



Town of Paonia
214 Grand Avenue
Tuesday, September 15, 2026 5:15 PM
Ad Hoc STR Committee Agenda

Public Participation: Please raise your hand and wait to be recognized by the Facilitator, come to the podium and state your name and whether you live in town or out of town. Please direct all comments to the Facilitator. Please be respectful and help to maintain decorum by not engaging in derogatory and/or demeaning statements or public displays.

- A) Call to Order
- B) Approval of Agenda
- C) Action Items
 - 1) Brief Review of the Previous Meeting's Executive Summary and Public Comment.
 - 2) Review and Discuss the Facilitator's Recommendations for a Standing Public Input Process.
 - 3) Continue the item-by-item discussion of the proposed Common Ground Ordinance with emphasis on language to retain, revise, remove, or add. Continue using the Policy Topic Outline (submitted by Deborah) in tandem as a complement to help assure important items are covered.
 - 4) Discuss agenda items and preparation materials needed for the next meeting. Specific survey questions?
- D) Adjournment

Executive Summary
Ad Hoc Short-Term Rental Committee Meeting
September 1, 2026

Approval of Agenda

The Chair noted two additional materials for consideration: Deborah's Policy Topic Outline and a Pagosa Springs Vacation Rental Ordinance provided by Greg.

Motion: Jayleen moved to approve the agenda as written. Second by Sheree. Motion passed unanimously.

Committee members discussed whether formal motions, seconds, and votes should be used consistently or whether unanimous consent/consensus could be used for routine matters. The Committee agreed that consensus could be used when appropriate.

Action Item #1 - Review of Previous Meeting Summary and Public Comment

The Committee reviewed the previous meeting's executive summary without comment. The Committee reviewed written public comment from Jen Brunner concerning water use and taxation associated with STRs. Members generally concluded that water taps, ADUs, and property-tax classifications were outside the Committee's jurisdiction. The Chair agreed to follow-up with the commenter.

The Committee then reviewed results from its most recent public survey concerning rooms rented within owner-occupied homes. Members noted the relatively high level of participation and discussed the range and nuance of the responses.

Members emphasized that the term "regulation" can mean substantially different things, including registration, licensing, fees, taxation, caps, monitoring, and operational requirements. The Committee discussed the importance of distinguishing among these concepts when seeking future public input.

The survey results and Committee discussion generally supported treating rooms rented within owner-occupied homes differently from non-owner-occupied whole-home STRs.

The Committee reached preliminary consensus that:

- Rooms rented within owner-occupied homes should be registered with the Town.
- These rentals should not be subject to a Town registration fee.
- These rentals should not be subject to a numerical cap.
- Registration would allow the Town to identify the nature of an STR property, support complaint-based enforcement, and distinguish owner-occupied room rentals from whole-home STRs.

Members emphasized that owner-occupied room rentals generally do not remove an otherwise available dwelling unit from the long-term housing supply.

Action Item #2 - The Committee's overall approach to public comment and process

The Committee discussed whether to continue using online surveys as its primary means of obtaining public input between meetings.

Members generally supported continuing the online survey, with standing questions requesting comments regarding the previous meeting and any other comments for the Committee. Specific policy questions could be added when useful. When seeking specificity, the Committee agreed that survey questions should be drafted carefully to avoid differing interpretations of broad terms such as "regulation."

The Committee did not identify a need for another specific survey question concerning owner-occupied room rentals following its preliminary consensus regarding registration, fees, and caps.

Action Item #2 - Continue review and discussion of the proposed Common Ground Ordinance with emphasis on language to retain, revise, remove, or add

The Committee considered Deborah's Policy Topic Outline as a possible tool for organizing its remaining time. Members supported using the Outline in conjunction with the proposed Common Ground ordinance.

The Committee resumed its review beginning with the registration provisions in **Section 2**.

The Committee discussed the proposed three-year STR registration period (Sec. 2, B). It was noted that staff had expressed support for a three-year registration period because it could reduce administrative burden. Sam stated that the registration period may need to be reconsidered later depending upon decisions regarding caps and/or other requirements for non-owner-occupied whole-home STRs.

It was noted that a uniform registration renewal date would simplify the administrative burden. A three-year registration period remains under consideration, with no final consensus reached.

Greg proposed using December 31 rather than January 1 as the applicable year-end date (Sec. 2, D). Discussion acknowledged that the actual implementation date would depend upon when an ordinance is ultimately considered and adopted by the Board of Trustees.

The Committee then moved to **Section 3: Application and Fees**.

Discussion included whether owner occupancy should be verified and what documentation might demonstrate residency (Sec. 3, A, #10). Suggestions included voter registration or a driver's license.

Members discussed whether annual inspections should be required. The Committee generally favored self-certification of safety requirements rather than routine physical inspections, with additional enforcement or inspection occurring when a complaint or other concern warrants further review (Sec. 3, A, #12). Members noted that self-certification could reduce administrative demands on Town staff while still requiring operators to affirm compliance with applicable safety standards.

Sam suggested adding a #12 covering the verification that the dwelling is owner occupied.

Calla Rose cautioned against prescribing detailed administrative procedures that would more appropriately be developed by Town staff. Responses to that focused striking a balance between not getting too detailed and the Committee's mandate to recommend necessary policy elements. A focus on recognized "best practices" may be helpful in navigating questions/concerns going forward.

Calla Rose made the request that agreed upon revisions be incorporated into ordinance format as the Committee proceeds. Scott agreed to put that document together and maintain it as a living document using the Common Ground ordinance as the template. This approach will allow the Committee to review previously agreed upon language at subsequent meetings and ultimately provide the Board of Trustees with a consolidated draft reflecting the Committee's recommendations.

The Committee supported the suggestion that the ordinance be explicit in clarifying the problems it is intended to address, as well as its relevant regulatory authorities.

It was noted that the Pagosa Springs Ordinance was informational only. Greg did emphasize that he liked the language of "Vacation Rentals" much better than "Short-Term Rentals," a change that could be considered in the future.

Next Scheduled Meeting, September 15

The Chair advised that he would be absent from the next Committee meeting and suggested Sheree or Calla Rose facilitate in his absence. Sheree agreed to facilitate the next meeting.

Agenda items and preparation materials needed for the next meeting

The Committee agreed to pick up where it left off with review of the Common Ground ordinance and the Policy Topic Outline, which did seem to be a useful complement.

Public Comment

- Ethel Short -> Questioned prior claims regarding the origins and justification for STR regulation, raised concerns regarding comparisons between Paonia and larger vacation-destination communities, discussed owner-occupied properties with detached

guest accommodations, and noted that STR income is subject to applicable income taxes. She also raised concerns regarding the accessibility and audio quality of previous meeting recordings.

- Christina Patterson -> Requested that STR Committee meetings be available through YouTube to improve public access to live and recorded meetings.
- Shirley -> Questioned why short-term rentals would be regulated differently from long-term rentals when both may generate income for property owners and urged the Committee to consider minimal regulation unless problems occur.
- Rebecca Corona -> Questioned whether evidence specific to Paonia demonstrates that existing STRs are negatively affecting long-term housing availability and stated that other factors contribute to the community's housing shortage.

Next Steps

- Continue using the Common Ground ordinance as the Committee's primary working document.
- Incorporate agreed-upon revisions into a living draft of the ordinance.
- Continue online surveys and public-comment opportunities, using specific policy questions when warranted.
- Continue the point-by-point ordinance review at the next meeting.
- Have Sheree facilitate the next Committee meeting in the Chair's absence.

Adjournment

A motion to adjourn was made by Calla Rose and seconded. Motion passed unanimously.

Submitted September 4, 2026 by Scott Brown, facilitator
Document based on an AI-generated meeting summary

September 1 2026 STR Committee Survey Results

Summary of community comments following the September 1 meeting

Overall finding Responses were predominantly concern-oriented and generally favored some form of STR regulation, particularly to protect neighborhood character, housing availability, water resources, safety, and consistent enforcement. The feedback was not unanimous: a smaller group favored fewer restrictions or preserving owners' ability to operate STRs.

Participation and scope

The survey recorded 14 submissions. Each question received 11 answers and had 3 skips. Four Q1 answers stated that the respondent did not attend the September 1 meeting, limiting the amount of direct meeting-specific feedback. Because the survey was voluntary and no demographic or sampling information was provided, the results reflect the views of respondents and should not be treated as representative of the entire community.

General outcome and tone

The overall tone was mixed but leaned critical and cautious. Several comments conveyed strong concern about the effects of STRs and urged the Committee to adopt meaningful controls. Other responses were constructive or appreciative of the Committee's progress, facilitation, and continued use of surveys. A smaller number emphasized property-owner flexibility and lighter regulation.

Meeting process feedback

- Progress and facilitation: One respondent said the Committee appeared to be making reasonable progress. Another praised the moderator for restating points of consensus and decisions after discussions wandered.
- Committee conduct: Two comments raised concerns about disagreements, dismissive language, or perceived bias among Committee members. Respondents emphasized respectful consideration of opposing views and of feedback the Committee requested.
- Public comment: One respondent felt recurring public comments were repetitive and insufficiently focused on constructive ideas or solutions.
- Accessibility: One respondent reported difficulty hearing a Committee member. Another could not locate the meeting minutes. Several respondents said they did not attend or could not attend, reinforcing the value of clear audio, accessible records, and post-meeting surveys.

Major policy themes

Theme	Summary of feedback
Regulation and enforcement	Several respondents described STRs as businesses and supported licensing, taxation, safety and sanitation standards, nuisance controls, parking requirements, quiet hours, zoning review, and consistent enforcement of existing Town code.
Housing and affordability	Multiple comments linked STR policy to long-term rental availability, rent and home prices, workforce housing, and the need for additional apartments or lodging alternatives. Some called for limiting or prohibiting additional STRs.
Neighborhood character	Respondents expressed concern about noise, traffic, parking, alley access, ATV use, transient activity, and erosion of Paonia's quiet, small-town character.
Water resources	Comments urged the Town to consider STR-related demand within a comprehensive, enforceable, year-round water management plan.
Owner flexibility	A smaller group supported fewer restrictions. One respondent favored minimal limits for owner-occupied rentals while supporting licensing, taxes, safety standards, and nuisance controls for non-owner-occupied properties.

Theme	Summary of feedback
Engagement and access	Respondents valued the surveys as a way to participate when they could not attend and asked for specific questions tied to meeting content. Meeting audibility and access to minutes were also raised.

Question 1 summary

Direct comments about the September 1 meeting were limited because four Q1 respondents said they did not attend. Among those commenting on the meeting, the feedback included recognition of reasonable progress and useful clarifying questions, along with concerns about member disagreements, tone, perceived dismissal of public feedback, and difficulty hearing one member. Other Q1 responses moved beyond meeting process and focused on affordable housing, neighborhood protections, water supply, and limits on STR expansion.

Question 2 summary

Additional comments concentrated more heavily on policy. The strongest recurring position favored regulation of STRs as businesses, including licensing, taxes, health and safety standards, nuisance controls, and consistent application of zoning, utility, and home-business rules. Housing availability, workforce housing, neighborhood impacts, and water planning were recurring concerns. Countervailing comments favored fewer restrictions or preserving the option to rent one's property, particularly when the owner lives on-site. Respondents also encouraged continued surveys and more focused questions.

Considerations for the Committee

- Maintain a respectful, neutral meeting tone and frame disagreements around policy questions rather than participants or community groups.
- Clarify what regulation is intended to accomplish and identify which proposed measures are enforceable and supported by existing Town authority.
- Consider distinctions between owner-occupied and non-owner-occupied STRs when evaluating licensing, taxation, and operating standards.
- Evaluate STR policy alongside housing, zoning, utilities, water planning, parking, safety, and nuisance enforcement.
- Improve remote participation by checking microphone audibility, making minutes and recordings easy to locate, and continuing targeted post-meeting surveys.

Methodology

This report uses a qualitative thematic review of the written responses in the September 1 Short-Term Rental Committee Post-Meeting Survey. Similar comments were grouped into common themes. A single response may inform more than one theme; therefore, theme references are not additive counts. Strongly worded comments were summarized neutrally without changing their underlying position.

Source: September 1 Short-Term Rental Committee Post-Meeting Survey results, responses dated September 2-9, 2026.

Q1 Please share your thoughts or comments about the September 1st meeting.

Answered: 11 Skipped: 3

#	RESPONSES	DATE
1	I believe the Committee is making reasonable progress based on the discussion I heard. However, I found some of the disagreements between Committee members distracting and felt they detracted from the overall discussion. It was also difficult to hear Committee Member Deborah at times, which made it challenging to fully follow her comments.	9/9/2026 9:26 AM
2	THANK YOU for your time commitment and interest in this STR in our community. PROS and CONS....STR is PFROFITABLE for SOME of our community members. CONS....It brings people who have no concern or Buy-IN for the CULTURE of our community. They are not "our neighbors". We should have more long term folks who WILL become our neighbors and a part of our community. Profit for SOME....the rest of us have no benefit from STR!	9/5/2026 8:34 AM
3	I am most interested in protecting the integrity of our neighborhoods. We are here because we love the small town qualities. Our neighborhoods are not a commercial enterprise for everyone to profit from. Therefore, there must be limits qualifications and agreement to mix already coded residential areas with business use. The entire reason for codes is to prevent one use from G Trampeling the rights of others. Building codes must be met by all SDR owners. Parking must be provided, quiet hours must be observed and access should be non-intrusive to neighbors. For example, alleys must be examined whether a hazard or fire blockage exist to allow parking in them There are many things we don't have in Paonia that are amenities of other big cities. What we have is high-quality quiet safe, community Many other towns have lost their community and small town feel for the sake of a tiny percentage of entrepreneurs. That is just not fair. Perhaps designating certain neighborhoods for mixed use as a start.	9/3/2026 12:00 PM
4	This committee is a joke. This was a working class community before all of you invaded it. Real people need affordable housing. No more vacation rentals in a town where people are literally starving and can't afford heat. Shame on all of you!	9/3/2026 7:12 AM
5	Did not attend	9/2/2026 10:12 PM
6	Near the beginning of the meeting, some committee members expressed their opinions in ways that are pretty concerning for a committee that is supposed to listen, discuss, and recommend, a process that requires respect and a willingness to hear opposing opinions. Bristling at perceived "vilification" of STR owners, complaining about local message board conversations, and calling people "crazies" that are concerned about STRs. That kind of loaded language indicates a strong bias and lack of respect for members of your community. Really disappointing to hear committee members complain about and dismiss some of the feedback you received, after requesting it. Please do better. "What do you mean by regulation?" and "What does this information give us that's actionable?" and "To what end, what is the benefit [of establishing this rule]?" These are VERY good questions, and I thank the committee members for bringing them up! I hope the committee continues to come back to these clarifying and framing questions as you move forward. I appreciate the committee being aware of and referencing other aspects of town code that may apply, like businesses operating within a home. Thanks to the moderator for reiterating consensus or decisions to make sure the committee reached that point after some wandering discussions.	9/2/2026 7:52 PM
7	Sorry did not attend	9/2/2026 3:12 PM
8	Adding new rentals in the town of Paonia will have an impact of on our potable water supply which is already under considerable stress considering the combined snow pack totals of the last 2 years for the Paonia reservoir was the lowest in the history of the town, and we are in a period of global warming that may not change for many decades. How can we be considering adding new additional rentals for the town when currently there is no plan for a year round comprehensive water usage policy that would insure a more dependable water supply. In order to add more people to the town through rentals, adequate water supply to accommodate additional water consumers needs to be discussed and planned thoroughly, along with an	9/2/2026 11:56 AM

September 1 Short-Term Rental Committee Post-Meeting Survey

effective water management plan that is enforceable to insure the current residents have an adequate minimum supply of water long term. Otherwise additional rentals only adds more pressure on the water limits of the Paonia reservoir, and the population's water demand will eventually surpass the town of Paonia's water supply. Thank you for your consideration.

9	Its hard for everyone to meet so I am glad you ate asking everyone	9/2/2026 10:40 AM
10	I did not attend the September 1st meeting of the STR Committee and do not know how to find their minutes.	9/2/2026 10:12 AM
11	Did not attend	9/2/2026 9:46 AM

Q2 Is there anything else you would like to share with the STR Committee? We welcome any additional comments, thoughts, or feedback you feel would be helpful for the Committee to consider.

Answered: 11 Skipped: 3

#	RESPONSES	DATE
1	Overall, I believe the meetings are generally well conducted. My primary concern is with some of the recurring public comments, which I do not feel contribute constructively to the issues being discussed. The same individuals frequently attend and raise similar concerns, including allegations of illegal activity and other claims that I believe are inaccurate. I would find the public comment portion more productive if it focused less on repeated criticism and more on constructive ideas, potential solutions, and information directly relevant to the Committee's work.	9/9/2026 9:26 AM
2	Unregulated STRs in a town create chaos. It is undesirable to have motel-like activity in a town zoned residential. Increased traffic, noise, "recreational" ATV traffic, more cars parking on already crowded streets, additional DAILY water use, and people not paying business taxes while running a business absolutely change the character of a town. It WILL happen if not seriously regulated, managed, taxed, and limited. These are our HOMES.	9/3/2026 10:46 AM
3	Greed is for the wealthy and boy do you all wear your badges proudly. NO MORE SHORT TERM RENTALS! Shame on you! Be part of the community you joined not the disease that destroys it. Sickening behavior from everyone even considering it.	9/3/2026 7:12 AM
4	The bottom line, in my opinion, is that STRs are businesses. How we choose to regulate businesses in people's homes, or in people's unoccupied properties, in a variety of zoning designations, is a valid question. But that does not change the fact that, right now, we have what are essentially unlicensed, unregulated hotels in the Town of Paonia. Given the town's responsibility to uphold town code consistently and fairly for the whole community, I do hope that the committee will not hide behind "not our job" when it comes to dealing with the difficult gray areas of businesses that have been allowed to act as residential units. Water taps, utility classifications (business versus residential use), safety regulations, dwelling unit definitions, home business rules, currently disallowed ADUs, zoning specifics, and other town code that has been applied inconsistently if at all, should all be part of the conversation of "how will we regulate STRs" - because regulation isn't just registration and fees, it's also about enforcing (or adjusting) the town code we already have that applies to home-based businesses, second dwelling units on residential lots, how we define a "unit" for utility billing, and so forth. Thank you.	9/2/2026 7:52 PM
5	Did not attend	9/2/2026 3:12 PM
6	Im in favor of regulating STRs to protect long term rental availability and rent prices, as well as the housing market. And maybe incentivize the building of another hotel here.	9/2/2026 3:11 PM
7	The town of Paonia would greatly benefit from a long term, comprehensive water plan that is enforceable and insures the long term viability of a town that is already feeling the stresses of limited water resources during an era of unpredictable water supply for the future. Competent, responsible planning will support a viable future.	9/2/2026 11:56 AM
8	Less restriction in general is better	9/2/2026 10:40 AM
9	I believe residents should be able to rent space in their own home with no restrictions other than those needed to ensure their rentals are safe and sanitary. I believe anyone providing rental space in homes that they do not themselves live in should pay for a license to do so like any other business and should be required to ensure safe and sanitary conditions as well as to ensure that the use of their property does not become a public nuisance. I believe this latter use should be subject to the same business taxes that other businesses are subject to. I don't see a difference between short term and long term rentals that should affect the town government. The difference between long term and short term use is that long term use provides living space to house people who cannot, nor wish to, buy a house. Short term rental	9/2/2026 10:12 AM

September 1 Short-Term Rental Committee Post-Meeting Survey

provides housing for tourists and short term workers. The town government may have an interest in promoting one of these groups over the other in order to grow the town economy, but I would rather the town spend that time and energy promoting construction of apartment buildings.

10	Seems like most STRs are barely making it as visitation is way down. At least one is now on the market. Wondering if it's time to focus on housing for workers	9/2/2026 9:56 AM
11	I love these surveys, they're a great way to get input. I own a home in town and I don't want restrictions on short term rentals. I'm not renting now but don't want to lose the option. I can't attend the meetings, so please use these surveys to ask specific questions related to content. Thanks!	9/2/2026 9:46 AM

To: The Short-Term Rental Ad-Hoc Committee
From: Scott Brown, facilitator
Date: Sept. 4, 2026

Re: Public Input Recommendations

The following recommendations flow from the September 1, 2026 meeting, primarily Action Item #2 on that agenda.

- 1) Allowing limited public input in the body of the meeting related to specific items under discussion. This would happen at the facilitator's discretion, as time permits, based on hands raised in the audience. This largely replaces the open comment period at the end of meetings.
- 2) Continuing with the online survey questions, which have now been revised to include a question related to the specific meeting and a more general question related to "other comments." The survey is posted to the STR page within a day or two of the meeting and is open for about 10 days - allowing time for results to be included in the next meeting's packet. The current survey posted here. Text notifications are now sent out after each meeting once the survey is posted. There will continue to be time on the agenda to discuss whether or not the Committee wants a more focused survey question.
- 3) Meetings will now be live-streamed on YouTube for viewing purposes only. The recordings will continue to go "unlisted" prior to the subsequent meeting in the spirit of keeping public comments and our overall process fresh. As unlisted they can still be accessed if people save the links.

Scott's Comments

Point #1 - Utilizing facilitator discretion in allowing public comments in the body of the meeting reflects an earlier decision by the Committee shortly after I was hired. It felt and continues to feel like a meaningful way to engage the public on the topics actually being discussed. Public comment at the end of meetings could still happen if there is time but this would no longer be a standing agenda item.

Point #2 - This reflects an expansion of the survey process and a continuation of reviewing public comments received early on in each

meeting. The survey now includes a link to the video recording so people can easily find the recording if they missed the meeting.

Point #3 - The live-streaming has been requested by members of the public on more than one occasion.

STR Policy Topics Outline

Meeting 1 — Purpose, Scope & Types of STRs

Review: WHEREAS, [Sections 1–2](#)

Key decisions:

- What is an STR?
- Which types of STRs are regulated?
- Should rooms in an owner-occupied home be regulated?
- Should owner-occupied room rentals be treated differently from whole-home STRs?
- What should the local contact requirements be?
- Is three-year registration appropriate?

Meeting 2 — Registration & Application

Review: §3 and any issues carried over from Meeting 1

Key decisions:

- What information should the Town require?
- Are we creating a registration system or a licensing system?
- What should the fees be?
- What should self-certification involve?
- What should the application and approval process be?

Meeting 3 — Safety

Review: [Section 5\(A–B\)](#)

Key decisions:

- Smoke/CO detectors
- Fire extinguishers
- Egress
- Occupancy
- Wastewater/OWTS
- Relationship to existing building and fire codes

Meeting 4 — Neighborhood Impacts

Review: [Section 5\(C–E\)](#) and [Section 7](#)

Key decisions:

- Parking
- Trash

- Noise
- Signage
- Guest information
- Insurance
- Neighbor notification

Meeting 5 — Enforcement

Review: [Section 8](#)

Key decisions:

- Complaint process
- Definition of a violation
- Warnings and fines
- Suspension
- Revocation
- Operating without registration
- Proportionality and due process

Meeting 6 — Administration & Appeals

Review: [Section 4](#), 6, and 9

Key decisions:

- Tax compliance
- Advertising/listing requirements
- Appeals
- Administrative procedures

Meeting 7 — Housing, Data & Future Regulation

Review: [Sections 10–11](#)

Key decisions:

- Annual review
- What data should be collected?
- Housing impacts
- 8% review threshold
- Future caps or other measures
- Spacing requirements
- Special-use/conditional-use requirements

Meeting 8 — Final Review

Review: Entire ordinance

Purpose:

- Resolve outstanding issues
- Check consistency between sections
- Confirm that earlier decisions are reflected throughout
- Identify questions for the Town Attorney
- Finalize recommendations to the Board of Trustees

Suggested approach

At each meeting, I suggest that we focus first on **policy decisions** and then on wording. Once the committee agrees on what the ordinance should do, the language can be refined to reflect those decisions.

It might also be helpful, before each meeting, to circulate only the sections that will be discussed and ask committee members to consider three questions:

- 1. What do you like?**
- 2. What concerns you?**
- 3. What specific change would you propose?**

I think this could help us come prepared and keep the meetings focused and productive. A guiding principle I think could be useful throughout the process is: Before adding a provision, identify the specific problem it is intended to address and consider whether the provision is a reasonable and necessary way to address that problem.

The goal is to have a clear, fair, proportional, and workable ordinance that fits Paonia.

Thank you for considering this.

Deborah

ORDINANCE NO. 20__-__

AN ORDINANCE OF THE TOWN OF PAONIA, COLORADO, AMENDING THE PAONIA MUNICIPAL CODE TO ADD A NEW ARTICLE CONCERNING THE REGISTRATION AND REGULATION OF SHORT-TERM RENTALS

WHEREAS, the Town of Paonia Board of Trustees recognizes that short-term rentals contribute to the local economy by supporting tourism, agritourism, local businesses, and community events; and

WHEREAS, on April 1, 2025, approximately 70% of Paonia voters approved the repeal of Ordinance 2024-05, signaling a clear community preference for a simpler, more proportional approach to short-term rental regulation; and

WHEREAS, the Board of Trustees has determined that a registration-based framework, adapted for Paonia's scale and character, best serves the public interest; and

WHEREAS, the Board finds that the primary purposes of this Ordinance are safety, nuisance prevention, accountability, tax compliance, and administrative feasibility, rather than housing engineering or density management; and

WHEREAS, short-term rentals currently represent a small percentage of Paonia's approximately 943 housing units, well below the saturation levels observed in resort communities; and

WHEREAS, the Board of Trustees is authorized to adopt this Ordinance pursuant to the police powers granted to statutory municipalities under C.R.S. § 31-15-103, the authority to regulate for the protection of public health, safety, and welfare under C.R.S. §§ 31-15-401 and 31-15-601, the land use and zoning authority granted under C.R.S. § 31-23-301 et seq., and all other applicable provisions of Colorado law;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO:

SECTION 1. DEFINITIONS

For the purposes of this Article, the following terms shall have the meanings set forth below:

A. "Short-Term Rental" (STR) means the rental of a dwelling unit, or any portion thereof, for a period of fewer than thirty (30) consecutive days, in exchange for compensation. This

term includes the rental of an entire dwelling unit or individual rooms within a dwelling unit. This term does not include hotels, motels, and lodging facilities (including room houses and bed-and-breakfasts) licensed under other provisions of the Paonia Municipal Code, nor does it include the renting of rooms on a monthly or longer basis as permitted under §16-11-20 (Home Occupations) and §16-11-30 (Renting of Rooms).

B. "Dwelling Unit" means a single-family home, an accessory dwelling unit, a detached accessory building with sleeping accommodations, or any other residential structure lawfully permitted for habitation under the Paonia Municipal Code.

C. "Operator" means the property owner, or a person or entity authorized by the property owner, who manages and operates a short-term rental.

D. "Local Contact Person" means a person located within thirty (30) miles of the short-term rental property who is available twenty-four (24) hours per day to respond to complaints, emergencies, or inquiries related to the operation of the short-term rental.

E. "Registration" means the approval granted by the Town of Paonia authorizing the operation of a short-term rental in accordance with the requirements of this Article.

SECTION 2. REGISTRATION REQUIRED

A. No person shall operate, advertise, or offer a short-term rental within the Town of Paonia without first obtaining and maintaining a valid Short-Term Rental Registration from the Town.

B. A Registration is valid for a period of three (3) years from the date of issuance and must be renewed for each subsequent three-year period.

C. A Registration is non-transferable. If ownership of the property changes, the new owner must apply for a new Registration prior to operating a short-term rental.

D. Existing short-term rental operators shall have until January 1, 2027 to submit a Registration application.

SECTION 3. APPLICATION AND FEES

A. Applications for a Short-Term Rental Registration shall be submitted to the Town Administrator or designee on forms prescribed by the Town. The application shall include:

1. Property address.

2. Applicant name and relation to the property (owner, authorized manager, etc.).
3. Mailing address, telephone number(s), and email address of the applicant.
4. Name, address, and 24-hour telephone number of the Local Contact Person (if the operator does not reside on the property).
5. Name and contact information of the property owner, if different from the applicant.
6. Number of bedrooms to be rented and advertised maximum occupancy.
7. Whether the rental will be located in a single-family home, accessory dwelling unit, or detached accessory building.
8. Whether the rental will be managed on-site by owner, on-site by manager, off-site by owner, or off-site by manager.
9. Anticipated availability (year-round, seasonal, or occasional).
10. Proof of property ownership or written authorization from the property owner.
11. Self-certification affidavit affirming compliance with the safety and operating standards set forth in Section 5.

B. The Registration fee shall be set by resolution of the Board of Trustees and shall be limited to the reasonable costs of administering this Article. The initial fee shall not exceed \$75.00 for a three-year registration period for operators renting individual rooms and \$100 for operators renting entire dwelling units.

C. The Town Administrator shall approve or deny an application within thirty (30) days of receipt of a complete application. If denied, the applicant shall receive written notice stating the reasons for denial.

SECTION 4. TAX COMPLIANCE

A. All short-term rental operators shall collect and remit all applicable taxes required by the Paonia Municipal Code or Colorado law.

B. Operators using third-party booking platforms that collect and remit taxes on behalf of the operator shall maintain documentation of such arrangements and provide it to the Town upon request.

SECTION 5. SAFETY AND OPERATING STANDARDS

By signature of the Registration application, the owner or operator affirms compliance with the following standards, which shall be maintained at all times the short-term rental is in operation:

A. Life Safety

1. All sleeping rooms have operable emergency escape windows that meet the applicable building code.
2. Each bedroom to be rented has a functioning smoke detector, with a smoke detector also in an adjacent hallway.
3. Each bedroom is located on a floor equipped with a functioning carbon monoxide alarm if the dwelling unit has a carbon monoxide source (gas appliance, fireplace, attached garage, or similar).
4. An operable fire extinguisher has been placed in proximity to the kitchen.
5. Ingress and egress paths of travel to exit doors from each bedroom are large enough for two average-sized adults to pass and are kept clear and unobstructed.

B. Occupancy and Wastewater

6. Maximum occupancy shall not exceed two (2) persons per bedroom plus two (2) additional persons, unless a different limit is established by the applicable building code or wastewater system capacity.
7. Properties served by an onsite wastewater treatment system (OWTS) shall have a system adequate for the proposed occupancy. If there is any question as to the adequacy of the system, the Town may require an administrative review of the OWTS prior to approval.
8. Properties served by the Town's municipal sewer system shall comply with all applicable sewer use regulations.

C. Property and Neighborhood Standards

9. Guest vehicles should be parked in a safe and lawful manner consistent with existing Town parking regulations. When available, off-street parking on the property may be used. However, on-street parking in front of or near the property shall be permitted where it is otherwise allowed under Town parking regulations.
10. Trash and recycling facilities shall be sufficient to address guest impacts and shall be properly maintained.

11. The house number shall be clearly visible from the street.
12. If a sign is used to advertise the short-term rental, the sign shall not exceed ten (10) square feet and shall comply with any applicable sign regulations in the Paonia Municipal Code.
13. Outdoor amplified sound shall cease by 10:00 p.m. Sunday through Thursday and by 11:00 p.m. Friday and Saturday, consistent with the Town's existing noise and nuisance provisions.

D. Guest Information and Contact

14. Guests shall be provided with the 24-hour contact telephone number of the Local Contact Person (or owner/operator, if residing on-site).
15. Emergency contact information, including the Paonia Police Department non-emergency number and 911, shall be posted in a visible location inside the rental unit.
16. The approved Short-Term Rental Registration shall be posted in a location visible to visiting guests.

E. Insurance

17. The property shall have an insurance policy adequate for short-term rental operations. The operator shall maintain such coverage for the duration of the Registration. Operators using 3rd party booking platforms like Airbnb and VRBO have up to \$1 million in liability coverage.

SECTION 6. LISTING AND ADVERTISING REQUIREMENTS

- A.** All advertisements and online listings for a short-term rental within the Town of Paonia shall include the Town-issued Registration number.
- B.** No person shall advertise or list a short-term rental that does not hold a current, valid Registration.

SECTION 7. NEIGHBOR NOTIFICATION

- A.** Upon approval of a Registration, the Town shall provide written notice to all property owners within 300 feet of the short-term rental. The notification shall include:

1. The address of the short-term rental.
2. The name of the operator or Local Contact Person.
3. The 24-hour contact telephone number.

B. Upon request, the operator shall provide neighbors with the name and 24-hour contact telephone number of the Local Contact Person.

SECTION 8. ENFORCEMENT AND COMPLAINTS

A. Complaint-Based Enforcement

Enforcement of this Article shall be primarily complaint-based. The Town shall maintain a record of all written complaints received concerning a registered short-term rental.

B. Complaint Process

1. Any person may file a written complaint with the Town Administrator regarding a violation of this Article.
2. The Town Administrator or designee shall notify the operator and the Local Contact Person of the complaint within five (5) business days.
3. The operator shall have fifteen (15) calendar days from notification to respond in writing and, if applicable, to remedy the violation.

C. Escalating Penalties

1. **First documented violation:** Written warning.
2. **Second documented violation within a twelve-month period:** Fine of \$150.00.
3. **Third documented violation within a twelve-month period:** Fine of \$300.00 and suspension of Registration for up to ninety (90) days.
4. **Fourth or subsequent documented violation within a twelve-month period, or failure to remedy a prior violation:** Revocation of Registration.

D. Revocation

1. If a Registration is revoked, a new Registration shall not be issued for the same property for a period of at least one (1) year from the date of revocation.
2. The operator shall cease all short-term rental activity immediately upon revocation.

E. Operating Without Registration

Any person who operates a short-term rental without a valid Registration shall be subject to a fine of \$300.00 per occurrence. Each day of operation without a Registration shall constitute a separate occurrence.

SECTION 9. APPEALS

A. Any applicant or operator aggrieved by a determination, interpretation, or decision of the Town Administrator under this Article may appeal such action to the Board of Trustees.

B. The appeal shall be in writing, shall state the basis for the appeal, and shall be filed with the Town Clerk within thirty (30) days of the action being appealed.

C. Appeals shall be limited to determining whether the Town Administrator has misread, misinterpreted, or misapplied a provision of this Article — not for relief from a standard or requirement itself.

D. The Board of Trustees shall hear the appeal at a regular or special meeting no later than forty-five (45) days after the written appeal is received.

E. The decision of the Board of Trustees shall be final.

SECTION 10. TWELVE-MONTH REVIEW AND SATURATION THRESHOLD

A. Annual Review

No later than twelve (12) months after the effective date of this Ordinance, and annually thereafter, the Town Administrator shall present to the Board of Trustees a written report evaluating the following:

1. The total number of registered short-term rentals and their share of total housing units, as determined by the most recent U.S. Census Bureau data or American Community Survey estimate available to the Town.
2. The total number and nature of complaints received.
3. The administrative burden and cost of administering this Article.
4. Any documented changes in housing availability or rental market conditions that are directly attributable to short-term rental activity.

5. Any recommendations for amendments to this Article, supported by documented local data.

B. Saturation Review Threshold

1. If, at the time of any annual review, the total number of registered short-term rentals equals or exceeds **eight percent (8%)** of total housing units within the Town, the Town Administrator shall note this finding in the report and the Board of Trustees shall, within ninety (90) days of receiving the report, initiate a public process to evaluate whether additional measures are warranted. Such measures may include, but are not limited to, a temporary pause on new Registrations, a numerical cap, or other proportional responses.
2. The saturation review threshold established in this subsection is a trigger for deliberation, not a self-executing cap. No Registration that has been issued prior to the threshold being reached shall be suspended, revoked, or rendered invalid solely by reason of the threshold being met. Existing Registrations shall remain valid through the remainder of their three-year term and shall be eligible for renewal unless revoked for cause under Section 8 of this Article.
3. Any Registration application that is complete and pending at the time the threshold finding is reported shall be processed and decided under the standards in effect at the time of submission.
4. If the Board of Trustees determines, after public hearing, that no additional measures are warranted despite the threshold being reached, the Board shall state its reasons in writing and the Town shall continue to accept and process new Registration applications.
5. The Board of Trustees may, by resolution, adjust the saturation review threshold established in this subsection if supported by documented local data and adopted following a public hearing.

C. Public Hearing

The Board of Trustees shall hold a public hearing to receive community input on each annual report prepared under this Section.

D. Standard for Amendment

Amendments to this Article shall be made only if justified by documented local data and consistent with the proportional, safety-focused intent of this Ordinance.

SECTION 11. SCOPE AND LIMITATIONS

A. This Article does not establish any cap or numerical limit on the number of short-term rental Registrations.

B. This Article does not impose minimum spacing or density buffer requirements between short-term rentals.

C. This Article does not require a special use review or conditional use permit for the operation of a short-term rental, provided the operator complies with all requirements herein.

D. Nothing in this Article shall be construed to prohibit the renting of rooms on a monthly or longer basis as permitted under §16-11-20 and §16-11-30 of the Paonia Municipal Code.

SECTION 12. SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 13. EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days after passage and publication as required by law.

SECTION 14. REPEALER

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

INTRODUCED, READ, AND REFERRED before the Board of Trustees for the Town of Paonia, Colorado, on the ____ day of _____, **20**.

HEARD AND FINALLY ADOPTED by the Board of Trustees for the Town of Paonia, Colorado, on the ____ day of _____, **20**.

TOWN OF PAONIA, COLORADO

By: _____ Mayor

ATTEST:

Town Clerk

Published: [Date] in [Publication] In effect: [Date]