

RESOLUTION 2023-085

A resolution conditionally approving Boulder County Community Planning & Permitting Docket LU-23-0021: Lawrence Short-Term Rental

Recitals

A. Jeffrey and Joy Lawrence (the “Applicants”), applied to Boulder County for Limited Impact Special Use Review under Article 4-601 of the Boulder County Land Use Code (the “Code”) for a Secondary Dwelling Short-Term Rental of up to 60 nights annually for up to eight guests with a minimum three-night stay on an approximately 1.75-acre parcel.

B. The subject property is located at 11859 Peak to Peak Highway (also known as State Highway 7), approximately 7.5 miles north of its intersection with State Highway 72, in Section 11, Township 3 North, Range 73 West, in a Forestry zoning district in unincorporated Boulder County (the “Property”).

C. The Property has an existing 2,921-square-foot residence and an approximately 120-square-foot shed. The Property is accessed via State Highway 7, a Colorado Department of Transportation owned and maintained right-of-way (“ROW”). Legal access has been demonstrated via adjacency to this public ROW. The Applicants do not propose any physical changes to the lot.

D. The Boulder County Comprehensive Plan identifies several important resources on or near the Property, including a Significant Natural Communities area, Riparian areas, and the Peak to Peak Scenic Corridor. There is a View Protection Score of 5.0 assigned to State Highway 7 in the area of the Property.

E. The above-described request was processed and reviewed as Boulder County Community Planning & Permitting Docket LU-23-0021 (the “Docket”), as further described in the memorandum and written recommendation to the Board of County Commissioners (the “Board”) by Boulder County Community Planning & Permitting Department planning staff dated September 28, 2023, together with its attachments (the “Staff Recommendation”). The Staff Recommendation found that the Docket could meet the criteria for approval with recommended conditions, and therefore, recommended that the Board conditionally approve the Docket.

F. At a public hearing on the Docket held on September 28, 2023 (the “Public Hearing”), as further reflected in the official record of the Public Hearing, the Board considered the Staff Recommendation, as well as documents and testimony presented by Boulder County Community Planning & Permitting Department planning staff and Applicant Jeffrey Lawrence. Two members of the public spoke at the Public Hearing.

H. Based on the Public Hearing, the Board finds that the Docket meets the criteria for Limited Impact Special Use approval for a Secondary Dwelling Short-Term Rental as set forth in Article 4-601 of the Code, subject to the conditions stated below.

I. Therefore, the Docket can be approved, subject to the conditions stated below.

Therefore, the Board resolves:

Docket LU-23-0021 is approved on the basis and terms set forth in this Resolution, above, and subject to the following conditions:

1. Prior to the issuance of any Short-Term Rental License, the Applicants must relocate the existing 120-square-foot shed to be out of the required setbacks or provide measured plans to Community Planning & Permitting staff showing the shed's current location meets the setback requirements.

2. The Secondary Dwelling Short-Term Rental is limited to no more than 60 nights per year.

3. The Applicants must maintain a valid Boulder County Short-Term Rental License while the short-term rental is in operation.

4. The Property may not be marketed or used for weddings, receptions, or similar private or public events.

5. The Secondary Dwelling Short-Term Rental is limited to a maximum occupancy of six (6) individuals, including children.

6. Vehicles exiting the Property must be limited to right out turns only. Prior to the issuance of any Short-Term Rental License, the Applicants must install appropriate signage indicating a right turn only for vehicles exiting the Property.

7. Per the requirements of Article 4-507.E3 of the Code, the Applicants must require all guests/visitors to park on-site, on the Property.

8. Prior to the issuance of any Short-Term Rental License, the Applicants must mark all Onsite Wastewater Treatment System component locations to prevent damage from vehicles. No vehicle parking shall be permitted in these areas.

9. The Applicants must maintain a valid Wildfire Partners Certificate.

10. The Applicants must display Wildfire prevention and evacuation information for guests.

11. All outdoor fires are prohibited.

12. The Applicants shall be subject to the terms, conditions, and commitments of record and in the file for Docket LU-23-0021: Lawrence Short-Term Rental.

[Signature Page to Follow]

A motion to approve the Docket was made by Commissioner Ashley Stolzmann, seconded by Commissioner Claire Levy, and passed by a 2-0 vote. Commissioner Marta Loachamin was excused from the hearing.

ADOPTED as a final decision of the Board on this _____ day of November 2023.

**BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY:**

Claire Levy, Chair

Ashley Stolzmann, Vice Chair

Excused September 28, 2023
Marta Loachamin, Commissioner

ATTEST:

Clerk to the Board