

ORDINANCE NO. 2023-17-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING 17.02 – DEFINITIONS AND ESTABLISHING TITLES 17.80 – SHORT-TERM RENTALS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Lindon City Council is authorized by state law to enact and amend ordinances establishing land use regulations; and

WHEREAS, the proposed amendment is consistent with the goal of the Lindon City General Plan to preserve and protect neighborhoods as diverse and attractive places; and

WHEREAS, the Lindon City Council finds that it is necessary to adopt an ordinance regulating Short-Term Rentals which provides operational standards for Short-Term Rentals that protects the health, safety, welfare and quality of life of residents and visitors of Lindon City; and

WHEREAS, on September 12, 2023, the Planning Commission held a properly noticed public hearing to hear testimony regarding the ordinance amendment; and

WHEREAS, after the public hearing, the Planning Commission further considered the proposed ordinance amendment and recommended that the City Council adopt the attached ordinance; and

WHEREAS, the Council held a public hearing on _____, to consider the recommendation and the Council received and considered all public comments that were made therein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lindon, Utah County, State of Utah, as follows:

SECTION I: Amend Lindon City Code section as follows:

17.02 – Definitions

"Short-term rental" means a residential unit or any portion of a residential unit that the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30 consecutive days. A short-term rental does not include a bed and breakfast use, bed and breakfast dwelling, bed and breakfast farm retreat dwelling or Bed and Breakfast guest room as defined 17.02 and found in the 17.51 – Commercial Farm zone.

17.80 –Short-Term Rental

17.80.010 – Purpose

1. This section is established to provide regulations for Short-Term Rentals (STRs) in residential zones. Regulations and restrictions imposed by this section are in recognition of the premise that a short-term rental provides commercial lodging in residential zones for a transient population. The residential Short-term rental regulations are provided to protect the safety and general welfare of Lindon City residents and preserve the residential character of city neighborhoods.

17.80.020 – Licensing

1. Prior to operating as a residential Short-term Rental, each Short-Term Rental shall obtain a business license from Lindon City following Title 5 and pay applicable licensing fee as outlined in the Lindon City Consolidated Fee Schedule.

17.80.030 – General Regulations for Short-term Rentals

1. The residential dwelling shall not be rented to more than one party of guests at any given time, and the property owner shall not divide and rent out portions of the dwelling to multiple parties.
2. A short-term rental application shall contain all the following information:
 - a. Name, address, telephone number and email address of the property owner.
 - b. Responsible party name, address, telephone number and email address who can respond to the property within one (1) hour of a complaint from Lindon City.
 - c. Scaled Floor plan of the home identifying all rooms and sleeping rooms in the dwelling.
 - d. The maximum number of overnight guest occupants.
 - e. Site plan that identifies all designated parking areas.
 - f. Copy of current tax registrations or registration with a short-term rental company to collect accommodation and transient room taxes.
3. Only one Short-Term Rental per cul-de-sac is permitted. For this short-term rental ordinance, the cul-de-sac shall be determined as the bulb area of the dead-end turnaround which begins at the return radius on both sides of the street. Any properties abutting the bulb area of the turnaround shall be counted as part of the cul-de-sac.
4. Off-street parking shall be provided on the same property as the residential dwelling which is licensed as a Short-Term Rental. Parking shall be located on a driveway or designated parking areas and shall be used by overnight guest occupants. The number of vehicles allowed by the occupants of the short-term rental for overnight parking shall be restricted to the number of off-street parking spaces provided by the owner. At a minimum two (2) parking spaces shall be provided for up to six (6) overnight guest occupants. For every overnight guest occupant over six (6) one additional parking space per four (4) overnight guest occupants shall be provided. If a property owner lives on-site and uses an accessory apartment as a Short-term Rental, the parking requirement shall be in addition to the required parking for the single-family dwelling.
5. The property owner shall designate a responsible party with the business license application who is a local individual or property management company. The responsible party must be available by telephone, or otherwise, twenty-four (24) hours per day and must be available to respond on-site to the property within one (1) hour of receipt of a complaint from Lindon City.
6. Use of an Accessory Dwelling Unit as a Short-Term Rental shall only be allowed when the primary dwelling is owner occupied.
7. When a business license is issued, the City shall mail to each abutting property owner of the short-term rental the name and contact information of the property owner or responsible party of the short-term rental so neighboring property owners can contact the property owner or responsible person in case of emergency or nuisance violations.
8. One nameplate sign that includes the name, address, and the contact information for the responsible party of the short-term rental shall be posted on the exterior side of the main entrance. A Short-Term Rental shall include an informational packet posted in a highly visible place within the Short-Term Rental and shall include, at a minimum, the following:
 - a. Contact information for the responsible party.
 - b. Parking requirements.
 - c. Garbage pickup dates and a written description of where the garbage receptacle must be placed for pick-up if required of the Short-Term renter.
 - d. Non-emergency contact information for the Lindon City Police Department.
9. A Short-term rental shall only be used for lodging accommodations and not rented or leased for events or other similar activities or operations. Recreational Vehicles shall not be brought to or parked on the property which would allow for additional overnight occupants and decrease in available vehicle parking.

10. Short-Term Rentals shall meet building code requirements for egress and installation of and carbon monoxide detectors.
11. No outdoor activities or amplified music are permitted at a short-term rental between the hours of 10:00 p.m. and 7:00 a.m.
12. The Short-Term Rental owner shall be responsible for ensuring that guests or occupants do not create a nuisance as found in Lindon City code 8.20.
13. Each short-term rental shall have an initial inspection by the fire department prior to approval of a business license and an annual inspection as part of the business license renewal.
 - a. Each short-term rental shall have a fire extinguisher on each floor. Additional fire extinguishers may be required by the fire department for homes with larger square footage.
 - b. Other requirements such as fire suppression systems, occupancy restrictions, exit lighting and other fire related code requirements shall be evaluated by the City at the time a business license is submitted with accompanying documents as found in section two.
14. Enforcement, penalties and appeals shall follow the procedures as found in Title 5 – Business Licensing and Regulations.

Appendix A - Standard Land Use Table

Lindon City

STANDARD LAND USE TABLE BY ZONE

Appendix A

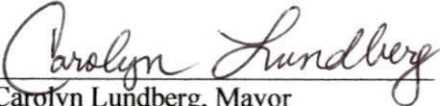
Parking Group	Permitted Primary Uses	Residential	Mixed Rec.		Commercial*								Industrial			R&B
		(R1-12, R1-20, R3)	RMU-W	RMU-E	PC-1	PC-2	OG	OG-A	OG-B	OG-S	IMC	HI	LI	LI-W		
MISCELLANEOUS																
N/A	Solicitors	See LCC 5.40 - Solicitors Ordinance														
N/A	Itinerant Merchants	N	N	N	See LCC 17.17.140 - Temporary Site Plans											
7100	Fireworks Stands	See B.28 - Fireworks Ordinance														
7100	Christmas Tree Sales	N	N	N	See LCC 17.17.140 - Temporary Site Plans											
7100	Mechanical Amusement	N	N	N	C	C	C	C	C	C	C	C	C	C	C	N
	Individual Containers for Recyclable															
N/A	Materials - commercial storage	N	N	N	N	N	C	C	C	C	C	C	C	C	C	N
RESIDENTIAL																
N/A	Single Family	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N
1111	Accessory Apartments	See 17.46 R2 Overlay	N	N	N	N	N	N	N	N	N	N	N	N	N	N
1111	Condominium		N	N	N	N	N	N	N	N	N	N	N	N	N	N
1111	Apartments		N	N	N	N	N	N	N	N	N	N	N	N	N	N
1200	Rooming & Boarding Houses	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
1233	Fraternity & Sorority Houses	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
1500	Membership Lodging	N	N	N	N	N	C	C	C	C	N	N	N	N	N	N
1233	Student Housing	See 17.46 - R2 Overlay														
1241	Youth Rehabilitation	See 17.70 - Group Homes and 17.72 - Care Facilities Overlay														
1241	Assisted Living Facilities - small	See 17.70 - Group Homes and 17.72 - Care Facilities Overlay														
1241	Assisted Living Facilities - large	See 17.70 - Group Homes and 17.72 - Care Facilities Overlay														
1200	Transitional Treatment Home - sm.	See 17.70 - Group Homes and 17.72 - Care Facilities Overlay														
1200	Transitional Treatment Home - lg.	See 17.70 - Group Homes and 17.72 - Care Facilities Overlay														
1400	Subdivided Manufactured Mobile Homes Parks	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
1300	Hotels, Tourist Courts, Bed & Breakfast and Motels	N	N	N	P	P	P	P	P	P	P	N	N	N	N	P
N/A	Short-term Rental	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N
N/A	Caretaker Facilities - accessory to main uses only	N	N	N	C	C	C	C	C	C	C	C	C	C	C	C

SECTION II: The provisions of this ordinance and the provisions adopted or incorporated by reference are severable. If any provision of this ordinance is found to be invalid, unlawful, or unconstitutional by a court of competent jurisdiction, the balance of the ordinance shall nevertheless be unaffected and continue in full force and effect.


SECTION III: Provisions of other ordinances in conflict with this ordinance and the provisions adopted or incorporated by reference are hereby repealed or amended as provided herein.

SECTION IV: This ordinance shall take effect immediately upon its passage and posting as provided by law.

PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this 18 day of December, 2023.


Carolyn Lundberg, Mayor

ATTEST:


Kathryn A. Moosman,
Lindon City Recorder

SEAL



CERTIFICATE OF PASSAGE

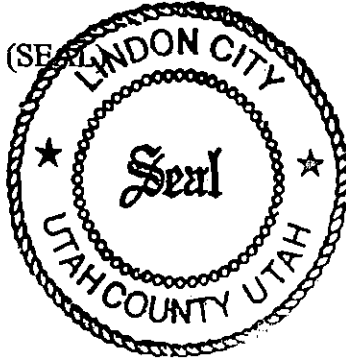
STATE OF UTAH }
 }ss.
COUNTY OF UTAH }

I, Kathryn A. Moosman, City Recorder of Lindon City, Utah do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed and adopted by the City Council of Lindon City, Utah on the 18th day of December 2023 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH
AMENDING TITLE 17.02 – DEFINITIONS AND ESTABLISHING TITLES 17.80-
SHORT TERM RENTALS AND PROVIDING FOR AN EFFECTIVE DATE.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the
Corporate Seal of Lindon City, Utah, this 18th day of December, 2023.


Kathryn A. Moosman, City Recorder



AFFIDAVIT OF POSTING


STATE OF UTAH }
 } ss.
COUNTY OF UTAH }

I, Kathryn A. Moosman, City Recorder of Lindon City, Utah do hereby certify and declare that I posted the attached ordinance in three public places on the 19th day of December 2023.

The three public places are as follows:

1. Lindon City Police Department
2. Lindon City Community Development Office
3. Lindon City Center


I further certify that the agenda of the meeting of the City Council containing notice of public hearing was published and posted according to law, and that copies of the ordinance so posted were true and correct copies of the original.


Kathryn A. Moosman, City Recorder

The foregoing instrument was acknowledged before me this 19th day of Dec., 2023 by Kathryn A. Moosman.

My Commission expires: January 7, 2025

Residing at: Utah County


Notary Public

