

Town of Leeds

Work Session Agenda Town of Leeds Planning Commission Wednesday, November 01, 2023

PUBLIC NOTICE is hereby given that the Town of Leeds Planning Commission will hold a **WORK SESSION** on Wednesday, **November 1, 2023, at 5:30pm**. The Planning Commission will meet in the Leeds Town Hall located at 218 N Main, Leeds, Utah.

The purpose of this work session is to facilitate open dialogue among the Planning Commission, Town Council members (should a quorum be present) and Staff, regarding Leeds short-term rental policy. Public comment will not be taken in this session. Decision-related discussions will be scheduled for a future Planning Commission meeting. This session prioritizes candid idea exchange, with no formal action taken.

Work Session 5:00pm

1. Call to Order/Roll Call
2. Consent Agenda:
 - a. Tonight's Agenda of November 01, 2023
 - b. Work Session Minutes of October 04, 2023
3. Work Session
 - a. Discussion on State Code regulation changes with Scott Messel and Short-Term Rental (STR) draft proposal by Commissioner Darton
6. Adjournment

The Town of Leeds will make 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 October 30, 2023 at these public places being at **Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, and the Town of Leeds website www.leedstown.org.**



Aseneth Steed, Clerk/Recorder

DRAFT OF PROPOSED ORDINANCE FOR THE TOWN OF LEEDS
REGULATION OF SHORT-TERM RENTALS AND ACCESSORY
DWELLING UNITS

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DEFINITIONS

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BUILDING: Any structure having a roof supported by columns or walls, for the housing or enclosure of persons, animals or chattels.

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DETACHED RESIDENTIAL UNITS: Resident dwellings, not attached to one another, including standard single-family detached residences, zero lot line residences, cluster housing, or housing approved through density transfer.

DWELLING: Any building or portion thereof containing one dwelling unit occupied, designed or intended as a residence for one family, excluding short-term residential rental use unless the owner of the Dwelling has obtained a Short-Term Rental License.

DWELLING, GROUP: Two (2) or more dwellings located in more than one building placed upon a single lot.

DWELLING UNIT, ACCESSORY (ADU): A subordinate residential living area with sleeping, bathroom and kitchen facilities created within a single-family dwelling, or a detached building on the same residential lot or parcel as the single-family dwelling, which meets the requirements of 10-13-18 (Statute/Ordinance reference), not used for short term rental absent a Short-Term Rental License. This term includes, but is not limited to, a casita, guesthouse or mother-in-law apartment/suite.

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DWELLING UNIT, INTERNAL ACCESSORY (INTERNAL ADU): An accessory dwelling unit created within a primary dwelling inside the footprint of the primary dwelling.

RESIDENCE, RESIDENTIAL FACILITY: Any building or portion thereof where an individual is actually living at a given point in time and intends to remain, and not a place of temporary sojourn or transient visit.

RESIDENTIAL CHARACTER: The characteristics of a neighborhood that make it residential, i.e., having the feel of being a neighborhood, as opposed to an area that has a commercial, industrial, or manufacturing feel. These characteristics include, but are not limited to, the intent of the zone, with careful consideration being given to the permitted and conditional uses allowed within the zone; the population density of the surrounding area; safety, with particular weight being given to the safety of children residing nearby; peacefulness that is consistent with a residential area; whether the home occupation is one generally conducted within a residential neighborhood; low traffic density; and any other factor that may impact the quality of life that is

customary within the neighborhood.

RESIDENTIAL USE: Customarily includes overnight use of a room or rooms with independent facilities for sleeping combined with a private bath and/or a kitchen.

SHORT-TERM RENTAL (STR): Property that is occupied, possessed or used by any person or entity for transient lodging where the term of occupancy, possession, or use is offered for twenty-nine (29) consecutive calendar days or less, for direct or indirect compensation or other consideration.

SHORT-TERM RENTAL LICENSE (STR License): An STR License is a license obtained from the Town of Leeds pursuant to Section _____ which authorizes the owner of the STR to operate an STR within the Town boundaries.

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TRANSIENT ROOM TAX (TRT):

~~A. The TRT rate is increased from three percent (3%) to four and one fourth percent (4¼%).~~ The TRT shall be imposed on amounts paid or charged for short term rental, hotel, motel, or trailer court accommodations and services that are regularly rented for less than thirty (30) consecutive days, as defined and set forth in Utah Code Annotated, section 59-12-103(1)(i) (1953, as amended), and as amended by the Utah state legislature. (Ord. 2007-930-O, 2-6-2007).

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TRANSIENT ROOM TAX RATE (TRT Rate): The TRT Rate shall be the sum of 4.25 percent for the County of Washington TRT, and the sum of 1.0 percent for the Town of Leeds TRT as set forth in Utah Code Annotated, section 59-12-103(1)(i) (1953, as amended), and Utah Code Annotated, section 59-12-352(1)(a) (1953, as amended).

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SECTION _____:

~~B. The Transient Room Tax Rate levied for the benefit of the Town of Leeds shall be the sum of 1.0 percent as authorized in Utah Code Annotated, section 59-12-352(1)(a) (1953, as amended).~~

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10-13-18(Chapter or Section/Ordinance citation): ACCESSORY DWELLING UNIT (ADU):

A. Purpose and Intent:

The purpose of this chapter is to provide regulations for Accessory Dwelling Units that are incidental and accessory to a single-family dwelling, where permitted in the

zone. Accessory Dwelling Units are intended to assist in providing housing types that meet the needs of populations of various income levels, ages, and stages of life. In accordance with the goals of the general plan, and state law, providing tools and methods for the creation of moderate income housing is necessary in the ~~areas of unincorporated Washington County~~ Town of Leeds. Accessory Dwelling Units created in accordance with this section will assist in providing for this need.

B. General Provisions:

1. Number of ~~accessory dwelling units~~ADUs per parcel. An ~~accessory dwelling unit~~ADU shall only be permitted on a parcel with a single-family dwelling. Only one ~~accessory dwelling unit~~ADU is permitted on a lot or parcel that is zoned less than five (5) acres. On a lot or parcel that is zoned five (5) acres or more, one additional ~~accessory dwelling unit~~ADU may be approved for each additional five (5) acres above the base five (5) acres, in the sole discretion of the ~~county~~Town of Leeds. No more than four (4) ~~accessory dwellings~~ADUs shall be allowed on a lot or parcel, except when zoned and approved in a planned development that complies with all applicable ~~county~~ ordinances. Only one ~~accessory dwelling unit~~ADU on the property may be ~~rented~~licensed as an ADU.
2. Amenities. An accessory dwelling unit shall contain sufficient amenities to be ~~defined as a dwelling~~meet the definition of an ADU. An ~~accessory dwelling unit~~ADU shall not have more than one kitchen.
3. Parking. Two parking spaces shall be provided on site for each ~~accessory dwelling unit~~ADU, and it shall be on a hard-surface, ~~or graveled~~ area. Only one parking space is required for an ~~internal~~ADU, and it shall be on a hard-surface, ~~or graveled~~ area.
4. Occupancy. Either the ~~accessory dwelling unit~~ADU or the single-family dwelling shall be owner-occupied, and be the primary ~~residence~~Residence of the owner-occupant with the primary residential exemption as determined by the Washington County assessor's office, in order to utilize the other dwelling as a long-term rental dwelling, ~~or if the owner has obtained an STR Licence, as an STR~~. The non-owner-occupied unit is limited to no more than one family ~~if it is a long-term rental, or if it is an STR, it is limited per (cite Statute/Ordinance)~~. For the purposes of this subsection "owner-occupied dwelling unit" means a unit that is occupied by the owner for a minimum of one hundred eighty-three (183) consecutive calendar days during the calendar year, except temporary leave for religious, military, or other legitimate purposes qualifies as owner occupancy if not exceeding two years. While away, the owner shall not offer the owner-occupied dwelling unit for rent separately from the ~~accessory dwelling unit~~ADU.
5. Short-term rentals not permitted. Neither the single-family dwelling unit, nor the ~~accessory dwelling unit~~ADU, shall be used or licensed as a short-term rental unless specifically permitted in accordance with section ~~10-13-23~~(cite the STR Statute/Ordinance).
6. Relevant authority approvals. The ~~accessory dwelling unit~~ADU shall comply with regulations, ordinances and building codes for a single family dwelling. Approval is required from all utility and service providers and the ~~Building Official~~.

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C. Standards And Requirements:

1. Standards same as single family ~~dwelling~~Dwellings. If new construction for an ~~accessory dwelling unit~~ADU is proposed or will occur, the standards for single family ~~D~~dwelling shall apply. An ~~accessory dwelling unit~~ADU shall comply with the same permit standards, lot development standards, and setbacks as required in the respective zone. ~~No travel trailer, boat, recreational vehicle, or similar item shall be used as an accessory dwelling unit~~ADU.
2. Size and height. The size and height regulations for an accessory dwelling unit are as follows:
 - a. 1500 sq. ft. maximum: For all lots or parcels in zones designated as one-half (1/2) acre minimum lot size or less, the ADU shall not exceed 1500 sq. ft. or be less than 400 sq. ft. The height shall not exceed 25 ft.
 - b. 2500 sq. ft. maximum: For all lots or parcels in zones designated as 40,000 sq. ft. minimum lot size up to 2.5 acre minimum lot size, the ADU shall not exceed 2500 sq. ft. or be less than 400 sq. ft. The height shall not exceed 35 ft.
 - c. 3500 sq. ft. maximum: For all lots or parcels in zones designated as more than 2.5 acre minimum lot size, the ADU shall not exceed 3500 sq. ft. or be less than 400 sq. ft. The height shall not exceed 35 ft.
 - d. For an ~~internal accessory dwelling unit~~ADU, the ADU shall not exceed the size permitted in state law, or the height ~~in in 10-13-18.C.2.a, b and any applicable statute or ordinance of the Town of Leeds~~. For an ~~internal accessory dwelling unit~~ADU located entirely within the basement of a single-family dwelling, it may include the entire basement area regardless of square footage.
3. Relationship to the single-family dwelling; appearance. The exterior design of an ~~accessory dwelling unit~~ADU, or the building that contains an ~~accessory dwelling unit~~ADU, shall compliment the single-family dwelling in a manner that preserves the appearance of the lot's single-family use.
 - a. The exterior of the ~~accessory dwelling unit~~ADU shall either:
 - i. Conform to the single-family dwelling in architectural style and materials on all sides of the building and roof; or
 - ii. Be designed by a licensed architect in a manner that gives the appearance of a barn or other similarly styled agricultural outbuilding; or
 - iii. Be designed by a licensed architect in a manner that provides the architectural features of historic buildings from the general area.
 - b. An ~~accessory dwelling unit~~ADU located in a building that is only connected to the single-family dwelling by means of a continuous roofline, such as a breezeway, shall not be determined to be an ~~internal accessory dwelling unit~~ADU if the distance between them is 15 feet or greater.
4. Access. The main access into an ~~internal accessory dwelling unit~~ADU shall be on the side or rear of the primary dwelling, as viewed from the front lot line. Each ~~accessory dwelling unit~~ADU shall have direct access to the exterior of the building in a manner that does not require passage through any other part of a building.
5. Undivided ownership. Ownership of an ~~accessory dwelling unit~~ADU shall not be transferred separately from the single-family dwelling to which it is an accessory, unless the transfer is part of a lawfully platted subdivision that complies with all

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applicable ~~county~~ ordinances. The primary residence and the ~~accessory dwelling unit~~ADU(s) shall have the same physical and mailing address.

6. Site layout approval. The ~~accessory dwelling unit~~ADU shall be constructed at a location on the lot or parcel approved by the ~~county~~Town of Leeds and service providers to take into account drainage, topography, setbacks, parking, utilities, easements and all other applicable standards.
7. Utilities. All utilities shall be sized and constructed to accommodate the primary dwelling and the ~~accessory dwelling unit~~ADU, as well as any other structures or uses on the lot or parcel.
8. Building department compliance. No ~~accessory dwelling unit~~ADU shall be constructed, converted or remodeled without a building permit issued at the time of the act. No permit shall be issued if there is an outstanding code violation on the parcel. If no building permit was issued at the time of construction, conversion or remodeling, the applicant shall apply for a building permit and pay all applicable fees to ~~Washington County~~the Town of Leeds and applicable utility service providers. It is the applicant's responsibility to provide a certification of compliance from a qualified and licensed engineer to the **Building Official** that the ADU complies with all regulations, ordinances and building codes, and the ~~county~~Town shall make a determination of adequacy of the certification of compliance, in its sole discretion.

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D. Application Procedure

Approval of an ~~accessory dwelling unit~~ADU requires a land use permit. The application and review procedure for a land use permit is as follows:

1. Application submittal requirements.
 - a. A completed application form signed by the property owner or assigned agent.
 - b. An application fee. The payment of a partial application fee, or the submittal of plans for a pre-submittal review, does not constitute a complete application.
 - c. A site plan drawn accurately to scale that shows property lines and dimensions, setbacks, the location of existing buildings and building entrances, any proposed building and its dimensions from buildings and property lines, and the location of parking stalls.
 - d. Detailed floor plans, including elevations, drawn to scale with labels on rooms indicating proposed uses.
 - e. Detailed utility plans, drawn to scale showing the location of private and public utility infrastructure on the lot or parcel, and the connections to any public utilities.
2. Review procedure.
 - a. Upon submittal of a complete ~~accessory dwelling unit~~ADU application, ~~Town Community Development~~staff will review the application to verify compliance with this chapter and any other relevant component of ~~County~~Town ordinances.
 - b. ~~Community Development~~Town staff will route the application to the local fire authority, local health department, the County Building Division, Public Works and any other relevant review department or agency for verification of compliance, determination of need for land use permit application

- modifications, and for the submittal of other applications or reviews necessary to obtain their approvals of an ~~accessory dwelling unit~~ADU.
- c. If the land use permit application complies with relevant land use laws, and receives all required ~~department and agency~~ approvals, a land use permit shall be issued. If the application requires submittal of other applications or reviews necessary to attain the approvals of other required departments or agencies, but otherwise complies with relevant land use laws, the application shall be given conditional approval ~~by Community Development~~, conditioned on approval of other reviewers. The ~~owner of the accessory dwelling unit~~ADU shall maintain compliance with the approved permit.
 - d. If the application does not comply, ~~Community Development~~Town staff shall notify the applicant in writing, using the notification method typical for similar correspondence. The applicant shall be given the opportunity to revise the application to bring it into compliance. If the application cannot be brought into compliance, the application shall be denied. A denial by the ~~Community Development~~Town staff is an administrative decision. Alternatively, the applicant may withdraw the application, forfeiting the fee.
 - e. Upon receipt of an approved land use permit, the applicant shall submit for a building permit, prior to construction or use of the space as an ~~accessory dwelling unit~~ADU.
 - f. If the ~~accessory dwelling unit~~ADU is rented, a business license is required. License renewal requires owner's proof of continued compliance with the requirements in this section.
3. Use as a long-term rental dwelling. The primary dwelling or the ADU may be long term rented on the parcel or lot if the owner provides proof that the property has the primary residential exemption as determined by the Washington County assessor's office, and that the primary residence or the ADU is owner-occupied. A deed restriction, recorded against the property on a form acceptable to the ~~county~~Town, acknowledging that the lot or parcel will remain owner-occupied, is required in order for one ~~accessory dwelling unit~~ADU on the property to be long-term rented.

E. Enforcement: Violations of this chapter are subject to enforcement and penalties as outlined in ~~Washington County zoning regulations~~. Noncompliance with the standards of this section shall be just cause for the denial of a business license application or renewal, or revocation of an existing business license, if the original conditions are not maintained that allowed the ~~accessory dwelling unit~~ADU.

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(Chapter or Statute/Ordinance citation) SHORT TERM RENTAL (STR):

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

~~of Leeds and to~~ Washington County via the State of Utah. Non-compliance may result in suspension, revocation, non-renewal, or denial of ~~a short-term rental~~ an STR license, in the discretion of the county.

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

1. Application materials:

- a. The exact address, and proof of ownership of the subject lot or parcel. Any proposed license shall be issued in the name of the owner. If the owner is an entity, the name, address, email and phone number of all of the principals and the registered agent for the purposes of acceptance of service.
- b. The exact ~~D~~dwelling on the lot or parcel that is the subject of the application for ~~an Short-Term Rental~~ STR License, with pictures of the exterior of the ~~D~~dwelling.
- c. Proof of one (1) graveled or paved parking stall per bedroom, and pictures of the required parking stalls.
- d. The site plan showing, setbacks, dwelling size limitations, number of bedrooms, required parking stalls, pull through lane for large vehicles or trailers, and trash disposal details ~~in compliance with 10-13-23~~.
- e. Payment of the application fee.
- f. Proof that the applicant has the primary residential exemption on ~~the an~~ applicable lot or parcel as determined by the Washington County assessor's office, and is an owner-occupant satisfactory to ~~county~~ the Town of Leeds.
- g. If a local property manager is proposed, the contact information showing availability 24 hours a day, 7 days a week and 365 days a year. The local property manager shall be able to be on site at the license address within two hours of a guest, Town of Leeds, county, or emergency services call. If the local property manager is an entity, the name, address, email and phone number of all of the principals and the registered agent for the purposes of acceptance of service.
- h. A Compliance Affidavit signed by the owner-occupant under penalty of law, certifying that the applicant, the ~~D~~dwelling, and the lot or parcel comply with the licensing requirements of ~~10-13-23~~ this Chapter, including, but not limited to:
 - i. The dwelling for transient use as ~~an short-term rental~~ STR is in habitable condition and complies with the health and safety standards set forth in the building and fire codes adopted by Washington County, and if applicable, the Town of Leeds. Additionally, the ~~D~~dwelling and its appurtenances are capable of resisting all forces and loads to which they are normally subjected, and they shall be kept in sound condition and good repair.

- II. The Dwelling for transient use as an ~~short-term-rental~~STR is insured.
 - III. The owner-occupant, local property manager and the guests will comply with the responsible use and Good Neighbor Policy adopted by the Washington County Community Development Department.
 - IV. The pictures of the required notices posted on the exterior and interior of the dwelling for transient use as an ~~short-term-rental~~STR, and the pictures of the exterior of the Dwelling that is the subject of the licensing application, are accurate.
 - i. Proof that smoke detectors, carbon monoxide detectors and fire extinguishers are installed and operable per adopted IRC (International Residential Code). Yearly assurance of compliance at time of licensing renewal.
 - j. If the ~~short-term-rental~~STR unit is connected to an on-site or community wastewater system for sewer service, or a septic tank, proof of system pumping by a licensed service provider every three (3) years, or more frequently as determined by a licensed service provider. Upon initial application, a pumping report will be accepted within two (2) years of the date of the report.
 - k. If the ~~short-term-rental~~STR unit is serviced by an on-site or community well or culinary water provider, proof of sufficient water rights for culinary, sewer and fire protection for all uses on the lot or parcel.
2. Application process:
 - a. Processing. A complete application shall be processed by the ~~Community Development Department~~Town of Leeds in accordance with applicable criteria set forth in ~~county~~Town of Leeds, state and federal laws.
 - b. Decision. The ~~Community Development Department~~Town Council of Leeds shall determine if all the criteria are met, and make a decision whether to issue or deny a Short-Term Rental License. The decision of the ~~Community Development Department~~Town Council is an administrative decision.
 3. License validity and renewal:
 - a. An ~~Short-Term-Rental~~STR License shall be renewed annually, or when the property is transferred to a new owner, whichever occurs first. Each change in ownership of the property where a license exists requires a new license within thirty (30) days of the transfer.
 - b. At the time of each renewal, the owner shall verify that the STR remains in compliance with the requirements needed to operate (i.e. habitability, posted notices, operable fire detectors, proof of sewer servicing, etc.). All license information shall be updated by the owner at least annually at the time of renewal.
 - c. If an ~~Short-Term-Rental~~STR License is not renewed, or is not in the name of the current property owner within the requisite thirty (30) days, it is deemed expired.
 4. Appeal process:

- a. Appeal of a denial decision. If the ~~Community Development Department~~ Town Council denies an application for a Short-Term Rental License, the applicant may appeal the decision to the Planning Commission, in writing stating all grounds to assert that the administrative decision violated a law or ordinance, or the decision was not based on substantial evidence. The written appeal shall be delivered to the ~~Community Development Department~~ Town of Leeds administrative office within ten (10) days of the denial decision, or the appeal is untimely. The ~~Community Development Department~~ Town Council shall submit a written response to the appeal. Thereafter, the Planning Commission shall review the record and determine at a public meeting whether to uphold or reverse the administrative decision of the ~~Community Development Department~~ Town Council. The applicant shall be given notice of the public meeting, and may appear and be heard. Failure to appear is not grounds for a continuance or postponement of the meeting or a ruling by the Planning Commission. The Planning Commission shall determine whether the ~~Community Development Department~~ Town Council correctly interpreted and applied the plain meaning of the land use regulations, and whether there was substantial evidence to support the decision. The Planning Commission shall issue a written appeal decision.
- b. Appeal decision of the Planning Commission. The Planning Commission's written appeal decision is final.

E. Short Term Rental License:

1. No dwelling shall be rented as a STR without a valid Town of Leeds Washington County Short Term Rental License.
2. The number of STRs authorized shall not exceed 10 percent of the number of Dwellings situated within the Town of Leeds.
3. All STR's are required to register with the State of Utah as a business and pay all applicable taxes, including transient room tax TRT at the TRT Rate.
4. An STR may be either an ADU, or an Internal ADU.
5. An STR -use of a dwelling- ADU is permitted in the following zones if in strict compliance with the applicable following STR-ADU dwelling size limits:
 - a. OST-20 (Open Space Transition 20 acre minimum lot size) zone if the STR dwelling is 3500 sq. ft. or less; R-R-5 (Rural Residential, approximately 5 acre lot size) zone if the STR ADU is 3500 sq. ft. or less.
 - b. R-R-2 (Rural Residential, approximately 2 acre lot size) zone if the STR ADU is 2500 sq. ft. or less.
 - c. R-R-1 (Rural Residential, approximately 1 acre lot size) zone if the STR ADU is 1500 sq. ft. or less.
 - a. R-R-20 (Rural Residential, approximately 20,000 sq. ft. lot size) zone if the STR ADU is 1500 sq. ft. or less.
 - d. R-1-5 (Residential, approximately 5 acre lot size) zone if the STR ADU is 3500 sq. ft. or less; Agricultural Zones (A-5, A-10, A-20 and A-40) if the STR dwelling is 3500 sq. ft. or less.

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- e. ~~R-1-2 (Residential, approximately 2 acre lot size) zone if the STR ADU is 2500 sq. ft. or less.~~ FR-13.5 and FR-0.5 (Forest Residential 13,500 sq. ft. and ½ acre minimum lot size) zones if STR dwelling is 1500 sq. ft. or less.
- f. ~~R-1-1 (Residential, approximately 1 acre lot size) zone if the STR ADU is 1500 ft. or less.~~ FR-1 (Forest Residential 1-acre minimum lot size) zone if the STR dwelling is 2500 sq. ft. or less.
- g. ~~R-1-20 (Residential, approximately 20,000 sq. ft. lot size) zone if the STR ADU is 1500 ft. or less.~~ FR-5 and FR-10 (Forest Residential 5 and 10-acre minimum lot size) zones if the STR dwelling is 3500 sq. ft. or less.
- f. ~~RA-1 and RA-2.5 (Residential Agricultural 1 and 2.5 acre minimum lot size) zones if the STR dwelling is 2500 sq. ft. or less.~~
- g. ~~RA-5 and RA-10 (Residential Agricultural 5 and 10 acre minimum lot size) zones if the STR dwelling is 3500 sq. ft. or less.~~
- h. ~~RE-20 (Residential Estate 20,000 sq. ft. minimum lot size) zone if the STR dwelling is 1500 sq. ft. or less.~~
- i. ~~RE-40 and RE-2.5 (Residential Estate 40,000 sq. ft. and 2.5 acre minimum lot size) zones if the STR dwelling is 2500 sq. ft. or less.~~
- j. ~~RE-5 (Residential Estate 5 acre minimum lot size) zone if the STR dwelling is 3500 sq. ft. or less.~~
- k. ~~h. PD (Planned Development) zone. Units used for the purpose of STR must be approved as part of the PD (Planned Development) project approval process, in the sole discretion of the county.~~
6. The owner of an STR must either occupy a Residence on the same lot as the STR, or on an adjacent lot. An adjacent lot shares a common lot line boundary with the lot on which the STR is situated. An owner of a proposed STR that does not comply with this requirement, may seek authorization to obtain an STR License through a conditional use permit application.
4. ~~7. An owner of an In addition to an owner-occupant, a STR may have use a local property manager to manage the STR. The local property manager must be who is available 24 hours a day, 7 days a week and 365 days a year. If there is a local property manager s/he must be able to be physically present at the STR to respond to emergencies and complaints within two (2) hours of being contacted. If the local property manager is not available 24/7/365 or cannot respond within the required two (2) hours of being contacted, the STR owner must be available and/or respond during any time the local property manager is not available. The contact information of the owner-occupant STR owner and local property manager, if one exists, must be permanently displayed in large, bold print on the exterior of the dwelling unit in which the STR is located next to the front door on a visible weather proof plaque.~~
5. ~~8. All STR's shall have a clearly visible and legible notice posted in the dwelling unit on or near the front door, and in the kitchen, containing the following information:~~

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- a. The name, address and phone number of the owner-~~occupant~~ of the STR, and the name, address and phone number of the local property manager who is available 24 hours a day, 7 days a week and 365 days a year, if there is a local property manager.
 - b. The ~~E~~-911 emergency address of the property.
 - c. The maximum number of all vehicles allowed for the STR and that all guest parking must be on the property in designated, graveled or paved parking areas and not on any private or public street right-of-ways or on any landscape areas on the property.
 - d. The trash pick-up day and notification that trash receptacle and refuse shall not be left on the street. There shall be a sufficient number of trash receptacles to accommodate all trash generated by those occupying the STR.
 - e. Notification that a guest may be cited and fined for creating a disturbance or violating the Good Neighbor Policy or any provisions of local, state or federal law.
 - f. Notification that the STR guests are required to make the dwelling unit available for inspection by the Sheriff's Office, ~~other local~~ law enforcement officer, or code enforcement officer upon request.
- F. All STR owners-~~occupants~~ and local managers are required to share the "Good Neighbor Policy" brochure adopted by the Washington County Community Development Department with all prospective guests, and have it clearly displayed in the STR. The Good Neighbor Policy includes a list of general rules of conduct, best practices and standards of respect for the STR owner-~~occupant~~, the local manager, and their guests.
- G. Tents, recreational vehicles (RV's), campers and similar units that were not designed for permanent residential use are prohibited as STR's. Overnight occupancy of recreational vehicles, camp trailers and tents at the STR property is prohibited.
- H. A ~~Short-Short~~-Term Rental License is valid only for the dwelling identified in the license.
- I. Washington County in general and the Town of Leeds in particular is-aare high risk areas for fire. Outdoor fire pits shall be permanently installed, and all guests shall comply with ~~local~~all Washington County and Town of Leeds fire restrictions.
- J. The STR shall not have any outside appearance indicating a change of use from the surrounding residential uses. Exterior advertising signs are not permitted, but a wayfaring sign approved by the Washington County Community Development Department is permitted.
- K. Parking. All parking for ~~short term rental~~STR use shall be graveled or paved and entirely on the lot or parcel. There shall be one (1) required parking stall per bedroom. No parking is permitted on the public or private street that provides access. If the STR will host guests with trailers or large vehicles, on-site parking and a pull-through is required, also on graveled or paved surfaces. Guests are not permitted to park vehicles or trailers on the adjacent public or private streets.
- L. Events. A residential dwelling with a ~~Short-Short~~-Term Rental License, and its lot or parcel, shall not be used by the STR guests for events. It is the intent of this section to strictly limit the use to short term lodging, and not to host events; such event use would

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change the nature of the ~~residential setting~~ Residential Character of the neighborhood to the detriment of the neighboring residents.

M. Enforcement, Revocation, Fine, Prosecution

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1. General enforcement.

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- a. This section ~~shall~~ may be enforced by the ~~Community Development Department~~ Town of Leeds Code Enforcement Officer, and/or the Washington County Sheriff's office, ~~and the County Attorney's office~~ as deemed appropriate by the ~~county~~ Town of Leeds.
- b. Issuance of a ~~Short-Short~~ Term Rental License is strictly contingent on maintaining compliance with all requirements in this section, ~~Town of Leeds, and~~ county, state and federal law.
- c. All guest complaints shall first be directed to the STR owner-~~occupant~~ and local manager, if one exists. The STR owner-~~occupant~~ or local manager shall respond to the guest complaint and attempt to resolve it within two hours. Failure of the STR owner-~~occupant~~ or local manager to respond within two hours of notification shall be considered a violation of this section.
- d. All civil and criminal penalties can be enforced against the STR owner-~~occupant~~, the local property manager, or the guests.

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2. Revocation. A ~~Short-Short~~ Term Rental License may be revoked by the ~~Community Development Department~~ Town of Leeds for any violation of this section, or ~~county~~ Leeds, state or federal law if the STR owner-~~occupant~~ or local agent have been cited by the department for a second offense in a six (6) month period, or for any additional offense thereafter. If revoked, a ~~Short-Short~~ Term Rental License shall not be issued for the same lot or parcel for a period of one (1) year. A license also may be revoked for:

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- a. Any action that endangers the public health, safety or welfare;
- b. Failure to remit required taxes; or
- c. Fraud, misrepresentation, or a false statement of material fact in the license application as determined by the ~~county~~ Town of Leeds.

3. Fines. An STR owner-~~occupant~~ or local property manager, or both, may be assessed a fine if found in violation of this section. The ~~county~~ Town of Leeds hereby adopts the following fine schedule:

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- a. First offense in a six (6) month period: warning letter.
- b. Second offense in a six (6) month period: \$500 a day until compliance or license revocation.
- c. Any additional offense thereafter, regardless of the date: \$1000 a day until compliance or license revocation.

4. Prosecution. Any additional offense thereafter (after the warning letter, and the second offense in a six (6) month period) also may be prosecuted as a Class B misdemeanor. Each additional offense is a separate Class B misdemeanor.

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