

Chapter 24A: Residential Short Term Rental Overlay Zone (RSTROZ)

24A.3 Applicability

- A. Utah Code 10-9a-505, Zoning Districts, provides for the creation of the Overlay Zone RSTROZ as follows:
1. (a) The legislative body may divide the territory over which it has jurisdiction into zoning districts of a number, shape, and area that it considers appropriate to carry out the purposes of this chapter.
 - (b) Within those zoning districts, the legislative body may regulate and restrict the erection, construction, reconstruction, alteration, repair, or use of buildings and structures, and the use of land.
 - (c) A municipality may enact an ordinance regulating land use and development in a flood plain or potential geologic hazard area to:
 - i. protect life; and
 - ii. prevent:
 - A. the substantial loss of real property; or
 - B. substantial damage to real property.
 2. The legislative body shall ensure that the regulations are uniform for each class or kind of buildings throughout each zoning district, but the regulations in one zone may differ from those in other zones.
 3. (a) There is no minimum area or diversity of ownership requirement for a zone designation.
 - (b) Neither the size of a zoning district nor the number of landowners within the district may be used as evidence of the illegality of a zoning district or of the invalidity of a municipal decision.
 4. A municipality may by ordinance exempt from specific zoning district standards a subdivision of land to accommodate the siting of a public utility infrastructure.
- B. The Town Council has determined short term rentals along the Rockville Connector Corridor, and limited to the properties identified in B.1 below, is not materially adverse to the Town's desire to maintain the vision of a rural, residential, and agricultural community. This decision is also considerate of the following factors:
1. This overlay zone consists of the following parcels only:
 - R-1248-B-2-A-1
 - R-1248-A-2-C
 - R-1248-A-1-B-1
 - R-PERR-2
 - R-1249-A
 - R-1249-E
 - R-1249-C
 - R-1248-E**
 2. ~~The Rockville Connector Corridor is contained within these parcels.~~
 3. The short term rental use is separated from the primary residential areas in the Town of Rockville and limited to the properties identified in B.1 and limited to the two existing homes on such properties, plus two additional rental homes on the properties.
 4. The residential nature and appearance of the properties is, and shall be required to remain, in keeping with the Town of Rockville General Plan.

24A.4 Short term Rentals Development Standards:

Regulations and restrictions imposed by this section are in recognition of the premise that a short term rental provides lodging for a transient population that may or may not honor neighborhood standards or exhibit neighborly consideration to the same extent as owner occupants. These requirements are based on a desire to maintain the overall residential character of neighborhoods and the purpose of single family residential zones to promote safe locations for residential uses.

The following development standards apply to short term rentals in the RSTROZ:

- A. Regulations and requirements for short term rentals shall be the same as required for the underlying zone, with the following exceptions:
 1. The existing home on Parcel R-1248-B-2-A-1 shall be allowed to retain the bathrooms in the gymnasium/theater building and the garage. The bathroom in the garage may be modified to contain up to three (3) sinks, two (2) toilets and two (2) shower/tubs. Both bathrooms, which were installed without permit, shall require application for an after-the-fact building permit and be subject to required fees and building inspector approvals as to compliance with the International Building Code, International Residential Code and International Fire Code.
 2. The existing home on Parcel R-1248-B-2-A-1 shall be allowed an additional bedroom in the section of the garage where the bathroom is located, subject to application and approval of a building permit.
 3. ~~The allowance of one (1) of the two (2) new short term rental homes, to be built on parcels within the overlay zone, to have in addition to the main residence, one (1) accessory building to have two (2) bathrooms, each of which may contain up to three (3) sinks, two (2) toilets and two (2) shower/tubs and two (2) sleeping areas.~~ **Parcel R-1248-E will have both a short term rental residence and a manager's quarters, complete with cooking facility, for oversite of the short term residences within the overlay zone. The manager's quarters cannot be used as a short term rental.** ~~Parcels to be considered for this exception include only R-PERR 2, R-1249-A, and R-1249-C.~~
 4. No Cooking Facility is allowed in any accessory building.
- B. All structures must comply with International Building Code, International Residential Code and International Fire Codes and all other applicable State and Town statues, ordinances and regulations.
- C. The properties within the RSTROZ shall be planned and landscaped so as to minimize the impact on neighboring properties and in a manner designed to maintain the residential character of the Town.
- D. No temporary, or semi-permanent structures such as tents, yurts, trailers, containers, campers or RV's may be used as living quarters or rented. The only exception would be for youth oriented, non-profit groups for a maximum of six (6) days temporary tent camping, limited to no more than four (4) groups per year within the RSTROZ. Owner is required to obtain a Simple Temporary Use / Special Event Permit from the Town Clerk prior to the event. This permit has no fee. Appearance before the Planning Commission is not required for approval.
- E. To be a valid sleeping area the sleeping area shall have appropriate exits, ceiling heights, and windows. A sleeping area shall require a minimum of 100 sq. feet of floor space.
- F. Sleeping Area shall mean any room that has a bed, bunk beds, daybed, or other furniture for sleeping, including, and without limitation, pull out couch or futon.