



PLANNING + NEIGHBORHOOD SERVICES

Land Use Review

Appeal of an Administrative Decision to City Planning Commission

Appeal of an Administrative Decision to City Planning Commission

Complete this form if you are appealing an **Administrative Decision** to City Planning Commission.

Appellant Contact Information

Tabitha Hardison

312-402-2861

Name of Appellant

Phone Number

1403 Mesa Ave, Colorado Springs, CO 80906

Address (Include City, State, ZIP)

tabitha.hardison@gmail.com

Email

Project Information

Short-Term Rental Permit Application — A-STRP-25-0988

Project Name

1403 Mesa Ave, Colorado Springs, CO 80906

Site Address (TSN if not yet addressed)

Denial of Short-Term Rental (STR) Permit — Administrative Decision

Type of Application Being Appealed

A-STRP-25-0988

All File Numbers Associated with the Application

Melonie Frazier

Project Planner's Name

Hearing Date

Item Number on Agenda

Appellant Authorization

The signature(s) below certifies that I (we) is(are) the authorized appellant and that the information provided on this form is in all respects true and accurate to the best of my (our) knowledge and belief. I(we) familiarized myself(ourselves) with the rules, regulations and procedures with respect to preparing and filing this petition. I agree that if this request is approved, it is issued on the representations made in this submittal, and any approval or subsequently issued building permit(s) or other type of permit(s) may be revoked without notice if there is a breach of representations or conditions of approval.

Tabitha Ann Hardison

11/20/2025

Signature of Appellant

Date



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Appeal Submittal Should Include:

All Items Are Required

- ☒ Completed Appeal Form (this document).
- ☒ Evidence of "Affected Party" Status – check the box below and provide justification for the chosen box.
- ☒ Notice of Appeal (see requirements on page 3 of this document).
- ☒ \$176 check payable to the City of Colorado Springs.

Submit all 4 items above to into the Accela review system - <https://aca-prod.accela.com/COSPRINGS/Default.aspx>.

Appeals are accepted for 10 days after a decision has been made. Submittals must be received no later than 5pm MST on the due date of the appeal. Incomplete submittals and / or submittals received after 5pm or outside of the 10-day window will not be accepted. If the due date for the submittal falls on a weekend or federal holiday, the deadline is extended to the following business day at 5 pm MST.

If you need additional assistance with this application, please call the Land Use Review front desk at (719) 385-5905.

Affected Party Status

Please indicate, per UDC Subsection 7.5.415.A(1)(a) (Right to Appeal), which of the definitions of "Affected Party" that applies to the Appellant.

- ☒ (1) The applicant for the decision being appealed;
- ☐ (2) The owner or tenant of a lot or parcel of land located within one thousand (1,000) feet of the subject lot; or
- ☐ (3) Any owner or tenant of a lot or parcel of land located within three (3) miles of the subject property who has preserved standing by:
 - ☐ (a) Testifying at the public hearing on the application;
 - ☐ (b) Submitting written comments prior to the public hearing on the application; or
 - ☐ (c) In the case of applications approved by the Manager or an administrative official, submitting written comments to the Manager or administrative official during the comment period before the Manager or administrative official's action.



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Notice of Appeal

The Notice of Appeal Shall State:

- (1) The specific provision(s) of this UDC that is the basis of the appeal;
- (2) Which of the following criteria for reversal or modification of the decision is applicable to the appeal:
 - (a) The decision is contrary to the express language of this UDC;
 - (b) The decision is erroneous; or
 - (c) The decision is clearly contrary to law; and
- (3) Describe how the criteria for the relevant application have or have not been met.

NOTICE OF APPEAL – SHORT-TERM RENTAL PERMIT DENIAL**Record Assignment #:** A-STRP-25-0988**Property Address:** 1403 Mesa Ave., Colorado Springs, CO 80906**Appellant:** Tabitha Hardison**Email:** tabitha.hardison@gmail.com**Phone:** 312-402-2861**1. The specific provision(s) of the UDC that is the basis of the appeal:**

Section 7.3.304 A.4.d of the Unified Development Code (UDC), which restricts properties containing an Accessory Dwelling Unit (ADU) from being used as a short-term rental.

2. Criteria for reversal or modification:

■ (b) The decision is erroneous.

The denial was based on information that was not reasonably available or publicly posted to applicants at the time of submission. The City's Short-Term Rental webpage, application materials, and "Ordinances" list did not reference Ordinance 25-45 or Section 7.3.304 A.4.d. Applicants were therefore unable to know this rule would render their property ineligible.

3. Description of how the criteria have not been met:

- My application was submitted in good faith relying on the official Short-Term Rental webpage (<https://coloradosprings.gov/str>) as the definitive source of current ordinances and requirements.
- That webpage still lists only Ordinances 18-112, 19-49, 19-82, and 19-101 and contains no mention of Ordinance 25-45 or the ADU restriction.
- The ADU on my property has existed for decades and predates Ordinance 25-45, which went into effect April 21, 2025 and began enforcement June 30, 2025.
- Because the new restriction was not incorporated into the publicly available permit guidance, the denial of my STR permit application represents an erroneous application of policy without sufficient public notice.

Requested Action:

That the City Planning Commission reconsider the denial of my STR permit or provide transitional relief in recognition of the absence of published notice and the long-standing nature of the existing ADU.

Respectfully submitted,

Tabitha Hardison

1403 Mesa Ave

Colorado Springs, CO 80906

tabitha.hardison@gmail.com

312-402-2861

ADDENDUM TO NOTICE OF APPEAL

Record: APPL-25-0009

STR Permit Denial: 1403 Mesa Ave | Record A-STRP-25-0988

Appellant: Tabitha Hardison

Email: tabitha.hardison@gmail.com

Phone: 312-402-2861

This Addendum is submitted in response to the City's request for clarification regarding the specific provisions and criteria forming the basis of the appeal.

1. UDC Section

The appeal is based on Section 7.3.304 A.4.d of the City of Colorado Springs Unified Development Code (UDC), which restricts properties containing an Accessory Dwelling Unit (ADU) from operating as a Short-Term Rental (STR).

2. Applicable Appeal Criterion

Pursuant to UDC Section 7.5.415.A(1)(a)(2)(b), the decision is erroneous because it was made based on information that was not reasonably available to applicants at the time of submission.

3. Description of Grounds for Appeal

- The City's official STR webpage (<https://coloradosprings.gov/str>)—referenced as the authoritative source in the permit process—did not include Ordinance 25-45 or reference Section 7.3.304 A.4.d during the time my STR application was submitted.
- The "Ordinances" section listed only Ordinances 18-112, 19-49, 19-82, and 19-101, with no mention of ADUs or the June 30, 2025 enforcement cutoff.
- The ADU at 1403 Mesa Ave predates the adoption of Ordinance 25-45 by decades. Given the absence of published notice or updated guidance, the denial was made under a standard that was not reasonably known or available to the applicant.
- Additionally, the STR application process requires that applicants provide an active STR listing link at the time of submission. In compliance with that published requirement, I incurred significant costs preparing the property, obtaining photography, and creating a live listing prior to submitting my application. These expenses—amounting to several hundred dollars—represent a good-faith reliance on the City's official guidance and could have been avoided had adequate notice been provided.

4. Request for Relief

- Recognize that the denial was erroneous due to insufficient and non-prominent public notice of Ordinance 25-45 at the time of application—specifically, that the City's own official Short-Term Rental webpage, which serves as the primary source of applicant

guidance, application forms, and ordinance references, did not include or reference the new ADU restriction under Section 7.3.304 A.4.d.

- Note that while Ordinance 25-45 may have been filed within the City's broader Code repository, it was not incorporated into or accessible through the City's designated STR information page or linked ordinance listings, upon which applicants were instructed to rely when preparing and submitting permit materials.
- Grant relief by allowing approval of the Short-Term Rental permit for 1403 Mesa Ave (Record A-STRP-25-0988) under transitional fairness, acknowledging the applicant's good-faith reliance on the City's published procedures, the absence of clear public notice, and the financial expenditures incurred as a result.

Submitted by:

Tabitha Hardison

1403 Mesa Ave

Colorado Springs, CO 80906

tabitha.hardison@gmail.com

312-402-2861

Short Term Rentals

[City of Colorado Springs](#) > [City Departments](#) > [Planning Department](#)
> [Land Use Review / Development Review Enterprise](#)
> [Homeowner Assistance](#) > [Short Term Rentals](#)

[Translate](#) ▾

We are currently experiencing issues with Accela and processing Short Term Rental Renewal Applications. Due to the issue there is currently a delay with processing permits. We hope to resolve and expedite the situation as quickly as possible. In the meantime please continue to submit your application, and we will review and process your application as quickly as possible. If you have questions or concerns we are happy to answer your questions by email shorttermrentals@coloradosprings.gov or by phone 719-385-5982. Thank you for your patience as we work to resolve the issue with our website.

[Permits and Renewals](#)

In August 2022, the Planning Department began utilizing an electronic process for all Pre-Application meetings, permits, application submittals, payments, and reviews. If you have not done so already, please create an account via the 'Applications and Reviews' button below and view the 'How-To' guide for more information. For



questions, please call 719-385-5982 or email shorttermrentals@coloradosprings.gov.

APPLICATIONS AND REVIEWS

| HOW-TO GUIDE

SHORT TERM RENTAL (30 DAYS OR LESS) APPLICATION REQUIREMENTS:

This checklist and all required associated documents shall be submitted via our [electronic submittal system](#). The applicant shall notify staff within 3 days in the event of changes:

- Completed Short Term Rental Checklist and Owner Acknowledgment (4 pages)
- Proof of primary residence – this can be satisfied by providing two of the following: valid driver's license or State I.D. Card, valid vehicle registration, voter registration, dependent's school registration. Mail does not count as proof of residency. City Staff reserves the right to ask for additional proof of residency upon request.
- \$124.95 permit fee. The fee shall be paid via cash, credit card or electronic check.
- Signed Short Term Rental Affidavit
- Proof of at least \$500,000 in liability insurance (Proof can be provided by hosting platform contract acknowledging insurance coverage through the platform i.e. AirBnb/VRBO, policy information, or other documentation)
- Proof of listing on hosting platform i.e. AirBnB/VRBO (emailed link)
- The Planning & Community Development Department may require additional information for this application as needed.

If you are listing two (2) separate units on a property (e.g. unit in your back yard, and a room within your house) you will need two (2) separate permits and will need to pay two (2) separate permit fees.

In the permitting of the short term rental permit, the Manager, Planning Commission or City Council shall have authority to require such reasonable conditions as necessary to protect the public health, safety and general welfare and to ensure that the use, value and qualities of the neighborhood surrounding the proposed location will not be adversely affected.

- [Short Term Rental Application Requirements](#)
- [Non-Owner Occupied Short Term Rental Annual Affidavit](#)
- [Owner Occupied Short Term Rental Annual Affidavit](#)

FAQs

Frequently Asked Questions

What types of short term rentals are permitted and where are they allowed?

On 12-26-2019, City Council amended the short term rental ordinance to establish two types of short term rental permits – owner occupied and non-owner occupied.

Owner occupied short term rentals are those properties that are physically occupied by the owner for no less than 185 days per year. Owner occupied short term rentals are allowed in lawful dwelling units (i.e. you cannot rent out a tuff shed, tent, etc.) in zones where residential units are permitted.

Non-owner occupied short term rental unit permit applications submitted after 12-26-2019 are not permitted in single-family zoning districts (R-E, R-1 6, R-1 9, and Single-Family PDZs).

Non-owner occupied short term rental units submitted after 12-26-2019 must be 500' from another in all other zoning districts.

To find the zoning of your property visit Springsview.

SPRINGSVIEW

- [How to use the zoning map](#) (For accessibility requests, please contact the Planning Department at (719) 385-5905 or planningdev@coloradosprings.gov.)

Is there a cap on STRs?

There is not a cap on the number of short term rentals being approved; however, limitations are in place for non-owner occupied properties.

Is there an exemption for military for owner occupancy?

Yes. Where an Owner Occupied short term rental unit is owned by an Active Duty military service member whose permanent duty station is within El Paso County, the Manager shall waive this requirement for the Owner for up to one (1) year if the service member receives orders to report to a temporary duty station outside of El Paso County. The Planning & Community Development Department may require a copy of the Active Duty Service Member's orders for verification of the temporary assignment to approve the waiver.

How do I know if my non-owner occupied short term rental unit is 500' from another short term rental unit?

Questions about the 500' buffer between non-owner occupied short term rental units can be sent to shorttermrentals@coloradosprings.gov.

Is there a waiting list for non-owner occupied STR permits?

At this time we do not have a waiting list for non-owner occupied permits. We recommend reaching out to shorttermrentals@coloradosprings.gov regarding any questions relating to the density restriction.

How many short term rentals can I have?

NOTE – non-owner occupied short term rental units permit applications submitted after 12-26-19 are subject to additional requirements.

- In single family zoning districts (R-E, R-1 6, R-1 9 and Single-Family PDZs) one listing for the property is permitted; this can be the whole house, or just one room/section of the house.
- For properties zoned **R-2**, two listings for the property are permitted.
- Up to 4 listings are allowed on properties that are zoned for **multi-family** (ie a property that would allow for an apartment).
- In the case of a **condominium complex** (or similar common ownership), each owner is allowed to operate a maximum of 2 short term rentals within the complex.

There is no limit to the number of short term rentals residents of Colorado Springs can operate (with the exception of condominium properties), nor is there a cap on the number of short term rentals that the City will allow to operate; however, non-owner occupied short term rental units are subject to additional standards. For questions, please contact shorttermrentals@coloradosprings.gov.

Each listing requires a separate permit application and fee.

How much does a permit cost?

A short term rental permit costs \$124.95 annually. This does not include fees associated with your [sales tax license](#).

How long is a permit valid?

Short term rental permits are valid for one year.

What happens if I don't renew my permit?

Failure to renew your short term rental application prior to the date of expiration may result in a Code Enforcement notice and if non-owner occupied, the potential forfeiture of your established permit. There is no grace period for late applications.

What paperwork do I need to post in my short term rental unit?

Your City-issued short term rental permit and Good Neighbor Guidelines with filled out local emergency contact, City-issued permit number, and valid-through date will act as your permit. This information needs to be prominently displayed within the unit. Please keep the local emergency contact information (name and phone number) available to renters.

Do I need to let the city know if any of the information on my STR application has changed?

Yes, please email shorttermrentals@coloradosprings.gov with an updated application. It is imperative we have the most updated information for all permits in case of an emergency situation.

Do I need to let the City know if I decide to no longer operate my STR?

Yes. Please let us know immediately if you no longer chose to operate your short term rental and Staff will void the permit.

Can I transfer the title of a property which has an approved STR permit?

No. Pursuant to City Code Section 7.5.1702; The Short Term Rental permit does not run with the property but is issued to a specific owner. The permit shall not be transferred or assigned to another individual, person, entity, or address.

Can I apply for an STR on a vacant property to "hold" my place?

No. City Code mandates that the rental unit/s must remain compliant with all Planning, Zoning, and Building codes (City Code Section 7.5.1704.F). A short term rental permit cannot be issued for a property that does not have a Certificate of Occupancy.

What if I rent my house for only a few days or weeks out of the year? Do I still need a permit?

Yes, you would still have to have a permit. Any property that is listed on a hosting platform must have an active short term rental permit.

The intent of the permit is to:

1. establish a community standard for the integration of short term rental units within existing neighborhoods while maintaining neighborhood and community character;
2. to ensure health and safety of visitors and residents by re-affirming police, fire, and building safety guidelines for transient lodgers who may not be familiar with local laws;
3. and to ensure that short term rental owners are paying LART tax similar to other transient lodging including hotels, motels, and bed and breakfasts.

What can I do if I think my neighbor is operating a short term rental without a permit?

First, check the [city map on Springs View](#) to see if a permit exists for the property. Click "show layer list" and ensure that "Short Term Rentals" is checked under "Planning-Administration." Enter the property address in the search bar. If a permit does not show up, please contact the City's [Neighborhood Services Division](#) (Code Enforcement) or [submit a report online](#).

- [How to Search SpringsView](#)

I'm a neighbor of a short term rental and there is an issue with renters, what do I do?

If there is an emergency, please call 911.

If there is a non-life threatening issue, **including loud parties**, please call the police non-emergency line at 719-444-7000.

Emergency contact information for the short term rental can be viewed at [Springs View](#). Click "Show Layer List" and ensure that "Short Term Rentals" is checked under "Planning-Administration." Enter the property address in the search bar. If a Short Term Rental permit has been issued, the name and phone number of the property's emergency contact will come up. This information has been provided by the owner as someone that is available 24 hours a day, seven days a week, and able to respond to the non-life threatening emergency within one hour.

Other Considerations

- Pursuant to City Code Section 7.3.301.C.5(h), "maximum overnight occupancy of a short term rental unit shall be limited to two (2) occupants per bedroom, plus an additional two (2) occupants per dwelling unit. The maximum occupancy per dwelling unit shall be fifteen (15) occupants."
- They must be operated out of lawful dwelling units
- All marketplace facilitators (i.e., AirBnB, VRBO, Expedia, etc.) are required to collect and remit the City of Colorado Springs sales tax on their own City of Colorado Springs sales tax licenses. If the permit holder does not utilize a marketplace facilitator and books on their own, they will need to obtain a City Sales Tax License. All taxes owed to the City shall be remitted prior to the issuance of the STR permit (Ordinance No. 19-49).
- You must maintain weekly residential trash collection services.
- Properties must remain compliant with all planning, zoning, building, and other City codes.
- All short term rentals shall abide by all applicable noise, housing, and public health ordinances of the City and with all other City fire and safety ordinances.
- Parking in private driveways shall be utilized first with overflow parking on the street where permitted.
- You cannot host weddings or large social/commercial events at a short term rental
- Short term rentals are required to have a 24-hour point of contact on file with the Planning Department who can respond within 1 hour in the case of an emergency.
- Your short term rental permit is valid for 1 year.

Ordinance

[VIEW ORDINANCE](#)

Signed Ordinances

- [Ordinance 18-112 – Program Adoption](#)
- [Ordinance 19-49 Sales Tax Requirement](#)
- [Ordinance 19-82 – Occupancy Limitations](#)
- [Ordinance 19-101 – Non-Owner Occupied Regulations](#)

Why do we need regulations?

- To establish a community standard for the integration of short term rental units within existing neighborhoods while maintaining neighborhood and community character.

- To ensure health and safety of visitors and residents by re-affirming police, fire, and building safety guidelines for transient lodgers who may not be familiar with local laws.
- To ensure that short term rental owners are paying LART tax similar to other transient lodging including hotels, motels, and bed and breakfasts.

Contact

Questions about the Short Term Rental Program can be sent to shorttermrentals@coloradosprings.gov or call 719-385-5982.

In person assistance may be available at the Development Review Enterprise office located at 2880 International Circle, STE 200-7 Colorado Springs, CO 80910.

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