COTTONWOOD HEIGHTS CITY
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

ADMINISTRATIVE HEARING AGENDA

January 5th, 2022

NOTICE is hereby given that the Cottonwood Heights Community and Economic Development Director or designee will hold an Administrative Hearing Meeting on **Wednesday, January 5th, 2022, beginning at 12:00 p.m**. in the Cottonwood Heights City Council Chambers located at 2277 E. Bengal Blvd., Cottonwood Heights, Utah 84121.

12:00 p.m. ADMINISTRATIVE HEARING MEETING

1.0 Business Items

1.1. **(Project CUP-21-021)**

Request from Tara Paras for conditional use approval of a short-term rental at 8280 S. Wasatch Grove Lane.

2.0 Consent Agenda

2.1. **Approval of Minutes for January 5th, 2022**

(The Director will move to approve the above-mentioned minutes after the following process is met. The recorder will prepare the minutes and email them to the Director and present staff members. The Director and members will have five days to review the minutes and provide any changes to the recorder. If, after five days there are no changes, the minutes will stand approved. If there are changes, the process will be followed until the changes are made and the Director andmembers agree, at which time the minutes shall be deemed approved.)

3.0 Adjournment

Meeting Procedures
Items will generally be heard in the following order:

1. Staff Presentation
2. Applicant Presentation
3. Open Public Hearing (if item has been noticed for public hearing). Each speaker during the public hearing will be limited to three minutes.
4. Close Public Hearing
5. Community and Economic Development Director Deliberation
6. Community and Economic Development Director Decision

Administrative Hearing applications may be tabled if: 1) Additional information is needed in order to act on the item; OR 2) The Community and Economic Development Director feels there are unresolved issues that may need further attention before the Director is ready to make a decision. The Community and Economic Development Director may carry over agenda items to the next regularly scheduled meeting.

Submission of Written Public Comment
Written comments on any agenda item should be received by the Cottonwood Heights Community and Economic Development Department no later than 12:00 p.m. the day of the meeting. Comments should be emailed to myeh@ch.utah.gov. After the public hearing has been closed, the Community and Economic Development Director will not accept any additional written or verbal comments on the application.

Notice of Compliance with the American Disabilities Act (ADA)
In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify the City Recorder at (801)944-7021 at least 24 hours prior to the meeting. TDD number is (801)270-2425 or call Relay Utah at #711.

Confirmation of Public Notice
On Thursday, December 30 , a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices. The agenda was also posted on the City's website at www.cottonwoodheights.utah.gov and the State Public Meeting Notice website at http://pmn.utah.gov.

DATED THIS 30th Day of December
Paula Melgar, City Recorder

ADMINISTRATIVE HEARING STAFF REPORT

Short-Term Rental: 8280 Wasatch Grove Lane
Meeting Date: January 5th , 2022
Staff Contact: Maverick Yeh, Assistant Planner
(801-944-7018, myeh@ch.utah.gov)

Summary

Project #:
CUP-21-021

Subject Property:
8280 Wasatch Grove Lane

Action Requested:
Conditional use approval to obtain a short-term rental.

Owner:
Tapas Haus, LLC

Applicant:
Tara Paras

Recommendation:
Approve, with conditions

Aerial View

Analysis

Adjacent Zoning & Land Use

- **NORTH**: R-2-8 Multi-family Residential (The Oaks at Wasatch)
- **SOUTH**: R-2-8 Multi-family Residential (Wasatch Oaks Condominiums)
- **EAST**: R-2-8 Multi-family Residential (The Oaks at Wasatch)
- **WEST**: Golden Hill Park (Public Facility)

Staff Analysis

The property is located in the R-2-8 (Residential Multi-Family) zone. Short-term rentals may be approved as a conditional use in the R-2-8 zone, provided that the property is part of a planned unit development or condominium project that contains at least eight units and fronts on a private street. The subject property is a part of the Oaks at Wasatch PUD, which contains 107 units. The property fronts on Wasatch Grove Lane, which is a private street.

Recommended Conditions of Approval

Staff recommends approval, with conditions as outlined below:

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.
6. The facility and its use shall comply with all applicable laws, rules and regulations, including those instituted by the state, county, county health department or the city to mitigate the impact of the COVID-19 pandemic.

Findings for Approval

This recommendation is based on the following 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;

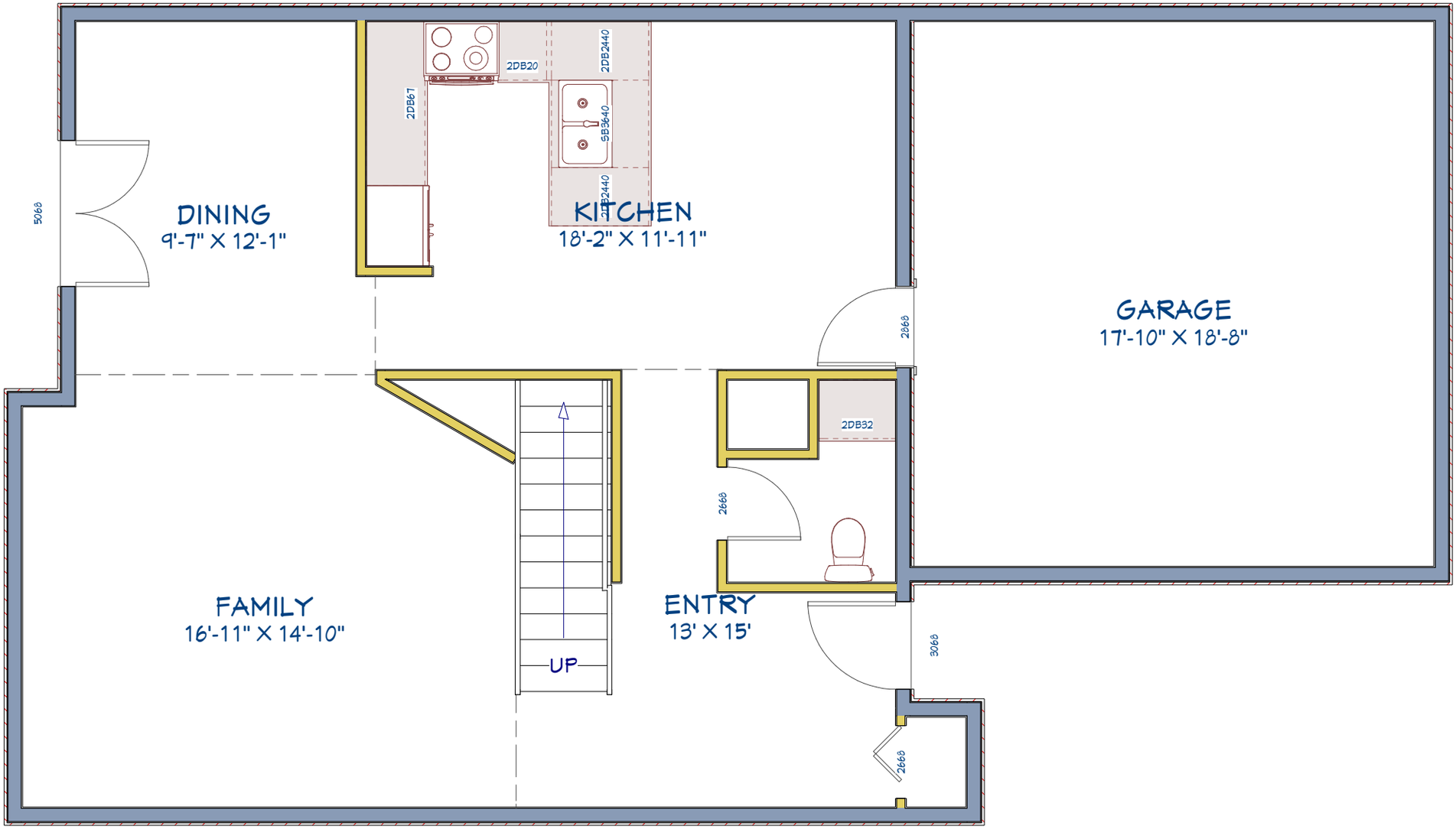
h. That the property will be required to comply with all conditions of approval in perpetuity, in accordance with sections 19.89.160 – Inspections and 19.89.190 – Violations and penalties of the Cottonwood Heights Municipal Code.

Model Motions

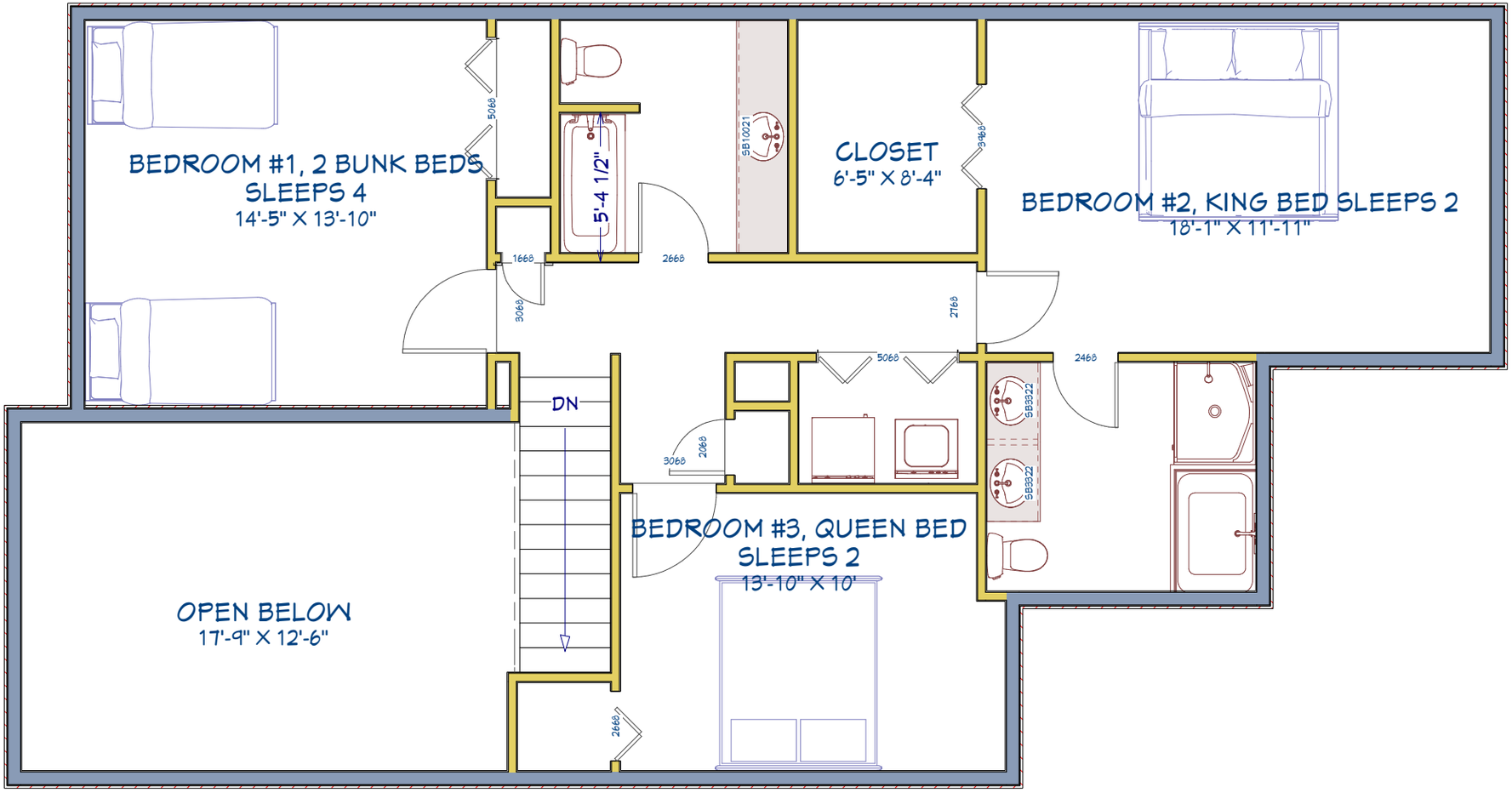
- Approval
  - "I move to approve item CUP-21-021 pursuant to the conditions of approval outlined in the item's staff report."
  - Add any additional conditions of approval…
- Denial
  - "I move to deny item CUP-21-021 based on the following findings…"
  - List reasons for denial…

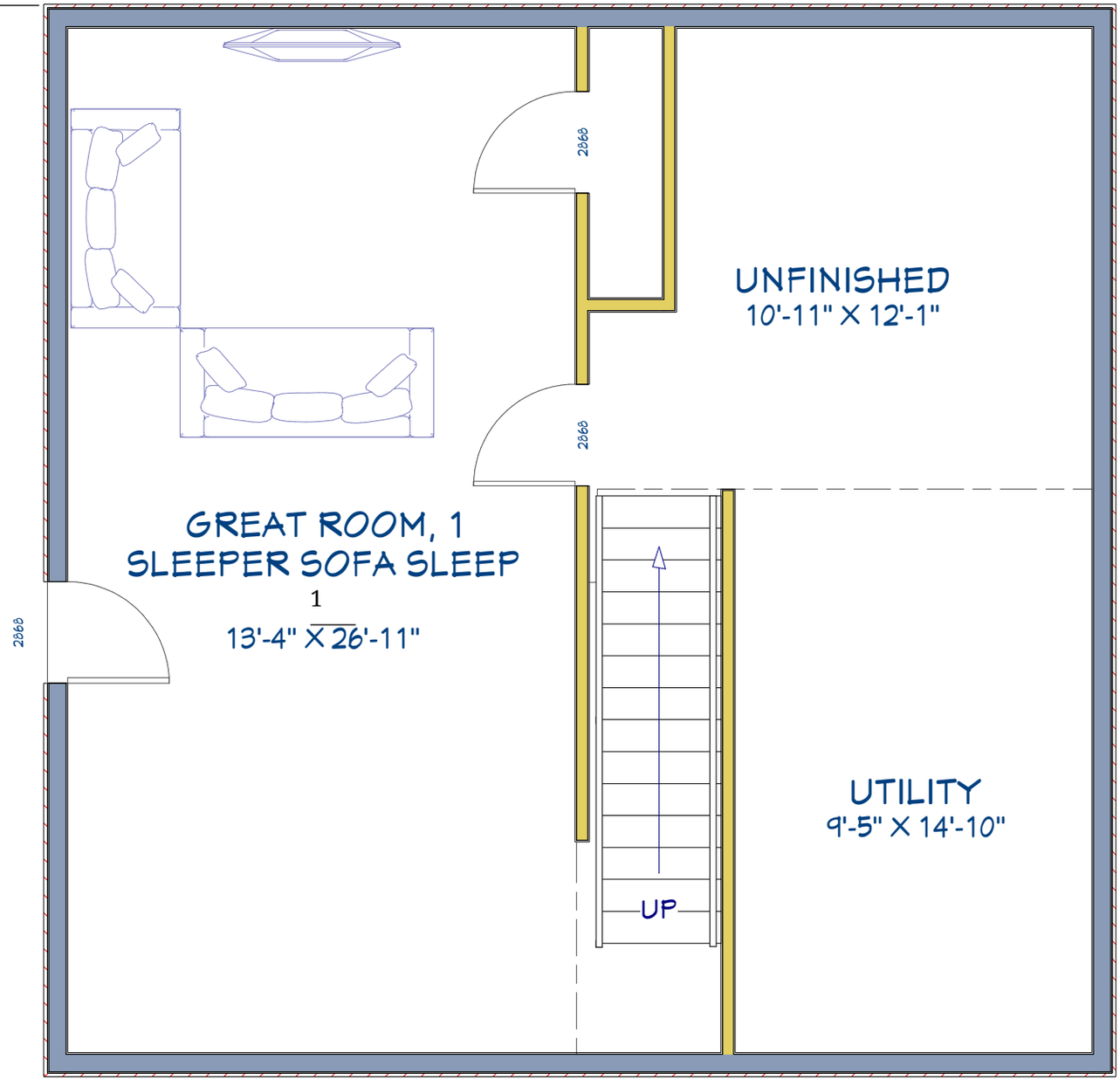
Attachments

1. Applicant Statement
2. Floorplan


DINING
9'-7" X 12'-1"
KITCHEN
18'-2" X 11'-11"
GARAGE
17'-10" X 18'-8"
FAMILY
16'-11" X 14'-10"
ENTRY
13' X 15'
UP
2DB20
2DB2440
2DB67
SB3640
2DB2440
2DB32
5068
2868
2668
3068
2668

Upper Floor Plan
3 Bedrooms
2 Bathrooms
Sleep 8



LIVING AREA
841 SQ FT

Lower Level
1 sleeper sofa
Sleeps 1