MINUTES OF THE COTTONWOOD HEIGHTS CITY ADMINISTRATIVE HEARING

Wednesday, February 13, 2019
12:00 p.m.
Room 124, Council Conference Room,
2277 East Bengal Boulevard, Cottonwood Heights, Utah

ATTENDANCE

Present: Matt Taylor, Senior City Planner
Andrew Hulka, City Planner

1.0 PUBLIC HEARINGS

Senior City Planner, Matt Taylor, called the meeting to order at approximately 12:04 p.m. He stated that Community Development Director, Michael Johnson, asked him to conduct the hearing.

1.1 (Project CUP-19-001) – Public Comment on a Request from Mike Rogge for a Conditional Use Permit to Operate a Short-Term Rental at 3587 East Lone Brook Lane.

Mr. Taylor stated that the above hearing was being held at the request of the applicant, Mike Rogge, who is seeking a Conditional Use Permit to operate a short-term rental at 3587 East Lone Brook Lane. The property is located within the Oaks at Wasatch PUD, which is a popular area for short-term rentals. The request meets all of the zoning requirements for short-term rentals and is within the R-2-8 zone. The property fronts a private lane and all of the streets in the development are privately owned. The development includes 107 units. Staff recommended approval subject to the conditions and findings set forth in the staff report.

Mr. Taylor opened the public hearing. There were no public comments. The public hearing was closed.

2.0 ACTION ITEMS

2.1 (Project CUP-19-001) Action on a Request from Mike Rogge for a Conditional Use Permit to Operate a Short-Term Rental at 3587 East Lone Brook Lane.

MOTION: Matt Taylor moved to approve the Conditional Use Permit subject to the following:

Conditions of Approval:

1. The applicant must complete necessary steps to obtain a business license through the city of Cottonwood Heights. Obtaining a business license will indicate final approval of the short-term rental application. The short-term rental property will not be considered legal until a business license is obtained.

2. The short-term rental property is required to maintain compliance with all sections and subsections of chapter 19.89 and chapter 5.85 of the Cottonwood Heights Municipal Code, as hereafter amended from time to time, and all other legal requirements and applicable laws.

3. Occupancy in any short-term rental property shall not exceed the lesser of: (a) up to two adults (persons aged 18 and above) and two related children (persons under age 18) per bedroom, or (b) a total occupancy (adults and children) of no more than 12 persons in the entire short-term rental property. It is prohibited to create artificial divisions or partitions for the purpose of increasing available occupancy of an otherwise standard dwelling unit.

4. This short-term rental property will be approved for no more than four (4) bedrooms. The term "bedroom" means a room designated and used primarily for sleeping and rest on a bed.

5. Upon issuance of a business license and conditional use permit, the applicant must display a copy of the business license inside the main entry of the property.

Findings:

1. The proposed short-term rental meets the applicable provisions of chapter 19.89 and chapter 5.85 of the Cottonwood Heights Municipal Code.

2. That the proposed project will continue to meet the applicable provisions of Chapter 19.84, "Conditional Uses," of the zoning code:

   a. That the proposed use is one of the conditional uses specifically listed in the zoning district in which it is to be located (19.89.050).

   b. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, comfort, order or general welfare of persons residing or working in the vicinity.

   c. That the use will comply with the intent, spirit and regulations of this title and will be compatible with and implement the planning goals and objectives of the city.

   d. That the use will be harmonious with the neighboring uses in the zoning district in which it is to be located.

   e. That nuisances which would not be in harmony with the neighboring uses will be abated by the conditions imposed.

f. That protection of property values, the environment, and the tax base for the city will be assured.

g. That the use will comply with the city's general plan.

h. That the property will be required to comply with all conditions of approval in perpetuity, in accordance with sections 19.89.160 – Inspections and 19.89.190 – Violations and penalties of the Cottonwood Heights Municipal Code.

3.0 ADJOURNMENT

The Administrative Hearing adjourned at approximately 12:06 p.m.

I hereby certify that the foregoing represents a true, accurate and complete record of the Cottonwood Heights City Administrative Hearing held Wednesday, February 13, 2019.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary