfast inn, or the on-site manager employed by the owner, must reside on the premises at all times when the bed and breakfast inn is in operation.
- (f) Enforcement.
- (1) Violation. It is a violation of this section for any owner, representative, guest or occupant of a vacation home or bed and breakfast inn to be convicted, including a plea of no contest, of a violation of section 9.08.010 (disturbing the peace) of this code, which violation occurs on the premises of the vacation home; to fail to collect and remit all required sales tax to the State due and owing for the leasing, rental or occupation of a vacation home or bed and breakfast inn; to fail to comply with any provision of this section; or to fail to acquire and pay for a business license. The owner and the local representative of a vacation home shall be in violation of this section if any guest or occupant of the vacation home violates any provision of this code, the Estes Park Development Code, or any other applicable law, regulation, rule, or order issued by a competent governmental authority, or causes a nuisance as described in title 8 of this code, on the premises of the vacation home. The owner and the local representative of a vacation home or bed and breakfast inn shall be in violation of this section if the vacation home or bed and breakfast inn does not fully and strictly comply with the provisions of this section, including provisions which this section references or notes that the vacation home or bed and breakfast inn is subject to. A violation under section 5.20.070 pertaining to a vacation home or a bed and breakfast inn shall also be considered a violation of this section and may be enforced as such. These are all strict liability offenses.
 - (2) Remedies cumulative. Any action under this section to enforce requirements for a vacation home or bed and breakfast inn may be in addition to any other enforcement action(s) permitted under this section or under other federal, state or local laws, codes, or regulations.
 - (3) Property owners and local representatives shall be jointly and severally liable for all violations under this chapter attributable to either. Remedies for a violation may also

be sought against both a property owner and a local representative, cumulatively, where both are in violation of this chapter.

- (4) Where any violation is a continuing offense, each day that the violation continues shall be considered and held to be a separate and distinct offense.
- (5) Fines.
 - (i) Any person who shall be convicted of their initial violation of this section shall be fined two hundred fifty dollars (\$250).
 - (ii) Any person who shall be convicted of their second violation of this section occurring within two years of the initial violation shall be fined five hundred dollars (\$500).
 - (iii) Any person who shall be convicted of their third violation of this section occurring within two years of the second violation shall be fined one thousand dollars (\$1000).
 - (iv) Any person who shall be convicted of their fourth or subsequent violation of this section occurring within two years of most recent prior violation shall be fined the maximum amount permissible under chapter 1.20.
- (6) Suspension and revocation. The Town may suspend or revoke the business license of any vacation home or bed and breakfast inn for violation of the provisions of this section as follows:
 - (i) The Town Clerk, upon the receipt and verification of any violation of this section, shall give written notice to the owner or representative that a violation has occurred. The Town Clerk may delegate this authority to other Town staff, including a code enforcement officer.
 - (ii) Upon the receipt and verification of any subsequent violation of the terms and conditions of this section, within two (2) years of the date of a notice of violation as set forth in subparagraph (i) above, the Town Clerk may issue a notice of suspension of the business license by giving written notice, by ordinary U.S. mail, to the owner or representative of the suspension of the license. The notice of suspension is appealable as described in paragraph (7), below. If the notice is not appealed within the time afforded, or if the notice is upheld on appeal, the license shall thereby be suspended. Said suspension shall be for one (1) year from the date the suspension becomes final. The property may not be operated as a vacation home or bed and breakfast inn during the period of the suspension. The Town Clerk shall record the suspension with the county clerk and recorder.
 - (iii) If a business license is suspended as described in subparagraph (ii), then, upon the receipt and verification of any further violation of this section either during the period of suspension or within two (2) years after reinstatement, the Town Clerk may issue a notice of revocation of the business license by giving written notice, by ordinary U.S. mail, to the owner or representative of the revocation of the license. The notice of revocation is appealable as described in paragraph (7), below. If the notice is not appealed within the time afforded, or if the notice is upheld on appeal, the license shall thereby be revoked. Upon revocation of the license, the owner's right and privilege to conduct the business, profession, occupation or accommodation within the Town is terminated. No person may apply for a license for a vacation home or a bed and breakfast inn on the property subject to the revocation for a period of two years from the date the revocation is made final. The Town Clerk shall record the revocation with the county clerk and recorder.
- (7) Appeal. Any owner or representative who wishes to appeal a notice of revocation or suspension of a license for a vacation home or bed and breakfast inn may request an administrative hearing by written notice delivered in person or by certified mail, return receipt requested, to the Town Clerk within fourteen (14) calendar days of the date of the notice. The Town Administrator, or the Town Administrator's designee, shall act as the hearing officer and shall hold a hearing on the appeal and determine whether or not

a violation of this section has occurred within the applicable time period to prompt the suspension or revocation, respectively. The hearing shall meet the standards of basic procedural due process. The owner or representative shall be entitled to present any evidence of compliance with the terms and conditions of this section at the hearing. The hearing officer need not re-adjudicate any issue resolved at a previous hearing, or any issue that could have been resolved with a prior appeal. The decision of the hearing officer shall be final.

Estes Park Development Code
Vacation Home & Bed & Breakfast Regulations – Ordinance 08-21
Effective June 28, 2021

§ 5.1 - SPECIFIC USE STANDARDS

B. Vacation Home.

1. Issuance of an operating registration for a vacation home shall not constitute a zoning entitlement for a property's use as a vacation home, nor shall absence of an operating registration for a vacation home constitute removal or abrogation of a property's zoning permissibility for use as a vacation home. However, both appropriate zoning permission and compliance and a valid current business license shall be necessary elements in order for operation as a vacation home to occur.
2. Residential Character in Residential Zoning Districts. Vacation homes in residential zoning districts shall not be designed or operated in a manner that is out of character with residential use of a dwelling unit by one (1) household. Design shall be compatible, in terms of building scale, mass and character, with low-intensity, low-scale residential use.
3. Except as specifically provided for elsewhere in this Code, general development standards (Chapter 7) as required by the underlying zoning district shall be applicable to vacation homes. For structures that in the absence of vacation home registration would be classified in section 13.3.92 as single-family detached dwellings, development standards shall be those for single-family detached dwellings. For all other structures, development standards shall be those for "hotel, small."
4. Large Vacation Home Review (LVHR) for Nine-and-Over Vacation Homes in Residential Zoning Districts.
 - a. The owner of record of a vacation home in a residential zoning district that has filed a complete application for an eight-and-under vacation home operating registration on or before March 31, 2017, may make application for Large Vacation Home Review (LVHR) under the procedures of this Section and Code to allow nine (9) or more individuals to occupy the vacation home, provided that:
 - (1) The vacation home for which Large Vacation Home Review application is made has four (4) or more sleeping rooms; and
 - (2) The vacation home is in compliance with all applicable Building, Health, and Fire Codes, or is brought into compliance with said Codes by deadline dates as specified in accordance with the Codes.
 - b. The Large Vacation Home Review application shall be reviewed and may be approved by motion and affirmative vote of the Planning Commission. The Planning Commission's decision shall be final, except that an appeal by a party in interest of the Planning Commission's decision may be made to the Town of Estes Park Board of Trustees.
 - c. Large Vacation Home Review for a nine-and-over vacation home shall comply with the following policies and procedures:
 - (1) The procedure for application, review, and approval shall comply with the "Procedure Checklist for Large Vacation Home Review: Nine-and-Over Vacation Homes," promulgated and maintained by the Community Development Department;
 - (2) The required "Vacation Home Safety Inspection Report" and "Vacation Home Location Inspection Report" shall be provided to the Planning Commission prior to any Planning Commission approval of a Large Vacation Home Review;

- (3) The minimum lot size for a nine-and-over vacation home shall be one (1) acre, unless the Planning Commission makes a specific finding that the vacation home has demonstrated adequate buffering or screening from adjacent and nearby properties, such that a lot size of less than one (1) acre is commensurate with Large Vacation Home use. Appropriate alternative standards for demonstrating adequate buffering or screening shall include, but not be limited to: orientation of the Large Vacation Home 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;
 - (4) The minimum front, side, and rear setback from any lot boundary shall be twenty-five (25) feet or the setback under the zoning district, whichever is greater, unless the Planning Commission makes a specific finding that the vacation home has demonstrated adequate buffering or screening from adjacent and nearby properties, such that a setback of less than twenty-five (25) feet or less than the setback under the zoning district, whichever may be applicable, is commensurate with Large Vacation Home use. Appropriate alternative standards for demonstrating adequate buffering or screening shall include, but not be limited to: orientation of the Large Vacation Home 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) An approved Large Vacation Home shall in no case be occupied by more than two (2) occupants per bedroom plus two (2) additional occupants.
- d. Denial of a Large Vacation Home Review zoning permission for use as a nine-and-over vacation home shall not void an existing license for an eight-and-under vacation home, nor shall such denial in itself void zoning permissibility for use as an eight-and-under vacation home; provided that eight-and-under vacation home zoning requirements in this Code and other applicable regulations remain applicable.
 - e. Zoning approval of a Large Vacation Home does not obviate the need for the property owner to maintain an active annual operating registration (business license) pursuant to chapter 5.20 of the municipal code in order to operate the property as a vacation home.

U. Bed and Breakfast Inn.

- 1. Issuance of an operating registration for a bed and breakfast inn shall not constitute a zoning entitlement for a property's use as a bed and breakfast inn, nor shall absence of an operating registration for a bed and breakfast inn constitute removal or abrogation of a property's zoning permissibility for use as a bed and breakfast inn. However, both appropriate zoning permission and compliance and a valid current business license shall be necessary elements in order for operation as a bed and breakfast inn to occur.
- 2. Residential Character. Bed and breakfast inns shall not be designed or operated in a manner that is out of character with residential use of a dwelling unit by one (1) household. This includes, but is not limited to, the following:
 - (1) Except in the CD district, design shall be compatible, in terms of building scale, mass and character, with low-intensity, low-scale residential use.
 - (2) Guest rooms shall be integrated within the bed and breakfast inn.
 - (3) Kitchen facilities shall be limited to be consistent with single-family residential use. No kitchen facilities or cooking shall be allowed in the guest rooms.
 - (4) Accessory buildings shall not be used for amenities beyond a gazebo or similar outdoor room.
 - (5) No changes in the exterior appearance shall be allowed to accommodate each bed and breakfast inn, except that one (1) wall-mounted identification sign no larger than four (4) square feet in area shall be permitted.
 - (6) Vehicular traffic and noise levels shall not be out of character with residential use.
- 3. Large Bed and Breakfast Inns. A residential structure with four (4) or more sleeping rooms may be permitted only by special review in accordance with the S2 procedure. The maximum

occupancy in a nine-and-over occupant bed and breakfast inn shall be as specified in the special review approval granted by the Town Board; provided that occupancy shall be limited to a maximum of two (2) individuals per sleeping room plus two (2) individuals per bed and breakfast inn. Zoning approval of a Large Bed and Breakfast Inn does not obviate the need for the property owner to maintain an active annual operating registration (business license) pursuant to chapter 5.20 of the municipal code in order to operate the property as a bed and breakfast inn.

For additional information, please refer to the Town website at www.estes.org/municipalcode and www.estes.org/developmentcode or contact staff.

I have read and understand the terms of the foregoing document and acknowledge it is my responsibility to stay current on any code changes. Furthermore, I acknowledge any future code changes will apply to my vacation home or bed & breakfast license.

Printed Name:

Printed Name:

X _____ / _____

Homeowner's Signature / Date

X _____ / _____

**Local Representative/Property Manager
Signature/On-site Manager / Date**

Business Physical Address



AFFIDAVIT FOR LAWFUL PRESENCE

(Applicants filing as sole proprietor must complete form)

I, _____, swear or affirm under penalty of perjury under the laws of the State of Colorado that (check one):

- I am a United States citizen.
- I am not a United States citizen but I am a Permanent Resident of the United States.
- I am not a United States citizen but I am lawfully present in the United States pursuant to Federal law.

I understand that this sworn statement is required by law because I have applied for a “state public benefit”, as that term is defined under section 24-76.5-102(3), C.R.S. (2016). I understand that state law requires me to provide proof that I am lawfully present in the United States prior to receipt of this state or local public benefit. I further acknowledge that making a false, fictitious, or fraudulent statement or representation in this sworn affidavit is punishable under the criminal laws of Colorado as perjury in the second degree under section 18-8-503 C.R.S. (2016), and it shall constitute a separate criminal offense each time a public benefit is fraudulently received.

Signature: _____

Date: _____

FOR INTERNAL USE ONLY

Please mark the box that indicates which document was verified for lawful presence and keep a photocopy of the document present in the applicant’s file.

- A current, valid Colorado driver’s license or a Colorado identification card, issued pursuant to article 2 of title 42, C.R.S., unless that license or card states: “Not Valid for Federal Identification, Voting, or Public Benefit Purposes” (42-2-505 C.R.S), or
- Any out-of-state driver’s license or state-issued identification card if that state requires that the Applicant prove lawful presence prior to issuance of the license or identification card, or
- A United States military or a military dependent’s identification card, or
- A United States Coast Guard Merchant Mariner card, or
- A Native American tribal document, or
- Other documentation pulled from Systemic Alien Verification Entitlement (SAVE) or found on a Federal list of acceptable documentation for establishing lawful presence (see 1 CCR 204-30 §§ 2.1.4 and 2.1.6)

Name of document accepted (include document number): _____

Date verified in SAVE (if applicable): _____

<https://www.uscis.gov/save/casecheck>



DO NOT SEND

DR 1490 (06/17/15)
COLORADO DEPARTMENT OF REVENUE
Denver CO 80261-0013
(303) 238-SERV (7378)
www.TaxColorado.com

Local Marketing District Tax Return

General Instructions

Who Must File

Lodging owners or their management companies, who lease or rent rooms and accommodations for less than 30 days, must collect and remit the local marketing district tax. Local marketing tax applies to hotels, motels, condominiums and camping spaces, and in some areas houses, guest ranches and mobile homes.

When to File

Returns are filed with the same filing frequency and due date as the Sales Tax Return, DR 0100, and must be postmarked by the 20th day of the month, following each reporting period. A return must be filed even if no tax is due.

Monthly

Period	Due
January	February 20
February	March 20
March	April 20
April	May 20
May	June 20
June	July 20
July	August 20
August	September 20
September	October 20
October	November 20
November	December 20
December	January 20

Quarterly

Period	Due
January-March	April 20
April-June	July 20
July-September	October 20
October-December	January 20

Annually

Period	Due
January-December	January 20

Filing an Amended Return?

If you are filing an amended return, check the amended return box. A separate amended return must be filed for each period. The amended return must show all lines as corrected, not merely the difference(s). The amended return replaces the original in its entirety.

For additional Local Marketing Tax Information, refer to FYI Sales 11.

Specific Instructions

Line 1 Sales of Lodging Services—Enter the gross sales of lodging services. If no sales were made during the reporting period, enter zero.

Line 2 Tax—Multiply the amount on line 1 by the local marketing district tax rate. Tax rates can be found in the Colorado Sales/Use Tax Rates, DR 1002.

Line 3 Penalty—If this return and remittance is postmarked after the due date, a penalty of 10% plus 1/2 % per month (not to exceed 18%) is due. Multiply the tax on line 2 by the applicable percentage to determine penalty.

Line 4 Interest—If this return and remittance is postmarked after the due date, interest is due at the prime rate, effective July 1 of the previous year. Interest rates can be found in FYI General 11. Multiply the tax on line 2 by the applicable interest rate to determine interest.

Line 5 Amount Owed—Add lines 2, 3 and 4. This is the amount due with your return.

Payment Information

Send a separate check with each return submitted. Include the account number on your check to ensure proper credit.

When you are finished...

Sign and date the return and mail it with your payment to:

**Colorado Department of Revenue
Denver, CO 80261-0013**

Retain a copy of this return for your records.



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DR 1490 (06/17/15)
COLORADO DEPARTMENT OF REVENUE
Denver CO 80261-0013
(303) 238-SERV (7378)
www.TaxColorado.com



Local Marketing District Tax Return

Check here if this is an Amended Return •

0610-100

Colorado Account Number	Period (MM/YY – MM/YY) —	Due Date (MM/DD/YY)	Industry Code	Location/Juris Code
SSN 1	SSN 2	FEIN		
Last Name		First Name		Middle Initial
Street Address		City	State	ZIP
1. Sales of Lodging Services			(890)	00
2. Tax Line 1 x			(100)	00
3. Penalty Line 2 x .10			(200)	00
4. Interest Line 2 x			(300)	00
5. Amount Owed			(355)	\$.00
The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.				
Signed Under Penalty of Perjury in The Second Degree				
Signature			Date (MM/DD/YY)	Phone ()





Visit Estes Park
The Destination
Marketing Organization
VisitEstesPark.com

Visit Estes Park was formed in 2009 as an organization whose purpose is to advertise, market and promote tourism in the Estes Park area through a Local Marketing District. This also includes involvement with destination product development and economic development for the Estes Park area. Approved by voters within the District Boundaries, funding for all marketing activities is derived from a 2% tax on all receipts from a lodging stay of less than 30 consecutive days.

Our Mission: Attract guests to the District through effective and efficient destination marketing and management in order to drive year-round economic growth.

Our Vision: To be a year-round tourism, group and event destination that supports our healthy mountain village with a balance of financial success, positive and memorable experiences for guests and quality of life for our community.

The tax on lodging stays is remitted to the Department of Revenue on Form DR1490 and must be filed separately with the same filing frequency and due date as when sales taxes are filed. While the Colorado Department of Revenue will mail you pre-printed forms, if for some reason you do not receive them, you are not absolved from the responsibility to remit the taxes to the state. The Department of Revenue sends the collected funds to Visit Estes Park.

Is my property inside the Marketing District?

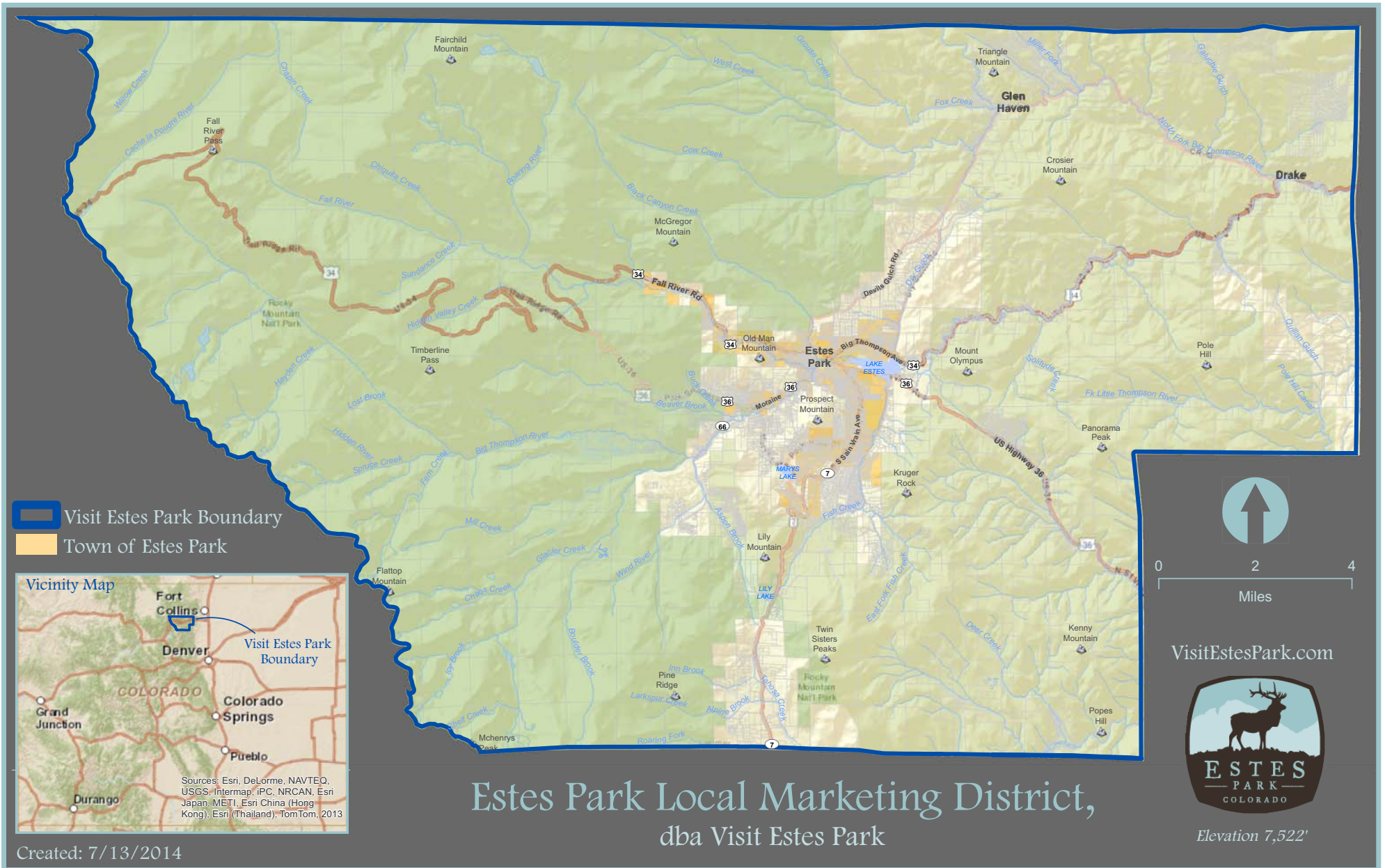
A map of the district is included with this information, or you can view the map in the “Partners” section of www.VisitEstesPark.com/Partners. In general, the Estes Park Local Marketing District extends northeast to Glen Haven, about a mile east of Drake on U.S. Hwy. 34, southeast to the Big Elk Meadows turnoff on U.S. Hwy. 36 and south to the Boulder County line. A list of properties, described by parcel number and specific address, is maintained by Visit Estes Park. Call 970-586-0500 for specifics.

Who to call for tax questions?

The State of Colorado operates a call center for vendors with tax questions. Dial (303) 238-7378, Press option 4 and at the next script press option 5.

How do I reach Visit Estes Park?

Call 970-586-0500 to speak with a representative of Visit Estes Park.
The Visit Estes Park website is: www.VisitEstesPark.com



Estes Park Local Marketing District, dba Visit Estes Park

Sales Tax Chart – Effective January 1, 2021

	Town of Estes Park 5.0%	State 2.9%	Larimer County .8%	LMD 2.0%	Total
Estes Park Retail Tax Rate	*	*	*		8.70%
Estes Park Accommodations / Lodging Tax Rate	*	*	*	*	10.70%
Local Marketing District Accommodations / Lodging Tax Rate Outside of EP Town Limits		*	*	*	5.70%

A 2% Local Marketing District (LMD) tax is collected on all accommodations/lodging and vacation home rentals of less than 30 days. This tax applies only to accommodations/lodging and vacation home properties within the LMD boundaries.