

Sec. 62-1841.5.5. - Resort dwellings.

Where a resort dwelling is listed as a permitted use with conditions in certain residential zoning classifications, it must meet the following qualifying conditions:

- (1) *Location standards.* Resort dwellings shall be restricted to parcels that are:
 - a. Developed with a nonconforming multi-family residential use;
 - b. Located within a multifamily tract in a PUD or RPUD, or located in a single family tract if submitted as part of a preliminary development plan application and approved by the board of county commissioners in public hearing.
- (2) *Performance standards.* All resort dwellings qualifying under this section, except where the owner lives on site and holds a homestead exemption, shall meet the following performance standards. These performance standards shall be included in the rental agreement and conspicuously posted inside the unit.
 - a. *Parking.* For single family resort dwellings, there shall be at least one designated and available off-street parking space for each bedroom in the residence. Occupants shall not park their vehicles on the street.
 - b. *Maximum occupancy.* The number of persons occupying the resort dwelling at any given time shall not exceed the number of rooms in the residence, as established by a submitted floorplan. The maximum occupancy of the structure shall be established by the planning and zoning office at the time of business tax receipt review.
 - c. *Excessive or late noise.* Noise emanating from the resort dwelling shall not disturb the peace and quiet of the vicinity in which the residence is located. Any noise whose measurement exceeds the sound level limits set forth for residential zoning in section 62-2271 or violates the provisions of chapter 46, article IV is considered excessive noise. Additionally, sounds produced from any radio, stereo, television, amplifier, musical instrument, phonograph or similar device shall not be discernable at the property line of the resort dwelling after 10:00 p.m. and before 7:00 a.m.
 - d. *Local management.* Each resort dwelling shall have a designated local manager. The local manager shall be a permanent resident of the county and shall be available 24 hours a day, seven days a week, to address neighborhood complaints. The local manager's name and telephone number shall be registered with the planning and zoning office and shall be posted on the property in a manner visible from the street.
 - e. *Manager's responsibility.* The local manager is responsible for assuring compliance with the performance standards in section 62-1841.5.5(2)e. The local manager shall satisfactorily address complaints by concerned residents of violations of the performance standards ((2)a., (2)b., and (2)c.) in this section within one hour of receipt of the complaint. The resort dwelling's business tax receipt may be revoked if more than two unresolved complaints are received by the county. An unresolved complaint is a complaint that is filed with the county by an individual residing in the same neighborhood who has previously filed the complaint with the local manager, but the local manager did not resolve the complaint to the satisfaction of the individual within one hour. Revoked licenses may not be reissued for a period of one year from the date of revocation.
 - f. *Penalty.* In addition to the penalties enumerated in chapter 2, article VI, division 2 of this Code, the code enforcement special magistrate may suspend or revoke the resort dwelling's business tax receipt under the following conditions: If the special magistrate finds a violation or recurring violation of this section, the special magistrate may suspend the resort dwellings business tax receipt for a period of not more than 30 days or until the issue is resolved, whichever is later; and if the special magistrate finds a repeat violation of this section or a violation of a suspension order, the special magistrate may revoke the resort dwelling's business tax receipt. Revoked licenses may not be reissued for a period of one year from the date of revocation. Additionally, the county may enforce this section by any other means provided by law.

(Ord. No. 05-27, § 4, 5-19-05; Ord. No. 06-06, § 3, 1-24-06; Ord. No. 2007-003, § 17, 2-20-07; Ord. No. 2007-53, § 2, 10-9-07)