

Town of Leeds

Agenda Town of Leeds Planning Commission Wednesday, Aug 2, 2023

PUBLIC NOTICE is hereby given that the Town of Leeds Planning Commission **PUBLIC MEETING** scheduled for Wednesday, Aug 2, 2023, at 7:00 P.M. This meeting will be held at Leeds Town Hall, 218 N. Main Street, Leeds, UT 84746.

Regular Meeting 7:00 pm

1. Call to Order/Roll Call
 - a. Oath of Office: Rochelle Gardner for Alternate position 3, Term ending June 30, 2024
2. Invocation
3. Pledge of Allegiance
4. Declaration of Abstentions or Conflicts
5. Consent Agenda: (These items will be a single motion unless removed at the request of the chairman or board Members)
 - a. Tonight's Agenda
 - b. Meeting Minutes of July 05, 2023
6. Announcements:
 - a. Dumpster Days , September 1,2 & 3, Dumpsters located on Cherry Lane
 - b. Town of Leeds appointment of Code Enforcement Officer is Morgan Abel
7. Public Hearing:
 - a. ORDINANCE NO. 2023-03, AN ORDINANCE AMENDING CHAPTER 21, SECTION 14, RELATED TO VACATING, ALTERING, OR AMENDING A SUBDIVISION PLAT/MAP
8. Action Items:
 - a. Recommendation to Town Council regarding ORDINANCE NO. 2023-03, AN ORDINANCE AMENDING CHAPTER 21, SECTION 14, RELATED TO VACATING, ALTERING, OR AMENDING A SUBDIVISION PLAT/MAP
 - b. Discussion possible action regarding Short -Term Rentals and Residential Hosting Facilities(RHF)
9. Discussion Items:
 - a. Town of Leeds Hosting the 2023 Cycling Event, Jason
 - b. Continued evaluation of consolidated fee schedule
10. Staff Reports
11. Adjournment

The Town of Leeds will provide reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Leeds Town Hall at 879-2447 at *least* 24 hours prior to the meeting. The Town of Leeds is an equal opportunity provider and employer.

Certificate of Posting.

The undersigned Clerk/Recorder does hereby certify that the above notice was posted July 31, 2023, at these public places being **Leeds Town Hall, Leeds Post Office**, the **Utah Public Meeting Notice website** <http://pmmutah.gov> and the **Town of Leeds website** www.leadstown.org.



Aseneth Steed, Clerk/Recorder

Town of Leeds

Amended-Agenda Town of Leeds Planning Commission Wednesday, Aug 2, 2023

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8. Action Items:
 - a. Recommendation to Town Council regarding ORDINANCE NO. 2023-03, AN ORDINANCE AMENDING CHAPTER 21, SECTION 14, RELATED TO VACATING, ALTERING, OR AMENDING A SUBDIVISION PLAT/MAP
 - b. [Discussion possible action regarding Lot Line Adjustment on L-78-D-1 and L-78-C-5, Brian and Shelly Hansen](#)
 - c. Discussion possible action regarding Short -Term Rentals and Residential Hosting Facilities(RHF)
9. Discussion Items:
 - a. Town of Leeds Hosting the 2023 Cycling Event
 - b. Continued evaluation of consolidated fee schedule
10. Staff Reports
11. Adjournment

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Certificate of Posting.

The undersigned Clerk/Recorder does hereby certify that the above notice was posted July 31,, 2023, at these public places being **Leeds Town Hall, Leeds Post Office**, the Utah Public Meeting Notice website <http://pmmutah.gov> and the Town of Leeds website www.leadstown.org.



Aseneth Steed, Clerk/Recorder



TOWN OF LEEDS

Planning Commission Meeting

PUBLIC HEARING NOTICE

Notice is hereby given that a Public Hearing will occur at the
Planning Commission Meeting on
Wednesday, August 2, 2023, at 7:00 p.m.
At the Leeds Town Hall 218 North Main Street, Leeds, Utah.

The Planning Commission will hold a public hearing on the above-mentioned date to consider the following proposed item:

ORDINANCE No. 2023-03, AN ORDINANCE AMENDING CHAPTER 21, SECTION 14, RELATED TO VACATING, ALTERING, OR AMENDING A SUBDIVISION PLAT/MAP

The purpose of this public hearing is to receive public input on the proposed ordinance, which would amend Town Code section 21.14. This portion of the Code says the Town can propose to vacate, alter, or amend a subdivision map, after which the Board of Adjustment considers the issue at a public hearing. The Town has no Board of Adjustment, so this section should be amended to say that the Town Council will hold the public meeting after the Planning Commission considers the Town's proposal. The Town Council holding a public meeting on a proposal is consistent with Utah Code section 10-9a-609.

Interested persons are encouraged to attend the public hearing to be held in the Leeds Town Hall at 218 North Main Street or present their views in writing to the Leeds Town Clerk/Recorder prior to the meeting.

Certificate of Posting

The undersigned Clerk/Recorder does hereby certify that the above notice was posted July 26, 2023. The public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org, also published in the Spectrum Newspaper.

Aseneth Steed
Clerk/Recorder



TOWN OF LEEDS

ORDINANCE No. 2023-03

AN ORDINANCE AMENDING CHAPTER 21, SECTION 14, RELATED TO VACATING, ALTERING, OR AMENDING A SUBDIVISION PLAT/MAP

WHEREAS, Section 10-9a-601 et seq., Utah Code Annotated, grants municipalities authority to enact ordinances regarding the approval and recording of subdivision plat maps; and

WHEREAS, Section 10-9a-609(3), Utah Code Annotated, provides that a legislative body may vacate a subdivision, or a portion of a subdivision, by passing and recording an ordinance in the office of the county recorder; and

WHEREAS, the Town Council desires to harmonize the Town Code and the Utah Code regarding amendments or vacation of a subdivision plat/map; and

WHEREAS, the Town Council has reviewed the proposed amendment to Chapter 21, Section 14 and believes that it harmonizes the Town Code with the Utah Code and clarifies the Town Council's authority to vacate subdivisions.

NOW, THEREFORE, BE IT ADOPTED, RESOLVED, AND ORDERED BY THE GOVERNING BODY OF THIS TOWN AS FOLLOWS:

That Chapter 21, Section 14 be amended to read as shown on Exhibit A attached hereto.

PASSED AND APPROVED this ___th day of July, 2023.

TOWN OF LEEDS COUNCIL

Bill Hoster, Mayor

[SEAL]

VOTING:

| | |
|----------------------------------|-----------------|
| Mayor: Bill Hoster | Yea ___ Nay ___ |
| Councilmember: Danielle Stirling | Yea ___ Nay ___ |
| Councilmember: Ron Cundick | Yea ___ Nay ___ |
| Councilmember: Kohl Furley | Yea ___ Nay ___ |
| Councilmember: Stephen Wilson | Yea ___ Nay ___ |

ATTEST:

Aseneth Steed, Clerk Recorder



TOWN OF LEEDS

Exhibit A

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TOWN OF LEEDS

21.14.1

The Town Council shall hear and consider a petition proposing to vacate, alter or amend a subdivision plat/map, any portion of a subdivision plat/map, or any street, lot or alley contained in a subdivision plat/map, at a public hearing, after receiving a recommendation from the Planning Commission. This section does not apply to vacations of a subdivision plat/map pursuant to 21.14.6.2 of this Chapter.

21.14.6 Proposal by Town

21.14.6.1 If the Town files a petition to vacate, alter or amend a subdivision plat/map, or any street or lot contained in a subdivision plat/map, the Town Council shall consider the issue at a public hearing after receiving a recommendation from the Planning Commission, and after giving the notice required by this section.

21.14.6.2 Notwithstanding any other provision of this Chapter, the Town Council may, consistent with Utah Code Annotated § 10-9a-609(3), vacate a subdivision plat/map, or a portion of a subdivision plat/map, by recording in the county recorder's office an ordinance describing the subdivision or the portion being vacated. The recorded vacating ordinance shall replace a previously recorded plat described in the vacating ordinance.

21.14.8. Notice of hearing for map change.

Except as provided in 21.14.3. of this Chapter, and except with respect of lot line adjustments under subsection 21.14.7., the Town Council shall give notice of the proposed plat/map change by mailing the notice to each owner of property located within three hundred (300) feet of the property that is the subject of the proposed plat/map change, addressed to the owners' mailing address's appearing on the rolls of the Washington County assessor. The Town Council shall ensure that the notice includes:

21.14.8.1. A statement that anyone objecting to the proposed plat/map change must file a written objection to the change within ten (10) days of the date of the notice;

* **21.14.8.2.** A statement that if no written objections are received by the Town Clerk within the time limit, no public hearing will be held; and

21.14.8.3. The date, place and time when a hearing will be held, if one is required, to consider a vacation, alteration or amendment without a petition when written objections are received, or to consider any petition that does not include the consent of all landowners as required by 21.14.3.

21.14.8.4. This section does not apply to vacations of a subdivision map/plat pursuant to 12.14.6.2 of this Chapter.



TOWN OF LEEDS

21.14.9. Notice of hearing for map change involving vacation, alteration or amendment of street.

If a petition to change a plat/map involves the vacation, alteration or amendment of a street, the Town Council shall give notice of the date, place and time of the hearing by:

21.14.9.1. Mailing notice as required in 21.13.8.; and

21.14.9.2. Publishing the notice once a week for four (4) consecutive weeks before the hearing in a newspaper of general circulation in the Town.

21.14.9.3. This section does not apply to vacations of a subdivision map/plat pursuant to 12.14.6.2 of this Chapter.

21.14.10. Grounds for vacating or changing map:

21.14.10.1. Within thirty (30) days after the public hearing required by this section, the Town Council shall consider the petition.

21.14.10.2. After considering the petition, if the Town Council is satisfied that neither the public nor any person will be materially injured by the proposed action, alteration or amendment, and that there is good cause for the vacation, alteration or amendment, the Town Council may vacate, alter or amend the plat/map, any portion of the plat/map, or any street or lot.

21.14.10.3. The Town Council may approve the vacation, alteration or amendment by amended plat/map, administrative order, or deed containing a stamp or mark indicating approval by the Town Council.

21.14.10.4. Applications for an amended plat/map, lot split or other action under this chapter are not finalized until such is recorded in the office of the Washington County recorder.

21.14.10.5. An aggrieved party may appeal the Town Council decision to the Board of Adjustment and may appeal the Board of Adjustment Decision to the district court as provided in Utah Code Annotated section 10-9a-801.

21.14.10.6. This section does not apply to vacations of a subdivision map/plat pursuant to 12.14.6.2 of this Chapter.

Exhibit A

21.14.1

The Town Council shall hear and consider, ~~with or without a petition~~, any petition proposing to vacate, alteration or amendment of a subdivision plat/map, any portion of a subdivision plat/map, or any street, lot or alley contained in a subdivision plat/map, at a public hearing, after receiving a recommendation from the Planning Commission. This section does not apply to vacations of a subdivision plat/map pursuant to 21.14.6.2 of this Chapter.

21.14.6 Proposal by Town

21.14.6.1 If the Town files a petition ~~proposes~~ to vacate, alter or amend a subdivision plat/map, or any street or lot contained in a subdivision plat/map, the ~~Town Council~~ Board of Adjustment shall consider the issue at a public hearing after receiving a recommendation from the Planning Commission, and after giving the notice required by this section.

21.14.6.2 Notwithstanding any other provision of this Chapter, the Town Council may, consistent with Utah Code Annotated § 10-9a-609(3), vacate a subdivision plat/map, or a portion of a subdivision plat/map, by recording in the county recorder's office an ordinance describing the subdivision or the portion being vacated. The recorded vacating ordinance shall replace a previously recorded plat described in the vacating ordinance.

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Except as provided in 21.14.3. of this Chapter, and except with respect of lot line adjustments under subsection 21.14.7., the Town Council shall give notice of the proposed plat/map change by mailing the notice to each owner of property located within three hundred (300) feet of the property that is the subject of the proposed plat/map change, addressed to the owners' mailing address's appearing on the rolls of the Washington County assessor. The Town Council shall ensure that the notice includes:

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21.14.8.2. A statement that if no written objections are received by the Town Clerk within the time limit, no public hearing will be held; and

21.14.8.3. The date, place and time when a hearing will be held, if one is required, to consider a vacation, alteration or amendment without a petition when written objections are received, or to consider any petition that does not include the consent of all landowners as required by 21.14.3.

21.14.8.4. This section does not apply to vacations of a subdivision map/plat pursuant to 12.14.6.2 of this Chapter.

21.14.9. Notice of hearing for map change involving vacation, alteration or amendment of street.

If a [petition to change a ~~the proposed~~ plat/map-change](#) involves the vacation, alteration or amendment of a street, the Town Council shall give notice of the date, place and time of the hearing by:

21.14.9.1. Mailing notice as required in 21.13.8.; and

21.14.9.2. Publishing the notice once a week for four (4) consecutive weeks before the hearing in a newspaper of general circulation in the Town.

[21.14.9.3. This section does not apply to vacations of a subdivision map/plat pursuant to 12.14.6.2 of this Chapter.](#)

21.14.10. Grounds for vacating or changing map:

21.14.10.1. Within thirty (30) days after the public hearing required by this section, the Town Council shall consider the petition.

21.14.10.2. [After considering the petition,](#) if the Town Council is satisfied that neither the public nor any person will be materially injured by the proposed action, alteration or amendment, and that there is good cause for the vacation, alteration or amendment, the Town Council may vacate, alter or amend the plat/map, any portion of the plat/map, or any street or lot.

21.14.10.3. The Town Council may approve the vacation, alteration or amendment by amended plat/map, administrative order, or deed containing a stamp or mark indicating approval by the Town Council.

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[21.14.10.6. This section does not apply to vacations of a subdivision map/plat pursuant to 12.14.6.2 of this Chapter.](#)

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10-13-23: SHORT TERM RENTAL (STR):

A. Purpose:

1. Create a process for the application and licensing of a residential dwelling for transient use as a short term rental. Address the granting, enforcement, and revocation of a Short Term Rental License.

2. Establish that the short term rental of a dwelling is a transient use only permitted by a valid county license. It is not a dwelling type, zone or entitlement. Also establish that a license only will be granted where the utility infrastructure, size limitations, setbacks, parking requirements, and all other licensing requirements are strictly complied with, and all county, state and federal laws.

3. Establish regulations to safeguard the public health, safety and welfare by providing for the licensing and maintenance of a short term rental in the unincorporated areas of Washington County.

4. Ensure that transient use of a dwelling for short term rental is operated in a manner that is safe for transient users, compatible with the community, and complies with the code and policies.

5. Ensure that a Short Term Rental License is only granted when it is compatible with the surrounding neighborhood and protects the overall character of the community, mitigating the effects of a short term rental on neighborhoods from increased noise, traffic, parking, trash, waste, and water use.

B. Applicability: This section applies to the transient use of a dwelling for short term rental in the unincorporated areas of Washington County as defined herein, where a valid license is maintained. This section applies to all existing nonconforming short term rentals except as to the owner occupancy requirement in C.2, and the size limitation in E.3. It does not apply to long term rentals. It does not apply to hotels, condotels, motels, timeshares, fractional ownership units, or other similar facilities with central check-in locations.

C. General Provisions:

1. Only one STR. Only one dwelling on a lot or parcel may obtain a license as a short term rental, and only where the single family dwelling and accessory dwelling legally exist. The STR shall not have lockouts or other features that increase the number of units being short term rented in any manner. The entire dwelling or entire ADU may constitute a STR, but only for the approved square footage in the licensed dwelling and at the situs for the STR as set forth in the license. No other ADU or portion of an ADU, and no other dwelling or portion of a dwelling, may be advertised or rented as a STR. Room shares, home shares, hostel-rooms, or amenity rentals (shared kitchen, bathroom, amenities or other common facilities) are prohibited. All provisions in this code shall be met, including the size limitations and setbacks for the dwelling as applicable in the zone.

39 2. Owner-occupancy required. A Short Term Rental License shall not be issued for a
40 dwelling on a lot or parcel unless the single family dwelling, or the accessory dwelling, is
41 owner-occupied. For the purposes of this section, an "owner-occupant" shall have a
42 primary residential exemption on the lot or parcel as determined by the Washington
43 County Assessor's office, and shall be a permanent, full time resident at the same address.
44 ~~reside on the lot or parcel for a minimum of one hundred eighty-three (183) consecutive~~
45 ~~calendar days during the calendar year.~~ A Short Term Rental License ~~is deemed revoked~~
46 automatically expires if the primary residential exemption is denied, lost, removed or
47 revoked for any reason. ~~owner-occupant temporarily leaves the lot or parcel for a period~~
48 ~~that exceeds one hundred eighty-two consecutive calendar days.~~

49 3. Short Term Rental License Density Limit. Each subdivision, or phase of a subdivision,
50 is limited to the number of STR licenses that do not exceed 10% based on the number of
51 lots in the subdivision or phase thereof. No additional STR licenses shall be granted for a
52 fractional number of lots (i.e. a subdivision or phase with 15 lots may only obtain up to one
53 STR license). STR licenses shall be disbursed throughout the subdivision based on its
54 phases, and limited in number based on the number of lots in each phase and the total
55 number of lots in the subdivision (i.e. a subdivision phase with 28 lots may obtain up to two
56 STR licenses; a subdivision with a total of 98 lots may obtain up to nine STR licenses if
57 appropriately disbursed by phase). The license density limit does not apply to subdivisions
58 with nine lots or less. If an approved overlay zone has more restrictive STR density limit
59 provisions, the more restrictive controls over the less restrictive. The Community
60 Development Department shall develop and implement policies regarding a waiting list for
61 Short Term Rental Licenses by subdivision.

62 34. Access and Occupancy Limit. All short term rentals shall have an access and
63 occupancy limit of four people per bedroom based on the number of bedrooms listed on
64 the septic permit or on the approved plans, whichever number is less (the "approved
65 bedrooms"). Only legal bedrooms may be advertised, rented or used as sleeping quarters.
66 Sleeping accommodations shall not be provided, advertised, rented or used in rooms other
67 than approved bedrooms. No STR may be advertised, or rented for used by more people
68 than the maximum access and occupancy limit. Access to the property shall be limited to
69 confirmed guests. It is the owner or property manager's duty to monitor its STR to prevent
70 violation of the access and occupancy limits with monitors, ~~motion~~, cameras, or guest
71 screening apps. Data from STR monitors, cameras, or guest screening apps shall be stored
72 by the owner or property manager for 90 days, and shall be provided to the County no later
73 than five business days after a promptly upon request, in an easily accessible format, or it
74 is a violation. Other health and safety occupancy limits may apply to a specific property or
75 dwelling based on the building code, fire code, septic permit, or other restrictions. The
76 occupancy limit is effective 60 days after enactment of these regulations.

77 35. Advertising. All advertising in the control of owner, owner occupant, or local
78 property manager for short term rental of a dwelling shall include the Washington County
79 Short Term Rental License number and relevant limitations (i.e. dwelling size, parking,
80 occupancy limit, and state "no events, parties or excessive noise are allowed").

81 46. Taxes collected and remitted. All taxes, including transient room tax, shall be
82 collected at the time of rental and remitted to Washington County via the State of Utah.
83 Non-compliance may result in suspension, revocation, non-renewal, or denial of a Short
84 Term Rental License, in the discretion of the county.

85 D. Application Required: At least ~~thirty~~ (30) days prior to advertising a dwelling for short
86 term rental, the owner shall file a written application with the Community Development
87 Department on its approved form seeking a Short Term Rental License. The application
88 shall not be deemed complete until all required information is submitted.

89 1. Application materials:

90 a. The exact address, and proof of ownership of the subject lot or parcel. Any
91 proposed license shall be issued in the name of the owner. If the owner is an entity, the
92 name, address, email and phone number of all of the principals and the registered agent for
93 the purposes of violations, notices, or acceptance of service.

94 b. The exact dwelling on the lot or parcel that is the subject of the application for a
95 Short Term Rental License, with pictures of the exterior of the dwelling.

96 c. Proof of one ~~(1)~~ graveled or paved parking stall per approved bedroom, and
97 pictures of the required parking stalls.

98 d. The site plan showing, setbacks, dwelling size limitations, number of approved
99 bedrooms ~~approved in the septic permit~~, required parking stalls, pull through lane for large
100 vehicles or trailers, and trash disposal details in compliance with section 10-13-23.

101 e. Payment of the application fee.

102 f. Proof that the applicant has the primary residential exemption on the lot or parcel
103 as determined by the Washington County assessor's office, and is a permanent, full time
104 resident at the same address ~~an owner-occupant~~ satisfactory to county, unless existing
105 nonconforming.

106 g. If a local property manager is proposed, the contact information showing
107 availability ~~twenty-four~~ (24) hours a day, seven ~~(7)~~ days a week and 365 days a year. The
108 local property manager shall be able to be on site at the license address within two hours of
109 a guest, county, or emergency services call. If the local property manager is an entity, the
110 name, address, email and phone number of all of the principals and the registered agent for
111 the purposes of violations, notices, or acceptance of service.

112 h. A Compliance Affidavit signed by all owners and ~~the owner-occupants~~ under
113 penalty of law, certifying that the applicant, the dwelling, and the lot or parcel comply with
114 the licensing requirements of section 10-13-23, including, but not limited to:

115 (1) The dwelling for transient use as a short term rental is in habitable condition
116 and complies with the health and safety standards set forth in the health, building and fire
117 codes adopted by in Washington County. Additionally, the dwelling and its appurtenances
118 are capable of resisting all forces and loads to which they are normally subjected, and they
119 shall be kept in sound condition and good repair.

120 (2) The dwelling for transient use as a short term rental is insured for multiple
121 rentals throughout the year, for its commercial purpose, and for the protection of the
122 renters, guests, tenants or occupants from personal injury or property loss.

123 (3) ~~The~~ All owners and owner-occupants, local property managers, and all renters
124 and the guests shall will comply with the responsible use and Good Neighbor Policy
125 adopted by the Community Development Department which shall enumerate some of the
126 requirements in this section. Each failure to do so is a violation under the enforcement
127 provisions below if established by substantial evidence.

128 (4) The pictures of the required notices posted on the exterior and interior of the
129 dwelling for transient use as a short term rental, and the pictures of the exterior of the
130 dwelling that is the subject of the licensing application, are accurate.

131 i. Proof that smoke detectors, carbon monoxide detectors and fire extinguishers are
132 installed and operable per adopted IRC (International Residential Code). Yearly assurance
133 of compliance at time of licensing renewal.

134 j. If the short term rental is serviced by a fire special service district that requires it,
135 proof of a yearly fire safety inspection and compliance with its requirements for STRs with
136 occupancy of more than 10 guests.

137 ~~jk.~~ If the short term rental unit is connected to an on-site or community wastewater
138 system for sewer service, or a septic tank, proof of system servicing or pumping by a
139 licensed service provider every three ~~(3)~~ years, or more frequently as determined by a
140 licensed service provider. Upon initial application, a pumping report will be accepted
141 within two ~~(2)~~ years of the date of the report.

142 ~~kl.~~ If the short term rental unit is serviced by an on-site or community well or culinary
143 water provider, proof of sufficient water rights for culinary, sewer and fire protection for
144 all uses on the lot or parcel.

145 2. Application and licensing process:

146 a. Processing. A complete application shall be processed by the Community
147 Development Department in accordance with applicable criteria set forth in county, state
148 and federal laws.

149 b. Issuance or Denial Decision. The Community Development Department shall
150 determine if the application is complete and all the criteria are met, and make a decision
151 based on substantial evidence whether to issue ~~, condition, renew, revoke,~~ or deny a Short
152 Term Rental License. The licensing decision of the Community Development Department is
153 ~~an~~ a final administrative decision.

154 c. Renewal or Revocation Decision. The Community Development Department shall
155 determine if all the criteria for renewal are met, and make a decision based on substantial
156 evidence whether to renew or revoke a Short Term Rental License. The decision of the
157 Community Development Department is a final administrative decision.

158 d. License Expiration. If the owner, owner occupant, or local property manager does
159 not seek renewal timely, or if the license is not in the name of the current property owner
160 within the requisite thirty (30 days), or if the primary residential exemption is denied, lost,
161 removed or revoked for any reason, the Short Term Rental License is deemed expired.
162 Expiration of a license is based on action or inaction of the owner, owner occupant, or local
163 property manager, not the county, and expiration of a license is not appealable as a final
164 administrative decision of the county.

165 3. License validity and renewal:

166 a. A Short Term Rental License shall be renewed annually, or when the property is
167 transferred to a new owner, whichever occurs first. Each change in ownership of the
168 property where a license exists requires a new license within ~~thirty (30)~~ days of the
169 transfer. No existing license may be assigned or transferred to another person, entity or
170 property.

171 b. At the time of each renewal, the owner shall verify that the STR remains in
172 compliance with the requirements needed to operate (i.e. habitability, posted notices,
173 operable fire and carbon monoxide detectors, proof of sewer servicing, insurance, etc.).
174 Owner also shall provide proof of the yearly fire safety inspection from the applicable fire
175 special service district if required. All license information shall be updated by the owner at
176 least annually at the time of renewal. Renewal determinations will be based on substantial
177 evidence is discretionary by the county and renewal may be approved, approved with
178 conditions, or denied based on any of the following factors: failure to comply with any
179 term, condition or requirement in this section; unpaid fees, fines or penalties; unremitted
180 taxes; incomplete or failed inspections; substantiated complaints received by the county
181 including the Community Development Department, the Sheriff's office, or the County
182 Attorney's office constituting; three violations under the enforcement provisions of this
183 section; or any zoning or building code violation, or any septic failure notice, if not
184 corrected and cleared within 60 days of the initial code violation or septic failure notice,;
185 or any other impact causing the STR to become incompatible with surrounding uses.

186 ~~— c. If a Short Term Rental License is not renewed, or is not in the name of the current~~
187 ~~property owner within the requisite thirty (30 days), it is deemed expired.~~

188 4. Appeal process only for final administrative decisions:

189 a. Appeal of an issuance or denial decision. If the Community Development
190 Department denies an complete application for a Short Term Rental License, the applicant
191 may appeal the final administrative decision to a hearing officer in accordance with Title 10
192 chapter 2, above.

193 b. Appeal of a non-renewal or revocation decision. If the Community Development
194 Department does not renew or revokes a Short Term Rental License, the applicant may
195 appeal the final administrative decision in accordance with Title 10 chapter 2, above.

196 E. Short Term Rental License:

197 1. No dwelling shall be offered, advertised, operated or rented as a STR without a valid
198 Washington County Short Term Rental License.

199 2. All STR's are required to register with the State of Utah as a business and pay all
200 applicable taxes, including transient room tax.

201 3. STR use of a dwelling is permitted in the following zones if in strict compliance with
202 the applicable STR dwelling size limits, unless the size is existing nonconforming:

203 a. OST-20 (Open Space Transition ~~twenty~~ (20) acre minimum lot size) zone if the STR
204 dwelling is ~~thirty-five hundred~~ (3,500) sq. ft. or less.

205 b. Agricultural Zones (A-5, A-10, A-20 and A-40) if the STR dwelling is ~~thirty-five~~
206 ~~hundred~~ (3,500) sq. ft. or less.

207 c. FR-13.5 and FR-0.5 (Forest Residential ~~thirteen thousand five hundred~~ (13,500) sq.
208 ft. and one-half ($1/2$) acre minimum lot size) zones if STR dwelling is ~~fifteen hundred~~
209 (~~1,500~~) sq. ft. or less.

210 d. FR-1 (Forest Residential one (~~1~~) acre minimum lot size) zone if the STR dwelling is
211 ~~twenty five hundred~~ (2,500) sq. ft. or less.

212 e. FR-5 and FR-10 (Forest Residential five (~~5~~) and ~~ten~~ (10) acre minimum lot size)
213 zones if the STR dwelling is ~~thirty five hundred~~ (3,500) sq. ft. or less.

214 f. RA-1 and RA-2.5 (Residential Agricultural one (~~1~~) and two and one-half (~~2.5~~) acre
215 minimum lot size) zones if the STR dwelling is ~~twenty five hundred~~ (2,500) sq. ft. or less.

216 g. RA-5 and RA-10 (Residential Agricultural five (~~5~~) and ~~ten~~ (10) acre minimum lot
217 size) zones if the STR dwelling is ~~thirty five hundred~~ (3,500) sq. ft. or less.

218 h. RE-20 (Residential Estate ~~twenty thousand~~ (20,000) sq. ft. minimum lot size) zone
219 if the STR dwelling is ~~fifteen hundred~~ (1,500) sq. ft. or less.

220 i. RE-40 and RE-2.5 (Residential Estate ~~forty thousand~~ (40,000) sq. ft. and two and
221 one-half (~~2.5~~) acre minimum lot size) zones if the STR dwelling is ~~twenty five hundred~~
222 (~~2,500~~) sq. ft. or less.

223 j. RE-5 (Residential Estate five (~~5~~) acre minimum lot size) zone if the STR dwelling is
224 ~~thirty five hundred~~ (3,500) sq. ft. or less.

225 k. PD-STR (Planned Development Short Term Rental) zone. Units used for the
226 purpose of STR must be approved as part of the PD-STR zone change and project approval
227 process. PD-STR units do not have an owner occupancy requirement, but must meet the
228 size and other requirements approved in the project plan.

229 4. In addition to an owner or owner-occupant, a STR may have a local property
230 manager who is available ~~twenty-four~~ (24) hours a day, seven (~~7~~) days a week and ~~three~~
231 ~~hundred sixty-five~~ (365) days a year. If there is a local property manager they must be able
232 to be physically present at the STR to respond to emergencies and complaints within two
233 (~~2~~) hours of being contacted. The owner, owner-occupant, or local property manager also

234 shall respond to county within ~~two hours~~ one hour of being contacted by phone, and within
235 ~~24~~ 48 hours if contacted by email. The current contact information of the owner or owner-
236 occupant, and local property manager if one exists, must shall be provided to the county
237 and permanently displayed in large, bold print on the exterior of the dwelling unit next to
238 the front door on a visible weatherproof plaque.

239 5. All STR's shall have a clearly visible and legible notice posted in the dwelling unit on
240 or near the front door, and in the kitchen, containing the following information:

241 a. The name, address, email and phone number of the owner or owner-occupant of
242 the STR, and the name, address, email and phone number of the local property manager, if
243 there is one, and a statement identifying the person who is designated as available twenty-
244 four (24) hours a day, seven (7) days a week and three hundred sixty-five (365) days a
245 year, if there is a local property manager.

246 b. The E-911 address of the property.

247 c. The maximum number of all vehicles allowed for the STR and that all guest parking
248 must be on the property in clearly designated, graveled or paved parking areas and not on
249 any private or public street right-of-ways or on any landscape areas on the property.

250 d. The occupancy limit for the STR of is four people per approved bedroom. based on
251 the number of bedrooms listed on the septic permit. Other health and safety occupancy
252 limits may apply to a specific property or dwelling based on the building code, fire code,
253 septic permit, or other restrictions.

254 de. The trash pick-up day and notification that trash receptacles and refuse shall not
255 be left on the street. There shall be a sufficient number of trash receptacles to
256 accommodate all trash generated by those occupying the STR. Trash receptacles shall not
257 be placed on the street for pick-up earlier than 5:00 p.m. the day before scheduled pickup
258 by the trash service provider. Trash receptacles placed for street pick-up shall be removed
259 from the curb or street by noon the day after scheduled pickup by the trash service
260 provider. not be left out for more than a 24 hour period.

261 ef. Notification that a renter or guest may be cited and fined for creating a disturbance
262 or violating the Good Neighbor Policy or any provisions of local, state or federal law.

263 F. All STR owner, owner-occupants, or and local property managers are required to
264 share the "Good Neighbor Policy" brochure adopted by the Community Development
265 Department with all prospective renters or guests, and have it clearly displayed in the STR.
266 The Good Neighbor Policy includes a list of general rules of conduct, best practices and
267 standard of respect for the owner or owner-occupant, the local property manager, and
268 their renters and guests. Failure to follow all policies, regulations, or laws is a violation
269 under the enforcement provisions below.

270 G. Tents, recreational vehicles (RV's), campers or ~~and~~ similar units that were not
271 designed for permanent residential use are prohibited as STRs. Overnight occupancy of
272 recreational vehicles, camp trailers or ~~and~~ tents at the STR property is prohibited.
273 Attaching any such unit to any power, water, or sewer source, or is a violation under the

274 enforcement provisions below: opening slide-outs, pop-outs, bump-outs, or tip-outs on any
275 such unit, also is prohibited.

276 H. A Short Term Rental License is valid only for the person, entity, dwelling, and square
277 footage identified in the license.

278 I. Washington County is a high risk area for fire. Outdoor fire pits shall be permanently
279 installed, and all renters or guests shall comply with local fire restrictions. All STR owner,
280 owner-occupants, or ~~and~~ local property managers are required to clearly display accurate
281 links to current fire restrictions in the STR.

282 J. The STR shall not have any outside appearance indicating a change of use from the
283 surrounding residential uses. Exterior advertising signs are not permitted, but a wayfaring
284 sign approved by the Community Development Department may be is-permitted in
285 county's sole discretion.

286 K. Parking. All parking for short term rental use shall be graveled or paved and entirely
287 on the lot or parcel. There shall be a minimum of one (1) required parking stall per
288 approved bedroom. No parking is permitted on the public or private street that provides
289 access. If the STR will host guests with trailers or large vehicles, on-site parking and a pull-
290 through is required, also on graveled or paved surfaces. Renters, guests or their invitees are
291 not permitted to park vehicles or trailers on the adjacent public or private streets.

292 L. Trespass: Trespass by renters, guests or their invitees on private property in the
293 vicinity of a STR is prohibited. It may result in ~~violation notices, civil penalties or criminal~~
294 citations against renters, guests or their invitees, ~~owners, owner occupants or local~~
295 property managers. Trespassing on private or public airports or runways is strictly
296 prohibited.

297 LM. Events; Parties; Noise: A residential dwelling with a Short Term Rental License, and
298 its lot or parcel, shall not be used by the STR renters, guests or invitees for events, parties,
299 or excessive noise. It is the intent of this section to strictly limit the use to short term
300 lodging, and not to host events, ~~or parties, or have excessive noise;~~ such ~~event~~-use would
301 change the nature of the residential setting and is not permitted. For STR use, prohibited
302 events or parties also are defined as any gathering where the attendance numbers exceed
303 40 people, or exceed the occupancy limit for the STR as set forth above, whichever number
304 is less. Prohibited events or parties also are defined as any ~~wedding, birthday party, pool~~
305 party, reunion, shower, rehearsal dinner, reception, disruptive gathering, or any "open
306 invitation" gathering. The following indicia of an event or party is prohibited: food trucks,
307 catering trucks, mobile game trucks, caterers, on-site party or event planners or
308 coordinators, live music, disc jockey, portable PA systems, outdoor movie screen,
309 fireworks, temporary lighting, rental or delivery of event or party supplies or equipment
310 (i.e. chairs, tables, tents, laser tag, inflatables, climbing walls). ~~flood lights. Exterior lighting~~
311 shall not exceed one foot candle at or beyond the property line at any time. It is the owner
312 or property manager's duty to monitor its STR with noise, motion, camera, or guest
313 screening apps (i.e. Party Squasher; Noise Aware) to prevent events, parties, or excessive
314 noise. Data from STR monitors, cameras or apps shall be stored by the owner or property
315 manager for 90 days, and shall be provided to the County no later than five business days

316 after a request, in an easily accessible format, or it is a violation. In addition to events,
317 parties, or excessive noise herein, Special Events, as defined in County Ord. 3-3-1, et. seq.,
318 also are prohibited at a STR. For STR use, excessive noise is defined as follows:

319 1. Quiet Time. Quiet time is defined as after 10:00 p.m. to before 7:00 a.m. Any noise
320 emanating beyond the property line during quiet time for a continuous period of 10
321 minutes or more is prohibited if the average decibel level at or beyond the property line is
322 55 50-dB or more.

323 2. Daytime. Daytime is defined as 7:00 a.m. to 10:00 p.m. Any noise emanating beyond
324 the property line during daytime for a continuous period of 10 minutes or more is
325 prohibited if the average decibel level at or beyond the property line is 75 dB or more. The
326 emitted noise from landscape maintenance equipment or maintenance personnel is an
327 exception during daytime if reasonable and necessary to maintain the grounds or the
328 property.

329 N. Lighting: All exterior lighting shall be permanently installed. Exterior lighting shall be
330 fully shielded, downward directed, and not exceed one foot candle at or beyond the
331 property line at any time to prevent prohibited light trespass. Flickering, flashing, or
332 scrolling lights are prohibited. Pole lights shall not exceed 12 feet in height. Exterior pole,
333 court, pool, or flood lights shall be on timers and automatically shut off during quiet time.
334 Motion sensor security lighting is permitted if it is less than 900 lumens, downward
335 directed to prevent light trespass, and set to turn off no more than 10 minutes after the last
336 detection of motion. It is the owner or property manager's duty to monitor its STR for light
337 trespass and store the data for 90 days, and provide it to the County no later than five
338 business days after a request, in an easily accessible format, or it is a violation.

339 O. Sound Systems; Speakers: All sound systems and exterior speakers shall be
340 permanently installed and have volume limiters. No other sound systems or exterior
341 speakers are permitted. The owner, owner occupant, or local property manager shall set
342 the volume of the sound system and exterior speakers to automatically shut off during
343 quiet time, and to stay at or below permitted decibel levels during daytime.

344 NP. Limitation of Liability: Washington County assumes no responsibility for the
345 operation of the STR, and the owner or owner-occupant covenants and agrees to hold the
346 county harmless for any injury or damage which may occur, of whatever type or nature, as
347 the result of the operation of the STR. Owner or owner-occupant shall maintain
348 appropriate liability insurance for the STR. Owner or owner-occupant further warrants and
349 agrees to compensate the county for any expense incurred in the defense of any lawsuit or
350 other type of action which may be brought against the county as a result of the owner's or
351 owner-occupant's operation of this use. Nothing contained in this section allows a STR if
352 otherwise prohibited by any applicable covenants. Covenants are privately enforced
353 according to their terms.

354 Q. Illegal; Unlicensed STRs, Taxes:

355 a. Offering, advertising, operating, or renting a dwelling or ADU, or portion thereof,
356 as a STR without a valid Washington County Short Term Rental License is strictly
357 prohibited and a violation.

358 b. Failure to collect and remit taxes, including transient room tax, at the time of a
359 rental of a licensed, illegal or unlicensed STR unit is strictly prohibited and a violation.

360 c. Pursuant to Utah Code Ann. § 17-27a-803(3) the civil penalty for each such
361 violation is \$4,000 after notice and a 14-day reasonable opportunity to cure the violation.
362 Substantial evidence of the violation, and failure to pay the fine within 20 days of the
363 written violation notice, also will result in a Notice of Fine being filed with the county
364 recorder against the property evidencing the violation and fine, and mailed to the record
365 owner of the property. When the fine has been paid or resolved, the county will file a Notice
366 of Satisfaction of Fine. Any property with a recorded Notice of Fine is not eligible to obtain
367 a Washington County Short Term Rental License. Any violation under this subsection also
368 may be prosecuted as a class B misdemeanor. Each additional violation is a separate class B
369 misdemeanor.

370

371 MQR. Enforcement, Revocation, Violation, Civil Penalty, Fine, Prosecution:

372 1. General enforcement.

373 a. This section shall be enforced by the Community Development Department, the
374 Washington County Sheriff's office, and the County Attorney's office as deemed appropriate
375 by the county.

376 b. Issuance, maintenance or retention of a Short Term Rental License is strictly
377 contingent on ~~maintaining~~ compliance with all requirements in this section, and county,
378 state and federal law.

379 c. All renter or guest complaints shall first be directed to the owner, owner-occupant
380 and or local property manager, if one exists. The owner, owner-occupant or local property
381 manager shall respond to the renter or guest complaint and attempt to resolve it within
382 two (2) hours. The owner, owner occupant, or local property manager must be able to be
383 physically present at the STR to respond to emergencies and complaints within two (2)
384 hours of being contacted. Failure of the owner, owner-occupant or local property manager
385 to respond within two (2) hours of notification by a renter or guest shall be considered a
386 violation of this section.

387 d. All county complaints shall first be directed to the owner, owner-occupant and or
388 local property manager, if one exists. The owner, owner-occupant or local property
389 manager shall respond to the county complaint and attempt to resolve it within one
390 hour. two (2) hours. The owner, owner occupant, or local property manager must be able
391 to be physically present at the STR to respond to emergencies and complaints within two
392 (2) hours of being contacted. Failure of the owner, owner-occupant or local property
393 manager to respond within two (2) hours of notification by the county shall be considered
394 a violation of this section.

395 e. All civil penalties or criminal citations related to violations enumerated herein can
396 be enforced against the owner, owner-occupant, or local property manager.

397 ef. All civil penalties and criminal citations penalties can be enforced against the
398 owner, owner-occupant, local property manager, or the issued to renters or guests shall not
399 be used as violations against the owner, owner-occupant, or local property manager.
400 However, in some cases, a criminal citation issued to a renter or guest may be substantial
401 evidence of a violation by the owner, owner occupant, or local property manager (i.e. a
402 guest cited for disorderly conduct may be evidence of an unpermitted event or party, or
403 excessive noise).

404 2. Hybrid violations. Certain violations are defined as hybrid violations, and will not
405 result in a violation notice unless the owner, owner occupant, or local property manager
406 fails to pay the hybrid violation fine in a timely manner. The fine for each hybrid violation is
407 set forth below \$2,000. Substantial evidence of the violation, and failure to pay the hybrid
408 violation fine within 20 days of the written hybrid violation notice, is an enforceable
409 violation under (R)(3). addition to being a (R)(3) violation, failure to pay the hybrid
410 violation fine also will result in a Notice of Fine being filed with the county recorder against
411 the property evidencing the hybrid violation fine, and mailed to the record owner of the
412 property. When the fine has been paid, the county will file a Notice of Satisfaction of Fine,
413 but if the fine was not paid timely the (R)(3) violation remains. If any two hybrid violations
414 occur within any 12-month period, the third hybrid violation is an enforceable violation
415 under (R)(3). Hybrid violations are:

416 a. Trash receptacles placed for street pick-up too early, or not removed from the curb
417 or street by noon the day after scheduled pickup by the trash service provider. The fine is
418 \$500 for each such hybrid violation;

419 b. Vehicles of renters, occupants, or their invitees parked on the public or private
420 street adjacent to the STR property form more than two hours. Cleaning, landscape
421 maintenance, or maintenance personnel may be parked on the street during daytime. The
422 fine is \$500 for each such hybrid violation;

423 c. The presence on the property of indicia of an event or party: food trucks, catering
424 trucks, caterers, on-site party or event planners or coordinators, live music, disc jockey,
425 outdoor movie screen, fireworks, temporary lighting, rental or delivery of event or party
426 supplies or equipment (i.e. chairs, tables, tents);

427 dc. Excessive noise on the property as defined in 10-13-23(M) for a continuous period
428 of 20 minutes or more based on the average dB level. The fine is \$2,000 for each such
429 hybrid violation;

430 3. Violations. Violations may be a regulation violation, a civil penalty, or a criminal
431 citation. A violation notice may be issued by the Community Development Department
432 based on substantial evidence for any action or inaction that violates the provisions of this
433 section. Any owner, owner occupant, or local property manager, may receive a violation
434 notice if the county finds they, or the property, violates any provision herein. Any
435 accumulation of three regulation violations, civil penalties, or criminal citations, or any

436 combination of them, may result in STR business license denial, non-renewal, or revocation
437 which is a final administrative decision of the Community Development Department.

438 ~~24. Three violations, two year revocation period. Not renewed or revoked.~~ A Short
439 Term Rental License may not be renewed, or may be revoked, by the Community
440 Development Department for any violation of this section, or county, state or federal law if
441 the owner, owner-occupant or local property manager agent has been notified by the
442 department of a third violation, cited by the department for a second offense or for any
443 additional violation offense thereafter. If not renewed or revoked, a The Short Term Rental
444 License shall be revoked not be issued for the same dwelling, lot or parcel for a period of
445 two years, and a Notice of Non-Renewal or Revocation shall be filed with the county
446 recorder against placed in the property records evidencing the license non-renewal or
447 revocation, and mailed to the owner of record and duration. After the two year revocation
448 period, the owner, owner occupant, or local property manager, may reapply for a Short
449 Term Rental License, and may obtain a license if they meet all licensing criteria. After the
450 two year revocation period, an existing nonconforming property may reapply for a Short
451 Term Rental License, and may obtain a license if they meet all licensing criteria, except the
452 property does not have to meet the owner occupancy requirement or the square footage
453 requirement. If a new Short Term Rental License is issued, the county will vacate the
454 Notice of Non-Renewal or Revocation.

455 5. Five year violation reset. If a property with a Short Term Rental License has not
456 received three violations in a continuous five year period, violations are reset to zero, and a
457 new five year time period begins. If a property has three or more violations in a continuous
458 five year period, the violations do not reset to zero, and the property is subject to
459 enforcement action.

460 46. Renewal or revocation. A license also may not be renewed, or may be revoked, for:

461 a. Any action that endangers the public health, safety or welfare;

462 b. Failure to remit required taxes; or

463 c. Fraud, misrepresentation, or a false statement of material fact in the license
464 application as determined by the county.

465 ~~35. Violations. A violation notice may be issued by the Community Development~~
466 ~~Department for any action or inaction that violates the provisions of this section. The~~
467 ~~violation may be a regulation violation, a civil penalty, or a criminal citation. Any owner,~~
468 ~~owner occupant, or local property manager, may receive a violation notice if the county~~
469 ~~finds they, or the property any renter or guest, violates any provision herein. Any~~
470 ~~accumulation of three regulation violations, civil penalties, or criminal citations, or any~~
471 ~~combination of them, may result in STR business license denial, non-renewal, or revocation~~
472 ~~which is a final administrative decision of the Community Development Department.~~

473 37. Civil Penalty or Criminal Citation. Fines. An owner, owner-occupant, or local
474 property manager, or all both (the "interested parties"), may be assessed a civil penalty or
475 be given a criminal citation fine if found in violation of the provisions herein. For Tthe first

476 violation of this section, the interested parties shall be given after-written notice of the
477 violation, the possible civil and criminal penalties, and reasonable opportunity to cure. If
478 timely cured, it still counts as a first violation, but no further action will be taken by the
479 county unless a second violation occurs. The county hereby adopts the following civil
480 penalty fine schedule:

481 a. First violation offense: warning letter.

482 b. Second violation offense: ~~five hundred dollars (\$500)~~ a day until compliance or
483 license revocation.

484 c. Any additional violation offense thereafter: ~~one thousand dollars (\$1,000)~~ a day
485 until compliance or license revocation.

486 d. Any criminal citation also is a violation, and successful prosecution may result in
487 finances or fees separate from civil penalties.

488 48. Prosecution. Any additional violation offense thereafter (after the first violation
489 warning letter, and the second violation offense) also may be prosecuted as a class B
490 misdemeanor. Each additional violation offense is a separate class B misdemeanor. (Ord.
491 2021-1196-0, 10-5-2021; amd. Ord. 2022-1205-0, 3-15-2022)

492

**CHAPTER 30:
SHORT TERM RENTALS (STR) AND PRIMARY RESIDENCE,
OWNER-OCCUPIED RESIDENTIAL HOSTING FACILITIES
(RHF)**

30.1 SHORT TERM RENTAL (STR) PROHIBITION:

The purpose of Section 30.1 of this Chapter is to state the prohibition for the ~~renting and or~~ leasing of entire residential dwelling units for periods of less than thirty (30) consecutive days - also known as "short-term rentals." ~~Renting and or leasing of entire residential dwelling units for periods of less than thirty (30) consecutive days is strictly prohibited.~~

30.2 RESIDENTIAL HOSTING FACILITY (RHF) PURPOSE.

The purpose of Section 30.2 of this Chapter is to describe the process and set forth standards for the ~~renting and or~~ leasing of portions of a residential dwelling for periods of less than thirty (30) consecutive days - also known as "Residential Hosting."

30.2.1 DEFINITIONS.

For the purposes of this Chapter all of the definitions contained in Keeds Land Use Ordinance 2008-04, Chapter 1 (as amended) are incorporated herein. Commonly words or terms that are capitalized are defined in Chapter 1, but they can also be imbedded into the body of various Ordinance 2008-04 chapters.

30.2.2 NATURE OF USE - RESIDENTIAL HOSTING OR RH.

The short-term renting of portions of a residential Dwelling Unit (aka Residential Hosting) requires an annual Residential Hosting ("RH") permit issued by the Town. The Dwelling Unit must be listed as "Primary Improved" on the property record provided by the Washington County, Utah Assessor's Office.

30.2.3 RH PERMIT APPLICATION AND FEES.

In order to obtain and maintain an RH Permit an Owner of a proposed residential Dwelling Unit where Residential Hosting will occur (~~Proposed RH Residence~~) must do the following:

30.2.3.A Obtain, complete and provide an RH Permit application and any other required documents to the Town.

30.2.3.B ~~The Owner must~~ Submit the following information on a Town approved RH Permit application form:

30.2.3.B.i All applicable and current contact information of the Owner of the proposed RH residence.

30.2.3.B.ii The street address of the proposed RH residence.

30.2.3.B.iii The number of bedrooms and the applicable occupancy limits of the ~~pp~~proposed RH ~~pp~~residence as established by local health and fire safety codes and verified by the Washington County Health Department and the local fire authority (Maximum occupancy is

commonly determined by square footage and bedrooms of a Dwelling Unit). Notwithstanding the foregoing, no more than two rooms may be rented to no more than four people at any time.

30.2.3.B.iv A diagram of the ~~p~~Proposed RH ~~r~~Residence which clearly depict each bedroom or sleeping area and bathroom (“RH residence Guest Quarter(s)”) of the Dwelling Unit where guests will privately reside.

30.2.3.B.v The maximum number of guests that can stay in each RH residence Guest Quarter while taking into consideration the overall maximum occupancy of the RH residence (4 Guests and a total of 10 occupants - including the Owner and his/her family unit).

30.2.3.B.vi The Owner’s Social Security Number (if an individual/sole proprietorship) or Federal Employer Identification Number (EIN) (if a business entity).

30.2.3.B.vii The Transient Room Tax and Sales Tax Account Number obtained from the Utah State Tax Commission.

30.2.3.B.viii Proof of Homeowner’s Insurance with an attestation from the Insurer that operating an RH facility is covered from a liability standpoint.

30.2.3.B.ix A safety inspection report from the Hurricane Valley Fire Special Service District, ~~demonstrating that the Proposed RH Residence is~~ free of any deficiencies.

30.2.3.B.x Any other information deemed necessary to inform the Town and the public about the intended use of the property as an RH residence Unit.

30.2.3.C All applications for RH ~~residence~~ Permits must include a set of self-addressed, postage-paid envelopes correctly addressed to all property owners within 300 feet from the exterior boundaries of the parcel upon which the RH ~~r~~Residence is proposed. Said envelopes will be used by Town Staff to send written notice to neighbors of the ~~p~~Proposed RH ~~r~~Residence and to provide them with contact information for the Owner in the event of a problem. The mailing will also include a list of standards and requirements contained in this Section that all RH ~~r~~Residences must comply with, and how violations should be reported to the Town.

30.2.3.D RH ~~residence~~ Permit ~~A~~ applications are reviewed and approved by the Town Staff. In the event the Town Staff determines that an application does not comply with the requirements and standards set forth in this Section, it shall deny the same.

30.2.3.E An applicant or Owner holding an RH ~~residence~~ Permit who receives notice from the Town of denial of their RH ~~residence~~ Permit application or the non-renewal of their existing RH ~~residence~~ Permit may appeal said decision to the Town’s Appeal Authority in compliance with Land Use Ordinance 2008-04 Chapter 3 and Utah Code Ann. § 10-9A-701 et seq. Said appeal must be made in writing within 10 business days of the adverse decision being issued.

30.2.3.F An applicant must pay an RH ~~residence~~ Permit fee at time of application submittal. The RH ~~residence~~ Permit fee shall be designated in the Town’s Uniform Fee Schedule and established and modified from time to time by resolution. All RH ~~residence~~ Permit applications will be deemed automatically incomplete until the RH ~~residence~~ Permit

Commented [HB1]: Does this violate any constitutional or FHA standards? We need to be careful that we are not restricting blood families from having more than six individuals.

Fee has been paid.

30.2.3.G An updated application is required to be provided to the Town if any of the contact information of the Owner is changed throughout the permit year.

30.2.4. RHF PERMIT RENEWAL.

RH ~~residence~~ Permits are good for 365 days after being issued. An RH ~~residence~~ Permit may be renewed upon the occurrence of the following:

30.2.4.A Payment to the Town of a new annual RH ~~residence~~ Permit fee.

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30.2.4.B Submittal to the Town of an updated application if:

30.2.4.B.i The Owner (or their contact information) has changed,

30.2.4.B.ii The Owner has made modifications to the RH residence or re-designation of the RH residence Guest Quarters of such that a higher number of maximum occupants is requested. In this instance, the Owner shall provide the Town with written current certification from the local health department and the local fire authority indicating the increased maximum number of occupants desired in the RH residence complies with local health and fire safety codes, or

30.2.4.B.iii The Owner has changed its Transient Room Tax and Sales Tax Account Number with the Utah State Tax Commission.

30.2.4.C The Town confirms with the Utah State Tax Commission that the Owner is current on the Owner's remittance of transient room tax and sales tax.

30.2.4.D The Town has not received more than two unresolved complaints stemming directly from the Owner's ~~RH residence~~ ~~Residential Hosting~~ during the previous RH ~~residence~~ Permit period. If more than 2 unresolved complaints stemming from an RH residence exists, the Town Staff may deny the renewal request or may place additional requirements upon the issuance of a renewed RH ~~residence~~ Permit that reasonably resolves the existing issues and prevents future problems and that are roughly proportional to the magnitude of the problem.

30.2.4.E If an Owner has had their RH ~~residence~~ Permit renewed with additional conditions and/or requirements pursuant to the preceding section, they may appeal the Town Staff's decision to the Town's Appeal Authority in compliance with Chapter 3 of Ordinance 2008-04 and Utah Code Ann § 10-9A-701 et seq. Said appeal must be made in writing within 10 business days of the adverse decision being issued.

30.2.5 STANDARDS AND REQUIREMENTS FOR RESIDENTIAL HOSTING RESIDENCES.

In addition to any other requirement of this Section, Residential Hosting and an RH ~~residence~~ Permit may be approved by Town Staff only if:

30.2.5.A The ~~proposed~~ RH ~~residence~~ is located in a Residential or Rural Residential

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Zone of the Town.

- 30.2.5.B** The proposed RH Residence is a Dwelling Unit that has been issued a certificate of occupancy by the Town.
- 30.2.5.C** Standards for number of guests, number of vehicles, parking, noise restrictions, and all other applicable standards already set by the Town, the State of Utah, the local health department and the local fire authority are complied with by the Owner.
- 30.2.5.D** The proposed RH Residence has no more than two separate RH residence Guest Quarters within it and the total number of occupants within the RH residence does not exceed four Guests and 10 persons including the Owner and the Owner's family unit dwelling within and upon the RH residence. Maximum occupancy must be posted in each individual RH residence Guest Quarter.
- 30.2.5.E** There are no "on premise" or "off premises" exterior signage or display advertising the proposed RH Residence or its use as Residential Hosting Facility regardless of the Town's regulations found in Chapter 22 of Ordinance 2008-04(Signs).
- 30.2.5.F** The proposed RH Residence (including all RH residence Guest Quarters) has fully functioning smoke alarms and carbon monoxide detectors meeting the Underwriters Laboratory (UL) 217 standards, installed in the number and location required by the current uniform building, safety and fire codes adopted by the Town.
- 30.2.5.G** The proposed RH Residence has sufficient Off Street Parking on site in compliance with Chapter 6 of Ordinance 2008-04 (Parking Requirements). Off Street Parking may not be provided within the front yard setback other than the existing driveway.
- 30.2.5.H** The principal renter of an RH residence Guest Quarter shall be of legal adult age (18 Years Old).
- 30.2.5.I** The Owner shall have set up a Transient Room Tax and Sales Tax Account with the Utah State Tax Commission and agree to be fully responsible for collecting and remitting all applicable room, occupancy, and sales taxes required by Utah law, Ordinance 2008-04 or other Town Ordinances.
- 30.2.5.J** The Owner agrees to provide guests with a summary of all laws and regulations of the Town that is applicable to Residential Hosting uses.
- 30.2.5.K** The Owner shall provide a brochure or other alternative publication to guests of their RH residence containing basic, minimum, standards of personal conduct during their visit to the Town.
- 30.2.5.L** The proposed RH Residence or RH residence Guest Quarter(s) are not comprised of, a part of, or a conglomerate of a Boarding House, Lodging House, Hotel, Motel, Tent, Campground Cabin, Travel Trailer, Recreational Vehicle ("RV"), Mobile Home or a Congregate Living Facility.

30.2.5.M The ~~Proposed~~ RH ~~R~~esidence is located on a dedicated street that meets all requirements of the current version of the International Fire Code adopted by the Town.

30.2.5.N The ~~Proposed~~ RH ~~R~~esidence possesses landscaping that is maintained to minimize impact on neighboring properties, to retain residential character, and to provide a visual buffer for on-site parking in relation to adjacent properties and the street. Landscaping may include, but shall not be limited to, planting trees in the park strip, if available.

30.2.5.O If animals are allowed by the ~~owner~~, pets must be boarded inside the residence and may not be allowed outside unless accompanied by an adult.

30.2.6 RH RESIDENCE COMPLIANCE AND LIABILITIES.

30.2.6.A Owners may be held liable for violation of Town ordinances that happen on their property.

30.2.6.B Complaints from an adjacent or nearby property owners about an RH residence must be in writing to the Town office and will be responded to by the Town within a reasonable time period.

30.2.6.C A complaint received will not be considered a violation, or ~~an~~ unresolved complaint to be considered grounds for revocation or non-renewal of the RH ~~Permit~~, until proper notification to the Owner and investigation by the Town or law enforcement authorities have been completed.

30.2.6.D Two or more citations issued in violation of Town ordinance, State, County or Federal laws, if they are not resolved in a timely manner by the Owner, may be cause for revocation or non-renewal of the RH ~~residence~~ Permit in compliance with Subsections 30.2.2.D & E and 30.2.5.

30.2.6.E Residential Hosting and RH residences are subject to Leeds's Transient Room Tax Ordinance, therefore Owners must collect said tax and all applicable sales tax and remit the same to the Utah State Tax Commission as required by State Law.

30.2.6.F This Section 2 of this ~~Ordinance~~ Ordinance does not supersede the CC&Rs or any other privately negotiated restrictive covenants established by private subdivisions. The Town does not have authority, and will not enforce CC&Rs or any other privately negotiated restrictive covenant.

30.2.7 ENFORCEMENT.

An RH ~~residence~~ Permit may be revoked or not-renewed by the Town if:

30.2.7.A The RH residence that was originally constructed as residential Dwelling Unit has been repurposed for a use other than that of a residential Dwelling Unit.

30.2.7.B The Owner fails to pay any annual RH ~~residence~~ Permit fee after sufficient notice.

30.2.7.C The RH residence and/or ancillary structures on the property fails to comply with applicable health, safety, or building codes and the Owner will not comply in a timely manner to bring the property into compliance with said code; or

30.2.7.D Other illegal activities have occurred at, or related to the RH residence, which the Town reasonably determines is clearly contrary to the purpose and intent of this Ordinance.

30.2.8 VIOLATIONS AND PENALTIES

30.2.8.A A person commits an offense under this chapter if that person owns, rents, or operates a short-term rental outside the limitations set forth in this chapter. This includes but is not limited to the following:

(a) renting and/or leasing an entire residential dwelling unit for a period of less than thirty (30) consecutive days;

(b) renting and/or leasing a portion of a residential dwelling unit for a period of less than thirty (30) consecutive days without a valid RH Permit;

(c) renting or leasing a portion of a residential dwelling unit for a period of less than thirty (30) consecutive days when the Owner is not residing at and physically present in the RH residence during the rental period;

(d) exceeding the maximum number of guests permitted under section 30.2.3.B.1; or

(e) exceeding the maximum occupancy of the RH residence permitted under section 30.2.3.B.1.

30.2.8.B Each violation of this Chapter shall be punishable by a civil penalty of \$500 per day. In addition to civil penalties, any person who violates this Chapter shall be guilty of an Infraction.

30.2.8.C Each day of violation under this Chapter shall constitute a separate offense and shall be separately punishable, but may be joined in a single prosecution.



Planning Commission Staff Report

Lot Line Adjustment August 2, 2023

Applicant/Owner: Brian & Shelly Hansen
Zone: R-R-20 (20,000 square foot minimum lot size)

Description:

The applicants, Brian and Shelly Hansen, own Parcel L-78-D-1, which is 3.59 acres in size. They also own Parcel L-78-C-5, which is 0.54 acres in size. The parcels are generally located north of Vista Avenue on the east side of Main Street. Parcel L-78-C-5 is land locked with no current street frontage. The applicants are requesting to do a lot line adjustment with the internal lot line, reconfiguring the two subject parcels. The reconfigured Parcel L-78-D-1 will be approximately 2.01 acres in size and Parcel L-78-C-5 will be approximately 1.82 acres in size. The proposed configuration creates approximately 75 feet of street frontage on Main Street for Parcel L-78-C-5. The subject parcels are zoned R-R-20 (20,000 square foot minimum lot size). Utah State Code 10-9a-604.1 and 10-9a-608 outline the review process for a lot line adjustment application. See below.

Effective 5/3/2023

10-9a-604.1. Process for subdivision review and approval.

- (1) (a) *As used in this section, an "administrative land use authority" means an individual, board, or commission, appointed or employed by a municipality, including municipal staff or a municipal planning commission.*
 - (b) *"Administrative land use authority" does not include a municipal legislative body or a member of a municipal legislative body.*
- (2) (a) *This section applies to land use decisions arising from subdivision applications for single-family dwellings, two-family dwellings, or townhomes.*
 - (b) *This section does not apply to land use regulations adopted, approved, or agreed upon by a legislative body exercising land use authority in the review of land use applications for zoning or other land use regulation approvals.*
- (3) *A municipal ordinance governing the subdivision of land shall:*
 - (a) *comply with this section, and establish a standard method and form of application for preliminary subdivision applications and final subdivision applications; and*
 - (b) (i) *designate a single administrative land use authority for the review of preliminary applications to subdivide land; or*



- (ii) if the municipality has adopted an ordinance that establishes a separate procedure for the review and approval of subdivisions under Section 10-9a-605, the municipality may designate a different and separate administrative land use authority for the approval of subdivisions under Section 10-9a-605.

10-9a-608. Subdivision Amendments.

- (1) (a) A fee owner of land, as shown on the last county assessment roll, in a subdivision that has been laid out and platted as provided in this part may file a written petition with the land use authority to request a subdivision amendment.
- (b) Upon filing a written petition to request a subdivision amendment under Subsection (1)(a), the owner shall prepare and, if approved by the land use authority, record a plat in accordance with Section 10-9a-603 that:
- (i) depicts only the portion of the subdivision that is proposed to be amended;
 - (ii) includes a plat name distinguishing the amended plat from the original plat;
 - (iii) describes the differences between the amended plat and the original plat; and
 - (iv) includes references to the original plat.
- (c) If a petition is filed under Subsection (1)(a), the land use authority shall provide notice of the petition by mail, email, or other effective means to each affected entity that provides a service to an owner of record of the portion of the plat that is being vacated or amended at least 10 calendar days before the land use authority may approve the petition for a subdivision amendment.
- (d) If a petition is filed under Subsection (1)(a), the land use authority shall hold a public hearing within 45 days after the day on which the petition is filed if:
- (i) any owner within the plat notifies the municipality of the owner's objection in writing within 10 days of mailed notification; or
 - (ii) a public hearing is required because all of the owners in the subdivision have not signed the revised plat.
- (e) A land use authority may not approve a petition for a subdivision amendment under this section unless the amendment identifies and preserves any easements owned by a culinary water authority and sanitary sewer authority for existing facilities located within the subdivision.
- (2) The public hearing requirement of Subsection (1)(d) does not apply and a land use authority may consider at a public meeting an owner's petition for a subdivision amendment if:
- (a) the petition seeks to:
 - (i) join two or more of the petitioner fee owner's contiguous lots;
 - (ii) subdivide one or more of the petitioning fee owner's lots, if the subdivision will not result in a violation of a land use ordinance or a development condition;



- (iii) adjust the lot lines of adjoining lots or between a lot and an adjoining parcel if the fee owners of each of the adjoining properties join in the petition, regardless of whether the properties are located in the same subdivision;*
 - (iv) on a lot owned by the petitioning fee owner, adjust an internal lot restriction imposed by the local political subdivision; or*
 - (v) alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are not:
 - (A) owned by the petitioner; or*
 - (B) designated as a common area; and**
- (b) notice has been given to adjoining property owners in accordance with any applicable local ordinance.*

Recommendation:

The Planning Commission has reviewed the application for the lot line adjustment between Parcel L-78-D-1 and Parcel L-78-C-5, which are both owned by the applicant, Brian Hansen. The Planning Commission approves the lot line adjustment based on the following findings and conditions:

1. Both proposed parcels meet the minimum lot size requirement for the R-R-20 (20,000 Square foot minimum lot size) zone.
2. The new parcel configuration allows for each parcel to have required street frontage.
3. The lot line adjustment meets the application process requirements of Utah State Code 10-9a-608.
4. Both parcels meet the minimum lot width for the R-R-20 (20,000 square foot minimum lot size) zone, which is 75 feet.
5. The lot line adjustment allows the property owners to use their land in a beneficial way.

- Attachment 1: Map
- Attachment 2: Recorded Plat
- Attachment 3: Proposed Lot Line Adjustment

Town of Leeds
**LOT LINE (BOUNDARY) ADJUSTMENT -
APPLICATION**

1. Applicant / Owner Name: Brian Hansen
Address, City, State, Zip: 480 N Main Street Leeds UT 84746
Phone: 435-703-3046 E-mail: hansen.horse3@hotmail.com
Project Location: Corner of Vista & Main Street (Highway 91)
Existing Zone: R-R-20 Lot Number: _____ Tax Parcel ID Number: L-78-D-1

2. Applicant / Owner Name: Shelly Hansen ↗ L-78-C-5
Address, City, State, Zip: _____
Phone: _____ E-mail: same
Project Location: _____
Existing Zone: _____ Lot Number: _____ Tax Parcel ID Number: _____

Subdivision, if any: NA

Engineer Firm and Contact Name: Platt and Platt
Address, City, State, Zip: 195 N 100 E Cedar City Utah 84220
Phone: 435-586-6151 Fax 435-586-8567 E-mail: Platt@info west.com

Please include with the application:

- \$200.00 filing fee - non-refundable
- Stamped envelope filled out for all adjacent property owners.
- Two copies: 24" x 36" of the plat drawing showing existing lots and proposed boundary adjustments. These must each include the legal descriptions with details of the adjustment for the parcels involved, placement of hydrants, utility pedestals, water and septic services and existing structures.
- Four copies each:
 - 11" x 17" of the plat drawing
 - Title Report dated within two weeks from the date of Planning Review Meeting
 - The legal description of existing property Boundary Lines
 - The legal description of proposed adjustment to property Boundary Lines

File completed application with the Town of Leeds, 218 N. Main St, Leeds, UT, 84746 or deliver to Leeds Clerk/Recorder at Town Hall, hours 9:00 a.m. – 2:00 p.m. Mon - Thu; closed on Fri.

Signature of Owner 1 _____ Date _____

Signature of Owner 2 _____ Date _____

15608

WHEN RECORDED MAIL TO:
BRIAN R. HANSEN
PO BOX 993
LEEDS, UT. 84746

L-78-C-5

00952080 Bk 1756 Pg 0990
RUSSELL SHIRTS * WASHINGTON CO-RECORDER
2005 JUN 17 14:38 PM FEE \$10.00 BY SW
FOR: FIRST TITLE OF UTAH

WARRANTY DEED

FRED R. FRIESE

of LEEDS, County of , State of UT
hereby CONVEY and WARRANT to

Grantor,

BRIAN R. HANSEN AND SHELLY HANSEN, HUSBAND AND WIFE, AS JOINT TENANTS

Grantee,

of LEEDS, County of WASHINGTON, State of UT, for the sum of TEN DOLLARS and other good and valuable consideration, the following tract of land in WASHINGTON County, State of UT, to-wit

BEGINNING North 84°19'08" West 1532.01 feet from the North 1/16 corner of Section 7, (1990 BLM ALUMINUM CAP), Township 41 South, Range 13 West, Salt Lake Base & Meridian, and considering the bearing between the North 1/16 corner and the East 1/4 corner bears North 00°19'38" West, and running thence South 32°30'48" East 104.30 feet to the North line of the Leeds Estates Subdivision of said Section 7; thence South 89°45'52" East 187.66 feet along said subdivision; thence North 32°38'30" West 196.65 feet; thence South 60°49'24" West 157.66 feet to the point of beginning.

EXCLUDING THEREFROM any Water Rights.
L-78-C-2

Subject to easements, restrictions and rights of way appearing of record and enforceable in law and subject to 2005 taxes and thereafter.

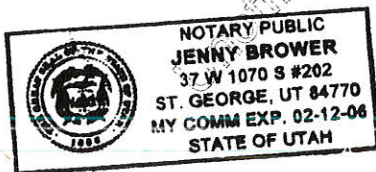
WITNESS the hand of said grantor, this 16 day of June, 2005

Fred R. Friese
FRED R. FRIESE

STATE OF UTAH)
) :ss
COUNTY OF WASHINGTON)

On the ___ day of June, 2005, personally appeared before me FRED R. FRIESE, the signer(s) of the within instrument, who duly acknowledged to me that he executed the same.

Jenny Brower
Notary Public



Deed of Reconveyance Page 1 of 2
Russell Shirts Washington County Recorder
04/09/2020 08:25:14 AM Fee \$40.00 By SECURITY CONNECTIONS INC

UTAH RECORD 2ND

COUNTY OF WASHINGTON
LOAN NO.: 6830043856



WHEN RECORDED MAIL TO: FIRST AMERICAN MORTGAGE SOLUTIONS
1795 INTERNATIONAL WAY
IDAHO FALLS, ID 83402, PH. 208-528-9895

PARCEL NO. 6-78-C-1; L-78-C-1

FULL RECONVEYANCE

FIRST AMERICAN TITLE INSURANCE COMPANY, as Trustee, or Successor Trustee, or Substitute Trustee, under that certain Deed of Trust dated MAY 11, 2009, executed by BRIAN HANSEN AND SHELLY HANSEN, HUSBAND AND WIFE, Trustor, to SCOTT LUNDBERG, Original Trustee, for the benefit of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS BENEFICIARY, AS NOMINEE FOR U.S. BANK NATIONAL ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, Original Beneficiary, and recorded on MAY 18, 2009 as Entry No. 20090019082 in the County Recorder's records for WASHINGTON County, State of UTAH and said Deed of Trust describes the following property:

LEGAL DESCRIPTION: SEE ATTACHED LEGAL DESCRIPTION

WHEREAS, the Undersigned received from MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS BENEFICIARY, AS NOMINEE FOR U.S. BANK NATIONAL ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, the Beneficiary of said Deed of Trust, a written request to reconvey, reciting that the obligation secured by said Deed of Trust has been fully paid and performed, does hereby grant, bargain, and convey, without any covenant or warranty, express or implied, to the person or persons legally entitled thereto, all of the estate held by the Undersigned in and to said described premises by virtue of said Deed of Trust.

IN WITNESS WHEREOF, the Undersigned has caused this Instrument to be executed on this APRIL 06, 2020.

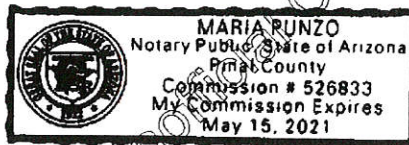
FIRST AMERICAN TITLE INSURANCE COMPANY


ARIEL GERARDO MORAN, VICE PRESIDENT

STATE OF ARIZONA COUNTY OF MARICOPA

On APRIL 06, 2020, before me MARIA PUNZO, personally appeared ARIEL GERARDO MORAN known to me to be the VICE PRESIDENT of FIRST AMERICAN TITLE INSURANCE COMPANY the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.


MARIA PUNZO (COMMISSION EXP. 05/15/2021)
NOTARY PUBLIC



POD: 20200319
US81001191M - LR - UT




US8100119IM 6830043856 HANSEN

LEGAL DESCRIPTION

PARCEL 1:

A PARCEL OF LAND IN SECTION 7, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SALT LAKE BASE AND MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 7, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 89°23'00" EAST ALONG THE SECTION LINE 1334.16 FEET TO THE 1/16 SECTION CORNER, THENCE SOUTH 0°19'49" EAST ALONG THEN 1/16 SECTION LINE 848.25 FEET TO THE TRUE POINT OF BEGINNING, THENCE SOUTH 0°19'49" EAST ALONG THE 1/16 SECTION LINE 497.56 FEET TO THE 1/16 SECTION CORNER, THENCE SOUTH 89°17'32" WEST ALONG THE 1/16 SECTION LINE 80.92 FEET, THENCE NORTH 32°45'49" WEST 405.44 FEET THENCE NORTH 57°14'11" EAST 130.40 FEET; THENCE NORTH 53°07'34" EAST 20.10 FEET, THENCE SOUTH 42°46'15" EAST 31.81 FEET, THENCE NORTH 56°16'54" EAST 179.22 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENT:

BEGINNING AT A POINT WHICH LIES NORTH 89°23'00" EAST 933.33 FEET ALONG THE SECTION LINE, SOUTH 833.23 FEET AND NORTH 47°13'45" EAST 93.65 FEET FROM THE NORTH QUARTER CORNER OF SECTION 7, TOWNSHIP 42 SOUTH, RANGE 13 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING ALSO ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF OLD HIGHWAY 91 AND RUNNING THENCE NORTH 47°13'45" EAST 20.00 FEET ALONG SAID RIGHT OF WAY; THENCE SOUTH 42°46'15" EAST 223.14 FEET, THENCE SOUTH 57°14'11" WEST 20.31 FEET, THENCE NORTH 42°46'15" WEST 219.62 FEET TO THE POINT OF BEGINNING

EXHIBIT "A"
Legal Description

Assessor's Parcel Number: L-78-D-1

All that certain real property situated in the County of Washington, State of Utah, described as follows:

PARCEL 1:

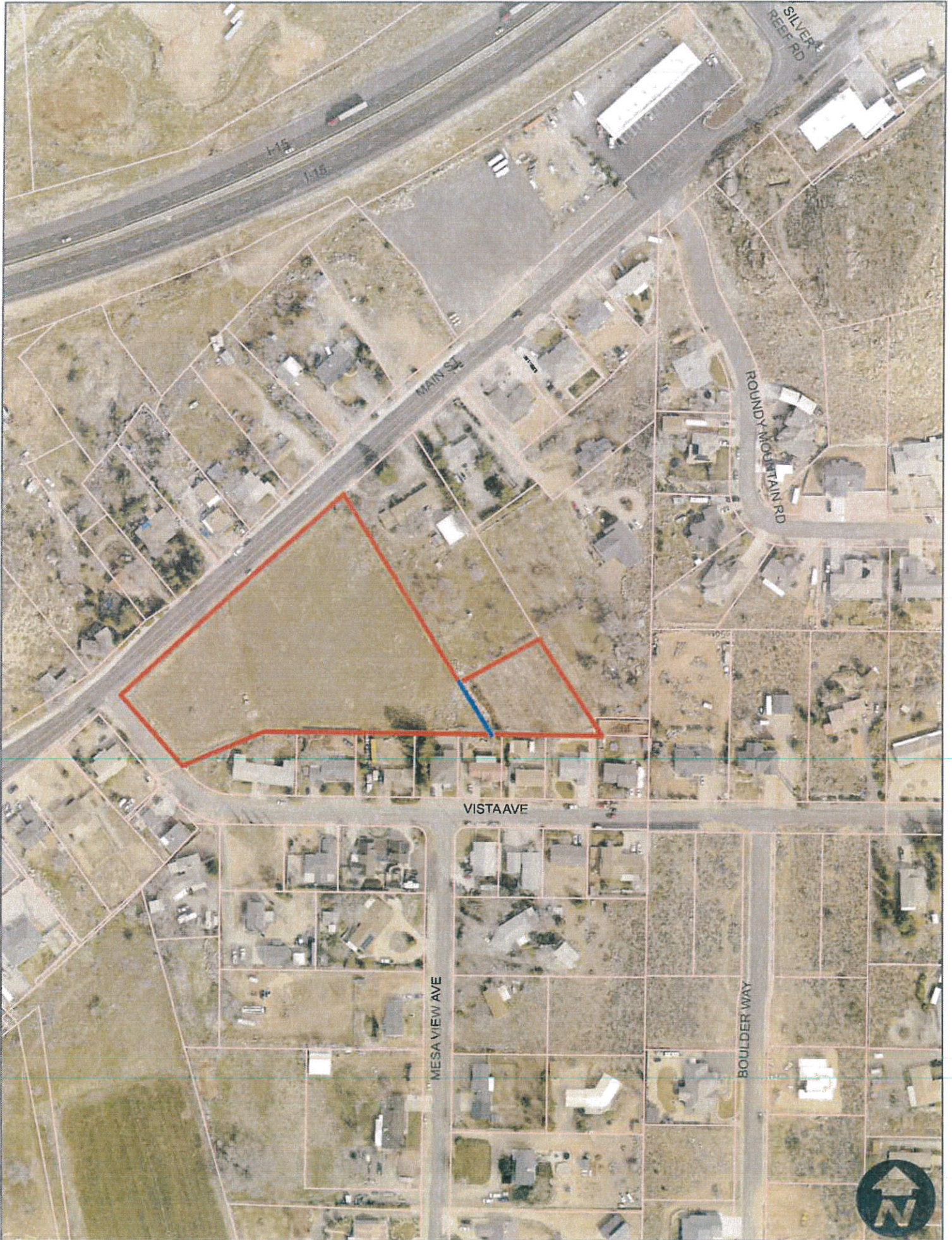
BEGINNING S.89°44'15"W. ALONG THE NORTHERLY SUBDIVISION BOUNDARY LINE OF LEEDS ESTATES SUBDIVISION AMENDED 592.91 FEET FROM THE NORTHEAST CORNER OF THE SW1/4NE1/4 OF SECTION 7, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SLB&M; THENCE S.89°44'15"W. ALONG SAID SUBDIVISION BOUNDARY LINE 55.01 FEET, THENCE CONTINUING ALONG SAID SUBDIVISION BOUNDARY S.66°26'08"W. 152.22 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF VISTA AVENUE, THENCE N.42°13'52"W. ALONG SAID RIGHT-OF-WAY LINE 164.02 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF US HIGHWAY #91, THENCE N.47°28'00"E. ALONG SAID RIGHT-OF-WAY LINE 434.18 FEET, THENCE S.32°00'00"E. 198.25 FEET, THENCE S.32°54'55"W. 221.24 FEET TO THE POINT OF BEGINNING.

CONTAINS 2.01 ACRES OF LAND.

PARCEL 2:

BEGINNING S.89°44'15"W. ALONG THE NORTHERLY SUBDIVISION BOUNDARY LINE OF LEEDS ESTATES SUBDIVISION AMENDED 81.12 FEET FROM THE NORTHEAST CORNER OF THE SW1/4NE1/4 OF SECTION 7, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SLB&M; THENCE S.89°44'15"W. ALONG SAID SUBDIVISION BOUNDARY LINE 511.79 FEET, THENCE N.32°54'55"E. 221.24 FEET, THENCE N.32°00'00"W. 198.25 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF US HIGHWAY #91, THENCE N.47°28'00"E. ALONG SAID RIGHT-OF-WAY LINE 76.28 FEET, THENCE S.32°00'00"E. 371.27 FEET, THENCE N.60°49'24"E. 157.89 FEET, THENCE S.32°38'30"E. 196.17 FEET TO THE POINT OF BEGINNING.

CONTAINS 1.82 ACRES OF LAND.



TOWN OF LEEDS PUBLIC HEARING SIGN IN SHEET

8/2/2023

PLEASE PRINT NAME AND ADDRESS

- 1. Lynn D. Hays
- 2. Brock Riding
- 3. _____
- 4. _____
- 5. _____
- 6. _____
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- 36. _____