

# Town of Leeds

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## 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.leadstown.org](http://www.leadstown.org).**

  
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Aseneth Steed, Clerk/Recorder

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# Town of Leeds

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## Planning Commission Work Session for Wednesday, November 01, 2023

### Work Session 5:00 PM

Call to order: 5:32 p.m.

Chairman Swenson called to order the Work Session of the Planning Commission at 5 PM on Wednesday, November 1, 2023.

**ROLL CALL: PLANNING COMMISSION**

	<u>Present</u>	<u>Absent</u>
CHAIRMAN: DANNY SWENSON	X	_____
COMMISSIONER: ALAN ROBERTS	X	_____
COMMISSIONER: TOM DARTON	X	_____
COMMISSIONER: KEN HADLEY	X	_____
COMMISSIONER:	X	_____
	<u>Present</u>	<u>Absent</u>
TOWN PLANNER: SCOTT MESSEL	X	_____
COMMISSIONER: ROCHELLE GARDNER	X	_____

Conflicts or Abstentions: None

Commissioner Darton made a motion to approve the meeting minutes of November 1, 2023, with correction of spelling of names. Commissioner Roberts seconded the motion. Motion passed in a roll call vote.

Meeting adjourned: 7:04

**ROLL CALL VOTE:**

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
CHAIRMAN: DANNY SWENSON	X	_____	_____	_____
COMMISSIONER: KEN HADLEY	X	_____	_____	_____
COMMISSIONER: TOM DARTON	X	_____	_____	_____
COMMISSIONER:	X	_____	_____	_____
COMMISSIONER: ALAN ROBERTS	X	_____	_____	_____
ALT COMMISSIONER: ROCHELLE GARDNER	X	_____	_____	_____

Scott Messel started the dialog on the state code governing alterations. Commissioner Darton had volunteered to make some adjustments to the county code. He stated this has been an ongoing discussion spanning several years. The focus has been on incorporating elements from the county code, with red highlights denoting the changes made to adapt it for Leeds. It's become apparent through ongoing issue that Leeds

definitions within the code lack clarity, often leading to post facto realizations. Therefore, there's value in refining and defining terms within the code to avert future disputes. Scott Messel agreed and gave a for instance, clarifying concepts like "residential character" proves essential. Adjustments are visible through the redlined changes, notably the capitalization of terms such as "accessory dwelling unit" and "short-term rental" to provide clear definitions. The redline signifies alterations from the Washington County format. The material in black mirrors the general county format, adapted for the town of Leeds. The presented document is open for discussion, featuring sections delineating accessory dwelling units, recognizing their interconnectedness.

Messel said, Anticipating upcoming state-level discussions on zoning reform, it's evident that legislators, some involved in development, seek to address housing crises by transferring authority from local to state levels. This shift, observed in recent public hearings and the transition from legislative to administrative procedures, raises concerns about transparency and local jurisdiction autonomy. The current climate suggests a potential move towards permitting detached accessory dwelling units in all residential zones at the state level, indicating a significant shift in policy.

The discussion involves deciphering the regulations governing homes with multiple kitchens and separate living spaces under the same roof, which are classified as internal accessory dwellings by state code. There's a debate over terminology, with the state standardizing the term "accessory dwelling" for various living spaces, and the aim is to differentiate between rentals and personal residences.

The conversation also involves the intricacies of short-term rental regulations, emphasizing that such licenses aren't entitlements but must comply with strict requirements and neighborhood compatibility guidelines to safeguard community integrity.

The commission discusses the specifics of regulations for short-term rentals (STRs) within the town of Leeds as per the Washington County code. They discuss the application of rules regarding transient use of residences, emphasizing that these regulations do not cover long-term rentals or certain commercial accommodations like hotels or timeshares. They touch upon the criteria for legal residences and the importance of compliance, citing instances where zoning discrepancies required rectification for legal operation.

They covered the topic of the intricacies of owner occupancy requirements for STR licenses, exploring scenarios where owners might have multiple adjacent properties. They debate the specifics of owner occupancy, proposing nuanced language to ensure the owner's continuous residence on the property, particularly for a minimum number of days per year, to prevent exploitation of residency loopholes.

The discussion extends to advertising requirements for STRs, where the emphasis is placed on including specific licensing information in all rental advertisements to ensure compliance and acknowledging the challenges posed by individuals attempting to manipulate residency requirements across different assessors' offices to qualify for multiple primary residences, highlighting the need for strict adherence to residency regulations to prevent such abuse.

In the commissioner's conversation, they focused on the challenge of verifying a homeowner's continuous residence in a property for a minimum number of days to comply with residency requirements for short-term rentals (STRs). They discuss methods of



verification without offending anyone, suggesting using annual licensing as an opportunity to confirm primary residency with the county recorder.

The dialogue acknowledges the difficulty in proving actual residency for the required period and the potential loopholes, including the legal declaration of primary residences. They highlight how legal declarations might not accurately reflect actual residency and the complexities involved in enforcing such regulations.

They discussed the issues of corporations and fractional ownership in relation to STRs, debating whether corporations or individuals from a corporation can qualify as owner-occupants for licensing purposes. The conversation explores scenarios where properties might not function as traditional rentals but still generate issues concerning property usage; acknowledging the inherent difficulty in creating airtight regulations for STRs due to the various loopholes and complexities involved in property ownership and usage, suggesting the need for additional codes to address specific nuances beyond traditional short-term rentals.

The discussion covers various key points related to regulations and requirements for renting properties. There are restrictions on hosting events like weddings or family reunions at the rental properties. It's crucial to specify the intended use of the property to inform neighbors and ensure compliance.

Applicants for short term rental licenses need to provide specific details, including the property's address, ownership proof, and descriptions of the areas to be rented out, possibly including amenities like pools or tennis courts.

There's a requirement to collect and remit all applicable taxes, including transient room taxes, to the town authorities at the time of rental.

There is discussion on the application process. It should involve submitting comprehensive information about the property's exterior, the intended use of outdoor areas, and any amenities available for rental guests. There's a concern voiced about informing neighbors about the property's usage and its potential impact on the neighborhood and if there might be considerations for neighbors to comment or give feedback on the rental applications. Scott Messel said the process should follow administrative application procedures, with discussions about informing owners about future changes or developments related to rental regulations and pointed out the importance of transparency and compliance when it comes to short term rental properties.

Lynn Potter spoke up from the audience addressing Scott Messel about House Bill SB 174 compliance by December. The conversation surrounding SB 174, delves into the implications of a forthcoming change requirement from the state legislature regarding Subdivision plat approval as the bill seems to bypass public involvement and heads directly to an administrative level. Scott Messel explains that the process will be handled administratively without involvement from elected officials or legislative bodies. This lack of direct elected involvement raises concerns about property rights and control over decisions, with many towns expressing opposition due to the perceived loss of control. The anticipated changes are expected to shift the decision-making power to administrative staff or planning commissions. There is concern that decisions could face public backlash despite adherence to existing codes and regulations. The exchange highlights the tension between administrative decision-making and public input, with concerns raised about reduced transparency and the potential impact within local jurisdictions due to administrative decisions with political consequences. The upcoming

changes, driven by state law alterations, prompt discussions about the implications and the limitations imposed on local governing bodies.

Commissioner Darton brought the conversation back to the topic of Short-Term Rentals (STRs) as outlined in the license application process. Commissioner Darton mentions various prerequisites:

**Parking and Site Plan Details:** Requirements include providing proof of a graveled or paved parking stall per bedroom, pictures of parking stalls, a site plan showing setback, dwelling limitations, parking spaces, lanes for large vehicles or trailers, and trash disposal specifics.

Applicants must pay the application fee, demonstrate primary residential exemption as determined by the County Assessor's Office, and furnish contact details for local property managers, ensuring their availability round the clock and in case of emergencies.

There's a discussion about owner occupancy and the possibility of having a property manager. The dialogue addresses scenarios where the owner resides on-site or employs a property manager but emphasizes the necessity of the property being owner-occupied. The intent is to ensure swift response and accountability in case of issues or emergencies, even if a property manager is involved.

There's a concern about property owners being absent for an extended period, potentially creating issues when they are not on-site to handle problems or emergencies. The dialogue emphasizes the necessity for the property owner or occupant to address concerns promptly, even if they're away for a significant duration.

The conversation delves into the importance of having local property managers if the property is owner-occupied but managed remotely. Additionally, there's a focus on the necessity for property owners to certify compliance with licensing requirements, health and safety standards, and responsible use and good neighbor policies.

The discuss how to create policies for STRs to ensure they align with the community's norms. Specific points discussed include parking regulations, noise ordinances, and quiet hours, emphasizing the need to balance the interests of renters with the peace and harmony of the local community. There's a disagreement regarding the imposition of a 10 pm quiet time, as it may conflict with certain activities such as racquetball or tennis. Concerns are raised about aligning these rules with the town's noise ordinance and whether two different standards can coexist without conflict.

Overall, the conversation underscores the complexities of regulating STRs, balancing the interests of property owners and the community, and the challenges of harmonizing local policies with broader town ordinances. Highlighting the need for stringent regulations and clarity regarding owner occupancy and property management involvement, ensuring that the property owner or their designated manager can promptly address concerns or emergencies while adhering to the defined guidelines for Short-Term Rentals.

Rochell Gardner spoke about rules and regulations pertaining to Short-Term Rentals (STRs) and the possible enforcement of noise ordinances and nuisance complaints. Commissioner Darton emphasized property owners of STRs can impose rules stricter than the existing law challenge is of aligning personal preferences with community regulations. The discussion touches on the enforcement of nuisance ordinances, indicating that STR owners might risk losing their licenses if they fail to address complaints related to noise or disturbances. There's a debate around noise disturbances, such as the playing of pickleball or other activities, and the potential nuisance they might

cause. There's also consideration for the community's character and the impact of different noise levels on residents.

The commission deliberates on the time limit for noise disturbances, particularly the suggestion of a 10 pm cutoff. There's a discussion about the practicality of this time and its alignment with different seasons and community demographics. All agree on the necessity of broader discussions before implementing changes. There's a suggestion to align STR regulations with nuisance statutes and have a comprehensive review before enforcing any alterations.

Commissioner Darton puts an emphasis on the need for public hearings to consider community input when establishing rules for STRs. It's highlighted that regulations should be universally applicable, avoiding discriminatory standards for residents versus visitors.

The commissioner addresses the necessity for compliance with safety standards such as smoke detectors, carbon monoxide detectors, and fire extinguishers, following international residential codes. There's a discussion about inspections and the responsibility of property owners to ensure compliance to avoid potential conflicts of interest. The discussion touches on the different standards set by fire departments, emphasizing the need for consistency in inspections and aligning with local fire regulations.

More details about the licensing process for STRs are discussed, including limitations on the number of licenses allowed based on the percentage of dwellings in the town, aiming to maintain a balance between owner-occupied homes and STRs with a suggestion to review further sections related to STR licenses in the future, considering the need for efficiency and clarity in the licensing process. STRs need a valid town license, and they must register with the state as a business, paying applicable transient room taxes. There's a system in place where town licenses won't be issued without prior state registration. Commissioner Roberts points out that different zoning areas have varying size limitations for zones, ensuring compliance with property size and use.

There is discussion about whether the owner of an STR can occupy a residence on the same or adjacent lot as the STR. Additionally, there are specific requirements for local property managers' availability and display of contact information. A suggestion is made that STRs must display information prominently, including owner and manager contact details, maximum vehicle limits, trash disposal rules, good neighbor policies, and compliance with inspections when requested by authorities.

They discussed detailing enforcement, revocation, fines, and potential prosecution for non-compliance, although the aim isn't to penalize everyone but to ensure compliance where necessary. Leeds wants a comprehensive approach to regulating STRs, ensuring they adhere to safety, tax, and community guidelines while outlining clear consequences for non-compliance.

There's a plan to review and potentially amend these regulations in the next meeting at a work session for further refinement.

Adjournment: 7:02 pm

Approved this Sixth Day of December 2023.

  
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Danny Swenson, Chairman

ATTEST:

  
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Aseneth Steed, Town 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



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:

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





- II. The Dwelling for transient use as an ~~an short-term-rentalSTR~~ 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 ~~an short-term-rentalSTR~~, 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-rentalSTR~~ 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-rentalSTR~~ 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-RentalSTR~~ 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-RentalSTR~~ 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:



- 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 1/2 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 sq. 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 sq. 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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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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