

Exhibit “A”
(Proposed Final Version)

15A-11-25 Residential Short Term Rental (STR)

- A. **Purpose.** This section is established to provide regulations and design standards for residential short-term rentals (STRs) related to single family and multi-family neighborhoods. These standards seek to allow for STRs while also protecting the safety and general welfare of Sandy residents and preserving the residential character of Sandy neighborhoods. In allowing STRs, it provides existing property homeowners economic relief who might otherwise be forced to leave a neighborhood, thus promoting and preserving affordable housing in Sandy City. This section also intends to stabilize neighborhoods by promoting home ownership and preserving long term rental housing in the market.
- B. **Residential Short Term Rental (STR).** A STR is prohibited in all residential dwellings, residential districts, residential PUD districts and residential SD districts without first obtaining a STR special use permit as regulated in this section and issued a valid short-term rental business license (STRL). The following are exempt and shall not be subject to the provisions of this section:
1. A residential lease of 30 or more consecutive days.
 2. Bed and Breakfasts, hotels, and motels, as described and regulated in the Sandy Land Development Code and the Revised Ordinances of Sandy City, shall not be subject to the provisions of this section.
- C. **General Standards and Requirements.** A STR use may be allowed within any existing legal residential dwelling by an administrative special use permit from the Community Development Department, wherein the application demonstrates compliance with requirements found in the Sandy Land Development Code and the Revised Ordinances of Sandy City and all of the following standards and requirements:
1. Application. A completed application form as provided by Sandy City.
 2. Property Description. A detailed written description and/or drawing of the property that identifies the use of each room of the dwelling and defines the portions of the dwelling to be used for a STR shall be provided. Only one (1) designated STR area is allowed for a property.
 3. Owner Occupancy. The owner of the subject property shall live in the primary dwelling in which a STR is desired, and must reside therein as their primary residence.
 - a. An individual shall prove ownership of the property as evidenced by a copy of a transfer deed listing the applicant as the fee title owner. Fee title owner may be an individual or trustor of a family trust that possesses 50% or more ownership of the proposed STR. Fee title owner may not be a corporation, partnership, limited liability company, or similar entity.
 - b. To establish that the property is the owner’s primary residence, the owner shall:
 - (1) Present the owner’s most recent state and federal tax returns both listing the property as the owner’s primary residence; and
 - (2) Present a government issued identification document listing the address of the property as the address of the owner; and
 - (3) A signed affidavit sworn before a notary public shall be provided by the owner stating that the proposed property is the primary residence of the owner, wherein they reside at least 183 days per calendar year.
 4. Occupancy During Rental Period. The subject property shall comply with the following occupancy restrictions:

- a. The maximum renter occupancy shall be no more than eight (8) related people or four (4) unrelated people in the area to be used for a STR and the maximum occupancy shall not include the owner.
 - b. The property shall not be rented to more than one renter at any given time, and the owner shall not divide and rent out portions of the dwelling to multiple renters at the same time.
 - c. A property shall not be rented as a STR for more than 182 nights per year.
 - (1) The owner may reside on the property while it is occupied by a renter.
 - (2) The property shall only be rented for a minimum duration of one (1) night and a maximum of ten (10) consecutive nights.
 - (3) There must be a renter vacancy period of three (3) consecutive nights between each rental.
 - d. A property with a valid accessory apartment conditional use permit may use the apartment as a STR and have the accessory apartment be rented for up to 365 nights per year. The owner may not reside in or use the accessory apartment unit while it is occupied by a renter.
5. **Parking Plan.** A detailed written description and/or a drawing of an off-street parking plan must be provided to ensure that all occupants of the home and STR can be accommodated on-site at all times. Parking shall be limited to the existing garage, driveway, and dedicated parking spots of the residential unit and may not include any on-street parking. Any proposed parking improvements may also be included in the off-street parking plan, so long as they are completed prior to issuance of a STRL. All elements of the parking plan must be in compliance with all other requirements of this title.
6. **Conflict of Private Restrictions.** The owner shall provide a signed affidavit sworn before a notary public that certifies to the City that the subject property has no existing private covenants, conditions, or restrictions prohibiting STRs.
7. **Urgent Response.** The owner, or a designated representative, shall be available to immediately respond 24 hours/day, 365 days/year by telephone, and when necessary, be able to physically respond within one hour of any legitimate complaint. If the owner is unreachable after three (3) attempted contacts by Sandy City, a notice of violation will be issued.
8. **Property Maintenance Requirements.** All short-term rentals shall adhere to the Revised Ordinances of Sandy City, including, but not limited to:
- a. **Maintenance.** Owners must adhere to the Property Maintenance chapter of the Revised Ordinances of Sandy City including, but not limited to, requirements for weed abatement, landscaping, garbage removal, structure maintenance, and fence/wall maintenance.
 - b. **Snow Removal.** Owners shall remove all snow from the sidewalks of the property within 24 hours after snowfall in accordance with the Revised Ordinances of Sandy City.
 - c. **Noise and Nuisance Control.** Owners shall ensure that renters adhere to the noise control chapter of the Revised Ordinances of Sandy City. Should a renter violate the noise control chapter more than once in any given 72-hour period they shall be immediately evicted from the property by the owner.
9. **Noticing and Posting Requirements.**
- a. One nameplate sign that includes the name and the 24/7 contact information for the owner, or a designated representative, must be posted on the exterior side of the main entrance of the STR.
 - b. An informational packet must be posted in a highly visible place within the dwelling or STR area, and must include all of the following:
 - (1) City issued STRL.
 - (2) 24/7 owner, or a designated representative, contact information.
 - (3) Parking requirements.
 - (4) Maximum occupancy.
 - (5) The noise ordinance of the Revised Ordinances of Sandy City.

- (6) Garbage pick-up dates, and a written description of where garbage receptacles must be placed for pick-up.
- (7) Contact information for the Sandy City Police and Fire Departments.
- (8) Other contact information as required by the Community Development Department.
- (9) Any other appropriate requirements as specified by the Community Development Director, through the special use permit process.

D. **Limited Number of STRs.** The total number of STR special use permits issued within Sandy City shall be limited as follows:

1. The maximum number of STR special use permits shall be calculated for each Community within Sandy City. Each Community shall have a minimum base of two (2) STR permits plus one (1) permit for every 100 single-family dwellings within the Community boundary.
2. The total number of available permits shall be recalculated biennially based on an estimated number of single-family dwellings within Sandy City derived by the Community Development Department.

E. **Violations.** It shall be a violation for any person to operate a STR:

1. Without first obtaining a STR special use permit, as regulated in this section, and issued a valid STRL; or
2. That does not comply with the requirements of this chapter, the Revised Ordinances of Sandy City, or the Sandy City Land Development Code.

F. **Enforcement and Fines.** Upon a determination that a violation exists, the Community Development Director, or designee, will contact the owner requiring such owner to halt, eradicate, destroy, remove, or otherwise cure the violation within 48 hours, or such later time the Director, or designee, may determine.

1. Each day that a violation occurs or continues is a separate violation
2. For any violation of this section, the issuing officer may issue a written citation or notice of violation to the owner, specifying the violation and the penalty to be imposed.
 - a. For the first violation within any 12-month period, the penalty shall be \$500.
 - b. For a second violation within any 12-month period, the penalty shall be \$750.
 - c. For a third violation within any 12-month period the penalty shall be \$1,000 and revocation of the STRL and special use permit. The owner shall be ineligible for a STR special use permit and a STRL for a period of two years from the date of the third notice of violation.
 - d. For any violation within any 12-month period following the third violation, the penalty shall be \$1,000 and the STR owner shall be banned from receiving a STR special use permit and a STRL.

15A-08-02 Permitted Land Use Matrix by the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts

B. Table of Uses.

Land Use Category	CBD	CBD-P	CBD-O	CBD-A&C	CR-PUD	RC	BC	CC	CN	CVC	CN(HSN)	HBD	LC	PO	ID	AM (Dealership)	AM (Commercial)	MU	TC	RD	
Residential Lease, Short Term	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Residential Short Term Rental (STR)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S

15A-09-03 Permitted Land Uses by the Institutional Care District

B. Table of Uses

Table 15A-09-03 – Land Uses in Institutional Care	IC
Residential Lease, Short Term	N
Residential Short Term Rental (STR)	S

15A-10-02 Permitted Land Uses in the Open Space District

B. Table of Uses.

Table 15A-10-02 – Land Uses in Open Space District	OS
Residential Lease, Short Term	N
Residential Short Term Rental (STR)	N