

**CITY OF MILFORD
ORDINANCE 09-2024**

SHORT-TERM RENTALS

WHEREAS, the Planning Commission has determined it necessary to implement a ordinance to allow for Short-Term Rentals to help govern the housing demand within Milford City.

WHEREAS, the City Council has determined that it is in the best interest of Milford City to approve the recommended ordinance.

NOW THEREFORE, be it ordained by the Council of the City of Milford, in the State of Utah, as follows:

SECTION 1: **ADOPTION** “13.48 Short-Term Rentals” of the Milford Municipal Code is hereby *added* as follows:

ADOPTION

13.48 Short-Term Rentals(*Added*)

SECTION 2: **ADOPTION** “13.48.010 Purpose And Intent” of the Milford Municipal Code is hereby *added* as follows:

ADOPTION

13.48.010 Purpose And Intent(*Added*)

The purpose of this zoning code is to regulate and manage short-term rentals within the City of Milford to protect the character and well-being of residential neighborhoods, ensure public safety, and maintain the quality of life for residents.

SECTION 3: **ADOPTION** “13.48.020 Definition” of the Milford Municipal Code is hereby *added* as follows:

ADOPTION

13.48.020 Definition(*Added*)

1. Short-Term Rental (STR): A residential dwelling unit that is rented, leased, or otherwise provided for lodging purposes of a period of less than 30 consecutive days. Short-Term Rentals are not permitted in an Accessory Dwelling Unit.
2. Milford City Resident: A resident is a person who has a fixed primary residence within Milford City boundaries and has lived in the city for at least one hundred eighty (180) days. The address of a primary residence must be documented by producing the following documents:
 - a. Current Drivers License with Milford Address

SECTION 4: ADOPTION “13.48.030 Location And Limitations” of the Milford Municipal Code is hereby *added* as follows:

ADOPTION

13.48.030 Location And Limitations(*Added*)

1. Residents of Milford City may not fully or partially own more than two (2) STR's.
2. Non-Residents may not fully or partially own more than one (1) STR.
3. The number of Short-Term Rentals are allowed in the following subdivisions: (If the number of STR's are at capacity the applicant will be put on a waiting list)
 - a. Apartments will count as one (1) STR.
 - b. The Main Street Commercial District will not have a limit on STR's and will not count against the number allowed in the subdivision in which they are located in.

Subdivision	STR's Allowed	Subdivision	STR's Allowed
Horn Silver	2	Horn Silver Unit 1	1
Mountain View Estates	2	Milford Heights	8
Granite View Estates	8	Iron Wood 1 & 2	2
North Milford Mannor	1	Sunnyside	1
Lewis Addition	8	Sunnyside Unit 1	2
Plat B Milford Townsite	5	Silver Sage	1
North Milford Latey & Williams	5	Main Street Commercial District	No Limit

SECTION 5: ADOPTION “13.48.040 Requirements” of the Milford Municipal Code is hereby *added* as follows:

ADOPTION

13.48.040 Requirements(*Added*)

1. **Conditional Use Permit:** All proposed STR's require a Conditional Use Permit. A business license application will not be accepted prior to a CUP being approved and issued. A CUP is reviewed by the Planning Commission where they will review the proposal for compliance with zoning requirements, evaluate restrictions, and consider site-specific requirements such as parking.
2. **Short-Term Rental Business License:** A business license is required for each property operating a STR. A CUP must be issued before applying for a business license.
 - a. Renewals: STR Business License will expire on December 31st of each year. Failure to renew within the specified time frame shown on the renewal will result in forfeiture of the license and CUP. Evidence of remittance of transient room tax is required to be provided to Milford City with license renewals.
 - b. Licenses are non-transferable. In the event of a sale of a licensed STR, the new owner shall be required to obtain a CUP and Business License.
3. **Inspections:** An inspection of the property must be performed by the Building Inspector and Fire Chief as a part of the business license process.
 - a. Additional inspections may be performed if deemed necessary by Milford City, the Building Inspector, and/or the Fire Chief with a 24-hour notice to the owner and/or property manager.
 - b. The Fire Chief and Building Inspector will determine the maximum number of occupants that can occupy the dwelling.
4. **Taxes:** The owner of the STR is required to collect and remit all Transient Room Taxes and other local taxes required by law.
5. **Parking:** A minimum of two (2) on-site parking stalls shall be provided. No on-street parking is permitted.
6. **Maintenance Standards:** Each dwelling shall:
 - a. Be properly maintained and in good repair.
 - b. Grounds and landscaping shall be properly maintained and kept weed-free.
7. **Renters:** The principal renter of the STR shall be of legal age of 18 years old.
8. **Signage:**
 - a. A plaque no larger than 12"x 12" indicating the home is a STR with the address is require to be placed on the door or near the door of each STR.
 - b. Signs on the property advertising the home as a STR are prohibited.
9. **Pets:** Owners or keepers of any dogs at STR properties are not allowed more than 2 dogs. Dogs shall not be allowed to run at large.
10. **Noise, Nuisance, or Trespass:** The owner of any dwelling licensed as a STR shall be

responsible for ensuring that guests or occupants of the rental do not:

- a. Create noise that by reason, nature, intensity, or duration are out of character with noises customarily heard in the surrounding neighborhood.
- b. Disturb the peace of the surrounding neighborhood.
- c. Interfere with the privacy of surrounding neighbors or trespass onto neighboring properties.
- d. Engage in any disorderly conduct.

11. **Complaints:**

- a. The 1st complaint received by Milford City will result in a letter being sent to the property owner and/or manager.
- b. The 2nd complaint shall result in another letter being sent to the property owner and a review of the CUP at the following Planning and Zoning Meeting in which the CUP will be at risk of being revoked.
- c. A 3rd complaint will result in the CUP and Business License being revoked.

12. **Required Posting:** The following information must be available in a folder or binder located in the STR for all occupants.

- a. A copy of the STR Business License.
- b. Name, address, and phone number of the owner and/or property manager.
- c. The location of all fire extinguishers and emergency exits.
- d. A list of all STR rules.
- e. Contact number for the law enforcement.
- f. The maximum occupancy of the dwelling.
- g. Trash pick-up and regulations pertaining to leaving or storing trash.
- h. A map indicating property boundaries and parking spaces.

SECTION 6: **ADOPTION** “13.48.050 Enforcement” of the Milford Municipal Code is hereby *added* as follows:

ADOPTION

13.48.050 Enforcement(*Added*)

1. Owners found in violation of Milford City Ordinances and/or operating a STR without the proper permitting and licenses will be cited with a class B misdemeanor by the Beaver County Sherriff's Department and be fined the following:
 - a. The owner will be fined \$1,000 plus a 90% surcharge equaling \$1,900 per offense.

SECTION 7: **AMENDMENT** “13.11.030 Conditional Uses” of the Milford Municipal Code is hereby *amended* as follows:

AMENDMENT

13.11.030 Conditional Uses

The following uses may be permitted subject to a conditional use permit:

1. Accessory buildings customarily incidental to permitted agricultural uses;
2. Temporary uses incidental to construction work activities;
3. Agricultural related business;
4. Fruit/vegetable stand;
5. Places of worship;
6. Public or private schools or educational institutions;
7. Bed and Breakfast facilities;
8. Public or quasi-public utility or public service facilities;
9. Public parks or recreational facilities;
10. Private recreational facilities;
11. Day care centers; and
12. Other uses considered by the Planning and Zoning Commission to be compatible with these conditional uses.
13. One dog shall be allowed per 2,000 sq ft-up to a maximum of 4 dogs per county recorded lot.
14. Short-Term Rental

(Ord. 02-2015, Amended, 06/17/2015)

SECTION 8: AMENDMENT “13.12.030 Conditional Uses” of the Milford Municipal Code is hereby *amended* as follows:

AMENDMENT

13.12.030 Conditional Uses

The following uses may be permitted subject to a conditional use permit:

1. Places of worship;
2. Public or private schools or educational institutions;
3. Bed and Breakfast facilities;
4. Public or quasi-public utility or public service facilities;
5. Public parks or recreational facilities;
6. Private recreational facilities;
7. Day care centers;
8. The keeping of exotic animals; and
9. Small and large animal hospitals.
10. One dog shall be allowed per 2,000 sqft-up to a maximum of 4 dogs per county

recorded lot.

11. Short-Term Rental

(Ord. 02-2015, Amended, 06/17/2015)

SECTION 9: AMENDMENT “13.13.030 Conditional Uses” of the Milford Municipal Code is hereby *amended* as follows:

AMENDMENT

13.13.030 Conditional Uses

The following uses may be permitted subject to a conditional use permit:

1. Senior housing unit (granny flat), subject to the specific conditions i.e. Separate utility meters shall not be permitted.
2. Clubs, lodges or halls.
3. Any other uses deemed by the Planning and Zoning Commission to be in harmony with listed conditional uses and the purpose and intent of this district.
4. One dog shall be allowed per 2,000 sqft-up to a maximum of 4 dogs per county recorded lot.

5. Short-Term Rental

(Ord. 02-2015, Amended, 06/17/2015; Ord. Ordinance 7/2008 RM6S, Amended, 06/18/2008)

SECTION 10: AMENDMENT “13.14.030 Conditional Uses” of the Milford Municipal Code is hereby *amended* as follows:

AMENDMENT

13.14.030 Conditional Uses

The following uses may be permitted subject to a conditional use permit:

1. Places of worship;
2. Bed and breakfast facilities;
3. Public or quasi-public utility or public service facilities;
4. Private recreational facilities;
5. Licensed day care centers;
6. Boarding houses or rooming houses;
7. Guest house or servant's quarters which may not be rented or sold;
8. Club, lodges or halls;

9. Licensed "community care facilities" including: Residential facility; adult day care; day treatment; social rehabilitation facility; community treatment facility;
10. Senior housing unit (granny flat), subject to the specific conditions i.e. Separate utility meters shall not be permitted.
11. Commercial parking lots when directly adjacent to the NC (Neighborhood Commercial) district and consistent with recommendations of an adopted specific plan; and
12. Any other uses deemed by the Planning and Zoning Commission to be in harmony with listed conditional uses and the purpose and intent of this district.
13. One dog shall be allowed per 2,000 sqft-up to a maximum of 4 dogs per county recorded lot.
14. Short-Term Rental

(Ord. 02-2015, Amended, 06/17/2015; Ord. Ordinance 8-2008, Amended, 06/18/2008)

SECTION 11: AMENDMENT "13.15.030 Conditional Uses" of the Milford Municipal Code is hereby *amended* as follows:

AMENDMENT

13.15.030 Conditional Uses

The following uses may be permitted subject to a conditional use permit:

1. All uses subject to a conditional use permit in the RM district; and
2. Any other uses deemed by the Planning and Zoning Commission to be in harmony with listed conditional uses and the purpose and intent of this district.
3. One dog shall be allowed per 2,000 sqft-up to a maximum of 4 dogs per county recorded lot.
4. Short-Term Rental

(Ord. 02-2015, Amended, 06/17/2015)

SECTION 12: AMENDMENT "13.17.030 Conditional Uses" of the Milford Municipal Code is hereby *amended* as follows:

AMENDMENT

13.17.030 Conditional Uses

The following uses may be permitted subject to a conditional use permit;

1. Hospitals, convalescent hospitals, skilled nursing facilities, congregate care facilities;
2. Hotels or motels;
3. Mortuary;
4. Public or private schools or educational institutions;
5. Public utility structures;
6. Auto related uses including, but not limited to, repair garages, gasoline/service stations, drive through restaurants or markets or car washes;
7. New or used vehicle sales with appurtenant auto repair;
8. Multi-family residential developed to the MR standards;
9. Pawnbroker shops;
10. Thrift shops or secondhand dealerships;
11. Licensed "community care facilities" including: Residential facility; adult day care; day treatment; social rehabilitation facility; community treatment facility;
12. Churches
13. Amusement and recreation establishments including, but not limited to, theaters, billiard parlors, bowling alleys, or amusement arcades;
14. All uses subject to conditional use permit in the RM district; and
15. Any other uses deemed by the Planning and Zoning Commission to be in harmony with listed conditional uses and the purpose and intent of this district.
16. One dog shall be allowed per 2,000 sqft-up to a maximum of 4 dogs per county recorded lot.
17. Short-Term Rental

(Ord. 02-2015, Amended, 06/17/2015)

SECTION 13: **AMENDMENT** "13.18.030 Conditional Uses" of the Milford Municipal Code is hereby *amended* as follows:

AMENDMENT

13.18.030 Conditional Uses

The following uses may be permitted subject to a conditional use permit:

1. Mortuary;
2. Public utility structures;
3. Used vehicle sales;
4. Multi-family residential developed to the MR standards;
5. Pawnbroker shops;
6. Thrift shops or secondhand dealerships.
7. Licensed "community care facilities" including: residential facility; adult day care; day treatment; social rehabilitation facility; community treatment facility;
8. Bailbonds;

9. Fortunetelling, per 13.25.010 through 13.25.080;
10. Swap meets, indoor, per 13.25.010 through 13.25.080;
11. All uses subject to a conditional use permit in the RM district; and
12. Any other uses deemed by the Planning and Zoning Commission to be in harmony with listed conditional uses and the purpose and intent of this district.
13. One dog shall be allowed per 2,000 sqft-up to a maximum of 4 dogs per county recorded lot.
14. Short-Term Rental.

(Ord. 02-2015, Amended, 06/17/2015)

SECTION 14: AMENDMENT “13.20.030 Conditional Uses” of the Milford Municipal Code is hereby *amended* as follows:

A M E N D M E N T

13.20.030 Conditional Uses

The following uses may be permitted subject to a conditional use permit:

1. Medical Offices or clinics;
2. Personal service establishments including, but not limited to, beauty or barber shops, locksmiths, photography studios, shoe repair, dry cleaners, Laundromats, tailors, or dressmaking shops;
3. Retail stores including, but not limited to, grocery stores, convenience markets, appliance or furniture stores, bookshops, drugstores, florist shops, hardware stores, clothing stores, variety stores, or shoe shops;
4. Check cashing;
5. Antique shops;
6. Hotels or motels;
7. Public utility structures;
8. Licensed "community care facilities" including: Residential facility; adult day care; day treatment; social rehabilitation facility; community treatment facility.
9. Heavy industrial and manufacturing uses including, but not limited to, assaying, ceramics, pottery, statuary, ink, polish, enamel, sandblasting, wallboard or glass (no blast furnace), blast furnaces as an accessory use to a permitted or conditional use and other uses which will not be obnoxious or offensive by reason of emission of odor, dust, smoke, gas, noise, vibration or other similar causes detrimental to the public health, safety or general welfare;
10. Furniture making & upholstery shops;
11. Mortuary;
12. Animal boarding kennels or shelters;
13. Materials recovery facility or transfer faculty/station which will not be obnoxious or

- offensive by reason of emission of odor, dust, smoke, gas, noise, vibration or other similar causes detrimental to the public health, safety or general welfare; and
14. Any other uses deemed by the Planning and Zoning Commission to be in harmony with listed conditional uses and the purpose and intent of this district.

15. Short-Term Rental

SECTION 15: EFFECTIVE DATE This Ordinance shall be in full force and effect after the required approval from the Milford City Council and after notice of the ordinance has been published as required by law.

PASSED AND ADOPTED BY THE CITY OF MILFORD COUNCIL

July 23, 2024

	AYE	NAY	ABSENT	ABSTAIN
Russell Smith	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Les Whitney	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Scott Symond	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Ian Spaulding	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Terry Wiseman	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Nolan Davis, Mayor, City of Milford

Attest

Monica D. Seifers, City Recorder,
City of Milford