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2 **MINUTES OF THE COTTONWOOD HEIGHTS CITY**
3 **ADMINISTRATIVE HEARING**

4
5 **Wednesday, March 1, 2022**
6 **12:00 p.m.**
7 **Meeting held remotely via Zoom**
8 **2277 East Bengal Boulevard**
9

10 ***ATTENDANCE***

11
12 **Present:** Michael Johnson, Community and Economic Development Director/Hearing Officer
13 Samantha DeSeelhorst, Senior City Planner
14 Ian Harris, City Planner
15 Maria Devereux, Deputy City Recorder
16

17 **ADMINISTRATIVE HEARING**

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19 **1.0 Business Items**

20
21 Community and Economic Development Director/Hearing Officer, Michael Johnson called the
22 meeting to order at 12:00 p.m. and welcomed those present.
23

24 **1.1 (Project CUP-23-001) Request from Henry and J’Amie Groves for Conditional**
25 **Use Approval of Short-Term Rental at 8145 South Clover Spring Lane.**
26

27 Mr. Johnson reported that the above item is a request from Henry and J’Amie Groves for Conditional
28 Use Approval for Short-Term Rental located at 8145 South Clover Spring Lane.
29

30 City Planner, Ian Harris, reported that the request is for a Conditional Use Permit for a short-term
31 rental located in the Oaks at Wasatch Place Planned Unit Development (“PUD”). The property is
32 located in the R-2-8 (Multi-Family Residential) Zone. Short-term rentals may be approved as a
33 Conditional Use in the R-2-8 Zone, provided that the property is part of a Planned Unit Development
34 (“PUD”) or condominium project that contains at least eight units and fronts on a private street. The
35 subject property is a part of the Oaks at Wasatch PUD A, which contains 51 units. The property
36 fronts Clover Spring Lane, which is a private street. Staff received one public comment. Staff
37 recommended approval subject to the conditions set forth in the Staff Report.
38

39 Mr. Johnson clarified that the public comment received by staff expressed concern with repeat
40 violations for licensed short-term rentals. There is a provision in Code Section 19.89 that provides
41 guidance to the City for increased penalties upon repeat violations of short-term rental regulations
42 that may result in revocation of the Business License.
43

44 The applicant, Henry Groves reported that he and his wife are from Boise, Idaho, and purchased the
45 townhome with the intention of using the property personally and renting it out short-term. They are
46 hiring iTrip, a professional management company, who will ensure guidelines are followed in their
47 absence.
48

1 Mr. Johnson opened the public hearing. There were no public comments. The public hearing was
2 closed.

3
4 Mr. Johnson stated that the Oaks at Wasatch are one of the areas in the City where short-term rentals
5 are permitted with this Conditional Use process. He was comfortable with the approval of the item
6 with the compliance requirements set forth in the City regulations.

7
8 **MOTION:** Mr. Johnson moved to APPROVE Project CUP-23-001 subject to the following:

9
10 Conditions:

- 11
12 1. The applicant must complete the necessary steps to obtain a business license through
13 the city of Cottonwood Heights. Obtaining a business license will indicate final
14 approval of the short-term rental application. The short-term rental property will not
15 be considered legal until a Business License is obtained.
- 16
17 2. The short-term rental property is required to maintain compliance with all sections and
18 subsections of Chapter 19.89 and Chapter 5.85 of the Cottonwood Heights Municipal
19 Code, as hereafter amended from time to time, and all other legal requirements and
20 applicable laws.
- 21
22 3. Occupancy in any short-term rental property shall not exceed the lesser of (a) up to
23 two adults (persons aged 18 and above) and two related children (persons under age
24 18) per bedroom, or (b) a total occupancy (adults and children) of no more than 12
25 persons in the entire short-term rental property. It is prohibited to create artificial
26 divisions or partitions for the purpose of increasing available occupancy of an
27 otherwise standard dwelling unit.
- 28
29 4. This short-term rental property will be approved for no more than four (4) bedrooms.
30 The term “bedroom” means a room designated and used primarily for sleeping and
31 resting on a bed.
- 32
33 5. Upon issuance of a Business License and conditional use permit, the applicant must
34 display a copy of the Business License inside the main entry of the property.
- 35
36 6. The facility and its use shall comply with all applicable laws, rules, and regulations,
37 including those instituted by the state, county, county health department, or the City
38 to mitigate the impact of the COVID-19 pandemic.

39
40 Findings:

- 41
42 1. The proposed short-term rental meets the applicable provisions of Chapter 19.89 and
43 Chapter 5.85 of the Cottonwood Heights Municipal Code.
- 44
45 2. The proposed project will continue to meet the applicable provisions of Chapter 19.84,
46 “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. Protection of property values, the environment, and the tax base for the City will be assured.
- g. The use will comply with the City's General Plan.
- h. 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.

2.0 Consent Agenda

2.1 Approval of Minutes for March 1, 2023.

MOTION: Mr. Johnson moved to APPROVE the Minutes of the March 1, 2023, Administrative Hearing 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 and members agree, at which time the minutes shall be deemed approved.

3.0 Adjournment

The Administrative Hearing adjourned at approximately 12:15 p.m.

1 *I hereby certify that the foregoing represents a true, accurate, and complete record of the*
2 *Cottonwood Heights City Administrative Hearing held Wednesday, March 1, 2023.*
3

4 Teri Forbes

5 Teri Forbes
6 T Forbes Group
7 Minutes Secretary
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