

Planned Changes to the Estes Valley Development Code

This survey analysis represents the views of the North End Property Owners Association Board of Directors regarding Section 5.1 **SPECIFIC USE STANDARDS**. It is not intended as a representation of our entire membership but rather a compilation of responses gathered from our Board to be shared with the Town of Estes Park staff. The following suggestions are presented to support two major sections of the North End Mission Statement:

To actively preserve, protect and maintain the beauty and ecology of the North End, and to make every effort to preserve it as the low-density residential area as is described in the EV Comprehensive Plan.

To maintain a good working relationship with the Town and County Governments and those bodies who make decisions affecting our properties.

With this said the following statements reflect the views of the majority of our Board of Directors regarding the establishment and regulation of Bed and Breakfast Inns as well as the establishment and regulation of Vacation Home Rentals.

1. **NO** Bed and Breakfast Inns shall be allowed in RE or RE-1 zoning districts. Where Bed and Breakfast Inns are allowed (E-1,E,R,R-1,R-2, RM) specific standards need to be applied.
2. **NO** nightly rentals shall be allowed in Vacation Homes situated in RE and RE-1 zoning districts. There is one member of our Board who would suggest that there be no Vacation Home rentals

allowed in RE or RE-1 zoning districts due to the difficulty in regulating such uses.

3. **IF** Vacation Homes are allowed to continue in RE and RE-1 zoning districts all proposed restrictions(a-g) currently listed in the “Short-term nightly rentals...” with the addition of the following language:

- a. **No Vacation Home rental shall be less than 30 days and shall be restricted to 25% of any calendar year.**

The Board realizes that due to past precedent and Land Use Codes already in place these changes above may be difficult to establish however the face of our community is rapidly changing and may indeed call for comprehensive change to preserve and protect the beauty of our entire valley.

Finally, the Board realizes that code enforcement is a key issue in all that is essential in protecting the Estes Valley but to have no regulations in place would be a disservice to our entire community.

Thank you for your consideration to our shared values and the future of the Estes Valley.

To: Town Board Trustees
Members of the Estes Valley Planning Commission
Copies to Town Staff

From: Tom Ewing
1082 Fall River Ct., Estes Park / Fall River Estates

July 16, 2009

I was present at the **Joint Study Session** of the Town Board and Estes Valley Planning Commission on Tuesday, July 14. I wish to commend all of you for holding this much-needed meeting, for the constructive tone and content of the meeting, and for the promise of future improved communication among members of these two Town boards.

There was, however, some mis-information spoken during the discussion of "Vacation Homes and Bed & Breakfasts" that I wish to clarify.

Trustee Blackhurst stated that the **Problem** was simply a matter of "definition" of terms. This statement was challenged by Attorney White and Director Joseph, both of whom spoke of the need also to bring the EV Development Code and the EP Municipal Code into alignment on this topic.

Let me remind you of the **Problem** that brought this matter first to the Town officials.

In the summer of 2006 a B & B (owned and run by the Celtic Lady) appeared in Fall River Estates (zoned E-1), with a business license from the Town of Estes Park, and was carrying on in the home an additional related, but separate, business enterprise of conferences and other commercial meetings. Noise from the property and excessive parking in the driveway and on the street at a very dangerous curve concerned residents, who believed that a code violation was occurring and that a B & B should not be permitted in E-1 zoning. As Attorney White and Director Joseph indicated, clearly the **Problem** is more than just the need to define terms,

Subsequently at the July 14 Joint Meeting, Director Joseph stated that there were only three (3) complaints in this matter. In truth, during the autumn of 2006 and spring of 2007 we, officers of Fall River Estates homeowners' association and at the request and urging of many of our property owners, more than once brought the matter to the public meetings of both the Town Board and the Planning Commission, several individuals directly telephoned the Planning Department office, and at least one meeting was held with the Town Administrator in his office.

Actions needed in Code amendments:

- Define code terminology – clear and concise definitions of terms for accommodations enterprises such as B & B, vacation homes, short-term rentals, etc.
- Bring EP Municipal Code and EV Development Code into alignment and consistency and specify which kinds of accommodations enterprises are permitted in each zoning district and make it clear which are not permitted. Don't mix accommodations and residential uses.

