



Title 18 Discussion Topics Planning Commission May 2025

Scheduling

- Amendment needs to be adopted by August 14, 2025.
- Planning Commission needs to finish by July at the latest.
- Next meeting is on June 5th, no meeting on June 19th (Juneteenth holiday).

General Questions

- Buffer distances – Measure from residential zone or residential property line?
- CUP Public Hearings - We may want to keep the CUP process in code for some limited uses. How do we want to handle public hearings? A suggestion was to send an impact survey to neighbors. Is this the best approach?
- Commercial Development Process - The state is likely to require that site plans have only a staff level and Planning Commission review (no City Council review). Should we proactively take out the requirement for a City Council review for commercial development plans?
- Building height – Direction seemed to be to keep C-1 height at 40 ft and CC height at 45 ft, but measure from natural grade instead of finished grade. Is that the consensus?
- CC Architecture - We talked about adding language limiting any type of habitable (or future habitable) space above 3 stories – ideas? Maybe no windows greater than a certain size above a certain height? No attics with stair and elevator access? Limit to architectural elements above a certain height (see existing code)? Limit buildable area above a certain height?

Short-Term Rentals (see attached amendments)

- Not a conditional use – applicant needs to get a short-term rental permit.
- Staff review with requirements already listed in code.
- Cap at up to 3% of the total number of homes in the city.
- Distance from other property with an STR permit is 300 feet.
- The owner or property manager must live within 10 miles.
- STR permit is not transferrable if ownership changes.

AG-1 and AG-2 Use Tables

- Add note prohibiting any use not listed in table.
- Add animal accessory building and parks, trails, and recreation as allowed uses for AG-1 zone.
- Eliminate higher-impact, commercial and industrial type uses (storage yards, auto repair, sawmills, golf course).
- RV Parks and campgrounds removed from AG-1 zone, but allowed in AG-2 zone.
- Should kennels be allowed? If so, what regulations do we set for noise, smell, capacity, etc.?

18.15.100 Height provisions.

The height of any structure shall not exceed the maximum height of 32 feet in residential zones, 40 feet in the C-1, LI-1, and P-F zones, and 45 feet in the City Center (CC) zone, unless an express exception in this code applies, nor exceed the recommendation of the South Summit Fire District. To allow for attachments which are unoccupied and clearly accessory in nature, the following exceptions apply:

1. Antennas, chimneys, flues, vents, or similar structures may extend up to 10 feet above the specified maximum height limit for the zone.
2. Water towers and mechanical equipment in nonresidential zones may extend up to 10 feet above the specified maximum height limit.
3. Church spires, bell towers, clock towers, cupolas, and like architectural elements on nonresidential lots may extend over the specified maximum height limit but shall not contain any habitable spaces above the maximum zone height stated. These elements must be approved as part of the site plan review and under no circumstances shall be more than 50 feet above grade unless approved as part of a conditional use permit. (Ord. 2024-07 § 1 (Exh. A), 2024; Ord. 2024-03 § 1 (Exh. A), 2024; Ord. 2016-09 § 1, 2016; Ord. 2008- § 3.13, 2008; Ord. 1999-1 § 3.13, 1999; Ord. 66 § 3.13, 1993.)

18.15.220 Short-term rentals.

1. Purpose – Allowed Locations. The purpose of this section is to establish the process for permitting of short-term rentals whether as a vacation rental or otherwise. The intent is to protect the integrity and characteristics of established land use districts by ensuring that short-term or vacation rentals are operated in a manner that minimizes negative impacts of those uses on neighbors, public services, and the surrounding community. A short-term rental use is allowed ~~as a conditional use~~ in any residential zone when there is not already a short-term rental permit issued within 300 feet. The maximum number of short-term rental permits that shall be issued in the City is 3% of the total number of residential units in the City.

2. ~~Planning Commission~~Planning Department Review. The Planning ~~Commission~~Department is vested with authority to review and evaluate applications under this section and to approve, approve with conditions, or deny any such application.

3. Definitions.

a. Responsible Party. The owner(s), agent(s) or management company responsible for the operation and maintenance of the short-term rental property and for its compliance with all laws, rules and regulations applicable to the same. The Responsible Party must live within ten miles of the short-term rental property.

b. Occupant(s). The individual(s) renting or residing in a short-term rental dwelling unit.

c. Pets. Dogs, cats, or other domesticated animals allowed under City ordinances that, with permission of the responsible party, accompany the occupants of the short-term rental.

4. Permit Required. A ~~conditional use short-term rental~~ permit and all licenses and permits required by the Summit County Health Department and the State shall be required for all properties used as short-term rentals. The fee required by the fee and rate ordinance shall accompany the ~~conditional use~~ permit application. Short-term rental permits are not transferable. If the property is sold, the new owner(s) must apply for a permit if they wish to continue the use.

5. Application for Permit. The application for a ~~conditional use short-term rental~~ permit shall be made on forms provided by the City and shall include a phone contact number and email address for the owner and, as applicable, the responsible party. The application shall be accompanied by a site plan and floor plan that demonstrate that all requirements of this section are met. The plans shall be drawn to scale showing the location of all buildings, property lines, distances from property lines to all buildings, the location of all parking stalls, utility meters, entrances, and such other information as may be required by the application. The drawings shall also demonstrate compliance with all applicable building, health, and fire codes. If the application is made by any person other than the owner of the property, or if the property is not owner-occupied or owner-managed, the application shall be accompanied by a signed document demonstrating the owner's permission to use the premises as a short-term rental, identifying the responsible party, and providing all details about the identity and business operations of the responsible party as may be required in the application.

6. Prior to operating a short-term rental, the owner or responsible party shall obtain ~~conditional use~~ approval and shall meet all requirements of the ~~conditional use~~ permit. At the time of, or prior to, receiving conditional use approval, the responsible party shall register the business with the state, and obtain a state sales tax ID number; proof of the same shall be filed with the City.

7. Review. The Planning ~~Commission~~Department shall review complete applications for a short-term rental~~conditional use~~ permit under this section and shall approve, approve with conditions, or deny the application based on the criteria listed in this section. In addition to the requirements of this section, the Planning Commission may impose conditions that are necessary to mitigate the potential adverse effects of the short-term rental on neighbors and nearby uses.

8. Reports and Taxes. The responsible party shall comply with all reporting requirements incident to the use as a short-term rental property, and shall collect and remit all sales, resort, and transient room taxes to the State Tax Commission.

9. Noise, Nuisances and Adverse Effects of Use. The responsible party shall live within ten miles of the property to regulate the occupancy of the short-term rental and ensure that:

- a. Occupants and their pets do not create noise or other conditions that by reason of time, nature, intensity or duration are out of character with noise and conditions customarily experienced in the surrounding neighborhood;
- b. Occupants do not disturb the peace of surrounding residents by engaging in outside recreational activities or other activities that adversely affect nearby properties before 7:00 a.m. or after 10:00 p.m.;
- c. Occupants and their pets do not interfere with the privacy of nearby residents or trespass onto nearby properties;
- d. Occupants do not engage in disorderly or illegal conduct, including illegal consumption of drugs or alcohol; and
- e. The premises, responsible party and all occupants strictly comply with Utah Administrative Code Rule R392-502, Public Lodging Facility Sanitation.

10. Parking. On-street parking is prohibited. An off-street parking stall shall be provided for each vehicle, including trailers, an occupant brings to the premises of the short-term rental. The number of occupants' vehicles shall not exceed the number of bedrooms available in the short-term rental. Vehicles parked at the short-term rental shall not impede clear sight distances, create a nuisance or hazard, violate any City laws or winter-restricted parking requirement, or infringe on the property rights of any adjacent or nearby property. Parking of vehicles shall be entirely within a garage or carport, or upon a driveway or other gravel or paved surface. Parking is prohibited within any landscape area.

11. Camping Equipment, Facilities, and Other Temporary Facilities. All short-term rentals shall be conducted entirely within an approved residential dwelling unit. Occupied camp trailers, travel trailers, recreational vehicles, tents, yurts, or any similar structures are prohibited.

12. Signage – Exterior and Interior. Exterior signage other than ordinary street address signage is prohibited. The responsible party shall provide a prominent display within the dwelling unit that provides, at minimum, the following information:

- a. Contact information for the responsible party at which it may be contacted at any time (24/7);
- b. All local regulations addressing noise, parking, pets, trespassing, illegal activity, and conduct; and
- c. Any additional rules or regulations imposed by the responsible party.

13. Maintenance and Standards. Any property licensed as a short-term rental shall conform to the following standards:

- a. Structures shall be properly maintained and all facilities such as plumbing, HVAC equipment, appliances, etc., kept in a condition that is fully operational and otherwise in good repair.
- b. Grounds and landscaped areas shall be properly maintained to ensure that the use does not detract from the general appearance of the neighborhood or create any hazard or nuisance to the occupants or to neighboring properties.
- c. Each habitable space shall meet current federal, state, and local building and health codes, and shall be equipped with fully functional smoke and carbon monoxide detectors located at places within the dwelling unit that comply with applicable building codes.
- d. Garbage shall be placed in City-approved receptacles, shall not be allowed to accumulate on the property and shall be removed on regularly scheduled pickup days.

- e. A fully functional fire extinguisher shall be located in an easily accessible location.
- f. A fire exit route plan and statement of the maximum occupancy number for the premises shall be prominently posted.
- g. The responsible party shall comply with all inspection requirements of the state, Summit County, and the City.

14. Complaints. Complaints received by the City for any violation of this section will be handled as follows:

- a. A first complaint will result in an investigation and, if warranted, the City will issue a written warning to the responsible party; said warning shall provide notice of the complaint, a description of any violation, and actions to be performed to correct a violation. Upon receipt of a second complaint, the City will conduct an investigation, and if warranted, will take one of the following courses of action:
 - i. Issue another warning;
 - ii. Issue a citation for violation of City ordinances or rules in accordance with Chapter 18.145 FCC, Penalties;
 - iii. Initiate formal cause proceedings to revoke the conditional use permit and business license; or
 - iv. Initiate revocation proceedings as provided in this section.
- b. In the event of an order to formal proceedings, the responsible party shall appear before an administrative law judge to demonstrate, by clear and convincing evidence, why the conditional use permit should not immediately be revoked. If the responsible party fails to appear, the facts alleged in the notice for the formal proceeding shall be deemed to be true and the administrative law judge may take such action as it deems appropriate, including revocation of the conditional use permit.
- c. Notwithstanding any other remedy in this section, violations of federal, state, or local laws may be prosecuted in any court or administrative tribunal having jurisdiction over the matter. (Ord. 2021-19 § 1 (Exh. A), 2021.)

18.25.020 Permitted and conditional uses.

Any use not listed in this table shall be strictly prohibited.

Type: AG-2 Use	Allowed	Conditional Use Permit	Business License
Accessory structure Garage, workshop, home office, exercise room, sunroom, or similar uses. No bedrooms. Half bathroom only (no bathtub or shower).	✓		
Accessory apartments, in accordance with FCC 18.15.210	✓		
Agriculture activities	✓		
Animal accessory building minimum distance 40 feet from any dwelling or proposed dwelling	✓		
Animal hospital/clinic	✗	-	✗
Contractor's equipment storage yard, FCC 18.15.130	✗	-	✗
Contractor's storage yard, FCC 18.15.130	✗	-	✗
Equestrian training facilities	✓		✓
Feed yards	✓		
Field and seed crops and related activities	✓		
Firewood and coal yards	✓		
Fruit and vegetable stand	✓		✓
Golf course	-	✗	✗
Home occupation as regulated by business license and Chapter 18.80 FCC	✓		✓
Kennels?		✗	

Type: AG-2 Use	Allowed	Conditional Use Permit	Business License
Manufactured homes, detached, which satisfy the Department standards which are placed upon permanent foundation of reinforced concrete in accordance with IBC International Building Code standards and which satisfy the snow load requirements for their location	✓		
Noncommercial storage buildings	✓		✓
Nurseries (trees, flowers, shrubs, plants)	✓		✓
Outdoor commercial recreation	-	✗	-
Outdoor storage yard, FGC 18.15.130	✗	-	✗
Parks, trails and other noncommercial recreational facilities	✓		
Pasture and range land	✓		
Religious structure and activities	✓		✗
RV park or campground	✓	✗	✓
Sawmills		✗	✗
School, preschool, private		✗	✗
School, public	✓		✓
Single-family dwellings	✓		
Welding, blacksmith, auto body repair, auto repair and maintenance shops	-	✗	✗

18.30.020 Permitted and conditional uses.

Any use not listed in this table shall be strictly prohibited.

Type: AG-1 Use	Allowed	Conditional Use Permit	Business License
Accessory structure Garage, workshop, home office, exercise room, sunroom, or similar uses. No bedrooms. Half bathroom only (no bathtub or shower).	✓		
Accessory apartments, in accordance with FCC 18.15.210	✓		
Agriculture activities	✓		
<u>Animal accessory building minimum distance 40 feet from any dwelling or proposed dwelling</u>	<u>✓</u>		
Animal hospital/clinic	✓	-	✓
Contractor's equipment storage yard, FCC 18.15.130	✓	-	✓
Contractor's storage yard, FCC 18.15.130	✓	-	✓
Equestrian facilities, riding academics, schools and accompanying stables	✓		
Firewood and coal yards	✓		
Fruit and vegetable stands for the selling of farm products which are grown on the premises, not to exceed 600 square feet in area and limited to one stand per lot	✓		✓
Home occupation as regulated by business license and Chapter 18.80 FCC	✓		✓
Kennels?		✓	
Manufactured homes detached which satisfy the Department standards which are placed upon permanent foundation of reinforced concrete in accordance with IBC International Building Code standards and which satisfy the snow load requirements for their location	✓		

Type: AG-1 Use	Allowed	Conditional Use Permit	Business License
Nurseries (trees, flowers, shrubs, plants)	✓		✓
Outdoor storage yard, FCC 18.15.130	✓	-	✓
Parks, trails and other noncommercial recreational facilities	✓		
Religious structure and activities	✓		✓
RV park or campground		✓	✓
Sawmills		✓	✓
Schools, preschool, private	-	✓	✓
Schools, public	✓		✓
Single-family dwellings	✓		
Welding, blacksmith, auto body repair, auto repair and maintenance shops	-	✓	✓