

CPD Development Services Zoning Administration – Zoning Inspections	
Subject: Zoning Inspections & Short-Term Rental Licenses	
Approved by: Tina Axelrad, CPD Zoning Administrator	
Policy #: ZA-INSPECT-2023-1 (2 pages)	
Date: January 17, 2023	

1. Overview

This policy establishes a change in business practice to clarify that an inspection for zoning code compliance is not required when a person applies for a new or renewed business license to operate a short-term rental use in Denver. The Denver Zoning Code does not require a zoning use permit to establish a short-term rental as accessory to a primary residential land use. Previous business practice gave discretion to staff persons from the Denver Agency of Excise & Licenses (E&L) to refer a license application to the Zoning & Neighborhood Inspections (ZNIS) team when E&L staff suspected there may be a possible violation of the zoning code on the subject premises.

Based on established zoning administration policy that zoning inspections are not required or triggered by the establishment of a new accessory use that does not require a zoning use permit, this policy follows suit to limit zoning inspections related to business license applications for short-term rental uses. Inspections will be limited to those conducted in response to a complaint (typically received through Denver 3-1-1). In consultation with E&L and in anticipation of this policy, the application for a short-term rental license was updated in 2022 to add specific questions requiring the license applicant to self-certify compliance with the Denver zoning code’s regulations governing short-term rentals.

2. Code References

Denver Zoning Code:

- Article 11, Use Limitations & Definitions, Sections 11.7.1 (Accessory Uses – General Requirements), 11.8.10 (Short-term Rental Use Limitations), 11.12.7.7 (Definition of Accessory Short-term Rental Use)
- Article 12, Zoning Procedures & Enforcement, Division 12.11, Enforcement, Violations and Penalties.

3. Approved Zoning Inspection Practices Related to Short-term Rentals

- ZNIS staff will no longer conduct zoning inspections based only upon a referral from E&L staff suspecting possible zoning code violations, including but not limited to unpermitted construction or illegal establishment of a dwelling unit.

- ZNIS staff will conduct zoning inspections at properties that are operating a licensed short-term rental use only upon receipt of a complaint received through the city’s normal complaint-driven channels; in most cases, this will be a customer referral from Denver 3-1-1.
 - Violations discovered after investigation and inspection will be documented per general enforcement business practice, including issuance of a notice of violation/order to comply, and case management/tracking through creation of a ZNIS record in the Accela system.
 - See related zoning inspections policy (Policy #: ZA-INSPECT-2023-2) regarding establishment of business practice for ZNIS inspectors to add an Accela condition or “flag” on property addresses with open ZNIS enforcement actions to alert for possible conflicts with future short-term rental application review. The policy states that E&L will deny all short-term rental applications for new or renewal licenses until such time that ZNIS closes the related enforcement action. www.denvergov.org/zoning

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