

**STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK**

COUNCIL BILL NUMBER: CB10

ORDINANCE NUMBER: 2018-10

TITLE: AN ORDINANCE AMENDING SECTIONS 16-24, 16-70, 16-76 AND SECTION 16-263 OF THE BLACK HAWK MUNICIPAL CODE TO ADDRESS SHORT TERM RENTAL PROPERTIES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. Section 16-24 of the Black Hawk Municipal Code is amended by the addition thereto of the following definition:

Short term rental means a dwelling occupied by a paying guest on a temporary or transient basis, not exceeding thirty (30) days, where kitchen and other food preparation facilities may be provided, and which may or may not be owner occupied. A vacation rental does not include owner-occupied bed-and-breakfast establishments, but does include cabins and similar structures designed and intended to be occupied by the traveling public for less than thirty (30) consecutive days.

Section 2. Section 16-64, subsection (b)(4) of the Black Hawk Municipal Code is amended to read as follows:

(b) Permitted accessory uses.

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(4) Bed and breakfasts and short term rentals.

Section 3. Section 16-70, subsection (b)(5) of the Black Hawk Municipal Code is amended to read as follows:

(b) Permitted accessory uses.

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(5) Bed and breakfasts and short term rentals.

Section 4. Section 16-76, subsection (b)(4) of the Black Hawk Municipal Code is amended to read as follows:

(b) Permitted accessory uses.

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(4) Bed and breakfasts and short term rentals.

Section 5. Section 16-263 of the Black Hawk Municipal Code is amended to read as follows:

Sec. 16-263. Number of parking spaces required.

(a) All uses shall, at a minimum, provide the number of off-street parking spaces listed below. Buildings with more than one (1) use shall provide parking required for each use.

<u>Use</u>	<u>Number of Spaces Required</u>
Studio or 1 bedroom:	1.5/dwelling unit
2 or more bedrooms:	2/dwelling units
In addition, multi-family dwellings:	1/guest space per 5 dwelling units
Hotels and motels:	1.12/room, suite/individual exit
Bed and breakfasts and short term rentals:	1/guest room in addition to those required for related residential use
Schools, academies, colleges, trade or business schools:	1/instructor and/or administrative personnel and 0.5/student
Health & athletic clubs, aerobics, recreational, amusement & entertainment facilities:	1/125 sf.
Theaters & public assembly, places of worship, social clubs, funeral home & crematoriums:	1/space per 3 seats provided within the facility
General office:	1/250 sf. (minimum 3/business)
Medical office, clinic:	1/135 sf.
Hospitals:	1/2 beds & 1/resident doctor & 1/2 employees (full or part-time) per shift
Dining & drinking establishments:	1/75 sf.
if dancing and/or entertainment is provided:	1/50 sf.
Outdoor dining & drinking areas:	1/75 sf. x (outdoor dining area) (gross indoor area)
Gaming establishments:	1/75 sf. of gaming area with seating, 1/50 sf. of gaming area or 1 per gaming device for areas without seating, whichever is more, in addition to those spaces required for other uses as provided in this Chapter.
General commercial and retail sales:	1/300 sf.
Manufacturing & industrial uses, contractors' yards, business services, printing, fabrication plants:	1/500 sf.
Furniture store, warehousing & storage facilities:	1/500 sf. for first 10,000 sf. and 1/5,000 sf. for remaining area
Mini-storage facilities	1/5,000 sf.

Note: In Industrial Zone Districts, the applicant may demonstrate to the Board of Aldermen that the required number is too high, in which case, if approved by the Board of Aldermen, the applicant may develop the approved number of spaces but shall provide additional area for expanded parking, and such area shall be landscaped with ground cover.

Section 6. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Black Hawk, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.


Section 7. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 8. Effective Date. The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk.

READ, PASSED AND ORDERED POSTED this 23rd day of May, 2018.


David D. Spellman, Mayor

ATTEST:


Melissa A. Greiner, CMC, City Clerk

